



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

Agenda

1. **Call to Order**
2. **Presentation of the Colors:** Roland E. Patnode Jr. American Legion Post 7
 - 2.1. **Pledge of Allegiance**
3. **Opening Prayer**
 - 3.1. **Opening Prayer:** Roland E. Patnode Jr. American Legion Post 7
4. **Roll Call**
5. **Acceptance of Minutes**
 - 5.1. **Regular City Council Meeting: September 5, 2017 *consideration for approval* P. 7**
 - 5.2. **Special City Council Meeting: September 19, 2017 *consideration for approval* P. 25**
6. **Communications from the City Manager**
 - 6.1. **Employee of the Month Award P. 28**
 - 6.2. **City Manager's Report P. 27**
 - 6.3. **City Assessor: *City of Rochester/Re-Assessment 2017***
 - 6.4. **Deputy City Manager: *Tax Rate Calculation***
 - 6.5. **City Attorney: *General Ordinances [Chapter 42.29 Signage]***
7. **Communications from the Mayor**
 - 7.1. **Chris Foley Day – Friday, October 6, 2017**
 - 7.2. **POW Empty Chair Project: *Veterans Council Request for Space at City Hall* P. 45**
 - 7.3. **Historic East Rochester Fire Station: *Grant Application***
8. **Presentations of Petitions and Council Correspondence**
9. **Nominations, Appointments, Resignations, and Elections**

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City Clerk's Office

10. Reports of Committees

10.1. Appointments Review Committee P. 47

- 10.1.1. **Re-Appointment:** Peter Bruckner, Historic District Commission, Regular Member, Term to Expire January 2, 2021 P. 47
- 10.1.2. **Appointment:** Joyce Bruckner, Planning Board, Alternate Member, Term to Expire January 2, 2020 P. 47
- 10.1.3. **Re-Appointment:** Nancy Dibble, Historic District, Regular Member, Term to Expire January 2, 2020 P. 47
- 10.1.4. **Re-Appointment:** Michael Dionne, Conservation Commission, Regular Member, Term to Expire January 2, 2020 P. 47
- 10.1.5. **Appointment;** Mark Collopy, Planning Board, Alternate Member, Term to Expire January 2, 2020 P. 48
- 10.1.6. **Re-Appointment:** Marilyn Jones, Historic District Commission, Regular Member, Term to Expire January 2, 2020 P. 48

10.2. Community Development Committee P. 49

- 10.2.1. **Recommended Committee Action: AB 34** To Allow the Rochester Museum of Fine Arts to display Art Work in the hallways of the former Office of Economic Development located at the Rochester Community Center *consideration for approval* P. 53
- 10.2.2. **Recommended Committee Action: AB 33** Resolution Approving a 2018 Workforce Housing Charrette Application to the Workforce Housing Coalition of the Greater Seacoast *first reading and consideration for approval* P. 55

10.3. CTE Renovation Joint Building Committee P. 59

10.4. Public Safety Committee P. 87

- 10.4.1. **Recommended Committee Action:** To stop the practice of printing the call details out [*Fire Department's Committee Report – Monthly Fire Incidents*] *consideration for approval* P. 88
- 10.4.2. **Recommended Committee Action:** To install 2 “No thru Trucks” signs:
 1. Olde Farm Lane (*Signal Street Intersection*)
 2. McKinley Street (*Portland Street Intersection*) at the developer's expense *consideration for approval* P. 89
- 10.4.3. **Recommended Committee Action:** To deny the request for “children at play” signage for Ashwood/Watson Drive, such signs are not recognized by the Manual on Uniform Traffic Control Devices (MUTCD) *consideration for approval* P. 89
- 10.4.4. **Recommended Committee Action:** To install 2 “no parking” signs on the side of the street that is currently not posted, from end to end of McIntyre Court, at the discretion of DPW *consideration for approval* P. 89

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City Clerk's Office

- 10.5. Public Works and Building Committee P. 95
 - 10.5.1. **Recommended Committee Action: AB 38** Resolution Accepting NH Department of Transportation (NHDOT) Highway Block Grant funds in the Amount of \$530,588.40 *first reading* P. 103
 - 10.5.2. **Recommended Committee Action: AB 35** Resolution Authorizing Supplemental Appropriation to the Department of Public Works Capital Improvements Plan Budget for the Olde Farm Lane Lighting Project in the amount of \$150,000 *first reading* P. 109
- 11. Old Business
- 12. Consent Calendar
- 13. New Business
 - 13.1. **AB 37** Resolution, in accordance with RSA 674:39-aa, recognizing the "Involuntary Merger" of a Property Known As 77 Autumn Street (Currently, Rochester Tax Map 105, Lot 98), and Acknowledging the Appropriateness of Restoration of Such Lot To Its Pre-Merger Configuration *first reading* P. 115
 - 13.2. **AB 30** Resolution Accepting Opioid Abuse Reduction Initiative (OARI) Grant and Authorizing Supplemental Appropriation to the Police Department in the Amount of \$20,000.00 *first reading* P. 131
 - 13.3. **AB 29** Resolution Deauthorizing funding related to the Police Department Capital Improvement Plan Fund Comlog Recording Equipment System Project in the amount of \$2,095.00 *first reading* P. 139
 - 13.4. **AB 36** Resolution Deauthorizing \$1,463,067.66 related to various projects funded from the Department of Public Works Water Capital Improvements Plan Fund *first reading* P. 147
 - 13.5. **AB 32** Resolution Authorizing Supplemental Appropriation for the Department of Public Buildings Capital Improvements Plan Fund Community Center Security Camera Project in the amount of \$20,646.00 *first reading* P. 153
 - 13.6. **AB 39** Amendment to Zoning Ordinances Chapter 42 of the General Ordinances of the City of Rochester Regarding Variances *first reading and refer to a Public* P. 159
 - 13.7. **AB 31** Resolution Establishing Polling Places and Times for the November 7, 2017 Municipal Election *first reading* P. 163
- 14. Other
- 15. Non-Meeting/Non-Public Session
 - 15.1. Non-Public Session, Land, RSA 91-A:3 II (d)
 - 15.2. Non-Public Session, Personnel, RSA 91-A:3,II (a)
- 16. Adjournment

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City Clerk's Office

**Regular City Council Meeting
September 5, 2017
Council Chambers
7:00 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
Mark Klose, Fire Chief
Sara Eames, Resident
David Stevens, Resident

MINUTES

1. Call to Order

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

2. Presentation of the Colors: American Legion Unit 7 – Junior Auxiliary

2.1. Pledge of Allegiance

The American Legion Unit 7 Junior Auxiliary led the Pledge of Allegiance.

3. Opening Prayer

3.1. Opening Prayer: American Legion Unit 7 – Junior Auxiliary

The American Legion Unit 7 Junior Auxiliary led the opening prayer.

4. Roll Call

Kelly Walters, City Clerk, took the roll call. All Councilors were present.

5. Acceptance of Minutes

5.1. Regular City Council Meeting: August 1, 2017 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the August 1, 2017, Regular City Council meeting minutes. 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 announced that Matt Furtney, Fire Department, has been selected as the Employee of the Month for September. City Manager Fitzpatrick invited Fire Chief Klose to accept the plaque for Mr. Furtney and present it to him at a later date.

6.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Contracts and documents executed since last month

- **City Manager's Office**
 - Chamber Support Letter
 - Homeland Security Grant close-out – (Warm-Zone Equipment)

- **Department of Public Works**
 - 38 Hanson Street – demo and parking lot construction contract
 - 216 Salmon Falls Road – Security Agreement
 - Clean Water SRF Project
 - Community Center Lease Renewal – Strafford Regional Planning Commission
 - EDA Salmon Falls Project – Change Order #1
 - EDA Salmon Falls Project - Amendment
 - Eversource Easement
 - Franklin St. /Western Ave. Project – Change Order #2
 - Geological Survey Contract
 - Honeywell HVAC Contract
 - Underwood Engineers Contract – Ground Water Eval & Tech Assist.
 - Western Ave Pump Station – Cert. of Substantial Completion

- Water Supply Evaluation & Groundwater Evaluation
- **Economic & Community Development**
 - CDBG FY 17-18 Annual Action Plan
 - CDBG Release of Funds – CAP Weatherization & Tennis Courts
 - Community Partners – Contract Amendment
 - Homeless Center of Strafford County generator project
 - Housing Authority environmental review
 - Share Fund – contract addendum
 - Strafford County CAP – environmental review
 - Crossroads House and My Friend’s Place – contract addendum
- **Finance Department**
 - Homeless Center - MOU
 - Partial Lien Release – Little Quarry Drive
- **Legal Department**
 - Tax Deeds – Kipling Road and Strafford Road

The following Computer/Lease Purchase or Tuition Reimbursement Forms have been approved:

- Computer Lease/Purchase – Deluca, A – Police Department
- Tuition Reimbursement – Pollard, K – Economic Development

The following standard reports have been enclosed:

- City Council Request & Inquiry Report [*No Items – No Report included*]
- Monthly Overnight Travel Summary
- Permission & Permits Issued
- Personnel Action Report Summary

7. Communications from the Mayor

7.1. Municipal Filing Period

Mayor McCarley announced that the November 7, 2017 Municipal Election Filing Period would be starting this Friday, September 8, 2017 at 8 AM and would remain open until Monday, September 25, 2017 at 5:00 PM.

7.2. Mayor McCarley Rochester Listens

Mayor McCarley informed the public that *Rochester Listens* would meet on September 6, 2017 at the Annex for a community collaborative of area

groups to discuss the downtown area.

7.3. Farmers Market

Mayor McCarley encouraged City Council and the public to attend the last few of the Rochester Farmer's Market events, which includes free entertainment and demonstrations.

Mayor McCarley said the Historic District Commission is invited to attend the October Workshop to make a presentation to the City Council about the historic building located on 38 Hanson Street.

8. Presentations of Petitions and Council Correspondence

9. Nominations, Appointments, Resignations, and Elections

9.1. **Resignation:** Robert Jaffin, Planning Board

9.2. **Resignation:** Robert Jaffin, Strafford Regional Planning Commission

Mayor McCarley announced that Robert Jaffin is moving to the State of Maine and can no longer serve on the Planning Board and the Strafford Regional Planning Commission. Councilor Lachapelle **MOVED** to **ACCEPT** the resignations submitted by Robert Jaffin for both the Planning Board and for the Strafford Regional Planning Commission, with regret, and to send a letter of thanks. Councilor Willis seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.3. **Resignation:** Rick Healey, Planning Board

9.4. **Resignation:** Rick Healey, Historic District Commission

9.5. **Resignation:** Rick Healey, Government Channel

Mayor McCarley said Rick Healey has served the Rochester Community for many years and is no longer able to serve at this time. Councilor Lachapelle **MOVED** to **ACCEPT** the resignations submitted by Rick Healey for the Planning Board, Historic District Commission and for the Government Channel, with regret, and to send a letter of thanks. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

9.6. **Candidate(s) for Moderator – Ward 6**

9.6.1. Sara Eames, Ward 6

Mayor McCarley nominated Sara Eames, registered voter, to serve as the new Moderator for Ward 6. 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. Eames has been elected as the new Moderator for Ward 6 by a 13 to 0 roll call vote. Councilors Bogan, Abbott, Varney, Willis, Lachapelle, Gray, Barnett, Torr Hamann, Gates, Keans, Lauterborn, and Mayor McCarley voted in favor of the motion.

9.7. Candidate(s) Police Commission Ward 1 & 2:

9.7.1. David Stevens, Ward 1

Mayor McCarley nominated David Stevens, Ward 1, to serve as the new Police Commissioner Representative for Wards 1 & 2. Councilor Lachapelle seconded the nomination. Councilor Torr **MOVED** that nominations cease. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Stevens has been elected as the new Police Commissioner Representative for Wards 1 & 2 by a 13 to 0 roll call vote. Councilors Gray, Hamann, Torr, Keans, Varney, Gates, Barnett, Bogan, Lauterborn, Abbott, Willis, Lachapelle, and Mayor McCarley voted in favor of the motion.

10. Reports of Committees

10.1. Appointments Review Committee - no action

No discussion.

10.2. Public Safety Committee

10.2.1. Recommended Committee Action: To Move the COAST bus stop to the Intersection of Roulx Drive & Salmon Falls Road and put the sign on the same post as the stop sign [Coast would relocate the sign] consideration for approval

Councilor Hamann **MOVED** to **APPROVE** the Public Safety Committee recommendation as stated above. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.2.2. Recommended Committee Action: To Paint stop bars – one coming in and one coming out of Ledgeview Drive consideration for approval

Councilor Hamann **MOVED** to **APPROVE** the Public Safety Committee recommendation as stated above. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

- 10.2.3. Recommended Committee Action:** *To place three 25 mph signs one coming in on Hansonville Road, one coming in on Oak Street, and one on the lower half of Ledgeview Drive near Punch Brook Way at the discretion of DPW consideration for approval*

Councilor Hamann said many concerned citizens attended the Public Safety meeting from the Ledgeview Drive area. He **MOVED** to **APPROVE** the Public Safety Committee recommendation as stated above. Councilor Lachapelle seconded the motion. Councilor Willis questioned if the signage would be kept inside the Ledgeview Drive development. Councilor Hamann replied yes. The **MOTION CARRIED** by a unanimous voice vote.

- 10.2.4. Recommended Committee Action:** *To send a letter to the State to request a turning lane between the intersection of 125/Gear Road and Colonial Drive consideration for approval*

Councilor Hamann **MOVED** to **APPROVE** the Public Safety Committee recommendation as stated above. Councilor Lachapelle seconded the motion. The Council discussed the matter. Councilor Willis **MOVED** to **AMEND** the motion to strengthen the letter to include a speed limit request of 45 MPH starting at the Rochester Boundary Line up to the Intersection of Colonial Hill/Gear Road. Secondly, to extend the request of a turning lane at the Intersection of Colonial Drive/Gear Road, to construct a center lane [turning lane] from the Rochester Border to Church Street in Gonic. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley called for a vote on the amended motion. The **MOTION CARRIED** by a unanimous voice vote.

- 10.2.5. Recommended Committee Action:** *To put the stop sign back up near the Shell Station on Little Falls Bridge Road consideration for approval*

Councilor Hamann **MOVED** to **APPROVE** the Public Safety Committee recommendation as stated above. Councilor Lachapelle seconded the motion. Councilor Willis expressed concern about posting a public stop sign

on private property. The **MOTION CARRIED** by a unanimous voice vote.

10.3. Public Works and Building Committee

- 10.3.1. **Recommended Committee Action:** *To direct the City Manager to have Staff work with the Brocks to have the deed transferred to the City so the full City Council can vote to accept the street in the current condition and continue with maintenance and other City services consideration for approval*

Councilor Torr reviewed the motion made by the Public Works and Building Committee relative to Laura Drive as stated above. Attorney O'Rourke said at this point, it would make sense to make a motion to accept the deed for Laura Drive. Councilor Keans asked if there had been any transfer of money for this deed. Attorney O'Rourke replied no. Councilor Varney **MOVED** to **ACCEPT** the Deed for Laura Drive as a City Street. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

- 10.3.2. **Recommended Committee Action:** *to recommend that the full City Council support the ¾" overlay (pavement) of the downtown area consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Public Works and Building Committee recommendation as stated above. Councilor Bogan seconded the motion. Councilor Torr expressed concern that pavement should be completed by mid-November. Councilor Willis expressed concern of how this overlay pavement project would affect the 'reveal' of the sidewalks. City Manager Fitzpatrick concurred. The **MOTION CARRIED** by a unanimous voice vote.

11. Old Business

No discussion.

12. Consent Calendar

Councilor Lachapelle **MOVED** to **APPROVE** the Consent Calendar. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

- 12.1. **AB 21 Resolution Deauthorizing FY 2016-2017 Funding related to the New Hampshire Department of Justice Victims of Crime Act (VOCA) in the Amount of \$2,201.31 *first reading, second reading, and consideration for approval***

13. New Business

- 13.1. **Question to Voters: November 7, 2017, Municipal Election ballot:**

“Shall we allow the operation of keno games within the City of Rochester?” *motion to approve placing this question on the ballot and to schedule a public hearing*

Mayor McCarley called for a vote on the motion as stated above. Councilor Varney requested a roll call vote. Councilor Lachapelle seconded the request. Councilor Lachapelle **MOVED** to **APPROVE** the above ballot question for the November 7, 2017 Municipal Election Ballot and to schedule a Public Hearing as required by State Law. The **MOTION CARRIED** by a 12 to 1 roll call vote. Councilors Gray, Abbott, Keans, Bogan, Varney, Hamann, Torr, Barnett, Lachapelle, Gates, Willis, and Mayor McCarley voted in favor of the motion. Councilor Lauterborn voted against the motion.

- 13.2. **AB 27 Resolution Authorizing the Rochester Police Department to Apply for a United States Department of Justice (USDOJ) Justice Assistance Grant (JAG) in the Amount of \$26,029 *first reading and consideration for 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 the Rochester Police Department to Apply for a United States Department of Justice (USDOJ) Justice Assistance Grant (JAG) in the Amount of \$26,029

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 Rochester Police Department to apply for a grant in the amount of Twenty Six Thousand Twenty Nine Dollars (\$26,029.00) from the USDOJ JAG program in order to fund the purchase of evidence collection

equipment. The City of Somersworth will act as agent for this application in exchange for Five Percent (5%) of any monies awarded to the City of Rochester.

Further, the Mayor and City Council authorize the City Manager to enter into a inter-local agreement with the City of Somersworth to apply for the grant and authorize the City Manager to execute any documents and agreements necessary for the grant's acceptance and execution.

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 FY18 09-05 AB 27**

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

13.3. AB 26 Resolution for Supplemental Appropriation to the Conservation Commission Fund for Fiscal Year 2016-2017 Pursuant to the Provisions of Section 11.21 (c) of the General Ordinances in the Amount of \$87,195 *first reading, second reading, and consideration for approval*

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 Supplemental Appropriation to the Conservation Fund for Fiscal Year 2016-2017 Pursuant to the Provisions of Section 11.21(c) of the General Ordinances in the Amount of \$87,195

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

As a supplemental appropriation to the 2016-2017 fiscal year operating budget of the City of Rochester, the sum of Eighty Seven Thousand One Hundred Ninety Five Dollars (\$87,195.00); from annual excess Land Use Change Tax funds for fiscal year 2016-2017 to the City of Rochester Conservation Fund, the sums necessary to fund such supplemental appropriation to be drawn in their entirety from the aforesaid annual excess

Land Use Change Tax revenues received during fiscal year 2016-2017.

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. The effective date of this Resolution shall be June 30, 2017. **CC FY18 09-05 AB 26**

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 Willis asked if this would essentially transfer funds from the last fiscal year to the current fiscal year. Deputy City Manager Cox replied no, this is the additional revenue for the Land Use Change Tax Funds above the \$10,000 appropriated during the 2017 budget. Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.4. AB 24 Resolution Consenting to the Transfer of Metrocast's Cable Franchise to Atlantic Broadband *first reading and consideration for 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 Consenting to the Transfer of Metrocast's Cable Franchise to Atlantic Broadband

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

WHEREAS, The City of Rochester ("Franchising Authority") has received a request from MetroCast Cablevision of New Hampshire, LLC ("MetroCast") to assign to Atlantic Broadband (NH- ME), LLC, a wholly-owned, indirect subsidiary of Cogeco Communications, Inc., ("Atlantic Broadband") the cable television franchise held by MetroCast ("Franchise").

WHEREAS, The Franchise requires that MetroCast obtain the Franchising Authority's prior consent for the assignment of the Franchise by MetroCast to Atlantic Broadband.

WHEREAS, MetroCast and Atlantic Broadband have properly requested the

Franchising Authority's consent to the assignment and transfer of the Franchise and related assets to Atlantic Broadband.

WHEREAS, Atlantic Broadband has the financial, technical, and legal ability to fulfill the obligations of the Franchise, and the assignment of the Franchise to Atlantic Broadband will serve the public interest.

THEREFORE, the Mayor and City Council resolve that the Franchising Authority consents to the transfer to Atlantic Broadband of the Franchise and all of MetroCast's rights in and under the Franchise. Upon the closing of the sale of MetroCast's cable system to Atlantic Broadband ("Closing"), Atlantic Broadband shall become bound by the Franchise and shall perform and discharge all obligations and duties under the Franchise that arise on and after the Closing. Upon Closing, the Franchising Authority releases MetroCast from all obligations and liabilities under the Franchise that relate to periods from and after the Closing. Upon Closing, Caisse de depot et placement du Quebec ("CDPQ") will have an indirect equity interest in Atlantic Broadband. Atlantic

Broadband may: (a) assign or transfer its assets to an entity directly or indirectly controlling, controlled by, or under common control with Atlantic Broadband; (b) restructure debt or change the ownership interests among its existing equity holders and/or CDPQ; (c) pledge or grant to any lender a security interest in Atlantic Broadband's assets to secure indebtedness; and (d) sell equity interests in Atlantic Broadband or any of Atlantic Broadband's affiliates. All Franchising Authority action necessary to approve this Resolution and the Franchise transfer has been duly and validly taken.

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

The effective date of this resolution shall be upon passage.

Councilor Willis asked about the customers currently utilizing the Metrocast.net domain. It seems this would be a burden for many of the customers. City Manager Fitzpatrick gave a brief history of cable franchise agreements. He agreed to direct staff to communicate this concern to Atlantic Broadband. The City Council briefly discussed the matter. The **MOTION CARRIED** by a unanimous voice vote.

13.5. AB 25 Resolution Accepting NH Department of Environmental Services (NHDES) Grant, in Connection with 2018 Household Hazardous Waste Day and Authorizing City Manager to Enter Into a Contract with

NHDES not to exceed \$14,000 *first reading, second reading, and consideration for approval*

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 Accepting
NH Department of Environmental Services (NHDES) Grant,
in Connection with 2018 Household Hazardous Waste Day
and Authoring City Manager to Enter Into a
Contract with NHDES not to exceed \$14,000

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

That a NHDES Grant, in the amount not to exceed Fourteen Thousand Dollars (\$14,000.00) to the City of Rochester, for the purpose of hosting hazard mitigation, is hereby accepted by the City of Rochester and, when received, such grant funds shall be assigned to account number 13010057-533007 previously approved by the Council in the 2018 operating budget of the City of Rochester.

Additionally, the City Manager of the City of Rochester, be, and hereby is authorized to enter into a contract with the NHDES with respect to such grant and the conduct of the aforementioned 2018 Household Hazardous Waste Day.

Furthermore, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY18 09-05 AB 25**

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.

13.6. AB 22 Resolution Authorizing Supplemental Appropriation for the so-called EDA Sewer and Salmon Falls Road Reconstruction Project in the Amount of

\$110,000 *first reading, second reading, and consideration for approval*

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 so-called EDA Sewer and Salmon Falls Road Reconstruction Project in the Amount of \$110,000

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

That the sum of One Hundred Ten Thousand Dollars (\$110,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Sewer Capital Improvement Plan Project Fund for the purpose of providing funds necessary to pay costs and/or expenditures with respect to homeowner connections related to the EDA Sewer and Salmon Falls Road Reconstruction Project. The entire supplemental appropriation shall be derived from the Sewer 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. **CC FY18 09-05 AB 22**

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. Councilor Willis asked if individual residents would be paying the City back for this investment. City Manager Fitzpatrick said yes and payment plans would be acceptable. Councilor Varney asked about the utility rates. Deputy City Manager Cox replied that the Utility Advisory Board would be presenting the utility rates to the City Council in October. The **MOTION CARRIED** by a unanimous voice vote.

- 13.7. AB 28 - A Resolution Authorizing Supplemental Appropriation for the So-Called Forest Park Drive and Plant Street Drainage Project in the Amount of \$900 *first reading, second reading, and consideration for***

approval

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 so-called Forest Park and Plante Street Drainage Project in the Amount of \$900

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

That the sum of Nine Hundred Dollars (\$900.00) be, and hereby is, appropriated as a supplemental appropriation to the Department of Public Works Capital Improvement Plan Project Fund for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the Forest Park and Plante Street Drainage Project. The entire 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 FY18 09-05 AB 28 - A**

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 City Council briefly discussed the matter. The **MOTION CARRIED** by a unanimous voice vote.

13.8. AB 28 – B Resolution Deauthorizing \$2,935,050.66 Related to Various Projects Funded from the Department of Public Works & Public Buildings Capital Improvement Plan Project Fund *first reading, second reading, and consideration for approval*

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 Deauthorizing \$2,935,050.66 related to various projects funded from the Department of Public Works & Public Buildings Capital Improvement Plan Project Fund

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

That Two Million Nine Hundred Thirty Five Thousand Fifty and 66/100 Dollars (\$2,935,050.66) of previously appropriated funds is deauthorized from various completed, cancelled, or postponed projects in accordance with Exhibit A.

Further, in accordance with RSA 33:9, Two Million Eight Hundred Thirty Five Thousand Eight Hundred Two and 18/100 Dollars (\$2,835,802.18) in previously authorized bonding authority is hereby revoked as shown in Exhibit A.

Still further, the amount of Ninety Four Thousand Four Hundred Two and 99/100 Dollars (\$94,402.99) shall be returned to the General Fund unassigned fund balance and Four Thousand Eight Hundred Forty Five and 49/100 Dollars (\$4,845.49) shall not be sought as reimbursement for the two grants as identified in Exhibit A .

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 FY18 09-05 AB 28-B**

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. Mayor McCarley confirmed that the funds to be deauthorized by this resolution are from projects which have been completed or eliminated. The **MOTION CARRIED** by a unanimous voice vote.

13.9. AB 20 Resolution Authorizing Supplemental Appropriation to Renew Contract with the Buxton Company in the Amount of \$40,000 *first reading, second reading, and consideration for approval*

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 to Renew Contract with the Buxton Company in the Amount of \$40,000

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

That the sum of Forty Thousand Dollars (\$40,000.00) be, and hereby is, appropriated as a supplemental appropriation for the purpose of providing funds necessary to pay costs and/or expenditures with respect to contracting with the Buxton Company to provide analytical data regarding recruitment of retail ventures. The entire supplemental appropriation shall be derived from the General Fund unassigned fund balance.

Further, the City Manager is authorized to sign all necessary instruments to effect the contract between the City of Rochester and the Buxton Company.

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 FY18 09-05 AB 20**

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. Councilor Willis questioned if this funding would be worth the investment. Both the City Manager Fitzpatrick and Karen Pollard, Economic Developer, agreed this would be a financial benefit investment for the City. Ms. Pollard said that the City of Rochester is one of the most successful City's in the Country to utilize the Buxton Data. Councilor Lauterborn added that this year's contract has an important component which includes the downtown area. The City Council discussed the funding source. The **MOTION CARRIED** by a unanimous voice vote.

14. Other

Councilor Gates had questions about the dumpsters in the downtown area. He asked if there is an existing City Ordinance relative to screening-in the dumpsters in the downtown area. Councilor Gray said there could be some regulations about screening-in dumpsters directed to owners from the

Planning Board Site Regulations. Councilor Lachapelle agreed that the screened-in dumpsters would look nice aesthetically; however, it would become a financial burden for many business owners. He recalled that the Codes and Ordinances Committee reviewed this ordinance about six years ago. He agreed to have the Codes and Ordinances Committee review this ordinance at the October Committee meeting.

15. Non-Meeting/Non-Public Session

15.1. Non-Public Session, Land, RSA 91-A:3 II (d)

15.2. Non-Public Session, Personnel, RSA 91-A:3,II (a)

Councilor Gray **MOVED** to enter into a Non-Public Session, under RSA 91-A:3,II (a), for Personnel and RSA 91-A:3 II (d) for land at 7:56 PM. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote. Councilors Keans, Willis, Lachapelle, Abbott, Varney, Gates, Barnett, Bogan, Lauterborn, Gray, Hamann, Torr, and Mayor McCarley voted in favor of the motion.

Councilor Lauterborn **MOVED** to exit the Non-Public Session and return to the Public Session at 8:44 PM. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn **MOVED** to seal the minutes indefinitely because it is determined that divulgence of this information likely would render a proposed action ineffective. Councilor Gates seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call. The following Councilors voted in favor of the motion: Councilors Barnett, Keans, Lauterborn, Hamann, Lachapelle, Abbott, Willis, Gates, Torr, Gray, Bogan, Varney, and Mayor McCarley voted in favor of the motion.

16. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 8:45 PM. Councilor Willis seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

Attachments: AB 28-B Exhibit A

EXHIBIT A

Account Number	Project Name	Revised Budget	Expended	Deauthorize			Total De-authorization	To Be Bonded
				Cash	Bond	Grant		
15013010-771000-12512	Howard Brook	\$ 173,830.00	\$ 34,717.17	\$ 8,830.83	\$ 130,282.00	\$ -	\$ 139,112.83	\$ -
15013010-771000-15525	Howard Brook	\$ 350,000.00	\$ -	\$ -	\$ 350,000.00	\$ -	\$ 350,000.00	\$ -
15013010-771000-15527	North Main Gap	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -
15013010-771000-15550	Forest Park & Plante Drainage	\$ 200,000.00	\$ 112,497.37	\$ -	\$ 88,402.63	\$ -	\$ 88,402.63	\$ -
15013010-771000-16525	Milton/Salmon fls intersection	\$ 150,000.00	\$ -	\$ -	\$ 150,000.00	\$ -	\$ 150,000.00	\$ -
15013010-771000-16529	Lowell Culvert	\$ 230,000.00	\$ 99,529.63	\$ -	\$ 130,470.37	\$ -	\$ 130,470.37	\$ 22,579.80
15013010-771000-16588	Gonic Dam	\$ 34,273.00	\$ 33,249.51	\$ -	\$ -	\$ 1,023.49	\$ 1,023.49	\$ -
15013010-771000-17530	Woodman Myrtle	\$ 1,700,000.00	\$ -	\$ -	\$ 1,700,000.00	\$ -	\$ 1,700,000.00	\$ -
15011090-772000-16516	Opera House lift	\$ 10,000.00	\$ -	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	\$ -
15011090-772000-16548	DHHS Upgrades	\$ 30,000.00	\$ -	\$ 30,000.00	\$ -	\$ -	\$ 30,000.00	\$ -
15011090-772000-16549	Heating Second fl Com Ctr	\$ 12,000.00	\$ 11,519.84	\$ 480.16	\$ -	\$ -	\$ 480.16	\$ -
15011090-772000-16552	Replace Gym Sound Boards	\$ 25,000.00	\$ -	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	\$ -
15011090-772000-17517	PD Roof Repair	\$ 25,000.00	\$ 8,730.00	\$ 16,270.00	\$ -	\$ -	\$ 16,270.00	\$ -
15011090-772000-17550	DHHS Space Renovations	\$ 100,000.00	\$ -	\$ -	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -
15011090-772000-17552	Inter & Exterior Security Cam	\$ 100,000.00	\$ 33,998.82	\$ -	\$ 86,647.18	\$ -	\$ 86,647.18	\$ 33,998.82
15011090-773100-17514	Central Fire Generator	\$ 110,000.00	\$ 102,356.00	\$ 3,822.00	\$ -	\$ 3,822.00	\$ 7,644.00	\$ -
				\$ 94,402.99	\$ 2,835,802.18	\$ 4,845.49	\$ 2,935,050.66	\$ 56,578.62

GENERAL FUND PROJECTS READY FOR DE-AUTHORIZATION

**Special City Council Meeting
September 19, 2017
Council Chambers
7:00 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

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

Minutes

1. Call to order

Mayor McCarley called the meeting to order at 7:00 PM. Cassie Givara, Deputy City Clerk, took a silent roll call. All councilors were present.

**2. Wrestling Competition Event [Rochester Opera House]
*consideration to approve wrestling venue permit***

Mayor McCarley informed the council that they are required by ordinance to approve a venue for any wrestling events occurring in the city. Mayor McCarley requested a motion to approve the Opera House as the venue for this event. Council Lachapelle **MOVED** to approve the Rochester Opera House venue permit. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote.

Councilor Lauterborn asked for clarification on how the Opera House could sell tickets for an event prior to knowing whether or not it will be approved by council.

City Manager Fitzpatrick verified that the city cannot regulate whether or not a venue sells tickets, and the Council did not specifically request that the Opera House delay selling tickets pending venue approval.

Attorney O'Rourke discussed the ordinance stating that the City Council needs to have a majority vote to approve a wrestling venue, but thereafter it is the responsibility of the licensing board to obtain permits for the actual event.

Mayor McCarley clarified that the event was not occurring for a couple more weeks. Attorney O'Rourke confirmed that the event was not taking place until Saturday September 30, 2017.

3. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the special meeting at 7:03 PM. Councilor Bogan seconded the motion. The motion carried by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
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

6. CITY MANAGER'S REPORT

October 3, 2017

6.1 The Employee(s) of the Month is: Eric Babine – Police Department **P. 28**

6.2 City Manager's Report: Contracts and documents executed since last month:

- Department of Public Works
 - Dewey Street Bridge Project – Construction Engineering Services **P.29**
 - Household Hazardous Waste Day **P. 30**
 - Paving Contract 16-13 Change Order 2 & 2A **P. 31**
 - Wakefield Street Easement Deed **P. 32**
- Economic & Community Development
 - Buxton Contract Renewal **P.33**
 - CDBG Agreement – US. HUD **P. 34**
 - CDBG Certification of Consistency **P.35**
- Legal Department
 - Cider Hill – Tax Deed **P. 36**
- Police Department
 - Highway Safety STEP Grant Modification **P. 37**
- Planning Department
 - E911 Staff Change memo **P. 38**
 - PB Memo – Proposed Zoning Changes **P. 39**

The following Computer/Lease Purchase or Tuition Reimbursement Forms have been approved

- Computer Lease/Purchase – Wheeler, J – Fire Department **P. 40**

The following standard reports have been enclosed:

- City Council Request & Inquiry Report - **No Items – No Report included**
- Monthly Overnight Travel Summary **P. 41**
- Permission & Permits Issued **P. 42**
- Personnel Action Report Summary **P. 43**

EMPLOYEE OF THE MONTH NOMINATION FORMEMPLOYEE'S NAME SGT.Eric BabineDEPARTMENT Rochester Police Dept

Provide examples of how the employee has performed actions that were above and beyond those normally expected for the employee's position. The more examples you can give adds to the strength of the nomination. If more room is needed, please use reverse side.

SERVICE TO THE COMMUNITY

(Example: Volunteering at a blood drive, actively participating in the Adopt-a-Spot Program, chairing or sponsoring programs such as Toys For Tots or the Summer Fun Festival.)

Eric participated in the police torch run and often participates in different charity runs with the city.

QUALITY CUSTOMER SERVICE (EXTERNAL/INTERNAL)

(Example: A City employee helping the elderly to their car in bad weather, creating special events for staff such as the Christmas party or the Chili-Cook-Off.)

Eric is a great supervisor; he is always going above and beyond to make changes in dispatch. Eric sees issues within the room and tries his hardest to find the solution to fix something. Recently he bought our center cubbies, out of his own pocket, to give us more storage space. He also celebrated dispatch week by getting us little thank you gifts.

PROFESSIONALISM AND COMMITMENT BEYOND WHAT IS EXPECTED FOR THE EMPLOYEE'S POSITION

(Example: He/she gives extra hours to the job when necessary to get the job done.)

Eric is the first supervisor I have worked with that rotates his schedule around so he works with each of the different dispatch shifts, therefore all of his employees get a chance to see and work with him. Eric is always picking up extra shifts with patrol as well.

YOUR NAME: Dispatcher Maddie Moule DATE: 06/13/2017

PLEASE NOTE: You may use either this form or a letter, whichever is more convenient for you. Thank you for your time and interest in the Employee of the Month Program!

RECEIVED

JUN 13 2017

BUSINESS OFFICE
CITY OF ROCHESTER

9/28/17



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

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

www.rochesternh.net

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Blaine M. Cox, Deputy City Manager

FROM: Lisa J. Clark, Admin Supervisor *LJC*

DATE: September 13, 2017

SUBJECT: HTA & Associates, Inc
Dewey Street Bridge Replacement Project
Construction Engineering Services - \$33,021.00

CC: Michael S. Bezanson, PE City Engineer

CITY OF
Received
SEP 15 2017
City Manager
ROCHESTER

Attached please find one copy of Dewey Street Pedestrian Bridge Engineering contract for Construction Phase Services. The work describe in this scope of services is for support to the City during construction of the pedestrian bridge. It includes, shop drawing, observing critical construction activities and for on-call consultation to the City.

There is sufficient funding in the Dewey Street Pedestrian Bridge Project Account 15013010-771000-17579

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

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

9/28/17



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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

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CITY OF
Received

SEP 14 2017

City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
Samantha Rodgerson, Senior Executive Assistant

FROM: Lisa J. Clark *LJC*

DATE: September 12, 2017

SUBJECT: Household Hazardous Waste Day Grant Contract/Agreement

Attached please find the Grant Agreement for the Household Hazardous Waste Day to be held in May 5, 2018.

Please have the City Manager sign and initial each page as indicated, and please notarize as required.

These documents should be returned to the DPW for mailing with the total package of required documents.

9/28/17



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
AUG 30 2017
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

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

FROM: Michael Bezanson, PE, City Engineer *MBS*

DATE: August 29, 2017

SUBJECT: Paving Contract 16-13, Change Orders No. 2 & 2A

CC: John MacLean, Interim Director of City Services

Attached please find one (1) original of both Change Orders No. 2 and 2A between Pike Industries, Inc. and the City of Rochester for the Pavement & Highway Improvement Project, Contract 16-13. Change Order No. 2 is a balancing change order that closes out all previous contracted work; it decreases the contract price by \$531,460.60 and does not extend contract time. Change Order No. 2A adds the FY18 paving rehabilitation work to the Pike contract; it adds \$1,720,887.00 to the contract price and extends the contract time to December 31, 2018.

Pike has agreed to hold unit prices for this extension of the contract. There are also some additional items, not contemplated in the original contract, that will be used to address some drainage improvements necessary as part of the FY18 paving work.

Change Order No. 2A will be funded as follows:

FY17 Pavement Rehabilitation account line #15013010-771000-17527	\$535,165
FY18 Pavement Rehabilitation account line #15013010-771000-18528	\$1,030,822
FY17 Corrective Drainage account line #15013010-771000-17520	\$138,743
FY18 Corrective Drainage account line #15013010-771000-18524	<u>\$16,157</u>
Total:	\$1,720,887

Blaine - If you have any questions, please let me know; if not, please sign and forward to the City Manager for signature. The original signed document should be returned to me at DPW for distribution.

Signature: *Blaine Cox*
Blaine M. Cox
Deputy City Manager/Director of Finance & Administration

Attachments: Change Order No. 2
Change Order No. 2A with attachment



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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(603) 332-4096

Fax (603) 335-4352

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9/28/17

CITY OF
Received

SEP 7 2017

City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager

FROM: Lisa J. Clark, Admin & UB Office Supervisor *LJC*

DATE: September 6, 2017

SUBJECT: 21 Wakefield Street –Easement Deed
Cristopher Emmons

CC: Michael S. Bezanson PE, City Engineer
John Maclean Interim Director of City Services

Attached please find the easement deed drawn up by our legal department for the property easement at 121 Wakefield Street. Per the Purchase & Sales agreement for the purchase of 455' of property at the corner of Wakefield and Glenwood Avenue Mr. Emmons is to be given a one foot easement into the right of way along the Glenwood Avenue side of his property due to the encroachment of building structures located in the right of way. This easement is for non-exclusive use for enjoyment and for maintenance on the existing structure and maybe transferable with the stipulation of same or similar use.

If you have any questions please call Attorney O'Rourke. This document should be executed, notarized and returned to DPW for distribution.



9/28/17

City of Rochester, New Hampshire

Economic & Community Development

151 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.RochesterEDC.org

Date: September 6, 2017

To: Daniel Fitzpatrick, City Manager

From: Karen Pollard, Economic Development Manager

Re: Buxton Company – Signature Requested

CONFIDENTIAL

CITY OF
Received

SEP 7 2017

City Manager
ROCHESTER

The City Council approved a new three year contract with The Buxton Company at the regular meeting on September 5, 2017. The contract is attached. Please sign on page 7 of 8 and on page 3 of 4 and return it to our department.

Thank you,

Karen Pollard, Economic Development Manager

9/28/17

Date: September 18, 2017
To: Dan Fitzpatrick
City Manager
From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
SEP 18 2017
City Manager
ROCHESTER

Re: FY 2017-2018 CDBG Grant Agreement

Please see attached two copies of the FY 2017-2018 Community Development Block Grant agreement with the U.S. Department of Housing and Urban Development. The copies of the agreement require the signature of the City Manager and can be returned to Julian after signing.

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

9/28/17
CITY OF
Received
SEP 5 2017
City Manager
ROCHESTER

Date: September 5, 2017
To: Dan Fitzpatrick
City Manager
From: Julian Long
Community Development Coordinator/Grants Manager

Re: Bureau of Homeless and Housing Services Certification of Consistency with the Consolidated Plan

I have been asked to review N.H. Bureau of Homeless and Housing Services' certification of consistency and proposed grant projects to verify that they are consistent with the City of Rochester's FY 2015-2020 Consolidated Plan. The projects provide housing and housing-related services to homeless populations within the City of Rochester and elsewhere, focusing on housing for chronically homeless and mentally ill populations, as well as permanent supportive housing.

All of these services are consistent with the goals and activities outlined in the Consolidated Plan. In particular, services and housing for homeless populations, especially chronically homeless and mentally ill populations, are priority needs identified in the Consolidated Plan.

Please sign the attached certification of consistency with the Consolidated Plan and return to Julian Long. Please contact Julian with any questions or concerns. Thank you very much.

9/28/17



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

CITY OF
Received
SEP 25 2017
City Manager
ROCHESTER

Memorandum

To: Daniel Fitzpatrick, City Manager
From: Terence O'Rourke, City Attorney *TJO*
Date: September 26, 2017
Re: Redemption of 9 Cider Hill Road

On September 13, 2017, the Tax Collector issued a Tax Deed for 9 Cider Hill Road. On September 26, 2017, the former owner, Cathleen Taylor, redeemed the property in full. In order to complete the redemption process, the City must issue Ms. Taylor a Quitclaim Deed which must be signed by the City Manager.

9/28/17

ROCHESTER POLICE DEPARTMENT



23 WAKEFIELD STREET
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127
FAX (603) 330-7159
www.rochesterpd.org

"Dedication, Pride, Integrity"

POLICE COMMISSION


VACANT
Chairman
BRUCE E. LINDSAY
Vice Chairman
LUCIEN G. LEVESQUE
Commissioner

PAUL R. TOUSSAINT
Chief of Police



August 29, 2017

TO: Daniel Fitzpatrick
City Manager

FROM: Paul R. Toussaint 
Chief of Police

RE: Highway Safety STEP Grant – Modification

CITY OF
Received
SEP 5 2017
City Manager
ROCHESTER

Dear Mr. Fitzpatrick:

I am requesting your initials on the attached two pages of this Highway Safety Agency step grant "Exhibit A" which the grant office recently modified.

The purpose for modifying the exhibit to the grant was to ensure that all agency partners are aware and fully complying with the terms of the grant and meeting milestones set by the grant. Those milestones included participation in one or more enforcement events, including; Join the Clique, Border to Border and Operation Safe Commute.

I am happy to report that the Rochester Police Department was fully compliant. However all partners who signed original contracts are required to sign the modification to ensure appropriate reimbursements.

Please let me know if you have any questions in this regard.

9/28/17



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

CITY OF
Received
AUG 30 2017
City Manager
ROCHESTER

Date: August 30, 2017
To: Dan Fitzpatrick, City Manager
From: Seth Creighton, Chief Planner
Re: Emergency 911 Committee, Change in City Liaisons to State of NH E-911

The City's Emergency 911 (E-911) group is made of a member from the Fire Dept, Police Dept, BZLS Dept, Planning Dept, MIS Dept, and Assessing Dept. The purpose of this group is to work closely with the State of NH E-911 division to ensure that all the addresses in the City conform to E-911 standards. Members of the Planning Dept and MIS Dept have been the City's liaison to the State E-911 office.

The City's E-911 group mutually decided that the BZLS Dept and Police Dept are more fitting liaisons, and as such are requesting that you sign the attached liaison assignment form; signing this form will formalize the changes with the State.

Please contact me if there are any questions.

James Grant
9/11/17

9/28/17

CITY OF
Received
SEP 20 2017
City Manager
ROCHESTER



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

Planning and Development
Conservation Commission
Historic District Commission
Arts and Culture Commission

MEMORANDUM

To: Rochester City Council
From: Planning Board
Re: Proposed Zoning Changes for Granite Ridge Development Zone, Rochester Country Club property, and Gonic
Date: September 19, 2017

Dear Mayor McCarley and Councilors,

At the August 7, 2017 Planning Board meeting Economic Development Manager Karen Pollard briefly introduced several zoning ordinance amendments being proposed by the Rochester Economic Development Committee (REDC). The proposed amendments would affect permitted uses and design criteria in the Granite Ridge Development Zone, at the Rochester Country Club property, and several areas in Gonic.

These proposed amendments and changes to these amendments were again briefly discussed by the Planning Board (PB) at their August 21 and September 18, 2017 meetings. Unfortunately, at the August 21 and September 18 Planning Board meetings there was no representation from Economic Development staff or REDC to speak to what is being proposed. The Planning Board will be asking Economic Development staff and/or REDC to attend the October Planning Board workshop so that there can be a discussion on the proposed changes..

At this time the Planning Board does not have adequate information to endorse the changes, and needs more time to carefully consider what is being proposed. The Planning Board asks the City Council to defer discussing these changes until such time that the PB has had an opportunity to fully understand and evaluate the proposed amendments

Thank you for your attention to this matter.

Sincerely,

Nel Sylvain,
Planning Board Chairman

Cc: Planning Board; Jim Campbell, Director of Planning & Development; Dan Fitzpatrick, City Manager; Blaine Cox, Deputy City Manager/Director of Finance & Administration; Karen Pollard, Economic Development Manager

FORM A

(To be completed by the employee and returned to the City Manager)

TO: DAN FITZPATRICK , CITY MANAGER

FROM: Firefighter Jarrod Wheeler RFD
(name, department & title)

SUBJECT: REQUEST TO PARTICIPATE IN EMPLOYEE COMPUTER LEASE/PURCHASE PROGRAM

I have read and understand the terms and conditions of the Employee Computer Lease/Purchase Agreement and I wish to be considered for participation in the plan. I request the City reimburse me after I have made the purchase and submitted an itemized vendor=s receipt. I understand that this request must be approved by the City and that I must complete a lease purchase agreement before I purchase the equipment. I understand that my request will be evaluated based upon my application to purchase equipment meeting or exceeding minimum recommended specifications system requirements which are subject to change based on the latest hardware technologies. I understand that only brand name, new equipment which must include an industry standard manufacturer=s warranty will be considered for this program.

Attached is a quote which describes the equipment intended to be acquired through this program.

The estimated cost of the equipment to be acquired: \$ 999.99 (not to exceed \$2,000)

Please provide a brief narrative explaining how participation in this program may enhance your computer literacy skills and assist you in your work activities with the City of Rochester.

This Laptop will assist me in completing Reports after the month and more importantly allow me to complete online schooling to maintain my Paramedic License that was graciously paid in part by the city. Thank you for your time

I have have not _____ (check one) previously purchased equipment under this program.

9/19/17
Date

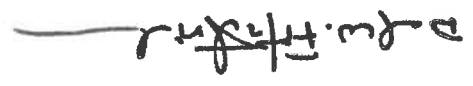

Employee Signature

I have reviewed and recommend this request:

9/22/17
Date

Chief Mark E. Klase
Supervisor or Department Head and Title

Approved:
SEP 26 2017



Date

City Manager or designee

Department	Name	Date of Travel	Event	Purpose for Travel
Tax Collector's Office	Doreen Jones	9/6-9/8/17	Conference	Annual Town Clerk conference in No. Conway
City Clerk's Office	Cassie Givara	9/6-9/8/17	Conference	Annual City Clerk conference in North Conway
City Clerk's Office	Kelly Walters	9/6-9/8/17	Conference	Annual City Clerk conference in North Conway

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
8/31/2017	9/11/2017	TAG	Rochester Little Red Raiders RYFL	9/11/2017 - 10/9/2017
9/5/2017	9/11/2017	EVENT	Cub Scout Pack 186 overnight camping trip	9/23/2017

9/7/2017		MESSAGE	HCSC - Volunteers Needed	10/31/2017
9/13/2017		MESSAGE	First Church Blood Drive	10/2/2017
9/19/2017		MESSAGE	First United Methodist Church - turkey supper	10/7/2017
9/20/2017		MESSAGE	Emblem Club - Vendors Wanted - Craft Fair	11/4/2017

Table with columns: 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. Rows include employees from ARENA, FIRE, HR-FINANCE, POLICE, PUBLIC WORKS, and RECREATION.

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City Clerk's Office

9/28/17

Sample of the POW Empty Chair Project



10 17 2013

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City Clerk's Office



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

Appointments Committee Minutes
 September 6, 2017

Committee Members Present:

Sandra Keans, Chair	Tom Abbott
James Gray, Vice-Chair	Donna Bogan
Ray Barnett	

The meeting was called to order at 6:30 p.m. on September 6, 2017.

Peter Bruckner – Historic District Commission

Mr. Bruckner has lived here several years and has taken to the community. He has an airplane based at Skyhaven and is the Mayor's appointment to the commission. He is an architect by profession.

Councilor Gray moved to recommend; Councilor Abbott seconded Mr. Bruckner to be nominated for reappointment to the Historic District Commission. The Appointments Committee unanimously recommends Peter Bruckner for reappointment to the Historic District Commission, term to expire January 2, 2021.

Joyce Bruckner – Planning Board - Alternate

Ms. Bruckner has a background working and volunteering in mass with the local planning board and transportation planning.

Councilor Gray moved to recommend; Councilor Abbott seconded Ms. Bruckner to be nominated for appointment to the Planning Board as an Alternate. The Appointments Committee unanimously recommends Joyce Buckner for appointment as an alternate to the Planning Board, term to expire January 2, 2020.

Nancy Dibble – Historic District

Ms. Dibble has thoroughly enjoyed her previous terms and believes it serves an excellent purpose. There has been a good relationship with applicants.

The Appointments Committee unanimously recommends Nancy Dibble be reappointed to the Historic District Commission, term to expire January 2, 2020.

Michael Dionne – Conservation Commission

Mr. Dionne works in this field for the state of NH and is extremely knowledgeable.

Councilor Gray moved to recommend; Councilor Abbott seconded Mr. Dionne to be nominated for reappointment to the Conservation Commission. The Appointments Committee unanimously recommends Michael Dionne for reappointment to the Conservation Commission, term to expire January 2, 2020.

Mark Collopy – Planning Board – Alternate

Mr. Collopy served 20 years as a police officer and lived in Rochester all of these years. With 5 children, he has volunteered with many youth organizations. He has worked as department liaison on the new police station which has piqued his interest in development. His position allows the time for this.

Councilor Barnett moved to recommend; Councilor Abbott seconded Mr. Collopy to be nominated for appointment as an alternate to the Planning Board. The Appointments Committee unanimously recommends Mark Collopy as an alternate on the Planning Board, term to expire January 2, 2021.

Marilyn Jones – Historic District Commission

Ms. Jones lives in an old home and loves the character of the downtown. She agrees with other members that the commission works well, except that more time could be spent with applicants at the time of filings. Folks would be more comfortable at the presentation.

Councilor Barnett moved to recommend; Councilor Abbott seconded Ms. Jones to be nominated for reappointment to the Historic District Commission for a 3-year term. The Appointments Committee unanimously recommends Marilyn Jones be reappointed to the Historic District Commission, term to expire, January 2, 2020.

The meeting was adjourned at 7:45pm.

Respectfully submitted,

Sandra B. Keans, Chair



Rochester City Council

Community Development Committee

MEETING MINUTES

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

Meeting Date:	September 11, 2017	
Members Present:	Councilor Abbott Councilor Barnett Councilor Bogan Councilor Lauterborn Deputy Mayor Varney	Members Absent: None
Guests/Staff:	Julian Long, Community Development Coordinator Matt Wyatt, Rochester Museum of Fine Arts Robert McGuigan, Rolling Thunder Teresa McGuigan, Rolling Thunder Pam Bond-Criss, Rolling Thunder Peter Criss, Rolling Thunder Jessica Clay, Make Rochester Great	

Councilor Lauterborn called the meeting to order at 7:00 p.m. Motion was made by Councilor Bogan and seconded by Councilor Barnett to approve the July 10, 2017 minutes. The minutes were approved unanimously.

PUBLIC INPUT	There was no public input.
ROCHESTER MAIN STREET – New Executive Director	This agenda item was postponed until the October meeting, as the new executive director for Rochester Main Street was unable to attend.
ROCHESTER MUSEUM OF FINE ART – Community Center Space Request	Mr. Wyatt stated that the Rochester Museum of Fine Arts has been in the Rochester Community Center since 2015, when it installed a 150-piece art exhibition in the long hallway. Mr. Wyatt added that some of the more valuable pieces in the museum’s collection require a more secure location for exhibition, and he requested that the museum be allowed use of the former Office of Economic Development offices. Mr. Long distributed copies of a letter of support from the Rochester Recreation Department to the committee. Councilor Varney asked if the display cases at the Community Center could be used to display more valuable artwork. Mr. Wyatt replied

	<p>that the museum would be interested in that, as well.</p> <p><i>Motion was made by Councilor Varney and seconded by Councilor Bogan to recommend that the City allow the Rochester Museum of Fine Arts to move into the former Office of Economic Development office space at the Rochester Community Center.</i> The motion passed unanimously.</p>
<p>ROLLING THUNDER – POW Empty Chair Project</p>	<p>Mr. McGuigan provided a brief overview of Rolling Thunder, which is a veterans support organization. Rolling Thunder is requesting that the City of Rochester support a POW/MIA memorial project. Specifically, Rolling Thunder is proposing the installation of a POW empty chair installation, memorializing service members who did not return from war, but is open to other memorial ideas.</p> <p>Mr. McGuigan distributed photographs of example installations to the committee. He stated that there are already such installations in many public venues, such as professional sports stadiums and other New Hampshire municipal buildings.</p> <p>Ms. McGuigan added that such public memorials help raise awareness and are important for families of service members.</p> <p>Councilor Lauterborn asked whether Rolling Thunder had spoken to the Rochester Veterans Council regarding the proposed POW memorial. Mr. McGuigan replied that they had not. Councilor Lauterborn referred the proposal to the Veterans Council for the council’s recommendation.</p>
<p>MAKE ROCHESTER GREAT – Water Street Clean-up Project</p>	<p>Ms. Clay introduced Make Rochester Great as a volunteer organization focusing on downtown beautification and improvements. She discussed the organization’s first project, the August clean-up of brush on Water Street. Over a hundred volunteers participated.</p> <p>Councilor Bogan stated that she had participated in the clean-up day and that it had been a great success.</p> <p>Ms. Clay said that at the moment she is seeking to make connections with potential volunteers and others. Councilor Bogan suggested that Ms. Clay reach out to Jacky LeHoullier and Steve LeClair in the Rochester School Department, as both interact with homeless students and disadvantaged youth.</p>
<p>WORKFORCE HOUSING CHARETTE – 2018 Application</p>	<p>Mr. Long stated that the committee had considered applying to participate in a workforce housing charette with the Workforce Housing Coalition of the Greater Seacoast in the spring but, given the time constrains, had deferred applying in 2017 to instead consider a 2018 application. Mr. Long explained that “workforce housing” is middle-market housing and not the same as subsidized housing.</p>

	<p>Councilor Bogan asked if a potential development site is needed to apply and suggested the Portland Street area near the former Royal Pizza building. Councilor Barnett asked how the City could work with potential housing developers’ need to ensure the profitability of projects. Councilor Abbott stated that the City’s housing issues require creative solutions and not just an influx of governmental funding.</p> <p>Councilor Varney asked Mr. Long to obtain the latest data on median income for City residents. Mr. Long stated he would do so.</p> <p><i>Motion was made by Councilor Barnett and seconded by Councilor Bogan to recommend that the City apply to participate in a 2018 workforce housing charette through the Workforce Housing Coalition of the Greater Seacoast.</i> The motion passed unanimously.</p>
<p>FY 2016-2017 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT</p>	<p>Mr. Long presented a brief overview of the draft FY 2016-2017 Consolidated Annual Performance and Evaluation Report. This is the annual performance report that the City submits to the U.S. Department of Housing and Urban Development (HUD) on its Community Development Block Grant program activities. Mr. Long specifically mentioned income statistics of activity beneficiaries for the FY 2016-2017 period, which were by far mostly “extremely low income” followed by “low income,” which only a small number of beneficiaries falling into the “moderate income” range.</p> <p>Councilor Abbott mentioned that there was a typo in the table on p.14 of the draft report. Mr. Long stated that he would fix the typo before the report is submitted to HUD.</p> <p>The consensus of the committee was to approve the draft FY 2016-2017 Consolidated Annual Performance and Evaluation Report.</p>
<p>CDBG PROJECTS PROGRAM REPORT – Current CDBG Projects, JOB Loan Program Report, Non-CDBG Projects</p>	<p>Mr. Long gave a brief update on two continuing FY 2016-2017 CDBG projects, the Homeless Center for Strafford County generator project and the façade project at the Rochester Performing Arts Center. The homeless center project should begin within the next month, and the Rochester Performing Arts Center project will resume after it obtains approval from the Rochester Historic District Commission.</p> <p>Mr. Long then provided updates on the Bridging the Gaps and victim witness advocacy programs. Both programs have new staff. Mr. Long also mentioned that Bridging the Gaps in October will be entering the final year of its federal Drug Free Communities grant and that he will be assisting the Bridging the Gaps’ advisory board in planning for post-grant sustainability.</p> <p>Mr. Long provided a brief overview of the debriefing phone call with HUD regarding the City’s unsuccessful lead hazard abatement</p>

	<p>program grant application. Councilor Lauterborn asked if lead work isn't already available. Mr. Long replied that the New Hampshire Housing Finance Authority has a statewide lead hazard abatement program grant and that the Community Action Partnership of Strafford County uses lead-safe work practices in its housing rehabilitation work.</p>
<p>OTHER BUSINESS</p>	<p>Mr. Long asked the committee if they would like to hold future Community Development Committee meetings in one of the new conference rooms at the City Hall Annex. The committee decided it would like to do so.</p> <p>Councilor Lauterborn asked that the new executive director for Rochester Main Street be invited to the October Community Development Committee meeting. Mr. Long stated he would invite her to the October meeting.</p> <p>Councilor Lauterborn informed the committee that the Rochester Performing Arts Center would be holding a ribbon-cutting on September 21st at 4 p.m., with a grant opening event following at 5:30 p.m.</p>

The meeting was adjourned at 8:33 p.m.

Next Meeting – Monday, October 9th, 2017 at 7 p.m. in Conference Room B at the City Hall Annex (33 Wakefield Street)

Topics – Rochester Main Street – New Executive Director, CDBG Projects Program Report



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 Museum of Fine Arts Community Center Space Request
--

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 type="checkbox"/> NO <input checked="" type="checkbox"/>
--

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

AGENDA DATE	October 3, 2017		
DEPT. HEAD SIGNATURE	Karen Pollard, on file		
DATE SUBMITTED	September 15, 2017		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	0	

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

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 Rochester Museum of Fine Arts (RMFA) has requested to use the empty offices in the Community Center that were formerly used by the Office of Economic and Community Development. The RMFA wants to use this space to display the more valuable pieces in its art collection in a more secure space. RMFA has been exhibiting art in the Community Center hallway since 2015.

The RMFA presented its request at the September Community Development Committee meeting. The Community Development Committee voted unanimously to recommend that the RMFA be allowed to use the former Office of Economic and Community Development offices in the Community Center.

RECOMMENDED ACTION

Approve the Rochester Museum of Fine Arts' request to use the former offices of the Office of Economic and Community Development located within the Rochester Community Center.

Resolution Approving a 2018 Workforce Housing Charrette Application to the Workforce Housing Coalition of the Greater Seacoast

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, approve the submission of a charrette application to the Workforce Housing Coalition of the Greater Seacoast in order to hold a workforce housing charrette in autumn 2018.

CC FY 18 2017, 10-03 AB 33

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City Clerk's Office



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 2018 Workforce Housing Charette Application

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	October 3, 2017		
DEPT. HEAD SIGNATURE	Karen Pollard, on file		
DATE SUBMITTED	September 20, 2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	6	

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	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
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 Workforce Housing Coalition of the Greater Seacoast offers three-day charettes that focus on specific project sites and brings together teams of architects to design potential housing solutions, focusing on middle-market housing (such as for nurses, teachers, or fire fighters), for those sites. The first day of the charrette involves a site walk and community listening session, the second day involves discussion and reflection on community comments, and the third day is a working session where architectural concepts are drafted. The architectural renderings and feasibility tests are revealed to members of the community at the end of the third day. The Workforce Housing Coalition accepts applications to participate in a charrette in the spring, and charettes take place in the autumn.

There is no direct hard cost associated with participation in a charrette, though it is expected that City staff will spend time assisting the Workforce Housing Coalition in reserving appropriate meeting space, conducting outreach, recruiting volunteer professionals to participate in the project, etc.

The Community Development Committee voted at its September meeting to recommend that the City of Rochester apply to participate in a 2018 workforce housing charrette.

RECOMMENDED ACTION

Approve submission of an application to the Workforce Housing Coalition for the Greater Seacoast to participate in a 2018 workforce housing charrette.

Rochester School Board / Rochester City Council

CTE Joint Building Committee Minutes

September 25, 2017 7:00 pm

Richard Creteau Technology Center, Room T200

DRAFT**Members Present:**School BoardMr. Matthew Pappas,
Chair

Mr. Raymond Turner

Mr. Robert Watson

Mr. Paul Lynch

Mrs. Audrey Stevens

Mr. Thomas J. Jean, arr. 7:05

Members Absent:

Mayor Caroline McCarley

City Council

Mr. Thomas Abbott

Mr. James Gray

Mr. Donald Hamann

Mr. Thomas Willis

Mr. Raymond Varney

Also Present:

Mr. Michael Hopkins, Superintendent

Mr. Kyle Repucci, Asst. Superintendent

Mrs. Michele Halligan-Foley

Mr. David Totty

Mrs. Robin Despina

Ms. Anne Ketterer

Mr. Lance Whitehead

Mr. Peter Bruckner

Mr. Carl Dubois

The Chair called the meeting to order at 7:00.m. with a quorum present. Members participated in the pledge of allegiance.

Approval of Minutes

Mr. Willis moved, second by Mr. Hamann, to approve the minutes of the August 28, 2017 CTE Renovation Joint Building Committee. The motion carried unanimously.

Update from Lavallee Brensinger

Mr. Whitehead reported on progress and work to date on the renovation including planning & design review meetings held with current CTE faculty. They are identifying equipment, space, and utility needs. Electrical and mechanical engineers have also been involved in the process. At the next meeting, there will be a review of systems options, including potential energy costs.

The Overall Schedule and Schedule Milestones were reviewed. Schematic drawings will be presented to Harvey Construction and an estimate is expected in 3 weeks. Mr. Carl Dubois from Harvey is now working closely with Lavallee Brensinger on the project.

Front Façade Design Options

The presentation from Lavallee Brensinger included three front façade design options. Discussion ensued regarding the design elements and sustainability. The architects will continue to work on the design based on the feedback obtained at tonight's meeting. It was suggested that the presentation be shared with the public so additional feedback can be obtained from the staff, students and the community.

Next Steps – It was suggested that Lavallee Brensinger contact the Rochester Planning Board to be added to their next agenda to keep them informed about the project. The next meeting of the CTE JBC was re-scheduled to October 31, 2017 at 7:00 pm. At that meeting, there will be a cost estimate review, mechanical systems review, interior design presentation, exterior design update, floor plan/scope

updates & permitting updates.

Public Session

Mrs. Keans provided additional feedback on the exterior facade designs.

Adjournment

Mr. Lynch moved, second by Mr. Gray, to adjourn. On a unanimous vote, the Committee adjourned at 8:13 p.m.

Respectfully submitted,

Michael Hopkins
Board Secretary

SCHEMATIC DESIGN PROGRESS

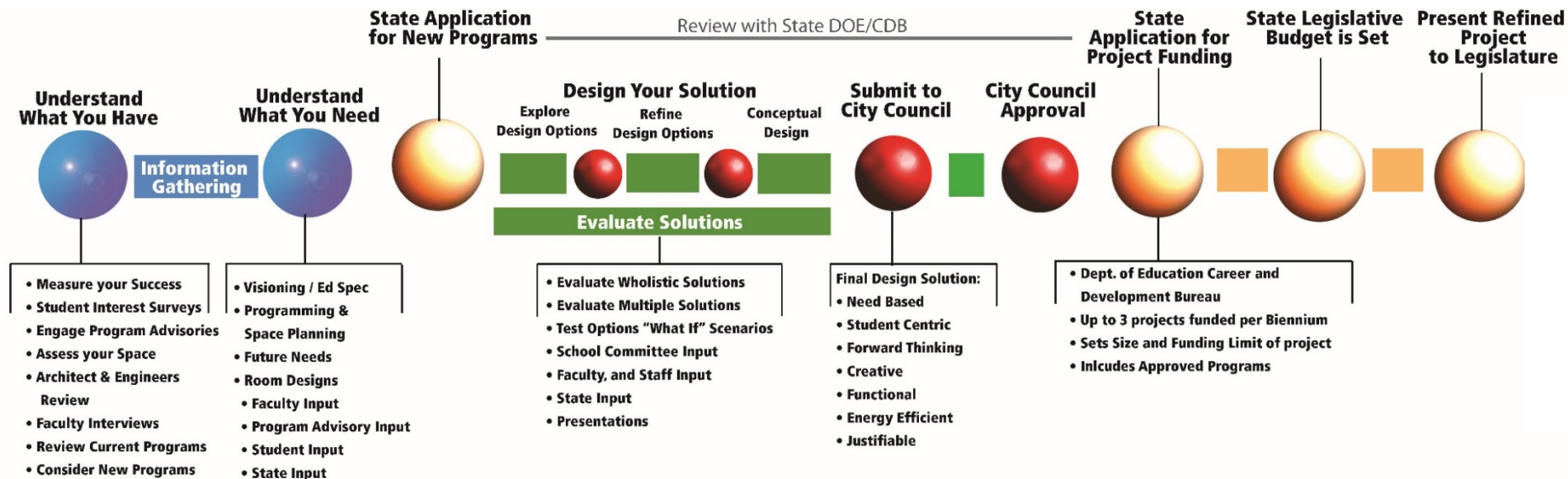
September 25, 2017



RW CRETEAU TECHNOLOGY CENTER

LAVALLEE | BRENSINGER ARCHITECTS

PROCESS: WORK TO DATE



Additional Faculty Plan / Design Reviews

Preliminary Equipment List & Coordination

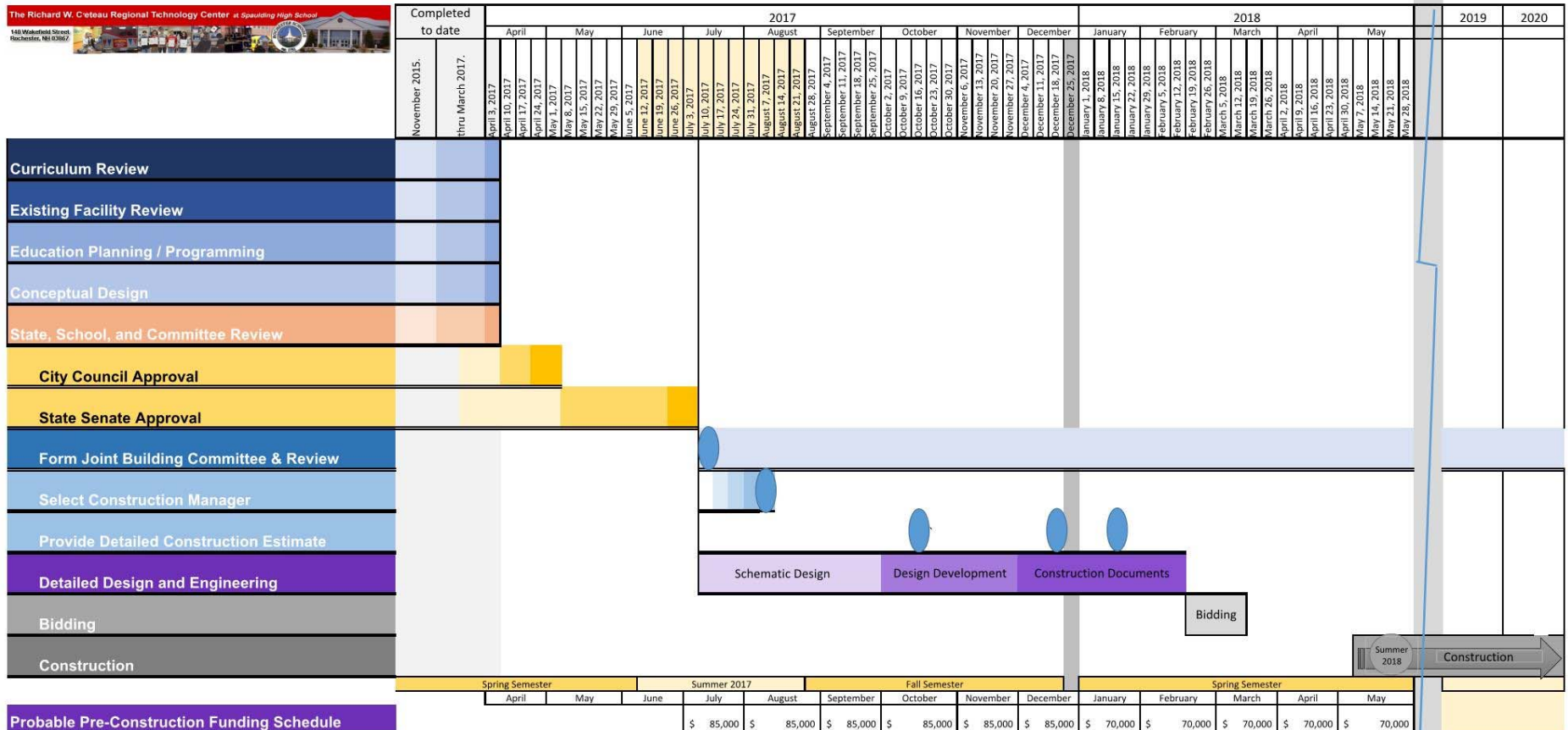
Further Structural Engineering

Initial Mechanical and Electrical Engineers Discussion with Facility Staff

Phasing Plan Review with Staff and CM



OVERALL SCHEDULE



Probable Pre-Construction Funding Schedule
 LVALLEE BRENSINGER ARCHITECTS

ROCHESTER SCHOOL DISTRICT
 PRE-CONSTRUCTION SCHEDULE
 September 25, 2017



RW CRETEAU TECHNOLOGY CENTER

LVALLEE BRENSINGER ARCHITECTS

SCHEDULE MILESTONES

- 09/29/2017 Submit 100% Schematic Design drawings
- 10/20/2017 Receive cost estimate on 100% Schematic Design drawings
- 12/01/2017 Submit 100% Design Development drawings
- 12/22/2017 Receive cost estimate on 100% Design Development drawings
- 01/05/2018 Submit 50% Construction Documents
- 01/19/2018 Receive cost estimate on 50% Construction Documents
- 02/16/2018 Submit 100% Construction Documents



PROCESS: LAST 30 DAYS

- Engage construction manager – JBC, LBA and RSD
- Survey of existing conditions -LBA and RSD
- **Engage Geotech Engineer-LBA and RSD**
- Coordinate testing for the wooden trusses at both the CTE and middle school – LBA
- Assemble the Video Production team - RSD/City
- CTE to visit neighboring Video Production facilities and provide feedback to LBA – RSD
- Develop a detailed phasing plan -LBA and CM
- Schedule Faculty/Staff interviews and advisory committee input - LBA/RSD



EXISTING EXTERIOR



RW CRETEAU TECHNOLOGY CENTER

LAVALLEE | BRENSINGER ARCHITECTS

SPAULDING

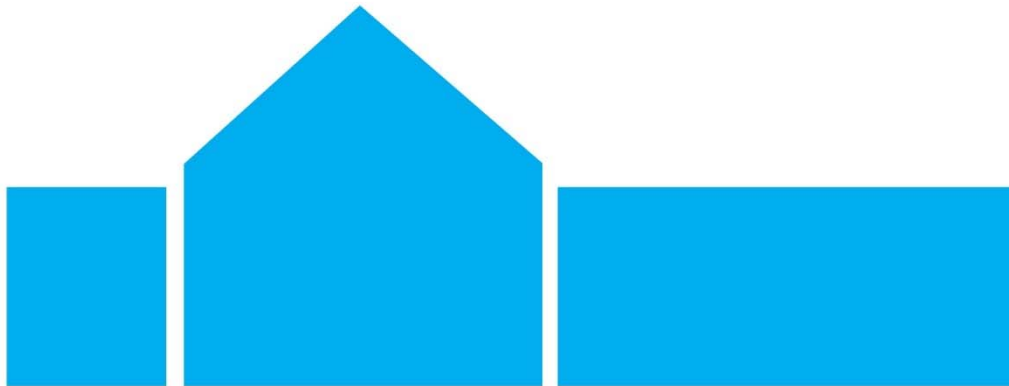


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SCALE

CIVIC



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LAVALLEE | BRENSINGER ARCHITECTS

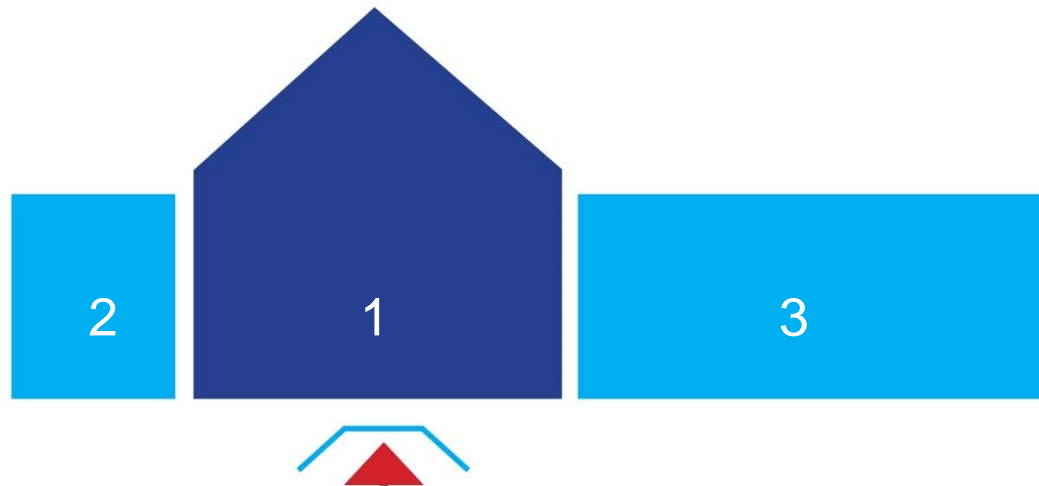
SCALE BUILDING



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ENTRY



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DESIGN OPTIONS



Basic

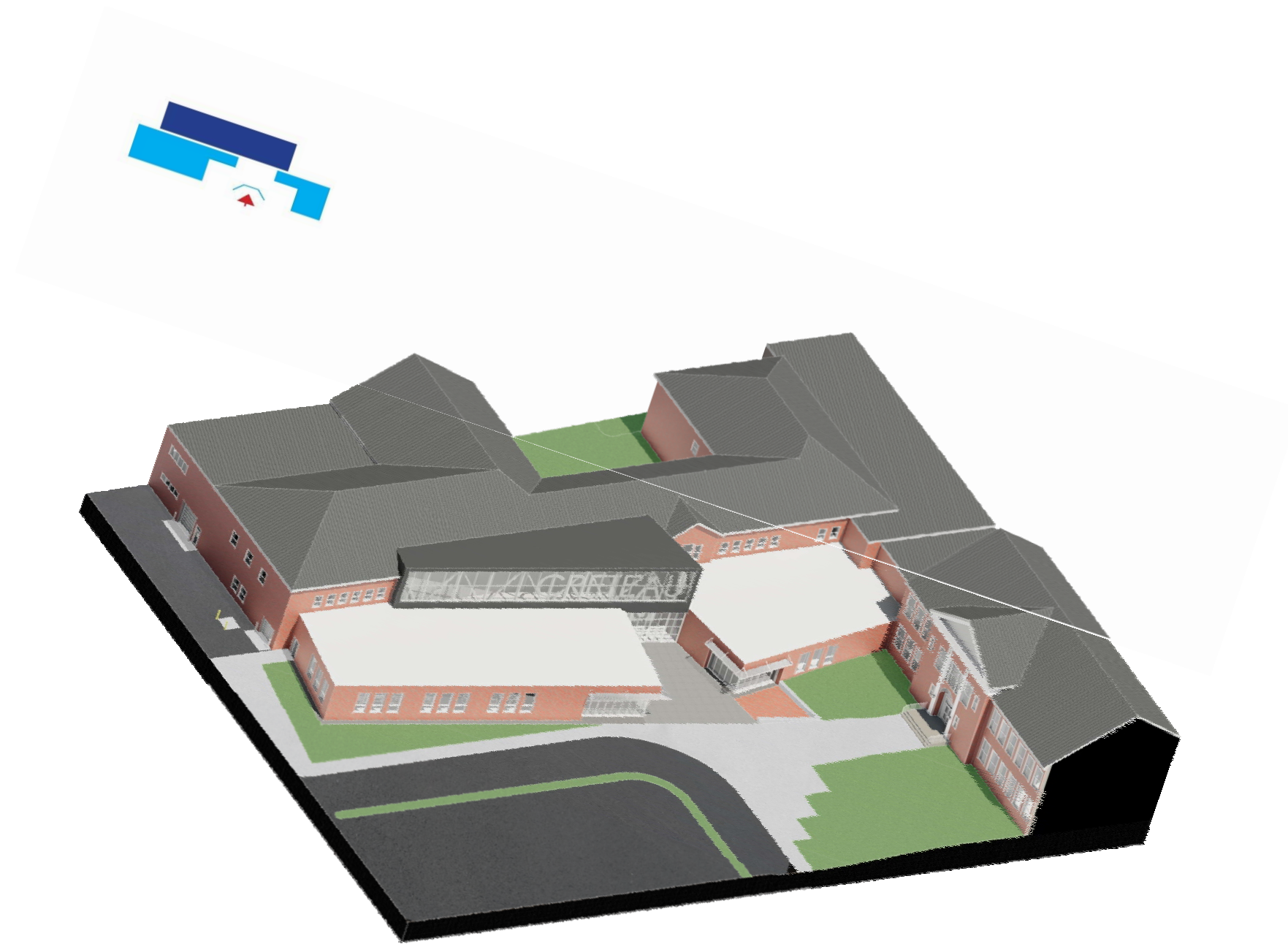


Piers



Gradient





LAVALLÉE|BRENSINGER ARCHITECTS
12



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LAVALLEE | BRENSINGER ARCHITECTS



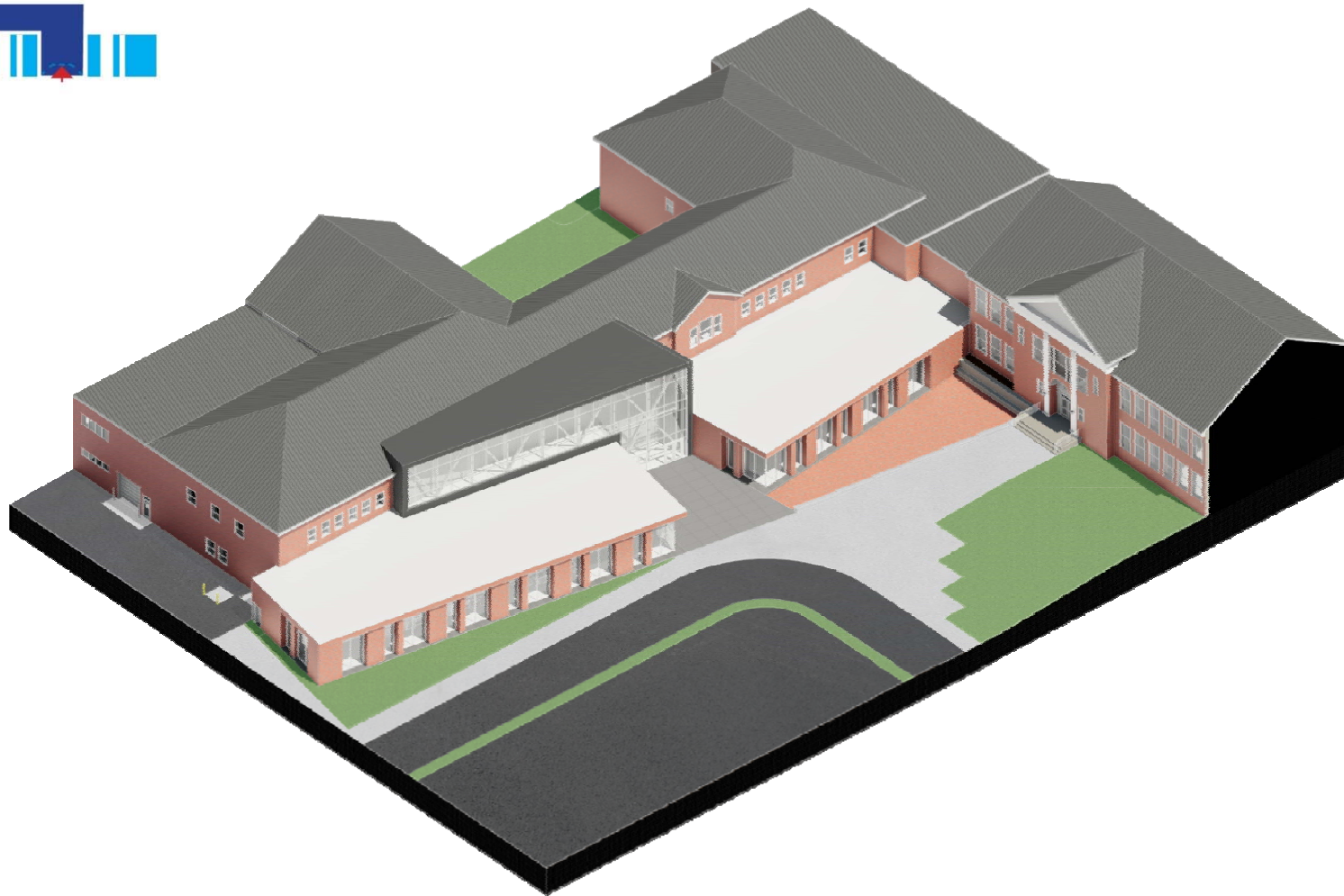
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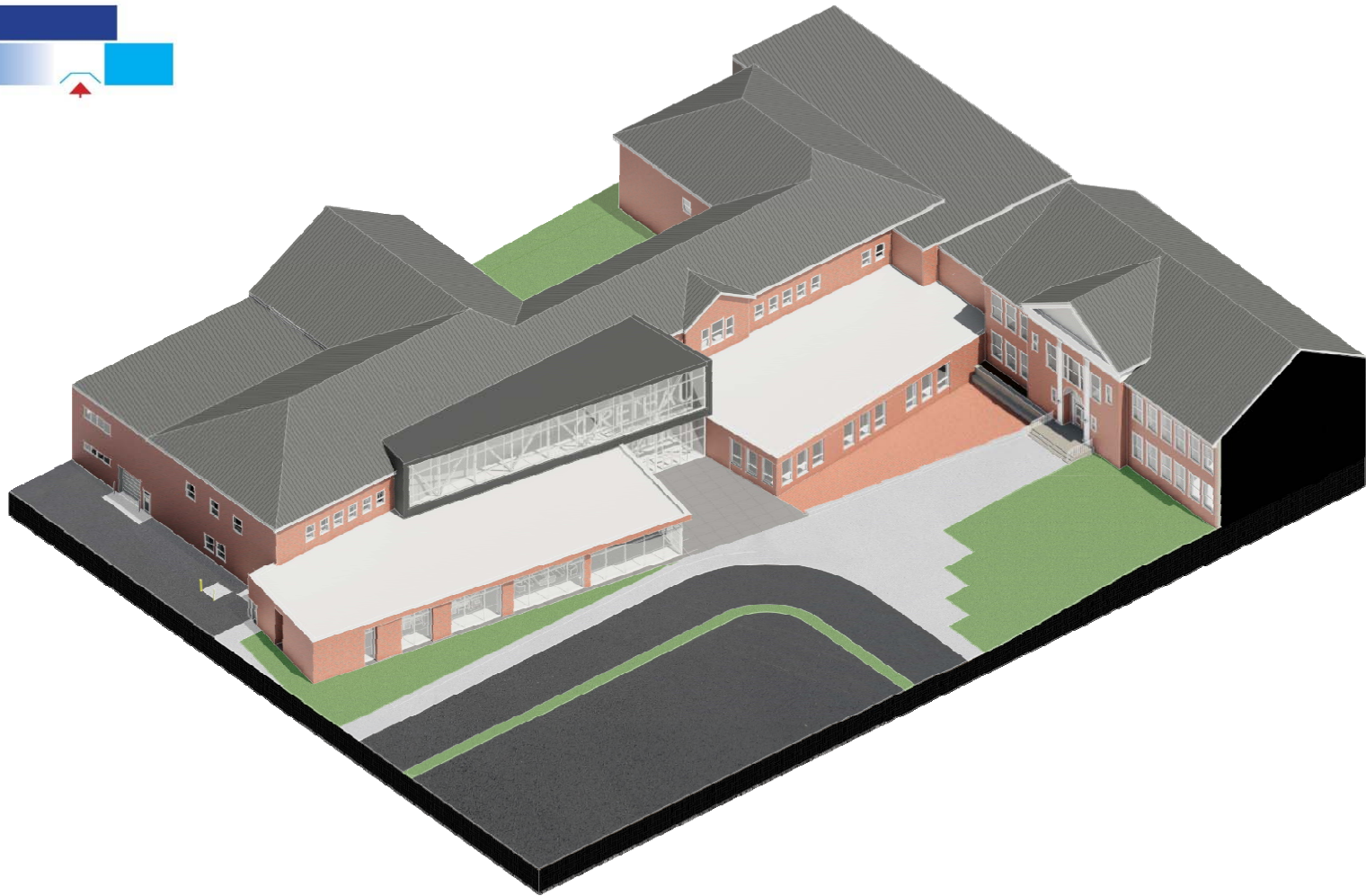
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DISCUSSION



Basic



Piers



Gradient



Permitting

November:

- Engage Fire Department and Building Department
- Technical Review Committee
- Planning Board?
 - Conditional Use Permit
 - Parking Review
 - Landscaping
 - Lighting
- Utility Company Coordination



Next Meeting

October 30th 2017 (New Date)

- Cost Estimate Review
- Mechanical Systems Review
- Interior Design Presentation
- Exterior Design Update
- Floorplan / Scope Updates
- Permitting Update



Public Safety Committee
 Council Chambers
 September 20, 2017
 7:00 PM

MEMBERS PRESENT

Councilor Donald Hamann, Chair
 Councilor Ray Barnett
 Councilor Robert Gates
 Councilor Jim Gray
 Councilor Peter Lachapelle

OTHERS PRESENT

Owen Friend-Gray, Assistant City Engineer
 Deputy Chief Gary Boudreau
 Mark Klose, Fire Chief
 Tim Wilder, Fire Marshall
 Andrea Mitrushi, Prosecutor
 Kelly Elliot, 41 Prospect Street
 Glen Towne, 41 Prospect Street

Minutes

1. Public Input

The public present was for item # 6 Prospect Street. Councilor Gray made a motion to move around the order of the agenda to accommodate the audience there for item #6. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.

2. Prospect Street-Neighborhood Watch Signs-Resident Request

Councilor Hamann summarized the issue. Kelly Elliot of 41 Prospect Street was present to discuss concerns in the neighborhood. She stated she has lived at 41 Prospect Street since 1981. She said there has been an increase of drug activity, speeding and stealing from vehicles in the area. She said the apartment building is where a majority of the activity comes from. She stated that she held a meeting at her house last week with the concerns in the neighborhood and 21 people attended to voice their concerns. She would like some neighborhood watch signs installed on the street. Councilor Gray said that Rochester is not a neighborhood watch community. We are a united neighborhood community. He also said they have Rochester United Neighborhood meetings (run) at the Community Center that they could attend and they also have ward meetings to voice your concerns with the police officers that attend the meetings. Deputy

Chief Boudreau said that the meetings will let you know how you can take action. By getting the license plate and a specific time and day that will help the most. Ms. Elliot asked if she can post her own signs. Councilor Gray said technically no because they would be in the City's right-of-way and that Rochester is not a neighborhood watch community. Deputy Chief Boudreau said that the data suggests that signs are not very effective. Councilor Hamann stated that awareness is better. Councilor Gray said they hold the ward meetings January through October, every 4th Wednesday of the month. Ms. Elliot also wanted to know if the street sign for Prospect Street can be changed to the big reflective letters like the other signs in the nearby area. DPW agreed to get signs ordered and installed. Glenn Towne of 41 Prospect Street wanted to know if they could get a speed limit sign. Deputy Chief Boudreau will put Prospect Street on the list for the speed trailer.

3. Approve Minutes from August 16, 2017

Councilor Lachapelle made a motion to approve the August 16, 2017 minutes. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.

4. Printing of Monthly Fire Incidents-HIPAA Violation?

Councilor Hamann summarized the issue. Mark Klose the Rochester Fire Chief and Tim Wilder the Fire Marshall were present to discuss printing of the monthly reports. When the reports are printed they show a summary of all the calls, with detailed printouts of each incident. Fire Chief Klose said that this current practice has been taking place for over 15 years, but should stop due to changes in the HIPAA laws. The secretary has to void out the names which is time consuming and has a high potential for error. Councilor Gray said that a couple of years ago he had asked for a summary broken down by wards. Fire Chief Klose said that it would be time consuming to break every call down; they do not have software to do it at this time, but are looking into one. Deputy Chief Boudreau said that the police department might be able to do it by the dispatched calls, he could look into it. ***Councilor Lachapelle made a motion to recommend to Full Council to stop the practice of printing the call details out. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.*** Fire Chief Klose brought up that Neil Bilodeau, the forest ranger for this area, has retired. The new forest ranger will be coming out of Concord; this will affect the time in receiving burn permits. On-line burn permits might be an avenue to look at since there will not be a fire ranger in the area for months. Chief Klose

estimated that over 100 New Hampshire communities have already switched to the online permits, and that the paper permits will not be readily available in the near future. There is a cost for the online permits.

5. "No Thru Trucks" signage-Olde Farm Lane/McKinley Street

Councilor Hamann summarized the issue. Councilor Gray said this request was at the planning department. Signal Street Variety is moving into the Cocheco Equipment Building resulting in an increase of delivery vehicles in the area.

Councilor Lachapelle made a motion to install 2 "No thru Trucks" signs one on Olde Farm Lane at the intersection of Signal Street and one on McKinley Street at the intersection with Portland Street at the developer's expense. The motion was seconded by Councilor Gray. Unanimous voice vote carried the motion.

6. "Children at Play" signage-Ashwood/Watson Drive

Councilor Hamann summarized the issue. **Councilor Lachapelle made a motion to deny the "children at play" signs, they are not a recognized sign by MUTCD. The motion was seconded by councilor Gates. Unanimous voice vote carried the motion.** Councilor Gray stated that the original request was for a stop sign, but that he was not present for the last meeting. He said this will have to be revisited in the future.

7 No Parking-Charles & McIntyre

Councilor Hamann summarized the issue. He said that he spoke with the gentleman that requested the "no parking" signs and the issue is on McIntyre. The vehicles are digging up his lawn encroaching on his property, and narrowing the roadway. Councilor Lachapelle asked if one side of the street was already posted no parking. Councilor Hamann said yes. It was noted by Fire that they require a 20' wide clear fire lane per code; DPW noted the pavement is only approximately 16' wide in this location and the ROW is only approximately 20' wide. **Councilor Lachapelle made a motion to install two "no parking" signs on the side that is currently not posted from end to end of McIntyre Court at the discretion of DPW. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.**

8 Other

Ledgeview Drive-Lower Portion-Speed Trailer Update

Deputy Chief Boudreau said that the speed trailer was placed at the lower portion of Ledgeview Drive for 1 week. There were a total of 4,847 vehicles in the course of the week. 35.5 percent were going 11 to 20 mph, 60.9 percent were going 21 to 30 mph, 0.9 percent were going 31 to 40 mph and 0.1 percent were going 41 to 50 mph. Councilor Lachapelle would like to see more directed patrols in the area.

Twombley Street-Speed Trailer Update

Deputy Chief Boudreau stated that there were 22,847 vehicles that traveled this street in a week. 2.5 percent were going 11 to 20 mph, 33.1 percent were going 21 to 30 mph, 61.7 percent were going 31 to 40 mph, 2.5 percent were going 41 to 50 mph and 0.1 percent was going 51 to 60 mph.

Deputy Chief Boudreau also stated that the speed trailer that was hit was determined to be totaled and another will be purchased.

Next Month's Public Safety Committee meeting-Owen Friend-Gray

Owen Friend-Gray the assistant City Engineer invited the Public Safety Committee to the Public Works Department for next month's meeting. The Public Works Department will do a presentation on the progress of the GIS division and to provide a display of the recent technology upgrades. The committee agreed.

Fire Service Emergency Management

Fire Chief Mark Klose discussed the Emergency Management grant. He said it could be a 50/50 match or in-kind match. He said new equipment can be purchased with the grant.

No Camping Ordinance

Owen Friend-Gray brought up a suggested no camping ordinance. There has been an issue with camping near the pines. Councilor Lachapelle said this may be an issue for the Codes and Ordinance committee. Councilor Gray said the same ordinance could be used to post the city maintained parks to restrict the times of usage. This was kept in committee.

***Councilor Lachapelle made the motion to adjourn the meeting at 7:51 PM.
Councilor Gates seconded the motion. The motion passed unanimously.***

Minutes respectfully submitted by Laura Miller, Secretary II.

Time Start	Time End	1 to 10	11 to 20	21 to 30	31 to 40	41 to 50	51 to 60	61 to 70	71 to 80	81 to 90	91 to 100	Total Vehicles
12:00 AM	12:59 AM	2	12	26	1	0	0	0	0	0	0	41
1:00 AM	1:59 AM	0	9	27	0	0	0	0	0	0	0	36
2:00 AM	2:59 AM	0	5	15	1	0	0	0	0	0	0	21
3:00 AM	3:59 AM	0	1	4	0	0	0	0	0	0	0	5
4:00 AM	4:59 AM	0	3	3	0	0	0	0	0	0	0	6
5:00 AM	5:59 AM	1	16	8	0	0	0	0	0	0	0	25
6:00 AM	6:59 AM	1	14	69	1	0	0	0	0	0	0	85
7:00 AM	7:59 AM	7	35	63	0	0	0	0	0	0	0	105
8:00 AM	8:59 AM	7	45	106	4	0	0	0	0	0	0	162
9:00 AM	9:59 AM	6	58	143	3	0	0	0	0	0	0	210
10:00 AM	10:59 AM	3	85	149	2	0	0	0	0	0	0	239
11:00 AM	11:59 AM	9	90	164	3	0	0	0	0	0	0	266
12:00 PM	12:59 PM	11	117	214	6	2	0	0	0	0	0	350
1:00 PM	1:59 PM	6	79	195	3	0	0	0	0	0	0	283
2:00 PM	2:59 PM	4	110	197	3	0	0	0	0	0	0	314
3:00 PM	3:59 PM	9	138	225	3	0	0	0	0	0	0	375
4:00 PM	4:59 PM	3	171	266	4	0	0	0	0	0	0	444
5:00 PM	5:59 PM	4	164	265	3	0	0	0	0	0	0	436
6:00 PM	6:59 PM	14	158	214	0	2	0	0	0	0	0	388
7:00 PM	7:59 PM	17	158	170	2	0	0	0	0	0	0	347
8:00 PM	8:59 PM	12	100	168	1	0	0	0	0	0	0	281
9:00 PM	9:59 PM	1	81	124	1	0	0	0	0	0	0	207
10:00 PM	10:59 PM	1	44	83	2	0	0	0	0	0	0	130
11:00 PM	11:59 PM	6	28	56	1	0	0	0	0	0	0	91
Total		124	1721	2954	44	4	0	0	0	0	0	4847
%		2.60%	35.50%	60.90%	0.90%	0.10%	0%	0%	0%	0%	0%	0%
Ledgeview Drive												

Time Start	Time End	1 to 10	11 to 20	21 to 30	31 to 40	41 to 50	51 to 60	61 to 70	71 to 80	81 to 90	91 to 100	Total Vehicles
12:00 AM	12:59 AM	0	5	52	52	8	0	0	0	0	0	117
1:00 AM	1:59 AM	0	5	33	35	3	0	0	0	0	0	76
2:00 AM	2:59 AM	0	2	15	16	1	0	0	0	0	0	34
3:00 AM	3:59 AM	0	1	10	5	1	0	0	0	0	0	17
4:00 AM	4:59 AM	5	0	7	31	1	0	0	0	0	0	44
5:00 AM	5:59 AM	3	7	53	118	10	0	0	0	0	0	191
6:00 AM	6:59 AM	0	21	153	369	25	0	0	0	0	0	568
7:00 AM	7:59 AM	2	27	271	408	30	0	0	0	0	0	738
8:00 AM	8:59 AM	4	41	362	594	15	4	0	0	0	0	1020
9:00 AM	9:59 AM	5	38	461	757	24	2	0	0	0	0	1287
10:00 AM	10:59 AM	2	43	555	877	20	2	0	0	0	0	1499
11:00 AM	11:59 AM	1	32	538	1080	40	3	0	0	0	0	1694
12:00 PM	12:59 PM	1	50	523	1089	44	2	0	1	0	0	1710
1:00 PM	1:59 PM	2	28	496	1040	53	0	0	0	0	0	1619
2:00 PM	2:59 PM	5	31	474	1012	44	1	0	0	0	0	1567
3:00 PM	3:59 PM	1	33	521	1109	44	1	0	0	0	0	1709
4:00 PM	4:59 PM	0	25	523	1197	37	2	0	0	0	0	1784
5:00 PM	5:59 PM	0	38	510	1159	39	2	1	0	0	0	1749
6:00 PM	6:59 PM	2	25	508	939	40	4	1	0	0	0	1519
7:00 PM	7:59 PM	1	39	468	749	31	4	0	0	0	0	1292
8:00 PM	8:59 PM	1	26	388	628	26	1	1	0	0	0	1071
9:00 PM	9:59 PM	0	29	311	459	18	0	0	0	0	0	817
10:00 PM	10:59 PM	0	10	185	246	11	0	0	0	0	0	452
11:00 PM	11:59 PM	0	6	136	127	4	0	0	0	0	0	273
Total		35	562	7553	14096	569	28	3	1	0	0	22847
%		0.20%	2.50%	33.10%	61.70%	2.50%	0.10%	0%	0%	0%	0%	0%
TWOMBLEY St												

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City Clerk's Office

**City of Rochester Public Hearing
Public Works & Buildings Committee
September 21, 2017 7 PM
Council Chambers**

MEMBERS PRESENT

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

OTHERS ABSENT

Councilor Sandy Keans

OTHERS PRESENT

Councilor James Gray
Blaine Cox, Deputy City Manager
Peter C. Nourse, PE Director of City Services
Michael S. Bezanson, PE City Engineer

MINUTES**1. Call to Order**

**WHETHER THE CITY SHOULD ACCEPT \$530,588.40 IN UNANTICIPATED HIGHWAY
FUNDING FROM THE STATE OF NEW HAMPSHIRE AND APPROPRIATE SAID AMOUNT**

Councilor Torr called the Public Hearing to order. He stated that the Public Hearing was to seek public input regarding City acceptance of \$530,588.40 appropriated by the State of NH Legislature in SB38 for the purpose of providing funds for local highway aid. Councilor Torr further stated the City's intent to use this fund for paving projects not previously funded or planned for in the FY18 City CIP. The proposed streets to be paved are Clow Court, Nadeau Drive, Sampson Road, Woodside Lane and section of Portland Street further described as, Portland from Charles Street to South Main Street and Portland Street from Columbus Ave to Signal Street. Councilor Torr asked if there were any members of the public that wished to speak.

2. Public Input

No members wished to speak.

3. Discussion

There was no discussion from the Committee Members or City Staff Present.

4. Adjournment

Councilor Haman made a motion to close the Public Hearing. Councilor Willis seconded the motion. The motion passed unanimously and Councilor Torr closed the Public Hearing at 7:04PM.

Minutes respectfully submitted

Lisa J. Clark, Admin & Utility Billing Supervisor

Public Works and Buildings Committee**September 21, 2017****Council Chambers****MEMBERS PRESENT**

Councilor Ralph Torr – Chairman

Councilor Ray Varney- Vice Chairman

Councilor Donald Hamann

Councilor Thomas Willis

MEMBERS ABSENT

Councilor Sandy Keans

OTHERS PRESENT

Councilor James Gray

Blaine Cox, Deputy City Manager

Peter C. Nourse, PE Director of City Service

Michael S. Bezanson, PE - City Engineer

MINUTES

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

1. Approve minutes from the August 17, 2017 Public Works & Building Committee Meeting.

Chairman Torr requested comments or a recommendation on last month's meeting.

Councilor Hamann made a motion to accept minutes as presented for the August 17, 2017 Public Works Committee meeting. The motion was seconded by Councilor Willis. The Motion passed unanimously.

2. Public Input – There was no public input.

- 3. Downtown Lighting** – Mr. Nourse stated that the City Council had approved a project for the downtown lamp posts that included an upgrade to the existing LED bulbs and replacement of the ornamental globes. Mr. Nourse brought and displayed example of the existing bulbs and globes and the intended replacement equipment. Mr. Nourse stated that the bulbs will use less wattage and are more efficient and the globes will be much clearer, as the existing ones have become yellow and weathered. He asked the Committee to look at the area of North Main Street nearest the old Foster's building as staff has upgraded 5 light poles in the area and he would like the Committee Members to let him know if there were any concerns for brightness prior to proceeding with the project. Councilor Varney stated that the intention of the project is for more illumination as there were concerns for pedestrian safety. Mr. Nourse stated that the Buildings Division Supervisor, Mike Riley, has found a less expensive source for the globes and he believes that the cost per globe will be about \$70 vs. the previous vendor cost of \$300

each. Chairman Torr asked how many posts were in the downtown. Staff estimated 180 plus.

4. **NH Department of Health and Human Services (DHHS)** – Mr. Nourse explained to the Committee that DHHS has been a long term tenant at the Community Center. He stated that their Department process requires them to do an RFP for leased spaces and that the last one completed had expired in 2010. He stated that since that time they have done amendments to the lease contract to continue using the space. Mr. Nourse stated that DHHS is planning to put out a new Request for Proposals (RFP) for their space needs soon and that the City will need to submit a proposal that meets the requirements listed in the RFP. He further stated that in order to meet those requirements he expects that there will be significant modifications and renovations required and thought that the cost could be two to three hundred thousand dollars. He stated that he had spoken with Mr. Smith from the State of NH Bureau of Facilities and that considerable security upgrades will be needed in the client intake area. Those upgrades will likely include bullet proof glass and sound proof rooms for meeting with clients. Chairman Torr asked if there would be a reasonable payback if we were to make the upgrades. Mr. Nourse stated that we would have to account for that in our submittal. Councilor Gray stated that the new lease contract should include a long term commitment in order to offset the cost of the upgrades requested. Councilor Willis asked about the design. Mr. Nourse stated that the design has been done by DHHS consultants and we will receive that design as part of the RFP.
5. **City Hall Handrails** - Mr. Nourse stated that staff had brought to his attention the handrails in the side entrance to City Hall. He stated that they are in need of maintenance and he stated that City staff would like to remove the existing mauve colored paint and restore it to a wood finish that would match adjacent area within City Hall. The Committee was supportive of the work to be done. Councilor Varney suggested Mr. Nourse look at the lack of handrails in the front stairways. He stated that the wall side of these stairways has no hand rail. Mr. Nourse stated he would have staff look into the lack of railing.
6. **Salmon Falls Sewer Main Repair** – Mr. Bezanson stated that the map that was distributed depicts the project area. He stated that the repairs will be made from Portland Street to the area of the class six road called Old Ox Road. Mr. Bezanson stated that staff is working on a scope of services for trenchless work and we expect to go out to bid soon. He stated that it is still expected to cost approximately \$350,000. Councilor Willis asked about the depth and the size of the pipe involved and asked if they had completed a video inspection. Mr. Bezanson stated that staff had contracted a camera and video recording of the line. He stated he believe it to be an 8” pipe and stated he was unsure of the depth. Councilor Varney reminded the Committee that a supplemental appropriation is planned from the Sewer Fund retained earnings account and that the Council would need to consider changing the funding source to bonding after the full cost of the project is

determined. Chairman Torr expressed his support of the project and asked if this could be done through the winter. Mr. Bezanson stated that it could be done in colder conditions, but noted that the type of equipment and materials to be used will need to be exposed to existing weather conditions, so there are some weather restrictions. He stated that there is a wide range of temperatures that can work and that this will allow for cold weather work.

7. **FY18 Crack Sealing** – Mr. Bezanson distributed a list of streets to be considered for crack sealing. The streets listed included sections of Betts Road, Blackwater Road, Brattle Court, Brochu Court, Ebony Drive, Farrington Street, Fern, Furbush, King, and Linden Streets, Pickering Road, Pine Street, Railroad Ave, Salmon Falls Road and School Street. Chairman Torr suggested Chestnut Hill Road and Little Falls Bridge Road. Mr. Nourse stated that he would look at those areas. Councilor Willis asked if staff was going to extend current contracted pricing. Mr. Bezanson stated that as Sealcoating Inc. is willing to extend the current pricing that he would be looking to do that.
8. **Sidewalks** – Mr. Bezanson stated that the Committee had previously discussed repairs and replacement of sidewalks in the Portland Street area from Signal Street to Chamberlain Street. He put up pictures of the sidewalks in the area on the display screens. The Committee was in full agreement of the need for repairs and replacements. Mr. Bezanson stated that current funds might not support the entire areas and stated he could start at either end and asked if the Committee had a preference. There was no preference stated by the Committee. Chairman Torr asked if this would be going out to bid. Mr. Bezanson stated that we have been pleased with the current contractors work and if they are willing to extend current pricing we would likely extend the contract to include this work. Councilor Willis asked if the tip downs and sidewalks would be meet ADA compliance. Mr. Bezanson stated that they would and that all new sidewalks are being completed with ADA compliance requirements.
9. **Olde Farm Lane Lighting** – Mr. Nourse stated that at the August meeting we had been directed to discuss and determine the funding source for complete replacement of the underground electrical service and all affected fixtures in the area. He stated that he understood that the department had recently de-authorized over \$90,000 in general fund “cash” projects and he is proposing a \$150,000 supplemental appropriation for this project using the general fund unassigned fund balance, (cash), as the funding source. Councilor Willis stated that he was not at the last meeting where this was discussed and he stated that he would like the Director to ask the Housing Authority to contribute to the funding. Councilor Varney asked that Mr. Nourse bring back a picture of the existing light fixtures and a picture of what will be used as replacement for the Committee to see and he stated that this had previously been discussed with the Housing Authority, but stated it would not hurt to ask if they had any funds to kick in one last time. Mr. Nourse stated that he would contact the Housing Authority. There was discussion regarding the pole and fixture replacements and to the spacing of lamp posts. The consensus of the

Committee was to use the “Town and Country” lights that have been used in other neighborhood areas, and are consistent with Eversource maintained lights.

Councilor Varney made a motion to recommend that the full City Council complete a supplemental appropriation of \$150,000 for the Lighting Project on Olde Farm Lane. The motion was seconded by Councilor Hamann. The motion passed unanimously.

10. Sewer Fund De-Authorizations – There was a distributed list of recommended Sewer Fund de-authorizations that are scheduled to be de-authorized at the November City Council Meeting. There was no discussion.

11. Other:

City Hall Bathroom Project: Councilor Varney stated that there was an appropriation in the FY18 Budget for renovations to the City Hall Bathrooms. He stated that the intent was to start with the ladies room and he inquired about the status and schedule of that project. Mr. Nourse stated he would check into it and get back to the Councilor.

DPW Facility Status: Councilor Varney asked for the status of the new DPW Facility Project. Mr. Nourse stated that he was not up to speed on that project yet and stated he will be meeting with the Engineers on this project Monday September 25, 2017 and he will report back to the Committee next month.

Rt 11 Pump Station: Councilor Varney stated that the CIP has funding for engineering the Rt. 11 Pump Station. He asked if the upgrade is for maintenance reasons or capacity reasons. Mr. Bezanson stated maintenance. Mr. Nourse stated the current pump station can handle capacity needs through phase two of the Granite Ridge Development.

Street Acceptances: Councilor Willis asked if the City had received any request for street acceptances this fall. Mr. Bezanson stated not to his knowledge. .

Dewey St Pedestrian Bridge – Councilor Varney asked the status of the Dewey Street Bridge Project. Mr. Nourse stated that construction has begun. The tree work and bridge removal is underway. Mr. Bezanson stated that the bridge should be completed prior to Thanksgiving. Councilor Varney asked that the schedule be sent out to the full City Council. Mr. Nourse asked if the Committee would like a ribbon cutting. The consensus was to have a ribbon cutting.

Pedestrian Bridge Rt 125 – Chairman Torr asked about the guardrail project. Mr. Bezanson stated that staff is working with the low bidder and plans to have this completed this season.

GIS & Asset Management Presentation: Mr. Nourse stated that the Public Safety Committee will be meeting next month on October 18th at the Public Works Garage. He stated that staff will do a presentation of our current status of GIS & Asset Management and he would like to invite the Public Works Committee Members to attend as well. Councilor Varney suggested inviting the entire City Council. Mr. Nourse stated that the space would be tight but he would do that.

Snow Storage – Chairman Torr asked if the snow dumps were set up for the winter. Mr.

Nourse stated that they are.

Councilor Varney made a motion to adjourn at 7:46. Councilor Hamann seconded the motion. The motion passed unanimously.

Councilor Willis made a motion to reconvene at 7:46. The motion was seconded by Councilor Varney and passed Unanimously.

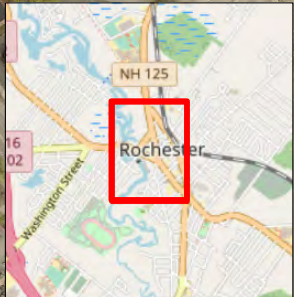
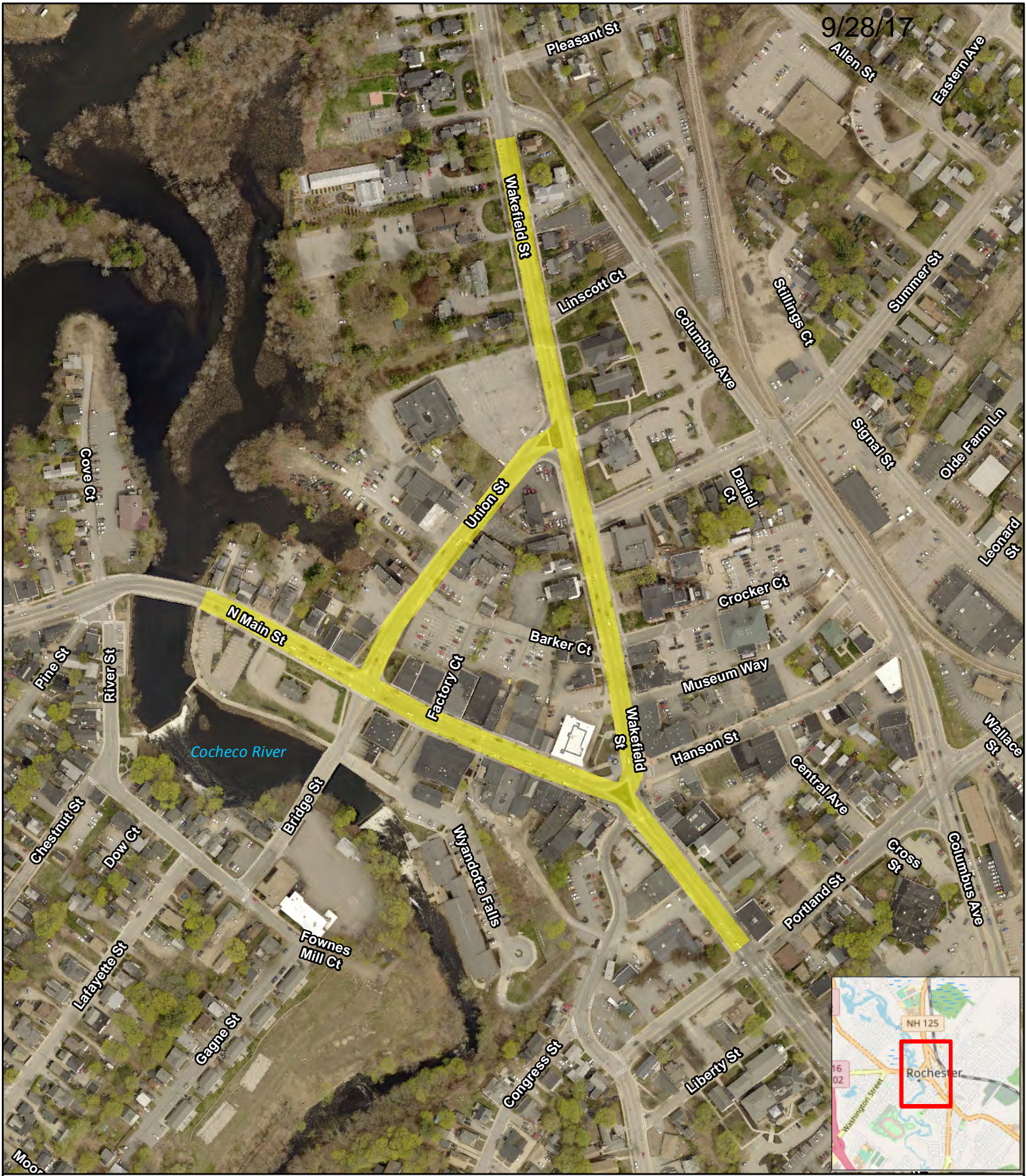
Davyanne Locke Lane & Congress Street Paving – Mr. Nourse stated that although these two streets were included in the recently approved paving list their condition does not warrant paving and we will not be paving them unless there is objection from the Committee. He also stated that he had received a request to have the shoulder of the road paved on Davyanne Locke Lane from a resident in that area. Mr. Bezanson stated that he met with the paving contractor and that in order to pave the area it would require excavation to the right of way and possibly grinding, milling and paving of Davyanne Locke Lane in order to tie in and make the drainage work correctly. He stated that at this time we do not intend to pave that road. There was discussion regarding the curbing to be installed when the I/I Project resumes, and discussion as to how tight that road is for busses and school pick up. The Committee was in agreement not to pave the area as i they would not want to encourage parking roadside.


Downtown Pavement Preservation Project – Councilor Varney inquired about the overlay to be completed in the downtown. Mr. Bezanson stated that this would likely happen next summer and that he would need PWC or City Council input for the pavement striping plan. He pulled up picture for display showed the area of work. There was discussion about head in parking along Wakefield Street and North Main. Councilor Gray suggested head in parking on one side of North Main Street. Councilors Willis and Varney believed the area to be to narrow. Mr. Bezanson stated that Wakefield is the wider of the down town streets. Councilor Varney suggested that the map of the project area be added to the minutes to eliminate project creep (see last page). Councilor Gray would like measurements taken and consideration given to head in parking.

Councilor Hamann made a motion to adjourn at 8:04. Councilor Varney seconded the motion. The motion passed unanimously

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

9/28/17



Legend
 Limits of Proposed Overlay

Data Sources:
 City of Rochester - Project Limits (2017)
 NHDOT - Roads (2016)
 Pictometry - Imagery (2017)
 ArcGIS Online - Inset Base (2017)



This map is intended for planning purposes only.
 All features shown should be considered approximate.
 Map created by: D.C., City of Rochester, NH
 Date: 9/21/2017

Path: S:\GIS\DPW\misc\CityEngineer\DownTownProjectLimits.mxd

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City Clerk's Office

Resolution Accepting
NH Department of Transportation (NHDOT) Highway Block Grant funds in
the Amount of \$530,588.40

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

That a NHDOT Highway Block Grant in the amount of Five Hundred Thirty Thousand Five Hundred Eighty-Eight and 40/100 Dollars (\$530,588.40) to the City of Rochester, for the purpose of municipal highway projects, is hereby accepted by the City of Rochester.

Further, a supplemental appropriation to the Department of Public Works Capital Improvement Plan (CIP) Budget in the amount of Five Hundred Thirty Thousand Five Hundred Eighty-Eight and 40/100 Dollars (\$530,588.40) is hereby approved and the supplemental appropriation shall be derived, in its entirety, from the aforementioned NHDOT Highway Block Grant funds.

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

CC FY18 10-03 AB38

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City Clerk's Office



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 SB38 Additional Highway Block Grant Aid Funds

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	October 3, 2017	
DEPT. HEAD SIGNATURE	Peter C. Nourse, signed original on file with City Clerk	
DATE SUBMITTED	September 26, 2017	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

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	
ACCOUNT NUMBER	
AMOUNT	
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 State of New Hampshire Department of Transportation (NHDOT) has distributed additional appropriations of Highway Block Grant Aid Funds in accordance with the passage of SB38 to NH municipalities. The City of Rochester's additional apportionment is in the amount of \$530,588.40. A Public Hearing was conducted on Thursday, September 21, 2017 regarding whether the City should accept these funds as appropriated by the State Legislature. These funds are planned to be utilized for paving projects not previously funded. The streets included on this proposed paving list are Clow Court, Nadeau Drive, Sampson Road, Woodside Lane, and sections of Portland Street as follows: Portland Street from Charles Street to South Main Street and Portland Street from Columbus Avenue to Signal Street. No comments from the public were received at the Public Hearing. No additional funds beyond those appropriated and distributed by the State of NH are required for this effort.

RECOMMENDED ACTION

Resolution authorizing the acceptance of additional Highway Block Grant Aid Funds in the amount of \$530,588.40 for newly identified municipal highway projects.

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	185xx	-	\$530588.40	-
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 Clerk's Office

**Resolution Authorizing Supplemental Appropriation to the Department of Public Works
Capital Improvements Plan Budget for the Olde Farm Lane Lighting Project in the
amount of \$150,000**

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

That the sum of One Hundred Fifty Thousand Dollars (\$150,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Department of Public Works Capital Improvements Plan budget for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the Olde Farm Lane Lighting Project. The entire 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 FY18 10-03 AB 35

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City Clerk's Office



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 Olde Farm Lane Lighting - Supplemental Appropriation
--

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	October 3, 2017		
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE signature on File City clerks office		
DATE SUBMITTED	9/22/17		
ATTACHMENTS AB-FRF	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	Public Works 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 - Unassigned Fund Balance
ACCOUNT NUMBER	15013010-771000-18XXX
AMOUNT	\$150,000
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Council Resolution

SUMMARY STATEMENT

This agenda bill request a supplemental appropriation from the General Fund-Assigned Fund Balance (cash). The requested amount of \$150,000 is to fund the work associated with the Olde Farm Lane Lighting Project. The scope of work will include the removal of all fixtures and underground equipment, along with the installation of wiring, conduit, fixtures and the necessary repairs of pavement and landscape after work is completed.

Staff will need to bid out the project, but the initial quotes/estimates have ranged from \$90,000 to \$147,000.

RECOMMENDED ACTION

1. Resolution authorizing a supplemental appropriation in the amount of \$150,000 from the General Fund - Assigned Fund balance for the Olde Farm Lane Lighting Project.

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	185XX	-	-	150,000
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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left blank...*

City Clerk's Office

**Resolution, in accordance with
RSA 674:39-aa, recognizing the "Involuntary Merger" of a
Property Known As
77 Autumn Street (Currently, Rochester Tax Map 105, Lot 98), and Acknowledging
the Appropriateness of Restoration of Such Lot
To Its Pre-Merger Configuration**

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

WHEREAS, the owners of property situate at, currently known as, 77 Autumn Street, Rochester, New Hampshire (Tax Map 105, Lot 98), have, in August 2017 filed a request with the City of Rochester, and its City Council, pursuant to the provisions of RSA 674:39-aa, requesting that such property, which they assert was previously "involuntarily merged" by action of one or more administrative agency/official of the City of Rochester in, or around, 1961 from three (3) separate lots, into a single lot, currently known as 77 Autumn Street, Rochester, New Hampshire, and currently depicted on Rochester Tax Map 105, Lot 98; and

WHEREAS, RSA 674:39-aa provides that under certain conditions the owner(s) of lots previously involuntarily merged by a municipality, shall, upon request, by the owner(s) to the municipality's governing body, be restored to its pre-involuntary merger status; and

WHEREAS, the owners of 77 Autumn Street have filed a request to have the involuntary merger of such lot be restored to its pre-merger three (3) separate lot status configuration; and

WHEREAS, City officials in the Planning and Assessing Departments, as well as other City officials, have reviewed the facts surrounding the merger of the property currently known as 77 Autumn Street, and have determined that the lot currently known as 77 Autumn Street (Rochester Tax Map 105, Lot 98) was created by the involuntary merger by the City of Rochester and that no voluntary action by, or on behalf of, the current or prior owners of the unmerged lots was taken to bring about their currently merged single lot status;

NOW, THEREFORE, in accordance with the provisions of RSA 674:39-aa, the Mayor and City Council of the City of Rochester, in its capacity as the governing body of the City of Rochester, hereby acknowledges both the request by the owners to have the lot status of 77 Autumn Street be restored to its three-lot pre-merger status and the accuracy of the facts set forth above herein, and therefore determine that the request to have the property known as 77 Autumn Street (Rochester Tax Map 128, Lot 98) be restored to its pre-involuntary merger status is granted.

CC FY 18 2017, 10-03 AB 37

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left blank...*

City Clerk's Office



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: Vote to "Un- Merge" three lots that were involuntarily merged to form the parcel currently know as 77 Autumn Street (Map-Lot: 105-19).	
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	October 03, 2017		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	11 (eleven)

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	N/A
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

LEGAL AUTHORITY

NH RSA 674:39-aa ("Restoration of Involuntarily Merged Lots")

SUMMARY STATEMENT

NH RSA 674:39-aa requires that any “involuntarily merged” lots be returned to their non-merged status if requested by the property owner. The property owner(s) of 77 Autumn St, Tax Map-Lot 105-98, have submitted such a request.

City Staff and Legal Counsel have researched and reviewed files and deeds related to this property and have concluded that in the lots were merged by the City involuntarily. Because of these findings, and in accordance with NH State Law, this property must be returned to pre-merger status (three lots) by the governing body (i.e. – City Council).

RECOMMENDED ACTION

City Staff and Legal Counsel suggest that City Council vote in the affirmative to “un-merge” these three lots and restore them to their pre-merger status.

SANDS BROTHERS HOME CENTERS, INC.

9/28/17

2330 Route 16
Post Office Box 665
West Ossipee, New Hampshire 03890-0665
(603) 539-4400
Fax (603) 539-7682

August 23, 2017



City of Rochester
Planning Department
ATTN: Mr. Creighton
31 Wakefield Street
Rochester, NH 03867

Dear Mr. Creighton:

RE: Property Located at 77 Autumn
Street, Rochester, New Hampshire
Tax Map 105, Lot 19

Sands Brothers Home Centers, Inc. has just taken title to three (3) parcels of land located on Autumn Street and Salmon Falls Road in Rochester. A copy of that deed is attached hereto and is recorded in the Strafford County of Deeds at Book 4501, Page 965. When someone on our behalf visited the City's Assessors Office to inquire about the history of the assessments on this property, instead of showing three (3) lots, it showed the three lots as being one (1) merged lot. A copy of that portion of the tax map is attached hereto. Personnel in the office indicated that they were not able to located any request of any prior owners to voluntarily merge the three lots into one. They also indicated that the records did not go back far enough to see the property as three separate lots and that as of the 1970 tax map, the three lots had been combined into one.

In having the title researched, we note that the three (3) tracts were separate and distinct lots prior to 1970 and were acquired by Wesley and Louise Jefferson, predecessors in interest as follows:

- (1) Book 482, Page 219, recorded on June 17, 1938, and sold by Ralph Hamm to the Jeffersons (the lot on which the house is located);
- (2) Book 651, Page 51, recorded on September 15, 1955, another of the tracts sold by Royal and Zilla Corson to the Jeffersons; and
- (3) Book 741, Page 407, recorded on December 19, 1961, the third tract, which was sold by Royal Corson to the Jeffersons.

Copies of these three referenced deeds are attached. In addition, a search of the grantor index in the registry of deeds does not reflect that any subdivision plans or any type of merger were ever recorded with reference to these three transactions.

Apparently, it is our belief that these three (3) separate tracts were involuntarily merged into a single tract by the city sometime after the 1961 transaction.

Accordingly, we hereby request that the city de-merge the one lot into three (3) tracts in accordance with NH RSA 674:39-aa, as amended, a copy of which is also attached. We note that the same request was made to you by Kelly Weymouth by letter dated January 26, 2015, a copy of which is also enclosed herewith.

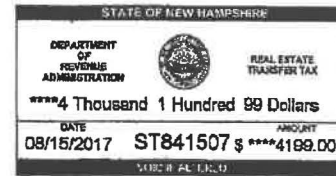
Because we are anxious to make improvements to the property, anything you can do to expedite this matter would be greatly appreciated. Accordingly, should you have any questions or desire any additional information, please do not hesitate to contact me at the contact information listed on this letterhead.

Very truly yours,



David S. Sands, President

DSS:dls
Enclosures



Warranty Deed

We, **Walter J. Ferrara and Cynthia L. Ferrara**, husband and wife of 77 Autumn Street, Rochester, New Hampshire 03868 for consideration paid, grants to **Sands Brothers Home Centers, Inc.** a New Hampshire Corporation, with a mailing address of PO Box 628, West Ossipee, New Hampshire 03890, with **WARRANTY COVENANTS**,

A certain tract or parcel of land with the buildings thereon situate in the Village of East Rochester, in said Rochester, County of Strafford, State of New Hampshire, on the Northerly side of Autumn Street, so called, bounded and described as follows, to wit:

Beginning at the corner made by the junction of the said Autumn Street and the Salmon Falls Road at an iron pipe in the ground and running Easterly by said Autumn Street two hundred feet to an iron pipe in the ground at land now or formerly of Royal W. Corson; thence running in an (sic) Northerly direction by said land of Royal W. Corson one hundred feet to an iron pipe in the ground; thence running in a Westerly direction by land of said Royal W. Corson two hundred feet; thence running in a Southerly direction by said Salmon Falls Road one hundred feet to the point of beginning.

A certain tract or parcel of land with any of the buildings thereon, situate on the Easterly side of the Salmon Falls Road in said City of Rochester, and bounded and described as follows:

Beginning on the Easterly side of said Road at the Northwesterly corner of land now or formerly of Wesley E. and Louise Jefferson; thence running in an Easterly direction by land of said Jefferson for a distance of two hundred (200) feet to an iron pipe set in the ground at land now or formerly of Royal W. and Zilla M. Corson; thence turning and running in a Northwesterly direction by land of said Corson for a distance of one hundred eighty-three (183) feet to an iron pipe set in the ground at land of said Corsons; thence turning and running in a Westerly direction by land of said Corsons for a distance of one hundred sixteen (116) feet to an iron pipe set in the ground at said Salmon Falls Road; thence turning and running in a Southerly direction by said Salmon Falls Road for a distance of one hundred (100) feet to

the point begun at.

A certain tract or parcel of land situate on the Easterly side of the Salmon Falls Road, in said Rochester, bounded and described as follows:

Beginning on the Easterly side of said highway in the Northwesterly corner of other land now or formerly of (the grantor); thence running Northerly by said Salmon Falls Road one hundred fifty (150) feet, more or less, to an iron pipe at other land now or formerly of Royal W. Corson; thence turning and running Easterly by said Royal Corson's other land a distance of seventy-seven (77) feet, more or less, to another iron pipe and continuing to the edge of the marsh or swamp; thence turning and running Southeasterly by the edge of said swamp and other land of said Royal Corson one hundred fifty-five (155) feet, more or less, to an iron pipe marking the Northeasterly corner of other land now or formerly of the grantor; thence turning and running Westerly by said grantor's other land ninety-three (93) feet, more or less, to the point of beginning.

Meaning and intending to convey the same premises conveyed to Walter J. Ferrara and Cynthia L. Ferrara by deed of John C. and Judith H. Chipman dated July 5, 2007 and recorded July 9, 2007 in the Strafford County Registry of Deeds.

Witness my/our hand(s) this 14th day of August, 2017

Walter J. Ferrara
Walter J. Ferrara
Cynthia L. Ferrara
Cynthia L. Ferrara

State of New Hampshire
County of Strafford

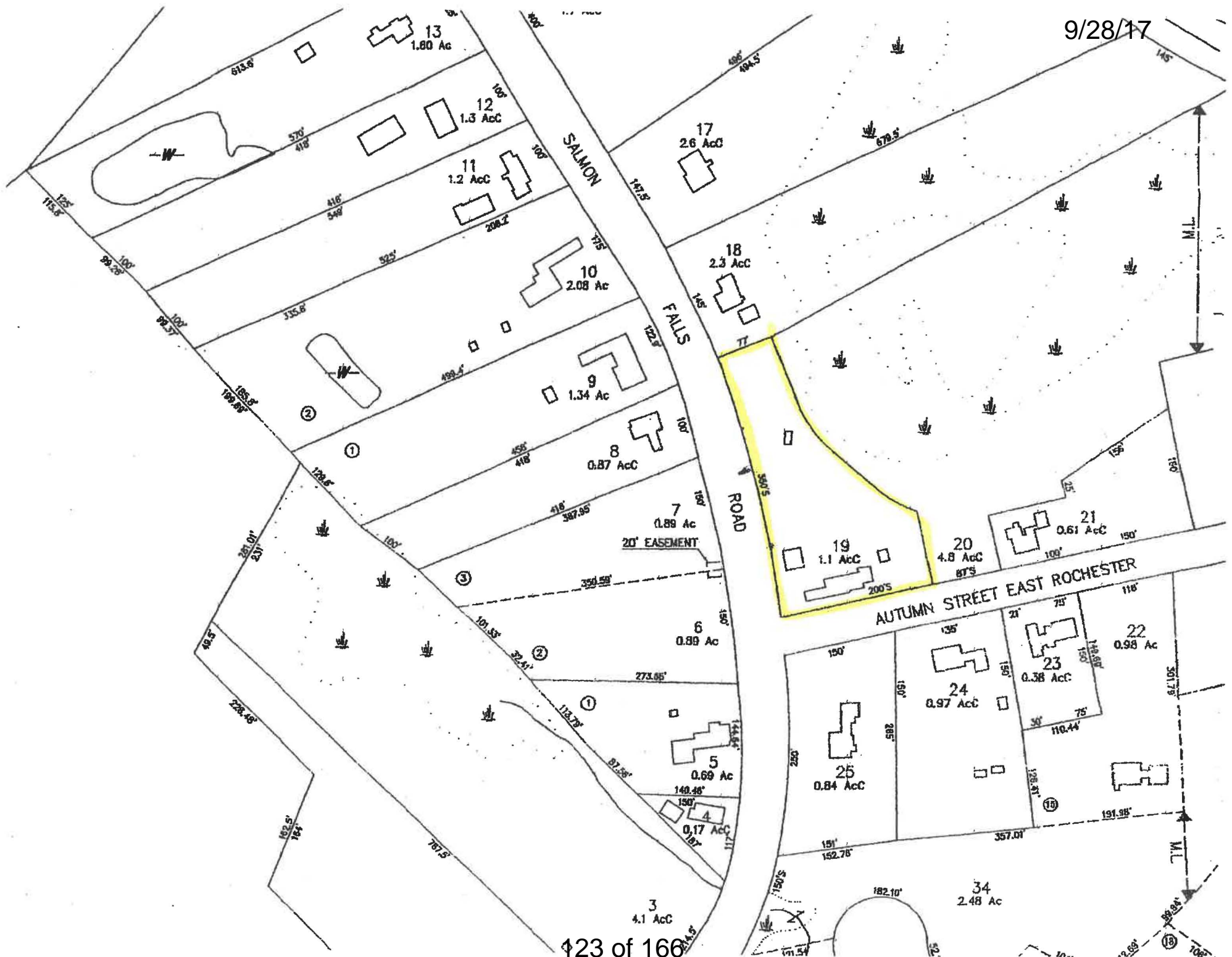
On the 14th day of August, 2017, before me, personally appeared, Walter J. Ferrara and Cynthia L. Ferrara, to me known or proven to be the party/parties executing the foregoing instrument, and he/she/they acknowledged said instrument, by him/her/them executed, to be his/her/their free act and deed.

My Commission Expires:



Sharon Worster
Notary Public:

Printed/Typed Name
SEAL



Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0105-0019-0000	Account Number 28322
Prior Parcel ID --	
Property Owner FERRARA WALTER J & CYNTHIA L	Property Location 77 AUTUMN ST
Mailing Address 77 AUTUMN ST	Property Use SINGLE FAM
	Most Recent Sale Date 7/5/2007
City ROCHESTER	Legal Reference 3549-626
Mailing State NH Zip 03868-8501	Grantor CHIPMAN JOHN C & JUDITH H,
ParcelZoning R1	Sale Price 229,933
	Land Area 1.100 acres

Current Property Assessment

Card 1 Value	Building Value 112,800	Yard Items Value 14,300	Land Value 45,200	Total Value 172,300
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Building Description

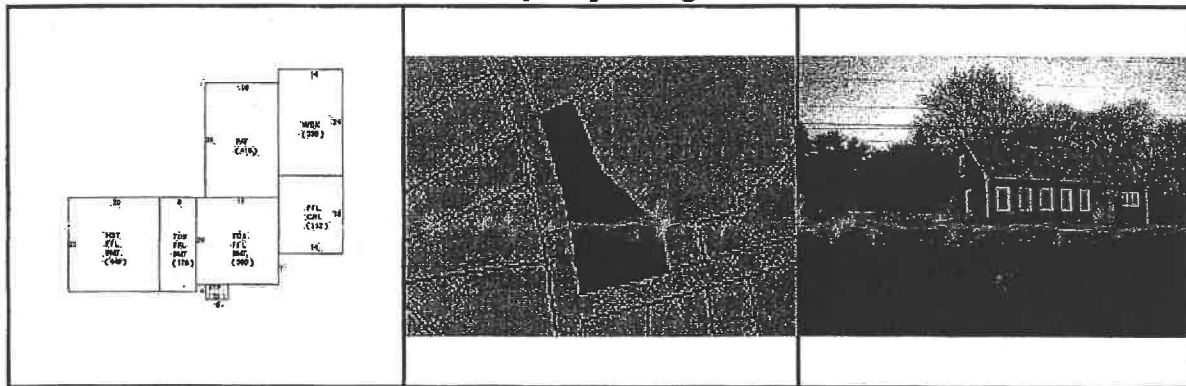
Building Style CAPE	Foundation Type CONG BLOCK	Flooring Type AVERAGE
# of Living Units 1	Frame Type WOOD	Basement Floor CONCRETE
Year Built 1936	Roof Structure GABLE	Heating Type FORCED H/W
Building Grade AVERAGE	Roof Cover ASPH SHINGLE	Heating Fuel OIL
Building Condition Good	Siding VINYL	Air Conditioning 0%
Finished Area (SF) 1850	Interior Walls PLASTER	# of Bsmt Garages 0
Number Rooms 6	# of Bedrooms 2	# of Full Baths 2
# of 3/4 Baths 0	# of 1/2 Baths 0	# of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 1.100 acres of land mainly classified as SINGLE FAM with a(n) CAPE style building, built about 1936 , having VINYL exterior and ASPH SHINGLE roof cover, with 1 unit(s), 6 room(s), 2 bedroom(s), 2 bath(s), 0 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.

~~Knows~~ All Men by these Presents

THAT Ralph Allan Ham of Rochester in the County of Strafford and State of New Hampshire

for and in consideration of the sum of one dollar and other valuable consideration to me in hand before the delivery hereof, well and truly paid by Wesley E. Jefferson and Louise Jefferson of Lebanon in the County of York and State of Maine

the receipt whereof I do hereby acknowledge, have granted, bargained and sold, and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said Wesley E. Jefferson and Louise Jefferson and the survivor of them as joint tenants and not as tenants in common to them and the survivor of them and the heirs and assigns forever.

a certain tract or parcel of land situate in the village of East Rochester in said Rochester on the Northerly side of Autumn Street, so called, bounded and described as follows, to wit: Beginning at the corner made by the junction of the said Autumn Street and the Salmon Falls Road at an iron pipe in the ground and running Easterly by said Autumn Street two hundred feet to an iron pipe in the ground at land now or formerly of Royal W. Gorson; thence running in an Northerly direction by said land of Royal W. Gorson one hundred feet to an iron pipe in the ground; thence running in a Westerly direction by land of said Royal W. Gorson two hundred feet, thence running in a Southerly direction by said Salmon Falls Road on hundred feet to the point of beginning.

{ U.S. Rev. }
{ \$1.00 }
{ R A H }
{ 6/17/38 }

Meaning and intending to convey the same premises conveyed to me by deed of Thelma Mae Parsons dated February 27, 1937 and recorded in Strafford Registry of Deeds Book 477, Page 497, and said deed is hereby referred to for a more particular description.

TO HAVE AND TO HOLD the said granted premises, with all the privileges and appurtenances to the same belonging, to them the said grantees in joint tenancy and tenancy heirs and assigns, to their and their only proper use and benefit forever. And I the said Grantor and my heirs, executors and administrators, do hereby covenant, grant and agree to and with the said grantees and their heirs and assigns that until the delivery hereof I am the lawful owner of the said premises and am seized and possessed thereof in my own right in fee simple; and have full power and lawful authority to grant and convey the same in manner aforesaid; that the premises are free and clear from all and every incumbrance whatsoever except and that I and my heirs, executors and administrators shall and will WARRANT AND DEFEND the same to the said grantees and their heirs and assigns, against the lawful claims and demands of any person or persons whomsoever.

And I, Mildred M. Ham wife of the said Ralph Allan Ham in consideration aforesaid, do hereby relinquish my right of dower in the before mentioned premises. And we and each of us do hereby release, discharge and waive all such rights of exemption from attachment and levy, or sale on execution, and such other rights whatsoever in said premises, and in each and every part thereof, as our FAMILY HOMESTEAD, as are reserved or secured to us or either of us, by Chapter 214, Public Laws of the State of New Hampshire, or by any other statute or statutes of said State. IN WITNESS WHEREOF, we, the said Ralph Allan Ham and Mildred M. Ham have hereunto set our hands and seals, this 17th day of June A.D. 1938. in the year of our Lord, 1938.

Signed, sealed and delivered in the presence of us: William Wright, Ralph Allan Ham SEAL, Mildred M. Ham SEAL. STATE OF NEW HAMPSHIRE, Strafford SS. Rochester, June, 17, A. D. 1938. Personally appeared the above named Ralph Allan Ham and Mildred M. Ham and acknowledged the foregoing instrument

to be their voluntary act and deed—Before me: (NOTARIAL SEAL) William Wright Notary Public Justice of the Peace

Received 11:55 A.M. June 18, 1938. Examined by Anna M. Brown Register. STATE OF NEW HAMPSHIRE, SS. A. D. 19

Personally appeared the above named and acknowledged the foregoing instrument to be voluntary act and deed—Before me: Justice of the Peace.

Received Examined by Register.

(H) WARRANTY DEED

we, ROYAL W. CORSON and ZILLA M. CORSON
of Rochester, Strafford County, State of New Hampshire, for consideration paid, grant to WESLEY E. JEFFERSON and LOUISE JEFFERSON as joint tenants with rights of survivorship
of Rochester, Strafford County, State of New Hampshire with WARRANTY covenants - a certain tract or parcel of land situate on the easterly side of the Salmon Falls Road in said city of Rochester, and bounded and described as follows:-

Beginning on the easterly side of said Road at the northwesterly corner of land of Wesley E. and Louise Jefferson, thence running in an easterly direction by land of said Jefferson for a distance of two hundred (200) feet to an iron pipe set in the ground at land of Royal W. and Zilla M. Corson; thence turning and running in a northwesterly direction by land of said Corsons for a distance of one hundred eighty-three (183) feet to an iron pipe set in the ground at land of said Corsons; thence turning and running in a westerly direction by land of said Corsons for a distance of one hundred sixteen (116) feet to an iron pipe set in the ground at said Salmon Falls Road; thence turning and running in a southerly direction by said Salmon Falls Road for a distance of one hundred (100) feet to the point begun at.

Meaning and intending to describe a portion of the premises conveyed to Royal W. Corson by deed of Mercie Udall, dated October 2, 1926, and recorded in Strafford County Records Book 422, Page 369.



we, ROYAL W. and ZILLA M. CORSON and wife of said Grantor, release to said Grantee all rights of dower and homestead and other interest therein.

WITNESS OUR hands and seals this 15th day of September, 1955.

Witness: John G. Starr, Notary Public.
R. Royal W. Corson
Zilla M. Corson

STATE OF NEW HAMPSHIRE
Strafford ss.
ROYAL W. CORSON and ZILLA M. CORSON
personally appeared and acknowledged the foregoing instrument to be their voluntary act and deed.
September 15th 1955
Before me, John G. Starr, Notary Public

RECEIVED 8:30 A. M. Sept. 20, 1955

EXAMINED BY George Morin Dubois Register

651 51

Know All Men By These Presents

That Royal W. Corson, widower, of East Rochester, City of Rochester, County of Strafford, and State of New Hampshire
for consideration paid, grant to Wesley Jefferson and Louise Jefferson, both of said East Rochester, as joint tenants with rights of survivorship, and not as tenants in common, with warranty covenants.

A certain tract or parcel of land situate on the easterly side of the Salmon Falls Road, in said Rochester, bounded and described as follows:

Beginning on the easterly side of said highway in the northwesterly corner of other land of said grantees; thence running northerly by said Salmon Falls Road one hundred fifty (150) feet, more or less, to an iron pipe at other land of said grantor; thence turning and running easterly by said grantor's other land a distance of seventy-seven (77) feet, more or less, to another iron pipe and continuing to the edge of the marsh or swamp; thence turning and running south-easterly by the edge of said swamp and other land of said grantor one hundred fifty-five (155) feet, more or less, to an iron pipe marking the northeasterly corner of other land of said grantees; thence turning and running westerly by said grantees' other land ninety-three (93) feet, more or less, to the point of beginning.

Meaning and intending to describe a portion of the property conveyed to said grantor by deed of Mercie Udall, dated October 2, 1926, recorded Book 422, page 369, Strafford County Records.

The Rochester Savings Bank and Trust Company, of said Rochester, for and in consideration of the sum of \$1, hereby joins in this conveyance for the sole purpose of releasing and discharging the above-described parcel of land from the terms of a certain mortgage, dated April 17, 1932, recorded Book 602, page 245, said records. By joining in this instrument, the said Rochester Savings Bank and Trust Company makes no covenant as to title and expressly reserves and retains the lien which it holds by reason of the aforesaid mortgage on all other properties of the said grantor, not heretofore by this deed released from the terms of said mortgage.



~~(Witness and seal of said grantor, and seal of said grantee, to wit: Wesley Jefferson and Louise Jefferson, both of said East Rochester, New Hampshire, as joint tenants with rights of survivorship, and not as tenants in common, with warranty covenants.)~~

Witness my hand and seal this 19th day of December, 1961.

WITNESS:
Mary E. [Signature]
[Signature]

Royal W. Corson
ROCHESTER SAVINGS BANK AND TRUST COMPANY
[Signature]
President

STATE OF NEW HAMPSHIRE COUNTY OF STRAFFORD
On this the nineteenth day of December, 1961, before me, Helen W. Boyce, the undersigned officer, personally appeared Royal W. Corson known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.
Helen W. Boyce
Justice of the Peace
Title of Officer.

RECORDED 8:30 A.M. DEC 27, 1961

EXAMINED BY *Marjorie E. Holmes* REGISTER

741
407

TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:39-aa

674:39-aa Restoration of Involuntarily Merged Lots. –

I. In this section:

(a) "Involuntary merger" and "involuntarily merged" mean lots merged by municipal action for zoning, assessing, or taxation purposes without the consent of the owner.

(b) "Owner" means the person or entity that holds legal title to the lots in question, even if such person or entity did not hold legal title at the time of the involuntary merger.

(c) "Voluntary merger" and "voluntarily merged" mean a merger under RSA 674:39-a, or any overt action or conduct that indicates an owner regarded said lots as merged such as, but not limited to, abandoning a lot line.

II. Lots or parcels that were involuntarily merged prior to September 18, 2010 by a city, town, county, village district, or any other municipality, shall at the request of the owner, be restored to their premerger status and all zoning and tax maps shall be updated to identify the premerger boundaries of said lots or parcels as recorded at the appropriate registry of deeds, provided:

(a) The request is submitted to the governing body prior to December 31, 2021.

(b) No owner in the chain of title voluntarily merged his or her lots. If any owner in the chain of title voluntarily merged his or her lots, then all subsequent owners shall be estopped from requesting restoration. The municipality shall have the burden of proof to show that any previous owner voluntarily merged his or her lots.

III. All decisions of the governing body may be appealed in accordance with the provisions of RSA 676.

IV. Any municipality may adopt local ordinances, including ordinances enacted prior to the effective date of this section, to restore previously merged properties that are less restrictive than the provisions in paragraph I and II.

V. The restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing local land use ordinances.

VI. Municipalities shall post a notice informing residents that any involuntarily merged lots may be restored to premerger status upon the owner's request. Such notice shall be posted in a public place no later than January 1, 2012 and shall remain posted through December 31, 2016. Each municipality shall also publish the same or similar notice in its 2011 through 2015 annual reports.

Source. 2011, 206:4, eff. July 24, 2011. 2016, 327:2, eff. Aug. 23, 2016.

TO: Seth Creighton

January 26, 2015

City of Rochester NH Planning & Development

FROM: Kelly Weymouth
Owner of 59 Richardson St.

I would like to "un-merge" two lots that were involuntarily merged by the City of Rochester.

I would like to request that the City of Rochester acknowledge in writing that 59 Richardson Street, Parcel ID # Map 128, Lot 98 is two lots and that one has the house at 59 Richardson Street on it and the other lot is a buildable lot that can be sold separately and is accessed by a 30 foot right of way off of Preston Street.

The current deed recorded in the Strafford County Registry lists the two lots as Tract I and Tract II and was recorded on June 10, 1999 at Book 2114, Page 0553 (Deed attached). Prior to that deed, the property was two separate deeds, both deeds are attached. Tract I was a deed recorded at the Strafford Registry on November 17, 1977 at Book 1007, Page 930 with ownership going to Sheldon Damon and Tract II was a deed recorded at the Strafford Registry on May 20, 1981 at Book 1065, Page 481 with ownership going to Sheldon and Dawn Damon.

The property's current address is 59 Richardson Street, Map 128, Lot 98 and it is located in the R1 zone.

I have attached the original survey of the property, the current tax map, the tax card and all deeds.

~~Dawn Damon is my mother, the owner of the lot and she has passed away so my sister, Dawn~~ Hebert, and I inherited the lot and are selling the property. Our real estate agent is Mike Hill of RE/MAX Insight and we give you permission to discuss everything about the property with him.

Here is the contact information for me and real estate agent Mike Hill:

Kelly Weymouth, 21 Rochester Hill Rd, Rochester, NH 03867 and email address is kelsbox67@gmail.com. The contact information for our agent Mike Hill is email: mhill134035@aol.com and cell is 603-969-7715.

Thank you for your help with this matter.

Kelly Weymouth, owner 59 Richardson St. Rochester NH

Kelly J. Weymouth

dotloop verified
01/26/15 08:04:58 EST
MJKW-ZZEP-WPGK-PPK

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City Clerk's Office

Resolution Accepting Opioid Abuse Reduction Initiative (OARI) Grant and Authorizing Supplemental Appropriation to the Police Department in the Amount of \$20,000.00

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept a OARI Grant from the New Hampshire Department of Public Safety in the amount of Twenty Thousand Dollars (\$20,000.00).

Further, that the sum of Twenty Thousand Dollars (\$20,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Police Department operating budget. The entire amount of the supplemental appropriation shall be derived from the aforementioned OARI Grant.

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 FY18 10-03 AB 30

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City Clerk's Office



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 2018 Law Enforcement Opioid Abuse Reduction Initiative (OARI) 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	Next September 2017 meeting.	
DEPT. HEAD SIGNATURE		
DATE SUBMITTED	9/6/17	
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	3

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	State
ACCOUNT NUMBER	Fund TBD
AMOUNT	Estimate \$20,000.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

Council to allow us to accept funding from the OARI grant.
--

SUMMARY STATEMENT

Seeking permission from council to accept funding for the 2018 Law Enforcement Opioid Abuse Reduction Initiative (OARI) grant. Strafford County has received \$87,950.00 through a State grant for the purpose of drug investigations throughout the County. We are seeking permission to utilize portions of this grant funding to complete drug investigations in conjunction with the County Task Force as well as Federal Agencies within the City of Rochester. At this point we are estimating our share to be approximately \$20,000.00.

RECOMMENDED ACTION

Accept OARI grant estimated funding in the amount of \$20,000.00.

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	TBD	TBD	TBD	-	\$20,000.00 Estimate -	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD	TBD	TBD -	-	-
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

9/28/17

Office of the Sheriff

Strafford County



David G. Dubois
Sheriff
Joseph T. McGivern
Chief Deputy

259 County Farm Road, Ste. 105
Dover, New Hampshire 03820
Tel. (603) 742-4960
Fax: (603) 743-4921

Rochester Police Department
Chief Paul Toussaint
23 Wakefield St.
Rochester, NH 03867

August 31, 2017

RECEIVED
SEP 05 2017
OFFICE OF THE CHIEF
ROCHESTER POLICE DEPT

Dear Chief Toussaint:

As you are already aware through Sheriff Dubois; we have been approved to administer funding of the 2018 Law Enforcement Opioid Abuse Reduction Initiative (OARI) up to the grant limitation of \$87,950.00. The project grant period ends June 30, 2018 and all expenses must be incurred and paid prior to this date.

Enclosed, please find the Memorandum of Agreement (MOA) for your agency. Please review it, sign as CEO of your agency, and return it to the Sheriff's Office by September 8, 2017. We will then continue with obtaining the proper additional signatures and complete other requirements of the grant process.

Thank you for your time and attention to this important matter.

Sincerely,

Joseph T. McGivern
Chief Deputy Sheriff

Memorandum of Agreement (MOA)

The State of New Hampshire, Department of Safety (herein referred to as the “State”), the City of Rochester Police Department (herein referred to as the “Municipality”), and the Strafford County Sheriff Department (herein referred to as the “Grantee”) agree to administer funding of the 2018 Law Enforcement Opioid Abuse Reduction Initiative (OARI) as authorized under RSA 21-P:66 and Saf-C 2900 in the manner detailed within this Memorandum of Agreement.

The “Grantee”, as the grant award recipient, is responsible for the overall direction and assignment of all 2018 Law Enforcement Opioid Abuse Reduction Initiative (OARI) grant funded activities. Some of these activities may be assigned to the “Municipality”. When the “Municipality” is assigned grant funded activities, the “Municipality” is eligible for reimbursement directly from the “State”, pending the submission of appropriate documentation, approval from the “Grantee”, and in accordance with the grant award requirements. This agreement may be modified by written mutual agreement of the parties. This agreement shall remain in effect until the grant period has expired.

The “Grantee” is responsible for:

- Coordination of activities as specified in RSA 21-P:66 and Saf-C 2900 and outlined in the application and grant award documentation;
- Reviewing and approving all reimbursement requests submitted by the “Municipality”;
- Submitting “Municipality” reimbursement requests to the “State”;
- Any costs related to activities that are not previously approved by the “State” or that exceed any previously approved amount.

The “Municipality” is responsible for:

- Participating in specified “Grantee” assigned activities as per the final grant agreement;
- Documenting specified “Grantee” assigned activities in accordance with the grant agreement using the attached Overtime form and appropriate back-up as specified in the Grant application and Saf-C 2908.01 on form DSAD 69;
- Submitting reimbursement requests supported by documentation to the “Grantee”;
- Any costs related to activities that are not previously approved by the “Grantee”, that exceed any previously approved amount, or that are deemed ineligible per the grant agreement.

The “State” is responsible for:

- Reimbursing the “Municipality” for “Grantee” approved grant related activities that are supported by proper documentation and approved by the “Grantee”;
- Ensuring that submitted reimbursements have been approved by the “Grantee”;
- Providing notification to the “Grantee” and “Municipality” of any documentation deficiencies and the steps necessary to resolve the issue.

Nothing in this agreement guarantees payment of any amounts to the "Grantee" or "Municipality" or alters or changes the grant agreement with the "Grantee". Costs for the entire activity may not exceed the maximum award to the "Grantee".

The undersigned, on behalf of the State of New Hampshire, Department of Safety (the "State"), the City of Rochester Police Department (the "Municipality"), and the Strafford County Sheriff Department (the "Grantee") agree to administer funding of the 2018 Law Enforcement Opioid Abuse Reduction Initiative (OARI) as authorized under RSA 21-P:66 and Saf-C 2900 in the manner detailed within this Memorandum of Agreement.

City of Rochester Police Department



Paul Toussaint
Police Chief

9-6-17
Date

Email: _____

Phone: _____

Strafford County Sheriff Department

David Dubois
Sheriff

Date

New Hampshire Division of State Police

Christopher Wagner
Colonel

Date

New Hampshire Department of Safety

Steven R. Lavoie
Director of Administration

Date

Resolution Deauthorizing funding related to the Police Department Capital Improvement Plan Fund Comlog Recording Equipment System Project in the amount of \$2,095.00

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

That Two Thousand Ninety Five Dollars (\$2,095.00) of previously appropriated funds is deauthorized for the costs associated with the Police Department Capital Improvement Plan Fund Comlog Recording Equipment System Project which was completed on October 7, 2017.

Further, the amount of Two Thousand Ninety Five Dollars (\$2,095.00) 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 FY18 10-03 AB 29

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City Clerk's Office



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 Seeking permission from Council to de-authorize \$2,095.00 from our CIP Account funds used to purchase the Comlog Recording System

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	Next September 2017 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	8/23/17		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2	

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	Cash CIP
ACCOUNT NUMBER	15012010-773800-15510
AMOUNT	\$2,095.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Requesting to de-authorize and to transfer the \$2,095.00 to the general fund unassigned fund balance.

RECOMMENDED ACTION

Council approve de-authorization and transfer of funds to general fund.

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	15012010	773800	15510	-	-	\$2,095.00
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

Org code: 15012010 CIP POLICE EXPENSE Type: E
Object code: 773800 COMPUTER/COMMUNICATIONS Status: A
Project code: 15510 COMLOG RECORDING EQUIPMENT Budgetary: N

Fund 1501 CAPITAL PROJECTS GENERAL FUND
LEVEL GOVT 0
FUNCTION 0000
LEVEL/DEPT 201 POLICE
PRGM/ACTIVIT 000
LOCATION 00
GRADE 00
REVENUE 0
Project 15510 COMLOG RECORDING EQUIPMENT

Full description: COMLOG RECORDING EQUIPMENT Short desc: COMLOG
Reference Acct: Auto-encumber? (Y/N) N

PER	ACTUAL	ENCUMBRANCE	BUD TRANSFER	BUDGET
00	.00	.00	.00	.00
01	.00	.00	.00	174.62
02	.00	.00	.00	174.58
03	.00	.00	.00	174.58
04	.00	.00	.00	174.58
05	.00	.00	.00	174.58
06	.00	.00	.00	174.58
07	.00	.00	.00	174.58
08	.00	.00	.00	174.58
09	.00	.00	.00	174.58
10	.00	.00	.00	174.58
11	.00	.00	.00	174.58
12	.00	.00	.00	174.58
13	.00	.00	.00	.00
Tot:	.00	.00	.00	2,095.00

CURRENT YEAR TOTAL AMOUNTS			
Actual (Memo)	.00	Original Budget	.00
Encumbrances	.00	Budget Tranfr In	.00
Requisitions	.00	Budget Tranfr Out	.00
Total	.00	Carry Fwd Budget	.00
Available Budget	2,095.00	Carry Fwd Bud Tfr	.00
Percent Used	.00	Revised Budget	.00
Inceptn to SOY	16,500.00	Inceptn Orig Bud	18,595.00
		Inceptn Revsd Bud	18,595.00
Encumb-Last Yr	.00	INITIAL	18,595.00
Actual-Last Yr	.00	ADMIN	18,595.00
Estim-Actual	2,095.00	COMMITTEE	18,595.00
	.00	CM/SCHOOL	18,595.00
		COUNCIL	18,595.00

PER	LAST YEAR MONTHLY AMOUNTS		
	ACTUAL	ENCUMBRANCE	BUDGET
00	.00	.00	.00
01	.00	.00	174.62
02	.00	.00	174.58
03	.00	.00	174.58
04	.00	.00	174.58
05	.00	.00	174.58
06	.00	.00	174.58
07	.00	.00	174.58
08	.00	.00	174.58
09	.00	.00	174.58
10	.00	.00	174.58
11	.00	.00	174.58
12	.00	.00	174.58
13	.00	.00	.00
Tot:	.00	.00	2,095.00

----- PRIOR YEARS TOTAL AMOUNTS -----			
2016 Actual	.00	2016 Orig Budget	.00
2016 Closed @ YE	.00	2016 Bud Tfr In	.00
2016 Encumbrance	.00	2016 Bud Tfr Out	.00
2016 Memo Bal	.00	2016 C Fwd Budget	.00
2015 Actual	16,500.00	2016 Revsd Budget	.00
2014 Actual	.00		
2013 Actual	.00	2015 Orig Budget	.00
2012 Actual	.00	2015 Revsd Budget	.00
2011 Actual	.00	2014 Orig Budget	.00
2010 Actual	.00	2014 Revsd Budget	.00
2009 Actual	.00		
2008 Actual	.00	2016	0.00
2007 Actual	.00	2015	1.00
		2014	0.00

----- FUTURE YEAR AMOUNTS -----			
PER	2018 BUDGET		BUDGET
00	.00	2018 INITIAL	.00
01	.00	2018 ADMIN	.00
02	.00	2018 COMMITTEE	.00
03	.00	2018 CM/SCHOOL	.00
04	.00	2018 COUNCIL	.00
05	.00	2018 Revised	.00
06	.00	2019 Estimate	.00
07	.00	2020 Estimate	.00
08	.00	2021 Estimate	.00
09	.00	2022 Estimate	.00
10	.00		
11	.00	2018 Memo Bal	.00
12	.00	2018 Encumbrance	.00
13	.00	2018 Requisition	.00
Tot:	.00		

----- ACCOUNT NOTES -----

** END OF REPORT - Generated by Rhonda Young **

9/28/17

Rhonda Young

From: Roland Connors
Sent: Wednesday, June 28, 2017 5:34 PM
To: Rhonda Young
Cc: Gary Boudreau
Subject: CIP Project 15510 - Deauthorization ?

Hi Rhonda - it appears that capital project 15510 for the Comlog Recording Equipment System was completed on 10-07-2014. There is a remaining balance of \$2,095 which should be de-authorized by the Council through the agenda bill process.

Please advise.

Thanks,
Roland

**Resolution Deauthorizing \$1,463,067.66 related to various projects funded from the
Department of Public Works
Water Capital Improvements Plan Fund**

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

That One Million Four Hundred Sixty Three Thousand Sixty Seven and 66/100 Dollars (\$1,463,067.66) of previously appropriated funds is deauthorized from various completed, cancelled, or postponed Water Capital Improvements Plan Fund projects in accordance with Exhibit A.

Further, in accordance with RSA 33:9, One Million Four Hundred Forty Six Thousand Six Hundred Thirty Eight and 13/100 Dollars (\$1,446,638.13) in previously authorized bonding authority is hereby revoked as shown in Exhibit A.

Still further, the amount of Sixteen Thousand Four Hundred Twenty Nine and 53/100 Dollars (\$16,429.53) shall be returned to the Water Fund unassigned retained earnings balance as identified in Exhibit A .

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 FY18 10-03 AB 36

EXHIBIT A**WATER FUND PROJECTS READY FOR DE-AUTHORIZATION**

Account Number	Project Name	Revised Budget	Expended	Deauthorize			Total De-authorization
				Cash	Bond	Grant	
55016010-771000-14526	Cross Control Connection Survey	\$ 60,000.00	\$ 43,570.47	\$ 16,429.53	\$ -	\$ -	\$ 16,429.53
55016010-771000-17530	Woodman & Myrtle	\$ 1,400,000.00	\$ -	\$ -	\$ 1,400,000.00	\$ -	\$ 1,400,000.00
55016010-772000-13528	Water Tank Maint Prog	\$ 380,000.00	\$ 378,004.18	\$ -	\$ 1,995.82	\$ -	\$ 1,995.82
55016010-772000-15538	Water Tank Maintenance	\$ 275,000.00	\$ 230,357.69	\$ -	\$ 44,642.31	\$ -	\$ 44,642.31
				\$ 16,429.53	\$ 1,446,638.13	\$ -	\$ 1,463,067.66



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 DE-AUTHORIZATIONS - WATER FUND PROJECT ACCOUNTS

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	October 3, 2017		
DEPT. HEAD SIGNATURE	Peter Nourse, PE Original on file City Clerks Office		
DATE SUBMITTED	September 21, 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	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	Water Fund
ACCOUNT NUMBER	Several Accounts Per Spreadsheet
AMOUNT	\$1,463,067.66
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

City Council Resolution

SUMMARY STATEMENT

The City Council has requested the de-authorization of previously appropriated funds for projects that are completed or postponed. The total Water Fund De-authorizations per page 3 of this Agenda Bill is \$1,463,067.66

RECOMMENDED ACTION

1.) City Council Resolution for de-authorization of water fund accounts on projects that have been completed or postponed per the attached and spreadsheet totaling \$1,463,067.66.

2.) City Council authorization to transfer \$16,429.53 back to the Water Fund.

.

WATER FUND PROJECTS READY FOR DE-AUTHORIZATION

Account Number	Project Name	Revised Budget	Expended	Deauthorize			Total		Comment
				Cash	Bond	Grant	De-authorization	To Be Bonded	
55016010-771000-14526	Cross Control Connection Survey	\$ 60,000.00	\$ 43,570.47	\$ 16,429.53	\$ -	\$ -	\$ 16,429.53	\$ -	\$16,429.53 transfer to 5001
55016010-771000-17530	Woodman & Myrtle	\$ 1,400,000.00	\$ -	\$ -	\$ 1,400,000.00	\$ -	\$ 1,400,000.00	\$ -	
55016010-772000-13528	Water Tank Maint Prog	\$ 380,000.00	\$ 378,004.18	\$ -	\$ 1,995.82	\$ -	\$ 1,995.82	\$ -	\$378,004.18 has been bonded
55016010-772000-15538	Water Tank Maintenance	\$ 275,000.00	\$ 230,357.69	\$ -	\$ 44,642.31	\$ -	\$ 44,642.31	\$ -	\$230,357.69 has been bonded
				\$ 16,429.53	\$ 1,446,638.13	\$ -	\$ 1,463,067.66	\$ -	

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City Clerk's Office

Resolution Authorizing Supplemental Appropriation for the Department of Public Buildings Capital Improvements Plan Fund Community Center Security Camera Project in the amount of \$20,646.00

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

That the sum of Twenty Thousand Six Hundred Forty Six Dollars (\$20,646.00) be, and hereby is, appropriated as a supplemental appropriation for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the Department of Public Buildings Capital Improvements Plan Fund Community Center Security Camera Project. The entire 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 FY18 10-03 AB 32

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City Clerk's Office



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 Correction - Community Center Interior & Exterior Security Camera Project

COUNCIL ACTION ITEM
INFORMATION ONLY

FUNDING REQUIRED? YES NO
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES NO

FUNDING RESOLUTION FORM? YES NO

AGENDA DATE	10/03/2017		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	09/12/2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2	

COMMITTEE SIGN-OFF

COMMITTEE	NA
CHAIR PERSON	NA

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

FINANCE DEPARTMENT APPROVAL	Signature on file
SOURCE OF FUNDS	General Fund Unassigned Fund Balance
ACCOUNT NUMBER	15011090-772000-17552
AMOUNT	20,646.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

City Council Action Required

SUMMARY STATEMENT

On September 5, 2017 the City Council de-authorized \$86,647.18 in bond authority for the Community Center Interior & Exterior Security Camera project 17552 .

The de-authorization amount that was presented to the Council was incorrectly listed as \$86,647.18 in Exhibit A. The amount that should have been de-authorized was \$66,001.18.

This error has caused an overall funding shortage of \$20,646.00 for this project.

RECOMMENDED ACTION

Recommend that the Council approve a supplemental appropriation of \$20,646.00 to be funded from the General Fund unassigned fund balance.

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	17040051	593003		-	-	20,646.00
2	15011090	772000	17552	-	-	20,646.00
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	11081	406101		-	-	20,646.00
2	150003	472000	17552	-	-	20,646.00
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 Clerk's Office

AMENDMENT TO CHAPTER 42 OF THE GENERAL ORDINANCES OF THE CITY OF ROCHESTER REGARDING VARIANCES

THE CITY OF ROCHESTER ORDAINS:

That Chapter 42 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows:

42.4 Zoning Board of Adjustment and Building Code Board of Approval

- *
*
*

2. Variances.

I. The board may authorize, upon appeal in specific cases, a variance from the terms of the zoning ordinance if it determines that all of the following conditions are met:

- a.* The variance will not be contrary to the public interest;
- b.* The spirit of the ordinance is observed;
- c.* Substantial justice is done;
- d.* The values of the surrounding properties are not diminished; and
- e.* Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship, as follows:

i. For the purposes of this condition, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:

- (a) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
- (b) The proposed use is a reasonable one.

ii. If the criteria in subparagraph i, above, are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable reasonable use of it.

II. **The board shall determine whether to grant a variance by voting on each of the criteria in subparagraph I separately. The board shall grant a variance only if each of the five (5) criteria receives at least three (3) votes in the affirmative.**

III. **Each criteria receiving at least three (3) votes in the affirmative or negative, must include findings of fact to support such vote, said findings of fact must each receive at least three (3) votes in the affirmative.**

IV. **Notwithstanding Subparagraphs I and II, the board may grant a variance from the**

9/28/17
terms of a zoning ordinance without a finding of a hardship arising from conditions of a premise subject to the ordinance, when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises, provided that:

a. An variance granted under this paragraph shall be in harmony with the general purpose and intent of the zoning ordinance; *and*

b. In granting any variance pursuant to this paragraph, the zoning board of adjustment may provide, in a finding including in the variance, that the variance shall survive only so long as the particular person has a continuing need to use the premises.

The effective date of these amendments shall be upon passage.



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 Amendment to Ordinance 42.4 regarding voting for variances
--

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	October 3, 2017		
DEPT. HEAD SIGNATURE	Terence O'Rourke, City Attorney		
DATE SUBMITTED	September 19, 2017		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	6	

COMMITTEE SIGN-OFF

COMMITTEE	Planning Board
CHAIR PERSON	Nel Sylvain, Chairman

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

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 675:6

SUMMARY STATEMENT

The recommended changes to Ordinance 42.4 would require the Zoning Board of Adjustment (ZBA) to vote individually on the five (5) criteria necessary to obtain a variance and to make accompanying findings of fact. These recommended changes were unanimously approved by the Planning Board on September 18, 2017.

RECOMMENDED ACTION

First reading and refer to Public Hearing.

**Resolution Establishing Polling Places and Times for the
November 7, 2017 Municipal Election**

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

That the following polling places are hereby established for the City of Rochester for the upcoming 2017 Elections.

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

WARD 2: St. Mary's Parish Center
71 Lowell Street, Rochester

WARD 3: Gonic Elementary School
11 Railroad Avenue, Rochester

[NEW] WARD 4: McClelland Elementary School
59 Brock Street, Rochester

WARD 5: Rochester Community Center
150 Wakefield Street/Community Way, Rochester
Located on the Chestnut Hill Road Side of Building

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

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

CC FY 18 2017, 10-03 AB 31

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City Clerk's Office



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.

Resolution establishing the polling locations and times for the November 7, 2017, Municipal Election.

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	September 9, 2017		
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk		
DATE SUBMITTED	9/12/2017		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

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	n/a
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

RSA 659:4
Rochester City Charter [Section 74]

SUMMARY STATEMENT

The Codes and Ordinances Committee discussed the polling locations at its April meeting and recommended that the full City Council vote in favor of a new polling location for Ward 4 [Home Depot].

The Rochester City Council voted in favor of establishing a new polling location for Ward 4 at the May 2, 2017, Regular City Council meeting.

RECOMMENDED ACTION

Approve the proposed Resolution Establishing the Polling Times and Places for the November 7, 2017 Municipal Election.