

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

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hailey
Councilor Hamann
Councilor Malone
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

Councilor Desrochers

Minutes

1. Call to Order

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

2. Opening Prayer

Mayor Callaghan called for a moment of silence.

3. Pledge of Allegiance

Mayor Callaghan asked Councilor Beaudoin to lead the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All City Councilors were present except for Councilor Desrochers, who was excused.

Mayor Callaghan recessed the meeting at 6:01 PM. Councilor

Lachapelle **MOVED** to enter a Non-Public Meeting – Personnel, RSA 91-A:3,II(a) at 6:01 PM. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote as follows: Councilors de Geofroy, Beaudoin, Hamann, Lachapelle, Malone, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan reconvened the meeting at 6:07 PM. Councilor Lachapelle **MOVED** to Exit the Non-Public Session at 6:07 PM. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 12 to 0 voice vote.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: May 2, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the May 2, 2023, Regular City Council meeting minutes. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 City Manager's Report

City Manager Cox announced that the Lilac Family Fun Festival is scheduled for July 8th. More information can be found by contacting the Recreation and Arena Department.

City Manager Cox announced that a tour of the Waste Management Facility is scheduled to take the place of the June Workshop on June 20th. He requested that City Councilors confirm their attendance.

The City Manager's Report is as follows:

Contracts and documents executed since last month:

- **Department of Public Works**
 - Septage Facility Design Contract – Brown & Caldwell
 - Solar Interconnection Agreement, Comm. Center - Eversource
 - Design Amendment, Colonial Pines Sewer – Underwood Engineers

- Change Order, Pavement/Highway Improvement Project
- Change Order, Rt 202A Water Main – D&C Construction
- Task order amendment, 20" Transmission Main – Weston & Sampson
- Task Order, WWTF Biosolids Dewatering – Brown & Caldwell
- Compliance report for Admin. Order of Consent, NPDES Permit
- Task order amendment, Eastern Ave sewer rehab – Weston & Sampson
- Scope of Service, Emergency Generator, RMS Shelter – CSI Electrical
- Notice to Proceed, City Hall/Opera House Remediation – Careno
- Change order, Strafford Sq. Utility relocation – S.U.R.
- Task Order, Traffic Impact Study – Hoyle, Tanner, and Assoc.
- **Economic Development**
 - FY22-FY23 CAP Weatherization – May 2
 - FY22-FY23 CAP Weatherization – Elderberry Ln.
 - FY22-FY23 CAP Weatherization – Eagle Dr.
 - FY22-FY23 CAP Weatherization – Chestnut Hill
 - FY22-FY23 CAP Weatherization – Eastern Ave.
- **Finance**
 - Medical Coverage renewal – HealthTrust
 - Flexible Benefits Plan Agreement – HealthTrust
 - Statement of Work – Vision Government Solutions
 - Printer lease schedule – Canon Solutions America
- **Police Department**
 - Motorcycle lease – Seacoast Harley Davidson
- **Recreation & Arena**
 - Entertainment Contracts, Lilac Family Fun Festival
 - Software Agreement - RecDesk

The following standard report has been enclosed:

- **Personnel Action Report Summary**

7. Communications from the Mayor

Mayor Callaghan said members of the public have requested that information relative to 79-E/TIF Districts be available on the City's

website. Deputy City Manager Ambrose gave a detailed overview of where/how to find this information on the City's website, which can be found under the Economic Development Department webpage.

Mayor Callaghan said the Memorial Day Field of Honor Event held at the Common was stunning. He said the event was hosted by Vouchers for Veterans.

Mayor Callaghan said this is the first year since 2019 that the City was able to organize a Memorial Day Parade. He thanked Carlton Cooper, veteran, who organized the event. He invited Mr. Cooper to address the City Council.

Mr. Cooper said several veteran organizations, volunteers, and City Officials assisted in making the Parade possible this year. He gave a brief overview of the event. He said adjustments would be made for next year's parade. Mr. Cooper shared that two World War II Veterans participated in the event.

Mayor Callaghan gave a brief update regarding Phase II of the Granite Ridge Development. He said there is a resolution on the agenda this evening to support the project. He said eighty percent of the project would be funded through the State. He gave an update about a meeting with the State and City Officials, which resulted in expediting the project to FY 2025.

Mayor Callaghan said the World War II Honor Roll Memorial located in front of City Hall is being re-furbished by students from Spaulding High School. He said the Veterans were able to connect with the students and share some of their war stories.

Mayor Callaghan spoke about a ribbon cutting ceremony held at Country Brook Estates, which is off Route 125. He said the project resulted in the creation of 96 Units of affordable workforce housing. He said this makes a grand total of 306 Units of affordable workforce housing. He said there are approximately 100 new mobile homes in the City as well.

Mayor Callaghan reminded the City Council that the Regular City Council meeting for July 4th has been rescheduled to July 11th due to the Independence Day Holiday.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Appointment: Paul McNally – Supervisor of the Checklist, Ward 4 *consideration for approval*

Mayor Callaghan **MOVED** to **APPOINT** Paul McNally, as Supervisor of the Checklist, Ward 4. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

City Clerk Walters mentioned that Patty Dunlap, 95 years old, had served as the Supervisor of the Checklist for Ward 4, until she passed away recently. She will be greatly missed.

9.2 Resignation: Whitney Apgar – Rochester Economic Development Commission, Seat H *consideration for approval*

Councilor Lachapelle **MOVED** to accept the resignation of Whitney Apgar from the Rochester Economic Development Committee, with regret. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10. Reports of Committees

10.1 Appointments Review Committee

No discussion.

10.2 Codes & Ordinances Committee

No discussion.

10.3 Community Development

No discussion.

10.4 Finance Committee

No discussion.

10.5 Planning Board

No discussion.

10.6 Public Safety

10.6.1 Committee Recommendation: To install a 30 mph speed limit sign between 71 and 87 Lowell Street at the technical discretion of the DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's recommendation as stated above. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6.2 Committee Recommendation: To install a streetlight on the pole near 53 Gear Road at the technical discretion of the DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's recommendation as stated above. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6.3 Committee Recommendation: To install a "No Thru Street" sign on Crowhill by Copper Lane at the technical discretion of the DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's recommendation as stated above. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6.4 Committee Recommendation: To install a "90 Degree Turn" sign with a "10 mph advisory" speed sign in both directions near the curve on Meadow Lane *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's recommendation as stated above. Councilor de Geofroy seconded the motion.

Councilor Beaudoin said there are currently two existing "Slow-Curve/10 mph advisory" signs on this road. Councilor Lachapelle said the two signs that are currently in place do advise drivers to slow down;

however, the Committee agreed that the warning signs should be upgraded to a sterner warning sign, which includes the sharp 90-degree angle sign, with the 10 mph advisory. Mayor Callaghan said this has been a safety concern for some time; however, it became more noticeable recently because traffic was directed down Meadow Lane due to construction on Old Dover Road. Councilor Beaudoin asked if the signs would replace the existing signs in the same location. Councilor Lachapelle confirmed that was true. Councilor Berlin stated that if the City Council wishes to use the existing poles, the stipulation should be made part of the motion. Councilor Lachapelle **REVISED** the motion as follows: To replace the existing signs using the same location and poles, unless the poles are in bad shape. Councilor de Geofroy agreed to revise his second to the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.7 Public Works

Councilor Hamann said there were no action items.

11. Unfinished Business

11.1. 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 *second reading and consideration for adoption*

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

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.

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

11.2 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 *second reading and consideration for adoption*

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

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.

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

11.3 Resolution Approving Fiscal Year 2023-2024 Operating Budget for the City of Rochester *second reading and consideration for adoption*

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

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 A)

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution for the Operating Budget. Councilor Malone seconded the motion.

Councilor Lachapelle **MOVED** to **ACCEPT** all the changes to date, which were made by the Committee of the Whole regarding the Operating & Maintenance Budget. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Deputy City Manager Ambrose wished to make one clarification prior to the adoption of the Operating & Maintenance Budget. She said the Non-Union COLA (Cost of Living Adjustment) of 3% is included within the proposed Operating Budget under General Overhead Contingency Funds. Ms. Ambrose said in the past, it has not been included with the proposed budget but treated as a separate motion. She said it is important that it is mentioned. She informed the City

Council that the other collective bargaining agreements were approved at a 4% COLA. She said this would be the appropriate time to make that adjustment if the City Council sees fit. She said the cost of increasing the proposed COLA from 3% to 4% would be \$33,466. No adjustment was made.

Councilor Beaudoin gave reasons why he would oppose the adoption of the Operating & Maintenance budget. He specifically asked about Evans Road and other cuts to the paving list. Mayor Callaghan said Councilors de Geofroy and Hamann met with the residents regarding the paving/upgrades to this road. He said the residents were okay with delaying the project by a year. Mayor Callaghan mentioned that the Council did cut \$1,500,000 from the paving funding; however, the remaining funds (lapsing) and the proposed funding for FY 24 would result in the same amount of funding as last year. The City Council discussed the issue.

Mark Sullivan, Deputy Finance Director, confirmed that the approved paving line item within the Operating & Maintenance Budget for FY 23 was \$1,000,000. He said approximately \$563,000 was approved through a paving grant in FY 23 as well. He said the FY 24 proposed paving line item was originally \$2,000,000.00, which was cut by \$500,000.00, resulting in level funding of the paving line from the previous fiscal year.

Mayor Callaghan called for a vote on the Operating Budget as amended. The **MOTION CARRIED** by a 10 to 2 roll call vote. Councilors Hainey, Gray, Malone, Gilman, Fontneau, Laroche, de Geofroy, Hamann, Lachapelle and Mayor Callaghan voted in favor of the motion. Councilors Berlin and Beaudoin voted against the motion.

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

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

**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 B*)

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution for the CIP Budget. Councilor Hamann seconded the motion.

Councilor Lachapelle **MOVED** to **ACCEPT** all the changes to date, which were made by the Committee of the Whole regarding the CIP Budget. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Beaudoin **MOVED** to **REDUCE** the School Department Budget CIP Project, which can be found on Page 79 of the CIP Booklet as follows: Reduce the School Department Budget (cash) by \$120,000 for the 45kVA Roll Up Generators (2) and Connectors to a new amount of \$0.00. Councilor Gilman seconded the motion.

Dave Totty, Director of Facilities (School Department), addressed the City Council. He said this is part of a disaster recovery plan for the schools because a power outage in the wintertime could result in school buildings freezing-up in a matter of minutes. He said schools are at risk each time there is a power outage and a power outage could potentially cause a school to be closed for an extended period of time. He said currently, the only school with a generator is the Middle School and that is because the Middle School serves as an emergency shelter for the City. Mr. Totty said it seems that the winter-weather is trending towards heavy wet snow and that is the type of snow that causes the power outages. Councilor Gray questioned if the entire middle school is covered

by one generator or if other parts of that building are at risk too. Mr. Totty said the generator services the music department (emergency shelter location); however, it also takes care of the primary heating source for the entire building.

Councilor Beaudoin spoke about the number of generators located in various department throughout the city. He said the City's power grid is strong and that power is typically restored quickly during storms. He questioned if a better option would be to cut the funding of one generator and to provide the funding necessary to install more generator/facility connections at each school, which would allow for the generators to be shared as needed.

Councilor de Geofroy spoke about supporting the purchase of both generators because there could be multiple power outages at the same time.

Councilor Fontneau asked about any statistics related to power outages in the schools. Mr. Totty did not have that type of information; however, he recalled that there were two power outages this past winter. He said historically the power-outages are restored quickly; however, it is his job to ensure schools have the adequate equipment to face emergency situations. He said the purchase of two generators gets the School Department moving in the right direction.

Councilor Fontneau **MOVED to AMEND** the motion as follows: To reduce the School Department Budget CIP Project, which can be found on Page 79 of the CIP Booklet as follows: To reduce the School Department Budget (cash) by \$60,000 45kVA Roll Up Generator (1) and Connectors to a new amount of \$60,000.00. Councilor Beaudoin seconded the motion.

Councilor Gray spoke against the motion. He said \$120,000 is an inexpensive cost compared to the cost of a frozen facility. He said this is especially true after the City faced an extreme cold-snap this past winter; he gave examples of structure damages due to this weather. He reiterated that it would be best to see more of a collaboration between the city and schools; however, he would not support cutting these two generators. He estimated that it would cost between \$45,000 - \$50,000 for each generator and the remaining funds would be utilized for the connections needed to connect the generators to the facilities.

Councilor Berlin agreed with statements made by Councilor Gray; however, he indicated that the exact breakdown of cost is not listed in

the budget booklet. Mr. Totty agreed with the estimate of costs outlined by Councilor Gray.

Deputy City Manager Ambrose clarified that procedurally, the School Department CIP (cash) items are protected the same as the School Department's Operating & Maintenance Budget. Whereas, the City Council only has authority to cut the bottom-line of the budget. She said ultimately it will be up to the School Department to determine how to work within the bottom line of the final approved budgets. Ms. Ambrose clarified that the School CIP/bonded projects are under the City Council's purview. Lastly, she said, if any CIP/cash items are cut by the City Council this evening, then subsequent budget adjustments must be made to the Operating & Maintenance Budget.

Mayor Callaghan called for a vote on the amended motion. The **MOTION FAILED** by a roll call vote of 4 to 8 as follows: Councilors Berlin, Fontneau, Beaudoin, and Gilman voted in favor of the motion. Councilors Gray, Hamann, Hainey, Lachapelle, Larochelle, Malone, de Geofroy and Mayor Callaghan voted against the motion.

Mayor Callaghan called for a vote on the main motion to cut \$120,000 from the School Department/CIP "Generators". The **MOTION FAILED** by a roll call vote of 0 to 12. Councilors Gilman, de Geofroy, Gray, Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Malone, and Mayor Callaghan voted against the motion.

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Councilor Beaudoin **MOVED** to **REDUCE** the School Department/Building Improvement Budget CIP Project, which can be found on Page 91 of the CIP Booklet as follows: Reduce the School Department Budget (bond) by \$80,000 for the MSMS Site-Work Safety Improvements to a new amount of \$0.00. Councilor Gilman seconded the motion. Councilor Beaudoin gave reasons why he believed this funding could/should be cut, including the annual appropriations to paving/sitework (\$1,000,000) since FY 2020.

Mr. Totty said there are 11 buildings across the School District. He said the School Department operates directly under the city contracts for paving and that the School Department pays the same rate for pavement and sitework as the City. He gave a brief overview of the paving/sitework over the last several years. He added that there is an effort to implement an aggressive maintenance/sealing plan to extend the life of the paving projects moving forward.

Mr. Totty explained that the Maple Street School paving project is more involved than some of the previous projects. He said it includes extending the parking lot and that currently there is not a safe way for emergency vehicles to access the building during parts of the day. He added that there is not adequate parking for current staff, which results in staff vehicles parked on the street. He said this has been a safety concern of the Department of Public Works and the Police Department for some time. He gave details of what it would entail to extend the parking lot to make it safer. He said the paving project had been delayed due to the increased cost of paving.

Councilor de Geofroy challenged anyone to visit Maple Street Elementary school during pick-up/drop-off times. He agreed that it would not be possible for emergency vehicles to gain access during those times. He stated that he would vote against the motion to cut funding for this project.

Councilor Beaudoin asked about the square footage of the parking lot. Mr. Totty was not certain; however, he said it should result in the addition of 20 new parking spaces. He spoke briefly about the other improvements covered under this project overview.

Superintendent Repucci said there are other elementary schools needing improved parking access; however, this is the school in most need and has been a topic of discussion at the public safety committee over the last several years.

Councilor Gray gave an overview of the State's budget. He said there were concerns regarding projected State Aid for the School Department; however, he said, it is possible that the passing of the State budget later in the week could result in additional funding for the Rochester School Department. It was determined if additional funding was obtained that the project could be funded through cash rather than bond.

Councilor Hamann attested to the issues mentioned by Mr. Totty and the Superintendent because he lived on Maple Street for over 40 years. He said Maple Street and Waldron Avenue turn into a parking lot. He said some vehicles are doubled parked on those streets. He confirmed the situation has been a nightmare for the neighborhood for many years.

Mayor Callaghan called for a vote on the motion. The **MOTION FAILED** by a roll call vote of 4 to 8. Councilors Gilman, Malone, Berlin, and Beaudoin voted in favor of the motion. Councilors Hamann, Fontneau, Larochelle, Gray, de Geofroy, Hainey, Lachapelle, and Mayor Callaghan voted against the motion.

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Councilor Beaudoin **MOVED** to **REDUCE** the CIP Budget/Public Works Department CIP Project, which can be found on Page 104 of the CIP Booklet as follows: Reduce the City Manager's Proposed CIP Budget/Water (bond) by \$6,000,000 for the Cocheco Well Treatment Upgrades to a new amount of \$0.00. Councilor Gilman seconded the motion.

Mayor Callaghan asked if this cut was to enterprise funds. Councilor Beaudoin replied yes.

Councilor Beaudoin said this funding is intended to reduce the manganese levels in the Cocheco Well. He said it is likely that will become a necessary action in the future; however, it has not yet been mandated by the State. He said it will take time for the State to finalize the regulations. He said in the meantime, delaying the project would save the rate-payers money.

Councilor Gray said this is a bonded project: it would make sense to simply require that the project be sent back to the City Council prior to starting the project instead of cutting the project from the budget. Peter Nourse, Director of City Services, recalled that was the exact notion previously discussed by the City Council. He said it is important to list the project in the CIP Budget; however, the project would be delayed until such time as it is deemed necessary. He said the intent is to bring the project back to the City Council prior to expending those funds. Councilor Gray asked the City Manager-Elect Ambrose to acknowledge that understanding. Ms. Ambrose acknowledged that understanding.

Councilor Beaudoin said based on the testimony provided by Mr. Nourse he would **WITHDRAW** his motion. Councilor Gilman **WITHDREW** his second to the motion.

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Councilor Beaudoin **MOVED** to **REDUCE** the City Manager's CIP Budget/Public Works Department Budget CIP Project, which can be found on Page 58 of the CIP Booklet as follows: To reduce the Public Works Department CIP Project (cash) by \$263,000 for the Vehicle Replacement Program resulting in a new amount of \$270,500. Councilor Berlin seconded the motion.

Councilor Beaudoin said this proposed cut would delay the purchase of Truck 6. He said there are only 72,000 miles on this vehicle and the Department of Public Works has a state-of-the-art mechanic's bay. He gave reasons why this purchase could be delayed along with Truck 16 which only has 56,000 miles.

Lisa Clark, Deputy Director, distributed photos of Truck 6 and Truck 16, which were depicted in poor condition. Mr. Norse said one proposed truck has already been removed from the budget. He gave an overview of the vehicle replacement program over the last few years. He said trucks have been cut from the budget over the past two fiscal years, which is why these two trucks need to be replaced this fiscal year. He spoke about the wear and tear on all the vehicles during winter months, which results in an enormous amount of rust.

Councilor Beaudoin stated that the State has always turned in their plow trucks with over 200,000 miles. He said they seem to get four times the amount of use from their trucks prior to replacing them. Mr. Nourse said the State plow trucks are stored inside whereas the city's plow trucks have been stored outside. He said the new truck bay has only been covering the trucks for a year and a half.

The **MOTION FAILED** by a roll call vote of 3 to 9. Councilors Beaudoin, Gilman, and Berlin voted in favor of the motion. Councilors Gray, Hamann, de Geofroy, Hainey, Lachapelle, Malone, Fontneau, Larochele, and Mayor Callaghan voted against the motion.

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Councilor Beaudoin **MOVED** to **REDUCE** the City Manager's CIP Budget/Public Buildings Budget CIP Project, which can be found on Page 17 of the CIP Booklet as follows: To reduce the Public Buildings CIP Project (cash) by \$75,000 for the City Hall Opera House Heating System Repair to a new amount of \$0.00. Councilor Berlin seconded the motion.

Councilor Beaudoin blamed the failed heating system on not being maintained properly. He said the Opera House/City lease agreement stipulates that the Opera House is responsible for maintaining their own systems. He said the City has recently funded over \$300,000 of improvements for the Opera House. He said this particular repair should be paid by the Opera House in order to meet their contractual obligations.

Mr. Nourse did not speak to who is responsible for paying for the failed system; however, he said there are basically two stages for the heater and if the other stage fails, the Opera House will have no heat.

Councilor Gray asked if this heater also effects other pipes at City Hall such as the outside sprinkler system. Mr. Nourse said his understanding is that the heating system only impacts the Opera House.

The **MOTION FAILED** by a roll call vote of 5 to 7. Councilors Gilman, Berlin, Beaudoin, Malone, and Gray voted in favor of the motion. Councilors Larochelle, de Geofroy, Fontneau, Hamann, Lachapelle, Hainey, and Mayor Callaghan voted against the motion.

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Councilor Beaudoin **MOVED** to **REDUCE** the City Manager's CIP Budget/Fire Department, which can be found on Page 35 of the CIP Booklet as follows: The Fire Department's CIP Project original amount of \$290,000 (cash) to be reduced by \$65,000 for the Vehicle & Equipment Replacement Project resulting in a new amount of \$225,000. Councilor Berlin seconded the motion.

Councilor Beaudoin spoke about the fire department's current vehicles, which all seem to have low milage. He did not see a reason to approve the funding for another vehicle.

Chief Dubois explained that the City Council recently approved two new employee positions: Inspector and Community Educator. He said the purpose of purchasing this vehicle is for these two new employees, who would share this vehicle. He said it would be a smaller vehicle than

what is used by the Command Staff and the vehicle would be less expensive. He said cutting this funding (\$65,000) would result in cutting this vehicle completely out of the budget and it would not leave enough funding, which is needed for the forestry vehicle.

Councilor Beaudoin asked what type of vehicle would be purchased with this funding. Chief Dubois said a Colorado/ranger type vehicle. He said the Inspector position is still being created so it is unknown if the Inspector will dual as a firefighter. He said additional funding was included in the amount to provide a basic life safety package for that vehicle.

Councilors Beaudoin and Berlin **WITHDREW** their motion and second to the motion.

=====

Councilor Beaudoin **MOVED** to **REDUCE** the City Manager's CIP Budget/Public Buildings, which can be found on Page 24 of the CIP Booklet as follows: The Public Building Department's CIP Project original amount of \$157,000 (cash) to be reduced by \$120,000 for the Vehicle & Equipment Replacement Program to result in a new amount is \$37,000. Councilor Berlin seconded the motion. Councilor Beaudoin began to speak about the crew cab pickup truck #104; however, a photo of the poor condition of the truck was distributed. Councilors Beaudoin and Berlin **WITHDREW** their motion and second to the motion.

=====

Councilor Beaudoin **MOVED** to **REDUCE** the City Manager's CIP Budget/Economic Development Department, which can be found on Page 8 of the CIP Booklet as follows: The Economic Development CIP Project original amount of \$100,000 (cash) to be reduced by \$100,000 for the Water Street Development resulting in a new amount of \$0.00. Councilor Berlin seconded the motion. A brief discussion took place to determine if this was a cash or bond project. It was determined by the Finance Department that the entire project is to be funded through bond.

Councilor Gray suggested handling this project with an agreement to bring the project back to the City Council prior to expending funds.

Councilor Fontneau asked what this funding would be used for. Michael Scala, Economic Development Director, said this funding would pay for the design work. Mr. Scala disagreed with comments made by Councilor Beaudoin. He argued that this is the right time for this project. He said it is important to act while there is tremendous interest from developers in the City's downtown area. He said this would create a pedestrian friendly space in the downtown area.

Councilor Hamann spoke against the motion. He said it is important to show developers that the City is interested in the downtown area. He said the developers may lose interest if they believe the City is not committed to the downtown area.

Councilor Fontneau spoke in favor of the first part of this project. He said it would give the City an opportunity to complete the project next year; however, if next year comes and the economy is not strong enough, the City Council could postpone the rest of the project until the timing is right.

Councilor Gray was not sure if he supported the project or not; however, he gave reasons why it would make more sense to change the funding source (\$100,000) from bond to cash.

Mayor Callaghan asked how this project would tie-into the Union Street Parking Lot Project. Mr. Scala said it is all about making the downtown area more walkable/pedestrian-friendly and creating natural flows of pedestrian traffic. Mayor Callaghan said with all the pedestrians walking in the downtown area, the developers will have healthy competition.

The **MOTION FAILED** by a roll call vote of 1 to 11. Councilor Beaudoin voted in favor of the motion. Councilors Lachapelle, Larochelle, Hainey, Gilman, Berlin, de Geofroy, Gray, Malone, Fontneau, Hamann, and Mayor Callaghan voted against the motion.

Councilor Gray **MOVED** to change the funding source, for the FY 24, Economic Development's CIP Budget Water Street Development from bond to cash (\$100,000). Councilor Hamann seconded the motion. The **MOTION FAILED** by a roll call vote of 5 to 7. Councilors Malone, Gray, Hamann, de Geofroy, and Larochelle voted in favor of the motion.

Councilors Beaudoin, Lachapelle, Gilman, Hainey, Fontneau, Berlin, and Mayor Callaghan voted against the motion.

=====

Councilor Beaudoin **MOVED** to **REDUCE** the City Manager's CIP Budget/Economic Development Department, which can be found on Page 9 of the CIP Booklet as follows: The Economic Development CIP Project original amount of \$25,000 (cash) to be reduced by \$25,000 for the Riverwalk Master Plan resulting in a new amount of \$0.00. Councilor Berlin seconded the motion.

Councilor Beaudoin said there is not a lot of funding in place from developers to move forward with this project and a study was already completed a few years ago.

Shanna Saunders, Director of Planning and Development, addressed the City Council. She said a study was completed several years ago; however, there has been a lot of change which occurred along the Riverwalk since that time. She listed many new properties/developments in the area including the Saint Elizabeth Seton building, which she says was a key missing piece to the Riverwalk. She said the intent is not to re-write the sections already completed by the previous study; however, this would give an opportunity to add some of the key components that were missing with the last study. She said this would give new estimates for the Riverwalk, which would be vital information to seek funding sources from the City and/or contributions from private developers.

Councilor Fontneau said he understands both sides of this issue. He said the Riverwalk offers great potential for the City of Rochester. He spoke about getting private investors involved, and providing this type of study would be a necessary step in that process. He said it does seem like a study was just completed (2018); however, an updated plan could really get things moving forward.

Mayor Callaghan called for a vote on the motion. The **MOTION FAILED** by a roll call vote of 2 to 10. Councilors Berlin and Beaudoin voted in favor of the motion. Councilors Gray, Larochelle, Hainey, Gilman, Lachapelle, de Geofroy, Fontneau, Malone, Hamann, and Mayor Callaghan voted against the motion.

Councilor Beaudoin concluded his proposed motions; however, he stated that he still has several questions regarding the CIP Budget.

Councilor Beaudoin asked a question about the IT Department Software Upgrades and Expansion Project estimated at \$600,000. He said over the last six or seven years, the City has spent approximately \$4,000,000 on similar equipment/software. He questioned why the City would choose to bond this type of project (\$600,000). How many years would this type of project be bonded for? Mr. Sullivan said this type of project qualifies under CIP/Bond because it is a substantial amount of money. He said because of the life expectancy of the equipment, the bond would not be bonded for a long time. He said it would be bonded for five years or a max of ten years. Councilor Beaudoin asked what the life expectancy of the equipment would be for this project. Mr. Sullivan said the project may not be bonded for another few years, at which time the City would compare the life expectancy to the true useful life of such equipment and determine the best term (years) for bonding at that time.

Mayor Callaghan asked if this upgrade was part of the FY 22 Primex IT Security Audit. Mr. Watkins, Interim IT Director, replied no, he said it is part of the initial switch replacement program started seven years ago. He said the service contract expires after seven years and at that point, the cost of upgrades would far outweigh the cost to replace the equipment.

Councilor de Geofroy spoke about how important this project is and that if a system failed it would leave the City in a vulnerable position against security risks.

Councilor Berlin understood the initial cost to be \$600,000; however, he questioned the additional costs of \$250,000 per year (FY 25 – FY 29). Mr. Watkins replied that \$600,000 is just one project; however, the service agreement and other projects are included in the years moving forward.

Councilor Beaudoin asked if the cameras located at the Common and other areas of the city were night vision capable. Mr. Nourse confirmed that the cameras are night vision capable.

Councilor Beaudoin asked about the \$2,500,000 CIP/Renovation of the living quarters at the Fire Department. Chief Dubois said the renovation project includes the entire second floor of the building. He said it includes bringing the stairs up to current code requirements as well as installing an elevator to meet code requirements.

City Attorney O'Rourke said a two-thirds vote is required to pass the CIP Budget because of the items related to the CIP/bonds. Mayor Callaghan called for a vote on the CIP budget as amended. The **MOTION CARRIED** by a 9 to 3 roll call vote. Councilors Hamann, Hainey, Gray, Lachapelle, de Geofroy, Fontneau, Malone, Larochelle, and Mayor Callaghan voted in favor of the motion. Councilors Beaudoin, Berlin, and Gilman voted against the motion.

11.5 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 *second reading and consideration for adoption*

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

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.

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

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

consideration for adoption

Mayor Callaghan read the Amendment for the second time. (See *Addendum C*)

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment. Councilor Malone seconded the motion.

Councilor Beaudoin recalled a question at the Public Hearing regarding the cost of electronic vehicle charging stations. He spoke about the four types of charging stations and the cost of the various levels of the stations. He asked what level of charging station is specified in the ordinance. Ms. Saunders apologized and gave reasons why those costs have not yet been identified. The City Council discussed the issue. Councilor de Geofroy stated that the ordinance does not specify the level of charging stations or who is obligated to pay for it, which seems the best way to approach the issue.

Councilor Beaudoin said he was in support of the ordinance; however, he stated that the charging station language is still too ambiguous. He hoped that language could be tightened up in the future. The **MOTION CARRIED** by a unanimous voice vote.

12. Consent Calendar

No discussion.

13. New Business

13.1 City of Rochester Dog Warrant (May 1, 2022 to April 30, 2023) *Motion to Send Warrant to the Police Department for Action*

Councilor Lachapelle **MOVED** to send the Warrant to the Police Department for Action. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.2 Resolution Authorizing the Acceptance of \$603.02 in Forfeiture Funds from the State of New Hampshire *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:
Resolution Authorizing the Acceptance of \$603.02 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 Six Hundred Three and 02/100 Dollars (\$603.02) 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 resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.3 Resolution Authorizing Acceptance and Appropriation of Victims of Crime Act (VOCA) Grant Award in an Amount of \$25,836.00 for Fiscal Year 2024 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

RESOLUTION AUTHORIZING ACCEPTANCE AND APPROPRIATION OF VICTIMS OF CRIME ACT (VOCA) GRANT AWARD IN AN AMOUNT OF \$25,836.00 FOR FY 2024

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

WHEREAS, that a Victims of Crime Act (VOCA) grant in the amount of Twenty-Five Thousand Eight Hundred and Thirty-Six Dollars (\$25,836.00) awarded to the City of Rochester's Legal Department is hereby accepted by the City of Rochester;

WHEREAS, the aforesaid grant requires a 20% cash match by the City of Rochester in the amount of Six Thousand Four Hundred Fifty Nine Dollars (\$6,459.00), to the Victims of Crime Act (VOCA) grant by City of Rochester's Legal Department;

FURTHER, that the sum of Twenty-Five Thousand Eight Hundred and Thirty-Six Dollars (\$25,836.00) be, and hereby is, appropriated to a

non-lapsing Special Revenue Fund to be created for the purpose of carrying out the purposes of the Victims of Crime Act grant;

FURTHER, that the transfer of Six Thousand Four Hundred Fifty Nine Dollars (\$6,459.00) from the FY 2024 Legal Department Operating Budget to the non-lapsing Special Revenue fund stipulated above is hereby authorized;

FURTHER, that the City Manager is authorized to enter into a grant agreement and any other contracts with the New Hampshire Department of Justice that are necessary to receive and administer the grant funds detailed above; and

FURTHER, 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 Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.4 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with the International Brotherhood of Teamsters Local 633 of New Hampshire *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH
THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 633 OF NEW HAMPSHIRE**

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 INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 633 OF NEW HAMPSHIRE (Teamsters) 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: Teamsters – 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 – See Addendum D*)

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by an 11 to 1 roll call vote as follows: Councilor Fontneau, Larochele, Hainey, Gray, Malone, de Geofroy, Berlin, Gilman, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

13.5 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Local 863 of the American Federation of State, County and Municipal Employees *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH
LOCAL 863 OF THE AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES**

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 LOCAL 863 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) 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: AFSCME – 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 – See Addendum E*)

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a roll call vote of 10 to 2 as follows: Councilors Larochelle, Gilman, de Geofroy, Fontneau, Hamann, Lachapelle, Malone, Gray, Hainey, and Mayor Callaghan voted in favor of the motion. Councilors Berlin and Beaudoin voted against the motion.

14. Non-Meeting/Non-Public Session

Councilor Lachapelle **MOVED** to enter a Non-Public Session under Land, RSA 91-A:3, II (d) at 7:48 PM. Councilor de Geofroy seconded the motion. Councilor Beaudoin made the following statement for the record: RSA 91-A:3 Non-Public Sessions I-d, which stipulates consideration of the acquisition sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community. Councilor Beaudoin said he did not believe that such a person or persons exists. He requested that his objection be recorded in the meeting minutes. Mayor Callaghan called for a vote on the motion to enter the Non-Public Session. The **MOTION CARRIED** by an 11 to 1 roll call vote as follows: Councilors Lachapelle, Larochelle, Hainey, Gilman, Berlin, de Geofroy, Gray, Malone, Fontneau, Hamann, and Mayor Callaghan voted in favor of the motion. Councilor Beaudoin voted against the motion.

Councilor Lachapelle **MOVED** to exit the Non-Public Session at 8:22 PM. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle **MOVED** to seal the minutes because it is determined that divulgence of this information likely would render a proposed action ineffective. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Malone, Gray, Hamann, de Geofroy, Beaudoin, Lachapelle, Gilman, Hainey, Fontneau, Larochelle, Berlin, and Mayor Callaghan voted in favor of the motion.

15. Adjournment

Mayor Callaghan **ADJOURNED** the Regular City Council Meeting at 8:22 PM.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk

ADDENDUM A

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

2023-2024 CAPITAL BUDGETS-EXHIBIT A**CAPITAL BUDGET SUMMARY**

	<u>Proposed</u>	<u>Adopted</u>	<u>Changes as of 5-16-23</u>
Proposed Capital Appropriations:			
City	\$ 15,728,023	\$ 14,390,023	\$ (1,338,000)
School	\$ 2,732,000	\$ 2,732,000	\$ -
Water Fund	\$ 7,497,500	\$ 7,497,500	\$ -
Sewer Fund	\$ 7,639,500	\$ 7,639,500	\$ -
Community Center	\$ 428,500	\$ 428,500	\$ -
Total Appropriations	\$ 34,025,523	\$ 32,687,523	\$ (1,338,000)
Source of Revenues			
General Fund			
Bonding and/or other Borrowing	\$ 10,997,750	\$ 10,997,750	\$ -
Operating Budget	\$ 6,386,100	\$ 5,048,100	\$ (1,338,000)
Grants	\$ 1,479,673	\$ 1,479,673	\$ -
Other Sources	\$ 25,000	\$ 25,000	\$ -
Subtotal General Fund Revenues	\$ 18,888,523	\$ 17,550,523	\$ (1,338,000)
Enterprise Funds & Tax Incremental Financing Districts			
Bonding and/or other Borrowing	\$ 13,475,000	\$ 13,475,000	\$ -
Operating Budget	\$ 1,662,000	\$ 1,662,000	\$ -
Grants	\$ -		
Subtotal Enterprise Funds & Tax Incremental Financing Revenues	\$ 15,137,000	\$ 15,137,000	\$ -
Total Revenues	\$ 34,025,523	\$ 32,687,523	\$ (1,338,000)

**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:

11.

- 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.

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
THE INTERNATIONAL BROTHERHOOD
OF TEAMSTERS
LOCAL 633 OF NEW HAMPSHIRE**

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 INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL 633 OF NEW HAMPSHIRE (Teamsters) 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: Teamsters – 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: **Teamsters** - JULY 2023

City Health Contribution	80/20	78/22	76/24	74/26
Health Plan	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000	ABSOS 20/40 RX 10/20/45 DED \$1000/\$3000
Projected Health Increase		7.60%	6.00%	6.00%
	Current FY23	FY24	FY25	FY26
Wages				
Base Wage	\$684,512.14	\$727,911.60	\$770,382.60	\$814,026.20
Longevity	\$6,575.00	\$6,875.00	\$6,875.00	\$7,300.00
Total Wages	\$691,087.14	\$734,786.60	\$777,257.60	\$821,326.20
Dollar Change		\$43,699.46	\$42,471.00	\$44,068.60
% Change		6.32%	5.78%	5.67%
Benefits				
Medicare	\$10,020.76	\$10,654.41	\$11,270.24	\$11,909.23
Social Security	\$42,847.40	\$45,556.77	\$48,189.97	\$50,922.22
Health Insurance	\$97,718.40	\$100,866.59	\$104,137.70	\$107,442.54
Opt Out	\$1,600.00	\$1,600.00	\$1,600.00	\$1,600.00
Life Insurance	\$863.16	\$920.87	\$974.56	\$1,031.40
STD Disability Insurance	\$2,157.89	\$2,302.18	\$2,436.39	\$2,578.49
LTD Disability Insurance	\$3,116.95	\$3,325.37	\$3,519.23	\$3,724.48
Total Benefits & Rollups	\$158,324.57	\$165,226.19	\$172,128.08	\$179,208.36
Dollar Change		\$6,901.63	\$6,901.89	\$7,080.28
% Change		4.36%	4.18%	4.11%
Totals				
Total Wages, Benefits & Rollups	\$849,411.71	\$900,012.79	\$949,385.68	\$1,000,534.56
Dollar Change		\$50,601.09	\$49,372.89	\$51,148.88
% Change		5.96%	5.49%	5.39%

18 Total Employees - 44% FT

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
LOCAL 863 OF THE AMERICAN
FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES**

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 LOCAL 863 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) 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: AFSCME – 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: AFSCME - JULY 2023

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	\$2,306,553.60	\$2,494,232.00	\$2,641,912.00	\$2,790,923.20
Longevity	\$6,400.00	\$6,900.00	\$7,100.00	\$7,100.00
On-call	\$81,184.00	\$89,484.00	\$89,484.00	\$89,484.00
Total Wages	\$2,394,137.60	\$2,590,616.00	\$2,738,496.00	\$2,887,507.20
Dollar Change		\$196,478.40	\$147,880.00	\$149,011.20
% Change		8.21%	5.71%	5.44%
Benefits				
Medicare	\$34,715.00	\$37,563.93	\$39,708.19	\$41,868.85
Social Security	\$148,436.53	\$160,618.19	\$169,786.75	\$179,025.45
Health Insurance	\$486,153.17	\$522,693.12	\$553,730.71	\$586,630.55
Opt Out	\$19,800.00	\$19,800.00	\$19,800.00	\$19,800.00
Dental	\$12,650.00	\$12,650.00	\$12,650.00	\$12,650.00
Life Insurance	\$4,982.16	\$5,387.54	\$5,706.53	\$6,028.39
STD Disability Insurance	\$12,455.39	\$13,468.85	\$14,266.32	\$15,070.99
LTD Disability Insurance	\$17,991.12	\$19,455.01	\$20,606.91	\$21,769.20
Total Benefits & Rollups	\$737,183.36	\$791,636.65	\$836,255.42	\$882,843.43
Dollar Change		\$54,453.29	\$44,618.77	\$46,588.01
% Change		7.39%	5.64%	5.57%
Totals				
Total Wages, Benefits & Rollups	\$3,131,320.96	\$3,382,252.65	\$3,574,751.42	\$3,770,350.63
Dollar Change		\$250,931.69	\$192,498.77	\$195,599.21
% Change		8.01%	5.69%	5.47%

48 Total Employees - 100% FT