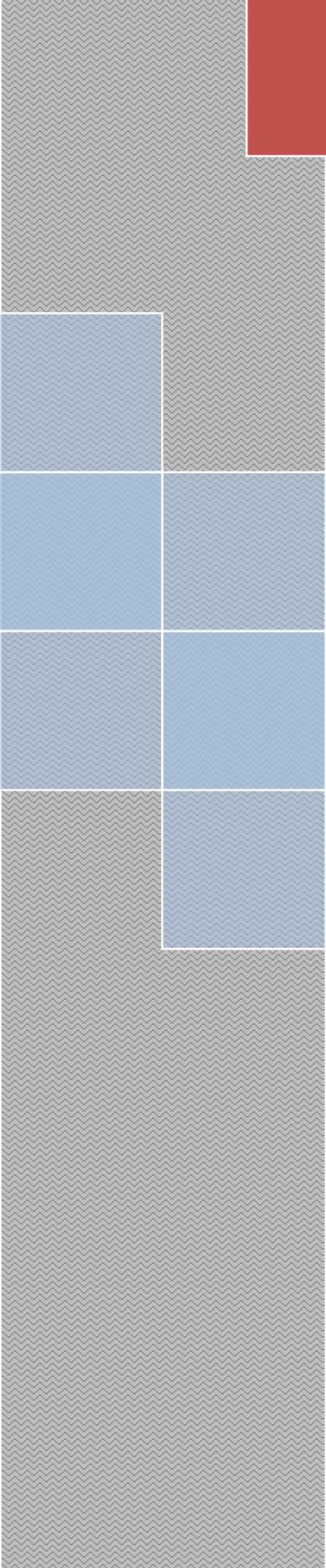




**Regular City Council Meeting
November 4, 2015
Council Chambers
7:00 PM**

Agenda

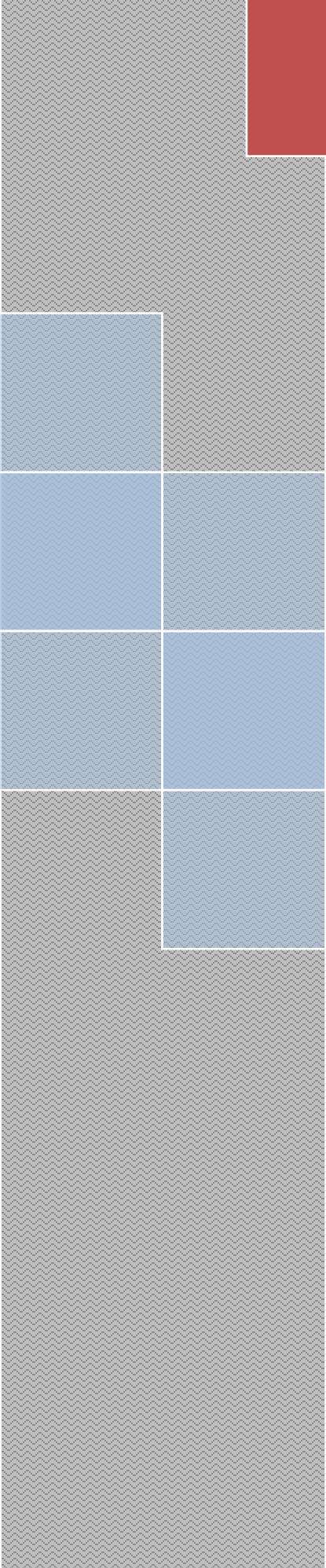
1. Call to Order
2. Pledge of Allegiance
 - 2.1. **Presentation of the Colors:** American Legion Roland E. Patnode Jr. Post 7 *New Hampshire State Champions Honor Guard*
3. Opening Prayer
 - 3.1. **Opening Prayer:** American Legion Chaplain
 - 3.2. **Proclamation:** Veterans Day P. 7
4. Roll Call
5. Acceptance of Minutes
 - 5.1. [October 6, 2015, Regular City Council Meeting](#)
6. Communications from the City Manager
 - 6.1. Employee of the Month Award P. 11
 - 6.2. City Manager's Report P. 9
7. Communications from the Mayor
 - 7.1. **Announcement:** 7th Annual Rochester Middle School/Veterans Day Celebration to be held on November 10, 2015 [1:30 PM – 2:30 PM]
8. Presentations of Petitions and Council Correspondence
 - 8.1. **Correspondence:** Meeting Minutes of the Tri-City Coalition P. 37



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9. Nominations, Appointments, Resignations, and Elections
10. Reports of Committees: P. 39
 - 10.1. Codes and Ordinances P. 41
 - 10.2. Community Development P. 55
 - 10.3. Finance Committee Meeting P. 59
 - 10.4. Joint Building Committee P. 67
 - 10.5. Public Works Committee P. 71
11. Old Business
12. Consent Calendar
13. New Business
 - 13.1. **AB 54** Resolution Accepting JAG Grant in the Amount of \$20,264 Managed Through the City of Somersworth – **First Reading, Second Reading and Adoption** P. 75
 - 13.2. **AB 56** Amendments to Chapter 3 and Chapter 21 of the General Ordinances of the City of Rochester Regarding the Recreation and Arena Commission – **First Reading and Adoption** P. 81
 - 13.3. **AB 59** Henderson and City Concrete Wetlands Mitigation P. 93
 - 13.3.1. **AB 59-a** Resolution Authorizing City Manager to Negotiate and Enter into Agreement(s) with Southeast Land Trust of New Hampshire with Regard to Conservation/Mitigation Issues Related to the So-Called Henderson Property **First Reading, Second Reading and Adoption** P. 89



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13.3.2. **AB 59-b** Resolution Authorizing City Manager to Negotiate and Enter into Agreement(s) with State of New Hampshire, NH Department of Transportation, with Regard to Conservation/Mitigation Issues Related to the So-Called City Concrete Property and Providing for the Transfer of Such Property to the City of Rochester **First Reading, Second Reading and Adoption**
P. 91

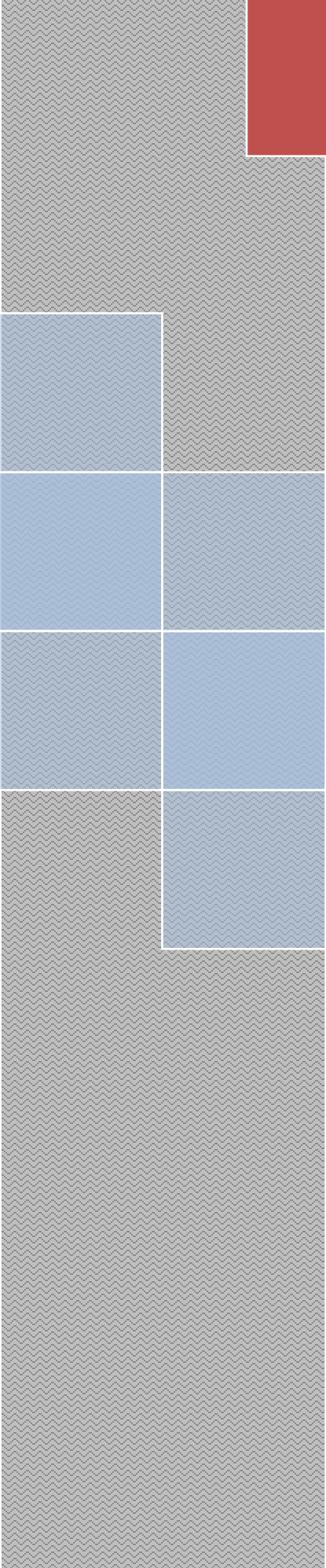
13.4. **AB 58** Acceptance of the November 3, 2015, Election Vote Returns as Presented by the City Clerk *[Vote Returns will be distributed prior to the November 4, 2015, Regular City Council Meeting]* and the Announcement of the Municipal Election Recount Period - **Move to Accept the 2015 Municipal Election Vote Returns and Confirm the Beginning of the Recount Period** P. 95

14. Non-Meeting

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

15. Other

16. Adjournment



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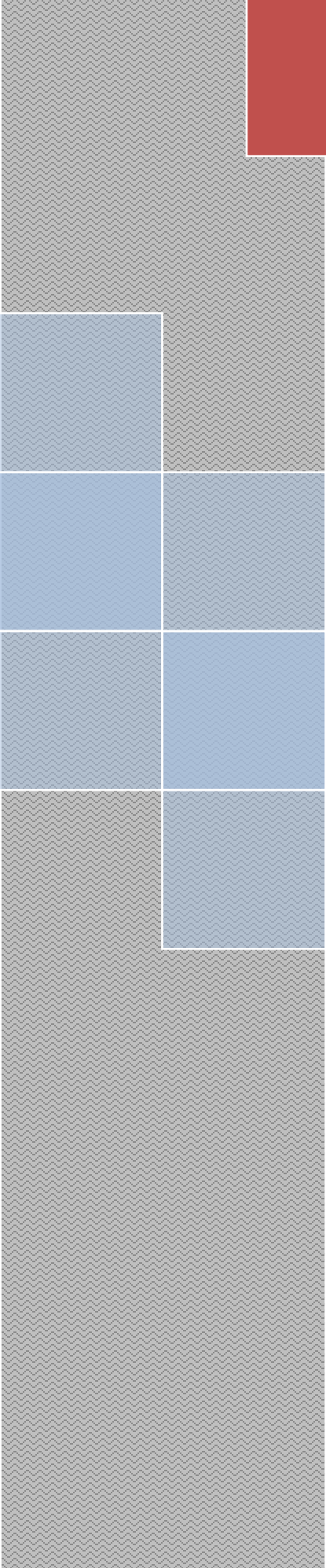


PROCLAMATION

- WHEREAS,** Every year on November 11th, communities across this Nation join to observe Veterans' Day in remembrance of the brave men and women who selflessly served in America's armed forces, defending our freedom, security and democracy; and
- WHEREAS,** They are the most noble of citizens who made great sacrifices for the cause of peace, and they deserve and will always have the respect and appreciation of all citizens; and
- WHEREAS,** On Veterans' Day we pause to commemorate the contributions of all who have served in various branches of our military, those who have passed away; and those still with us, as their families do each day; and
- WHEREAS,** America has been blessed with an abundance of such men and women who nobly battled tyranny and oppression in two World Wars, and those who fought in Korea, Vietnam, and the Middle East, and
- WHEREAS,** Today our men and women in uniform are again at war, fighting terrorism and standing vigilantly in defense of America and our cherished way of life; and
- NOW, THEREFORE,** I, Thomas J. Jean, Mayor of the City of Rochester, NH do hereby proclaim November 11, 2015 as Veteran's Day and salute our Veterans for stepping into harm's way to protect our freedom.

IN WITNESS WHEREOF, I have set my Hand and caused the Seal of the City of Rochester to be affixed this 4th day of November in the year of our Lord, Two Thousand and Fifteen.

Mayor Thomas J. Jean



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City of Rochester, New Hampshire

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

CITY MANAGER'S REPORT October 6, 2015

The Employee of the Month is: Peggy Trout, Library **P. 11**

For your information, please see the enclosed Management Team Meeting minutes:

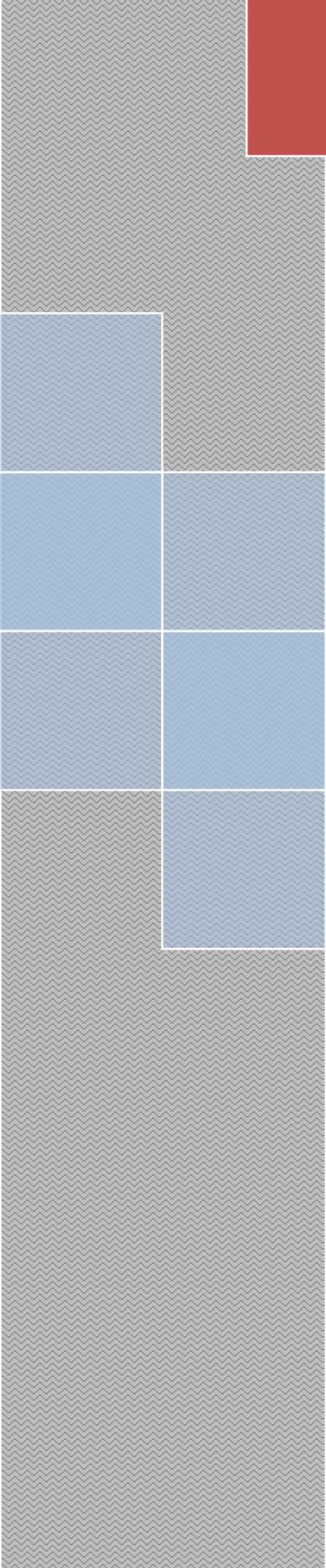
- September 21, 2015 **P. 15**
- October 5, 2015 **P. 18**
- October 19, 2015 **P. 22**

Contracts and documents executed since last month:

- Department of Public Works **P. 25**
 - Adopt-a-Spot Certificates **P. 25**
 - Bid Award Recommendation – Pavement and Highway Improvement Project **P. 26**
 - City Hall Annex – Oak Point Associates Contract **P. 27**
 - Granite Ridge Development District Infrastructure Improvements – Change Order 2 **P. 28**
 - Pavement and Highway Improvement Project – Construction Contract **P. 29**
 - Rochester Reservoir West End Dam Spillway Modifications – Construction Contract **P. 30**
 - Route 125 Pedestrian Bridge – Notice to Proceed **P. 31**
 - Water Treatment Plant Upgrade – Engineering Amendment 1 **P. 32**
- Finance Department
 - Formax Contract – Inserter/Folder Machine **P. 33**

The following standard reports have been enclosed:

- City Council Request & Inquiry Report **P. 34**
- Permission & Permits Issued **P. 35**
- Personnel Action Report Summary **P. 36**



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Employee of the Month Committee:

I would like to nominate Peggy Trout, Circulation Desk Supervisor at the Rochester Public Library, for Employee of the Month. There are many reasons why she is worthy of this nomination, and here are just a few...

1. After noticing that the garden areas on the ground level entrance were in need of some caretaking last summer, she took it on as a personal project. She not only planted a majority of the plants herself, but also took on daily maintenance and watering of the area (often on her own time), resulting in a beautiful flower garden for everyone to enjoy. Our library patrons spent time in the patio area outside the Children's Room, looking at the flowers and taking pictures.
2. This spring, after being notified that the long-time volunteer who maintained the planting areas at the front entrance would no longer be able to do this job, Peggy once again stepped up and provided the majority of the plants, which she maintained throughout the summer. A picture of this area is enclosed. Once again, she took something that needed some love and made it beautiful! Now it is appealing and no longer full of trash and cigarette butts, and everyone who uses the entrance is able to enjoy her hard work.
3. As a supervisor, Peggy goes above and beyond for her employees every day. She is always ready to celebrate graduations, birthdays, new babies, and last days of work with treats and a card. She makes everyone feel welcome, and an important part of the team. She encourages us to keep learning, and keep ourselves up to date with popular culture and technological improvements.
4. As a city employee, Peggy is a stellar example of the type of person who should be nominated as an Employee of the Month. She works hard to develop working relationships with difficult library patrons, and she is always willing to take time to show someone how to manage technology. She keeps herself up to date with what's new and popular so when someone comes in with a new type of e-reader or device, she is able to quickly and competently show them how to load free ebooks or audio books. Patrons seek her out for recommendations of books and audios, knowing that she is a voracious reader who always has something new to suggest.
5. I could continue...but I think anyone can see that Peggy Trout is a terrific asset to our Library and our City. I hope you will consider her for this honor.

Katherine Parker-Wright
Library Assistant



I would like to nominate Peggy Trout for the Rochester Employee of the Month. She is very deserving of this honor as she is such an incredible asset to the City for her work as Supervisor of the Adult Circulation Department on the Main Floor of the Rochester Public Library. I have had the pleasure of working at the Library for just over three years and have been very impressed with Peggy's ability to deal with all the workings of the library and our wide variety of Patrons and their needs. She is compassionate and helpful with those Patrons who need a friendly ear and is strict when called for when having to deal with Patrons who are problems for the staff and other patrons. As an employee, I consider myself to be very lucky to have such a supportive and knowledgeable supervisor. Having worked in the library field for almost 14 years I can honestly say that it makes me appreciate her skills even more.

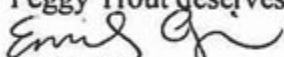
Signed

A handwritten signature in blue ink that reads "Stephanie Piro Nolan". The signature is written in a cursive, flowing style.

Stephanie Piro Nolan

September 24, 2015

Peggy Trout is an invaluable member of the Rochester Public Library. She is always ready to step into any situation to help figure out a problem or assist her co-workers and patrons. She is also constantly looking for ways to improve library services and encourages her team to do the same. For example, recently she was instrumental in securing a new service for library patrons called Freegal - a music and movie service. When we were concerned that word about the new service wasn't getting to our patrons she urged everyone at the circulation desk to think of new ways to let our patrons know about it, then came up with the winning idea herself when she suggested using one of the library's tablets to play one of the available streaming movies at the circulation desk. Now anyone approaching the desk is drawn to ask about it, and 10 minutes after implementing her idea 5 new patrons knew about the service. She is always willing to listen to staff concerns and ideas, and is a strong example of what a librarian should be with patrons, being professional, kind, and helpful at all times. For all of these reasons and more, Peggy Trout deserves to be named Employee of the Month.


Emily Giguere

Assistant Librarian
Rochester Public Library





MANAGEMENT TEAM MEETING
September 21, 2015
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Michael Allen, Police Chief
Brian Sylvester, Library Director
John Storer, Director of City Services
Norm Sanborn, Fire Chief

Jim Campbell, Planning Director
Jim Grant, Director BZLS
Terence O'Rourke, City Attorney
Karen Pollard, Economic Develop. Mgr
Chris Bowlen, Director of Recreation
Samantha Rodgerson, Executive Assistant

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:06 A.M.

1. Management Team Minutes – September 14, 2015

Minutes were approved by general consensus.

2. City Council Inquiry Report

Director Storer advised that Mike Bezanson is working with the consultant on the items pertaining to Ch. 50 that need clarification and revision.

3. City Calendar for Week

Reviewed upcoming meetings and topics for the week.

4. Right to Know Requests

All requests are up to date and there were no new requests.

5. PPM Review – Password Policy

City Manager Fitzpatrick suggested that staff look it over and get any comments or changes to Ms. Rodgerson.

6. Other

City Manager Fitzpatrick

- Discussed the recent article that Rochester is being looked at for a casino. Ms. Pollard mentioned that this is something that has been discussed and explored for many years by casino groups. They are looking at various sites, however until the State legislature approves casinos, nothing will happen.
- Discussed an email he received from a resident about crosswalk concerns along North Main Street and at Strafford Square. Director Storer will respond to the resident.

- Advised that he (and Deputy City Manager Cox) would be attending the 10/30/15 ICMA conference and that Chief Allen would be standing in for them.
- Advised that the newest publication from Seacoast Media Group, The Rochester Radar, is out.

Director Sylvester

- Advised that the Trustees are looking into a policy reporting to child protective services with DHHS.
- Advised that they will be drafting letter to Director Storer in regards to the grounds keeping over the summer.

Director Storer

- Introduced Mike Riley, the new Public Buildings & Grounds Supervisor.
- Advised that Mr. Riley would be meeting with Recreation and the School Department to go over and verify the responsibilities of staff.
- Advised that they did a walk-through at the Library for the HVAC.
- Advised that the JLMC has some minor concerns at the PD and that they would be looking into to address, specifically the issue with lead in the firing range and Honeywell maintenance.
- Advised that they would be working with the Fire Department on Strafford Square design concerns for emergency vehicles to maneuver.
- Advised that they will be in discussion with the State about possible fuel service at the new facility to use as a backup or auxiliary fill up location.
- Advised that he would be participating in a conference call regarding the storm water discharge and come up with a strategy to address forthcoming guidelines.
- Advised that they had made a verbal offer for the new Assistant City Engineer.

Chief Allen

- Advised that they had a busy weekend and had a couple of fights at the Fair.
- Advised that the press release about officers now certified to carry and administer Narcan went out.
- Advised that the new dispatcher, Nicole Knox, would be starting on October 5th.
- Advised that they would be interviewing 2 officers for the Community Engagement Officer position.
- Advised that the Trump event went well and had over 3,000 attend.
- Advised that National Drug Take Back Day is Saturday, September 26th.

Deputy City Manager Cox

- Advised that they had 2 upcoming ratings calls to participate in for the upcoming bond issuance next month.
- Advised that have narrowed down to one finalist for the Accountant position and would be conducting an additional interview on Thursday.
- Advised that they are working on tax deeding of properties concern in the Saks Mobile Home Park.

Chief Sanborn

- Advised that they were busy with the Trump event and the Fair.
 - Conducted several inspections on equipment at the Fair
 - Provided both medical and fire support at the Fair
 - Had some minor incidents at the demolition derby at the Fair
- Advised that they assisted with a fire in Lebanon, ME.

Director Campbell

- Advised that staff is working on the following:
 - Working with Waterstone to get Phase II approved.
 - Highfields Common – approved Phase IIC.
- Advised that there was a Planning Board Workshop tonight.
- Some items that would be discussed are:
 - Presentation on workforce housing
 - Quantum Properties - Rochester Hill Road project – extension

Director Bowlen

- Advised that the Recreation and Arena Commissions would both be meeting tonight. They will discuss combining into one commission.
- Discussed the Trump event and how staff handled calls afterwards.

Manager Pollard

- Advised that the REDC discussed industrial space & land and mapping out what is available.
- Advised that Jennifer Murphy-Aubin is attending training this week in CT.
- Advised that they are prepping for the 3rd Business Start-up Competition.
- Advised that the Manufacturer's Exchange would be coming up in October.

Attorney O'Rourke

- Advised that the City closed on the purchase of 0 Dry Hill Road.
- Advised that the compliance trial for the Midas sign is scheduled for Friday.
- Advised that the Compliance Task Force would be meeting on Tuesday to discuss their next steps.

Director Grant

- Advised that he would be attending ADA training in Durham on Wednesday.
- Advised that he would be attending the Emergency Operations Center training on Friday.

The Management Team meeting adjourned at 9:55 AM.

Respectfully submitted,

Samantha Rodgers
Executive Assistant



City of Rochester
OFFICE OF THE CITY MANAGER
MANAGEMENT TEAM
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167
www.RochesterNH.net

10/30/15

MANAGEMENT TEAM MEETING
October 5, 2015
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Michael Allen, Police Chief
Brian Sylvester, Library Director
John Storer, Director of City Services
Norm Sanborn, Fire Chief

Seth Creighton, Chief Planner
Jim Grant, Director BZLS
Terence O'Rourke, City Attorney
Jenn Marsh, Economic Develop. Specialist
Chris Bowlen, Director of Recreation
Samantha Rodgers, Executive Assistant

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:05 A.M.

1. Management Team Minutes – September 21, 2015

Minutes were approved by general consensus.

2. City Council Inquiry Report

Item 1 was addressed at the committee meeting and is now closed. Item 3 is on the Finance Committee agenda to discuss and is now closed.

3. City Calendar for Week

Reviewed upcoming meetings and topics for the week.

4. Right to Know Requests

All requests are up to date.

5. Other

Director Sylvester

- Advised that the Trustees had written a letter to Director Storer in regards to the maintenance and care of the facility and are now pleased with the work that staff has done since Mike Riley came on board.
- Advised that he is coordinating fire extinguisher training with DPW and the Fire Dept.

- Advised they had interviewed the finalist for the accountant position and made an offer, however she turned it down.
- Advised that they received the rating from Moody's, AA3, and S & P, AA stable.
- Advised that MIS has made some changes to the draft Password Policy. It will be sent to the next Department Head meeting for review.
- Discussed some of the vendors at the Seattle conference.

Executive Assistant Rodgersen

- Advised that her office received a draft of a Memorandum of Agreement to "right" the Rochester and Somersworth boundary marker located on Route 108. She suggested that Attorney O'Rourke review it prior to Rochester signing off on it.

Economic Development Specialist Marsh

- Advised that the Farmer's Market has received permissions and will be at Rochester Common beginning in June on Tuesdays from 4pm – 7pm.
- Advised that they have been working with a JOB Loan applicant and would have the completed application shortly.

Chief Allen

- Advised that they collected 9 boxes at the drug take back day.
- Advised that the Family Justice Center received a grant that will cover costs for approximately the next 3 years.
- Advised that the vendor would be at the next Codes & Ordinances committee to discuss the software program.
- Advised that he would be attending a County Commission delegation to discuss the heroin epidemic.
- Advised that he would be attending a press conference at Frisbie Hospital to discuss a new initiative to issue a blanket Narcan prescription available for the public.
- Advised that they had a canine officer called in to track for a burglary over the weekend.
- Advised that they would be presenting Life Saving Awards at the commission meeting on Wednesday.
- Advised that they would be conducting interviews on Thursday for officer candidates.

Chief Sanborn

- Advised that they responded to a fire caused by a dryer on Chestnut Hill Road.
- Advised that they would be reviewing the draft COOP (Continuity of Operations Plan) report.
- Advised that they completed the final piece of the EOC (Emergency Operations Center) project.
- Advised that this week in Fire Prevention Week and that they would be busy with school tours and open house.
- Advised that the rescue truck is out for frame repairs and they have an agreement with Milton for use of one of their rescue trucks for the duration of the repair work.

Director Bowlen

- Advised that they had the first Teen Night of the new school year and had 100 attendees.
- Advised that he met with the Codes & Ordinances Committee last week to discuss combining the Arena and Recreation Commissions into one committee.
- Advised that they have an agreement to rent a 15-person van from the Rochester Housing Authority and was able to take the seniors to the Deerfield Fair.

Attorney O'Rourke

- Advised that they would be closing on the Salmon Falls Road easement.
- Advised that he would be in court tomorrow for the Midas sign case.
- Advised that he would be in Supreme Court on Thursday for the Gantert case.
- Updated on the Blaisdell case.

Director Storer

- Advised that his department will be providing some materials for the Foley run on October 17th.
- Looked for clarification on the GSBP (Granite State Business Park) lighting and sidewalk budget.
- Advised that the Assistant Engineer would be starting next Tuesday, October 13th.
- Sought advice for disposal of city property.
- Advised that Mike Riley has been working hard and will be focusing on the appearance of City buildings and grounds.
- Advised that they will be out with the street sweeper in downtown.
- Advised that the pavement bids were opened.
- Advised that they are seeking property access to fix a water-line leak at Round Pond.

Director Grant

- Advised that Compliance Officer Perkins would be in court for some upcoming cases.
- Advised that they are addressing a concern with a home occupation that has increased an outdoor display.
- Advised that the department would be attending a preconstruction meeting for the home for the elderly.

Chief Planner Creighton

- Advised that there is a Planning Board meeting tonight.
- Advised that they have a minor site review for a home occupation.
- Advised that staff attended the Northern New England Chapter of the American Planning Association conference last week and attended several informative sessions.

City Manager Fitzpatrick

- Advised that Economic Development and Public Works were to be working on the details (legal and physical) of the Developers Agreement for Phase II of the Waterstone project.

- Advised that he came up with the idea of issuing a citation in addition to the citation pen as additional recognition.
- Advised that he would be recognizing the 5 employees that just graduated from the 2-year Leadership Institute program at the City Council meeting.
 - Michael Bezanson, DPW
 - Gary Boudreau, Police
 - Jennifer Murphy-Aubin, Economic Development
 - Samantha Rodgers, City Manager's office
 - Kelly Walters, City Clerk

The Management Team meeting adjourned at 10:04 AM.

Respectfully submitted,

Samantha Rodgers
Executive Assistant



City of Rochester
OFFICE OF THE CITY MANAGER
MANAGEMENT TEAM
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167
www.RochesterNH.net

10/30/15

MANAGEMENT TEAM MEETING
October 19, 2015
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Michael Allen, Police Chief
Brian Sylvester, Library Director
Lauren Colanto, Asst. Director of Recreation
Norm Sanborn, Fire Chief
Samantha Rodgerson, Executive Assistant

Seth Creighton, Chief Planner
Jim Grant, Director BZLS
Terence O'Rourke, City Attorney
Karen Pollard, Economic Develop Mgr.

EXCUSED:

John Storer, Director of City Services

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:07 A.M.

1. Management Team Minutes – October 5, 2015

Minutes were approved by general consensus.

2. City Council Inquiry Report

Item 4 was addressed at the Finance committee meeting and is now closed.

3. City Calendar for Week

Reviewed upcoming meetings and topics for the week.

4. Right to Know Requests

All requests are up to date.

5. Other

Director Sylvester

- Advised that they held a craft fair sponsored by the Friends of the Library on Saturday that went well.
- Trustees will be meeting tomorrow night and will discuss some of the concerns they had had with maintenance over the summer.
- Advised that there is a part-time staffer that has put in their notice that they are leaving for a full-time position at another library.

- Advised that they are almost complete with the “Neutral Zone” at the Arena at 10/30/15 a warming area with wi-fi for parents, etc.
- Advised that they will hold a Halloween party on Saturday from 12-2pm.
- Advised that ice skating started up for the season.

Manager Pollard

- Advised that their department is working with the developer on Phase II at Granite Ridge.
- Advised that construction is moving quickly on Route 11.
- Advised that they canceled this quarter of the Manufacturing Exchange.
- Advised that the Business Start-up competition is coming up in a couple of weeks. They have over 20 applicants.

Chief Allen

- Advised that they responded to a death of a 17 year-old female at the Riviera Motel over the weekend. They are still waiting to confirm the cause of death.
- Advised that they are starting background checks on 2 police officer candidates.
- Advised that they are completing the background check for a dispatcher candidate.
- Advised that the vendor will be meeting at 5pm tomorrow with pawnshop owners to discuss the software program and answer questions.
- Advised that the specs for the new police cruiser has been put out to bid.
- Advised that he attended a meeting with the Police Standards and Training last week. Informed that they are potentially facing some serious budget constraints and concerns that are in relation to legislative changes.

Chief Sanborn

- Advised that they responded to the Riviera Motel on Saturday as well.
- Advised that they provided mutual aid to a restaurant fire in Northwood.
- Advised that Fire Prevention Week was successful and that they will be finishing up some tours this week.
- Advised that the Rescue truck body was removed from the frame and the frame was sent to Manchester for repair.
- Advised that the tablets were installed in 5 of the vehicles.

Deputy City Manager Cox

- Advised that he saw the setup at the EOC (Emergency Operations Center) and that it was impressive.
- Advised that they issues bonds for the TIF (1.8%), Refunding (1.8%) and East Rochester School project (2%).
- Advised that they received \$1 million in cash upfront from the refunding.
- Advised that they have started with the collective bargaining for 4 groups.
 - Teamsters
 - RMEA
 - Police
 - Dispatch

Chief Planner Creighton

- Advised that there is a PB work session tonight.

- Advised that they are busy with people wanting to get projects started before winter as well as those trying to get their projects wrapped up before winter.
- Advised that they may have 3 developers looking for street acceptance shortly.
- Advised that he and Planner Mears attended a law lecture series last week.

Attorney O'Rourke

- Advised that he and his staff attended the annual municipal law series last Friday and gave a brief on the topics discussed.
- Advised that the party placing illegal signs did not show for their arraignment.
- Advised that he will be on vacation next week.

Director Grant

- Advised that the bid for the small truck will go out today.
- Advised that he will be attending the NHMA conference on Wednesday.
- Advised that he will be out on Thursday and Friday.

The Management Team meeting adjourned at 9:42 AM.

Respectfully submitted,

Samantha Rodgers
Executive Assistant



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

CITY OF
Received
SEP 30 2015
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Samantha Rodgers, City Manager's Office

FROM: Lisa J. Clark, DPW Office Manager

DATE: September 30, 2015

SUBJECT: Adopt A Spot Certificates of Appreciation

We're at the end of another season for the Adopt a Spot program. Each year we like to say thank you to all our Adopters and Volunteers for their time, energy and commitment to the program by presenting them with a Certificate of Appreciation signed by the Mayor and City Manager.

Could you have the certificates signed by the City Manager and the Mayor and then forward them back to Public Works so we can prepare for the City Council Workshop on October 20, 2015.

Thank you Samantha, should you have any questions or need additional information, please give me a call.



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

CITY OF
Received

SEP 2 2015

City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine Cox, Deputy City Manager/Finance Director

FROM: John Storer, PE, Director of City Services

DATE: September 30, 2015

SUBJECT: Recommendation to Award Bid #16-13 2016 Pavement & Highway Improvement Project

CC: Michael Bezanson, PE, City Engineer

Based on review of the bids received for the above referenced project, we are recommending Award of Bid #16-13 to Pike Industries. Enclosed please find one (1) original Notice to Award for signature.

The total award is for \$849,000.00. The funds are available in the Public Works CIP account line 15013010-771000-16528.

If you have any questions, please let me know. If not, please sign below and pass on to the City Manager for signature. The signed original Notice to Award document should be returned to DPW for distribution.

Signature

Blaine Cox

10/30/15



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

RECEIVED

OCT 21 2015

FINANCE OFFICE
CITY OF ROCHESTER
Received

OCT 22 2015

City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine Cox, Deputy City Manager/Finance Director
FROM: Lisa J. Clark, DPW Office Manager
DATE: September 17, 2015
SUBJECT: City Hall Annex
Oak Point Associates Contract
CC: John B. Storer, PE Director of City Services

Enclosed please find two (2) copies of the Oak Point Associates Contract for the amount of \$385,000. Oak Point Associates were selected for this project with RFQ 14-31 and there is sufficient funding appropriated for this contract in account 15013010-772000-16555.

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

Signature

Blaine M. Cox, Deputy City Manager

10/30/15



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

CITY OF
Received
OCT 7 2015
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager/Director of Finance & Administration
Terence O'Rourke, City Attorney

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

DATE: October 2, 2015

SUBJECT: Granite Ridge Development District Infrastructure Improvements -
Change Order No. 2

CC: John Storer, PE, Director of City Services

Attached is one (1) original of Change Order No. 2 for the Granite Ridge Development District Infrastructure Improvements project. This change order document shows an increase in contract price of \$37,175.96. There is sufficient funding available for this change in the current project budget (Account # 61083010-771000-15553).

Legal Review

Terence O'Rourke

Terence O'Rourke
City Attorney

10/5/15

Date

Financial Review

Blaine Cox

Blaine Cox
Deputy City Manager/Director of Finance & Administration

10-6-2015

Date

Please contact me with any questions. If approved, please have the City Manager sign the document and return the signed document to me at Public Works.

Thank you.



City of Rochester, New Hampshire

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CITY OF
Received
OCT 22 2015
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Daniel Fitzpatrick, City Manager
FROM: Michael S. Bezanson, PE, City Engineer *MSB*
DATE: October 21, 2015
SUBJECT: 2016 Pavement & Highway Improvement Project - Construction Contract
CC: John Storer, PE, Director of City Services

Enclosed, please find four (4) copies of the contract for the 2016 Pavement & Highway Improvement Project, which includes the Agreement between Pike Industries, Inc. and the City of Rochester, the Notice To Proceed, and applicable copies of bonds. This project was publicly bid and awarded to Pike Industries, Inc. on October 2, 2015.

Please sign all four (4) copies of the Agreement and the Notice To Proceed, and return the entire package to me for processing.

Please call me with any questions. Thank you.



City of Rochester, New Hampshire

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CITY OF
Rochester
Received
OCT 21 2015
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Daniel Fitzpatrick, City Manager
FROM: Michael S. Bezanson, PE, City Engineer *[Signature]*
DATE: October 20, 2015
SUBJECT: Rochester Reservoir West End Dam Spillway Modifications - Construction Contract
CC: John Storer, PE, Director of City Services

Enclosed, please find five (5) copies of the contract for the construction of the Rochester Reservoir West End Dam Spillway Modifications project, which includes the Agreement between William P. Davis Excavation, LLC and the City of Rochester, the Notice To Proceed, and applicable copies of bonds. This project was publicly bid and awarded to William P. Davis Excavation, LLC on September 3, 2015.

Please sign all five (5) copies of the Agreement and the Notice To Proceed, and return the entire package to me for processing.

Please call me with any questions. Thank you.



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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Fax (603) 335-4352

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INTEROFFICE MEMORANDUM

TO: Dan Fitzpatrick, City Manager
FROM: John B. Storer, Director of City Services
DATE: October 22, 2015
SUBJECT: Rt 125 Pedestrian Bridge
 E.D. Swett Construction – Notice to Proceed

CITY OF
 Received
 OCT 22 2015
 City Manager
 ROCHESTER

Attached for your approval and signature are (2) copies of the Notice to Proceed for the Contractor performing our Route 125 Pedestrian Bridge Replacement. A Purchase Order was issued several weeks ago to release the new replacement bridge for fabrication. We are now getting closer to demolition of the old bridge and will be executing a contract with E.D. Swett. Eversource just completed relocation of the overhead utility lines yesterday. That work was necessary in order to accommodate the mobilization of a crane to remove the old bridge. Demolition work is scheduled on the bridge abutments beginning the week of November 2. Removal of the old bridge will likely occur in November.

If you have any questions please let me know, if not, please sign and return to the DPW for distribution.



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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Fax (603) 335-4352

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INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, Deputy City Manager/Finance Director
FROM: Lisa J. Clark, DPW Office Manager
DATE: October 2, 2015
SUBJECT: Water Treatment Plant Upgrade Project
 Engineering Amendment #1
CC: John B. Storer, PE Director of City Services
 Michael Bezanson, PE City Engineer

CITY OF
 Received
 OCT 5 2015
 City Manager
 ROCHESTER

Enclosed please find one (1) copy of Amendment #1 for Engineering Services related to the WTP Upgrade Project. The scope of the construction was expanded and this amendment is to expand the related engineering services.

The funding for this amendment has been previously approved by NHDES for SRF funding and there is sufficient funds in the project account 55016010-772000-14527.

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

Signature

Blaine Cox 10/2/15

10/30/15
CITY OF
Received

Samantha Rodgerson

From: Mark Sullivan
Sent: Thursday, October 08, 2015 8:33 AM
To: Samantha Rodgerson
Subject: Formax-Neopost Inserter Folder Machine Maintenance Agreements
Attachments: Formax Neopost-Hasler Maint Agreement - City of Rochester-Half Year.pdf; Formax Neopost-Hasler Maint Agreement - City of Rochester-Full Year.pdf

OCT 8 2015

City Manager
ROCHESTER

Hi Samantha,

Attached are two maintenance agreements for the new Inserter-Folder machine we are purchasing. Could you have City Manager sign both agreement, and return originals back to me . We needed two separate agreements to align with our fiscal years The first one begins Feb-16-to Jun-16, (begins Feb because of the 90 day warranty), and the second is for the full FY17 fiscal year. The yearly price is slightly above what we are currently paying on the old machine in case Dan asks.
Thanks

Mark

NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION
1	Varney	7/16/2015 Public Works Committee	Rt. 125 Pump Station Project summary of funding and expenses.	Summary put together and discussed. Issue closed.
2	Lachapelle	8/4/2015 Codes & Ordinances	Requested a detailed report for the next meeting regarding fireworks complaints from the Fire Department and Police Department, from June 1st through the end of August.	Discussed at the October meeting. Issue closed.
3	Jean	9/8/2015 Finance Committee	discussion about expenses incurred with political candidate visits	Item distributed. Issue closed.
4	Keans	9/15/2015 City Council Workshop	solicitor could write up an explanation of the State law that refers to capital reserve funds. Mr. Cox said that some time ago there was a woman from the State who would go to communities and give presentations on capital reserve funds.	Discussed at the Finance Committee meeting. Issue is closed.

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
9/30/2015	10/6/2015	Raffle	Chamber dining raffle	12/8/2015
9/29/2015	10/6/2015	Event	Rosary Rally	10/10/2015
9/30/2015	10/6/2015	Event	Striaht Street Outreach - Crosspoint Church - craft fair	11/21/2015
9/21/2015	10/6/2015	Event	Granite State Street Rodders - car show	May-Sept 2016 (2nd Sat)
9/29/2015	10/6/2015	Tagging	FCCLA	3/25/2015 - 3/27/2015
10/5/2016	10/6/2015	Signage	Monarch School Charity Bike Ride	10/10/2015
10/14/2015	10/19/2015	Tagging	Dance N' Motion	Oct 21, 25, 28, 29 and Nov 1,4,5,11,12,15,18,19,22 & 26
10/6/2015	10/19/2015	Tagging	Roger Allen Rockets/Roger Allen Baseball	Mar 11-13/Apr 15-17, 2016
10/13/2015	10/19/2015	Event	American Legion Post - Craft Fair	Nov. 21
10/8/2015	10/19/2015	Tagging	Pretty's - tagging	10/25/2015

[illegible]

**TRI-CITY COALITION
MINUTES OF MEETING
OCTOBER 8, 2015
SOMERSWORTH CITY HALL – EXECUTIVE CONFERENCE ROOM**

MEMBERS PRESENT: Mayor Dana Hilliard (Somersworth), Councilor David Witham (Somersworth), Councilor Dale Sprague (Somersworth), Mayor Karen Weston (Dover), Councilor Deborah Thibodeaux (Dover), Councilor David Walker (Rochester)

MEMBERS ABSENT: Councilor Elaine Lauterborn (Rochester)

OTHERS PRESENT: Judi Currie (Fosters)

The meeting was called to order by Mayor Hilliard at 6:05pm. After attendee introductions Mayor Hilliard outlined what he believed was the purpose of the coalition. Attendees weighed in with many thoughts and ideas but all seemed to agree there may well be benefits in the Tri-City's cooperating for services, purchasing, and in "lobbying" legislators at the State and National level.

While not a comprehensive list some ideas that were shared included:

- Regional Drug Treatment Facility – Those present noted how the region lacks bed availability for drug treatment particularly in wake of the heroin crisis. All agreed to involve the County.
- Assessing Services – Dover and Somersworth contract out assessing while Rochester has a City staff department. It was noted that real estate is a regional issue.
- Cooperative Purchasing – It was mentioned that road salt and pavement lines are already group purchased. All agreed this is an area that made lots of sense for more items like police cars.
- Dispatching Services – This has been discussed before. Like many items, it was noted that professional staff, in this case police and fire chiefs, would need to weigh in on this discussion.
- Engineering Services – Somersworth currently contracts out general engineering services to a third party engineering firm. Maybe it would make sense to contract with dedicated City staffs.
- Fire Fighting – The pros and cons of such cooperation were discussed. It was noted there are many steps to this process and we may want to start with smaller steps such as shared apparatus by way of example.

After this general idea discussion the group agreed to elect a chairperson and a recording secretary.

Without any objection the following were named:

- Chairperson – Deborah Thibodeaux, Dover
- Secretary – David Witham, Somersworth

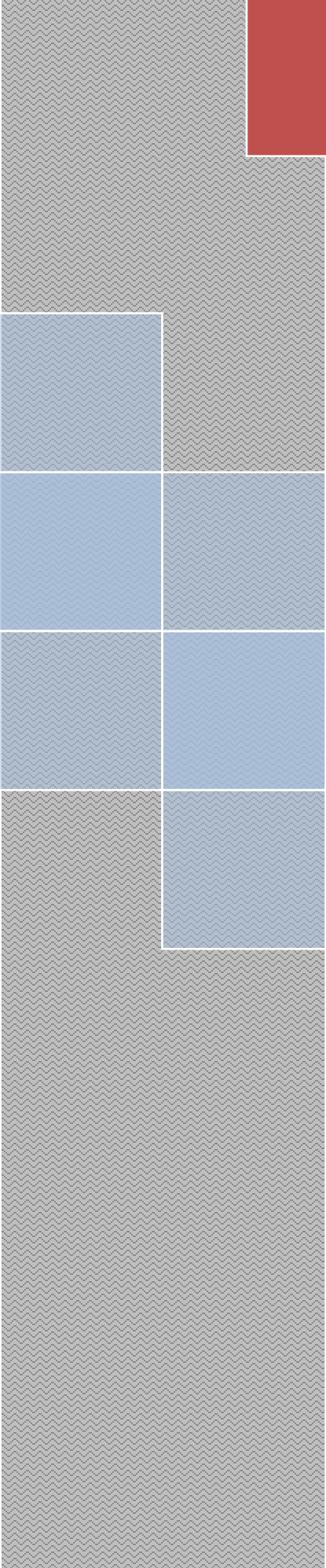
Next Meeting: November 12, 2015 at 6pm, Dover. Exact location TBA.

Meeting adjourned at 7:30pm

Respectfully Submitted:



David A. Witham, Recording Secretary
Tri-City Coalition



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Reports of Committees

October 2015

- Codes and Ordinances Committee - 10/01/2015
- Community Development - 10/22/2015
- Finance Committee – 10/03/2015
- Joint Building Committee – 10/19/2015
- Public Works and Building Committee – 10/15/2015

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CODES AND ORDINANCES COMMITTEE

Of the Rochester City Council

Thursday October 1, 2015

City Council Chambers

31 Wakefield Street, Rochester, NH

7:00 PM

Committee Members Present

Councilor Elaine Lauterborn, Vice Chair
Councilor Donna Bogan
Councilor Robert Gates
Councilor Ray Varney

Committee Members Excused

Councilor Peter Lachapelle, Chair

Others Present

Terence O'Rourke, City Attorney
Councilor Gray
Councilor Keans
Brian LaBranche, Trinkets & Treasures
Felicia LaBranche, Trinkets & Treasures
Michael Provost, Executive Director Main Street
Tom Velardi, Strafford County Attorney
Roland Hersey, Gold & Things
Marc Saxby, Collec-tiques
Jeff Walters, Seacoast Gun & Pawn
Stacey Marchionni, Revolution Taproom and Grill
Chris Bowlen, Director of Recreation and Arena
David Anctil, Chair of Arena Advisory Commission

MINUTES

1. Call to Order

Councilor Lauterborn called the Codes and Ordinance Committee meeting to order at 7:00 PM. Nancy Carignan, Assistant City Clerk, took a silent roll call. All committee members were present, with the exception of Councilor Lachapelle, who was excused.

2. Public Input

Councilor Lauterborn explained to members of the public that they would be allowed time to speak during the meeting as it pertained to their concerns on any of the agenda items. She asked if any member from the audience wanted to address the Codes and Ordinances Committee in regards to any other item that was not on the agenda. There was no discussion at that time.

3. Approval of the Codes and Ordinances Committee Minutes

- **August 6, 2015**

Councilor Bogan **MOVED** to **ACCEPT** the Codes and Ordinances Committee meeting minutes of June 4, 2015. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. Pawnbrokers/Second Hand Dealers Ordinance Amendments

Councilor Lauterborn asked Terence O'Rourke, City Attorney, to address the amendments to the Pawnbrokers/Second Hand dealers ordinance that he is recommending. Mr. O'Rourke explained that prior to working for the City of Rochester he worked with other County Attorney offices within the state and with this experience there had been issues pertaining to these businesses within the City of Rochester. Mr. O'Rourke stated that there had been suspicious record keeping in the past. He explained that he saw that the Codes and Ordinances Committee tried to make this ordinance stricter in 2013 by adding a holding period and suggesting an electronic filing process; however, those amendments were not passed. The committee cited that they were going to wait and see if the State was going to take any action on the issue.

Mr. O'Rourke made reference to the City of Manchester's ordinance, which had been overturned through the courts. He reviewed the Manchester ordinance and the Rochester ordinance to find comparisons. He explained that it has been two years since this was brought to committee and the State has done nothing, thus the victims have no way to recover their items.

Mr. O'Rourke explained that he also worked closely with the Strafford County Attorney, Tom Velardi, who was present in the audience, to make the suggested amendments. Mr. O'Rourke would like community support on this. He felt that the proposed amendments needed to go to the full City Council at this time.

Brian LaBranche, owner of Trinkets & Treasures, thanked Mr. O'Rourke for his input; however, he questioned the holding and reporting process that his business would have to abide by. Mr. LaBranche said that he felt his business was doing things the right way and explained his process of taking in merchandise.

Mr. LaBranche stated that the shop owners were not notified that the City was looking at amending the ordinance. He addressed the Codes and Ordinances Committee minutes from their August, 2013 meeting, which indicated that the City was going to wait for information from the State. It was his understanding that there had been a committee formed at the State level and this committee was going to be reporting back to the State in 2016.

Mr. LaBranche commented on the increase of the licensing fees and asked how the City could mandate who he does business with, plus add on transaction fees. He also felt the thirty day holding period was unreasonable and where the market fluctuates this would affect his cash flow. Mr. LaBranche stated that the hold period would make him more vulnerable to thefts, because he would be carrying a large inventory.

Mr. LaBranche considered himself an antique dealer. He was unclear of the definition of such a dealer, because if he fell into that category he would be exempt from this ordinance. He asked that the committee keep the current status of this as the minutes from 2013 addressed, and wait for the State of New Hampshire to make a decision.

Roland Hersey, owner of Gold & Things, expressed his concerns that the shop owners had no notice that this ordinance was back on the table. He also felt that the holding period would not work for the businesses.

Mr. Hersey asked why was the Police Department not coming to see them if there were issues, and he felt that his business works closely with the Police Department. He mentioned that he keeps good records and complies with the Police Department's random spot checks. Mr. Hersey said that his inventory is computerized, which helps.

Mr. Hersey compared the holding period to holding someone's paycheck for thirty days. He mentioned that after speaking previously with Chief Allen he was under the impression that things within the City were working.

Jeff Walters, owner of Seacoast Gun & Pawn, addressed the Codes and Ordinances Committee with his concerns on the transaction fees. He gave the committee a few statistics where he could see a cost to his business for the sum of \$2,600 on a given year. He, as well, referenced the minutes from the Codes and Ordinances August 2013 meeting.

Mr. Walters felt that he had a good reputation with the Police Department. He asked if other communities, which use this system currently, have shown a reduction in thefts.

Felicia LaBranche, owner of Trinkets and Treasures, asked Attorney O'Rourke why the City was bringing this ordinance back to the table.

Ms. LaBranche also stated that pawn shops and second hand dealers are two separate types of businesses. She also was under the impression that this ordinance was not coming back to committee until the State of New Hampshire addressed the issue.

Ms. LaBranche cited that antique dealers are not defined by the City and that she felt that the State of New Hampshire did not have a definition for them either.

Ms. LaBranche briefly voiced her thoughts of what is motivating these thefts. She asked how is the Police Department contributing to help where other area Police Departments call or email them.

Michael Provost, Executive Director of Main Street Program, had received several calls regarding this ordinance after some of the local businesses were made aware of the amendments. He felt that this ordinance needs a lot of work and the committee should wait until the State takes action.

Mr. Provost addressed the fees and cited that Rochester is not the only place in the Seacoast that is having this issue.

Mr. Hersey commented that the theft numbers are down. He mentioned that there was a questionable shop and that shop has now been shut down. Mr. Hersey added that maybe the ordinance should have terminology for repeat offenders.

Tom Velardi, Strafford County Attorney, addressed the Codes and Ordinances Committee, keeping to the content at hand. Mr. Velardi expressed that the area does have an opiate addiction problem and a lot of

these types of thefts are due to that issue. He explained that the items being pawned are considered liquid items. These are small items that may not be as noticeable as a large item.

Mr. Velardi did mention that Mr. Hersey had good records, but there are other businesses that do not. He explained that some of these businesses just record weight totals for what precious metals they take in. These items could be gone within forty-eight hours and a small item might not be noticed in that time frame.

Mr. Velardi agreed with some of the previous speakers and urged the City Council to continue to work on this issue within the City.

Councilor Keans asked Mr. Velardi if he had been to other communities. He said that he had. Councilor Keans asked him how he thought it would work. Mr. Velardi mentioned within the Tri-City area.

Marc Saxby, owner of Collec-tiques, saw the ordinance as an attack on the businesses and not helping the victims. He explained that the businesses that were present all keep in communication with each other. If there is a problem they notify each other. Mr. Saxby questioned if the City really has a problem.

Mr. Saxby asked if this ordinance might hurt more than it will protect. He asked that the City find the problem businesses and leave businesses that are doing the right thing alone. He addressed Mr. O'Rourke on the issue and they debated the various avenues of record keeping. Mr. O'Rourke mentioned that a company know as "Leads Online" is one such company. Mr. Saxby questioned if this ordinance would apply to yard sales. He mentioned that there was a shop already shut down so he felt that the current system works.

Councilor Lauterborn asked if anyone had talked to a Manchester shop owner. Mr. Saxby said that he had spoken with a small "Mom and Pop" business and they had to move out of the City of Manchester due to the cost. He added that some businesses might move out of Rochester. He asked if they could help the victim without hurting the businesses and wait for the State to make a decision.

Councilor Lauterborn asked Chief Allen if he would like to comment on the amendments to this ordinance.

Chief Michael Allen wanted to correct some of the inaccuracies that have been made. He stated that the Police Department does follow-up; however, not on every case. This happens to be very demanding on the detective division where they are also responsible for doing compliance checks on these businesses. At times the workload is overwhelming.

Chief Allen said that the comment regarding the shop mentioned, which was closed, is also inaccurate. He explained that when the amendments to this ordinance first came about it was two years prior to this shop closing.

Chief Allen also added that this issue is part of the drug problem within the City. He said that it is one hundred percent accurate that the property crime is down in the City, which he is very proud of. He did contribute some of this to the drug arrests being made.

Chief Allen stated that it is his job is to protect the community. He felt that the City does need a holding period or electronic record keeping.

Chief Allen gave statistics from the state of Maryland, which has the electronic filing, and has seen a significant impact in the recovery of stolen items. He said that the system works.

Chief Allen said that he did not want hurt business he wanted to help his Police Department recover property for the victims. He mentioned that he had sat on the committee at the State level and he is hoping for a statewide implementation; however, he thought maybe the State wanted to keep it within the local communities.

Councilor Keans mentioned that two years ago some of the shop owners were receiving emails from other communities on stolen property and why is Rochester not doing this. Chief Allen reiterated his previous answer, which had answered that question. He explained that he would have to dedicate one officer to handle the notifications. Councilor Keans felt that sending out an email would be more manageable then sending out an officer to the shops.

Councilor Keans asked Chief Allen for more statistics from other communities who have seen an improvement in the recovery of stolen property. She stated that he gave them dollar amounts recovered, but not the dollar amount of what was stolen. He said he will work on that.

Councilor Varney questioned the software that was looked at in 2013 and would it help the Police Department. He asked about the fee schedule and transaction schedule. Mr. O'Rourke said that they have the option of a flat fee or per transaction fee. He explained there was a typo. The fees would be decided by the City Council. Councilor Lauterborn also questioned the annual fee versus the transaction fee. She mentioned that a scrap dealer has a \$.50 transaction fee, where a pawn shop would have a \$1 transaction fee. Mr. O'Rourke explained the difference for the two amounts.

Councilor Varney said that if you do not have the holding period and just the electronic tracking then you are not going to recover items. Chief Allen agreed that they would need the holding period.

Councilor Gates asked the business owners if they had ideas to help achieve the objective of returning stolen goods to the victims.

Ms. LaBranche reiterated that she does not know where the issues are. There are different types of shops doing business different ways, why can't the City impose consequences for those shops not doing business properly.

Mr. Saxby agreed that the shop owners should put in writing what they would like to see in the new ordinance. He also believed in creating a group to discuss these issues. Councilor Gates suggested that the shops meet with Chief Allen and Mr. O'Rourke to come up with a solution. Mr. Hersey agreed and suggested the Police Department possibly come up with a red list for individuals who might be possibly involved in theft crime. Mr. LaBranche also agreed, but thought they should have more communication with the Police Department. Councilor Gates reiterated that they should open a dialog to work together.

Mr. LaBranche said that he would rather give \$300 to helping the addiction problem versus paying the fee for the electronic system.

Councilor Lauterborn stated that these amendments would not be decided tonight.

Councilor Gray questioned the study by the County Attorney. He agreed that there should be a system, but the businesses will incur costs. He gave some examples of how to improve the system. He addressed the waiting period and the definitions of the dealers. He felt that if the City had an electronic system there would be a shorter waiting period. Councilor Gray mentioned that they should not have a waiting period on a piece of one

hundred year old furniture. He would be willing to help them address this ordinance if that is their desire.

Councilor Keans would recommend to the Mayor that he put a committee together for this issue. Councilor Lauterborn agreed. The Codes and Ordinances Committee made suggestions on the members that should be on this committee. Councilor Varney mentioned if there is no willingness to have a holding period then they might not accomplish the goal at hand.

Mr. O'Rourke advised the committee that antique dealers are defined in Chapter 42 of the Zoning Ordinance. He read the section of the ordinance to the committee. He stated that he was not against discussing the ordinance further; however, it is not an unusual ordinance, and this type of ordinance is used across the country. He mentioned that when it comes to heirlooms and precious metals, once they are gone, they are gone. He was looking to help victims while trying to slow down the drug issues. Mr. O'Rourke said that nothing has happened to this ordinance since 2013 and he really felt that it should go to the City Council. He understood it was not perfect, but it was in good shape.

Councilor Keans did not feel it was right for a business in Rochester to have to pay a third party to do business in the City. Mr. O'Rourke disagreed.

Councilor Varney explained that this ordinance needs to stay in committee. A system like this could be very technical. He said that there could be training associated with the electronic system. If that is so, then the IT department would have to be involved and they are overwhelmed now. He would like a few more answers.

Councilor Varney **MOVED** to keep the Pawnbroker and Second Hand Dealer amendments in committee. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Varney wanted written feedback, not just complaints, from the business owners. Councilor Gates agreed that they need to have positive suggestions. Councilor Lauterborn advised them that they can submit their letters to the City Manager's Office, directed to the Codes and Ordinances Committee.

5. Outdoor Dining Ordinance - Proposed

Michael Provost, Executive Director of Main Street Program, addressed the Codes and Ordinances Committee on behalf of the Board of Directors. He

explained that this was a recommendation that came from their August 2015 meeting. He cited that this was a fair and equitable ordinance in the downtown district where there is no ordinance in place at this time. The City has had various situations where some businesses were allowed to have outdoor dining and some were not.

He stated some of the benefits of having outdoor dining in the City. He explained that it could bring more vibrancy and foot traffic to the downtown.

Mr. Provost mentioned that the Board of Directors recommended bump outs for those businesses who may not have enough sidewalk area; this would be at their cost and would need to be removed at the end of the season. He is looking for a partnership between the City and the downtown businesses. He was asking for the City to keep the fees low at this time.

Mr. Provost endorsed this ordinance and felt that it was a good start. Councilor Lauterborn discussed this further with Mr. Provost and the committee. Councilor Lauterborn thought the ordinance was fair.

Stacey Marchionni, owner of the Revolution Taproom and Grill, is pleased to see such an ordinance. She asked to address her concerns with the ordinance as it pertains to various terminology and guidelines. She felt that the businesses wanted reasonable expectations.

Ms. Marchionni said that she felt that the City needed to allow the businesses to keep their outdoor space every season, which she felt was too short of a season and asked if that could be changed. She understood that she would have to reapply for the license every year; however, if they invest money to accommodate the space for dining she would hope that City allow them to continue to use the space year after year.

Ms. Marchionni expressed her concern that the City can, at their request, use the space for a special municipal event. Her thought was that the City only should be allowed to use the space for emergencies. She questioned the square foot price of \$10. Mr. O'Rourke explained that the price was not set in stone and it would be up to the City Council. Councilor Varney suggested a flat rate. Mr. O'Rourke explained that the sizes allotted would vary. He felt where it was City property it would need to be at fair market value. After further discussion the committee concluded that the price varies from community to community.

Ms. Marchionni said that some of the technical language needed to be re-written and she wanted more defined authorized uses. She explained that with the various liquor licenses that the State issues the City should not include that they have to serve food in the ordinance.

Ms. Marchionni added that the ordinance was vague when it came to allowing the City to shutdown an outside dining area at will. She felt that this should be addressed.

Ms. Marchionni questioned the specific types of enclosures for these dining areas. Councilor Varney believed that they were looking at consistency in the downtown. She also questioned outside entertainment.

Ms. Marchionni had concerns with the primary advertising not being allowed. Mr. O'Rourke explained that indirect advertising would be allowed.

Councilor Lauterborn asked Ms. Marchionni to provide Mr. O'Rourke a written copy of her suggestions for revisions. Ms. Marchionni stated that she would provide this to him.

Mr. O'Rourke addressed her concerns with the Codes and Ordinances Committee and discussed the liquor licenses with Ms. Marchionni and Mr. Provost. Mr. O'Rourke will look into the licenses further. He did want the committee to look at this as city property and would having a bar on the sidewalk be appropriate. He said it would be up to the City Council.

Councilor Gate **MOVED** to keep the proposed Outdoor Dining Ordinance in committee until they receive a revised copy. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Recreation, Parks and Youth Services, Arena Ordinance Amendment

Chris Bowlen, Director of Recreation and Arena, gave the committee a little background in regards to why they are looking to amend these ordinances. He referred to his "Master Plan" from 2010-2011. Where they work close together it only makes sense to make them a singular advisory board.

Mr. Bowlen explained that they have been working on this for month and it is now at the formality stage. He explained that the board has been

working with the City Attorney on this and the commission now wanted to see the merge move forward.

Councilor Lauterborn asked why the committee has fourteen members. She thought that was too many. Mr. Bowlen felt that they needed that amount, but understood her wanting the reduction. He referred to the recommendation from their consultant, which suggested ten members. Councilor Lauterborn felt that they should have an odd number of members. Mr. Bowlen explained that they are a non-voting committee and are just an advisory committee.

Councilor Lauterborn mentioned that they currently have a vacancy, and if they do not fill that position it would at least reduce the committee by one. Mr. Bowlen agreed.

Councilor Lauterborn and the committee discussed non-residents on the commission. David Ancil, Chair of the Arena Advisory Commission, addressed this issue for the committee. He said that the non-residents are very valuable and they have done a lot for the commission. They also have been involved with the arena through the years with other organizations, some that contracted the arena for their services.

Mr. O'Rourke said the commission was at fourteen with staggered terms. He advised the Codes and Ordinances Committee of input from the members currently on the commissions, and they all seem to be in agreement with the terms and the number of members.

The Codes and Ordinances Committee discussed with Mr. Bowlen the two non-recreation members. He explained that these are in place for such organizations like the "Big Buddy Program" and similar organizations.

Councilor Lauterborn wanted more clarification on the two non-resident members. She felt that the wording in the ordinance should be changed from "shall be" to "maybe." Councilor Varney said if those two members are dropped then that would lower the number on the commission. Mr. Bowlen reiterated that those two members are very high functioning and have value to the commission. The committee further discussed changing the non-resident members.

Councilor Varney discussed 21.1 (c) of the chapter as it pertained to members, which shall not be involved in non-recreation services. He felt that it should be removed from the definitions.

Councilor Varney **MOVED** to strike the last sentence of 21.1 (c). Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

The Codes and Ordinances Committee discussed this briefly and Mr. Bowlen stated that there was not a member on the commission that as non-recreation; however, it was listed in the current ordinance. The committee addressed that this commission does consist of one City Council member and one School Board member. The committee continued to discuss the non-residents and vacant position. Councilor Varney reiterated that these amendments are a combination of both commissions.

Councilor Lauterborn **MOVED** to change "shall consist of two non-residents" to "may consist of up to two non-residents." Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Varney wanted to see a commission consisting of ten members, excluding the City Council and School Board members. Councilor Gray felt that the School Board member should be included and explained that they are valuable to the interface should a problem arise. Councilor Lauterborn agreed, but wanted Mr. Bowlen to follow-up with the School Board so they have a member that will attend regularly. Mr. Bowlen did confirm that the City Council member attends regularly.

Councilor Lauterborn mentioned that if they are looking to reduce numbers maybe they should look at members whose terms are expiring. Mr. Ancil gave his reasons why these numbers should not be reduced by expiration. He explained that quite a few of the members whose terms are expiring are the original members with a lot of experience. Councilor Lauterborn asked if thirteen would be acceptable. Councilor Varney thought that the members should all have to reapply. Councilor Keans asked why should the City Council dictate the number of members.

Mr. Ancil wanted to reiterate that this commission is just an advisory board. The members discuss issues and come to an agreement to advise; they do not vote. Councilor Lauterborn wanted to see the number at thirteen. Mr. Bowlen did not have a problem with that as attendance varies. The committee and Mr. Bowlen agreed with that number he would need at least seven members present to have a quorum.

Councilor Lauterborn **MOVED** to change the number of members for the Recreation and Arena Commission from fourteen to thirteen. Councilor

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

Councilor Lauterborn asked Mr. Bowlen to check into the staggered terms. Mr. O'Rourke mentioned that with a new commission everyone would need to apply. Councilor Lauterborn believed that because of this they would need to have a resolution. Mr. O'Rourke agreed. The committee agreed that the City Council and School Board members would stay at their two year term because that was how they are elected. Committee members addressed whether the terms for all other members should be three or four, since each commission has a different term.

Councilor Gray described further as to how the appointments committee would address this. He thought there would be formal meetings for re-appointments.

Councilor Varney asked about the Arena Department supplying the City Council their fee schedule under 2.18 (b) paragraph five. He said it does not look like that is getting done. Mr. O'Rourke felt that they need to look at that and maybe it should be stricken. The Codes and Ordinances Committee discussed this further with Mr. Bowlen and Mr. Anctil. Mr. Bowlen said that they could have the fee schedule by May during the budget season. Councilor Varney reiterated that the City Council needs to check these fees to compare to the expenses.

Councilor Bogan **MOVED** to have Chapter 3 Boards and Commissions, and Chapter 21 Recreation and Arena, with revisions sent to the City Council on November 4, 2015, meeting. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

7. Aggressive Panhandling Discussion

After reviewing the aggressive panhandling as it pertained to the City with Mr. O'Rourke, which he informed them that this type of ordinance could be overturned. It was the consensus of the Codes and Ordinances Committee that no action be taken.

8. Other

Councilor Varney wanted to address casinos within the City and questioned what the definition of a casino was. Mr. O'Rourke had hand outs for H.B. 651 and H.B. 113, which pertained to this discussion. He will work on the definition as it would apply to the City.

Councilor Keans stated that if the State does not allow casinos, why are we addressing them. Councilor Varney said that he had spoken to Jim Grant and per zoning they are allowed in the City with the exceptions of R1 and R2. He was concerned with where these establishment could go if allowed. The Codes and Ordinances Committee debated this further. Councilor Gray added that the City already had a Charitable Casino License. Mr. O'Rourke explained that this would be a gaming license and he mentioned that in the 2015 H.B. the casino was dropped.

The committee had a further discussion on this where there is an establishment within the City that has gaming. Councilor Varney would like this followed up on. Councilor Gray and Councilor Keans reviewed the charitable casino license aspect.

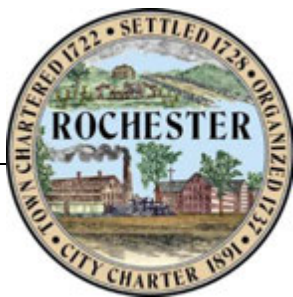
Councilor Lauterborn stated that this topic will stay in committee until the November Codes and Ordinances Committee meeting.

9. Adjournment

Councilor Gates **MOVED** to **ADJOURN** the Codes and Ordinances Committee meeting at 9:48 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Nancy Carignan
Assistant City Clerk



Rochester City Council

Community Development Committee

MEETING MINUTES

James Gray, Chairperson
Elaine Lauterborn, Vice Chairperson
Sandra Keans
Jake Collins
Donna Bogan

Meeting Date:	October 22, 2015	
Members Present:	Councilor Bogan Councilor Collins Councilor Gray Councilor Keans Councilor Lauterborn	Members Absent: None
Guests/Staff:	Julian Long, Community Development Coordinator	

Councilor Gray called the meeting to order at 6:04 p.m. Motion was made by Councilor Collins and seconded by Councilor Bogan to approve the September 24, 2015 minutes. The minutes were approved unanimously.

Public Input	There was no public input.
Courage Wall Presentation	<p>Mr. Long explained that Ms. Meserve, the Rochester citizen who proposed the Courage Wall project, was unable to attend the meeting due to illness. Mr. Long stated that he had assisted Ms. Meserve in preparing a written proposal and had submitted the proposal to the Department of Public Works' Building and Grounds supervisor, Mr. Riley, for review. Mr. Riley has provided a number of questions and concerns that he would like to see addressed before the project proceeds.</p> <p>Councilor Lauterborn asked about the kinds of writing materials that would be used, and Mr. Long stated it would be chalk or dry-erase markers. Councilor Bogan expressed her concerns about profanity being written on the board. Councilor Gray stated that the exact location of the Courage Wall within the Community Center would affect the likelihood of vandalism. Mr. Long stated that the proposed location is in the main hallway near the gymnasium, which hopefully would deter vandalism.</p> <p>Councilor Lauterborn asked about the time frame in which the Courage Wall would be posted. Councilor Keans suggested a 90 day time frame. The committee believes that the project should be reviewed after 90 days. Councilor Gray asked Mr. Long to work with Ms. Meserve to address Mr. Riley's questions and concerns, and Mr. Long stated he would do so.</p>
CDBG Projects Program Report	Mr. Long gave a brief program update on continuing projects, including the Library HVAC project and the bicycle racks project. Mr. Long stated he had reviewed locations and rack styles with the Department of Public Works, and Mr. Riley had suggested racks at the library and Hanson Pines Park's pool. Councilor Keans suggested a bicycle rack near the Hanson Pines Park's basketball court area, as well, and Councilor Gray

stated that bicycle racks are needed downtown. Councilor Keans expressed concerns about permanent racks interfering with snowplowing during the winter months, and Councilors Gray and Bogan commented on the need for racks to provide appropriate security. Mr. Long stated that he would discuss these needs with the Department of Public Works as the project moves forward.

Mr. Long also provided an update on the Community Action Partnership of Strafford County's weatherization program, which receives CDBG funding from the City of Rochester. At the annual site visit and interview for the FY 2014-2015 grant period, Mr. Long discussed performance and expenditure issues with weatherization program staff. The staff identified personnel changes and contractor issues as the causes of the underperformance. After first quarter performance under the FY 2015-2016 grant was also poor, Mr. Long required a written corrective action plan to be drafted and submitted by the weatherization program staff.

Councilor Gray requested that the Committee be kept updated on the activity's performance and be provided with financial breakdowns by quarter. Mr. Long stated that he would do so. Councilor Lauterborn asked what housing rehabilitation program alternatives might exist, and Councilor Gray asked Mr. Long to investigate alternatives should the decision be made to no longer fund the Community Action Partnership of Strafford County's weatherization program. Mr. Long stated that he would do so.

Mr. Long provided brief updates on the submission of the CDBG program's annual Consolidated Action Performance and Evaluation Report (CAPER), annual Section 3 report, and semi-annual Davis-Bacon report. The U.S. Department of Housing and Urban Development (HUD) has approved the FY 2014-2015 CAPER, and a paper copy of the Section 3 report was included with the caper. Ongoing technical issues with HUD's online submission system have prevented electronic submission of the Section 3 report, but the City will not be penalized for this. The semi-annual Davis-Bacon report included wage restitution that the City of Rochester obtained for contracted workers; the initial wage discrepancy was due to inadvertent error.

Councilor Gray discussed inquiries he had received regarding the Housing First model of homelessness intervention being piloted in the State of Utah, as well as elsewhere. Councilor Keans asked for details about how the Housing First model works. Mr. Long shared that there is a push at the federal level and from HUD to shift homelessness work to Housing First and chronically homeless prioritization models. Councilor Lauterborn asked from where the funds for the permanent housing are obtained. Mr. Long stated that, in some cases, the initial funds are obtained from grants but the ultimate goal is financial stabilization so that the formerly homeless person is able to pay for the housing directly.

Mr. Long stated that the process of gathering public input on the FY 2016-2017 CDBG Annual Action Plan has started. An online survey is available this year, and Mr. Long will be visiting neighborhood ward meetings in

	October and November.
Other Business	Councilor Bogan mentioned that reports of potential issues in motels located within the City of Rochester. The Committee discussed, and Councilor Gray requested that Welfare Director Todd Marsh respond via email or at the next Committee meeting regarding City oversight over the motels. Mr. Long stated he would present the request to Mr. Marsh.

Motion to adjourn was made by Councilor Lauterborn and seconded by Councilor Bogan. The vote to adjourn was unanimous. The meeting was adjourned at 6:50 p.m.

Next Meeting – November 19, 2015 at 6:00 p.m. in the Conference Room at City Hall

Topics – Courage Wall Presentation, Continuing CDBG Projects, Future CDBG Projects, FY 2016-2017 Annual Action Plan

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10/30/15

City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917
(603) 335-7609 Fax (603) 335-7589

FINANCE COMMITTEE MEETING OCTOBER 13, 2015

Committee Members Present: Mayor Jean, Councilor Varney, Councilor Walker, Councilor Lauterborn, Councilor Keans, Councilor Larochelle

Committee Members Absent: Councilor Torr

Other Councilors Present: Councilor Bogan, Councilor Collins, Councilor Hamann, Councilor Gray, Councilor Gates

Others Present: City Manager Fitzpatrick, Deputy City Manager Cox

MINUTES

1] Call to Order

Mayor Jean called the meeting to order at 7:02 P.M.

2] Public Input

Resident Doris Gates addressed the Committee regarding the agenda item pertaining to the School Department's request for a Capital Reserve Fund.

School Board Chair Dan Harkinson also addressed the Committee regarding the Capital Reserve Fund request.

3] School Capital Reserve Fund Request

Mayor Jean summarized that this agenda item was referred to the Committee by the City Council.

School Business Administrator Linda Casey shared with the Committee several examples of other communities that have established capital reserve funds.

Two representatives from Charter Trust, Candy Howard and Brian Sanford, described how funds held in a capital reserve fund could be invested.

Both Mayor Jean and Councilor Walker spoke favorably about the concept of a capital reserve fund as a mechanism to fund future large school capital projects. Councilor Lauterborn expressed a desire to see the exact wording delineating the purpose of any capital reserve fund. Councilor Larochelle expressed general support of the concept of "saving and spending" versus "spending and borrowing." Councilor Collins stated a capital reserve fund would allow the City to seize future opportunities. Councilor Varney expressed support of setting aside funds, however, he did not support the funding mechanisms outlined in the letter from the School

Department. Councilor Gates reminded the Committee that the School Department seemingly has to reduce annual Operating Budgets by cutting staff and could not see how a reserve fund could be funded. 10/30/15

Mayor Jean **MOVED** to recommend to the full City Council the establishment of School Department Capital Reserve Fund that does not contain any specific annual funding commitment and that is under full City Council control.

Councilor Keans provided a **SECOND** to the Mayor's motion.

After a brief discussion regarding how the reserve fund purpose would be drafted, Mayor Jean retracted his motion and Councilor Keans retracted her **SECOND**.

Mayor Jean requested the City Manager bring to the November Finance Committee draft language of a proposed capital reserve fund for the Committee's review.

4] Unfinished Business

4.1 Hancock Street Land Sale

Mayor Jean informed the Committee that no new information has been provided regarding the deed history on this land and therefore, this item would simply remain in Committee at this time.

4.2 Political Campaigns - Use of City Facilities

After a brief discussion, Mayor Jean requested the City Manager refine the supplied document into a true template.

The Mayor indicated that this item would remain in Committee.

5] New Business

5.1 Fire Rescue Vehicle Repairs Needed

Fire Chief Sanborn and Deputy Fire Chief Dupuis informed the Committee that the rescue vehicle needed extensive repairs to the frame of the vehicle as well as some repairs to the body. These repairs were just under \$20,000 and would be funded from within the existing Fire Department Fiscal Year 2016 budget.

Chief Sanborn also informed the Committee that the old Engine 7 Mack cab and chassis would be independently sold once the replacement truck is delivered.

5.2 Land Adjacent to Dynasty Restaurant

Public Works Commissioner Storer distributed a four page handout containing information on this City owned parcel of land (copy attached).

Deputy Mayor Varney **MOVED** to recommend to the full City Council the sale of this parcel in accordance with the existing City Owned Land Sale Policies.

Councilor Walker provided a **SECOND** to the motion which was then **ADOPTED**.

6] Finance Director's Report

Deputy City Manager Cox stated that the bond sale process was set to occur on Thursday, October 15, 2015 and the bond closing is set for October 28, 2015.

7] Monthly Financial Reports

There was no discussion on this item and no actions were taken.

8] Other

There were no "other" items that came before the Committee.

9] Non-Public Session

Mayor Jean stated that he wished to add a non-public session to the agenda per RSA 91-A:3, II (a) regarding "personnel." Hearing no objections, the Mayor conducted a roll-call vote which was adopted unanimously.

The Finance Committee entered Non-Public session at 8:45 P.M.

Councilor Walker **MOVED** to exit Non-Public session and to seal the minutes indefinitely. Councilor Gates provided a **SECOND** and the motion was **ADOPTED**.

The Committee exited Non-Public session at 9:07 P.M.

10] Adjournment

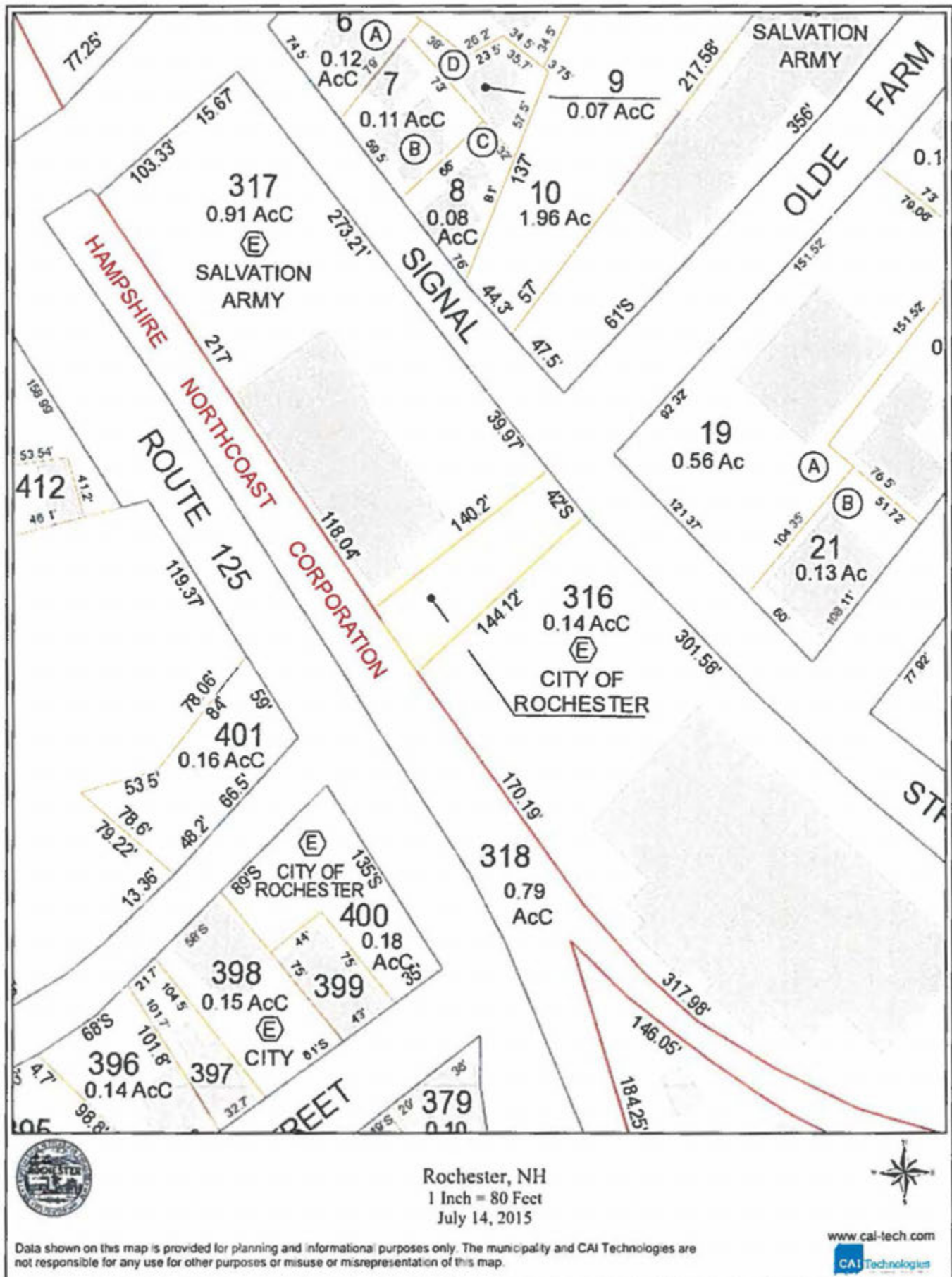
Councilor Walker **MOVED** to adjourn the Finance Committee meeting. Councilor Keans provided a **SECOND** and the motion was **ADOPTED**.

The meeting adjourned at 9:07 P.M.

Respectfully Submitted,

Blaine M. Cox
Deputy City Manager

BMC:sam



10/30/15



City of Rochester – Signal Street Property Abutters

City of Rochester Parcel #120-316

General Property Data

Parcel ID 0120-0317-0000	Account Number 27199
Prior Parcel ID --	
Property Owner SALVATION ARMY THE C/O MAJ DEITRICK ARC COMMAND	Property Location 28 SIGNAL ST
Mailing Address 30 WARREN AVE	Property Use CHARITABLE
	Most Recent Sale Date 7/13/1982
City PORTLAND	Legal Reference 1082-759
Mailing State ME Zip 04103-1140	Grantor RIGAZIO RAYMOND J & NANCY J
ParcelZoning DTC	Sale Price 120,000
	Land Area 0.910 acres

General Property Data

Parcel ID 0120-0318-0000	Account Number 30392
Prior Parcel ID --	
Property Owner NH NORTHCOAST CORP	Property Location 144 COLUMBUS AVE
Mailing Address P O BOX 429	Property Use RR TRACKS
	Most Recent Sale Date 10/7/1993
City OSSIPEE	Legal Reference 1706-532
Mailing State NH Zip 03864-0429	Grantor
ParcelZoning DTC	Sale Price 700,000
	Land Area 0.790 acres

General Property Data

Parcel ID 0120-0315-0000	Account Number 27197
Prior Parcel ID --	
Property Owner LAM BROTHERS PARTNERSHIP	Property Location 24 SIGNAL ST
Mailing Address 24 SIGNAL ST	Property Use RETAIL/SVC
	Most Recent Sale Date 6/27/1995
City ROCHESTER	Legal Reference 1809-548
Mailing State NH Zip 03867-2733	Grantor BUFFUM ALBERT E
ParcelZoning DTC	Sale Price 475,000
	Land Area 1.800 acres

August 17, 2015

Lam Brothers Partnership
24 Signal Street
Rochester, NH 03867-2733

Re: Disposition of Abutting City Land – City Parcel #120-316

Dear Signal Street Property Abutter:

The City of Rochester is considering disposition of a 0.14 acre parcel of land that it owns along Signal Street. A parcel map is attached where the parcel is highlighted in yellow. It is identified as parcel #120-316 on the City assessing records.

The City is reaching out to the immediate three abutting property owners, as the property likely has highest attraction to an adjacent land owner. The lot is non-buildable as a stand-alone parcel. Additionally, the City would retain a utility easement for an existing buried water main that crosses the property. The utility easement would prevent permanent structures from being constructed above the water main, but the property could be improved for parking, a garden, or landscaping. The City has no intention of improving or maintaining the parcel beyond its existing condition.

A list of the three abutting property owners of record is also attached. If you have any interest in purchasing the property, the City would like to hear back from you by 4:00 PM, Thursday, September 10, in regards to your potential interest. If you have interest, please plan to discuss compensation you are willing to offer in exchange for the property. All offers or discussion will be held in strict confidence.

If no abutters have interest in acquiring the property, the City would either retain ownership and leave the parcel unimproved “as-is”, or would consider advertising the parcel for sale to the general public.

Please let me know if you have any questions or concerns. I look forward to hearing from you.

Sincerely,

John B. Storer
Director of City Services, City of Rochester

cc: Dan Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager

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Rochester School Board / Rochester City Council

Joint Building Committee Minutes

October 19, 2015

East Rochester School

DRAFT**Members Present:**School Board

Dr. Anthony Pastelis, Vice-Chair

Mr. Daniel Harkinson

Mr. Paul Lynch

Mrs. Susan O'Connor

Mrs. Audrey Stevens

Mr. Robert Watson

Members Absent:

Mrs. Sandra Keans

Mayor T.J. Jean

Mr. Ralph Torr

Mr. David Walker

City Council

Ms. Elaine Lauterborn

Mr. Raymond Varney

Also Present:

Mr. Michael Hopkins

Mr. Richard Bickford

Mr. Richard Drapeau

Ms. Christine Hebert

Ms. Marilyn Martell

Mr. David Ross

Ms. Casey Gerken

Mr. Bobby Lambert

Mr. Jack Ruderman

Guests

The meeting was called to order at 7:00 p.m. Members and guests participated in the pledge of allegiance.

Approval of Minutes

Mrs. O'Connor moved, second by Mrs. Stevens, to approve the minutes of the September 14, 2015 Joint Building Committee meeting as written. The motion carried unanimously.

Solar Update

Mr. Bobby Lambert, SunRaise Investment and Mr. Jack Ruderman, ReVision Energy attended the meeting to answer any questions regarding the solar array installation. Mr. Lambert reported that the system is fully installed with exception of real-time monitoring system that should be ready to go on line next week. The monitor that will be placed within the school will provide up to the minute data on the amount of energy being produced by the solar panels; great opportunity for students, staff and parents to see how green energy is converted to electricity. The system is ready for the first monthly billing cycle; they have been coordinating the initial billing cycle with Ms. Casey.

An aerial video of the construction project and solar array was provided by Mrs. Sue Bickford via an Unmanned Aerial Vehicle (UAV); photos of the panels were provided for the Committee to review. In lieu of payment for the video and pictures, Mrs. Bickford requested SunRaise Investments make a donation to the District towards a project related to energy conservation or something to support the environment. They are looking for ideas of where to make a donation. The JBC did not offer any suggestions during the meeting; suggestions should be sent to Mr. Hopkins.

Snow Removal Equipment Options

Mr. Hopkins talked about concerns with snow at William Allen School and East Rochester School with the new parking and curbing situation; plowing will not afford the opportunity to remove snow. The School Board has given approval to seek bids for a loader to support snow removal; the estimated cost for equipment is \$92,000. An option would be to ask the City Council for an additional bonded project to cover the costs; it is helpful that we are well under budget for this project and did not have to bond the full \$13.1 million as projected.

Discussion ensued regarding the bond amount for the ERS Construction Project; noting that the bond amount is less than the anticipated \$13.1 million. There are tax implications associated with bonding more funds than actually spent; the bond amount was determined through advisement by the Bond Council and City Finance Office.

Mr. Varney indicated that a supplemental appropriation would need to be requested of City Council, if the decision is made to move forward with purchasing a loader. Mr. Varney stated that snow removal

was discussed early in the planning phases, and it was determined then that the City intended to help with snow removal; equipment for snow removal was not anticipated or considered.

Mr. Bickford will be meeting with the Public Works Director of City Services when he is ready to discuss school needs and what support will be available. We cannot expect Public Works to do more than they currently do; they want to help but have to focus on City roads and parking. Mrs. Stevens indicated that the equipment/loader would be used at all school buildings; it would not be purchased exclusively for use at East Rochester.

Mr. Hopkins will bring the bid results from the October 28, 2015 bid opening to the Board in November for a decision.

Construction Update – Hutter Construction

Mr. David Ross, Hutter Construction, reported that the exterior is 99% done; need to finish exterior painting and put up some additional signage. Interior work is one week away from completion in the library and computer center; and approximately two weeks for the administration wing. Mr. Ross indicated that labor shortage is holding up some work. Heating and control systems are all tied in; work on balance system can be done now.

Construction Budget Update

Mrs. Casey Gerken, Lavallee|Brensinger Architects handed out the most up-to-date budget sheet for review (attached Conceptual Opinion of Probably Cost). Committee members had no questions on the budget.

Mr. Hopkins reported that we are currently \$743,000 under the target budget; if no further contingency funds are spent.

Commemorative Plaque

Copies of the initial plaque design were distributed for review and input. Mr. Hopkins indicated that the original building plaque would be mounted in the gymnasium, as it is part of the original building. The Committee did not have a specific recommendation for where the new plaque should be located. Mrs. Gerken suggested a location within the main entryway as part of the building design would be best to mount the plaque.

Mr. Lynch suggested using bronze, to keep with tradition. Please contact Mr. Hopkins with any ideas, comments, or edits to the plaque.

Open House Date

The Open House would provide an opportunity for members of the community to visit the school. The Committee supported scheduling Wednesday, December 2, 2015 for the Open House event.

Other

Suggestions were offered in regards to either removing or adding salutations for consistency on the plaque. Ms. Gerkin will speak with Mr. Whitehead regarding the timeframe for having the plaque prepared for mounting; and report back to Mr. Hopkins.

Public Comment

Ms. Caroline McCarley commented that the school looks absolutely amazing. Congratulations were extended for the work that has been done.

Adjournment

Mr. Harkinson moved, second by Mr. Lynch, to adjourn. On a unanimous vote, the Committee adjourned at 7:23 p.m. The motion carried unanimously.

Respectfully submitted,

Michael Hopkins
Board Secretary

East Rochester School

Conceptual Opinion of Probable Cost

1 Upfront Costs, Utility Charges, and Permit Fees			Notes
First Year Bond Payment	\$60,000		
Insurance Fees	\$0		Jobsite Insurance in CM General Conditions
Bond Council	\$20,000		Allowance to be Verified w/ School District
Legal Council (construction related contracts)	\$10,000		Allowance to be Verified w/ School District
Planning Board Fee	\$0		No Local Fees Charged
Site Permitting and Preparation Fees (SWPPP, NOT, NOI)	\$3,500		Under Civil Contract
Construction Permit	\$0		No Local Fees Charged
Power company back charges	\$3,000		To be verified w/ Local Utilities
Fire Alarm and Security System Tie In	\$3,000		To be verified w/ Local Utilities
Elevator Tie In	\$2,000		To be verified w/ Local Utilities
Site Data			
Survey, wetlands mapping			Completed under separate contract
Geotechnical investigations			Completed under separate contract
Phase I Environmental Site Assessment			Completed under separate contract
Wetlands Study			Completed under separate contract
Architectural/Engineering Design Fees			
Civil Engineering, Structural Engineering, MEP/FP Engineering, Acoustic, Food Service, Interior Design, and Architectural Fees			
A/E Reimbursable expenses			
Security System Selection and Design			
Furniture design/selection services	\$0		Not required
Existing Equipment Inventory services	\$0		Not required
Record Documents			Included in CM Contract
Site Data, Design, and Engineering Costs	\$1,030,000		
2 Independent Consultants			
Third Party Code Reviewer	\$0		Not required
Commissioning Agent	\$0		Not required
Construction Inspection & Testing	\$39,279		Based on John Turn Contract Value
Asbestos Removal	\$10,613		
Owner's Clerk of the Works	\$92,124		Assumes 17 Months
Subtotal - Independent Consultants	\$142,016		
3 Furnishings & Equipment			Allowances
Moving Expense	\$1,781		Based on Numbers provided by the School Department
Card Access, Security, and Camera Systems	\$0		Moved to Construction Budget (Via CO #1)
Technology and Furniture Spent to Date	\$621,796		Based on Accepted Furniture and Technology Package To Date
Technology and Furniture Still to Purchase	\$148,204		To be determined upon final selections
Signage (if not included in construction budget)	\$10,000		To be determined upon final selections
Custodial Equipment	\$20,669		Based on Numbers provided by the School Department
Supplemental Playground Equipment	\$39,088		To be determined upon final selections
Subtotal - F&E	\$841,518		Updated Owner's Budget for Furnishings
4 Construction Costs			
Site Construction			
Building Construction Cost			
CM Fees, Insurance, and Bonds			
Construction Contingency	\$474,065		Remaining \$147,083
Base Contract Value - Construction Costs	\$10,154,505		Includes Construction Costs Listed Above
Alternate #1 (Basketball Hoops)	\$5,955		
Alternate #2 (Stage Lift)	\$30,000		
Alternate #3 (Mech Extension)	\$7,501		
Subtotal - Soft costs and Construction Costs	\$12,214,595		Includes Accepted Alternates
Owners Construction Contingency Spent to Date	\$338,580		Includes Approved Expenditures to Date (not pending)
Change Order #1	\$158,996		
Change Order #2	\$15,604		
Change Order #3	\$128,980		
Commissioning	\$30,000		Pending
Traffic Pattern Change	\$5,000		Allowance - Pending Owner Review
Owners Contingency Remaining	\$161,429		Original Value: \$500,000
Rebates through Electric Company	-\$50,000		Subject to availability
Total Project Estimate	\$12,664,595		13,100,000 Target
	UNDER BUDGET		-\$435,405
			Assuming All Contingencies Are Spent and Rebates Achieved
			-\$743,908
			Assuming All Contingencies Are Preserved moving forward (unlikely)

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Public Works and Buildings Committee

October 15, 2015

Council Chambers

7PM

MEMBERS PRESENT

Councilor Ray Varney- Vice Chairman

Councilor Sandy Keans

Councilor David Walker

Councilor Donald Hamann

MEMBERS ABSENT

Councilor Ralph Torr - Chairman

OTHERS PRESENT

Councilor James Gray

Dan Fitzpatrick, City Manager

John Storer, PE, Director of City Services

Donald Jellerson, 12 Cross Wind, Stony Brook Coop.

Derek Bennett, NHDES-MtBE Remediation Bureau

David McNamara, Fay, Spofford & Thorndike Engineers

Richard Davee, Wright Pierce Engineers

Christopher Berg, Wright Pierce Engineers

MINUTES

Vice Chairman Varney called the Public Works and Buildings Committee to order at 7:01 PM.

1. Approve minutes from September 17, 2015 meeting -

Vice Chairman Varney requested a recommendation on last month's minutes.

Councilor Walker made a motion to accept minutes as presented for the September 17, 2015 Meeting. The motion was seconded by Councilor Hamann. The Motion passed unanimously.

2. Public Input

Mr. Jellison spoke about the entrance to Stony Brook Co-op off from Chestnut Hill Road. He stated that when the City ran the water line down that road they cut and patched the pavement at the entrance to this Mobile Home Park. He further stated that in the years since that time the patch has deteriorated and needs to be repair. He stated that of the four roadway entrances that enter the park from Chestnut Hill Road, two are in need of repair. Mr. Storer explained that Mr. Jellison had approached the DPW and the City Manager requesting these repairs. He stated that this is a private roadway entrance and the City Staff does not work on private property unless directed to. He further stated that the entrance does have depressions and standing water has likely caused the problem.

Councilor Walker stated that if the City's patch did not take then we should repair it and slope the patch in a direction to get the water off the road. Councilor Haman suggested waiting to make the repair until they could get out there to see the problem. Vice Chairman Varney asked what the cost would be to repair. Mr. Storer stated that he did not have a cost estimate, but suggested three to five thousand dollars. Councilor Keans stated that it looks like the standing water caused the problem. Mr. Fitzpatrick stated that his recommendation is to not have staff work on private property, unless it is determined that the problem has been caused by some City project or error. Councilor Varney asked if the City could do a temporary patch and then address it again in the spring. Mr. Storer stated that they could.

3. **NHDES – MtBE Sampling**

Derek Bennett from the newly created State of NH MtBE Remediation Bureau came to give a brief description of the scope of his division's work. Mr. Bennett stated that MtBE was a gasoline additive that was used in NH in the 1970's through to 2006. He stated that this additive has been the cause of wide spread contamination of aquifers and as a result of litigation with the gasoline companies the State has been awarded funds to locate and mitigate contamination where found. He stated that there are several sites in Rochester that the state would like to sample private wells. He stated that these are in areas where they have had previous reports of gasoline spills or where history shows there may have been contamination due to the types of businesses that were in that area. Mr. Bennett stated that he would be sending out approximately 100 letters to Rochester property owners requesting samples of their private wells. He stated that this division would be paying for the collection and testing services for MtBE, but should the property owner wish to have full test run, they would perform the test at the property owner's expense. He thought it made sense to offer the service while they were already there taking samples. Councilor Keans stated that many of the areas on the map presented look to be in rural areas and she inquired why they are concerned with those areas. Mr. Bennett stated that they are looking at areas where they have previously had underground storage tanks. He said that there are former auto salvage properties, auto body shops, construction company sites and other similar properties. Mr. Storer asked when the letters would go out. Mr. Bennett stated that he plans on early November. Councilor Gray asked that the City Staff get the information out on the City website and the local government channel.

3. **Strafford Square – David McNamara – Fay, Spofford and Thorndike**

David McNamara from Fay, Spofford and Thorndike Engineers (FST) spoke about the updates made at the request of this Committee. He stated that the plan now reflects the full slip lane from North Main Street to Walnut Street. Mr. McNamara also stated that the updated plan had been run by NHDOT and Roundabout Traffic Engineers (RTE) with favorable comments from both. He stated that NHDOT was satisfied with archeological excavation done at the 2-4 Walnut Street property and he stated that while the State is

working to complete the report, FST will be working to complete the steps necessary for demolition. Councilor Walker asked about the slip lane and impacts to the right of ways. Mr. McNamara showed a slide on the overhead that depicted the slip lane. Councilor Walker was pleased that the impacts are not near the steps and walkway on the Walnut Street Property. Mr. McNamara stated there is an approximate 100 square foot area impacted at that property and a 600 foot impact to the North Main Street property. Vice Chairman Varney asked if the crosswalks would be removed as was suggested. Mr. McNamara stated that for now they have left them in, but removal is always an option. He believed that the City should have a public input meeting to vet that out for sure. Councilor Keans expressed that the northern most one really wouldn't be need as pedestrians would wait to cross up near the church. Vice Chairman Varney suggested a discussion at the City Council level regarding the crosswalks. Mr. Storer stated he would work with FST to make that happen.

4. GIS

Mr. Storer stated that Rick Davee from Wright-Pierce Engineers was there to discuss the advantages to GIS Mapping. Mr. Storer also stated that mapping of the Storm water system will be required by the EPA MS4 Storm Water Permit, and that while we have people out in the field mapping these locations it only make sense to have them locate the other city infrastructure, including the water, sewer, lights, buildings and pump stations. Mr. Davee gave a 10 minute presentation regarding smart mapping. He discussed the ability to start with the base map by getting the City's inventory entered and then adding to it with layers that would show work orders, pictures of structures and cost histories for maintenance. He discussed the use of tablets that are very low cost equipment now. Mr. Storer stated that there are current highway funds available for the storm water piece and there are other approved funds in each, water, sewer, and buildings budgets that could support these efforts. He stated once this effort was completed the city would have the base map to get started and could add to it as funded. The Committee was positive and encouraging. Vice Chairman Varney suggested that the director complete de-authorizations and appropriations so that the project cost could be tracked.

5. City Hall Annex Building

Mr. Storer stated that the probes and borings were completed this week and that the building specialist had been contracted and is working to document the history of the building so that grant eligibility will be an option. Councilor Walker asked if the original façade was going to be used. Mr. Storer stated that it is still unclear, but the design firm will likely propose it in the bid docs as an alternate so that the actual cost to do that piece will be clear. Councilor Keans suggest that if the façade is not used, she would assume that grant funds from historical type sources would be pulled.

6. Project Updates

Columbus Ave. Parking Lot – Mr. Storer stated that this project had been left for a bit but that some preliminary drawings and the survey had been completed. He stated that

the Tighe & Bond Engineers had come up with two perspectives. One plan showed a total of 30 available parking spaces and the other with 36. He stated by adjusting the alignment of the parking spots they could get the additional 6 spaces. Councilor Gray asked the width of the parking spots. Mr. Storer stated they are the typical nine foot width. Mr. Storer stated that he would like input from either the Council or the property owner prior to proceeding. He stated that the project design was co-funded 50/50 with the adjacent business owner and prior to final design he would like clarification on the priority; be it aesthetics, number of spaces or cost. Councilor Walker suggested sending it to the planning board for input. Vice Chairman Varney stated that the business owner should advocate for it at the Planning Board, but that she will need some assistance to do so. He suggested that Mr. Storer contact her.

Keay Field Snow Dump Mr. Storer stated that the Keay Field in East Rochester has been used by the City as a snow dump for many years. He stated that he had recently been contacted by the baseball association that owns it. They would like compensation and other stipulations in order to continue using the field. Mr. Storer stated that the City had recently acquired 828 Portland Street and with little modification this could be used for the snow dump.

Dewey Street Bridge – Mr. Storer stated that the Dewey Street Bridge evaluation was completed and they are ready to proceed with design. He stated that he is working on project priority list but as this project is obviously a priority he would like to get started as soon as possible. The Committee agreed that staff should proceed with design.

Woodman & Myrtle Street – Mr. Storer stated that this is another project that he would like to proceed with design as the survey work would need to be completed prior to snowfall. He stated that if it is determined not to be the priority for next construction season, the design can be shelved till it is deemed a priority. Vice Chairman Varney stated that he has no objection to this as long as we are not wasting funding on something we will not be building.

7. Other

City Hall Split A/C Units- Vice Chairman Varney asked about the status of the A/C units in the City Clerk's Office. Mr. Storer stated that this will be a spring project.

PSNH Street Lights – Vice Chairman Varney stated he is still seeing many street lights out at various location around the City.

Councilor Walker made a motion for adjournment at 8:30 PM. Councilor Hamann seconded the motion. The motioned passed unanimously.

Minutes respectfully submitted by Lisa J. Clark, City of Rochester Office Manager.

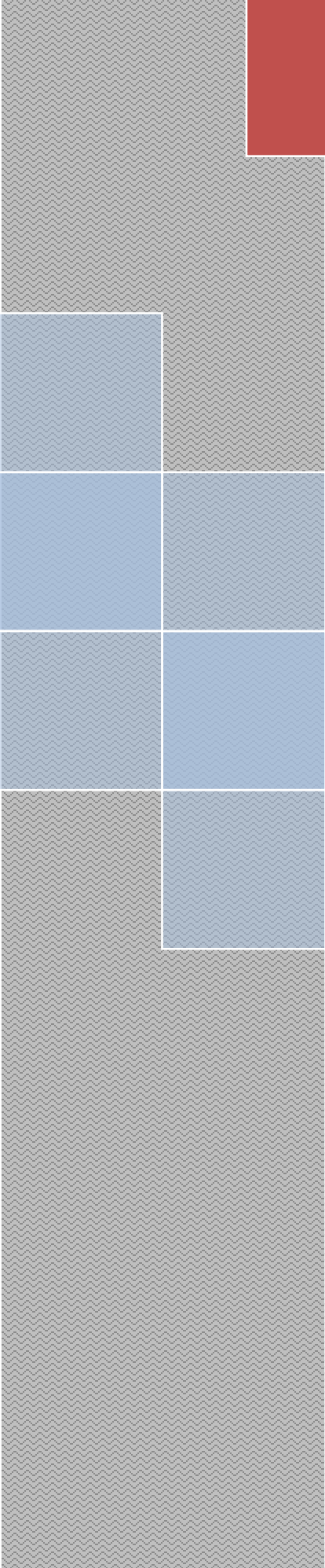
RESOLUTION ACCEPTING
US DEPARTMENT OF JUSTICE,
BYRNE JUSTICE ASSISTANCE GRANT,
TO THE ROCHESTER POLICE DEPARTMENT
AND MAKING A SUPPLEMENTAL APPROPRIATION
IN CONNECTION THEREWITH

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

That a U.S. Department of Justice, Justice Assistance grant (Grant No. 2015-DJ-BX-0271) in the amount of Twenty Thousand Two Hundred Sixty-Four Dollars (\$20,264.00) to the City of Rochester, Police Department, for the purpose of providing funds to upgrade the current cruiser fleet with in-cruiser camera and video storage (the "Project"), all as more particularly set forth in the application for such grant and the notice of award thereof, is hereby accepted by the City of Rochester, and such funds shall be assigned to an account(s) the number(s) of which is/are to be established by the Finance Director in the 2015-2016 operating budget of the City of Rochester, Police Department. Further, that the sum of Twenty Thousand Two Hundred Sixty-Four Dollars (\$20,264.00) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester, Police Department operating budget, with such sums to be placed in a special non-lapsing reserve account to be established/designated by the Finance Director, such funds to be used exclusively for Project purposes. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant. Such grant program shall be administered by the City of Somersworth as fiscal agent for this multi-jurisdictional Justice Assistance grant.

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

CC FY16 11-04 AB 54



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10/30/15

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.****AGENDA SUBJECT**

Seeking permission from Council to accept JAG funds in the amount of \$20,264.00 managed through the City of Somersworth.

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	Next October 2015 meeting		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	10/22/15		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Federal managed through the City of Somersworth
ACCOUNT NUMBER	61152010 -165XX
AMOUNT	\$20,264.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from Council to accept JAG funds in the amount of \$20,264.00 managed through the City of Somersworth. We will be upgrading our current cruiser fleet with in-cruiser camera and video storage.

RECOMMENDED ACTION

Accept funds in the amount of \$20,264.00.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Seeking permission from Council to accept JAG funds in the amount of \$20,264.00 managed through the City of Somersworth.

Date: 10/22/15

Fiscal Year: FY16

Fund (select):

GF ☐Water ☐Sewer ☐Arena ☐CIP ☐Water CIP ☐Sewer CIP ☐Arena CIP ☐Special Revenue ☒Fund Type: Lapsing ☐Non-Lapsing ☒

Deauthorization

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

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	61152010	573900	165XX	\$20,264.00	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6115003	402179	165XX	\$20,264.00	-	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # 069911980

CFDA # 16.738

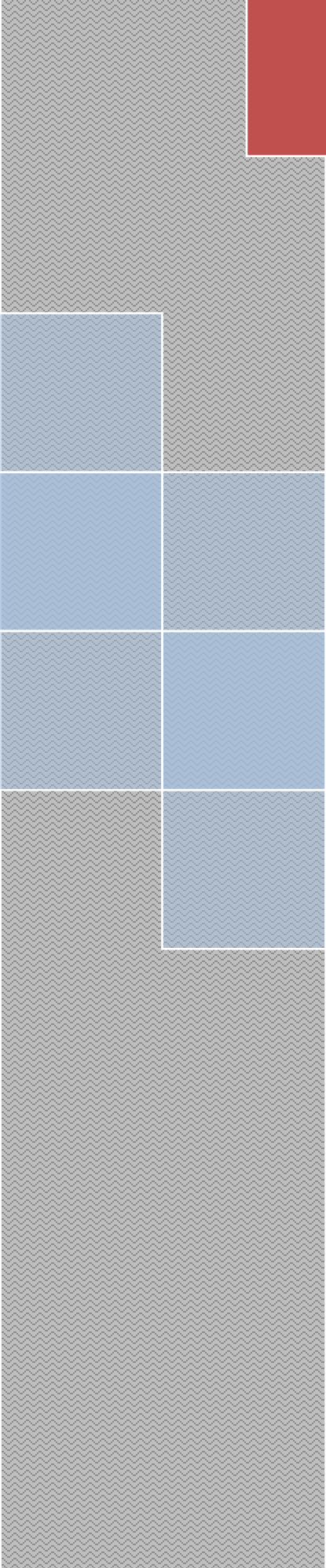
Grant # 2015-DJ-BX-0271

Grant Period: From 10/01/2014

To 09/30/2018

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

Reimbursement Request will be reduced ☐Funds will be returned ☐



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**AMENDMENTS TO CHAPTER 3 AND CHAPTER 21 OF THE GENERAL
ORDINANCES OF THE CITY OF ROCHESTER REGARDING THE RECREATION
AND ARENA COMMISSION**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 3 and Chapter 21 of the General Ordinances of the City of Rochester regarding the Recreation and Park Commission as well as the Arena Advisory Commission currently before the Rochester City Council, be amended as follows:

3.10 Recreation and Arena Commission.

(a) The composition, functions, powers, duties of the Recreation and Arena Commission shall be as provided by Chapter 21 of the Ordinance.

3.13 [Deleted].

CHAPTER 21

RECREATION AND ARENA

21.1 Definitions.

(a) ----

(b) ---

(c) Commission. The Rochester Recreation and Arena Commission. This commission shall consist of thirteen (13) members to be nominated by the Mayor and elected by the Council, in accordance with the provisions of Section 74 of the Rochester City Charter, as follows: one member from the City Council, one member from the school board, and eleven (11) interested citizens. Up to two (2) members of the Commission may be a non-resident of the City of Rochester provided, that at the time of election of such individual to the Commission, such individual is associated with communities or organizations utilizing the Rochester Arena facilities or has other specialized skills related to the provision of recreational services.

(d) Director. The City Manager, in accordance with the provisions of Sections 15 and 18 of the Rochester City Charter, shall appoint a Director of Recreation and Arena for the City of Rochester, who shall be the department head of the Rochester Department of Recreation and serve as the Arena Director.

21.2 Conduct Prohibited in Parks and Arena. [Add "arena" to all sections as needed]

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21.3 Function of Commission.

- (a) The Commission shall act as advisory body to the Director.
- (b) Aid, assist, and advise the Director in formulating plans for maintaining, equipping, operating, and regulation of the recreational facilities, related programs and the arena facility and advise the City Council in establishing a fee schedule for the use thereof.
- (c) The Commission shall inform itself of ways and means by which its plans and programs for development and use of the recreational facilities and arena facility may best be achieved and may advise the Director, the City Council, and public of the manner in which such objectives may best be accomplished.

21.4 Term and Officers of Commission.

The terms of the City Council and School Board Commissioners shall be commensurate with their terms of service on their respective boards. Commencing January, 2016, five (5) Commissioners shall be appointed for a two (2) year term and six (6) Commissioners shall be appointed for a three (3) year term. Thereafter, all appointments and reappointments shall be for a term of three (3) years.. The Mayor shall appoint the chairman and the commission shall, from its own members, elect a secretary and other necessary officers to serve for one year or until their successors are elected.

*

21.6 Use of Parks and Arena. [Add "arena" to all sections as needed]

The effective date of these amendments shall be upon passage.

CC FY 16 AB 56 11-04



10/30/15

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.****AGENDA SUBJECT**

Amendment to Chapter 3 and Chapter 21 of the General Ordinances of the City of Rochester Regarding the Recreation and Arena Commission.

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	November 4, 2015		
DEPT. HEAD SIGNATURE	Signature on file		
DATE SUBMITTED	10/26/2015		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	4

COMMITTEE SIGN-OFF

COMMITTEE	Codes and Ordinances
CHAIR PERSON	Signature on file

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

City Council - Vote to Accept the Amendments.

SUMMARY STATEMENT

The Codes and Ordinances Committee met on October 1, 2015, to discuss the Amendments to Chapter 3 and 21, relative to the Recreation and Arena Commission:

Councilor Bogan MOVED to have Chapter 3 Boards and Commissions, and Chapter 21 Recreation and Arena, with revisions sent to the City Council on November 4, 2015, meeting. Councilor Gates seconded the motion. The MOTION CARRIED by a unanimous voice vote.

RECOMMENDED ACTION

Vote to Accept the Amendments to Chapter 3 and Chapter 21.

Ms. Marchionni said that some of the technical language needed to be re-written and she wanted more defined authorized uses. She explained that with the various liquor licenses that the State issues the City should not include that they have to serve food in the ordinance.

Ms. Marchionni added that the ordinance was vague when it came to allowing the City to shutdown an outside dining area at will. She felt that this should be addressed.

Ms. Marchionni questioned the specific types of enclosures for these dining areas. Councilor Varney believed that they were looking at consistency in the downtown. She also questioned outside entertainment.

Ms. Marchionni had concerns with the primary advertising not being allowed. Mr. O'Rourke explained that indirect advertising would be allowed.

Councilor Lauterborn asked Ms. Marchionni to provide Mr. O'Rourke a written copy of her suggestions for revisions. Ms. Marchionni stated that she would provide this to him.

Mr. O'Rourke addressed her concerns with the Codes and Ordinances Committee and discussed the liquor licenses with Ms. Marchionni and Mr. Provost. Mr. O'Rourke will look into the licenses further. He did want the committee to look at this as city property and would having a bar on the sidewalk be appropriate. He said it would be up to the City Council.

Councilor Gate **MOVED** to keep the proposed Outdoor Dining Ordinance in committee until they receive a revised copy. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Recreation, Parks and Youth Services, Arena Ordinance Amendment

Chris Bowlen, Director of Recreation and Arena, gave the committee a little background in regards to why they are looking to amend these ordinances. He referred to his "Master Plan" from 2010-2011. Where they work close together it only makes sense to make them a singular advisory board.

Mr. Bowlen explained that they have been working on this for month and it is now at the formality stage. He explained that the board has been

working with the City Attorney on this and the commission now wanted to see the merge move forward.

Councilor Lauterborn asked why the committee has fourteen members. She thought that was too many. Mr. Bowlen felt that they needed that amount, but understood her wanting the reduction. He referred to the recommendation from their consultant, which suggested ten members. Councilor Lauterborn felt that they should have an odd number of members. Mr. Bowlen explained that they are a non-voting committee and are just an advisory committee.

Councilor Lauterborn mentioned that they currently have a vacancy, and if they do not fill that position it would at least reduce the committee by one. Mr. Bowlen agreed.

Councilor Lauterborn and the committee discussed non-residents on the commission. David Ancil, Chair of the Arena Advisory Commission, addressed this issue for the committee. He said that the non-residents are very valuable and they have done a lot for the commission. They also have been involved with the arena through the years with other organizations, some that contracted the arena for their services.

Mr. O'Rourke said the commission was at fourteen with staggered terms. He advised the Codes and Ordinances Committee of input from the members currently on the commissions, and they all seem to be in agreement with the terms and the number of members.

The Codes and Ordinances Committee discussed with Mr. Bowlen the two non-recreation members. He explained that these are in place for such organizations like the "Big Buddy Program" and similar organizations.

Councilor Lauterborn wanted more clarification on the two non-resident members. She felt that the wording in the ordinance should be changed from "shall be" to "maybe." Councilor Varney said if those two members are dropped then that would lower the number on the commission. Mr. Bowlen reiterated that those two members are very high functioning and have value to the commission. The committee further discussed changing the non-resident members.

Councilor Varney discussed 21.1 (c) of the chapter as it pertained to members, which shall not be involved in non-recreation services. He felt that it should be removed from the definitions.

Councilor Varney **MOVED** to strike the last sentence of 21.1 (c). Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

The Codes and Ordinances Committee discussed this briefly and Mr. Bowlen stated that there was not a member on the commission that as non-recreation; however, it was listed in the current ordinance. The committee addressed that this commission does consist of one City Council member and one School Board member. The committee continued to discuss the non-residents and vacant position. Councilor Varney reiterated that these amendments are a combination of both commissions.

Councilor Lauterborn **MOVED** to change "shall consist of two non-residents" to "may consist of up to two non-residents." Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Varney wanted to see a commission consisting of ten members, excluding the City Council and School Board members. Councilor Gray felt that the School Board member should be included and explained that they are valuable to the interface should a problem arise. Councilor Lauterborn agreed, but wanted Mr. Bowlen to follow-up with the School Board so they have a member that will attend regularly. Mr. Bowlen did confirm that the City Council member attends regularly.

Councilor Lauterborn mentioned that if they are looking to reduce numbers maybe they should look at members whose terms are expiring. Mr. Ancil gave his reasons why these numbers should not be reduced by expiration. He explained that quite a few of the members whose terms are expiring are the original members with a lot of experience. Councilor Lauterborn asked if thirteen would be acceptable. Councilor Varney thought that the members should all have to reapply. Councilor Keans asked why should the City Council dictate the number of members.

Mr. Ancil wanted to reiterate that this commission is just an advisory board. The members discuss issues and come to an agreement to advise; they do not vote. Councilor Lauterborn wanted to see the number at thirteen. Mr. Bowlen did not have a problem with that as attendance varies. The committee and Mr. Bowlen agreed with that number he would need at least seven members present to have a quorum.

Councilor Lauterborn **MOVED** to change the number of members for the Recreation and Arena Commission from fourteen to thirteen. Councilor

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

Councilor Lauterborn asked Mr. Bowlen to check into the staggered terms. Mr. O'Rourke mentioned that with a new commission everyone would need to apply. Councilor Lauterborn believed that because of this they would need to have a resolution. Mr. O'Rourke agreed. The committee agreed that the City Council and School Board members would stay at their two year term because that was how they are elected. Committee members addressed whether the terms for all other members should be three or four, since each commission has a different term.

Councilor Gray described further as to how the appointments committee would address this. He thought there would be formal meetings for re-appointments.

Councilor Varney asked about the Arena Department supplying the City Council their fee schedule under 2.18 (b) paragraph five. He said it does not look like that is getting done. Mr. O'Rourke felt that they need to look at that and maybe it should be stricken. The Codes and Ordinances Committee discussed this further with Mr. Bowlen and Mr. Anctil. Mr. Bowlen said that they could have the fee schedule by May during the budget season. Councilor Varney reiterated that the City Council needs to check these fees to compare to the expenses.

Councilor Bogan **MOVED** to have Chapter 3 Boards and Commissions, and Chapter 21 Recreation and Arena, with revisions sent to the City Council on November 4, 2015, meeting. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

7. Aggressive Panhandling Discussion

After reviewing the aggressive panhandling as it pertained to the City with Mr. O'Rourke, which he informed them that this type of ordinance could be overturned. It was the consensus of the Codes and Ordinances Committee that no action be taken.

8. Other

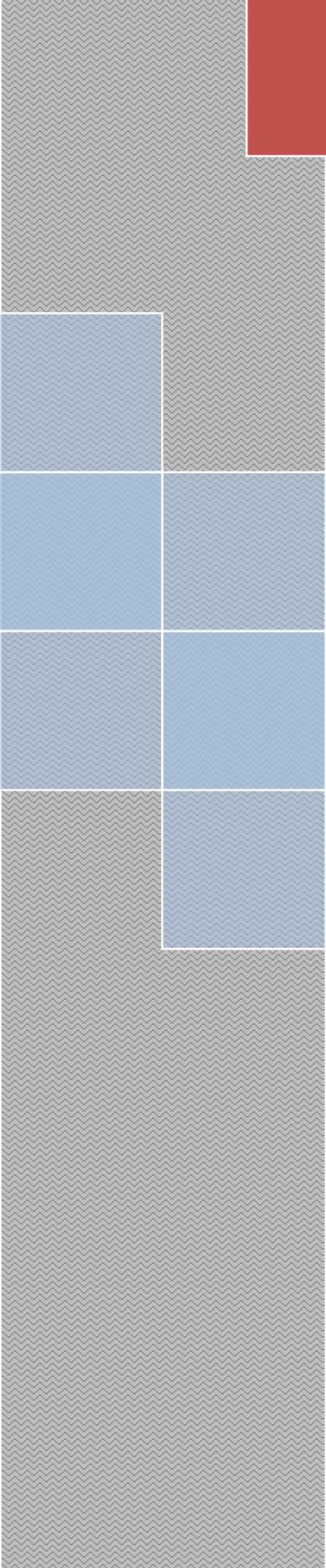
Councilor Varney wanted to address casinos within the City and questioned what the definition of a casino was. Mr. O'Rourke had hand outs for H.B. 651 and H.B. 113, which pertained to this discussion. He will work on the definition as it would apply to the City.

**RESOLUTION AUTHORIZING CITY MANAGER TO
NEGOTIATE AND ENTER INTO AGREEMENT(S) WITH
SOUTHEAST LAND TRUST OF NEW HAMPSHIRE
WITH REGARD TO CONSERVATION/MITIGATION
ISSUES RELATED TO THE SO-CALLED HENDERSON PROPERTY**

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

That the City Manager be, and hereby is, authorized, on behalf of the City of Rochester (“City”), to negotiate and enter into an Agreement or Agreements with the Southeast Land Trust of New Hampshire (“SELT”), and any other necessary/appropriate entity and/or entities, relative to several mitigation/conservation issues (including the existing so-called “Walmart” conservation easement, the “NH DOT Spaulding Turnpike” project, and a part of the so-called “Safran” project) in which the City has interests and which involve land owned by the City of Rochester, and known, and/or referred to, as the so-called Henderson property, located on NH Rte. 11, in Rochester, such Agreement(s) to be upon such terms and conditions as the said City Manager deems to be in the best interest of the City of Rochester. Further, the City Manager is authorized, to execute, in furtherance of such Agreement(s), a Conservation Easement Deed(s) between the City and SELT and to take any and all such additional actions, and/or to execute any and all such additional documents, as are necessary and/or appropriate to effectuate the intent and purposes of this Resolution.

CC FY 16 AB 59-a 11-04



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**RESOLUTION AUTHORIZING CITY MANAGER TO
NEGOTIATE AND ENTER INTO AGREEMENT(S) WITH
STATE OF NEW HAMPSHIRE, N.H. DEPT. OF TRANSPORTATION,
WITH REGARD TO CONSERVATION/MITIGATION
ISSUES RELATED TO THE SO-CALLED CITY CONCRETE PROPERTY,
AND PROVIDING FOR THE TRANSFER OF SUCH PROPERTY
TO THE CITY OF ROCHESTER**

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

WHEREAS, the State of New Hampshire is the current owner of a certain tract of land situate off of the Chestnut Hill Road in Rochester, New Hampshire, such tract consisting of approximately 49 acres, and being known, and referred to, as the City Concrete property; and

WHEREAS, the State of New Hampshire, acting through its Department of Transportation, has for a number of years been involved in a project known and described as the “NH DOT Spaulding Turnpike” project, which project, involved the widening of the said Spaulding Turnpike, primarily within the City of Rochester; and

WHEREAS, in connection with the “NH DOT Spaulding Turnpike” project the State of New Hampshire was required, by State and Federal authorities, to mitigate the impacts of such project by creating approximately 38.85 acres of wetlands mitigation area, said replacement mitigation area originally being planned by the State to be located on the aforesaid City Concrete property; and

WHEREAS, the City of Rochester operates, as part of its public water distribution system a water production well located on the so-called Henderson property (which consists of approximately 165.49 acres), owned by the City, and situate on NH route 11, in relative close proximity to the so-called City Concrete property; and

WHEREAS, the public water system needs of the City are such that the City is desirous of creating a second State licensed water distribution well for use in connection with its public water distribution system; and

WHEREAS, The City Concrete property has been identified as an appropriate site for the location of a second State licensed water distribution well for use in connection with the City’s public water distribution system; and

WHEREAS, the State has indicated its willingness to transfer title to the City Concrete property to the City, so as to permit it to be used as the a second State licensed public drinking water distribution water production well for use in connection with the City’s public water distribution system, in exchange for the location of the of the 38.85 acres of wetlands mitigation area related to the “NH DOT Spaulding Turnpike” project, to be located on the so-called Henderson property; and

WHEREAS, the Mayor and City Council of the City of Rochester are desirous of effectuating the transfer of the so-called City Concrete property to the City of Rochester for use in connection with the establishment of second State licensed water production and distribution well for the City's public water distribution system, and, in exchange, to accommodate the location of the of the 38.85 acres of wetlands mitigation area related to the "NH DOT Spaulding Turnpike" project, on the so-called Henderson property;

NOW THEREFORE, by adoption of this Resolution, the Mayor and City Council of the City of Rochester, hereby authorize the City Manager, on behalf of the City of Rochester ("City"), to negotiate and enter into an Agreement or Agreements with State of New Hampshire, acting on its own behalf and/or through its Department of Transportation, and any other necessary/appropriate entity and/or entities, relative to the exchange and transfer of the title of the so-called City Concrete property to the City of Rochester in exchange for the City's authorization for the location of approximately 38.85 acres of wetlands mitigation area on land owned by the City of Rochester and known, and/or referred to, as the so-called Henderson property, located on NH Rte. 11, in Rochester, such acreage, as well as additional Henderson property acreage, to be subjected to a Conservation Easement to be granted by the City to the Southeast Land Trust of New Hampshire ("SELT"). Such Agreement and/or Agreements(s) to be upon such terms and conditions as the said City Manager deems to be in the best interest of the City of Rochester. Further, the City Manager, be, and hereby is, authorized, in furtherance of such Agreement and/or Agreements, to take any and all such additional actions, and/or to execute any and all such additional documents, as are necessary to effectuate the intended purposes of this Resolution.

CC FY 16 AB 59-b 11-04



10/30/15

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 Henderson & City Concrete Wetlands Mitigation

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	11-04-2015		
DEPT. HEAD SIGNATURE	Signatur on file		
DATE SUBMITTED	10-29-2015		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signatur on file
CITY MANAGER	Signatur on file

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

SUMMARY STATEMENT

The City and State of New Hampshire have reached a tentative agreement in which the State would transfer ownership of the “City Concrete” property of approximately 49 acres to the City in exchange for the City granting a conservation easement upon approximately 38 acres of the City owned Henderson property on behalf of the State. The City desires ownership of the City Concrete property as a potential future water well site. The State desires a conservation easement on the Henderson property as a means to comply with federal and state wetlands mitigation mandates related to the Spaulding Turnpike project.

RECOMMENDED ACTION

Council grant of authority to the City Manager to enter into agreements concerning the City Concrete property ownership and Henderson property easement.



10/30/15

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**

Accept the November 3, 2015, Vote Returns and Declare that the recount period will begin on November, 5, 2015.

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☐ NO ☒FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	November 4, 2015	
DEPT. HEAD SIGNATURE	Signature on file	
DATE SUBMITTED	10/26/2015	
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	Election Results are Forthcoming

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

City Charter Section 52: Municipal Election Recounts, Canvass of Votes Cast

SUMMARY STATEMENT

The November 3, 2015, Municipal Vote Returns will be presented to the City Council on November 4, 2015.

The Recount Period will begin Thursday, November 5, 2015, and end on November 12, 2015, due to Veterans Day, November 11, 2015.

City of Rochester City Charter

Section 52: MUNICIPAL ELECTION RECOUNTS, CANVASS OF VOTES CAST

The City Council shall meet on the Wednesday following each municipal election and shall canvass the votes cast at such election and declare the results. Within seven (7) days thereafter, any candidate desiring a recount shall file an application for such recount with the City Clerk and shall pay to said City Clerk such fee as shall be established by ordinance. Within seven (7) days thereafter, the City Clerk shall, subject to rules and regulations as may be prescribed by the City Council, recount the ballots cast in such election and also hear and determine any contest on the grounds of fraud or misconduct therein. Decisions of the City Clerk in cases of contested elections shall be final. Tie votes for any elective office shall be resolved by lot in the manner the City Council shall determine.

RECOMMENDED ACTION

Accept funds in the amount of \$1,900.42.