

**Regular City Council Meeting
May 2, 2023
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Hailey
*Councilor Hamann
Councilor Larochelle
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

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

COUNCILORS EXCUSED/ABSENT

Councilor Gray
Councilor Malone

Minutes

1. Call to Order

Mayor Callaghan called the Regular City Council meeting to order at 6:00 PM. He announced that *Councilor Hamann was connecting to the meeting remotely. He asked Councilor Hamann if was reasonably impractical for him to attend the meeting in person and for what reason (RSA 91-A,III a). Councilor Hamann confirmed this was true based on medical reasons. Mayor Callaghan asked if Councilor Hamann is alone in the room (RSA 91-A,III c). Councilor Hamann replied he was alone in the room at the moment; however, his wife is home and could enter the room at some point during the meeting.

2. Opening Prayer

Mayor Callaghan asked all to stand for a moment of silence.

3. Pledge of Allegiance

Mayor Callaghan asked Councilor Desrochers to lead the Pledge of

Allegiance.

4. Roll Call

Kelly Walters, City Clerk took the roll call attendance. The following Councilors were present in Council Chambers: Councilors Beaudoin, Berlin, de Geofroy, Desrochers, Fontneau, Gilman, Hainey, Deputy Mayor Lachapelle, and Mayor Callaghan. Councilor Hamann was connecting remotely via Microsoft Teams. Councilor Gray was excused from attendance and Councilor Malone was absent.

Recess to Non-Public Meeting – Personnel, RSA 91-A:3, II (a)

Mayor Callaghan entertained a motion to recess the meeting in order to enter a Non-Public Session. Councilor Lachapelle **MOVED** to Recess the Meeting at 6:03 PM and enter a Non-Public Meeting under RSA 91-A:3, II (a), Personnel. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Berlin, Hainey, Larochelle, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

Reconvene City Council Regular Meeting

Mayor Callaghan reconvened the meeting at 6:12 PM. Councilor Lachapelle **MOVED** to Exit the Non-Public Meeting. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follow: Councilors Hainey, Gilman, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan said if there are no objections the Agenda will be amended to take up action on Agenda Item 9-5 (9.1) prior to Agenda Item 5 on the Agenda. No objections were stated.

9.1 Resignation: Blaine Cox – City Manager *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the Resignation of Blaine Cox, City Manager, with regret. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Berlin, Desrochers, Fontneau, Hamann, Hainey,

Lachapelle, Larochelle, Beaudoin, Gilman, de Geofroy, and Mayor Callaghan seconded the motion.

Mayor Callaghan appointed Katie Ambrose, Deputy City Manager, as the new City Manager effective July 3, 2023. Councilor Lachapelle seconded the appointment. The **MOTION to AFFIRM** the appointment **CARRIED** by a 10 to 1 roll call vote. Councilors Gilman, de Geofroy, Gilman, Hainey, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, and Mayor Callaghan voted in favor of the appointment. Councilor Berlin voted against the appointment.

Mayor Callaghan read a statement thanking Blaine Cox for his 11 years of service to the City and welcoming Katie Ambrose as the new City Manager.

City Manager Cox thanked the Mayor for his comments. He gave a brief overview of the experience which Katie Ambrose brings to the City of Rochester and her qualifications. He congratulated Ms. Ambrose on her appointment as the next City Manager.

Ms. Ambrose addressed the City Council and thanked them for the opportunity to serve the City as the new City Manager.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: April 4, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the April 4, 2023, Regular City Council meeting minutes. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Hamann, Desrochers, Gilman, Fontneau, Larochelle, de Geofroy, Berlin, Hainey, Lachapelle, Beaudoin, and Mayor Callaghan voted in favor of the motion.

5.2 Special City Council Meeting: April 18, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the April 18, 2023, Special City Council meeting minutes. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote as follows: Councilors Desrochers, Hamann, de Geofroy, Beaudoin, Hainey, Lachapelle, Gilman, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

6. Communications from the City Manager

City Manager Cox asked Ms. Ambrose to address the City Council concerning the NEPBA Local 123 Collective Bargaining Agreement contract. Ms. Ambrose said due to on-going hiring challenges for the Police Dispatch, the City has entered some of the new components of the July 1st contract into a Memorandum of Agreement with NEPBA Local 123 to start now (May 7th). These components are the Training Officer Program, Salary Adjustments, Shift Differential Pay, along with Critical Shortage Pay. She added that these components would be funded through the current FY 23 budget.

City Manager Cox said he sent an email to the City Council regarding some Right-to-Know issues. He said the email explains that the City of Rochester is not obligated to send out documents to non-residents (out of State). He said non-citizens may make Right-to-Know request in person with the Legal Department during regular business hours. Terence O'Rourke, City Attorney, confirmed that the City Manager's comments about non-residents are correct and in fact the information comes directly from the newly created Right-to-Know Ombudsmen. He briefed the City Council about the position of Ombudsmen. He added that providing Right-to-Know request for "citizens only" has been a position that the NHMA (New Hampshire Municipal Association) has supported for years. Attorney O'Rourke gave a brief history of the Right-to-Know Law and some of the challenges to the Right-to-Know Law.

City Manager Cox informed the public that applications for property tax relief for low/moderately low incomes can be submitted no earlier than May 1st nor later than June 30th of each year. He said the guidelines can be found on the City's website.

City Manager Cox informed the public that a planned internet/phones outage is scheduled for the City Hall building this coming Wednesday and would only impact the internet/printers/phones at the City Hall building due to the installation of new internet access lines in the building.

Councilor Beaudoin asked if this outage would impact the City's website. City Manager Cox replied that it should not impact the City's website for anyone outside of City Hall.

6.1 City Manager's Report

Contracts and documents executed since last month:

- **Department of Public Works**
 - Sewer System Master Plan Engineering Agreement – Weston & Sampson
 - Tara Estates Meter Reading Agreement
 - Change Order #2, Rt 11 Pump Station – NE Earth Mechanics
 - Change Order #3, Rt 11 Pump Station – NE Earth Mechanics
 - Change Order #4, Rt 11 Pump Station – NE Earth Mechanics
 - Wallace St Ground Water Site NHDS Permit
 - Uniform Rental and Service Agreement – Cintas
 - Task Order, Evaluation of City-owned bridges – Hoyle Tanner
- **Economic Development**
 - FY22-FY23 CAP Weatherization – April 20
- **IT**
 - Telephone & Network Technology – City Hall Security Cameras
 - Printer Purchase, April 7
 - Printer Purchase, April 21
- **Recreation & Arena**
 - Rides Contract – Cushing Entertainment

The following standard report has been enclosed:

- Personnel Action Report Summary

7. Communications from the Mayor

Mayor Callaghan said the April 22nd Rochester Cares Cleanup Day was successful. He thanked all those involved.

7.1 Proclamation: Public Works Week May 21 – 27

Mayor Callaghan read a Proclamation and declared the week of May 21 – 27, Public Works Week in Rochester.

7.2 Proclamation: Municipal Clerk's Week April 30 – May 6

Mayor Callaghan read a Proclamation and declared the week of April 30 – May 6, Municipal Clerk's Week in the City of Rochester.

7.3 Discussion: Scheduling July City Council meeting

Mayor Callaghan announced that the July Regular City Council meeting falls on Independence Day. The City Council briefly discussed the matter. It was determined that the July 4, 2023 meeting would be postponed to the following week: July 11, 2023, starting at 6:00 PM.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

**9.5. Resignation: Blaine Cox – City Manager
*consideration for approval***

This item was taken up prior to Agenda Item #5.

10. Budget Presentation: School Department O&M and CIP

Kyle Repucci, Superintendent of Schools informed the City Council that the School Department is presenting a budget for FY 24 which is 1.6 million below the Tax Cap.

Superintendent Repucci and David Totty, Director of Facilities, gave a lengthy PowerPoint presentation, and the following questions were asked:

Councilor Beaudoin stated many concerns about the SHS Band & Chorus Improvement Project. He inquired about the square footage of that area. Mr. Totty estimated the space to be approximately twelve thousand square feet. Mr. Totty explained that there is a concrete slab for the base flooring with a steam tunnel running underneath. He gave details of the original design which was meant to allow the flooring to expand/contract. He said about fifty years ago walls were constructed which restrict the floor from the normal process of shifting. He said that floor has finally failed, and it results in extreme bumps in the flooring. He summarized some specific efforts that were made to help resolve the issues; however, it has become a trip hazard. Mr. Totty gave details of the project and reasons why the project may not cost as much as the initial estimate. He said if the bid comes in lower than anticipated, then any remaining funding could not be used/transferred for another project.

Councilor Beaudoin had concerns about the MSMS Site-Work

Safety Improvements Project estimated at \$80,000. He recalled that \$200,000 had been approved for this project last year. Councilor Beaudoin said after visiting the site it seems no work has been done yet. He questioned how it could be known that another \$80,000 would be needed if the initial part of the project is incomplete. Mr. Totty confirmed the project is incomplete and the additional funding is being requested since liquid asphalt has increased in price by 61%. Mr. Totty added that it is important to have the funding in place to complete the project because there is only a short window (time) when this work can be done, and it would not be good to start the project and not have adequate funds for completion. Councilor Beaudoin asked if the funding for this project included resolving some of the parking issues in these areas. Mr. Totty replied yes, the goal is to work with other City Departments to ensure that the project results in resolving the parking issues as well.

Councilor Beaudoin stated concerns with the District Wide Roof Upgrades Project estimated at \$200,000. He gave figures associated with past roof repairs and asked if this was the end of the line for roof repairs. Mr. Totty said he has created a roof replacement spreadsheet to track the existing school building roofs, which includes the type, style, life expectancy of said roofs, and when they were installed. He explained how the process of utilizing CIP funds for roof repairs works and that older projects with remaining funds would not be included in the bond moving forward. He confirmed the three roofs identified that need attention. He could not recall any other roofs that may need to be repaired at this time. He added that the largest roof to be replaced would be for the high school, which is not due to be replaced for another ten years.

Councilor Beaudoin said the School Department has spent a little more than \$300,000 on playground equipment in the past six years. He asked if the playground project would be the last of the playground upgrades for the time being. Mr. Totty said the last playground upgraded was the William Allen School Playground, which cost about \$100,000. Mr. Totty said there is still some very outdated playground equipment around some of the schools, including the old metal monkey-bars, which can be dangerous. Mr. Totty did not see an end of funding request for playgrounds because the equipment lives outside in the elements and repairs need to be made for the safety of children.

Councilor Larochelle said many teacher positions were lost since the establishment of the Tax Cap; however, it does not seem many positions are being added back in this year. He questioned how this shortage has impacted teacher/student ratios and the impact on education. Superintendent Repucci said all the positions listed as being added were

the result of the principals' needs from the various schools in the City. He said COVID-19 and other matters have impacted our schools. He said it has necessitated some shifts in various areas. He spoke about the specific positions listed including guidance counselors.

Councilor Larochelle asked if the School Department is making more use of technology including solo courses online. Superintendent Repucci said students at the Middle School and High School do have that opportunity; however, the school's vision/mission in learning is more personalized learning, which does include flexible tools. He shared what this would look like in a typical classroom on a regular day of school.

Councilor Desrochers asked what the social worker/student ratio is for each school. Superintendent Repucci said there is not a social worker position for every school. He said, in fact, there will only be one social worker for the entire high school.

Mayor Callaghan said there is a CIP/Cash Item for \$25,000 - building security. He asked if there were any grants being utilized for building security. Mr. Totty confirmed that the School Department has made many upgrades to building security with grant projects; however, that practice has turned into a bit of a hodgepodge of various systems and when the various systems fail, the funding must be in place to resolve these issues if at all possible.

Councilor Desrochers asked if there are outstanding needs for building security which are not presented in the budget. Mr. Totty said there are always needs for cameras and access safety. He said every three years the schools have a safety review conducted by the State Department of Safety, Homeland Security, and the local Police and Fire Department. Mr. Totty summarized that building security needs are always present; however, the School Department is utilizing funds, while being fiscally responsible and keeping the students as safe as possible. Mr. Repucci said most recently a grant was utilized for the Middle School Entrance/Security replaced project.

Mayor Callaghan thanked both Superintendent Repucci and Mr. Totty for the School Budget Presentation.

11. Reports of Committees

11.1 Codes and Ordinances Committee

11.1.1 Committee Recommendation: Amendment to

the Rules of Order section 4.21, changing #4 to "Roll Call of Councilors-Elect and *Mayor-Elect*" *consideration for approval*

Councilor Lachapelle **MOVED** to **AMEND** the Rules of Order section 4.21 by adding the wording *and Mayor Elect*". Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Larochelle, Gilman, Berlin, Beaudoin, de Geofroy, Fontneau, Hamann, Lachapelle, Desrochers, Hainey, and Mayor Callaghan voted in favor of the motion.

11.1.2 Committee Recommendation: Amendment to the Rules of Order section 1.6 "Order of Business," changing #11. Old Business to "Unfinished Business." *consideration for approval*

Councilor Lachapelle **MOVED** to **AMEND** the Rules of Order section 1.6 "Order of Business," changing #11. ~~Old Business~~ to *"Unfinished Business."* Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Lachapelle, Larochelle, Hainey, Desrochers, Gilman, Berlin, de Geofroy, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

11.2 Community Development

11.2.1 Resolution Adopting a FY 2024 Rochester CDBG "Action Plan for the City of Rochester, N.H." and Approving and Appropriating the FY 2024 Community Development Budget for the City of Rochester *first reading and refer to public hearing 5/16/23* (Click [HERE](#) for full Annual Action Plan)

Mayor Callaghan read the resolution for a first time and referred the matter to a Public Hearing to be held on May 16, 2023.

RESOLUTION ADOPTING AN FY 2024 ROCHESTER CDBG "ACTION PLAN FOR THE CITY OF ROCHESTER, N.H." AND APPROVING AND APPROPRIATING THE FY 2024 COMMUNITY DEVELOPMENT BUDGET FOR THE CITY OF ROCHESTER

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

I. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby adopt the one-year FY 2024 (July 1, 2023—June 30, 2024) "Action Plan for the Community Development Block Grant (CDBG) Program for the City of Rochester, N.H.," as prepared and presented to the Mayor and City Council by the City of Rochester Office of Economic and Community Development, in connection with the City's CDBG program, including the goals, objectives, and concepts set forth therein;

II. Further, that a twelve (12) month Community Development Block Grant budget for the Office of Economic and Community Development for the City of Rochester in the total amount of Two Hundred Twenty Nine Thousand Five Hundred Seventy Six Dollars (\$229,576.00) be, and hereby is, approved and appropriated for fiscal year 2024 (July 1, 2023—June 30, 2024). Included in said approval and appropriation are expenditures set forth in the one-year action plan of the Office of Economic & Community Development for the City of Rochester for the Community Development Block Grant program, in the following categories and amounts:

Administration and Planning	\$ 45,915.00
Public Service Agencies	\$ 34,436.00
Housing/Public Facilities/Infrastructure	\$ 149,225.00
Total	\$ 229,576.00

III. Further, that Two Hundred Forty One Thousand Fifty Six Dollars and Eighteen Cents (\$241,056.18) in the Job Opportunity Benefit revolving loan fund loan fund, plus the principal and interest received monthly from existing loans' repayments, be appropriated for continued use in the FY 2024 Action Plan year in granting loans to qualified small businesses that commit to the creation and/or retention of jobs made available to low to moderate-income Rochester residents.

This budget and the one-year action plan for FY 2024 may be reconsidered if federal funding is changed or if it is inconsistent with the total FY 2024 budget adopted for the Office of Economic and Community Development.

The sums necessary to fund the above appropriation in the amount of Two Hundred Twenty Nine Thousand Five Hundred Seventy Six Dollars

(\$229,576.00) shall be drawn in their entirety from the above-mentioned FY 2024 Community Development Block Grant from the federal government to the City of Rochester. The Finance Director is hereby authorized to create such line-item accounts as shall be necessary to implement this Resolution.

Furthermore, in the event that federal funding for the above Community Development Block Grant budget is less than the total appropriation amount provided for in this Resolution, then, and in such event, the City Manager, or the City Manager's designee in the Office of Economic and Community Development, is authorized to adjust the amounts for the budgetary categories stated above, as well as for any planned grants and/or other expenditures made from within such budgetary categories.

11.3 Finance Committee

No discussion.

11.4 Planning Board

11.4.1 Amendments to Chapter 275 and Table 18 Regarding Charitable Gaming Facilities *first reading and refer to public hearing on 5/16/23*

Mayor Callaghan read the Amendment by title only and referred the matter to a Public Hearing on May 16, 2023:

Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Sports Book Retail Facilities

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 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):

Chapter 275, Table 18, Use Table

ADD: Charitable Gaming Facility. Permitted in the Highway Commercial zone and allowed by Conditional Use in the Granite Ridge Zone.
Sports Betting Facility. Permitted in Highway Commercial and Granite Ridge Zones.

275-2.1 - Definitions

ADD: Charitable Gaming Facility: A charitable organization conducting games of chance as defined in RSA 287-D:4. The facility shall be licensed by the State of New Hampshire pursuant to RSA 287-D:7.

Sports Betting Facility: A facility licensed by the State of New Hampshire which conducts Sports wagering as authorized by RSA 287-I. Sports Betting facilities may include Sports Book Retail locations and Mobile Sports Wagering. Sports Betting is permitted only when collocated with Charitable Gaming Facilities.

275-20.2 Conditions for Particular Use

Charitable Gaming Facility. The Planning Board may approve the facility based on the following criteria in addition to standard requirements set by Zoning and Site Plan Regulations:

1. **Minimum Square footage.** The gaming floor of the facility, defined as the area within a gaming location authorized by the State of New Hampshire, shall have a minimum area of 20,000 square feet. The gaming floor does not include areas used for accounting, maintenance, surveillance, security, administrative offices, storage, cash or cash counting, and records.
2. **Public Art.** Public Art works to connect community with our built environment and support a sense of place and identity. With expansive parking and large-scale buildings required for Charitable Gaming Facilities, public artwork offers an opportunity to integrate the use with the community and maintain a high aesthetic value.

As part of the proposal, the applicant may consider integrating public art which serves to enhance community identity, this is not required but strongly encouraged. The Planning Board will review the amount of artwork in relation to the building façade and placement based on visibility from the public right of way. The applicant should consider utilizing public art as a design element of the proposal and engage local community and artists in the planning process, the Arts and Culture Commission may be a resource. Additional art may also be included into the site layout including but not limited to sculptures and other visible art within the parking lot, landscape islands and along walkways. Public art must meet the intent of the definition of a mural and not be considered a sign.

Within 5 years of Planning Board approval, the property owner may petition the City Council to accept an easement for the public art to help

provide adequate long-term maintenance. The easement will only be accepted if the public art proposal contributes to the public good and represents the values of the community, as determined by City Council.

3. Architectural standards. The following criteria is required in addition to standards set by Site Plan Regulations, Section 2 – Architecture.

- a. In order to achieve a building with human scale, broad expanses of blank walls are prohibited. The building shall employ massing, materials, textures and color. Consider using architectural features such as pilasters, arches, windows (transparent or opaque) as well as masses of different heights.
- b. A minimum of three colors/materials/textures shall be incorporated in the exterior design.

4. Parking and Traffic.

- a. Parking lot design shall incorporate bus parking and bus loading zones.
- b. Commercial loading areas shall be screened from the public right-of-way and abutting residential properties.
- c. A traffic impact analysis is required and must include the expectation of bus traffic.
- d. Bus and truck trailer parking is required to be screened from the public right-of-way and abutting residential properties for all uses of the property.
- e. Required off-street parking shall be provided at a ratio of not less than 0.75 parking spaces for each gaming position in addition to all standards set by Site Plan Regulations Section 10 – Parking and Circulation. Additional principle uses including restaurants, entertainment, and lodging facilities shall follow parking standards outlined in Site Plan Regulations.
- f. Two percent of required parking spaces must be equipped with Electric Vehicle Charging Stations with a minimum of four per site.

5. Additional principle uses to a site, including restaurants, entertainment, and lodging, shall follow requirements pursuant to Zoning Ordinance Regulations 275-19.2:L, Multiple Principle Uses.

6. Off Site Improvements. The developer is responsible for off-site improvements as specified by the Planning Board as per RSA 674-21.5:J.
7. Outdoor entertainment.
 - a. Outdoor events which exceed noise standards set by Zoning Ordinance Regulations 275-28.3 will require a special events permit.
 - b. The property owner has the burden of proof to show decibel ratings meet standards set by Zoning Ordinance Regulations 275-28.3 Noise.
 - c. The Zoning Board of Adjustment (ZBA) may grant a Special Exception for music and entertainment which exceed decibel limits subject to meeting appropriate conditions as per Zoning Ordinance Regulations 275-28.3 E(4)
8. Outdoor smoking and alcoholic beverage service areas shall be a minimum distance of 1000 feet from Schools, K-12 or Day Care establishments as defined in Zoning Ordinance Regulations 275-2.2.
9. Safety and security.
 - a. The facility is required to submit a safety and security plan subject to approval by the Rochester Fire and Police Departments. The plan shall outline all aspects of life safety to include emergency egress, access, site security, and occupancy limitations.
 - b. The facility shall provide an enclosed interior location, solely controlled by the Rochester Fire and Police Departments, which can sufficiently accommodate the requirements of First Responders.
 - c. One Automated External Defibrillator (AED) shall be mounted in an accessible public location for every 5000 square feet of gaming floor.
10. Landscaping. In addition to Site Plan Regulations, Section 5 – Landscaping; a Charitable Gaming Facility shall include:
 - a. A landscaping plan developed by a licensed landscape architect, to include a maintenance plan.
 - b. Landscaping used as a design element of the site.

- c. A 15-foot landscape buffer between any structure and parking area, with the exception of vehicle and pedestrian access ways.
- d. Parking areas shall meet Site Plan Regulations as per Section 5 – Landscaping (E) Parking Lots

Sports Betting Facility. Sports Betting Facilities are permitted only when collocated with Charitable Gaming Facilities.

Amendments take effect upon passage.

11.5 Public Safety

- 11.5.1 Committee Recommendation:** To install “deer crossing” signs on each end of Salmon Falls Road (one near Kinsale Drive and one Coming off Highland Street) at the technical discretion of the DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation: To install “deer crossing” signs on each end of Salmon Falls Road (one near Kinsale Drive and one Coming off Highland Street) at the technical discretion of the DPW. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilor Hamann, de Geofroy, Beaudoin, Desrochers, Lachapelle, Gilman, Hainey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

- 11.5.2 Committee Recommendation:** To install “No Thru Trucks” signs on Autumn Street *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation: To install “No Thru Trucks” signs on Autumn Street. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a 9 to 2 roll call vote as follows: Councilors Larochelle, Hainey, Desrochers, Gilman, Lachapelle, de Geofroy, Fontneau, Hamann, and Mayor Callaghan voted in favor of the motion. Councilors Berlin and Beaudoin voted against the motion.

11.6 Public Works

- 11.6.1 Committee Recommendation:** To approve the Pavement moratorium at 165 Charles Street

consideration for approval

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation: To approve the Pavement moratorium at 165 Charles Street. Councilor Larochelle seconded the motion.

Councilor Fontneau **MOVED** to **AMEND** the motion as follows: To Approve the **waiver** of the Pavement Moratorium at 165 Charles Street. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Beaudoin, Hamann, Hainey, Desrochers, Lachapelle, de Geofroy, Berlin, Fontneau, Gilman, Larochelle, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a vote on the motion to approve as amended. The **MOTION CARRIED** by a unanimous roll call vote. Councilor Fontneau, Larochelle, Hainey, Desrochers, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

11.6.2 Committee Recommendation: To Complete the FY23 Paving List Recommended by DPW using the Highway Block Aid Funding *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** Committee Recommendation: To Complete the FY23 Paving List Recommended by DPW using the Highway Block Aid Funding. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Berlin, Hainey, Larochelle, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

12. ~~Old Business~~ Unfinished Business

12.1 Amendment to the General Ordinances of the City of Rochester regarding Solar Energy *second reading and consideration for adoption* (See Addendum A)

Mayor Callaghan read the Amendment (See Addendum A)

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment to the General Ordinances of the City of Rochester. Councilor Desrochers seconded the motion.

Councilor Beaudoin stated that he opposes the Amendment. He said there is a lack of restrictions placed on residential property owners from erecting these structures in the front yard of their property, which he says should only be allowed by a special exception (Zoning Board). He said the City would not allow a detached garage to be constructed in front of a homeowner's property, even if the structure met the setback requirements. He said requiring a special exception guarantees notifications to the neighbors who would be impacted by the sight of the structures. He said secondly, he did not believe the Planning Board should determine a plan of how to decommission any abandoned structures. He said the City Council should be responsible for ensuring the decommission plan is adequate.

Councilor Fontneau said Attorney Shannon questioned the need for the Planning Board to require the Conservation Commission approval in order to issue any conditional use permits. His understanding is this is true only for property within the Conservation Overlay District. Ryan O'Connor, Senior Planner, confirmed that this level of approval process is only for property within the Conservation Overlay District. Mr. O'Connor said that Attorney Shannon further requested that the approval process for conditional uses permits be expedited for solar projects; however, Mr. O'Connor stated that the Planning Department's recommendation is not to expedite that process. Mr. O'Connor added that the Conservation Commission would be giving a recommendation to the Planning Board for any approvals within the Conservation Commission District.

Councilor Desrochers gave kudos to the Planning Department for working on this solar energy ordinance, which is better for our environment and the children's future.

Councilor Fontneau understood some of the concerns brought up by Councilor Beaudoin regarding the proposed Solar Energy Ordinance. Councilor Fontneau said at least this ordinance establishes some sort of regulations to the use and installation of such structures; furthermore, the City Council could make potential adjustments/amendments to the ordinance in the near future.

Councilor Beaudoin asked if the City Council agreed to make a future amendment relative to placing restrictions on the placement of

these structures in front yards, in an R1 Zone. City Attorney O'Rourke said any amendment proposed this evening would stop the process of adoption and refer the change back to the Planning Board and Public Hearing; however, any future amendments (after officially adopted) could be initiated by the City Council and would be referred to the Planning Board.

Shanna Saunders, Director of Planning and Development, wished to clarify for the City Council that the installation of solar energy structures must meet setback requirements. Councilor de Geofroy added that the minimum lot size for solar panel use is 20,000 square feet for the R1/R2 Zones, which would address a lot of these concerns.

The **MOTION CARRIED** by a 10 to 1 roll call vote as follows: Councilors Hainey, Gilman, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

12.2 Resolution Authorizing Supplemental Appropriation in the Amount of \$590,000 for City Hall and Opera House Life Safety Building Upgrades *second reading and consideration for adoption*

Mayor Callaghan read the Resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation in the amount of \$590,000.00 for City Hall and Opera House Life Safety Building Upgrades

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 Five Hundred Ninety Thousand Dollars (\$590,000.00) to cover the costs associated with the City Hall and Opera House life safety building upgrades project. The supplemental appropriation will be derived in its entirety from the General Fund Unassigned Fund Balance.

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 Desrochers **MOVED** to **ADOPT** the Resolution. Councilor Lachapelle seconded the motion.

Councilor Beaudoin agreed that this is a life/safety issue, and the State has mandated that the upgrades must be completed; however, this is a \$600,000 project and it should have been included with the FY 24 Budget. He gave reasons why the timing of this project is causing an increase to the cost. He spoke against the pre-qualification process of the contractors because the technical work will be sub-contracted anyway. He suggested going back out to bid. He said lastly, at least \$150,000 of this work is to be completed for the Opera House and the current lease agreement clearly identifies that the Opera House is responsible for the upgrades in their space. He said the City has spent at least a million tax dollars over the years for the Opera House. He said they have purchased other buildings and seem to be financial stable at this point. He said the Opera House is an asset to the City of Rochester; however, the City should be following the lease agreement, which is in effect until 2026. He said it is a legally binding document.

Councilor Desrochers clarified that the pre-qualification of contractors was based on the removal of asbestos, which is a skilled labor. She disagreed that the work outlined should fall upon the tenant. Councilor de Geofroy agreed; however, he requested more detail about the work. City Manager Cox said the approach taken is that the City is responsible for the work because the City is the building owner and ultimately responsible for any life safety issues. Peter Nourse, Director of City Services, said staff did not delineate between the Opera House and City Hall because it is one City building.

Councilors Fontneau and Desrochers identified themselves as landlords and supported the City Manager's position on taking responsibility for life safety issues. Councilor Fontneau did mention that the Opera House has invested money into the seating, lighting, and floor.

Councilor Fontneau mentioned that there may have been a small savings by choosing another time for the project work to be completed. Councilor Desrochers said the timing of the project was in direct relation to the Opera House off-season, in order not to have a great impact on the activities of the Opera House in their busiest season (fall/winter).

Councilor Gilman asked why the project was not included with the budget. Mayor Callaghan confirmed that it was the timing of the project.

He said the bid and work needed to begin prior to July in order to avoid a greater impact on the Opera House operations.

Councilor Beaudoin reiterated that the Opera House is responsible for their portion of the building and falls under what is known as a "Triple Net Lease (NNN)". He said as it is, this is a very generous lease agreement, with heat and lights included. Mayor Callaghan mentioned that last year, the Opera House requested approximately \$180,000 for the Fly Wheel Replacement, a request which they have withdrawn and determined they would pay for by themselves.

The **MOTION CARRIED** by a 9 to 2 roll call vote as follows: Councilors Berlin, Desrochers, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, de Geofroy, and Mayor Callaghan voted in favor of the motion. Councilors Beaudoin and Gilman voted against the motion.

13. Consent Calendar

Councilor Lachapelle **MOVED** to **ACCEPT** the Consent Calendar. Councilor Fontneau seconded the motion.

Councilor Hainey asked about the forthcoming supplemental appropriation for the Portland Street Area Reconstruction and Sidewalk Project. Mr. Nourse said \$200,000 was budgeted last year for the City's share of a grant (80/20 split) through the NHDOT Transportation Alternatives Program Project (TAP Grant) in regards to the Portland Street Sidewalk Project and has since been awarded the funding. He said at this point, the City must gross appropriate the project at 100% and de-authorizing the original \$200,000. He said there is a resolution to approve the entire project later this evening. *(The City's portion of the 20% will be funded through bond – Agenda Item 14.6)*

The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Gilman, de Geofroy, Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, and Mayor Callaghan voted in favor of the motion.

13.1 Resolution Deauthorizing Account Related to the Portland Street Area Reconstruction and Sidewalk Project *first reading and consideration for adoption*

Resolution Deauthorizing Account Related to the Portland Street Area

Reconstruction & Sidewalk Project**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:**

That the following funds previously appropriated to the following Account is hereby deauthorized:

<u>Account</u>	<u>Amount</u>
Portland St. Area Reconstruction & Sidewalk Account #15013010-771000-22535	\$200,000.00

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.

13.2 Resolution Deauthorizing Granite Ridge TIF Accounts Related to Route 11 Capacity Enhancement and Route 11 Safety and Pedestrian Improvements Projects *first reading and consideration for adoption*

Resolution Deauthorizing Granite Ridge TIF Accounts Related to Route 11 Capacity Enhancement and Route 11 Safety & Pedestrian Improvement Projects.

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

That the following funds previously appropriated to Granite Ridge TIF Accounts hereby deauthorized:

<u>Account</u>	<u>Amount</u>
Rt 11 Capacity Enhancement Account #61083010-771000-23553	\$279,400.00
Rt 11 Safety & Pedestrian Improvement Account #61083010-771000-23554	\$249,600.00

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.

14. New Business

14.1 Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan for the Sewer System Master Plan Project in an Amount of up to \$100,000.00 and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

Mayor Callaghan read the resolution for the first time as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan for the Sewer System Master Plan Project in an Amount of up to \$100,000.00 and Supplemental Appropriation in Connection Therewith

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a loan application in the amount of up to One Hundred Thousand Dollars (\$100,000.00) to the NHDES CWSRF Loan program in order to finance the Sewer System Master Plan Project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of up to One Hundred Thousand Dollars (\$100,000.00) from the NHDES CWSRF Loan program and make a supplemental appropriation to the General Fund CIP in the same amount with the entirety of the supplemental appropriation being derived from the NHDES CWSRF Loan.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the CWSRF, process disbursements and execute loan documents associated with CWSRF.

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 and to establish special revenue, non-lapsing, multi-year fund account(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 roll call vote of 11 to 0 as follows: Councilors Hamann, Desrochers, Gilman, Fontneau, Larochelle, de Geofroy, Berlin, Hainey, Lachapelle, Beaudoin, and Mayor Callaghan voted in favor of the motion.

14.2 Resolution Authorizing Acceptance of a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of \$8,600.00
first reading and consideration for acceptance

Mayor Callaghan read the resolution for the first time as follows:

Resolution Authorizing Acceptance of a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of \$8,600.00

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

That the City of Rochester hereby accepts a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of Eight Thousand Six Hundred Dollars (\$8,600.00) to pay for costs overtime enforcement patrols. The City is required to make a Twenty Five Percent (25%) in kind match of Two Thousand One Hundred Fifty Dollars (\$2,150.00) which will be derived, in whole, from the existing Police Department Operating Budget.

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 de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Desrochers,

Hamann, de Geofroy, Beaudoin, Hainey, Lachapelle, Gilman, Fontneau, Larochele, Berlin, and Mayor Callaghan voted in favor of the motion.

**14.3 Resolution Approving Fiscal Year 2023-2024
Operating Budget for the City of Rochester *first
reading and refer to public hearing May 16, 2023***

Mayor Callaghan read the resolution for the first time and referred the matter to a Public Hearing to be held on May 16, 2023:

**Resolution Approving Fiscal Year 2023-2024 Operating Budget
for the City of Rochester**

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

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2023 and ending June 30, 2024 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2024 (July 1, 2023 - June 30, 2024), as amended, the provisions of which are incorporated herein by reference thereto by attached Exhibit A. (See Addendum B)

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2024 (July 1, 2023 - June 30, 2024), as amended, the provisions of which are incorporated herein by reference thereto.

**14.4 Resolution Authorizing and Approving Fiscal
Year 2023-2024 Capital Budget for the City of
Rochester and Authorizing Borrowing in
connection therewith *first reading and refer to
public hearing May 16, 2023***

Mayor Callaghan read the resolution for the first time and referred the matter to a Public Hearing to be held on May 16, 2023:

**Resolution Authorizing and Approving Fiscal Year 2023-2024
Capital Budget for the City of Rochester and Authorizing
Borrowing in connection therewith**

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

That the capital budget for the City of Rochester for fiscal year 2023-2024 (July 1, 2023 to June 30, 2024) in the total amount specified in Exhibit A annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on Exhibit A annexed hereto. (See *Addendum C*)

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2024 (July 1, 2023 –June 30, 2024), as amended.

**14.5 Resolution Designating the City Manager and
Finance Director with the Authority to Execute
Documents Related to the Strafford Square
Roundabout *first reading and consideration for
adoption***

Mayor Callaghan read the resolution for the first time as follows:

**Resolution Designating the City Manager and Finance Director
with the Authority to Execute Documents Related to the
Strafford Square Roundabout Project**

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

The Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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 Beaudoin seconded the motion.

Councilor Hainey asked if this motion had a financial aspect or if it is solely giving authority to execute documents. Mr. Nourse confirmed that it was establishing the authority to sign revised agreements with DOT and not to authorize any additional funds to the project. City Manager Cox recalled that it has not been done since 2005 with the prior City Manager Steele. Mr. Nourse agreed.

Councilor Desrochers asked if not having this authorization signed led to any delays in the project. Mr. Nourse replied no. Councilor Hamann recalled a start date of April 17th being posted near the job site; however, no activity has been done, which has caused his constituents to questions about the delay. Mr. Nourse said that he would follow up with the contractor.

Councilor Desrochers asked for clarification of the DOT's role in this project, for the public's sake. Mr. Nourse said this project has been in the making for over 20 years, and when the State is paying for any portion of a project, then the City is required to follow all of the State's requirements; this has added time to the project. He said the project has been redesigned twice in the last 20 years. He said the City also made a decision to add underground utilities. All of these things have added time to the project. He said the DOT is paying 80% of the road portion of the project, the total cost which is estimated at 2.5 million dollars. He said over the process of time, the cost of the project has escalated greatly. He gave an estimated completion date of December 2023.

Mayor Callaghan called for a vote on the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Laroche, Gilman, Berlin, Beaudoin, de Geofroy, Fontneau, Hamann, Lachapelle, Desrochers, Hainey, and Mayor Callaghan voted in favor of the motion.

14.6 Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the General Fund Capital Improvements Plan (CIP) Fund in the amount of \$1,181,343.00 *first reading and refer to public hearing May 16, 2023*

Mayor Callaghan read the resolution for the first and referred the matter to a Public Hearing to be held on May 16, 2023:

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the General Fund Capital Improvements Plan (CIP) Fund in the amount of \$1,181,343.00

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 appropriate One Million One Hundred Eighty One Thousand Three Hundred Forty Three and 00/100 Dollars (\$1,181,343.00) to the General Fund CIP for the purpose of paying the costs associated with the Portland Street Sidewalk Project and the appropriation shall be divided amongst two (2) fund sources as follows: Nine Hundred Forty Five Seventy Three and 85/100 Dollars (\$945,073.85) from NH DOT and Two Hundred Thirty Six Thousand Two Hundred Sixty Eight and 46/100 Dollars (\$236,268.46) in borrowing/bonding.

In accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Two Hundred Thirty Six Thousand Two Hundred Sixty Eight and 46/100 Dollars (\$236,268.46) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the

Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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.

14.7 Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Tax Increment Finance (TIF) District Capital Improvements Plan (CIP) Fund in the amount of \$3,939,563.00 *first reading and refer to public hearing May 16, 2023*

Mayor Callaghan read the resolution for the first time and refer the matter to a Public Hearing.

Resolution for Supplemental Appropriation and Authorizing Borrowing Authority Pursuant to RSA 33:9 to the Tax Increment Finance (TIF) District Capital Improvements Plan (CIP) Fund in the amount of \$3,939,563.00

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 appropriate Three Million Nine Hundred Thirty Nine Thousand Five Hundred Sixty Three and 00/100 Dollars (\$3,939,563.00) to the Granite Ridge TIF CIP for the purpose of paying the costs associated with the Route 11 Highway Improvement Project and the appropriation shall be divided amongst two (2) fund sources as follows: Three Million One Hundred Fifty One Thousand Six Hundred Fifty and 40/100 Dollars (\$3,151,650.40) from NH DOT and Seven Hundred Eighty Seven Thousand Nine Hundred Twelve and 60/100 Dollars (\$787,912.60) in Tax Incremental Financing District borrowing/bonding.

In accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Seven Hundred Eighty Seven Thousand Nine Hundred

Twelve and 60/100 Dollars (\$787,912.60) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement with NHDOT for the project and to process all associate documentation.

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.

15 Resolution Approving Contract and Cost Items Associated with Proposed City of Rochester School Department Multi-Year Collective Bargaining Agreement with Rochester Administrative Unit (Administration) *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only (See Addendum D).

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 10 to 1 roll call vote. Councilors Lachapelle, Laroche, Hainey, Desrochers, Gilman, Berlin, de Geofroy, Fontneau, Hamann, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

16 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Rochester Municipal Management Group *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only (See Addendum E).

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a 10 to 1 roll call vote. Councilors Hamann, de Geofroy, Desrochers, Lachapelle, Gilman, Hainey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

17. Non-Meeting/Non-Public Session

17.1 Non-Public Session – Land, RSA 91-A:3, II (d)

Non-Public Session not needed.

18. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council Meeting at 7:31 PM. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 11 to 0 as follows: Councilors Larochelle, Hainey, Desrochers, Gilman, Lachapelle, de Geofroy, Berlin, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk

**Amendment to Chapter 275 of the General Ordinances of the
City of Rochester Regarding Solar Energy**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 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**):

275-2.2 Definitions

Ground Mount: A Solar Collection System and associated mounting hardware that is affixed to or placed upon the ground including but not limited to fixed, passive, or active tracking racking systems.

Rated Nameplate Capacity: Maximum rated alternating current (“AC”) output of solar collection system based on the design output of the solar system.

Roof Mount: A Solar Collection System that is on a roof of a building or structure, including limited accessory equipment associated with system which may be ground mounted.

Solar, Accessory Commercial: A Solar Collection System primarily for on-site commercial use and consisting of one or more ground mounted solar array(s) or a roof mounted Solar Collection System. Accessory Commercial Solar Systems are intended to primarily reduce on-site consumption of utility power with a rated nameplate capacity of 100kW AC or less.

Solar, Accessory Residential: A Solar Collection System primarily for on-site residential use consisting of a ground or a roof mounted Solar Collection System. Accessory Residential Solar Systems are intended to primarily reduce on-site consumption of utility power with a rated nameplate capacity of 25kW AC or less.

Solar, Accessory Industrial: A Solar Collection System primarily for on-site industrial use and consisting of one or more ground mounted solar array(s) or a roof mounted Solar Collection System. Accessory Industrial Solar Systems are intended to primarily reduce on-site consumption of utility power with a rated nameplate capacity of 100kW AC or less.

Solar, Commercial: A principle use of land that consists of one or more free-standing, ground mounted, or roof mounted Solar Collection Systems with a rated nameplate capacity of up to 1 MW AC.

Solar, Community: A principle use of land that consists of one or more free-standing, ground mounted, or roof mounted solar collection systems up to 250 kW AC.

Solar, Utility: A principle use of land that consists of one or more free-standing, ground mounted Solar Collection Systems larger than 1MW AC.

Solar Collection System: Includes all equipment required to harvest solar energy to generate and transmit generated energy to the point of interconnection electricity. The Solar Collection System includes storage devices, power conditioning equipment, transfer equipment, and parts related to the

functioning of those items. Solar Collection Systems include only equipment up to (the point of interconnection to the utility grid or site service point.

275 Attachment 4

Table 18-D “Industrial-Storage-Transport-Utility Uses”

Use Table												
	R1	R2	NMU	AG	DC	OC	GR	HC	GI	RI	HS	AS
Solar, Accessory Residential	P or E	P or E	P	P	P	P	P	P	P	P	P	P
Solar, Accessory Commercial	E	E	E	P	C	P	P	P	P	P	C	C
Solar, Accessory Industrial	E	E	E	P	C	P	P	P	P	P	C	C
Solar, Community	-	-	E	C	C	E	C	C	C	C	E	C
Solar, Commercial	-	-	-	E	-	E	C	C	C	C	E	E
Solar, Utility	-	-	-	E	-	E	E	E	E	E	E	E

275-23.2 .22 Solar Collection Systems (Standards for Specific Accessory Uses)

A. Solar Collection Systems in Residential One and Residential Two zones.

- 1) Free standing or ground mounted Accessory Residential Solar Collection Systems in Residential One and Residential Two zones require a minimum lot size of 20,000 square feet or a special exception.
- 2) Accessory Commercial Solar Collection Systems in Residential One and Residential Two zones require a special exception.

B. Height

- 1) Building or roof mounted solar equipment shall not exceed the maximum allowed height in any zoning district by more than ten (10) inches for pitched roofs and five (5) feet for systems mounted on flat roofs.
- 2) Ground or pole mounted Solar Collection System shall not exceed height restrictions for the zoning district which they are placed when oriented at maximum tilt.

- 3) Solar Collection Systems placed over parking areas or drive aisles require a minimum panel height of fourteen feet measured at maximum tilt and must be designed to allow for snow removal and treatment.

C. Setbacks

- 1) Solar Collection Systems shall be considered structures and comply with building setback requirements from lot lines for the entire system, including the panels. Tracking systems shall have the setback measured from the point and time where the array is closest to the lot line. No portion of a system may cross into the setback.
- 2) Roof or Building Mounted systems – The Solar Collection System shall not extend beyond the exterior perimeter of the building. Exterior piping or electrical connections not located at the rear of buildings shall be screened from the street to the extent practical as per Site Plan Regulations – Section 7.E(2) Utility Elements
- 3) No portion of equipment associated with a Solar Collection System (transformers, utility structures, or other axillary features) shall be permitted in the setback.

D. Visibility

- 1) Roof-mount or ground-mount Solar Collection Systems visible from the closest edge of any public right-of-way shall follow the aesthetic restrictions below:
 - a. Roof-mounted systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.
 - b. Roof-mount systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than five feet above the finished roof exclusive of any rooftop equipment or mechanical screening system.
 - c. The use of reflectors to enhance solar production are prohibited.

E. Plan Approval

- 1) Applications that meet the design requirements of this ordinance for a Solar Collection System as an accessory use shall be granted administrative approval through submittal of applicable building permits and shall not require Planning Board review. Compliance with Building or Electric Code is required regardless of system size or capacity.
- 2) All Solar Collection System proposals must include a plot plan with horizontal scale and profile drawing with a vertical scale showing:

- a. The location of all System components on the building/structure or on the property for a ground-mount system;
 - b. Property lines, public rights-of-ways, and setbacks;
 - c. Lot size;
 - d. Point of interconnection;
 - e. Height of existing and proposed structures;
 - f. Equipment specifications and ratings.
- 3) All proposals under this Ordinance may be subject to special investigation and the review of documents under RSA 674:44-V.
- 4) Accessory ground-mount Solar Collection Systems shall be exempt from stormwater management requirements provided the ground below the System is not compacted and vegetated.
- 5) Solar Collection Systems requiring a Conditional Use Permit shall meet Base Criteria conditions set by 275-21.3 of the Zoning Ordinance.
- 6) Solar Collection Systems requiring a Special Exception from the Zoning Board of Adjustment shall meet provisions identified under the Primary Use section of this chapter.

F. Expansion of Existing Solar Collection Systems

- 1) Additions to existing solar systems shall not be exempt from any requirement in this ordinance. Solar Collection System capacity is cumulative and will determine the level of review for each proposed expansion.
- 2) Any expansions shall meet the requirements outlined in the Solar Ordinance.

275-21.4.P Solar, Community & Solar Commercial Systems (Conditions for Particular uses)

A. Screening

- 1) Ground mounted Solar Collection Systems shall have perimeter fencing and/or vegetative screening as approved by the Planning Board. The use of vegetative screening is encouraged.

- 2) Perimeter fencing for the site shall not include barbed wire or woven wire designs without visual screening and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom.

B. Glare

- 1) Significant glare shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.2. D Performance Standards.
- 2) Applicants must demonstrate that the Solar Collection System design has reasonably considered and mitigated potential impacts of significant glare onto abutting structures and roadways. Mitigation may include angle of panels, anti-reflective panel coating or additional screening to minimize impacts.

C. Noise

- 1) Loud or disruptive noise shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.3 Noise.
- 2) Noise levels at the property line shall be in accordance with the municipal noise ordinance.
- 3) Applicants must demonstrate that operation of the Solar Collection System will not exceed permissible noise levels at the property line. Mitigation measures may be required to achieve permissible noise levels.

D. Electric and Communication Lines

- 1) Power and communication lines between the Solar Collection System and the point of interconnection shall be buried underground.

E. Ground Cover

The following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover.

- 1) Preservation of trees and existing vegetation that will not impede or shade the functioning of the Solar Collection System is encouraged.
- 2) Applicants that propose a ground mounted Solar Collection Systems exceeding 30% lot coverage or 1 acre, whichever is greater shall submit a vegetative management plan prepared by a landscape architect or similarly qualified professional The plan shall identify:
 - a. The qualified professional(s) consulted or responsible for the plan.

- b. The mix of proposed perennial vegetation intended to prevent erosion, and manage run off. Vegetative cover should include a mix of native perennial grasses and wildflowers.
 - c. The management methods and schedules for how the vegetation will be managed (mowing, replacement, etc.).
- 3) The Solar Collection System shall be approved by the Planning Board prior to any site work or lot clearing.

F. Stormwater

- 1) Ground mounted Solar Collection Systems are subject to City standards for stormwater management, erosion and sediment control provisions, as well as any applicable State and Federal requirements.
- 2) If the Solar Collection System is less than 30% lot coverage or less than one acre shall be exempt from stormwater management requirements provided the ground below the System is not compacted and vegetated.
- 3) Ground mounted systems that require land clearing and grubbing of forested cover greater than 1 acre, shall at a minimum, submit a Stormwater Permit to the Department of Public Works.

G. Abandonment and Decommissioning

- 1) Solar Collection Systems shall be deemed to be abandoned by a municipal official as evidenced by the lack of system maintenance or operation discontinuance without prior written consent of the municipality (such as for reasons beyond the control of the owner/operator).
- 2) An abandoned system shall be removed, and the site restored with vegetative cover within 12 months of abandonment.

H. Submittal Requirements for Primary Use Solar Collection System

- 1) Primary Use Solar Collection Systems shall submit a Site Plan Application.
- 2) All Solar Collection Systems shall comply with applicable aspects of the Zoning Ordinance and Site Plan Regulations. Applications must address all requirements for Principle Use Solar Collection Systems as well as provide the following:
 - i. A plot plan with a horizontal scale and a profile drawing with a vertical scale showing the lot to include:
 - ii. Existing structures, property lines, setbacks, lot size, ROWs;

- iii. Land clearing or grading required for the installation and operation of the system;
 - iv. The location of all equipment to be installed on site including utility connection point(s) and equipment.
 - v. Equipment, except for utility connections, shall comply with required setbacks.
- 3) Equipment Specifications
 - i. All proposed equipment or specifications must be included with the application. Such information can be supplied via manufacturer's specifications.
- 4) Emergency Response Plan
 - i. Access to the site for emergency response shall be provided and detailed on the plan.
 - ii. A narrative or manual for municipal shall be provided to the Rochester Fire Department detailing response guidance and disconnection locations necessary for fire response.
- 5) Solar Collection Systems requiring a Conditional Use Permit shall meet Base Criteria conditions set by 275-21.3 of the Zoning Ordinance.
- 6) Solar Collection Systems requiring a Special Exception from the Zoning Board of Adjustment meet applicable criteria set 275-22.3 of our Zoning Ordinance and meet provisions identified under the Primary Use section of this chapter as well as applicable Site Plan Regulations.
- 7) All applicable State and Federal permitting associated with the Solar Energy System must be obtained prior to Building Permit issuance. Copies of the permits or confirmation of the approvals must be submitted to the Planning Department.
- 8) All proposals under this Ordinance may be subject to special investigation and the review of documents under RSA 674:44-V.

**275-22-3.L Solar, Community & Solar Commercial & Solar, Utility Systems
(Conditions for Particular uses)**

I. Screening

- 3) Ground mounted Solar Collection Systems shall have perimeter fencing and/or vegetative screening as approved by the Planning Board. The use of vegetative screening is encouraged.

- 4) Perimeter fencing for the site shall not include barbed wire or woven wire designs without visual screening and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom.

J. Glare

- 1) Significant glare shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.2. D Performance Standards.
- 2) Applicants must demonstrate that the Solar Collection System design has reasonably considered and mitigated potential impacts of significant glare onto abutting structures and roadways. Mitigation may include angle of panels, anti-reflective panel coating or additional screening to minimize impacts.

K. Noise

- 1) Loud or disruptive noise shall be considered a nuisance as per Rochester Zoning Ordinance 275-28.3 Noise.
- 2) Noise levels at the property line shall be in accordance with the municipal noise ordinance.
- 3) Applicants must demonstrate that operation of the Solar Collection System will not exceed permissible noise levels at the property line. Mitigation measures may be required to achieve permissible noise levels.

L. Electric and Communication Lines

- 1) Power and communication lines between the Solar Collection System and the point of interconnection shall be buried underground.

M. Ground Cover

The following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover.

- 4) Preservation of trees and existing vegetation that will not impede or shade the functioning of the Solar Collection System is encouraged.
- 5) Applicants that propose a ground mounted Solar Collection Systems exceeding 30% lot coverage or 1 acre, whichever is greater shall submit a vegetative management plan prepared by a landscape architect or similarly qualified professional The plan shall identify:
 - a. The qualified professional(s) consulted or responsible for the plan.

- b. The mix of proposed perennial vegetation intended to prevent erosion, and manage run off. Vegetative cover should include a mix of native perennial grasses and wildflowers.
 - c. The management methods and schedules for how the vegetation will be managed (mowing, replacement, etc.).
- 6) The Solar Collection System shall be approved by the Planning Board prior to any site work or lot clearing.

N. Stormwater

- 1) Ground mounted Solar Collection Systems are subject to City standards for stormwater management, erosion and sediment control provisions, as well as any applicable State and Federal requirements.
- 2) If the Solar Collection System is less than 30% lot coverage or less than one acre shall be exempt from stormwater management requirements provided the ground below the System is not compacted and vegetated.
- 3) Ground mounted systems that require land clearing and grubbing of forested cover greater than 1 acre, shall at a minimum, submit a Stormwater Permit to the Department of Public Works.

O. Abandonment and Decommissioning

- 1) Solar Collection Systems shall be deemed to be abandoned by a municipal official as evidenced by the lack of system maintenance or operation discontinuance without prior written consent of the municipality (such as for reasons beyond the control of the owner/operator).
- 2) An abandoned system shall be removed, and the site restored with vegetative cover within 12 months of abandonment.

P. Submittal Requirements for Primary Use Solar Collection System

- 1) Primary Use Solar Collection Systems shall submit a Site Plan Application.
- 2) All Solar Collection Systems shall comply with applicable aspects of the Zoning Ordinance and Site Plan Regulations. Applications must address all requirements for Principle Use Solar Collection Systems as well as provide the following:
 - i. A plot plan with a horizontal scale and a profile drawing with a vertical scale showing the lot to include:
 - ii. Existing structures, property lines, setbacks, lot size, ROWs;

- iii. Land clearing or grading required for the installation and operation of the system;
 - iv. The location of all equipment to be installed on site including utility connection point(s) and equipment.
 - v. Equipment, except for utility connections, shall comply with required setbacks.
- 3) Equipment Specifications
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- 5) Solar Collection Systems requiring a Conditional Use Permit shall meet Base Criteria conditions set by 275-21.3 of the Zoning Ordinance.
- 6) Solar Collection Systems requiring a Special Exception from the Zoning Board of Adjustment meet applicable criteria set 275-22.3 of our Zoning Ordinance and meet provisions identified under the Primary Use section of this chapter as well as applicable Site Plan Regulations.
- 7) All applicable State and Federal permitting associated with the Solar Energy System must be obtained prior to Building Permit issuance. Copies of the permits or confirmation of the approvals must be submitted to the Planning Department.
- 8) All proposals under this Ordinance may be subject to special investigation and the review of documents under RSA 674:44-V.

Zoning Overlay District Section Amendments

275-11.4.B Aviation Overlay District Use Restrictions

Solar Collection Systems located within the Airport Overlay District or within approach zones of an airport must demonstrate compliance with applicable Federal Aviation Administration (FAA) regulations.

275-14.9.B (others shifted) Effect of Inclusion in Historic Overlay District

Solar Collection Systems within the Historic Overlay District must receive and document approval from the Historic District Commission in the permit application.

275-12.9.A.2 Conservation Overlay District Conditional Use Approvals

A. The following uses are allowed with a conditional use approval:

(1) Roads and other accessways; drainageways; pipelines, power lines and other transmission lines; docks, boat launches, and piers; domestic water wells (and associated ancillary pipes and equipment); and replacement septic tanks and leach fields.

(2) No portion of ground mounted Solar Collection Systems or associated vegetative clearing is permitted in the Conservation Overlay District without a Conditional Use Permit approval recommendation by the Conservation Commission to the Planning Board.

In addition, where evidence is shall be submitted that no alternative location is available on the property, provided and that all of the following conditions are found to exist:

- (a) The proposed construction is essential to the productive use of land not within the CO District.
- (b) Design and construction methods will be such as to minimize impact upon the wetlands and will include restoration of the site consistent with the permitted use.
- (c) There is no feasible alternative route on land controlled by the applicant that does not cross the CO District nor has less detrimental impact on the wetlands. Nothing in this section shall limit the applicant from exploring alternatives with abutting property owners.
- (d) Economic advantage is not the sole reason for the proposed location of the construction.
- (e) If clearing is required within the Conservation Overlay District to reduce shade and improve the function of a Solar Collection System, a vegetative management plan shall be submitted with a Conditional Use Permit.

The effective date of these amendments shall be upon passage.

PROPOSED 2023-2024 OPERATING BUDGET-EXHIBIT A**OPERATING BUDGET SUMMARY**

Appropriations:		Proposed
City	\$	44,729,082
County Tax	\$	8,020,000
Overlay	\$	350,000
Estimated Veteran's Credits	\$	686,675
School	\$	73,043,706
School Federal Grants	\$	10,944,000
School Lunch	\$	1,900,000
School State Property Tax	\$	5,482,601
City Grants & Special Revenues	\$	165,000
Tax Incremental Financing Districts	\$	1,341,889
Water Fund	\$	7,544,084
Sewer Fund	\$	11,744,213
Arena Special Revenue Fund	\$	413,290
Community Center	\$	894,759
Sub Total	\$	167,259,299

Revenues:		
City	\$	15,786,607
Use of Fund Balance	\$	5,814,100
School Revenues	\$	34,087,400
School Federal Grants	\$	10,944,000
School Lunch	\$	1,900,000
City Grants and Donations	\$	165,000
Tax Incremental Financing Districts	\$	1,341,889
Water Fund	\$	7,544,084
Sewer Fund	\$	11,744,213
Arena Special Revenue Fund	\$	413,290
Community Center	\$	894,759
Amount to be Raised by Taxes *	\$	76,623,957
Sub Total	\$	167,259,299

*Amount to be Raised by Taxes: Categories

City	\$	23,478,375
Veterans Credits	\$	686,675
County	\$	8,020,000
School Local	\$	38,956,306
School State Education	\$	5,482,601
All Totals	\$	76,623,957

PROPOSED 2023-2024 CAPITAL BUDGETS-EXHIBIT A**CAPITAL BUDGET SUMMARY****Proposed Capital Appropriations:**

City	\$ 15,728,023
School	\$ 2,732,000
Water Fund	\$ 7,497,500
Sewer Fund	\$ 7,639,500
Community Center	\$ 428,500
Total Appropriations	\$ 34,025,523

Source of Revenues**General Fund**

Bonding and/or other Borrowing	\$ 10,997,750
Operating Budget	\$ 6,386,100
Grants	\$ 1,479,673
Other Sources	\$ 25,000
Subtotal General Fund Revenues	\$ 18,888,523

Enterprise Funds & Tax Incremental Financing Districts

Bonding and/or other Borrowing	\$ 13,475,000
Operating Budget	\$ 1,662,000
Grants	\$ -
Subtotal Enterprise Funds & Tax Incremental Financing Revenues	\$ 15,137,000

Total Revenues	\$ 34,025,523
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**RESOLUTION APPROVING CONTRACT
AND COST ITEMS ASSOCIATED WITH PROPOSED
CITY OF ROCHESTER
SCHOOL DEPARTMENT
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH ROCHESTER ADMINISTRATIVE UNIT
(Administration)**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the multi-year year collective bargaining agreement between the City of Rochester and the Rochester Administrative Unit employee collective bargaining group, covering the period July 1, 2023 to June 30, 2026, as set forth in the proposed contract, a copy of which proposed contract has been made available to the Mayor and City Council, and with its financial impacts as more particularly detailed on the attached **“EXHIBIT A: Rochester Administrative Unit” dated March 23, 2023**, which includes a summary financial analysis of the annual costs of the contract to the City provided by the Superintendent of Schools, is hereby approved, including, specifically, the cost items associated therewith.

Addendum B

(Exhibit A)

% Change		6.8%	4.6%	4.7%
Benefits				
FICA/Medicare	\$ 172,964	\$ 184,719	\$ 193,305	\$ 202,472
Health Insurance	\$ 338,547	\$ 343,286	\$ 360,450	\$ 378,473
Opt Out				
Dental	\$ 4,342	\$ 4,407	\$ 4,628	\$ 4,859
Total Rollups	\$ 515,853	\$ 532,412	\$ 558,384	\$ 585,804
Dollar Change				
% Change		3.2%	4.9%	4.9%
Totals				
Total Wages Benefits and Rollups	\$2,776,826	\$2,947,046	\$3,085,253	\$3,232,498
Dollar Change		\$ 170,220	\$ 138,207	\$ 147,245
% Change		6.1%	4.7%	4.8%

24 Total Employees

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
ROCHESTER MUNICIPAL
MANAGEMENT GROUP**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the ROCHESTER MUNICIPAL MANAGEMENT (RMUN) Bargaining Unit, covering the period July 1, 2023 to June 30, 2026, as set forth in the proposed contract, and as more particularly detailed on the attached "**EXHIBIT A: RMUN – JULY 2023**," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2024 operating budget of the City.

Exhibit A: RMUN - July 2023

Rochester Municipal Management Group

City Health Contribution	80/20	80/20	80/20	80/20
	ABSOS 20/40	ABSOS 20/40	ABSOS 20/40	ABSOS 20/40
	RX 10/20/45	RX 10/20/45	RX 10/20/45	RX 10/20/45
Health Plan	DED \$1000/\$3000	DED \$1000/\$3000	DED \$1000/\$3000	DED \$1000/\$3000
Projected Health Increase		7.60%	6.00%	6.00%
	Current FY23	FY24	FY25	FY26
Wages				
Base Wage	\$1,306,107.33	\$1,388,103.81	\$1,465,871.30	\$1,544,653.48
Longevity	\$5,825.00	\$6,075.00	\$6,400.00	\$6,400.00
Total Wages	\$1,311,932.33	\$1,394,178.81	\$1,472,271.30	\$1,551,053.48
Dollar Change		\$82,246.48	\$78,092.49	\$78,782.18
% Change		6.27%	5.60%	5.35%
Benefits				
Medicare	\$19,023.02	\$20,215.59	\$21,347.93	\$22,490.28
Social Security	\$81,339.80	\$86,439.09	\$91,280.82	\$96,165.32
Health Insurance	\$165,854.38	\$178,460.18	\$189,167.80	\$200,517.86
Opt Out	\$4,800.00	\$4,800.00	\$4,800.00	\$4,800.00
Dental	\$3,450.00	\$3,450.00	\$3,450.00	\$3,450.00
Life Insurance	\$2,821.19	\$2,998.30	\$3,166.28	\$3,336.45
STD Disability Insurance	\$7,052.98	\$7,495.76	\$7,915.70	\$8,341.13
LTD Disability Insurance	\$10,187.64	\$10,827.21	\$11,433.80	\$12,048.30
Total Benefits & Rollups	\$294,529.01	\$314,686.14	\$332,562.33	\$351,149.33
Dollar Change		\$20,157.13	\$17,876.19	\$18,587.00
% Change		6.84%	5.68%	5.59%
Totals				
Total Wages, Benefits & Rollups	\$1,606,461.34	\$1,708,864.95	\$1,804,833.63	\$1,902,202.81
Dollar Change		\$102,403.61	\$95,968.68	\$97,369.18
% Change		6.37%	5.62%	5.39%

14 Total Employees - 100% FT