

**CITY COUNCIL  
ROCHESTER, NEW HAMPSHIRE  
Nonpublic Session Minutes**

**Date:** May 16, 2023

**Motion to enter Nonpublic Session**

Made by: Lachapelle

Seconded by: de Geofroy

**Specific Statutory Reason** cited as foundation for the nonpublic session:

  X   RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

       RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

       RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

       RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.*

       RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

       RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

**Roll Call vote** to enter nonpublic session:

(circle replies below)

Mayor Callaghan

Yes

No

Not Present

Deputy Mayor Lachapelle

Yes

No

Not Present

Councilor Fontneau

Yes

No

Not Present

Councilor Gilman	Yes	No	Not Present
Councilor Beaudoin	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Malone	Yes	No	Not Present
Councilor Larochelle	Yes	No	Not Present
Councilor Desrochers	Yes	No	Not Present
Councilor Hainey	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Berlin	Yes	No	Not Present
Councilor de Geofroy	Yes	No	Not Present

**Entered nonpublic session**

Time: 8:50 pm

**Other persons present during nonpublic session:**

Cit Manager Blaine Cox, Deputy City Manager Katie Ambrose, Human Resources Director Kim Conley, and City Attorney Terence O'Rourke

**Description of matters discussed, and final decisions made:**

AFSCME Proposed CBA

Director Conley and Deputy City Manager Ambrose presented the Tentative CBA with AFSCME which represents the vast majority of DPW workers.

**Council Action:** Motion to approve Tentative CBA by Lachapelle , Seconded by Callaghan

**Yea:** de Geofroy, Berlin, Gray, Hainey, Desrochers, Larochelle, Malone, Hamann, Gilman, Fontneau, Lachapelle, and Callaghan  
**Nay:** Beaudoin

**Motion to leave nonpublic session and return to public session**

Made by: Lachapelle

Seconded by: Desrochers

**Motion: PASSED / DID NOT PASS** (circle one)

**Public session reconvened**

Time: 9:02 pm

**Motion made to seal these minutes?** Yes **No** (circle one)

**Indefinitely?** Yes **No** (circle one)

If yes, motion made by:

Seconded by:

because it is determined that divulgence of this information likely would:

- ☐ Affect adversely the reputation of any person other than a member of this board.
- ☐ Render a proposed action ineffective.
- ☐ Pertains to preparation or carrying out of actions regarding terrorism.

**Roll Call Vote to seal minutes:**

(2/3's vote of members present required)

Mayor Callaghan	Yes	No	Not Present
Deputy Mayor Lachapelle	Yes	No	Not Present
Councilor Fontneau	Yes	No	Not Present
Councilor Gilman	Yes	No	Not Present
Councilor Beaudoin	Yes	No	Not Present
Councilor Hamann	Yes	No	Not Present
Councilor Malone	Yes	No	Not Present
Councilor Larochelle	Yes	No	Not Present

Councilor Desrochers	Yes	No	Not Present
Councilor Hailey	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Berlin	Yes	No	Not Present
Councilor de Geofroy	Yes	No	Not Present

**Motion: PASSED / DID NOT PASS** (circle one)

Time:   pm

**These minutes recorded by:** Terence O'Rourke, City Attorney