

**City Council Public Hearing
March 19, 2024
Council Chambers
8:50 PM**

COUNCILORS PRESENT

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

COUNCILORS ABSENT

Councilor Fontneau
Councilor Lawrence

OTHERS PRESENT

Katie Ambrose, City Manager
Terence O'Rourke, City Attorney
Donna Lane, CDBG Consultant
Chris Miller, Easterseals
Lauren Krans, Director of Recreation
And Arena
Chris Rice, resident
Chris Dooley, resident
Susan Rice, resident
Kelly Walters, City Clerk
Mac Kittredge, Ward 5 Selectman
Dennis Raymond, Ward 5 Election
volunteer
human, resident

Minutes

1. Call to Order

Mayor Callaghan called the Public Hearing to order at 8:50 PM.

Deputy City Clerk Cassie Givara had taken the roll call attendance prior to the Public Hearing, immediately preceding the workshop. All Councilors were present except for Councilors Fontneau and Lawrence, who were both excused.

2. Resolution Adopting a 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

**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.

Mayor Callaghan invited members of the public to come forward and speak about the CDBG Annual Action Plan. There were no members of the public who wished to speak.

3. Update on Easterseals Champlin Ridge Project

Mayor Callaghan opened the Easterseals public hearing with the following statement:

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. There are 60 single units and 5 double units.

Donna Lane, CDBG Consultant overseeing funding, and Chris Miller, Easterseals, gave a status update on the Champlin Ridge project. Mr. Milelr explained that the project had received their certificate of occupancy in January and as of the end of March, the units will be 100% occupied. Mr. Miller explained that these units are rented to residents who are 65 years of age or older and low income. He gave demographics

on the number of residents who presented with housing vouchers or certificates, and those who were either homeless or close to homelessness prior to residency at Champlin Ridge. He emphasized the close connection to services and resources in the community for residents through this housing development.

Mayor Callaghan asked if there were veterans living at the Champlin Ridge development. Mr. Milelr confirmed that, although he does not have the exact number, there are veterans who are residents at Champlin Ridge.

Councilor Sullivan inquired about conservation land associated with the property. Mr. Miller stated that Mrs. Champlin originally donated 150 acres to the Homemakers of Strafford County. Only 25 acres were needed for the Easterseals project. The balance of the land was sold to the Society for the Protection of NH Forests, and now sits as conservation land adjacent to the property.

Mayor Callaghan praised the quality of the project and the amenities included for residents. Mr., Miller announced that there will be a ribbon cutting at the property later in the Spring when the weather improves.

There was an informational handout on the project available in Council Chambers for attendees.

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

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.

Lauren Krans, Director of Recreation and Arena, explained the department's request for a \$250,000 supplemental appropriation to replace the 20-tier set of bleachers in the Community Center gym. There is currently funding allocated from FY24 for the replacement of the 16-tier bleachers on the opposite side of the gym; however, doing the replacement of both sets simultaneously would result in both a cost savings as well as minimizing the impact on recreation operations and schedule. Director Krans stated that the bleacher analysis report done in November of 2023 identified unsafe conditions. These bleachers are original to the 1976 building, the motors are now failing, and structural integrity is becoming increasingly more compromised. Director Krans emphasized the importance of having safe, accessible spaces in which the community can meet and the statistics behind these statements.

Councilor Karolian asked if the vendor performing this renovation is Hussey Seating. Director Krans confirmed that there had been two proposals received in response to the bid; Hussey's proposal was a comprehensive overview of the project including engineering plans, and they were awarded the bid. Lord and Co. will be doing the installation.

Councilor Sullivan referenced the 40-years in which the original set of bleachers had been in use and inquired what the life expectancy was for the new set. Director Krans stated she would confirm the number with Hussey but presumes the lifespan will be at least an additional 40 years. Councilor Karolian reported that he had a close connection at Hussey Plastics and that, if cared for appropriately, these bleachers could last for 50-75 years.

Mayor Callaghan asked for clarification on the bleacher project which had already been approved. Director Krans stated that there was \$237,500 approved in FY24 for the 16-tier bleachers. A higher allocation is being requested for this project due to the larger size of the bleachers as well as the several unknowns, such as electrical the potential work needed due to the condition of the flooring underneath the bleachers.

Director Krans spoke about the features which would be built into the new set of bleachers to ensure ADA compliance and accessibility, such as designated pathways, railings, and build outs for wheelchair seating.

Chris Rice, resident, questions why this project was being requested as a supplemental appropriation instead of being included in the upcoming budget. Mr. Rice suggested that a stipulation be included that any unused funding be returned to the unassigned fund balance.

Chris Dooley, resident, spoke in support of the bleacher project and the benefits the department of Recreation and Arena contributes to the City and its residents.

Susan Rice, resident, recalled that originally the 16-tier bleachers were scheduled for replacement in summer 2024; she asked if the funding could be rolled over into the next fiscal year and the current proposal could be included in the FY25 budget. Once the budget is passed, both bleachers could be completed at the same time.

Director Krans addressed the amount of funding being requested. She stated that along with the unknown totals for wiring and flooring, there are a multitude of additional components and accessories that could be added to the bleachers. The total requested would cover some of these options if desired, without the department needing to return for an additional supplemental appropriation request.

Director Krans stated that originally the City had planned on this bleacher project being completed in Summer 2024; however the vendor's schedule is booked out and it is more likely that the project will begin in September. She clarified that a deposit would be made in advance.

Councilor Sullivan asked if there would be an increase in costs if this project were delayed. Director Krans stated that there would be an increase of 10-20% in product alone, and likely additional increases for cost of labor. Ms. Krans explained that the bleachers are inspected on an annual basis and it has been the recommendation for several years to replace these structures.

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

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.

Kelly Walters, City Clerk, explained that there have been two vendors conditionally approved by the State of NH to supply NH Communities with ballot counting devices as replacements for the current Accuvote machines. These Accuvote systems have been out of production for many years, and it is becoming increasingly difficult to service and maintain these machines.

There are additional conditions which need to be met by both vendors by December 31, 2026. Due to these pending conditions, the machines must be sold with performance bonds guaranteeing that these devices will be upgraded when these standards can be met. If the conditions are not met, the vendor will issue a refund or replacement at their cost.

City Clerk Walters gave a brief overview of both conditionally approved machines; the ImageCast Precinct from LHS is a more updated version of the Accuvotes being used currently. The process of programming the memory cards for each election will be done through the vendor. The VxSuite by Voting Works uses open-source technology and the City will be able to program elections themselves, and purchase supplies from sources other than the vendor if desired. Voting Works has currently met all the required conditions set by the State, while LHS has not met all conditions.

Clerk Walters clarified that the State is requiring that any machines scheduled to be used in the November General election, must be first used at the September primary election. Due to the tight

timeline, she suggested that at the April meeting, City Council approve both devices and a final decision can be made by May.

Councilor Walker spoke about the current process, through LHS, of removing memory cards and sending them out to the vendor to be coded for upcoming elections. He spoke in favor of the open-source system used by Voting Works and the control it allows the City.

Councilor Hamann asked if the programming of the memory cards would be done in house if the City chooses Voting Works as a vendor. Clerk Walters confirmed that this programming could be done in house and stated that IT staff would assist in this process if and when the City chooses this option. Councilor Hamann stated that he would prefer the Voting Works system which would allow the City control over this programming portion. Councilor Walker stated that the documentation supplied by Voting Works indicates that they will send a team to train and assist communities who purchase their machines.

Councilor Hamann asked if Ms. Walters knew of any municipalities that have trialed the LHS machine. She stated that there have been no communities in NH that have used the new LHS model machine because it has not yet met the conditions required by the State. She did clarify that this LHS model is used regularly in other states.

Councilor de Geofroy asked for clarification on the term "open source" and what this means in the context of ballot counting machines. Andy Watkins, CIO, explained that the code is available for anyone to view, including the public. He explained that Voting Works is a non-profit and is fully transparent with their process, including any fixes or changes to the code. Clerk Walters outlined the multiple redundant security features on the VxSuite machine, such as safety seals on all ports.

Mayor Callaghan asked if the programming for the VxSuite machines used in Loudon, referenced by Ms. Walters earlier, had been done in house. She stated that Loudon had received assistance from Voting Works for their recent election, however they did not have any concerns with self-programming moving forward.

Councilor Creteau inquired if there would be adequate training for City staff to be able to handle the programming aspect in-house and if it would be an additional strain on the IT department. Ms. Walters stated that there would be training through the vendor for City Clerk staff, who would be the individuals doing this programming, with assistance from City IT, as needed. She stated that communities which have used this

machine have reported that it is very user friendly.

Councilor Hamann asked if the printing of ballots would still be sent out to the State. Clerk Walters explained that, due to the large volume needed, these print jobs would still be outsourced.

Mac Kittredge, resident and Ward 5 election selectman, spoke about his background in technology and programming in the military. He praised the 8.5 x 11 election results print out allowed by the Voting Works machine and spoke in favor if the open-source code and the security and transparency this offers.

Dennis Raymond, Ward 5 Election official, spoke in favor of the modern functionality and aesthetics of the Voting Works machine as well as the benefit of the 8.5 x 11 results print out.

Chris Rice, Ward 5 resident, clarified the use of the term "open-source" and specified that although this source code is publicly viewable, it is protected and cannot be manipulated by members of the public. He spoke in support of the functionality of the Voting Works device.

human, resident, asserted that there was not a difficult decision to be made due to the certification which had been reached by Voting Works, but not yet completed by LHS. He gave additional reasons why Voting Works would be a good choice.

6. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Public Hearing at 9:29 PM

Respectfully submitted,

Cassie Givara
Deputy City Clerk