



**Regular City Council Meeting
March 5, 2024
Council Chambers
31 Wakefield Street
6:00 PM**

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 Regular City Council Meeting: February 6, 2024, 2024
consideration for approval P. 9**
 - 5.2 Special City Council Meeting: February 20, 2024
consideration for approval P. 31**
- 6. Communications from the City Manager**
 - 6.1 City Manager's Report P. 37**
- 7. Communications from the Mayor**
 - 7.1. Above and Beyond Service Award – John "Moose" Mousette**
- 8. Presentation of Petitions and Council Correspondence**
- 9. Nominations, Appointments, Resignations, and Elections**
 - 9.1. *Resignation:* Tim Jones – Rochester Economic Development Commission, Seat G *consideration for approval* P. 53**

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City Clerk's Office

- 9.2. **Appointment:** Pamela Beliveau – Ward 6 Ward Clerk
consideration for approval P. 55

10. Reports of Committees

10.1 Appointments Review Committee P. 57

- 10.1.1 **New Appointment:** Josephine Finocchiaro – Planning Board, Seat L, Alternate Member
Term to expire 1/2/2027 consideration for approval P. 57
- 10.1.2 **New Appointment:** Shawn Pierce – Arts and Culture Commission, Seat I, Regular Member
Term to expire 1/2/2026 consideration for approval P. 58
- 10.1.3 **New Appointment:** Bryan Karolian – Conservation Commission, Seat B, Regular Member
Term to expire 1/2/2027 consideration for approval P. 58
- 10.1.4 **New Appointment:** George Bald – Economic Development Commission, Seat G, Regular Member
Term to Expire 1/2/2026 consideration for approval P. 58
- 10.1.5 **New Appointment:** Susan Rice – Planning Board, Seat G, Regular Member
Term to Expire 1/2/2026 consideration for approval P. 59
- 10.1.6 **Reappointment:** Kevin Sullivan – Conservation Commission, Seat A, Regular Member
Term to expire 1/2/2027 consideration for approval P. 60
- 10.1.7 **Reappointment:** Mark Jennings – Conservation Commission, Seat C, Regular Member
Term to expire 1/2/2027 consideration for approval P. 60
- 10.1.8 **Reappointment:** Merry Lineweber – Conservation Commission, Seat G, Regular Member
Term to expire 1/2/2027 consideration for approval P. 60

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City Clerk's Office

- 10.1.9 **Reappointment:** Tanya Hervey – Economic Development Commission, Seat D, Regular Member *Term to expire 1/2/2027* **consideration for approval** P. 60
- 10.1.10 **Reappointment:** Ronald Poulin – Economic Development Commission, Seat F, Regular Member *Term to expire 1/2/2027* **consideration for approval** P. 61
- 10.1.11 **Reappointment:** Janet Davis – Economic Development Commission, Seat A, Regular Member *Term to expire 1/2/2027* **consideration for approval** P. 61
- 10.1.12 **Reappointment:** Ralph Sanders – Utility Advisory Board, Seat A, Regular Member *Term to expire 1/2/2027* **consideration for approval** P. 61
- 10.1.13 **Reappointment:** Eli Barnes – Utility Advisory Board, Seat C, Regular Member *Term to expire 1/2/2026* **consideration for approval** P. 61
- 10.1.14 **Appointment:** Dylan Dowe – Conservation Commission, Elevation from Alternate to Regular, Seat D, *Term to Expire 1/2/2025* **consideration for approval** P. 60
- 10.1.15 **Appointment:** Michael McQuade – Planning Board, Elevation from Alternate to Regular, Seat B, *Term to Expire 1/2/2027* **consideration for approval** P. 61
- 10.2 Codes & Ordinances Committee P. 63
 - 10.2.1 Resolution Pursuant to RSA 34:1-a Establishing a Waste Management Closure Reserve Fund **second reading and consideration for adoption** P. 69
- 10.3 Community Development Committee P. 71
 - *10.3.1 Resolution Adopting a FY 2025 Rochester

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City Clerk's Office

CDBG "Action Plan for the City of Rochester, N.H." and Approving and Appropriating the FY 2025 Community Development Budget for the City of Rochester *first reading and refer to public hearing March 19, 2024* P. 83

10.3.2 Update on Easter Seals Champlin Ridge Project *first reading and refer to public hearing March 19, 2024* P. 87

10.4 Finance Committee P. 91

10.4.1 Resolution for Supplemental Appropriation of \$250,000 to the General Fund CIP Fund for the Community Center Bleacher Replacement Project *first reading and refer to a Public Hearing March 19, 2024* P. 95

10.5 Planning Board P. 99

10.6 Public Safety P. 109

10.7 Public Works - *forthcoming*

11. Unfinished Business

12. Consent Calendar

13. New Business

13.1. Resolution Pursuant to RSA 656:40 Authorizing Use of Certain Ballot Counting Devices *first reading and refer to public hearing March 19, 2024* P. 117

- [LHS ImageCast Precinct](#)
- [Voting Works VxSuite](#)

14. Non-Meeting/Non-Public Session

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

15. Adjournment

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City Clerk's Office

**Regular City Council Meeting
February 6, 2024
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Creteau
Councilor de Geofroy
Councilor Fitzpatrick
Councilor Fontneau
Councilor Herman
Councilor Karolian
*Councilor Lawrence
Councilor Richardson
Councilor Sullivan
Councilor Turner
Councilor Walker
Deputy Mayor Hamann
Mayor Callaghan

OTHERS PRESENT

Katie Ambrose, City Manager
Terence O'Rourke, City Attorney
Attorney James Shannon

COUNCILORS ABSENT

Minutes

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM. Mayor Callaghan announced that Councilor Hamann has requested to attend the meeting remotely. Mayor Callaghan asked Councilor Hamann if it was reasonably impractical for him to attend the meeting in person. Councilor Hamann replied yes and explained that he had been ill. Councilor Hamann stated that his wife was the only other person at home but not in the same room.

2. Opening Prayer

Mayor Callaghan called for a moment of silence.

3. Pledge of Allegiance

Councilor Karolian led the City Council and all those present in the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, took the roll call attendance. All Councilors were present as follows: Councilors Creteau, de Geofroy, Fitzpatrick, Fontneau, Herman, Karoline, Richardson, Sullivan, Turner, Walker, Deputy City Councilor Hamann, and Mayor Callaghan. *Rachel Lawrence, newly elected Councilor, Ward 2/Seat B, was sworn in to office at 6:06 PM.*

5. Acceptance of Minutes

5.1 Reconvened Regular City Council Meeting: January 9, 2024 *consideration for approval*

5.2 Special Meeting City Council: January 16, 2024 *consideration for approval*

5.3 Special City Council Meeting: January 24, 2024 *consideration for approval*

Mayor Callaghan announced if there were no objections that all meeting minutes listed above could be accepted with one vote. Councilor Walker **MOVED** to **ACCEPT** the minutes listed above. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote of 12 to 0 as follows: Councilors Fitzpatrick, Fontneau, Herman, Sullivan, Walker, Creteau Karolian, Turner, Richardson, de Geofroy, and Mayor Callaghan voted in favor of the motion.

6. Communications from the City Manager

City Manager Ambrose announced that GovTV, formerly known as the Rochester Government Channel has received a major update to its video-on-demand and live-streaming services. She said the new website is user friendly and fully compatible with most devices, laptops, mobile phones, and tablets. She said the new service is in addition to what is currently offered on-line. She said it is recommended that the new site be bookmarked, while the previous site shall be archived and available for the foreseeable future. She gave details about the ability to tune-in through other networks, such as Apple TV, Roku, and more. She said more information can be found on the City's website: rochesternh.gov.

City Manager Ambrose announced that the Rochester School Board is seeking participation in the Superintendent hiring search. She outlined the process and welcomed participation with the on-line survey,

which will remain open until February 26, 2024. She said more information could be found on the Rochester Post as well as the City's website: rochesternh.gov.

6.1 City Manager's Report

Add report

7. Communications from the Mayor

Mayor Callaghan thanked the Recreation Department for hosting an ice-skating rink at the Rochester Common.

Mayor Callaghan acknowledged the recent success of the Economic Development Department with attracting two more businesses to Rochester.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Election: City Council Ward 2, Seat B

9.1.1. Oath of Office: City Council Ward 2, Seat B

Mayor Callaghan nominated both Rachel Lawrence and Raymond Turner to fill the vacant City Council Seat (Ward 2, Seat B). Councilor Fontneau seconded the nominations. Mayor Callaghan asked if there were any other nominations. Seeing none, Councilor Walker **MOVED** that nominations cease. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a roll call vote as follows: Councilors Fontneau, Richardson, Creteau, Turner, Herman, Karolian, Sullivan, de Geofroy, Fitzpatrick, Hamann, Walker, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan said the first roll call would be to elect Rachel Lawrence. He said a yes vote would indicate a vote for Ms. Lawrence and a no vote would be reserved for another candidate. Councilors Creteau, de Geofroy, Fitzpatrick, Walker, Turner, Herman, Fontneau, Hamann, and Mayor Callaghan voted in favor of the appointment of Rachel Lawrence.

Councilors Richardson, Sullivan, and Karolian voted against the candidate. Mayor Callaghan confirmed that Rachel Lawrence received more than 7 votes and a second roll call for the other candidate is not necessary. Attorney O'Rourke administered the Oath of Office for Rachel Lawrence at 6:06 PM.

Mayor Callaghan announced that Carlton Cooper had withdrawn his application for the vacant City Council Seat due to work commitments.

**9.2. Resignation: Joelle Boumel – Ward 5 Ward Clerk
consideration for approval**

Councilor Walker **MOVED** to **ACCEPT** with regret the resignations of Joelle Boumel, Ward Clerk, Ward 5, and Alexander de Geofroy, Selectman, Ward 5 and to thank them for their service. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Lawrence, Creteau Fitzpatrick, Richardson, Walker, de Geofroy, Karolian, Fontneau, Sullivan, Hamann, Turner, Herman, and Mayor Callaghan voted in favor of the appointment.

**9.3. Appointment: Joelle Boumel – Ward 5 Moderator
consideration for approval**

Mayor Callaghan nominated Joelle Boumel to serve as Moderator of Ward 5. Councilor Fontneau seconded the nomination. Councilor Walker **MOVED** to cease nomination and that the Clerk cast one ballot for Ms. Boumel. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Sullivan, Lawrence, Walker, Herman, Turner, Fontneau, Fitzpatrick, Richardson, Creteau, de Geofroy, Karolian, Hamann, and Mayor Callaghan voted in favor of the appointment.

**9.4. Resignation: Alex de Geofroy – Ward 5 Selectman
consideration for approval**

This resignation was accepted under 9.1 of the agenda.

**9.5. Appointment: Alex de Geofroy – Ward 5 Ward Clerk
consideration for approval**

Mayor Callaghan nominated Alex de Geofroy to serve as the Ward Clerk for Ward 5. Councilor Walker **MOVED** that nominations cease and

that the Clerk cast one ballot for Mr. de Geofroy. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Herman, Fontneau, Hamann, Turner, Walker, Creteau, Sullivan, Karolian, Lawrence, Fitzpatrick, Richardson, de Geofroy, and Mayor Callaghan voted in favor of the appointment.

**9.6. Appointment: Kendra Finch – Ward 5 Selectman
consideration for approval**

Mayor Callaghan nominated Kendra Finch to serve as the Selectman for Ward 5. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Ms. Finch. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Hamann, Sullivan, de Geofroy, Fontneau, Walker, Herman, Fitzpatrick, Creteau, Lawrence, Turner, Richardson, Karolian, and Mayor Callaghan voted in favor of the appointment.

9.7. Declaration of Vacancy: Ward 6 Ward Clerk

Attorney O'Rourke explained that the person who was elected to this position at the last election (November 7, 2023) has refused to take the Oath of Office as prescribed; therefore by Section 66 of the City Charter, the Office is to be declared vacant. Mayor Callaghan asked which part of the Oath this person is refusing to sign. Attorney O'Rourke replied to the section that states "agreeable to the City Charter and the General Ordinances of the City of Rochester". Councilor Sullivan asked if this individual has been given an opportunity to sign the correct version of the Oath of Office. Attorney O'Rourke explained that the individual has been given many opportunities by the Clerk's Office to sign the correct Oath of Office.

Mayor Callaghan gave human (the individual who had been elected to the Ward Clerk position but refused to sign the Oath of Office as prescribed) an opportunity to address the City Council.

human spoke at length about the reasons why he felt that there is no seat to be declared vacant and that he signed an adequate Oath of Office as prescribed by State law.

Councilor de Geofroy asked human if there were any of his Quaker beliefs precluding him from taking that section of the Oath of Office (City

Charter & General Ordinances). human replied that signing an Oath of Office not prescribed in the Constitution would be illegal. Councilor de Geofroy asked what Quaker beliefs required him to remove words from the Oath of Office. human explained that the Oath of Office that is prescribed in the Constitution does not include verbiage about the City's Charter nor the General Ordinances. Councilor Sullivan asked for clarification about the RSAs; are the RSAs giving guidance to the language permitted in an Oath of Office or is it meant to be a minimum standard for the language for an Oath of Office. human said the RSAs do allow Cities to require and administer an Oath of Office; however, there is nothing in the City Charter that indicates a variation of an Oath of Office differing from the RSA.

Mayor Callaghan asked about the opinion offered to human by Orville "Bud" Fitch, Legal Advisor to the Secretary of State's Office, dated January 16, 2024. human, did not acknowledge receipt of the letter; however, he stated that he delivered a letter to the Secretary of State this past Tuesday.

Kelly Walters, read the email she received (CC'd from the SOS Department) addressed to human dated January 16, 2024, which outlined that it is reasonable that a person seeking an elected position would adhere to the local rules/regulations City Charter/General Ordinances. human agreed with the statement made by the Secretary of State's representative, to the extent that the City Charter requires specific language (City Charter/General Ordinances). He clarified that he is not saying that he does not want to follow the City Charter; however, the City Charter itself does not stipulate that language is to be added to the City of Rochester's Oath of Office.

Councilor Walker **MOVED** to declare the Ward Clerk Position (Ward 6) vacant. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 10 to 3 roll call vote. Councilors Walker, Fontneau, de Geofroy, Turner, Karolian, Fitzpatrick, Hamann, Sullivan, Creteau, and Mayor Callaghan voted yes. Councilors Herman, Lawrence, and Richardson voted no.

10. Reports of Committees

10.1. Appointments Review Committee

10.1.1. New Appointment: John Gisis – Historic District Commission Seat A, Regular Member Term to expire 1/2/2026 consideration for approval

Councilor Walker stated the Committee recommends that John Gisis be appointed to the Historic District Commission. Mayor Callaghan **MOVED** that John Gisis be appointed to serve as a Regular Member to the Historic District Commission with a term to expire on 1/2/2026. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilor Fontneau seconded the motion. Councilors Fitzpatrick, Turner, Hamann, Richarson, Sullivan, Fontneau, Karolian, Creteau, Herman, de Geofroy, Walker, Lawrence, and Mayor Callaghan voted in favor of the appointment.

10.1.2. New Appointment: Candy Bailey – Historic District Commission, Seat H, Alternate Member Term to expire 1/2/2025 consideration for approval

Councilor Walker stated the Committee recommends that Candy Bailey be appointed to the Historic District Commission as an Alternate Member. Mayor Callaghan **MOVED** that Candy Bailey be appointed to serve as an Alternate Member to the Historic District Commission with a term to expire on 1/2/2025. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Turner, Richardson, Karolian, Fitzpatrick, Sullivan, Hamann, Lawrence, Herman, de Geofroy, Creteau, Fontneau, Walker, and Mayor Callaghan voted in favor of the motion.

10.1.3. New Appointment: Brett Veno – Historic District Commission Seat I, Alternate Member Term to expire 1/2/2026 consideration for approval

Councilor Walker stated the Committee recommends that Brett Veno be appointed to the Historic District Commission as an Alternate Member. Mayor Callaghan **MOVED** that Brett Veno be appointed to serve as an Alternate Member to the Historic District Commission with a term to expire on 1/2/2026. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Karolian, Hamann, Turner, Fontneau, Sullivan, Lawrence, de Geofroy, Walker, Herman, Creteau, Fitzpatrick, Richardson, and Mayor Callaghan voted in favor of the motion.

10.1.4. New Appointment: Douglas Lachance – Planning Board, Seat K, Alternate Member Term to expire

1/2/2025 *consideration for approval*

Councilor Walker stated that the Committee recommends that Douglas Lachance be appointed as an Alternate Member to the Planning Board. Mayor Callaghan stated that he would not bring this nomination forward at this time. He said this would allow the Appointments Review Committee time to review other candidates/applications.

10.1.5. Reappointment: Kathleen Noble – Library Trustees, Ward 4 Term to expire 1/2/2027 *consideration for approval*

Councilor Walker stated the Committee recommends that Kathleen Noble be reappointed to serve as the Library Trustees, Ward 4. Mayor Callaghan **MOVED** that Kathleen Noble be reappointed to serve as the Library Trustee for Ward 4 with a term to expire on 1/2/2027. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Fitzpatrick, Fontneau, Herman, Hamann, Sullivan, Walker, Creteau, Karolian, Turner, Richardson, de Geofroy, Lawrence, and Mayor Callaghan voted in favor of the appointment.

10.1.6. Reappointment: Peg Higgins – Library Trustees, Ward 1 Term to expire 1/2/2027 *consideration for approval*

Councilor Walker stated the Committee recommends that Peg Higgins be reappointed to serve as the Library Trustees, Ward 1. Mayor Callaghan **MOVED** that Peg Higgins be reappointed to serve as the Library Trustee for Ward 1 with a term to expire on 1/2/2027. The **MOTION CARRIED** by a 13 to 0 roll call vote as follow: Councilor Fontneau seconded the motion. Councilors Fontneau, Richardson, Creteau, Turner, Herman, Karolian, Sullivan, de Geofroy, Fitzpatrick, Hamann, Lawrence, Walker, and Mayor Callaghan.

10.1.7. Reappointment: Lance Powers – Zoning Board of Adjustments Seat A, Regular Member Term to expire 1/2/2027 *consideration for approval*

Councilor Walker stated the Committee recommends that Lance Powers be reappointed to serve as a Regular Member of the Zoning Board of Adjustment. Mayor Callaghan **MOVED** that Lance Power be

reappointed to serve as the Zoning Board of Adjustment with a term to expire on 1/2/2027. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Mayor Fontneau. Councilors Richardson, Lawrence, Creteau, de Geofroy, Sullivan, Fitzpatrick, Walker, Turner, Herman, Karolian, Fontneau, Hamann, and Mayor Callaghan.

10.1.8. Reappointment: Peter Bruckner – Planning Board, Seat E, Regular Member Term to expire 1/2/2027 consideration for approval

Councilor Walker stated the Committee recommends that Peter Bruckner be reappointed to serve as a Regular Member of the Planning Board. Mayor Callaghan **MOVED** that Peter Bruckner be reappointed to serve as a Regular Member of the Planning Board, with a term to expire on 1/2/2027. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Lawrence, Creteau Fitzpatrick, Richardson, Walker, de Geofroy, Karolian, Fontneau, Sullivan, Hamann, Turner, Herman, and Mayor Callaghan voted in favor of the appointment.

10.1.9. Appointment: Rick Healey – Planning Board, Elevation from Alternate to Regular, Seat A, Term to Expire 1/2/2027 consideration for approval

Councilor Walker stated the Committee recommends that Rick Healey be elevated from an Alternate Member of the Planning Board to a Regular Member of the Planning Board. Mayor Callaghan **MOVED** that Rick Healey be elevated from an Alternate Member of the Planning Board to a Regular Member of the Planning Board with a term to expire on 1/2/2027. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Sullivan, Lawrence, Walker, Herman, Turner, Fontneau, Fitzpatrick, Richardson, Creteau, de Geofroy, Karolian, Hamann, and Mayor Callaghan.

Councilor Walker stated that the next Appointments Review Committee is scheduled for February 27, 2024, at 6:00 PM. He invited the newly elected Councilor, Councilor Lawrence, to participate in the meeting. Mayor Callaghan announced that Councilor Lawrence is duly appointed to serve on the Finance Committee, Community Development Committee, and the Appointments Review Committee.

10.2. Codes & Ordinances Committee – No January meeting

No discussion.

10.3. Community Development Committee

Councilor Creteau said the Committee is starting to discuss the CDBG Grant applications. He said the Committee recommendations are forthcoming.

10.4. Finance Committee

Mayor Callaghan said a discussion was held at the last Finance Committee about the Waste Management Reserve Fund Draft.

10.5. Planning Board

No discussion.

10.6. Public Safety

Mayor Callaghan gave an update about traffic issues on Chestnut Hill Road and recommended keeping the matter in Committee at this time.

10.7. Public Works

Councilor Hamann stated that there were no action items. He said Director Nourse gave an overview of the City's Municipal Separate Storm Sewer System Permit (MS4). Councilor Hamann directed the City Council to seek additional information, which could be found in the City Council packet materials.

Councilor Hamann said the Committee agreed to change the scheduled meeting time.

11. Unfinished Business

There was no unfinished business on the agenda.

12. Consent Calendar

There were no consent calendar items on the agenda.

13. New Business

13.1. Resolution Granting Community Revitalization Tax Relief to the Property Located at 135 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *first reading and refer to public hearing February 20, 2024*

Mayor Callaghan read the resolution for a first time and referred the matter to a Public Hearing to be held February 20, 2024 as follows:

Resolution Granting Community Revitalization Tax Relief to the Property Located at 135 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

Be it Resolved by the Mayor and City Council of the City of Rochester, as follows:

Whereas, in an effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted RSA Chapter 79-E, entitled "Community Revitalization Tax Relief Incentive"; and

Whereas, the City of Rochester adopted the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to RSA Chapter 79-E by Resolution of the City Council on October 7, 2008; and

Whereas, Andy Yau, owner of the so-called 135 North Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 135 North Main Street; and

Whereas, RSA Chapter 79-E requires that the governing body of the City of Rochester make certain findings and determinations with regard to a proposed substantial rehabilitation project in order for the structure to qualify for the RSA Chapter 79-E Community Revitalization Tax Relief Incentive;

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 135 North Main Street property contemplated

by the owner's Community Revitalization Tax Relief Application dated January 5, 2024, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 135 North Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 135 North Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 135 North Main Street provides the following public benefits to downtown Rochester:

I. It enhances the economic vitality of the downtown;

II. It enhances and improves a structure that is culturally and historically important on a local level, within the context of the City's Historic District and the City center in which the building is located;

III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) the terms of this resolution; and (c) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council find that the proposed use is consistent with the City's Master Plan and development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of seven (7) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 135 North Main Street property.

13.2. Resolution for Supplemental Appropriation of \$182,496.00 FY24 General Fund CIP Fund for Pavement Program *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution for Supplemental Appropriation of \$182,496.00 to FY24 General Fund CIP Fund For Pavement Program

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

That the Mayor and City Council of the City of Rochester hereby appropriate One Hundred Eighty Two Thousand Four Hundred Ninety Six Dollars (\$182,496.00) to the General Fund CIP for the purpose of paying costs associated with the Pavement Program. The entirety of this supplemental appropriation shall be derived from the State Highway Block Aid Grant previously received by the City.

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

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a roll call vote as follows: Councilors Herman, Fontneau, Hamann, Turner, Walker, Creteau, Sullivan, Karolian, Lawrence, Fitzpatrick, Richardson, de Geofroy, and Mayor Callaghan voted of the motion.

13.3. Update on Community Development Block Grant COVID-19 (CDBG-CV) Funded Gafney Home Project *first reading and refer to public hearing on February 20, 2024*

Mayor Callaghan announced that the Update on Community Development Block Grant COVID-19 (CDBG-CV) Funded Gafney Home is referred to a Public Hearing on February 20, 2024.

13.4. Resolution for Council Authorization to Expend \$5,000 from the Opioid Settlement Funds on the Jesse Lewis

Choose Love Movement *first reading and consideration for adoption*

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

Resolution for Council Authorization to Expend \$5,000 from the Opioid Settlement Funds on the Jesse Lewis Choose Love Movement

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

That the Mayor and City Council of the City of Rochester hereby authorize that Five Thousand Dollars (\$5,000.00) from the Opioid Settlement Fund be expended on a speaking engagement provided by the Jesse Lewis Choose Love Movement. The entirety of this expenditure shall be derived from the Opioid Settlement funds previously received by the City.

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

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Hamann, Sullivan, de Geofroy, Fontneau, Walker, Herman, Fitzpatrick, Creteau, Lawrence, Turner, Richardson, Karolian, and Mayor Callaghan voted in favor of the motion.

13.5. Consideration of Application - 60 Shaw Drive *Motion to approve or deny*

Attorney O'Rourke stated that the City of Rochester Zoning Ordinances Section 275.26.6 governs what is permissible on a Class VI Road. He gave a brief overview of the uses permitted on such roads.

Attorney O'Rourke recommended that the first part of the petition (Addendum A), the construction of a single-family home be approved; however, he gave details of why the other two parts of the petition should be denied: the construction of a contractor's storage yard and to install

accessory commercial solar panels of up to 100 MW AC upon the newly subdivided lot.

Councilor Sullivan asked if the applicant could upgrade the roadway to Class V status and who is responsible for the classification status. City Attorney O'Rourke replied that this is a City road classification, which the applicant could not upgrade themselves.

Councilor Fontneau stated that the roadway, beyond the Class V portion, has been in very poor condition based upon his last visit. City Attorney said the Solar Project, which had been previously approved, included a commitment to upgrading the roadway. He said there could be some delays due to State permits pending, but he is not sure. Councilor Fontneau asked if the roadway is accessible for emergency equipment/vehicles. Attorney O'Rourke said both the Fire Department and Police Department were satisfied with the condition of the road in terms to responding to emergency situations.

Councilor Walker asked if this request is part of the initial solar project that has already been approved. Attorney O'Rourke said that is a separate project that was previously approved. He clarified that the proposed subdivision is acceptable; however, it would create a second lot to be developed, which is what is in question now in terms of what can be developed on a Class VI roadway.

Councilor Walker asked if the Planning Department approves the application for the subdivision on a buildable lot for a Class VI roadway. Attorney O'Rourke explained that the Planning Department instructed the applicant to seek a waiver for the Class VI Road prior to seeking approval from the Planning Board. He said it is understood that the application, if approved by the City Council, is the first part of the approval process. Councilor Fontneau believed the Planning Board would not be involved in the approval process unless the subdivision approved by the City Council included an approval for the commercial aspect of the petition.

Councilor Walker said there is a significant wetlands issue on the lot and that there might not be enough buildable land on the lot to build a single-family home.

Councilor Sullivan wished to clarify if this project would be in addition to the other solar lot recently approved. Attorney O'Rourke said that it is correct, this is a separate proposal.

Mayor Callaghan gave a brief history of the previously approved project for a Solar Panel Project on the Class VI roadway, which had been approved by the City Council; however, at that time, there had not been any discussions about a sub-division or other projects forthcoming.

Councilor Sullivan wished to confirm that approval/denial of this petition would not impact the existing Solar Panel Project on the other side of the lot. Mayor Callaghan said that is correct.

Councilor Walker asked if the sub-division/single-family home had been approved by the Planning Board. Attorney O'Rourke did not recall that it had been approved yet; however, there would be enough footage to meet the required standards on the new lot. City Council briefly discussed the approval process.

Councilor de Geofroy said to install accessory commercial solar of up to 100 MW AC upon the newly subdivided lot as indicated in the proposal would be calculated at 4,000 times the capacity limit.

James Shannon, Attorney and President/Owner of Bayonne Construction Co., Inc., and Co-Owner Investor in GNM Solar 17, LLC, addressed the City Council.

Mr. Shannon apologized for a typographical error in the petition that incorrectly lists a reference to 100 MW (megawatts), which should be corrected to 100 KW (kilowatts). He said the proposed project includes 100 KW, which still exceeds what is permitted under "Solar, Accessory Residential"; however, 100 KW is exactly the amount, which is acceptable under "Solar, Accessory Commercial".

Mr. Shannon agreed with the City Attorney that this is the first step in the approval process, and he realizes that he may need to seek approval from the Planning Board and possibly the Zoning Board of Adjustment, if necessary.

Mr. Shannon stated that there is a large investment on this land, which is close to \$4,000,000 worth of solar equipment, and it has become vitally important to protect that equipment. He said protecting the equipment is one of the reasons for the request to build a single-family home on this lot. He explained that it would be necessary to have a tractor-lift to service the tractor equipment. Lastly, it will be necessary to keep the lot plowed; which are all reasons why a contractor yard is being requested as part of this proposal.

Mr. Shannon reported that the portion of the roadway after the pavement ends has greatly improved and includes a turn-a-round suitable for emergency vehicles.

Mr. Shannon said he is hoping to generate more electricity than what is permitted under "Solar, Accessory Residential" (25 KW) to grow the business and to provide solar energy for the proposed single-family home on the new lot. He understands that requesting an excess of 25 KW exceeds what is permissible through "Solar, Accessory Residential", and that additional approval by the Planning Board or maybe the Zoning Board of Adjustment may be needed.

Mr. Shannon acknowledged that there have not been many waivers granted for commercial business on Class VI roads in Rochester; however, there have been a few, including the initial Solar Panel Project that was approved by the City Council within the last year. He believed that the initial commercial waiver for the Class VI roadway is covered already with this existing approved Solar Panel Project: GNM Solar 17, LLC,; however, he is presenting this petition to the City Council at this time to make certain the proposed project is covered by the prior approval. He believed a precedent has been set and stated that this proposed project is not as large as the initial project. Mr. Shannon said this is the first step of the approval process for the subdivision.

Mayor Callaghan asked questions about the right-of-way on the proposed new lot and if there were three acres of land excluding the easement. Mr. Shannon said there is a powerline easement on the proposed lot. He said the map shown to City Council is in draft form; however, the final drawing could be adjusted to show exactly how the setbacks could be met while avoiding the wetlands. Mr. Shannon briefly

explained the process of testing for wetlands, making a plan to meet the land-use size requirements, and determining the area for the potential septic system.

Mayor Callaghan asked why the request for a single-family home had not been included with the initial proposal to the City. Mr. Shannon explained reasons why living near the business area would add extra protection for the investment, which was not realized during the original project.

Councilor Walker asked about the requirement for acreage in terms of the powerline easement. He asked if the easement would be excluded from the overall calculation. City Manager Ambrose did not believe the easement would be a factor in terms of meeting the requirement of the lot size (three acre minimum). She said the ordinance does not specify the lot size (buildable or not) just the minimum acre requirement. She said the Planning Department has reviewed the proposal and agrees that a single-family home is permissible on that road. She said an accessory dwelling unit would be permitted as well. She stated that a contractor storage yard is not permitted on a Class VI roadway; however, it is allowed in the Agriculture Zone with an approved waiver. She reminded the City Council that the project proposal exceeds what is permitted under "Solar, Accessory Residential" (25 KW). Lastly, she said, the Planning Department is aware of the significant wetlands and buffer on that proposed lot. She confirmed that obtaining a waiver for the Class VI road is the first step in the process.

Mr. Shannon addressed Councilor Walker's concerns about the amount of wetlands on the proposed lot. He explained that an expert in the field has already flagged the unbuildable areas of the lot and it was concluded that there is plenty of potential buildable areas on the lot, while avoiding the wetlands.

Councilor Walker asked if the City Attorney's recommendation has changed at all. Attorney O'Rourke replied no. He said the first part of the petition, to construct a single-family home, should be approved; however, he gave details of why the other two parts of the petition should be denied: the construction of a contractor's storage yard and to install

accessory commercial solar of up to 100 KW AC upon the newly subdivided lot.

Mr. Shannon responded that the 100 KW AC is acceptable under "Solar, Accessory Commercial", which was approved for the first lot. He believed if the contractor storage yard were to be approved than it would fall under the commercial usage, which is set at 100 KW.

Councilor Sullivan asked if the Solar Panels would be roof-mounted or free-standing panels similar to the previous project. Mr. Shannon replied that it would be the same type of solar panels as the previous project.

Councilor Sullivan asked if the contractor yard and additional panels could be permitted on the existing lot. Mr. Shannon said without the subdivision, he believed the land use would support that development; however, he would need to be certain prior to pursuing the approval process because all the same issues would arise being on a Class VI road. The other part of the land has more wetland issues, which is why the proposal is to subdivide the land first.

Councilor Fontneau said the construction-based storage yard could produce a considerable amount of use on a Class VI roadway. He said if a single-family home and a two-car garage were approved, it could easily fit a plow-truck and/or lift station if needed. Councilor Fontneau stated that this applicant has a specific use for the proposed contractor's storage yard; however, if approved, a subsequent owner may have a more intense use than what is being proposed this evening.

Councilor Walker **MOVED** that the City Council **APPROVE** the City Attorney's recommendation as follows:

- To Approve the first part of the petition, to construct a single-family home.
- To Deny the other two parts of the petition: The contractor's storage yard and to install accessory commercial solar of up to 100 KW AC upon the newly subdivided lot.

The **MOTION CARRIED** to approve the petition as outlined above, by a 13 to 0 roll call vote. Councilors Turner, Richardson, Karolian, Fitzpatrick, Sullivan, Hamann, Lawrence, Herman, de Geofroy, Creteau, Fontneau, Walker, and Mayor Callaghan

14. Non-Meeting/Non-Public Session

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

Councilor Walker **MOVED** to enter into Non-Public Session, RSA 91-A:3,II(d) Land at 8:35 PM. Councilor de Geofroy seconded the motion. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Karolian, Hamann, Turner, Fontneau, Sullivan, Lawrence, de Geofroy, Walker, Herman, Creteau, Fitzpatrick, Richardson, and Mayor Callaghan voted in favor of the motion.

Councilor Walker **MOVED** to exit the Non-Public meeting at 8:35 PM and to seal the minutes because disclosure would render the proposed action ineffective. Councilors Fitzpatrick, Fontneau, Herman, Hamann, Sullivan, Walker, Creteau, Karolian, Turner, Richardson de Geofroy, Lawrence, and Mayor Callaghan voted in favor of the motion.

15. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Regular meeting at 8:36 PM. The **MOTION CARRIED** by a 13 to 0 roll call vote as follows: Councilors Fontneau, Richardson, Creteau, Turner, Herman, Karolian, Sullivan, de Geofroy, Fitzpatrick, Hamann, Lawrence, Walker, and Mayor Callaghan voted in favor of the motion.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk

Bayonne Construction Co., Inc.
P.O. Box 1018
Rochester, NH 03866-1018
Phone: 603-231-3548
Email: jim@jimshannonlaw.com

02/29/2024
Addendum A

December 15, 2023

Kathryn Ambrose, City Manager
Rochester City Council
City of Rochester
31 Wakefield Street
Rochester, NH 03867

**Re: 60 Shaw Drive / Bayonne Construction Co., Inc.
Petition for Class VI Road Waiver**

Dear Ms. Ambrose and Council:


I am writing to request that the City Council hear and consider our petition to grant certain waivers for the above property that is located on a Class VI road.

In the past the Council approved a waiver for the construction of a solar project upon the property by GNM Solar 17, LLC, a company of which the undersigned is an investor and member. A copy of that waiver is attached for reference. This waiver request is for a new proposed subdivision of the property by Bayonne Construction Co., Inc., the present landowner of which the undersigned is the sole shareholder, officer and director, and the proposed uses upon the new lot. The following are the proposed uses of the property:

1. A single family house, likely to be a manufactured housing unit, with an attached accessory dwelling unit, on a newly subdivided parcel as shown on the attached draft plan;
2. Use of the property as a contractor storage yard for our company in order to maintain equipment and materials to service the solar project located on the main parcel, to include snow plowing during winter months to maintain access to the solar project; and
3. To install accessory commercial solar of up to 100 MW AC upon the newly subdivided lot.

In submitting this request, I am mindful that certain of these uses require further approvals under the land use ordinance and subdivision regulations of the city. Based upon my meeting with Dir. of Planning and Development Shanna Saunders on this date, it is agreed that such applications would be filed only after the council approves the waiver requested herein. I appreciate in advance your anticipated cooperation in this matter, and I am,

Very truly yours,

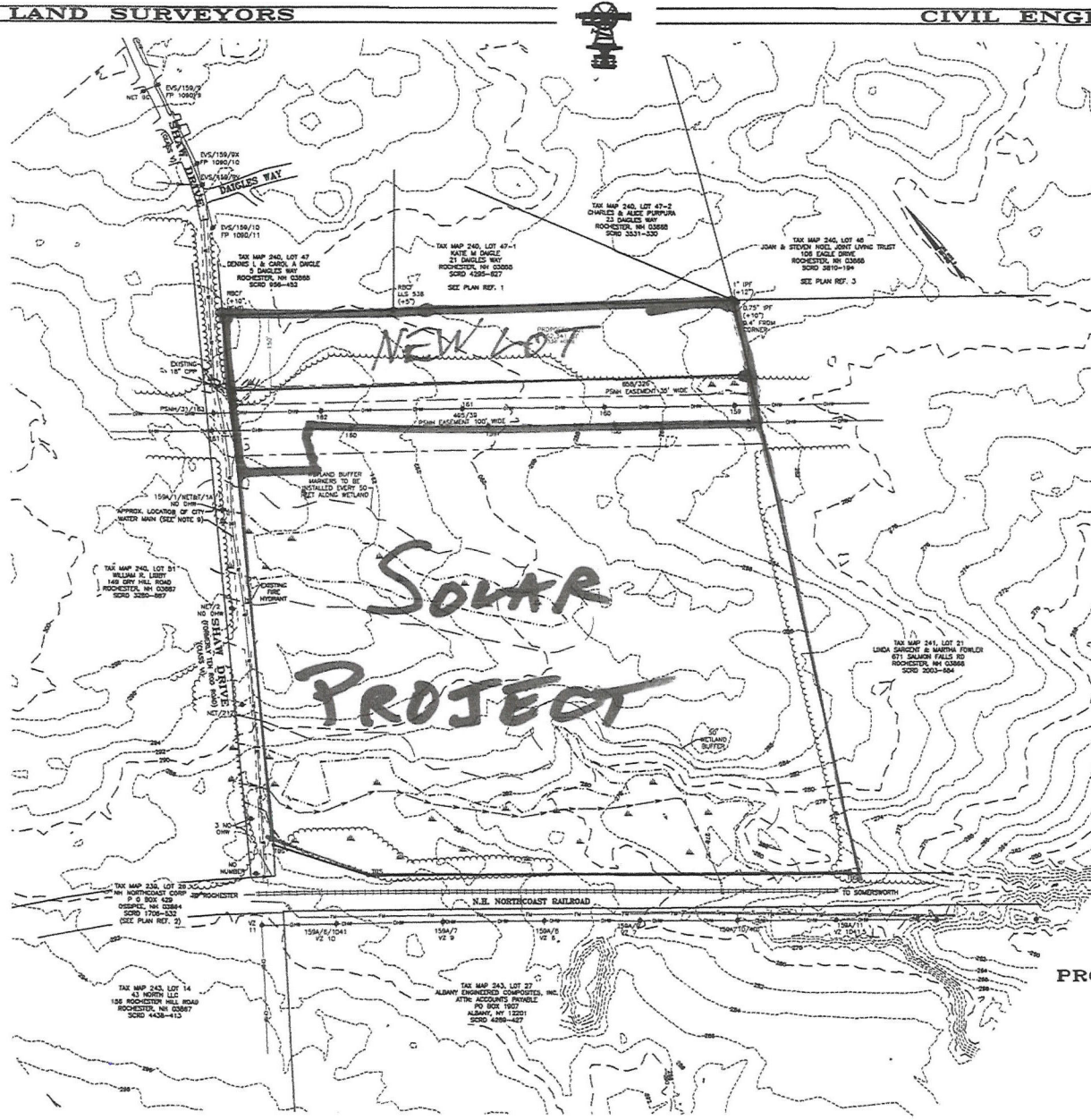

James P. Shannon, President

LAND SURVEYORS

CIVIL ENGINEERS

LEGEND

- PROPERTY LINE
- - - JURISDICTIONAL WETLANDS
- - - 50' WETLANDS BUFFER
- - - COSTING OVERHEAD WIRES
- - - COSTING DRAIN LINE
- - - COSTING WATER LINE
- - - COSTING UTILITY POLE
- - - COSTING MONUMENT
- - - COSTING WINDYARD
- - - COSTING WATER GATE OR SHUT-OFF VALVE



REVISIONS:
 08/22/23 - REVISE PER AIT COMMENTS
 08/20/23 - ADD COSTING POLES AND WIRES ON SHAW DRIVE

- GENERAL SITE PLAN NOTES
1. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE TAX MAP 240, LOT 49 INTO TWO LOTS.
 2. TOTAL PARCELS AVER. MAP 240, LOT 49: 2.940 ACRES.
 3. PARCELS IS ZONED AGRICULTURAL (AG).
 4. THE SURVEYED LOT IS SERVED BY THE MUNICIPAL WATER SYSTEM. THE SURVEYED LOT HAS NO SEPTIC SYSTEM.
 5. BEARING SHOWN ON THIS PLAN REFER TO GRID NORTH, NH STATE PLANE, BASED ON GPS OBSERVATION TAKEN JANUARY 2022.
 6. VERTICAL CURVAE HAVES.
 7. THE SURVEYED LOT IS NOT LOCATED WITHIN THE 100 YEAR FLOOD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP DATED 5/17/2005, COMMUNITY PANEL, 33077202D.
 8. DIMENSIONAL REGULATIONS PER ZONING ORDINANCE:
 AGRICULTURAL ZONE (A)
 MINIMUM LOT AREA = 45,000 SQ. FT.
 MINIMUM LOT FRONTAGE = 150 FT.
 MINIMUM YARD SETBACKS:
 FRONT = 25 FT.
 SIDE = 25 FT.
 REAR = 25 FT.
 MINIMUM SETBACK TO ADJACENT PROPERTY = 10 FT.
 9. WETLANDS LOCATION IS APPROXIMATE BASED ON "CITY OF ROCHESTER, CONTRACT DRAWINGS FOR GRANITE STATE BUSINESS PARK WATER MAIN EXTENSION, ROCHESTER, NH, JUNE 2016, CONFORMED VERSION, AUGUST 2016 BY WRIGHT-PURKE".
 10. WETLANDS WERE DELINEATED BY DANIEL E. BURR, CINS ON MAY 13, 2022.
 11. SHAW DRIVE FRONTAGE (BY RED ROAD) IS A CLASS "W" ROAD. SEE MAJOR AND RELEASE BETWEEN SHAW DRIVE AND THE CITY OF ROCHESTER, SCRIP BOOK 2091, PAGE 31 FOR USE OF SHAW DRIVE.
- REFERENCE PLANS:
1. "SUBDIVISION PLAN FOR CAROL & DONNA DANIEL"
 DATED OCTOBER 2003 BY POWERS SURBER & SEPTIC DESIGN
 RECORDED: SCRD 89-8
 2. "TOWN OF NEW AND TRUCK MAP, BROTON AND WARE RAILROAD, STA. 107+90 TO 300+70"
 DATED JUNE 1914, REVISED 1935 BY BROTON AND WARE RAILROAD
 NOT RECORDED
 3. "LOT LINE REVISION, SALMON FALLS ROAD, FOR JOHN MARY & STEVEN W. NOEL, SR., TRUSTEES"
 DATED MARCH 2016, BY WRIGHT PLAINS ASSOCIATES, INC.
 RECORDED: SCRD 107-41
 4. "CITY OF ROCHESTER CONTRACT DRAWINGS FOR GRANITE STATE BUSINESS PARK WATER MAIN EXTENSION, ROCHESTER, NH, JUNE 2016, CONFORMED VERSION AUGUST 2016" PREPARED BY WRIGHT-PURKE ON FILE WITH THE CITY OF ROCHESTER

NEW LOT
 > 300' FRONTAGE
 > 3 ACRES

TAX MAP 240, LOT 49
 OWNED OF RECORD:
 GNM SOLAR 17, LLC
 123 WASHINGTON STREET
 ROCHESTER, N.H. 03867
 SCRIP BOOK 4948, PAGES 485

PROPOSED SUBDIVISION SKETCH
 TAX MAP 240, LOT 49
 SHAW DRIVE
 ROCHESTER NH

PREPARED FOR:
 GNM SOLAR 17, LLC
 APRIL 2023
 GRAPHIC SCALE

(IN FEET)
 1 INCH = 100 FT.



FILE NO. 104
 PLAN NO. C-3235
 DWG. NO. 21033 SF-2

31 Mooney Street, Alton, N.H. 603-875-3948

NORWAY PLAINS ASSOCIATES, INC.

2 Continental Blvd., Rochester, N.H. 603-335-3948

**City Council Special Meeting
February 20, 2024
Council Chambers
6:38 PM**

COUNCILORS PRESENT

Councilor Creteau
Councilor de Geofroy
Councilor Fitzpatrick
Councilor Fontneau
Councilor Herman
Councilor Lawrence
Councilor Richardson
Councilor Sullivan
Councilor Turner
Councilor Walker
Deputy Mayor Hamann
Mayor Callaghan

OTHERS PRESENT

Katie Ambrose, City Manager
Terence O'Rourke, City Attorney
Andy Yau, Property Owner 135 N. Main
Jenn Marsh, Assistant Director of
Economic Development

COUNCILORS ABSENT

Councilor Karolian

Minutes

1. Call to Order

Mayor Callaghan called the Special City Council Meeting to order at 6:38 PM.

Deputy City Clerk Cassie Givara had taken the roll call attendance prior to the Public Hearing preceding the Special Meeting. All Councilors were present except for Councilor Karolian, who was absent.

Prior to the Public Hearing preceding the Special Meeting, Mayor Callaghan announced that Councilor Lawrence would be attending the meeting remotely. Mayor Callaghan asked Councilor Lawrence, per RSA 91-A, if it was reasonably impractical for her to attend the meeting in person and asked her to state a reason for the record. Councilor Lawrence replied that it was reasonably impractical for her to appear in person due to illness. Mayor Callaghan asked, per RSA 91-A, if Councilor Lawrence was alone in the location from which she was connecting. She stated that her husband was in the house, but not in the room.

2. Resolution Granting Community Revitalization Tax Relief to the Property Located at 135 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *second reading and consideration for adoption (addendum A)*

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion.

Councilor Walker **MOVED** to **AMEND** to resolution to decrease the approval from 7-years to 5-years. Councilor de Geofroy seconded the motion. There was brief discussion on the terms of the approval and duration of tax relief. Councilor Fontneau spoke in favor of the 5-year approval and explained that this would equate to a total tax relief for the developer of approximately \$12,000 a year, or \$60,000 over the 5-year approval.

Mayor Callaghan expressed concern with the proposal for first floor residential as detailed in the application and the precedent this would set for future developers. However, he acknowledged that the 79-E proposal would allow for improvement of a property in an area that is in need of revitalization. Additionally, Mayor Callaghan stated that he would be more likely to support a longer approval if there had been an affordable or workforce housing component to the proposal. He spoke about the total renovation and construction cost and how this work would benefit Rochester's economy.

Councilor Lawrence echoed Mayor Callaghan's concerns regarding first floor residential and inquired if there is a precedent for a residential-only 79-E application with no commercial component. Assistant Director Marsh confirmed that there had been a 79-E project approved by past City Council which was residential only in this same area. She clarified that when the rezoning had been conducted requiring a minimum of 30-feet of frontage for commercial properties, this zone ended at the bridge on North Main Street; the property in question is located above this bridge and there is no requirement for commercial development in this area.

Councilor Sullivan acknowledged the concerns voiced by members of the public earlier in the evening that approval of the 79-E application would result in tax money that is not able to be recouped. However, he stated that the building had been vacant for 7-years and was not generating any tax revenue; this would be an opportunity to

generate some of those lost revenues.

Councilor Fontneau questioned whether this project qualified under RSA 79-E due to the majority of the improvements being undertaken on the inside of the property with few aesthetic changes to the exterior. He agreed that approving this proposal may result in other landlords and developers making similar requests for tax relief in order to improve their properties. Councilor Fontneau questioned the timeline detailed for these renovations and whether there could be constraints placed on the 79-E benefit based on whether or not the work is completed. He also questioned whether the property would be worth the \$600,000 listed in the proposal for

Assistant Director Marsh clarified that the property owner had met with the Community Development Committee and understands the importance of exterior improvements to the building. She explained the possible exterior improvements which could be undertaken and explained that there is \$40,000* allotted for these improvements to the façade (*it was later clarified that there was \$25,000 allotted for exterior improvements).

Mayor Callaghan inquired if the property could be “flipped” and sold once the improvements are completed. Attorney O’Rourke explained that the covenant entered between Mr. Yau and the City of Rochester is attached to the property; if the property is sold, the 79-E benefit is still in effect for the new owners.

Councilor Sullivan inquired if the benefit would begin immediately upon approval and extend for 5-years or if it begins 5-years from the completion of the renovation. Assistant Director Marsh said that the terms of the covenant allow 2-years for completion of the renovation project at which point the 5-year 79-E relief would begin the month following completion. She summarized the stipulations contained in the covenant if the project is not completed as agreed, and how this would result in the developer owing the entirety of taxes including interest and the amount reduced by the 79-E approval.

Councilor Lawrence asked if the assessment this is based upon is current. Assistant Director Marsh explained that the Chief Assessor and staff would be reviewing the property this week and the assessment used for the calculations would be current.

Mayor Callaghan called for a vote on the amendment to the main motion; to amend the terms of the 79-E from 7-years to 5-years. The

MOTION CARRIED by a 12 – 0 roll call vote with Councilors Hamann, Turner, Fontneau, Sullivan, Lawrence, de Geofroy, Walker, Herman, Creteau, Fitzpatrick, Richardson, and Mayor Callaghan all voting in favor.

Mayor Callaghan called for a vote on the main motion to approve the RSA 79-E proposal for 135 North Main Street. The **MOTION CARRIED** by a 9 – 3 roll call vote with Councilors Turner, Richardson, Fitzpatrick, Sullivan, Hamann, Herman, Creteau, Walker, and Mayor Callaghan voting in favor and Councilors Lawrence, de Geofroy, and Fontneau voting opposed.

3. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Special meeting at 6:55 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

**Resolution Granting Community Revitalization Tax Relief to the Property Located at 135
North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed
Rehabilitation Project**

Be it Resolved by the Mayor and City Council of the City of Rochester, as follows:

Whereas, in an effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted RSA Chapter 79-E, entitled “Community Revitalization Tax Relief Incentive”; and

Whereas, the City of Rochester adopted the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to RSA Chapter 79-E by Resolution of the City Council on October 7, 2008; and

Whereas, Andy Yau, owner of the so-called 135 North Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 135 North Main Street; and

Whereas, RSA Chapter 79-E requires that the governing body of the City of Rochester make certain findings and determinations with regard to a proposed substantial rehabilitation project in order for the structure to qualify for the RSA Chapter 79-E Community Revitalization Tax Relief Incentive;

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 135 North Main Street property contemplated by the owner’s Community Revitalization Tax Relief Application dated January 5, 2024, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 135 North Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 135 North Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 135 North Main Street provides the following public benefits to downtown Rochester:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally and historically important on a local level, within the context of the City's Historic District and the City center in which the building is located;
- III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) the terms of this resolution; and (c) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council find that the proposed use is consistent with the City's Master Plan and development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of ~~seven (7)~~ **five (5)** years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 135 North Main Street property.



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER
 31 Wakefield Street • Rochester, NH 03867
 (603) 332-1167
www.RochesterNH.gov

CITY MANAGER'S REPORT February 2024

Contracts and documents executed since last month:

- **Department of Public Works**
 - Temporary Access Permit, Granite Ridge Phase 2 – Eversource **P. 39**
 - Cert. Of Final Completion, Rt 11 Pump Station Upgrade. **P. 40**
 - Scope of Services, Annex Space Planning and Design – Weston and Sampson. **P. 41**
 - Amendment, Columbus/Summer Intersection – Fuss & Oneill **P. 42**
 - Engineering Amendment, Union St Parking Lot – Fuss & Oneill **P. 43**
 - Task Order, Cocheco Well Upgrades – Underwood Engineers **P. 44**
 - Change Order, Biosolids Dewatering Facility – Apex Construction **P. 45**
 - Woodman Water Service Homeowner Lien **P. 46**
 - Change Order #2, Biosolids Dewatering Facility – Apex Construction **P. 47**
 - Scope of Services – Old Landfill Groundwater Permit Management contract – Ransom Consulting **P. 48**
 - Scope of Service, Norway Plain Rd Sewer Main – S.U.R. **P. 49**

- **Economic Development**
 - Gafney Home Project extension request **P. 50**

The following standard report has been enclosed:

- Personnel Action Report Summary **P. 51**

*Intentionally
left blank...*

City Clerk's Office



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.rochesternh.gov

INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager

FROM: Timothy Goldthwaite, PE, Assistant City Engineer

DATE: February 5, 2024

SUBJECT: **Granite Ridge Phase 2 – Test Pits (Eversource Property)**

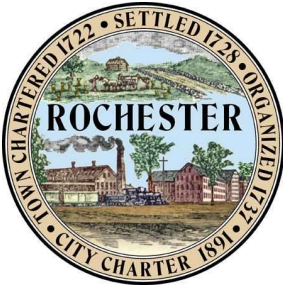
CC: Peter Nourse, PE, Director of City Services

Katie,

Attached is **Temporary Access Permit** for the purpose of performing several test pits with Eversource’s power line right-of-way up at the Granite Ridge Phase II project location. The test pits are needed as part of performing the drainage design of a needed stormwater pond.

If you have any questions, please let me know. If not, please sign the attached “Temporary Access Permit” below and return to myself such that we can forward it to Eversource for approval. Thank you.

Attachment: Eversource Temporary Access Permit



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.rochesternh.gov

INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager
FROM: Richard Carr, PE, City Engineer
DATE: February 06, 2023
SUBJECT: **Route 11 Pump Station Upgrade
Certificate of Final Completion**
CC: Peter Nourse, PE, Director of City Services
Gretchen Young, PE, Deputy Director of Technical Services
Lisa Clark, Deputy Director of Operations
Dave Green, Superintendent Wastewater System

For your review and execution, please find enclosed the Certificate of Final Completion.

All onsite work entailed within the contract has been completed.

Please note, digital signature and submission is acceptable for DES review and approval. Once executed, please return a digital copy of the document for Department coordination.

Enclosures: See above.



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION
DATE: February 7, 2024
SUBJECT: Weston & Sampson (WS)
Annex Space Planning & Design
Amount: \$68,000

CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the Weston and Sampson Scope for City Manager signature. This scope of service is for the planning and design for additional space to accommodate short-term and long-term personnel growth. Weston and Sampson Engineers were selected for engineering and architectural work per RFQ 21-19.

The funds are available in the City Operations & Maintenance Budget:

11090077-549000 Other Property Service Acct

If you have any question, please call, If none please sign and return document to me at the DPW for Distribution



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION
DATE: February 6, 2024
SUBJECT: Fuss & Oneil Engineers (F&O)
Columbus / Summer Intersection Project
Amount: \$7,133.00

CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the F&O Amendment #1 for the Columbus Ave / Summer Street Intersection Project. This amendment does require City Manager signature. This amendment is to provide additional engineering services in regard to the Right of Way Documentation for this project. Fuss & O'Neill, Inc Engineers were selected for engineering and architectural work per RFQ 21-19.

The funds are available General Fund CIP for this project as follows:

15013010-771000-21519 = \$1,934.00
15013010-771000-23522 = \$5,199.00

If you have any question, please call, If none please sign and return document to me at the DPW for Distribution



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION
DATE: February 16, 2024
SUBJECT: Russ & O'Neill Engineers
Union Street Parking Lot Engineer Amendment #1
Amount: \$2,500.00
CC: Peter C. Nourse, PE, Director of City Services
Jarrod Norris, PE, Assistant City Engineer

Attached please find (1) one copy of Fuss & Oneill Engineering Amend #1 for the Union Street Parking Lot Project. This amendment is for work requested by the City for the submission of a Site Plan Application to the Planning board, project meetings with Technical Review Group (TRG) and the presentation to the Planning Board.

Fuss and Oneill Engineers were selected for engineering and architectural work per RFQ 21-19.

The funds are available in the General Fund CIP for the Union Street Parking Lot Project.

Account # 15013010-771000-23532.

If you have any question, please call, If none please sign and return document to me at the DPW for Distribution



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PUBLIC WORKS DEPARTMENT
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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION
DATE: February 16, 2024
SUBJECT: Underwood Engineers – Task Order #9
Cocheco Well Upgrades-Final Design
ARPA Grant Funded Amount: \$997,800.00
CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of Underwood Engineers Task Order #9 for Engineering Services. This task order is for final design of the Cocheco Well Site Upgrades Project. This engineering includes upgrades for treatment of Iron, Manganese and PFAS. The funding for design is within the American Rescue Plan Act (ARPA) awarded funds.

Underwood Engineers were selected for engineering and architectural work per RFQ 21-19.

The funds are available in the Water Fund CIP Project Account for Cocheco Well Upgrades.

Account # 55016010-772000-22582.

If you have any question, please call, If none please sign and return document to me at the DPW for Distribution



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: February 21, 2024

SUBJECT: Apex Construction Contract Change #2.
Biosolids Dewatering Facility
Amount \$234,423.21

CC: Peter C. Nourse, PE, Director of City Services
David Green, Wastewater Superintendent

Attached please find (1) copy of the Apex Construction Contract Change Order #2 for City Manager Signature. This change includes project timeline extensions, purchasing of equipment and underground construction work associated with the installation of non-potable water lines at the WWTP and the new Biosolids Dewatering Facility. This work is outside the original negotiated contract with Apex to complete the Biosolids Dewatering Facility and is necessary for operations & maintenance at the new facility.

The funding for this work was as budgeted in the Sewer Fund Account as follow:
WWTP Plant Water System 55026020-772000-20557 = \$131,293.61
WWTP Plant Water System 55026020-772000-22560 = \$103,129.60

If you have any questions, please let us know, if none please return executed scope.



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: Katie Ambrose, City Manager

CC: Lisa Clark, DPW Deputy Director Operations & Administration

FROM: Ronda Boisvert, Administrative Assistant II

DATE: February 23, 2024

SUBJECT: Woodman Water Service Project Homeowner Option Lien Agreements

Attached please find 1 copy of each Homeowner Lien document. We are entering into an agreement for 0% financing for water services for the following properties.

63-65 Congress Street

2 Beaudoin Court

26 ½ Charles Street



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION
DATE: February 22, 2024
SUBJECT: Apex Construction Contract Change #2
Biosolids Dewatering Facility
Amount \$60,469.59

CC: Peter C. Nourse, PE, Director of City Services
David Green, Wastewater System Superintendent

Attached please find (1) one copy Apex Construction Contract Change Order #3 for City Manager Signature. The changes include additional contracted electrical work & parts for electrical work that are outside the original negotiated contract with Apex Construction to complete the Biosolids Dewatering facility.

The funds are available in the Sewer Fund CIP Project Account for the Biosolids Facility.

Account # 55026020-772000-23557 = \$60,469.56

If you have any question, please call, if none please sign and return document to me at the DPW for Distribution



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LAURA MCDORMAND, ADMIN. SERVICES & UTILITY BILLING SUPERVISOR

DATE: February 2, 2024

SUBJECT: Rochester Old Landfill Groundwater Permit #198705045
Annual Permit Management Contract
Ransom Consulting, Inc.
\$22,000.00

CC: Peter Nourse, Director of City Services
Lisa J. Clark, DPW Deputy Director

Attached please find (1) one copy of the annual scope of service for professional services for Ransom Consulting Inc. Ransom has been the professional consultant of record since the issuance of this groundwater Monitoring Permit #198705045 for the Old Dover Road Landfill site in 2006. Ransom has all required history and documentation for the permit requirements and does all required sampling, testing, monitoring and reporting to the State of NH DES

This contract has been reviewed by the City Engineer and the following DPW accounts will be used.
15013010-771000-24581=\$17,414.03
13010057-533000=\$4,585.97



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
209 Chestnut Hill Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.gov



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: February 22, 2024

SUBJECT: SUR Construction
Norway Plains Road -Sewer Main Repair
Amount \$32,268.85

CC: Peter C. Nourse, PE, Director of City Services
Richard Carr, PE, City Engineer
Scott McGlynn, Sewer Collections System Municipal Svc Supervisor

Attached please find (1) one copy of the SUR Construction estimate/ scope of service for City Manager signature. This scope is for SUR Construction to complete the required sewer main repairs on Norway Plains Road.

The pricing is per the equipment and labor cost quoted in City of Rochester Bid #23-26 for Equipment rental and "On-call Construction Services and Related Equipment Rentals.

Funding for this work is in the Sewer CIP Fund for Collection System Upgrade Accounts as follows:

55026020-771000-20548 = \$25,930.75

55026020-771000-21532 = \$6,338.10

If you do not have any questions, please execute and return the executed copy to us at the DPW for distribution.



City of Rochester, New Hampshire
Economic Development Department
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.RochesterEDC.com

INTEROFFICE MEMORANDUM

TO: Kathryn Ambrose, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: February 7, 2024

SUBJECT: Signature Request City Manager- Gafney Home Extension Request

CC: Cassie Givara, Deputy City Clerk

Strafford Regional Planning Commission and Community Action Partnership of Strafford County are requesting City Manager approval for the extension request for the Gafney Home Project. This is a 6-month extension for the contract and requires the City Manager approval before being submitted to CDFA for final approval.

The extension does not require approval from the city council at this time as it is not requesting additional funding, just additional time to finish the project due to delays in receiving certain supplies to finish the project. If approved, this will move the completion date for the project from June 30th, 2024 to December 31st, 2024.

To approve, log into WebGrants - NH CDFA (nhcdfagrants.org) and go to the Gafney Home project under "grants". From there you can go to "Status Report" and you will see on labeled "Amendment/Revision" with the status of "Editing". From there you can go in to approve by hitting 'Edit Status Form' and 'Submit Status Report'. This will attach your name onto the submission noting your approval.

If/when approved by CDFA an updated contract maybe submitted to the city noting the new completion date of the project.

DEPARTMENT	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	PROMOTION	OTHER	MISC. INFO
CITY MANAGER	LOGAN NICKERSON	CAMERA SYSTEM OPERATOR	1		X		X						
DPW	DONALD TIBBETTS	CUSTODIAN	1		X					X			
DPW	TYLER MADORE	WATER DISTRIBUTION SYSTEM LEAD	1	X							X		HEO to WATER DISTRIBUTION SYSTEM LEAD
DPW	RICHARD CARR	CITY ENGINEER	1	X							X		ASSISTANT CITY ENGINEER to CITY ENGINEER
DPW	CHRISTOPHER LEE	MEDIUM EQUIPMENT OPERATOR	1	X			X						
DPW	RICHARD WENTWORTH	MEDIUM EQUIPMENT OPERATOR	1	X							X		LEO to MEO
DPW	RICHARD BELANGER	MEDIUM EQUIPMENT OPERATOR	1	X						X			
DPW	RICHARD BELANGER	SEASONAL WINTER HELP	1			X		X					
DPW	KYLE LAVIGNE	LIGHT EQUIPMENT OPERATOR	1	X			X						
DPW	KEVIN CHANDLER	LIGHT EQUIPMENT OPERATOR	1	X			X						
DPW	KEITH HERSOM	HEAVY EQUIPMENT OPERATOR	1	X				X					
FIRE	COLBY LEACH	FIREFIGHTER	1	X			X						
IT	COURTNEY MCLAREN	BUSINESS SYSTEMS ANALYST II	1	X			X						
IT	JONATHAN BLAIN	SYSTEMS ADMINISTRATOR	1	X			X						
PLANNING & DEVELOPMENT	TRACY GORA	SENIOR PLANNER	1	X			X						
POLICE	LORRAINE LEVESQUE	CROSSING GUARD	1		X	X	X						
POLICE	KATHERINE ROOT	COMMUNICATION SPECIALIST	1	X						X			
POLICE	KATHERINE ROOT	PER DIEM DISPATCHER	1			X							
POLICE	ZACHARY WILSON	PATROL OFFICER	1	X						X			
TAX COLLECTOR	ANGIE NICHOLS	DEPUTY TAX COLLECTOR	1	X			X						

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City Clerk's Office



February 20, 2024

Frisbie Memorial Hospital
11 Whitehall Road
Rochester, NH 03867

Mayor Paul Callahan,

I am writing to you to let you know that I have decided to retire from my current position as Chief Executive Officer, of Frisbie Hospital effective February 29 2024, with that I am also resigning from the Rochester Economic Development Committee, effective February 20, 2024.

Please accept this letter as my formal notice of resignation. It has been a pleasure being part of the committee and I would like to thank you all. I wish you and Rochester much success in the future.

Yours,

A handwritten signature in black ink, appearing to read "Timothy Jones", is written over the typed name.

Timothy Jones, CEO

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City Clerk's Office



City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: Ward 6 Ward Clerk

NEW _____ RE-APPOINTMENT REGULAR _____ ALTERNATE _____

NAME: Pamela Beliveau

STREET ADDRESS: 34 Adams Ave Rochester NH

ZIP 03867

TELEPHONE: cell - 603-781-0701

E-MAIL: pamelabeliveau@gmail.com

REGISTERED VOTER: (CIRCLE ONE) YES _____ NO _____ **WARD** 6

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

I have been in this position for the past 2 yrs...

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

Yes, I have been to all training as advised....

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: Pamela Beliveau

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City Clerk's Office



City of Rochester, New Hampshire

CITY COUNCIL –
APPOINTMENTS REVIEW COMMITTEE

31 Wakefield Street • Rochester, NH

03867 (603) 335-7508

www.RochesterNH.gov

Appointments Review Committee

February 27, 2024

City Hall Chambers – Conference Room

5:30 PM

Committee Members Present:

David Walker, Chair
Chuck Creteau
Bryan Karolian
Matthew Richardson
Rachel Lawrence

Committee Members Absent:

Minutes

Review and Discussion of Applications and Current Board Membership

Chair Walker called the Appointments Review Committee meeting to order at 5:49 PM. The Committee reviewed the current vacancies on the City’s boards and commissions and reviewed the statements of interest coming before them.

New appointment(s):

Josephine Finocchiaro

Planning Board, Seat L (New Appointment, Alternate Member) *Term to Expire 1/2/2027*

Ms. Finocchiaro spoke of her background as a nurse practitioner in child and family services. She acknowledged that she does not have a background in planning, however she is looking for volunteer opportunities and is interested in helping the City progress and become a better version of itself. Ms. Finocchiaro stated that she is willing to learn more about the board and review meetings and minutes to get up to speed with the Planning Board’s role in the City.

The Committee discussed the benefit of having new eyes and a fresh perspective on the Planning Board. Councilor Karolian **MOVED** to recommend the appointment of Josephine Finocchiaro as an alternate member of the Planning Board, Seat L, with a term to expire 1/2/2027. Councilor Lawrence seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

~~**Kimberly Adams**~~

~~**Historic District Commission, Seat F (New Appointment, Alternate Member) *Term to Expire 1/2/2026***~~

*Ms. Adams had submitted an email withdrawing her statement of interest prior to the Appointments Review Committee meeting.

Shawn Pierce

Arts & Culture Commission, Seat I (New Appointment, Regular Member) *Term to Expire 1/2/2026*

Mr. Pierce spoke about his background as a professional photographer. He stated he is a 15-year resident of the City and the owner of Studio Two Seven Nine in downtown. Mr. Pierce explained that he founded the greater Rochester Camera Club 8 years prior and is currently preparing to take over as Chair of the NH Professional Photographers Association. The Committee discussed with Mr. Pierce the types of Art initiatives he would like to see in the City; such as temporary art installations to bring visitors to the community, and ways to involve local high school students in the Arts.

Councilor Creteau **MOVED** to recommend the appointment of Shawn Pierce as a regular member of the Arts and Culture Commission, Seat I, with a term to expire 1/2/2026. Councilor Richardson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Bryan Karolian

Conservation Commission, Seat H B (New Appointment, ~~Alternate~~ Regular Member) *Term to Expire 1/2/2026*

Mr. Karolian spoke about his interest in the Conservation Commission and the integral role the commission plays in the City and in relation to the Planning Board. Mr. Karolian emphasized the importance of maintaining a balance between development and conservation land and acknowledged the value of both development and growth within rules and regulations, and maintaining recreational areas and green space. He spoke about his love of the outdoors and past professional experience which would be valuable on the commission. Mr. Karolian spoke about being guides by facts and established rules and laws, and in the absence of such, operating within the spirit of said rules to guide decision making while maintaining flexibility.

Chair Walker stated that regular member Seat B on the Conservation Commission was considered vacant because the prior member had not been attending meetings for some time and had not expressed intent to renew their now-expired term. He suggested that Mr. Karolian be recommended for the regular seat as opposed to an alternate position.

Councilor Lawrence **MOVED** to recommend the appointment of Bryan Karolian as a regular member of the Conservation Commission, Seat B, with a term to expire 1/2/2026. Councilor Creteau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

George Bald

Rochester Economic Development Commission, Seat G (New Appointment, Regular Member) *Term to Expire 1/2/2026*

Mr. Bald detailed his extensive 40- year history in the fields of Economic Development and municipal government; serving multiple terms as Mayor of Somersworth during a time when a

“strong mayor” form of government was in place, Director of Economic Development for Rochester, City Manager of Rochester, and Executive Director of Economic Development for Pease Development Authority. Mr. Bald also served as a Department of Resources commissioner appointed by the NH Governor and was responsible for the State division of Economic Development. The Committee discussed with Mr. Bald his views on what REDC should prioritize and on what types of work and development he would like to see more focus.

Susan Rice

Rochester Economic Development Commission, Seat G (New Appointment, Regular Member) *Term to Expire 1/2/2026*

Ms. Rice explained that she is a 13-year resident of Rochester as well as the business owner of Bartlett Yarns in downtown, with their woolen mill located in Harmony, ME. She spoke of the support and camaraderie of businesses in the downtown area and the role she fills in encouraging the younger generations and potential business owners; helping them make connections to resources within the City for the growth and development possible business ventures. Ms. Rice stated that she is a member of Rochester Main Street and the Lions Club. The Committee discussed with Ms. Rice her views on what REDC should prioritize and on what types of work she would like to see more focus, including how to fill vacancies in the downtown area.

- The Committee discussed the merits and qualifications of both candidates for Seat G on the Economic Development Commission and deliberated on which candidate would be the best fit for the single open vacancy.

Councilor Creteau **MOVED** to recommend the appointment of George Bald as a Regular member of the Rochester Economic Development, Seat G, with a term to expire 1/2/2026. Councilor Karolian seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Susan Rice

Planning Board, Seat ~~K~~ G (New Appointment, ~~Alternate~~ Regular Member) *Term to Expire 1/2/2025*

Ms. Rice detailed her employment history and administrative experience with multiple planning boards and Zoning Boards throughout the state of NH over 25+ years. She gave an overview of her prior roles and the relevant knowledge obtained which she felt would allow her to be a contributing member of the Rochester Planning Board. Ms. Rice spoke about her experience with development and growth management. She addressed the committee regarding her strengths in research and fine detail, which she felt would be an asset to the board and help guide informed decisions.

The Committee discussed Ms. Rice’s recommendation for an alternate position versus a regular position. The Planning Board’s current roster will still have one vacant regular position if Mr. McQuade is approved for elevation from his alternate position as listed later on the agenda.

Councilor Richardson **MOVED** to recommend the appointment of Susan Rice as a Regular member of the Planning Board, Seat G, with a term to expire 1/2/2026. Councilor Lawrence seconded the motion. The **MOTION CARRIED** by a majority voice vote.

Re-Appointments/Discussions:

The Committee briefly discussed the reappointments and elevations listed on the agenda. Chair Walker indicated that he had received correspondence from the relevant chairs and department heads associated with these committees/boards and that all the reappointments had been supported and recommended based on members' attendance and performance.

Dylan Dowe

Elevation from Alternate to Regular Member: Conservation Commission, Seat D *Term to Expire 1/2/2025*

Councilor Creteau **MOVED** to recommend the elevation of Dylan Dowe from an alternate member to a regular member, Seat D, on the Conservation Commission with a term to expire 1/2/2025. Councilor Richardson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Kevin Sullivan

Reappointment: Conservation Commission, Seat A – *Term to Expire 1/2/2027*

Councilor Creteau **MOVED** to recommend the reappointment of Kevin Sullivan to seat A on the Conservation Commission, with a term to expire 1/2/2027. Councilor Karolian seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mark Jennings

Reappointment: Conservation Commission, Seat C – *Term to Expire 1/2/2027*

Councilor Lawrence **MOVED** to recommend the reappointment of Mark Jennings to seat C on the Conservation Commission, with a term to expire 1/2/2027. Councilor Richardson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Merry Lineweber

Reappointment: Conservation Commission, Seat G – *Term to Expire 1/2/2027*

Councilor Lawrence **MOVED** to recommend the reappointment of Merry Lineweber to seat G on the Conservation Commission, with a term to expire 1/2/2027. Councilor Richardson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Tanya Hervey

Reappointment: Rochester Economic Development Commission, Seat D – *Term to Expire 1/2/2027*

Councilor Lawrence **MOVED** to recommend the reappointment of Tanya Hervey to seat D on the Rochester Economic Development Commission, with a term to expire 1/2/2027. Councilor Creteau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Ronald Poulin

Reappointment: Rochester Economic Development Commission, Seat F – Term to Expire 1/2/2027

Councilor Creteau **MOVED** to recommend the reappointment of Ronald Poulin to seat F on the Rochester Economic Development Commission, with a term to expire 1/2/2027. Councilor Lawrence seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Janet Davis

Reappointment: Rochester Economic Development Commission, Seat A – Term to Expire 1/2/2027

Councilor Lawrence **MOVED** to recommend the reappointment of Janet Davis to seat A on the Rochester Economic Development Commission, with a term to expire 1/2/2027. Councilor Creteau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Ralph Sanders

Reappointment: Utility Advisory Board, Seat A - Term to Expire 1/2/2027

Councilor Karolian **MOVED** to recommend the reappointment of Ralph Sanders to seat A on the Utility Advisory Board, with a term to expire 1/2/2027. Councilor Lawrence seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Eli Barnes

Reappointment: Utility Advisory Board, Seat C - Term to Expire 1/2/2026

Councilor Richardson **MOVED** to recommend the reappointment of Eli Barnes to seat C on the Utility Advisory Board, with a term to expire 1/2/2027. Councilor Lawrence seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Michael McQuade

Elevation from Alternate to Regular Member: Planning Board, Seat B Term to Expire 1/2/2027

Councilor Lawrence **MOVED** to recommend the elevation of Michael McQuade from an alternate member to a regular member, Seat B, on the Planning Board, with a term to expire 1/2/2027. Councilor Richardson seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Creteau **MOVED** to **ADJOURN** the Appointments Review Committee meeting at 8:06 PM. Councilor Lawrence seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,
Cassie Givara
Deputy City Clerk

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City Clerk's Office



Codes and Ordinances Committee

Councilor Alex de Geofroy, Chair
Councilor Tim Fontneau, Vice Chair
Councilor Bryan Karolian
Councilor Patricia Turner
Councilor Dave Walker

Others Present

Terence O'Rourke, City Attorney
Phebe Miner, Legal Intern
Jim Grant, Director of Building and Licensing

CODES AND ORDINANCES COMMITTEE
Of the Rochester City Council
Thursday, February 15, 2024
Council Chambers
6:00 PM

Minutes

1. Call to Order

Chair de Geofroy called the Codes and Ordinances meeting to order at 6:00 PM.

2. Roll Call

Deputy City Clerk Cassie Givara took the roll call attendance. All Councilors were present as follows: Councilors de Geofroy, Fontneau, Karolian, Turner, and Walker.

3. Public Input

There was no one present for public input.

4. Acceptance of the Minutes

4.1 October 5, 2023 *motion to approve*

Councilor Walker **MOVED** to **ACCEPT** the minutes of the October 5, 2023 Codes and Ordinances Committee meeting. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

*Chair de Geofroy requested that there be an amendment to the agenda to move item #7, the discussion regarding the Waste Management Closure Fund, to the start of the agenda. There were

Draft

City of Rochester

no objections to the agenda revision.

5. **Discussion:** Resolution Pursuant to RSA 34:1-a Establishing a Waste Management Closure Reserve Fund

Mark Sullivan, Finance Director, gave an overview of the history of this resolution through the Finance Committee and City Council and the edits which have been made thus far.

Councilor Fontneau recalled that the fund would be established with annual allocations being placed into the account in anticipation of the landfill closure. He inquired if City Council could opt to expend money from the account, or dissolve the fund, prior to the date stated in the resolution if certain criteria is met. Director Sullivan confirmed that there are certain conditions outlined in the resolution that would allow City Council to expend funds; upon ceasing of landfill operations and termination of host fee revenues, or if landfill capacity starts to decrease and there is a decline in said host fees. Director Sullivan gave further details on the specific parameters which would need to be met for expenditures from the fund. Additionally, he gave details on conditions under which the fund could be dissolved. He clarified that the intent of the fund is not for other large capital expenditures, and these types of purchases would not be allowable per the current verbiage of the ordinance.

Councilor Fontneau **MOVED** to recommend the approval of the Waste Management Closure Fund to the full Council. Councilor Turner seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Review of the City Council Rules of Order

Councilor Walker spoke about prior experiences with Boards and Committees not having the quorum required to hold a meeting. He suggested that all Councilors could be appointed as alternates for Boards and Commissions. These alternate members would not be required to attend the meetings regularly but could be available for call-ins on a temporary basis for circumstances when a quorum is not present otherwise. Attorney O'Rourke stated that he would draft some verbiage for the following meeting relevant to this suggestion.

Councilor de Geofroy directed the Committee to section 1.5 "Remote Participation During Council and Board Meetings," section B) *Permissible Reasons for Remote Participation*. Reason number 3 is listed as "unexpected lack of childcare." He suggested that the word "unexpected" be omitted due to any lack of childcare being valid regardless of whether it is anticipated. Councilor de Geofroy **MOVED** to remove the word "Unexpected" from section 1.5(b) – 3. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor de Geofroy pointed out the inconsistencies in formatting on section 1.5(b). It was stated that these were minor clerical corrections which could be made without a vote.

Councilor de Geofroy directed the Committee to Section 1.5(c) "Procedure for Remote Participation," item number 6 in regard to the script read for remote participants. He stated that when the Mayor reads this script during Council meetings, there is a reference to RSA 91-A and questioned if this verbiage should be instilled in the script outlined in the Rules of Order. Councilor de Geofroy **MOVED** to modify the script in section 1.5(c)-6 to include the references

to RSA 91-A. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Karolian spoke about section 1.9 “Public Input,” which details the guidelines for public comment. He referenced the verbiage that requires decorum from elected officials, but questioned if there could be revisions requiring the same level of decorum from the public speaking at meetings. Councilor Walker clarified that the public is not bound by the City Council Rules of Order; however, it is the purview of the Chair to maintain the decorum of meetings. Councilor de Geofroy agreed that the Mayor or Chair has the authority to maintain order within the boundaries outlined in the Rules of Order. Attorney O’Rourke spoke about section 1.9 and the work that had gone into these guidelines during the prior Council term. He did not recommend making changes to the current verbiage and spoke about First Amendment considerations. Councilor Karolian clarified that he did not intend to censor or limit the speech of the public, however he stated that when members of the public stand at the podium and address the board in with certain demeanor or tone, sometimes their point gets lost within the manner in which it is delivered. Attorney O’Rourke pointed out that section 1.9 details the criteria under which a person could be reprimanded but posited that there could be wording added to suggest how the board could best be addressed to assist a speaker in conveying their point.

Councilor Turner referenced the paragraph in section 1.9 stating that a member could raise a “point of order” and asked if this could be utilized in situations where a public speaker is perceived to be off topic or falling outside of acceptable guidelines. Attorney O’Rourke confirmed that a board member can raise a “point of privilege” in these and other circumstances. The Committee discussed first amendment rights and censorship as well as the benefit of speakers delivering a message or request in a manner which will be best received. Councilor Fontneau suggested that Matt Wyatt, Public Information Manager, include this topic in his next Civics 101 event. Councilor Karolian acknowledged a better understanding of the process and members’ ability to raise a point of order if needed.

Chair de Geofroy stated that this item will be kept in Committee while the City Attorney drafts language for the amendments suggested.

7. Review of the Code of Ethics and Conduct for Elected and Appointed Officials

Attorney O’Rourke introduced Phebe Miner, legal intern, and explained that Ms. Miner had been tasked with taking an academic, neutral approach to a review of the Code of Ethics as well as the Board of Ethics ordinance adopted in January.

Ms. Miner explained that she would be continuing this review through April and would report back at upcoming Codes and Ordinances meetings. She requested that committee members reach out to her with suggestions, amendments and concerns and she would review in anticipation of her final report in April. Ms. Miner stated that she could give a presentation if requested and would be reviewing established ethics codes from neighboring communities in comparison to Rochester’s code.

Councilor Walker inquired about the sufficiency review outlined in the chapter 7-83 “Board of Ethics.” He felt that the three-member board detailed in the ordinances should not consist of elected officials and City staff, but should consist of neutral third-party officials, such as a law

firm kept on retainer. Councilor Karolian agreed that this sufficiency review should be done by an independent body. Attorney O'Rourke clarified that the "Ethics Investigations Officer" (EIO) listed in section 7-84 is an independent party separate from the City. The initial review of sufficiency referenced by Councilor Walker is done by the officials detailed in the ordinance for the purpose of determining whether a complaint is sufficient to constitute an ethics violation and whether it should then be elevated to the EIO. If the complaint is not determined to be an ethics violation, this would prevent the City having to pay for outside counsel/consultation unnecessarily. Councilor de Geofroy acknowledged that there is a mechanism in place for the involvement of outside counsel but agreed that this should not be the first step in the process prior to an internal sufficiency review. The Committee discussed the potential of baseless claims that could arise and the importance of reviewing these complaints internally prior to involving outside sources. Councilor Karolian speculated that there is the potential for investigations to be more expensive if outside counsel is not utilized early in the process; there could be pushback or perception of bias, resulting in more man hours and time spent on investigation.

Councilor Fontneau stated that because the members of boards and commissions are elected officials, he felt it was not a conflict of interest to have the referenced officials serving on a sufficiency review board (Mayor, superintendent, police chief). He explained that in his experience, the members of ethics boards typically consisted of industry peers. Councilor Walker suggested potential members of an external sufficiency board, such as HR staff from local businesses, who could be convened as the need arises. The Committee continued to discuss possible variations of a sufficiency board, whether internal or external. Attorney O'Rourke clarified the current makeup and variability of the sufficiency review board as outlined in the ordinance.

Councilor de Geofroy requested that Ms. Miner pay special attention to the sufficiency review portion of the process and how it is handled in cities with established and tested ethics codes.

8. Overview of Building and Licensing Services/ Compliance Updates – Director Jim Grant

Chair de Geofroy explained that he had requested that the Director of Building and Licensing Services, or a delegate thereof, regularly attend the Codes and Ordinance meetings to weigh in on the discussions where relevant.

Jim Grant, Director of Building and Licensing Services (BLS), summarized his department's organizational structure and staff member workload and gave an overview of data related to building permits issued and the revenue generated therefrom. He gave a broad overview of the issues regularly encountered by his department.

Director Grant explained that there are two methods of code enforcement; either blanket compliance where BLS staff is out looking for violations and enforcing as they encounter issues, or investigating and enforcing on a per complaint basis. The department is currently enforcing on a complaint-by-complaint basis. He explained that this method can be problematic as it sometimes pits neighbors against neighbor and causes retaliatory complaints resulting from the original complaint. It also causes those targeted residents to question why the City is not investigating other similar issues nearby, which leads to request for more complaints to be filed

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in order for BLS to investigate further.

Director Grant spoke about unsafe living conditions discovered throughout the City following complaints, unpermitted boarding houses, unauthorized AirBnBs (considered home occupations by the City), and ongoing issues not discovered within properties until new ownership taking over.

Councilor Hamann inquired if BLS had to wait for complaints prior to enforcing code compliance. Director Grant explained that it had been the department's policy, based on guidance from past City Councils, to wait for complaints to address potential violations. He acknowledged that the department could take a more general, equitable approach to enforcement, but he anticipated it would cause multiple complaints to the City and the perception that the City is out looking for problems.

Councilor Fontneau referenced the presence of unauthorized AirBnBs that Director Grant had discussed and he spoke about other communities who have had similar issues. He asked if these types of establishments would not be allowed in Rochester due to being considered in-home businesses. He suggested the Codes and Ordinances committee take a look at the relevant codes and consider making amendments to allow these businesses in the City. Director Grant acknowledged that this could be a topic the Codes and Ordinances Committee and BLS could review and the potential of allowing and regulating the industry within the City.

Councilor Walker referenced the "neighborhood compliance program" that had been utilized several years prior in which the Codes department had gone out into the community looking for violations instead of investigating on a per complaint basis. He suggested a balanced approach where BLS staff is not out searching for violations; however, if they are on a call and see additional violations, they are able to address them at their discretion. Director Grant stated that if this is the approach taken, the property management codes followed by the department may need to be revised. He clarified that although the neighborhood compliance program had not been well-received when it was in effect, it had resulted in increased compliance and increases in permits for repairs.

Councilor Karolian addressed the importance of following the law/code as it is written, but asked if it would be beneficial for BLS staff to be able to use their discretion when determining severity of violations and need for said violations to be addressed. Director Grant stated that although being able to use discretion can be beneficial, it can also lead to problems when the codes are not being enforced with consistency and there is a perception that the process is not equitable. He cautioned against selective enforcement.

Councilor de Geofroy stated that with the growth of the City, especially in the downtown area, enforcement on a complaint by complaint basis may not be enough. He asked what the capacity was for increased enforcement with current department staffing, Director Grant stated that with the two part-time compliance officers currently on board, they would have the ability to increase enforcement.

Chair de Geofroy asked Director Grant to return to the March meeting with a more in-depth presentation with suggestions and recommendations for the Committee. He advised that there should be a regular agenda item moving forward reviewing BLS data and statistics to inform the

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methods of approach that could be taken and to potentially identify amendments that could be made to the ordinances related to code compliance.

9. Other

There was no discussion under “other.”

10. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the Codes and Ordinances Committee meeting at 7:09 PM. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

Resolution Pursuant to RSA 34:1-a Establishing an Waste Management Closure Reserve Fund

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

By adoption of this Resolution, the City Council establishes a Non-Capital Reserve Fund, Waste Management Closure Reserve Fund, pursuant to RSA 34:1-a for the purpose of creating a financial reserve for the anticipated closure of the Waste Management landfill in 2034. Upon closure of the Waste Management landfill the associated Waste Management Host Fee Revenues shall also cease. The purpose of this fund is to offset impacts to the amount to be raised by property taxes resulting from the complete loss, or material reduction, of the Waste Management Host Fee revenues, and any related additional waste disposal expenses.

The City Council, at its sole discretion, may appropriate monies to said Waste Management Closure Reserve Fund through the annual budgeting process, however, in no case shall said annual appropriation be less than One Million Dollars \$1,000,000. Revenue sources can be Waste Management Host Fee Revenues, or General Fund Unassigned Fund Balance.

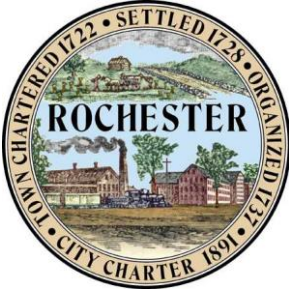
Other unanticipated revenue sources may also be transferred to the fund upon a majority vote of Council. Upon 2/3 Council vote General Fund Unassigned Fund Balance contributions outside of the annual budget appropriation may occur after the annual fiscal year audit confirms the net changes to General Fund Unassigned Fund balance, and results are presented by the independent auditor.

Further, the City Council, at is sole discretion, may assign portions of the General Fund Unassigned Fund Balance as a reserve commitment to the Waste Management Closure Fund. This assigned status assures that an allocation of the General Fund Unassigned Fund balance is reserved for the Waste Management Closure Fund.

Further, the funds can be considered for utilization as a non property tax revenue source during the annual operating budget process upon realization of the following conditions, or combination of conditions. Waste Management's official ceasing of landfill operations and termination of all Host Fee Revenues, when landfill capacity materially decreases, which results in a material decrease of Host Fee Revenues, or when landfill capacity necessitates the implementation of new transfer station and disposal service expenses.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all non capital reserves transferred to the Waste Management Closure Reserve Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Waste Management Closure Reserve Fund in a separate investment account. Appropriations made to the Waste Management Closure Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the Waste Management Closure Reserve Fund at its sole discretion. Upon dissolution all available funds will lapse to 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.



Rochester City Council

Community Development Committee

MEETING MINUTES

Chuck Creteau, Chair
Matthew Richardson, Vice Chair
David Herman
Patricia Turner
Vacant Position

Meeting Date:	Thursday February 8, 2024	
Members Present:	Chuck Creteau Matthew Richardson David Herman Patricia Turner Rachel Lawrence	Members Absent: n/a
City Staff Members Present	Kiersten Wright , Community Development Coordinator Todd Marsh , City of Rochester Welfare Director	
Non Staff Present	Susan Rice , Resident and Local Business Owner Chuck Grassie , New Hampshire State Representative for Rochester Kerry Norton , Hope on Haven Hill Tracey Donaldson , Dover Adult Learning Center Tim Bryant , Student with Dover Adult Learning Center Will Arvelo , Executive Director of Cross Roads Matt Wyatt , Rochester Museum of Fine Arts Rad Nichols , Executive Director of COAST Jen Ufkin , Vice President of Operations at Cornerstone VNA John McClain , President of East Rochester Library Association Laurie Duff , Director of Senior Services for Easter Seals John Burns , Executive Director of SOS Recovery Seneca Bernard , Pope Memorial Humane Society	

Call to Order: 6:00pm by Councilor

Roll Call: See attached sheet

PUBLIC INPUT

Councilor Creteau opened up public input.

Susan Rice, resident and local business owner wanted to bring to the committee's attention the concerns that local business owners have regarding the parking downtown, specifically regarding Union

Street parking. Ms. Rice stated that her and a few other local business owners have been privately discussing their concerns regarding the parking updates. There are concerns that some businesses might not be able to stay open with the Union Street parking lot being closed for construction.

Ms. Rice stated that in the last 10 months North Main Street has add 6 to 7 new storefronts, from Bean Me Up, Bartletts, Kessler Insurance, and several others, as well as some businesses opening back up. Ms. Rice noted that this is a true testament to the local business owners that they are willing to invest their time and money for the revitalization of downtown even while there are large construction projects happening in downtown. Rochester Main Street has also been able to bring back some events with he support of local business owners.

Ms. Rice stated that many candidates indicated they were interested in the revitalization of downtown. She expressed her concerns that she does not believe the administration took into consideration the impact the construction at the old Hoffman, building would have on businesses. They were informed that the Saint Elizabeth's school would have parking for construction workers, and that it was never enforced, and that Union Street became a construction parking lot. Ms. Rice claimed that one business owner lost 2/3 of her staff due to the parking issues. Council Creteau inquired if it was for parking and which company it was. Ms. Rice stated she would not be reveal which company it was for privacy reasons.

March of 2023 public input was solicited by the Parking Review Committee. In the summer of 2023, the Congress St was closed for reconstruction and reopend in the fall with no restrictions. Ms. Rice stated that there are numerous parking lots and that there aren't clear and consistent rules throughout the parking throughout the city and wants to know what the future holds.

Summer of 2024 the Union Street lot is slated for updates, Congress Street is up for repairs, the Hoffman Building will be opening with occupancy, and the anticipation of the widening of Route 11. Ms. Rice provided some suggestions for solutions: there is rolling construction phases for Union Street with 8 to 10 spaces assigned to specific businesses and/or employees and as the construction of the lot progresses they more the parking spaces around the construction. Ms Rice noted that downtown is not just Main St but other areas downtown. She wants to know if street parking could be open for customers/businesses from 8am to 8pm and then from 8pm to 8am by permit only it would be residential as currently residents take up a lot of parking spots outside of business. She is concerned metered parking might not be able to

	<p>be enforced as there is currently little enforcement already. One concern is that metered parking will have businesses leave.</p> <p>Councilor Creteau noted they had to stop her for time and asked if any councilors had any questions. Councilor Turner asked Ms. Rice to send her concerns in an email so that they can review it. Councilor Creteau requested that she send it to Kiersten Wright who will distribute it to the committee.</p>
<p>Approval of Minutes- January 29, 2024</p>	<p>Richardson moved to approve, Herman seconded. All approved.</p>
<p>Discussion on Committee's goals with Chuck Grassie</p>	<p>Councilor Creteau introduced Chuck Grassie who is a former City Councilor and was there when this committee was created. The functions of the Community Development Committee can be found under Rules of Order, section 4.19. Councilor Creteau requested Grassie come to explain the committee to help the committee.</p> <p>Mr. Grassie explained that some problem cross boundaries. He had created the committee when the city was transitioning from a Strong Mayor to a City Council/City Manager form of Government. He noted that some of the functions listed, overlap with other groups as some issues cross boundaries.</p> <p>Mr. Grassie mentioned that in the beginning they would meet in businesses and other local organizations. They would have the owner/organization give a presentation and then they would have the meeting. They would also take walks downtown to look at what was going on. He also stated that they would invite folks from Economic Development, the Chamber of Commerce, Rochester Main St, etc., to these meetings as well.</p> <p>One of the main things they would do is ask questions. Some of the questions they asked these groups/business owners were:</p> <ol style="list-style-type: none"> 1. How are you doing? 2. What are you doing? 3. What are you plans for the future? 4. How can we help? <p>Mr. Grassie stated the committee should listen to them and find out what they're doing and how you as a committee can help.</p> <p>Councilor Creteau stated how if businesses are angry and don't feel heard, where do they go?</p> <p>Mr. Grassie went on to discuss how the committee and city council can get involved in different groups to help the community. He noted meeting with groups like The Chamber of Commerce and Rochester Main Street and seeing how the committee and council can help, that is what original intention of the committee was. He also stated that per state policy, the City can have a Human Services Board that takes a look at the needs of the community and inventories the needs. The board would discuss what</p>

kind of services the community needs, which is where CDBG can come into place for the Public Services portion of CDBG (15% of the CDBG grant per year). Mr. Grassie suggested the committee and city council may want to look into that.

Councilor Creteau asked if Mr. Grassie is suggesting making an Ad Hoc committee that would take CDBG decisions out of the committee and allow them to focus on other items. Mr. Grassie suggested not removing it from the committee's oversight but to maybe only report on it every quarter or twice a year. Ms. Wright noted they would reach out to Portsmouth and get insight from them on how they run their Citizens Advisory Committee and CDBG.

Councilor Richardson noted that the committee seems to have been watered down to really handle just CDBG and nothing else. Councilor Lawrence noted that if they took CDBG out of the list, it would leave 12 items to discuss, one issue per month.

Meet with Applicants for CDBG and Municipal FY25 Funding

CDBG Funding Requests:

Kerry Norton- Hope on Haven Hill- \$5,000

Kerry Norton, Executive Director of Hope On Haven Hill introduced herself and gave background on their organization. They have been open 7 years, mission is to care for pregnant and parenting women with substance use disorders. Adequate treatment, support, housing, anything that can help those with substance use disorders that are looking to make a change in their lives. They offer both in patient and out patient programs and have a Nurse Practitioner, Midwife and several other service providers. They also offer childcare services throughout all their programs, life skill groups, free Thrift Store to both clinics and the community. They have a gym and are the only tobacco free campus (including breaks). They assist roughly 120 women and their children per year. Around 40% are from Rochester. Lots of outreach and care now that they are on Charles St in Rochester, has given them more opportunity to offer more services. They strictly cater to women and children, but have been seeing an increase in men attending some of the outreach programs that are offered. Chuck Creteau noted that this is a great program and has worked with a number a facilities that are similar but that Hope On Haven Hill is doing a great job. Kerry Norton stated she is happy to give a tour to see the programs. Councilor Creteau suggested meeting at there for a future Community Development Committee meeting. Hope on Haven Hill is requesting \$5,000 which would help provide services to those that are uninsured/under insured as they have a good amount of folks there that aren't insured. They don't stall or delay treatment even if they don't have insurance.

Tracey Donaldson-DALC-\$5000

Dover Adult Learning Center has been Rochester over 15 years. They moved to the Community Center last year from another facility. The move to the Community Center has allowed them access to more people

who can utilize their services, as there are so many adults who visit HeadStart, health and human services, or even Bud Carlson Academy. They offer HiSet, High School Equivalency Prep, and started to offer Adult Diplomas (taken over Nov of 2023). They have served students all throughout New Hampshire for Adult Diplomas, which comes through NHEP (NH Employment Program). They had a dip before COVID for the HiSET program but they have received an increase. They offer both GED and HiSET, and the plan is students can earn their high school equivalency test with GED or HiSET. DALC also hopes to offer computer classes to the community, but they are having a hard time finding teachers, just hired a Tech Integrator. They hope to offer community enrichment in the future for adults in the future. Tim Bryant, a student through DALC, started last school year on nights last year at the Community Center. He gave his story to the committee and expressed to them how important the services are that DALC has provided. He credits his teachers for helping him get to where he is. He quit school to help his family financially and has tried numerous times to get his diploma. Councilor Creteau inquired what about the program makes it successful. Tim stated that the people there are different. They actually listen to the students and their issues, and the teachers are very encouraging. Councilor Lawrence asked what difference this will do in his life. Mr. Bryant stated that it will just show he could do it. Its given him the confidence he didn't have before.

Todd March from Welfare wanted to point out this program is a longer-term impact. Eventually tomorrow becomes today. Providing this service can help people in the long run by getting better jobs. Ms. Donaldson mentioned having students from 10 years ago reaching out again asking for help to apply for college all because they helped them years ago. They know where to go and who can help.

Cross Roads- Will Arvelo- \$15,000

Will Arvelo introduced himself to the committee. They are the 2nd largest homeless shelter in NH. They service both Rockingham and Strafford counties. Low barrier shelter, aka no eligibility criteria to enter the shelter. Some shelters don't allow those to enter if they are using drugs or drinking. Cross Roads allows them to, so long as they don't do drink or do drugs on the premises. They are predominantly funded from individual donors, about 70% donors. Other 30% is fed, state and local funds. Served over 400 individuals, including men, women, families with small children last year. Average stay is 2 months, but it can be anytime, from a day to up to 2 years. Every case is individualized. They provide case management in addition to all the other services. They work with residents over time to help get them stabilized and to work with other state and local agencies to help wrap around service. 3-5% recidivism rate. Their goal is to get them back into the community and to remain stable. Council Lawrence asked how many folks are Rochester residents, Mr. Arvelo stated that they had 58 residents or 12% of residents. Will stated they're seeing more female and more elderly homeless. Elderly are being ousted out of their homes due to the higher rents and taxes. These are people experiencing homelessness for the first time. Councilor Lawrence asked how the \$400k was spent on the 58 Rochester residents last year. It was for meals, frontline staff, case workers, maintenance, programming services. Councilor Lawrence asked

how they work with the Willand Center. Willand Center and Cross Roads work together to find placement for residents in need. Councilor Creteau inquired how many beds they have at any given time. Cross Roads has space for 112 beds, in the winter it can be stretched if its really bad. hey are also the warming center for Rockingham County. They're open 24/7, 365. They have been around for 40 years.

Todd Marsh stated the city works very closely with Cross Roads. Funding for Cross Roads has been low. Mr. Marsh noted that Portsmouth in their catchment area. Cross Road services a lot of the single residents without kids and that while they may have only housed 58 residents, they have offered support and housing to more than that. It humane and cost effective for the city. The city pays about \$550-600 a week for a motel room. If the city can't place them in shelter, they have to put them in motels and don't get the same benefits they would get from a place like Cross Roads. Councilor Lawrence asked age limit – 18+ unless with family.

Municipal Funding Requests:

Matt Wyatt- Rochester Museum of Fine Arts(RMFA)-\$5,000

Mr Wyatt gave a quick overview of RMFA. Volunteer Cofounder. Started in 2011. All volunteer operated out of the Community Center and Rochester Public Library. There are no plans to have their own building, as they prefer to place they currently are due to the accessibility for residents. Their motto is "Art for Everyone". There are mostly social services next to them. Disenfranchised folks entering the building who don't necessarily want to be there, but they have to be there. This gives an opportunity to go to a museum that they might not have the ability to do so. Having art on the walls can perk you up and can normalize your experience. Part of what they've done is public art, sculptures, murals, they always have stuff on their list. If it's not commissioned from the artist, they're doing it themselves. Mr. Wyatt will repaint the sculptures and murals throughout the year. He grew up in Rochester and he got into this to make a difference in the city. They have shown pieces from Picasso, Andy Warhol, and have even worked with the Eric Carle foundation as well. 90% of their collection is from local artists, they try to have a diverse collection. Not only do they have physical and digital art shows, but they also have art at the Rochester Public Library. They feel they play a part in the revitalization. Mr. Wyatt stated he started by putting art in vacant store fronts to try to liven it up along Main Street. A lot of those store fronts have been filled. Councilor Herman asked if they thought about lending out art to local businesses for window displays. Mr. Wyatt said that if they like the art they can come to the community center, but that they don't have the staff capacity to do that for everyone. He has stated he is happy to connect local businesses with local artists. Kay Wright asked about the mural behind Waypoint, which was done with the help of RMFA. Mr. Wyatt state that when they found out that the artists who did the mural on the back of the Salvation Army wasn't paid, they sent them a check for \$500, because of how much work was put into the project. Mr. Wyatt stated they have also worked with the historic society to get scanned post cards to get blown up and posted on the side of the fire department, as well as a sculpture piece from the Scenic building put in downtown.

Rad Nichols- COAST- \$256,508

Rad Nichols the Executive Director of COAST (Cooperative Alliance for Seacoast Transportation) introduced himself to the committee and provided a powerpoint presentation for COAST to provide some facts and numbers. COAST is a non profit and its mission is "To champion and provide customer-focused public transportation with a commitment to excellence in safety and service." Their annual impact on the local economy is estimated at \$31million. They have been providing people in the Greater Seacoast region to work, school, doctors appointments and shopping over 16 million times since 1982. Due to the high housing prices and lack of available rental properties, the distance between economic opportunities (work and education) and the communities where people can afford to live has increased. COAST is essential in connecting the workforce living in more affordable housing and those businesses that employe them. New Hampshire is the 2nd oldest state in the US, and COAST plays a crucial role in helping those seniors maintain their independence. COAST keeps people connected to their communities and the services they rely on for support as they age. COAST Is an essential service provider across the seacoast. This summer COAST was able to hire more bus drivers and was able to get back to their services. They have seen at least at 35% increase in ridership every month. FY25 funding for COAST is going to be different due to the emergency relief funding running out. Some of the solutions they have projected to help with the funding shortfalls are through charitable gaming participation, with plans to have a front door stop there. They also are looking for an increase in State operation funding support, seeking significantly more support from philanthropic organizations/individuals, They're also looking for an increase in municipal and partner financial support (13.8% increase for Rochester. And lastly they're looking to reduce some services. They're asking for over \$256k. Based off the tax rate and other factors it would mean that about \$14 to \$16 of the taxes from resident property would go to COAST. Rochester has consistently provided the funding that COAST has asked for. Todd from Welfare noted that COAST helps the residents, especially those who they see in the Welfare office. It helps residents get to shelters, food, human services. They can't offer shelter to people if they can't get them their. COAST does donate tickets to the Welfare office and others as well.

Jen Ufkin-Cornerstone VNA- \$28,826

Jen Ufkin, the Vice President of Operations at Cornerstone VNA. This is the 111th year. They are an independent non-profit organization and offer 5 different types of programs. Cornerstone works with individuals of all ages, birth to end of life. Homecare program, Life Care, Hospice, nurse practitioner, community presence program. Most of these are in the clients homes. They are mission driven. They have a strong social media presences. Over 20 clinics free of charge for different screenings in different communities. They have a Caregiver Café for those who are caregivers to family. 3rd year in for lymphedema program, swelling in their limbs because of damage to their lymphatic system.. Cornerstone provides expert care. They are also part of the Rochester Mental health Alliance and have a Behavior Health Team. Plans to have trainers will be trained in pediatric mental health. Not included in their request/ask was

uninsured, underinsured and free care for Rochester residents was over \$393k. Councilor Lawrence inquired how free care is determined. Ms. Ufkin explained that they typically provide up to 3 visits but will go up to 5 visits. About 95% of people who apply get it. They're looking for about 10% of their funding needs from Rochester. They work with over 40 communities, but Rochester is #1 of the community. Councilor Lawrence inquired how they are getting referrals and how residents get their services. Councilor Lawrence asked what percent is mental health care, It was noted that its part of a service, but is not typically the primary reason. If its something their providers recognize they may add it.

John McClain- East Rochester Library- \$11,000

John McClain is the president of the board of East Rochester Library. This year is their 139th anniversary. Came into existence before Rochester had a library. They have asked and received both City and CDBG funding in previous years. They established a new board, acquired private funding from donations, grant funding like Steven King Grant, received CDBG funding for repairs to the building including fixing the foundations. Currently they're open on a limited basis, due to funding, but they do have the ability to stay open other days if residents request the use of the space. They have been able to open the Children's House back up after COVID and they get about 8 kids along with their parents for a morning story hour once a month. They have been well received by the public and have seen an increase in number of attendees. They are grateful for any kind of funding or donations they can receive. CDBG funds from this year (FY24) allowed them to get new lighting, and a new hot water heater. The funding amount requested has increased due to the increase in insurance prices, new liability policy this year, increase in other utilities. Councilor Creteau inquired why the building should be kept open; he's aware of the historical aspect of it, but why keep it open. Mr. McClain noted there is not a lot left in East Rochester to do, and this gives children a place to go. Lawrence asked if they considered renting the space out in order to help gain additional funds. John stated they have never looked into it since he's been there, but its possible, they haven't explored it yet. Councilor Lawrence asked if they're part of the Libby system, John explained they don't have that service at this time. They are currently open Mondays and Thursdays, 1pm to 5pm.

Laurie Duff- Easter Seals of NH- \$10,000

Laurie Duff is the Director of Senior Services. EasterSeals has been in NH for almost 90 years. 9 Different lines of businesses, seniors being one of them, children, military, developmentally delayed populations, youth transition programs. Here to talk specifically about senior services. Easter Seals services 300 individuals in their homes and adult day within the county. Of the 300, 40% are from Rochester, so about 120 residents. They service all the communities in Strafford but Middleton. Easter Seals did receive a grant from the Department of Health and Human Services specifically for Homecare staffing. Due to the updates a Champlin Place, the Adult Day Program moved to the Frisbee Memorial campus. They are hoping to open Champlin Place soon (late spring or early summer of 2024). CMS, Medicaid and Medicare, tasked homecare agencies, which includes Easter Seals, to obtain, EVV (electronic visit verification). They are working with the state and fed gov in order to do this, but there is no

federal or state funding for this required update. This year, they started to monitor adults to come to adult day care to assess their level of loneliness, level of depression, their cognitive status and their fall risk. They have seen an improvement within 90 days of the people being there, using evidence based tools to find these results. Some statistics, 99.4% of homecare recipients would recommend EasterSeals, 97% feel they understand their needs, 100% feel they're treated with dignity and respect. In the Adult Day Program 96% of caregivers have noted their overall quality of life improved since their loved one has come to the program. This year they are planning on moving more of their military and veteran care over to their other programs. Any veterans who are living there will be able to bring those services to them. Councilor Creteau asked how they branched out to the Veterans Service as currently they handle Senior Services. The way they are partnering, is that they have a lot of vets in their homecare and Adult Day Program, and that if Rochester provides the funds to EasterSeals part of it will go to the veterans portion of care. Asking for \$10,000 to help defray the cost of uncompensated care. Currently the cost of care is not being met by the forms of funding they have, this would help them provide the services.

John Burns – SOS Recovery-\$46,000

John Burns is the Executive Director for SOS Recovery which is located just behind city hall on Signal St. All of their services are peer based services, no clinical services with the exception of Better Life Partners that provides medications for opioid or alcohol use disorders. They offer traditional recovery as well as harm reduction services out of the centers. On average in Rochester they have 400 to 450 visits per month. These are not unique, some are in there every day, but some are new. So far they're over 200 new people as of January 1st. They wouldn't be shocked if they went over 250 as they original projected for this fiscal year. They've seen a big surge in the last 3 to 6 months. He believes they've seen the shift from higher numbers in Dover to higher numbers in Rochester as the homeless population is pushed out towards Rochester. As of right now, 80 to 85% of individuals are experiencing homelessness. It used to be lower before they did harm reduction services, but SOS Recovery is the only drop in center in the area. Ms. Wright inquired if they are 18+, Mr. Burns noted they don't advertise that they are 18+ and that if they had someone come to their doors that was 17, they would help them find the right services for them, like Waypoint (who is 12 to 25 year olds). They offer a parenting program, on zoom, which is about managing their recovery with parenting included. It is a peer recovery coaching, 14 week rotating schedule. State wide contract for family support groups. They offer family support groups digitally on zoom usually has 20 -30 people. Invitation to Change which is an evidence based program for family members, mostly parents. They also offer traditional 1-1 recovery resources, like weekly check ins. Since July, 171 intakes with unique participants. This includes Dover, Rochester and Hampton. Over 2200 brief check-ins, over the phone check ins. About 1670 one on one engagement, which allows them to see what resources they currently have and how to further assist them. Currently SOS Recovery supports about 3000 family members across the state. They work with justice system, to help with probation and parole and in the

treatment courts in Strafford, and Rockingham County. They also offer wound care supplies, sterile needles, overdose prevention, including the distribution of over 200 Naloxone kits per month state wide. They provide overdose prevention training. Councilor Creteau noted his experience visiting SOS Recovery center and suggested the rest of the committee also visit to see what they offer. Councilor Lawrence inquired if they didn't get support, would they have to eliminate a full time employee. This would fund a full-time employee, if they didn't receive funding then they'd have to knock it down to part-time which would impact them especially considering how many residents they are now anticipating will use their services. It would decrease the quality and quantity of services.. SOS Recovery works with Willand Center, but also partners during the day for when Willand Center is closed. Todd stated Welfare supports SOS Recovery because of what they do for harm reduction.

Seneca Bernard- Pope Memorial Humane Society- \$5000

Seneca Benard provided an overview of Pope Memorial Human Society. This is the first year they have applied for funding from Rochester. The shelter covers Strafford and most of York county Maine. Rochester is the biggest, making up 18 to 20% of any of the programs. They provide many types of services including, surrenders of animals. They also work with animal control units to pickup strays, which they hold for 7 days. One of their goals is they are trying to make sure animals can stay in their homes. Part of their future plans is to become a low cost clinics to offer services to those that may not be able to afford care for their pets.. By offering a low cost vet clinic, they could avoid situations that may require a resident to surrender their animal and allow the animal to stay within their original home. Another goal is that they want to educate the children of Rochester. They have worked with 3 classrooms, and would like to increase that to 4 classrooms every month. Part of going into the classrooms is it would allow them to educate children on what kind of resources are out there. Adopted out about 20% of pets out to Rochester, 82 cats, dogs and rabbits in the last year. Seniors and veterans fees are waived as they don't want money to be a barrier to be a reason they can't have a pet. They also do spay or neuter clinic for cats which typically costs between \$300 and \$600. They're looking to offer the same clinic for dogs later this year.

Councilor Creteau asked if Welfare has any experience with the Humane Society. Todd stated yes that the homeless population does have cats and dogs, and they need these services. He pointed that that some residents won't go into a shelter because they can't take their cat or dog with them. Mr. Bernard stated they have a Safe Pets Program. They will take in animals in while an unhoused person is getting the services they need and the housing/shelter. Councilor Lawrence asked how the \$5000 would help them. Mr. Bernard explained the funds would go into the general fund to just help them keep their operations going. They have a food share program, where half the people are from Rochester. They can come once a month, and get food for their animals. They are hoping to enlarge the food share program. Mr. Bernard did mention that less and less housing facilities are allowing people to bring their pets, so they are seeing an increase in surrenders from those who are looking to get into housing.

<p>Other Business</p>	<p>Ms. Wright explained that several meeting dates aren't available this year for the conference room and the City Chambers is used on the days that the Committee will be meeting. Matt Wyatt from RMFA offered the use of their space for one or two meeting. Per the Committee, Main Street is a priority at the moment to meet at a location per the committee. They would like to meet at a local business and hear from the businesses.</p> <p>Councilor Creteau suggested to meet with some businesses downtown, and to invite them to meetings. Ms. Wright stated she'd also reach out to Rochester Main Street with the help of Carole from Economic Development, who is the secretary of the board. The goal is to ask:</p> <p>What is it they need? What can the committee do to support them? How is the flow of info going?</p> <p>Councilor Creteau noted we have a lot of people who work hard, but that there isn't a clear way of getting information over to people. What can we as a committee do to streamline so that everyone gets the same thing the same amount of time.</p> <p>The Committee aims to have the April meeting at a local restaurant downtown, and maybe do a tour.</p> <p>Councilor Herman asked if there is a conflict between Main St and Chamber of Commerce. Ms. Wright explained that they offer different services with Rochester Main Street being more Community focused and The Chamber of Commerce being more business focused.</p> <p>Several groups including, SOS Recovery, Waypoint and Hope on Haven Hill are willing to meet with the committee as well and give tours.</p> <p>Councilor Lawrence wanted to know what the plan is for the future of this committee. Councilor Creteau said that one of their goals is to figure out the committee's goals and functions going forward. They are working to further define their goals and functions as listed until 4.19 in the Council Rules of Order.</p> <p>Councilor Lawrence suggested maybe a special meeting/workshop in order to do that. Ms. Wright stated they may have to have a special meeting, she would reach out to Terence about how to go about having a workshop/special meeting for Community Development.</p>

	<p>Councilor Herman stated one of the things he hasn't heard from the social services people is what do we do with all the people that we force out onto the street after 8am until 5pm (at Willand).</p>
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Motion to adjourned made by Councilor Richardson, seconded by Councilor Herman, all in favor. Meeting adjourned at 9:35pm

Next Meeting – Thursday March 14 2024, 6:00 p.m., Coheco Conference Room, City Hall Annex, 33 Wakefield St.

Topics: Meet with remaining applicants for CDBG and Municipal funding, Vote on funding recommendations, discuss goals of Community Development Committee

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Respectfully Submitted by

Kiersten "Kay" Wright, Community Development Coordinator.

**RESOLUTION ADOPTING AN FY 2025 ROCHESTER CDBG
“ACTION PLAN FOR THE CITY OF ROCHESTER, N.H.” AND
APPROVING AND APPROPRIATING THE FY 2025 COMMUNITY DEVELOPMENT
BUDGET FOR THE CITY OF ROCHESTER**

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

I. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby adopt the one-year FY 2025 (July 1, 2024—June 30, 2025) “Action Plan for the Community Development Block Grant (CDBG) Program for the City of Rochester, N.H.,” as prepared and presented to the Mayor and City Council by the City of Rochester Office of Economic and Community Development, in connection with the City’s CDBG program, including the goals, objectives, and concepts set forth therein;

II. Further, that a twelve (12) month Community Development Block Grant budget for the Office of Economic and Community Development for the City of Rochester will be approved and appropriated for fiscal year 2025 (July 1, 2024—June 30, 2025). Included in said approval and appropriation are expenditures set forth in the one-year action plan of the Office of Economic & Community Development for the City of Rochester for the Community Development Block Grant program, in the following categories and amounts:

Administration and Planning	20%
Public Service Agencies	15%
Housing/Public Facilities/Infrastructure	65%
Total	100%

III. Further, that Two Hundred Forty One Thousand Fifty Six Dollars and Eighteen Cents (\$293,921.24) in the Job Opportunity Benefit revolving loan fund loan fund, plus the principal and interest received monthly from existing loans’ repayments, be appropriated for continued use in the FY 2024 Action Plan year in granting loans to qualified small businesses that commit to the creation and/or retention of jobs made available to low to moderate-income Rochester residents.

This budget and the one-year action plan for FY 2025 may be reconsidered if federal funding is changed or if it is inconsistent with the total FY 2025 budget adopted for the Office of Economic and Community Development.

The sums necessary to fund the above appropriation in the amount shall be drawn in their entirety from the above-mentioned FY 2025 Community Development Block Grant from the federal government to the City of Rochester. The Finance Director is hereby authorized to create such line-item accounts as shall be necessary to implement this Resolution.

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

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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

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

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

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

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

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

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]



City of Rochester Formal Council Meeting

AGENDA BILL

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INFORMATION ONLY <input type="checkbox"/>

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

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

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

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

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

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RECOMMENDED ACTION

[Empty box for Recommended Action]

Handout

CITY OF ROCHESTER, NH
COMMUNITY DEVELOPMENT BLOCK GRANT
PUBLIC HEARING

Monday, March 19, 2024, 6:00pm
An informational document is available

Public Hearing on the Progress of the Easterseals Champlin Place CDBG Project.

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for economic development projects, up to \$500,000 for public facility projects, up to \$500,000 for housing projects, up to \$350,000 for emergency activities, and up to \$25,000 is available per planning study grant. All CDBG projects must primarily benefit low and moderate income persons. The purpose of the hearing is to update the public on, and take comment on, a CDBG Project. The CDBG project subrecipient, Easterseals New Hampshire, Inc.'s construction of 65 units of affordable, elderly units at 215 Rochester Hill Road, is called Champlin Place. The work is substantially complete, a Certificate of Occupancy has been issued. Residents have begun moving in. Lease-up is expected approximately in April.

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City Clerk's Office

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Finance Committee

Meeting Minutes

Meeting Information

Date: February 13, 2024

Time: 6:00 P.M.

Location: 31 Wakefield Street

Committee members present: Mayor Callaghan, Councilor Fitzpatrick, Councilor Lawrence, Councilor Sullivan, Councilor Turner, Councilor Walker, and Deputy Mayor Hamann

City staff present: City Manager Katie Ambrose. Finance Director Mark Sullivan. Deputy City Clerk Cassie Givara. Director of Recreation and Arena Lauren Krans.

Others Present: Councilor Herman. Lou Archambault, resident.

Agenda & Minutes**1. Call to Order**

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

Councilor Walker led the Committee in the Pledge of Allegiance.

Deputy City Clerk Cassie Givara took the roll call attendance. Councilors Fitzpatrick, Lawrence, Sullivan, Turner, Walker, Deputy Mayor Hamann, and Mayor Callaghan were all present.

2. Acceptance of Minutes: January 9, 2024

Councilor Walker **MOVED** to **ACCEPT** the minutes of the January 9, 2024 Finance Committee meeting. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

3. Public Input

Lou Archambault, resident, indicated that he would be speaking about a proposed “rain tax.” Mayor Callaghan advised that public input is limited to items on the agenda during subcommittee meetings, but welcomed Mr. Archambault to speak at the City Council Workshop on February 20.

4. Unfinished Business: None**5. New Business:** None

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5.1.1 Community Center Bleachers Replacement-Supplemental Appropriation

Lauren Krans, Director of Recreation and Arena, detailed her department's request for a \$250,000 supplemental appropriation to complete the replacement of the Community Center gym bleachers. Director Krans stated that there is prior approved funding for the 16-tier set of gymnasium bleachers; however, it would be beneficial to update the 20-tier set of bleachers on the opposite side of the gym while work is underway for the first set. Director Krans explained that the current bleachers are original to the building and were installed in 1976 and gave an overview of their function. Currently, the scaffolding-like structure, which is present on the underside when the telescopic bleachers are extended, is failing and affects the structural integrity of the bleachers. Additionally, there are no handrails, so the bleachers are not ADA accessible. Ms. Krans suggested it would be more cost effective to replace both sets of bleachers simultaneously instead of handling the 20-tier set in FY27 as originally planned. This would also greatly minimize the scheduling impact for the gym with a single shutdown period instead of two.

Councilor Turner asked if the cost savings of replacing both sets of bleachers simultaneously could be quantified. Director Krans stated that she did not have an exact number; however, it had been conveyed by the vendor that the costs would increase by 10% each year moving forward.

Councilor Lawrence asked if there were costs associated with the replacement of the 16-tier bleachers that would be saved if not repeated for a separate project at a later date for the 20-tier structure. Director Krans confirmed that there are costs associated with the replacement which could be consolidated as opposed to repeated if the bleachers were replaced together, such as engineering services, floor analysis and replacement, and production costs of the bleachers themselves.

Finance Director Sullivan acknowledged that it would be more efficient to package the replacement of both sets of bleachers into one purchase. Mayor Callaghan asked for clarification on if this would be a single allocation for both sets of bleachers. Director Sullivan stated that the current request is for a supplemental appropriation of \$250,000 from General Fund for the 20-tier bleachers; There was already funding approved in a previous fiscal year for the 16-tier set. Director Krans stated there was \$237,500 approved for the first set of bleachers.

Councilor Hamann **MOVED** to recommend to full Council the approval of the \$250,000 supplemental appropriation for the 20-tier bleacher replacement. Councilor Walker seconded the motion. Director Krans explained that the original quote given had been for \$210,000; there was contingency built in due to the unknown condition of the floor underneath the bleachers, additional handrails for the larger size structure, as well as possible necessity for new electrical components. Councilor Sullivan asked if the prior \$237,500 approved for the first set of bleachers was from the Unassigned Fund Balance. Director Mark Sullivan confirmed this original approval was in the FY24 approved CIP budget using bond funding. Councilor Fitzpatrick stated that the City's liability has increased now that the condition of the bleacher is known and it would be prudent to approve the replacement. The **MOTION CARRIED** by a unanimous voice vote.

5.1.2 Opioid Committee-Review of Opioid Fund Proposals

Mayor Callaghan explained that Welfare Director Todd Marsh had issued a memo for the Finance

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Committee expressing his desire to speak to them directly regarding the above listed fund proposals; however, he is unable to attend this evening's meeting. Mayor Callaghan suggested leaving the item on the March Finance agenda to allow Director Marsh to attend and make recommendations. Councilor Walker asked if there were any funding requests which were time sensitive. Mayor Callaghan stated there was only one item which had been more time-sensitive (the \$5,000 Choose Love Initiative funding), but it had been approved by City Council at the February 6 meeting. Councilor Sullivan confirmed that the items in question were the same that had been discussed at the January 16 City Council Workshop.

Councilor Fitzpatrick **MOVED** to make the Opioid Committee Review a general order to appear on the agenda for the next Finance Committee meeting. Councilor Sullivan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. City Manager Ambrose asked Committee members to pass along any questions for Director Marsh regarding the funding requests in anticipation of the next meeting.

Reports from Finance & Administration

5.2.1 Monthly Financial Report Summary-~~December~~ January 31, 2024

Finance Director Mark Sullivan stated that FY24 is 58% complete, non-property tax revenues remain strong, and Motor Vehicles are at 60% collected. Director Sullivan explained that the City had budgeted in anticipation of the Waste Management Host Community fees increasing from \$3.50 to \$4.50; however, this increase will not occur until summer which falls in the next fiscal year. Due to this, he anticipated the related line item would be short approximately \$600,000 for the current fiscal year. Director Sullivan reported there had also been a decrease in tonnage accounted for in the prior check, which is something that will be watched moving forward. Mayor Callaghan asked why the increase in host community fees will not occur during the current fiscal year. Finance Director Sullivan explained that the contract with Waste Management stipulates that the increase will occur when they have all of the required operating permits, and the new cell is ready to open and receive materials; this will occur this summer.

City Manager Ambrose addressed the decrease in tonnage referenced by Director Sullivan. She stated that Waste Management had experienced fluctuations in their volume and made adjustments to meet their tonnage goal; Waste Management will try to remain more consistent and the City now has a better idea on what to budget for based on this Waste Management gross tonnage goal.

Councilor Lawrence asked if the tonnage is expected to steadily decline as the closure of the landfill moves closer. Director Sullivan explained that there is a decline predicted, however it is not expected imminently and will occur gradually and as the closure nears.

Councilor Larence inquired what the reasons were for the consistent overage in the police, dispatch, and fire overtime budget. Director Sullivan stated that it was mainly due to staffing issues and call backs. Mayor Callaghan added that police officers are filling in the gaps in dispatch due to short staffing which contributes to overtime.

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6. Other

No discussion.

7. Adjournment

Mayor Callaghan **ADJOURNED** the Finance Committee meeting at 6:19 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

Resolution for Supplemental Appropriation of \$250,000 to the FY24 General Fund CIP Fund for the Community Center Bleacher Replacement Project

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

That the Mayor and City Council of the City of Rochester hereby appropriate Two Hundred Fifty Thousand Dollars (\$250,000) to the General Fund CIP for the purpose of paying costs associated with the Community Center Gym Bleacher Replacement Project. This funding will address replacement of the second bank of bleachers. The first bank of bleacher replacements were funded in the FY24 Adopted General Fund CIP program budget. The entirety of this 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 establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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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 Community Center Gym-Bleacher Replacements	
COUNCIL ACTION ITEM <input type="checkbox"/> X INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? X YES <input type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
RESOLUTION REQUIRED? X YES <input type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? X YES <input type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE	3-5-24
DEPT. HEAD SIGNATURE	Mark Sullivan-Director of Finance/Lauren Krans Director of Rec
DATE SUBMITTED	2-29-24
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED

COMMITTEE SIGN-OFF

COMMITTEE	FINANCE COMMITTEE- 2-13-24
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	General Fund Unassigned Fund Balance
ACCOUNT NUMBER	TBD
AMOUNT	\$250,000
APPROPRIATION REQUIRED YES X <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

The two banks of gymnasium bleachers are integral components to Recreation and School Department operations. Both banks of bleachers are original to the 1976 Community Center. Funding to replace the 16-tier bank of bleachers was adopted in FY24. The second, 20-tier set of bleachers has an outdated power system with failing motors, a 40-year-old understructure, are not ADA compliant and have surpassed their life expectancy. A November 2023 bleacher inspection indicated that for these reasons, the 20 tier should be replaced. Replacing both sets of bleachers at the same time will reduce future cost and greatly decrease the impact to gym operations. Supplemental funding of \$250,000 is requested to replace the 20-tier set of bleachers at the same time. **Finance Committee voted favorable to endorse this project at the 2-13-24 Finance Committee Meeting**

RECOMMENDED ACTION

Council Approval

City of Rochester Planning Board

Monday, February 5, 2024
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on ***, 2023)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Alan Dews
James Hayden
Peter Bruckner

Members Absent

Michael McQuade, *excused*
Donald Hamann, *excused*

Alternate Members Present

Rick Healey
Matthew Richardson

Staff: Shanna Saunders, *Director of Planning & Development*

(These are the legal minutes of the meeting and are in the format of an overview of the meeting. A recording of the meeting, as well as the meeting's minutes can be found on the Planning Boards Webpage at www.rochesternh.gov/planning-board. Paper minutes may be copied at the Planning & Development Office for a fee.)

I. Call to Order

Chair, Mark Collopy, called the meeting to order at 6:30 p.m.

II. Roll Call

Planning Department Director, Shanna B. Saunders, conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Mr. Richardson to vote in place of Mr. Hamann

IV. Communications from the Chair

There were no communications from the Chair.

V. Approval of Minutes

A. January 8, 2024

A motion was made by Mr. Bruckner to approve the January 8, 2024, Planning Board meeting minutes and seconded by Mr. May. The motion carried unanimously.

B. January 22, 2024, Retreat

A motion was made by Mr. Bruckner to approve the January 22, 2024, Planning Board meeting minutes and seconded by Mr. May. The motion carried unanimously.

VI. Opening Discussion/Comments

A. Public Comment

There were no comments from the public to discuss.

B. Discussion of general planning issues

Ms. Saunders explained the staff recommendations that were placed in front of Planning Board members.

Ms. Saunders explained that the additional documents presented to the Planning Board were by the request of applicants on the agenda.

Ms. Saunders explained the updated RSA books for Land Use Regulations that each Planning Board member has received.

Ms. Saunders circulated form to update Planning Board members' contact information.

Ms. Saunders introduced Yazmin, a student representative from Spaulding High School who will be the new Student Rep to the Planning Board and may be present in some Planning and Zoning Board meetings to shadow and learn about land use laws and regulations.

Mr. Bruckner asked what major changes may have been included in the new Land Use Regulations Book from last year to the current year. Ms. Saunders explained that there have been many changes and updates to the regulations for this year and that she will send the New Hampshire Municipal Association's updates that they have listed to the Planning Board members.

VII. Extension Applications:

A. [Real Estate Advisors, Jeremiah Lane](#) Extension request to meet General and Subsequent conditions to December 16, 2024, Case# 223 – 21 – A – 16

Mr. Walter Cheney of Real Estate Advisors, LLC explained his request for this additional extension. Mr. Cheney thanked the Planning Board for their efforts in the project. Mr. Cheney explained the changes of roads and lots towards the front of the property. Mr. Cheney explained the units that are approved and the amendment he is seeking for new units, and the complications with updating the intersection outside of the development. Mr. Cheney requested that the Planning Board approve a phase such that the developer may update the intersection and be considered grandfathered for the rest of the subdivision and explained that completing both roadway and intersection updates simultaneously has proven difficult. Mr. Cheney explained his plan for elderly housing within specific units and used a visual site plan for his explanation.

Ms. Saunders explained that this project was originally presented in 2016 and approved in 2018. Ms. Saunders explained that the project was granted an initial extension and later applied for a plan amendment in 2020, which restarted the timeframe of which the project was required to be

complete. Ms. Saunders explained that there have been 2 extensions requested and approved for the amended application in 2020, this is a third request for extension.

Ms. Saunders stated to Mr. Cheney that the grandfathering that he is requesting will require a separate application because the application being reviewed at this time is for an extension request only. Mr. Cheney explained that his intention is to explain his future proposal for the property.

Ms. Saunders explained that the plan presented would require another amendment application and explained that the Planning Board holds the right to determine what is considered substantially complete for projects. If the Board does not decide the state law defaults to 5 years. Ms. Saunders stated that once a project is considered substantially complete, they are considered grandfathered, and the developer can build out for however long their duration to construct is.

Mr. Collopy reviewed the application that was submitted and explained that the language was not beneficial to the Planning Board in their decision making and that is why the application was continued to the current meeting. Mr. Cheney stated that he understood. Mr. Collopy explained that in Mr. Cheney's explanation for future proposals, the language in the extension application was misleading. Mr. Cheney apologize for additional extension requests and stated his appreciation for the Planning Board in their review process of this application as a whole. Mr. Cheney explained the complications that the project has faced.

Mr. Hayden asked if the provided plan was a conceptual layout phase, or if stormwater has been designed, and asked for a status on the engineering design process. Mr. Cheney stated that the plan provided is only conceptual and that only the unit's design is complete. Mr. Cheney also explained his plans for better accessible units for elderly residents.

Mr. Dews stated his recommendation for a 90-day extension and stated his concerns for longer extensions. Ms. Saunders stated that if they needed engineering, 90 days would not be long enough to acquire those designs.

Mr. May asked for clarification on why the extension is appropriate. Ms. Saunders stated that the applicant would have to start from scratch as the application has expired. Mr. May asked if waivers could be requested for the applicant to not have to perform additional studies. Ms. Saunders stated that staff may not recommend the waiver of updated studies. Mr. May stated his support for denying an extension and requiring a new subdivision application and stated his understanding for the extensive complications that the project has brought on.

Mr. Healey stated his support in Mr. May's recommendation to have the application brought to the Planning Board as a new Subdivision application. Mr. Healey asked if additional reviews would be required. Ms. Saunders replied that amendment would only include the changes that Mr. Cheney has explained and show on the presented plan and that only the changes would require possible revised studies rather than the entire project.

Mr. Healey asked if future extensions can be requested under a new amendment. Ms. Saunders replied yes. Mr. Healey stated his support in granting only a 6-month extension.

Mr. Hayden stated his agreement with Mr. Healey and his support for approving a 6-month extension. Mr. Hayden explained his understanding of the different application processes and stated that he would prefer to review the amendment application of what changes are proposed, rather than restart the entire application.

Mr. Richardson asked what the timeframe was for breaking ground on the project. Ms. Saunders explained that the 6-month extension would give the applicant 6 months to provide final plans or provide an amendment to the application and by state statute, the applicant will have 24 months after approved final plans to begin active and substantial development.

Mr. Richardson asked when construction is expected to begin.

A motion was made by Mr. Dews to extend the application 6 months from this Planning Board meeting (August 5, 2024) and to not allow further extensions and seconded by Mr. Richardson.

Mr. Healey asked if the 6-month included additional TRG reviews. Ms. Saunders replied that this extension would not require TRG review.

The motion carried with Mr. May opposing.

- B. [Packy's Investment Properties, LLC, 17 Sterling Drive](#)** Extension request to meet General and Subsequent conditions to August 7, 2024 Case# 208 – 18 – GRD – 22

Ms. Saunders reviewed the application and explained that the applicant is requesting additional time to finalize the Alteration of Terrain Permit Application. Ms. Saunders stated noted that the applicant was not present for the meeting but is requesting an extended deadline to August 7, 2024.

Mr. Colopy asked if this request is the first extension request. Ms. Saunders stated that this is the second extension request.

Mr. Healey asked what the delay for the permit application is and if it was through City or the State. Ms. Saunders responded that it was through the state and explained the plan that may have caused the delay.

A motion was made by Mr. May to approve the extension of the application to August 7, 2024, and seconded by Mr. Dews. The motion carried unanimously.

- c. [Ko-Go, LLC, 0 Farmington Road](#)** Extension request to meet General and Subsequent conditions to June 30, 2024, Case# 208 – 16 – GRD – 22

The applicant was not present.

Ms. Saunders explained the application and the reasons that were given for the multiple extensions to this project.

Mr. Dews stated that the application expired in September and his concerns that the application has only just been received. Mr. Dews stated that he opposes the extension.

Mr. May noted the requirement on the Extension Application stating that the application must be received before the deadline date and asked if the Planning Department enforces the deadline. Mr. Saunders explained the notification process of expiring applications.

Mr. Dews stated that the application is 5 months past their deadline and that they are not present to explain their reasoning for extension.

Mr. Richardson verified if the extension was for 6 months. Ms. Saunders responded yes.

A motion was made by Mr. Dews to deny the extension application and seconded by Mr. May. The motion failed with a 2 to 4 vote.

A motion was made by Mr. Richardson to approve this as the final extension, to June 30, 2024, and seconded by Mr. Hayden. The motion carried with a 4 to 2 vote.

VIII. New Applications

A. [The Beloin Family Trust of 2013, 132 & 134 Rochester Hill Road](#) (Norway Plains/Joel Runnals) Lot-Line Revision Case# 134 – 12&13 – R1 – 23 **Public Hearing/FINAL DECISION***

Mr. Joel Runnals, Norway Plains Associates, presented the project and explained the lot line revision of the 2 lots. Mr. Runnals explained the location of the lots and explained what utilities are used for each lot.

Mr. Collopy opened the Public Hearing. There were no comments from the public.

Ms. Saunders reviewed the staff recommendation and conditions that are recommended, stating that there are no required plan changes and very few conditions and that all conditions are the standard conditions of approval and staff recommend that the application be viewed as complete and approved as presented.

A motion was made by Mr. May to accept the application as complete and seconded by Mr. Dews. The motion carried unanimously.

A motion was made by Mr. Bruckner to approve the application with the conditions as stated and seconded by Mr. May. The motion carried unanimously.

B. [Alfred & Cynthia Benton, 585 & 589 Portland Street](#) (Norway Plains/Ashley Rowe) Lot-Line Revision Case# 111/223 – 81/25 – R1 – 23 **Public Hearing/FINAL DECISION***

Mr. Ashley Rowe, Norway Plains Associates, presented the application and explained the revision of the 2 lots. Mr. Rowe explained the access easement to the rear of the property regarding drainage to allow the owner to maintain the lawn. Mr. Rowe reviewed a colored map with the Planning Board and further visually explained the changes proposed.

Mr. Collopy opened the Public Hearing.

Mr. Alfred Benton, property owner and applicant, further explained the purpose of the lot-line revision.

Mr. Benton asked if there was a public hearing for the Jeremiah Lane extension application. Mr. Collopy stated that there have been no changes to that application and if any amendments are applied for, there will be a public hearing for the new application. Mr. Benton stated that he has concerns about the subdivision. Mr. Collopy stated that, at this time, there are no changes to the application and concerns cannot be heard. Mr. Benton asked if abutters would be notified if there is an amendment. Ms. Saunders stated that abutters would be notified.

Mr. Collopy closed the Public Hearing.

Ms. Saunders stated that the application does include a waiver request regarding driveway placement for the property. Ms. Saunders explained the plan changes that would be required if the waiver is denied by the Planning Board. Ms. Saunders reviewed the staff recommendation

and conditions that are recommended, stating that all the remaining conditions are the standard conditions of approval and staff recommend that the application be viewed as complete.

Mr. Rowe further explained the reason for the waiver request.

A motion was made by Mr. Richardson to accept the application as complete and seconded by Mr. Dews. The motion carried unanimously.

Mr. Dews stated that a building was within the setback on the side. Mr. Rowe explained that the side of concern is not being changed and explained the proposed lot line change.

Mr. Healey stated his support for granting the driveway setback waiver.

A motion was made by Mr. Richardson to grant the requested driveway setback waiver and seconded by Mr. Bruckner.

Mr. May asked for confirmation on the part of the driveway that the waiver is being requested for. Ms. Saunders confirmed the section of driveway location. Mr. May stated his support for the waiver.

The motion carried unanimously.

A motion was made by Mr. Bruckner to approve the application with the conditions as stated and seconded by Mr. Richardson. The motion carried unanimously.

C. [Northam Survey/Eric Salovitch, 57-59 Cross Road](#) (Northam Survey) 2-Lot Subdivision Case# 205 – 34 – A – 23 **Public Hearing/FINAL DECISION***

Mr. Eric Salovitch, Northam Survey, introduced himself and the property owner, Daniel LaGrange. Mr. Salovitch presented the project and provided details of the requirements for subdividing the lots. Mr. Salovitch stated that the Zoning Board granted the Variance for not meeting the minimum lot size and not meeting the frontage requirements due to the corner lot complications. Mr. Salovitch explained the history of the lot and explained how the new lot was proposed.

Mr. Collopy opened the Public Hearing. There were no comments from the Public.

Ms. Saunders explained the Zoning Board review and approvals. Ms. Saunders reviewed the staff recommendation and conditions that are recommended including the condition to correspond with E911 for addressing purposes and stated that staff recommend that the application be accepted as complete and recommends approval by the Planning Board.

Mr. Richardson requested that the road name typo be corrected from Stacy Road to Stacy Drive. Ms. Saunders stated that would be corrected.

A motion was made by Mr. Bruckner to accept the application as complete and seconded by Mr. Richardson. The motion carried unanimously.

Mr. Dews asked about the status of the utilities and requested that utilities be added to the plan.

A motion was made by Mr. Richardson to approve the application with the conditions as stated and additional condition and seconded by Mr. Hayden. The motion carried unanimously.

D. Humoresque, LLC/Paul Delisle, 1 Old Dover Road (Norway Plains) Site Plan to convert commercial office space into 11 residential spaces Case# 132 – 41 – NMU – 23 **Public Hearing/FINAL DECISION***

Mr. Paul Delisle, applicant, provided statistical data regarding housing needs within the City of Rochester and explained possible ideas for increasing housing.

Mr. Collopy opened the Public Hearing.

Mr. Vasant Das, 14 Old Dover Road, stated his previous concern regarding traffic increases, but has spoken with Mr. Delisle and withdraws his concerns and supports the proposal of more housing.

Mr. Collopy closed the Public Hearing.

Ms. Saunders stated the correction to the agenda, that this proposal is for 11 residential units, not the stated 13. Ms. Saunders explained the application review process for this proposed project. Ms. Saunders reviewed the staff recommendation and conditions that are recommended including the condition by the Department of Public Works to have a cross-connection survey completed to confirm what backflow devices currently exist and if there are any needs for upgrading. Mr. Saunders explained how the project has been defined as an active and substantial development. Ms. Saunders explained the requirements for grandfathering of the project. Ms. Saunders stated that staff recommend that the application be accepted as complete and approved by the Planning Board.

Mr. Bruckner stated his concerns with the submitted plans. As the plan is laid out, 2 units do not have any windows as they are designed up against the adjoining bank. Mr. Bruckner stated that he feels that the plan is not a standard plan and does not meet many of the requirements for residential plans. Mr. Bruckner stated that the plans don't show windows and doorways and there is a set of stairs within one of the units – that doesn't work. The plans need to be edited and recommended that they be reviewed by an architect before the Planning Board decides on the project. He does not feel the plans submitted are sufficient enough for the board to make an informed decision.

Ms. Saunders explained the GIS plot plan that was provided to show how the lots are divided.

Mr. Bruckner stated his concerns for the square footage of the units ranging from 400 sq ft to 1400 sq feet yet we are being told they are all one bedrooms. and again recommended the applicant seek out the review of an architect. Mr. Bruckner said he supports more housing but needs a more detailed floor layout plan.

Ms. Saunders asked if Mr. Bruckner was looking for architectural-stamped plans. Mr. Bruckner responded no that he would prefer conceptual or even preliminary design plans by an architect to better show the building concepts. Mr. Bruckner also recommended that the applicant review and provide some outside space or amenities to the residents. Mr. Bruckner also stated his concerns with how the parking and shared spaces with the bank will be considered as the buildings are adjoined.

Mr. Dews asked if it was unit 6 Mr. Bruckner was concerned would have no windows. Mr. Bruckner responded yes and recommended that he recommends the layout be better shown in the plans.

A motion was made by Mr. May to accept the application as complete.

Ms. Saunders explained that the Planning Board can request more information and not accept the application as complete just yet.

Mr. May withdrew his motion.

Mr. Hayden asked when the site was first constructed. Ms. Saunders stated that she does not know at this time but can research. Mr. Hayden explained that he noticed catch basins and drainage that may connect to the drainage structure. Mr. Delisle stated that the drainage was upgraded in the early 1980s.

Mr. May stated that he appreciates the building and supports Mr. Bruckner's request for more information on the plans and stated his concern for approving an apartment with no windows. Mr. May asked if traffic had been reviewed. Ms. Saunders replied that a traffic review was not recommended.

Mr. Collopy reviewed concerns that have been raised and stated his recommendations for updates to the property for amenities or greenspace. Mr. Collopy also hoped the parking and drive aisle would be properly marked on the pavement, as well for safety purposes.

Mr. Dews asked about the lighting around the facility. Mr. Delisle responded that there is significant lighting around the building. Ms. Saunders asked Mr. Delisle if there were lights present along Old Dover Road.

Mr. Delisle stated his understanding of gaining Planning Board approval for as many units as can fit in the building. Mr. Delisle stated that originally 13 units were preferred and after further review, the Technical Review Group recommended 11 units. Mr. Delisle explained that he intends to provide more detailed plans after approval. Mr. Delisle stated that only one of the apartments would not have windows. Mr. Delisle explained the current planned layout and how changes can be applied. He is hoping to get approval and then provide plans at the building permit stage. They can make field changes if they realize they don't have windows.

Mr. Collopy stated that the Planning Board prefers more comprehensive plans and explained that the Planning Board reviews plans for current uses and holds the future in mind when giving approvals. Mr. Collopy stated that a plan showing windows and egress for apartments is preferred.

Mr. Healey stated that the apartment with no window would not meet city codes. Ms. Saunders explained the building inspector would review those plans and information.

Mr. Hayden asked if parking would be labeled specifically for residents. Mr. Delisle stated that he didn't feel there was a need for specified parking. Dumpsters were

A motion was made by Mr. Dews to deny the application as complete and require the following information be submitted:

- 1. Please submit more detailed floor plans showing proper locations of kitchens, bedrooms, doors, windows and stairways, connection to commercial space and exterior doors.*
- 2. Please try to incorporate some outside amenity space or greenspace for the new residents.*

and seconded by Mr. Bruckner. The motion carried unanimously.

IX. Other Business

A. Planning Update

Ms. Saunders stated that the Planning Department has a new Senior Planner, Tracy Gora, who will be at future meetings.

Ms. Saunders stated that there will be no Planning Board Workshop meeting in February.

B. Other

There was no other business.

C. Elections

Mr. Bruckner nominated Mark Collopy as Chair of the Planning Board and Mr. May seconded. The Planning Board members unanimously voted Mr. Collopy as the Planning Board Chair.

Mr. Dews nominated Robert May as Vice Chair of the Planning Board and Mr. Bruckner seconded. The Planning Board members unanimously voted Mr. May as the Planning Board Vice Chair.

XII. Adjournment

A motion was made by Mr. Bruckner and seconded by Mr. May to adjourn the meeting at 7:51pm. The motion carried unanimously.

Respectfully submitted,

Jaclyn Millard,
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development

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City Clerk's Office

**Public Safety Committee
Draft Meeting Minutes
February 21, 2024
6:00 PM
Council Chambers**

Members Present

Councilor Timothy Fontneau, Chair
Councilor Bryan Karolian, Vice Chair
Councilor Chuck Creteau
Councilor Kevin Sullivan

Members Absent

Councilor David Herman

Others Present

Deputy Chief Andrew Swanberry, PD
Jarrod Norris, P.E. Assistant City Engineer
Gina Golden-Silvestro, GIS/AM Technician

Councilor Fontneau brought the meeting to order at 6:00 PM.

1. **Approve Minutes from January 17, 2024 Public Safety Meeting Councilor Creteau *MOVED to approve the minutes from January 17, 2024. Councilor Sullivan seconded the motion. MOTION CARRIED by unanimous voice vote.***

2. **Public Input**

No public present for input.

3. **Flashing Lights and Raised Table Policy Discussion, Chestnut Street-Speed Control & Rangeway Drive**

Councilor Fontneau summarized items 4, 5 & 6, these are open items kept in committee for a few months and are from the prior session. He asked if there is any new information on these items. Deputy Chief Swanberry stated he had no new information and would keep these in mind for the speed patrols moving forward. Councilor Fontneau recommended removing these three items from the agenda. He said that removing them doesn't mean that the items cannot be brought up again if a resident has an issue again. ***Councilor Creteau MOVED to remove from committee. Councilor Sullivan seconded the motion. MOTION CARRIED by unanimous voice vote.***

4. **Lowell Street- Streetlight between Westview and Royal Crest**

Councilor Fontneau summarized the issue. He asked if Deputy Chief Swanberry had anything new on this. Deputy Chief Swanberry said this was discussed and he believes that this is an eligible location. Mr. Norris stated that for the 18W fixture it is \$201 plus some additional administrative and installation costs. Councilor Fontneau said at the last meeting there was a concern with the residents in the area, with the

streetlight shining in their homes. Councilor Fontneau stated that the email said that there have been a few accidents in the area and pedestrian traffic has increased in the area. Councilor Fontneau asked does the committee want to request a streetlight installed. Councilor Sullivan said they did discuss it last month and no one showed up for or against it. Mr. Norris stated that the cost for a new light is less than \$500. Councilor Creteau said to be clear this is an existing pole that the light would be installed on this would create better light for the area. The two draw backs he sees are it would be \$500 and anyone in the general area may not like a light shining into their house. He stated the opposite of that is we have a higher level of safety due to traffic and it meets compliance. Councilor Karolian said this was an email received that does not state who requested it. Councilor Sullivan suggested keeping in committee to see if someone will come forward in in the next month on the issue. **Councilor Sullivan MOVED to keep in committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

5. Charles Street- Flashing light / Signage

Councilor Fontneau summarized the issue. Deputy Chief Swanberry said this was for the intersection of Charles Street and Knight Street it brought up at last month's meeting. Extra patrols were done in the area, ten traffic stops were made no summons were issued, three stops were for stop sign violations. Deputy Chief Swanberry stated that they hope even when they are not proactively patrolling the area that there will be a lingering effect. Councilor Creteau asked Deputy Chief Swanberry in his professional opinion does he see a need for a flashing yellow light. Deputy Chief Swanberry stated he does not have any data showing that is a particular dangerous Intersection, there are a lot of people on foot in that area and that keeps traffic slow at times. He stated that only three out of the ten stops were stop sign violations he doesn't believe the data supports it. Councilor Karolian asked if the City has a metric or a way to measure car verses cyclist and pedestrian's accidents and fatalities. Deputy Chief Swanberry stated that he has that data available, but it would take him a little time to run. He said he could do it and have that available for the next meeting. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

6. Chamberlain Street- Sidewalks

Councilor Fontneau summarized the issue. Councilor Creteau said that he took a drive over to the area between Chamberlain School down to Whitehall Road. The resident that discussed this with the Council last month said he has had at least ten incidents that have happened while walking over the last few years. Councilor Creteau said he went back over today to review the area and met a woman walking her dog, he stopped and asked the women her thoughts and she said that she has had multiple times she has had to get off because cars coming too fast. He said this area is not ideal for walking a dog or just walking yourself. Councilor Fontneau asked if Public Works has looked into this area, if it is in the ten-year plan. Mr. Norris said this is not in any plan at this time. He did look more into the cost to put a sidewalk in this area

and after factoring in curbs and drainage and other obstacles it would be around \$800,000. Mr. Norris said this is more of a rural area and could become more urban developed in the future. This is not on the plan to fund in the near future, Mr. Norris said. Councilor Fontneau said that the City is required to plow and sand during winter and this can put a pause on adding sidewalks throughout the City. **Councilor Sullivan MOVED to remove from committee. Councilor Creteau seconded the motion. MOTION CARRIED by unanimous voice vote.**

7. Meaderboro Rd/ RT202A- Intersection

Councilor Fontneau summarized the issue. Mr. Norris said DPW Director Mr. Nourse had requested \$500,000 for FY2025 budget to address the concerns at this intersection. There are three legs of this intersection that is State maintained, Public Works will work with the State. Councilor Karolian recommended to keep in committee to get updates regularly on the project. **Councilor Karolian MOVED to keep in committee. Councilor Sullivan seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

8. Traffic Circle/ Walnut St- Signage/ Speeding

Councilor Fontneau summarized the issue. Councilor Creteau said he lives at the third house and is seeing once they are off the circle they speed up and the first thing they see is a 30 mph sign. He would recommend that the sign changed to a 25 mph sign and a blind driveway sign so people understand people maybe backing out of their driveway from the apartment building, the first driveway on the right. Councilor Karolian asked if Public Works has an inventory of signs that are commonly used in the City. Mr. Norris stated there is an inventory of general signage available. With the image showing on the screen of the turn on to Walnut Street Councilor Creteau explain the concern the resident that spoke last month has. Councilor Sullivan stated he went to the area to view, and he agrees that is a tough spot for sure and would recommend taking off one section of the fence. Mr. Norris stated that after the last meeting they reviewed the location with the contractor, and they removed a panel of the fencing. Councilor Fontneau said that to change a speed limit this would need to be brought to the City Council. Councilor Karolian said that he has seen crosswalks with large wide humps, and this may be enough to get traffic to slow down, and easier than changing the speed limit. Mr. Norris stated that they did see the resident when they were out taking pictures of the fence and she was happy with the section being removed but still concerned with speeding. Councilor Creteau stated that he and his neighbors are still concerned with the vehicles coming out of the circle at an accelerated pace. His recommendation would be to decrease the speed limit to get people to slow down. Deputy Chief Swanberry stated they did do 23 direct patrols in the area and only made 5 stops and that is pretty low. He said he can get the speed trailer out there but would not be able to until spring to see what data they get. Councilor Sullivan said he would defer to the recommendation of the best approach from Public Works and/or the Police Department. Councilor Karolian requested Public Works to revisit this to see if the plow trucks cannot negotiate speed tables there. Mr. Norris stated they are working with an engineer that designed the circle and they can

reach back out to them for recommendations. Councilor Karolian said he would like to look into the requirements of changing the speed limit under the City's code and regulations. **Councilor Sullivan MOVED to keep in committee. Councilor Karolian seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

9. Portland Street/ Salmon Falls Road & Accidents Salmon Falls Road – Speed and Enforcement

Councilor Fontneau summarized the issue and asked Deputy Chief Swanberry if he had any record of the recent accidents at this location. Deputy Chief Swanberry said that he does not consider this a major issue as far as traffic control. This is a four way stop and it is very visible as you are approaching. He said he can get direct patrols in the area as well as for the next item on the agenda Salmon Falls Road. Councilor Fontneau he agrees that he thinks this is distracted driving. He said he has heard of the concern at the intersection when there are two schools getting out at the same time with the increase of traffic. Councilor Fontneau said the current posted speed limits are not consistent on Salmon Falls Road and the committee should look at that in the future. Councilor Sullivan asked about traffic backing up at the East Rochester School during drop off and pick up times. Councilor Fontneau said that during the back up cars have to go around in the left lane and at the same time there are vehicles exiting the school taking a left heading up the hill. **Councilor Sullivan MOVED to keep in committee. Councilor Karolian seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

10. Jamey Drive- Signage (Prescott Estates MHP)

Councilor Fontneau summarized the issue. Deputy Chief Swanberry stated that someone would not be following the law whether it be speed or not using their turn signal. Councilor Fontneau said maybe they could add this when patrolling. Deputy Chief Swanberry stated that this is a road they patrol frequently it is a known cut around to get around downtown. They will add this issue to the roster. Mr. Norris stated that it appears that the area has good site distance. Deputy Chief Swanberry said he does not have any data on this, but he will look into it. Mr. Norris said he would be concerned there is always a risk when putting up a sign it can obscuring from something else or deterring from other signs on the street. **Councilor Creteau MOVED to keep in committee. Councilor Karolian seconded the motion. MOTION CARRIED by unanimous voice vote. (kept in committee)**

11. Other

Councilor Fontneau asked if anyone has any other items. Deputy Chief Swanberry said that they did 16 direct extra patrols on Flat Rock Bridge Road as it was brought up last month. Councilor Creteau said a new business owner on Hanson Street said that in the first month of her being over there she has had four cars going the wrong way. Councilor Creteau is looking to get insight on why this may be happening so much in the last month. Deputy Chief Swanberry would think it is someone not familiar with town, he thinks it is properly marked. Councilor Fontneau asked if they

could get a follow up.

Councilor Karolian ADJOURNED the meeting at 7:01 PM.

The minutes were respectfully submitted by Ronda Boisvert, Administrative Assistant II

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City Clerk's Office

PWC DRAFT MINUTES

FORTHCOMING

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City Clerk's Office

Resolution Pursuant to RSA 656:40 Authorizing Use of Certain Ballot Counting Devices

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

That the Mayor and City Council of the City of Rochester hereby authorize the use of the Dominion ImageCast Precinct Tabulator and the VotingWorks VxSuite ballot counting devices for the counting of ballots in the City of Rochester.

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

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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 Authorization to use certain ballot counting devices for elections.

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	March 5, 2024	
DEPT. HEAD SIGNATURE	Kelly Walter, City Clerk	
DATE SUBMITTED	February 28, 2024	
ATTACHMENTS Yes <input type="checkbox"/> <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED No <input checked="" type="checkbox"/> Yes <input type="checkbox"/>	Not at this time

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

On September 15, 2023, the NH Ballot Law Commission certified two new electronic ballot counting devices as follows: The VotingWorks VxSuite ballot counting device and the Dominion/LHS ImageCast Precinct ballot counting device. Certification of these two ballot counting devices becomes effective as of March 1, 2024.

The current machines (Accuvote) in use in Rochester have been out of production since 2008. New parts are not available and repair and maintenance has become increasingly difficult.

In the event that a new machine is approved by the City Council, the City Clerk submitted a FY25 CIP request (\$56,000) to purchase 7 machines.

Please find more information about each machine by clicking the links below:

[LHS Imagecast Precinct](#)

[VotingWorks VxSuite](#)

Recommended Action

First reading and refer the matter to a public hearing on March 19, 2024