



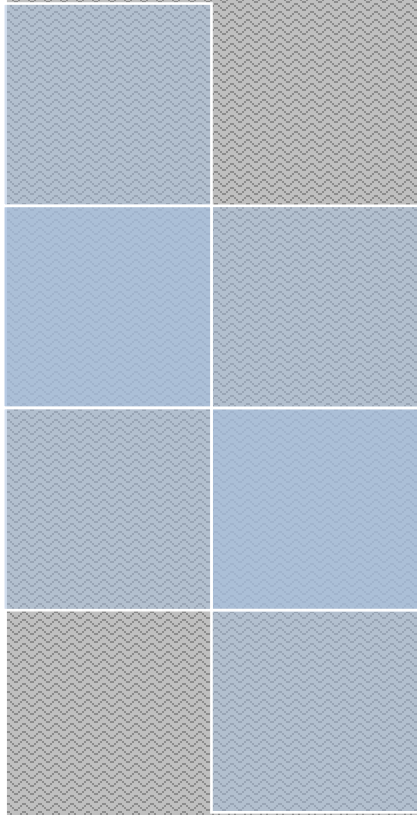
**Regular City Council Meeting  
February 7, 2017  
Council Chambers  
7:00 PM**

Agenda

1. Call to Order
2. **Presentation of the Colors:** Spaulding High School AFJROTC Color Guard
  - 2.1. Pledge of Allegiance
3. Opening Prayer
  - 3.1. **Opening Prayer:** Cadet Robert Miles, Spaulding High School
4. Roll Call
5. Acceptance of Minutes
  - 5.1. Regular City Council Meeting Minutes: January 3, 2017 *motion to approve* P. 11
  - 5.1. Special City Council Meeting Minutes: January 17, 2017 *motion to approve* P. 27
6. Communications from the City Manager
  - 6.1. Employee of the Month Award P. 30
  - 6.2. City Manager's Report P. 29
7. Communications from the Mayor
  - 7.1. **Proclamation and Crowning of the Poet Laureate:** Katie O'Connor P. 53
  - 7.2. **Poetry Reading:** Katie O'Connor, Poet Laureate
  - 7.3. **Announcement:** Upcoming Public Hearings
    - 7.3.1. Amendment to Chapter 42 of the General Ordinances Proposed Entertainment Zone
    - 7.3.2. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding Accessory Apartments and subsequently, Chapter 42 Table 18-A Accessory Apartment and Single Family Dwelling



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7.3.3. Amendment to Chapter 42 of the General Ordinances of the City of Rochester Regarding the Location and Boundaries of Zoning Districts

8. Presentations of Petitions and Council Correspondence

9. Nominations, Appointments, Resignations, and Elections

9.1. **Resignation:** Christina Danielle Dorvillier, Arts and Culture Commission P. 55

10. Reports of Committees

10.1. Appointments Committee P. 57

10.1.1. **Recommended Appointment:** Jeremy Hutchinson, Planning Board, Term to Expire on 1/2/2020 P. 57

10.1.2. **Recommended Re-Appointment:** Mark Hourihane, Rochester Economic Development Commission, Term to Expire on 1/2/2020 P. 57

10.2. Community Development Committee P. 59

10.2.1. **AB 105** Revised Citizen Participation Plan for the FY 2015-2020 Consolidated Plan *motion to approve* P. 60

10.3. Finance Committee P. 69

10.3.1. **AB 82** Resolution Adopting Amendments/Revisions to the Granite State Business Park Tax Increment Financing (TIF) District: Development Program and Financing Plan and Amending/Revising the Granite State Business Park (GSBP) TIF District Boundaries *second reading and adoption* P. 73

GSBP Development Program and Financing Plan P. 77  
Map P.95

10.3.2. Amendment to Chapter 16.3 of the General Ordinances of the City of Rochester Regarding the Requirement to Connect to Public Sewers *second reading and adoption* P. 97

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10.4. Government Channel Committee P. 99

10.5. Public Safety Committee P. 101

10.5.1. **Action Item:** Request to have a street-light erected at the intersection of 202 /Estes Road *committee recommendation: motion to deny* P. 102

10.6. Public Works and Building Committee P. 105

10.6.1. **Action Item: AB 107** Resolution Authorizing Supplemental Appropriation to the Department of Public Works (DPW) Capital Improvement Project (CIP) Fund for the Route 125 Pedestrian Bridge Project *first reading, second reading, and adoption* P. 111

11. Old Business

12. Consent Calendar

12.1. **AB 110** Resolution Deauthorizing City of Rochester Public Works Department Capital Improvement Plan Project Funding for the Storm Related Road and Bridge Repair Project in the Amount of \$19,164.33 *first reading, second reading, and adoption* P. 117

12.2. **AB 111** Resolution Deauthorizing Bond Authority from the General Fund Capital Improvement Plan Project Funding for the Chesley Hill Road Project in the Amount of \$3,828.70 *first reading, second reading, and adoption* P. 123

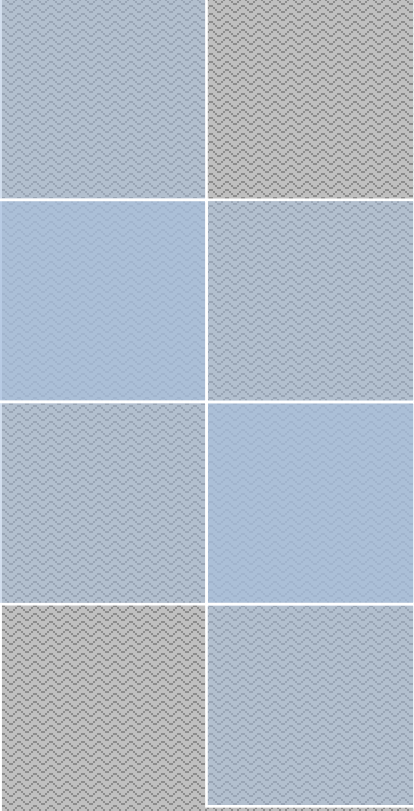
12.3. **AB 112** Resolution Deauthorizing City of Rochester Department of Public Works Capital Improvement Plan Project Funding for the Columbus Avenue Parking Lot Extension Project in the Amount of \$12,776.98 *first reading, second reading, and adoption* P. 129

12.4. **AB 113** Resolution Deauthorizing Bond Authority from the Department of Public Buildings Capital Improvement Plan Project Funding for the Electronic Information Board Project in the Amount of \$1,979.21 *first reading, second reading, and adoption* P. 135

12.5. **AB 114** Resolution Deauthorizing Bond Authority from the Department of Public Buildings Capital Improvement Plan Project Funding for the Police Department Server Room Fire Suppression Project in the Amount of \$75,160.00 *first reading, second reading, and adoption* P. 141



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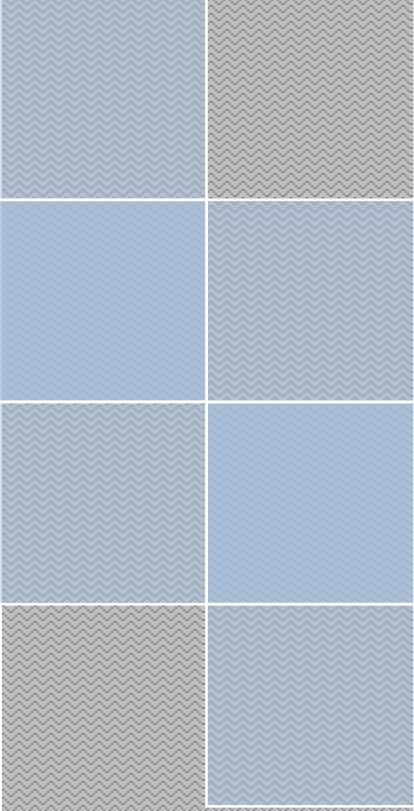
- 12.6. **AB 115** Resolution Deauthorizing Bond Authority from the Department of Public Works Capital Improvement Plan Project Funding for the Milton Road Flat Rock Bridge Road Project in the Amount of \$1,466.13 *first reading, second reading, and adoption* P. 147
- 12.7. **AB 116** Resolution Deauthorizing Department of Public Buildings Capital Improvement Plan Project Funding for the City Hall Wall Repair Project in the Amount of \$3,210.59 *first reading, second reading, and adoption* P. 153
- 12.8. **AB 117** Resolution Deauthorizing Bond Authority from the Sewer Fund Capital Improvement Plan Project Funding for the Wastewater Treatment Plant (WWTP) Aeration System Project in the Amount of \$111,465.63 *first reading, second reading, and adoption* P. 159
- 12.9. **AB 118** Resolution Deauthorizing Bond Authority from the Sewer Fund Capital Improvement Project Funding for the Fire Station Boiler & HVAC Project in the Amount of \$15,862.10 *first reading, second reading, and adoption* P. 165
- 12.10. **AB 119** Resolution Deauthorizing City of Rochester Department of Public Buildings Capital Improvement Plan Project Funding for the Central Fire Station Rooftop Project in the Amount of \$40.42 *first reading, second reading, and adoption* P. 171
- 12.11. **AB 120** Resolution Deauthorizing City of Rochester Department of Public Buildings Capital Improvement Plan Project Funding for the Central Fire Station Boiler Project in the Amount of \$40.42 *first reading, second reading, and adoption* P. 177

### 13. New Business

- 13.1. **AB 122** Resolution Authorizing Supplemental Appropriation for the Purchase of the So-called Gauthier Farm Conservation Easement in the Amount of \$261,850.00 *first reading, second reading, and adoption* P. 183
- 13.2. **AB 108** Resolution Authorizing the Acceptance of a Donation from St. Anselm's College and Supplemental Appropriation in Connection Therewith in the Amount of \$2,700.00 *first reading, second reading, and adoption* P. 193
- 13.3. **AB 121** Resolution Authorizing the Acceptance of a Grant from New Hampshire Police Standards and Training Council and Supplemental Appropriation in Connection Therewith in the Amount of \$400.00 *first reading, second reading, and adoption* P. 199



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13.4. **AB 109 Resolution Authorizing the Application for, and Acceptance of, a State of New Hampshire Department of Environmental Services Drinking Water State Revolving Fund Asset Management Grant and Supplemental Appropriation to the FY 2017 Water Fund Capital Improvement Plan Project Fund in Connection Therewith in the Amount of \$40,000.00** *first reading, second reading, and adoption* P. 205

13.5. **AB 104 Amendment to the General Ordinances Relative to Chapter 23 Fire Safety Measures: P. 211**

13.5.1. **Amendment to the General Ordinances Relative to Chapter 23 Fire Safety Measures: Proposed City-wide Ban on Firework Displays in the City of Rochester** *second reading and motion to deny or approve* P. 213

13.5.2. **Amendment to the General Ordinances Relative to Chapter 23 Fire Safety Measures: Further Restrictions on Firework Displays in the City of Rochester as outlined below** *second reading and motion to adopt* P. 215

- Adds: Permit Requirement from Fire Department
- Limits: No Display of Permissible Fireworks shall be permitted except on Independence Day [and eve], including annual city-wide fireworks at Rochester Fairgrounds

13.5.3. **Amendment to the General Ordinances Relative to Chapter 23 Fire Safety Measures: Further Restrictions on Firework Displays in the City of Rochester [As Recommended by the City Council at the January 17, 2017, City Council Workshop]** *offered amendment* P. 225

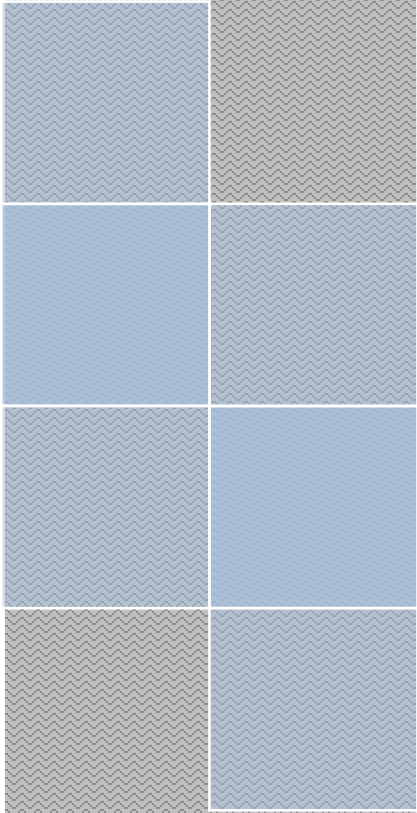
- Adds: Permit Requirement and Penalty Liability for Property Owners
- Limits: No Display of Permissible Fireworks shall be permitted except on Independence Day [and eve]
- Excludes: The annual city-wide fireworks at Rochester Fairgrounds, which is inactive
- Excludes: specific wind conditions exceeding 20 miles per hour or higher
- Adds: Language to allow the City Manager and/or City Council to declare a Special Event with the City's display of fireworks

14. **Non-Meeting/Non-Public Session**

14.1. **Non-Meeting: Consultation with Legal Counsel, RSA 91-A:2,I(b)**

15. **Other**

16. **Adjournment**



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**Regular City Council Meeting  
January 3, 2017  
Council Chambers  
7:00 PM**

**COUNCILORS PRESENT**

Councilor Abbott  
Councilor Barnett  
Councilor Bogan  
Councilor Gates  
Councilor Gray  
Councilor Hamann  
Councilor Lachapelle  
Councilor Lauterborn  
Councilor Keans  
Councilor Torr  
Councilor Varney  
Councilor Willis  
Mayor McCarley

**OTHERS PRESENT**

City Manager Daniel Fitzpatrick  
Deputy City Manager Blaine Cox  
John Storer, Director of City Services  
Julia Libby, Department of Building,  
Zoning, and Licensing Services

**MINUTES**

**1. Call to Order**

Mayor McCarley called the Regular City Council meeting to order at 7:00 PM.

**2. Presentation of the Colors: Rochester Police Department Color Guard**

**2.1. Pledge of Allegiance**

The Rochester Police Department Color Guard presented the colors and led the Pledge of Allegiance.

**3. Opening Prayer**

**3.1. Representative of the Rochester Police Department Color Guard**

Reverend Cilley led the opening prayer.

**4. Roll Call**

Kelly Walters, City Clerk, took a roll call. All City Councilor members

were present.

## **5. Acceptance of Minutes**

### **5.1 Regular City Council Meeting Minutes – December 6, 2016**

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of December 6, 2016. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

## **6. Communications from the City Manager**

### **6.1. Employee of the Month Award**

City Manager Fitzpatrick invited Julia Libby from the Building, Zoning, and Licensing Services Department to come forward. City Manager Fitzpatrick said that Ms. Libby has been employed by the City of Rochester for less than six months; however, she has earned the recognition of Employee of the Month for January. He presented Ms. Libby with the award.

### **6.2. City Manager's Report**

City Manager Fitzpatrick gave the following report:

#### **Contracts and Documents Executed Since Last Month:**

- **Department of Public Works**
  - Annex – Change Order #2
  - Catherine Street project – Change Order # 3
  - Community Center and City Pool – Security Camera upgrade project
  - Department of Health and Human Service Lease amendment
  - East End Dam Modification – Change Order #1
  - Route 125 Bridge – Task Order #7
  - Salmon Falls Road – Security Agreements for New Water/Sewer
- **Economic & Community Development**
  - Wallace Street - Brownfields Grant application
  - Housing Authority – Memorandum of Understanding for environmental review
- **Finance Department**
  - Bond Counsel Engagement Letter
  - Interim Assessor Contract – Corcoran Consulting Services

- Training Agreement – Great Bay College
- **Police Department**
  - COPS Grant Approval
  - Specialized Training Grant Reimbursement Application
  - Biennial Wrecker Contracts
- **Standard Reports:**
  - City Council Request & Inquiry Report
  - Permission & Permits Issued
  - Personnel Action Report Summary

Councilor Varney asked about the Pedestrian Bridge Project. City Manager Fitzpatrick replied that the figures outlined in the City Council packet are for the design phase and not the project itself. Councilor Varney asked how the Pedestrian Bridge Project would be funded. John Storer, Director of City Services, explained that the engineering portion of the project is complex because of safety issues involved with installation of the guardrail. He said some of the funding would be allocated from the sidewalk rehabilitation line item. Councilor Varney suggested that the project should not be funded with that account because many sidewalks are in need of repair. He questioned if the project could be done prior to the opening of the schools in the fall. Mr. Storer replied yes.

## 7. Communications from the Mayor

### 7.1. **Mayoral Appointment: Rochester Veterans Council Recommendation for Slate of Officers:**

- **President: Dennis Sellers**
- **Treasurer: Rose Askins**
- **Secretary: Kelly Walters**

Mayor McCarley appointed the Rochester Veterans Council Slate of Officers as recommended above.

Mayor McCarley announced that there is a parking ban in effect this evening beginning at 10:00 PM.

Mayor McCarley announced that the City Council conducted an in-depth evaluation of the City Manager and it resulted in a recommendation for a salary increase. Councilor Lachapelle **MOVED** to provide the City Manager with a salary increase of 2.6%, to be retroactive to September 1, 2016 [*Salary increase from \$138,069 to \$141,656*]. Councilor Bogan

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

## 8. Presentations of Petitions and Council Correspondence

No discussion.

## 9. Nominations, Appointments, Resignations, and Elections

No discussion.

## 10. Reports of Committees

### 10.1. Appointments Committee Reports

#### 10.1.1. Appointment: Eli McCrady Barnes, Utility Advisory Board, Term to Expire on 1/2/2020

Councilor Gray reviewed the Committee's recommendation for Eli McCrady Barnes. Mayor McCarley **NOMINATED** Eli McCrady Barnes to serve on the Utility Advisory Board with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. McCrady Barnes has been appointed to the Utility Advisory Board by a unanimous ballot vote.

#### 10.1.2. Appointment: Raymond Turner, Utility Advisory Board, Term to Expire on 1/2/2020

Councilor Gray reviewed the Committee's recommendation for Raymond Turner. Mayor McCarley **NOMINATED** Raymond Turner to serve on the Utility Advisory Board with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Turner has been appointed to the Utility Advisory Board by a unanimous ballot vote.

#### 10.1.3. Appointment: Pamela Hubbard, Library Trustees [Ward 5], Term to Expire on 1/2/2020

Councilor Gray reviewed the Committee's recommendation for Pamela Hubbard. Mayor McCarley **NOMINATED** Pamela Hubbard to serve on the Library Trustees with a term to expire on January 2, 2020. Councilor

Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Hubbard has been appointed to the Library Trustees by a unanimous ballot vote.

**10.1.4. Appointment: Ralph Torr, Zoning Board of Adjustment, Term to Expire on 1/2/2020**

Councilor Gray reviewed the Committee's recommendation for Ralph Torr. Mayor McCarley **NOMINATED** Ralph Torr to serve on the Zoning Board of Adjustment with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Torr has been appointed to serve on the Zoning Board of Adjustment by the following ballot vote of 10 to 3:

- 10 ballots: yes
- 1 ballot: no
- 1 ballot: blank
- 1 ballot: abstention

**10.1.5. Appointment: Matthew Kozinski, Planning Board [Regular Member], Term to Expire on 1/2/2020**

Councilor Gray reviewed the Committee's recommendation for Matthew Kozinski. Mayor McCarley **NOMINATED** Matthew Kozinski to be reappointed to serve on the Planning Board as a regular member with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Kozinski has been appointed to serve on the Planning Board by a unanimous ballot vote.

**10.1.6. Appointment: David Walker, Planning Board [Regular Member], Term to Expire on 01/2/2020**

Councilor Gray reviewed the Committees recommendation for David Walker. Mayor McCarley **NOMINATED** David Walker to be reappointed to the Planning Board with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION**

**CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Walker has been appointed to serve on the Planning Board as a Regular Member by the following ballot vote of 12 to 1:

- 12 ballots: yes
- 1 ballot: blank

**10.1.7. Appointment: Rick Healey, Planning Board [Regular Member], Term to Expire on 1/2/2020**

Councilor Gray reviewed the Committee's recommendation for Rick Healey. Mayor McCarley **NOMINATED** Rick Healey to be reappointed to the Planning Board with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Healey has been appointed to serve on the Planning Board as a Regular Member by a unanimous ballot vote.

Mayor McCarley publicly thanked the volunteers who submitted the Statement of Interest and was pleased to see a few new names amongst the appointments. Councilor Gray added that these citizens not only give of their time at the meetings but many hours are spent at training sessions as well.

**10.2. Codes and Ordinance Committee**

**10.2.1. Amendment to Chapter 45 of the General Ordinances of the City of Rochester Regarding Overnight Parking, Occupancy, and Camping on City Owned Property *second reading and motion to deny***

Councilor Lachapelle **MOVED** to read the Amendment for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment by title only for the second time as follows:

**AMENDMENT TO CHAPTER 45 OF THE GENERAL ORDINANCES OF THE CITY OF ROCHESTER REGARDING OVERNIGHT PARKING, OCCUPANCY AND CAMPING ON CITY OWNED PROPERTY**

**THE CITY OF ROCHESTER ORDAINS:**

That Chapter 45 of the General Ordinances of the City of Rochester and



currently before the Rochester City Council, be amended as follows:

**CHAPTER 45**  
**OVERNIGHT PARKING, OCCUPANCY AND CAMPING ON CITY OWNED**  
**PROPERTY**

**SECTION ANALYSIS**

- 45.1 Authority
- 45.2 Purpose
- 45.3 Acts Prohibited
- 45.4 Definitions
- 45.5 Exceptions
- 45.6 Responsibility
- 45.7 Removal
- 45.8 Enforcement
- 45.9 Severability
- 45.10 Effective Date

**45.1 Authority.**

In accordance with and under the authority of New Hampshire Revised Statutes Annotated 41:11; 41:11-a; and 47:17, the City Council of the City of Rochester hereby adopts the following ordinance for the regulation of overnight parking or camping on all City-owned property.

**45.2 Purpose.**

This purpose of this Ordinance is to protect the public peace, preserve public law and order, promote safety and welfare and ensure proper and decent conduct for the residents of the City of Rochester and the general public, in the use of City-owned properties.

**45.3 Acts Prohibited.**

From and after the effective date of this ordinance it shall be unlawful for any person to camp or to park any vehicle or recreational vehicle with occupancy by one or more persons, either overnight or for any period of time over two hours between dusk and dawn, on any City-owned lands within the City of Rochester.

**45. 4 Definitions.**

(a) *Camp*: Includes pitching a tent, placing or erecting any other camping device, or sleeping in or on the City-owned property.

(b) *Recreational vehicle*: Any vehicle fitting the definition in RSA 216-I:1, VIII.

(c) *City-owned property*: All properties owned by the City of Rochester.

**45.5 Exceptions.**

Restrictions in this ordinance shall not apply when permission has been granted by the City Manager or the Chief of Police for official or emergency purposes or in conjunction with a special event.

**45.6 Responsibility.**

All violations of parking restrictions and charges accompanied therewith shall be deemed the responsibility of the registered owner of said vehicle. Such registrations may be proven as set forth in RSA 261:60. Said registered owner shall be conclusively presumed to be in control of the vehicle at the time of the parking violation, and no evidence of actual control or culpability needs to be proven as an element of the offense in accordance with RSA 231:132-a.

**45.7 Removal.**

Any vehicle parked in violation of this Ordinance shall be ordered towed by the Rochester Police Department at the expense of the owner or custodian of said vehicle.

**45.8 Enforcement.**

(a) Any person who violates this Ordinance shall be guilty of a violation and shall be fined One Hundred Dollars (\$100.00).

(b) Any duly appointed police officer for the City of Rochester may enforce this Ordinance by utilizing any process authorized by state law, including but not limited to a Local Ordinance Citation pursuant to RSA 31:39-d and Chapter 44 of the City of Rochester Ordinance.

(c) All penalties collected for violations of this Ordinance shall be for the use of the City and deposited into the City's general fund.

**45.9 Severability.**

The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this Ordinance.

**45.10 Effective Date.**

This Ordinance shall take effect upon passage.

**The effective date of these amendments shall be upon passage.**

Councilor Lachapelle **MOVED** to **DENY** the Amendment. Councilor Bogan seconded the motion. The **MOTION CARRIED** to **DENY** the Amendment by a unanimous voice vote.

Councilor Lachapelle informed the public that the January 5, 2017, Codes and Ordinances Committee meeting had been canceled. The Fireworks discussion has been sent to the January 17, 2017, City Council Workshop. The next Codes and Ordinances Committee meeting is scheduled for February 2, 2017.

### **10.3. Finance Committee**

Mayor McCarley gave a brief update about the status of implementation of the Employee Position of a Chief Information Officer [CIO].

Mayor McCarley indicated that there are two action items listed below:

#### **10.3.1. AB 98 Resolution for Lease Purchase Agreement for the Purpose of Financing Reprographic Equipment & Related Service Agreements in the Amount of \$247,118.79 *first reading, second reading, and adoption***

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

#### **Resolution for Lease Purchase Agreement for the Purpose of Financing Reprographic Equipment & Related Service Agreements in the amount of \$247,118.79**

Voted: That, the City Manager of the City of Rochester, New Hampshire be and hereby is authorized to execute and deliver a tax-exempt lease purchase agreement with M.S.T. Government Leasing, LLC in the name and on behalf of the City of Rochester, New Hampshire (the "Issuer"), for the purpose of refunding and refinancing existing lease purchases of photocopier equipment and lease purchasing additional new and reconditioned photocopier equipment, any service agreements specifically financed in connection with certain equipment, consulting fees and related costs of issuance with an aggregate purchase price not exceeding Two Hundred Forty-Seven Thousand One Hundred Eighteen Dollars and Seventy-Nine Cents (\$247,118.79), at a rate of interest of not more than 3.190% per

year through August 1, 2021, and otherwise in such form as the City Manager may approve; and that the appropriate officials of the Issuer be and hereby are authorized to execute and deliver on behalf of the Issuer such other documents and certificates as may be required in connection with such tax-exempt lease purchase agreement; and that no part of the proceeds of said tax-exempt lease purchase agreement shall be used, directly or indirectly, to acquire any securities or obligations, the acquisition of which would cause the tax-exempt lease purchase agreement to be a "private activity bond" or an "arbitrage bond" within the meaning of Sections 141 and 148, respectively, of the Internal Revenue Code of 1986, as amended (the "Code"); and that the tax-exempt lease purchase agreement issued pursuant hereto be designated as a qualified tax-exempt obligation within the meaning of Section 265(b)(3)(B) of said Code; and that the City Manager be and hereby is authorized to covenant on behalf of the Issuer to file any information report and pay any rebate due to the United States in connection with the issuance of said tax-exempt lease purchase agreement, and to take all other lawful actions necessary to insure that the interest portion of the rental payments under and pursuant to the tax-exempt lease purchase agreement will be excluded from the gross income of the owners thereof for purposes of federal income taxation and to refrain from taking any action which would cause such interest portion of the rental payments to become includable in the gross income of the owners thereof. The City Council of the Issuer also authorizes the City Manager of the Issuer to sign the attached Contract with Specialized Purchasing Consultants, Inc. relating to acquisition of photocopying equipment for the Issuer and authorizes such person to make any elections under the Contract not exceeding the aggregate purchase price of this authorizing Vote.

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

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

**10.3.2. AB 99 Primex Workers' Compensation and Property & Liability Insurance CAP *motion to approve***

Councilor Lachapelle **MOVED** to **APPROVE** the Primex Workers' Compensation and Property Insurance CAP. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

#### 10.4. Public Works Committee

##### 10.4.1. Amendment to Chapter 16 of the General Ordinance of the City of Rochester Regarding the Requirement to Connect to Public Sewers *first reading and refer to the Finance Committee*

Councilor Lachapelle **MOVED** to read the **AMENDMENT** for the first time and refer the matter to the next Finance Committee meeting. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment for the first time by title only as follows:

#### Amendment to Chapter 16 of the General Ordinance of the City of Rochester Regarding the Requirement to Connect to Public Sewers

#### THE CITY OF ROCHESTER ORDAINS:

That Chapter 16, Section 3 of the General Ordinances of the City of Rochester regarding the requirement of property owners to connect to public sewers and currently before the Rochester City Council, be amended as follows:

#### 16.3 Use of Public Sewers Required.

- (a) -----
- (b) -----
- (c) -----
- (d) -----
- (e) ~~Existing s~~Structures within ~~two~~ one hundred (~~100~~ ~~200~~) feet of the public sewer and currently served by private wastewater disposal facilities shall connect to the public sewer within ninety (90) days after an official notice to do so. The City may grant a waiver to this requirement for properties with existing adequate sewage disposal systems which can be proven by the property owner to comply with applicable state and local regulations, to have been designed by a designer licensed in New Hampshire and to have been approved for construction by the New Hampshire department of environmental services after January 1, 1985. at such time as the private wastewater system fails or the property is transferred whichever occurs first. The cost of connection to the public sewer shall be borne by the property owner with the exception of the portion of the connection crossing the public right of way which costs shall be borne by the Rochester

Sewer Enterprise Fund. For the purpose of this section, *existing* structures shall mean houses, buildings, or property used for human occupancy, employment, recreation, or other purposes. ~~that are constructed as of January 1, 1999.~~

**The effective date of these amendments shall be upon passage.**

Councilor Varney asked if there is a separate line item in order to track how much money has been collected by the City for stub fees. Deputy City Manager Cox replied there is a miscellaneous line item that could be researched to provide the City with an estimate.

Mayor McCarley said this Amendment would be discussed in more detail at the next Finance Committee meeting.

**11. Old Business**

**12. Consent Calendar**

**13. New Business**

**13.1. AB 96 Resolution Authorizing Acceptance and Appropriation of Land & Community Heritage Investment Program (LCHIP) Grant Award for Historic Restoration Work to the City Hall Annex in the amount of \$18,702.00 *first reading, second reading, and adoption***

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

**Resolution Authorizing Acceptance and Appropriation of Land & Community Heritage Investment Program (LCHIP) Grant Award for Historic Restoration Work to the City Hall Annex in the amount of \$18,702.00**

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

**WHEREAS**, that a Land & Community Heritage Investment Program Grant (“LCHIP Grant”) grant in the amount of Eighteen Thousand Seven Hundred Two Dollars (\$18,702.00) awarded to the City of Rochester is hereby accepted by the City of Rochester;

**FURTHER**, that the sum of Eighteen Thousand Seven Hundred Two Dollars (\$18,702.00) be, and hereby is, appropriated to a non-lapsing Special Revenue Fund to be created for the purpose of carrying out historic restoration work to the City Hall Annex building;

**FURTHER**, that the City Manager is authorized to enter into a grant agreement and any other contracts with the New Hampshire Land & Community Heritage Investment Program 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. **CC FY 17 AB 96**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

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

**13.2. AB 100 [A] Resolution Authorizing Supplemental Appropriation for the Purchase of 294 Rochester Hill Road in the amount of \$450,000 *first reading, second reading, and adoption***

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time by title only as follows:

**Resolution Authorizing Supplemental Appropriation for the Purchase of 294 Rochester Hill Road in the amount of \$450,000**

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

That the sum of Four Hundred Fifty Thousand Dollars (\$450,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Capital Improvement Plan Fund 1501 (account # 15011081-771000-175xx) Land Acquisitions for the purpose of providing funds necessary to pay costs and/or

expenditures with respect to the purchase of 294 Rochester Hill Road, Rochester, New Hampshire by the City of Rochester. The entirety of the supplemental appropriation shall be derived from the General Fund unassigned fund balance.

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. **CC FY17 01-03 AB**

Councilor Lachapelle **MOVED** to read the resolution for the second time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Torr requested a roll call. Councilor Lachapelle seconded the request. The **MOTION CARRIED** by a 13 to 0 roll call vote. Councilors Lauterborn, Torr, Willis, Abbott, Gray, Gates, Hamann, Bogan, Barnett, Lachapelle, Varney, Keans, and Mayor McCarley voted in favor of the motion.

**13.3. AB 100 [B] Purchase and Sales Agreement Between City of Rochester, New Hampshire and Ann J. Furina Revocable Living Trust, David Dupont, Trustee *motion to accept***

Councilor Lachapelle **MOVED** to **ACCEPT** the Purchase and Sales Agreement Between the City of Rochester, New Hampshire, and the Ann J. Furina Revocable Living Trust, David Dupont, Trustee. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Gates expressed concern about the appointments of volunteers on local boards/commissions and encouraged any disgruntled bystander to serve on such boards/commissions to learn more about the process.

Councilor Varney **MOVED** to **AMEND** the order of the Agenda to include an "other" prior to entering the Non-Public. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mayor McCarley explained that a resolution adopted by the City Council on October 4, 2016, has been sent back to the City Council for a correction. She said the original resolution included the following statement: which is eligible for 100% principal forgiveness. This statement is to be



deleted from the resolution. She indicated that there is expected to be some percentage of principal forgiveness; however, it is certain not to be 100%. Attorney O'Rourke advised the City Council that a first reading, second reading, and adoption would be in order.

Councilor Willis recused himself from participating in the vote on this resolution because of a conflict of interest, due to his employment.

Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the first time as follows:

**RESOLUTION AUTHORIZING THE APPLICATION FOR AND  
ACCEPTANCE OF A STATE OF NH DEPARTMENT OF ENVIRONMENTAL  
SERVICES (NHDES) DRINKING WATER STATE REVOLVING FUND  
(DWSRF) LOAN**

**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 One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the NHDES DWSRF Loan program in order to fund the Woodman and Myrtle Street Area Reconstruction 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 One Million Five Hundred Thousand Dollars (\$1,500,000.00) from the NHDES DWSRF Loan program.

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. **CC FY17 10-04 AB 53**

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution by title only for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor

Bogan seconded the motion. The City Council discussed the project. The **MOTION CARRIED** by a unanimous voice vote, *with Councilor Willis abstaining from the entire voting process.*

Councilor Varney recalled that the electronic message board located in front of City Hall should not be “flashing” or “scrolling.” He cautioned against allowing too many messages being displayed on the board on the same day, which would prevent the City Council meeting notifications from being noticed.

#### **14. Non-Meeting/Non-Public Session**

##### **14.1. Non-Meeting: Consultation with Legal Counsel, RSA 91-A:2, I (b)**

Mayor McCarley **MOVED** to enter into a Non-Meeting, Consultation with Legal Counsel, RSA 91-A:2, I (b) at 7:44 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Willis, Gray, Gates, Bogan, Barnett, Lachapelle, Keans, Varney, Lauterborn, Abbott, Torr, Hamann, and Mayor McCarley, voted in favor of the motion.

#### **15. Other**

Mayor McCarley reconvened the Regular City Council meeting at 8:29 PM.

Councilor Varney **MOVED** to allow the City Attorney to enter litigation with the City of Rochester’s Zoning Board of Adjustment regarding application # 2016-21 [418 Old Dover Road, Map 0256 Lot 0054 Block 0001]. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote.

Councilor Varney **MOVED** to request that the City Attorney file a motion for a Rehearing of the Zoning Board of Adjustment Case # 2016-31. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote.

#### **16. Adjournment**

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 8:31 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, City Clerk

**Special City Council Meeting  
January 17, 2017  
Council Chambers  
7:05 PM**

**COUNCILORS PRESENT**

Councilor Abbott  
Councilor Barnett  
Councilor Bogan  
Councilor Gates  
Councilor Gray  
Councilor Hamann  
Councilor Keans  
Councilor Lachapelle  
Councilor Lauterborn  
Councilor Torr  
Councilor Varney  
Councilor Willis  
Mayor McCarley

**OTHERS PRESENT**

City Manager Daniel Fitzpatrick  
Deputy City Manager Blaine Cox  
City Attorney Terence O'Rourke

**MINUTES**

**1. Call to Order**

Mayor McCarley called the Special City Council meeting to order at 7:05 PM. Marcia Roddy, Deputy City Clerk, took a silent roll call. All Council members were present.

**2. *AB 103* Resolution Authorizing the Planning Department to Submit an Application for New Hampshire Division of Historic Restoration (NHDHR) Certified Local Government Grant *first reading and adoption***

Councilor Lachapelle **MOVED** to read the resolution by title only for the first time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Mayor McCarley read the resolution by title only as follows:

**Resolution Authorizing the Planning Department to Submit an Application for New Hampshire Division of Historic Restoration (NHDHR) Certified Local Government Grant**

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

That the City of Rochester Planning Department is authorized to apply for a NHDHR Certified Local Government Grant in an amount up to Fifteen Thousand Dollars (\$15,000.00) to be used for Design Guidelines in the Historic District. If approved and subsequently accepted by the City, said grant requires a cost share match which will consist of Ten Thousand (\$10,000) of in-kind services and Two Thousand (\$2,000) cash resulting in a total project cost of \$27,000.

**CC FY 17 AB 103**

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

**3. Adjournment**

Councilor Lachapelle **MOVED** to **ADJOURN** the Special City Council Meeting at 7:06 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy, CNHDCC  
Deputy City Clerk



## *City of Rochester, New Hampshire*

OFFICE OF THE CITY MANAGER  
 31 Wakefield Street • Rochester, NH 03867  
 (603) 332-1167  
[www.RochesterNH.net](http://www.RochesterNH.net)

### **CITY MANAGER'S REPORT February 7, 2017**

The Employee(s) of the Month is: Kenneth Brisson, Public Works Department **P. 29**

City Manager Appointments: Nathaniel Goodspeed, Library Trustees – City Manager Designee **P. 32**

Contracts and documents executed since last month:

- City Attorney
  - Waterstone – Partial Conservation Easement Release **P. 33**
- Department of Public Works
  - 248 Salmon Falls Road – Security Agreement for New Water/Sewer **P. 34**
  - Annex Change Order s 3 & 4 **P. 35**
  - Downtown Crosswalk Safety Assessment **P. 36**
  - Granite Ridge Phase I – Final Closeout **P. 37**
  - Salmon Falls Road – Highway Safety Improvements Project (HSIP) – construction agreement **P. 38**
  - State of NH DOT – Fuel Distribution System User Agreement **P. 39**
  - Strafford Square – Amendment 3 **P. 40**
  - Trinity Circle – Doucet Survey Contract **P. 41**
  - Wallace Street – Engineering Contract **P. 42**
  - Vehicle Removal Authorization **P. 43**
- Economic & Community Development
  - LCHIP Award Acceptance **P. 44**
- Finance Department
  - Printer Copier Lease Program Approval **P. 45**
  - Workers' Compensation Program and Property & Liability – CAP Agreements **P. 46**
- Planning Department
  - Certified Local Government – Design Guidelines - Grant Application **P. 47**

Computer Lease/Purchases:

- Police Department – Swanberry, A – computer purchase **P. 48**

The following standard reports have been enclosed:

- City Council Request & Inquiry Report **P. 49**
- Monthly Overnight Travel Summary **P. 50**
- Permission & Permits Issued **P. 51**
- Personnel Action Report Summary **P. 52**



## City of Rochester Dept of Public Works

45 Old Dover Road  
Rochester, NH 03867  
Phone: (603) 332-4096  
Fax: (603) 335-4352

# Memo

**To:** Lisa Clark, Chair EOM Self-Directed Work Team  
**From:** John B. Storer, P.E. Director of City Services  
**CC:** Dan Fitzpatrick, City Manager  
**Date:** December 30, 2016  
**Re:** Nomination of Ken Brisson for Employee of the Month

Please consider Ken Brisson for selection of Employee of the Month. Ken is a Mechanic with about 17 years of service at Public Works.

Over the last few weeks, Ken has been the only Mechanic at Public Works. Normally we have 3 full-time mechanics, but our Lead Mechanic has been out on medical leave, and the other Mechanic position has been vacant. The work flow has not subsided but Ken has single-handedly been able to keep our fleet running. He has had to work 24 to 36 hour shifts during snow or ice storms to ensure our snow removal equipment stays running. And when the plow drivers go home, Ken usually remains to wrap up any lingering maintenance items.

During any storm event, we usually have equipment go down. We started the last storm of December 29 down 1 sidewalk tractor and 1 large plow truck. During the storm we lost a tire off another sidewalk tractor and had the alternator quit on another one. On our large plow trucks we faced several issues: we had a hydraulic pump fail, a wing pole snap, a wing plow wire break, and several cutting edges had to be swapped out. Ken was able to get all equipment back up and running very quickly during the stressful hours of the storm. Additionally, he was available to help assist a fire truck that got stuck, and also assisted getting a couple of plow trucks un-stuck. He is always on the fly – rushing from one thing to another.

Many of the repairs cant be made in the comfort of a heated garage. Tires have to be changed where the equipment comes to rest. Work on wing plows usually occurs outside, in the snow, and at night there is very little lighting.

Ken has maintained an extremely upbeat and positive attitude in the face of a high degree of stress. During a storm you can listen on the radio and he is constantly getting called for one issue or another. Trying to keep our fleet running during a storm event usually taxes 3 mechanics, and recently Ken has been on his own. To help manage the workload, Ken has also had to act as a supervisor or mentor for regular crew members that get recruited to help make repairs.

Ken represents the City very well, and his recent work load deserves recognition of Employee of the Month.

December 30, 2016

I would like to nominate Ken Brission for employee of the month. Ken has worked for the Public Works Department for 17 years . For the past few months there has not been a full mechanic crew here at DPW. For the past few weeks he has been the sole mechanic working on the entire fleet. During the winter snow storms he has been doing most of the maintenance repairs with some help by his fellow co-workers but mostly by himself. He makes sure he gets the vehicles up and running and he has had to make road calls as well. He has stepped up and has kept the garage running as usual. He is a very hard worker and is willing to come in and help whenever needed even though he has been right out straight he continues to help when asked. I truly believe he has gone above and beyond his regular duties, please consider him for the next employee of the month.

Thank You

Ken Briand





*City of Rochester, New Hampshire*

CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

[www.RochesterNH.net](http://www.RochesterNH.net)

January 10, 2017

Nathaniel Goodspeed  
51 Winter Street  
Rochester, NH 03867

Dear Mr. Goodspeed:

It is my pleasure to appoint you as a member of the Library Trustees. This appointment is effective immediately with an indefinite term.

Please sign the enclosed Oath of Office and return it to the City Clerk's Office at your earliest convenience. Your signature must be notarized and they would be happy to assist you with that at the City Clerk's Office.

Thank you for the care and effort you have expressed to our citizens throughout your service as a member of the Rochester Library Trustees.

Sincerely,

Daniel W. Fitzpatrick  
City Manager

cc: City Clerk's Office  
Brian Sylvester, Library Director






*City of Rochester, New Hampshire*  
 OFFICE OF THE CITY ATTORNEY  
 19 Wakefield Street • Rochester, NH 03867  
 (603) 335-7564  
[www.RochesterNH.net](http://www.RochesterNH.net)

CITY OF  
 Received  
 DEC 30 2016  
 City Manager  
 ROCHESTER

# Memorandum

To: Daniel Fitzpatrick, City Manager  
 From: Terence O'Rourke, City Attorney  
 Date: December 29, 2016   
 Cc: Karen Pollard, Director of Economic Development  
 Re: Amendment and Partial Release of Conservation Easement between the City and Waterstone Rochester, LLC

---

As part of the Development Agreement between the City and Waterstone Rochester, LLC, a preexisting Conservation Easement between the City and Route 11 Investments, Inc., Waterstone's predecessor in interest, needed to be amended and partially released. On December 12, 2014, the City Council approved this amendment and release and sent a letter of support to the New Hampshire Attorney General's Office of Charitable Trusts. On February 15, 2015, the Attorney General's Office sent a letter on no action meaning the State has no objection to the Amendment and Release. My recommendation is that you sign the Amendment and Partial Release.



# City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096

Fax (603) 335-4352

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CITY OF  
Received  
JAN 20 2017  
City Manager  
ROCHESTER

---

## INTEROFFICE MEMORANDUM

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**TO:** Dan Fitzpatrick, City Manager  
**Date:** January 19, 2017  
**From:** Owen Friend-Gray PE, Assistant City Engineer  
**SUBJECT:** Water Service Agreement, 248 Salmon Falls Rd  
**CC:** John Storer PE, Director of City Services

---

The attached documents show the extended payment agreement between the owners of #248 Salmon Falls Rd and the City of Rochester for the extension of water services to the home. The loan will be paid back over 5 years and is for a total installation cost of \$4,477.46.

Please let me know if you have any questions.

Owen



**City of Rochester  
Dept of Public Works**

45 Old Dover Road  
Rochester, NH 03867  
Phone: (603) 332-4096  
Fax: (603) 335-4352

CITY OF  
Received  
DEC 28 2016  
City Manager  
ROCHESTER

# Memo

**To:** Dan Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
**From:** John B. Storer, P.E. Director of City Services  
**Date:** December 28, 2016  
**Re:** Annex Renovation – Change Orders #3 & #4, Contract 16-38

Attached for your review and signature are three originals of Change Orders No. 3 & 4 for the Annex Renovation Project.

Change Order #3 is a credit of \$3,012, as there was less hazardous materials abatement than expected. The Contract included an abatement allowance for removing presumed asbestos tile on the second floor. Required remediation was very minimal. There is no change to the Contract Time.

Change Order #4 totals \$100,739 based on two items related to the installation of an emergency standby generator for the Fire Station. Work includes installation of underground conduits, equipment pads, propane tank, additional fencing, etc. The expected costs will be offset by a separate CIP Account (Proj. #17514 - \$110,000) that was approved specifically for the installation of an emergency generator. A Department of Homeland Security Grant will cover 50% of the generator installation costs.

Change Order #4 does include a Time Extension that will set the date of Substantial Completion as May 31, 2017. There is significant excavation work required that will disrupt the planned Base Bid work. The existing field trailer needs to be relocated, and planned excavation work will disrupt some of the exterior renovations.

The pending changes were discussed at the Public Works Committee Meeting of December 15.

Oak Point Architects have reviewed and approved the Change Orders. I concur and ask for your signature and authorization to proceed.

Thank you





# City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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CITY OF  
Received

JAN 25 2017

City Manager  
ROCHESTER

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## INTEROFFICE MEMORANDUM

---

**TO:** Dan Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager

**FROM:** Lisa J. Clark, DPW Office Manager

**DATE:** January 25, 2017

**SUBJECT:** Tighe & Bond Task Order #12  
Downtown Crosswalk Safety

**CC:** John B. Storer, PE, Director of City Services

---

Attached please find one copy of Tighe and Bond Engineers Task Order #12. This task order is in the amount of \$7,900 and is for the initial observation and assessment of the downtown area crosswalks. There is sufficient funding in the Crosswalk Safety CIP 15013010-771000-17521. The City Council authorized \$100,000 for this project and this is the first expense.

If you have any questions please let me know, if not, please sign and pass on to the City Manager for signatures. These documents should be returned to the DPW for distribution.

Signature Blaine Cox  
(Blaine Cox, Finance Director / Deputy City Manager)



## City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096 Fax (603) 335-4352

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CITY OF  
Received  
JAN 20 2017  
City Manager  
ROCHESTER

---

### INTEROFFICE MEMORANDUM

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**TO:** Dan Fitzpatrick, City Manager  
**Date:** January 19, 2017  
**From:** Owen Friend-Gray PE, Assistant City Engineer  
**SUBJECT:** Final Closeout – Granite Ridge  
**CC:** John Storer PE, Director of City Services

---

Please see the attached documents that are the formal closeout documents for the Rt. 11 shopping center project referred to as Granite Ridge Phase I. The project has been completed to the satisfaction of the design engineers, civil works contractor, and department of public works.

These documents already signed by the project engineering firm, Tighe & Bond, and the civil works contractor, Severino Tucking Co. Inc., show that all moneys have been paid except for the 5% retainage and all parties are in agreement that the warranty period is now commencing.

Please let me know if you have any questions.

Owen



## City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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### INTEROFFICE MEMORANDUM

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**TO:** Daniel Fitzpatrick, City Manager  
**FROM:** Michael Bezanson, PE, City Engineer *MJB*  
**DATE:** January 26, 2017  
**SUBJECT:** Salmon Falls Road Highway Safety Improvement Program (HSIP)  
Project - Construction Agreement with SUR Construction, Inc.  
**CC:** John Storer, PE, Director of City Services

---

Attached please find four (4) copies of the agreement between SUR Construction, Inc. and the City of Rochester for the construction of the Salmon Falls Road HSIP project, along with copies of bonds and insurance certificates. This project was publicly bid and awarded to SUR Construction, Inc. on November 18, 2016.

Please sign all four (4) copies of the agreement and return the entire package to me at Public Works.

Please contact me with any questions. Thank you.



# City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

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CITY OF  
Received  
JAN 19 2017  
City Manager  
ROCHESTER

---

## INTEROFFICE MEMORANDUM

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**TO:** Dan Fitzpatrick, City Manager  
**FROM:** Lisa J. Clark, DPW Office Manager  
**DATE:** 1/18/2018  
**SUBJECT:** State of New Hampshire Department of Transportation, Fuel Distribution System User Agreement

---

Attached are NHDOT Fuel Distribution System User Agreements for each department in the City. The State of NH has asked that we update our information. This system is used as an emergency back-up system should the City of Rochester fuel system fail.

Please sign and date where indicated and send back to DPW.



2/2/17



## City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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CITY OF  
Received  
JAN 26 2017  
City Manager  
ROCHESTER

---

### INTEROFFICE MEMORANDUM

---

**TO:** Daniel Fitzpatrick, City Manager  
**FROM:** Michael Bezanson, PE, City Engineer *MJB*  
**DATE:** January 26, 2017  
**SUBJECT:** **Strafford Square Intersection Improvements -  
Engineering Services Agreement with Stantec Consulting Services  
Amendment No. 3**  
**CC:** John Storer, PE, Director of City Services

---

Attached are two copies of Amendment No. 3 to the agreement with Stantec Consulting Services, Inc. for the design of the above referenced project. The Amendment transfers a value of \$5,700 from the Preliminary Design Phase to the Final Design Phase. There is no adjustment in the total cost amount of this fixed fee contract, which remains at \$563,056.95.

Please contact me with any questions. If approved, please sign both original documents and return the signed documents to me at Public Works.

Thank you.





# City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096 Fax (603) 335-4352

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CITY OF  
Received  
FEB 1 2017  
City Manager  
ROCHESTER

## INTEROFFICE MEMORANDUM

**TO:** Dan Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Finance Director

**FROM:** Lisa J. Clark, DPW Office Manager

**DATE:** January 31, 2017

**SUBJECT:** Trinity Circle & Subdivision Survey, Easement & As Builts  
Doucet Survey Contract \$12,628.00

**CC:** Michael Bezanson, PE City Engineer  
John B. Storer, PE Director of City Services

Attached please find one copy of Doucet Survey Inc Contract for the work described as topographic survey, drainage easement plan and asbuilts for the Trinity Circle subdivision. The funding for this work will come from the remaining funds that were acquired though taking the developers surety for this project, and a small amount of City O&M funding will be use to complete the asbuilts.

15013010-771000-15547 = \$11,696.44  
13010957-533000 = \$931.56

If you have any questions please let me know, if not, please sign and pass on to the City Manager for signatures. These documents should be returned to the DPW for distribution.

Signature Blaine Cox  
Blaine M. Cox, Deputy City Manager



# City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT  
45 Old Dover Road • Rochester, NH 03867  
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CITY OF  
Received  
FEB 1 2017  
City Manager  
ROCHESTER

## INTEROFFICE MEMORANDUM

**TO:** Dan Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager/Finance Director  
**FROM:** Lisa J. Clark, DPW Office Manager *LJC*  
**DATE:** January 31, 2017  
**SUBJECT:** Hoyle Tanner and Associates, Inc  
Wallace Street Engineering Contract \$1,174.68  
**CC:** Michael Bezanson, PE City Engineer  
John B. Storer, PE Director of City Services

Attached please find one copy of Hoyle Tanner & Associates Contract Amendment #2. This amendment is for additional work associated with Wallace Street Brownfield Gant Applications.

This contract will be funded using the following funds  
15011010-771000-09501 \$1,174.68

If you have any questions please let me know, if not, please sign and pass on to the City Manager for signatures. These documents should be returned to the DPW for distribution.

Signature *Blaine Cox*  
Blaine M. Cox, Deputy City Manager



*City of Rochester, New Hampshire*

CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

[www.RochesterNH.net](http://www.RochesterNH.net)

January 11, 2017

John B. Storer  
Director of City Services, Rochester  
45 Old Dover Road  
Rochester, NH 03867

Re: Designated Authority to Removal Vehicles during Winter Parking Bans

Dear Director Storer:

Chapter 35 of the City Ordinances allows the City Manager or his/her designee to remove any public way obstruction placed on any street, sidewalk, parkway or roadway which hinders the free passage of pedestrians or vehicles.

During a declared Parking Ban to facilitate snow removal or wintertime maintenance, I hereby designate that both the Director of City Services and the Public Works Highway Supervisor have the authority to remove any vehicles or obstructions that are in violation of the declared Parking Ban and hinder the City's ability to maintain our sidewalks and roadways.

The authority allows the Director and Highway Supervisor to engage towing companies to remove any vehicles that are parked in violation of a declared Parking Ban.

This topic was discussed at the Public Works Committee Meeting of January 2016. The Committee supported enforcement of parking bans to ensure efficient snow removal operations and to maintain safe passage for pedestrians and vehicles on our public ways.

Please contact me if you have any questions or concerns.

Sincerely,

Daniel J. Fitzpatrick  
City Manager, City of Rochester

cc: Terence O'Rourke, City Attorney



Date: January 4, 2017  
To: Dan Fitzpatrick  
City Manager  
From: Julian Long  
Community Development Coordinator/Grants Manager

CITY OF  
Received  
JAN 4 2017  
City Manager  
ROCHESTER

Re: Acceptance Document for Land & Community Heritage Investment Program  
(LCHIP) Grant for the City Hall Annex

Please see attached the award acceptance document for the awarded Land & Community Heritage Investment Program (LCHIP) Grant, which will be funding historic restoration work on the City Hall Annex building. City Council voted to approve acceptance of the LCHIP grant at the January 3, 2017 City Council. Please sign and date the attached acceptance document and return the signed document to Julian.

Thank you very much. Please contact Julian with any questions or concerns.

# City of Rochester

OFFICE OF THE CITY MANAGER  
FINANCE OFFICE  
31 WAKEFIELD STREET  
ROCHESTER NH 03867

DANIEL FITZPATRICK  
VOICE 603.335.1167  
FAX 603.335.7589  
E-MAIL: Daniel.fitzpatrick@rochesternh.net

## LETTER OF TRANSMITTAL

TO: Daniel Fitzpatrick, City Manager  
FROM: Blaine Cox, Deputy City Manager *Blaine Cox*  
DATE: January 25, 2017

CITY OF  
Received  
JAN 25 2017  
City Manager  
ROCHESTER

I am sending you:  Attached  Under Separate Cover

The following items:

Minutes of the City Council Approval of the Copier & Printer Capital Lease  
Service & Supply and Warranty Contracts for new Copiers & Printers

These are transmitted as checked below:

- |                                     |                                      |                          |                          |
|-------------------------------------|--------------------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | For Approval                         | <input type="checkbox"/> | For Your Use/Information |
| <input type="checkbox"/>            | As Requested                         | <input type="checkbox"/> | For Review & Reply       |
| <input type="checkbox"/>            | Approved as Submitted                | <input type="checkbox"/> | Approved as Noted        |
| <input type="checkbox"/>            | Returned for Corrections             |                          |                          |
| <input type="checkbox"/>            | Re-submit _____ Copies for approval  |                          |                          |
| <input type="checkbox"/>            | Submit _____ Copies for distribution |                          |                          |
| <input type="checkbox"/>            | _____                                |                          |                          |

### REMARKS:

Please see attached forms that will need to be signed to initiate the process to replace our copiers and printers per the capital lease approved by the City Council on January 3, 2017.

OFFICE OF THE CITY MANAGER  
FINANCE OFFICE  
31 WAKEFIELD STREET  
ROCHESTER NH 03867

DANIEL FITZPATRICK  
VOICE 603.335.1167  
FAX 603.335.7589

E-MAIL: Daniel.fitzpatrick@rochesternh.net

## LETTER OF TRANSMITTAL

CITY OF  
Received  
JAN 4 2017  
City Manager  
ROCHESTER

TO: Daniel Fitzpatrick, City Manager  
FROM: Blaine Cox, Deputy City Manager *Blaine Cox*  
DATE: January 4, 2017

I am sending you:  Attached  Under Separate Cover

The following items:

1. Workers' Compensation Program CAP Agreement
2. Property & Liability Program CAP Agreement

These are transmitted as checked below:

<input checked="" type="checkbox"/>	For Approval	<input type="checkbox"/>	For Your Use/Information
<input type="checkbox"/>	As Requested	<input type="checkbox"/>	For Review & Reply
<input type="checkbox"/>	Approved as Submitted	<input type="checkbox"/>	Approved as Noted
<input type="checkbox"/>	Returned for Corrections		
<input type="checkbox"/>	Re-submit _____ Copies for approval		
<input type="checkbox"/>	Submit _____ Copies for distribution		
<input type="checkbox"/>	_____		

### REMARKS:

Per the approval of the City Council on January 3, 2017, please find attached for your signature the Contribution Assurance Program (CAP) agreements for the Workers' Compensation program as well as Property & Liability program. These agreements restrict the annual maximum rate increases in exchange for 3 year coverage commitments.

2/2/17

# MEMO

---

CITY OF  
Received

JAN 19 2017

City Manager  
ROCHESTER

To: Daniel W. Fitzpatrick  
From: Michelle Mears  
Date: January 19, 2017  
Re: Certified Local Government Grant Application for 2017 Design Guidelines

Dan,

I am seeking a signature on page 8 of the Certified Local Government Program 2017 Grant Application for Design Guidelines in Rochester Historic District. On January 17, 2017, at a special City Council meeting, the City Council approved a resolution authorizing the Planning Department to submit an application for the New Hampshire Division of Historic Restoration (NHDHR) Certified Local Government Grant.

Thank you for your assistance.

Michelle Mears  
Staff Planner  
Planning and Development Department

2/2/17

# ROCHESTER POLICE DEPARTMENT



23 WAKEFIELD STREET  
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127  
FAX (603) 330-7159  
[www.rochesterpd.org](http://www.rochesterpd.org)

*"Dedication, Pride, Integrity"*

POLICE COMMISSION

DEREK J. PETERS  
*Chairman*  
BRUCE E. LINDSAY  
*Vice Chairman*  
LUCIEN G. LEVESQUE  
*Commissioner*

PAUL R. TOUSSAINT  
*Chief of Police*



January 5, 2017

TO: Daniel Fitzpatrick  
City Manager

FROM: Paul R. Toussaint  
Chief of Police

RE: Computer Lease Program Request – Andrew Swanberry

CITY OF  
Received  
JAN 6 2017  
City Manager  
ROCHESTER

Dear Mr. Fitzpatrick:

I have received a request from an employee to participate in the City's computer lease program. I have reviewed the request and associated documents and find that approval of the request will benefit the employee.

I support the participation. I have attached the request for your further review and offer my thanks in advance for your consideration.

Please let me know if you need anything further from me in this regard.



NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION
1	Keans	12/6/2016 city Council meeting	UAB new member, asked for research for correct term expiration.	City Clerk forwarded an email with information. Item closed.



DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
12/22/2016	1/9/2017	RAFFLE	Annual Chamber Raffle	8/11/2017
12/22/2016	1/9/2017	TAG	Annual Chamber Parade- tagging	11/17,18,24,25,26/2017
12/22/2016	1/9/2017	EVENT	Annual Tree Lighting - Chamber	12/1/2017
12/22/2016	1/9/2017	BANNER	Annual Holiday Events Banners - Chamber	11/24-12/3/2017
12/22/2016	1/9/2017	EVENT/PARADE	Annual Holiday Parade - Chamber	12/3/2017
12/27/2016	1/9/2017	EVENT/RUN	5K Trail Run - Strafford County 4-H	6/3/2017
12/28/2016	1/4/2017	MESSAGE	Pancake Breakfast - First Church Congregational	1/14/2017
1/3/2017	1/9/2017	TAG	Spaulding Ski Team	1/20 & 1/27/2017
1/10/2017	1/17/2017	MESSAGE	Chamber Annual Meeting	1/27/2017
1/9/2017	1/9/2017	MESSAGE	Jumble Sale - First Church Congregational	1/21/2017
1/10/2017	1/17/2017	MESSAGE	Community Expo - Chamber	5/11/2017
1/10/2017	1/17/2017	MESSAGE	Holiday Parade - Chamber	12/3/2017
1/10/2017	1/17/2017	MESSAGE	Holiday Tree Lighting - Chamber	12/1/2017
1/11/2017	1/23/2017	EVENT/RAFFLE	The Homemakers - fundraiser and raffle	1/29/2017
1/17/2017	1/23/2017	EVENT	American Cancer Society - Relay for Life Rochester yard sale	5/20/2017
1/13/2017	1/17/2017	MESSAGE	Rochester Listens Meeting	2/16/2017
1/19/2017	1/19/2017	MESSAGE	Rochester Main Street Annual Meeting	2/1/2017
1/20/2017	1/23/2017	TAG	Relay for Life	4/28-29 & 5/26-27/2017
1/27/2017	1/30/2017	ALCOHOL WAIVER	Community Expo - Chamber	5/11/2017

DEPT	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	STEP (CBA)	COLA (CBA)	MERIT PAY ADJ	NU PAY ADJ	PROMOTION	OTHER	MISC. INFO
CITY MANAGERS	DANIEL FITZPATRICK	CITY MANAGER	1	X										X			
COMMUNICATIONS	KAYLA MCVAY	COMMUNICATIONS	1	X						X							
COMMUNICATIONS	KAYLA MCVAY	PER DIEM DISPATCHER	1		X	X											
DPW	BARRY WILLEY	WINGMAN	1			X	X										
DPW	DALE SILVIA	WINGMAN	1			X	X										
DPW	CHAD PIERCE	WWTP MAINT	1	X												X	GRADE L1 WWT
FIRE	JOSHUA BIRON	FIREFIGHTER	1	X			X										
FIRE	KEVEN BANKS	FIREFIGHTER	1	X			X										
LIBRARY	SARA SMITH	LIBRARIAN II	1	X			X										
LIBRARY	JENNIFER FOGG	LIBRARY ASST.	1		X								X				
LIBRARY	TAMANTHA LANG	LIBRARY ASST.	1		X								X				
POLICE	TODD PINKHAM	CAPTAIN	1	X												X	
POLICE	GARY BOUDREAU	DEPUTY CHIEF	1	X												X	
POLICE	JEREMY AUCOIN	LIEUTENANT	1	X												X	
POLICE	DOMINQUE MURPHY	PATROL	1	X									X				
POLICE	DOMINQUE MURPHY	PATROL	1	X						X							
POLICE	ERIC BALL	PATROL	1	X									X				
POLICE	ROBERT FRECHETTE	PATROL	1	X									X				
POLICE	PAUL TOUSSAINT	POLICE CHIEF	1	X												X	
POLICE	JAMEY BALINT	SERGEANT	1	X												X	
POLICE	MICHAEL BRINKMAN	SERGEANT	1	X									X				
RECREATION	EMELIA LAMIE	REFEREE/SCOREKEEPER	1		X	X	X										
RECREATION	GRIFFIN TOWLE	REFEREE/SCOREKEEPER	1		X	X	X										
RECREATION	MARINA DIPRIZIO	REFEREE/SCOREKEEPER	1			X										X	
RECREATION	NICHOLAS WASRD	REFEREE/SCOREKEEPER	1		X	X	X										
RECREATION	SHEALEIGH GITUA	REFEREE/SCOREKEEPER	1		X	X		X									



*City of Rochester, New Hampshire*

OFFICE OF THE MAYOR

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

[www.RochesterNH.net](http://www.RochesterNH.net)

**PROCLAMATION  
FOR  
ROCHESTER'S POET LAUREATE**

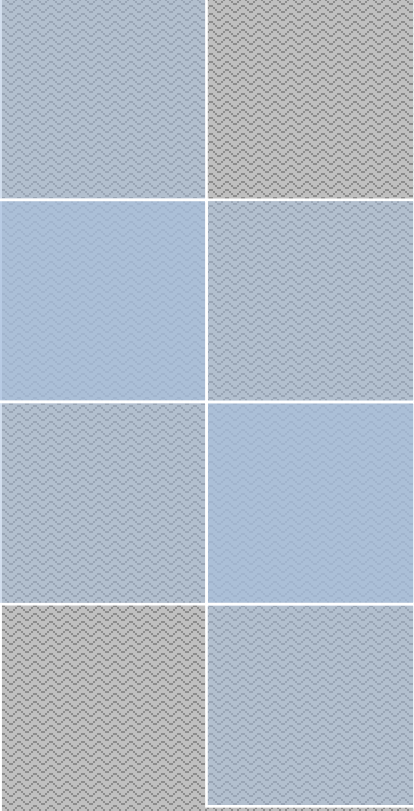
- WHEREAS,** the Poet Laureate serves as a herald for Rochester poets and their work, and
- WHEREAS,** the Poet Laureate is dedicated to building community through poetry and encouraging a love of poetry among people of all ages; and
- WHEREAS,** the Poet Laureate serves to enrich the lives of citizens by sharing and encouraging the gift of poetry.
- WHEREAS,** National Poetry Month has been celebrated in April since 1996 to increase attention to the art of poetry, to living poets, to our poetic heritage and to poetry books;
- NOW, THEREFORE,** I, Caroline McCarley, Mayor of the City of Rochester in the State of New Hampshire do hereby proclaim February 7, 2017 as "Poet Laureate Day" to honor Katie O'Connor as our City's Poet Laureate.

**IN WITNESS WHEREOF,** I hereunto set my hand and caused the seal of Rochester to be affixed this seventh day of February, in the year of our Lord, Two Thousand Seventeen.

**Caroline McCarley  
Mayor**



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**From:** [Matt Wyatt](#)  
**To:** [Kelly Walters](#)  
**Subject:** Re: Arts and Culture Commission  
**Date:** Thursday, February 02, 2017 10:17:40 AM

---

I spoke with Cristina on Tuesday and she confirmed that she has resigned from the Commission for Arts & Culture.

Best,  
Matt

*President & Co-Founder, Rochester Museum of Fine Arts*  
[www.rochestermfa.org](http://www.rochestermfa.org)

*Chair, Commission for Arts & Culture - City of Rochester, New Hampshire*  
[www.rochesternh.net](http://www.rochesternh.net)  
[www.rochesternharts.org](http://www.rochesternharts.org)

*Vice President, Rochester Main Street*  
[www.rochestermainstreet.org](http://www.rochestermainstreet.org)

On Jan 31, 2017, at 6:58 AM, Kelly Walters <[kelly.walters@rochesternh.net](mailto:kelly.walters@rochesternh.net)> wrote:

Hello Christina –

How are you doing? Could you please confirm that you do not wish to serve on the Arts and Culture Commission?

Martha – I am not sure if this is still the correct email address for Christina – if you know of a different email address please forward this email to her. Thank you! Kelly

Kelly Walters  
City Clerk  
31 Wakefield Street  
Rochester, NH 03867  
w)603-335-7509 Fax)603-509-1915

[kelly.walters@rochesternh.net](mailto:kelly.walters@rochesternh.net)

The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees regarding the business of the City of Rochester, are government records available to the public upon request. Therefore, this e-mail communication may be subject to public disclosure.

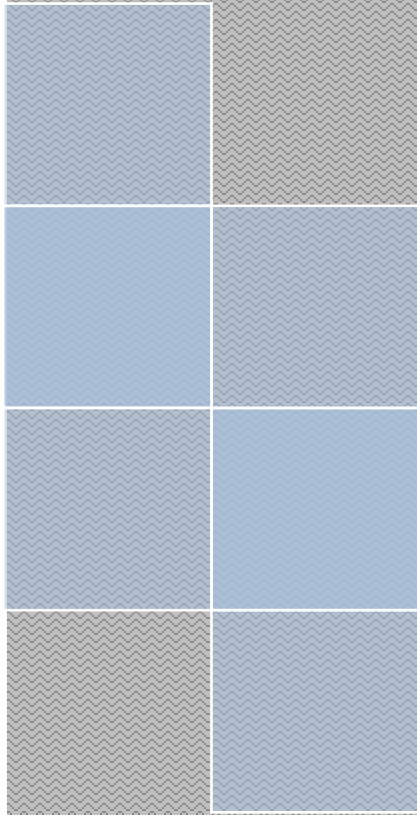
<image004.jpg>

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*City of Rochester, New Hampshire*  
 CITY COUNCIL – APPOINTMENTS COMMITTEE  
 31 Wakefield Street • Rochester, NH 03867  
 (603) 332-1167  
[www.RochesterNH.net](http://www.RochesterNH.net)

**Appointments Committee Minutes**  
 January 4, 2017

**Committee Members Present:**

Sandra Keans, Chair  
 Tom Abbott

Donna Bogan  
 Ray Barnett  
 James Gray, Vice-Chair

Chairman Keans called the meeting to order at 6:30 p.m. on January 4, 2017.

**Jeremy Hutchinson – Planning Board**

Mr. Hutchinson made an excellent presentation to the committee about his resume and skills. He has lived here for a few years and is anxious to participate in his adopted community.

Councilor Gray moved to recommend; Councilor Abbott seconded Mr. Hutchinson to be nominated as an alternate on the Planning Board. The Appointments Committee unanimously recommends Jeremy Hutchinson for appointment as an Alternate to the Planning Board, term to expire 1/2/2020.

**Mark Hourihane – REDC**

A discussion took place about the work of the REDC. They've had a very busy and successful few years. He is pleased with the hard work of the committee.

Councilor Gray moved to recommend; Councilor Abbott seconded Mr. Hourihane to be nominated to the REDC. The Appointments Committee unanimously recommends Mark Hourihane for appointment as a member of the REDC, term to expire 1/2/2020.

**Fidae Azouri – Zoning Board of Adjustment**

Mr. Azouri is seeking reappointment to the ZBA. The committee noted he has not attended any of the training sessions in over two years. He stated he has been very busy with his business. He also said he as learned a lot by participating and believes he was a good member.

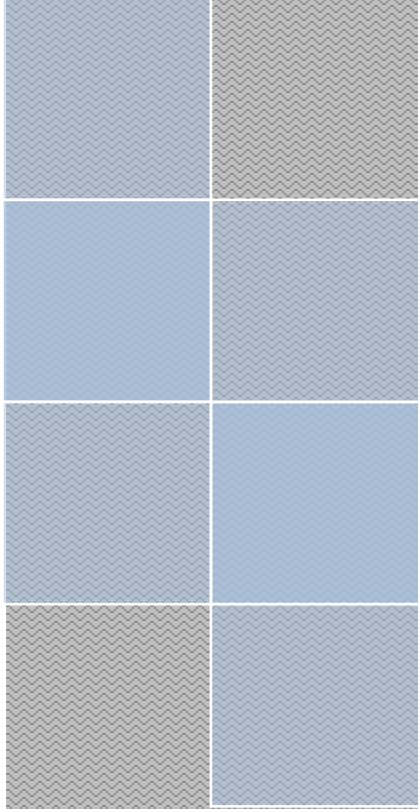
Councilor Gray moved not to recommend; Councilor Bogan seconded to not recommend Mr. Azouri to be reappointed as a member of the Zoning Board of Adjustment. The Appointments Committee unanimously recommends that Mr. Azouri not be reappointed to the Zoning Board of Adjustment.

The meeting was adjourned at 7:23pm.

Respectfully submitted,  
 Sandra Keans, Chair



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# Rochester City Council

## Community Development Committee

### MEETING MINUTES

**Elaine Lauterborn, Chairperson**  
**Donna Bogan, Vice Chairperson**  
**Tom Abbott**  
**Ray Barnett**  
**A. Raymond Varney, Jr.**

<b>Meeting Date:</b>	Monday, January 9, 2017	
<b>Members Present:</b>	Councilor Abbott Councilor Barnett Councilor Bogan Councilor Lauterborn Councilor Varney	<b>Members Absent:</b> None
<b>Guests/Staff:</b>	Mr. Julian Long, Community Development Coordinator Ms. Karen Pollard, Economic Development Manager Ms. Robin Comstock, Workforce Housing Coalition of the Greater Seacoast Executive Director Mr. Greg DeNobile, Rochester Resident	

Councilor Lauterborn called the meeting to order at 7:00 p.m. Motion was made by Councilor Bogan and seconded by Councilor Abbott to approve the November 14, 2016 minutes.

<b>Public Input</b>	There was no public input.
<b>Wayfinding – Presentation</b>	<p>Ms. Pollard provided an overview of downtown navigational problems and stated that the wayfinding project, already approved by City Council, will address primary (highway), secondary (smaller road), and tertiary (pedestrian and bicycle) signs. Ms. Pollard mentioned that, during the Littleton-Rochester downtown exchange review, the Town of Littleton’s delegation mentioned issues in finding its way through the City of Rochester. The Committee reviewed the draft Request for Proposals as well as example photographs of several other municipalities’ downtown signage. Councilor Lauterborn asked who will choose the winning proposal, and Ms. Pollard stated that it would be a subcommittee that is comprised of several department heads, the City Manager, and the director of Rochester Main Street.</p> <p>Mr. DeNobile asked if there is a list of existing sign inventory, and Ms. Pollard replied that, due to the small number of existing signs, there is not. Councilor Barnett asked if Ms. Pollard has looked at wayfinding in the City of Baltimore, and Ms. Pollard replied that she had. She explained that she chose examples to present to the Committee from municipalities of a similar size to Rochester as larger cities have different navigational challenges.</p>

<b>Strafford Regional Planning Commission – Presentation</b>	<p>Mr. Colin Lentz of the Strafford Regional Planning Commission was not in attendance. Councilor Lauterborn asked that the presentation be rescheduled for sometime after the CDBG grant review process.</p>
<b>Workforce Housing Coalition of the Greater Seacoast – Presentation</b>	<p>Ms. Comstock provided an overview and history of the Workforce Housing Coalition of the Greater Seacoast. The coalition promotes more workforce housing through two yearly design charrettes, one held in New Hampshire and one held in Maine, and an annual housing summit. Ms. Comstock distributed example design charrettes to the Committee for review. Councilor Lauterborn asked if the term workforce housing is the same as affordable housing. Ms. Comstock explained that while there's some overlap, workforce housing is middle-market housing and not subsidized. (Councilor Varney entered the meeting at this point.)</p> <p>Ms. Comstock stated that she believes Rochester was prime for a charrette and that she has been in discussions with Waterstone Retail Realty Group regarding the workforce housing needs of employees at the Granite Ridge development. Councilor Lauterborn asked if there was any relationship between the Workforce Housing Coalition and The Housing Partnership, and Ms. Comstock explained that the two organizations have shared office space in the past and will consult with one another on shared issues.</p> <p>Mr. DeNobile asked how middle class and middle market are defined, and Ms. Comstock stated that what is considered middle market housing is determined on a community by community basis through looking at local cost of living and expert analyses. Councilor Lauterborn expressed support for more quality housing in the downtown region. Ms. Comstock suggested that the Committee review the Berwick design charrette, as it was a downtown design aimed at revitalizing a depressed property.</p>
<b>CDBG Consolidated Plan Citizen Participation Plan Revision – Review and Approval</b>	<p>Mr. Long explained that, due to a new U.S. Department of Housing and Urban Development (HUD) rule regarding the citizen participation plan component of Consolidated Plans, the City of Rochester's FY 2015-2020 Consolidated Plan needed minor revisions. The main changes were the addition of a formal complaint section and references to the CDBG Language Access Plan and its provisions.</p> <p><b><i>Motion was made by Councilor Lauterborn and seconded by Councilor Bogan to approve the revised Citizen Participation Plan section of the FY 2015-2020 Consolidated Plan. The motion passed unanimously.</i></b></p>
<b>CDBG Assessment of Fair Housing Citizen Participation Plan – Review Only</b>	<p>Mr. Long explained that the changes to the draft Citizen Participation Plan for the Assessment of Fair Housing mirror the revisions to the FY 2015-2020 Consolidated Plan. As the Assessment of Fair Housing is still in draft form, the revised Citizen Participation Plan was presented for review only.</p>
<b>CDBG Projects Program Report</b>	<p>Mr. Long provided a brief update on completed and in-progress CDBG-funded projects, including the imminent start of Tri-City Co-op's handicap ramp and HVAC system project. Councilor Lauterborn asked about the HUD Section 108 loan program and whether the City of Rochester had</p>

	<p>ever applied for or received a Section 108 loan. Mr. Long stated that at least for the last ten to twenty years, the city had not. The consensus of the Committee was that there were no current or near-future CDBG projects that were large enough in scale to justify a Section 108 loan.</p> <p>Councilor Lauterborn requested an overview of the FY 2017-2018 grant application process. Mr. Long stated that the grant applications were due January 13<sup>th</sup> and that, after all applications were received, he would prepare a summary and analysis of all applications. At the February Committee meeting, the grant applicants will be invited to present in-person on their proposed projects. At the March meeting, the Committee will vote on its funding recommendations. The full City Council will review these recommendations at the April City Council meeting and vote on the final allocations at the May City Council meeting.</p> <p>Due to the federal government operating under continuing resolutions rather than a passed budget, the FY 2017-2018 CDBG grant award amount for the City of Rochester is not yet available. Mr. Long explained that he will provide, in the draft FY 17-18 Annual Action Plan, an estimate of the current year grant minus ten percent. This number will be used as a placeholder until HUD provides the actual grant amount.</p>
<b>Other Business</b>	There was no other business.

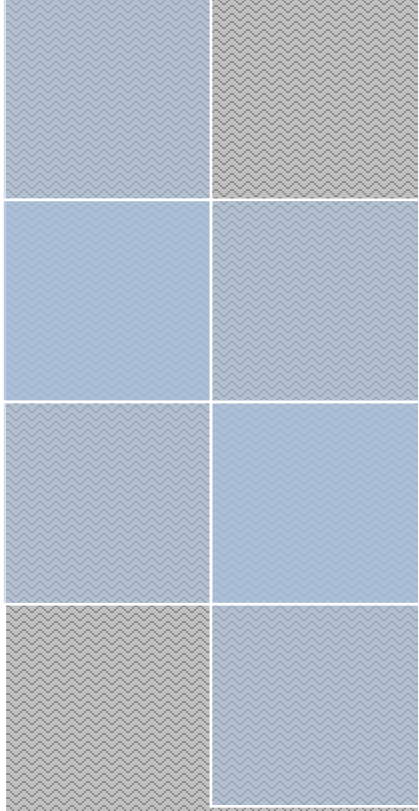
Motion to adjourn was made by Councilor Barnett and seconded by Councilor Bogan. The vote to adjourn was unanimous. The meeting was adjourned at 8:25 p.m.

**Next Meeting** – Monday, February 13, 2017 at 7:00 p.m. in the City Council Chambers at City Hall

**Topics** – GY 17-18 CDBG Grant Applicant Presentations, Workforce Housing Charrette, CDBG Projects Program Report



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 105 - FY 2015-2020 CDBG Consolidated Plan - Minor Amendment
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--

AGENDA DATE	2/7/2017		
DEPT. HEAD SIGNATURE	Karen Pollard, signature on file		
DATE SUBMITTED	1/18/2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	3	

**COMMITTEE SIGN-OFF**

COMMITTEE	Community Development Committee
CHAIR PERSON	Elaine Lauterborn

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

24 CFR 91.105.



**SUMMARY STATEMENT**

The U.S. Department of Housing and Urban Development recently has passed new rules regarding the Citizen Participation Plan component of the Five Year Consolidated Plan that require minor revisions of the FY 2015-2020 Consolidated Plan's Citizen Participation Plan. These rules apply retroactively. The main revision is the addition of a formal section on the procedures the Community Development Division will use to address complaints from the public.

**RECOMMENDED ACTION**

Approve the revised Citizen Participation Plan for the FY 2015-2020 Consolidated Plan.

#### **4. Citizen Participation and Consultation Process in the FY 2015-2020 Five Year Consolidated Action Plan**

The purpose of the Citizen Participation Plan developed for the FY 2015-2020 Five Year Consolidated Action Plan is to make the process of investing in the City of Rochester's community as inclusive as possible. It is the desire of the Community Development Division to have the objectives and activities undertaken with received CDBG funds reflect the needs and desires of the people of the City of Rochester.

This process is an ongoing activity and includes both formal and informal outreach to the area community. Staff works actively to communicate with its citizens, neighborhood coalitions, City departments and law enforcement, nonprofit agencies, local business interests, community and faith-based organizations, and the New Hampshire Balance of State Continuum of Care. Specific efforts will be made to reach residents living in revitalization areas, slum, or blighted area, as well as neighborhoods designated by HUD as 51% or greater low- to moderate-income. This will include staff attendance at neighborhood meetings in these areas, outreach to the Rochester Housing Authority's residents and resident advisory board, and related activities.

All official public hearing notices and other important documents will be posted in accordance with the City of Rochester's Language Access Plan, which provides that such documents include a notice in French that oral interpretation of such documents is available for free upon request. The full Language Access Plan is available on the Community Development Division webpages at <http://www.rochesternh.net/community-development-division/pages/policies-and-procedures>.

The Community Development Division provides technical and other assistance to citizens, public agencies, and any interested parties in the development of projects or activities to address priority needs in Rochester. Copies and summaries of the Consolidated Plan and the Annual Action Plan drafts are available in the Office of Economic & Community Department and on the Community Development Division web page, located at <http://www.rochesternh.net/community-development-division>. These documents are also available via electronic attachments upon request. Applications and comments will be available for public inspection throughout the application evaluation period.

As part of the Consolidated Plan and Annual Action Plan processes, staff make efforts to bring the developing plan concepts to the community via available community gatherings and forums. This includes public service networking groups, neighborhood coalition meetings, presentations to community group and associations, and postings to the Office of Economic & Community Development's social media accounts (e.g., Facebook and Twitter). Creativity in receiving input from the public and the effective use of modern communicative technology are the goals of the Community Development Division.

The City of Rochester's citizen involvement plan includes the following:

**Public Hearing (First):** Public is gathered at a formal public hearing, held prior to the City Council workshop on December 16, 2014. This meeting is intended to solicit the public's feedback on current CDBG projects and performance, perceived needs for future projects, and general opinions and concerns regarding community development in the City of Rochester.

This meeting is held in a location that is accessible to people with physical disabilities. Accommodations for people with visual or hearing impairments, as well as accommodations for Limited English Proficiency speakers, are made upon request. This hearing is advertised in one

or more local newspapers within ten to fourteen days of the hearing. Public notice also is provided at strategic sites of public interest, including the public library, community center, and City Hall. Notice is provided via electronic means, as well, including but not limited to email announcements to community stakeholders (e.g., currently-funded non-profits and community business associations), postings to the Community Development Division's website, and postings to the Office of Economic & Community Development's social media accounts (e.g., Facebook and Twitter).

Following this hearing, minutes are made available on the City of Rochester's website, and interested parties can view the hearing in its entirety on the local government channel as well as online. The online "On Demand" video for the first public hearing is available online at <http://rochesternh.pegcentral.com/player.php?video=7055a81448541f30916f011a4198b567>.

Funding Notice: The Economic & Community Development Office annually announces the Community Development Block Grant funds anticipated from the U.S. Department of Housing and Urban Development, as well as the procedures and deadlines for making application to the City of Rochester. Notices of application availability are sent via U.S. postal mail and/or electronic means to current public service partners and groups with projects in development, as well as to other identified public service agencies that engage in work that is eligible for CDBG funding. Notice also is provided via electronic means, including but not limited to email announcements to community stakeholders (e.g., currently-funded non-profits and community business associations), postings to the Community Development Division webpage, and postings to the Economic & Community Development Office's social media accounts (e.g., Facebook and Twitter). The application will include actual or estimated funds available for distribution, a timetable for application evaluation, public hearing, and public comment period.

Application Period: Applications for project funding are due in mid January.

Application Evaluation Process: All applications are reviewed by staff, and recommendations are relayed to the City's Community Development Committee. The Community Development Committee scores each application according to predetermined objectives that have been aligned with the City's identified priorities and needs. Once the applications have been scored, recommendations from the Community Development Committee are presented to the City Council at the City Council's next regular meeting (generally April) in the form of the recommended Annual Action Plan.

Public Hearing (Second): The draft Annual Action Plan is subject to a public hearing (preceding the April City Council workshop or May City Council meeting). This meeting is held in a location that is accessible to people with physical disabilities. Accommodations for people with visual or hearing impairments are made upon request.

This meeting is held in a location that is accessible to people with physical disabilities. Accommodations for people with visual or hearing impairments, as well as accommodations for Limited English Proficiency speakers, are made upon request. Notification of this public hearing and draft plan availability are published in one or more local newspapers within ten to fourteen days of the public hearing. Public notice is provided at strategic sites of public interest, including the public library, community center, and City Hall. Notice also is provided via electronic means, including but not limited to email announcements to community stakeholders (e.g., currently-funded non-profits and community business associations), postings to the Economic & Community Development Office's website, and postings to the Economic & Community Development Office's social media accounts (e.g., Facebook and Twitter).

Following this hearing, minutes are made available on the City of Rochester's website, and interested parties can view the hearing in its entirety on the local government channel as well as online.

Public Comment: Comments are accepted throughout the Consolidated Plan and first-year Annual Action Plan preparation process via in-person meetings, postal mail, telephone, and electronic means of communication; however, a formal 30-day public comments period is also announced via publishing in one or more general newspapers of local circulation. The notice will include a summary of the plan(s), details or estimate of available funding, details as to proposed activities, and information on where copies of the plan can be obtained by members of the general public. Free copies of the plan(s) will be made available upon request.

Comments received during the public comment period, as well as comments received during public hearings and at other public meetings, are summarized and included in the Annual Action Plan and Five Year Consolidated Plan. Comments may be oral or written. The Community Development Division responds to concerns and directives through appropriate programming allocations or refers concerns and directives to the proper City department for follow-up. Any comments not accepted will include a response from the Community Development Division as to why the comments were not accepted. These comments are forwarded to HUD as part of the completed Consolidated Plan and first-year Annual Action Plan.

It should be noted that the second public hearing and all City Council discussions and actions taken regarding the Community Development Block Grant are held in the City Council Chambers and are televised via the Government Channel carried by the local cable television company. These meetings are also replayed several times in the week following the meeting.

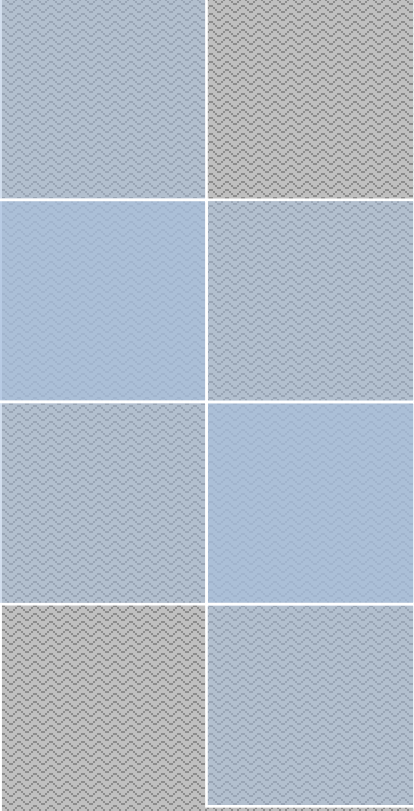
Substantial Amendments: The City's Consolidated Plan may be amended if substantial changes in planned or actual activities must occur due to new information about the make-up, needs, or growth of the City of Rochester's communities. Creation of new goals, funding of entirely new activities, and/or changes in funding in excess of \$50,000 triggers review by the Community Development Committee. The Community Development Committee evaluates changes to the Consolidated Plan, and their recommendations are forwarded to the City Council for further input as needed. Substantial amendments to the Consolidated Plan herein are subject to the public participation process, outlined above, as well as to full City Council approval.

All other amendments are considered minor and are not subject to the public participation process. Instead, the minor amendment will be posted to the Community Development Division's webpages and made available to the general public upon request.

Complaints: The Community Development Division will respond to all citizen complaints submitted in writing within fifteen (15) business days. This response may be a statement that more time is needed to provide a more substantive response, in which case the substantive response will be provided within thirty (30) business days.



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## FINANCE COMMITTEE

### Meeting Minutes

#### Meeting Information

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Date: January 10, 2017  
Time: 7:00 P.M.  
Location: City Council Chambers  
31 Wakefield Street  
Rochester, New Hampshire

Committee members present were: Mayor McCarley, Deputy Mayor Varney, Councilor Keans, Councilor Hamann, Councilor Gray, Councilor Torr and Councilor Lauterborn. Other Councilors present: Councilor Barnett. City staff present were: City Manager Fitzpatrick, Deputy City Manager Cox, MIS Network Administrator Schafer, MIS IT Technician Watkins, Public Works Director Storer and Senior Accountant Sullivan.

#### Agenda & Minutes

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##### 1. Call to Order

Mayor McCarley called the meeting to order at 7:00 PM.

##### 2. Public Hearing #1 - Resolution Adopting Amendments/ Revisions to the Granite State Business Park Tax Increment Financing (TIF) District Development Program and Financing Plan

Mayor McCarley opened the hearing to public input. No members of the public addressed the Committee on this item.

##### 3. Public Hearing #2 - Amending/ Revising the Granite State Business Park TIF District Boundaries

Mayor McCarley opening the hearing to public input. No members of the public addressed the Committee on this item.

##### 4. Public Input

There were no members of the public that addressed the Committee.

##### 5. Unfinished Business

## 5.1 Official Announcements and How/ Where We Post Them

Deputy City Manager Cox reviewed the five-item list that he created pertaining to Meeting Notices, Agendas and Packets. Councilor Lauterborn suggested removing the word “warning” from items 2 and 3. The Committee agreed that the two public posting locations are to be City Hall and the Library. Councilor Keans suggested that attention be given to making the wording of Public Hearing notices as clear as possible as to purpose. Mayor McCarley kept this item in Committee and directed Mr. Cox to incorporate the Committee’s feedback and format the list into formal guidelines.

## 6. New Business

### 6.1 Chapter 16 Requirement to Connect to Public Sewers

Mayor McCarley explained that this item was referred by the full City Council to the Finance Committee to (a) review the City Attorney’s edits to Chapter 16.3 Use of Public Sewers Required and (b) discuss the costs to be borne by property owners. After some discussion, as to how the City would track the sewer infrastructure effected by this ordinance, *Councilor Varney moved that the Committee recommend to the full City Council that the amendments to Chapter 16.3 drafted by Attorney O’Rourke be read for a second time and adopted as written. The motion was seconded by Councilor Hamann and adopted by the Committee.* The Committee then discussed the applicability of the ordinance amendments stipulating that the “cost of connection to the public sewer ... of the portion ... crossing the public right of way ... shall be borne by the Rochester Sewer Enterprise Fund.” The consensus of the Committee was that this provision of the amended ordinance should be extended to sewer users that are currently on payment plans, to include rebates of past payments already made. The City Manager stated that staff would be tasked to identify the sewer users that would fall in to this category along with the dollar amounts involved and he would bring this information back to the Committee for further deliberation/ action.

## 7. Finance Director’s Report

Deputy City Manager Cox reviewed the following items from his written report:



- Fairgrounds Sewer & Snow Storage Fees – The Committee was in support of the City Manager’s decision to withhold payment of the snow storage fees until the Fairground addresses the issue of their outstanding detail fees and sewer fees.
- MIS Update – Deputy City Manager Cox stated that a final draft of a Chief Information Officer job description would be brought to the Committee in February. Mr. Cox also updated the Committee on work to carry out upgrades to the computer network utilizing already appropriated funds as well as planning for future capital upgrades.

#### **8. Monthly Financial Statements**

There was no discussion regarding the monthly financial statements.

#### **9. Other**

There was no other business taken up by the Committee.

#### **10. Adjournment**

Councilor Hamann moved to adjourn the meeting. Councilor Gray provided a second to the motion which was then adopted. The meeting adjourned at 7:46 PM.

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**Resolution Adopting Amendments/Revisions to the Granite State Business Park Tax Increment Financing (TIF) District: Development Program and Financing Plan and Amending/Revising the Granite State Business Park (GSBP) TIF District Boundaries**

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

WHEREAS, by Resolution adopted November 1, 2005, the Mayor and City Council adopted provisions of RSA 162-K, as amended, for the purpose of establishing one or more TIF districts within the City of Rochester; and

WHEREAS, by Resolution adopted July 5, 2011, the Mayor and City Council created the GSBP TIF District and Development Program and Financing Plan (the "Plan"); and

WHEREAS, changes in circumstances within the GSBP and adjacent areas have created conditions which, in the opinion of the District Administrator and the Mayor and City Council, leaves the GSBP TIF District and Plan in need of revisions and/or amendments to effectively carry out the purpose for which the GSBP TIF District was created and the Plan adopted; and

WHEREAS, RSA 162-K:6, III and RSA 162-K:9, IV permit the alteration of development programs and/or the modification of a TIF financing plan; and

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby resolves as follows:

1. After holding a public hearing on January 10, 2017, and taking public testimony, the Mayor and City Council hereby find that the establishment of alterations and/or revisions to the GSBP TIF District and to the Plan (all more completely set forth and described in the document annexed hereto as **Exhibit A** and entitled "Granite State Business Park Tax Increment Finance District: Development Program and Financing Plan", as revised on September 4, 2012), serve a public purpose pursuant to RSA 162-K:5, specifically the preservation and expansion of the City's tax and employment bases, as well as the promotion of development and/or redevelopment of new, vacant, and/or underutilized land and/or buildings within the GSBP TIF District; and

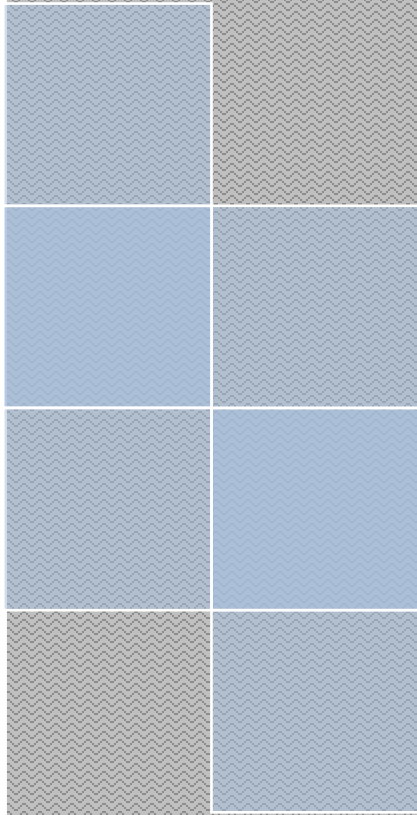
2. The City of Rochester hereby, by adoption of this Resolution, alters, revises and/or amends the GSBP TIF District, so as to be comprised of the properties depicted, described, and/or otherwise delineated in the **Exhibit A**; and

3. In accordance with RSA 162-K:6, 162-K:9, and 162-K:10, the Mayor and the City Council herein adopts the altered/revised GSBP TIF District Development Program and Finance Plan, as altered/revised on November 21, 2016, and as attached hereto as **Exhibit A**; and

4. This Resolution shall take effect upon its passage.



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB-82: Granite State Business Park Tax Increment Financing District Plan Revisions
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COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--

AGENDA DATE	December 6, 2016	
DEPT. HEAD SIGNATURE	Karen Pollard, Signature on File	
DATE SUBMITTED	November 21, 2016	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	<b>26</b>

**COMMITTEE SIGN-OFF**

COMMITTEE	Rochester Economic Development Commiss
CHAIR PERSON	Susan DeRoy

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	signature on file
CITY MANAGER	signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	signature on file
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

November 1, 2005, the Mayor and City Council adopted provisions of RSA 162-K, as amended, for the purpose of establishing one or more TIF districts within the City of Rochester.

**SUMMARY STATEMENT**

November 1, 2005, the Mayor and City Council adopted provisions of RSA 162-K, as amended, for the purpose of establishing one or more TIF districts within the City of Rochester; and July 5, 2011 created the GSBP TIF District and Development Program and Financing Plan (the "Plan"); and changes in circumstances within the GSBP and adjacent areas have created conditions which, in the opinion of the District Administrator and the Mayor and City Council, leaves the GSBP TIF District and Plan in need of revisions and/or amendments to effectively carry out the purpose for which the GSBP TIF District was created and the Plan adopted; and RSA 162-K:6, III and RSA 162-K:9, IV permit the alteration of development programs and/or the modification of a TIF financing plan.

Addition of Granite State Business Park TIF District Phase 3

0255-0018-0000	294 Roch Hill Rd Furina Rev Trust	\$289,300
0255-0019-0000	296 Roch Hill Rd City of Rochester	\$176,900
0255-0020-0000	302 Roch Hill Rd Presbytery of Northern New England	\$389,700
0255-0021-0000	0 Roch Hill Rd City of Rochester	\$1,082
	Shaw Drive City of Rochester	STREET
Total TIF District Phase 3		\$856,982.00

**RECOMMENDED ACTION**

Request First Reading on December 6, 2016  
 Request Public Hearing on January 3, 2017  
 Request Second Reading and Consideration for Approval on February 7, 2017

**Granite State Business Park  
Tax Increment Financing District:  
Development Program and  
Financing Plan**

**City of Rochester, NH**

**Date Prepared: March 22, 2011**

**Date Adopted: July 5, 2011**

**Date Revised: July 10, 2012**

**Date Amendment/Revision Adopted: Sept. 4, 2012**

**Date Revised: Nov 21, 2016**

**Date Amendment/Revision Adopted: Est. Feb. 7, 2017**

## A. Introduction and Objectives

Tax increment financing (TIF), authorized by New Hampshire RSA 162-K may be used to provide municipal incentives for economic development. Tax increment financing allows property taxes derived from growth in assessed valuation within a TIF district to be retained to pay for internal public improvements within the district that encourage new businesses and industries to locate there. Cities and towns in northern New England use the TIF mechanism to compete with financial incentives offered in other regions of the United States. TIF districts are limited in duration, generally by the time required to amortize bonded debt and the recovery of other municipal costs incurred in creating the TIF district and providing public infrastructure.

### 1. History of Granite State Business Park

The Granite State Business Park (GSBP) is located in the southeastern portion of Rochester adjacent to the Skyhaven Airport. Phase I of the GSBP is accessed via Airport Drive from Rochester Hill Road (NH Route 108). The first buildings in the Granite State Business Park were constructed in 1994. The development pace within the GSBP has been modest, with growth between 1995 and 2010 averaging about 11,500 square feet per year. There are remaining undeveloped lots in Phase I that are currently accessed by Airport Drive, and are serviced by public water and sewer. Phase II of the GSBP lacks utilities and road access, and is separated from Phase I by an active rail line.

A Master Plan and marketing package for the Granite State Business Park (GSBP) was created in 1990 by Matarazzo Design Inc. and S.G. Phillips Companies. The park was planned as a multi-use site that would principally accommodate light and heavy manufacturing, research and development, warehousing and distribution and related uses. The GSBP was intended to respond to a strong demand in the marketplace for light and heavy industrial space in the Seacoast region prior to the closure of the Pease Air Force Base and its subsequent conversion into the Pease International Tradeport.

Early tenants included Prime Tanning, Albany International Techniweave and Salmon Falls Precision. Albany and Salmon Falls were both internal expansions of Rochester businesses. The Rochester Industrial Development Authority (RIDA) was a partner in the Salmon Falls Precision project. The RIDA applied to the New Hampshire Business Finance Authority for financing of the project and negotiated a successful built-to-suit/lease-to-own agreement.

The demand for industrial land changed between 1990 and 2000. Rochester's Ten Rod Road Park and Cabletron became the focus of industrial expansion in the City. The redevelopment of the Pease Air Force Base into the Pease International Tradeport and other area business parks offered superior highway access and were able to meet regional demands more effectively than the Granite State Business Park. Interest in the park has grown as Rochester has matured as a regional hub for business development and a center of labor force growth. The availability of larger, serviced industrial parcels in the region has become more limited.

Phase II of the GSBP has the potential to host large industrial users. But new industrial and business development in Phase II is unlikely to occur without initial public expenditures to provide a rail crossing, and the extension of road, water and sewer. The City's Economic Development Department believes that providing this essential public infrastructure will enable access to a significant expanse of industrially-zoned land that will accelerate growth in taxable valuation, jobs and wages.

July 2012: This plan is being revised to take into account the RSA 205 TIF District, created in Dec. 2011 and encompassing certain land and improvements in the Granite State Business Park.

November 2016: This plan is being revised to take into account future expansion needs of the GSBP.



## 2. Development Potential of Granite State Business Park

The economic benefits of proposed public investments to enable Phase II of the GSBP are estimated in Table 1. This comparison estimates the current and projected commercial and industrial development, assessed valuation, property tax yield, employment and payroll for Phase I and Phase II properties.

**Table 1: Granite State Business Park Development Potential**

Comparison Factor	Granite State Business Park TIF by Phase		
	Phase 1 (1)	Phase 2	Total
Gross Land Area (Acres)	279.65	114.94	394.59
Building Floor Area			
Existing	421,500	0	421,500
Growth Potential	381,200	319,200	700,400
Buildout Total	802,700	319,200	1,121,900
Taxable Assessed Value (\$Millions)			
Existing (2)	\$15.74	\$0.22	\$15.96
Growth Potential	\$10.99	\$11.99	\$22.98
Buildout Total	\$26.73	\$12.10	\$38.83
Annual Property Tax Yield (3)			
Existing	\$375,943	\$5,172	\$381,115
Growth Potential	\$262,551	\$477,800	\$740,351
Buildout Total	\$638,494	\$482,972	\$1,121,466
Estimated Employment			
Existing	425	0	425
Growth Potential	384	300	684
Buildout Total	809	300	1109
Estimated Payroll (Millions) 2009			
Existing	\$19-\$20	\$0	\$19-21
Growth Potential	\$17-\$19	\$29-\$32	\$46-\$51
Buildout Total	\$36-\$40	\$29-\$32	\$65-\$72

(1) Includes Skyhaven Airport (173 Acres) and one residential parcel owned by PDA (7.7 acres)

(2) April 2011 assessment of hangar leases (4987,180) included in existing Phase 1 valuation

(3) Computed at total 2010 tax rate of \$23.89 per thousand assessed value for Phases 1 and 2, Phase 3 is calculated at the 2015 tax rate of \$28.15 per thousand assessed value.

<b>Comparison Factor</b>	<b>Granite State Phase 1(1)</b>	<b>Business Park Phase 2</b>	<b>TIF by Phase Phase 3</b>	<b>Total</b>
Gross Land Area (Acres)	279.65	114.94	53.60	448.19
Building Floor Area Existing	421,500	0	9,953	431,453
Growth Potential	381,200	319,200	340,047	1,040,447
Buildout Total	802,700	319,200	350,000	1,471,900
Taxable Assessed Value (\$Millions)				
Existing (2)	\$15.74	\$0.22	\$0.86	\$16.82
Growth Potential	\$10.99	\$11.99	\$14.14	\$37.12
Buildout Total	\$26.73	\$12.10	\$15.00	\$53.83
Annual Property Tax Yield (3)				
Existing	\$375,943	\$5,172	\$24,124	\$405,239
Growth Potential	\$262,551	\$477,800	\$398,126	\$1,138,477
Buildout Total	\$638,494	\$482,972	\$422,250	\$1,543,716
Estimated Employment				
Existing	425	0	0	425
Growth Potential	384	300	360	1,044
Buildout Total	809	300	360	1,469
Estimated Payroll (\$Millions)				
Existing	\$19-\$20	\$0	\$0	\$19-\$20
Growth Potential	\$17-\$19	\$29-\$32	\$25-\$35	\$71-\$86
Buildout Total	\$36-\$40	\$29-\$32	\$25-\$35	\$90-\$107

The development potential of the one remaining parcel in Phase II represents potential growth of over \$12 million in assessed valuation, 300 jobs and about \$30 million in additional payroll. Those benefits would not occur in the foreseeable future without the proposed public investments outlined in this Development Program.

The Rochester Economic Development Commission (REDC) and Rochester Industrial Development Authority (RIDA) has the responsibility and authority to complete the development of the Granite State Business Park, including the sale or lease of lots to businesses and the Phase II expansion of the GSBP.

### 3. Objectives of GSBP TIF Development Program

The development program for the TIF District reflect the long term goals and objectives developed by the Rochester Economic Development Commission/Rochester Industrial Development Authority (REDC/RIDA) for the Granite State Business Park, including the following:

- Continue to offer financing assistance and collaboration with local, state and federal programs as an incentive for relocation or expansion; research and apply for new grants or programs for which the park becomes eligible.
- Direct and promote opportunities for business attraction and expansion within the Granite State Business Park in accordance with Rochester's Economic Development Strategic Master Plan.

- Create new employment and entrepreneurial opportunities for area residents through the acquisition and resale of lots, and the construction of public facilities.
- Acquire or assemble parcels within the GSBP to facilitate the efficient development of commercial and industrial property within the TIF.

The REDC/RIDA was created under New Hampshire RSA 162-G and has guided the initial planning and development of the Granite State Business Park. The authority provided by this chapter includes municipal actions to encourage the development of business and industrial facilities by acquiring, developing, expanding, leasing and disposing of such facilities. The REDC/RIDA also operates under the specific authority and limitations contained in the Rochester Code of General Ordinances, Chapter 3, Section 3.12 (Economic Development Commission).

#### 4. Public Benefits of GSBP TIF District

The construction of new industrial and business facilities promotes the long-term growth, stability and diversity of employment and the City's taxable valuation. Long term growth in commercial and industrial valuation ultimately supports higher quality services at a lower tax expense to residential uses. The Granite State Business Park 162-K TIF District is expected to provide a number of public benefits, including:

- 1) Enhancing the efficiency of land use and encouraging development consistent with the City's Master Plan and its Economic Development Strategy;
- 2) Concentrating new economic development in desired areas through the efficient use of that infrastructure;
- 3) Stabilizing or expanding the City's manufacturing base and resident access to higher wage jobs;
- 4) Encouraging the creation of diverse economic opportunities and the standard of living for residents;
- 5) Providing for long-term growth in the City's non-residential property valuation;
- 6) Diversifying the property tax base to enable Rochester to continue providing quality municipal services and facilities for residents; and
- 7) Supporting general growth and prosperity of the City and the general welfare of its citizens.

Table 2 illustrates the projected long term economic benefits from employment and wages generated within the GSBP TIF District as the result of infill development and creation of new industrial development sites in Phase II.

**Table 2 – Estimated Employment and Payroll**

Development Area	Square Feet	Employees	Range in Annual Payroll in Millions \$ (2009 Dollars)
Existing Industries in GSBP	421,500	425	\$19.1 - \$21.0
Additional Potential Within Phase 1	381,200	384	\$17.2 - \$19.0
New Sites in Phase 2	319,200	300	\$29.0 - \$32.0
New sites in Phase 3	350,000	360	\$25 - \$35
Total TIF Potential (excluding Airport & RSA205 TIF)	1,471,900	1469	\$90.3 - \$107.0
Growth to Total Buildout	1,050,400	1044	\$58.2 - \$77.0

*\*Notes: Excludes airport and one residential parcel; payroll assumes 80% of jobs in manufacturing, 20% other. Payroll estimates based on average annual wages per employee in City and County for 2009 as reported by NH Employment Security for manufacturing sector and averages for all sectors.*

Between 2011 and its full buildout, the total GSBP 162-K TIF District (Phase 1, 2 and 3 combined) is expected to host almost 1,500 jobs and generate \$90.3 to \$107 million in annual payroll.

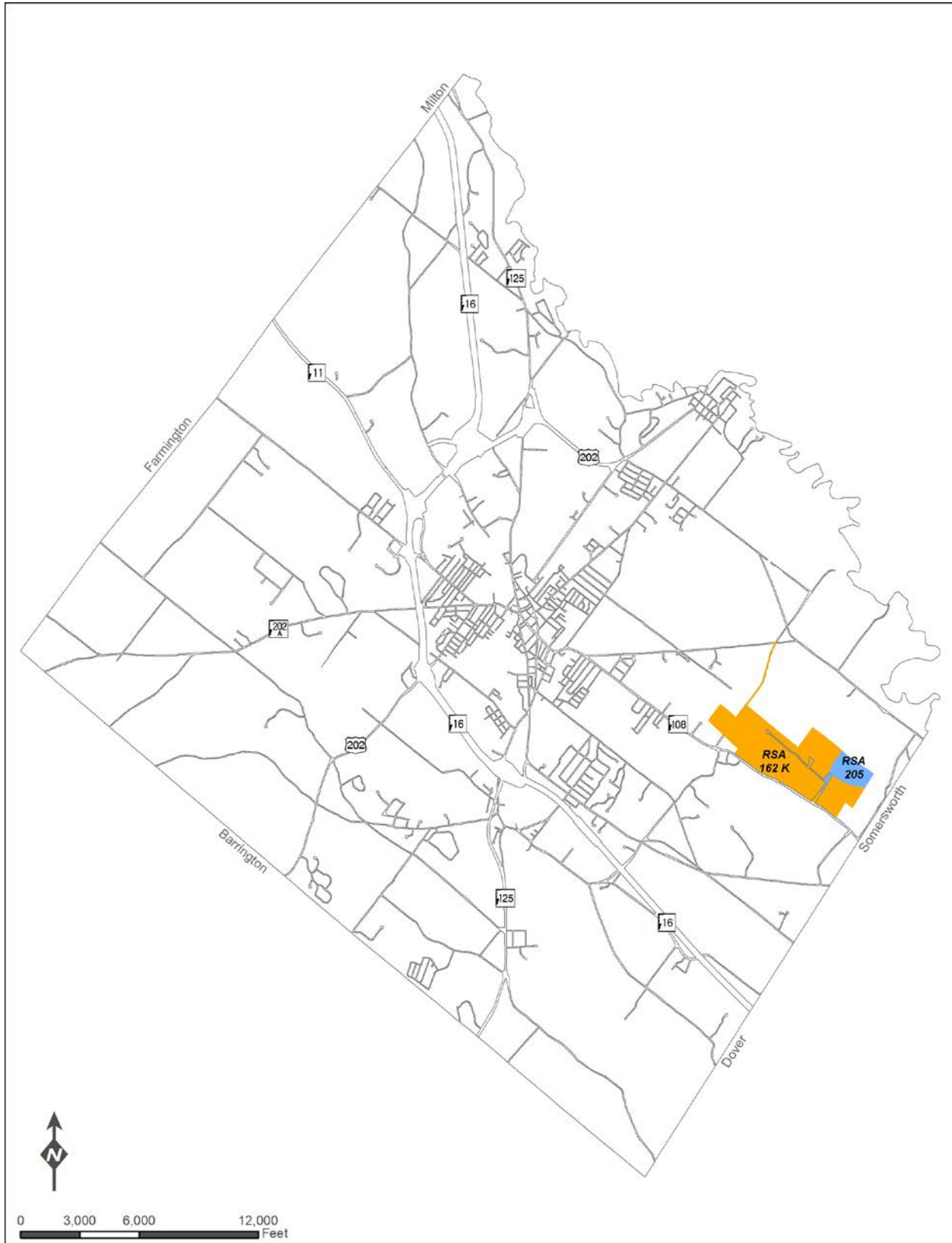
## **B. Description of the GSBP Tax Increment Financing District**

### 1. District Boundaries

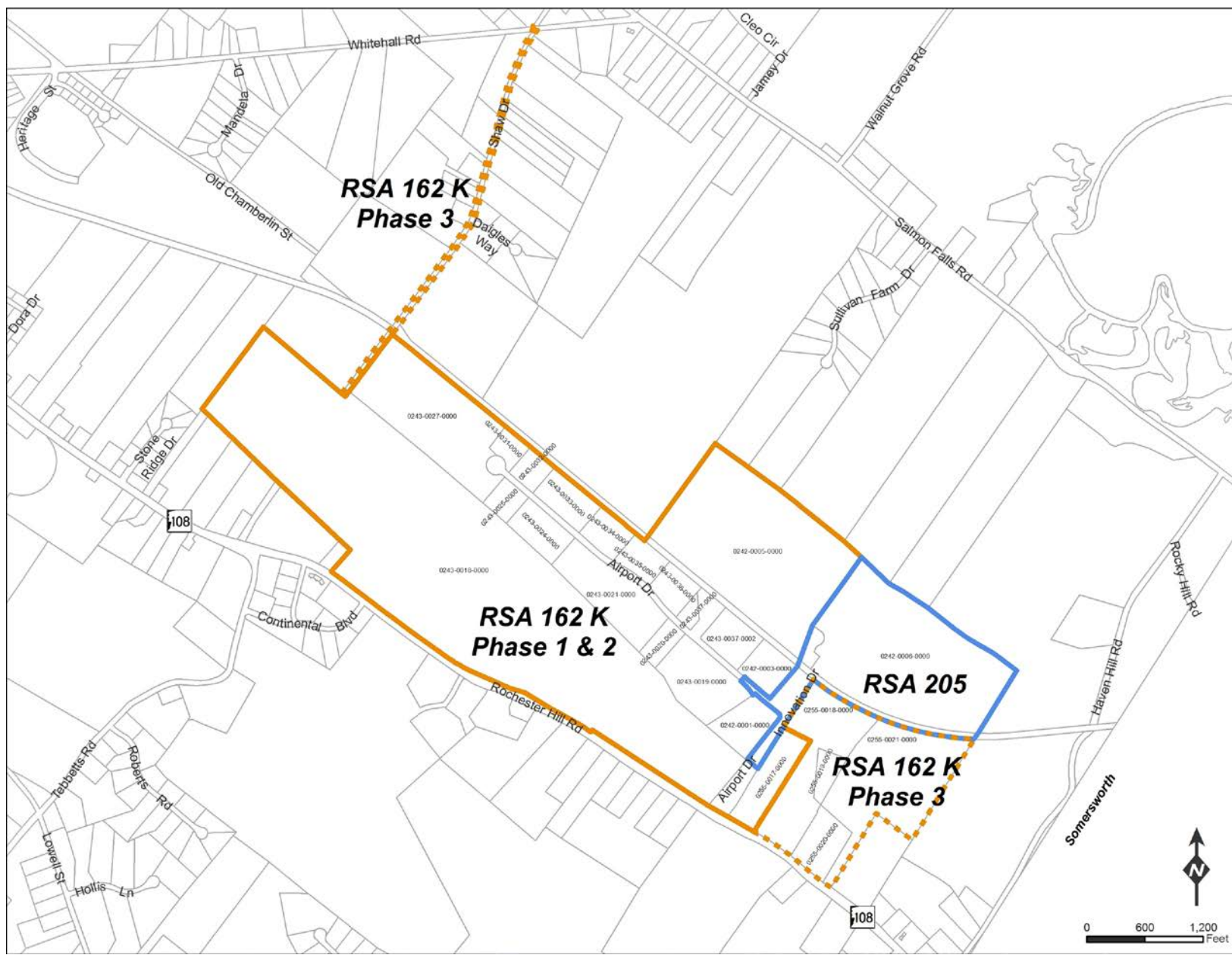
The Granite State Business Park TIF District (the District) will include the Skyhaven Airport and the existing (Phase 1) portions of the Granite State Business Park, one adjacent residential lot, and additional land located in Phase 2 of the GSBP, located easterly of the New Hampshire Northcoast Rail Line. Included as part of the 2016 Revision are the Lots in Phase 3 as well as Shaw Drive, from the Whitehall Road intersection, underneath the active rail line and along 216 Airport Drive, terminating at Skyhaven Airport.

Eliminated from the TIF District are those parcels now included in the District created by RSA 205 with the Rochester Housing Authority. The particular parcels to be included within the TIF District are listed in Table 3 and described by tax map and lot number and/or street address. The entirety of the acreage within the listed properties will be included within the TIF District.

**Location of Granite State Business Park TIF District in Rochester**



Granite State Business Park TIF District



## Granite State Business Park TIF District

**Table 3: Granite State Business Park TIF District Parcels  
Estimate of Original Assessed Valuation (Baseline) <sup>1</sup>**

Parcel ID (PID)	Property Address	Owner	LUC	Land Use Description	Type	Acres	Finished Floor Area	Year Built	Total Baseline Assessment	Other
0243-0037-0002	85 Airport Drive	Frisbie Foundation	905	Charitable	Warehouse	4.66	9,897	1999	\$ 543,900.00	Exempt
0243-0018-0000	238 Rochester Hill Rd	Pease Development Authority	901	State of NH	Airport	174.00	0	0	\$ -	Exempt
0255-0017-0000	290 Rochester Hill Rd	Pease Development Authority	901	State of NH	SF Home	7.70	2,202	1956	\$ 329,700.00	Exempt
0242-0001-0000	48 Airport Drive	GSBP % Howard Katz	440	Ind Dev Land	Land	4.81	0	0	\$ 131,200.00	
0242-0005-0000	0 Innovation Drive	GSBP % Howard Katz	440	Ind Dev Land	Land	55.61	0	0	\$ 212,200.00	
0243-0033-0000	167 Airport Drive	GSBP % Howard Katz	440	Ind Dev Land	Land	5.10	0	0	\$ 132,400.00	
0243-0034-0000	145 Airport Drive	GSBP % Howard Katz	440	Ind Dev Land	Land	3.78	0	0	\$ 127,100.00	
0243-0035-0000	127 Airport Drive	GSBP % Howard Katz	440	Ind Dev Land	Land	3.46	0	0	\$ 125,800.00	
0243-0020-0000	102 Airport Drive	Albany Engineered Composites	440	Ind Dev Land	Land	2.68	0	0	\$ 122,700.00	
0243-0024-0000	166 Airport Drive	Albany Engineered Composites	440	Ind Dev Land	Land	5.23	0	0	\$ 132,900.00	
0243-0025-0000	190 Airport Drive	216 Airport Drive LLC	440	Ind Dev Land	Land	2.68	0	0	\$ 122,700.00	
0243-0031-0000	199 Airport Drive	216 Airport Drive LLC	440	Ind Dev Land	Land	2.10	0	0	\$ 120,400.00	
0243-0032-0000	189 Airport Drive	216 Airport Drive LLC	440	Ind Dev Land	Land	2.57	0	0	\$ 122,300.00	
0243-0036-0000	109 Airport Drive	Spectex Realty LLC	440	Ind Dev Land	Land	3.53	0	0	\$ 126,100.00	
0243-0037-0000	97 Airport Drive	Spectex Realty LLC	440	Ind Dev Land	Land	1.10	0	0	\$ 60,400.00	
0242-0004-A000	0 Airport Drive	Bell Atlantic Property Tax	430	Telephone	Telephone	0.00	0	0	\$ 31,900.00	
0243-0019-0000	88 Airport Drive	88 Airport Drive LLC & Gerson	400	Manufacture	Industrial	10.84	61,025	1994	\$ 2,128,500.00	
0243-0021-0000	112 Airport Drive	Albany International	400	Manufacture	Industrial	12.88	130,672	1999, 2008	\$ 4,127,800.00	
0242-0003-0000	61 Airport Drive	Airport Drive Condo Association	345	Comm Condo	Condo	4.63	0	0	\$ -	
0242-0003-0001	61 Airport Drive	Amarosa Perkins Development	345	Comm Condo	Condo	0	2,500	2006	\$ 164,400.00	
0242-0003-0002	61 Airport Drive	Robmar Realty	345	Comm Condo	Condo	0	3,400	2006	\$ 222,400.00	
0242-0003-0003	61 Airport Drive	Robmar Realty	345	Comm Condo	Condo	0	1,600	2006	\$ 106,400.00	
0242-0003-0004	61 Airport Drive	Bolton Realty Trust LLC	345	Comm Condo	Condo	0	2,500	2006	\$ 164,400.00	
0242-0003-0005	61 Airport Drive	Amarosa Perkins Development	345	Comm Condo	Condo	0	2,500	2006	\$ 164,400.00	
0242-0003-0006	61 Airport Drive	Robinson	345	Comm Condo	Condo	0	2,500	2006	\$ 164,400.00	
0242-0003-0007	61 Airport Drive	Kizzmo Realty	345	Comm Condo	Condo	0	2,500	2006	\$ 164,400.00	
0242-0003-0008	61 Airport Drive	Airport Dr. Bus. Park %Amarosa	345	Comm Condo	Condo	0	4,865	2009	\$ 328,100.00	
0242-0003-0009	61 Airport Drive	C&D Entry Level Properties LLC	345	Comm Condo	Condo	0	5,225	2009	\$ 353,200.00	
0243-0027-0000	216 Airport Drive	216 Airport Drive LLC	46	Mix Ind/CU	Industrial	27.90	192,280	1994	\$ 4,350,069.00	
<b>Total TIF District</b>						<b>335.26</b>	<b>423,666</b>		<b>\$ 14,012,051.00</b>	

<sup>1</sup> Data in Table 3 has been certified by the City Assessor as the Assessed Valuation for Tax Purposes as of April 1, 2011 and are the designated values of the TIF District

**Table 4: Granite State Business Park TIF District Phase 3  
Parcels Estimate of Original Assessed Valuation (Baseline 2015)**

Parcel ID (PID)	Property Address	Owner	LUC	Land Use Description	Acres	Finished Floor Area	Year Built	Total Baseline Assessment
0255-0018-0000	294 Roch Hill Rd	Furina Rev Trust	101	SINGLE FAM	18	2591		\$289,300
0255-0019-0000	296 Roch Hill Rd	City of Rochester	101	SINGLE FAM	2.4	1,746	1969	\$176,900
0255-0020-0000	302 Roch Hill Rd	Presbytery of Northern New England	906	RELIGIOUS	5.88	5,616	1967	\$389,700
0255-0021-0000	0 Roch Hill Rd	City of Rochester	671	CALL	27.32	0	0	\$1,082
	Shaw Drive	City of Rochester		STREET		0	0	0
<b>Total TIF District</b>					<b>54</b>	<b>9,953</b>		<b>\$856,982.00</b>

## 2. Compliance with Statutory Limits on TIF Land Area and Valuation

Table 4 compares baseline conditions in the GSBP RSA 162-K TIF district to statutory limitations on taxable valuation and acreage allowed within the City. New Hampshire RSA 162-K:5 sets the maximum allowable base valuation of any individual TIF district, at not more than eight percent (8%) of the City's taxable value, and limits gross land area within a TIF to not more than five percent (5%) of the City's land area. Maximum base valuation for a single TIF district in Rochester is \$160.47 million (as of 2010) and maximum land area allowable in an individual district is 1,434 acres. Both the valuation and acreage of the GSBP TIF District are well within statutory limits (see Table 4).

**Table 5**

Comparison Factor for Statutory TIF Limitations RSA 162-K:5	Taxable Valuation	Land Area in Acres
City Total 2015	\$2,047,939,500	26,258.38
Maximum Allowable - Individual TIF District <i>(8% of Taxable Value; 5% of Acreage)</i>	\$163,835,160	1,312.19
Granite State Business Park TIF Phase 1 & 2 Baseline	\$13,409,069	335.26
Granite State Business Park TIF Phase 3 Baseline <i>As Percent of City Total</i>	\$856,982 .70%	53.6 1.48%



## Granite State Business Park TIF District

Maximum Cumulative TIFs Allowable <i>(16% of Taxable Value; 10% of Acreage)</i>	\$327,670,320	2,625.83
Granite State Business Park RSA 162-K:5 TIF All Phases	\$14,266,051	388.86
Granite State Business Park RSA 205 TIF	\$193,900	58.65
Granite Ridge Development District RSA 162- K:5 TIF	\$60,431,438	710.76
Total Cumulative District Values 2010 <i>As Percent of City Total</i>	\$74,891,389 3.66%	1158.27 4.41%

The statute also limits the cumulative land area and taxable valuation within all TIF districts of a municipality to 16% of assessed valuation and 10% of total land area. Rochester had no other existing RSA 162-K TIF districts when the original and first amendment was adopted. The Granite Ridge Development District was adopted as a 162-K:5 TIF District in July 2014. The combined TIF valuation and acreage of both districts is well within the statutory limits.

## C. Proposed Development Activities

The City's principal activities in developing the Granite State Business Park TIF District may include land acquisition and assembly, public infrastructure development, marketing and promotion of the District, negotiation of development agreements, and the sale or lease of property for commercial and industrial development.

### 1. Acquisition of Land, Easements and Rights of Way

The City intends to undertake land acquisition solely through a negotiation process, without the need for involuntary acquisitions. Land acquisition by the City will center on property required for installation of necessary public infrastructure and roadways, and on securing key parcels where feasible to facilitate development that is consistent with the objectives for the District.

*Phase 1 of the GSBP* contains a number of serviced but undeveloped lots that are in common ownership. Future activities may include acquisition of other undeveloped properties in Phase I of the GSBP to facilitate efficient development or to assemble sites for resale or lease to private parties.

*Phase 2 of the GSBP* comprises three large undeveloped parcels. One of these, a 50.5 acre lot (parcel 0242-0006) has been purchased by the City and included with the RSA 205 TIF District. Other acquisitions may be made in the future during the course of TIF development and buildout.

*Phase 3 of the GSBP* contains four parcels, two with single family homes, one church and one large undeveloped parcel which the City acquired in October 2016. (PID#0255-0021-0000. One single family property was acquired by the City in November 2016 (PID#0255-0019-0000) The City also includes Shaw Drive from the intersection of Whitehall Road to the east side of Skyhaven Airport. These parcels and Shaw Drive are being added to the TIF District to allow infrastructure for future industrial growth. The church is not planning any changes, should they consider future changes the City would encourage industrial development to be a consideration.

The cost of acquisition, net of sales proceeds, may be recovered through tax increments to reimburse the City for investment to secure those properties.

#### a. Relocation and Displacement

The City intends to acquire all property through negotiated purchases. It does not anticipate the need to involuntarily relocate persons, families, or businesses due to publicly financed acquisition or development activity within the Granite State Business Park TIF District. Any proposals for the involuntary displacement of persons or businesses would require an amendment to this RSA 162-K TIF Development Program.

#### b. Property Disposition & Reuse of Private Property

The City may convey all or a portion of property it acquires within the RSA 162-K TIF District to private developers under the terms of specific development agreements designed to promote the objectives of the Development Program. The terms of purchase and sale agreements or development agreements pertaining to properties transferred by the City must be approved by the City Council.

### 2. Environmental Remediation of City-Owned Sites

While there is no anticipated need for the remediation of contaminated sites to be acquired by the City within the RSA 162-K TIF District, the City of Rochester may undertake environmental cleanup, remediation or monitoring of municipally owned real estate it owns within the District. The City shall have the authority to accept grants from the federal government, State of New Hampshire, or other entities, to finance remediation activities. Should a need arise for the environmental remediation within property owned by the City in the District, the City may use tax increment revenues for that purpose.

### 3. Public Facilities to be Constructed

#### a. Initial Infrastructure Projects

The City's initial capital investment in public infrastructure within the TIF District includes the following elements, which center on improvements necessary to enable development of the Granite State Business Park:

1. Land acquisition
2. Relocating the existing Public Service of New Hampshire electric transmission line
3. Municipal street lighting on Airport Drive or Innovation Drive
4. Upgrading existing portions of Airport Drive as needed for anticipated development
5. Maintenance and administrative costs.
6. Costs not reimbursed by RSA 205 GSBP TIF District.

#### b. Other Public Costs

While the initial plan for infrastructure development centers on the above elements, additional projects to extend or improve public utilities and roadways may also be undertaken within the GSBP in the future, including but not limited to:

1. Further extension of public roadways and street lighting
2. Extension of water, sewer and underground services.
3. Sidewalks, bus shelters or other public amenities for employees and public use.
4. Intermodal transportation facilities and rail sidings.

The Development Plan does not envision the creation of public open space by the City within the GSBP TIF District. However, reservations of land for public open space or conservation may be established as conditions of Planning Board approval during the site plan approval process, and/or donated or offered by individual developments.

### 4. Private Utilities and Railroad

#### a. Gas and Electric

Natural gas service is provided to the Granite State Business Park by Unitil (formerly Northern Utilities.) Unitil has a policy of extending service lines at its own cost to provide service to new development sites.

Public Service Company of New Hampshire (PSNH) is the provider of electric service to the GSBP.

The City may enter into such contracts and agreements as are necessary to enable the installation of underground electric service within the TIF District, cable and telephone, natural gas or other common services, and to provide for appropriate easements for the installation and maintenance of these facilities.

#### b. Rail

The City has discussed with New Hampshire Northcoast Railroad the possibility of a siding for business use in the GSBP. Rail use is expected to increase as the price of fuel continues to escalate, affecting overhead, production and transportation costs for some industries.

The RSA 205 GSBP TIF Program includes the cost for the City to construct a bridge overpass of the rail line. Future infrastructure development within the GSBP TIF District may require other improvements to be negotiated with Northcoast Railroad in support of business development within the District.

## 5. Environment Controls

Private property within the District shall be developed or redeveloped in accordance with the goals, objectives, and standards set by the following City documents, as amended:

1. Rochester Master Plan and Economic Development Strategic Plan;
2. Zoning ordinance;
3. Special zoning overlay provisions centering on the Skyhaven Airport flight path and vicinity
4. Subdivision regulations;
5. Site plan review regulations;
6. Building and life safety codes;
7. All applicable state and federal laws pertaining to abatement of hazardous materials or environmental contamination.

In addition to applicable public regulations, other pertinent limits on development may be defined by the terms of development agreements between the City and individual private parties, and in specific covenants applicable within the Granite State Business Park Phase 1.

Covenants and restrictions were developed at the inception of the GSBP as part of its original Master Plan and marketing strategy. Those provisions will be reviewed regularly by the REDC/RIDA to assure continuity of high standards for park maintenance and development. The intent of the covenants is to protect the integrity, investment value, and corporate image of the properties within the GSBP.

## **D. Tax Increment Financing Plan**

### 1. Objective

The objective of the Financing Plan is to provide funds for the construction of public improvements, to offset the net public cost of land acquisition and assembly, and for organizational and administrative expenses incurred in creating and developing the GSBP RSA 162-K TIF District. The City intends to use the property tax revenue derived from captured (incremental) assessed valuation within the GSBP RSA 162-K TIF District to fund public infrastructure and to reimburse the City for other expenditures incurred in creating the District.

### 2. Land Acquisition Costs

The cost of land acquisition, less sales proceeds, will be considered an expense eligible for reimbursement from tax increment revenues, but subordinate to the use of incremental revenues to pay debt service on bonds for public infrastructure.

### 3. Sale of City-Owned Real Estate within the TIF District

As part of the Development Program, the City may convey individual properties to private entities for the purposes of development consistent with the purposes of the District. Net revenues generated from the sale of these parcels shall be used to reimburse the City's Economic Development Fund for its prior investments in land acquisition within the RSA 162-K TIF District. Acquisition costs that are not recovered from net sales proceeds may be reimbursed as an eligible expense of the RSA 162-K TIF Development Program.

#### 4. Cost of Public Improvements

The City anticipates approaching public improvements in multiple phases over the course of the development or build-out of the Granite State Business Park. There is no expectation of bonding at this time for public improvements. Improvements will be scheduled as increment becomes available.

#### 5. Revenue Potential from Captured Assessed Valuation in District

##### a. Annual TIF District Revenues

TIF revenues will be generated by property taxes levied on the captured assessed valuation within the District after the date of its creation. Long term projections of buildout of the GSBP RSA 162-K TIF District indicate the following annual tax revenue potential generated by 100% retention of captured assessed value.

<u>Year Ending:</u>	<u>Annual Tax Revenue Potential From Captured Assessed Valuation</u>	
2015	\$ 39,383 to \$ 65,638	15%-25% of Phase I
2020	\$ 185,088 to \$ 370,176	25%-50% of Phase I & II
2025	\$ 370,176 to \$ 555,263	50%-75% of Phase I & II
2030	\$ 555,263 to \$ 740,351	75%-100% of Phase I & II

The above revenue estimates rely on assumptions that include anticipated near-term development commitments, a continuation of the historic annual pace of growth in industrial floor area within Phase I of the GSBP, and development of large lots in Phase II by new industrial users in 2020, and 2027.<sup>2</sup> The portion of captured assessed valuation required to be retained for TIF expenses may change over time depending on the actual pace and character of new development within the TIF, actual valuations assigned to TIF properties, and property tax rate

##### b. Annual Allocation of Captured Value

Where annual tax increment revenues from the GSBP District, together with unexpended balances of such revenues from prior years exceed the amount necessary for annual debt service payments, the balance may be used to offset other approved costs for prior expenditures for land acquisition or TIF development costs, to fund public improvements within the District, to create reserve funds set aside for future improvements, or for the operation and maintenance of public infrastructure. The priority for use of incremental TIF revenues shall be:

1. Bonded debt service, if any;

<sup>2</sup> See long term development, estimate of captured assessed value and tax rate assumptions contained in Granite State Business Park Tax Increment Financing District - Buildout Estimate and Revenue Potential, March 18, 2011, prepared for City of Rochester by BCM Planning, LLC.

2. Repayment of past expenditures for funds drawn from the Economic Development Fund for acquisition, to the extent required to offset costs net of sales proceeds;
3. The recovery of initial costs for land capability analysis, infrastructure development cost estimates, legal and consulting fees pertinent to the creation or development of the District
4. Funding of capital reserve accounts or other improvement funds designated for upgrade or replacement of water, sewer, roads, traffic safety, or stormwater drainage facilities.
5. Approved operating costs for public infrastructure within the TIF District.

#### d. Impact of RSA 162-K TIF District on Related Taxing Jurisdictions

In accordance with RSA 162-K:10, tax revenues generated by the original assessed value (base value) of the TIF District will continue to accrue to the City's general fund, as well as to the Rochester School District, Stafford County, and the State of New Hampshire.

The captured assessed valuation that is created and retained within the District to fund RSA 162-K TIF expenses is not included as part of the taxable valuation of the City when computing property tax rates. While all or a portion of captured assessed valuation may be retained by the District to fund internal public improvement costs for a period of time, the original taxable valuation within and outside the TIF remain available to all taxing jurisdictions. Consequently the assessed valuation and revenue base available to all taxing jurisdictions is not diminished as a result of forming the District.

During the operation of the RSA 162-K TIF District, tax revenue from captured valuation that are not required to fund eligible expenses of the TIF Development Program will become available to all tax jurisdictions. Upon expiration of the RSA 162-K TIF District, all incremental valuation that has been created within the RSA 162-K TIF becomes available generated property tax revenues for the City's general fund and to all other taxing jurisdictions.

#### 6. Reimbursement of Previous City Expenditures

The City has invested in the predevelopment planning of the Granite State Business Park expansion in the form of legal and consulting costs for TIF District development, land capability analysis, environmental review of land capability, development potential, and estimates of infrastructure development costs. Prior investment by the City that is directly related to RSA 162-K TIF land acquisition and public infrastructure development, planning and development-related consulting and legal costs shall be reimbursable from TIF incremental revenues. The recovery of these past expenditures will be subordinate to the principal use of incremental revenues to fund current year debt service payments for infrastructure costs.

#### 7. Operation and Maintenance

The City will be responsible for the operation and maintenance of all public facilities, including the cost of winter and summer maintenance of roads, bridges and street lighting, and the operation and maintenance of storm drains and catch basins, public water and public sewer utilities. The cost of public water and sewer operations are offset by connection and user charges to individual properties served by these systems.

While the cost of operation and maintenance of road and drainage facilities may be charged against the incremental revenues of the RSA 162-K TIF District, these costs will initially be borne by the general fund

or by the appropriate utility fund, unless otherwise approved by the District Administrator with the recommendation of the Advisory Board.

The City may also establish capital reserve accounts for the replacement or upgrades of public infrastructure within the District using TIF incremental revenues.

## **E. District Administration**

### 1. Administrator

The administrator of the Granite State Business Park RSA 162-K TIF District shall be by the City Manager, who shall make an annual financial report to the City Council.

### 2. Advisory Board

In accordance with RSA 162-K: 14, the City Council shall pass a resolution which shall create an Advisory Board for the GSBP District. A majority of the Advisory Board shall be owners or occupants of real property within or adjacent to the District. The same resolution shall incorporate provisions of 162-K: 14 and stipulate the powers and authority of the Advisory Board. The purpose of the Advisory Board shall be to review the policies and actions of the district administrator in the planning, construction and implementation of the Development Program and the operation of the District after the program is completed.

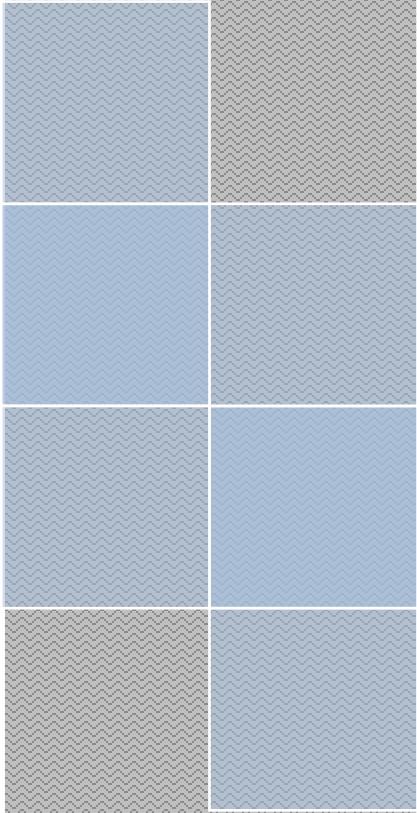
The Advisory Board shall have 30 days to appeal any decision of the district administrator to the City Council for review and appropriate action. The Advisory Board shall meet either as determined by the chair of the Board or the Mayor or the City Manager to examine operation and maintenance of the TIF District.

### 3. Amendments

Amendments to the boundaries of the TIF District, the Development Program or Financing Plan shall be undertaken in accordance with the public hearing process set forth within RSA 162-K:4, including its requirements for reasonable notification to the Rochester School District and Strafford County, in accordance with RSA 162-K:9.

### 4. Duration of Program

The Granite State Business Park Tax Increment Financing District will remain in existence until eligible public expenditures of the District have been repaid through tax increment revenues.

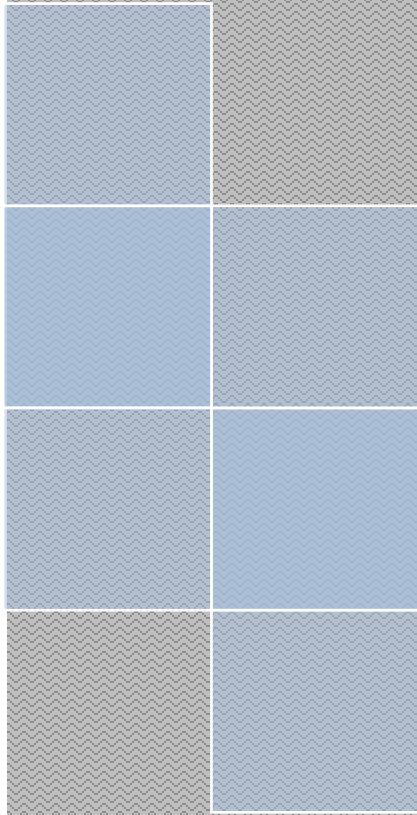


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**Amendment to Chapter 16 of the General Ordinance of the City of Rochester Regarding  
the Requirement to Connect to Public Sewers**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 16, Section 3 of the General Ordinances of the City of Rochester regarding the requirement of property owners to connect to public sewers and currently before the Rochester City Council, be amended as follows:

**16.3 Use of Public Sewers Required.**

(a) -----

(b) -----

(c) -----

(d) -----

(e) ~~Existing~~ Structures within ~~two~~ one hundred (~~100~~200) feet of the public sewer and currently served by private wastewater disposal facilities shall connect to the public sewer within ninety (90) days after an official notice to do so. The City may grant a waiver to this requirement for properties with existing adequate sewage disposal systems which can be proven by the property owner to comply with applicable state and local regulations, to have been designed by a designer licensed in New Hampshire and to have been approved for construction by the New Hampshire department of environmental services after January 1, 1985. at such time as the private wastewater system fails or the property is transferred whichever occurs first. The cost of connection to the public sewer shall be borne by the property owner with the exception of the portion of the connection crossing the public right of way which costs shall be borne by the Rochester Sewer Enterprise Fund. For the purpose of this section, ~~existing~~ structures shall mean houses, buildings, or property used for human occupancy, employment, recreation, or other purposes, ~~that are constructed as of January 1, 1999.~~

**The effective date of these amendments shall be upon passage.**

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**Rochester Government Channel Minutes  
January 9, 2017 Meeting  
City Council Conference Room, 5:30PM**

**Members Present:**

City Councilor Tom Willis, Chair  
James Graham - Resident Volunteer

**Others Present:**

Celeste Plaia, Government Channel Coordinator

**Not Present:**

Rick Healey - Resident Volunteer

**MINUTES**

**I. Call to Order**

The meeting was called to order at **5:52 PM**.

**II. Approval of minutes - July 2016 meeting**

A **MOTION** was made by Tom Willis to accept the minutes of the September 2016 meeting. The motion was seconded by James Graham. The **MOTION CARRIED** by a unanimous voice vote.

**III. Public Input**

There was no one for public input.

**IV. Metrocast Franchise Renewal**

The Government Channel Coordinator outlined the progress of the Franchise Negotiations, and summarized a few points of Metrocast's counter proposal. The Coordinator also stated she has not finished reviewing the document, and that the Franchise Committee would be meeting at the end of the month to discuss it. One of the main points discussed was the need for grant money. Councilor Willis stated that Metrocast as taken away a venue the community and city had been utilizing to create local content, and the ask for "seed money" to have equipment is justified. The Committee was in agreement. The Committee agreed to continue to ask for the option of a 3rd cable channel,

Councilor Willis also noted it is hard to tell whether the demand for Public Access is there. The Coordinator reported that she has had several parents in the community

ask about why school sports and concerts are no longer televised, and has suggested to them that the interest be made known to the school department. The Committee agreed this would be a school channel or public access function. Concerning Public Access content, Jim Graham suggested taking a look at the growth with business and housing development the city is facing and that the needs of the city will grow.

Also discussed was the need for a studio-type facility for the city itself, and whether it could be utilized to its full extent, as well as the idea of expanding city programming to include videos of community interest. Jim Graham suggested considering content carefully, and to look at other models of programming policy.

## **V. Budget Items**

The Government Channel Coordinator overviewed the Government Channel budget for FY18. Items proposed include a slight increase in the Camera Operator budget line to cover 2 to 3 more meetings to televise, and live streaming service yearly costs. Capital proposals include upfront cost of hardware and installation for a live streaming signal, as well as audio upgrades to accommodate live call-in participation. The Coordinator also noted there was still CIP funds to cover the AV upgrade in Chambers, and an earmark for upgrade to HD equipment in Chambers in the next coming fiscal years.

## **VI. Adjournment**

Jim Graham **MOVED** to **ADJOURN** the meeting at 6:40 PM. Tom Willis second the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Celeste Plaia  
Government Channel Coordinator

Public Safety Committee  
 Council Chambers  
 January 18, 2017  
 7:00 PM

**MEMBERS PRESENT**

Councilor Donald Hamann, Chair  
 Councilor Ray Barnett  
 Councilor Robert Gates  
 Councilor James Gray

**MEMBERS ABSENT**

Councilor Peter Lachapelle (excused)

**OTHERS PRESENT**

Michael Bezanson, PE, City Engineer  
 Deputy Chief Gary Boudreau  
 George & Diane Furbish, 6 Hancock Street

## Minutes

Councilor Hamann brought the meeting to order at 7:00 PM.

1. Approve Minutes from November 16, 2016

The first order of business was to approve the November 16, 2016 minutes.

***Councilor Gates made a motion to approve the November 16, 2016 minutes. The motion was seconded by Councilor Gray. Unanimous voice vote carried the motion.***

2. Public Input

George and Diane Furbish were present to discuss their concerns with the new sign that the owner of Arthur's Market is installing. Mr. Furbish stated that they have lived at 6 Hancock Street for 35 years and that it is a busier area than most people realize. They have been rear ended in this area in the past. The new sign that is being installed will be another distraction for drivers travelling through this area. Councilor Gates suggested that they check with Building, Zoning, & Licensing Services (BZLS) as to whether a permit has been issued for the sign. Mr. Furbish stated that they did go to that department, and that a permit has been issued. The owner of Arthur's Market was required to move the location of the sign out of the City's right-of-way. Councilor Gates said that if a permit is in place then it must meet the requirements of the City, and does not think that the Public Safety Committee can do anything if it meets the requirements. Councilor Hamann said he would follow up with Jim Grant of BZLS to see if anything could be done. Councilor Gates suggested talking to the City Attorney, Terence

O'Rourke, as well. Councilor Gates also suggested that Mr. and Mrs. Furbish contact the owner of Arthur's Market and request a meeting so that they could discuss their concerns with him. Mr. Furbish stated that when the store is closed often the "Open" sign is left illuminated, so he doubts that they will be diligent about turning off the new sign. Councilor Hamann will look into this and get back to Mr. and Mrs. Furbish.

3. Street Light Request for Intersection of 202/Estes Road

Councilor Hamann summarized the issue. Mr. Bezanson said that this request came into him so he reached out to NH DOT because it is a state maintained road. In their response they outlined the State's criteria: lighting has been used when nighttime accident history is 3 times that of the daytime accident history at an intersection. NHDOT also stated in their response that if the City does desire to have a street light installed at this intersection that it would be the City of Rochester's responsibility to cover the costs associated with the light. Deputy Chief Gary Boudreau said that he checked on the accidents in the area for the last 2 years and in 2015 there was one accident and in 2016 there were two accidents in the area. Councilor Gates said he drives through this area multiple times a day and never felt a street-light was needed in this area. ***Councilor Gray made a motion to deny the street-light request at the Intersection of 202/Estes Road due to the presence of a flashing light and lack of accidents in the area. Councilor Gates seconded the motion. Unanimous voice vote carried the motion.***

4. Other

Heritage/Lupine Lane

Councilor Hamann asked Deputy Chief Boudreau if directed patrols could be done in the Heritage St./Lupine Ln. area during the school bus pick-up and drop-off times. The presence of snow banks means standing vehicles are blocking more of the roadway. Deputy Chief Boudreau said he will have directed patrols done in the area. Councilor Hamann will get back to the resident after the next meeting when the data is reported back to the committee.

Portland Street-Speeding

Councilor Barnett said a request came in to have directed patrols done on Portland Street; vehicles are going 40 plus mph during school time.



#### Portland Street-Vehicles Stacking up on Portland Street

Councilor Barnett said there have been vehicles stacking up on Portland Street near the Elementary School during morning drop off and afternoon pick-up. If you're going down the hill you don't immediately see the vehicles. If there were slippery conditions, a vehicle could slide right into another one. Councilor Gray said if you don't want cars parked on Portland Street a letter would have to be sent to the School Board.

#### Morrill Court-Update

Mr. Bezanson gave an update on Morrill Court. He said that a "no outlet" sign is temporarily installed on a utility pole until a pole can be placed in the ground with the proper sign.

#### Blackwater Road/Tebbetts Road-Update

Mr. Bezanson said that the brush and trees have been cleared.

#### 71 Stillwater Circle

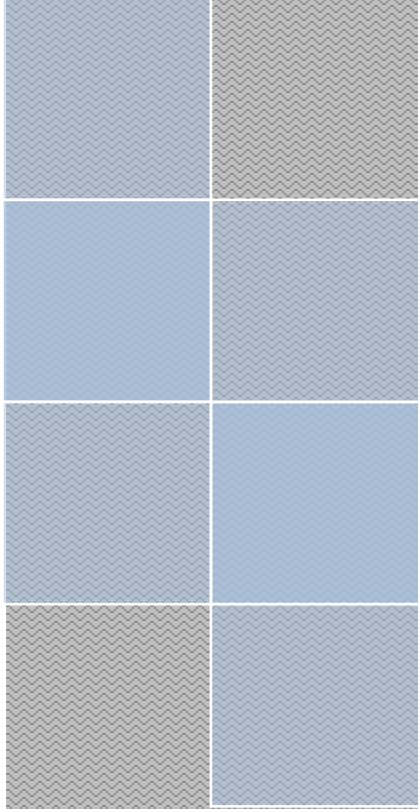
Mr. Bezanson stated that the tree at 71 Stillwater Circle was reportedly removed earlier today.

***Councilor Gates made the motion to adjourn the meeting at 7:33 PM. Councilor Gray seconded the motion. The motion passed unanimously.***

Minutes respectfully submitted by Laura Miller, Secretary II.



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**Public Works and Buildings Committee****January 19, 2017 7PM****Council Chambers****MEMBERS PRESENT**

Councilor Ralph Torr – Chairman  
 Councilor Ray Varney- Vice Chairman  
 Councilor Sandy Keans  
 Councilor Donald Hamann  
 Councilor Thomas Willis

**OTHERS PRESENT**

Councilor James Gray  
 Dan Fitzpatrick, City Manager  
 John B. Storer, Director of City Services

**MINUTES**

Chairman Torr called the Public Works and Buildings Committee to order at 7:00 PM.

**1. Approve minutes from the Wallace Street Public Hearing and the Public Works Committee Meeting held on December 15, 2016 at 7:00 & 7:05 PM.**

Chairman Torr requested comments or a recommendation on last month's public hearing and meeting minutes.

*Councilor Hamann made a motion to accept minutes as presented for the December 15, 2016 Wallace Street Public Hearing and the December 15, 2016 Public Works Committee meeting. The motion was seconded by Councilor Willis. The Motion passed unanimously.*

**2. Public Input – None**

- 3. Wakefield Street Reconstruction Project** - Mr. Storer stated that design for this project is proceeding as planned. He stated that as recommended by this Committee he has given Eversource the authorization to complete the preliminary design work in order to get an accurate estimate for the costs to put the overhead utilities underground. He stated that the water and sewer budgets will likely be sufficient but there will be a necessary supplemental for the general fund budget if the decision is to put the aerial utilities underground. Mr. Storer stated that if Eversource completes the study in time he will have this information for the Committee next month. Councilor Varney stated that he had looked at the plan and notice the fence along the athletic fields was going to be replaced. He wanted to make the design team aware of the softball field and the Harold Hanson Gate. He stated that the fence height should be considered and he stated that Mr. Hanson was a long time Assistant Principal at the school and prior to moving that gate they should have a plan on where to put it. Mr. Storer stated that he had met with the school department and they are adjusting the height of the fence for the softball field and

he stated that he would make sure the school department has a plan for the historic gate. Councilor Varney asked if due to the underground utilities this project would span two construction seasons. Mr. Storer confirmed that this was probably the case.

4. **Colonial Pines** – Mr. Storer stated that as reported last month the Spaulding Turnpike Crossing part of this project had gone out to bid with SUR Construction being the lowest bidder. He stated that SUR is ready to proceed but they are awaiting the NHDOT permit. Mr. Storer stated that he had the opportunity to speak with the Director and the Assistant Director of NHDOT after an Economic Development sponsored meeting. He said he was able to discuss the possibility of assisting us to expedite the permit. Councilor Willis asked if Mr. Storer thought there would be action soon. Mr. Storer stated that he had conveyed to the NHDOT Commissioner that the permit application had been submitted in July of 2016 and that due to some staff turnover at DOT there have been some delays in getting it through the process. Mr. Storer stated that the staff person working on it currently is aware of City's time crunch. He explained that SUR would like to do the work in March and if the permit was not issued soon, the work would have to be put off until late fall when the soil conditions would be dry again. Councilor Willis asked if Mr. Storer thought that the conversation had gone favorably. Mr. Storer stated that he thought the Commissioner was going to look into it and he was hopeful that the conversation might have helped to expedite the permit.
5. **City Hall Annex** – Mr. Storer stated that the project is on schedule and within budget. He stated that the expected completion date is in May and the staff move in will happen in early June. Mr. Storer also stated that they are holding off until favorable weather conditions in the spring for the exterior masonry. He stated that they had been able to do the areas around the windows in order to get the windows installed but that the exterior would wait. Mr. Fitzpatrick stated that Celeste Plaia has been shooting video along the way and Mr. Storer stated that he has been getting daily photos as well to add to the Celeste's video presentation.
6. **DPW Facility** – Mr. Storer stated that he had met with the consultant on the project this week and that he has some concerns for the budget as he had proposed in the FY18 CIP. He stated that he plans to update the total budget from 15 million to 18 million. He stated the consultants had recommended a 22 million dollar budget but he believes they are being very cautious and budgeting on the high side of all items. Mr. Storer stated that he intends to work on narrowing down all of the necessary detail in order to lower the cost as he understands the impacts of such a large project. Mr. Storer stated that he is leaning toward building on the existing site. Councilor Varney stated he would like to know specifics items like the number of bays and lifts, will there be a wash bay, a paint bay and will there be room for expansion? Councilor Varney also asked if it is a one or two story building. Mr. Storer stated that it will be a one story building, we will keep the current salt shed, but we will not be able to use the existing fuel storage and dispensing system. There was discussion about the age of the current fuel tanks. Councilor Willis stated that

the tanks go back to the early 1990's and the fuel pumps were moved and upgraded in 2004. Mr. Storer stated that he had some research to do and that he was going to work closely with the consultants to reduce the cost as much possible. Chairman Torr asked Mr. Storer about the high cost estimate for the engineers. Mr. Storer stated they are just using percentages right now for that estimate and he too thought that the estimate was high. He stated that he will be working on pinning down that cost as well. Mr. Storer asked about the allocation of the funds. He stated that he previously budgeted the 15 million with 10 million from the general fund and 2.5 each from water and sewer. He asked if the Committee had any comments or if that needed to be changed. There were no objections or comments. Councilor Varney suggested a tour be set up for the City Councilors to see the Dover site. Councilor Willis noted that that building might be 10-15 years old now. After discussion the Committee agreed that a Saturday tour would be advisable as many of the Councilors work during the week.

7. **LED Street Light Project** – Mr. Storer stated that there have been many complaints about street lights being out in all areas of town. He stated that he has been gathering information on the LED light change out and that the LED lights do have a longer life expectancy. He stated that the company literature says 20 years. Mr. Storer stated using the bid numbers that Portsmouth and Dover have he expects that the swap out of all street lights to LED will cost approximately \$350,000. He stated that Dover had used Portsmouth's bid to contract with the same vendor and that he had concerns about that vendor being able to complete all 3 contracts in a timely manner if we were to also ask them to extend that bid with pricing to us. He stated we may decide to complete our own bid package. There was some discussion about the downtown lamp posts and lights. Mr. Storer explained that those were a completely separate system that is maintained internally by City Staff and invoice based on usage. He stated that there is a separate CIP project for the upgrading of the LED equipment and globes associate with those light posts. Councilor Willis asked if Mr. Storer had documentation on the life expectancy of the LED for the street lights. Councilor Willis stated that the LED's for home use say they will last 5 or more years and that has not been his experience with them. Mr. Storer stated that this project is in the FY18 CIP Budget for discussion with other budget items. He stated that currently Eversource is offering rebates of up to \$100,000 that this project would qualify for. He also stated that with current information he expected a 2.5 year payback period for the remaining costs. Councilor Varney suggested a supplemental appropriation would be appropriate in order to move the project forward in order to realize the costs saving sooner. He asked Mr. Storer if it would be possible to bring all information to next month's meeting in order to make that decision. Mr. Storer stated that he would be able to do that.
8. **Rt125 Pedestrian Bridge Sidewalk & Guardrail approaches** – Mr. Storer stated that when the bridge was designed and completed with an emergency supplemental the sidewalk and guardrail approaches were not considered. He states that the current wood

rails are not visually attractive and they are a safety concern. He stated that that due to the traffic and the existing embankment the area does need an engineered guardrail system and new sidewalks. Councilor Varney stated that he believed a supplemental appropriation for this specific area would be appropriate instead of using up the sidewalk repair / replacement funding. The committee discussed the hazard level and funding. *Councilor Varney made a motion to recommend that the full council authorize a supplemental appropriation of \$50,000 for the guardrail and sidewalk project at the Rt125 Pedestrian Bridge location. The motion was seconded by Councilor Hamann. The motion passed unanimously.*

9. **Huckins Lane – Street Acceptance** – Mr. Storer stated that he had looked up this previously discussed road. He stated that he found minutes from the January 2008 City Council meeting that stated with a 9 to 2 vote the City Council had accepted this road as a City Street. He stated that for some reason the acceptance was put on hold and the deeds had not been filed. Mr. Storer further stated the Assistant City Engineer has the deeds nearly ready to be filed and that the City Attorney recommends that the City Council vote again to accept the street. Councilor Varney stated that it seemed to be an unnecessary vote, but he wasn't opposed to voting again if necessary. Mr. Fitzpatrick stated that the City Council could vote to accept it again or not, but if they do not want to accept the street they need to rescind the previous vote. Councilor Keans stated that they often accept streets prior to the deeds being in place and asked if that was all that was pending. Mr. Storer stated that we would be able to record the deeds soon and then have the City Council vote on the acceptance at the next regular meeting. Councilor Varney requested to have the City Attorney look at it again and if necessary do an agenda bill if he thought another vote was necessary. Councilor Varney suggested just filing the deeds should be sufficient. Councilor Willis stated that he would like to discuss unaccepted City Streets. He stated for a variety of reasons there are several developed streets that have yet to be accepted by the City as City Streets. He stated that the residents living on these streets bought their homes knowing that at some time they would become City Streets with City services, such as plowing and trash removal. Councilor Varney stated that this is not a new problem; there have been several streets that the City had to pull surety on and complete because of developers that were not completing or not completing properly. Channing Lane, Anderson Lane and Trinity Circle were named as examples. Councilor Varney also stated that when these issues first came up, all developments were required to put up signs that basically stated that the streets were not accepted and were not maintained by the City. Councilor Willis agreed, that is the procedure and stated that he himself lives on an unaccepted City street. He stated the concern is not just for residents that pay taxes but do not get City services; he stated that there is also concern with infrastructure that is not being maintained. He stated that the water system, sewer systems, drainage and roadside maintenance is not being performed. Mr. Storer stated that the Assistant City Engineer is working with the Planning Department to put a list

together for discussion that will have all of the unaccepted roads. The list will show the roadway status, and the surety amounts held and the surety estimates to complete the roadways. Councilor Varney asked if the list would be ready for next month's PWC meeting. Mr. Fitzpatrick stated that Michelle Mears and Owen Friend-Gray are working together to compile the list and it will be ready for next month.

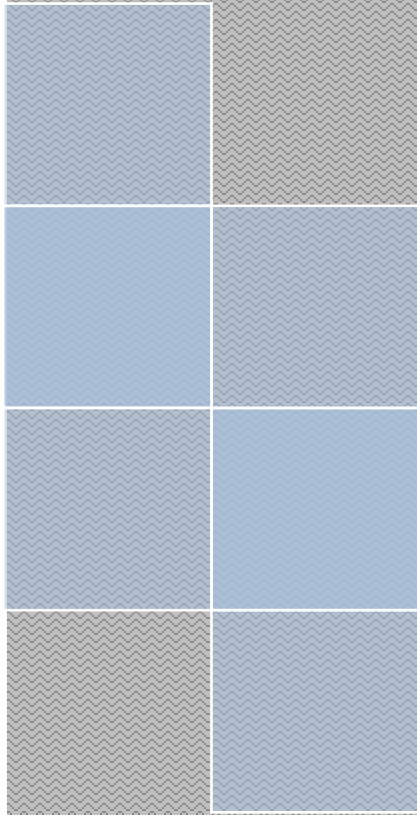
- 10. FY18 Budget** – Mr. Storer stated that the City Manager requested no more than a 1% increase for O&M. He stated there were some increases in all budgets due to increased property, vehicle and liability insurance. He also noted lab testing services increased in the water budget. Mr. Storer stated that for vehicles he is recommending the purchase of another plow truck instead of the grader. He stated that they will keep the grader as long as they can but there are very few dirt roads in the City and a truck would replace it for plowing, sanding and salting. He stated that he will be looking into a solar array for maybe the Wastewater Plant. Councilor Varney stated to watch for the rate charges due to demand capacity. Mr. Storer stated that he would keep it all in mind while looking into it.
- 11. MS& NPDES Permit Status** – Mr. Storer stated that the MS4 permit was issued today. He stated that they will be reviewing it and he will keep the Committee updated if there are any significant cost implications. Mr. Storer stated that the NPDES Wastewater permit has not been issued, but he is checking everyday as it is expected.
- 12. Water Quality – Disinfection Byproducts** – Mr. Storer stated that the City Attorney had filed an appeal on the disputed disinfection byproducts violation. He stated that the matter has not been settled with NH DES yet and there is discussion that the appeals board might not be the correct place for the appeal to be heard.
- 13. Other**
- Transmission Line** – Mr. Storer stated that the Ted Berry Company will begin work on pipe bursting the transmission line and that there may be noticeable activity in the reservoir area near 202A.
- Zeolite** – Mr. Storer stated that the pilot study at the Wastewater Plant has begun. He stated that the City is working with a company that has this Zeolite aggregate material that may absorb the nitrogen. Councilor Keans asked if that would have some sort of byproduct that could cause other issues. Mr. Storer stated that the byproduct or used aggregate would be used to make compost and if the sale pitch is correct, there will be no ill effects of that.
- Chairman Torr asked for any other topics to be discussed. Seeing none:

*Councilor Varney made a motion for adjournment at 8:21 pm. The motion was seconded by Councilor Hamann. The motion passed unanimously.*

Minutes respectfully submitted by Lisa J. Clark, City of Rochester Administration and Utility Billing Supervisor.



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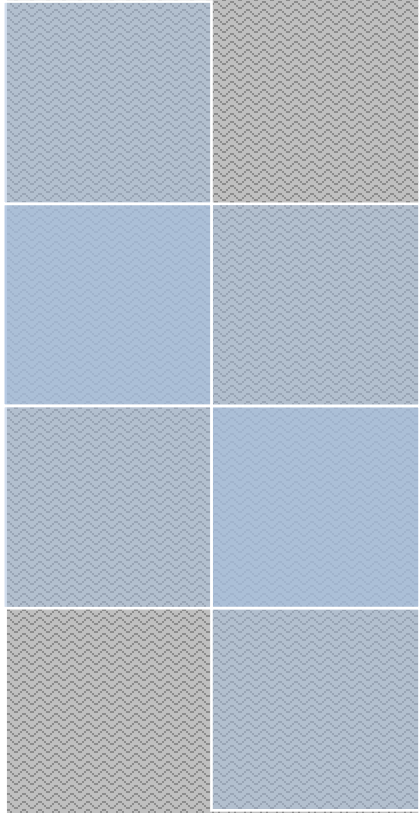
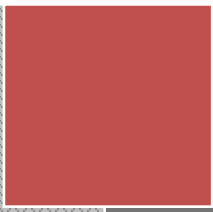
**Resolution Authorizing Supplemental Appropriation to the Department of Public Works  
(DPW) Capital Improvement Plan (CIP) Project Fund for the Route 125 Pedestrian Bridge  
Project in the Amount of \$50,000.00**

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

That the sum of Fifty Thousand Dollars (\$50,000.00) be, and hereby is, appropriated as a supplemental appropriation to the DPW CIP for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the Route 125 Pedestrian Bridge Project. The entire amount of the supplemental appropriation shall be derived from the General Fund unassigned fund balance.

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.

**CC FY17 02-07 AB 107**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 107 RT125 Pedestrian Bridge Guardrail & Sidewalk Supplemental
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B.Storer, PE Orig.w/signature on file with City Clerk	
DATE SUBMITTED	1/30/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	<b>1</b>

**COMMITTEE SIGN-OFF**

COMMITTEE	Public Works & Buildings Committee
CHAIR PERSON	Councilor Ralph Torr

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund -Cash / unassigned fund balance
ACCOUNT NUMBER	15013010-771000-17XXX
AMOUNT	\$50,000
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

When the Rt 125 Pedestrian Bridge was replaced on an emergency basis in January 2016, we intended to replace the wooden handrails that were located on the approaches to the bridge. The intent was to re-build to match the existing configuration. As the project got underway, we learned that NH DOT would require a significantly upgraded guardrail system that was designed to restrain a vehicle from tumbling into the Cocheco River. The guardrail system had to withstand a vehicle impact and also be tall enough to serve as a handrail for people approaching the pedestrian bridge. Additionally, a section of the guardrail would have to be affixed to the bridge abutments.

There was insufficient funding left in the emergency appropriation to replace the bridge to properly replace the guardrails. We had planned on utilizing Sidewalk Rehabilitation funds in the CIP, as we would have incorporated the new guardrail system with replacement of the sidewalks on both sides of the bridge. At the City Council Meeting of January 3, a concern was expressed to not use sidewalk CIP money. The recommended alternative was to seek a supplementary appropriation to complete design and installation of the required guardrail system.

An estimate for the required guardrail system is about \$40,000, depending on how it gets secured at the bridge abutments. We request a supplemental cash appropriation of \$50,000 to ensure adequate funds are available to complete replacement.

**RECOMMENDED ACTION**

1.) City Council Resolution for a supplemental appropriation of \$50,000 for the Rt125 Pedestrian Bridge Guardrail and sidewalk project. The funding will be cash from the General fund unassigned fund balance account.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:              Lapsing               Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	17XXX	-	-	\$50,000
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned

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**Resolution Deauthorizing City of Rochester Public Works Department Capital Improvement Plan Project Funding for the Storm Related Road and Bridge Repair Project in the amount of \$19,164.33**

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

That Nineteen Thousand One Hundred Sixty Four and 33/100 Dollars (\$19,164.33) of previously appropriated funds is deauthorized from the Department of Public Works Capital Improvement Plan Project Fund for the costs associated with the Storm Related Road and Bridge Repair Project.

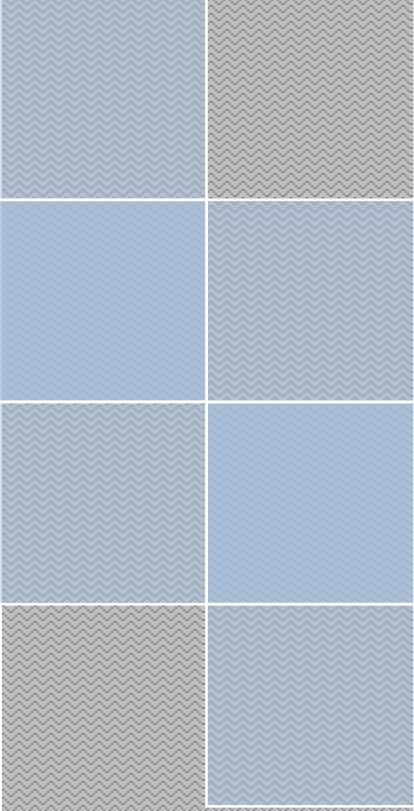
Further, the amount of Four Thousand Two Hundred Sixty and 80/100 Dollars (\$4,260.80) shall be returned to the General Fund unassigned fund balance and the amount of Fourteen Thousand Nine Hundred Three and 53/100 Dollars (\$14,903.53) shall not be sought as a reimbursement from the Federal Emergency Management Agency (FEMA) from a grant related to the Project.

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.

**CC FY17 02-07 AB 110**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 110 Storm Related Road & Bridge Repair- De-Auth Project 07518
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Orig. w/signature on file at City Clerks	
DATE SUBMITTED	01/25/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/> FUNDING RESOLUTION FORM	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund/Grant funds
ACCOUNT NUMBER	
AMOUNT	15013010-771000-07518
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

As part of the FY2007 CIP Budget this account (15013010-771000-07518) was set up for Storm Related Road & Bridge Repairs. The funding was cash and grant. The project to rebuild the bridge on Chesley Hill Road and the applicable FEMA reimbursements were received. This request is to de-authorize the remaining funds in the project account. The total remaining is \$19,164.33. Of those fund \$4,260.80 will be returned to the the General fund retained earnings / cash account and \$14,903.53 in grant authority will be discontinued.

**RECOMMENDED ACTION**

1. City Council Resolution to de-authorize the \$19,164.33 of grant and cash funding in the general fund account 15013010-771000-07518. Cash funds of \$4,260.80 to be returned to the general fund retained earnings cash account.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	07518	\$14,903.53	-	\$4,260.80
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

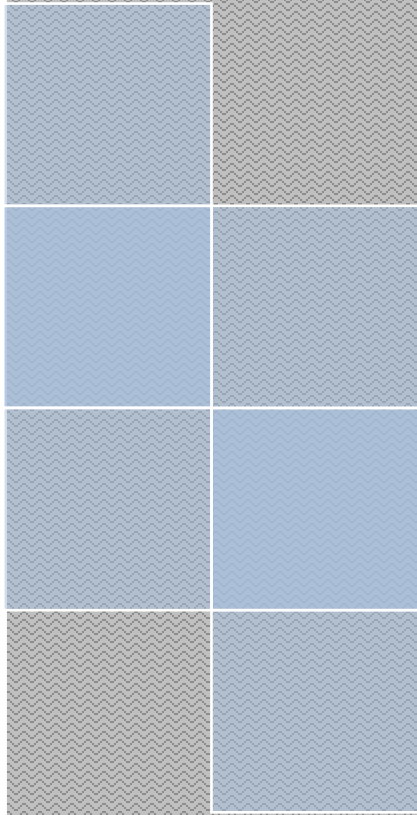
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing Bond Authority from the Department of Public Works Capital Improvement Plan Project Funding for the Chesley Hill Road Project in the amount of \$3,828.70**

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

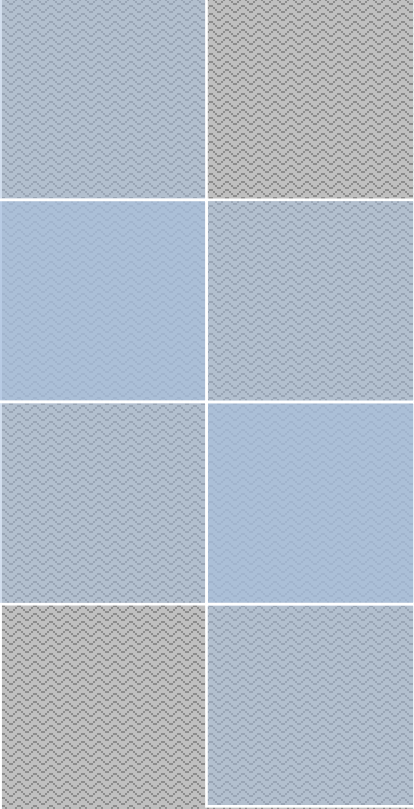
In accordance with the provisions of RSA 33:9, Three Thousand Eight Hundred Twenty Eight and 70/100 Dollars (\$3,828.70) of previously approved bonding authority is deauthorized from the Department of Public Works Capital Improvement Plan Project Fund for the costs associated with the Chesley Hill Road Project.

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.

**CC FY17 02-07 AB 111**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 111 Chesley Hill Road - De-auth Project 15520
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B.Storer, PE Orig.w/signature on file with City Clerk	
DATE SUBMITTED	1/25/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Bonding
ACCOUNT NUMBER	15013010-771000-15520
AMOUNT	\$3,828.70
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

As part of the FY15 General Fund CIP budget the City Council Funded a total of \$900,000 for the reconstruction of the south side of Chesley Hill Road. The funds were as follows: General Fund \$600K, Water \$250K and Sewer \$250K. The project is now completed. This request is to de-authorize the remaining balance in the bond funded general fund account. All water and sewer funds were expended.

**RECOMMENDED ACTION**

1.) City Council Resolution to de-authorize the remaining bond authorization of \$3,828.70 in the Chesley Hill Road Reconstruction general fund project account  
#15011090-773150-16513



**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:              Lapsing               Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	15520	-	-	\$3,828.70
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

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Grant #

Grant Period: From   
To

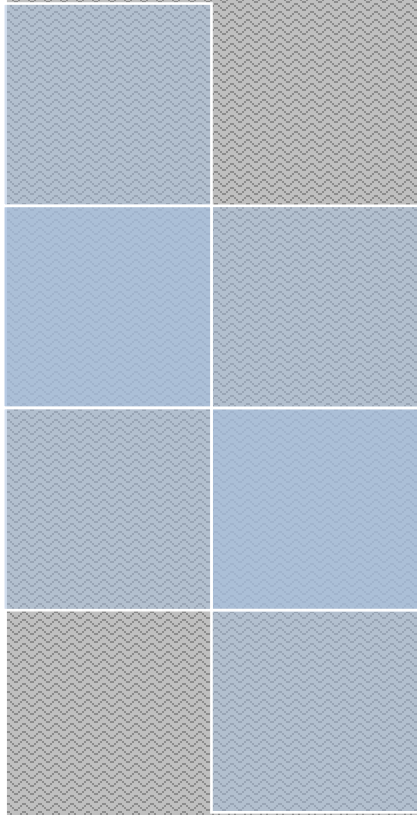
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing City of Rochester Department of Public Works Capital  
Improvement Plan Project Funding for the Columbus Avenue Parking Lot Extension  
Project in the amount of \$12,776.98**

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

That Twelve Thousand Seven Hundred Seventy Six and 98/100 Dollars (\$12,776.98) of previously appropriated funds is deauthorized from the Department of Public Works Capital Improvement Plan Project Fund for the costs associated with the Columbus Avenue Parking Lot Extension Project .

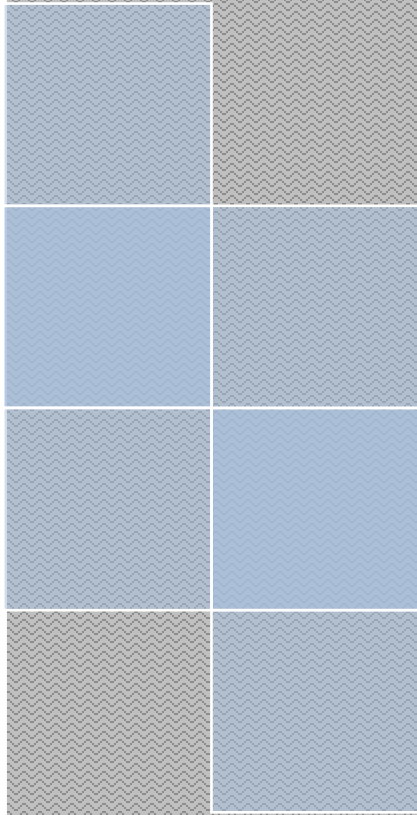
Further, the amount of Six Thousand Three Hundred Eighty Eight and 49/100 Dollars (\$6,388.49) shall be returned to the General Fund unassigned fund balance and the amount of Six Thousand Three Hundred Eighty Eight and 49/100 Dollars (\$6,388.49) shall be returned to Stella Goon, a private donor to the Project.

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.

**CC FY17 02-07 AB 112**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 112 Columbus Ave Parking Lot - De-Auth Projects 15570 & 16582
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	FEBRUARY 7, 2017	
DEPT. HEAD SIGNATURE	John B.Storer, PE Orig w/signature on file w/City Clerk	
DATE SUBMITTED	01/25/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	GEN FUND / PRIVATE CONTRIBUTION
ACCOUNT NUMBER	15013010-771000-15570 & 16582
AMOUNT	15570 = \$58.12 16582 = \$12,718.86
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

CITY COUNCIL RESOLUTION
-------------------------

**SUMMARY STATEMENT**

The Columbus Avenue Parking Lot extension project was joint funded by the City of Rochester and the owner of the China Palace Restaurant, Stella Goon. The project is completed. This request is for City Council action to de-authorize the remaining balance in the project accounts. The total balance is \$12,776.98. Half will be returned to Mrs. Goon and half to the City of Rochester general fund retained earnings / cash account.

**RECOMMENDED ACTION**

- 1.) Resolution to de-authorize the Columbus Ave Parking Lot Extension project accounts, \$58.12 in the General fund account 15013010-771000-15570 and \$12,718.76 from 15013010-771000-16582, for a total de-authorization of \$12,776.98.
- 2.) Resolution for the Finance department to take action to to return \$6,388.49 of the de-authorized funds to the City of Rochester general fund retained earnings / cash account and \$6,388.49 to Mrs. Goon.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	15570	-	-	\$58.12
2	15013010	771000	16582	-	-	\$12,718.86
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

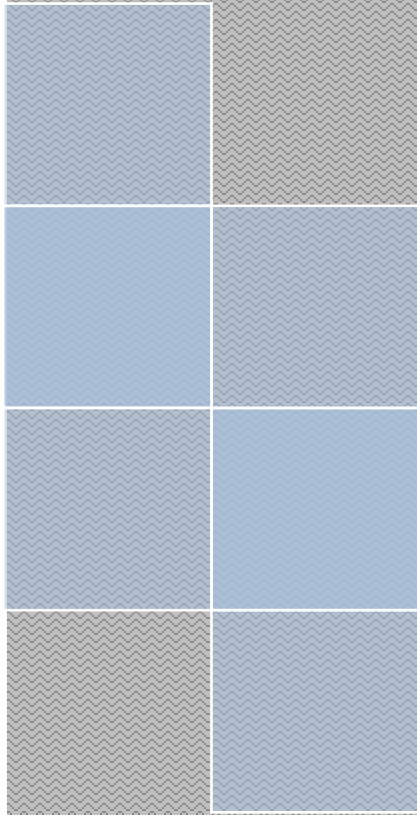
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing Bond Authority from the Department of Public Buildings  
Capital Improvement Plan Project Funding for the Electronic Information Board Project  
in the amount of \$1,979.21**

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

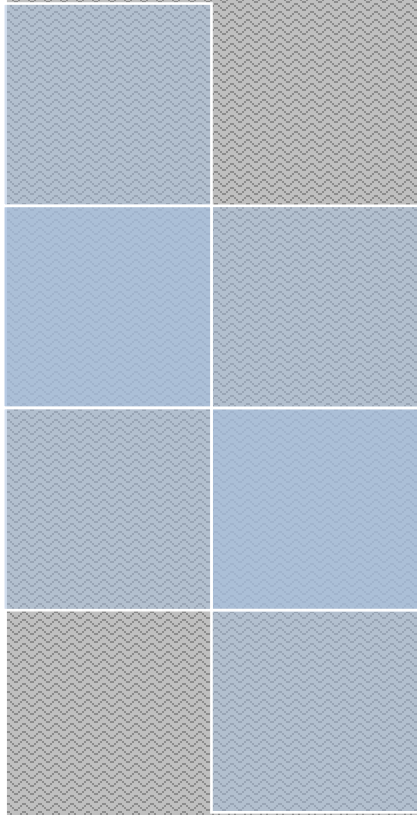
In accordance with the provisions of RSA 33:9, One Thousand Nine Hundred Seventy Nine and 21/100 Dollars (\$1,979.21) of previously approved bonding authority is deauthorized from the Department of Public Buildings Capital Improvement Project Fund for the costs associated with the Electronic Information Board Project.

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.

**CC FY17 02-07 AB 113**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB113 Electronic Information Board - De-auth Project 16513
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Orig w/signature on file w/ City Clerk	
DATE SUBMITTED	1/25/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Bonding
ACCOUNT NUMBER	15011090-773150-16513
AMOUNT	\$1,979.21
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

As part of he FY16 General Fund CIP budget the City Council Funded \$60,000 for the construction of an electronic information board. The project is now completed. This request is to de-authorize the remaining balance in this bond funded account.

**RECOMMENDED ACTION**

- 1.) City Council Resolution to de-authorize the remaining bond authorization of \$1,979.21 in the Electronic Information Board general fund project account #15011090-773150-16513

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:              Lapsing               Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011090	773150	16513	-	-	\$1,979.21
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

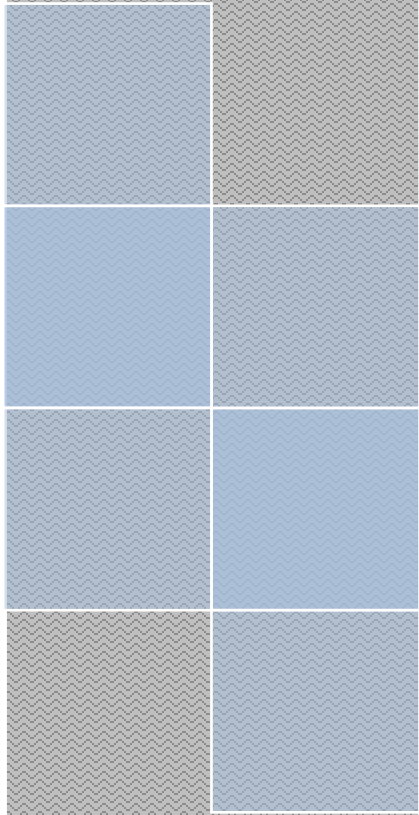
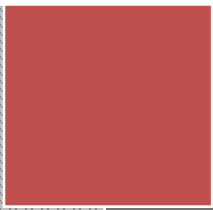
Grant #

Grant Period: From   
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing Bond Authority from the Department of Public Buildings  
Capital Improvement Plan Project Funding for the Police Department Server Room Fire  
Suppression Project in the amount of \$75,160.00**

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

In accordance with the provisions of RSA 33:9, Seventy Five Thousand One Hundred Sixty Dollars (\$75,160.00) of previously approved bonding authority is deauthorized from the Department of Public Buildings Capital Improvement Plan Project Fund for the costs associated with the Police Department Server Room Fire Suppression Project.

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.

**CC FY17 02-07 AB 114**

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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB114 PD Server Room Suppress - De-auth Project 16517
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Org w/signature on file w/City Clerk	
DATE SUBMITTED	1/25/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Bonding
ACCOUNT NUMBER	15011090-772000-16517
AMOUNT	\$75,160.00
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

As part of the FY16 General Fund CIP budget the City Council Funded \$100,000 for Fire Suppression System at the Police Station Server Room. The project is now completed. This request is to de-authorize the remaining balance in the bond funded account.

**RECOMMENDED ACTION**

1.) City Council Resolution to de-authorize the remaining bond authorization of \$75,160.00 in the PD Server Room Fire Suppression general fund project account #15011090-772000-16517.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011090	772000	16517	-	-	\$75,160.00
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

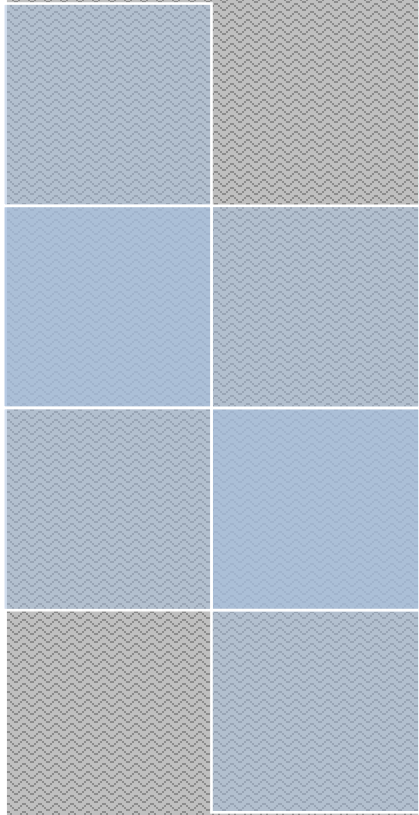
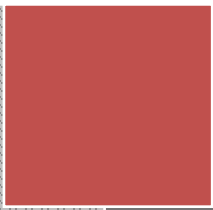
Grant #

Grant Period: From   
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing Bond Authority from the Department of Public Works Capital Improvement Plan Project Funding for the Milton Road Flat Rock Bridge Road Project in the amount of \$1,466.13**

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

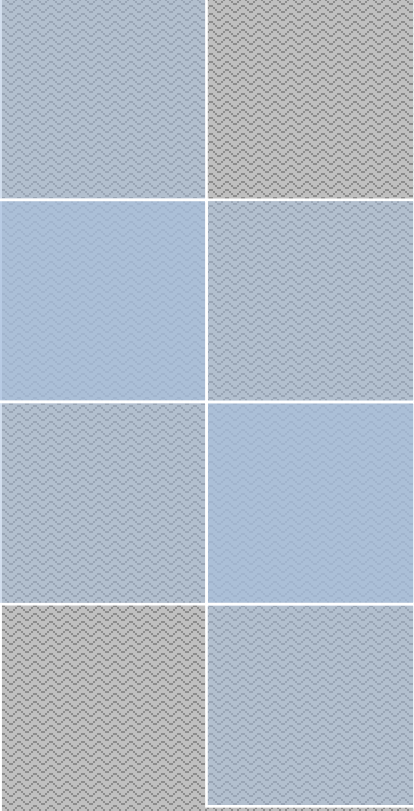
In accordance with the provisions of RSA 33:9, One Thousand Four Hundred Sixty Six and 13/100 Dollars (\$1,466.13) of previously approved bonding authority is deauthorized from the Department of Public Works Capital Improvement Plan Project Fund for the costs associated with the Milton Road Flat Rock Bridge Road Project.

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.

**CC FY17 02-07 AB 115**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 115 Milton Road-Flat Rock Intersection - De-auth Project 16524
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Org w/signature on file w/City Clerk	
DATE SUBMITTED	1/25/17	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Bonding
ACCOUNT NUMBER	15013010-771000-16524
AMOUNT	\$1,446.13
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

As part of the FY16 General Fund CIP budget the City Council Funded \$100,000 for the re-alignment of the Milton Road-Flat Rock Bridge Road Intersection. The project is now completed. This request is to de-authorize the remaining balance in the bond funded account.

**RECOMMENDED ACTION**

1.) City Council Resolution to de-authorize the remaining bond authorization of \$1,446.13 in the Milton Road Flat Rock Bridge Road general fund project account #15013010-771000-16524.



**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	16524	-	-	\$1,446.13
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

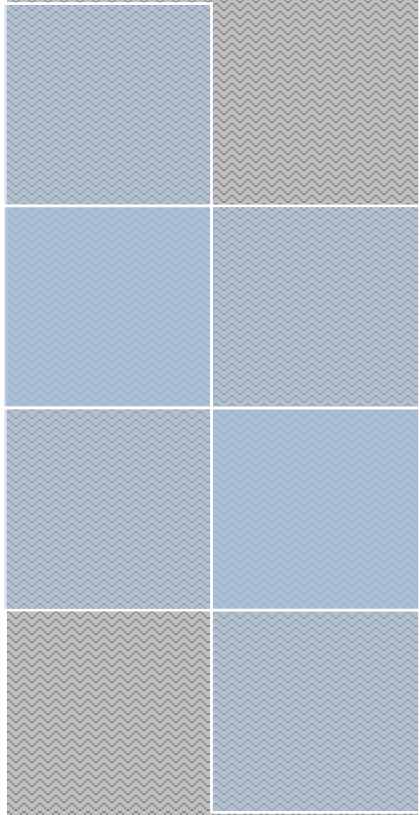
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing Department of Public Buildings Capital Improvement Plan  
Project Funding For the City Hall Wall Repair Project in the amount of \$3,210.59**

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

That Three Thousand Two Hundred Ten and 59/100 Dollars (\$3,210.59) of previously appropriated funds is deauthorized from the Department of Public Buildings Capital Improvement Plan Project Fund for the costs associated with the City Hall Wall Repair Project .

Further, the amount of Three Thousand Two Hundred Ten and 59/100 Dollars (\$3,210.59) shall be returned to 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 accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

**CC FY17 02-07 AB 116**

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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 116 City Hall Wall Repairs - De-authorize Project #16555
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Org.w/signature on file w/City Clerk	
DATE SUBMITTED	01/25/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Cash Ret Earnings
ACCOUNT NUMBER	15011090-772000-16555
AMOUNT	\$3,210.59
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

During the FY2016 Budget year the City Council authorized a cash supplemental appropriation in the amount of \$41,000.00 to complete emergency repairs in the structural walls a City Hall. That project is completed. This request is to de-authorize the remaining funds.

**RECOMMENDED ACTION**

1. City Council Resolution to de-authorize the remaining funds of \$3,210.59 in the general fund 15011090-772000-16555 and to return those funds to the general fund retained earnings cash account.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF  Water  Sewer  Arena

CIP  Water CIP  Sewer CIP  Arena CIP

Special Revenue

Fund Type: Lapsing

Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	150110910	772000	16555	-	-	\$3,210.59
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned

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**Resolution Deauthorizing Bond Authority from the Sewer Fund Capital Improvement Plan Project Funding For the Wastewater Treatment Plant (WWTP) Aeration System Project in the amount of \$111,465.63**

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

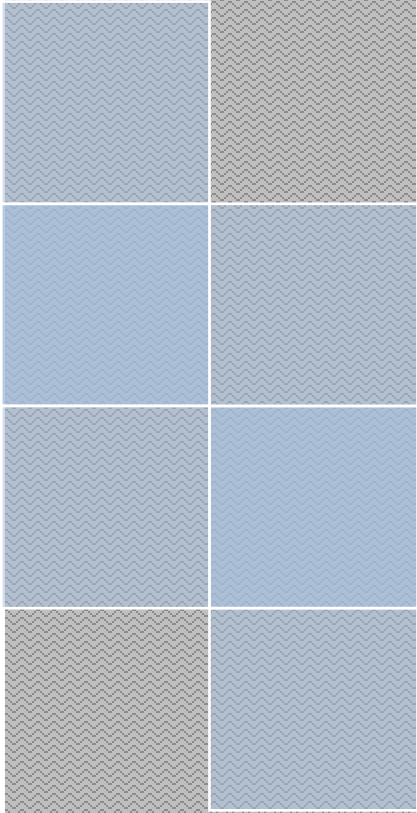
In accordance with the provisions of RSA 33:9, that One Hundred Eleven Thousand Four Hundred Sixty Five and 63/100 Dollars (\$111,465.63) of previously approved bonding authority is deauthorized from the Sewer Fund Capital Improvement Plan Project Fund for the costs associated with the WWTP Aeration System Project.

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.

**CC FY17 02-07 AB 117**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 117 WWTP Aeration System Upgrades - De-auth Project 17545
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Org w/signature on file w/City Clerk	
DATE SUBMITTED	1/27/17	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	<b>1</b>

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	<b>Sewer Fund - Bonding</b>
ACCOUNT NUMBER	<b>55026020-772000-17545</b>
AMOUNT	\$111,465.63
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

The City Council authorized a supplemental appropriation to facilitate the necessary repairs to the aeration system at the WWTP. Due to extraordinary efforts by in house staff the work was completed well under budget. This request is to de-authorize the remaining balance of \$111,465.63 in the bond funded account.

**RECOMMENDED ACTION**

1.) City Council Resolution to de-authorize the remaining bond authorization of \$111,465.63 in the WWTP Aeration System Replacement fund project account #55026020-772000-17545.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	55026020	772000	17545	-	-	\$111,465.63.
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

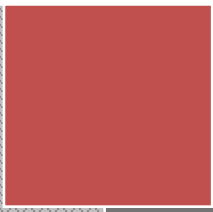
Grant #

Grant Period: From   
To

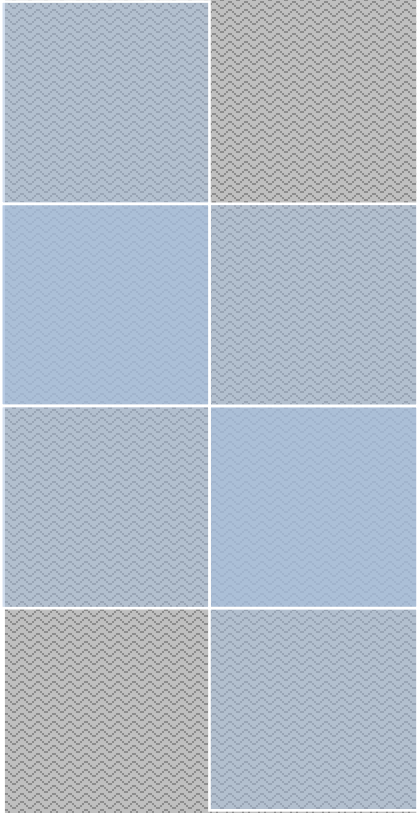
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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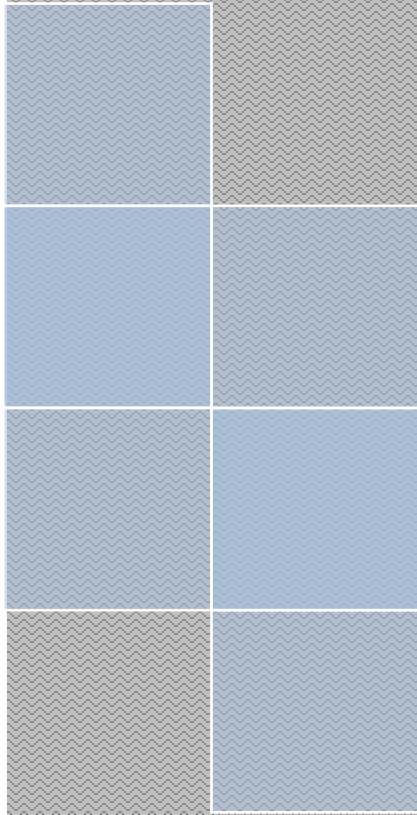
**Resolution Deauthorizing Bond Authority from the Sewer Fund Capital Improvement Project Funding for the Fire Station Boiler & HVAC Project in the amount of \$15,862.10**

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

In accordance with the provisions of RSA 33:9, that Fifteen Thousand Eight Hundred Sixty Two and 10/100 Dollars (\$15,862.10) of previously approved bonding authority is deauthorized from the Sewer Fund Capital Improvement Plan Project Fund for the costs associated with the Fire Station Boiler & HVAC Project.

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.

**CC FY17 02-07 AB 118**



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 118 Central Fire Boiler & HVAC - De-auth Project 17513
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Org w/signature on file w/City Clerk	
DATE SUBMITTED	1/27/17	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/> Funding Resolution Form	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	<b>1</b>

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	<b>Sewer Fund - Bonding</b>
ACCOUNT NUMBER	<b>15011090-772000-17513</b>
AMOUNT	<b>\$15,862.10</b>
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

During the FY17 Budgeting process these funds were authorized to replace the Central Fire Station boiler / HVAC equipment. This project is complete. This request is to de-authorize the remaining balance of \$15,862.10 in the bond funded account.

**RECOMMENDED ACTION**

1.) City Council Resolution to de-authorize the remaining bond authorization of \$15,862.10 in the Central Fire Boiler & HVAC General fund project account #15011090-772000-17513.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:              Lapsing               Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011090	772000	17513	-	-	\$15,862.10
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

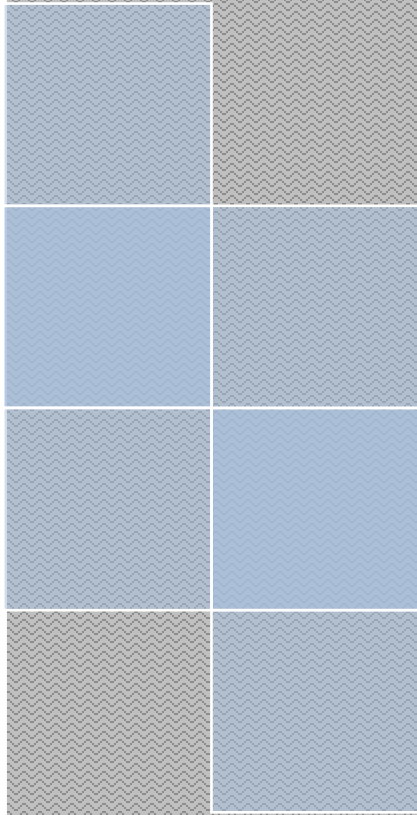
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing City of Rochester Department of Public Buildings Capital Improvement Plan Project Funding for the Central Fire Station Rooftop Project in the amount of \$40.42**

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

That Forty and 42/100 Dollars (\$40.42) of previously appropriated funds is deauthorized from the Department of Public Buildings Capital Improvement Plan Project Fund for the costs associated with the Central Fire Station Rooftop Project.

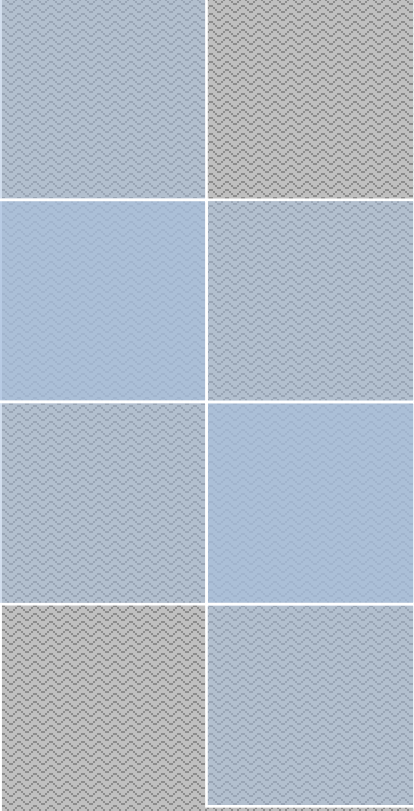
Further, the amount of Forty and 42/100 Dollars (\$40.42) shall be returned to the General Fund unassigned fund balance.

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

**CC FY17 02-07 AB 119**



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### City of Rochester Formal Council Meeting

### AGENDA BILL

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 119 Replace Roof Top Unit - De-authorize Project #16519
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, PE Org.w/signature on file w/City Clerk	
DATE SUBMITTED	01/27/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

#### COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

#### DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

#### FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Cash
ACCOUNT NUMBER	15011090-772000-16519
AMOUNT	\$40.42
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

#### LEGAL AUTHORITY

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

During the FY2016 Budget process CIP Cash account was set up for the replacement of the rooftop unit at the Central Fire Station. There were additional bonded funds appropriated in the FY17. This project is completed. This request is to de-authorize the remaining funds.

**RECOMMENDED ACTION**

1. City Council Resolution to de-authorize the remaining funds of \$40.42 in the general fund account 15011090-772000-16519 and to return those funds to the general fund cash account or retained earnings account as appropriate.



**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	150110910	772000	16519	-	-	\$40.42
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

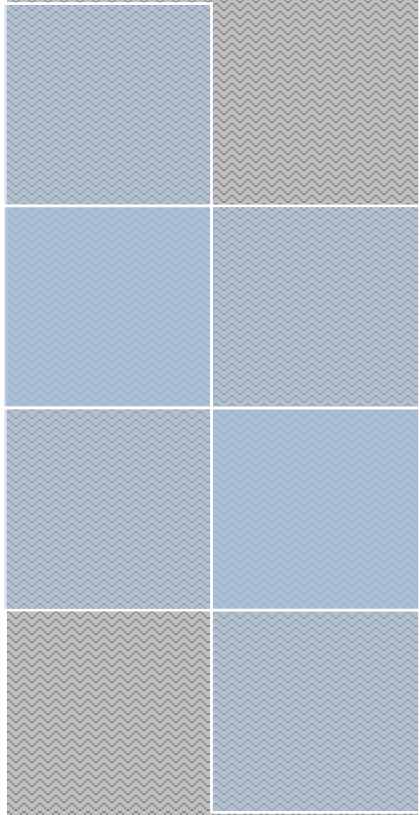
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Deauthorizing City of Rochester Department of Public Buildings Capital Improvement Plan Project Funding for the Central Fire Station Boiler Project in the amount of \$40.42**

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

That Forty and 42/100 Dollars (\$40.42) of previously appropriated funds is deauthorized from the Department of Public Buildings Capital Improvement Plan Project Fund for the costs associated with the Central Fire Station Boiler Project.

Further, the amount of Forty and 42/100 Dollars (\$40.42) shall be returned to 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 accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

**CC FY17 02-07 AB 120**

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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT AB 120 Central Fire Boiler - De-authorize Project #16518
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 7, 2017		
DEPT. HEAD SIGNATURE	John B. Storer, PE Org.w/signature on file w/City Clerk		
DATE SUBMITTED	01/27/17		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> Funding Resolution	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	<b>1</b>	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund - Cash
ACCOUNT NUMBER	15011090-772000-16518
AMOUNT	\$40.42
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council Resolution
-------------------------

**SUMMARY STATEMENT**

During the FY2016 Budget process CIP Cash account was set up for the replacement of the Central Fire Station Boiler. There were additional bonded funds appropriated in the FY17. This project is completed. This request is to de-authorize the remaining funds.

**RECOMMENDED ACTION**

1. City Council Resolution to de-authorize the remaining funds of \$40.42 in the general fund account 15011090-772000-16518 and to return those funds to the general fund cash account or retained earnings account as appropriate.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:              Lapsing               Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	150110910	772000	16518	-	-	\$40.42
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

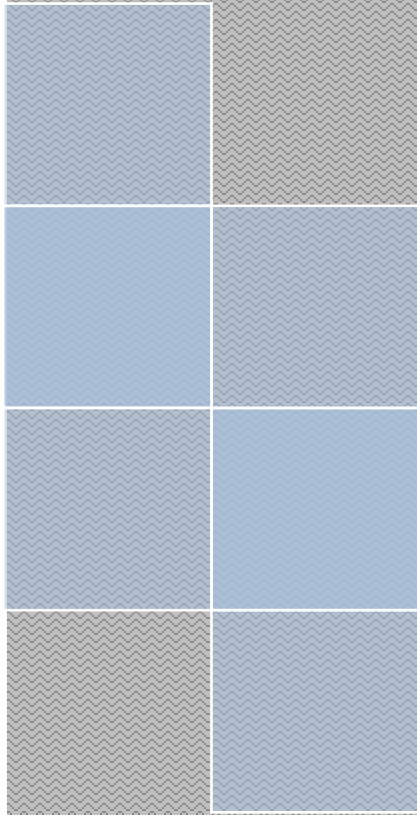
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Authorizing Supplemental Appropriation for the Purchase of the so-called  
Gauthier Farm Conservation Easement in the amount of \$261,850.00**

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

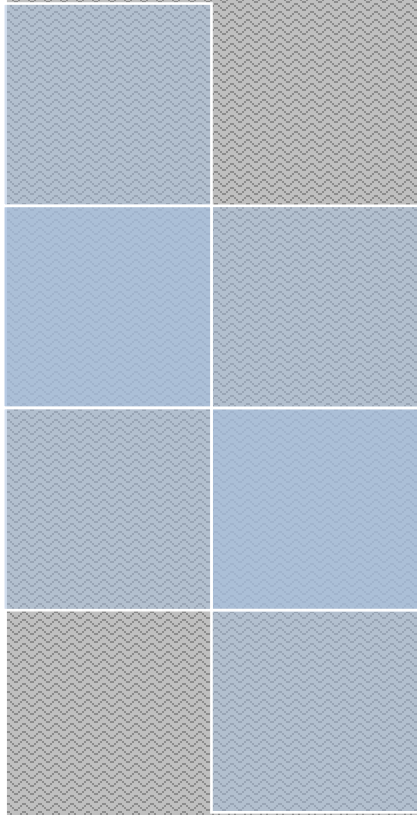
That the sum of Two Hundred Sixty One Thousand Eight Hundred Fifty Dollars (\$261,850.00) be, and hereby is, appropriated as a supplemental appropriation to the Capital Improvement Plan Project Fund 1501 (account # 15011081-771000-175xx) Land Acquisitions for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the purchase of the Gauthier Farm Conservation Easement by the Southeast Land Trust. One Hundred Sixty One Thousand Eight Hundred Fifty Dollars (\$161,850.00) of the supplemental appropriation shall be derived from the General Fund unassigned fund balance and One Hundred Thousand Dollars (\$100,000.00) of the supplemental appropriation shall be derived from the Conservation Fund.

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.

**CC FY17 02-07 AB 122**



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### City of Rochester Formal Council Meeting

### AGENDA BILL

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT Funding request to purchase a conservation easement on Gauthier Farm, Bernard Rd.
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	February 07, 2017		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	January 27, 2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	6 (Five Informational and 1 Funding Resolution)	

#### COMMITTEE SIGN-OFF

COMMITTEE	Conservation Commission
CHAIR PERSON	Mike Dionne

#### DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

#### FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

#### LEGAL AUTHORITY

Chapter 11, Section 21 of the City of Rochester General Ordinances and as authorized by RSA 36-A:4.

**SUMMARY STATEMENT**

The Conservation Commission requests that City Council support and contribute towards the purchase of a 160 +/- conservation easement at Gauthier Farm on Bernard Rd, Map 226 Lot 2 and Map 227 Lot 18.

South East Land Trust will be the primary easement holder and will be responsible for all monitoring and enforcement activities. The City will hold an executory interest.

The following actions are what the Conservation Commission is requesting:

Appropriation of \$261,850 via:

- a) \$161,850 - General Fund unassigned fund balance;
- b) \$100,000 - Conservation Fund unassigned fund balance.

**RECOMMENDED ACTION**

Approve request and appropriate funds.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	NEW			-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011081-771000-175xx		Gauthier Easement	-	-	261,850 -
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	150003-471000-175xx		Gauthier Easement	-	-	261,850 -
2	11081-406101		General Fund -Transfer from Fund Balance	-	-	161,850 -
3	7024001-406101		Conservation Fund -Transfer from Fund Balan	-	-	100,000 -
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

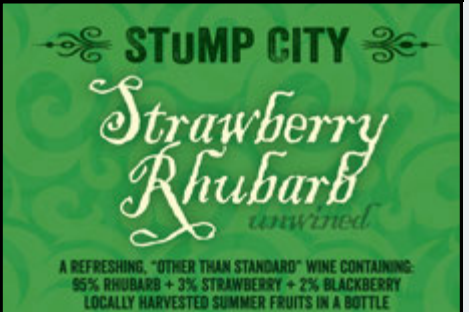
Funds will be returned



# Gauthier Farm

~ Since 1966 ~

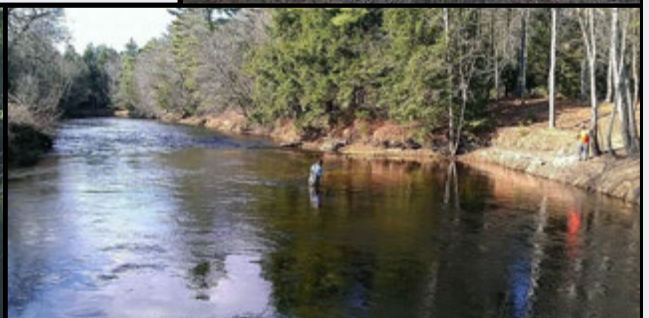
Community Supported Agriculture offering a variety of seasonal vegetables, meats, and other produce.



- ◆ Hay
- ◆ Eggs
- ◆ Maple Syrup
- ◆ Seasonal Vegetables
- ◆ Beef, Pork, Turkey, Chicken
- ◆ "Stump City" Hard Cider & Wine



- ◆ #1 Priority for Rochester Conservation Commission
- ◆ 1.4 miles along Salmon Falls River
- ◆ 160 acres of highly-ranked wildlife habitat (NH Fish & Game)
- ◆ 20+ acres of Important Farmland Soils (NRCS)
- ◆ Source Water Protection Area
- ◆ 18 hole Disc Golf Course & Public Access Along SF River





**PROJECT NAME:** *Gauthier Farm*  
**PROJECT TYPE:** Conservation Easement

**OWNERS:** George & Rita Gauthier Revocable Trust – 40 Bernard Road, Rochester, NH 03867  
**GRANTEE:** SELT  
**EXECUTORY INTEREST:** City of Rochester (?)

**GRANTOR CONTACT:** Kent Gauthier  
**CONTACT FOR SELT:** Jeremy Lougee

**PROPERTY LOCATION:** Bernard Road, Rochester  
 Map 226, Lot 0002 & Map 227, Lot 0018  
 BOOK 833 PAGE 0363

**LAND ACREAGE & TYPES:** ~160 acres of forest, field, wetlands, streams, sand/gravel pit, and Salmon Falls River frontage and floodplain

**SOILS:** Approximately 16 acres Prime farmland soils, 5 acres Statewide Important farmland soils, but potentially more (unmapped) given current agricultural uses. Will work with NRCS to further define soil categories.

**ACCESS/FRONTAGE:** (*frontage on roads and on rivers/ponds*)

- 16' frontage (paved width) on Bernard Road (Class V)
- 1,160' frontage on Whitehall Road (1,000' Class V, 160' Class VI)
- ~7,200' frontage on Salmon Falls River
- 0.5 acre pond in gravel pit
- ~2,700' feeder stream bisects property en route to SF River

**NEARBY PROTECTED LAND:** (*grantee, acreage*)

- Tuckahoe Preserve (140 ac) – Fee owned by Great Works Regional Land Trust directly across SF River in ME, adjacent to Keay Brook project (45 ac) also recently protected by GWRLT
- Gagne (58 ac) – Easement held by SELTNH <1 mile downstream SF River

**OTHER CONSERVATION VALUES:**

- 30 acres of “highest ranked habitat in biological region” & 130 acres of “Supporting Landscape” (NHF&G WAP) - floodplain forests and grassland matrix
- Climate change adaptations - 26 acres within 100yr flood zone
- Within 5 mile buffer for Somersworth Source Water Protection Area
- High priority for Salmon Falls Watershed Collaborative (#1 most threatened river in U.S. according to a US Forest Service Report)

**KEY PROVISIONS & RESERVED RIGHTS:** Landowners wish to continue growing diverse agricultural operation but are willing to restrict certain areas of the parcel pending grant opportunities (possibly riparian buffers).

**STEWARDSHIP/LAND MANAGEMENT FUND CONTRIBUTION:** Estimated at \$17,100, but could fluctuate depending on the parameters of the conservation easement.

**PROPERTY/SITUATION DESCRIPTION:**

The Gauthier Farm hosts a multi-generational mix of old-fashioned Yankee go-getters. They've owned trucking businesses, operated a sand and gravel pit, and most recently ran a successful heating business, all-the-while farming in the gentlemen style of some hay, some livestock, some vegetables, and even hard cider. George, the patriarch, bought the property over 50 years ago, and he and his wife's revocable trust now holds ownership of the parcel. Several of their children also live on the property with families of their own, and it appears that some of these residential structures remain contiguous with the larger parcel. After the crash of 2008, the family was forced to borrow heavily against the property, and despite a recent heating business, the Gauthier's continue to be underwater with this mortgage. It is with this regrettable situation that they have decided to seek a conservation easement on the farm. In their eyes, the easement would be crafted to protect the working qualities of their property in exchange for retiring the development rights. The mortgage would be paid off with the proceeds, thus allowing them to invest more heavily in the growing farming enterprise.

The leaders of this charge include Kent Gauthier and his friend, Doug LaChance (former mayor of Rochester) who partner to produce several of the farm products. Besides a typical cadre of farmer's market-type products (eggs, meat, vegetables, maple syrup), they are rapidly growing a hard cider business called "Stump City Cider" which is sold at over 70 locations across NH & ME. They also host a Frisbee golf course along the Salmon Falls River (SFR) and would like to continue their efforts in agri-tourism by opening the farm to the public. They've been very upfront in explaining that they don't want to end up with an easement that overly restricts their farming or forestry activities, but they also have acknowledged that a successful fundraising campaign may come with certain restrictions along the SFR frontage. It is important to note that several developments (trailer parks and modular homes) have sprung up along the SFR in this section of Rochester. While the Gauthiers do not want this fate for their farm, they recognize that unless a conservation outcome is realized soon, they may be forced to sell out to the highest bidder.

Over the last year, SELT has worked to secure a federal grant from the Natural Resources Conservation Service (NRCS) through their Agricultural Land Easement (ALE) Program. An appraisal was conducted by Peter Knight of Stanhope Group, the cost of which was shared by the Gauthier Family and the Rochester Conservation Commission. The appraised value of the property was \$400,000, and NRCS-ALE has committed to paying half of that value (\$200,000). Total project costs are estimated at ~\$468,000, which includes ~\$17,100 for Stewardship & Legal Defense Fund.





**Gauthier Farm  
Budget (1/25/2017)**

**EXPENSES**

<u>Transaction Costs</u>	<u>Cost</u>	<u>Notes</u>
<b>Acquisition Costs</b>		
Easement Purchase Price	\$400,000	Based on P.Knight Appraisal Report
Donated Easement Value	\$0	None assumed (mortgage needs payoff)
<b>Due Diligence Costs</b>		
Hazardous Waste Assess.	\$3,000	Phase I (Completed by Truslow)
Survey	\$15,000	Estimate
Appraisal(s)	\$7,000	
Development Analysis	\$0	N/A
Initial Appraisal	\$4,000	Knight Appraisal (1/29/16)
Final Appraisal	\$3,000	NRCS requirement
Legal	\$7,000	
Attorney Fees	\$5,000	Estimate
Title insurance policy	\$1,000	Estimate for \$400K value
Title examination	\$1,000	Estimate
<b>Closing Costs</b>		
Miscellaneous	\$5,300	
Real estate transfer tax	\$0	
Recording fees	\$300	Estimate
Contingencies	\$5,000	Unexpected Costs
<b>Project Management Costs</b>		
Staff time	\$15,500	
Project Management	\$10,000	SELT Flat rate
Baseline Documentation	\$3,000	SELT Flat rate
Truslow Resource Consulting	\$2,500	Estimated
Printing	\$100	SELT Flat rate
Travel	\$200	SELT Flat rate
<b>Subtotal, Transaction Costs</b>	<b>\$453,102</b>	
<b>Stewardship Costs</b>		
Stewardship & Legal Defense Fund	\$17,200	Conservation Stewardship & Legal Defense Fund
<b>Subtotal, Stewardship Costs</b>	<b>\$17,200</b>	
<b>TOTAL EXPENSES</b>	<b>\$470,302</b>	Transaction + Stewardship Costs

**REVENUES**

<u>Revenue Sources</u>	<u>Revenue</u>	<u>Notes</u>
<b>Public Fundraising</b>		
Rochester Conservation Commission	\$100,000	Public Hearing On 1/4/17 committed up to \$100K
City of Rochester	\$161,850	To be requested from General Fund
NRCS-ALE (Federal)	\$200,000	ALE (RCPP) Funds
Rochester Conservation Commission	\$6,451.50	Direct Payment for Appraisal (50%) and Truslow Expenses
<b>Private Fundraising</b>		
Landowner	\$2,000	50% Appraisal Expense
<b>TOTAL REVENUES</b>	<b>\$470,302</b>	





**Legend**

- Gauthier Estimated Boundary
- Easement Exclusion Areas
- Road (NHDOT)



0 700 1,400 Feet

**Gauthier Property  
Aerial Map  
Rochester, NH**

Boundary and feature locations are approximate. Easement boundary based on tax maps.

Map prepared by  
Southeast Land Trust of NH  
November 2015

**Resolution Authorizing the Acceptance of a Donation from St. Anselm's College and Supplemental Appropriation in Connection Therewith in the Amount of \$2,700.00**

**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, accept a donation from St. Anselm's College in the amount of Two Thousand Seven Hundred Dollars (\$2,700.00) in connection with the City's participation in the Road for Hope charity walk.

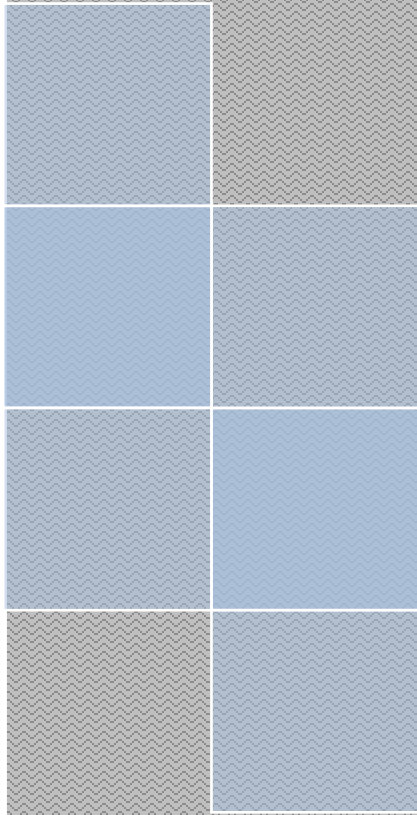
Further, the Mayor and City Council authorize a supplemental appropriation to the Recreation Department Fiscal Year 2017 operating budget in the amount of Two Thousand Seven Hundred Dollars (\$2,700.00). The entire amount of the supplemental appropriation shall be derived from the donation from St. Anselm's College.

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.

CC FY17 02-07 AB 108



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT	Road for Hope Recreation & Arena Donation
----------------	---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	Tuesday, February 7 2017		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	Thursday, January 18 2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

DIRECTOR OF FINANCE APPROVAL	Signature on file
SOURCE OF FUNDS	Road for Hope (St Anslem College)
ACCOUNT NUMBER	61114020-589007-175xx
AMOUNT	\$2,700
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

Rochester City Council
------------------------

**SUMMARY STATEMENT**

This donation is a result of our involvement with St. Anselm College's charity walk, Road for Hope. Each year these college students pass through Rochester as part of their journey and our department provides them an informational overview of our services and donated lunches from a local business. Part of the Road for Hope mission is to "strengthen bonds in the community". To support this mission, we will be using these funds to provide an additional field trip for our summer camps as well as additional summer camp equipment.

**RECOMMENDED ACTION**

To accept this donation.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Annual Lapsing       Multi-year Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1						
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	61114020	589007	175xx	-	-	2,700.00
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6111001	406207	175xx	-	-	2,700.00
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

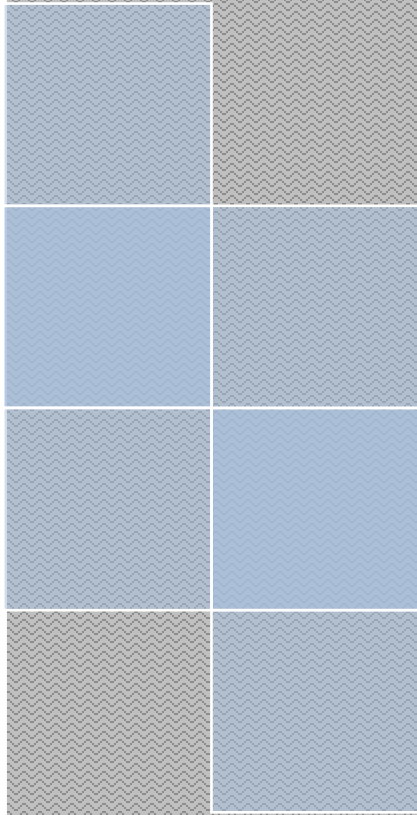
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**Resolution Authorizing the Acceptance of a Grant from New Hampshire Police Standards and Training Council and Supplemental Appropriation in Connection Therewith in the Amount of \$400.00**

**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, accept a grant from New Hampshire Police Standards and Training Council in the amount of Four Hundred Dollars (\$400.00) in connection with the City's internal affairs training at Roger Williams College.

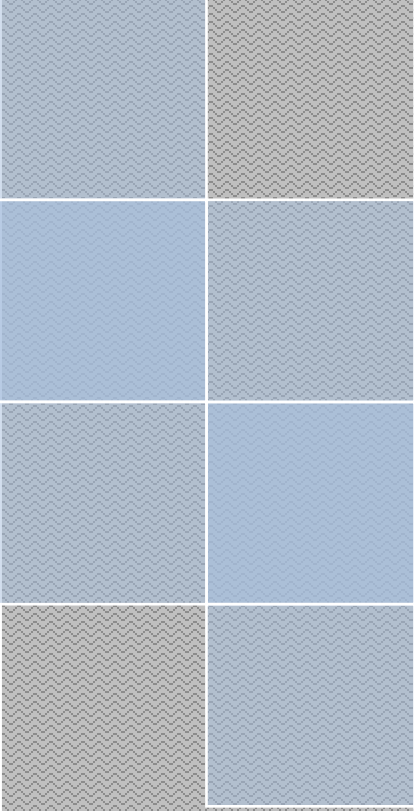
Further, the Mayor and City Council authorize a supplemental appropriation to the Police Department Fiscal Year 2017 operating budget in the amount of Four Hundred Dollars (\$400.00). The entire amount of the supplemental appropriation shall be derived from the grant from New Hampshire Police Standards and Training Council.

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.

CC FY17 02-07 AB 121



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT Acceptance of Specialized Training Grant funds from Police Standards and Training and a supplemental appropriation to the Police Departments general fund.
--

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	Next January 2017 Meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	1/5/2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	Police Standards & Training
ACCOUNT NUMBER	12010053 proj. 17XXX
AMOUNT	\$400.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

Council action required.
--------------------------

**SUMMARY STATEMENT**

We are seeking acceptance to receive reimbursement in the amount of \$400.00 from Police Standards and Training. We are also seeking a supplemental appropriation to the Police Departments general fund operating budget in the amount of \$400.00. This amount was awarded to us from Police Standards and Training to cover part of the cost to send Lieutenant Andrew Swanberry to an "Internal Affairs Training" course hosted by the Roger Williams University.

**RECOMMENDED ACTION**

Accept award fund amount of \$400.00

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF       Water       Sewer       Arena   
 CIP       Water CIP       Sewer CIP       Arena CIP   
 Special Revenue

Fund Type:      Lapsing       Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	12010053	532001	17XXX	-	-	\$400.00
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	12011	406201	17XXX	\$400.00	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
 To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



State of New Hampshire  
**POLICE STANDARDS & TRAINING COUNCIL**  
 ARTHUR D. KEHAS  
 LAW ENFORCEMENT TRAINING FACILITY & CAMPUS  
 17 Institute Drive — Concord, N.H. 03301-7413  
 603-271-2133 FAX 603-271-1785  
 TDD Access: Relay NH 1-800-735-2964

2/2/17



Chief Anthony F. Colarusso, Jr.  
 Chairman

Donald L. Vittum  
 Director

RECEIVED

IAN 03 2017

OFFICE OF THE CHIEF  
 ROCHESTER POLICE DEPT

December 29, 2016

Chief Michael J. Allen  
 Rochester Police Department  
 23 Wakefield St.  
 Rochester, NH 03867

Dear Chief Allen,

This letter is to confirm that the Police Standards & Training Council, at their meeting on December 20, 2016, approved your requested training grant for a maximum of \$400 for one officer to attend the Roger Williams Internal Affairs School in Concord, NH beginning December 5, 2016.

Rental car fees and in-state travel are not a permissible expense under the Council's published guidelines, and disbursement of grant funds will be made only after the department sends PSTC staff all receipts for expenses incurred in conjunction with the training. Upon the officer's completion of the program, the Council requires that the department forward certificates of completion from the training organization to my attention. These certificates of completion must accompany the receipts in order to receive reimbursement of training grant funds.

Further, the Council has instituted a policy regarding the disbursement and distribution of training grant funds; that is, when training grants are awarded the agency will have **30 days** from the completion date of the approved training to submit all required paperwork to receive reimbursement. If the agency does not comply with this policy, the approved monies will be returned to the Specialized Training Grant Fund to fund future grant requests.

If you have any questions regarding this matter, please feel free to contact me at 271-8278.

Sincerely,

Captain Benjamin R. Jean  
 Support Bureau Commander

**Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services Drinking Water State Revolving Fund Asset Management Grant and Supplemental Appropriation to the FY 2017 Water Fund Capital Improvement Plan Project Fund in Connection Therewith in the Amount of \$40,000.00**

**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 Twenty Thousand Dollars (\$20,000.00) to the New Hampshire Department of Environmental Services (NHDES) Drinking Water State Revolving Fund (DWSRF) Asset Management Grant program in order to refine the existing Graphical Information System (GIS) system.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of Twenty Thousand Dollars (\$20,000.00) from the NHDES DWSRF Asset Management Grant program.

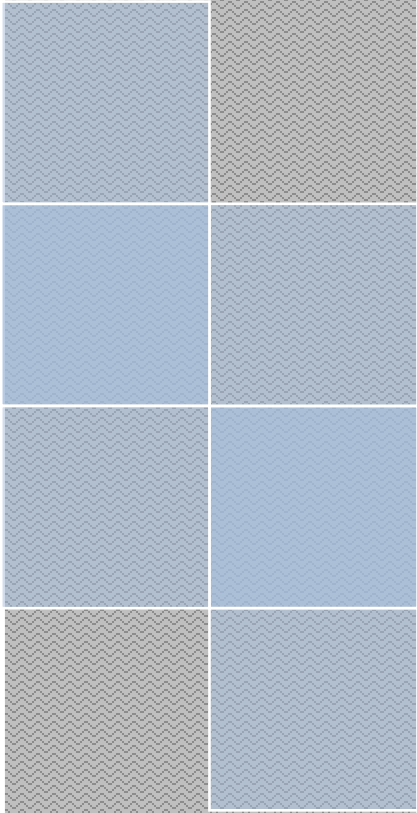
Still further, the Mayor and City Council authorize a supplemental appropriation to the FY 2017 Water Fund Capital Improvements Plan Project Fund in the amount of Forty Thousand Dollars (\$40,000.00). Twenty Thousand Dollars (\$20,000.00) of the supplemental appropriation shall be derived from the NHDES DWSRF Asset Management Grant program and Twenty Thousand Dollars (\$20,000.00) of the supplemental appropriation shall be derived from the Water Fund retained earnings balance.

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.

CC FY17 02-07 AB 109



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT ASSET MANAGEMENT WATER - 2017 DWSRF GRANT
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
--

AGENDA DATE	FEBRUARY 7, 2017	
DEPT. HEAD SIGNATURE	John B. Storer, signed original on file with City Clerk	
DATE SUBMITTED	JANUARY 30, 2017	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	NHDES Grant/Water Ret. Earnings
ACCOUNT NUMBER	55016010-773800-xxxxx
AMOUNT	\$40,000
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

City Charter, Section 4: Except as herein provided otherwise, the City Council shall have all powers conferred by law upon City Councils, Boards of Mayor and Aldermen, and the Selectmen of Towns so far as applicable to cities.

**SUMMARY STATEMENT**

The DPW seeks City Council authority to apply for and accept NH Department of Environmental Services (NHDES) Drinking Water State Revolving Fund (DWSRF) Asset Management grant funds. A pre-application process has been completed and the City's Public Water System is eligible to receive matching grant funds in the amount of \$20,000 for the purposes of improving the Water System's asset management program. An equal expenditure of \$20,000 is required to receive this grant amount, which is requested from the City's Water Fund Cash/Retained Earnings. Funds will be used to refine the existing GIS database to include condition assessment of water infrastructure and prioritization of capital improvement recommendations.

**RECOMMENDED ACTION**

- 1.) Resolution giving City Staff authorization to submit an application for a 2017 NHDES DWSRF Asset Management grant;
- 2.) Resolution giving the City Manager & Deputy City Manager the authority to act as the City's representative for all documentation regarding the 2017 NHDES DWSRF Asset Management grant; and
- 3.) Resolution for a supplemental appropriation of \$40,000, of which the funding source for \$20,000 will be NHDES DWSRF Asset Management grant funds and the matching \$20,000 will be Water Fund Cash/Retained Earnings.

**AGENDA BILL - FUNDING RESOLUTION**

**EXHIBIT**

Project Name:

Date:

Fiscal Year:

Fund (select):

GF  Water  Sewer  Arena   
 CIP  Water CIP  Sewer CIP  Arena CIP   
 Special Revenue

Fund Type: Lapsing  Non-Lapsing

**Deauthorization**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	NEW			-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	55016010	773800	xxxxx	-	\$20,000	\$20,000
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
To

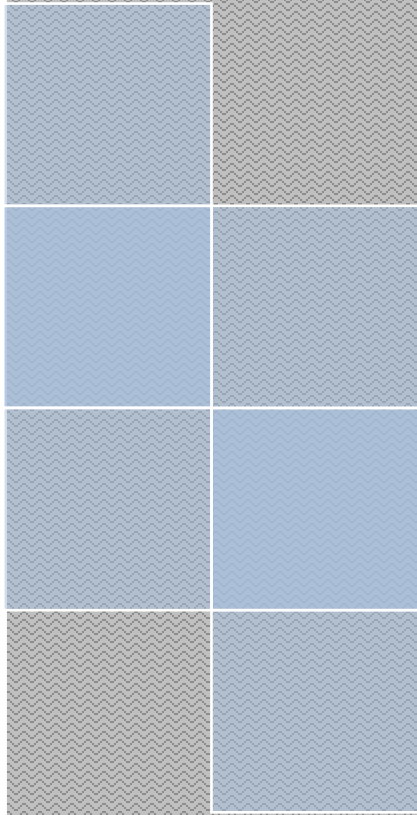
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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**City of Rochester Formal Council Meeting**

**AGENDA BILL**

**NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT Rochester City Ordinance Chapter 23-Fireworks
---

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input checked="" type="checkbox"/>
--

FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--

FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--

AGENDA DATE	January 17, 2016		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	10	

**COMMITTEE SIGN-OFF**

COMMITTEE	Codes and Ordinances
CHAIR PERSON	Peter LaChapelle

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	
CITY MANAGER	

**FINANCE & BUDGET INFORMATION**

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

RSA 160-C
-----------

**SUMMARY STATEMENT**

During public input at the City Council Workshop on August 16, 2016, several citizens addressed concerns to the City Council regarding the current regulation of Fireworks under Chapter 23 of the City Ordinance. At that time, the issue was sent to the Codes and Ordinances Committee for discussion. On September 6, 2016, the Codes and Ordinances Committee received further public input on the matter and discussed several alternative changes to Chapter 23. No vote was taken. During Committee Reports at the Regular City Council Meeting on October 4, 2016, Codes and Ordinances Committee Chairperson Peter Lachapelle announced that the committee would discuss fireworks further at the October 6, 2016 meeting. During the October 6, 2016 Codes and Ordinances Committee meeting, the committee again received public input and discussed several alternatives. Two alternatives were voted out of committee for consideration of the full City Council: 1) Total city-wide ban on fireworks or 2) Restricted dates with a permitting system. During the November 1, 2016 Regular City Council Meeting, both alternatives received a first reading. After first reading, the City Council again referred the matter to Codes and Ordinances Committee. The Codes and Ordinances Committee met on December 1, 2016. At that meeting, a majority voted to amend Chapter 23 to limit fireworks to July 3rd and 4th and to require a permitting system. The committee also decided that the entire City Council should discuss the matter before any more changes were made and Chairperson Lachapelle moved to place the matter on the agenda for the January 17, 2017 City Council Workshop.

**RECOMMENDED ACTION**

Discussion and vote at next Regular City Council Meeting

## CHAPTER 23

### FIRE SAFETY MEASURES

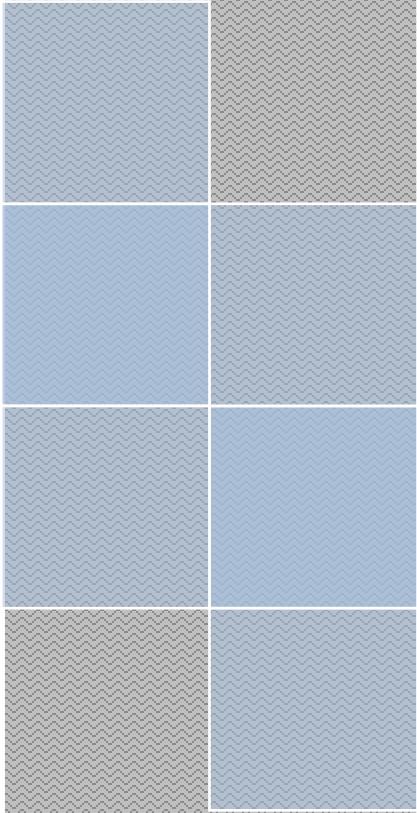
#### SECTION ANALYSIS

- 23.1 Fire Safety Rules and Regulations
- 23.2 Smoke Detector Wiring
- 23.3 Enforcement Officer
- 23.4 Control of Outdoor Fires
- 23.5 Knox Box Installations
- 23.6 Public Safety Amplification System Required in Large Facilities
- 23.7 Administration and Enforcement
- 23.8 Means of Escape
- 23.9 Fire Department Access
- 23.10 Control of Fire Hazards
- 23.11 Penalty
- 23.12 Sprinkler Requirements for Certain Single-family Dwelling Units
- 23.13 **Prohibition and Regulation of Fireworks**
- 23.14 Listed Agent Program
- 23.15 Regulation of Fire Alarms

\*  
\*  
\*

#### **23.1 Prohibition and Regulation of Fireworks.**

- A. In accordance with the provisions of RSA 160-C, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use, explode or display any permissible fireworks within the City of Rochester.
- B. The Police Chief and/or Fire Chief are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all firework devices that are being discharged in violation of this ordinance.



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## CHAPTER 23

### FIRE SAFETY MEASURES

#### SECTION ANALYSIS

- 23.1 Fire Safety Rules and Regulations
- 23.2 Smoke Detector Wiring
- 23.3 Enforcement Officer
- 23.4 Control of Outdoor Fires
- 23.5 Knox Box Installations
- 23.6 Public Safety Amplification System Required in Large Facilities
- 23.7 Administration and Enforcement
- 23.8 Means of Escape
- 23.9 Fire Department Access
- 23.10 Control of Fire Hazards
- 23.11 Penalty
- 23.12 Sprinkler Requirements for Certain Single-family Dwelling Units
- 23.13 Prohibition and Regulation of Fireworks
- 23.14 Listed Agent Program
- 23.15 Regulation of Fire Alarms

#### **23.1 Fire Safety Rules and Regulations.**

The rules and regulations of the State Fire Marshal as they are now constituted and as they are from time to time amended are hereby adopted as and for the Fire Safety Rules and Regulations of the City of Rochester. The full text of such rules and regulations may be obtained by any person at the office of the Chief of the Fire Department of the City of Rochester.

#### **23.2 Smoke Detector Wiring.**

When installing 120 volt, hard-wired smoke detectors in any type occupancy, the smoke detector shall be wired to a lighting circuit.

#### **23.3 Enforcement Officer.**

The words "officer" and/or "local authorities" wherever used in the rules and regulations of the State Fire Marshall adopted in the foregoing section shall be deemed to refer to the Chief of the Rochester Fire Department.

#### **23.4 Control of Outdoor Fires.**

No person shall kindle, light, or otherwise start an outdoor fire in the City of Rochester for any purpose whatsoever without first having obtained a written permit, without cost, from the Chief of the Rochester Fire Department. All such permits shall be in writing and in such form as the Chief of the Rochester Fire Department shall prescribe and shall set forth any conditions or restrictions which, in the opinion of the Fire Chief, shall be reasonably necessary and prudent to insure the safe performance of permitted activities.

#### **23.5 Knox Box Installations.**

For purposes of rapid entry in cases of emergencies or required access to buildings after hours, any new construction on the following type occupancies occurring after the date of the adoption of this ordinance will require a KNOX BOX to be installed on such premises:

2/8/2000

1. Assembly
2. Educational
3. Mercantile
4. Business
5. Industrial
6. Apartment Complex

The Fire Chief shall have authority to require any other type of building, not listed above, to install a KNOX BOX to meet rapid entry requirements, if in his discretion public safety considerations require such installation.

### **23.6 Public Safety Amplification System Required in Large Facilities**

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the City to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

#### (a) Applicability

The provisions of this article shall apply to:

- (1) New buildings greater than fifty thousand (50,000) square feet;
- (2) Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and
- (3) All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

#### (b) Radio coverage

- (1) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (2) The City's fire department with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported.
- (3) For the purposes of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications center for all appropriate emergency service providers for the building.

#### (c) Inbound into the Building

- (1) A minimum average in-building field strength of 2.25 micro-volts (-100 dbm) for analog and five (5) micro-volts (-93 dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from

the City's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

- (2) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100 dbm) for analog, or (-93 dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.

- (3) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

(d) Outbound from the Building

A minimum average signal strength of 112 micro-volts (-6 dbm) for analog and five (5) micro-volts (+1 dbm) for digital systems as received by the City's Police dispatch center and the appropriate emergency service dispatch centers, which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the City's Fire Department.

(e) Enhanced amplifications systems

- (1) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other City approved system(s).
- (2) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation on an independent battery or generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.
- (3) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located almost must be free of hazardous materials such as fuels, asbestos, etc.

All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

(4) The following information shall be provided to the Fire Department by builder:

- (A) A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
- (B) Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

(f) Testing procedures – Method to Conducts Tests

- (1) Tests shall be made using frequencies close to the frequencies used by the Police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the City's Fire Department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the Police, Fire or emergency medical frequencies.

(g) Measurements Shall be Made Using the Following Guidelines

- (1) With a service monitor using a unity gain antenna on a small ground plane;
- (2) Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
- (3) A calibrated service monitor (with a factory calibration dated within twenty-four (24) months may be used to do the test);
- (4) The telecommunications unit representative for the City may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3 db between the instruments will be allowed; and
- (5) If measurements in one location are varying, then average measurements must be used.
  - (A) All testing shall be done in the presence of a Fire Department representative at no expense to the City or appropriate emergency services department.
  - (B) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

**(h) Annual Tests**

Annual tests will be conducted by the City's telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the City or the appropriate emergency services departments as required in the original testing procedures.

**(i) Field Testing**

Police and Fire personnel, after providing reasonable notice to the owner or his/her representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

**23.7 Administration and Enforcement.**

The authority having jurisdiction for the administration and enforcement of this chapter shall be Fire Prevention of the City of Rochester. The fee schedule under this chapter shall be as follows:

Tank Removal	\$25.00
Blasting	\$25.00
Incident Report	\$5.00
Fire Marshal's Investigation Report	\$25.00
Photographs (Fire Scene)	\$15.00
CD Photos (Fire Scene)	\$15.00
Fire Alarm System Plan Review	\$1.00 per device or \$50.00 minimum
Sprinkler System Plan Review	\$1.00 per device or \$50.00 minimum
Commercial Hood Fire Suppression	\$1.00 per device or \$50.00 minimum
Clean Agent Initial Inspection	\$1.00 per device or \$50.00 minimum Free of Charge
Re-Inspections (Sprinkler Systems, Fire Alarm Systems, Commercial Hood Fire Suppression, Clean Agent)	\$50.00 per person with \$100.00 minimum
Fine	\$175.00 (working without a permit or license)
Listed Agent	\$25.00 per year, per restriction
False Alarm, Fire Alarm Activation	\$175 after 2 Consecutive, per calendar year

**23.8 Means of Escape.**

All factories, hotels, tenement houses, public halls, schoolhouses and other buildings used as places of public resort in the City shall be provided with ample means of escape in case of a fire and adequate facilities for entrance and exits on all occasions; and be so erected as not to endanger the health and safety of persons who occupy them.

**23.9 Fire Department Access**

Before construction on commercial buildings, a residential street or a private street with two (2) or more duplexes or single-family dwellings may begin, Fire Department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface suitable for all-weather driving capabilities.

**23.10 Control of Fire Hazards**

The Chief of his/her designee shall examine, or cause to be examined, at regular intervals, all places where combustible material may be collected or deposited and cause the same to be removed by the tenants, occupants or owners of such place, at their expense, whenever, in the opinion of the Fire Chief, such removal is necessary for the security of the City against fires. A record of all such inspections shall be kept by the Chief or his/her designee.

**23.11 Penalty**

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 23 shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) or not more than five hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.

**23.12 Sprinkler Requirements for Certain Single-family Dwelling Units.**

In addition to sprinkler requirements for structures under the provisions of the applicable N.F.P.A. (National Fire Protection Association) Code and/or any other applicable law or regulation all newly constructed duplexes, triplexes and single-family dwelling unit combination structures that are attached to each other, shall be sprinkled in accordance with National Fire Protection Association (N.F.P.A.) Code standards as contained in the New Hampshire State Fire Code.

**23.13 Prohibition and Regulation of Fireworks.**

- A. In accordance with the provisions of RSA 160-C, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use, explode or display any permissible fireworks within the City of Rochester, except as specifically provided for in this ordinance.
- B. As used in this ordinance:
  - i. “Display” means the use, explosion, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.
  - ii. “Permissible fireworks” means those consumers firework devices defined as “permissible fireworks” in RSA 160-C, as the same currently exists or as, from time to time, hereinafter amended.
  - iii. “Fire Chief” means the Fire Chief of the City of Rochester or his/her designee.
  - iv. “Police Chief” means the Police Chief of the City of Rochester or his/her designee.

C. Permit Required. No Person shall use discharge or explode any permissible fireworks without a permit issued by the City of Rochester.

- i. Any person wishing to obtain a permissible fireworks display permit shall apply to the Police Chief and the Fire Chief at least 15 days prior to the display. The time frame may be waived at the discretion of the Police and Fire Chief.
- ii. The applicant shall provide the following information:
  - a. Date of application
  - b. Name, address and telephone number of applicant
  - c. Address of location where the display will be held
  - d. Diagram of the display location, showing the location of all nearby property lines, nearby buildings, public ways, nearby trees, electrical and telephone lines or other overhead obstructions, and the location of any nearby storage of flammable or combustible liquids or gases
  - e. Name of the owner of the property where the display will be held
  - f. Intended date and time of display, including a possible rain date
  - g. Written authorization of the property owner, if different from the applicant
  - h. Signature of the applicant
- iii. Permit fee. The fee for a permissible fireworks display shall be five dollars (\$5.00) per event. The fee shall be paid at the time of application and is non-refundable.
- iv. Site inspections:
  - a. Prior to issuing a permit, the Police Chief or the Fire Chief may conduct an inspection of the display site to determine whether a permissible fireworks display can be held in a safe manner.
  - b. If, in the opinion of the Police Chief or Fire Chief, the proposed site is not suitable for the safe display of permissible fireworks, the application for a permit shall be denied.

D. Subject to, and in accordance with the provisions of Chapter 160-C of the New Hampshire Revised Statutes Annotated it shall be lawful to possess and/or display permissible fireworks upon compliance with the following requirements:

- v. A person who is 21 years of age or older may display permissible fireworks on private property with the written consent of the owner or in the owner's presence, subject to the provisions of this ordinance and RSA Chapter 160-C, and any other applicable ordinance regulation or statute.
- ii. No display of permissible fireworks shall be permitted within the City except between the hours of 6 PM and 11 PM on the following holiday: Fourth of July (including the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city-wide fireworks display held at the Rochester Fairgrounds), after obtaining a permit.
- iii. The display of permissible fireworks shall be of such a character, and so located and conducted, that it shall not be hazardous to property or endanger any person. In accordance with the provisions of RSA Chapter 160-C no permissible fireworks shall be permitted on public property and must be at least 50 feet from nearby buildings, nearby trees, electrical and telephone lines or other overhead

obstructions, and the location of any nearby storage of flammable or combustible liquids or gases.

- iv. No permissible fireworks may be used, discharged, exploded, or displayed during periods of very high or extreme fire danger as determined by the Fire Chief or the NH Division of Forests and Lands.
- v. Permissible fireworks may be used, discharged, exploded, or displayed in a manner such that any all discharge debris shall remain within the property lines of the lot on which the display originates.
- vi. Anyone using permissible fireworks shall be responsible for removing any debris accumulated due to the discharge of fireworks that fall onto the public way, public property, and any private property within twenty-four hours. Anyone failing to remove such debris shall be financially responsible for its clean up.
- vii. Display of permissible fireworks shall be permitted on public property the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city-wide fireworks display held at the Rochester Fairgrounds, provided that such display shall be authorized in a duly issued Block Party Application/Permit from the City's Licensing Board covering the public property on which the display is to occur."

E. A violation of this ordinance shall be subject to the penalties provided for in Chapter 23, Section 23.11, Penalty, of the City of Rochester General Ordinance.

F. This ordinance shall be construed consistently with NH Code of Administrative Rules Section 2600, as made applicable by state statute and as adopted by reference in Section 23.1, of the General Ordinances of the City of Rochester, and is not meant to repeal any section thereof. Nothing in this ordinance shall be interpreted so as to conflict with the provisions of Chapters 160-B or 160-C of the New Hampshire Revised Statutes Annotated, as currently written, or as from time to time hereafter amended. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct independent provision and such holding shall not affect the validity of the remaining portions thereof.11-9-10

G. The Police Chief or Fire Chief may suspend the use of permissible fireworks for any of the following reasons:

- vi. Unfavorable weather conditions, including but not limited to, lightning storms or high wind conditions exceeding 20 miles per hour or higher.
- vii. If any person under the age of 21 possesses, uses, discharges or explodes, used, discharged or exploded any permissible firework device.
- viii. If any person who is using, discharging, exploding, or displaying the permissible fireworks appears to be under the influence of alcohol or drugs;
- ix. If, in the opinion of the Police Chief or Fire Chief, the use, discharge, exploding, or display of permissible fireworks would create a threat to public safety.



H. The Police Chief and/or Fire Chief are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all firework devices that are being discharged in violation of this ordinance.”

I. The City Manager, Mayor, and/or the City Council may declare a Special Event of cultural or civic significance and authorize the display of fireworks on the same terms as Section D. ii on particular days to celebrate those Special Events.

**23.14 Listed Agent Program**

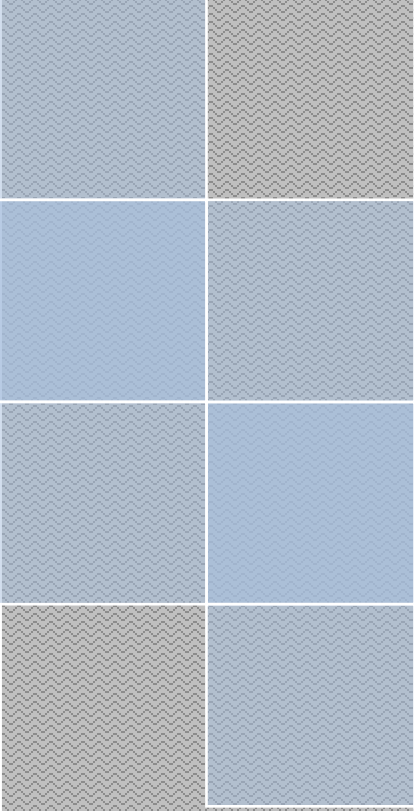
In accordance with NFPA 1:2009 1.13, or the applicable adopted section of the current Code, the Rochester Fire Department enacts the Listed Agent Program. The Fire Chief or his designee shall promulgate administrative rules for the management of the Listed Agent Program.”

**23.15 Regulation of Fire Alarms**

The Fire Chief or his designee shall promulgate administrative rules for the management of the installation and maintenance of Fire Alarms.



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## CHAPTER 23

### FIRE SAFETY MEASURES

#### SECTION ANALYSIS

- 23.1 Fire Safety Rules and Regulations**
- 23.2 Smoke Detector Wiring**
- 23.3 Enforcement Officer**
- 23.4 Control of Outdoor Fires**
- 23.5 Knox Box Installations**
- 23.6 Public Safety Amplification System Required in Large Facilities**
- 23.7 Administration and Enforcement**
- 23.8 Means of Escape**
- 23.9 Fire Department Access**
- 23.10 Control of Fire Hazards**
- 23.11 Penalty**
- 23.12 Sprinkler Requirements for Certain Single-family Dwelling Units**
- 23.13 Prohibition and Regulation of Fireworks**
- 23.14 Listed Agent Program**
- 23.15 Regulation of Fire Alarms**

#### **23.1 Fire Safety Rules and Regulations**

The rules and regulations of the State Fire Marshal as they are now constituted and as they are from time to time amended are hereby adopted as and for the Fire Safety Rules and Regulations of the City of Rochester. The full text of such rules and regulations may be obtained by any person at the office of the Chief of the Fire Department of the City of Rochester.

#### **23.2 Smoke Detector Wiring**

When installing 120 volt, hard-wired smoke detectors in any type occupancy, the smoke detector shall be wired to a lighting circuit.

#### **23.3 Enforcement Officer**

The words “officer” and/or “local authorities” wherever used in the rules and regulations of the State Fire Marshall adopted in the foregoing section shall be deemed to refer to the Chief of the Rochester Fire Department.

#### **23.4 Control of Outdoor Fires**

No person shall kindle, light, or otherwise start an outdoor fire in the City of Rochester for any purpose whatsoever without first having obtained a written permit, without cost, from the Chief of the Rochester Fire Department. All such permits shall be in writing and in such form as the Chief of the Rochester Fire Department shall prescribe and shall set forth any conditions or restrictions which, in the opinion of the Fire Chief, shall be reasonably necessary and prudent to insure the safe performance of permitted activities.

#### **23.5 Knox Box Installations**

For purposes of rapid entry in cases of emergencies or required access to buildings after hours, any new construction on the following type occupancies occurring after the date of the adoption of this ordinance will require a KNOX BOX to be installed on such premises:

1. Assembly
2. Educational
3. Mercantile
4. Business
5. Industrial
6. Apartment Complex

The Fire Chief shall have authority to require any other type of building, not listed above, to install a KNOX BOX to meet rapid entry requirements, if in his discretion public safety considerations require such installation.

### **23.6 Public Safety Amplification System Required in Large Facilities**

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the City to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

#### (a) Applicability

The provisions of this article shall apply to:

- (1) New buildings greater than fifty thousand (50,000) square feet;
- (2) Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and
- (3) All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

#### (b) Radio coverage

- (1) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (2) The City's fire department with consideration of the appropriate police, fire, and emergency medical department services shall determine the frequency range or ranges that must be supported.
- (3) For the purposes of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications center for all appropriate emergency service providers for the building.

#### (c) Inbound into the Building

- (1) A minimum average in-building field strength of 2.25 micro-volts (-100 dbm) for analog and five (5) micro-volts (-93 dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from

the City's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

- (2) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100 dbm) for analog, or (-93 dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.

- (3) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

(d) Outbound from the Building

A minimum average signal strength of 112 micro-volts (-6 dbm) for analog and five (5) micro-volts (+1 dbm) for digital systems as received by the City's Police dispatch center and the appropriate emergency service dispatch centers, which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the City's Fire Department.

(e) Enhanced amplifications systems

(1) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other City approved system(s).

(2) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation on an independent battery or generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.

(3) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located almost must be free of hazardous materials such as fuels, asbestos, etc.

All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

(4) The following information shall be provided to the Fire Department by builder:

- (A) A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
- (B) Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

(f) Testing procedures – Method to Conducts Tests

- (1) Tests shall be made using frequencies close to the frequencies used by the Police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the City's Fire Department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the Police, Fire or emergency medical frequencies.

(g) Measurements Shall be Made Using the Following Guidelines

- (1) With a service monitor using a unity gain antenna on a small ground plane;
- (2) Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
- (3) A calibrated service monitor (with a factory calibration dated within twenty-four (24) months may be used to do the test);
- (4) The telecommunications unit representative for the City may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3 db between the instruments will be allowed; and
- (5) If measurements in one location are varying, then average measurements must be used.
  - (A) All testing shall be done in the presence of a Fire Department representative at no expense to the City or appropriate emergency services department.
  - (B) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

(h) Annual Tests

Annual tests will be conducted by the City's telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the City or the appropriate emergency services departments as required in the original testing procedures.

(i) Field Testing

Police and Fire personnel, after providing reasonable notice to the owner or his/her representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

**23.7 Administration and Enforcement**

The authority having jurisdiction for the administration and enforcement of this chapter shall be Fire Prevention of the City of Rochester. The fee schedule under this chapter shall be as follows:

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Sprinkler System Plan Review	\$1.00 per device or \$50.00 minimum
Commercial Hood Fire Suppression	\$1.00 per device or \$50.00 minimum
Clean Agent Initial Inspection	\$1.00 per device or \$50.00 minimum Free of Charge
Re-Inspections (Sprinkler Systems, Fire Alarm Systems, Commercial Hood Fire Suppression, Clean Agent)	\$50.00 per person with \$100.00 minimum
Fine	\$175.00 (working without a permit or license)
Listed Agent	\$25.00 per year, per restriction
False Alarm, Fire Alarm Activation	\$175 after 2 Consecutive, per calendar year

**23.8 Means of Escape**

All factories, hotels, tenement houses, public halls, schoolhouses and other buildings used as places of public resort in the City shall be provided with ample means of escape in case of a fire and adequate facilities for entrance and exits on all occasions; and be so erected as not to endanger the health and safety of persons who occupy them.

**23.9 Fire Department Access**

Before construction on commercial buildings, a residential street or a private street with two (2) or more duplexes or single-family dwellings may begin, Fire Department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface suitable for all-weather driving capabilities.

**23.10 Control of Fire Hazards**

The Chief of his/her designee shall examine, or cause to be examined, at regular intervals, all places where combustible material may be collected or deposited and cause the same to be removed by the tenants, occupants or owners of such place, at their expense, whenever, in the opinion of the Fire Chief, such removal is necessary for the security of the City against fires. A record of all such inspections shall be kept by the Chief or his/her designee.

**23.11 Penalty**

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 23 shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) or not more than five hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense. [The owner of record of any property upon which a violation of this Chapter occurs shall be held strictly liable for any violation occurring on their property and shall be guilty of a violation in the same manner as stated above.](#)

**23.12 Sprinkler Requirements for Certain Single-family Dwelling Units**

In addition to sprinkler requirements for structures under the provisions of the applicable N.F.P.A. (National Fire Protection Association) Code and/or any other applicable law or regulation all newly constructed duplexes, triplexes and single-family dwelling unit combination structures that are attached to each other, shall be sprinkled in accordance with National Fire Protection Association (N.F.P.A.) Code standards as contained in the New Hampshire State Fire Code.

**23.13 Prohibition and Regulation of Fireworks**

- A. In accordance with the provisions of RSA 160-C, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use, explode or display any permissible fireworks within the City of Rochester, except as specifically provided for in this ordinance.
- B. As used in this ordinance:
  - i. “Display” means the use, explosion, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.
  - ii. “Permissible fireworks” means those consumers firework devices defined as “permissible fireworks” in RSA 160-C, as the same currently exists or as, from time to time, hereinafter amended.
  - iii. “Fire Chief” means the Fire Chief of the City of Rochester or his/her designee.



- iv. "Police Chief" means the Police Chief of the City of Rochester or his/her designee.

C. Permit Required. No Person shall use discharge or explode any permissible fireworks without a permit issued by the City of Rochester.

- i. Any person wishing to obtain a permissible fireworks display permit shall apply to the Licensing Board at least 15 days prior to the display.
- ii. The applicant shall provide the following information:
- a. Date of application
  - b. Name, address, and telephone number of applicant
  - c. Address of location where the display will be held
  - d. Diagram of the display location, showing the location of all nearby property lines, nearby buildings, public ways, nearby trees, electrical and telephone lines or other overhead obstructions, and the location of any nearby storage of flammable or combustible liquids or gases
  - e. Name of the owner of the property where the display will be held
  - f. Intended date and time of display, including a possible rain date
  - g. Written authorization of the property owner, if different from the applicant
  - h. Signature of the applicant
- iii. Permit fee. The fee for a permissible fireworks display shall be five dollars (\$5.00) per event. The fee shall be paid at the time of application and is non-refundable.
- iv. Site inspections:
- a. Prior to issuing a permit, the Police Chief or the Fire Chief may conduct an inspection of the display site to determine whether a permissible fireworks display can be held in a safe manner.
  - b. If, in the opinion of the Licensing Board, the proposed site is not suitable for the safe display of permissible fireworks, the application for a permit shall be denied.

~~C.~~ D. Subject to, and in accordance with the provisions of Chapter 160-C of the New Hampshire Revised Statutes Annotated it shall be lawful to possess and/or display permissible fireworks upon compliance with the following requirements:

- i. A person who is 21 years of age or older may display permissible fireworks on private property with the written consent of the owner or in the owner's presence, subject to the provisions of this ordinance and RSA Chapter 160-C, and any other applicable ordinance regulation or statute.
- ii. No display of permissible fireworks shall be permitted within the City except between the hours of 6 PM and 11 PM ~~on Saturdays in the months of June and July and between the hours of 6 PM and 10 PM on Saturdays between the months of August through May. Permissible fireworks shall be permitted on the following holidays; Labor Day~~ Fourth of July (including the evening of July 3<sup>rd</sup> beginning at 6PM, after obtaining a permit, ~~on New Year's Eve (December 31<sup>st</sup>), provided, however, that on New Year's Eve such display shall be permitted to occur between the hours of 6 PM on December 31<sup>st</sup> and 1:00 AM on January 1<sup>st</sup>.~~

- iii The display of permissible fireworks shall be of such a character, and so located and conducted, that it shall not be hazardous to property or endanger any person. In accordance with the provisions of RSA Chapter 160-C no permissible fireworks shall be permitted on public property and must be at least 50 feet from nearby buildings, nearby trees, electrical and telephone lines or other overhead obstructions, and the location of any nearby storage of flammable or combustible liquids or gases.
  - iv No permissible fireworks may be used, discharged, exploded, or displayed during periods of very high or extreme fire danger as determined by the Fire Chief or the NH Division of Forests and Lands.
  - v. Permissible fireworks may be used, discharged, exploded, or displayed in a manner such that any all discharge debris shall remain within the property lines of the lot on which the display originates.
  - vi. Anyone using permissible fireworks shall be responsible for removing any debris accumulated due to the discharge of fireworks that fall onto the public way, public property, and any private property within twenty-four hours. Anyone failing to remove such debris shall be financially responsible for its clean up.
  - ~~vii. Display of permissible fireworks shall be permitted on public property the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city wide fireworks display held at the Rochester Fairgrounds, provided that such display shall be authorized in a duly issued Block Party Application/Permit from the City's Licensing Board covering the public property on which the display is to occur.~~
- ~~D.~~ E. A violation of this ordinance shall be subject to the penalties provided for in Chapter 23, Section 23.11, Penalty, of the City of Rochester General Ordinance.
- ~~E.~~ F. This ordinance shall be construed consistently with NH Code of Administrative Rules Saf c 2600, as made applicable by state statute and as adopted by reference in Section 23.1, of the General Ordinances of the City of Rochester, and is not meant to repeal any section thereof. Nothing in this ordinance shall be interpreted so as to conflict with the provisions of Chapters 160-B or 160-C of the New Hampshire Revised Statutes Annotated, as currently written, or as from time to time hereafter amended. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct independent provision and such holding shall not affect the validity of the remaining portions thereof. 11-9-10
- ~~F.~~ G. The Police Chief or Fire Chief may suspend the use of permissible fireworks for any of the following reasons:
- i. Unfavorable weather conditions, including but not limited to, lightning storms or high wind conditions ~~exceeding 20 miles per hour or higher.~~

- ii. If any person under the age of 21 possesses, uses, discharges or explodes, used, discharged or exploded any permissible firework device.
  - iii. If any person who is using, discharging, exploding, or displaying the permissible fireworks appears to be under the influence of alcohol or drugs;
  - iv. If, in the opinion of the Police Chief or Fire Chief, the use, discharge, exploding, or display of permissible fireworks would create a threat to public safety.
- ~~G.~~ H. The Police Chief and/or Fire Chief are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all firework devices that are being discharged in violation of this ordinance.”
- I. The City Manager, Mayor, and/or the City Council may declare a Special Event of cultural or civic significance and authorize the display of fireworks on the same terms as Section D. ii on particular days to celebrate those Special Events.

#### **23.14 Listed Agent Program**

In accordance with NFPA 1:2009 1.13, or the applicable adopted section of the current Code, the Rochester Fire Department enacts the Listed Agent Program. The Fire Chief or his designee shall promulgate administrative rules for the management of the Listed Agent Program.”

#### **23.15 Regulation of Fire Alarms**

The Fire Chief or his designee shall promulgate administrative rules for the management of the installation and maintenance of Fire Alarms.



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