



**Regular City Council Meeting  
December 2, 2014  
COUNCIL CHAMBERS  
7:00 PM**

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Roll Call**
- 4. Acceptance of Minutes**
  - 4.1. [November 5, 2014, Regular City Council Meeting Minutes](#)**
  - 4.2. **AB 71** Correction to Various City Council Meeting Minutes: P. 7**
    - 4.2.1. June 16, 2009, Special City Council meeting minutes**
    - 4.2.2. May 4, 2010, Regular City Council meeting minutes**
    - 4.2.3. August 7, 2012, Special City Council meeting minutes**
    - 4.2.4. September 4, 2012, Regular City Council meeting minutes**
- 5. Communications from the City Manager**
  - 5.1. Employee of the Month Award P. 14**
  - 5.2. City Manager's Report P. 13**
- 6. Communications from the Mayor**
  - 6.1. Rescheduled: Finance Committee Meeting to be held on December 10, 2014**
  - 6.2. Holiday Reminders:**
    - 6.2.1. December 5, 2014, Christmas Tree Lighting**
    - 6.2.2. December 7, 2014, Holiday Parade**
- 7. Presentations of Petitions and Council Correspondence**

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

### 8.1. Resignation: Timothy Cremmen, Rochester Economic Development Commission P. 57

## 9. Reports of Committee P. 59

### 9.1. Appointments Committee P. 61

### 9.2. Finance Committee P. 63

### 9.3. Public Safety Committee P. 67

### 9.4. Public Works Committee P. 81

## 10. Old Business

## 11. Consent Calendar

11.1. **AB 62** Resolution De-Authorizing a Portion of a Certain FY 2014-2015 City of Rochester, Fire Department Appropriation for Rochester School Department SAU Table-Top Emergency Plans Drill Exercise - **First Reading, Second Reading, and Adoption** P. 87

11.2. **AB 63** Resolution De-Authorizing Portion of Fiscal Year 2013-2014 Capital Budget Appropriation for the City of Rochester, Department of Public Buildings, for the So-Called Management Information System Server Room Air Conditioning and Fire Suppression System Project - **First Reading, Second Reading, and Adoption** P. 93

11.3. **AB 64** Resolution De-Authorizing Portion of the Fiscal Year 2013-2014 Capital Budget Appropriation for the City of Rochester, Department of Public Buildings, for the So-Called Community Center Automatic Sprinkler Project System Project - **First Reading, Second Reading, and Adoption** P. 97

11.4. **AB 67** Resolution De-Authorizing Portion of a Fiscal Year 2012-2013 Police Department Operating Budget for the New Hampshire Safety Agency Grant for Bulletproof Ballistic Vests - **First Reading, Second Reading, and Adoption** P. 101

## 12. New Business

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- 12.1. **AB 69** Resolution De-Authorizing a Portion of the FY 2011-2012 Capital Improvement Project Supplemental Appropriation, for the So-Called Granite State Business Park Public Infrastructure Improvements Project, Transferring and Repurposing such Deauthorized Funds, and Making a Supplemental Appropriation Therewith, for the So-Called EDA Salmon Falls NH Route 125 Infrastructure Improvements Project **First Reading, and Adoption** P. 107
- 12.2. **AB 72** Amendment to Ordinances Adopting a New Chapter of the General Ordinances of the City of Rochester, to be known as Chapter 68 of the General Ordinances of the City of Rochester – **First Reading and Refer to a Public Hearing** P. 111
- 12.3. **AB 70** Resolution Authorizing Discontinuance of a Portion of the So-Called Ten Rod Road (also known as Ten Rod Road Annex – **First Reading and Adoption** P. 117
13. Other
14. Non-Meeting and Non-Public Session(s):
  - 14.1. **AB 68** Non-Meeting for Legal Consultation under RSA 91-A: 2 I (b) Great Bay Coalition Efforts P. 119
  - 14.2. Non-Public Personnel, RSA 91-A 3 II (a)
15. Adjournment

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11/26/14

**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

**Corrections to various City Council meeting minutes.**COUNCIL ACTION ITEM ☒INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒

\* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☐ NO ☒FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	<b>December 2, 2014</b>		
DEPT. HEAD SIGNATURE	Kelly Walters, City Clerk Signature on file		
DATE SUBMITTED	11/25/2014		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	4

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox, Signature on file
CITY MANAGER	Dan Fitzpatrick, Signature on file

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY****City Council.**

**SUMMARY STATEMENT**

During the process of compiling minutes for the Bond Council, it was discovered that the various City Council meeting minutes should be corrected to reflect the actual votes taken by the City Council. See attached corrections.

**RECOMMENDED ACTION**

Approve the list of corrections according to the name of the meeting and the meeting date:

- June 16, 2009, Special City Council meeting minutes
- May 4, 2010, Regular City Council meeting minutes
- August 7, 2012, Special City Council meeting minutes
- September 4, 2012, Regular City Council meeting minutes



11/26/14



City Clerk's Office  
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Web Site: <http://www.rochesternh.net>

Clerk of the Council Elections Vital Records Dog Licensing Notary Public Services
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November 18, 2014

To Whom it May Concern:

This letter is to certify that the FY 2010 CIP Budget was adopted as amended on June 16, 2009; however, the minutes of the Special City Council meeting do not correctly reflect this adoption.

I hereby attest and submit to the City Council the following Correction:

Councilor Lachapelle **MOVED** to amend the resolution by replacing in its entirety the original resolution regarding the CIP budget, with the amended version for a total of \$4,565,834. Councilor Gerrish seconded the motion. **The MOTION CARRIED by a unanimous voice vote. Mayor Larochelle called for a vote on the main motion as amended.** The **MOTION CARRIED** by a roll call vote of 13 to 0. Councilors Hervey, Hamann, Lundborn, Varney, Gerrish, Torr, Lauterborn, Keans, Healey, Lachapelle, Grassie, LaBranche, and Mayor Larochelle voted in favor of the motion.

Respectfully,

Kelly Walters,  
City Clerk

11/26/14



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Clerk of the Council Elections Vital Records Dog Licensing Notary Public Services
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November 18, 2014

To Whom It May Concern:

This letter is to certify that the **Resolution De-Authorizing Various Capital Improvement Project Appropriations and Making Certain Supplemental Appropriations in Connection Therewith** was adopted as amended on May 4, 2010; however, the minutes of the Regular City Council meeting do not correctly reflect this adoption.

I hereby attest and submit to the City Council the following Correction:

Councilor Grassie **MOVED** to amend the resolution by substituting the amended version contained in the Council Packet for the original resolution read for the first reading at the April 6, 2010, Council Meeting. Councilor Hervey seconded the motion. The **MOTION to AMEND CARRIED** by a unanimous voice vote. **Mayor Jean called for a vote on the main motion as amended. The MOTION CARRIED by a unanimous voice vote.**

Respectfully,

Kelly Walters,  
City Clerk

11/26/14



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Clerk of the Council Elections Vital Records Dog Licensing Notary Public Services
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November 18, 2014

To Whom It May Concern:

This letter is to certify that the **Resolution Authorizing Supplemental Appropriation to the 2012-2013 Capital Budget of the City of Rochester, Water Works for the So-Called Rochester Hill Water Tower Repair Project and Authorizing Bonding in Connection Therewith** was adopted on August 7, 2012; however, the minutes of the Regular City Council meeting do not correctly reflect this adoption.

I hereby attest and submit to the City Council the following Correction:

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Lachapelle seconded the motion. **The MOTION CARRIED** by a **required two-thirds** majority voice vote.

Respectfully,

Kelly Walters,  
City Clerk

11/26/14



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Clerk of the Council Elections Vital Records Dog Licensing Notary Public Services
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November 18, 2014

To Whom It May Concern:

This letter is to certify that the **Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2012 – 2013 Capital Budget of the City of Rochester, Water Works for the So-Called Rochester Hill Water Tower Repair Project and Authorizing Bonding in Connection Therewith** adopted on September 4, 2012; however, the minutes of the Regular City Council meeting do not correctly reflect this adoption.

I hereby attest and submit to the City Council the following Correction:

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor LaBranche seconded the motion. **The MOTION CARRIED** by a **required two-thirds** majority voice vote.

Respectfully,

Kelly Walters,  
City Clerk





*City of Rochester, New Hampshire*

OFFICE OF THE CITY MANAGER  
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**CITY MANAGER'S REPORT  
DECEMBER 12, 2014**

The Employee of the Month is: Jennifer Murphy Aubin, Economic Development Department P.14

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

- October 27, 2014 P. 15
- November 3, 2014 P. 17
- November 10, 2014 P. 20
- November 17, 2014 P. 22
- November 24, 2014 DRAFT P. 25

Contracts and documents executed since last month:

- Household Hazardous Waste (HHW) Contract P. 28
- Watershed Assistance Grant – New Hampshire Department of Environmental Services (NHDES) proposal P. 29
- Patriot Properties Assessing Software – upgrade agreement P. 30
- Brock Street – Substantial Completion and Certificate of Final Completion P. 31
- Rental Agreement – Council Chambers/Conference Room P.32
- Strafford County Public Health Region Memorandum of Understanding P. 33

The following standard reports have been enclosed:

- Personnel Action Report Summary P. 35
- Permission & Permits Issued P. 36
- City Council Request & Inquiry Report (no new requests) P. 37



## *City of Rochester, New Hampshire*

*Division of Community Development*

*31 Wakefield Street, Rochester NH 03867*

*(603) 335-7522 [www.thinkrochester.biz](http://www.thinkrochester.biz)*

~~August 11, 2014~~ 2014  
11/26/14

Date: August 11, 2014

To: Employee Recognition Self Directed Work Team

From: Economic Development Manager Karen Pollard

Re: Nomination of Jennifer Murphy Aubin as Employee of the Month

Jennifer Murphy Aubin has just celebrated her one year anniversary with the city and her contributions to the department and to the city really stand out for a new employee.

Stepping in to Samantha Rodgers's she had very big shoes to fill in marketing and organizing events. She has done an excellent job in coordinating the Seacoast Manufacturing Exchanges as well as the Annual Business Plan Competition. She is support staff to the Arts & Culture Commission and has helped to recruit and keep volunteers, and attended many events on her own time including the recent Achievement in the Arts Awards. She spearheaded the Infinite Canvas Project involving Spaulding students in photographing the iconic images of the city which will be on display during a Rochester Public Library show and will be available for use by the city in its annual reports, web pages, publications and more.

Jennifer is eager to learn, and seeks out opportunities that will increase her job performance in multiple ways, and also seeks to share those opportunities with other city employees. The Division did a group training on Myers-Briggs and communications, she was accepted into the LGC Municipal Management Program and is currently completing the UNH Cooperative Extension Program Economic Development Academy. What she learns she can't wait to use and share with others.

Jennifer is a very generous and giving person and has participated in the United Way Day of Caring and Rochester Wings and Wheels. She is the volunteer point person for the city's United Way Payroll Campaign and is a cheerleader for charitable efforts.

We have brought a new member into the economic team and Jennifer is very generous in making them feel welcome and comfortable, but also helping them with contacts, meeting preparation and encouragement at every turn. I appreciate her genuine efforts and believe she is an example for other employees in her teamwork and customer service.

Thank you for your consideration,

Karen



# **City of Rochester, New Hampshire**

Office of the City Manager

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

## **MANAGEMENT TEAM MEETING**

**October 27, 2014**

**9:00 A.M.**

### **PRESENT:**

Blaine Cox, Deputy City Manager  
Danford Wensley, City Attorney  
Michael Bezanson, City Engineer  
Samantha Rodgerson, Executive Asst.  
Norm Sanborn, Fire Chief  
Jim Grant, Director BZLS  
Brian Sylvester, Library Director

Karen Pollard, Econ Dev Manager  
Chris Bowlen - Director RAYS  
Jim Campbell - Chief Planner  
Shirley McCrillis, Exec Secretary

### **EXCUSED**

Daniel Fitzpatrick, City Manager  
Michael Allen, Police Chief

## **MINUTES**

Deputy City Manager Cox called the Management Team meeting to order at 9:00 A.M.

### **1. Management Team Minutes of October 20, 2014**

Minutes were approved by general consensus.

### **2. City Council Inquiry Report**

There were no items, no discussion.

### **3. City Calendar for Week**

The City Calendar was updated to reflect that the Trustees of the Trust Fund Meeting was cancelled.

### **4. Right to Know Requests**

There was one Right to Know request that was resolved.

### **5. Flags/Banners on Poles**

Former City Councilor Steve Hervey attended the meeting. He was representing the Veterans Council. They seek to donate "patriotic" flags to display on downtown light poles. City Engineer Bezanson will be providing a list of the light poles we have flag hardware installed upon and he will determine what flags we have on hand for display. Mr. Hervey will be getting from the Veteran's Council specifics on how many flags they might want to donate and whether these would be "seasonally" displayed or permanent displays.

### **6. Downtown Christmas Tree - Ornament Donation**

A Rochester resident recently donated ornaments for the downtown Christmas tree. The team discussed the issue and it was decided that City Engineer Bezanson would discuss the issue with DPW Director Nourse to determine whether to accept the donation.

**7. Request from Disabled American Vets - Park Van in Gonic FD lot.**

Disabled American Vets are seeking a location to park their van, and approached the Fire Department about the possibility of parking in the Gonic FD lot. A discussion ensued regarding possible locations. The Fire Department will check with the American Legion to determine if parking in their lot would be an option.

**8. Other**

**BZLS Director Jim Grant**

- Discussed a complaint that he received regarding political signs in front of Adopt-A-Spots.
- Mentioned that the Hostess building was going up for auction on 10/28/2014.

The Management Team meeting adjourned at 9:29 A.M.

Respectfully Submitted,

Shirley A. McCrillis  
Executive Secretary





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## MANAGEMENT TEAM MEETING

November 3, 2014

9:00 A.M.

### PRESENT:

Blaine Cox, Deputy City Manager  
 Jim Grant, Director BZLS  
 Danford Wensley, City Attorney  
 Peter Nourse, Director Public Works  
 Michael Allen, Police Chief  
 Samantha Rodgeron, Executive Asst.  
 Norm Sanborn, Fire Chief

Jim Campbell, Chief Planner  
 Brian Sylvester, Library Director  
 Chris Bowlen, Director - RAYS

### EXCUSED:

Daniel Fitzpatrick, City Manager  
 Karen Pollard, Economic Development Mgr

## MINUTES

Deputy City Manager Cox called the Management Team meeting to order at 9:03 A.M.

### 1. Management Team Minutes – October 27, 2014

There was no discussion, minutes were approved by consensus.

### 2. City Council Inquiry Report

There were no items, no discussion

### 3. City Calendar for Week

Reviewed upcoming meetings, there was no further discussion.

### 4. Right to Know Requests

- The Library received a request this morning requesting video surveillance footage. There was some discussion about if there are any privacy concerns with releasing. Mr. Sylvester will look into costs and footage amounts and respond to the requestor.
- Ms. Rodgeron advised that she will be finishing up the information for the four requests she received last week.

### 5. SHS Fountain plaque & stone

- Ms. Rodgeron advised that a concerned citizen had stopped in to inquire if the stone would be replaced by the fountain, as it had been damaged due to a car accident. Mr. Nourse stated that they have ordered a replacement stone.

## **6. Second Hand Dealer's License**

- There was some discussion about how to handle when a partnership dissolves and one partner wishes to continue running the business but was not on the original license. Mr. Grant will bring to the Code & Compliance Commission to discuss an ordinance change that would allow language for the Licensing Board to give temporary approval.

## **7. SPC Annual Report**

- Deputy City Manager Cox provided some handouts that showed the projected ink usage for copiers and advised that departments be aware of their projections. He advised that automated reports have been requested for each department.

## **8. Other**

### **Attorney Wensley**

- Discussed Ten Rod Road annex resolution and advised that he is waiting for the final plot plan.

### **Chief Allen**

- Advised that they responded to a bad accident on Flagg Road involving a 16 year-old DUI on Saturday night.
- Advised that there was an attempted robbery at Fuller Dry Cleaners on trick-or-treat night.
- Responded to a hoe invasion on Dominicus Court.
- Advised there was an attempted robbery at Walgreen's last night.
- Advised of a heroin overdose on Academy Street.
- Advised that there was another heroin overdose last week, the officer used CPR and administered Narcon and brought the victim back.
- Advised that they requested mutual aid on Friday, Milton PD responded to a domestic.
- Advised that there have been approximately 35 heroin overdose since September, four of which have resulted in deaths.
- Provided the following personnel updates:
  - Josh Ouellette has resigned to accept a position with a private security firm.
  - Evidence tech is in place, the officer that was filling in has been placed back on patrol.
  - Have hired 3 officers to start in 2 weeks, will attend the Police Academy in January.
  - They are down four dispatchers; they have conducted interviews and are doing background checks on 2 candidates. Will go to Finance Committee to inform them on overtime.

### **Director Grant**

- Advised that the boarding house on Congress Street has been purchased by the owner of 6 North Main Street – Elm Grove Properties.

**Director Bowlen**

- Advised the new heaters at the Arena are working well.
- Informed about the utility cost rate and rate changes expected in January.

**Chief Planner Campbell**

- Advised that Seth Creighton has given his notice. His last day will be around December 8<sup>th</sup>.

**Director Nourse**

- Advised that he is concerned about the IBEW strike and if it may affect the Cushman Street project.

The Management Team meeting adjourned at 9:38 AM.

Respectfully submitted,

Samantha Rodgers  
Executive Assistant



11/26/14

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**MANAGEMENT TEAM MEETING**

**November 10, 2014**

**9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
Jim Grant, Director BZLS  
Danford Wensley, City Attorney  
Brian Sylvester, Library Director  
Scott Dumas, Deputy Chief - Police  
Samantha Rodgeron, Executive Asst.

Jim Campbell, Chief Planner  
Norm Sanborn, Fire Chief

**EXCUSED:**

Chris Bowlen, Director - RAYS  
Karen Pollard, Economic Development Mgr  
Peter Nourse, Director Public Works

**MINUTES**

Deputy City Manager Cox called the Management Team meeting to order at 9:02 A.M.

**1. Management Team Minutes – November 3, 2014**

There was no discussion, minutes were approved by consensus.

**2. City Council Inquiry Report**

There were no items, no discussion

**3. City Calendar for Week**

Reviewed upcoming meetings, there was no further discussion.

**4. Right to Know Requests**

- No new requests, no discussion

**5. Chamber Parade – glitter**

- As there was no DPW representative, the request will be forwarded to the department to address.

**6. North Main Street Cemetery gate concerns**

- As there was no DPW representative, Ms. Rodgeron will forward the concerns brought up by a resident to the department.

**7. Other**

**City Manager Fitzpatrick**



- Advised that there have been some changes in the Planning Department. Informed the committee that Jim Campbell is now the Director of Planning and Seth Creighton has agreed to stay as Chief Planner.
- Brought up an email about a Brownfields Assessment Grant application that would be done in conjunction with Strafford Regional Planning Commission (SRPC). The committee felt that it would be worth working with SRPC to pursue.
- Discussed the Columbus Ave/Peter Nichols issue again and if the City needs to prepare a deed to rectify. This will be put on the agenda for the Finance Committee to discuss.

#### **Deputy City Manager Cox**

- Advised that the auditors are still here.

#### **Chief Sanborn**

- Advised that they participated in 3 drills.
- Advised that they provided mutual aid to a house fire in Middleton.
- Advised that they provided mutual aid to Sanford for a brush fire.
- Advised that there was a house fire at 15 Pleasant Street last night.

#### **Deputy Chief Dumas**

- Advised that they had a relatively quiet week.
  - 569 calls
  - 9 arrests – 5 at one incident
  - 129 traffic stops
  - 1 heroin OD
- Advised that 3 new hires started today, but that they are still down dispatchers.

#### **Director Grant**

- Advised that it they are working on two large projects.
  - Frisbie Surgical Center
  - IHOP
- Advised that they have a special exception for a solar garden off of 202A.

#### **Director Sylvester**

- Advised that they have doubled the daily book sale space.
- Advised that the police were called on Monday for a person suspected to be under the influence causing vandalism in a restroom.
- Advised that they have started their annual food drive.

The Management Team meeting adjourned at 9:25 AM.

Respectfully submitted,  
Samantha Rodgerson  
Executive Assistant



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**MANAGEMENT TEAM MEETING**  
**November 17, 2014**  
**9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
Jim Grant, Director BZLS  
Danford Wensley, City Attorney  
Brian Sylvester, Library Director  
Michael Allen, Police Chief  
Samantha Rodgers, Executive Asst.

Jim Campbell, Chief Planner  
Norm Sanborn, Fire Chief  
Chris Bowlen, Director - RAYS  
Peter Nourse, Director Public Works

**EXCUSED:**

Karen Pollard, Economic Development Mgr

**MINUTES**

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

**1. Management Team Minutes – November 10, 2014**

There was no discussion, minutes were approved by consensus.

**2. City Council Inquiry Report**

There were no items, no discussion

**3. City Calendar for Week**

Reviewed upcoming meetings, there was no further discussion.

**4. Right to Know Requests**

- No new requests, no discussion

**5. Other**

**Planning Director Campbell**

- Advised that there is a Planning Board Workshop meeting tonight.

**Director Nourse**

- Advised that the annex would be discussed at the City Council Workshop and encouraged Department Heads that had an interest to attend.

**Chief Allen**

- Advised that there was an accident on Meaderboro Road that involved an individual who was texting and DUI.
- Advised that he would be attending a meeting on Wednesday with the Governor that will discuss the heroin epidemic and look at ways to address the problem.
- Advised that there are 2 non-public meetings with the Police Commission scheduled this week.

**Director Grant**

- Advised that the ZBA approved the solar garden off 202A.
- Advised that Code Compliance Officer Perkins was in court handling a junkyard case.
- Advised that construction of the storage facility off of Route 202 is beginning.

**Director Sylvester**

- Advised that the bids were opened for the new security system. 3 were received and they will be scheduling meeting with bidders.

**Director Bowlen**

- Advised that participation in the senior programs they offer has been good.
- Advised that they will discuss facilities at the joint Recreation & Arena Commission meeting.

**Chief Sanborn**

- Advised that they are working with the School Department and Red Cross to provide training on running the emergency shelters. Training has been scheduled in conjunction with Somersworth. For next Saturday at the Community Center.
- Advised that they provided mutual aid to Sanford for a house fire.

**Deputy City Manager Cox**

- Advised that they are still working on bonding, the audit and the tax rate. They have been working on cleaning up older projects and have issued the bond anticipation note for the E. Rochester school project.
- Advised that he attended a Unitil breakfast that discussed the shift in energy sources to natural gas over the last 5 years or so.

- Advised that the budget timeline would be sent out in the near future.

The Management Team meeting adjourned at 9:29 AM.

Respectfully submitted,

Samantha Rodgers  
Executive Assistant



## *City of Rochester, New Hampshire*

Office of the City Manager

31 Wakefield Street • Rochester, NH 03867

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### **MANAGEMENT TEAM MEETING**

**November 24, 2014**

**9:00 A.M.**

#### **PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
Danford Wensley, City Attorney  
Jim Campbell, Director of Planning  
Jim Grant, Director BZLS  
Lauren Colanto, Assistant Dir. RAYS  
Jennifer Murphy Aubin, Executive Secretary

Michael Allen, Police Chief  
Karen Pollard, Econ Dev Manager  
Peter Nourse, Dir. DPW  
Norm Sanborn, Fire Chief  
Brian Sylvester, Library Director

#### **EXCUSED:**

Samantha Rodgers, Exec. Asst.

### **MINUTES**

City Manager Fitzpatrick called the Management Team meeting to order at 9:03 A.M.

#### **1. Management Team Minutes of November 20, 2014**

Deputy City Manager Cox pointed to a correction to the November Meeting minutes regarding the acronym edit under the Bond Anticipation Note. Minutes were then approved by general consensus.

#### **2. City Council Inquiry Report**

There were no items, no discussion.

#### **3. City Calendar for Week**

There are no meetings this week, Thursday, November 27th and Friday, November 28<sup>th</sup>, city offices are closed in observance of Thanksgiving.

#### **4. Right to Know Requests – Property Condition Assessment – 96 Milton Road**

A Right to Know Request regarding Market Basket was discussed; it is a matter of due diligence by an outside firm. Departments are responding to the request accordingly.

## 5. NHMA On Demand Training

Deputy City Manager Cox shared a free training opportunity, presented a list of topics delivered by attorneys and recommended the team pick one for the staff to attend.

## 6. Other

### **City Manager Fitzpatrick**

- Police Officer Certification - City Manager Fitzpatrick informed the group that Councilor Gray inquired about the certification status of the officers within the police department. City Manager Fitzpatrick asked Deputy City Manager Cox and Police Chief Allen to compile a report of the officer's certifications.

### **Library Director, Brian Sylvester**

- Updated the team with the vendor bids for security systems in December.

### **Deputy City Manager, Blaine Cox**

- Set the tax rate.
- Set to issue \$18 Million Bond with plans to sell the bond on December 10<sup>th</sup> and close on December 17<sup>th</sup>.
- \$2 Million moved from investment to cash last week.
- There are plans to move \$3 Million from investment to cash.

### **Economic Development Manager, Karen Pollard**

- The office received two more 79E applications, both are not complete. Represent major investment to several downtown businesses.
- There are three active restaurants that the office is working with to attract to downtown.
- Economic Development Manager Pollard asked City Attorney Wensley to follow up with Josh Levy, Principle of Waterstone Development.
- City Attorney Wensley spoke about easement and recommended that an agenda bill/letter be drafted. Economic Development Manager Pollard agreed to craft the agenda bill to move this forward.

### **Planning Director, Jim Campbell**

- Discussion regarding Brock's subdivision, phase 1 of a 3 part project is complete, with the exception of a side walk, which was part of the approval of the original project. City Manager Fitzpatrick inquired about why they are not finishing the sidewalk, which was a condition of the original approval.

### **Police Chief, Mike Allen**

- There were several heroin overdoses over the weekend, with no fatalities.

- The Rochester Police and the County are planning a One Voice NH event to educate and provide resources to help with intervention for people struggling with addiction. The event is Saturday, December 13<sup>th</sup>, 10 AM – 2 PM at Wentworth Douglass Hospital.

**Fire Chief, Norm Sandborn**

- The department is impacted with the overdoses that occur, along with the Police department.
- There was a labor intensive brush fire over the weekend.
- A successful training for the shelter happened on Saturday, November 22<sup>nd</sup>.

**Director of Public Works, Peter Nourse**

- Discussion regarding snow for Wednesday, November 26<sup>th</sup> and Thursday, November 27<sup>th</sup>.
- Brief follow up discussion regarding the Annex from the Tuesday City Council Meeting.

**City Attorney, Dan Wensley**

- Discussion regarding the Henderson property and follow up is expected in the coming weeks.
- City Attorney Wensley asked Deputy City Manager Cox to provide a payment summary for Case 202 LLC.
- A brief discussion of fixing a fence and a culvert on a cemetery on Route 11 next to the Burger King occurred; Director of Public Works Nourse stated the culvert is completed, the gate is not.

**BZLS Director, Jim Grant**

- BZLS Director Grant updated the group with Key Collision's occupancy.
- Spoke about the collaborative work between BZLS, Planning and Economic Development for revising the Business and Developer's Handbook. He applauded the work of Crystal DeButts in Planning for creating streamlined forms and Kern Mann, Library/Technology Department for translating the Handbook to an online decision tree.
- Discussion about recognizing Crystal and Kern with Dan Fitz "Thinks I'm okay" pens.

The Management Team meeting adjourned at 9:58 A.M.

Respectfully Submitted,

Jennifer Murphy Aubin  
Executive Secretary





**City of Rochester  
Dept of Public Works**

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

# Memo

**To:** Dan Fitzpatrick  
City Manager

**From:** Lisa J. Clark *LJC*

**Date:** 10/28/2014

**Re:** HHW Contract

CITY OF  
Received

OCT 29 2014

City Manager  
ROCHESTER

---

Attached please find the Grant Agreement for the Household Hazardous Waste Grant. Please have City Manager sign where indicated, initial and date each page.

This Grant is as authorized by City Council and budgeted in the general fund O&M budget.

Please sign return this document to the DPW for distribution.

Cc: Peter Nourse, PE, City Engineer

11/26/14

Date: November 14, 2014  
To: Dan Fitzpatrick  
City Manager  
From: Julian Long  
Community Development Coordinator/Grants Manager

CITY OF  
Received  
NOV 14 2014  
City Manager  
ROCHESTER

Re: Full Proposal for Watershed Assistance Grant

Please see attached the full proposal that will be submitted to the NHDES for a Watershed Assistance Grant. This is following a pre-proposal already submitted by the City. The amount of the request is for \$120,000 in grant funds. The City Council approved the submittal of this grant proposal application on July 1, 2014.

The application requires the signature of the City Manager before submittal. Please sign the attached application as the authorized official.

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



**City of Rochester, New Hampshire**  
**Assessor's Office**  
19 Wakefield Street  
Rochester, New Hampshire 03867-1915

11/26/14

Telephone  
(603) 332-5109  
Fax  
(603) 335-7591

CITY OF  
Received  
NOV 17 2014  
City Manager  
ROCHESTER

# Memo

**To:** Dan Fitzpatrick  
**From:** Tom Mullin  
**cc:** Blaine Cox  
**Date:** November 14, 2014  
**Re:** Upgrade Agreement for Patriot Properties Assessing Software.

---

Please sign the attached agreement to Upgrade Patriot Properties Assessing Software. This is the first upgrade that we have purchased since first acquiring the soft ware in 2002. It has served us well for all these years with excellent performance and immediate access to support when needed. This new version is built with Microsoft Dot Net Technology which enables the application to be platform independent running as a virtual application capable of unlimited speed and performance. An approved purchase order prepared by the MIS Department is also attached..

*Blaine Cox*  
11/17/2014



**City of Rochester  
Dept of Public Works**

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

CITY OF  
Received  
NOV 14 2014  
City Manager  
ROCHESTER

# Memo

**To:** Dan Fitzpatrick.  
City Manager

**From:** Lisa J. Clark *LJC*  
DPW Office Manager

**Date:** 11/14/2014

**Re:** Brock Street – Substantial & Final Completion

---

Attached please find (4) each of the Substantial Completion & Certificate of Final Completion documents. These documents are necessary for project close out.

If you have any questions please let me know, if all set please return to the DPW for distribution.

Cc: Michael Bezanson, PE, City Engineer



11/26/14

City of Rochester  
City Manager  
Received  
NOV 14 2014



## *City of Rochester, New Hampshire*

CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

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

November 12, 2014

**TO:** Daniel W. Fitzpatrick, City Manager

**FROM:** Samantha Rodgers, Executive Assistant

**REGARDING:** Rental of Council Chambers, Conference Room and Mayor's Office

The attached rental agreement with Rochester Opera House is attached. There is a City policy pertaining to rental agreements.

Rochester Opera House will need more space for their performer on Tuesday night; therefore, they requested to use the Council Chambers, Conference Room and the Mayor's Office as extra room for their performer. Rochester Opera House will be using the Council Chambers, Conference Room and Mayor's Office on Tuesday, December 9, 2014 from 12pm until 10pm.

Public Buildings and MIS have been notified so that they can note the condition of the room prior to and after use, as per policy.



Norman Sanborn, Jr.  
Chief of Department

Rochester Fire Department  
City of Rochester  
37 Wakefield Street • Rochester, NH 03867

11/26/14

Tel (603) 335-7545  
Fax (603) 332-9711

November 21, 2014

TO: Dan Fitzpatrick, City Manager

FROM: Norm Sanborn, Jr., Fire Chief



SUBJECT: Memorandum of Understandings

CITY OF  
Received  
NOV 21 2014  
City Manager  
ROCHESTER

The attached document needs to be signed as an agreement to establish a cooperative agreement between the City of Rochester and all other Towns and Cities located in Strafford County, with the Strafford County Public Health Region.

This agreement is to provide available resources to the best of our ability to support expanded public health capacity.

Expanded public health capacity would be required in the event of a public health event affecting a large population of the regional population.

Expanded capacity will be recommend by the NH Department of Health and Human Services following a declared Public Health Incident, or a State of Emergency issued by the Governor.





# NOVEMBER 2014

DEPT	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	STEP (CBA)	COLA (CBA)	MERIT PAY ADJ	NU PAY ADJ	PROMOTION	OTHER	MISC. INFO
DPW	LISA CLARK	OFFICE MANAGER	1	X												X	NON-UNION TO UNION POSITION
DPW	TYLER BEAUDET	WINGMAN	1			X											
DPW		WINGMAN	12			X		X									
DPW	STEVE DEPALMER	WINGMAN	1			X	X										
DPW	ROBERT PHILLIPS	HEO	1	X												X	
FIRE	DENNIS DUBE	FIREFIGHTER	1	X												X	FIRE LEVEL 3
FIRE	DARYL JEFFERS	FIREFIGHTER	1	X												X	FIRE LEVEL 3
FIRE	SAM MORRILL	FIREFIGHTER	1	X												X	FIRE LEVEL 3/ 30 CREDITS
FIRE	SAM MORRILL	FIREFIGHTER	1	X							X						
FIRE	MATT PARKER	FIREFIGHTER	1	X												X	FIRE LEVEL 3
FIRE	MATT PARKER	FIREFIGHTER	1	X							X						
LIBRARY	CHRISTINA PAQUETTE	LIBRARY ASSISTANT	1		X		X										
LIBRARY	MIRANDA AVERY	LIBRARY PAGE	1		X		X										
P BUILDINGS	TYLER BEAUDET	GROUNDWORKER	1		X												DECREASE HOURS TO 15 WK
P BUILDINGS	GARY GUPPY	GROUNDWORKER	1		X												DECREASE HOURS TO 15 WK
PLANNING	JAMES CAMPBELL	DIRECTOR OF PLANNING	1	X												X	
PLANNING	SETH CREIGHTON	CHIEF PLANNER	1	X												X	
POLICE	RANDY SMITH	PATROL OFFICER	1	X									X				
POLICE	KEITH MACKENZIE	PATROL OFFICER	1	X									X				
POLICE	PAUL KUSNIERZ	PATROL OFFICER	1	X									X				
POLICE	JOSEPH ROUSSEAU	PATROL OFFICER	1	X									X				
POLICE	ELIZABETH GREEN	SECRETARY I	1		X		X										
POLICE	JANET ELDRIDGE	COMMUNICATIONS	1		X		X										PER DIEM
POLICE	ORION SIMMS	COMMUNICATIONS	1	X						X							
POLICE	JOSHUA OUELLETTE	PATROL OFFICER	1	X						X							
POLICE	DANIELLE SCHACHT	PATROL OFFICER	1	X			X										
POLICE	JACOB GARSTIN	PATROL OFFICER	1	X			X										
POLICE	SPENCER WILLIAMS	PATROL OFFICER	1	X			X										
RECREATION	AMANDA BRENNAN	PROGRAM LEADER	1		X		X										DANCE
RECREATION	ANDY GRAY	BUILDING ATTENANT	1		X	X	X	X									
RECREATION	DEREK PLAISTED	PROGRAM COORDINATOR	1		X	X	X	X									BASKETBALL
RECREATION	JO MARIE INDELICATO	PROGRAM INSTRUCTOR	1		X	X	X	X									YOGA
TAX COLLECTOR	GINNY GRAY	DEP TAX COLLECTOR	1	X												X	
TAX COLLECTOR	DEB MILLSPAUGH	CLERK TYPIST II	1	X												X	

DATE	DEPARTMENT	PERMISSION PERMITS	MISCELLANEOUS
10/29/2014	City Manager's Office	BANNER	Opera House
10/31/2014	City Manager's Office	BANNER	Opera House
11/7/2014	City Manager's Office	BANNER	Salvation Army
10/30/2014	City Manager's Office	EVENT	Opera House
11/4/2014	City Manager's Office	EVENT	Firefighters Toy Bank
11/19/2014	City Manager's Office	EVENT/RAFFLE	Homemakers Craft Fair & Raffles
11/12/2014	City Manager's Office	TAGGING	Roger Allen Baseball - Rochester Rebels
10/29/2014	City Manager's Office	HUNTING/TRAPPING	Hunter

NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION

There are no  
new items

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# *City of Rochester, New Hampshire*

Office of City Manager

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-1167

To: Mayor Jean and the Rochester City Council  
 From: Daniel Fitzpatrick, City Manager  
 Date: November 25, 2014  
 Subject: Assistant City Engineer Position (new), Deputy Finance Director position (reclassification) and Merit Adjustment Range

The Rochester City Charter stipulates amendment(s) to the “Merit Plan” proposed by the City Manager become effective only upon a majority vote of the City Council taken within sixty (60) days of amendment submittal. I am hereby submitting for Counsel action the following changes to the City’s Merit Plan which is applicable to the City’s non-union personnel. These changes were endorsed by the Finance Committee at its meeting on November 12, 2014.

1. Creation of the new position of Assistant City Engineer. Please refer to the attached Finance Committee Agenda Item with the Agenda Item Name: *Assistant City Engineer Position*.
2. Updating the position description of the Deputy Finance Director and reclassification of this position. Please refer to the attached Finance Committee Agenda Item with the Agenda Item Name: *Deputy Finance Director Position*.

# FINANCE COMMITTEE

## Agenda Item

11/26/14

Agenda Item Name:

Date Submitted:

Assistant City Engineer Position

2014-11-04

Name of Person Submitting Item:

E-mail Address:

Deputy City Manager Cox

blaine.cox@rochesternh.net

Meeting Date Requested:

11/12/2014

This Item is (Select One):

- ☐ Informational Only
- ☐ Discussion
- ☐ As Requested by Finance Committee
- ☒ Review & Recommendation to Full City Council
- ☐ Referred by Other Council Committee

Summary Statement:

City Manager Fitzpatrick and Director of Public Works Nourse have determined the need to create the position of Assistant City Engineer within the Department of Public Works. A new position description was drafted, classified by Human Resources Manager Hoyt using the City's classification rankings system and the results were presented to the Personnel Advisory Board (PAB) on October 23, 2014. The following supplemental items are attached:

1. PAB minutes of October 23, 2014.
2. Assistant City Engineer draft job description.
3. Non-Union current Classifications & Pay Scales.

Recommended Action:

Recommendation to Full City Council that the position of Assistant City Engineer be created.

**Personnel Advisory Board  
October 23, 2014  
City Hall Conference Room**

**Members present:**

Joanne Sylvain  
David Dubois  
Gary Stenhouse

**Others Present:**

Diane Hoyt, Human Resource Manager  
Peter Nourse, Director of Public Works

Review of new/amended classifications

1. Assistant City Engineer; David Dubois **moved** to recommend pay grade 11. Gary Stenhouse **seconded** the motion. The **motion carried** by a unanimous vote.
2. Deputy Finance Director/Deputy Treasurer; David Dubois **moved** to recommend pay grade 14. Joanne Sylvain **seconded** the motion. The **motion carried** by a unanimous vote.

The meeting adjourned at 1:30PM.



## ASSISTANT CITY ENGINEER

### Statement of Duties

Skilled, professional and advanced technical work in which contact with the public may be frequent. This position, under supervision, is delegated ongoing responsibility for public works projects or functions.

Works to anticipate, meet and exceed customer service expectations in a positive and professional manner.

### Supervision

Works under the general direction of the City Engineer.

Performs responsible work of a specialized and technical nature coordinating a municipal service; requires the exercise of a degree of professional judgment in analyzing facts and circumstances of generally routine technical projects to determine the appropriate course of action.

Serves as department head in the absence of the Director and City Engineer.

### Job Environment

Works in office and field locations, which, on a recurring basis, require the ability to walk across rough or potentially hazardous terrain with exposure to variable weather, conditions, hazards associated with construction sites and fumes or airborne particles.

Operates computers, standard office equipment and surveying equipment; operates light truck and an automobile.

Makes regular contacts with the general public involving complex information requiring accuracy, tact, discretion and judgment; makes periodic contact with all other city departments, utilities, businesses, and local and state agencies. Makes periodic contacts with the media regarding projects.

Errors may result in time and monetary loss, poor public relations, reduced services to citizens, damage to buildings, equipment, and facilities, personal injury, injury to colleagues, danger to public health and safety, environmental damage, and legal repercussions.

May have access to some department-related confidential information, including bid documents.

## Essential Functions

*The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

Department Liaison to Planning and Economic Development Departments and Developers: regularly liaises to ensure infrastructure quality and regulatory requirements are met in private construction. Oversight and maintenance of posted sureties. Maintains official construction values. Oversight of street acceptance program.

City Stormwater Engineer: Direct oversight of City holistic stormwater regulatory compliance initiatives. Department representative with regulating agencies. Oversight of holistic initiatives to include potential direct oversight of a stormwater utility branch of Public Works which may include supervisory duties. Routinely addresses isolated stormwater issues throughout City through application of engineering principles and coordination of appropriate resources. Liaises with regional stormwater consortiums.

Department Special Projects Engineer: lead engineer for direct project management of large commercial development projects including Tax Incentive Finance (TIF) projects and public-private partnership projects. Potential lead engineer for unique infrastructure projects such as renovations to City buildings.

Department Technology Lead: lead engineer for department initiatives in technology including GIS quantification and mapping of public infrastructure, and data conversion and management. Department representative for other City-wide technology initiatives.

Permit/License Officer: issues excavation and driveway permits; issues utility licenses.

Liaison: Strafford Metropolitan Planning Organization's Technical Advisory Committee.

Researches and develops project specifications, requirements and proposed budgets or cost estimates. Prepares procurement invitation packages, evaluates proposals and recommends award based upon the City's best interests. Monitors performance and compliance with the City's technical and regulatory requirements. Anticipates potential problems, detects performance issues early and affects warranted corrective actions.

Directs efforts of contracted engineering firms to achieve program goals of the City. Coordinates and maintains contracted services on schedule and optimizes City's return on investment on contracted services.

Coordinates project responsibilities with other City agencies and operating departments and works cooperatively to achieve project objectives.

City of Rochester, N. H.  
Assistant City Engineer/Grade 11  
Adopted xxxxxx

2

Performs field inspections and reviews potential, existing and proposed project sites including analyzing subsurface and other field conditions, structural requirements and integrity, materials composition, materials placement, site and job safety as required

Utilizes conventional methods, computers and other automated technologies to perform field and in office planning, design, implementation, sampling and inspection activities.

Performs such other duties as may be assigned.

## **Recommended Minimum Qualifications**

### **Education and Experience**

Bachelor of Science in Civil Engineering or Environmental Engineering required. Five to seven years experience within civil engineering; experience in large private construction with economic significance; municipal infrastructure construction; direct experience with stormwater engineering, stormwater utility desired or an equivalent combination of education and experience required.

### **Special Requirements**

Professional Engineer (PE) required  
Additional preferred certification(s):

- LEED AP
- Wetlands Erosion or Soil Science
- GIS and data management or equivalent experience, or in lieu thereof, the ability and desire to obtain certificate

New Hampshire Class D Driver's license required

### **Knowledge, Ability and Skill**

**Knowledge:** Good knowledge of the application of civil engineering skills to public works projects; good knowledge of public works local, regulatory and performance standards pertaining to assigned projects. Working knowledge of construction and maintenance methods as applied to street, sidewalk, sewer and water work stormwater and GIS work. Strong knowledge of stormwater regulatory compliance issues. Comprehensive knowledge of the principles and practices of civil engineering design including materials, methods and practices of construction. Knowledge of contract law and administration, construction law and bonding.

**Ability:** Ability to perform engineering design, and project management services. Ability to use contemporary engineering equipment used in measuring, designing, testing, computing and printing. Ability to read and interpret plans, specifications, and codes and other engineering instruction documents. Ability to calculate quantities from plans and cross sections, and solve engineering problems. Ability to keep accurate and

detailed notes and records. Ability to develop and maintain budgets; prepare and present various routine and some special reports.

**Skill:** Excellent communication skills, both oral and written; effective public speaking communication skills. Excellent computer skills to include experience with developing GIS mapping of public infrastructure through use of preeminent GIS platforms. GIS field data collection experience preferred. Excellent skill in establishing and maintaining working relationships with customers, coworkers, employees in other municipal departments and City officials. May act as City representative with large companies with prospective large economic impact.

### **Physical Requirements**

Work is primarily of an intellectual nature but requires the lifting of equipment and materials up to 60 pounds and the ability to walk across rough or potentially hazardous terrain and climb ladders. The employee must be able to hear normal sounds, distinguish sound as voice patterns and communicate through human speech.

*This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.*

### Classification Schedule

Grade	Position Title
1	Library Page
2	No positions in this grade.
3	Custodian (part-time)
4	No positions in this grade.
5	Lead Custodian (inactive position)
6	No positions in this grade.
7	Financial Analyst (inactive position)
7	Payroll/Human Resource Specialist
8	Executive Secretary
9	Executive Assistant
9	Office Manager
10	Deputy Assessor (inactive position)
11	DPW Operations Manager (inactive position)
11	Assistant City Engineer
12	No positions in this grade.
13	Human Resource Manager
13	Lieutenant Prosecutor
13	Police Lieutenant
13	Police Prosecuting Attorney
14	Deputy Finance Director/Deputy Treasurer
14	Police Captain
15	No positions in this grade.
16	Deputy Police Chief
17	Director of Finance (inactive position)
18	Chief of Police
18	City Attorney
18	Deputy City Manager - Community Development
18	Deputy City Manager - Finance & Administration
19	No positions in this grade

## Non-Union Pay Plan

### Full and Part-time regular employees

Grade	FY14		FY14 Annual	
	Min	Max	Min	Max
1	9.90	13.31	20,592.00	27,684.80
2	12.87	17.29	26,769.60	35,963.20
3	13.90	18.68	28,912.00	38,854.40
4	15.01	20.17	31,220.80	41,953.60
5	16.21	21.79	33,716.80	45,323.20
6	17.51	23.55	36,420.80	48,984.00
7	18.91	25.42	39,332.80	52,873.60
8	20.42	27.44	42,473.60	57,075.20
9	22.05	29.62	45,864.00	61,609.60
10	23.81	31.99	49,524.80	66,539.20
11	25.71	34.55	53,476.80	71,864.00
12	27.77	37.32	57,761.60	77,625.60
13	29.99	40.29	62,379.20	83,803.20
14	32.39	43.52	67,371.20	90,521.60
15	34.98	47.01	72,758.40	97,780.80
16	37.78	50.77	78,581.40	105,601.60
17	40.80	54.84	84,864.00	114,067.20
18	44.06	59.20	91,644.80	123,136.00
19	47.55	63.94	98,966.40	132,995.20

## Agenda Item

Agenda Item Name:

Date Submitted:

Deputy Finance Director Position

2014-11-04

Name of Person Submitting Item:

E-mail Address:

Deputy City Manager Cox

blaine.cox@rochesternh.net

Meeting Date Requested:

11/12/2014

This Item is (Select One):

- ☐ Informational Only
- ☐ Discussion
- ☐ As Requested by Finance Committee
- ☒ Review & Recommendation to Full City Council
- ☐ Referred by Other Council Committee

Summary Statement:

The Deputy Finance Director position was recently removed from the Middle Managers' collective bargaining unit. The Deputy City Manager then determined that since the position was created in 2001 that several functions and activities of the position had changed over the intervening 13 years. As a result the existing position description was updated, re-classified by Human Resources Manager Hoyt using the City's classification rankings system and the results were presented to the Personnel Advisory Board (PAB) on October 23, 2014. The following supplemental items are attached:

1. PAB minutes of October 23, 2014.
2. Revised Deputy Finance Director job description.
3. Non-Union current Classifications & Pay Scales.

Recommended Action:

Recommendation to Full City Council that the position of Assistant City Engineer be created.



**Personnel Advisory Board  
October 23, 2014  
City Hall Conference Room**

**Members present:**

Joanne Sylvain  
David Dubois  
Gary Stenhouse

**Others Present:**

Diane Hoyt, Human Resource Manager  
Peter Nourse, Director of Public Works

Review of new/amended classifications

1. Assistant City Engineer; David Dubois **moved** to recommend pay grade 11. Gary Stenhouse **seconded** the motion. The **motion carried** by a unanimous vote.
2. Deputy Finance Director/Deputy Treasurer; David Dubois **moved** to recommend pay grade 14. Joanne Sylvain **seconded** the motion. The **motion carried** by a unanimous vote.

The meeting adjourned at 1:30PM.

## **DEPUTY FINANCE DIRECTOR/DEPUTY TREASURER**

### **Statement of Duties**

Professional administrative, accounting and supervisory work with responsibility for the receipt, expenditure and custody of municipal funds, the borrowing of money, the maintenance of the City's financial records, audits, bonding, budget development and, in the absence of the supervisor, acts as Director of Finance. Supervises and controls the expenditures of all city funds (General, Enterprise and Capital); all other related work as required.

### **Supervision**

Works under the administrative direction of the Director of Finance and Administration and the City Manager, with duties and responsibilities defined by state laws, incorporating the General Accepted Accounting Principles (GAAP) and Uniform Municipal Accounting System (UMAS). Functions independently, referring specific problems to supervisor only where clarification or interpretation of department policy or procedure is required.

Performs highly responsible functions of a complex and technical nature, requiring significant exercise of judgment and initiative to ensure that all municipal financial transactions conform to law and to professional standards; works independently within established policies and procedures; assumes direct accountability for departmental results.

Directly supervises two full-time employees.

### **Job Environment**

Work is performed under typical office conditions; may be required to work outside of normal business hours. In addition, may be required to work on weekends during cyclic periods.

Reconciling and balancing city fund accounts; work involves supervising account clerks and accountant.

Operates a computer and general office equipment, such as calculator, copier, facsimile machine, and telephone.

Makes frequent contact concerning accounting and budgetary matters with all city departments, vendors, banks, contractors, and relevant state and federal officials and agencies. Makes occasional contact with the general public concerning the city's financial issues and condition. Makes contact with banks, insurance companies regarding legal matters and bonded indebtedness. Serves as primary contact for the city with independent audit firm as well as bond issuance entities such as bond counsel, financial advisor and rating agencies.

City of Rochester, N. H.  
Deputy Finance Director/Deputy Treasurer/Grade 14  
Adopted 02/06/01  
Amended xxxxxx

Has access to department-related confidential information, including bid proposals and department personnel records, as well as sensitive city financial information.

Errors could result in delay and confusion, improper expenditures of city funds, confusion over budgetary matters, and have significant legal and/or financial repercussions.

### **Essential Functions**

*The essential functions or duties listed below are intended only as illustration of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.*

Working extensively with the Tax Collector and City Assessor, plans and directs the receipt, accounting and disbursement of all city funds. Also plays key role in semi-annual property tax billing process.

Maintains a complete set of financial records for all city accounts, appropriations, debts, and contracts; maintains a general ledger and journal for the recording of all transactions. Serves as primary staff person responsible for coordinating the annual independent audit process.

Serves as primary staff person responsible for securing and administering the City's capital funding processes involving bonding and long term borrowing.

Serves in key capacity along with Finance Director and Senior Accountant in carrying out the annual budget development process with the City Manager and City Council.

Monitors expenditures of all city funds; examines all vouchers, department bills and payrolls for appropriateness of expenditure, and for accuracy and availability of funds before payment by Treasurer; reconciles Treasurer's cash balance with General Ledger cash balance; performs monthly review of Collector's turnover; oversees preparation of warrants for payrolls and accounts payable.

Monitors cash levels in the treasury and arranges temporary or long-term borrowing of funds as required; pays interest on maturing debt; signs bonds, notes and other papers of credit for the city.

Coordinates relations with investors, including the implementation of efficient cash management procedures and the investment of city funds.

Oversees and participates in the posting of weekly warrants in ledger; posts cash receipts in ledger, as received, and monthly entries in journal.

City of Rochester, N. H.  
Deputy Finance Director/Deputy Treasurer/Grade 14  
Adopted 02/06/01  
Amended xxxxxx

2

Notifies departments of expenditures and account balances on monthly basis; makes recommendations to improve financial condition. Provides monthly statements to all city departments.

Compiles and submits required local, State and federal reports during and at close of fiscal year; prepares annual balance sheet and breakdown of cash receipts; prepares annual reports and oversees the annual audit.

Interfaces with the Director of Finance & Administration and Tax Collector to reconcile cash and receivables. Participates in the tax rate setting process.

Answers questions from departments, City Council and general public regarding city finances and/or accounting procedures.

Reviews contracts to ensure compliance with New Hampshire General Laws and purchasing procedures and certifies the availability of appropriated funds.

Assumes the role of Acting Finance director when the Deputy City Manager/Finance Director Is absent.

Acts as liaison with the School Finance office.

Supervises the work of accounts payable and accountant.

Performs similar or related work as required, directed, or as situation dictates.

### **Recommended Minimum Qualifications**

#### **Education and Experience**

Bachelor's Degree in accounting, finance, business administration, or related field; seven to ten years of professional accounting experience; experience in municipal finance preferred; or an equivalent combination of education and experience.

#### **Knowledge, Ability and Skill**

**Knowledge:** Thorough knowledge of the Uniform Municipal Accounting System, the New Hampshire General Laws as they pertain to finances, accounting principles and practices and budgetary functions. Considerable knowledge of the organization and operation of city departments and of legal controls over municipal finance. Knowledge of applicable financial software applications.

**Ability:** Ability to use computer accounting software. Ability to analyze and interpret accounting data and to present reports of findings and recommendations. Ability to

City of Rochester, N. H.  
Deputy Finance Director/Deputy Treasurer/Grade 14  
Adopted 02/06/01  
Amended xxxxxx

supervise Accounting Division personnel and resources effectively. Ability to communicate effectively in oral and written form. Ability to prepare accurate financial reports and records. Ability to develop effective working relationships with subordinates and other city departments. Ability to meet strict deadlines.

**Skill:** Office management skills. Skill in working with details and in performing mathematical calculations as well as use of computers and applicable financial and business software.

### **Physical Requirements**

Minimal physical effort generally required in performing duties under typical office conditions. Position requires the ability to operate a keyboard and standard office equipment at efficient speed. The employee is frequently required to use hands to finger, handle, or feel objects, tools, or controls; and to reach with hands and arms. The employee is frequently required to sit and talk and hear. Specific vision requirements include close vision, distance vision, and the ability to adjust focus.

*This job description does not constitute an employment agreement between the employer and employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.*

### Classification Schedule

Grade	Position Title
1	Library Page
2	No positions in this grade.
3	Custodian (part-time)
4	No positions in this grade.
5	Lead Custodian (inactive position)
6	No positions in this grade.
7	Financial Analyst (inactive position)
7	Payroll/Human Resource Specialist
8	Executive Secretary
9	Executive Assistant
9	Office Manager
10	Deputy Assessor (inactive position)
11	DPW Operations Manager (inactive position)
11	Assistant City Engineer
12	No positions in this grade.
13	Human Resource Manager
13	Lieutenant Prosecutor
13	Police Lieutenant
13	Police Prosecuting Attorney
14	Deputy Finance Director/Deputy Treasurer
14	Police Captain
15	No positions in this grade.
16	Deputy Police Chief
17	Director of Finance (inactive position)
18	Chief of Police
18	City Attorney
18	Deputy City Manager - Community Development
18	Deputy City Manager - Finance & Administration
19	No positions in this grade

## Non-Union Pay Plan

### Full and Part-time regular employees

Grade	FY14		FY14 Annual	
	Min	Max	Min	Max
1	9.90	13.31	20,592.00	27,684.80
2	12.87	17.29	26,769.60	35,963.20
3	13.90	18.68	28,912.00	38,854.40
4	15.01	20.17	31,220.80	41,953.60
5	16.21	21.79	33,716.80	45,323.20
6	17.51	23.55	36,420.80	48,984.00
7	18.91	25.42	39,332.80	52,873.60
8	20.42	27.44	42,473.60	57,075.20
9	22.05	29.62	45,864.00	61,609.60
10	23.81	31.99	49,524.80	66,539.20
11	25.71	34.55	53,476.80	71,864.00
12	27.77	37.32	57,761.60	77,625.60
13	29.99	40.29	62,379.20	83,803.20
14	32.39	43.52	67,371.20	90,521.60
15	34.98	47.01	72,758.40	97,780.80
16	37.78	50.77	78,581.40	105,601.60
17	40.80	54.84	84,864.00	114,067.20
18	44.06	59.20	91,644.80	123,136.00
19	47.55	63.94	98,966.40	132,995.20



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**From:** [Timothy Cremmen](#)  
**To:** [Rick Lundborn](#)  
**Cc:** [Kelly Walters](#); [JohnL](#)  
**Subject:** Re: Resignation from REDC  
**Date:** Thursday, November 13, 2014 4:52:24 PM

---

Hi Rick,

I understand that this is a bit of "house keeping" that needs to happen. I was under the impression that I had reluctantly taken care of this matter but the fact that it remains outstanding means I must clear it up with this email.

Simply saying that I will always be proud of the work that the committee accomplishes wouldn't display the immense respect I have for them. After more than a decade in Rochester and the better part of that time gathering knowledge by volunteering for one organization or another, I believe this is a wonderful collection of noble minds that always have the greatest interest of Rochester in all that they do. While I wish I could continue furthering the efforts of the REDC with them, other opportunities have presented themselves, that I must attend to readily. While it is always my intention to see all my commitments through, me must admit that we are occasionally pulled in directions that wont afford us that opportunity.

Most importantly, it has been a privilege to be associated with the fine men and women that make up the Rochester Economic Development Commission and the talented staff that makes up the magnificent Rochester Economic Development Department. I wish the committee the best of luck in their continued efforts. I know the dedicated volunteers and staff will continue to make Rochester continue to grow and offer an increase in commercial growth. But for me I believe it is time for us to part ways. I will see you in and around Rochester.

Thank you,

Timothy Cremmen

MetroCast Local Origination

[tcremmen@metrocast.com](mailto:tcremmen@metrocast.com)

603-330-7750

On Nov 13, 2014, at 3:01 PM, Rick Lundborn wrote:

Tim

I hope all is going well with you. It has been a while since we last spoke. I am emailing because John Larochelle, who as you know serves on the Appointments Committee of the City Council as well as REDC, has asked that I get in touch with you to get a formal or at least via email resignation from REDC. In order to fill your post the City Clerk needs to have some indication from you that you do wish to resign.

I have copied Kelly Walters the City Clerk on this email. So, if you could just "Reply All" with a brief statement stating that you do wish to formally resign your seat on REDC that would be great.

Again, I hope all is well with you. I am sure I will see you around.

Take Care,

Rick Lundborn

Richard R. Lundborn, P.E.  
Norway Plains Associates, Inc.  
P.O. Box 249  
2 Continental Boulevard  
Rochester, NH 03866-0249

Phone: 603-335-3948 ext. 108

Fax: 603-332-0098

Email: [rlundborn@norwayplains.com](mailto:rlundborn@norwayplains.com)

## Reports of Committees

- Appointments Committee – 11/05/2014
- Finance Committee – 11/12/2014
- Public Safety Committee – 11/19/2014
- Public Works and Building Committee – 11/20/2014

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

11/26/14

**Appointments Committee Minutes**  
November 5, 2014

**Committee Members Present:**

John Larochelle, Chair  
Jake Collins  
James Gray

Donald Hamann  
Sandra Keans

John Larochelle called the meeting to order at 6:15 P.M. on November 5<sup>th</sup>.

**Larry Spector - Zoning Board of Adjustment (ZBA) - Reappointment**

Larry has been regularly attending training sessions offered locally for land use boards. He indicates that the ZBA works well, but thinks that the Board would benefit from having another alternate member. Larry is the vice-chair of the ZBA and would like to continue to serve another term on the Board.

The Appointments Committee unanimously recommends Larry Spector for reappointment to the ZBA, term to expire January 2, 2018.

**Amy Y. Lemelin - Library Trustees**

Amy has a background in personnel and marketing. She has been President of the Maple School PTA and would like to further serve the City as a Library Trustee.

The Appointments Committee unanimously recommends Amy Y. Lemelin to fill the vacant position of Library Trustee for Ward 1, term to expire January 2, 2015.

### **Rochester Economic Development Commission – REDC**

The Appointments Committee has interviewed two candidates for appointment to the REDC. However, at the time, there was no available position.

Adam Krans was interviewed on May 20, 2014 and Robert Jaffin on October 7, 2014. Their entries are copied from the minutes of those dates and entered below for consideration for appointment to a term to expire January 2, 2018.

#### **Adam T. Krans – Rochester Economic Development Commission - REDC**

Adam and his family have recently purchased their first home in Rochester and he would like to participate in helping Rochester move forward.

The Appointments Committee unanimously recommends Adam T. Krans for appointment to the Rochester Economic Development Commission when there is an available position.

#### **Robert Jaffin – Rochester Economic Development Commission (REDC)**

Robert serves on the Rochester Planning Board and is on the Executive Committee of the Strafford Regional Planning Commission. His extensive background includes transportation and emergency preparedness. The Appointments Committee feels that Robert is extremely well qualified to serve on the REDC.

The Appointments Committee unanimously recommends that Robert Jaffin be considered for appointment to the REDC, when an opening is available.

Respectfully submitted,

John Larochelle, Chair  
Appointments Committee

FINANCE COMMITTEE MEETING  
November 12, 2014  
City Manager's Office  
7:00 P.M.

Members Present:

Mayor Jean  
Deputy Mayor Varney  
Councilor Keans  
Councilor Lauterborn  
Councilor Larochele  
Councilor Walker  
Councilor Torr (7:38 P.M.)

Other Present

Councilor Gray  
Councilor Bogan  
Councilor Hamann  
Councilor Collins (7:50 P.M.)  
Councilor Gates (7:38 P.M.)  
City Manager Fitzpatrick  
Deputy City Manager Cox  
Police Chief Allen  
Dave Ouellette, Trustee of Trust  
Funds

MINUTES

1] Call to Order

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

2] Public Input

There was no public input.

3] Old Business

3.1. Buildings and Grounds Outsourcing - Update Report

Mayor Jean summarized the information contained on the Agenda Item form in the meeting packet. The Mayor directed that this item be held in Committee.

3.2 Codes Software

Mayor Jean summarized the information contained on the Agenda Item form in the meeting packet. The Mayor directed that this item be held in Committee.

4] New Business

4.1 Trustees of the Trust Fund

Mr. Dave Ouellette, member of the Trustees of the Trust Funds, provided the Finance Committee with an update on the work of the Trustees. The other members of the Trustees of the Trust Fund are Robert Pallas and Tracy Walbridge.

Mr. Ouellette outlined the following Trustee projects - History of Rochester book and maintenance of Hanson Pines. Ongoing work of the Trustees includes Spaulding High School scholarships, as well as, administration of the Widow and Indigent Maidens Fund.

Mr. Ouellette informed the Committee that the Trustees meet as a board at least monthly and meet with the investors at Charter Trust four times each year. A future project will be a review of the cemetery trust funds.

Mayor Jean indicated a need to comply with State law stipulating that a Trust Funds report be included in the City's Annual Report. Deputy Mayor Varney stated that the Trustees' meetings should be posted per the Right-To-Know Law and minutes of their meetings should be available to the public on the City's website. A brief discussion ensued regarding the number of Trustees serving on that board and Mr. Ouellette indicated an increase from 3 to 5 members would be welcomed.

#### 4.2 Bonds Proceeds Repurpose

Mayor Jean summarized the information contained on the Agenda Item form in the meeting packet.

**Councilor Walker MOVED to recommend to the full Council that the unspent bond proceeds of \$586,218.66 from the Granite State Business Park Bridge Project be re-purposed to the Salmon Falls Road/Milton Road infrastructure improvements project, to replace the private funds that have not been realized. Councilor Varney provided a second to the motion. The MOTION PASSED on a unanimous voice vote.**

#### 4.3 City Engineer Position

**Councilor Torr MOVED to recommend to the full City Council that the position of Assistant City Engineer be created. Councilor Walker provided a second to the motion. The MOTION PASSED on a unanimous voice vote.**

#### 4.4 Deputy Finance Director Position

**Councilor Walker MOVED to recommend to the full City Council that the position of Deputy Finance Director be reclassified. Councilor Larochelle provided a second to the motion. The MOTION PASSED on a unanimous voice vote.**

#### 4.5 Debt Service Report

Deputy City Manager Cox discussed the debt service data contained in the meeting packet. He suggested, and the Committee agreed, that the data be amended to depict



future estimated increases to debt service based upon a 3 to 5 year average of recent past increases.

#### 4.6 Review of Non-Union/Union Merit Increases

Mayor Jean informed the Committee that he recently attended a Police Commission meeting to discuss merit salary adjustments. A lengthy discussion of the Finance Committee ensued pertaining to the salary adjustment process for non-union personnel. The Committee discussed changing the merit plan salary adjustment range from the current 0% to 5% down to 0% to 3%, as well as inserting language creating a "merit pool" of funds that would limit the amount of funds that could be expended for merit salary adjustments.

**Councilor Walker MOVED to recommend to the full Council that the merit plan salary adjustment be reduced to 3%. Councilor Lauterborn provided a second to the motion. The MOTION PASSED on a 6 yes and 1 no vote (Councilor Laroche).**

Mayor Jean directed the City Manager to draft language to add to the merit plan that would establish a specific "merit pool" fund to be a part of the annual budget process.

#### 5] Finance Director's Report

Mayor Jean informed the Committee that he, Deputy Mayor Varney, City Manager Fitzpatrick and Deputy City Manager Cox met with School Board Chair Harkinson, Superintendent Hopkins and Business Administrator Casey regarding the health insurance refunds.

Councilor Torr indicated he would be willing to consider allowing the City to use a parcel of land near the Post Office to store winter snow. He will contact Commissioner Nourse.

#### 6] Monthly Financial Statements

There was no discussion on the Financial Statements.

#### 7] Other

Councilor Collins offered complimentary remarks regarding the paving on Chamberlain Street.

8] Adjournment

Councilor Walker **MOVED** to adjourn the Finance Committee meeting. Mayor Jean provided a second to the motion which was **ADOPTED** by a unanimous voice vote.

The meeting adjourned at 9:19 P.M.

Respectfully Submitted,

Blaine M. Cox  
Deputy City Manager

BMC:sam

Public Safety Committee  
 Council Chambers  
 November 19, 2014  
 7:00 PM

**MEMBERS PRESENT**

Councilor David Walker, Chairman  
 Councilor Jake Collins  
 Councilor Robert Gates  
 Councilor Donald Hamann  
 Councilor Peter Lachapelle

**OTHERS PRESENT**

Councilor James Gray  
 Michael Bezanson, PE City Engineer  
 Scott Dumas, Deputy Chief P.D.  
 Daniel Fitzpatrick, City Manager  
 Norm Sanborn Jr. Chief F.D.  
 Peter Cutrer, Deputy Chief F.D.  
 Sandra Averill, 97 Maple St.  
 Laurie David, 94 Maple St.  
 Miranda Avery, 103 Maple Street  
 James Reynolds, 13 Harvard Street  
 Hal Jordan, President YMCA  
 Julie Costella, District Vice President, YMCA

## Minutes

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

## 1 Public Input

Recognizing that there were residents of Maple Street present to discuss their concerns with the "no parking" signs on both sides of Maple Street, Councilor Walker summarized the issue. Sandra Averill of 97 Maple Street stated that she was not happy about the "no parking" signs placed on both sides of the street. She is okay with one side of the street being no parking, but not both. She stated that the poles will be in the way for the snow plows. She stated that no one from the City conducted a survey of the residents of Maple Street to see what they thought of the parking situation. She stated that three residents on Maple Street consistently use the street for parking; and, that not all properties have sufficient off-street capacity for all vehicles. James Reynolds of 13 Harvard Street said that vehicles will begin to be parked on Harvard Street, since Maple Street now has no parking both sides. Laurie David of 94 Maple Street said she has a lot of people in her household and parking is an issue for them. She agrees with no parking on one side of the street but not both sides. Miranda Avery of 103 Maple Street said she is happy with some of the changes, but does not think that both sides should be no parking. She said some of the children walking to school have to walk in the streets during the winter. She said they have 5 cars at their residence, so they have to be creative with their parking. She said that Maple Street should be one way with one side parking. Councilor Walker stated that there were three requests for "no parking" signs. Councilor Lachapelle stated we should keep this in committee to see if

Maple Street should be made a one way street with parking only on one side. Ms. Averill asked what the City's notification process was. Councilor Walker stated that there isn't one.

**Councilor Lachapelle made a motion to remove "no parking" signs right hand side of Maple Street, leave the "no parking" signs on the left hand side of the street to be consistent with the other signs on Maple Street. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.**

## 2. YMCA Signage Request

This item was moved up on the agenda, as there were people present to discuss this request. Hal Jordan, President/CEO of The Granite YMCA, was present to discuss the need for directional signage on Ten Rod Road. The YMCA of Strafford County facility is now located at 35 Industrial Way, however some GPS devices have given patrons incorrect directions. There is no signage at Ten Rod Road or at Industrial Way to direct patrons where to go. Some people think they are still located on Lowell Street in Rochester. Councilor Gates asked if the YMCA could be included on the large sign at Industrial Way with all the other business names. Mr. Jordan said no because they only lease. Councilor Lachapelle said they should be able to put their name on the sign, since they pay rent. Mr. Fitzpatrick, the City Manager, said they were working on that situation. Councilor Walker said he would like to know more about why the YMCA believes they could not be included on the large Industrial Way sign. Mr. Fitzpatrick said he would get the information for him. Julie Costella, District Vice President of The Granite YMCA, said she could not find the Industrial Way facility the first time she drove there. Councilor Walker said the placement of the sign by exit 14 may be a jurisdictional issue between the State and the City. Ms. Costella said that it didn't have to be right at the exit sign. Councilor Walker asked Mr. Bezanson to check the limits of the State's jurisdiction in this area. This issue was kept in committee pending further information regarding jurisdiction boundaries.

## 3. Sprinklers

Councilor Walker summarized the issue. Mr. Fitzpatrick said this request originally came from the Buildings and Grounds Department. The vendor that the City hired to perform annual fire sprinkler system inspections was not actually completing the work that they were certifying was completed and that they were being paid to complete. Mr. Fitzpatrick defined this as "theft of services". This is a city-wide issue. Deputy Chief Peter Cutrer of the Rochester Fire Department was present to discuss this matter. He proposed changes to the Fire Safety Measures Ordinance. The proposal includes the addition of a "Certificate of Fitness" program and regulation of fire alarms. This will insure that the companies that do the work have to meet certain criteria and that the Fire Department will have some leverage if the work is not done correctly. Deputy Chief Cutrer described a few specific incidents that he has recently experienced in the City, which left him with no leverage and further created a safety issue. Mr. Cutrer gave examples of the importance of the work being done right, which included loss of life. If the ordinance is changed, the City would adopt the National Fire Protection Association (NFPA) Fire Code Section 1.13 Certificates of Fitness. This is not a new idea, as surrounding towns have adopted Section 1.13. Councilor Gates questioned what would stop companies from hiring someone without a Certificate of Fitness. Mr. Cutrer said he would send out a letter to the

vendors he has in the database which would cover probably 99%. Deputy Chief Dumas of the police department said there would have to be permitting. **Councilor Hamann made a motion to endorse sending this request to The Code and Ordinance Committee. The motion was seconded by Councilor Gates. Unanimous voice vote carried the motion.** Councilor Hamann asked if this would be done through the new code software. Mr. Cutrer said it will probably be migrated in from the software that is currently being used. (See attachments)

4. Academy Street-Wrong Way Signage

Councilor Walker summarized the issue. There is currently a "One Way" sign placed on Academy Street; however, it is covered by a small tree. Councilor Walker asked Mr. Bezanson to have DPW trim back the tree.

5. New Soccer Field Parking Concerns (update)

Councilor Walker summarized the issue. Mr. Bezanson said he did not have any new information at this time. This was kept in committee until next month. There is currently no outdoor activity going on at the soccer field.

6. Others

Contractors

Councilor Gates said it is good that letters will be sent to contractors regarding any changes in the Fire Safety Measures Ordinance. He stated that a letter should be sent to the companies in Rochester, as well. Mr. Fitzpatrick suggested that there could be a handout with the building permits.

Route 11 Park

Councilor Collins said someone took action because the State was putting boulders at the entrance of the park. Councilor Walker said a letter was sent to the State asking them to look into it.

Union Street Parking Lot

Councilor Collins said the entrance/exit from the parking lot appears to be very awkward, and might be addressed by swapping the location of the entrance and exit lanes. Councilor Walker said that if they are changed it could be a problem.

Crossing Guard Safety

Councilor Hamann said there is some concern with vehicles not stopping for the crossing guards especially on Maple Street. Deputy Chief Dumas said they take their lead from the crossing guards.

Dry Hill Road

Councilor Gates said he spoke to one of his neighbors. The neighbor said they have seen the young lady speeding up and down the road again. Deputy Chief Dumas will follow up with this.

Fifth Street Sign

Councilor Gray said the street sign on the Western Avenue end is missing. Mr. Bezanson will have this taken care of.

**Councilor Gates made a motion to adjourn the meeting, seconded by Councilor Collins. The motion passed and the meeting adjourned at 8:19 PM.**

Respectfully submitted by  
Laura Miller  
Secretary II, DPW

### 1.13 Certificates of Fitness.

**1.13.1 Authorization.** The AHJ shall have the authority to require certificates of fitness and collect fees for individuals or companies performing activities related to fire or life safety within the jurisdiction such as the following:

- (1) Use of explosive materials
- (2) Blasting or demolition operations
- (3) Fireworks displays
- (4) Inspection, servicing, or recharging of portable fire extinguishers
- (5) Installation, servicing, or recharging of fixed fire extinguishing systems
- (6) Installation or servicing of fire alarm or fire communication systems
- (7) Servicing of gas- or oil-burning heating systems
- (8) Chimney sweep operations
- (9) Installation, inspection, or servicing of range-hood systems

**1.13.2** Where certificates of fitness are required, the AHJ shall be responsible for their issuance.

**1.13.3** All applications for a certificate of fitness shall be filed with the AHJ on forms provided by the AHJ.

**1.13.4** Every individual or company applying for a certificate of fitness shall furnish evidence to the AHJ of familiarity with the codes and standards for which the certificate of fitness is issued.

#### 1.13.5 Investigation of Applicant.

**1.13.5.1** The AHJ shall investigate every application for a certificate of fitness.

**1.13.5.2** The investigation shall include an examination of the applicant's experience and training in the field of the certificate of fitness for which application has been made.

**1.13.5.3** When the AHJ determines that an applicant is not fit to receive the certificate of fitness because of the applicant's inability to comply with the provisions of this *Code*, the AHJ shall refuse to issue the certificate of fitness.

**1.13.5.4** If the refusal is based on the applicant's inability to pass an examination given to determine competency, the applicant shall not be permitted to apply again for the certificate of fitness within a 10-day period following the examination.

**1.13.6** Certificates of fitness shall not be transferable.

**1.13.7** Certificates of fitness shall be issued for the period of time as indicated on the certificate of fitness as determined by the AHJ, but such period of time shall not exceed 3 years.

**1.13.8** Applications for renewal of a certificate of fitness shall be filed in the same manner as an application for an original certificate.

**1.13.9** Each individual or company holding a certificate of fitness shall notify the AHJ in writing of any address change within 10 days after such change.

**1.13.10** A certificate of fitness shall be in the form of an identification card. The card shall contain the following information:

- (1) Purpose for which the certificate of fitness is issued
- (2) Date of expiration
- (3) Information necessary to easily identify the individual to whom the certificate of fitness is issued

(4) Signature of the individual to whom the certificate of fitness is issued

(5) Name and signature of the AHJ or a designated representative

(6) Statement printed thereon in bold type the following: **THIS CERTIFICATE IS NOT AN ENDORSEMENT OF THIS INDIVIDUAL OR COMPANY BY THE AUTHORITY HAVING JURISDICTION.**

**1.13.11** Any individual or company to whom a certificate of fitness has been granted shall, upon request, produce and show proper identification and the certificate of fitness to anyone for whom that individual seeks to render services or to the AHJ.

#### 1.13.12 Revocation or Suspension of Permits.

**1.13.12.1** The AHJ shall be permitted to revoke or suspend a certificate of fitness issued if any violation of this *Code* is found upon inspection or where any false statements or misrepresentations are submitted in the application on which the approval was based.

**1.13.12.2** Revocation or suspension shall be constituted when the certificate holder is duly notified by the AHJ.

**1.13.12.3** Failure on the part of an individual to give such notification of a change of address required by 1.13.9 shall constitute grounds for revocation of the certificate of fitness.

#### 1.14 Plan Review.

**1.14.1** Where required by the AHJ for new construction, modification, or rehabilitation, construction documents and shop drawings shall be submitted, reviewed, and approved prior to the start of such work as provided in Section 1.14.

**1.14.2** The applicant shall be responsible to ensure that the following conditions are met:

- (1) The construction documents include all of the fire protection requirements.
- (2) The shop drawings are correct and in compliance with the applicable codes and standards.
- (3) The contractor maintains an approved set of construction documents on site.

**1.14.3** It shall be the responsibility of the AHJ to promulgate rules that cover the following:

- (1) Criteria to meet the requirements of Section 1.14
- (2) Review of documents and construction documents within established time frames for the purpose of acceptance or providing reasons for nonacceptance

**1.14.4** Review and approval by the AHJ shall not relieve the applicant of the responsibility of compliance with this *Code*.

**1.14.5** When required by the AHJ, revised construction documents or shop drawings shall be prepared and submitted for review and approval to illustrate corrections or modifications necessitated by field conditions or other revisions to approved plans.

#### 1.15 Technical Assistance.

**1.15.1** The AHJ shall be permitted to require a review by an approved independent third party with expertise in the matter to be reviewed at the submitter's expense.

**1.15.2** The independent reviewer shall provide an evaluation and recommend necessary changes of the proposed design, operation, process, or new technology to the AHJ.





## CHAPTER 23

### FIRE SAFETY MEASURES

#### SECTION ANALYSIS

- 23.1 Fire Safety Rules and Regulations
- 23.2 Smoke Detector Wiring
- 23.3 Enforcement Officer
- 23.4 Control of Outdoor Fires
- 23.5 Knox Box Installations
- 23.6 Public Safety Amplification System Required in Large Facilities
- 23.7 Administration and Enforcement
- 23.8 Means of Escape
- 23.9 Fire Department Access
- 23.10 Control of Fire Hazards
- 23.11 Penalty
- 23.12 Sprinkler Requirements for Certain Single-family Dwelling Units
- 23.13 Prohibition and Regulation of Fireworks
- 23.14 Certificate of Fitness Program
- 23.15 Regulation of Fire Alarms

#### **23.1 Fire Safety Rules and Regulations.**

The rules and regulations of the State Fire Marshal as they are now constituted and as they are from time to time amended are hereby adopted as and for the Fire Safety Rules and Regulations of the City of Rochester. The full text of such rules and regulations may be obtained by any person at the office of the Chief of the Fire Department of the City of Rochester.

#### **23.2 Smoke Detector Wiring.**

[1]

When installing 120 volt, hard-wired smoke detectors in any type occupancy, the smoke detector shall be wired to a lighting circuit.

#### **23.3 Enforcement Officer.**

The words "officer" and/or "local authorities" wherever used in the rules and regulations of the State Fire Marshall adopted in the foregoing section shall be deemed to refer to the Chief of the Rochester Fire Department.

#### **23.4 Control of Outdoor Fires.**

No person shall kindle, light, or otherwise start an outdoor fire in the City of Rochester for any purpose whatsoever without first having obtained a written permit, without cost, from the Chief of the Rochester Fire Department. All such permits shall be in writing and in such form as the Chief of the Rochester Fire Department shall prescribe and shall set forth any conditions or restrictions which, in the opinion of the Fire Chief, shall be reasonably necessary and prudent to insure the safe performance of permitted activities.

#### **23.5 Knox Box Installations.**

For purposes of rapid entry in cases of emergencies or required access to buildings after hours, any new construction on the following type occupancies occurring after the date of the adoption of this ordinance will require a KNOX BOX to be installed on such premises:

2/8/2000



1. Assembly
2. Educational
3. Mercantile
4. Business
5. Industrial
6. Apartment Complex

The Fire Chief shall have authority to require any other type of building, not listed above, to install a KNOX BOX to meet rapid entry requirements, if in his discretion public safety considerations require such installation.

### **23.6 Public Safety Amplification System Required in Large Facilities**

[5]

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the City to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

#### **(a) Applicability**

The provisions of this article shall apply to:

- (1) New buildings greater than fifty thousand (50,000) square feet;
- (2) Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and
- (3) All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

#### **(b) Radio coverage**

- (1) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (2) The City's fire department with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported.

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- (3) For the purposes of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications center for all appropriate emergency service providers for the building.

#### **(c) Inbound into the Building**

- (1) A minimum average in-building field strength of 2.25 micro-volts (-100 dbm) for analog and five (5) micro-volts (-93 dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from

the City's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

- (2) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100 dbm) for analog, or (-93 dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.

- (3) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

(d) Outbound from the Building

A minimum average signal strength of 112 micro-volts (-6 dbm) for analog and five (5) micro-volts (+1 dbm) for digital systems as received by the City's Police dispatch center and the appropriate emergency service dispatch centers, which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the City's Fire Department.

(e) Enhanced amplifications systems

- (1) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other City approved system(s).
- (2) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation on an independent battery or

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generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.

- (3) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located almost must be free of hazardous materials such as fuels, asbestos, etc.

All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The

ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

(4) The following information shall be provided to the Fire Department by builder:

- (A) A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
- (B) Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

(f) Testing procedures – Method to Conducts Tests

- (1) Tests shall be made using frequencies close to the frequencies used by the Police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the City's Fire Department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the Police, Fire or emergency medical frequencies.

(g) Measurements Shall be Made Using the Following Guidelines

- (1) With a service monitor using a unity gain antenna on a small ground plane;
- (2) Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
- (3) A calibrated service monitor (with a factory calibration dated within twenty-four (24) months may be used to do the test);
- (4) The telecommunications unit representative for the City may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3 db between the instruments will be allowed; and 1/2/2007
- (5) If measurements in one location are varying, then average measurements must be used.
  - (A) All testing shall be done in the presence of a Fire Department representative at no expense to the City or appropriate emergency services department.
  - (B) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

(h) Annual Tests

Annual tests will be conducted by the City's telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the City or the appropriate emergency services departments as required in the original testing procedures.

(i) Field Testing

Police and Fire personnel, after providing reasonable notice to the owner or his/her representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

**23.7 Administration and Enforcement.**

[2]

The authority having jurisdiction for the administration and enforcement of this chapter shall be Fire Prevention of the City of Rochester. The fee schedule under this chapter shall be as follows:

Tank Removal	\$25.00	
Blasting	\$25.00	
Incident Report	\$5.00	
Fire Marshal's Investigation Report	\$25.00	
Photographs (Fire Scene)	\$15.00	
CD Photos (Fire Scene)	\$15.00	
Fire Alarm System Plan Review	\$1.00 per device or \$50.00 minimum	
Sprinkler System Plan Review	\$1.00 per device or \$50.00 minimum	1/2/2007
Commercial Hood Fire Suppression	\$1.00 per device or \$50.00 minimum	
Clean Agent Initial Inspection	\$1.00 per device or \$50.00 minimum Free of Charge	
Re-Inspections (Sprinkler Systems, Fire Alarm Systems, Commercial Hood Fire Suppression, Clean Agent)	\$50.00 per person with \$100.00 minimum	
Fine	<del>\$100.00</del> <u>175.00</u> (working without a permit <u>or</u> <u>license</u> )	
<u>Certificate of Fitness</u>	<u>\$25.00 per year, per restriction</u>	
<u>False Alarm, Fire alarm activation</u>	<u>\$175 after 2 consecutive, per calendar year</u>	

**23.8 Means of Escape.**

[3]

All factories, hotels, tenement houses, public halls, schoolhouses and other buildings used as places of public resort in the City shall be provided with ample means of escape in case of a fire and adequate facilities for entrance and exits on all occasions; and be so erected as not to endanger the health and safety of persons who occupy them.

**23.9****Fire Department Access**

[4]

Before construction on commercial buildings, a residential street or a private street with two (2) or more duplexes or single-family dwellings may begin, Fire Department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface suitable for all-weather driving capabilities.

**23.10****Control of Fire Hazards**

[4]

The Chief of his/her designee shall examine, or cause to be examined, at regular intervals, all places where combustible material may be collected or deposited and cause the same to be removed by the tenants, occupants or owners of such place, at their expense, whenever, in the opinion of the Fire Chief, such removal is necessary for the security of the City against fires. A record of all such inspections shall be kept by the Chief or his/her designee.

**23.11****Penalty**

[3]

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 23 shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) or not more than five hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.

**23.12 Sprinkler Requirements for Certain Single-family Dwelling Units.**

[6]

In addition to sprinkler requirements for structures under the provisions of the applicable N.F.P.A. (National Fire Protection Association) Code and/or any other applicable law or regulation all newly constructed duplexes, triplexes and single-family dwelling unit combination structures that are attached to each other, shall be sprinkled in accordance with National Fire Protection Association (N.F.P.A.) Code standards as contained in the New Hampshire State Fire Code.

**23.13 Prohibition and Regulation of Fireworks. [7][8][9]**

- A. In accordance with the provisions of RSA 160-C, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use, explode or display any permissible fireworks within the City of Rochester, except as specifically provided for in this ordinance.
- B. As used in this ordinance:
  - i. "Display" means the use, explosion, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.
  - ii. "Permissible fireworks" means those consumers firework devices defined as



“permissible fireworks” in RSA 160-C, as the same currently exists or as, from time to time, hereinafter amended.

- iii. “Fire Chief” means the Fire Chief of the City of Rochester or his/her designee.
- iv. “Police Chief” means the Police Chief of the City of Rochester or his/her designee.

C. Subject to, and in accordance with the provisions of Chapter 160-C of the New Hampshire Revised Statutes Annotated it shall be lawful to possess and/or display permissible fireworks upon compliance with the following requirements:

- i. A person who is 21 years of age or older may display permissible fireworks on private property with the written consent of the owner or in the owner’s presence, subject to the provisions of this ordinance and RSA Chapter 160-C, and any other applicable ordinance regulation or statute.
- “ii No display of permissible fireworks shall be permitted within the City except between the hours of 6 PM and 11 PM on Saturdays in the months of June and July and between the hours of 6 PM and 10 PM on Saturdays between the months of August through May. Permissible fireworks shall be permitted on the following holidays; Labor Day, Fourth of July (including the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city-wide fireworks display held at the Rochester Fairgrounds), on New Year’s Eve (December 31<sup>st</sup>), provided, however, that on New Year’s Eve such display shall be permitted to occur between the hours of 6 PM on December 31<sup>st</sup> and 1:00 AM on January 1<sup>st</sup>.
- iii The display of permissible fireworks shall be of such a character, and so located and conducted, that it shall not be hazardous to property or endanger any person. In accordance with the provisions of RSA Chapter 160-C no permissible fireworks shall be permitted on public property and must be at least 50 feet from nearby buildings, nearby trees, electrical and telephone lines or other overhead obstructions, and the location of any nearby storage of flammable or combustible liquids or gases.
- iv No permissible fireworks may be used, discharged, exploded, or displayed during periods of very high or extreme fire danger as determined by the Fire Chief or the NH Division of Forests and Lands.
- v. Permissible fireworks may be used, discharged, exploded, or displayed in a manner such that any all discharge debris shall remain within the property lines of the lot on which the display originates.
- vi. Anyone using permissible fireworks shall be responsible for removing any debris accumulated due to the discharge of fireworks that fall onto the public way, public property, and any private property twenty-four hours. Anyone failing to remove such debris shall be financially responsible for its clean up.

- vii. Display of permissible fireworks shall be permitted on public property the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city-wide fireworks display held at the Rochester Fairgrounds, provided that such display shall be authorized in a duly issued Block Party Application/Permit from the City's Licensing Board covering the public property on which the display is to occur."

[11]A violation of this ordinance shall be subject to the penalties provided for in Chapter 23, Section 23.11, Penalty, of the City of Rochester General Ordinance.

- D. This ordinance shall be construed consistently with NH Code of Administrative Rules Sa c 2600, as made applicable by state statute and as adopted by reference in Section 23.1, of the General Ordinances of the City of Rochester, and is not meant to repeal any section thereof. Nothing in this ordinance shall be interpreted so as to conflict with the provisions of Chapters 160-B or 160-C of the New Hampshire Revised Statutes Annotated, as currently written, or as from time to time hereafter amended. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct independent provision and such holding shall not affect the validity of the remaining portions thereof.11-9-10
- E. The Police Chief or Fire Chief may suspend the use of permissible fireworks for any of the following reasons:
  - i. Unfavorable weather conditions, including but not limited to, lightning storms or high wind conditions exceeding 20 miles per hour or higher.
  - ii. If any person under the age of 21 possesses, uses, discharges or explodes, used, discharged or exploded any permissible firework device.
  - iii. If any person who is using, discharging, exploding, or displaying the permissible fireworks appears to be under the influence of alcohol or drugs;
  - iv. If, in the opinion of the Police Chief or Fire Chief, the use, discharge, exploding, or display of permissible fireworks would create a threat to public safety.
- F. The Police Chief and/or Fire Chief are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all firework devices that are being discharged in violation of this ordinance."

#### **23.14 Certificate of Fitness Program**

In accordance with NFPA 1:2009 1.13, The Rochester Fire Department enacts the applicable section of the currently adopted version of NFPA 1 for the Certificate of Fitness Program. The Fire Chief or his designee shall promulgate administrative rules for the management of the Certificate of Fitness program.

#### **23.14 Regulation of Fire Alarms**

The Fire Chief or his designee shall promulgate administrative rules for the management of

the installation and maintenance of Fire Alarms.

- [1] Amended 2/8/2000
- [2] Amended 3/7/2006
- [3] Amended 6/6/2006
- [4] Amended 6/6/2006
- [5] Amended 1/2/2007
- [6] Amended 3/6/2007
- [7] New Section Added 3/4/08
- [8] Amended 11/9/10
- [9] Amended 4/2/2013 Replaced Chapter 23.13
- [10] Replaced [ii] 6/6/2013
- [11] New Section added on 6/4/2013
- [12] New Section added on 11/19/2014
- [13] New Section added on 11/19/2014

11/9/10



**Public Works and Buildings Committee**

**November 20, 2014**

**Council Chambers**

**7PM**

**MEMBERS PRESENT**

Councilor Ralph Torr – Chairman

Councilor Sandy Keans

Councilor David Walker

Councilor Donald Hamann

**MEMBERS ABSENT**

Councilor Ray Varney- Vice Chairman

**OTHERS PRESENT**

Councilor James Gray

Councilor Jake Collins

Councilor Donna Bogan

Dan Fitzpatrick, City Manager

Peter Nourse, PE - DPW Director

Christopher Berg, PE – Wright Pierce Consulting Engineer

Ralph Saunders, 2 Norman Street

**MINUTES**

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

**1. Approve minutes from October 16, 2014 meeting -**

Chairman Torr requested a recommendation on last month's minutes.

*Councilor Walker motioned to accept minutes as presented for the October 16, 2014 Meeting. The motion was seconded by Councilor Hamann. The Motion passed unanimously.*

**2. Public Input**

Mr. Sanders of #2 Norman Street addressed the Committee. Mr. Sanders stated that he has lived he purchased his home in 1993. He stated that it is his understanding that Chesley Hill Road is to be reconstructed next summer and he would like to see the scope of the project expanded to include reconstruction on Norman Street. Mr. Sanders stated that he and his neighbors live in an area where the water table is high and they have sump pumps that are constantly running. He would like to see the run off from Chesley Hill

diverted in a way to alleviate the problem. Chairman Torr asked if Mr. Nourse had any input or answers at this time. Mr. Nourse stated that this item is #8 on the agenda and stated he is prepared to address it then.

**3. 368 Portland Street – Mr. Vargas Letter**

Mr. Nourse stated that he and Councilors Gray and Bogan had received a letter from this property owner regarding snow storage and drainage. Mr. Nourse stated that the snow storage issue was due to a verbal agreement with the previous owner and would cease occurring immediately. He further stated as that is a small neighborhood street the plows were pushing and banking snow on the grass area of this property. Mr. Vargas's letter stated that he did not want this to continue due to lawn damage and his neighbors were using the piles for a play area. Mr. Nourse stated that as Mr. Vargas is not in attendance he would arrange an onsite meeting with Mr. Vargas and Mr. Nourse stated he would let Councilors Gray and Bogan know the time and date in case they wanted to attend.

**4. School Street Sidewalk**

Mr. Nourse stated that in recent years porous pavement had been used for the sidewalk in the area of School Street School. He stated that as this is a school area and slips and falls are an issue that this is also a high volume salt area for sidewalk maintenance. He stated that this type of pavement is not and should not be expected to hold up in this type of application. Mr. Nourse stated that it is in bad shape and needs to be fixed. He stated that he would like to use sidewalk funds for the repair in this area. There was discussion held regarding concrete or asphalt. Mr. Nourse and the Committee agreed that concrete would stand up better and that it should be done next construction season.

Councilor Keans stated she would like to have a discussion regarding the use of asphalt driveway aprons when putting in concrete sidewalks. She stated that the sidewalks on Charles Street look badly with the black and white back and forth. She asked how long this practice had been in place on the interior roads into the City. Mr. Nourse stated that a couple of years ago when the sidewalk plan was being formed he had addressed this with the Committee and while no formal decision was made, he remembers that the guidance given at the time was to use the asphalt driveways as it was more cost effective and made for a good transition onto private driveways. Councilor Keans stated that it should take action by the full Council to come up with that type of policy and she would like to see discussion at the Council level. She stated that Charles Street is one of the oldest streets in the City and that should have been concrete. Chairman Torr asked for a motion to have the discussion at the City Council level. Mr. Fitzpatrick suggested that this discussion be held at the City Council level along with the CIP Sidewalk funding discussion.

5. **Groundwater – Item stricken from agenda there was no new information for presentation.**

6. **FY16 Road Work List**

Mr. Nourse distributed the FY16 proposed paving list. He stated that in the most recent years the paving has been concentrated on neighborhoods and smaller streets. He stated that our larger collectors are in need of attention, and that they are longer and therefore more costly (See attached Listing). Councilor Walker stated that Jackson Street is on the list again. He asked if we paved it would be cut up as part of the Strafford Square project. Mr. Nourse stated it may be impacted. Councilor Walker asked if it should be done at the same time as Strafford Square. Mr. Nourse stated that could be included as a non-participating item in the contract. He further stated that in projects where federal funds are to be used, it is best to keep them separate. Councilor Walker stated that Gear Road is on the list and would be costly. Mr. Nourse stated that we have done some patching out there to facilitate plowing but that it is in bad shape. Councilor Keans asked about Whitehouse Road. She stated that if we were to reclaim and pave it how long would it last and are there other issues out there. Mr. Nourse stated that while there is not any water or sewer issues in the area, there are some drainage and frost heaving issues, but a complete reconstruct would be even more costly. After brief group discussion this issue was left in committee.

7. **Economic Development Sewer Ext Project – Salmon Fall/Milton Road**

Mr. Nourse stated that he would like to keep the committee informed of recent developments on this project. He introduced Christopher Berg, PE from Wright-Pierce Engineers. Mr. Nourse stated that the initial engineers for the project were Hoyle Tanner and Associates. He stated that Wright Pierce had been selected base on qualifications and costs. Mr. Nourse stated that this projects schedule currently requires this work to begin construction July of 2016. He stated that the early design plans had the sewer project starting at Market Basket flowing north to the intersection of Salmon Falls and then South down Salmon Falls to the pump station at Autumn Street. He stated that while this plan would work it would also create a very deep sewer line and therefore very costly construction costs. He stated that in order to give Market Basket the depth they desire it could be as deep as 20 feet at the intersection of Amarosa and Milton Road. Mr. Nourse stated that sewers at this depth also have much higher repair and maintenance costs, and future maintenance issues. He stated that recent engineering estimates put this design at approximately 4.6 million dollars. Current funding is 3.9 million. Mr. Nourse stated that Mr. Berg and City staff have determined a more cost effective and less deep alternative. The alternative plan will have sewer running south from Amarosa to Market Basket and the going cross country via Denali Drive and Kodiak Court to Salmon Falls. It would also start at the intersection of Milton Road and run south on Salmon Falls Road and connecting with the cross country line. From there all flow will go to the Autumn

Street Pump Station. Mr. Berg stated that this would require 1 or 2 easements from property owners on Denali and Kodiak. Mr. Nourse stated that this engineer's estimate is approximately 4.2 million dollars. Councilor Torr asked about eventually picking up customers from Flat Rock Ridge Road. Mr. Berg stated that with the exception of the two properties closest to Milton Road, this road could run gravity to the Salmon Falls Road. The group's discussion was favorable to this alternative design, with the back-up plan to have Market Basket pump up to the main, which would be more costly for them but would reduce the need for the very deep sewer at the intersection of Milton and Salmon Falls Road. This would give us an estimated depth at Milton and Salmon Fall Road of about 13'. Mr. Nourse stated that survey work for this alternative and easements discussions would begin right away in order to keep to schedule.

#### **8. Chesley Hill Road – Ground Water Issues**

Mr. Nourse stated that this reconstruction project has been funded and will be out to bid this winter/spring. He stated that there will not be sufficient funds to include the work suggested by Mr. Sanders on Ramsey Drive and Norman Street. Mr. Nourse stated that he could have the engineering consultant look at the cost of diverting water flowing from Chesley Hill into the area at the base. Mr. Nourse stated that the project does address a culvert at Ramsey Drive but does not go out into that abutting neighborhood. A resident of #4 Norman Street stated there is a culvert/structure in her back yard that should be looked at. # 8 Norman Street stated that her neighbor at #7 has significant flooding and recently that flooding occurred in his garage. Councilor Walker asked that Mr. Nourse look into the cost of addressing the drainage concerns stated and to report back to the Committee.

#### **9. Water Tank Maintenance Project**

Mr. Nourse stated that the City Council had appropriated approximately \$500,000 dollars and after initial engineering cost there is \$478,000 remaining. He stated that the engineering estimate is \$619,000. This includes painting the interior and exterior of the Chesley Hill Road tank and installing mixing systems at both Chesley Hill Road and Salmon Falls. Mr. Nourse stated that this project is to go out to bid this winter/spring and he will keep the Committee posted if a supplemental appropriation might be needed.

#### **10. Water Use Decline**

Mr. Nourse distributed an informational packet that he had received from the Business Offices, Mark Sullivan. He stated that Mark had looked into the issue as there had been a noticeable decline in the use of residential water. Mr. Nourse stated that he had also included some literature from the State of NH DES as the decline has been noticed state wide.

## 11. Other

**Granite Ridge Project – (TIF)** Mr. Nourse stated that Severino Construction is the the developers contractor for this project. He stated that the City is required to go out to bid for our construction of the infrastructure. Mr. Nourse stated that he is hopeful that Severino is awarded the contract for the City as he has concerns for coordination of the two projects. Mr. Nourse stated that much of this work will need to occur simultaneously and two separate contractors will make it difficult for coordination.

**Round Pond** – Mr. Nourse stated that Staff had met with NH DES regarding the raising of the water level at Round Pond and that there was no significant issues raised by the State. He stated that it was a positive meeting and the investigative work would continue.

**Upper City Dam** – Councilor Walker asked if this project which is in the area of Duval Park had been completed. Mr. Nourse stated that it is complete. Councilor Keans stated that there was still debris in the dam area of the river and that she was disappointed that it was not cleaned up while the water level was down.

**Chamberlain Street Drainage and Paving** – Councilor Collins asked Mr. Nourse how the project had gone. Mr. Nourse stated that other than some complaints about flaggers and believed it had gone well. Both Councilors Walker and Collins expressed that they were pleased with the project and that they had heard the same from residents in the area.

**Library Steps** – Councilor Keans stated that she was please with the fix done on the steps at the Library but she asked if the concrete that had been splashed up onto the bricks could be cleaned off. Mr. Nourse stated that he would look at it.

*Councilor Walker made a motion for adjournment at 8:18PM. Councilor Hamann seconded the motion. The motioned passed unanimously.*

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

FY16 Proposed Paving List				Revision Date: 11/20/2014
Street Name	Cost Estimate		Last Paved	Comments
Whitehouse Road	\$415,000	\$415,000	1990 (est.)	previously proposed (FY15 estimate)
Ledgeview Drive	\$315,000	\$730,000	1985	previously proposed (FY14 estimate)
Gear Road	\$515,000	\$1,245,000	2003	previously proposed (FY14 estimate)
Tebbetts Road (portions Lowell St. to Rte. 108)	\$125,000	\$1,370,000	2004	previously proposed (FY15 estimate)
Lowell Street (Hillside - Tebbetts)	\$300,000	\$1,670,000	2005	previously proposed (FY15 estimate)
Columbus Ave./Old Dover Rd. Intersection	\$85,000	\$1,755,000	'02/'05/'06	
Hansonville Rd. (Including portion of Flagg Rd.)	\$400,000	\$2,155,000	2001/2002	
Sheepboro Road	\$210,000	\$2,365,000	2006	previously proposed (FY13 estimate)
Weeping Willow Drive	\$70,000	\$2,435,000	2004	
Eastern Avenue (Allen St. to Fieldstone Ln.)	\$275,000	\$2,710,000	2003	
French Hussey Road	\$75,000	\$2,785,000	1990 (est.)	
Sullivan Farm Drive	\$125,000	\$2,910,000	2005	
Four Rod Road	\$500,000	\$3,410,000	2012 shim	previously proposed (FY13 estimate)
Jackson Street	\$65,000	\$3,475,000	1990 (est.)	previously proposed (FY15 estimate)
Rockledge Road	\$78,000	\$3,553,000	2003	previously proposed (FY14 estimate)
Boulder Avenue	\$64,000	\$3,617,000	2003	previously proposed (FY14 estimate)
Conifer Circle	\$48,000	\$3,665,000	2004	previously proposed (FY14 estimate)
Myrtle Street	\$50,000	\$3,715,000	1990 (est.)	Mill & Overlay only. Future project area.
Woodman Street	\$45,000	\$3,760,000	1990 (est.)	Mill & Overlay only. Future project area.
Total:	\$3,760,000			

**RESOLUTION DEAUTHORIZING A PORTION OF A CERTAIN  
FISCAL YEAR 2014-2015 CITY OF ROCHESTER FIRE DEPARTMENT  
APPROPRIATION FOR  
ROCHESTER SCHOOL DEPARTMENT SCHOOL ADMINISTRATIVE UNIT TABLE-  
TOP  
EMERGENCY PLANS DRILL EXERCISE**

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

**I. WHEREAS**, by resolution previously adopted by the Mayor and City Council, on August 5, 2014 a supplemental appropriation to the Fiscal Year 2014-2015 City of Rochester, Fire Department operating budget in the sum of Nine Thousand Sixteen Dollars and Fourteen Cents (\$9,016.14) was made to the City of Rochester, Fire Department operating (special account) budget (and/or other various impacted Project related budgets), for the purpose of paying costs associated with the conduct of a Rochester School Department School Administrative Unit Table-top Emergency Plans Drill Exercise (the "Project"), with funding for such Project to be drawn, in their entirety, from an Emergency Management Performance Grant through the State of New Hampshire, Department of Safety, Homeland Security & Emergency Management, Homeland Security Exercise and Evaluation Program: and

**WHEREAS**, such Project has been completed in its entirety, in a manner leaving an unexpended appropriated balance of Two Thousand Two Hundred Forty-Four Dollars and Forty-Two Cents (\$2,244.42), in funds originally anticipated for such Project, and which funds are no longer necessary for Project purposes; and

**WHEREAS**, expenditures for the completed Project have totaled Six Thousand Seven Hundred Seventy-One Dollars and Seventy-Two Cents (\$6,771.72); and

**NOW, THEREFORE**, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby withdraw and deauthorize a portion of the above mentioned appropriation to the Fiscal Year 2014-2015 City of Rochester, Fire Department operating budget for the Project to the extent of Two Thousand Two Hundred Forty-Four Dollars and Forty-Two Cents (\$2,244.42), leaving an appropriation balance in such Project account of Six Thousand Seven Hundred Seventy-One Dollars and Seventy-Two Cents (\$6,771.72).

CC FY15 12-02 AB 62

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11/26/14

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

AGENDA SUBJECT: De-authorize funds from SAU Table Top Drill

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	December 2, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	11/4/2014		
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

**FINANCE & BUDGET INFORMATION**

FINANCE APPROVAL	Roland Connors, Signature on file with City Clerk
SOURCE OF FUNDS	Federal Grant
ACCOUNT NUMBER	Multiple (Fund 6105 Project 15548)
AMOUNT	\$2,244.42
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council

**CC FY 15 AB 62**

**SUMMARY STATEMENT**

SAU Table Top Drill has been completed. De-authorization of the unexpended \$2,244.42 is required.

**RECOMMENDED ACTION**

De-Authorize these unexpended funds.

## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: SAU Table Top Drill

Date: 12/02/2014

Fiscal Year: FY 14

Fund (select):

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

## Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6105	MULTI	15548	-	-	2,244.42
2				-	-	-
3				-	-	-
4				-	-	-

## Appropriation

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

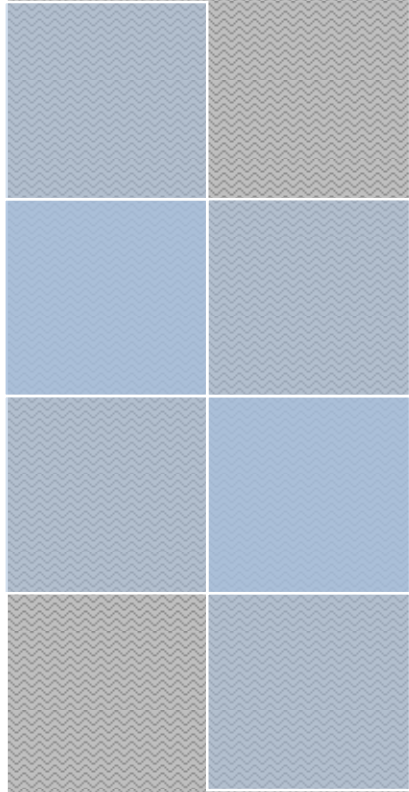
## Revenue

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

DUNS # CFDA # Grant # Grant Period: From   
To 

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

Reimbursement Request will be reduced ☒Funds will be returned ☐



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**RESOLUTION DEAUTHORIZING PORTION OF FISCAL YEAR 2013-2014**  
**CAPITAL BUDGET APPROPRIATION FOR THE**  
**CITY OF ROCHESTER, DEPARTMENT OF PUBLIC BUILDINGS,**  
**FOR THE SO-CALLED MANAGEMENT INFORMATION SYSTEM SERVER**  
**ROOM AIR CONDITIONING &**  
**FIRE SUPPRESSION SYSTEMS PROJECT**

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

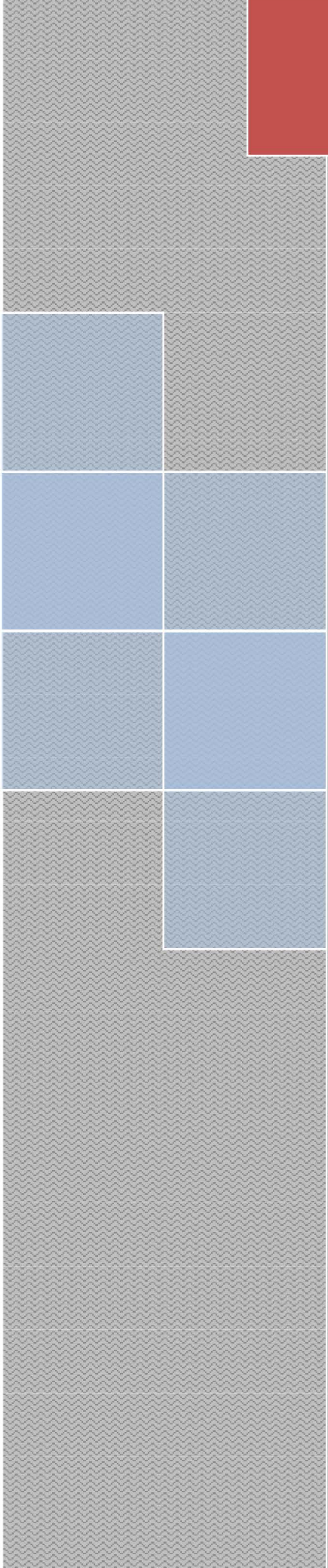
**WHEREAS**, by virtue of a Resolution by the Mayor and City Council in June 2013, a Capital Improvements Budget appropriation in the amount of Seventy-Five Thousand Dollars (\$75,000.00) was adopted and approved in the Fiscal Year 2013-2014 City of Rochester, Department of Public Buildings, capital improvements budget for the so-called Management Information Systems Server Room Air Conditioning & Fire Suppression Systems Project (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of bonding to be undertaken by the City of Rochester; and

**WHEREAS**, such Project has been completed in a manner leaving the sum of Thirty-Six Thousand Twenty-Four Dollars (\$36,024.00) of the aforesaid appropriation funding authorized to be derived from the proceeds of bonding by the City of Rochester, no longer necessary for such Project's purposes;

**NOW, THEREFORE**, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Thirty-Six Thousand Twenty-Four Dollars (\$36,024.00) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of Thirty-Six Thousand Twenty-Four Dollars (\$36,024.00), thereby leaving a balance of the aforesaid Fiscal Year 2013-2014 appropriation with borrowing authority in the amount of Thirty-Eight Thousand Nine Hundred Seventy-Six Dollars (\$38,976.00).

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 FY15 12-02 AB 63



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11/26/14

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

AGENDA SUBJECT - De- Authorize General Fund - MIS SERVER ROOM AC-FIRE SUPPRESSION

Council Action Item ☒ or Information Only \_\_\_\_\_ Funding Required? Yes \_\_\_ No ☒Resolution Required? Yes ☒ No \_\_\_

Funding Resolution Worksheet? Yes XX No

AGENDA DATE	Next Available agenda
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE – DPW Director Original with Signature is on file at City Clerk's Office
DATE SUBMITTED	November 6, 2014
ATTACHMENTS      Yes XX No	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

**FINANCE & BUDGET INFORMATION**

DIRECTOR OF FINANCE APPROVAL	Roland Connors, Signature on file with City Clerk
SOURCE OF FUNDS	General Fund - Bond
ACCOUNT NUMBER	15011090-772000-14511
AMOUNT	<b>\$36,024.00</b>
APPROPRIATION REQUIRED      Yes No <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

City Council.

**SUMMARY STATEMENT**

This project was funded with bonding as the funding source and it is completed under budget. This request is to de-authorize the remaining balance in the CIP account.

**RECOMMENDED ACTION**

Resolution to de-authorize \$36,024.00 15011090-772000-14511.

## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: Deauthorize Proj 14511 - Bond MIS Server RM AC &amp; Fire Suppressor

Date: 11/06/2014

Fiscal Year: FY2015

Fund (select):

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

## Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011090	772000	14511	-	-	36,024.00
2						
3				-	-	-
4				-	-	-

## Appropriation

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

## Revenue

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

DUNS # CFDA # Grant # Grant Period: From   
To 

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

Reimbursement Request will be reduced ☐Funds will be returned ☐



**RESOLUTION DEAUTHORIZING PORTION OF FISCAL YEAR 2013-2014**  
**CAPITAL BUDGET APPROPRIATION FOR THE**  
**CITY OF ROCHESTER, DEPARTMENT OF PUBLIC BUILDINGS,**  
**FOR THE SO-CALLED COMMUNITY CENTER AUTOMATIC**  
**SPRINKLER SYSTEM PROJECT**

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

**WHEREAS**, by virtue of a Resolution by the Mayor and City Council in June 2013, a Capital Improvements Budget appropriation in the amount of Four Hundred Thousand Dollars (\$400,000.00) was adopted and approved in the Fiscal Year 2013-2014 City of Rochester, Department of Public Buildings, capital improvements budget for the so-called Community Center Automatic Sprinkler System project (the “Project”), with such appropriation to be funded, in its entirety, from the proceeds of bonding to be undertaken by the City of Rochester; and

**WHEREAS**, such Project has been completed in a manner leaving the sum of Forty-Four Thousand Four Hundred Sixty-Six Dollars and One Cent (\$44,466.01) of the aforesaid appropriated fund authorized to be derived from the proceeds of bonding by the City of Rochester, no longer necessary for such Project’s purposes;

**NOW, THEREFORE**, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Forty-Four Thousand Four Hundred Sixty-Six Dollars and One Cent (\$44,466.01) of the aforementioned previously appropriated funds for the so-called Project, and hereby further withdraw and discontinue the previous borrowing authority granted with respect to the above Project appropriation to the extent of Forty-Four Thousand Four Hundred Sixty-Six Dollars and One Cent (\$44,466.01), thereby leaving a balance of the aforesaid Fiscal Year 2013-2014 appropriation with borrowing authority in the amount of Three Hundred Fifty-Five Thousand Five Hundred Thirty-Three Dollars and Ninety-Nine Cents (\$355,533.99).

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 FY15 12-02 AB 64

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11/26/14

## City of Rochester Formal Council Meeting

## AGENDA BILL

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

AGENDA SUBJECT - De- Authorize General Fund - INSTALL AUTOMATIC SPRINKLER –COMMUNITY CTR

Council Action Item ☒ or Information Only ☐Funding Required? Yes ☐ No ☒Resolution Required? Yes ☒ No ☐Funding Resolution Worksheet? Yes ☒ No ☐

AGENDA DATE	Next Available agenda
DEPT. HEAD SIGNATURE	Peter C. Noures, PE – DPW Director Original with signature is on file at City Clerk's Office
DATE SUBMITTED	November 6, 2014
ATTACHMENTS      Yes XX No	

## COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

## DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick Signature on file with City Clerk

## FINANCE &amp; BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	Roland Connors, Signature on file with City Clerk
SOURCE OF FUNDS	General Fund - Bond
ACCOUNT NUMBER	15011090-772000-14513
AMOUNT	<b>\$44,466.01</b>
APPROPRIATION REQUIRED      Yes No <input checked="" type="checkbox"/>	

## LEGAL AUTHORITY

City Council.

## SUMMARY STATEMENT

This project was funded with bonding as the funding source and it is completed under budget. This request is to de-authorize the remaining balance in the CIP account.

## RECOMMENDED ACTION

Resolution to de-authorize \$44,466.01.00 from General fund account 15011090-772000-14513.

## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name: Date: Fiscal Year: 

Fund (select):

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

## Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011090	772000	14513	-	-	44,466.01
2						
3				-	-	-
4				-	-	-

## Appropriation

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

## Revenue

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

DUNS # CFDA # Grant # Grant Period: From To 

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

Reimbursement Request will be reduced ☐Funds will be returned ☐

**RESOLUTION DEAUTHORIZING PORTION OF**  
**A FISCAL YEAR 2012-2013 POLICE DEPARTMENT OPERATING BUDGET**  
**FOR**  
**NH HIGHWAY SAFETY AGENCY GRANT**  
**FOR BULLETPROOF BALLISTIC VESTS**

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

**WHEREAS**, by resolution previously adopted by the Mayor and City Council in July 2012, the sum of Seven Thousand Three Hundred Seventy Dollars (\$7,370.00) to be derived from a State of New Hampshire, Highway Safety Agency grant to the City of Rochester, Police Department was appropriated to a 2012-2013 operating budget special non-lapsing reserve account of the City of Rochester, Police Department, for the purpose of providing funding for 50% of the cost of bulletproof ballistic vests for Police Department personnel (the "Project"); and

**WHEREAS**, Three Thousand Five Hundred Ninety-Two Dollars and Sixty Cents (\$3,592.60) of the funds appropriated for such Project are no longer necessary for such purpose, as the Project purchase of bulletproof ballistic vests has been completed;

**NOW, THEREFORE**, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Three Thousand Five Hundred Ninety-Two Dollars and Sixty Cents (\$3,592.60) previously appropriated for the said the Project, thereby leaving a total appropriation for such Project in the amount of Three Thousand Seven Hundred Seventy-Seven Dollars and Forty Cents (\$3,777.40).

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

CC FY 15 12-02 AB 67

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11/26/14

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

AGENDA SUBJECT: Seeking permission from council to de-authorize funds in the amount of \$3,592.60 for the vest grant for FY12 – FY14 funding. We didn't need to purchase as many as originally planned.

COUNCIL ACTION ITEM ☒  
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒  
\* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	Next meeting in November 2014.		
DEPT. HEAD SIGNATURE	Michael Allen Signature on file		
DATE SUBMITTED	11/05/14		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Roland Connors Signature on file with City Clerk
SOURCE OF FUNDS	Federal
ACCOUNT NUMBER	Fund 60982010 project 13542
AMOUNT	\$3,592.60
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

**LEGAL AUTHORITY**  
Council action required**SUMMARY STATEMENT**

De-Authorize funds in the amount of \$3,592.60.

**RECOMMENDED ACTION****Recommend council de-authorize funds in the amount of \$3,592.60**



## AGENDA BILL - FUNDING RESOLUTION

## EXHIBIT

Project Name:

Seeking permission from council to de-authorize funds in the amount of \$3,592.60 for the vest grant for FY 12 - FY 14 funding. We didn't need to purchase as many as originally planned.

Date:

11/05/2014

Fiscal Year:

FY 15

Fund (select):

GF ☐Water ☐Sewer ☐Arena ☐CIP ☐Water CIP ☐Sewer CIP ☐Arena CIP ☐Special Revenue ☒

Fund Type:

Supplemental ☐Deauthorization ☒

## Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	60982010	573900	13542	3,592.60		
2				-	-	
3				-	-	-
4				-	-	-

## Appropriation

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

## Revenue

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

DUNS #

CFDA #

Grant #

Grant Period: From

To

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

Reimbursement Request will be reduced ☒Funds will be returned ☐



11/05/2014 13:40  
rhondaCITY OF ROCHESTER  
G/L ACCOUNT - MASTER INQUIRYP 1  
glactinq

Org code: 60982010 FY13 POLICE GRANTS EXPENSES Type: E  
 Object code: 573900 OTHER EQUIPMENT Status: A  
 Project code: 13542 DOJ BALLISTIC VESTS-BX12063374 Budgetary: Y

Fund 6098 FY13 POLICE GRANTS  
 LEVEL GOVT 2 PUBLIC SAFETY  
 FUNCTION 0000  
 LEVEL/DEPT 201 POLICE  
 PRGM/ACTIVIT 000  
 LOCATION 53 POLICE STATION  
 GRADE 00  
 REVENUE 0  
 Project 13542 DOJ BALLISTIC VESTS-BX12063374

Full description: OTHER EQUIPMENT  
 Reference Acct:

Short desc: OTHER EQUIP  
 Auto-encumber? (Y/N) N

----- CURRENT YEAR MONTHLY AMOUNTS -----				
PER	ACTUAL	ENCUMBRANCE	BUD TRANSFER	BUDGET
00	.00	.00	.00	.00
01	.00	.00	.00	514.37
02	.00	187.00	.00	514.33
03	.00	599.00	.00	514.33
04	163.90	-786.00	.00	514.33
05	.00	556.00	.00	514.33
06	.00	599.00	.00	514.33
07	961.00	-599.00	.00	514.33
08	556.00	-556.00	.00	514.33
09	.00	.00	.00	514.33
10	.00	599.00	.00	514.33
11	.00	299.50	.00	514.33
12	898.50	-898.50	.00	514.33
13	.00	.00	.00	.00
Tot:	2,579.40	.00	.00	6,172.00

----- CURRENT YEAR TOTAL AMOUNTS -----			
Actual (Memo)	2,579.40	Original Budget	7,370.00
Encumbrances	.00	Budget Tranfr In	.00
Requisitions	.00	Budget Tranfr Out	.00
Total	2,579.40	Carry Fwd Budget	.00
Available Budget	3,592.60	Carry Fwd Bud Tfr	.00
Percent Used	51.25	Revised Budget	7,370.00
Inceptn to SOY	1,198.00	Inceptn Orig Bud	7,370.00
		Inceptn Revsd Bud	7,370.00
Encumb-Last Yr	.00	INITIAL	.00
Actual-Last Yr	.00	ADMIN	.00
Estim-Actual	.00	COMMITTEE	.00
		CM/SCHOOL	.00
		COUNCIL	.00

11/05/2014 13:40  
 rhonda

 CITY OF ROCHESTER  
 G/L ACCOUNT - MASTER INQUIRY

 P 2  
 glactinq

PER	ACTUAL	LAST YEAR MONTHLY AMOUNTS ENCUMBRANCE	BUDGET
00	.00	.00	.00
01	.00	.00	614.17
02	.00	.00	614.17
03	.00	.00	614.17
04	.00	.00	614.17
05	599.00	299.50	614.17
06	.00	-299.50	614.17
07	299.50	-299.50	614.17
08	299.50	-299.50	614.17
09	.00	.00	614.17
10	.00	.00	614.17
11	.00	.00	614.17
12	.00	.00	614.13
13	.00	.00	.00
Tot:	1,198.00	.00	7,370.00

----- PRIOR YEARS TOTAL AMOUNTS -----			
2013 Actual	1,198.00	2013 Orig Budget	.00
2013 Closed @ YE	1,198.00	2013 Bud Tfr In	.00
2013 Encumbrance	.00	2013 Bud Tfr Out	.00
2013 Memo Bal	1,198.00	2013 C Fwd Budget	.00
2012 Actual	.00	2013 Revsd Budget	.00
2011 Actual	.00		
2010 Actual	.00	2012 Orig Budget	.00
2009 Actual	.00	2012 Revsd Budget	.00
2008 Actual	.00	2011 Orig Budget	.00
2007 Actual	.00	2011 Revsd Budget	.00
2006 Actual	.00		
2005 Actual	.00	2013	0.00
2004 Actual	.00	2012	0.00
		2011	0.00

----- FUTURE YEAR AMOUNTS -----			
PER	2015 BUDGET		BUDGET
00	.00	2015 INITIAL	.00
01	.00	2015 ADMIN	.00
02	.00	2015 COMMITTEE	.00
03	.00	2015 CM/SCHOOL	.00
04	.00	2015 COUNCIL	.00
05	.00	2015 Revised	.00
06	.00	2016 Estimate	.00
07	.00	2017 Estimate	.00
08	.00	2018 Estimate	.00
09	.00	2019 Estimate	.00
10	.00		
11	.00	2015 Memo Bal	.00
12	.00	2015 Encumbrance	.00
13	.00	2015 Requisition	.00
Tot:	.00		

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

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

**RESOLUTION DEAUTHORIZING A PORTION**  
**FY 2011-2012 CAPITAL IMPROVEMENT PROJECT SUPPLEMENTAL**  
**APPROPRIATION, FOR THE SO-CALLED**  
**GRANITE STATE BUSINESS PARK**  
**PUBLIC INFRASTRUCTURE IMPROVEMENTS PROJECT,**  
**TRANSFERRING AND REPURPOSING SUCH DEAUTHORIZED FUNDS,**  
**AND MAKING A SUPPLEMENTAL APPROPRIATION THEREWITH,**  
**FOR THE SO CALLED EDA SALMON FALLS ROAD NH ROUTE 125**  
**INFRASTRUCTURE IMPROVEMENTS PROJECT**

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

**WHEREAS**, by virtue of a resolution adopted by the Mayor and City Council of the City of Rochester on December 20, 2011, the Mayor and City Council appropriated the sum of Five Million Dollars (\$5,000,000.00) to the fiscal year 2011-2012 City of Rochester Capital Improvement Project budget for Economic Development, for the purpose of paying for costs and expenses incurred with respect to the planning, design, administration, construction, implementation and related actions and activities incidental to the so-called Granite State Business Park project (the "Project"); and

**WHEREAS**, the aforesaid Project has been completed, and there remains in such appropriation account(s) an unexpended and currently unnecessary appropriation balance, in an amount of Five Hundred Eighty-Six Thousand Two Hundred Eighteen Dollars and Sixty-Six Cents (\$586,218.66); and

**WHEREAS**, the bonds necessary to fund the aforesaid Project appropriation have already been issued by the City of Rochester, such issuance having been accomplished subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter;

**NOW THEREFORE**, in light of the completion of the aforesaid Project, in a manner leaving an appropriated balance of unneeded and unexpended appropriated funds for such project in the amount of Five Hundred Eighty-Six Thousand Two Hundred Eighteen Dollars and Sixty-Six Cents (\$586,218.66) in the aforesaid Capital Improvement budget account(s), the Mayor and City Council of the City of Rochester hereby withdraw and deauthorize Five Hundred Eighty-Six Thousand Two Hundred Eighteen Dollars and Sixty-Six Cents (\$586,218.66) of the previous appropriation of funds for the aforementioned Project, thereby reducing the amount of the aforesaid appropriation for such Project, from Five Million Dollars (\$5,000,000.00) to Four Million Four Hundred Thirteen Thousand Seven Hundred Eighty-One Dollars and Thirty-Four Cents (\$4,413,781.34).

**FURTHERMORE**, that the sum of Five Hundred Eighty-Six Thousand Two Hundred Eighteen Dollars and Sixty-Six Cents (\$586,218.66) of the aforesaid deauthorized funds from the Project, is hereby transferred to a 2014-2015 fiscal year Capital Improvement Project budget account of the City of Rochester, Department of Public Works, and such funds are hereby repurposed and appropriated as a supplemental appropriation to said 2014-2015 City of

Rochester Department of Public Works CIP budget, for use in connection with the payment of costs and expenses incurred with respect to the so-called EDA Salmon Falls Road NH Route 125 Infrastructure Improvements Project. Additionally, that the sum of Five Hundred Eighty-Six Thousand Two Hundred Eighteen Dollars and Sixty-Six Cents (\$586,218.66) necessary to fund such supplemental appropriation shall, subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter, be derived in its entirety, from the proceeds of bonds and/or notes issued with respect to the aforementioned repurposed funds transferred to the so-called EDA Salmon Falls Road NH Route 125 Infrastructure Improvements project from the so-called Granite State Business Park project. The useful life of the so-called EDA Salmon Falls Road NH Route 125 Infrastructure Improvements project, is thirty (30) years.

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

CC FY 15 12-02 AB 69

## Agenda Item

Agenda Item Name:

Date Submitted:

Bond Proceeds Repurposing

2014-11-05

Name of Person Submitting Item:

E-mail Address:

Deputy City Manager Cox

blaine.cox@rochesternh.net

Meeting Date Requested:

11-12-2014

This Item is (Select One):

- ☐ Informational Only
- ☐ Discussion
- ☐ As Requested by Finance Committee
- ☒ Review & Recommendation to Full City Council
- ☐ Referred by Other Council Committee

Summary Statement:

The Granite State Bridge Project that was bond funded at \$5 million has now been completed and closed out. The total project cost was \$4,413,781.34. This leaves an unspent balance of \$586,218.66.

The City Council has indicated an interest in re-purposing these unspent monies to the Salmon Falls Road/ Milton Road infrastructure improvements project to replace the private funds that have not been realized.

Bond Counsel has advised that such a re-purpose of these funds is allowed upon a 2/3's affirmative vote of the City Council provided the new purpose is for a capital item with a life span at least equal to the original purposed item's life span.

Upon a recommendation from the Finance Committee, a formal resolution will be presented to the City Council for action.

Recommended Action:

Recommendation to the full Council.

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**AMENDMENT TO ORDINANCES**  
**ADOPTING A NEW CHAPTER OF THE**  
**GENERAL ORDINANCES OF THE CITY OF ROCHESTER,**  
**TO BE KNOWN AS CHAPTER 68 OF THE**  
**GENERAL ORDINANCES OF THE CITY OF ROCHESTER**

THE CITY OF ROCHESTER ORDAINS:

**I.** That the General Ordinances of the City of Rochester, as presently amended, be further amended, by adding to Title IV – Traffic Code thereof, a new Chapter, said Chapter to be known as Chapter 68 of the General Ordinances of the City of Rochester and entitled “Distribution of Items To and From Motor Vehicles”, said Chapter 67 to provide as follows:

**“CHAPTER 68**

**DISTRIBUTION OF ITEMS TO AND FROM MOTOR VEHICLES**

**68.1 Intent of Ordinances.**

This Ordinance is intended to provide for the free flow of motor vehicle traffic on roadways in the City. The City Council finds that persons who distribute any item to, receive any item from, or exchange any item with, the occupant of a motor vehicle upon a Roadway present a threat to the free and safe flow of motor vehicle traffic. By this Ordinance, the City Council intends to promote the health, safety and welfare of the citizens traveling by vehicle in the City.

**68.2 Definitions.**

For purposes of this Chapter, the following definitions apply:

- (a) Pass/Passing: Distributing any item to, receiving any item from, or exchanging any item with the occupant of a motor vehicle that is located in the Roadway.
- (b) Roadway. All public roads open to motorized vehicles within the City. This definition excludes private roads and private property. This definition also excludes areas in which parking is permitted in the City.
- (c) Item. Any physical object.

**68.3 Prohibition of Roadway.**

It shall be unlawful to violate any of the prohibitions set forth below in the City.

- (a) No person shall knowingly distribute any item to, receive any item from, or exchange any item with the occupant of any motor vehicle when the vehicle is located in the Roadway.
- (b) This Ordinance shall not apply to the distribution, receipt or exchange of any item with the occupant of a motor vehicle on private property or in a permitted parking area.
- (c) This Ordinance shall not apply to any law enforcement officer acting in the scope of his/her official duties.
- (d) This Ordinance shall not apply to the distribution, receipt or exchange of any item with the occupant of a motor vehicle located in the roadway in order to assist the occupant after a motor vehicle accident, with a disabled motor vehicle or where the occupant is experiencing a medical emergency.

**68.4 Penalty.**

A person found in violation of this section shall be guilty of a violation and may be fined not more than \$500.00.

**68.5 Severability.**

If any provision of this section is declared invalid or unconstitutional by any Court of competent jurisdiction, the remaining provisions shall be severable and shall continue in full force and effect.”

**II.** This ordinance shall take effect upon its passage.

CC FY 15 12-02 AB 72





11/26/14

**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 City Ordinances – Adopting a New Chapter of the General Ordinances of the City of Rochester, to be known as Chapter 68 of the General Ordinances of the City of Rochester.

COUNCIL ACTION ITEM ☒  
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒  
\* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	December 2, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	11/25/2014		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

**COMMITTEE SIGN-OFF**

COMMITTEE	Peter Lachapelle, Signature on file
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

**FINANCE & BUDGET INFORMATION**

FINANCE APPROVAL	Roland Connors, Signature on file with City Clerk
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

**LEGAL AUTHORITY**

Attorney Wensley has reviewed this proposed amendment and placed it in our City Ordinances format.

**CC FY 15 AB 72**

**SUMMARY STATEMENT**

The Codes and Ordinances Committee has recommended sending this ordinance to the full City Council for review.

**RECOMMENDED ACTION**

Send the matter to a public hearing.

where they are not permitted and that is the reason for it being listed under the property.

Councilor Gates agreed with Councilor Lauterborn that it should be complaint driven. Mr. Goldstein just wanted the committee to take it into consideration as a recommendation.

Councilor Varney explained the fees for the home occupation application and maybe they need to get feedback from Jim Campbell from the Planning Department.

Councilor Lachapelle stated that this issue will stay in committee until the committee's next meeting. Mr. Goldstein thanked them for their time. Councilor Lachapelle stated that the next Codes and Ordinances Committee meeting will be held November 6, 2014.

## 5. Panhandling

Councilor Lachapelle asked Captain Toussaint if he had time to review the Concord Ordinance, which has not been challenged by the ACLU.

Captain Toussaint stated that it helps to tighten things up. He cited State RSA 265.40 and he explained this RSA further. He also addressed RSA 644.2 as it pertained to disorderly conduct addressing obstructing traffic, but it is a little loose. Captain Toussaint stated the Concord ordinance makes it cleaner. Councilor Lachapelle asked if this type of ordinance would affect the Fire Department Boot Drive. The committee discussed this further.

Councilor Varney stated per Mr. Perkins that when a business is open and has a parking lot, they consider the parking area as a road way. Captain Toussaint explained the definitions of way and roadway. Councilor Lachapelle asked if they passed an ordinance such as Concord's would the gentleman who stands at the Home Depot be in violation. Captain Toussaint stated that the ordinance would make it cleaner as to rights and duties and he addressed the current statutes. Captain Toussaint said that panhandling has died down in the City.

Councilor Gray asked if RSA 265.40 would make it a violation of panhandling in the Service Credit Union parking lot. Captain Toussaint agreed, but most of the time it would be complaint driven.

Councilor Lachapelle **MOVED** to have Attorney Wensley draft the Concord ordinance in the Rochester format and send it to the full City

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

## **6. Other**

Councilor Varney checked into the home occupation application and stated that it is non-transferable.

Captain Toussaint made himself available to answer other questions from the Codes and Ordinances Committee.

## **7. Adjournment**

Councilor Bogan **MOVED** to **ADJOURN** the Committee meeting at 7:34 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Nancy Carignan  
Assistant City Clerk

**RESOLUTION AUTHORIZING**  
**DISCONTINUANCE OF PORTION OF THE SO-CALLED**  
**TEN ROD ROAD (also known as TEN ROD ROAD ANNEX)**

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

That, in accordance with the provisions of RSA 231:43 et seq. (including specifically the provisions of RSA 231:46), and by adoption of this Resolution, the Mayor and City Council of the City of Rochester, hereby authorize the absolute discontinuance of a portion of the so-called Ten Rod Road (such portion being also sometimes referred to as the “Ten Rod Road Annex”) as more particularly depicted in **EXHIBIT A** annexed hereto, subject to the reservation of any and all existing sewer, drain, water pipe and/or other utility easements or any and all permits or licenses previously established pursuant to RSA 231:159-182, which such easements, and permits and/or licenses shall be reserved and shall remain in effect as an encumbrance upon the underlying land, as provided for in RSA 231:46.

FURTHERMORE, that the Mayor and City Council, by adoption of this Resolution, hereby authorize the City Manager, in his discretion as to the requirements of the best interests of the City, to issue so-called Quitclaim Deed(s) of the City’s discontinued interests in the aforesaid portion of the Ten Rod Road (also sometimes referred to as the “Ten Rod Road Annex”) as more particularly depicted on **EXHIBIT A** annexed hereto, to the abutters of the discontinued portion(s) of such road, such Quitclaim Deed(s) to be specifically subject to the reservation of any and all permits, licenses, existing sewer, drain, water pipe and/or other utility easements (including all necessary maintenance and/or access easements) or any and all permits or licenses previously established pursuant to RSA 231:159-182, and on such other terms and conditions as the said City Manager deems to be in the best interests of the City of Rochester.

CC FY 15 12-02 AB 70

LAND SURVEYORS

SEPTIC SYSTEM DESIGNERS

CIVIL ENGINEERS

TRANSPORTATION PLANNERS

## LEGEND

- S — UNDERGROUND SEWER LINE
- E — UNDERGROUND GAS LINE
- W — UNDERGROUND ELECTRIC
- D — UNDERGROUND DRAIN LINE
- O — OVERHEAD WIRE
- TX — FIRE HYDRANT
- W — WATER METER VALVE
- W — WATER SHUT-OFF VALVE
- U — UTILITY POLE
- S — SEWER MAN HOLE
- C — CATCH BASIN
- L — LIGHT POLES

TAX MAP 115  
LOT 34  
(STATE OF NH)TAX MAP 115  
LOT 39  
(ROCHESTERDOM, LLC)

TEN ROD ROAD

SPAULDING TURNPIKE  
NH ROUTE 16  
(EXIT RAMP 14)N 30°11'18" E  
3.90'R=440.00'  
L=117.04'

LADDER

TAX MAP 115, LOT 36  
(BROCK PROPERTIES, LLC)  
EASEMENT RESERVED FOR  
THE CITY OF ROCHESTER IN  
DEED BK.3813, PG.535 FOR  
A TURNAROUND DRIVEWAY  
TO BE ABANDONED IN  
CONJUNCTION WITH THIS  
REVERSION.AREA TO BE  
CONVEYED TO  
LOT 115-36:  
16,220 SF.  
.37 AC.TAX MAP 115  
LOT 33  
(BROCK)

APPROXIMATE EXISTING R.O.W.

TAX MAP 115  
LOT 32  
(BROCK)TAX MAP 115  
LOT 37  
(LEEMILTS)APPROXIMATE  
EXISTING R.O.W.

TEN ROD ROAD ANNEX

TAX MAP 115  
LOT 31  
(BROCK)

NORTH MAIN STREET



FILE NO. 188  
PLAN NO. C-2890  
DWG. NO. 19003/PDP-1  
F.B. NO. "33" "865"

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

NORWAY PLAINS ASSOCIATES, INC.

## GENERAL NOTE: SEE SHEET

1. ALL UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND ARE TRACED FROM THE REFERENCE PLANS AND WERE NOT FIELD LOCATED BY DPA. BUREAU PLANS ASSOCIATES, INC.
2. ORIENTATION: HORIZONTAL AND VERTICAL DATUMS - PER RECORD.

## REFERENCE PLANS

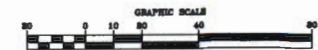
1. "BUILDING TURNPIKE RIGHT-OF-WAY" PLAN SHEET 18, COUNTY OF STAFFORD, TOWN OF ROCHESTER  
STATE PROJECT NO. 19003-0  
BY STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION,  
BUREAU OF HIGHWAY DESIGN  
SHEET DATED JANUARY 31, 2011  
S.E.A. PLAN NO. 101-21
2. "TRANSPORTATION ROAD RIGHT-OF-WAY" PLAN SHEET 8, COUNTY OF STAFFORD, TOWN OF ROCHESTER  
STATE PROJECT NO. 19003-0  
BY STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION,  
BUREAU OF HIGHWAY DESIGN  
SHEET DATED JANUARY 31, 2011  
S.E.A. PLAN NO. 101-21
3. "THE PLANS, SPECIFICATIONS AND FOR BROCK'S ALLEGED SALES, INC." DATED SEPTEMBER 28, 1980 BY JOHN W. OGDON ASSOCIATES, INC. NOT RECORDED / ON FILE WITH A.R.D.A. PLAN NO. 80097

## MAP-LOT ABUTTERS NAME/MAILING ADDRESS

- |        |   |
|--------|---|
| 115-1  | R. E. L. COMPANY, LLC 1 DATE STREET, SUITE 800, PORTSMOUTH, NH 03801                                      |
| 115-2  | HANOVER PROPERTIES CO., 4701, REAL ESTATE, PO BOX 1900, NH-03001, PORTSMOUTH, NH 03804                    |
| 115-3  | BROCK PROPERTIES, LLC 288 NORTH MAIN STREET, ROCHESTER, NH 03867  |
| 115-4  | BROCK PROPERTIES, LLC 288 NORTH MAIN STREET, ROCHESTER, NH 03867  |
| 115-5  | BROCK PROPERTIES, LLC 288 NORTH MAIN STREET, ROCHESTER, NH 03867  |
| 115-6  | STATE OF NEW HAMPSHIRE & CITY ENGINE MANAGEMENT, 5 MEDALLION CENTER, 1000 STATE STREET, SEASIDE, NH 03084 |
| 115-7  | BROCK PROPERTIES, LLC 288 NORTH MAIN STREET, ROCHESTER, NH 03867  |
| 115-8  | LEEMILTS PETROLEUM, INC. 8 CITY REALTY GROUP 150 JEROME ST., SUITE 100, JEROME, NH 03053                  |
| 115-9  | ROCHESTER, LLC 100 CENTER HILL DRIVE, SUITE 400, DANDEN, MA 01923   |
| 115-10 | NEW HAMPSHIRE, LLC 100 CENTER HILL DRIVE, SUITE 400, DANDEN, MA 01923                                     |
| 115-11 | NEW HAMPSHIRE, LLC 100 CENTER HILL DRIVE, SUITE 400, DANDEN, MA 01923                                     |
| 115-12 | PUBLIC SERVICE CO. OF NH 400 N. MAIN STREET, ROCHESTER, NH 03867  |
| 115-13 | FAIRPORT COMMUNICATIONS, INC. 770 ELIA STREET, WINDHAM, NH 03093  |

**PARCEL DISPOSITION PLAN**  
TAX MAP 115, LOTS 36 & 37  
NORTH MAIN STREET  
TEN ROD ROAD  
TEN ROD ROAD ANNEX  
ROCHESTER, NH  
PREPARED FOR:  
BROCK PROPERTIES, LLC  
& LEEMILTS PETROLEUM, INC.

SCALE: 1"= 80' JULY 2014



1 INCH = 80 FEET

REVISIONS:

10/31/14 REVISION TO DATE

11/9/14 AND REVISIONS NOTED

SHEET 2

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

EXHIBIT A



11/26/14

**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 Non Meeting for consultation with legal council regarding Great Bay Coalition Efforts	
Council Action Item ___ or Information Only ___ x	Funding Required? Yes_ No: x

Resolution Required? Yes___ No___ x	Funding Resolution Worksheet? Yes___ No <u>x</u>
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AGENDA DATE	11/18/14 Workshop
DEPT. HEAD SIGNATURE	Peter C. Nourse
DATE SUBMITTED	05 Nov 2014
ATTACHMENTS Yes No x	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox
CITY MANAGER	Daniel Fitzpatrick

**FINANCE & BUDGET INFORMATION**

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED Yes No X	

**LEGAL AUTHORITY**

NA
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**SUMMARY STATEMENT**

Non Meeting for consultation with legal council regarding Great Bay Coalition efforts on Waste Water permitting with EPA.

**RECOMMENDED ACTION**

Approve.