

**Regular City Council Meeting
October 4, 2022
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hamann
Councilor Larochelle
Councilor Malone
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence, O'Rourke, City Attorney
Mark Sullivan, Deputy Finance
Peter Nourse, Director of City Services

COUNCILORS EXCUSED

Councilor Hailey

1. Call to Order

Mayor Callaghan called the Regular City Council meeting to order at 6:00 PM.

2. Opening Prayer

Mayor Callaghan called for a moment of silence.

3. Pledge of Allegiance

Councilor Beaudoin was asked to lead the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, took the roll call attendance. All Councilors were present, except for Councilor Hailey, who has been excused.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: September 6, 2022 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council revised set of minutes for September 6, 2022. Councilor Gray seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

City Manager Cox reported that the State of the City event was successful. He said presentations were given by various Department Heads, and the video coverage of the event is available on the City's website.

City Manager Cox wished to thank Katie Ambrose, Deputy City Manager, and Kimberly Conley, Director of the Human Resources Department for organizing the City's first wellness event, which was a wiffle ball tournament. He said there were 44 employees present who participated in the event. He announced that one of the Fire Department Teams took first place and the Police Department Team took second place.

Councilor Beaudoin asked the City Manager to provide more information about the extension of the Old Dover Road water main project near the edge of Somersworth. Councilor Beaudoin said it appears the project involves the City of Rochester "drawing water" from the Somersworth supply for the Alexandria Drive residents and questioned if this was the case. City Manager Cox agreed to provide additional information to the City Council.

Councilor Lachapelle asked if the bid for Strafford Square had been awarded as of yet. City Manager Cox replied yes. He said construction is expected to start as soon as later this month.

6.1 City Manager's Report

Contracts and documents executed since last month:

- **Department of Public Works**

- WWTP equipment Service/Maintenance contract – Ixom Watercare
- Task Order, Distribution system hydraulic model update – Wright Pierce
- Recommendation to award bid, Strafford Sq Intersection – S.U.R.
- Task Order, Old Dover Water Main Ext – Wright Pierce.
- Construction Phase Srvcs Contract, Strafford Square – Stantec Consulting
- 2017 NPDES MS4 General Permit Annual Report.

- **Economic Development**
 - FY23 CDBG Contracts – HAVEN
 - HUD Certificate of Consistency w/ the Consolidated Plan

Standard Reports

- **Personnel Action Report Summary**

7. Communications from the Mayor

7.1. Proclamation: Extra Mile Day, November 1, 2022

A proclamation for Extra Mile Day can be found in the City Council packet.

Mayor Callaghan announced that Rochester trick or treat will occur on October 30th from 4PM to 7PM this year.

Mayor Callaghan expressed appreciation for the success of the State of City event.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

Mayor Callaghan stated if there were no objections, that all the resignations would be voted upon at one time.

Councilor Lachapelle **MOVED** to **ACCEPT** the resignations as outlined in Section 9.1, 9.2, 9.6, 9.8, and 9.9. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.1. Resignation: Leonard Bernard – Moderator, Ward 3 consideration for approval

Resignation accepted as stated above in a collective vote of all resignations.

9.2. Resignation: Susan (Candy) Bailey – Supervisor of the Checklist, Ward 3 (resignation contingent on appointment

as Moderator of Ward 3) *consideration for approval*

Resignation accepted as stated above in a collective vote of all resignations.

**9.3. Appointment: Susan (Candy) Bailey – Moderator, Ward 3
Term to Expire 1/2/2024 *consideration for approval***

Mayor Callaghan **NOMINATED** Susan Bailey to be elected to serve as the Moderator of Ward 3, with a term to expire on 1/2/2024. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Ms. Bailey. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.4. Appointment: Robert Longo – Supervisor of the Checklist, Ward 3 Term to Expire 1/2/2024 *consideration for approval*

Mayor Callaghan **NOMINATED** Robert Longo to be elected to serve as the Supervisor of the Checklist of Ward 3, with a term to expire on 1/2/2024. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Longo. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**9.5. Appointment: Therese (Teri) Hurley – Ward Clerk, Ward 3
Term to expire 1/2/2024 *consideration for approval***

Mayor Callaghan **NOMINATED** Therese Hurley to be elected as the Ward Clerk of Ward 3, with a term to expire on 1/2/2024. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Ms. Hurley. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.6. Resignation: Jim Grant – Supervisor of the Checklist, Ward 6 *consideration for approval*

Resignation accepted as stated above in a collective vote of all resignations.

9.7. Appointment: Fred Chisholm – Supervisor of the Checklist, Ward 6 Term to Expire 1/2/2024 *consideration for approval*

Mayor Callaghan **NOMINATED** Fred Chisholm to be elected as the Supervisor of the Checklist of Ward 6, with a term to expire on 1/2/2024. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Chisholm. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.8. Resignation: A. Terese Dwyer – Planning Board, Seat A
consideration for approval

Resignation accepted as stated above in a collective vote of all resignations.

9.9. Resignation: Jeffrey Turgeon – Ward Clerk, Ward 5
consideration for approval

Resignation accepted as stated above in a collective vote of all resignations.

10. Reports of Committees

10.1 Appointments Review Committee

10.1.1 New Appointment: Lexy Van Binsbergen –
Recreation and Arena Commission, Seat C Term to
expire 1/2/2023 *consideration for approval*

Mayor Callaghan **NOMINATED** Lexy Van Binsbergen to be appointed as a member of the Recreation and Arena Commission, Seat C, with a term to expire on 1/2/2023. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Ms. Van Binsbergen. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.1.2 New Appointment: Sarah Rowe – Arts & Culture
Commission, Seat H Term to expire 7/1/2023
consideration for approval

Mayor Callaghan **NOMINATED** Sarah Rowe to be appointed as a member to the Arts & Culture Commission, with a term to expire on 7/1/2023. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Ms. Rowe. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.1.3 Appointment: Matthew Winders – Zoning Board of
Adjustments, Seat B (elevation from alternate to

regular) Term to expire 1/2/2025 consideration for approval

Mayor Callaghan **NOMINATED** Matthew Winders to be appointed as a Regular Member of the Zoning Board of Adjustments, Seat B, with a term to expire on 1/2/2025. Councilor Lachapelle **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Winders. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.2 Codes & Ordinances Committee

Councilor Lachapelle reported that there is one action item resultant from the Codes and Ordinances meeting; however, it is listed under New Business and will be taken up at that time.

10.3 Finance Committee

No discussion.

10.4 Planning Board

No discussion.

10.5 Public Safety

10.5.1 Committee Recommendation: To install “no parking” signs across the street from Cumberland Farms on Milton Road consideration for approval

Councilor Lachapelle **MOVED** to install “no parking” signs across the street from Cumberland Farms on Milton Road. Councilor Malone seconded the motion. Councilor Lachapelle said there are reasons for these signs, including drainage issues in that area and the need to prevent trucks from parking there. He noted that there are existing “no parking” signs on the other side of the road, which are not always acknowledged; however, this will give law enforcement the ability to take action as needed. The **MOTION CARRIED** by a unanimous voice vote.

10.5.2 Committee Recommendation: to install flashing sign near Pickering Road bridge at the discretion of DPW consideration for approval

Councilor Lachapelle **MOVED** to install flashing signs near the Pickering Road bridge at the discretion of DPW. Councilor Malone seconded

the motion. Councilor Lachapelle said there has been an issue on this area for many years and there have been efforts made to resolve the issue in the past. The City Council briefly discussed the matter. Mayor Callaghan asked if this was a permanent or temporary sign. Councilor Lachapelle responded that this would be a permanent sign. Councilor Berlin said this is the second sign of its kind and the original idea was to make one sign permanent and the other sign could be moved around the city as needed; however, the Committee has since learned that these types of signs are not meant to be moved around once installed. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle recalled that further down Pickering Road, where the Post Office is located, there have been temporary “no parking” signs posted; however, this matter will be brought back to the next Public Safety Committee meeting to propose a more permanent solution to the problem.

10.6 Public Works

10.6.1 *Committee Recommendation: To approve the waiver of the pavement moratorium for both Shaw Drive and Norway Plains Road with the restoration meeting the DPW guidelines consideration for approval*

Councilor Hamann **MOVED** to approve the waiver of the pavement moratorium for both Shaw Drive and Norway Plains Road with the restoration meeting the DPW guidelines. Councilor Lachapelle seconded the motion. Councilor Beaudoin disclosed a conflict of interest (Norway Plains Road) and abstained from the discussion and vote on the matter. The **MOTION CARRIED** by a unanimous voice vote (*Councilor Beaudoin did not vote.*)

11. Old Business

No discussion.

12. Consent Calendar

No discussion.

13. New Business

13.1. Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding the Location and

Boundaries of Zoning Districts *first reading and refer to public hearing*

Mayor Callaghan read the Amendment to Chapter 275 of the General Ordinances by title only and referred the matter to a Public Hearing to be held on October 18, 2022.

**Amendment to Chapter 275 of the General Ordinances
of the City of Rochester Regarding the
Location and Boundaries of Zoning Districts**

THE CITY OF ROCHESTER ORDAINS:

WHEREAS, Chapter 275-1.10 establishes that the location and boundaries of zoning districts within the City of Rochester are established as shown on a map titled, "City of Rochester Zoning Map."

WHEREAS, Chapter 275-1.10 further declares that the City of Rochester Zoning Map is incorporated by reference as party of Chapter 275 of the General Ordinances of Rochester regarding zoning.

WHEREAS, the Mayor and City Council of Rochester desire to amend the City of Rochester Zoning Map to convert certain properties from the Residential-2 Zone to the Downtown Commercial Zone.

THEREFORE, the Mayor and City Council of Rochester ordain that properties shall be converted to Downtown Commercial Zone in accordance with the Attached Exhibit. (**Exhibit A**). See Addendum B (Exhibit A)

The effective date of these amendments shall be upon passage.

13.2. Resolution Authorizing Supplemental Appropriation in the amount of \$150,000.00 for Opioid Abatement *first reading and consideration for adoption*

Mayor Callaghan read the resolution for the first time by title only as follows:

**Resolution Authorizing Supplemental Appropriation
in the amount of \$150,000.00 for Opioid Abatement**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) to cover the costs associated with Opioid Abatement related to the City's involvement in litigation against various opioid manufactures and distributors. The supplemental appropriation will be derived in its entirety from monies received from the City in settlement agreements, grants related to settlement agreements, bankruptcy proceedings, and final verdicts following trial.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. Councilor Beaudoin asked questions about how the money would be spent. Councilor Malone reported that the Committee is currently meeting on a monthly basis and is currently in the "collecting data" phase to establish what the community needs for services. The Committee will be meeting with Rochester Mental Health Alliance in November. She said there are strict restrictions regarding how the money can be used, and the uses must relate to Opioid Abatement. She gave a few examples, such as prevention, education, and syringe exchanges. Councilor de Geofroy asked if the recommendations from the Ad Hoc Committee would be presented to the City Council prior to expenditures. Mayor Callaghan replied yes. Councilor Malone said the Committee is required to provide quarterly updates as well. Councilor Malone said the Committee would be working over the next fifteen to twenty years while the lawsuits come through from the manufacturers of these drugs. Councilor Desrochers thanked Councilor Malone for chairing the Ad Hoc Committee and shared her experience from attending the Committee meeting earlier in the day. The **MOTION CARRIED** by a unanimous voice vote.

**13.3. Resolution Authorizing the Department of Public Works
to Apply for an ARPA Grant up to \$50,000.00 *first reading
and consideration for adoption***

Mayor Callaghan read the resolution by title only as follows:

**Resolution Authorizing the Department of Public Works
to Apply for an ARPA Grant up to \$50,000.00**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

They hereby authorize the Department of Public Works to apply to NHDES for an ARPA Grant up to Fifty Thousand Dollars (\$50,000.00) as part of the Cybersecurity Implementation Grant Program.

Further, by passage of this Resolution, the Mayor and City Council authorize the Department of Public Works to submit the formal ARPA application and to designate the City Manager as the authority to execute the grant application and all associated documents.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.4. Resolution Deauthorizing \$2,239.42 of the Rochester Police Department Granite Shield Grant *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

**Resolution Deauthorizing \$2,239.42
of the Rochester Police Department Granite Shield Grant**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That Two Thousand Two Hundred Thirty Nine and 42/100 Dollars (\$2,239.42) of funds previously appropriated to the Rochester Police Department as part of the Granite Shield Grant are hereby deauthorized.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous

voice vote.

13.5. Resolution authorizing acceptance of State forfeiture funds in the amount of \$2,669.63 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing the Acceptance of \$2,669.63 in Forfeiture Funds from the State of New Hampshire

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

The City hereby accepts a Two Thousand Six Hundred Sixty Nine and 63/100 Dollars(\$2 669.63.00) in forfeiture funds from the State of New Hampshire.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **MOVED** to **ADOPT** the revised resolution distributed prior to the City Council meeting. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.6. Resolution authorizing transfer of balance of the Economic Development Special Reserve Fund to the Economic Development Non-Capital Reserve Fund *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing the Transfer of the entire Balance from the Economic Development Special Reserve Fund to the Economic Development Non-Capital Reserve Fund

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

The City hereby authorizes the transfer of the entire balance of the Economic Development Special Reserve Fund to the Economic Development Non-

Capital Reserve Fund. As of the date of this Resolution, the balance stands at One Million Four Hundred Eighty Two Thousand Nine Hundred Twenty Eight and 39/100 Dollars (\$1,482,928.39).

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **Moved** to **ADOPT** the resolution. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.7. Resolution Pursuant to RSA 47:1-c, IV Rescinding the City of Rochester Economic Development Special Reserve Fund *second reading and consideration for adoption*

Resolution Pursuant to RSA 47:1-c, IV Rescinding the City of Rochester Economic Development Special Reserve Fund

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

By adoption of this Resolution, the City Council, by majority vote, answers in the affirmative to the following question: Shall we rescind the provisions of RSA 47:1-b to restrict revenues from the so-called Host Community Fees to expenditures for the purposes outlined in §7-63 (A)(2) of the Code of the City of Rochester?

By adoption of this Resolution, the City Council rescinds the City of Rochester Economic Development Special Reserved Fund effectively immediately.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

Councilor Lachapelle **Moved** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.8. Amendment to Chapter 7 of the General Ordinances of the City of Rochester deleting 7-63 "Economic Development Special Reserve Fund" *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only (see addendum A).

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. Councilor Beaudoin spoke against the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.9. Waterstone Phase II Development Agreement *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Waterstone Phase II Development Agreement. Councilor Malone seconded the motion. Councilor Beaudoin spoke against the motion. He said the other TIF Districts have proven to be extremely profitable, and the same theory applies to Phase I of the Waterstone Development; however, the next Phase will not have the same positive impact on the Community due to the inclusion of residential development with this Phase of the project. He said there could be as many as 230 new apartments included in this phase; however, it has not been vetted through the Planning Board as of yet. He said even if only fifty students enter into the Rochester School system from this development, the City loses money. He spoke about the anticipated tax revenue expected for this phase of the development and how the amount of new students would greatly impact the tax revenue from Phase I and Phase II.. He reiterated his opposition to this phase of the Project. Councilor Desrochers shared information to rebut Councilor Beaudoin's statements. She stated that she believes it is a myth that housing inflates education costs. Mayor Callaghan agreed and said according to the recent census, the population was approximately 31,000 in 2020 compared to only 21,000 about ten years ago. He added that there are fewer students in our school system now even though the population has greatly increased. Councilor Beaudoin stated that according to the New Hampshire Department of Education the cost per student equates to approximately \$18,000. Councilor Lachapelle requested a roll call vote. Councilor Beaudoin seconded the request. The **MOTION CARRIED** by a 9 to 3 roll call vote. Councilors Malone, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion. Councilors Gray, Gilman, and Councilor Beaudoin voted against the motion.

13.10. Resolution Authorizing the Acceptance of a JAG Grant from the State of New Hampshire in the amount of \$27,300.00 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing the Acceptance of a JAG Grant from the State of New Hampshire in the amount of \$27,300.00

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

The City hereby accepts a JAG Grant of Twenty Seven Thousand Three Hundred Dollars (\$27,300.00) from the State of New Hampshire to be used by the Rochester Police Department for the purchase of law enforcement equipment and associated training.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.11. Resolution Authorizing the Acceptance of a Vest Grant from the State of New Hampshire in the amount of \$5,640.25 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing the Acceptance of a Vest Grant from the State of New Hampshire in the amount of \$5,640.25

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

The City hereby accepts a Vest Grant of Five Thousand Six Hundred Forty and 25/100 Dollars (\$5,640.25) from the State of New Hampshire to be used by the Rochester Police Department for the purchase of new ballistic vests.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.12 Resolution Accepting NH Department of Environmental Services (NHDES) Grant, in Connection with 2023 Household Hazardous Waste Day and Authorizing City Manager to Enter Into a Contract with NHDES not to exceed \$12,813.00 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Accepting NH Department of Environmental Services (NHDES) Grant, in Connection with 2023 Household Hazardous Waste Day and Authorizing City Manager to Enter Into a Contract with NHDES not to exceed \$12,813.00

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That a NHDES Grant, in the amount not to exceed Twelve Thousand Eight Hundred Thirteen Dollars (\$12,813.00) to the City of Rochester, for the purpose of hosting hazard mitigation, is hereby accepted by the City of Rochester. The associated revenue and expenses accounts have previously been approved by the Council in the Department of Public Works 2023 operating budget of the City of Rochester.

Additionally, the City Manager of the City of Rochester, be, and hereby is authorized to enter into a contract with the NHDES with respect to such grant and the conduct of the aforementioned 2023 Household Hazardous Waste Day.

Furthermore, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.13 Resolution Establishing Polling Places and Times for the November 8, 2022 State General Election *first reading in its entirety and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution in its entirety. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Resolution Establishing Polling Places and Times for the November 8, 2022 State General Election

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER:

That the following polling places are hereby established for the City of Rochester for the upcoming November 8, 2022 State General Election.

WARD 1: East Rochester Elementary School
773 Portland Street, East Rochester

WARD 2: Chamberlain Street School
65 Chamberlain Street, Rochester

WARD 3: Gonic Elementary School
10 Railroad Avenue, Gonic

WARD 4: McClelland Elementary School
59 Brock Street, Rochester

WARD 5: James W. Foley Memorial Community Center a/k/a Rochester Community Center 150 Wakefield Street/Community Way, Rochester

WARD 6: Elks Lodge #1393
295 Columbus Avenue, Rochester

Further, that in accordance with RSA 659:4, and Section 47 of the City Charter – All polling places shall be open from 8:00 A.M. to 7:00

P.M., on said Election Day. The Processing of Absentee Ballots shall begin at 10:00 AM on Election Day.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. Councilor de Geofroy questioned if there were any changes to any of the polling locations. The City Clerk confirmed there were no changes; however, State Law requires the polling locations are adopted at least thirty days prior to any election. Councilor Lachapelle said it is read out loud in its entirety for the public's sake. The **MOTION CARRIED** by a unanimous voice vote.

14. Adjournment

Mayor Callaghan **ADJOURNED** the Regular City Council meeting at 6:28 PM.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

**Amendment to Chapter 7 of the General Ordinances of the City of Rochester Regarding the
Economic Development Special Reserve Fund**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 7 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struck out~~ additions in RED):

§ 7-63 Economic Development Special Reserve Fund.
{Added 9-6-2016}

A.—Statement of purpose.

- (1) ~~The City of Rochester currently serves as the "Host Community" for the Turnkey Recycling and Environmental Enterprises Waste Disposal Facility (TREE) currently operated by Waste Management of New Hampshire, Inc., and located on the Rochester Neck Road. By virtue of its status as Host Community for TREE, the City of Rochester, in addition to incurring significant expenses in connection with such facility, receives significant financial benefits in the form of real property taxes, user fees (in the form of so-called "host community fees") and various other benefits relative to the cost to the City and its inhabitants of the disposal and/or recycling of various solid waste, including reduced and/or eliminated fees for the disposal and/or recycling of solid waste generated within the City of Rochester. It is currently estimated that the permitted capacity of the TREE Waste Disposal Facility (TLR-III) will be reached in approximately the year 2023. When such facility is filled to its permitted capacity, it is anticipated that the City will experience a loss in revenues, and the City and its inhabitants will experience increased costs associated with the disposal and/or recycling of solid waste, particularly in the form of reduced and/or lost user fees and reduced property tax revenues, as well as increased costs associated with the disposal and/or recycling of solid waste. Therefore, in an effort to offset the expected loss of revenues and increased costs occurring to the City as a result of the anticipated filling of the TREE Waste Disposal Facility to its permitted capacity and to promote the general fiscal strength and well-being of the City, it is necessary that economic development in the City of Rochester be promoted and/or maintained to ensure the existence and/or expansion of a vibrant economic base for the City and its inhabitants.~~
 - (2) ~~Therefore, the City Council of the City of Rochester, pursuant to the authority granted by RSA 47:1-b and 47:1-c, hereby establishes a special revenue reserve fund from the specific source identified in Subsection B of this section for capital expenditures or expenditures for capital projects, transfers to capital projects, transfers to capital reserve, or for any other appropriation of a nonrecurring nature in support of economic development as determined by the City Council. The special reserve fund established in Subsection B of this section shall be known as the "City of Rochester Economic Development Special Reserve Fund." No expenditure from said City of Rochester Economic Development Special Reserve Fund shall be made without an appropriation of such funds having been adopted by the Rochester City Council, which appropriation shall provide that such appropriation is for economic development purposes and shall contain a statement and/or finding by the City Council indicating the manner in which it is anticipated that such appropriation is related to the economic development of the City of Rochester.~~
- B.—~~There is hereby created a non-lapsing budgetary account within the City of Rochester, pursuant to the authority granted to the City by the provisions of RSA 47:1-b, such special reserve fund to be known as the "City of Rochester Economic Development Special Reserve Fund." Such fund shall be funded on an annual basis by the appropriation by the City Council to such special reserve fund of an amount not less than one hundred thousand dollars (\$100,000.) from the funds annually payable to the City of Rochester by Waste Management of New Hampshire, Inc., from the so-called "host community fees" payable to the City pursuant to the provisions of the Host Agreement between the City and Waste Management of New Hampshire, Inc., or of any successor to such agreement. In addition to such minimum funding level, the City Manager may, during any fiscal year of the City,~~

~~upon written notification to, and appropriation by, the City Council, transfer to said City of Rochester Economic Development Special Reserve Fund unappropriated host community fees in an amount not to exceed the difference between the total amount of host community fees received from Waste Management of New Hampshire, Inc., during such fiscal year and the amount of such host community fees previously appropriated by the Rochester City Council during such fiscal year (having in mind the minimum funding/appropriation requirement provided for herein and any other appropriation of such fiscal year's host community fees by the City Council during such fiscal year).~~

This Amendment is effective upon passage.

Amendment to Chapter 275 of the General Ordinances of the City of Rochester
Regarding the Location and Boundaries of Zoning Districts

THE CITY OF ROCHESTER ORDAINS:

WHEREAS, Chapter 275-1.10 establishes that the location and boundaries of zoning districts within the City of Rochester are established as shown on a map titled, "City of Rochester Zoning Map."

WHEREAS, Chapter 275-1.10 further declares that the City of Rochester Zoning Map is incorporated by reference as part of Chapter 275 of the General Ordinances of Rochester regarding zoning.

WHEREAS, the Mayor and City Council of Rochester desire to amend the City of Rochester Zoning Map to convert certain properties from the Residential-2 Zone to the Downtown Commercial Zone.

THEREFORE, the Mayor and City Council of Rochester ordain that properties shall be converted to Downtown Commercial Zone in accordance with the Attached Exhibit. **(Exhibit A)**.

The effective date of these amendments shall be upon passage.



City of Rochester, New Hampshire
Office of Economic & Community Development
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.rochesterredc.com

July 6, 2022

Mr. Mark Collopy
Chair
City of Rochester Planning Board
31 Wakefield Street
Rochester, NH 03867

RE: Expansion of the Downtown Commercial Zone

Dear Chairman Collopy:

As part of the City's strategy for the redevelopment of the downtown area, the Department of Economic Development is seeking a change in classification for the properties listed below and outlined in Exhibit A.

These parcels are currently zoned Residential-2 (R2) and Econ Dev is requesting they be re-designated as Downtown Commercial (DC).

| Parcel ID | Street Address |
|----------------|-----------------------|
| 0121-0029-0000 | 6 Bridge Street |
| 0121-0030-0000 | 16 Bridge Street |
| 0121-0027-0000 | 17 Bridge Street |
| 0120-0357-0000 | 0 Congress Street |
| 0120-0356-0000 | 24 Congress Street |
| 0121-0008-0000 | 39 Congress Street |
| 0121-0007-0000 | 43-45 Congress Street |
| 0121-0019-0000 | 24 River Street |
| 0121-0020-0000 | 26 River Street |
| 0121-0021-0000 | 28 River Street |
| 0121-0022-0000 | 30-32 River Street |
| 0121-0023-0000 | 34 River Street |
| 0121-0024-0000 | 36 River Street |
| 0121-0025-0000 | 38 River Street |
| 0121-0026-0000 | 40 River Street |

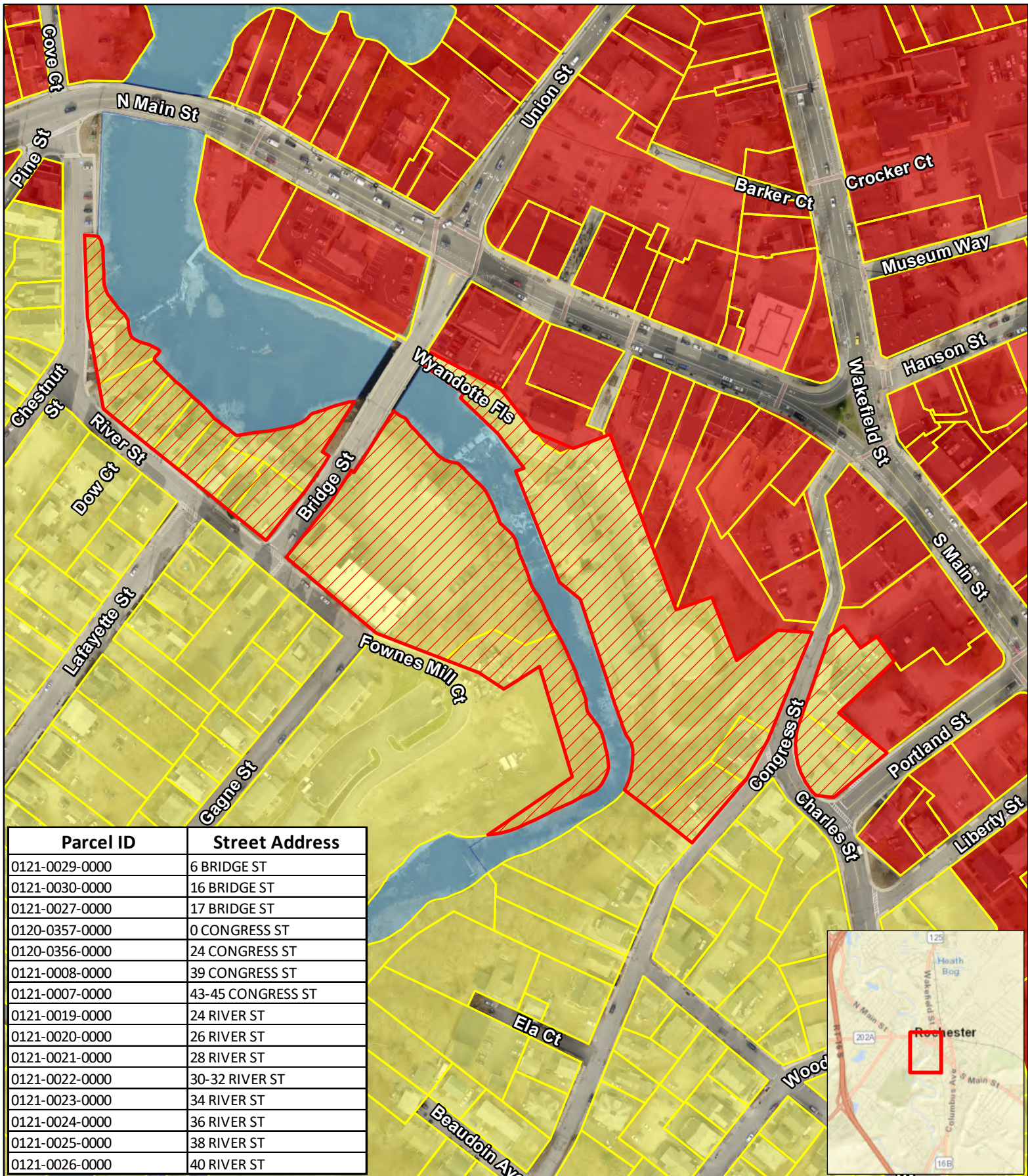
The rezoning of these parcels would allow for future development more in line with the DC redevelopment strategy of increased density within our urban center.

If the recent success of the City's downtown redevelopment efforts are to continue, we need to evaluate where future growth could and should go. Expanding the DC Zone to include these parcels will provide additional options for redevelopment and growth.



Sincerely,

A handwritten signature in black ink, appearing to read "Michael Scala", written in a cursive style.




Michael Scala
Director of Economic Development



Legend

-  Proposed Downtown Commercial
-  Parcel Boundary

Zoning Districts

-  Residential - 2
-  Downtown Commercial
-  Water

Data Sources:
 Rochester - Zoning (2022)
 CAI - Parcel Boundaries (2021)
 NHDOT - Roads (2021)
 Eagleview - Imagery (2020)
 Inset Map - Esri ArcGIS Online (2022)



1 in = 200 ft

0 100 200 ft




This map is intended for planning purposes only.
 All features shown should be considered approximate.
 Map created by: DC, City of Rochester, NH
 Date: 6/27/2022

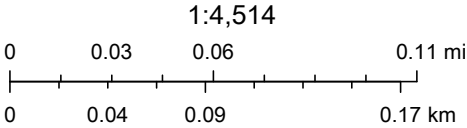
Path: \\roch-files\share\dpw\share5\GIS\EconDevelopment\ZoningChange\DowntownCommercial\DTExpansion.mxd

ArcGIS Web AppBuilder



7/6/2022, 12:22:24 PM

 Tax Parcels
Parcel Info



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