



**Rochester City Council Public Hearing
September 3, 2019
Council Chambers
7:00 PM**

- 1. Call To Order**
- 2. Supplemental Appropriation to the Department of Public Works CIP in an Amount of \$1,000,000 for the Colonial Pines Subdivision Drainage Project P. 11**
- 3. Resolution Granting Community Revitalization Tax Relief to the Property Located at 73-77 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project P. 17**
- 4. Adjournment**

**Regular City Council Meeting
September 3, 2019
Council Chambers
*Immediately Following the Public Hearing***

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 Regular City Council Meeting: August 6, 2019
*consideration for approval P. 43***
 - 5.2 Special City Council Meeting: August 20, 2019
*consideration for approval P. 63***

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City Clerk's Office

6. **Communications from the City Manager**
 - 6.1 **Employee of the Month Award P. 69**
 - 6.2 **City Manager's Report P. 71**
7. **Communications from the Mayor**
8. **Presentation of Petitions and Council Correspondence**
9. **Nominations, Appointments, Resignations, and Elections**
10. **Reports of Committees**
 - 10.1 **Appointments Committee P. 103**
 - 10.1.1 **Appointment:** Timothy Roberts – Recreation and Arena, Term to Expire 1/2/2021
 - 10.1.2 **Appointment:** Paul Giuliano – Zoning Board of Adjustments Alternate Member, Term to expire 1/2/2021
 - 10.1.3 **Reappointment:** Leo Brodeur – Zoning Board of Adjustments, Elevate from Alternate to full member, Term to expire 1/2/2022
 - 10.1.4 **Appointment:** Taylor Poro – Zoning Board of Adjustments Alternate Member, Term to expire 1/2/2022
 - 10.1.5 **Appointment:** Terry Garland – Zoning Board of Adjustments Alternate Member, Term to Expire 1/2/21
 - 10.1.6 **Appointment:** Whitney Belton – Rochester Economic Development Commission, Term to expire 1/2/2020
 - 10.1.7 **Reappointment:** Matt Wyatt – Arts & Culture Commission, Term to Expire 1/2/2021
 - 10.1.8 **Appointment:** Daniel Nickerson –

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City Clerk's Office

**Conservation Commission, Term to expire
1/2/2020**

- 10.1.9 Appointment:** Sue Delemus – Zoning Board of Adjustments Alternate Member, Term to expire 1/2/2022

10.2 Codes & Ordinances Committee P. 107

- 10.2.1 Committee Recommendation:** To change the Ward 2 polling location to Chamberlain Street School *consideration for acceptance* P. 108

- 10.2.2 Amendment to Chapter 75 of the general Ordinances of the City of Rochester regarding fireworks** *first reading, consideration for second reading and adoption* P. 111

10.3 Community Development Committee P. 113

- 10.3.1 Committee Recommendation – Previously Tabled:** To recommend adoption of the draft Analysis of Impediments to Fair Housing *consideration to accept* P. 115

- 10.3.2 Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2020** *second reading and consideration for adoption* P. 223

10.4 CTE Joint Building Committee P. 227

10.5 Finance Committee P. 245

- 10.5.1 Amendment to Chapter 7 section 40 of the General Ordinances of the City of Rochester regarding Purchasing Procedures** *first reading, consideration for second reading and adoption* P. 256

- 10.5.2 Amendment to Chapter 7 section 62 of the of the General Ordinances of the City of Rochester regarding the General Fund unassigned Fund Balance** *first reading,*

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City Clerk's Office

consideration for second reading and adoption P. 260

10.5.3 Resolution Authorizing Supplemental Appropriation to the 2019 – 2020 Recreation Special Events Fund of the City of Rochester of \$20,000,00 *first reading, consideration for second reading and adoption* P. 265

10.6 Public Safety P. 267

10.6.1 Committee Recommendation: To deny a “Slow Children Playing” sign and a “Speed Limit” sign on Regency Court ***consideration for approval*** P. 267

10.6.2 Committee Recommendation: To install the standard school zone package near the East Rochester School at the discretion of the Department of Public Works ***consideration for approval*** P. 270

10.6.3 Committee Recommendation: To Install the standard school zone package near the Nancy Loud School in East Rochester minus the reduced speed limit school zone signage on Cocheco Avenue ***consideration for approval*** P. 270

10.7 Public Works P. 275

11. Old Business

12. Consent Calendar

13. New Business

13.1 Resolution Granting Community Revitalization Tax Relief to the Property Located at 73-77 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *first reading* P. 17

13.2 Resolution Authorizing Supplemental Appropriation

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City Clerk's Office

to the 2019-2020 Capital Improvements Plan (CIP) of the City of Rochester, department of Public Works CIP Fund, in the Amount of \$25,000 for the Ice Arena Parking Lot Project *first reading, consideration for second reading and adoption* P. 281

13.3 Resolution Authorizing Supplemental Appropriation to the City of Rochester Fire Department Capital Improvement Project (CIP) Fund for Apparatus Replacement Program *first reading, consideration for second reading and adoption* P. 287

13.3.1 Resolution Deauthorizing City of Rochester Fire Department Capital Improvement Project (CIP) Funding for the Apparatus Replacement Program *first reading, consideration for second reading and adoption* P. 291

13.4 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with New England Police Benevolent Association Local 23 (Police Patrol Personnel) *first reading, consideration for second reading and adoption* P. 295

13.5 Resolution Deauthorizing \$735.86 in funding related to the 2019 Victims of Crime Grant Act *first reading, consideration for second reading and adoption* P. 299

13.6 Shall the Legislative Body Place the Question of Sports Betting on the Ballot for the November 5, 2019 Municipal Election? *consideration for approval* P. 303

14. Other

15. Non-Public/Non-Meeting

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

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

16. Adjournment

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City Clerk's Office

Supplemental Appropriation to the Department of Public Works CIP in an amount of \$1,000,000.00 for the Colonial Pines Subdivision Drainage Project

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

That the amount of One Million Dollars (\$1,000,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works CIP fund for the purpose of paying costs associated with the Colonial Pines Subdivision Project. The funding for this supplemental appropriation shall be derived in its entirety from the General Fund Unassigned Fund Balance.

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

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City Clerk's Office



08/29/2019

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 Colonial Pines Drainage -Supplemental Appropriation

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE	September 3, 2019		
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE signature on File City clerks office		
DATE SUBMITTED	8/15/19		
ATTACHMENTS AB-FRF	YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	Public Works Committee
CHAIR PERSON	Councilor Ralph Torr

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	General Fund - Unassigned Fund Balance
ACCOUNT NUMBER	15013010-771000-20XXX
AMOUNT	1,000,000.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Council Resolution

SUMMARY STATEMENT

This agenda bill request a supplemental appropriation from the General Fund un-assigned Fund Balance (cash). The requested amount of \$1,000,000 is to fund the drainage work in the Colonial Pines Subdivision. The City will process a change order to complete the work in conjunction with the sewer fund project already in progress.

RECOMMENDED ACTION

1. Resolution authorizing a supplemental appropriation in the amount of one million dollars (\$1,000,000) from the General Fund - Un-assigned Fund balance for drainage improvements in the Colonial Pine Subdivision.

AGENDA BILL - FUNDING RESOLUTION**EXHIBIT**Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing **Deauthorization**

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

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	20XXX	-	-	1,000,000.00 -
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Granting Community Revitalization Tax Relief to the Property Located at 73-77 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

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

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

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

Whereas, Justin Gargiulo, owner of the so-called 73-77 North Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and he has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 73-77 North Main Street; and

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

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 73-77 North Main Street property contemplated by the owner’s Community Revitalization Tax Relief Application dated July 19, 2019, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 73-77 North Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 73-77 North Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 73-77 North Main Street provides the following public benefits to downtown Rochester:

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

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) compliance with the recommendation to the City Council approved by the Community Development Committee on August 12, 2019; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

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

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of eleven (11) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 73-77 North Main Street property.



08/29/2019

City of Rochester, New Hampshire

Division of Community & Economic Development

31 Wakefield Street, Rochester NH 03867

Application Revised January 1, 2015

Community Revitalization Tax Relief (per RSA 79E)

City of Rochester, New Hampshire

Application must be accompanied by **\$150 application fee** payable to "City of Rochester"

Date of Preparation: 7/18/19

Property information

Property address/location: 73-77 North Main Street

Name of building (if any): Hartigan Block Building

Tax map & lot #: 0121-0369-0000 Year built: 1905

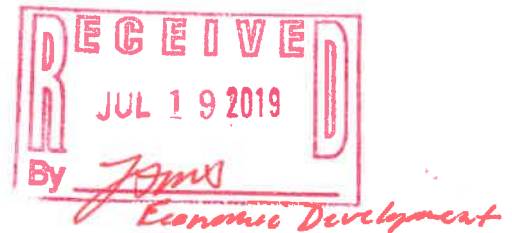
Square Footage: 10,348 Condition: Poor

Zoning: Mixed Residential Vacant, how long: 3+ years

Is this structure eligible or listed on the State or National Register of Historic Places, or located in a local, state or federal Historic District? Yes ☒ No ☐

Name of District: Downtown Rochester Historic District

Existing Uses: Describe the units by type and size, how many floors Vacant office and retail building with three floors. Approximately 10,348 sq. feet.



Change of Use?: Yes

Property Owner

Name (include name of individual): 73 North Main, LLC (Justin Gargiulo – Manager)

Company: c/o Great North Property Mgmt.

Mailing address: 3 Holland Way – Exeter, NH 03833

Telephone #: 603-766-8784 Email: justin.gargiulo@greatnorth.net

Applicant or Agent Contact:

Name (include name of individual): SAME AS ABOVE

Company: _____

Mailing address: _____

Telephone #: _____

EXHIBIT**Proposed Project Information**

Name of Architect (if known): **Art Form Architecture, Inc.**

Name of Licensed Contractor (if known): **AHA Contracting LLC**

Will the project include rehabilitation of residential units? **Yes** If yes, how many **8**

Are the residential units defined as "affordable"? Yes ☐ No ☒ **X**

(The current affordable rents in the City of Rochester are available at www.NHHFA.org)

Describe the commercial space, square footage, uses and conditions: **Approximately 2,863 square feet of open space that can be used for restaurant, office or retail space.**

Please describe in detail the public benefits associated with this project? You may attach pages to the application for this and the following question. (RSA 79-E:7)

The public benefits associated with this project are as follows:

It enhances the economic vitality of the Downtown District.

It enhances and improves a structure that is culturally and historically important on a local level within the existing historic district.

It promotes safety and a great sense of community in the downtown district.

It also will increase the residential housing an urban/town center area.

Explain the project in your own words: **The project will consist of creating 7 new market rate residential units on the 2nd and 3rd floors along with a first floor commercial / retail / restaurant space that will help to enhance the vitality of the downtown area. This is a complete gut/renovation and is quite an extensive project.**

Pre-Rehabilitation Ad Velorum Tax Valuation **\$150,000 bank assessment / \$253,000 Town**
Please obtain a Property Record Card from the Rochester Assessing Department, and include a copy with the application.

Does the estimated cost of rehabilitation exceed 15% of pre-rehabilitation valuation, or

\$75,000, whichever is lower? YES ☒ **X** NO ☐ _____ % _____

Note: This program is available for projects where the rehabilitation cost equals or exceeds 15% of the pre-rehabilitation assessed valuation or \$75,000, whichever is lower. If your project does not meet this standard, it is not eligible for Tax Relief under RSA 79e.

Project costs

Describe work that will constitute the substantial rehabilitation and estimated/projected costs.

Historic Restoration: _____ Cost: **\$0**
 Sustainability/Efficiency: _____ Cost: **\$0**
 Interior Alterations: _____ Cost: **\$500,000**

Reframing, kitchens, insulation, paint, etc.

Exterior Alterations: _____ Cost: **\$40,000**

New rubber roof, windows, doors

Structural: _____ Cost: **\$0**
 Electrical: _____ Cost: **\$65,000**

All new electrical throughout building

Plumbing: _____ Cost: **\$120,000**

Replumbing the entire building.

Mechanical: _____ Cost: **\$100,000**

New air conditioning and heating throughout entire building

Safety/Fire Protection: _____ Cost: **\$125,000**

Fire alarms and sprinklers per City Code

Other: _____ Cost: \$ _____

Expected construction dates. **Start: Fall 2019 Finish: Spring 2020**

Total project cost: ~ \$ 950,000

Please attach written estimates whenever possible.

Will any state or federal grants or funds be used in this project? Yes _____ No **X**

If yes, please provide information in detail on an additional sheet.

Note: *The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.*

Other Approvals and Information

Please include the scheduled date of review or attach the **Notice of Decision** as appropriate:

Project Narrative or Letter of Intent to Planning: _____ Date: _____

Historic District Review: _____ Date: _____

(Required if Requesting Historic Incentive)

Special Downtown Review: _____ Date: _____

Minor Site Review: _____ Date: _____

Zoning Board of Adjustment: _____ Date: _____

Conservation Commission: _____ Date: _____

DPW Driveway/Water/Sewer: _____ Date: _____

State Permits or Requirements: _____ Date: _____

Other (please specify): _____ Date: _____

Application Checklist

(Applications are not complete, and review will not be scheduled, until all supporting items are delivered)

- ☐ Completed Application form with signatures.
- ☐ Application Fee made payable to City of Rochester
- ☐ Documentation and photos of Historic Information
- ☐ Copy of Property Record Card
- ☐ Description of Public Benefit
- ☐ Site plans, diagrams, elevations associated with the Project
- ☐ Cost Estimates associated with the Project
- ☐ Documentation of State or Federal Funds
- ☐ Notice of Decision for Other Reviews
- ☐ Request for Tax Relief

Request for Community Revitalization Tax Relief

- 5 Substantial Rehabilitation Tax Relief Incentive (Up to 5 Years)
- 2 Additional Tax Relief Incentive for New Residential Units (Up to 2 Years)
- Additional Tax Relief Incentive for Affordable Housing (Up to 4 Years)
- 4 Additional Tax Relief for rehabilitation of historic places* (Up to 4 Years)

** Rehabilitation in accordance with the in accordance with Secretary of Interior's Standards for Rehabilitation.*

Please explain your request for the above tax relief categories. You may attach an additional sheet. In order to make this a viable project that makes financial sense to move forward with we do need the taxes to be held at the current level otherwise the project will lose money and will result in the building remaining vacant for an undetermined amount of time. Unfortunately, with the building costs in 2019 and the rents that can be achieved the margins are extremely tight. Thank you for your consideration.

Submission of Application

This application must be signed by the property owner. Please submit an electronic version and /or a complete package of information to:

Rochester Community & Economic Development
 Mail: 31 Wakefield St, Rochester, NH 03867
 Office: 150 Wakefield St, Rochester NH 03867
Karen.Pollard@Rochesternh.net

A \$150.00 application fee (payable to "City of Rochester") must be submitted in order for this application to be considered complete. Please follow up at 603-335-7522 to insure all information and payments have been received.

I (we) hereby submit this application under the Community Revitalization Tax Relief Incentive Statute (NH RSA 79-E) and attest that to the best of my (our) knowledge all of the information herein and in the accompanying materials is true and accurate. I (we) have reviewed the statute and understand that: a) there will be a public review process and public hearing to evaluate the merits of this application; b) I (we) will need to enter into a covenant with the City; and c) I (we) may be required to pay reasonable expenses associated with the creation and recording of the covenant to the Strafford County Registry of Deeds.

Signature of property owner (1): 

Printed Name: **Justin Gargiulo** Date: 7/18/19

Printed Name: _____ Date: _____

Mixed Use Building

73-77 N. Main St.



Interior Restaurant Perspective

Whether it's (2) separate businesses, or (1) business, a team in this location will most likely be required to accommodate a functional new design.

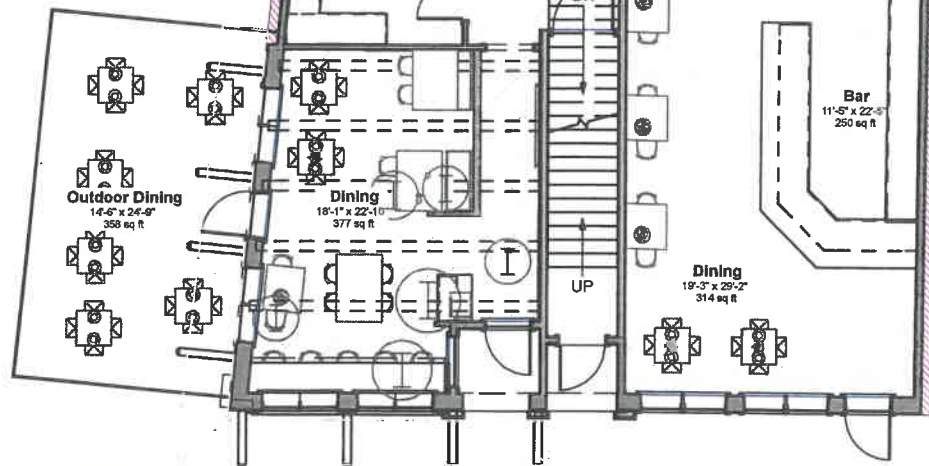


Exterior Perspective of Outdoor Seating

First Floor:

Conceptual Restaurants/
Apartment Entry

Scale: 1/8" = 1'-0"



Front Exterior Perspective View



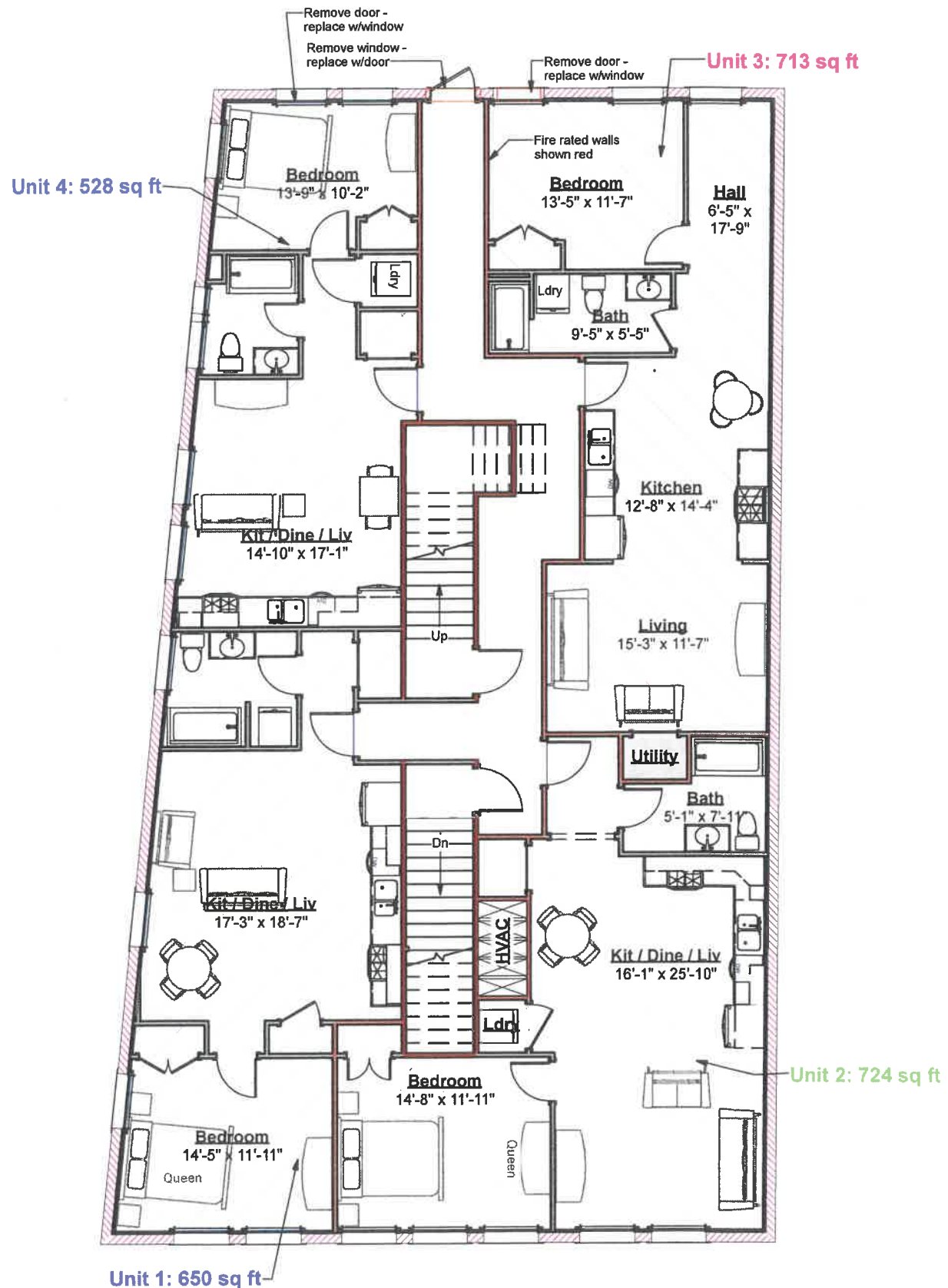
Interior Restaurant Perspective

THESE SCHEMATIC DRAWINGS ARE INTENDED AS AN AID TO REVIEWING THE BUDGET AND FINALIZING THE SCOPE OF WORK. THESE DRAWINGS ARE NOT INTENDED TO BE SUFFICIENT FOR PERMITTING OR CONSTRUCTION WITHOUT FURTHER DRAWINGS. A THOROUGH REVIEW OF THE EXISTING CONDITIONS AND DISCUSSIONS WITH THE OWNER OF THE BUILDING ABOUT FINISHES AND THE VARIOUS ROOMS IS RECOMMENDED. WE ARE NOT RESPONSIBLE FOR PHYSICAL ERRORS.

PLANS AND ELEVATIONS

Mixed Use Building

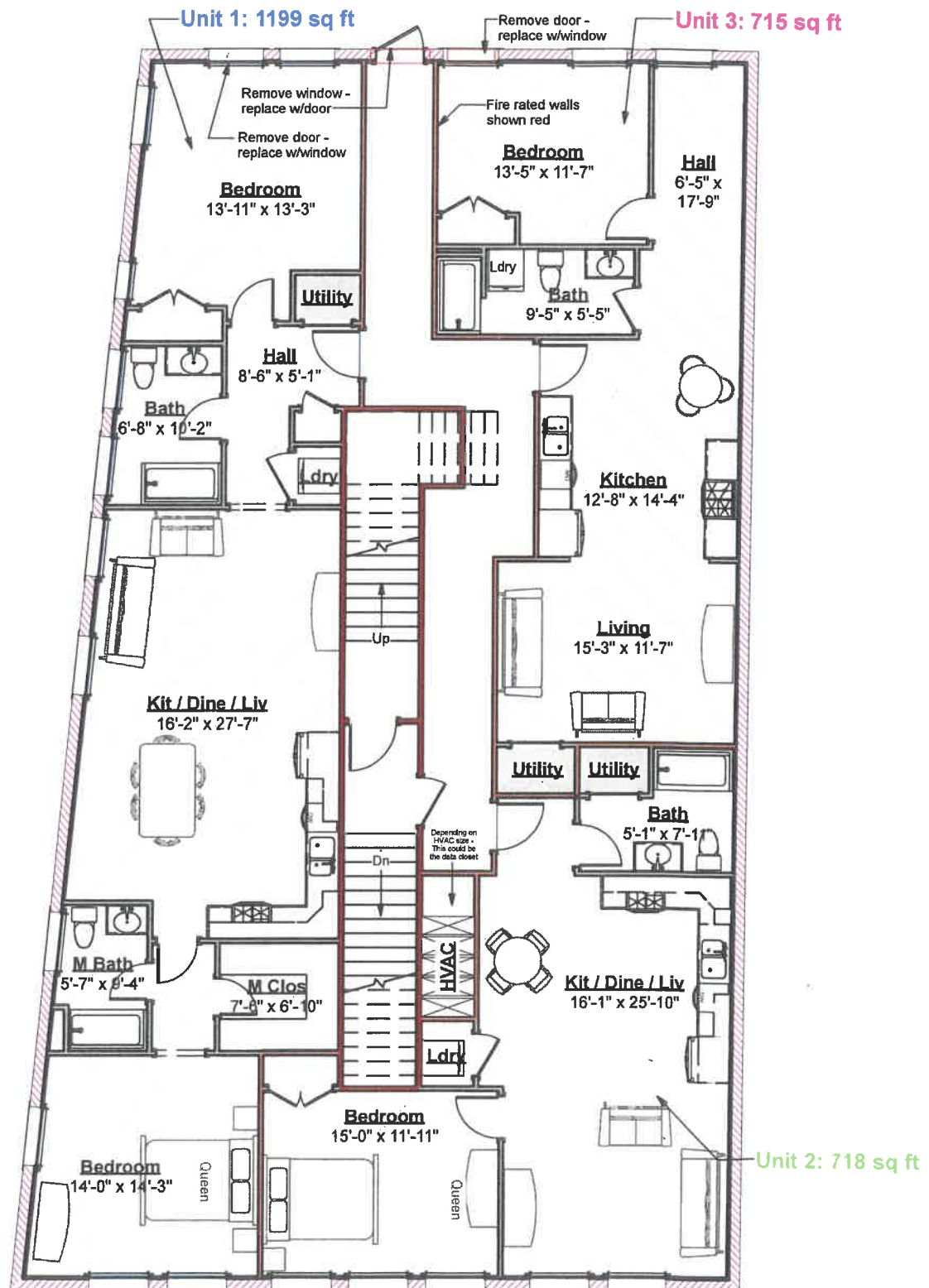
73-77 N. Main St.

©2019 Art Form Architecture, Inc.
Schematic Design**Second Floor (4 Units): Schematic Apartment Layout**

Scale: 5/32" = 1'-0"

Mixed Use Building

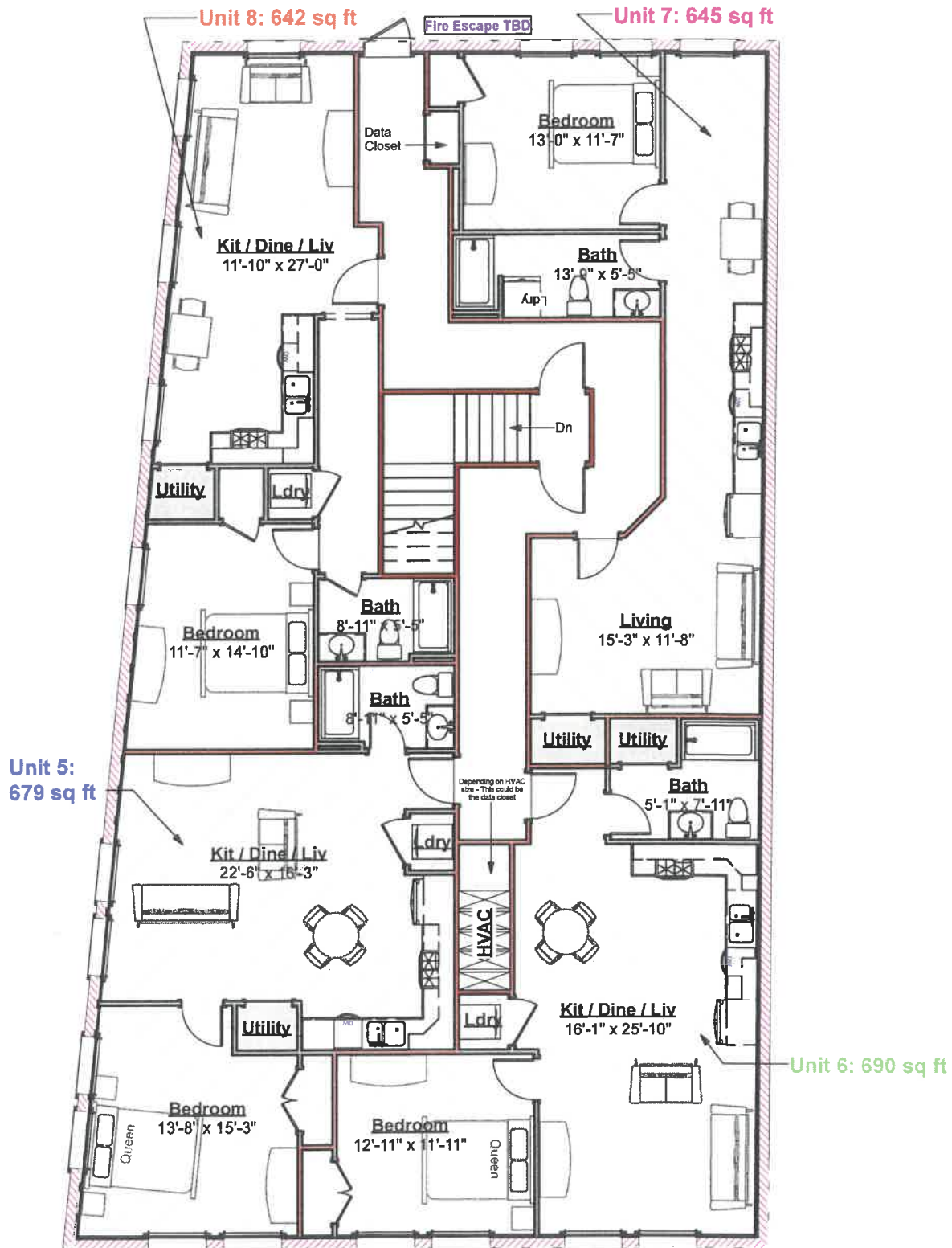
73-77 N. Main St.

©2019 Art Form Architecture, Inc.
Schematic Design**Second Floor (3 Units): Schematic Apartment Layout**

Scale: 5/32" = 1'-0"

Mixed Use Building

73-77 N. Main St.

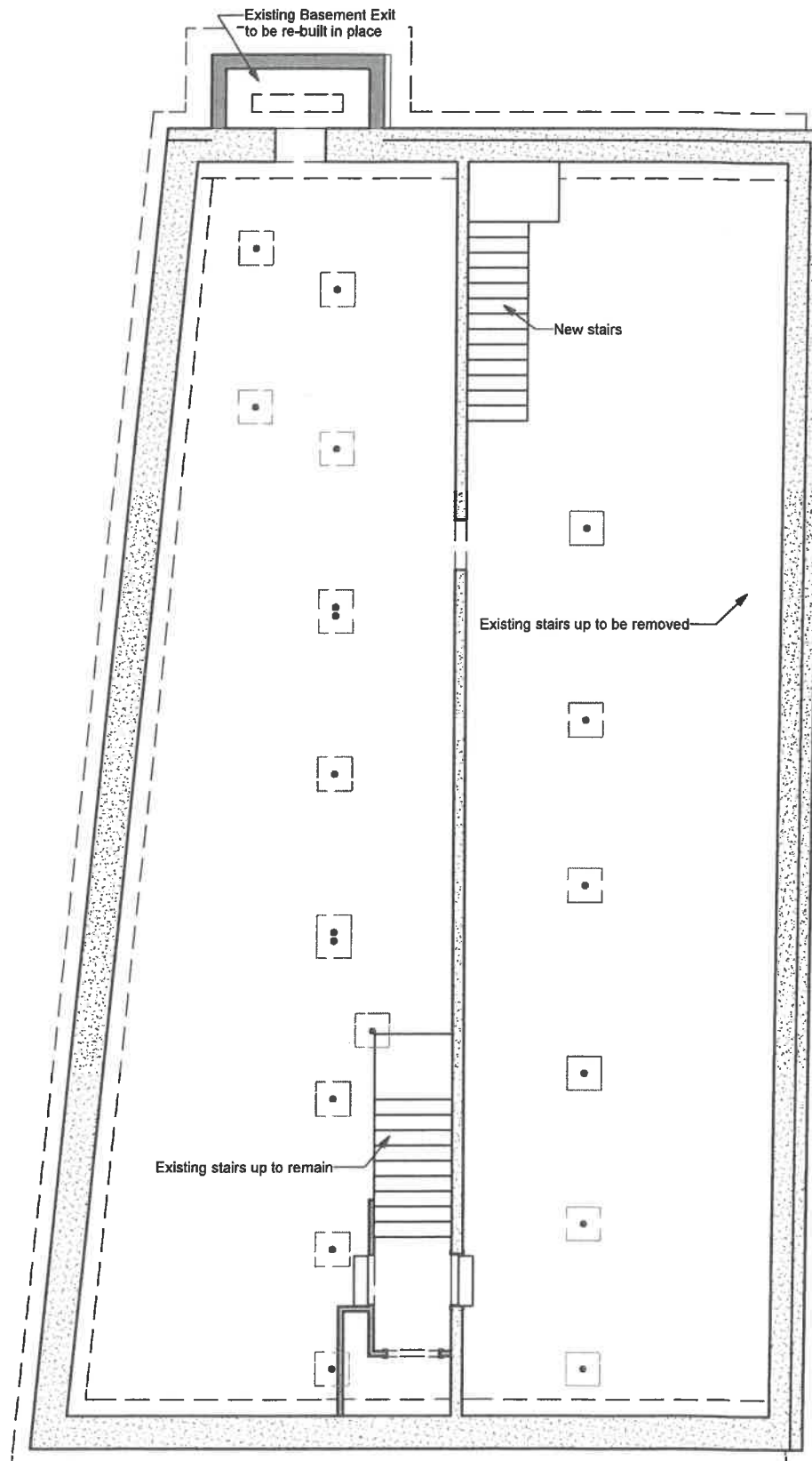
©2019 Art Form Architecture, Inc.
Schematic Design**Third Floor: Schematic Apartment Layout**

Scale: 5/32" = 1'-0"

Mixed Use Building

73-77 N. Main St.

©2019 Art Form Architecture, Inc.
Schematic Design



Foundation: Schematic Layout

Scale: 5/32" = 1'-0"

Mixed Use Building

73-77 N. Main St.

©2019 Art Form Architecture, Inc.
Schematic Design



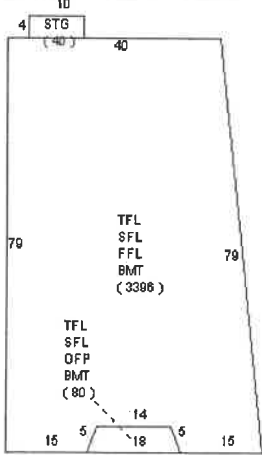

Rear Elevation: Schematic Layout

Scale: 3/16" = 1'-0"



CAI Property Card

Town of Rochester, NH

GENERAL PROPERTY INFORMATION	BUILDING EXTERIOR
LOCATION: 73 NO MAIN ST ACRES: 0.09 PARCEL ID: 0121-0369-0000 LAND USE CODE: 325 CONDO COMPLEX: OWNER: BENNETT TERRY M & CO - OWNER: ALLISON MELANIE PIPER MAILING ADDRESS: 236 UNION ST PORTSMOUTH, NH 03801-4348 ZONING: DTC PATRIOT ACCOUNT #: 278	BUILDING STYLE: MIX RETAIL UNITS: 4 YEAR BUILT: 1905 FRAME: WOOD EXTERIOR WALL COVER: BRICK ROOF STYLE: FLAT ROOF COVER: MEMBRANE
	BUILDING INTERIOR
SALE INFORMATION SALE DATE: 7/31/2018 BOOK & PAGE: 4594-523 SALE PRICE: SALE DESCRIPTION: Business Aff SELLER: PLUTO REALTY LLC,	INTERIOR WALL: AVERAGE FLOOR COVER: AVERAGE HEAT TYPE: FORCED H/W FUEL TYPE: OIL PERCENT A/C: 0 # OF ROOMS: 0 # OF BEDROOMS: 0 # OF FULL BATHS: 0 # OF HALF BATHS: 1 # OF ADDITIONAL FIXTURES: 0 # OF KITCHENS: 0 # OF FIREPLACES: 0 # OF METAL FIREPLACES: 0 # OF BASEMENT GARAGES: 0
PRINCIPAL BUILDING AREAS	
GROSS BUILDING AREA: 13,944 FINISHED BUILDING AREA: 10,348 BASEMENT AREA: 3,476 # OF PRINCIPAL BUILDINGS: 1	
ASSESSED VALUES	
LAND: 40,500 YARD: 0 BUILDING: 213,100 TOTAL: \$253,600	
SKETCH	PHOTO
	

CAI Technologies

www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

Unofficial Property Record Card - Rochester, NH

General Property Data

Parcel ID 0121-0369-0000
 Prior Parcel ID --
 Property Owner BENNETT TERRY M &
 ALLISON MELANIE PIPER
 Mailing Address 658 SILVER ST

Account Number 27313

Property Location 73 77 NO MAIN ST
 Property Use RETAIL/SVC
 Most Recent Sale Date 7/31/2018
 Legal Reference 4594-523
 Grantor PLUTO REALTY LLC,
 Sale Price 0
 Land Area 0.090 acres

City ROLLINSFORD
 Mailing State NH Zip 03869-5413
 ParcelZoning DTC

Current Property Assessment

Card 1 Value Building Value 213,100

Yard Items 0
 Value

Land Value 40,500

Total Value 253,600

Building Description

Building Style MIX RETAIL
 # of Living Units 4
 Year Built 1905
 Building Grade AVG. (+)
 Building Condition Average
 Finished Area (SF) 10348
 Number Rooms 0
 # of 3/4 Baths 0

Foundation Type BRICK/STONE
 Frame Type WOOD
 Roof Structure FLAT
 Roof Cover MEMBRANE
 Siding BRICK
 Interior Walls AVERAGE
 # of Bedrooms 0
 # of 1/2 Baths 1

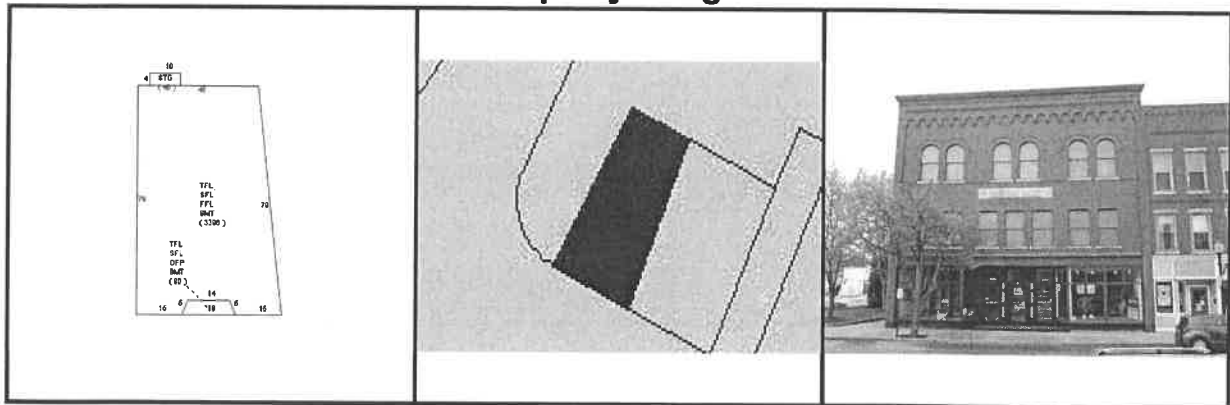
Flooring Type AVERAGE
 Basement Floor CONCRETE
 Heating Type FORCED H/W
 Heating Fuel OIL
 Air Conditioning 0%
 # of Bsmt Garages 0
 # of Full Baths 0
 # of Other Fixtures 0

Legal Description

Narrative Description of Property

This property contains 0.090 acres of land mainly classified as RETAIL/SVC with a(n) MIX RETAIL style building, built about 1905 , having BRICK exterior and MEMBRANE roof cover, with 4 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 1 half bath(s).

Property Images



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

**United States Department of the Interior
Heritage Conservation and Recreation Service**

**National Register of Historic Places
Inventory—Nomination Form**

For HCRS use only

received

date entered


Continuation sheet

Item number 7

Page 7

Site NumberDescription

North Main Street (cont.)

10.  The Hartigan Block - 85 North Main Street - c. 1901 - Late Victorian Commercial: 3-story brick commercial block, 6-bay wide facade framed by brick piers. Roofline accentuated by arched corbelling and pressed metal cornice. Top story has three groups of paired, round-headed windows with brick hoods and stone sills, second story has rectangular windows with stone sills. All windows have original 1/1 sash. An inscription stone reading "19 Hartigan Block 01" is centered on facade. Two storefronts are focused around a recessed entry. Storefront design consists of plate glass windows in wood frames, topped by transoms. Building was erected to house produce business of Patrick H. Hartigan. This building and the adjacent Elm Block (Site #11) form a stylistically similar pair. (42/281).
11. The Elm Block - 67-71 North Main Street - c. 1900 - Late Victorian Commercial: 3-story brick commercial block, 8 bays wide. Rectangular windows have 2/2 sash, rock-faced lintels and tooled sills. Brick corbelling articulates the roofline, two sawtooth brick stringcourses ornament the facade. The three storefronts have all been altered. The building was later known as the Grange Block and housed the Grange Hall. (42/282).
12. Commercial Structure - 54 North Main Street - c. 1940: 2-story, 5-bay wide commercial block, aluminum siding. Storefront consists of display windows flanking recessed central entry. Non-contributor. (42/283).
13. 55 North Main Street - c. 1930 - Art Deco: Single story commercial building with sculptured concrete facade featuring fluted piers, buff brick above the storefronts and bas-relief ornamentation along the roofline. It is the only example of its type in Rochester. (42/284).
14. The Chesley Building - 47 North Main Street - c. 1870 - Italianate: 2-story commercial building. Altered facade now features large picture window across second story. Facade is flush boarded. The upper story corners have paneled pilasters which rise to a prominent cornice supported on paired console brackets. A similar cornice spans the altered storefront. Building is one of the few vestiges of commercial Italianate architecture within the district. (42/285).
15. Commercial Structure - 31-43 North Main Street - c. 1960: 1-story cinder block commercial building with five individual storefronts on facade. Non-contributor. (42/286).



08/29/2019

City of Rochester, New Hampshire

Division of Community Development

31 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.thinkrochester.biz

Review Form: For RSA 79e Community Revitalization Tax Relief Incentive

Building Name (if any): <u>Hartigan Block Building</u> Building Address: <u>73-77 North Main Street</u> Owner Name(s): <u>Justin Gargiulo</u> Owner Address: <u>12 Rose Petal Lane, Kensington, NH 03833</u>	Map# <u>021</u> Lot# <u>0369</u> Zoning: <u>_DTC_</u> Overlay District: <u>Special Downtown</u> Year Built <u>1905</u> Square Footage of Building <u>10,348</u>
Contact Name: <u>Justin Gargiulo</u> Phone #: <u>603-766-8784</u> Email address: <u>justin@gargiulo@greatnorth.net</u>	Applicant Name(s) (if different from owner): <u>same</u> Applicant Address: _____ Phone # _____ Email address: _____
	Application Fee Paid: <u>_x_</u> Yes <u>_____</u> No
Existing Uses (describe number of units by type and size) Is there a change of use associated with this project? <u>_x_</u> Yes <u>_____</u> No If so, please describe: <u>The building has been vacant for a number of years. Renovations will include commercial on the first floor and residential on the 2nd and 3rd floors.</u>	Is the building eligible or listed on the State or National Register of Historic Places or located in a Local, State, or Federal Historic District? Yes <u>_____x</u> No <u>_____</u> Provide historic district name: The Hartigan Block
Will the project include rehabilitation of residential units? <u>_x_</u> Yes <u>_____</u> No If yes, how many: <u>_7_</u> If yes, please describe: <u>The second and third floor will consist of 7 one bedroom market rate apartments.</u>	Will the project involve affordable residential units? <u>_____</u> Yes <u>_x_</u> No If yes, please describe: <u>Portsmouth-Rochester, NH 60% RENT LIMIT</u> <u>EFFIC. \$925/ 1 BR \$991/ 2 BR \$1,189</u> <u>NHHFA RENTS EFFECTIVE DATE: 5/1/2014</u> <u>Rental rates are below the above maximums.</u>
<u>Other Review & Comment (if necessary)</u> Historic District Review: yes Special Downtown Review: yes _____ Minor Site Review: TBD Planning Board Review: TBD Zoning Board of Adjustment: no Tax Assessor: yes	<u>Section 79:E-4</u> Application Date: <u>7/19/19</u> Complete: Yes Staff Review: <u>7/25/19</u> Community Development Committee: <u>8/9/19</u> Finance Committee: <u>8/10/19</u> Post Public Hearing: <u>no later than 8/31/19</u> Public Hearing Date: <u>9/9/19</u> *Required within 60 days of receipt of application City Council: <u>10/1/19</u> *Required within 45 days of Public Hearing

Does this application meet the appropriate tests?

Is it a qualifying structure located in a designated downtown zone? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Pre-rehabilitation assessed value (from most recent City Assessment): \$ <u>253,600</u>	
Total estimated cost of rehabilitation (from application):	\$ <u>950,000</u>
Percentage of rehabilitation costs to assessment valuation:	<u>374%</u>
Does the estimated cost of rehabilitation exceed 15% of pre-rehabilitation assessed valuation, or \$75,000, whichever is lower? YES <u>X</u> NO <input type="checkbox"/>	
Is there public benefit? Must satisfy at least 1 of the conditions below. (Section 79-E:7) <input checked="" type="checkbox"/> It enhances the economic vitality of the Downtown District. <input checked="" type="checkbox"/> It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district. <input checked="" type="checkbox"/> It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community. <input checked="" type="checkbox"/> It increases residential housing in urban or town centers. <input checked="" type="checkbox"/> In a Local, State, or Federal Historic District?	
Are other funding programs being applied to this project? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Other Programs. – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.	

ELIGIBILITY: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
1) Substantial Rehabilitation Tax Relief Incentive (Up to 5 Years)	<u>5</u>
2) Additional Tax Relief Incentive for New Residential Units (Up to 2 Years)	<u>2</u>
3) Additional Tax Relief Incentive for Affordable Housing (Up to 4 Years)	<u> </u>
4) Additional Tax Relief for rehabilitation of historic places* (Up to 4 Years)	<u>4</u>
* Rehabilitation in accordance with the in accordance with Secretary of Interior's Standards for Rehabilitation.	<u>11</u>
	(Total)

Name & Title: Jenn Marsh; Economic Development Specialist**Date:** 7/25/19

City Council Review/Decision

Public Hearing Posting: _____ Public Hearing Date: _____

City Council Meeting Date: _____

Does the City Council agree with findings of at least one Public Benefit?

- ☐ Enhances economic vitality of the village ___Yes___No
- ☐ Enhances and improves a culturally or historically important structure? ___Yes___No
- ☐ Promotes development of the downtown, providing for efficiency, safety, and greater sense of community? ___Yes___No
- ☐ Increases residential housing units in downtown? ___Yes___No

The Application was:	() GRANTED () DENIED
Substantial Rehabilitation Tax Relief Incentive granted for (up to 5 years beginning with completion of rehab)	Years
Tax Relief Incentive for New Residential Units granted for (up to an additional 2 years, 4 years if affordable housing)	Years
Tax Relief Incentive for Rehabilitation of Historic Places in accordance with the U.S. Secretary of Interiors Standards for Rehabilitation for (up to additional 4 years)	Years
Total	Years

IF DENIED, REASON(S) FOR DENIAL

Number of Yea: _____ Number of Nay: _____

Follow Up Letters Sent to:

- ☐ Applicant/Owner
- ☐ Assessing Department
- ☐ Economic Development
- ☐ Planning Department
- ☐ City Manager's Office
- ☐ Finance Department

COVENANTS

Completed By: _____ Date: _____

Filed at Strafford County: _____ Date: _____

Copies to:

- ☐ Assessing Dept
- ☐ Finance Dept
- ☐ In File

The Standards (Department of the Interior regulations 36 CFR 67) pertain to all historic properties listed in or eligible for listing in the National Register of Historic Places.

- 1) A property shall be used for its intended historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8) Significant archeological resources affected by a project, shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Comments from Historic District Commission:

Name & Title: _____

Meeting Date: _____

**TITLE V
TAXATION
CHAPTER 79-E
COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE
Section 79-E:1**

79-E:1 Declaration of Public Benefit. –

I. It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.

II. It is further declared to be a public benefit to encourage the rehabilitation of the many underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.

II-a. In instances where a qualifying structure is determined to possess no significant historical, cultural, or architectural value and for which the governing body makes a specific finding that rehabilitation would not achieve one or more of the public benefits established in RSA 79-E:7 to the same degree as the replacement of the underutilized structure with a new structure, the tax relief incentives provided under this chapter may be extended to the replacement of an underutilized structure in accordance with the provisions of this chapter.

II-b. It is further declared to be a public benefit to encourage the rehabilitation of historic structures in a municipality by increasing energy efficiency in the preservation and reuse of existing building stock.

III. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this chapter are considered to provide a demonstrated public benefit if they encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of a qualifying structure, as defined in this chapter.

Source. 2006, 167:1. 2009, 200:3, 4, eff. July 15, 2009. 2013, 78:1, eff. April 1, 2013.

Section 79-E:2**79-E:2 Definitions. –** In this chapter:

I. "Historic structure" means a building that is listed on or determined eligible for listing on the National Register of Historic Places or the state register of historic places.

II. "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter. Qualifying structure shall also mean historic structures in a municipality whose preservation and reuse would conserve the embodied energy in existing building stock. Cities or towns may further limit "qualifying structure" according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts that meet certain age, occupancy, condition, size, or other similar criteria consistent with local economic conditions, community character, and local planning and development goals. Cities or towns may further modify "qualifying structure" to include buildings that have been destroyed by fire or act of nature, including where such destruction occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town.

III. "Replacement" means the demolition or removal of a qualifying structure and the construction of a new structure on the same lot.

IV. "Substantial rehabilitation" means rehabilitation of a qualifying structure which costs at least 15 percent of the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less. In addition, in the case of historic structures, substantial rehabilitation means devoting a portion of the total cost, in the amount of at least 10 percent of the pre-rehabilitation assessed valuation or at least \$5,000, whichever is less, to energy efficiency in accordance with the U.S. Secretary of the Interior's Standards for Rehabilitation. Cities or towns may further limit "substantial rehabilitation" according to the procedure in RSA 79-E:3 as meaning rehabilitation which costs a percentage greater than 15 percent of pre-rehabilitation assessed valuation or an amount greater than \$75,000 based on local economic conditions, community character, and local planning and development goals.

V. "Tax increment finance district" means any district established in accordance with the provisions of RSA 162-K.

VI. "Tax relief" means:

(a) For a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation thereof.

(b) For the replacement of a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a replacement structure shall not exceed the property tax on the replaced qualifying structure as a result of the replacement thereof.

(c) For a qualifying structure which is a building destroyed by fire or act of nature, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on such qualifying structure shall not exceed the tax on the assessed value of the structure that would have existed had the structure not been destroyed.

VII. "Tax relief period" means the finite period of time during which the tax relief will be effective, as determined by a local governing body pursuant to RSA 79-E:5.

Source. 2006, 167:1. 2009, 200:5-7. 2010, 329:1, 2. 2011, 237:1, 2, eff. July 5, 2011. 2013, 78:2, eff. April 1, 2013.

Section 79-E:3

79-E:3 Adoption of Community Revitalization Tax Relief Incentive Program –

I. Any city or town may adopt or modify the provisions of this chapter by voting whether to accept for consideration or modify requirements for requests for community revitalization tax relief incentives. Any city or town may do so by following the procedures in this section.

II. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

III. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

IV. If a majority of those voting on the question vote "yes," applications for community revitalization tax relief incentives may be accepted and considered by the local governing body at any time thereafter, subject to the provisions of paragraph VI of this section.

V. If the question is not approved, the question may later be voted on according to the provisions of paragraph II or III of this section, whichever applies.

VI. The local governing body of any town or city that has adopted this program may consider rescinding its action in the manner described in paragraph II or III of this section, whichever applies. A vote terminating the acceptance and consideration of such applications shall have no effect on incentives previously granted by the city or town, nor shall it terminate consideration of applications submitted prior to the date of such vote.

Source. 2006, 167:1. 2010, 329:3, eff. July 20, 2010.

Section 79-E:4

79-E:4 Community Revitalization Tax Relief Incentive. –

I. An owner of a qualifying structure who intends to substantially rehabilitate or replace such structure may apply to the governing body of the municipality in which the property is located for tax relief. The applicant shall include the address of the property, a description of the intended rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee.

I-a. In order to assist the governing body with the review and evaluation of an application for replacement of a qualifying structure, an owner shall submit to the governing body as part of the application, a New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian and a letter issued by the local heritage commission and if the qualifying structure is located within a designated historic district established in accordance with RSA 674:46, a letter from the historic district commission or, if such local commissions are not established, a letter issued by the New Hampshire division of historical resources that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the property on which those structures are located. The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted.

II. Upon receipt of an application, the governing body shall hold a duly noticed public hearing to take place no later than 60 days from receipt of the application, to determine whether the structure at issue is a qualifying structure; whether any proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.

III. No later than 45 days after the public hearing, the governing body shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.

IV. (a) The governing body may grant the tax relief, provided:

(1) The governing body finds a public benefit under RSA 79-E:7; and

(2) The specific public benefit is preserved through a covenant under RSA 79-E:8; and

(3) The governing body finds that the proposed use is consistent with the municipality's master plan or development regulations; and

(4) In the case of a replacement, the governing body specifically finds that the local heritage commission or historic district commission or, if such local commissions are not established, the New Hampshire division of historical resources has determined that the replaced qualifying structure does not possess significant historical, cultural, or architectural value, the replacement of the qualifying structure will achieve one or more of the public benefits identified in RSA 79-E:7 to a greater degree than the renovation of the underutilized structure, and the historical, cultural, or architectural resources in the community will not be adversely affected by the replacement. In connection with these findings, the governing body may request that the division of historical resources conduct a technical evaluation in order

to satisfy the governing body that historical resources will not be adversely affected.

(b) If the governing body grants the tax relief, the governing body shall identify the specific public benefit achieved under RSA 79-E:7, and shall determine the precise terms and duration of the covenant to preserve the public benefit under RSA 79-E:8.

V. If the governing body, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.

VI. Municipalities shall have no obligation to grant an application for tax relief for properties located within tax increment finance districts when the governing body determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:

- (a) The development program or financing plans for such tax increment finance districts; or
- (b) The ability to satisfy or expedite repayment of debt service obligations incurred for a tax increment financing district; or
- (c) The ability to satisfy program administration, operating, or maintenance expenses within a tax increment financing district.

Source. 2006, 167:1. 2009, 200:8-11, eff. July 15, 2009.

Section 79-E:5

79-E:5 Duration of Tax Relief Period. –

I. The governing body may grant such tax assessment relief for a period of up to 5 years, beginning with the completion of the substantial rehabilitation.

I-a. For the approval of a replacement of a qualifying structure, the governing body may grant such tax assessment relief for a period of up to 5 years, beginning only upon the completion of construction of the replacement structure. The governing body may, in its discretion, extend such additional years of tax relief as provided for under this section, provided that no such additional years of tax relief may be provided prior to the completion of construction of the replacement structure. The municipal tax assessment of the replacement structure and the property on which it is located shall not increase or decrease in the period between the approval by the governing body of tax relief for the replacement structure and the time the owner completes construction of the replacement structure and grants to the municipality the covenant to protect the public benefit as required by this chapter. The governing body may not grant any tax assessment relief under this chapter with respect to property and structures for which an election has been made for property appraisal under RSA 75:1-a.

II. The governing body may, in its discretion, add up to an additional 2 years of tax relief for a project that results in new residential units and up to 4 years for a project that includes affordable housing.

III. The governing body may, in its discretion, add up to an additional 4 years of tax relief for the substantial rehabilitation of a qualifying structure that is listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district, provided that the substantial rehabilitation is conducted in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation.

IV. The governing body may adopt local guidelines to assist it in determining the appropriate duration of the tax assessment relief period.

Source. 2006, 167:1. 2009, 200:12. 2010, 329:4, eff. July 20, 2010.

Section 79-E:6

79-E:6 Resumption of Full Tax Liability. – Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:7

79-E:7 Public Benefit. – In order to qualify for tax relief under this chapter, the proposed substantial rehabilitation must provide at least one of the public benefits, and the proposed replacement must provide one or more of the public benefits to a greater degree than would a substantial rehabilitation of the same qualifying structure, as follows:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;
 - II-a. It promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation.
- III. It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community,

consistent with RSA 9-B; or

IV. It increases residential housing in urban or town centers.

Source. 2006, 167:1. 2009, 200:13, eff. July 15, 2009. 2013, 78:3, eff. April 1, 2013.

Section 79-E:7-a

79-E:7-a Public Benefit Determinations. – Cities or towns may adopt according to the procedure in RSA 79-E:3 provisions that further define the public benefits enumerated in RSA 79-E:7 to assist the governing body in evaluating applications made under this chapter based on local economic conditions, community character, and local planning and development goals.

Source. 2010, 329:5, eff. July 20, 2010.

Section 79-E:8

79-E:8 Covenant to Protect Public Benefit. –

I. Tax relief for the substantial rehabilitation or replacement of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and as otherwise provided in this chapter.

II. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the governing body, be effective for a period of time up to twice the duration of the tax relief period.

III. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the governing body's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in RSA 79-E:9, I.

IV. The local governing body shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.

V. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

Source. 2006, 167:1. 2009, 200:14, eff. July 15, 2009.

Section 79-E:9

79-E:9 Termination of Covenant; Reduction of Tax Relief; Penalty. –

I. If the owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided in RSA 79-E:8, III, the governing body shall, after a duly noticed public hearing, determine whether and to what extent the public benefit of the rehabilitation or replacement has been diminished and shall determine whether to terminate or reduce the tax relief period in accordance with such determination. If the covenant is terminated, the governing body shall assess all taxes to the owner as though no tax relief was granted, with interest in accordance with paragraph II.

II. Any tax payment required under paragraph I shall be payable according to the following procedure:

(a) The commissioner of the department of revenue administration shall prescribe and issue forms to the local assessing officials for the payment due, which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

Source. 2006, 167:1. 2009, 200:15, eff. July 15, 2009.

Section 79-E:10

79-E:10 Lien for Unpaid Taxes. – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:11

79-E:11 Enforcement. – All taxes levied pursuant to RSA 79-E:9 which are not paid when due shall be collected in the same manner as provided in RSA 80.

Source. 2006, 167:1. 2007, 42:3, eff. July 20, 2007.

Section 79-E:12

79-E:12 Rulemaking. – The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:13

79-E:13 Extent of Tax Relief. –

I. (a) Tax relief granted under this chapter shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the governing body and not to those increases attributable to other factors including but not limited to market forces; or

(b) Tax relief granted under this chapter shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect public benefit as required in this chapter, provided that for a qualifying structure which is a building destroyed by fire or act of nature, original assessed value shall mean the value as of the date of approval of the application for tax relief of the qualifying structure that would have existed had the structure not been destroyed.

II. The tax relief granted under this chapter shall only apply to substantial rehabilitation or replacement that commences after the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect the public benefit as required in this chapter, provided that in the case of a qualifying structure which is a building destroyed by fire or act of nature, and which occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town, the tax relief may apply to such qualifying structure for which replacement has begun, but which has not been completed, on the date the application for relief under this chapter is approved.

Source. 2006, 167:1. 2010, 329:6. 2011, 237:3, eff. July 5, 2011.

Section 79-E:14

79-E:14 Other Programs. – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

Source. 2006, 167:1, eff. April 1, 2006.

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City Clerk's Office

**Regular City Council Meeting
August 6, 2019
Council Chambers
7:08 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Hutchinson
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Walker
Deputy Mayor Varney
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
Peter Nourse, Director of City Services

MINUTES

1. Call to Order

Mayor McCarley called the Regular City Council meeting to order at 7:08 PM.

2. Opening Prayer

Mayor McCarley requested a moment of silence for the victims of the Dayton, Ohio and El Paso, Texas mass shootings this past weekend.

3. Pledge of Allegiance

Mayor McCarley led the Pledge of Allegiance.

4. Roll Call

Kelly Walters, City Clerk, called the roll. All Council members were present.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: July 2, 2019 *consideration for approval*

Councilor Walker **MOVED** to **APPROVE** the Regular City Council meeting minutes of July 2, 2019. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 Special City Council Meeting: July 16, 2019 *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the revised Special City Council meeting minutes of July 16, 2019. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 Employee of the Month Award

City Manager Cox invited Police Chief Toussaint and Jeremy Aucoin, Police Department, to come forward. He briefed the City Council about the nomination letter relative to Mr. Aucoin to be awarded the Employee of the Month for August.

6.2 City Manager's Report

City Manager Cox said the City Manager's report has been included with the City Council packet.

Contracts and Documents:

- Assessor's Department
 - Tax Map Maintenance Proposal
 - Building, Zoning & Licensing Services
 - Viewpoint Cloud Software Implementation
- Department of Public Works
 - Abutter Impacts Survey – Round Pond Expansion
 - Colonial Pines Sewer Extension – Phase 2 Change Order #1
 - Community Center Lease Agreement – Crosspoint Church
 - Drainage System Evaluation - Colonial Pines Sewer Extension
 - Generator Connection – Main Aeration Blower
 - Honeywell Contract – Recreation Mini-splits
 - Hydraulic Modeling Assistance
 - Sidewall Blower Interconnection/Main Aeration System

Portland Street Sidewalk Project – Change Order #1
Route 11 Sewer Pump Station Final Design
Soda Ash System Replacement
Stream Gauge Assistance
Stormwater Management – MS4 Permit
Temporary Assistant City Engineer Assistance
Water Treatment Plant – Low Lift Pump Station Upgrades
Rt. 202A Water Extension Project Contract

- Economic Development Department
 - 19 Main Street & 13 Sawyer Avenue – Survey bid selection – lot line survey
 - CDBG – environmental review – Riverwalk kayak launch
 - CDBG FY2020 Annual Action Plan
 - CDBG Environmental Review – East Rochester Library / Rochester Child Care Center
 - Millyard Communications – Cooperative Advertising Contract Contract
- Finance Department
 - Melanson Heath Audit Engagement Letter
- Fire Department
 - ATV Co-operative Agreement
 - Emergency Management Trailer
- Human Resources
 - KRONOS Implementation
- Legal
 - Redemption of 40 Day Lilly
- Police Department
 - Housing Authority Contract

Standard Reports:

Permission & Permits Issued
Personnel Action Report Summary

Councilor Keans had questions about the bid selection for the lot line survey of 13 Sawyer Avenue. Why would the City subdivide the property if there is no interested buyers? Who would be responsible for paying these fees? City Manager Cox replied that the City has a real estate agency working with a group of investors who have shown interest in that particular property.

He added that nothing has been confirmed as of yet. Councilor Keans asked if the interested party would be paying for the surveying services. City Manager Cox replied that it could be included with the negotiations as part of the purchase of this particular piece of land.

Councilor Varney asked if the City was to be surveying private owned property or City owned property. City Manager Cox replied that the City owns this parcel of land. Councilor Keans requested that a map of the said parcel of land be sent out to the City Council for review.

7. Communications from the Mayor

7.1 Non-Public Meeting Minutes Review Committee

Mayor McCarley appointed Councilors Lauterborn and Varney to serve on the Non-Public Meeting Minutes Review Committee and bring back to the City Council next month a recommended list of non-public meeting minutes to be released.

Mayor McCarley announced that the 10th Annual Rival Softball Game Gonic vs. East Side would be held on Saturday, August 10, 2019, at 10:00 AM at the Riverside Park.

8. Presentation of Petitions and Council Correspondence

Mayor McCarley announced that unfortunately Robert Goldstein has submitted his resignation from the Zoning Board of Adjustments and the Board of Assessors effective immediately due to his current health concerns. She added that the City accepts his resignation with regret and added that Mr. Goldstein had served the City well for many years.

9. Nominations, Appointments, Resignations, and Elections

9.1. Resignation: Tyffany Spear, Ward 2 Moderator

Councilor Walker **MOVED** to **ACCEPT** the resignation of Tyffany Spear, Ward 2, Moderator, with regret and to send a letter of thanks. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10. Reports of Committees

10.1 Appointments Committee

10.1.1 Reappointment: Robert Pallas – Trustees of the Trust Fund, Term to Expire 1/2/2022

Councilor Keans reviewed the Appointments Committee meeting minutes. Mayor McCarley nominated Robert Pallas, Trustees of the Trust Fund, to be reappointed for a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that the Clerk cast one ballot for Mr. Pallas and that nominations cease. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Pallas has been reappointed to serve on the Trustees of the Trust Fund.

Councilor Keans noted that this board is still in need of volunteers and there are no current pending applicants for this particular board. There are however many applicants for other boards for the Committee to review at its meeting the following evening.

10.2 Codes & Ordinances Committee

Councilor Lachapelle said the Committee met this past Thursday; however, the meeting minutes are not available as of yet.

Councilor Lachapelle said the Committee did discuss the potential new polling location for Ward 2. He **MOVED** that the Ward 2 polling location to be moved from St. Mary Church to the Chamberlain Street Elementary School. Councilor Bogan seconded the motion. Councilor Keans spoke strongly against the motion. She said the proposed new location would confuse voters because it is on the very edge of the boundary lines of Ward 2. She said the census is approaching soon and the ward boundaries could be moved anyway. Councilor Keans suggested seeking the use of the YMCA (Recreation & Arena Department) which is located near the current polling location (St. Mary Church). Councilor Keans questioned why a proposed change is being considered. Kelly Walters, City Clerk, said the complaints are based on election officials of that ward; however, the main reason is due to the fact that St. Mary's Church holds their annual craft fair each year in November which limits the space needed for setting up the polling location. Councilor Lauterborn said she was the individual councilor who voted against this motion at the Committee meeting.

The City Council discussed the use of the Recreation & Arena offices located at the Rochester Arena. Councilor Walker **MOVED** to **TABLE** the motion. Councilor Hamman seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.3 Community Development Committee

10.3.1 Committee Recommendation: To recommend adoption of the draft Analysis of Impediments to Fair Housing *consideration to accept*

Councilor Lauterborn said Mr. Long has prepared the draft Analysis of Impediments to Fair Housing. Councilor Varney stated this report is not supposed to be adopted by the City Council; however, the report could be accepted by the City Council. He added that some of the ideas in the report are not necessarily appropriate for Rochester. Councilor Lauterborn said the City Council should have clarification on whether or not the report is required to be adopted or not. She added that there should have been a link within the City Council packet for the City Council/public to read the report online. It appears there is no link within the City Council packet. She suggested this action item be delayed by a month in order to give folks time to read the document online. Councilor Hamman agreed and indicated that he is not in favor of voting for something he himself has not had a chance to read. Councilor Walker **MOVED** to **TABLE** the Committee Action of acceptance of the Analysis of Impediments to Fair Housing. Councilor Hamman seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley suggested the link to the report be sent out to the Council the following day.

Councilor Lauterborn said the Committee did participate in a tour of the 22 Main Street site of a 79E application with the Vettors and the architect. This is the same 79E application which was discussed at the City Council Public Hearing earlier this evening. The Committee recommended, by a unanimous vote, that the City Council approve the request for an eleven-year tax abatement for this renovation project for which the site is eligible under RSA 79E.

Councilor Lauterborn informed the Council that Anthony Ejarque, Rochester Opera House and Governor's Inn, made a proposal to the Committee about a possible partnership between the City of Rochester and the Rochester Opera House in order to create a summer Arts Festival during the summer months at the Rochester Opera House. It would be similar to what Dover and Portsmouth are currently doing. She said the Opera House is not overly utilized in the summer months and it would be available for such a project as a summer Arts Festival. Mr. Ejarque is hoping to receive some kind of feedback from the City Council about any interest in moving in this direction. He inquired if the City would be interested in supporting this type of project, including financial support. Councilor Hamman asked if any CDBG funds could be used for this type of project. Councilor Lauterborn replied that she was not sure; however, that type of financial support could be explored. Councilor Varney asked what types of programs would be offered. It was

determined that it would be more of the performing arts programs and such events would be held inside the Opera House to avoid the logistics of bad weather from time to time. Mayor McCarley supported the idea and shared that she has discussed the matter with Mr. Ejarque in the recent past. She suggested that the matter stay in the Community Development Committee for a next step in the process.

Councilor Lauterborn said the Community Development Committee has received three additional funding request since the final adoption of the CDBG grant has taken place. She did not recall this situation arising often after the final adoption of the CDBG grant; however, it seems that there are some remaining funds available in the administration category. She briefed the City Council upon how the funds are divided up between certain categories. The administration funds cannot be used for social services; however, they can be used for facility money. The three request are as follows:

Strafford County Homeless Center [\$3,000]

To pay for the required phase I Environmental review for its previously- approved land acquisition project.

My Friend's Place [\$5,000]

For its generator budget.

Community Action CAP [\$5,000]

To reallocate matching funds for a state CDBG grant application to open an emergency winter homeless shelter.

Councilor Lauterborn gave details for each request and said that the Committee voted and supported these amendments. This is not on the agenda for this evening; however, she wished to explain the situation to the City Council prior to being asked to vote on this amendment at the next City Council meeting.

Mayor McCarley said the tri-city mayors are meeting with the County Commissioners and others including Betsey Andrews Parker, CEO of Community Action Partnership of Strafford County to discuss Strafford County's intent to work on opening an emergency cold weather shelter as they did last year.

Councilor Lauterborn stated that the next Community Development Committee meeting will be held next Monday evening August 12, 2019. It was supposed to take place at the City Hall Annex; however, the location has been changed to 73-77 North Main Street (Hartigan Block Building) at which there is another potential site for a 79E application. The meeting is to begin at 7:00 PM. The meeting will proceed back to the City Hall Annex if any other items need to be discussed.

10.4 CTE Joint Building Committee

10.4.1 Construction Update

Councilor Varney stated that the City Council could find the construction update material for the Spaulding High School Creteau Technology Center included with the City Council packet. This project is a little ahead of schedule and within budget.

10.5 Finance Committee

10.5.1 Non-Union Annual CPI Wage Scale Adjustments

Mayor McCarley said she was unable to attend the July 9th Finance Committee. A motion was made at the Committee for the Non-Union Annual CPI Wage Scale Adjustments which failed by a 3 to 3 tie-vote. Mayor McCarley **MOVED** to **APPROVE** the Non-Union Annual CPI Wage Scale Adjustment. Councilor Walker seconded the motion. Mayor McCarley said this is not about giving out raises but rather keeping up with the Non-Union Annual CPI Wage Scale. She noted that some employees would receive a slight increase in wages due to the fact that they are currently below the new minimum CPI Wage Scale. She added that this is a way to ensure that the Non-Union employees in line with the market. Mayor McCarley referenced a study conducted a few years ago which indicated that there were still some Non-Union employees behind the market for their pay scales.

Councilor Gray expressed reservations about voting in favor of this motion. He believes that the total compensation of what employee wages can be increased by should be limited to about the same calculation of the consumer price index (CPI) which is what the City's budget is limited to each year and that "fringe benefits" must be calculated and adjusted in that total. In some cases this ends up being slightly less than the CPI calculation and in other cases, such as reduced healthcare costs, it ends up being slightly more than the CPI calculation; however, the cost to the City remains the same. The **MOTION CARRIED** by a unanimous voice vote.

10.6 Public Safety

10.6.1 **Committee Recommendation:** That the parking spot to the left of the 109 North Main Street driveway be striped for "no parking" *consideration for approval*

Councilor Walker **MOVED** to **APPROVE** the Committee Recommendation that the Parking Spot to the left of the 109 North Main Street Driveway be striped for “no parking.” Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.6.2 Committee Recommendation: To deny the speed bumps on Maplewood Avenue consideration for approval

Councilor Walker **MOVED** to **APPROVE** the Committee’s Recommendation to **DENY** the request for speed bumps on Maplewood Avenue. Councilor Lachapelle seconded the motion. Councilor Gray said many of these neighborhoods have small children living there and riding their bikes on these streets. He said last week there was a police chase off one of these streets. It is still a concern for the parents of these children. The police offered to go and visit repeat offenders that live in the neighborhood. The **MOTION CARRIED** by a unanimous voice vote.

10.6.3 Committee Recommendation: To add school speed limit assembly signage (20 mph) in both directions on Charles Street in the area of the Granite Street crosswalk at the discretion of DPW consideration for approval

Councilor Walker **MOVED** to **APPROVE** the Committee Recommendation to add school speed limit assembly signage (20 mph) in both directions on Charles Street in the area of the Granite Street Crosswalk at the discretion of DPW. Councilor Lachapelle seconded the motion. Councilor Keans asked how far down Charles Street the signs would be placed. Councilor Walker said the signs would be placed within the standard radius for schools. The **MOTION CARRIED** by a unanimous voice vote.

10.6.4 Committee Recommendation: To paint arrows on Wakefield Street at the discretion of DPW consideration for approval

Councilor Walker said another vehicle recently traveled the wrong way on Wakefield Street. He **MOVED** to **APPROVE** the Committee Recommendation to paint arrows on Wakefield Street at the discretion of DPW. Councilor Lachapelle seconded the motion. Councilor Keans asked where on Wakefield Street this occurred. Councilor Walker said it appears someone was at the gas station (Dave’s Towing) and turned left rather than right. Councilor

Lachapelle said it would also prevent travelers from taking a left off Summer Street as well. The **MOTION CARRIED** by a unanimous voice vote.

10.7 Public Works

Councilor Torr said the Commissioner of Public Works should give the Council an update about the condition of the sewer systems on the south end of town.

Commissioner Nourse came forward to address the City Council. He said the project which is being referred to by Councilor Torr is Phase II of the Colonial Hill Pines project. He said the existing closed drainage pipes from the mid 60's are in very poor condition. The contractor of this project has been informed of these issues with drainage and discussions have taken place about an option of closing that failed system. A discussion took place about possibly improving the drainage on some of the driveways in that area. There was a large turnout of residents for the public informational meeting held in February, 2019. Residents were very concerned about water ponding in their driveways due to the grades of the side roads. He gave more information about why this occurs. There are about twenty-five driveways which could be improved surface-drainage wise. Resolving the closed drainage issues is much more extensive. At least 6,000 feet of pipe would need to be replaced in this phase of the project estimated at about \$800,000 to replace the closed drainage system and about \$225,000 to \$300,000 for the surface drainage. Commissioner Nourse said he would bring this discussion back to the Public Works Committee meeting and seek a recommendation from the Committee for a supplemental appropriation in the amount of approximately \$1,000,000 to go toward the combined drainage issues. There seemed to be some support in moving in this direction rather than revisiting the issue after the project has been completed. Councilor Walker agreed with taking this next step because it makes sense to get all the work completed now while the project is ongoing. In fact, he received another complaint this week from a resident of that neighborhood relative to drainage issues.

Commissioner Nourse gave more information about the type of piping to be installed and the improvements that would result from the work in this area. Councilor Varney questioned how soon the funding is needed in order not to cause a delay in construction. Commissioner Nourse said adoption by September 3, 2019, would work. Councilor Varney supported the project but suggested the City Council should probably look at cash funding for the supplemental appropriation as opposed to bonding another \$3,000,000. Councilor Walker agreed. Mayor McCarley wished for clarification that the contractor is almost certain that the project could be

completed prior to winter. Commissioner Nourse replied yes, as long as the supplemental appropriation is approved by September if possible. He reminded the City Council that the additional funding should be coming out of the general fund as opposed to the Sewer fund. Mayor McCarley thanked Mr. Nourse and mentioned that there is also the Special Meeting in August to consider the supplemental appropriation.

Councilor Torr asked about the bids from the Granite State Business Park. Commissioner Nourse replied that the bids came in between \$1,200,000 and \$2,000,000. He is currently looking into background checks on the low bidder because the City has not worked with them before.

Councilor Torr said there have been several complaints about the condition of the portable toilets at the Common. Councilor Varney said he spoke with Lisa Clark, Department of Public Works, and they are sending staff over to close them more often. He said it is not a perfect situation but it is an improvement over what it was previously. Commissioner Nourse clarified that the buildings and grounds staff is cleaning them at least twice a week and focusing on cleaning them every Tuesday morning which is the day of the Farmers Market. Councilor Varney recalled that the former City Manager John Scruton had proposed placing a more permanent structure for bathrooms at the Rochester Common; however, that has unintended consequences.

11. Old Business

11.1. Amendment to Chapter 75 of the General Ordinances of the City of Rochester Regarding Means of Escape [Fires and Fire Safety] *consideration for second reading and adoption*

Councilor Lachapelle **MOVED** to read the Amendment to Chapter 75 for the second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment for a second time by title only as follow:

Amendment to Chapter 75 of the General Ordinances of the City of Rochester Means of Escape

THE CITY OF ROCHESTER ORDAINS:

That Chapter 75 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 75-11 Means of escape.

~~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.~~

The effective date of these amendments shall be upon passage.

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment to Chapter 75. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.2. Amendment to Chapter 94 of the General Ordinances of the City of Rochester Regarding Overcrowded Housing
consideration for second reading and adoption

Councilor Lachapelle **MOVED** to read the Amendment to Chapter 94 for the second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment for a second time by title only as follow:

Amendment to Chapter 94 of the General Ordinances of the City of Rochester Regarding Overcrowded Housing

THE CITY OF ROCHESTER ORDAINS:

That Chapter 94 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 94-1. Overcrowded housing.

No owner, lessee, or keeper of any tenement house, lodging house, or boardinghouse shall cause or allow any such house to be overcrowded or allow so great a number of persons to dwell or sleep in such house or houses or any portion thereof so as to cause danger to health, and no such place or room shall be so overcrowded that there shall be less than 500 cubic feet of air or a floor space of less than 50 square feet to each occupant of such place, building or room. ~~No room as a living or sleeping room shall hereafter be built without direct opening to the outdoor air.~~

The effective date of these amendments shall be upon passage.

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment to Chapter 94. Councilor Walker seconded the motion. The **MOTION CARRIED** by a

unanimous voice vote.

11.3. Amendment to Chapter 40 of the General Ordinances of the City of Rochester Regarding Building, Plumbing, Electrical, and Life Safety Codes *consideration for second reading and adoption*

Councilor Lachapelle **MOVED** to read the Amendment to Chapter 40 for the second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment for a second time by title only as follow:

Amendment to Chapter 40 of the General Ordinances of the City of Rochester Regarding Building, Plumbing, Electrical, and Life Safety Codes

THE CITY OF ROCHESTER ORDAINS:

That Chapter 40 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (changes in red):

§ 40-1 Statutory authority.

The provisions of New Hampshire Revised Statutes Annotated Chapter 673, as amended, pertaining to an inspector of buildings, building plans, regulations, and appeal are hereby adopted.

§ 40-2 Building Code Board of Appeals.

The power of a Building Code Board of Appeals in Chapter 673 of the New Hampshire Revised Statutes Annotated shall be vested in the Rochester Zoning Board of Adjustment.

§ 40-3 Recognition and adoption of State Building Code and State Fire Code.

The City of Rochester hereby recognizes that the State Building Code under RSA 155-A and the State Fire Code under RSA 153 are applicable within the City of Rochester and for enforcement purposes adopts the provisions of the same.

§ 40-4 Department of Building, Zoning, and Licensing Services.

For enforcement purposes by the City of Rochester, all references in the State Building Code under RSA 155-A, or in any applicable successor code, to the

"department of building safety" shall be deemed to refer to the Department of Building, Zoning, and Licensing Services for the City of Rochester, and all duties as defined therein, including those imposed upon the "Building Official," shall be assumed by said Director of the Building, Zoning, and Licensing Services Department, along with the right to enforce the same.

§ 40-5 Adoption of other codes.

A. Pursuant to the provisions of RSA 47:22, 674:51 and 674:51-a, there are hereby adopted by the City of Rochester for the purpose of establishing rules and regulations, including the issuance of permits for the construction, alteration, removal, demolition, equipment, location, maintenance, use and occupancy of buildings and structures, installation of plumbing, use of concrete, masonry, metal, iron and wood, and other building material, the installation of electric wiring, and fire protection incident thereto and for the prevention of fires, the following codes:

- (1)** International Property Maintenance Code (2006 edition), published by the International Code Council, Inc., Copyright 2006.
- (2)** International Existing Building Code ~~(2009 edition), published by the International Code Council, Inc., Copyright 2009.~~ as codified at RSA 153.

B. Three copies of each of the aforesaid codes have been and are now on file in the office of the City Clerk of the City of Rochester and three copies of such codes are filed with the Department of Building, Zoning, and Licensing Services for the City of Rochester. Such codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this section shall take effect, the provisions thereof shall be controlling on the construction of all buildings and other structures within the corporate limits of the City of Rochester. There are annexed to such of the aforesaid codes, as filed in the office of the City Clerk and the Department of Building, Zoning, and Licensing Services, as set forth below, the following exhibits setting forth the insertions in, deletions from, exceptions to and/or changes in such codes, which insertions, deletions, exceptions and/or changes are adopted as part of the aforementioned codes:

- (1)** Exhibit A, Statement dated September 4, 2007, of insertions in, deletions from, exceptions to and changes in the International Property Maintenance Code (2006 edition) by the City of Rochester, New Hampshire.
- (2)** Exhibit A, Statement dated January 4, 2011, of insertions in, deletions from, exceptions to and changes in the International Existing Building Code (2009 edition) by the City of Rochester, New Hampshire.

§ 40-6 Life Safety Code.

The duties defined in and the enforcement of the Life Safety Code, ~~NFPA 101 (2003 edition)~~, as codified at RSA 153 or any applicable successor code, shall be assumed by the Fire Chief of the City of Rochester or his/her authorized representative.

§ 40-7 Electrical Code and Property Maintenance Code.

The duties defined in and the enforcement of the NEC 2005, National Electrical Code ~~(2005 edition)~~, as codified by RSA 155-A and the International Property Maintenance Code (2006 edition), or any applicable successor codes, shall be assumed by the Director of Building, Zoning, and Licensing Services or his/her authorized representative.

§ 40-8 Plumbing Code.

The duties defined in and the enforcement of the International Plumbing Code ~~(2006 edition)~~, as codified at RSA 153 or any applicable successor code, shall be assumed by the Director of Building, Zoning, and Licensing Services, or his/her authorized representative, except as otherwise provided in Chapter 200, Sewers, of the Code of the City of Rochester where the same are defined as the duties of the Commissioner of Public Works, with inspections to be done by the Director of Building, Zoning, and Licensing Services or an authorized member of the Division of Water Supply Works or Division of Sewage and Waste Treatment Works.

The effective date of these amendments shall be upon passage.

Councilor Lachapelle **MOVED** to **ADOPT** the Amendment to Chapter 40. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote.

12. Consent Calendar

No discussion.

13. New Business

13.1 Amendment to Chapter 275 of the General Ordinances of the City of Rochester regarding the Downtown Commercial District *first reading and refer to the Planning Board, Codes and Ordinances Committee, and to a public hearing on August 20, 2019*

Councilor Lachapelle **MOVED** to read the Amendment to Chapter 275 for the first time by title only and to refer the matter to the Planning Board, Codes and Ordinances Committee, and to a Special Meeting to be held on

August 20, 2019. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the Amendment by title only for a first time by title only.

See attached.

Councilor Keans questioned if the City Council should be updating Chapter 275 while there is Committee working on the Master Plan. Councilor Walker said the Planning Board would let the City Council know if there was a conflict with the Master Plan and a proposed Amendment to Chapter 275. Mayor McCarley said the Master Plan committee will be working on the master plan for the next three to four months. Councilor Keans suggested sending this proposed amendment to the master plan committee for further review. Mayor McCarley said she would inform the Committee of the proposed amendment.

13.2 Resolution For Supplemental Appropriation to the Conservation Fund for Fiscal Year 2018-2019 Pursuant to the Provisions of Section 11.21(s) of the General Ordinances of the City of Rochester *first reading, consideration for a second reading and adoption*

Councilor Lachapelle **MOVED** to read the Resolution by title only for a first time. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for a first time by title only as follows:

**RESOLUTION FOR SUPPLEMENTAL
APPROPRIATION TO THE CONSERVATION FUND
FOR FISCAL YEAR 2018-2019
PURSUANT TO THE PROVISIONS OF SECTION
11.21(c) OF THE GENERAL ORDINANCES OF THE
CITY OF ROCHESTER**

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

As a supplemental appropriation to the 2018-2019 fiscal year operating budget of the City of Rochester, the sum of Sixty Two Thousand Eight Hundred Sixty Seven Dollars (\$62,867.00); from annual excess Land Use Change Tax funds for fiscal year 2018-2019 (account number to be designated/determined by the Finance Director) to the City of Rochester Conservation Fund (account number to be designated/determined by the

Finance Director), the sums necessary to fund such supplemental appropriation to be drawn in their entirety from the aforesaid annual excess Land Use Change Tax revenues received during fiscal year 2018-2019.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. The effective date of this Resolution shall be June 30, 2019.

Councilor Lachapelle **MOVED** to suspend the rules and read the resolution for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Mayor McCarley said this is a standard practice for the City Council to take each year. The **MOTION CARRIED** by a unanimous voice vote.

13.3 Resolution Granting Community Revitalization Tax Relief to the Property Located at 22 South Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *first reading and refer to a Special Meeting on August 20, 2019*

Councilor Lachapelle **MOVED** to read the Resolution by title only for a first time and to refer the matter to a Special City Council meeting on August 20, 2019. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Granting Community Revitalization Tax Relief to the Property Located at 22 South Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

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

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

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

Whereas, the Norman Vetter & Staci Vetter Revocable Trust, owner of the so-called 22 South Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 22 South Main Street; and

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

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 22 South Main Street property contemplated by the owner's Community Revitalization Tax Relief Application dated June 28, 2019, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 22 South Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 22 South Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 22 South Main Street provides the following public benefits to downtown Rochester:

I. It enhances the economic vitality of the downtown;

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

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

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) compliance with the recommendation to the City Council approved by the Community Development Committee on July 8, 2019; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

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

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of eleven (11) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 22 South Main Street property.

14. Other

Councilor Keans questioned the status of the solar project. City Manager Cox replied that it was intended for the new Department of Public Works Facility. Councilor Keans recalled that the idea was supposed to be expanded to other areas of the City.

Councilor Torr questioned the status of the deserted building on Hanson Street. City Manager Cox said Keller Williams is representing the City and there are currently two to three interested parties in the conversations now. Mayor McCarley said the deadline has been extended to October, 2019.

Councilor Keans questioned if the City Council could discuss a recent court case with legal counsel. City Manager Cox replied that the City Attorney would include that discussion with his quarterly report to be given at the City Council Workshop in August.

15. Non-Public/Non-Meeting

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

Councilor Lauterborn **MOVED** to enter into a Non-Public Public Session, Personnel, RSA 91-A:3,II (a) at 8:03 PM. Councilor Lachapelle seconded the

motion. The **MOTION CARRIED** by a unanimous roll call vote of 13 to 0. Councilors Torr, Abbott, Varney, Hutchinson, Lachapelle, Gray, Walker, Bogan, Hamann, Gates, Keans, Lauterborn, and Mayor McCarley voted in favor of the motion.

Councilor Lauterborn **MOVED** to exit the Non-Public meeting at 8:08 PM. Councilor Gates seconded the motion. Councilor Lachapelle **MOVED** to seal the minutes. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

16. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the Regular City Council meeting at 8:09 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

**Rochester City Council Special Meeting
August 20, 2019
Council Chambers
7:01 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
Councilor Hutchinson
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Walker
Deputy Mayor Varney
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager

Minutes

1. Call to Order

Mayor McCarley called the City Council Special Meeting to order at 7:01 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were present.

**2. Resolution Granting Community Revitalization Tax Relief to the Property Located at 22 South Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project
*second reading and consideration for adoption***

Councilor Lachapelle **MOVED** to read the resolution for the second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time by title only as follows:

Resolution Granting Community Revitalization Tax Relief to the Property Located at 22 South Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

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

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

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

Whereas, the Norman Vetter & Staci Vetter Revocable Trust, owner of the so-called 22 South Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 22 South Main Street; and

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

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 22 South Main Street property contemplated by the owner's Community Revitalization Tax Relief Application dated June 28, 2019, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 22 South Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 22 South Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 22 South Main Street provides the following public benefits to downtown Rochester:

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

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) compliance with the recommendation to the City Council approved by the Community Development Committee on July 8, 2019; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

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

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of eleven (11) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 22 South Main Street property.

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

3. Resolution Authorizing Supplemental Appropriation to the FY 2020 Sewer Fund Capital Improvement Plan Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids and Carbon System Storage Facilities Project in the Amount of

\$8,750,000.00 and Bonding Authority Pursuant to RSA 33:9 and Authorizing the Application for a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan *second reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for a second time by title only as follows:

Resolution Authorizing Supplemental Appropriation to the FY 2020 Sewer Fund Capital Improvement Plan Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids and Carbon System Storage Facilities Project in the Amount of \$8,750,000.00 and Borrowing Authority pursuant to RSA 33:9 and Authorizing the Application for a State of New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan

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

That the amount of Eight Million Seven Hundred Fifty Thousand Dollars (\$8,750,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works FY2020 Sewer CIP fund for the purpose of paying costs associated with the WWTP Biosolids and Carbon System Storage Facilities Project.

In accordance with the provisions of RSA 33:9 and in conjunction with this supplemental appropriation, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Eight Million Seven Hundred Fifty Thousand Dollars (\$8,750,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a loan application in the amount of Fifteen Million Nine Hundred Fifty Two Thousand Seven Hundred Seventy Three and 50/100 Dollars (\$15,952,773.50) to the NHDES CWSRF Loan program in order to finance the completion of the WWTP Biosolids and Carbon System Storage Facilities Project.

It is also further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of Fifteen Million Nine Hundred Fifty Two Thousand Seven Hundred Seventy Three and 50/100 Dollars (\$15,952,773.50) from the NHDES CWSRF Loan program.

Finally, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) and designated authority(ies) for the execution of all documents necessary to complete the application to the CWSRF.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund account(s) as necessary to which said sums shall be recorded.

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

4. Supplemental Appropriation to the Department of Public Works CIP in an Amount of \$1,000,000 for the Colonial Pines Subdivision Drainage Project *first reading and refer to a Public Hearing on September 3, 2019*

Councilor Lachapelle **MOVED** to read the resolution for a first time and to refer to a public hearing on September 3, 2019. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for a first time by title only as follows:

Supplemental Appropriation to the Department of Public Works CIP in an amount of \$1,000,000.00 for the Colonial Pines Subdivision Drainage Project

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

That the amount of One Million Dollars (\$1,000,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works CIP fund for the purpose of paying costs associated with the Colonial Pines Subdivision Project. The funding for this supplemental appropriation shall be derived in its entirety from the General Fund Unassigned Fund Balance.

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

5. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the City Council Special Meeting at 7:03 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

EMPLOYEE OF THE MONTH NOMINATION FORM

EMPLOYEE'S NAME Nicole Rodler
DEPARTMENT Rochester Police Department

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

SERVICE TO THE COMMUNITY

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

Nicole is our Juvenile Diversion Coordinator for the Police Department. Recently due to staffing shortages Nicole organized National Night Out with little help from others. The event was great! Nicole also chooses to be the President of the Rochester Police Benevolent Association (RPBA). Nicole doesn't just sit back and wait for the community to come ask for help. Nicole is always out looking for opportunities to assist the public. She has also been instrumental in fundraising for the RPBA so that the organization can continue to support Rochester events, sports, and community members. Nicole was able to apply for a community grant to get Wal-Mart to donate money to the NH Police Cadet Training Academy to help keep the costs down for our youth (ages 14-20) to attend the week long program.

QUALITY CUSTOMER SERVICE (EXTERNAL/INTERNAL)

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

There is no person I can think of that has a bigger smile or heart than Nicole. She constantly puts others before herself and is always trying to make Rochester a better community. I have seen her throwing a football with a St. Charles Children's Home child that she bought for them for Christmas with her own money. Externally Nicole works with the Teen Travel Camp at the Rec Center and I have seen how much the kids enjoy and look up to her. Nicole also attends the monthly Teen Nights during the school year and constantly stays longer then required for a child's parents to come pick them up after the event ended so the child doesn't sit by themselves. Nicole doesn't just stand to the side during events. She is constantly moving around and eager to become involved and help. When I wanted to plan a community event Nicole is my "go to" and will always help in some way. At Skate with a Cop Nicole passed out pizza and drinks with a smile on her face the entire time.

Internally Nicole helps increase moral at the Police Department by planning family Christmas and Summer outings, sending flowers to the families of someone who has passed, celebrating with cards when a new baby in a family is born, and checking in on those who might have had a bad day. You cannot walk past Nicole's office without her saying hello and asking how you are doing.

In a profession that sometimes causes Officers to become desensitized Nicole brings back the humanity in all of us and is exactly the type of employee the Rochester Police Department needs.

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

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

Nicole's dedication and commitment to making this years National Night Out a success when she had little support due to limited staffing shows her ability to go above and beyond what is expected in her position.

YOUR NAME: Kyle Danie DATE: 08/08/2019

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

***ANY OF THE ABOVE ITEMS IS ENOUGH TO NOMINATE AN EMPLOYEE.**





City of Rochester, New Hampshire

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

CITY MANAGER'S REPORT September 3, 2019

The Employee of the Month is: Nicole Rodler, Police Department

Contracts and documents executed since last month:

- Department of Public Works
 - GIS Asset Management Software Contract **P. 73**
 - GSBP Water Extension – Engineering Contract **P. 74**
 - GZA Environmental – Wetlands Monitoring **P. 75**
 - Water Treatment Plant Upgrade Project – Contract with Surety Company due to Contractor Resignation **P. 76**
- Economic Development Department
 - Archeological Survey – Riverwalk Recreation Trails Tap Grant **P. 77**
 - CDBG – CAP Weatherization – environmental review – East Rochester condo – replace water heater and plumbing lines **P. 79**
 - CDBG – CAP Weatherization – environmental review **P. 80**
 - replace heater and plumbing in manufactured home – eastern region
 - replace furnace and plumbing in manufactured home in eastern region
 - CDBG – CAP Weatherization – environmental review – replace heating system in stick-built home north of downtown **P. 81**
 - CDBG – CAP Weatherization – environmental review – replace plumbing & heating system in manufactured home in northwest region **P. 82**
 - CDBG – CAP Weatherization- environmental review – repair roof, toilet and install insulation in stick-built home in East Rochester **P. 83**
 - CDBG – CAP Weatherization – environmental review – full weatherization retrofit in single-family home in Frenchtown **P. 84**
 - CDBG Environmental Review – JOB Loan Project **P. 85**
- Finance Department
 - Fire Protection Engineer Review recommendation – 20 Spaulding Avenue **P. 86**
- IT
 - Atlantic Broadband – Windstream POTS line conversion to EMTA **P. 87**
 - Sole Source Vendor – Blue Spruce Technologies – HPE Switches and networking gear and administration **P. 88**
 - Sole Source Vendor – Exactitude – Security camera and access control solutions **P. 89**
 - Sole Source Vendor – Systems Engineering – consulting for Microsoft Windows Enterprise Solutions **P. 90**
 - Sole Source Vendor – Telephone & Network Technologies – low voltage cable installation & servicing **P. 91**
 - Sole Source Vendor – Omada Technologies – procurement & consulting for Palo Alto Technologies devices **P. 92**
 - Systems Engineering – Network Expansion & Upgrades 2019 CIP Project **P. 93**
 - Tyler Technology – Munis PACE 15 Program **P. 94**

- Legal
 - Deed Release – 24 Cherokee Way **P. 95**
- Police Department
 - JAG Grant Application – City Manager Approval **P. 96**
 - Wrecker Agreement – Bob's Towing **P. 98**

The following Computer Lease/Purchase or Tuition Reimbursement Requests have been enclosed:

- Tuition Reimbursement - Libby, J – BZLS **P. 99**

The following standard reports have been enclosed:

- Monthly Overnight Travel Summary **P. 100**
- Permission & Permits Issued **P. 101**
- Personnel Action Report Summary **P. 102**

08/29/2019



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
45 Old Dover Road • Rochester, NH 03867
(603) 332-4096
www.RochesterNH.net



INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMINISTRATION

FROM: DANIEL CAMARA, GIS/ASSET MANAGEMENT TECHNICIAN *DL*

DATE: August 20, 2019

SUBJECT: Asset Management Software Contract for Signature (\$48,480)

CC: LISA J. CLARK, ADMIN SUPERVISOR
MICHAEL S. BEZANSON, PE, CITY ENGINEER
PETER C. NOURSE, PE, DIRECTOR OF CITY SERVICES
SONJA GONZALEZ, CHIEF INFORMATION OFFICER
TERENCE O'ROURKE, CITY ATTORNEY

CITY OF
Received
AUG 20 2019
City Manager
ROCHESTER

Please find attached one (1) copy of the Service Agreement with Beehive Industries, LLC for Asset Management Software, Services, and Support. Beehive Industries, LLC was chosen by our selection team after a thorough and lengthy RFI and RFP process (Bid #19-28). Terence has reviewed the agreement and his comments have been addressed. Sonja has vetted their development and security practices and has no significant reservations about their software. Total contracted cost is \$48,480.

The funds for this software are available as budgeted in the following account(s):

15013010-773800-18523	=	\$1,333.34
15013010-773800-19521	=	\$14,826.66
55016010-773800-17519	=	\$20.06
55016010-773800-19521	=	\$16,139.94
55026020-773800-18523	=	\$523.31
55026020-773800-19521	=	\$15,636.69
Total =		\$48,480.00

If you have any questions please call me. If not, please pass on to the City Manager for signature. This document should be returned to the DPW for distribution. Thank you.

Kathryn L. Ambrose

Katie Ambrose, Deputy City Manager/Director of Finance & Administration



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PUBLIC WORKS DEPARTMENT
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08/29/2019



CITY
Received

AUG 26 2019

City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMINISTRATION

FROM: LISA J. CLARK, DPW ADMINISTRATIVE & UTILITY BILLING SUPERVISOR

DATE: August 26, 2019

SUBJECT: Granite State Business Park Water Extension
Wright Pierce Engineers – Construcion Phase Engineering Contract
Amount \$156,000

CC: MICHAEL S. BEZANSON, PE, CITY ENGINEER
PETER C. NOURSE, PE, DIRECTOR OF CITY SERVICES

Please find attached one (1) copy of the Wright Pierce Engineering Contract agreement for the construction phase of the Granite State Business Park Water Main Extension Project (Water Loop). The contract amount is \$156,000 and will be funded from the following GSBP TIF Account line.

60963010-771000-19553 = \$156,000

If you have any questions please call me. If not, please pass on to the City Manager for signature. This document should be returned to the DPW for distribution. Thank you.

Katie Ambrose, Deputy City Manager/Director of Finance & Administration



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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08/29/2019



INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER
KATIE AMBROXE

FROM: LISA J. CLARK, ADMIN SUPERVISOR *LJC*

DATE: August 13, 2019

SUBJECT: GZA Environmental – Annual Wetland Monitoring Agreement
Large Groundwater Withdrawal Permit # LGWP-2008-0001A
Cocheco Well Site – NH DES Required

CC: Michael S. Bezanson, PE City Engineer
Peter C. Nourse, PE, Director of City Services

Attached please find one copy of the GZA Environmental Wetlands Monitoring Agreement. This professional service agreement is for the 2020 annual monitoring at the Cocheco Well Site. GZA assisted the City to obtain this permit in 2006 and has been providing the monitoring service since 2008. Their history and knowledge of this permit provides for consistent reporting and accurate assessments of potential impacts.

This work is as budgeted in the WTP O&M Account as follows:

51601073-533002 = \$4,350

If you have any question, please call me, if not please forward to the City Manager for signature and return these documents to the DPW distribution.

Katie Ambrose, Deputy City Manager / Director of Finance & Administration



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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08/29/2019



INTEROFFICE MEMORANDUM

TO: BLAINE M. COX, CITY MANAGER

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR *LJC*

DATE: August 12, 2019

SUBJECT: WTP LLPS Upgrade Project
Contract with Surety Company due to Contractor Resignation of Project
Contract Value \$110,305.09

CC: Michael S. Bezanson, PE City Engineer
Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the "Takeover Agreement" between the City of Rochester and the Allegheny Casualty Company for the WTP Low Lift Pump Upgrade Project. As you know the contracted construction company, Keymont Construction, was unable to complete the project and the bond/surety company is taking the project over and will be contracted to oversee the project through completion.

The amount to be contracted is available in the following account lines

5001-220601 Retainage held \$25,950

55016010-772000 17541 = \$31,563.15

55016010-772000-18568 = \$52,791.94

This Contract has been reviewed and approved by the City Attorney and is now ready for signature.

If you have any question, please call Michael S. Bezanson, City Engineer, if not please sign and return these documents to the DPW distribution.



MEMO

TO: Blaine Cox, City Manager

CC: Mike Scala, Economic Development Director; Terence O'Rourke, City Attorney; Julian Long, Community Development; Mark Sullivan, Deputy Finance Director

FROM: Jennifer Marsh, Economic Development Specialist; Stacey Marchionni, Riverwalk Chairperson

DATE: August 8, 2019

RE: Archeological Survey for Riverwalk Recreation Trails Tap Grant

An archeological survey is required to proceed with the Recreational Trails Tap Grant for the footbridge. The Riverwalk Committee obtained 3 quotes that are attached and decided to go with Nearview, LLC; all 3 quotes are attached.

We are requesting that the City Manager sign the agreement to enter into the contract with Nearview. The agreement is also attached to this memo.

On May 7, 2019 City Council did the first reading, second reading and adoption of the following resolution:

13.2 Resolution Authorizing the Expenditure of Funds from the Riverwalk Special Revenue Fund *first reading, consideration for a second reading, and adoption*

Councilor Lachapelle **MOVED** to read the resolution for a first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for a first time as follows:

Resolution Authorizing the Expenditure of funds from the Riverwalk Special Revenue Fund

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

Hereby authorizes the expenditure of funds from the Riverwalk Special Revenue Fund in order to fund an archeological survey as part of the Riverwalk

Committee's Recreational Trails Grant application.

Councilor Lachapelle **MOVED** to suspend the rules and read the

resolution for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor McCarley read the resolution for a second time by title only.

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

Please let me know if you have any questions.

Jenn

Date: August 20, 2019

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2020 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will replace the heater and plumbing lines in a condominium located in East Rochester. The City Council approved funding to the CAP weatherization program at the May 7, 2019 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

08/29/2019

CITY OF
Received

AUG 26 2019

City Manager
ROCHESTER

Date: August 23, 2019

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2020 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental reviews for two proposed project sites under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The first proposed project will replace the heater and leaking plumbing in a manufactured home located in the eastern region of the city. The second proposed project will replace the furnace and plumbing in a manufactured home also located in the eastern region of the city. The City Council approved funding to the CAP weatherization program at the May 7, 2019 City Council meeting.

The environmental reviews require the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: August 1, 2019

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager



Re: FY 2020 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will replace a heating system in a stick-built home located slightly north of the downtown. The City Council approved funding to the CAP weatherization program at the May 7, 2019 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: August 7, 2019
To: Blaine Cox
City Manager
From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
AUG 7 2019
City Manager
ROCHESTER

Re: FY 2020 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will replace plumbing and heating system in a manufactured home located in the northwest of the city. The City Council approved funding to the CAP weatherization program at the May 7, 2019 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

08/29/2019

Date: August 15, 2019

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
AUG 15 2019
City Manager
ROCHESTER

Re: FY 2020 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental review for a proposed project site under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The proposed project will repair toilets, repair the roof, and install insulation in a stick-built home located in East Rochester. The City Council approved funding to the CAP weatherization program at the May 7, 2019 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: August 21, 2019

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager



Re: FY 2020 CDBG Environmental Review – CAP Weatherization

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental reviews for two proposed project sites under the Community Action Partnership of Strafford County's weatherization program (CAP weatherization program). The first proposed project will do a full weatherization retrofit in a single-family home located in Frenchtown. The second proposed project will do a full weatherization retrofit in a manufactured home located in Briar Ridge Estates. The City Council approved funding to the CAP weatherization program at the May 7, 2019 City Council meeting.

The environmental reviews require the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: August 20, 2019
To: Blaine Cox
City Manager
From: Julian Long
Community Development Coordinator/Grants Manager

CITY OF
Received
AUG 26 2019
City Manager
ROCHESTER

Re: FY 2020 CDBG Environmental Review – JOB Loan Project

Please see attached the completed FY 2020 Community Development Block Grant (CDBG) environmental review for a proposed project site associated with a pending Job Opportunity Benefit (JOB) Loan Program loan. The JOB Loan Committee tentatively approved this loan and its associated project at its August 5, 2019 committee meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.



City of Rochester, New Hampshire

Office of Finance and Administration

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

July 29, 2019

To: Blaine Cox-City Manager

Fm: Mark Sullivan, Deputy Finance Director

Re: Fire Protection Engineer Review-20 Spaulding Ave

CITY OF
Received
JUL 29 2019
City Manager
ROCHESTER

We received two responses the Fire Protection Engineer project at 20 Spaulding Ave. Assistant Fire Chief Wilder recommends Robert Cummings & Associates, PLLC perform the review. The cost of the initial review is \$4,600. We have \$20,000 earmarked for this project. The funds will be distributed to Robert Cummings & Associates direct from Spaulding LLC. I will confirm and coordinate that release of funds with Mr. Cusano this week. However, since the building is owned by the City of Rochester, we need to sign the Robert Cummings work scope document. Attached is that document for your signature. Please return back to me and I will coordinate the payment and work with Mr. Cusano to schedule the necessary visits with Robert Cummings. We anticipate receiving the facility assessment by end of August, 2019. Any questions please let me know.



City of Rochester, New Hampshire

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CITY OF
Received
AUG 15 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, City Manager
Katie Ambrose, Finance Director

FROM: Sonja Gonzalez, Chief Information Officer

DATE: August 14, 2019

SUBJECT: Atlantic Broadband
Conversion of POTS lines with Windstream to EMTA with Atlantic Broadband

CC:

Attached please find one copy of a contract with Atlantic Broadband for 4 circuits and EMTA to replace 4 POTS lines currently supplied by Windstream. The MRC on these lines is significantly less. We will have a month of overlapping costs then see the reduction in cost in the following month. These costs are distributed to various accounts and they are funded for the full price currently charged to us by Windstream.

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

Signature _____

Roland Connor, Deputy Finance Director



City of Rochester, New Hampshire
INFORMATION TECHNOLOGY
31 Wakefield Street • Rochester, NH 03867
www.RochesterNH.net

INTEROFFICE MEMORANDUM

TO: Mark Sullivan, Deputy Finance Director
FROM: Sonja Gonzalez, Chief Information Officer
DATE: June 12, 2019
SUBJECT: Sole source vendor request – Blue Spruce Technologies

We are requesting that Blue Spruce Technologies be considered a sole source provider for the procurement of HPE Switches and networking gear, and network administration consulting services related to that equipment. We have evaluated other vendors (ePlus, Omada, Systems Engineering) and found that Blue Spruce's pricing is competitive and their technical services capabilities are more aligned to the needs of the City of Rochester. We are requesting a single source vendor due to the complexity of the environment and the confidence that we have in Blue Spruce Technologies to configure the hardware and assist in the continued maintenance of the environment. HPE does establish a "preferred vendor" for the customer, and as such, Blue Spruce will be given priority services to assist us as well as pricing.

Finance Notes: Approved Blue Spruce through FYE20

Approved.
Blair Cor
7/30/19



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CITY OF
Received
JUL 30 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Mark Sullivan, Deputy Finance Director

FROM: Sonja Gonzalez, Chief Information Officer

DATE: July 24, 2019

SUBJECT: Sole source vendor request-Exactitude

We are requesting that Exactitude be considered a sole source provider for security cameras and access control solutions. They have installed systems in 8 of the 12 City buildings, Rochester Schools, as well as our single remote location (Dewey St). Over the past 2 years, they have worked with the City to collapse these services into one software solution to reduce the variety of software that users need to connect to and be trained on using, and that IT needs to support. Having a consistent provider for this service will reduce the time to bring vendors up to speed on our standard practices, manufacturer preferences, current configuration, and documentation requirements.

Approved.
Blair Cur
7/30/19



City of Rochester, New Hampshire
INFORMATION TECHNOLOGY
31 Wakefield Street • Rochester, NH 03867
www.RochesterNH.net

INTEROFFICE MEMORANDUM

TO: Mark Sullivan, Deputy Finance Director
FROM: Sonja Gonzalez, Chief Information Officer
DATE: July 24, 2019
SUBJECT: Sole source vendor request-Systems Engineering

We are requesting that Systems Engineering be considered a sole source provider for consulting services related to Microsoft Windows Enterprise solutions, including Active Directory, Microsoft SQL Server, Microsoft Deployment Toolkit and Microsoft Exchange Server; VMware; Veeam; and other related enterprise software solutions. We have evaluated other vendors (ePlus, Connection) and found that Systems Engineering pricing is competitive. Their technical expertise; elevated vendor relationships including Microsoft, VMware and Veeam; willingness to get their engineers CJIS certified; and well-designed project and as-built documentation are aligned to the needs of the City of Rochester. We are requesting a single source vendor due to the confidence that we have in Systems Engineering to consistently provide excellent consulting services in a timely manner. Having a consistent provider for this consulting will reduce the time to bring vendors up to speed on our standard practices, manufacturer preferences, current configuration, and documentation requirements.

Approved.
Blaum
7/30/19



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CITY OF
Received
JUL 30 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Mark Sullivan, Deputy Finance Director

FROM: Sonja Gonzalez, Chief Information Officer

DATE: July 24, 2019

SUBJECT: Sole source vendor request – Telephone & Network Technologies

We are requesting that Telephone & Network Technologies be considered a sole source provider for low voltage cable installation and servicing. We have evaluated other vendors (Connectivity Point, ePlus) and found that Telephone & Network Technologies' pricing is competitive. Their technical services capabilities, time flexibility, and willingness to work in older buildings are well aligned to the needs of the City of Rochester. We are requesting a single source vendor due to the confidence that we have in Telephone & Network Technologies to consistently provide excellent in low voltage wiring. Having a consistent provider for this service will reduce the time to bring vendors up to speed on our standard practices, manufacturer preferences, documentation and labeling requirements.

Approved:
BLE in CW
7/30/19



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CITY OF
Received
JUL 30 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Mark Sullivan, Deputy Finance Director
FROM: Sonja Gonzalez, Chief Information Officer
DATE: May 17, 2019
SUBJECT: Sole source vendor request – Omada Technologies

We are requesting that Omada Technologies be considered a sole source provider for the procurement and consulting services on Palo Alto Technologies devices including firewalls and accessory/complementary equipment. We have evaluated other vendors (ePlus, CDW, SHI) and found that Omada's pricing is competitive and their technical services capabilities are far more aligned to the needs of the City of Rochester. We are requesting a single source vendor due to the complexity of the environment and the confidence that we have in Omada Technologies to configure the hardware and assist in the continued maintenance of the environment. Firewalls provide edge security, routing, and network boundaries and control, amongst other features. Palo Alto does establish a "preferred vendor" for the customer, and as such, Omada will be given priority services to assist us as well as pricing.

Finance Notes: Approved Omada Technologies-through FYE20

Approved.
Bla in Cor
7/30/19

08/29/2019



City of Rochester, New Hampshire
INFORMATION TECHNOLOGY SERVICES
31 Wakefield St • Rochester, NH 03867
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CITY OF
Received
AUG 12 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Katie Ambrose, Deputy City Manager
Blaine M. Cox, City Manager

FROM: Sonja Gonzalez, Chief Information Officer

DATE: 8/9/2019

SUBJECT: Systems Engineering
Network Expansion & Upgrades - 2019 CIP Project

CC:

Attached please find one copy of **Windows Server 2019 Licensing Proposal** for **2019 CIP Project Network Expansion & Upgrades**.

There is sufficient funding in the **2019 CIP Project** Account 15011020-773800-20505.

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

Signature Katie Ambrose
Katie Ambrose, Deputy City Manager



City of Rochester, New Hampshire

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CITY OF
Received
JUL 30 2019
City Manager
ROCHESTER

INTEROFFICE MEMORANDUM

TO: Blaine M. Cox, City Manager
Roland Connor, Deputy Finance Director

FROM: Sonja Gonzalez, Chief Information Officer

DATE: July 30, 2019

SUBJECT: Tyler Technologies
Munis PACE-15 - \$11,775

CC:

Attached please find one copy of Tyler PACE-15 program. The work described in this scope of services is for training opportunities.

There is sufficient funding in the FY18 CIP Network Upgrades and Expansion Project Account 15011020-773800-18507 (\$10,851.78) and Contracted Services Account 11020050-534006 (\$923.22)

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

Signature 

Roland Connor, Deputy Finance Director



CITY OF
Received

AUG 12 2019

City Manager
ROCHESTER

Memorandum

To: Blaine Cox, City Manager
From: Terence O'Rourke, City Attorney *TSO*
Date: August 12, 2019
Re: Release Deed for 24 Cherokee Way

In April, 2019, the City took possession of 24 Cherokee Way by way of Tax Deed. In the subsequent eviction action, the former owner has claimed that the City's Notice of Impending Tax Deed was insufficient under the United States Supreme Court case of *Jones v. Flowers*, 574 U.S. 220 (2006). Without conceding the issue of notice, it is my opinion that a protracted legal case in the Superior Court is not in the City's best interest. Instead, in conjunction with the Tax Collector, I recommend that the City issue a Release Deed which will essentially nullify the April, 2019 Tax Deed. Immediately thereafter, the Tax Collector will issue new Notices of Impending Tax Deed which will be served upon the former owner, her attorney, and physically posted on the property. This will ensure that the new Tax Deed the City issues in September, 2019 will not be susceptible to challenge. Therefore, I recommend that you sign the Release Deed.

08/29/2019



ROCHESTER POLICE DEPARTMENT

23 WAKEFIELD STREET
ROCHESTER NH, 03867-1933

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

"Dedication, Pride, Integrity"

POLICE COMMISSION

DEREK J. PETERS
Chairman
DAVID R. STEVENS
Vice Chairman
LISA M. STANLEY
Commissioner

PAUL R. TOUSSAINT
Chief of Police

August 23, 2019



TO: Blaine Cox
City Manager

FROM: Paul R. Toussaint
Chief of Police

RE: JAG Grant Application

CITY OF
Received
AUG 27 2019
City Manager
ROCHESTER

Dear Mr. Cox:

Attached please find the City of Rochester Grant Application form that I am requesting your signature on. This is for a JAG grant we are applying for with a deadline of today August 23, 2019. The grant amount is \$27,693.00 for the purchase of load bearing outer carriers for all Police Officers. There is no matching funds required and the period covered is FY20 through FY24. Please let me know if you have any questions or concerns.


Paul R. Toussaint
Chief of Police

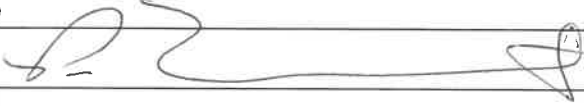


08/29/2019

City of Rochester Grant Application

City Manager Approval


GRANT SUBJECT & AMOUNT: \$27,693.00
--

TODAY'S DATE:	8/23/19
DEPT. HEAD SIGNATURE:	
APPLICATION DEADLINE:	8/23/19
ATTACHMENTS	Yes <input checked="" type="radio"/> No <input type="radio"/>

COMMITTEE SIGN-OFF

COMMITTEE:	
CHAIR PERSON:	

ADMINISTRATIVE APPROVALS

CHIEF FINANCIAL OFFICER:	
CITY MANAGER:	

MATCHING FUNDS BUDGET INFORMATION

SOURCE OF MATCHING FUNDS (if required):	
SOURCE ACCOUNT NUMBER:	61282019 -561010-205XX
MATCH AMOUNT:	N/A
APPROPRIATION REQUIRED No	Grants requiring City financial participation – funds must already be appropriated as part of existing budget.

LEGAL AUTHORITY

City Manager's approval.

SUMMARY STATEMENT

Seeking approval from the City Manager to apply for JAG grant funds in the amount of \$27,693.00 to purchase load bearing outer carriers for all Police Officers.

RECOMMENDED ACTION

Approval from the City Manager to apply for JAG funds in the amount of \$27,693.00

08/29/2019



City of Rochester, New Hampshire
23 Wakefield Street . Rochester, NH 03867
603-330-7128
www.rochesterpd.org



INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
FROM: PAUL TOUSSAINT, CHIEF OF POLICE
DATE: JULY 26, 2019
SUBJECT: WRECKER AGREEMENT
CC:

CITY OF
Received

JUL 26 2019

City Manager
ROCHESTER

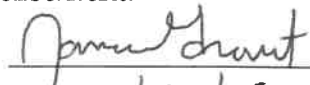
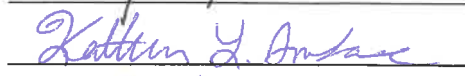

BLAINE – Would you please sign the attached wrecker agreement for Bob's Towing. Ed Bruedle bought the business from Peg (Johnson) Alexander; and will assume the contract for the remainder of the term, which expires December 31, 2020.



City of Rochester, New Hampshire

Office of Finance and Administration
31 Wakefield Street • Rochester, NH 03867-1917
(603) 335-7609 Fax (603) 335-7589

Tuition Reimbursement Pre-Approval Form

1. Applicant's Name: Julia Libby
2. Department: Building, Zoning, and Licensing Services
3. The course(s) is(are) related to the employee's job or as part of a career development program: Yes X No
4. Number of Courses for this employee already approved for the current fiscal year is: 0 (attach copies of prior approvals)
5. Course(s) for which reimbursement is now being requested:
 - a. Name of Course Introduction to Marketing; Cost: 960.00; and dates of Course: from 09/02/2019 to 10/27/2019
 - b. Name of Course Perspectives in Humanities; Cost: 960.00; and dates of Course: from 10/28/2019 to 12/23/2019
 - c. Name of Course Intro to International Business; Cost: 960.00; and dates of Course: from 01/06/2020 to 03/01/2020
6. Reimbursement for only the cost of the course will be as follows:
100% for an A grade; 90% for a B grade; 70% for a C grade.
7. Upon course completion, proof of course completion and grade attainment must be submitted for reimbursement.
8. Department head approval signature: 
9. Date of Department head's approval: 8/21/19
10. Finance Director approval signature: 
11. Date of Finance Department approval: 8/23/19
12. City Manager's approval Signature: 
13. Date of City Manager's Signature: 8-26-2019

[illegible]

DATE RECEIVED	DATE ISSUED	PERMISSION PERMITS	MISCELLANEOUS	DATE OF EVENT
7/26/2019	8/8/2019	SOLICIT	Atlantic Broadband - Dowd and O'Neil	90 days
8/6/2019	8/8/2019	EVENT	Monarch School of New England - Fall Harvest Festival	9/21/2019
8/7/2019	8/8/2019	EVENT	RMS - Gay Pride Festival - block off portion of No Main Street	8/24/2019
8/7/2019	8/8/2019	EVENT	Staples - block party	8/10-11/2019
8/6/2019	8/8/2019	EVENT	Coheco Quilt Guild - Annual Quilt Show	10/12-13/2019
7/26/2019	8/8/2019	TAG	Spaulding Cheer	Sept & Oct 2019
8/12/2019	8/15/2019	EVENT	Rochester Agricultural & Mechanical Association - Rochester Fair	9/12-15 & 9/19-22/2019
8/8/2019	8/15/2019	TAG	Rochester Youth Hockey	8/22&29/2019
8/12/2019	8/15/2019	EVENT	Grace Community Church - wiffleball tournament	8/25/2019
8/12/2019	8/15/2019	TAG	Maine Stars Cheer Gym	Oct & Nov 2019
8/14/2019	8/28/2019* still needs Council approval for venue	EVENT	Front Row Wrestling - still needs Council approval for venue	12/28/2019
8/15/2019	8/28/2019	TAG	SHS Boys Lacrosse Boosters	May 1-2, 2020
8/16/2019	8/28/2019	BANNERS	Rochester Agricultural & Mechanical Association - Rochester Fair	9/12-22/2019

ELECTRONIC MESSAGE BOARD REQUESTS				
7/30/2019	8/6/2019	MESSAGE	First United Methodist Church - Hope Haitian Choir	8/10/2019
8/5/2019	8/6/2019	MESSAGE	First United Methodist Church - Vendors Wanted	9/14/2019
8/7/2019	8/7/2019	MESSAGE	Vouchers for Veterans	8/20/2019 through Sept
8/8/2019	8/8/2019	MESSAGE	First Church Congregational Church - Blueberry Pancake Breakfast	8/24/2019
8/6/2019	8/6/2019	MESSAGE	Monarch School of New England - Fall Harvest Festival	9/21/2019
8/6/2019	8/6/2019	MESSAGE	Rochester Child Care Center	8/12-26/2019
8/6/2019	8/6/2019	MESSAGE	Arts Awards	8/12/2019
8/12/2019	8/12/2019	MESSAGE	Rochester Reads	9/1/2019
8/16/2019	8/16/2019	MESSAGE	Rochester Fair	9/12-15/9/19-22/2019
8/26/2019	8/26/2019	MESSAGE	Rochester Grange - Jumpstart for Homeless Shelter	9/21/2019
8/27/2019	8/27/2019	MESSAGE	Rochester Police Benevolent Association & Rochester Crimeline	9/13/2019

DEPT	NAME	POSITION	# of Employees	FT	PT	SEASONAL/TEMP	NEW HIRE	REHIRE	RETIREMENT	SEPARATED	STEP (CBA)	MERIT PAY ADJ	NU PAY ADJ	PAY ADJ	PROMOTION	OTHER	MISC. INFO
CITY MANAGERS	KARL MORSE	CAMERA OPERATOR	1			X				X							
DPW	MICHAEL LEGENDRE	LEO	1	X			X										
DPW	DAWN MASKELL	CUSTODIAN	1	X												X	ORG CHANGE
DPW	STEVE WHEELER	CUSTODIAN	1	X												X	ORG CHANGE
DPW	JEFFREY WIGGIN	UTILITY BILLING	1	X						X							
FIRE	MATT FURTNEY	FIREFIGHTER	1	X							X						
FIRE	JOE RILEY	FIREFIGHTER	1	X							X						
FIRE	JESSICA GRAY	EXEC SECRETARY	1	X											X		
FIRE	MATTHEW WOODBURY	FIREFIGHTER	1	X							X						
FIRE	BRANDT BERRY	FIREFIGHTER	1	X							X						
LIBRARY	SARA SMITH	LIBRARIAN II	1	X						X							
LIBRARY	JOSEPH WALKER	LIBRARIAN II	1	X			X										
LIBRARY	KATHLEEN MALLAT	LIBRARY SUB	1		X			X									
LIBRARY	ELLIANA MARTEL	LIBRARY PAGE	1									X					
POLICE	MIKE MUNDY	PATROL OFFICER	1	X								X					
POLICE	IAN WATT	PATROL OFFICER	1	X						X							
POLICE	JOHN BORGES	CROSSING GUARD	1			X				X							
POLICE	KAYLA MCVAY	PER DIEM SPECIALIST	1			X				X							
POLICE	KERI DEVINE	COMMUNICATIONS SUPERVISOR	1	X			X										
POLICE	CARL ROOT	PATROL OFFICER	1	X			X										
POLICE	PATRICK FLATHERS	PATROL OFFICER	1	X			X										
POLICE	KEVEN MILLER	PATROL OFFICER	1	X			X										
POLICE	ALEXANDER TURGEON	PATROL OFFICER	1	X								X					
POLICE	AARON GARNEAU	PATROL OFFICER	1	X								X					
POLICE	MICHAEL BRINKMAN	PATROL OFFICER	1	X								X					
POLICE	KYLE DANIE	PATROL OFFICER	1	X								X					
POLICE	CORY KROCHMAL	PATROL OFFICER	1	X								X					
POLICE	THOMAS SEAGER	PATROL OFFICER	1	X								X					



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

Appointments Committee Minutes
August 7, 2019
City Council Chambers – Conference Room
6:00 PM

Committee Members Present:

Sandra Keans, Chair
Tom Abbott
Donna Bogan
Robert Gates

Committee Members Absent:

James Gray, Vice-Chair

The meeting was called to order at 6:00 p.m. on August 7, 2019.

Timothy Roberts – Recreation and Arena Commission (6:30 PM)

Timothy Roberts has over 6 years' experience as a Physical Education teacher and ten years' experience with coaching youth sports. The Committee felt he could bring a lot of experience to the Commission. Councilor Bogan **MOVED** to recommend that Mr. Roberts be appointed to the Recreation and Arena Commission with a term to expire on January 2, 2021. Councilor Abbott seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

REDC Applicants:

The Committee met with Barbara Holstein who brings a lot of knowledge because of varied background with the City and other communities as well. She currently serves on the Strafford Regional Planning Commission. She is one of three applicants for one open position. This is a difficult choice not to appoint her at this time; however, hopefully, another opportunity will open for her. The Committee did not make a recommendation for Ms. Holstein at this time.

Conservation Commission:

Daniel Nickerson did not show up for the scheduled time. (*The City Clerk's office received a phone call the following day with his apologies for missing the schedule appointment.*)

ZBA Applicants:

The Committee met with Paul Giuliano who is currently serving on the Rochester Economic Development Commission but still has time on his hands in the evening. He has

already gone onto the State's Municipal Website to gather more information about the responsibilities affiliated with the High School and Great Bay Community College. Councilor Abbott **MOVED** to recommend that Mr. Giuliano be appointed to the Zoning Board of Adjustment as an Alternate Member with a term to expire on January 2, 2021. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

The Committee voted to elevate Leo Brodeur from an Alternate Position to the Regular Member Position with a term to expire on January 2, 2022. The **MOTION CARRIED** by a unanimous voice vote.

The Committee met with Taylor Poro who is very interested in Government and feels it is time to participate. He has experience in multi-family housing with the USDA. He has worked in the local election in Concord, NH.

Councilor Abbott **MOVED** to recommend that Mr. Poro be appointed to the Zoning Board of Adjustment as an Alternate with a term to expire on January 2, 2022. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

The Committee met with Terry Garland who is anxious to get more involved with the City and willing to learn the responsibilities involved with serving on the Board. Councilor Bogan **MOVED** to recommend that Mr. Garland be appointed to the Zoning Board of Adjustment as an Alternate with a term to expire on January 2, 2021. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

It was noted that Shon Stevens had already been appointed to the Regular position of the ZBA back in March, 2018.

The Committee met with Whitney Belton who had submitted a lengthy resume. The Committee recommends that Ms. Belton be appointed to the Rochester Economic Development Commission with a term to expire on January 2, 2020.

Other:

Matt Wyatt had taken a leave of absence due to family issues and now is prepared to re-involve himself with the Arts & Culture Commission. The Committee is supportive of this action.

The meeting was adjourned at 7:40 PM.

Respectfully submitted,

Sandra B. Keans, Chair



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

Appointments Committee Minutes
August 20, 2019
City Hall Chambers – Conference Room
6:15 PM

Committee Members Present:

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

Committee Members Absent:

Robert Gates

The meeting was called to order at 6:15 p.m. on August 20, 2019

Daniel Nickerson – Conservation Commission (6:15 PM)

Mr. Nickerson has attended many Commission meetings. He is well qualified with forestry and tree farm inspections.

Councilor Gray **MOVED** to recommend Mr. Nickerson. Councilor Bogan seconded the recommendation. The Appointments Committee unanimously recommends Mr. Nickerson. (*Proposed term to expire on January 2, 2020*)

Sue Delemus – Zoning Board of Adjustment – Alternate (6:30 PM)

Ms. DeLemus has no current experience; however, she hopes to learn something and is willing to try something new.

Councilor Gray **MOVED** to recommend Ms. DeLemus. Councilor Abbott seconded the recommendation. The Appointments Committee recommends Ms. DeLemus by a 3 to 1 vote. (*Proposed term to expire 1/2/2022*)

The meeting was adjourned at 7:40 PM.

Respectfully submitted,

Sandra B. Keans, Chair

*Intentionally
left blank...*

City Clerk's Office

CODES AND ORDINANCES COMMITTEE
Of the Rochester City Council
Thursday, August 1, 2019
31 Wakefield Street, Rochester, NH
City Council Chambers
6:00 PM

Codes and Ordinances Committee

Councilor Peter Lachapelle, Chair
Councilor Elaine Lauterborn, Vice Chair
Councilor Tom Abbott
Councilor Donna Bogan
Councilor Robert Gates

Other Present

Jim Grant, Director of BZLS
Joe Devine, Compliance Officer
Jaqueline Rabb, Resident
Lisa Stanley, Police Commissioner
Dave Stevens, Police Commissioner

Minutes

1. Call to Order

Councilor Lachapelle called the Codes and Ordinances Committee Meeting to Order at 6:00 PM. Susan Morris, Clerk Typist II, took a silent roll call. All Committee members were present.

2. Public Input

Jacqueline Raab of East Rochester spoke about fireworks being set off illegally and what the Committee can do about this such as making changes to the Fireworks Ordinance. She stated that in addition to the fireworks being set off illegally, there is not the proper amount of clearances with neighbors, trees, and power lines etc. Ms. Raab questioned whether or not surrounding towns permit the use of fireworks other than at town sponsored events. She spoke further on different scenarios.

Lisa Stanley, Police Commissioner Representing Wards 5 & 6, spoke regarding the issues with fireworks. She stated that the council has made great strides with passing the current ordinance, it is unfortunate that tight areas such as East Rochester are still affected. She suggested creativity in enforcing the ordinance. She stated that she spoke with Code Enforcement informally and was told that the Fire Department could enforce the fireworks ordinance. She questioned if the Fire Department could enforce such an issue.

David Stevens, Police Commissioner Representing Wards 1 & 2, indicated that the current Police Commission is hoping to have the police department at full staff soon. Once the Police Department is fully staffed, then a potential solution might be, to have dedicated patrols specifically assigned to enforce the fireworks ordinance. Commissioner Stevens said he would bring this topic back to the next Police Commissioners meeting and keep the Committee and/or Council updated on the process.

3. Acceptance of the Minutes: June 6, 2019

Councilor Lauterborn **MOVED** to **ACCEPT** the minutes of June 6, 2019. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. Ward 2 Polling Location

Kelly Walters, City Clerk, spoke regarding changing the Ward 2 Polling location to Chamberlain Street School. Discussion was held among committee members.

Councilor Gates **MOVED** to send the Ward 2 Polling location change to Chamberlain Street School to full Council. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote.

5. Fireworks Ordinance discussion

Councilor Lauterborn stated that she does not see where there currently can be any changes made to the ordinance to improve it; however, she offered two corrections to the current ordinance.

Councilor Lauterborn **MOVED** to send to full Council the following changes to the Fireworks Ordinance:

75-16 D. (2) No display of permissible fireworks shall be permitted within the City except between the hours of 6:00 p.m. and 11:00 p.m. on the following holiday: Fourth of July (including the evening of July 3 beginning at 6:00 p.m., including from such time until 12:00 midnight on any rain date established for the City –wide fireworks display.) ~~held at the Rochester Fairgrounds.~~

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(7) Display of permissible fireworks shall be permitted on public property the evening of July 3 beginning at 6:00 p.m. including from such time until 12:00 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/permit from the City's Licensing Board covering the public property on which the display is to occur.

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

Councilor Lachapelle supported Commissioner Stevens's idea about discussing enforcement issues at the next Police Commission meeting. He added that this topic will stay in committee at this time.

6. Rental Inspection Program

Jim Grant, Director of Building, Zoning and Licensing Services, stated that he is looking for direction from the Committee about the idea of a Rental Inspection Program. His staff would like to reach out to the Landlords Association to receive feedback about a potential program. Ultimately, he would come back to the committee with a more defined program for review. He said this program is

going to take some time and resources to develop.

Joe Devine, Compliance Officer, gave an overview of the proposed program.

Councilor Lauterborn stated that the material being present this evening is different than what had been previously discussed. She went through the handout in detail from the prior meeting and stated that she is not prepared to approve the program at this time and would like it kept in committee.

Councilor Abbott stated that he agrees with the concept; he was envisioning a point system similar to the health/food inspections. He suggests creating a separate checklist apart from the Property Maintenance Code and applying a point system to it. He stated that he felt more serious offense should be addressed; the City doesn't want to get into the torn screen, chipped paint debate.

Councilor Lachapelle indicated he supports this idea and moving forward with the program to bring to the Landlords Association.

Councilor Lauterborn stated that Jim Grant is asking the committee to endorse something that is not developed yet and she is not yet ready to endorse this. Jim Grant stated that he is just looking for a consensus of support to move forward.

Councilor Lachapelle asked for a show of hands from the committee if they are in support of the idea of this type of program. Councilors Bogan, Abbot, Gates and Lachapelle raised their hand in support, Councilor Lauterborn said she is neither for nor against this program at this time. She added that there simply is not enough information for her to make a decision at this time. She requested that information be provided in the Committee packet in advance of the Committee meeting in order for members to have ample time to review.

Councilor Lauterborn referenced the minutes from the last set of minutes (page 6 in the packet), it reads *"It was suggested that the Re-development Zone of the City would be a good place to start. This item has been kept in Committee. The City Attorney will work with BZLS to work on a proposed amendment to the Re-development Zone that could potentially tie into a Rental Inspection Program for the Committee to review."* Councilor Lauterborn inquired on the status of this item. Mr. Grant responded that there is not a zone for "Re-development" in the City which fall into the neighborhoods of these problematic areas. Therefore, this proposal is not going to forward. He apologized for not stating that earlier in the meeting.

Councilor Lauterborn asked Mr. Grant if by developing a Rental Development Program the BZLS Department would be requesting more staff to enforce all the new standards. She stated that he may want to think about the potential need for additional staff while setting up this complicated program with inspections and re-inspections. This information may be helpful for the council as to whether or not they will support the program. Mr. Grant stated that he envisioned that once this program gets going and Council sees how the program is working, they may want to see more of this done and at that time his department can move forward with such a request.

7. Ordinance Enrollment: Chapter 275

Councilor Lachapelle stated this item has been postponed, as the materials did not get to the City

Clerk in time for this meeting. This will go forward at the next meeting on September 5, 2019.

8. Other

Councilor Lauterborn addressed Mr. Grant regarding the minutes from the last meeting which reads as follows: *“Mr. Grant agreed with reviewing the higher permit fees and removing the fees for such items that do not require inspection. Councilor Lachapelle requested that the Director of Building, Zoning, and Licensing Services, bring back a proposal for the Committee to review.”* Councilor Lauterborn questioned the status of this request. Mr. Grant said he would have something for the next meeting on September 5, 2019. The Committee briefly discussed the matter.

Councilor Lachapelle stated that he expected something at this meeting relative to a definition of “Donation Bins”. He requested that Kelly Walters, City Clerk, reach out to Attorney O’Rourke regarding this Amendment.

9. Adjournment

Councilor Gates **MOVED** to **ADJOURN** the Committee meeting at 7:04 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully Submitted,

Susan Morris
Clerk Typist II

**Amendment to Chapter 75 of the General Ordinances of the City of Rochester Regarding
Fireworks**

THE CITY OF ROCHESTER ORDAINS:

That Chapter 75 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows

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Chapter 75 Fires and Fire Safety

§ 75-16 Fireworks.

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- D. 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:
- (1) 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 section and RSA 160-C and any other applicable ordinance, regulation or statute.
 - (2) No display of permissible fireworks shall be permitted within the City except between the hours of 6:00 p.m. and 11:00 p.m. on the following holiday: Fourth of July (including the evening of July 3 beginning at 6:00 p.m., including from such time until 12:00 midnight on any rain date established for the annual City-wide fireworks display held [at the Rochester Fairgrounds](#)), after obtaining a permit. **[Amended 6-6-2013; 2-14-2017]**
 - (3) 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 160-C, permissible fireworks shall not 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.
 - (4) 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 New Hampshire Division of Forests and Lands.
 - (5) Permissible fireworks may be used, discharged, exploded, or displayed in a manner such that any and all discharge debris shall remain within the property lines of the lot on which the display originates.
 - (6) 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 within 24 hours. Anyone failing to remove such debris shall be financially responsible for its cleanup. **[Amended 3-5-2019]**
 - (7) Display of permissible fireworks shall be permitted on public property the evening of July 3

beginning at 6:00 p.m., including from such time until 12:00 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. **[Added 6-4-2013]**



Rochester City Council

Community Development Committee

MEETING MINUTES

Elaine Lauterborn, Chair
Donna Bogan, Vice Chair
Tom Abbott
Jeremy Hutchinson
James Gray

Meeting Date:	Monday, August 12, 2019	
Members Present:	Tom Abbott Donna Bogan Elaine Lauterborn	Members Absent: James Gray Jeremy Hutchinson
Guests/Staff:	Sandra Keans, City Councilor Julian Long, Rochester Community Development Coordinator Michael Scala, Rochester Economic Development Director Jennifer Marsh, Rochester Economic Development Specialist Adam Allain, Great North Property Management	

Councilor Lauterborn called the meeting to order at 7:03 p.m., with the committee convening at 73-77 North Main Street. Motion was made by Councilor Bogan and seconded by Councilor Abbott to approve the July 8, 2019 Community Development Committee minutes. The minutes were approved unanimously.

PUBLIC INPUT	There was no public input.
79E APPLICATION – Review and Site Tour	<p>The Community Development Committee members toured the former Bennett building located at 73-77 North Main Street with Mr. Allain. Mr. Allain stated that Great North Property Management has submitted a 79E application requesting tax relief for the renovation of the property. The plan is to create commercial space on the first floor, most suitable for occupancy by a restaurant and bar, with seven market-rate residential units on the second and third floors. The basement level will remain for storage space. Great North Property Management is requesting 11 years of tax relief under 79E.</p> <p>Mr. Allain stated that the only planned exterior changes to the building will be to replace upper-floor doors with windows. In the interior, the first-floor tin ceilings will remain, but in the upper floors drop ceilings will be added. Existing window panes also will be replaced with more energy efficient glass. Councilor Keans expressed support for the preservation of the tin ceilings but added</p>

	<p>that the Historic District Commission will want to review any proposed exterior changes.</p> <p>Councilor Lauterborn asked Mr. Scala and Ms. Marsh if the Economic Development Office has any recommendations on the 79E application. Ms. Marsh replied that the Economic Development Office is recommending that the full 11 years be approved for the project. Councilor Lauterborn stated that the downtown needs more housing, and Councilor Bogan expressed agreement.</p> <p><i>Motion was made by Councilor Bogan and seconded by Councilor Abbott to recommend to the full City Council that an eleven-year tax abatement be granted to Great North Property Management for the proposed renovation project at 73-77 North Main Street.</i></p> <p>The motion passed unanimously.</p>
FY 2019 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT – Review and Approval	<p>Councilor Lauterborn asked if this agenda item could be postponed to the September Community Development Committee meeting. Mr. Long stated that it could. Councilor Lauterborn told the committee members to contact Mr. Long with any questions or concerns with the draft FY 2019 Consolidated Annual Performance and Evaluation Report.</p>
PROGRAMS REPORT – CDBG Projects, JOB Loan Program Report, Other Grant Projects	<p>Mr. Long provided a brief overview of CDBG activities, including the recently completed site monitoring visit from HUD on August 7th and August 8th. Mr. Long stated that overall the monitoring went well and, although there will be some official findings, there should not be any required repayment of CDBG funds. Mr. Long added that he should have the full monitoring report from HUD for the September Community Development Committee meeting.</p> <p>Councilor Lauterborn asked that the monitoring visit be added to the September Community Development Committee meeting. Mr. Long said he would do so.</p>
OTHER BUSINESS	<p>There was no other business.</p>

The meeting was adjourned at 7:41 p.m.

Next Meeting – Monday, September 9, 2019 at 7:00 p.m. in Isinglass Conference Room in City Hall Annex (33 Wakefield Street)

Topics – Rochester Opera House Summer Music Series, FY 2019 Consolidated Annual Performance and Evaluation Report, August 2019 HUD Site Monitoring, Projects Program Report

**City of Rochester, New Hampshire
Analysis of Impediments to Fair Housing
2019**

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I. Executive Summary

Summarize the fair housing issues, significant contributing factors, and goals. Also include an overview of the process and analysis used to reach the goals.

The City of Rochester, New Hampshire, is an urban/suburban community of approximately 30,000 residents that is located in southeastern New Hampshire. According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), 0.7% black (211 residents), 0.1% American Indian (41 residents), 0.7% Asian and Pacific Islander (209 residents), 2.0% Hispanic (597 residents), and 2.2% other (663 residents). The City is majority white by a large margin, with residents who are categorized as “other” and Hispanic representing the next largest racial/ethnic groups.

The City of Rochester is also significantly less wealthy than its surrounding neighbors. According to 2015 data from the U.S. Department of Housing and Urban Development (HUD), the median family income for the Portsmouth-Rochester Metropolitan Area was \$86,100.¹ In contrast, according to 2016 data from the New Hampshire Economic and Labor Market Information Bureau, the median family income for just the City of Rochester is \$58,531.² This same set of data also states that 13.5% of Rochester residents live below the poverty line.

The City of Rochester also has a relatively high percentage of residents with disabilities. According to the data compiled in the Strafford Regional Planning Commission’s 2015 master plan, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, the City of Rochester has one of the highest concentrations of individuals receiving Social Security benefits for disability for the entire Strafford County region. There are about 1,140 residents receiving these benefits (about 4% of the overall population). Rochester also has an increasingly elderly population and an increasing number of residents experiencing substance abuse addiction, especially addiction to heroin and other opiates.

Process and Analysis Used to Identify Housing Needs and Set Goals

The City of Rochester approached the analysis of fair housing issues within the jurisdiction through a three-pronged approach: (1) gathering and analysis of federally-available formal data, primarily HUD data; (2) supplementation with state and local formal data, such as data from the New Hampshire Commission on Human Rights and Strafford Regional Planning Commission; and (3) supplementation with informal data and observances from regional organizations, such as the Community Action Partnership of Strafford County and the New Hampshire Disability Rights Center. In identifying organizations to consult for the Analysis of Impediments to Fair Housing, the City of Rochester and the Rochester Housing Authority used a combination of HUD guidance documents on the AI process and established relationships with local organizations likely to have useful knowledge on fair housing issues.

Identified housing needs include an increase in affordable housing and workforce housing, an increase in lead-based paint screening and abatement, weatherization of older housing stock, and an increase in production and availability of smaller and more accessible units (versus large,

¹ FY 2015 Income Limits Documentation, Portsmouth-Rochester, NH HUD Metro U.S. Department of Housing and Urban Development. <https://www.huduser.gov/portal/datasets/il/il2015/2015summary.odn>.

² Rochester, NH Community Profiles, Economic & Labor Market Information Bureau, New Hampshire Employment Security. <http://www.nhes.nh.gov/elmi/products/cp/profiles-htm/rochester.htm>.

detached single-family homes). According to HUD-obtained data, many low to moderate income households are paying significantly over 30% of total income on housing, and the struggles for such households to obtain and keep affordable housing have been confirmed during consultations with many public service agencies who serve this demographic. In particular, the agencies serving the region's homeless populations have reported that there is significant "doubling up" of individuals and families that results in severe overcrowding and that individuals with mental health and/or substance abuse issues experience especially acute troubles in maintaining stable housing.

The data available, including both data compiled by HUD as well as locally-obtained data, suggest several potential fair housing issues and housing needs within the city. According to the *Regional Housing Needs Assessment and Fair Housing Analysis* drafted by the Strafford Regional Planning Commission, more ethnic and racial minorities rent than own their homes as compared to white residents. Hispanic/Latino residents also have the highest level of poverty (21%) of all races and ethnicities in the City. In addition, the City of Rochester has a relatively high percentage of residents with disabilities, especially children with disabilities. While racial and ethnic minorities do not appear to be overrepresented among the City's homeless population, based on the Annual Homeless Assessment Reports (AHAR) to Congress, people with disabilities (and especially those with mental health-related disabilities) are vastly overrepresented among those reported to be experiencing homelessness.

Anecdotal reports from several public service agencies that serve low-income residents suggest that family size has been a basis of discrimination within the City of Rochester, with larger families with children being turned away from rental housing by landlords. Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination. These reports do not include information on the nature of the disability, unfortunately (e.g., physical, developmental, behavioral).

In addition, the Strafford Regional Planning Commission's *Fair Housing and Equity Assessment* identified the City of Rochester's 75+ population as an "area of concern," which indicates segregation of this population. Other community needs assessments, such as the 2014 Strafford County Community Assessment published by the Community Action Partnership of Strafford County and the Local Solutions for the Strafford Region: Fair Housing and Equity Assessment, have indicated that the population of the City of Rochester increasingly will skew older over the next five years and beyond. This is in keeping with overall statewide trends, and the preference for New Hampshire's elderly population to "age in place."

Goal #1: Increase Access to Quality Affordable Housing

One of the most common housing problems, identified across multiple consultations, is the lack of adequately affordable housing. Average income has not kept pace with average rental costs; as a result, many Rochester residents spend well over 30% of their income on housing. According to calculations from the New Hampshire Housing Finance Authority, less than 10% of the housing units in Strafford County are affordable to half of the renting households.

Goal #2: Increase Home Ownership Opportunities for Ethnic and Racial Minorities

According to the Regional Housing Needs Assessment and Fair Housing Analysis drafted by the Strafford Regional Planning Commission, more ethnic and racial minorities rent than own their

homes as compared to white residents. Hispanic/Latino residents also have the highest level of poverty (21%) of all races and ethnicities in the City. Housing cost burdens above 30% of household income are a problem for all City residents, with a City-wide percentage of 38% facing this problem. (See Table 21 below.) The percentage of white residents with a housing cost burden above 30% of the household income is only slightly above this at 38.2%. Certain racial and ethnic minorities have far greater percentages, however, primarily Asian and American Indian residents. The computed rate for Hispanic residents (17.4%) excludes a large percentage of “no/negative income” residents and seems contradicted by other reports of a high poverty rate of 21% among Hispanic residents. It seems likely that Hispanic residents, as a category, also have a disproportionately high housing cost burden.

Overall, the greater needs of specific racial or ethnic minorities in the City of Rochester seem to correlate strongly with economic/income status. Addressing the housing needs of low-income residents will address the needs of low-income racial and ethnic minorities. In addition, addressing the greater rates of poverty among specific racial and ethnic groups in the City indirectly will impact and reduce housing needs. Analysis of the potential barriers to home ownership for racial and ethnic minorities and approaches to reducing these barriers are also needed, especially as home ownership is a traditional anchor of wealth building for American families.

Goal #3: Reduce Housing Discrimination Against Residents with Disabilities

The City of Rochester has a relatively high percentage of residents with disabilities, especially children with disabilities. Based on federal AHAR reports, people with disabilities (and especially those with mental health-related disabilities) are vastly overrepresented among those reported to be experiencing homelessness. Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination. These reports do not include information on the nature of the disability, unfortunately (*e.g.*, physical, developmental, behavioral).

Goal #4: Landlord Education and Outreach on Fair Housing Issues and Protected Categories

According to the Regional Housing Needs Assessment and Fair Housing Analysis drafted by the Strafford Regional Planning Commission, more ethnic and racial minorities rent than own their homes as compared to white residents. These same reports also indicate that a greater percentage of renter households (48% of all renters) in the Strafford County region have a high housing cost burden (30% or more of income) than do owner households (33% of all owners). In addition, these analyses have found that senior occupancy of rental units should increase, as more elderly residents reach age 75+ and seek smaller living spaces located closer to services and amenities.

Anecdotal reports from several public service agencies that serve low-income residents suggest that family size has been a basis of discrimination within the City of Rochester, with larger families with children being turned away from rental housing by landlords. Both “familial status” and “marital status” are protected categories under New Hampshire RSA 354-A.

II. Community Participation Process

1. *Describe outreach activities undertaken to encourage and broaden meaningful community participation in the AI process, including the types of outreach activities and dates of public hearings or meetings. Identify media outlets used and include a description of efforts made to reach the public, including those representing populations that are typically underrepresented in the planning process such as persons who reside in areas identified as R/ECAPs, persons who are limited English proficient (LEP), and persons with disabilities. Briefly explain how these communications were designed to reach the broadest audience possible. For PHAs, identify your meetings with the Resident Advisory Board.*

The City of Rochester has developed a Citizen Participation Plan (included below) to guide the community participation process. This process has involved extensive outreach, including both formal outreach methods (such as public hearings and public comments notices) and informal outreach methods (such as neighborhood meetings and online surveys).

Online Community Development and Fair Housing Surveys

An online survey requesting public feedback on fair housing issues was made available on September 5, 2017.³ Annual online surveys requesting public feedback on a range of community development topics, including housing affordability and neighborhood accessibility issues, were made available on October 19, 2015; September 26, 2016; and September 5, 2017.⁴ News releases about the surveys were sent to local news media at the time the surveys were made open, and hyperlinks to the surveys were posted to City-owned social media pages as well as the Facebook pages for several neighborhood ward groups.

Comments received in response to the surveys included support for the regional homeless shelters, more affordable housing, substance use disorder recovery services, food pantries, youth activities, bicycle paths, code enforcement, reduction in social services, mental health access, substance abuse treatment, downtown improvements, bus service expansion, the development of private business versus "handouts," and to decline CDBG grant funds. The comment suggesting that the City of Rochester decline receipt CDBG funds was not accepted. This comment was not accepted because it was decided that it is in the City of Rochester's best interest to continue to receive CDBG funding. All other comments were accepted or referred to other City departments for follow-up, as appropriate.

Neighborhood Ward Meetings and Rochester Housing Authority Residents Meeting

The City of Rochester's Community Development Coordinator also met with each of the City's six neighborhood ward groups in person to discuss community development and fair housing issues. The Community Development Coordinator met with Ward 6 residents on October 28, 2015. Residents discussed the ongoing opioid crisis and the presence of unsheltered homeless residents in the neighborhood. The Community Development Coordinator met with Ward 5 residents on November 11, 2015. Residents discussed their seclusion from the downtown and a desire for an in-city homeless shelter serving male residents. The Community Development Coordinator met with Ward 2 residents on November 16, 2015. Residents discussed the need for more services for

³ The online survey is available at <https://www.surveymonkey.com/r/DTRC5V9>.

⁴ The 2015 survey is available at <https://www.surveymonkey.com/r/WCMGJTN>. The 2016 survey is available at <https://www.surveymonkey.com/r/N79863W>. The 2017 survey is available at <https://www.surveymonkey.com/r/K6QYH9Q>.

substance use disorder treatment and recovery, the need for more curb cuts in sidewalks, and concerns about crime and violence. The Community Development Coordinator met with Ward 3 residents on November 18, 2015. Residents discussed the need for more transportation services and services for homeless youth. The Community Development Coordinator met with Ward 4 residents on February 22, 2016. Residents discussed need for substance use disorder treatment and recovery services, concerns about infrastructure (such as policing) to support housing developments (e.g., public and multifamily housing), and concerns about the impact of absentee landlords on housing quality and the neighborhood.

The Community Development Coordinator was unable to attend any Ward 1 meetings during the fall 2015-spring 2016 period but was able to meet with Ward 1 residents on December 14, 2016. Residents discussed their concerns about the ongoing opioid crisis as well as the need for continuing non-profit services such as the SHARE Fund (which provides rental assistance, financial counseling, and food pantry assistance) and the Rochester Area Senior Center.

The Community Development Coordinator and Rochester Housing Authority staff also met in-person with Rochester Housing Authority residents on November 11, 2015. Many residents in attendance were elderly and/or residents with disabilities. The discussion centered on the need for more transportation accessibility and options, as well as concerns regarding the opioid abuse epidemic and food insecurity issues for lower-income residents. All comments were accepted or referred to other City departments and/or Rochester Housing Authority staff for follow-up, as appropriate.

The Community Development Coordinator and Rochester Housing Authority staff met with the Rochester Housing Authority Tenant Advisory Board on January 28, 2019. Fair housing issues discussed include the need for more affordable housing throughout the city, the need for mental health supportive services, and the need for more housing and accommodations for elderly residents and residents with disabilities. All comments were accepted or referred to other City departments and/or Rochester Housing Authority staff for follow-up, as appropriate.

Public Hearings and Public Comments Notices

On December 15, 2015, a formal public hearing was held to solicit public input on the Analysis of Impediments to Fair Housing and fair housing issues. No comments were received at the public hearing. The public hearing notice was published in the local newspaper, *Foster's Daily Democrat*, on November 18, 2015. A second public hearing was held on January 23, 2018. The public notice for this hearing was published on November 30, 2017. No comments were received at the public hearing.

Public comments period

Second public hearing

Citizen Participation Plan for the Analysis of Impediments to Fair Housing

The purpose of the Citizen Participation Plan developed for the Analysis of Impediments to Fair Housing is to make the process of investing in the City of Rochester's community as inclusive as possible. It is the desire of the City of Rochester, in partnership with the Rochester Housing Authority (RHA), to have goals and activities undertaken with Community Development Block Grant (CDBG) and other funds to affirmatively further fair housing objectives and reflect the needs and desires of the people of the City of Rochester.

This process is an ongoing activity and includes formal and informal outreach to various communities within the City. The City and RHA works actively to communicate with its citizens, neighborhood coalitions, City departments, law enforcement, nonprofit agencies, community and faith-based organizations, and the New Hampshire Balance of State Continuum of Care. Specific efforts will be made to reach residents living in revitalization areas, slum, or blighted area, as well as neighborhoods designated by HUD as 51% or greater low- to moderate-income. This will include staff attendance at neighborhood meetings in these areas, outreach to the Rochester Housing Authority's residents and resident advisory board, and related activities. Technical assistance will be provided to any citizens or organizations who request such assistance, either orally or in writing.

All official public hearing notices and other important documents will be posted in accordance with the City of Rochester's Language Access Plan, which provides that such documents include a notice in French that oral interpretation of such documents is available for free upon request. The full Language Access Plan is available on the Community Development Division webpages at <http://www.rochesternh.net/community-development-division/pages/policies-and-procedures>.

Copies and summaries of the Consolidated Plan for the City of Rochester and Annual Action Plans are available in the Office of Economic & Community Department and on the Community Development Division web page, located at <http://www.rochesternh.net/community-development-division>. Copies and summaries of Rochester Housing Authority's Consolidated Plan are available at the Rochester Housing Authority's main office. These documents are also available via electronic attachments upon request.

Data and maps to be used during the Analysis of Impediments to Fair Housing drafting process, including HUD-supplied data, will be made available to the general public on the Community Development Division's webpages. Comments and feedback are welcome throughout the Analysis of Impediments to Fair Housing planning and drafting periods, in addition to the formal public comments period.

As part of the Analysis of Impediments to Fair Housing planning and drafting processes, the City and RHA make efforts to bring the developing plan concepts to the community via community gatherings and forums; this includes public service networking groups, neighborhood coalition meetings, and presentations to community groups and associations. Creative utilization of technology will involve postings to the Office of Economic & Community Development's social media accounts (e.g., Facebook and Twitter), an online fair housing survey, and other related methods. In addition, outreach targeting particularly vulnerable communities will involve activities such as distribution of materials to English as a Second Language (ESOL) classes held within the City, presentations given and feedback gathered at meetings held specifically for public housing residents, and ensuring the online survey provides the opportunity for the participant to provide important demographic information.

The Citizen Participation and Consultation Process in the Analysis of Impediments to Fair Housing includes the following:

Public Hearing (First): Public is gathered at a formal public hearing, prior to the drafting of the Analysis of Impediments to Fair Housing; this meeting is intended to solicit the public's feedback on current CDBG projects and performance, perceived needs for future projects, and general opinions and concerns regarding community development in the City of Rochester.

This meeting is held in an accessible location for people with physical disabilities; accommodations for people with visual or hearing impairments, as well as accommodations for Limited English

Proficiency speakers, are available upon request. The hearing is advertised in one or more local newspapers within forty-five days (45) of the hearing. Public notice also is provided at strategic sites of public interest, including the public library, community center, public housing bulletin boards, and City Hall.

Notice is provided via electronic means, as well; including but not limited to email announcements to community stakeholders (e.g., currently-funded non-profits and community business associations), postings to the Community Development Division's website, and postings to the Office of Economic & Community Development's social media accounts (e.g., Facebook and Twitter).

Following the hearing, minutes will be available on the City of Rochester's website, and interested parties can view the hearing in its entirety on the local government cable channel, as well as online.

Public Hearing (Second): The draft Analysis of Impediments to Fair Housing is subject to a public hearing. This meeting is held in a location accessible to people with physical disabilities; accommodations for people with visual or hearing impairments, as well as accommodations for Limited English Proficiency speakers, are available upon request.

Notification of this public hearing, and draft plan availability, are published in one or more local newspapers within forty-five days (45) of the public hearing. Public notice is provided at strategic sites of public interest, including the public library, community center, public housing bulletin boards, and City Hall. Notice also is provided via electronic means; including but not limited to email announcements to community stakeholders (e.g., currently-funded non-profits and community business associations), postings to the Economic & Community Development Office's website, and postings to the Economic & Community Development Office's social media accounts (e.g., Facebook and Twitter). Interested parties can view the hearing in its entirety on the local government cable channel as well as online.

Public Comment: Comments are accepted throughout the Analysis of Impediments to Fair Housing preparation process via in-person meetings, postal mail, telephone, and electronic means of communication; however, a formal thirty (30) day public comments period will also be announced via publishing in one or more general newspapers of local circulation. The notice will include a summary of the plan, details or estimate of available funding for fair housing activities, details as to proposed activities, and information on where copies of the plan can be obtained by members of the general public. Free copies of the plan will be made available upon request.

Comments received during the public comment period, as well as comments received during public hearings and at other public meetings, are summarized and included in the Analysis of Impediments to Fair Housing. Comments may be oral or written. The Community Development Division and Rochester Housing Authority will respond to concerns and directives through appropriate goal-setting and fair housing activities or will refer concerns and directives to the proper City department for follow-up. Any comments not accepted will include a response from the Community Development Division and the Rochester Housing Authority as to why the comments were not accepted. These comments also will be forwarded to HUD as part of the completed Analysis of Impediments to Fair Housing.

Complaints: The Community Development Division and/or Rochester Housing Authority will respond to all citizen complaints submitted in writing within fifteen (15) business days. This response may be a statement that more time is needed to provide a more substantive response, in which case the substantive response will be provided within thirty (30) business days.

2. Provide a list of organizations consulted during the community participation process.

Organization/Entity	Method of Outreach/ Consultation	Description of Consultation	Date of Consultation
Rochester Economic Development Commission	Facebook	Link to online fair housing survey	10/20/2015
Ward 6 Rochester United Neighborhoods ward meeting	In-person	See narrative above	10/28/2015
New Hampshire Housing Finance Authority	In-person	Affirmatively Furthering Fair Housing training	10/28/2015
Rochester Housing Authority residents meeting	In-person	Need for housing rehabilitation, need for more transportation services, problems with substance abuse and homelessness, housing costs in region, food insecurity issues	11/10/2015
Ward 5 Rochester United Neighborhoods ward meeting	In-person	See narrative above	11/11/2015
Community Action Partnership of Strafford County	In-person	Need for better social services program awareness in community and need for more affordable housing development	11/12/2015
Cross Roads House	In-person	Need for more workforce and affordable housing development, more services for chronically homeless populations, and for permanent supportive housing	11/13/2015
The Housing Partnership	In-person	Need for more workforce and affordable housing development, more services for chronically homeless populations, and for permanent supportive housing	11/13/2015
Goodwin Community Health	In-person	Anecdotally have received reports of housing discrimination against residents with mental illnesses and mental disabilities	11/16/2015

Ward 2 Rochester United Neighborhoods ward meeting	In-person	See narrative above	11/16/2015
Ward 3 Rochester United Neighborhoods ward meeting	In-person	See narrative above	11/18/2015
Families in Transition	In-person	Discussion of need for services for substance abuse treatment and recovery, homelessness, affordable housing, and permanent supportive housing	11/18/2015
Rochester Youth Reach	In-person	Discussion of need for services for substance abuse treatment and recovery, homelessness, affordable housing, and permanent supportive housing	11/18/2015
Strafford Regional Planning Commission	In-person	Affordable housing and fair housing concerns, transportation needs, economic development needs	12/15/2015
Public hearing	In-person	See narrative above.	12/15/2015
City of Rochester residents	Website	Creation of Fair Housing page on Community Development Division website	3/16/2016
Rochester School Department	In-person	Discussion with ESL teacher regarding ESL students in Rochester school system and first languages of ESL city residents	4/13/2016
Massachusetts Law Reform Institute	In-person	Immigrants and access to housing conference/training	6/12/2016
New Hampshire Legal Assistance – Housing Justice Project	Telephone	State and local fair housing issues	6/21/2016
City Attorney, City of Rochester	Email	HUD/DOJ joint statement on local land use laws and the Fair Housing Act	11/18/2016
Director of Building, Zoning and Licensing Services, City of Rochester	Email	HUD/DOJ joint statement on local land use laws and the Fair Housing Act	11/18/2016
Tri-City Consumers' Action Cooperative	Email	Big issues for residents with mental health issues affordable	11/30/2016

		housing and access to mental health supportive services	
Workforce Housing Coalition of the Greater Seacoast	Telephone	Harder for younger residents and people with physical disabilities to live in the City of Portsmouth	1/9/2017
Staff Planner, City of Rochester	In-person	Outreach to renters is needed, the NH accessory dwelling units law should provide more affordable housing	1/9/2017
Community Liaison Officer, Rochester Police Department	Telephone	Lots of homeless residents are on SSI, there is resistance to entering homeless shelters due to active use of alcohol/substances, lots of chronically homeless residents have mental illnesses	1/18/2017
Greater Seacoast Coalition to End Homelessness	Telephone	Both intracity and intercity transportation is a housing barrier, regional low vacancy rates area problem, as well as lack of affordable and permanent supportive housing	2/1/2017
Title I Coordinator, Rochester School Department	In-person	Lots of homeless youth are living doubled-up; residents with disabilities, felonies, and bad credit are disproportionately represented among homeless; concerns regarding conditions of existing lower-income housing within the city	2/6/2017
Hope on Haven Hill	Telephone	Rental difficulties for residents with bad credit and/or criminal records; COAST bus service is accessible; lack of grocery stores downtown is a problem but substance abuse recovery resources are accessible	2/24/2017
AIDS Response Seacoast	In-person	Transportation challenges between cities in region; areas of need include language services, especially for immigrant populations, and for African-American residents	11/18/2016
Frisbie Community Care Teams	Telephone	Homeless issues, substance abuse issues	2/24/2017

Rochester Child Care Center	In-person	Impact of housing affordability and transportation issues on lower-income families with children	3/20/2017
Bridges Domestic & Sexual Violence Support	In-person	Violence Against Women Act and its intersections with fair housing law	3/24/2017
New Hampshire Disability Rights Center	Telephone	Discussion of affordable and accessible housing, effects of emotional support animals not being classified as disability animals	4/12/2017
SHARE Fund	In-person	Issues impacting housing availability – affordability of housing, physical accessibility of housing, substance abuse issues; need for more landlord outreach	4/13/2017
Gafney Home	In-person	Need for social services for elderly residents and residents with disabilities; physical accessibility issues for a lot of city housing	4/19/2017
National Fair Housing Alliance	Webinar/w ebsite	Fair Housing Act overview, discussion of landlord responsibilities	4/28/2017
University of New Hampshire Cooperative Extension	In-Person	Importance of language access, importance and benefits of integrating immigrant and non-immigrant communities, and City of Manchester community development and outreach examples.	5/5/2017
Organization for Refugee and Immigrant Success	Telephone	Housing equity barriers include lack of affordable housing and higher paying employment; also, larger families have a hard time renting	5/12/2017
Building, Zoning, and Licensing Services, City of Rochester	In-person	Discussion of variances and state law which only allows for variances under strict conditions – whether the property is unusable/unprofitable without the variance	6/14/2017

Community Development Planner, City of Dover	In-person	Discussion of housing affordability and availability impacting housing equity	6/26/2017
Community Development Coordinator, City of Portsmouth	In-person	Discussion of housing affordability and availability impacting housing equity	6/26/2017
Great Bay Community College	In-person	Discussion of high school-community college advanced manufacturing programs and need for affordable student housing and student stipends.	12/18/2017
Grace Community Church	In-person	Discussion of need for pro-social community events and spaces for teenage residents.	9/5/2018
WOVEN Community Development Association / The Commons Evangelical Covenant Church	In-person	Discussion of the need for an in-city maker's space to provide close self-employment opportunities for tradespeople.	9/5/2018
Strafford Public Health Network	In-person	Discussion of need for more mental health supports in the community.	9/5/2018
Rochester Main Street	In-person	Need for improvement of downtown housing quality and addition of green spaces downtown.	9/5/2018
Make Rochester Great	In-person	Discussion of need for improved downtown safety and beautification.	9/5/2018
Elm Grove Properties	In-person	Discussion of need for improved downtown safety and beautification.	9/5/2018
New Hampshire Housing Finance Authority	In-person	Discussion of fair housing issues in New Hampshire, including difficulties in analyzing data in a rural state and need for more institutional power to create meaningful change	10/4/2018
Tri-City Consumers' Action Cooperative	In-person	Discussion of need for more Housing First and other low-barrier homeless services and need for more affordable housing incentives.	10/31/2018

EasterSeals / The Homemakers	Telephone	Discussion of the need for transitional and SUD recovery housing and the need for additional in-home services to allow aging population to remain in their homes.	11/2/2018
New Hampshire Alliance for Immigrants and Refugees	In-person	Discussion of immigrant outreach and advocacy needs	11/7/2018
American Civil Liberties Union of New Hampshire	In-person	Discussion of immigrant rights and immigration law updates.	11/7/2018
New Hampshire Department of Health and Human Services – Office of Health Equity	In-person	Discussion of the social determinants of health, especially those affecting immigrant populations in New Hampshire.	11/7/2018
Rochester Housing Authority Tenant Advisory Board	In-person	Discussion of lack of affordable housing, need for more transportation, more services for substance use disorder recovery and mental health services, and more sidewalk and road infrastructure improvements in lower income neighborhoods.	1/28/2019

In addition to the above consultations, the City of Rochester and Rochester Housing Authority also reached out repeatedly to the Seacoast chapter of the National Association for the Advance of Colored People (NAACP) and the New Hampshire Rental Property Owners Association to request consultations. Neither organization responded to the multiple requests.

3. *How successful were the efforts at eliciting meaningful community participation? If there was low participation, provide the reasons.*

In addition to the formal public hearing and public comments processes, which historically result in a low number of comments, the City of Rochester pursued more informal outreach methods such as an online fair housing survey and attendance at neighborhood ward meetings. These informal methods were very successful in reaching a larger number of residents; it is estimated that about 100 residents were reached through these outreach methods.

4. *Summarize all comments obtained in the community participation process. Include a summary of any comments or views not accepted and the reasons why.*

Online Community Development and Fair Housing Surveys

An online survey requesting public feedback on fair housing issues was made available on November 29, 2016.⁵ Annual online surveys requesting public feedback on a range of community development topics, including housing affordability and neighborhood accessibility issues, were made available on October 19, 2015 and September 26, 2016.⁶ News releases about the surveys were sent to local news media at the time the surveys were made open, and hyperlinks to the surveys were posted to City-owned social media pages as well as the Facebook pages for several neighborhood ward groups.

Comments received in response to the surveys included support for the regional homeless shelters, more affordable housing, substance use disorder recovery services, food pantries, youth activities, bicycle paths, code enforcement, reduction in social services, mental health access, substance abuse treatment, downtown improvements, bus service expansion, the development of private business versus "handouts," and to decline CDBG grant funds. The comment suggesting that the City of Rochester decline receipt CDBG funds was not accepted. This comment was not accepted because it was decided that it is in the City of Rochester's best interest to continue to receive CDBG funding. All other comments were accepted or referred to other City departments for follow-up, as appropriate.

Neighborhood Ward Meetings and Rochester Housing Authority Residents Meeting

The City of Rochester's Community Development Coordinator also met with each of the City's six neighborhood ward groups in person to discuss community development and fair housing issues. The Community Development Coordinator met with Ward 6 residents on October 28, 2015. Residents discussed the ongoing opioid crisis and the presence of unsheltered homeless residents in the neighborhood. The Community Development Coordinator met with Ward 5 residents on November 11, 2015. Residents discussed their seclusion from the downtown and a desire for an in-city homeless shelter serving male residents. The Community Development Coordinator met with Ward 2 residents on November 16, 2015. Residents discussed the need for more services for substance use disorder treatment and recovery, the need for more curb cuts in sidewalks, and concerns about crime and violence. The Community Development Coordinator met with Ward 3 residents on November 18, 2015. Residents discussed the need for more transportation services and services for homeless youth. The Community Development Coordinator met with Ward 4 residents on February 22, 2016. Residents discussed need for substance use disorder treatment and recovery services, concerns about infrastructure (such as policing) to support housing developments (e.g., public and multifamily housing), and concerns about the impact of absentee landlords on housing quality and the neighborhood.

The Community Development Coordinator was unable to attend any Ward 1 meetings during the fall 2015-spring 2016 period but was able to meet with Ward 1 residents on December 14, 2016. Residents discussed their concerns about the ongoing opioid crisis as well as the need for continuing non-profit services such as the SHARE Fund (which provides rental assistance, financial counseling, and food pantry assistance) and the Rochester Area Senior Center.

The Community Development Coordinator and Rochester Housing Authority staff also met in-person with Rochester Housing Authority residents on November 11, 2015. Many residents in attendance were elderly and/or residents with disabilities. The discussion centered on the need for

⁵ The online survey is available at <https://www.surveymonkey.com/r/DTRC5V9>.

⁶ The 2015 survey is available at <https://www.surveymonkey.com/r/WCMGJTN>. The 2016 survey is available at <https://www.surveymonkey.com/r/N79863W>.

more transportation accessibility and options, as well as concerns regarding the opioid abuse epidemic and food insecurity issues for lower-income residents.

All comments were accepted or referred to other City departments and/or Rochester Housing Authority staff for follow-up, as appropriate.

In January 2019, the Community Development Coordinator met with the Rochester Housing Authority Tenant Advisory Board. Concerns included lack of affordable housing, the need for more transportation, more services for substance use disorder recovery and mental health services, and more sidewalk and road infrastructure improvements in lower income neighborhoods. All comments were accepted or referred to other City departments and/or Rochester Housing Authority staff for follow-up, as appropriate.

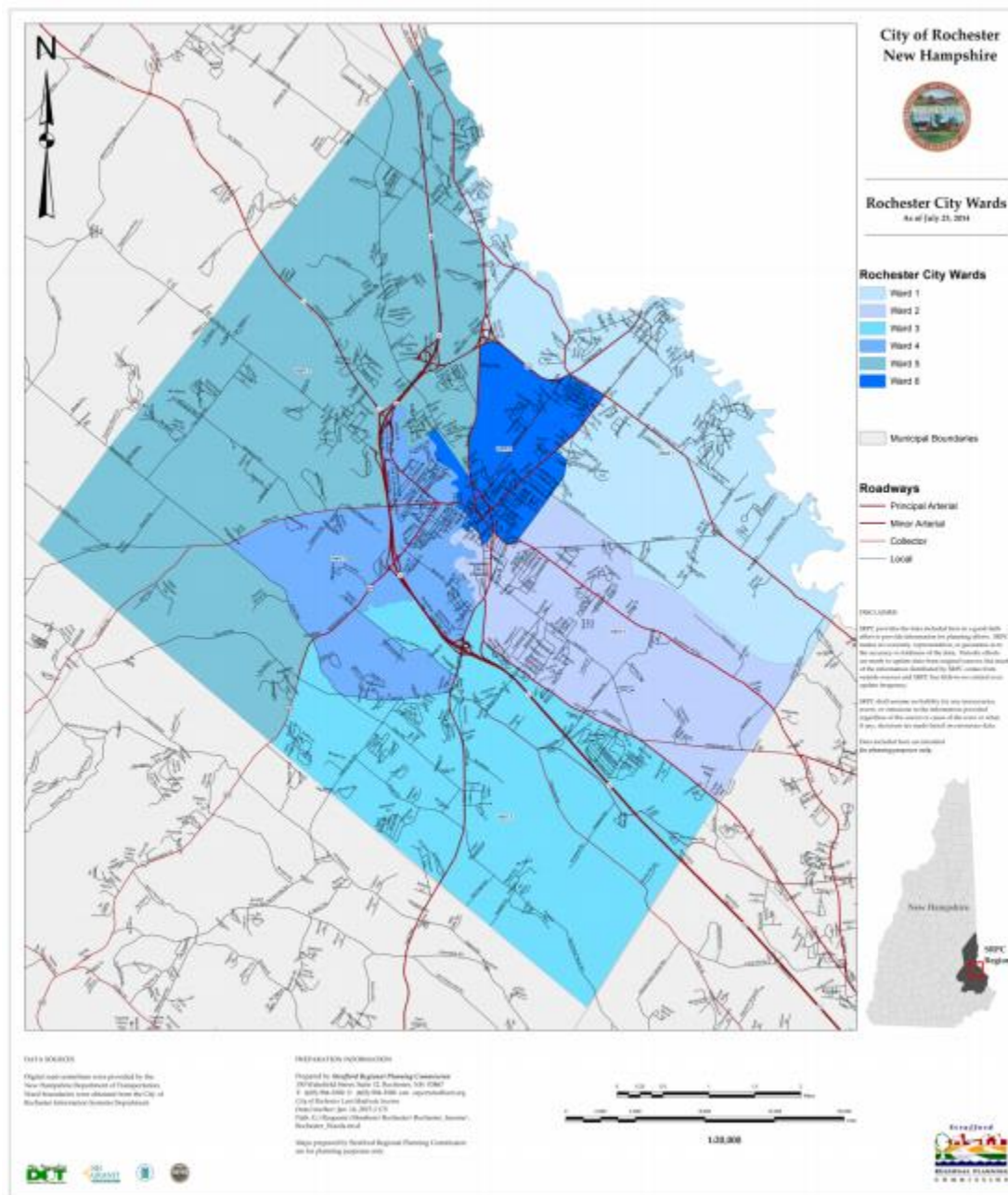
Public Hearings and Public Comments Notices

On December 15, 2015, a formal public hearing was held to solicit public input on the Analysis of Impediments to Fair Housing and fair housing issues. No comments were received at the public hearing. The public hearing notice was published in the local newspaper, *Foster's Daily Democrat*, on November 18, 2015. This hearing was held prior to the finalization of the Memorandum of Understanding between the Rochester Housing Authority and the City of Rochester to prepare a joint AI, and therefore the 45 day notice period required of public housing authorities was not observed. To rectify this, a second public hearing was held on January 23, 2018. The public notice for this hearing was published on November 30, 2017. No comments were received at the public hearing.

Public comments period

Second public hearing

The FY 2015-2020 Consolidated Plan also discussed areas of concentration of both racial and ethnic minorities and low-income families, as well as overlap between the two areas. According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), 0.7% black (211 residents), 0.1% American Indian (41 residents), 0.7% Asian and Pacific Islander (209 residents), 2.0% Hispanic (597 residents), and 2.2% other (663 residents). According to data compiled by the Strafford Regional Planning Commission in its 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, there was mostly even integration of racial and ethnic minority renters in the City of Rochester, with a slight concentration near the City's downtown (Wards 2 and 6). In contrast, there was a heavy concentration of racial and minority homeowners in the City's northwestern region (Wards 3 and 5), indicating segregation. A map of the City of Rochester's six Ward districts is included below.



Also discussed in that consolidated plan was regional data showing more ethnic and racial minorities rent than own their homes as compared to white residents. Hispanic/Latino residents also had the highest level of poverty (21%) of all races and ethnicities in the City.

Finally, the FY 2015-2020 Consolidated Action Plan identified the need for permanent supportive housing and related support services for people with substance abuse and/or mental health-related disabilities, fair housing education and support for people with disabilities, and the development of housing tailored to the needs of elderly persons. In addition, fair housing statistics indicated that the highest numbers of housing discrimination complaints within the City of Rochester were based upon disability.

a. Discuss what progress has been made toward their achievement;

During the last five years, significant progress has been made toward addressing fair housing goals. Rental assistance has been provided to low and moderate income residents, which data shows are disproportionately racial and ethnic minorities, through CDBG subgrants to the SHARE Fund and Community Partners. In addition, Community Partners' rental assistance program serves residents with mental illnesses and/or developmental disabilities. Other assistance for residents with disability was provided through multiple CDBG subgrants to Community Partners and to the Tri-City Consumers' Action Cooperative, which provides peer-to-peer mental health services, as well as through a subgrant to New Hampshire Legal Assistance's Housing Justice Project to provide educational outreach on the rights of tenants with disabilities.

Assistance has also been provided for people with substance use disorders, as the opioid epidemic has devastated both the region and the state during the last five years. Rochester provided \$75,000 in general city funds to assist the Rochester Community Recovery Center to open downtown, and over \$100,000 in CDBG funding was provided to open Hope on Haven Hill, an in-patient and out-patient facility for homeless women with substance use disorders.

b. Discuss how you have been successful in achieving past goals, and/or how you have fallen short of achieving those goals (including potentially harmful unintended consequences); and

There has been both success and challenges in working toward fair housing goals. Most of the CDBG subgrantees discussed above have met or exceeded their projected number of clients served. Exceptions have been the SHARE Fund and New Hampshire Legal Assistance, both of which underperformed by a small percentage. There have not been any identified potentially harmful unintended consequences from any of these activities.

In addition, racial minority residents have been served by CDBG funds disproportionately over the course of the FY 2015-2020 Consolidated Plan. During FY 2014-2015, 84% of all residents served with CDBG funds were white, while 16% of residents were of non-white races. During FY 2015-2016, 90% of all residents served with CDBG funds were white, while 10% of residents were of non-white races. During FY 2016-2017, the midway point through the FY 2015-2020 Consolidated Plan, 86% of all residents served with FY 2016-2017 CDBG funds were white, while 14% of served residents were of non-white races, predominately Black/African-American or Asian.

A potential harmful unintended consequence is that the disproportionate percentage of non-white residents may reflect that these demographics are not experiencing long-term decreases in poverty. In particular, the CDBG-funded Community Action Partnership of Strafford County's weatherization assistance program, which provides weatherization rehabilitation to low and moderate income

homeowners, reports serving mostly white residents. The City of Rochester believes these reports largely reflect the lower rates of homeownership among non-white residents.

c. Discuss any additional policies, actions, or steps that you could take to achieve past goals, or mitigate the problems you have experienced.

Over the course of the FY 2015-2020 Consolidated Plan, CDBG funding has gone more toward rental housing assistance than homeownership assistance, as more low to moderate income residents rent rather than own their housing. While this has allowed the city's CDBG program to serve a large number of low to moderate income residents, future activities should be targeted at increasing homeownership accessibility for racial minority residents, as this is an area of unmet need.

d. Discuss how the experience of program participant(s) with past goals has influenced the selection of current goals.

Demographics data on residents served by the weatherization assistance program has indicated that homeownership assistance aimed at non-white residents is needed. Demographic data and more informal data from the regional homeless shelters, social service agencies serving residents with disabilities, and fair housing organizations such as New Hampshire Legal Assistance and the New Hampshire Commission for Human Rights has influenced a focus on preventing and addressing housing discrimination based on disability, as data indicates this is the protected class with the most discrimination claims.

Experience with educational outreach to landlords through New Hampshire Legal Assistance's Housing Justice Project, provided through a CDBG subgrant in FY 2015-2016, showed that it is difficult to encourage landlords to participate in such programs. A more sustained program, with a longer period of outreach and engagement, is therefore necessary to achieve substantive results.

IV. Fair Housing Analysis

A. Demographic Summary

1. *Describe demographic patterns in the jurisdiction and region, and describe trends over time (since 1990).*

The overall population of the City of Rochester has been increasing at a moderate rate between 1990 and 2010, the most recent year for which there is U.S. Census data. The 1990 Census showed the population of Rochester at 26,630 residents, the 2000 Census showed the population had risen to 28,461 residents, and the 2010 Census showed the population at 29,752 residents. The 2015 population estimate from the American Community Survey estimated Rochester's population as 29,954 residents. The clear overall trend is that the population for the City of Rochester is increasing but at a slower rate than in years past.

The City of Rochester's FY 2010-2015 Consolidated Plan states: "Our community of racial or ethnic minorities does not have particular area of concentration geographically. 2000 Census data shows a non-white racial population that is less than 3%. Likewise, overcrowding is not a significant problem within the city." In comparison, the 2010 Census shows the white population as 95.4% of the overall city population, with multiracial residents being the second most populous at 1.7%, followed by Asian residents at 1.2% and Black/African-American residents following at 0.8% of the overall population. The 2015 American Community Survey estimated the white population at 95.7%, followed by 2.1 % multiracial residents then 1% Asian residents and 0.7% Black/African-American residents. This data indicates a population that is gradually becoming less white over time, with the largest and growing population of non-white residents being multiracial races or residents who identify as belong to two or more races.

Comparative housing and demographic data from 1990 and 2000 is also available from Strafford Regional Planning Commission's 2004 *Regional Housing Needs Assessment*:

Table #4 represents a housing cost burden over 30%, which means families are spending at least 30% of their earnings on rent or mortgage. This is shown in categories by tenure, renters, single-family homeowners and elderly vs. non-elderly. The number of renters from 1990 to 2000 with a 30% cost burden barely changed. In both years 1990 and 2000, the majority of renters earned under 30% MAI and there was a 739 renter increase in this interval from 1990 to 2000. The number of renters earning over 100% MAI actually decreased from 1990 to 2000 by about 40. The non-elderly category has the highest percentage of renters, 85.1%, with a cost burden over 30%. Overall, renters with a cost burden over 30%, accounted for 35.3% of all renters for the year 2000, with 41.8% being renters 65 years and older and 33.9% under the age of 65.⁷

This data, of course, is from before the economic recession of 2008. Strafford Regional Planning Commission's 2015 housing update, published after the 2008 recession, found that:

Household demographics have been changing over the past 20 years. Eighty four percent of the net growth in households from 1990-2010 in the SRPC region was among 1 and 2 person households. Housing development relied heavily on construction of larger single family homes ...

⁷ Strafford Regional Planning Commission, *Regional Housing Needs Assessment: Toward Housing Policies and Implementation Strategies*, May 25, 2004. <http://strafford.org/cmsAdmin/uploads/reg_hna_final.pdf>.

Relatively little multifamily or rental housing was developed, and nearly all of that occurred in SRPC urban centers.⁸

These changes reflect the aging population of Rochester, Strafford County, and New Hampshire overall. In 2010, the median age for Rochester was 41.5 years. In 2015, the median age for Rochester was estimated at 41.7 years. In comparison, the national median age in 2010 was 36.9 and in 2015 was 37.6 years.

2. *Describe the location of homeowners and renters in the jurisdiction and region, and describe trends over time.*

According to data from Strafford Regional Planning Commission's 2015 *Annual Building Permit Inventory*, the City had a total of 89 housing permits issues in 2015. This includes 44 single unit permits, 6 multi-unit permits, and 39 manufactured housing permits. The neighboring City of Dover, which has a similar population as Rochester, had 49 housing permits, with 45 single unit permits and 3 multi-unit permits.

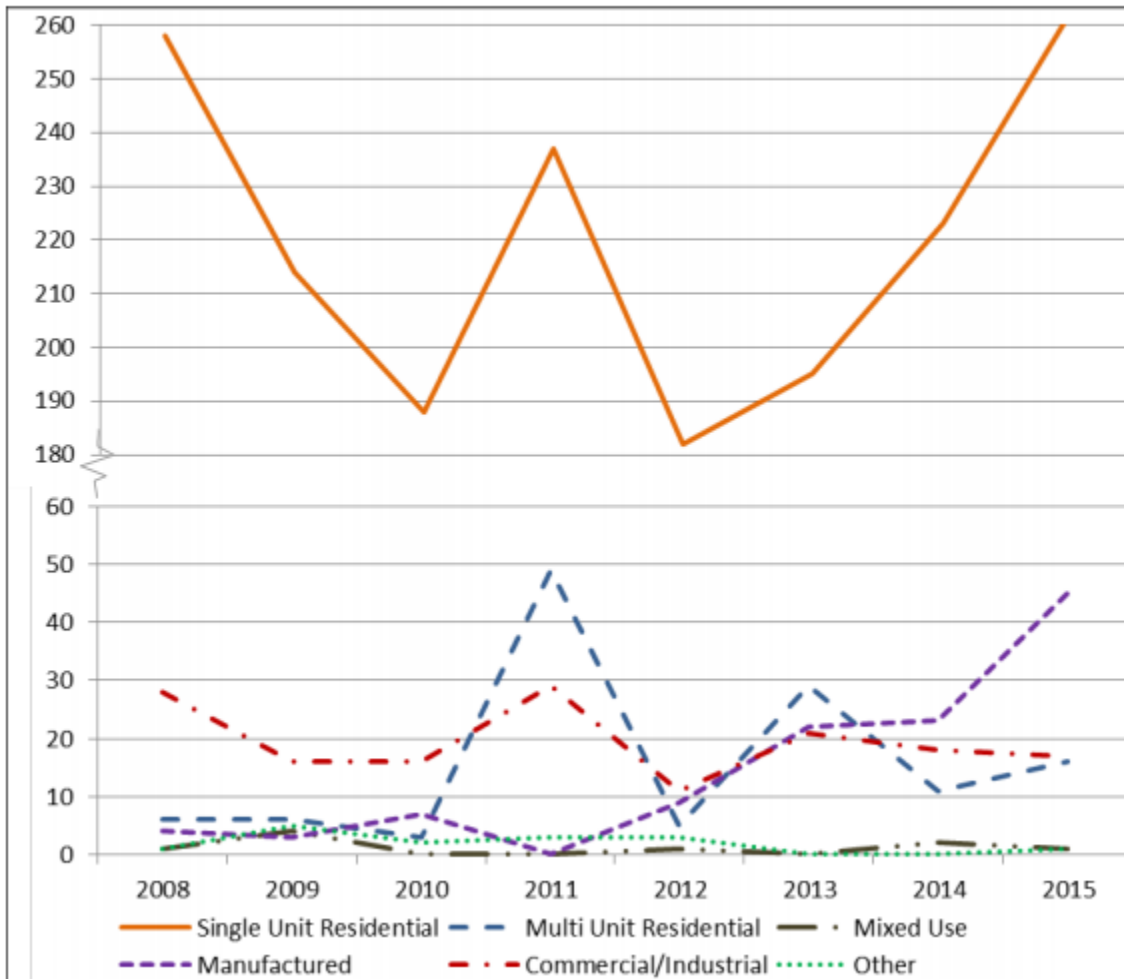
The 2015 inventory report also states:

Between 2008 and 2010 single-unit construction decreased by approximately 27% while commercial/industrial construction decreased by approximately 40%. During this time construction of other building types remained relatively constant. Unfortunately data were not available for all communities in 2010, so totals from municipal Annual Reports were used as a substitute to get a better sense of total new construction.

Both single-unit and multi-unit construction rose significantly in 2011 and again in 2013. The rise in single and multi-unit construction was due in part to the beginning of several large multi-unit student apartment projects in Durham, including the Cottages project in 2011. New construction in the region has been on a steady rise overall since 2012. The majority of the 31% increase was in new single-unit residential construction. Manufactured homes also saw an increase during this time with the total number rising from nine in 2012 to 45 in 2015. Overall single-unit and multi-unit structures have seen the greatest fluctuation over time with single unit construction ranging from 182 structures in 2012 to 263 structures in 2015, a 44% increase over time.⁹

⁸ Stafford Regional Planning Commission, *Regional Housing Needs Assessment: Local Solutions for the Strafford Region*, January 2015. <http://straftford.org/cmsAdmin/uploads/reg_hna_final.pdf>.

⁹ Stafford Regional Planning Commission, *Annual Building Permit Inventory 2015*. <<http://straftford.org/cmsAdmin/uploads/2015-annual-building-permit-inventory.pdf>>.

Regional Change in Total Permits Issued for New Construction from 2008 to 2015

source: Strafford Regional Planning Commission, 2015 *Annual Building Permit Inventory*
<http://strafford.org/cmsAdmin/uploads/2015-annual-building-permit-inventory.pdf>

The City of Rochester's Planning Department also tracks the number of housing units approved to be built, and this data shows a total of 387 housing units approved since 2013. Of these 387 housing units, 267 housing units are apartments to be rented or about 68% of all approved housing units. The remainder of the housing units is comprised of single-family dwellings, townhomes, and duplexes. Consultations with Planning Department staff indicate that the increase in housing development is accelerating, after the housing development lull that followed the 2008 economic recession.

Of these, only one development, of 21 apartments, is located in the downtown region. The other housing developments are located largely on the outskirts of the city, in the north, east, and south. This is part of an overall trend over the last ten years of new housing developments being built farther out from the city's center, which is already heavily developed with a mix of residential, commercial, and light industrial buildings. Much of the downtown housing stock is older properties occupied by renters, while homeowner-occupied housing has traditionally been located outside the downtown and in the more rural outskirts of the city. The increase of largely rental housing being currently being planned and built outside the downtown, however, indicates that these housing demographics likely will shift in future years.

B. General Issues

i. Segregation/Integration

1. Analysis

- a. *Describe and compare segregation levels in the jurisdiction and region. Identify the racial/ethnic groups that experience the highest levels of segregation.*

According to 2010 U.S. Census data analyzed in Strafford Regional Planning Commission's 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, the Stafford County region of New Hampshire is "is fortunate to be home to zero HUD designated Racially/Ethnically Concentrated Areas of Poverty."¹⁰ Approximately six percent of the region's total population belonged to a racial/ethnic minority category, which the report determined meant "the presence of RCAP's and ECAP's in the region and state is highly improbable."

Rochester-specific data in the report indicates that there was mostly even integration of racial and ethnic minority renters in the City of Rochester, with a slight concentration near the City's downtown (Wards 2 and 6). In contrast, there was a heavy concentration of racial and minority homeowners in the City's northwestern region (Wards 3 and 5), indicating some segregation. A map of the City of Rochester's six Ward districts is included below.

¹⁰ Strafford Regional Planning Commission, *Fair Housing and Equity Assessment: Local Solutions for the Strafford Region*. January 2015. <<https://strafford.org/cmsAdmin/uploads/fhea.pdf>>.

b. Explain how these segregation levels have changed over time (since 1990).

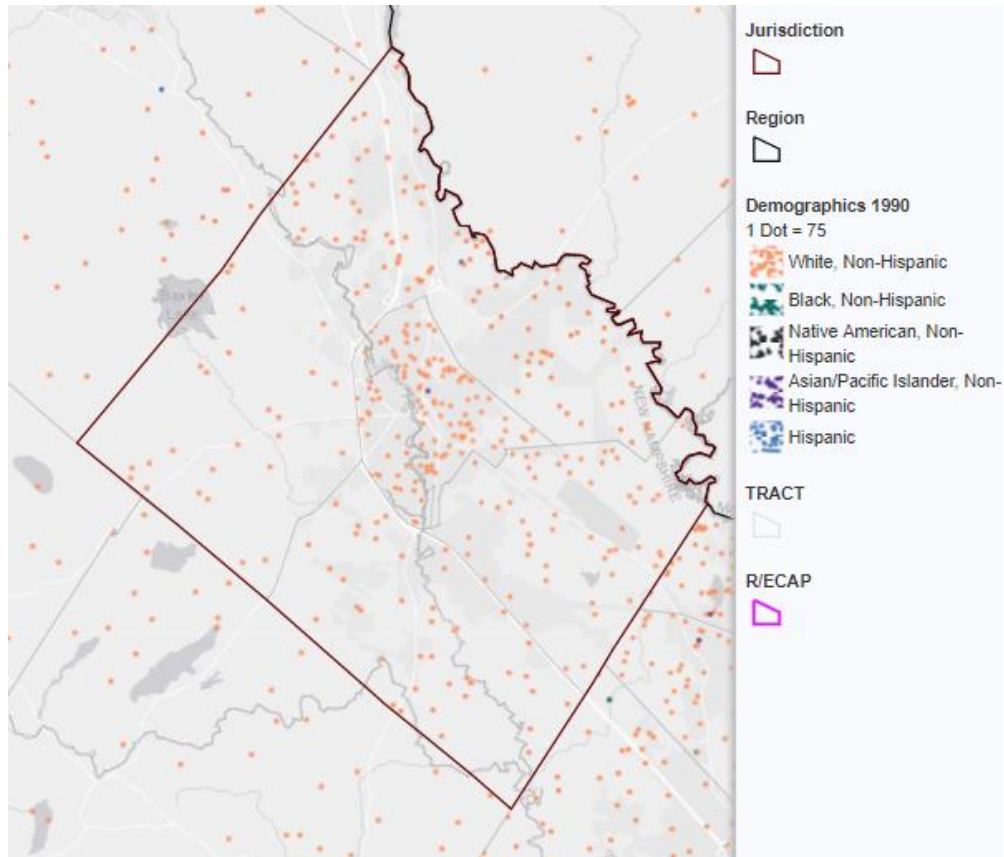
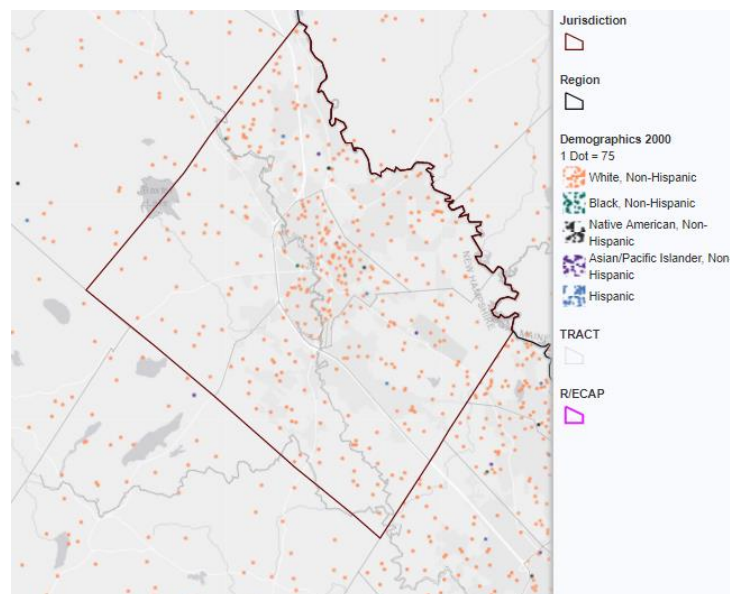
According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, in 2010 the City of Rochester was 94.3% white (28,080 residents), 0.7% black (211 residents), 0.1% American Indian (41 residents), 0.7% Asian and Pacific Islander (209 residents), 2.0% Hispanic (597 residents), and 2.2% multiracial (663 residents). This same data shows that the neighboring City of Dover was 90.6% white (27,155 residents), 1.7% black (521 residents), 0.2% American Indian (37 residents), 4.6% Asian

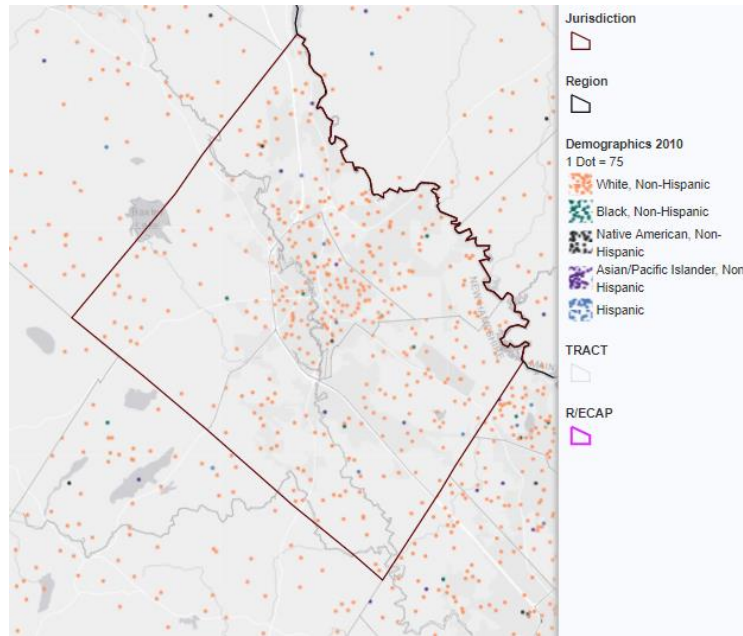
and Pacific Islander (1,371 residents), 2.2% Hispanic (660 residents), and 2.3% multiracial (680 residents). The City of Portsmouth was 91.5% white (19,017 residents), 1.7% black (359 residents), 0.2% American Indian (46 residents), 3.5% Asian and Pacific Islander (719 residents), 2.8% Hispanic (573 residents), and 2.3% multiracial (479 residents).

Data from the 2015 ACS profiles estimate that, for the City of Dover, the white percentage of the population had remained fairly stable at 90.4%, and most racial/ethnic minority categories saw small increases or decreases in percentages. The percentage of multiracial Dover residents, however, increased from 2.3% to 3.2%, the most significant change. For the City of Portsmouth, the white percentage of the population dropped from 91.5% to 89.2%, the multiracial percentage had risen from 2.3% to 3.3% of the overall population. All other racial/ethnic minority categories saw small increases in percentages, as well. Meanwhile, the percentage of white residents within the City of Rochester was estimated to increase from 94.3% to 95.7%, and most racial/ethnic minority categories saw small decreases in percentages. The exception is for Asian residents, which saw an increase from 0.7% to 1.0%.

Data from prior to 2000 related specifically to racial and ethnic minority segregation is difficult to obtain; however, Strafford Regional Planning Commission data related to homeowner vs. renter income levels and housing cost burden is available and can be used to extrapolate. Strafford Regional Planning Commission's 2004 *Regional Housing Needs Assessment* found that between while "[t]he number of renters from 1990 to 2000 with a 30% [housing] cost burden barely changed," the number of single-family homeowners during this same decade with a same cost burden "decreased by about 500." Given that current data indicates that racial/ethnic minorities disproportionately rent versus own their housing, it is likely that racial and ethnic minorities lived in the heavily renter-occupied Rochester downtown, which has a large number of multiunit building, disproportionately than the outskirts of the city that has more single-family homes occupied by the homeowner.

It is difficult to analyze this data as, given the very small number of residents belonging to racial/ethnic minority categories within the southeastern New Hampshire region, some of this data might not be statistically significant given margins of error. The Strafford Regional Planning Commission data seems to indicate a trend of the City of Rochester's percentage of white residents increasing, while for the more southern, urban areas of the region, the percentage is decreasing, indicating possible segregation on a regional scale. However, race/ethnicity trend data available from HUD (displayed in the maps below) indicate rising overall non-white populations within the city.

**Race/Ethnicity Trends, 1990****Race/Ethnicity Trends, 2000**



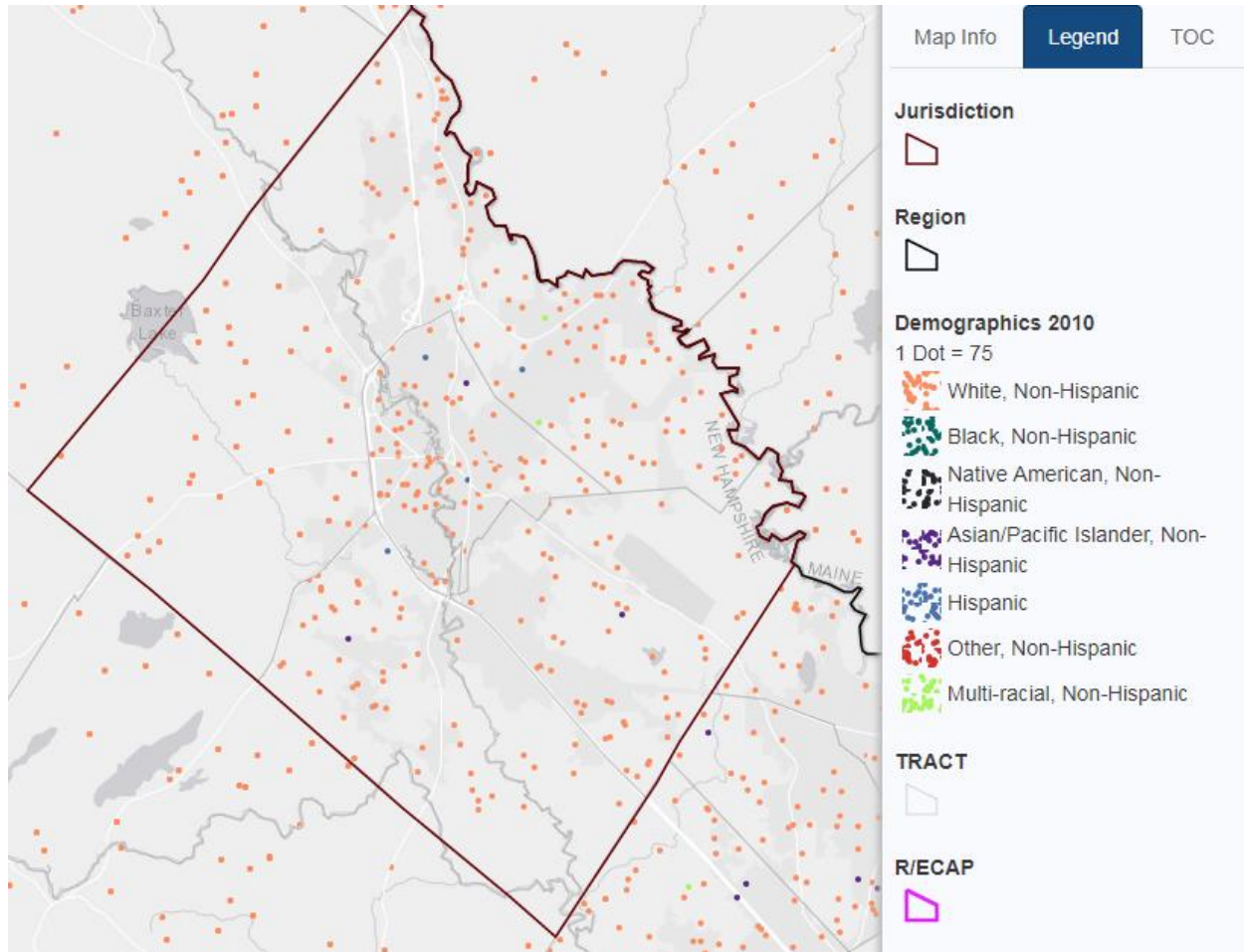
Race/Ethnicity Trends, 2010

- c. *Identify areas with relatively high segregation and integration by race/ethnicity, national origin, or LEP group, and indicate the predominant groups living in each area.*

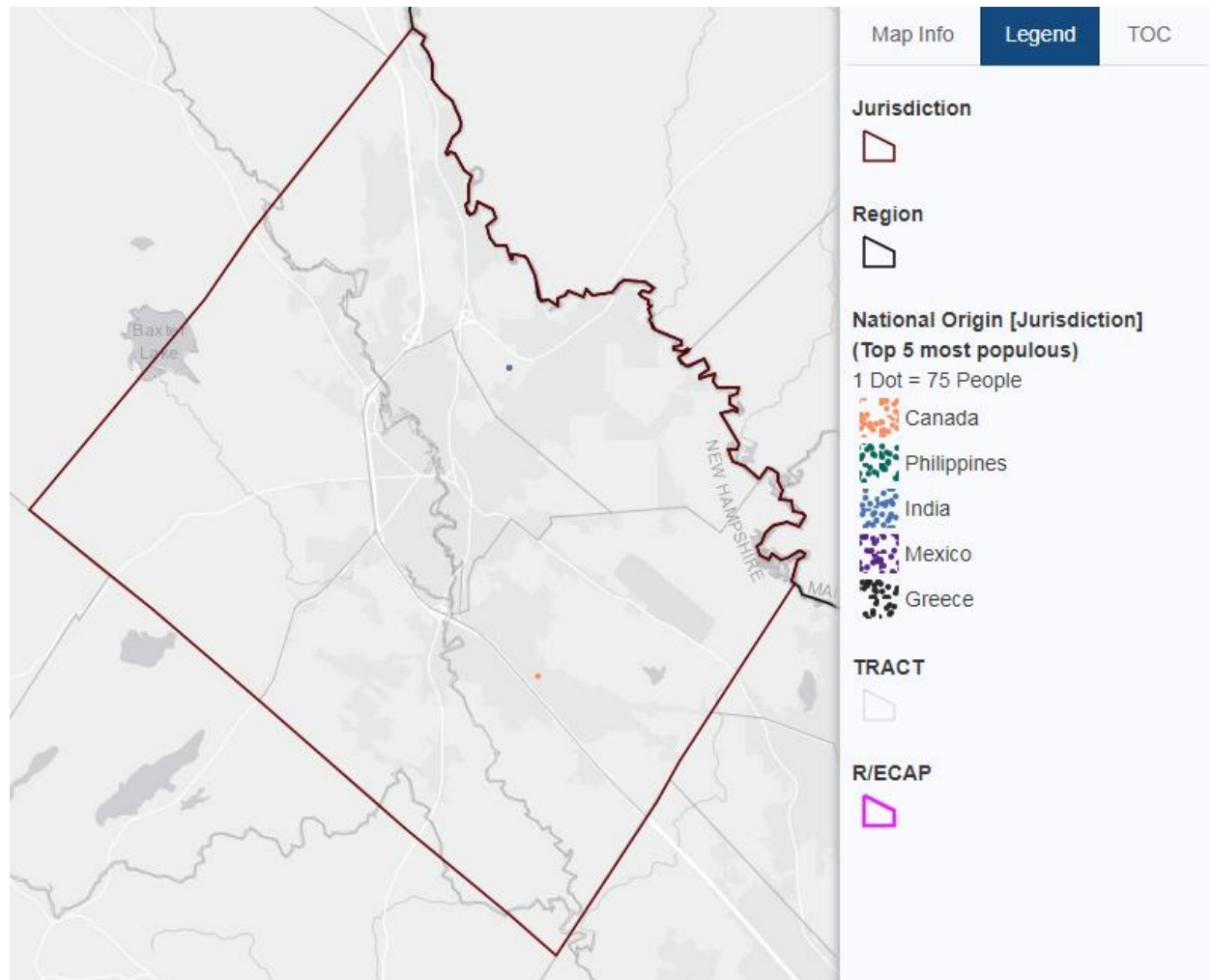
According to 2010 U.S. Census data analyzed in Strafford Regional Planning Commission's 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, the Stafford County region of New Hampshire is "is fortunate to be home to zero HUD designated Racially/Ethnically Concentrated Areas of Poverty." Approximately six percent of the region's total population belonged to a racial/ethnic minority category, which the report determined meant "the presence of RCAP's and ECAP's in the region and state is highly improbable." According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), 0.7% black (211 residents), 0.1% American Indian (41 residents), 0.7% Asian and Pacific Islander (209 residents), 2.0% Hispanic (597 residents), and 2.2% other (663 residents).

Rochester-specific data in the report indicates that there was mostly even integration of racial and ethnic minority renters in the City of Rochester, with a slight concentration near the City's downtown (Wards 2 and 6). In contrast, there was a heavy concentration of racial and minority homeowners in the City's northwestern region (Wards 3 and 5), indicating some segregation.

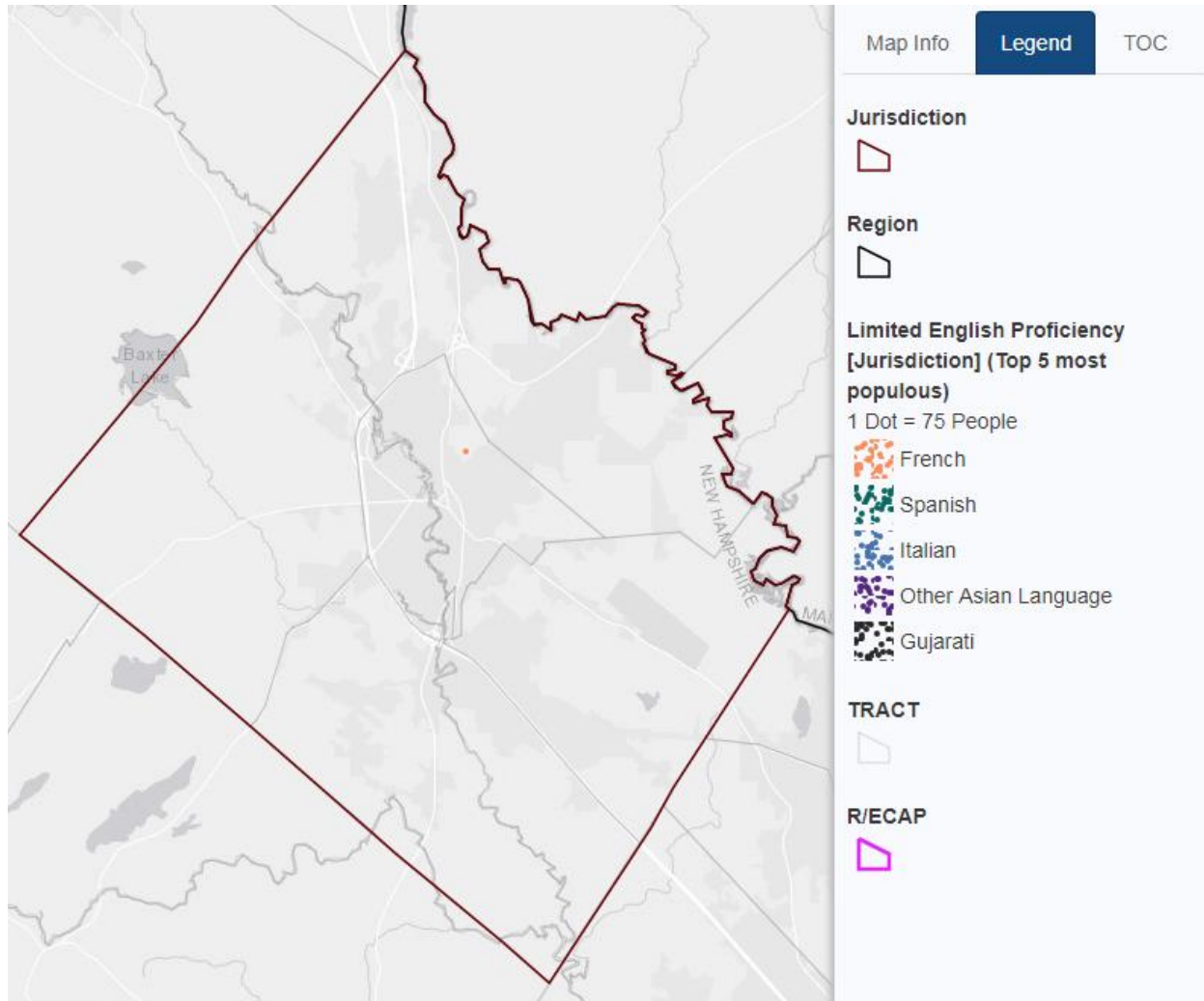
Race/ethnicity demographic data and maps supplied by HUD through the Affirmatively Furthering Fair Housing Tool (AFFHT) indicate that there are measurable populations of non-white residents in certain sections of the city. As seen in the map included below, there are a measurable population of Hispanic residents in the northwest, north-central, and south-central sections of the city; of Asian/Pacific Islander residents in central, south-central, and east-central sections of the city; and of multi-racial residents in the north-central section of the city.



National origin data and maps from HUD indicate a measurable population of residents originally from Canada in the east-central part of the city and from India in the north-central part of the city:



Limited English proficiency data and maps provided by HUD indicate a measurable population of French speakers in the north-central part of the city:



d. Consider and describe the location of owner and renter occupied housing in determining whether such housing is located in segregated or integrated areas.

According to data compiled by the Strafford Regional Planning Commission in its 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, there was mostly even integration of racial and ethnic minority renters in the City of Rochester, with a slight concentration near the City's downtown (Wards 2 and 6). In contrast, there was a heavy concentration of racial and minority homeowners in the City's northwestern region (Wards 3 and 5), indicating segregation. A map of the City of Rochester's six Ward districts is included below.

e. Discuss how patterns of segregation have changed over time (since 1990).

Data from prior to 2000 related specifically to racial and ethnic minority segregation is difficult to obtain; however, Strafford Regional Planning Commission data related to homeowner vs. renter income levels and housing cost burden is available and can be used to extrapolate. Strafford Regional Planning Commission's 2004 *Regional Housing Needs Assessment* found that between while "[t]he number of renters from 1990 to 2000 with a 30% [housing] cost burden barely changed," the number of single-family homeowners during this same decade with a same cost burden "decreased by about 500." Given that current data indicates that racial/ethnic minorities disproportionately rent versus own their housing, it

is likely that racial and ethnic minorities lived in the heavily renter-occupied Rochester downtown, which has a large number of multiunit building, disproportionately than the outskirts of the city that has more single-family homes occupied by the homeowner.

It is difficult to analyze this data as, given the very small number of residents belonging to racial/ethnic minority categories within the southeastern New Hampshire region, some of this data might not be statistically significant given margins of error. However, given the data available, segregation trends in the City of Rochester do not seem to have changed much during this time period.

f. Discuss whether there are any demographic trends, policies, or practices that could lead to higher segregation in the jurisdiction in the future.

Consultations and data suggest that concentrations of racial and ethnic minorities are likely due to disparities in income, which result in a disparities of renting versus homeownership. The City of Rochester is exploring and implementing a variety of policies and programs that should hopefully reduce the costs of housing development and the costs of housing. The City of Rochester's Community Development Division and Planning Department plan to host a workforce housing charrette with the Workforce Housing Coalition of the Greater Seacoast. The Planning Department has also received two grants to simplify downtown historic district design guidelines and to increase downtown density limits.

2. Contributing Factors of Segregation

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of segregation.

- ***Community Opposition***

Public input received through the FY 2015-2020 Consolidated Plan citizen participation process, as well as multiple Annual Action Plan citizen participation processes, have revealed a markedly split opinion regarding affordable housing in the City of Rochester. This input has been received through the monthly neighborhood ward meetings as well as online surveys. While many residents have expressed concerns about the cost of housing in the city, other residents have expressed concerns about affordable housing and, specifically, have expressed the opinion that there is already an excess of public housing in Rochester. The Rochester Housing Authority, however, maintains waitlists of several years, as do several other public housing authorities in the region.

- ***Displacement of residents due to economic pressures***

Data from the New Hampshire Housing Finance Authority, in its *Housing Market Update* report for September 2017 and November 2017, indicates statewide trends of rising home prices, low rental vacancy, low availability of homes for purchase, and increasing rents. The City of Rochester's Planning Department has reported that much of the new housing development in the last three years has been higher-end housing (\$300,000 and up). Regionally, there has been a trend of lower income residents being priced out of the southern part of the Seacoast New Hampshire region, then housing costs rising in the northern regions.

- ***Lack of community revitalization strategies***

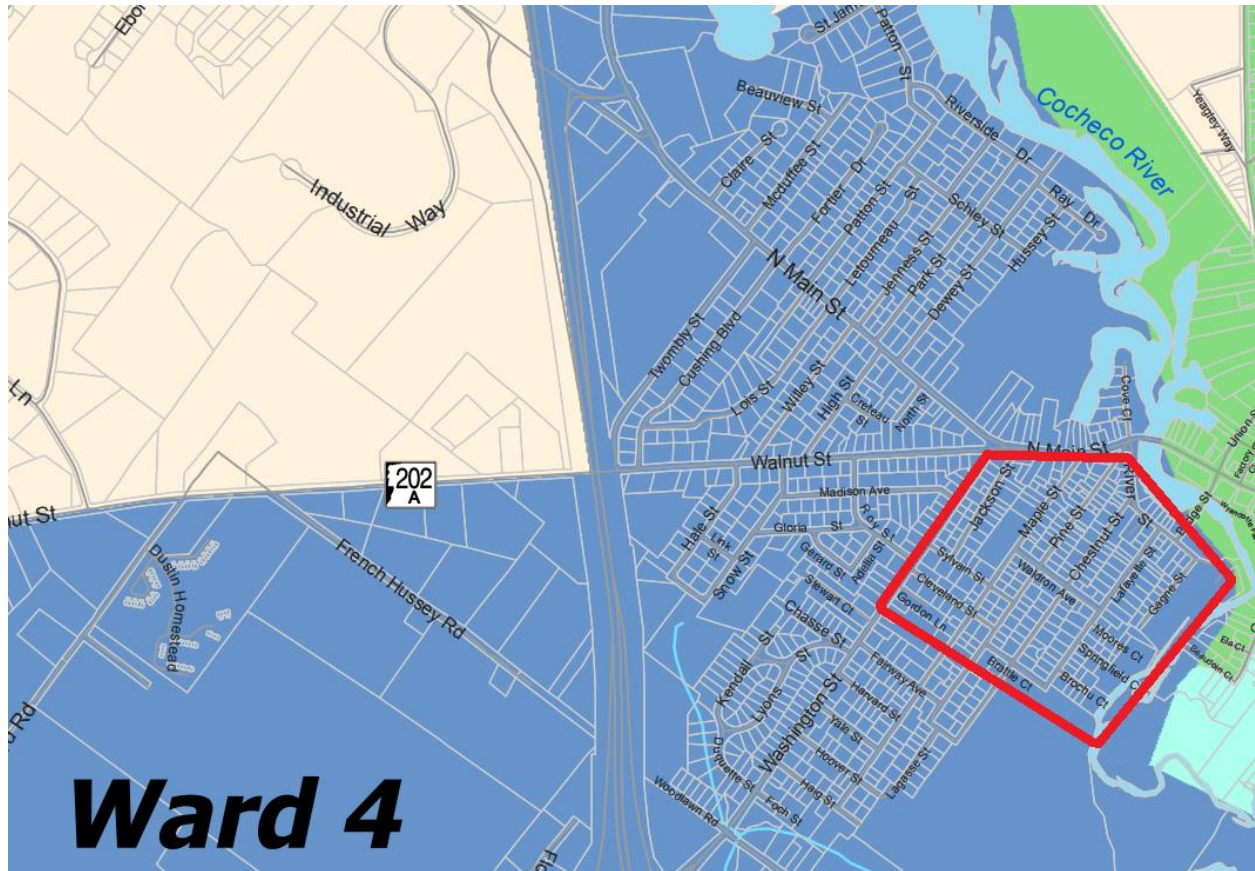
The City of Rochester's FY 2015-2020 Community Development Block Grant Consolidated Plan discusses the need to reduce the blight in Rochester's downtown region and encourage economic development, and the City's recently adopted update to its Economic Development Master Plan calls for more economic development focus on the downtown after a period of focus in other geographic areas of the City. The City's current Downtown Master Plan, approved in April 2003, also specifically calls for "substantive improvements to existing properties and new construction that lifts property values for surrounding areas." The 2016 *First Impressions: Rochester* report, a result of a University of New Hampshire initiative, also identified vacant and blighted downtown properties as deterring downtown foot traffic.

In addition, the City of Rochester's Riverwalk Committee has been reinstated within the last few years, and there is now a Rochester Community Vibrancy Committee, which has been working on downtown beautification projects.

Currently there are many community revitalization strategies. The main needed update, in terms of planning, is an update to the Downtown Master Plan, which is almost fifteen years old. Most of what is needed, however, is more funding and better implementation of current community revitalization strategies.

- ***Lack of private investments in specific neighborhoods***

Public input received at neighborhood ward meetings as well as consultations with non-profit agencies and local business organizations have indicated that there is a lack of private investment in the downtown Ward 4 residential neighborhood (Block Group 2, Census Tract 844) known as Frenchtown. Frenchtown is the area outlined in red on the map below, bordered by River Street, Gagne Street, Washington Street, and North Main Street:



This neighborhood is low-income with significant crime rates and drug activity rates. Much of the residential housing is owned by out of state property owners who do not maintain their properties in good condition, and this neighborhood was the focus of the City of Rochester's 2009 Neighborhood Stabilization Program.

- *Lack of public investments in specific neighborhoods, including services or amenities*

Most of the City of Rochester's investments, especially its CDBG investments, have been targeted to low-income downtown census tracts, as these areas of the city have the highest populations and greatest needs. Higher-income census tracts on the outer edges of the city have received less funding, and consultation with the Strafford Regional Planning Commission indicates that the East Rochester area of the city lacks a grocery store.

- *Lack of regional cooperation*

The City of Rochester's Community Development Division has worked to enhance coordination between the Rochester Housing Authority, non-profit organizations providing housing and related services, community development staff in the neighboring cities of Dover and Portsmouth, and relevant Rochester departments such as the Welfare Office and Planning Department. The City of Rochester's Community Development Coordinator also engages in significant outreach and involvement in relevant community organizations, such as serving on the Greater Seacoast Coalition on Homelessness steering committee, serving on the board of directors of the Cooperative Alliance for Seacoast Transportation (COAST), and active involvement with the Balance of State Continuum of Care. This has included attending an

informational session in November 2017 on the Balance of State Continuum of Care's implementation of statewide coordinated entry for homeless services.

Public input and consultations with a range of non-profit agencies have indicated transportation gaps in the Seacoast region. Due to financial concerns and low ridership, COAST has reduced or eliminated routes to the northern, more rural areas of Strafford County. COAST data and other consultations also indicate increasing and undermet needs for Americans with Disabilities Act (ADA) paratransit and demand response services, which are generally more expensive than fixed-route services.

- ***Land use and zoning laws***

In April of 2014, the City of Rochester updated the Chapter 42 of City of Rochester General Ordinances, which took ten years to complete. The Downtown Commercial District Zone has an average parcel size of 17,675 square feet, which would only allow for three dwelling units per parcel without seeking a variance from the Zoning Board of Adjustment under the 2014 ordinance. In early 2018, the ordinance was revised to lower the density limits to 500 sq. ft. per dwelling unit to allow for increased density within this zone, as the previous density regulations proved off-putting for developers who otherwise would be interested in investing in the downtown mixed-use buildings. Later in 2018, the Rochester Planning Department worked with the Community Development Division and the consultants at BendonAdams to perform a more in-depth analysis of downtown density and draft recommendations to further improve property owners' ability to develop downtown housing. A revised version of these recommendations was approved by City Council in 2019.

- ***Lending discrimination***

Home Mortgage Disclosure Act (HMDA) data for 2016 for all City of Rochester census tracts, provided by the Consumer Financial Protection Bureau, showed 649 individual loan denial records for primary applicants. Of these 649 records, there was one record from an American Indian/Alaska Native resident, nine records from Asian residents, one record from a Black or African-American/Hispanic resident, two records from Black or African-American residents, ten records from Hispanic or Latino residents, and 43 records in which the applicant did not provide race or ethnicity identification. The remaining 578 records were of white non-Hispanic residents.

A search of this same record set for co-applicant race and ethnicity data showed nine Asian residents, one Black or African-American/Hispanic resident, three Black or African American residents, two Native Hawaiian or Other Pacific Islander residents, 31 records in which the co-applicant did not provide race or ethnicity identification, and 321 records for which there was not a co-applicant. The remaining 282 records were of white non-Hispanic residents.

No reason for the loan denial was provided for any of the records.

For primary applicants, if one excludes the records where an applicant did not provide race or ethnicity identification, 96.2% of the denied loan applicants were white non-Hispanic residents. For co-applicants, if one excludes the records where an applicant did not provide race or ethnicity identification or where there was not a co-applicant, 94.9% of the denied loan co-applicants were white non-Hispanic residents. According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), so these loan denial rates seem to indicate that there is not discriminatory lending occurring, as the percentage of non-white residents who have received denials is roughly the same as the overall percentage of non-white residents within the city.

- ***Location and type of affordable housing***

Non-public affordable housing is mainly comprised of duplex and multi-unit buildings built over fifty years ago, concentrated in the downtown area, with some other multi-unit apartment complexes located more toward the outskirts of the city. Public housing is spread throughout the City of Rochester, including near the downtown, in the former East Rochester village, and the former Gonic village. Available public housing ranges from small four-unit buildings at Wellsweep Acres to the large 72-unit building of Wyandotte Falls. Many of the units are intended for elderly residents and/or residents with disabilities, while the 60-unit Cold Spring Manor is available for families.

- ***Occupancy codes and restrictions***

The Community Development Coordinator consulted with the City of Rochester's Office of Economic Development. This consultation indicated that the City's current fire safety codes have impacted the development of multi-family housing units. Such multi-family units are required to have sprinkler systems, as opposed to fire alarms, and building developers and property owners often find this cost-prohibitive. Given that this impacts multi-family housing but not single-family housing, these fire safety codes disproportionately impact the City of Rochester's affordable housing.

- ***Private discrimination***

Anecdotal reports from several public service agencies that serve low-income residents suggest that family size has been a basis of discrimination within the City of Rochester, with larger families with children being turned away from rental housing by landlords. Consultation with the City of Manchester-based Organization for Refugee and Immigrant Success indicates that family size discrimination may disproportionately impact refugees and immigrants. Such discrimination may be underreported.

Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination within the City of Rochester. Consultation with the Housing Justice Project has indicated that many of the disability-based discrimination cases statewide are regarding individuals with mental disabilities, and this is likely true for the Rochester-specific data also.

ii. Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)

1. Analysis

a. Identify any R/ECAPs or groupings of R/ECAP tracts within the jurisdiction.

According to 2010 U.S. Census data analyzed in Strafford Regional Planning Commission's 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, the Stafford County region of New Hampshire is "fortunate to be home to zero HUD designated Racially/Ethnically Concentrated Areas of Poverty." Approximately six percent of the region's total population belonged to a racial/ethnic minority category, which the report determined meant "the presence of RCAP's and ECAP's in the region and state is highly improbable."

iii. Disparities in Access to Opportunity

1. Analysis

a. Educational Opportunities

- i. *Describe any disparities in access to proficient schools based on race/ethnicity, national origin, and family status.*

The City of Rochester has one high school, Spaulding High School, which also houses the Bud Carlson Academy for at-risk students and the Creteau Technology Center, and one middle school, Rochester Middle School. There are eight elementary schools: Gonic School, School Street School, William Allen School, Chamberlain Street School, Nancy Loud School, McClellan School, East Rochester School, and Maple Street Magnet School, enrollment in which is via an application process. About 43% of Rochester School District students citywide receive free or reduced lunch.

William Allen School is located near the downtown, is 89% white, and had 56% of students scoring proficient in reading and 61% of students scoring proficient in mathematics in grade 5 for FY 2015-2016.¹¹ Consultations with Rochester School Department staff also indicate that a high percentage of William Allen School students receive free or reduced lunch. Chamberlain Street School is located in the east-central part of the city, just outside the downtown, is 88% white, and had 57% of students scoring proficient in reading and 49% of students scoring proficient in mathematics in grade 5 for FY 2015-2016.¹² Consultations with Rochester School Department staff also indicate that 50% of Chamberlain Street School students receive free or reduced lunch.

Gonic School is located in the former village of Gonic, in the south-central part of the city, is 91% white, and had 38% of students score proficient in reading and 71% of students score proficient in mathematics in grade 5 for FY 2015-2016.¹³ Consultations with Rochester School Department staff indicate that Gonic School has a relatively low number of students receiving free or reduced lunch. McClelland School is located in the central part of the city, just south of the downtown, is 91% white, and had 68% of students scoring proficient in reading and 66% of students scoring proficient in mathematics in grade 5 in FY 2015-2016.¹⁴

East Rochester School is located in former village of East Rochester, in the northeast of the city, is 92% white, and had 43% of students scoring proficient in reading and 38% of students scoring proficient in mathematics in grade 5 in FY 2015-2016.¹⁵ Consultations with Rochester School Department staff also indicate that East Rochester School has a sizable population of English as a Second Language (ESL) and Limited English Proficiency (LEP) students and families. School Street School is located in the downtown, is 84% white, and had 17% of students scoring proficient in reading and 27% of students scoring proficient in mathematics in grade 4 in FY 2015-2016.¹⁶ (Grade 5 data for School Street School was unavailable.)

¹¹ NH School and District Profiles: William Allen School, New Hampshire Department of Education. <http://my.doe.nh.gov/profiles/profile.aspx?s=22690&year=2017>.

¹² NH School and District Profiles: Chamberlain Street School, New Hampshire Department of Education. <http://my.doe.nh.gov/profiles/profile.aspx?s=22695&year=2017>.

¹³ NH School and District Profiles: Gonic School, New Hampshire Department of Education. <http://my.doe.nh.gov/profiles/profile.aspx?s=22725&year=2017>.

¹⁴ NH School and District Profiles: McClelland School, New Hampshire Department of Education. <http://my.doe.nh.gov/profiles/profile.aspx?s=22665&year=2017>.

¹⁵ NH School and District Profiles: East Rochester School, New Hampshire Department of Education. <http://my.doe.nh.gov/profiles/profile.aspx?s=22650&year=2017>.

¹⁶ NH School and District Profiles: School Street School, New Hampshire Department of Education. <http://my.doe.nh.gov/profiles/profile.aspx?s=22720&year=2017>.

Consultations with Rochester School Department staff indicate that about 75% of School Street School students receive free or reduced lunch.

Nancy Loud School is located in the former village of East Rochester, in the northeast of the city, is 92% white, and had 67% of students score proficient in reading and 79% of students score proficient in mathematics in grade 4 in FY 2015-2016.¹⁷ (Grade 5 data for Nancy Loud School was unavailable.) Maple Street Magnet School is located in the downtown, is 86% white, and had 76% of students score proficient in reading and 88% of students score proficient in mathematics in grade 5 in FY 2015-2016.¹⁸ Consultations with Rochester School Department staff indicate that a relatively low percentage of Maple Street Magnet School students receive free or reduced lunch.

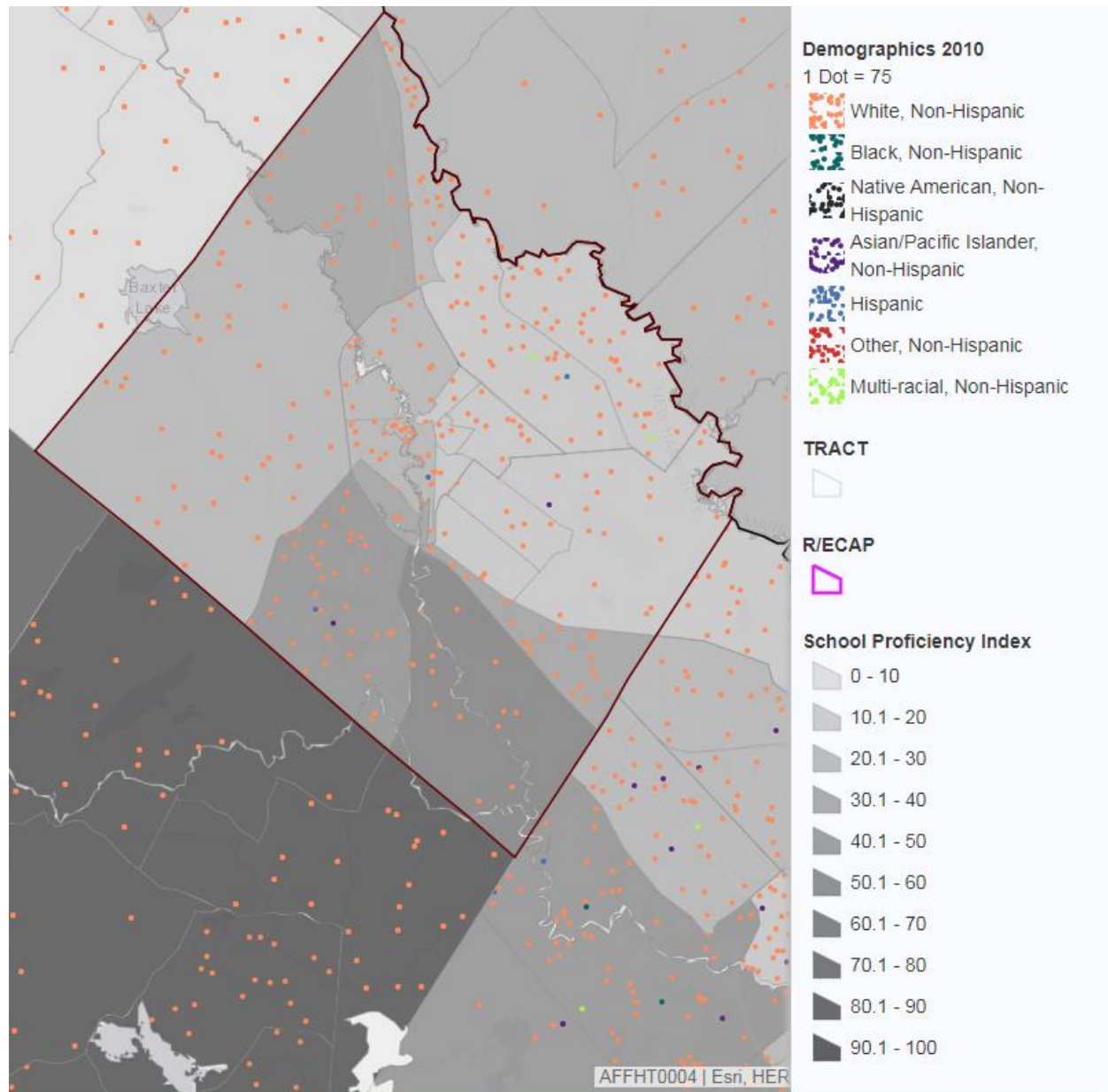
In addition to this data, all of the Rochester elementary schools have higher percentages of students with disabilities (in the range of 17-30% for most) than the state average of 18%.^{19,20}

¹⁷ NH School and District Profiles: Nancy Loud School, New Hampshire Department of Education.
<<http://my.doe.nh.gov/profiles/profile.aspx?s=22660&year=2017>>.

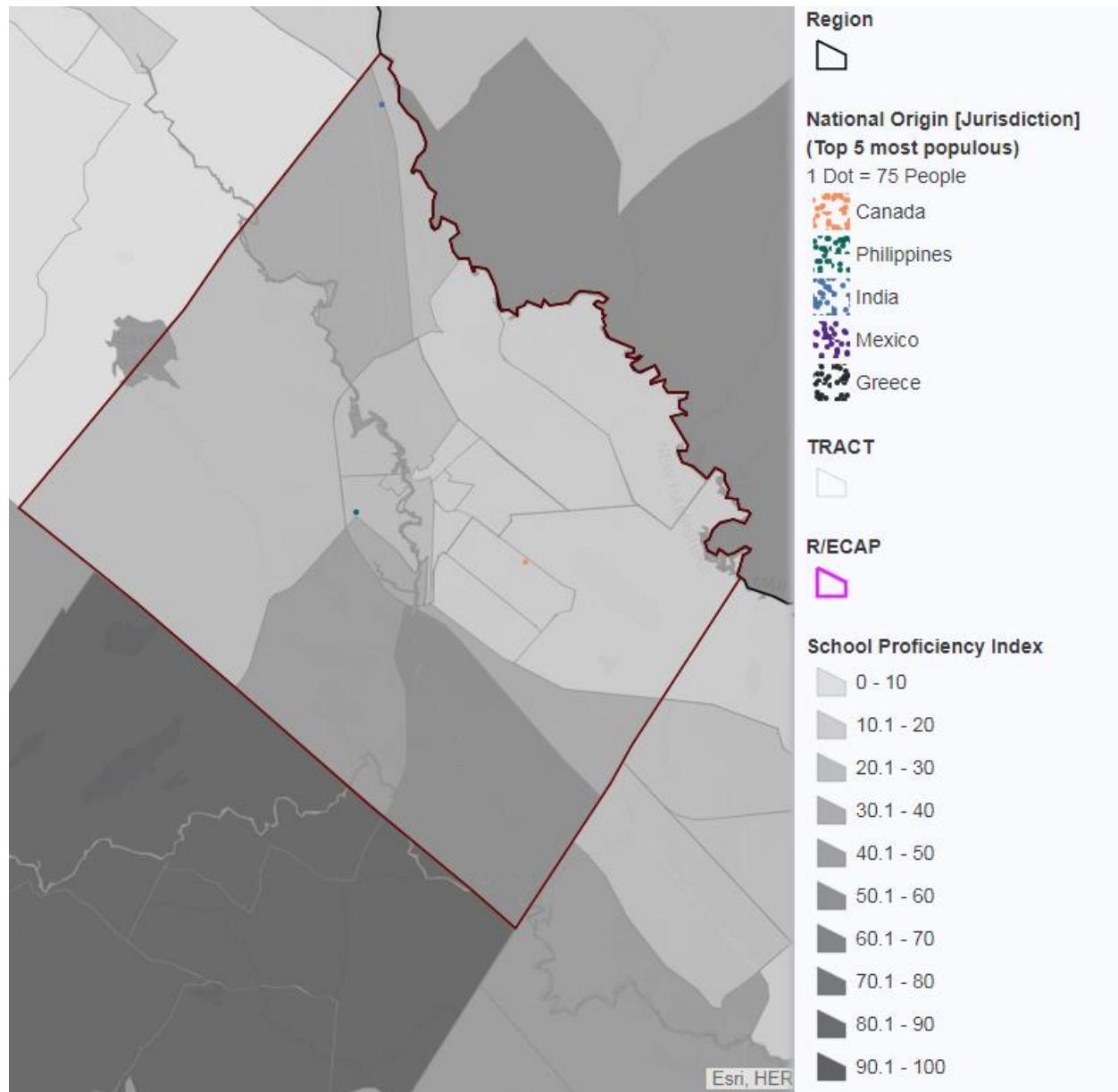
¹⁸ NH School and District Profiles: Maple Street Magnet School, New Hampshire Department of Education.
<<http://my.doe.nh.gov/profiles/profile.aspx?s=29080&year=2017>>.

¹⁹ https://www.greatschools.org/compare?state=nh&school_ids=417,418,419,420&search_url=%2Fnew-hampshire%2Frochester%2Frochester-school-district%2Fschoools%2F%3FgradeLevels%3De.

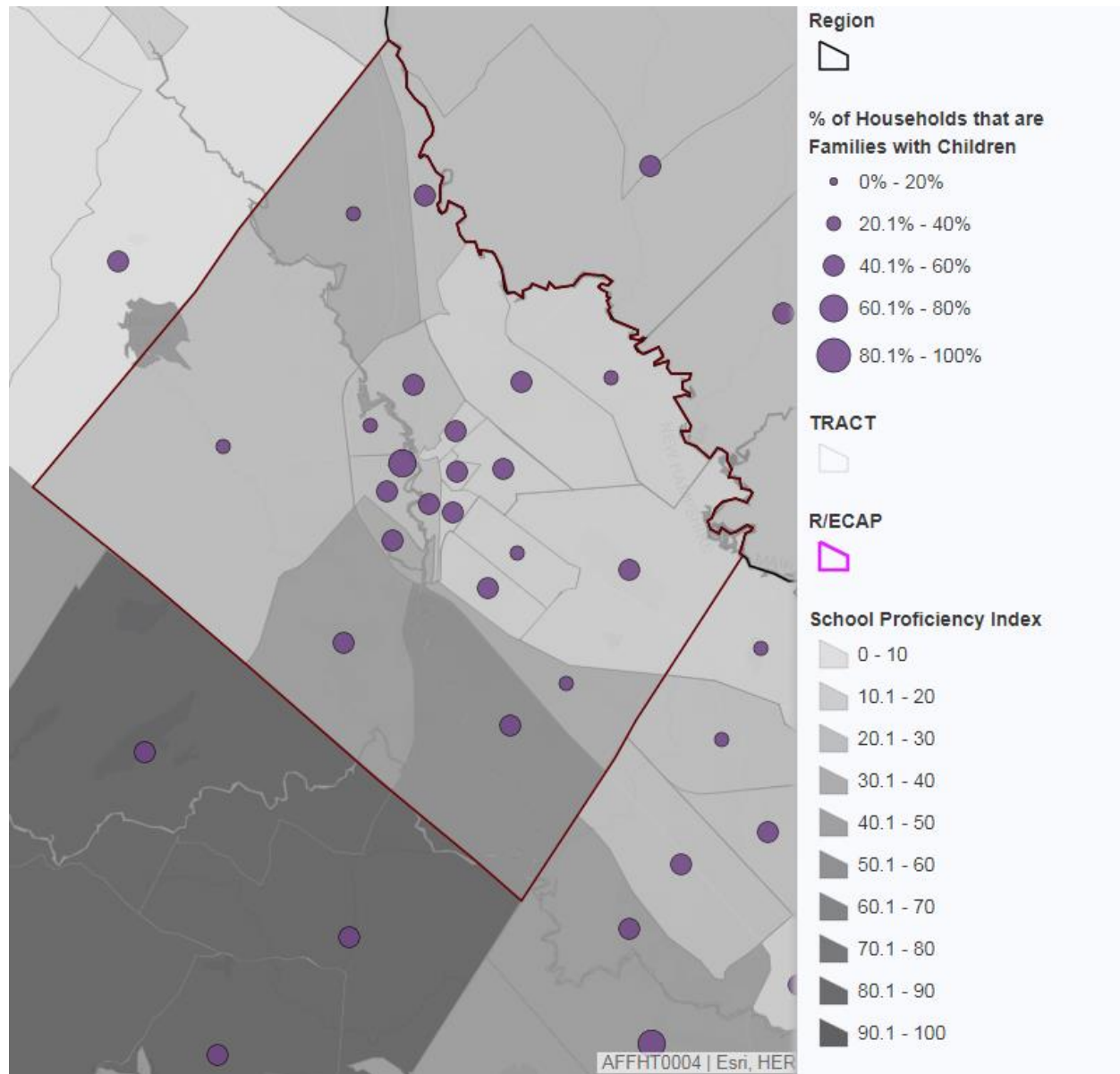
²⁰ https://www.greatschools.org/compare?state=nh&school_ids=421,422,423,426&search_url=%2Fnew-hampshire%2Frochester%2Frochester-school-district%2Fschoools%2F%3FgradeLevels%3De.



School Proficiency and Race/Ethnicity



School Proficiency and National Origin



School Proficiency and Family Status

HUD data taken from the AFFH Tool maps, included above, indicate that the city overall varies only a little between census tracts. There is largely even distribution of race/ethnicity, national origin, and family status among the proficiency levels, with the exception of Asian/Pacific Islander, Hispanic, and multiracial residents living disproportionately in lower proficiency census tracts.

Overall, all of the city's elementary schools have higher percentages of non-white students than the overall city population, which suggests shifting race and ethnicity demographics. The main outlier in the school data is School Street School, which has the higher percentage of non-white students, one of the highest percentages of students receiving free or reduced lunch, and the lowest proficiency rates in reading and mathematics. While the school with the next highest percentage of non-white students, Maple Street Magnet School, has the highest proficiency rates in reading and mathematics, this school also has a much lower percentage of students receiving free or reduced lunch.

ii. Describe the relationship between the residency patterns of racial/ethnic, national origin, and family status groups and their proximity to proficient schools.

As discussed in previous sections, racial and ethnic minorities in the City of Rochester disproportionately rent rather than own their housing, and rental housing (especially affordable rental housing) in the City of Rochester disproportionately is located in the downtown and immediate vicinity of downtown. Schools in the downtown are William Allen School, Chamberlain Street School, School Street School, and Maple Street Magnet School. Maple Street Magnet School enrollment is via application rather than residency; therefore, Maple Street Magnet School students live throughout the city.

National origin data and maps from HUD indicate a measurable population of residents originally from Canada in the east-central part of the city and from India in the north-central part of the city. Schools in the east-central part of the city are Chamberlain Street School and McClelland School. Schools in the north-central part of the city include East Rochester School and Nancy Loud School. Overall, there is equitable access to schools of similar proficiency, with the main exception being students enrolled at School Street School. The availability of the high-proficiency Maple Street Magnet School to students throughout the city somewhat offsets this.

iii. Describe how school-related policies, such as school enrollment policies, affect a student's ability to attend a proficient school. Which protected class groups are least successful in accessing proficient schools?

The Rochester School Department policies related to enrollment include Admission of Nonresident Students (JECB),²¹ Assignment of Students to Schools (JECC),²² and Assignment of Students to Magnet Schools (JECC-1).²³ The Admission of Nonresident Students policy states, in part, that:

the Superintendent or designee will review the applications and determine eligibility for admission to Spaulding High School based on a variety of factors, including ... [l]ikelihood of success ... In applying these selection criteria, the Rochester School District will not discriminate on the basis of any protected classification as identified in Policy AC (Nondiscrimination) or any classification protected by state or federal law.

The Assignment of Students to Schools policy states that “[s]tudents shall be assigned to schools based upon their home address” with assignment zones “reviewed by the administration on an annual basis, and updated on the district’s website.” There are a few exceptions to the policy, including special needs of specifically classified students and class size limits. The Assignment of Students to Magnet Schools policy states, in part, that “requests for available slots will be accepted from February 1st” and if there are more requests for admission than slots available, “a lottery will be used for any open slots and a waiting list established.” Students with an older sibling already enrolled at Maple Street Magnet School do not have to participate in the lottery to also gain admission. This is a facially neutral and equitable policy, as students regardless of residency have an equal chance of acceptance into the school. Exploration of building in preferences into the current system, such as for students currently enrolled at underperforming schools, might be worth exploring.

b. Employment Opportunities

²¹ <http://rochesterschools.com/Webmaster/policy/BookJ/JECB.htm>.

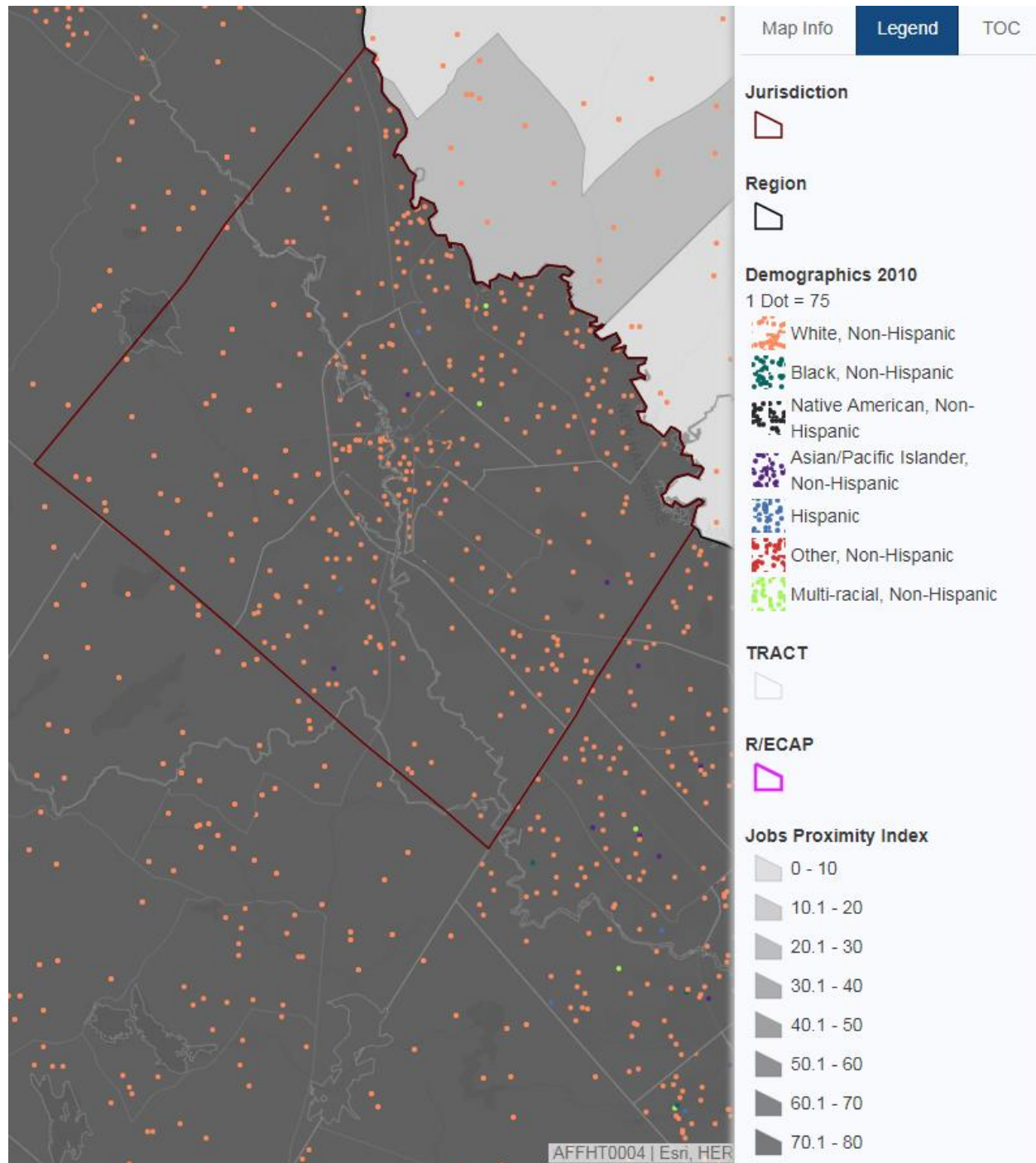
²² <http://rochesterschools.com/Webmaster/policy/BookJ/JECC.htm>.

²³ <http://rochesterschools.com/Webmaster/policy/BookJ/JECC-1.htm>.

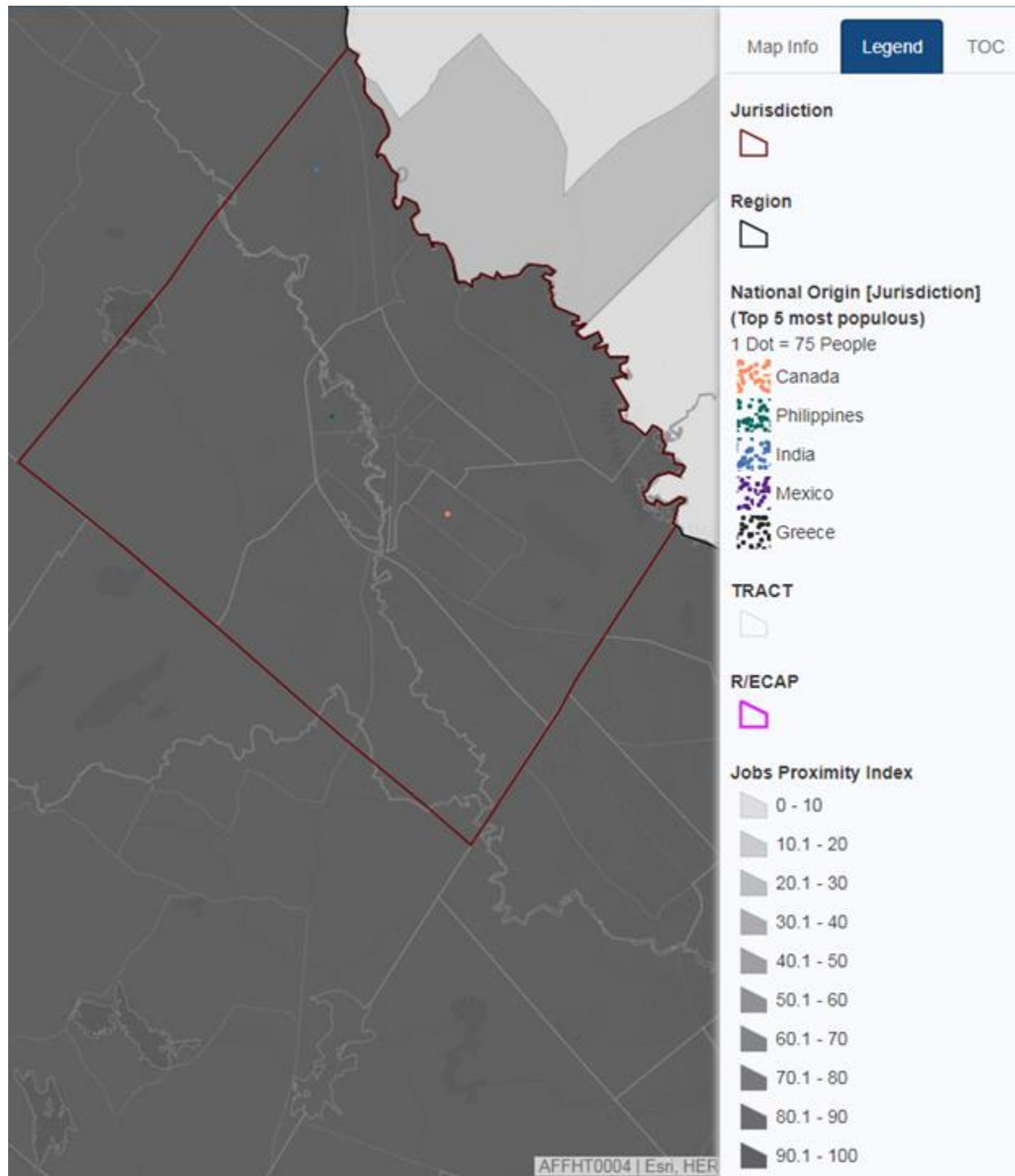
i. Describe any disparities in access to jobs and labor markets by protected class groups.

All areas of the City of Rochester, as well as Strafford County, have close proximity to jobs. American Community Survey data from 2012 to 2016 indicates that the vast majority of Rochester workers travel less than an hour to reach their place of employment (91.9%), and 54% of Rochester workers travel less than a half hour to reach their place of employment. The mean travel time to work according to this ACS data is 26.2 minutes.

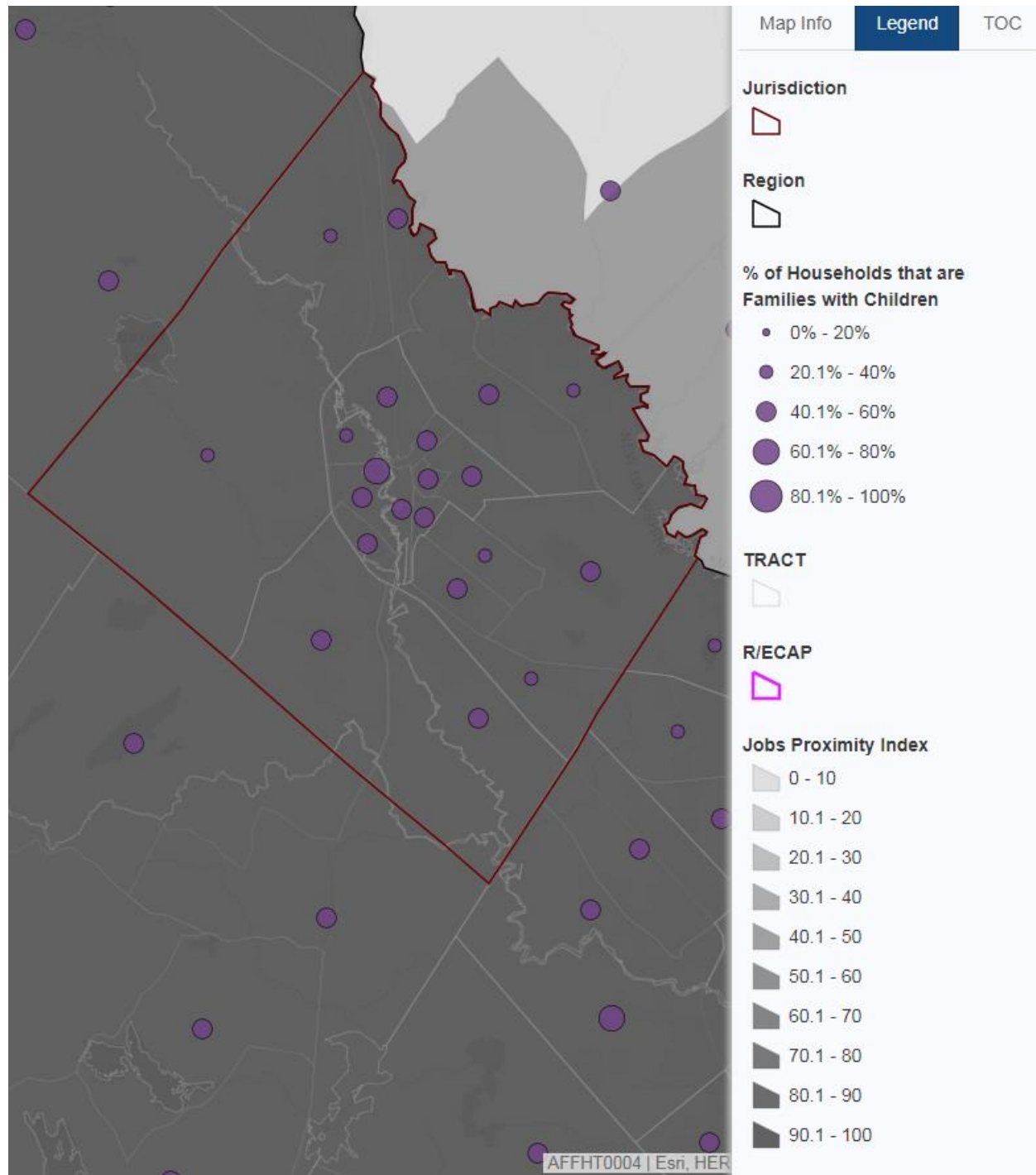
HUD data, obtained through the AFFH Tool, shows that job proximity is the same throughout all census tracts in the City of Rochester. Specific maps with race/ethnicity data, national origin data, and familial status are included below.



Job Proximity by Race/Ethnicity

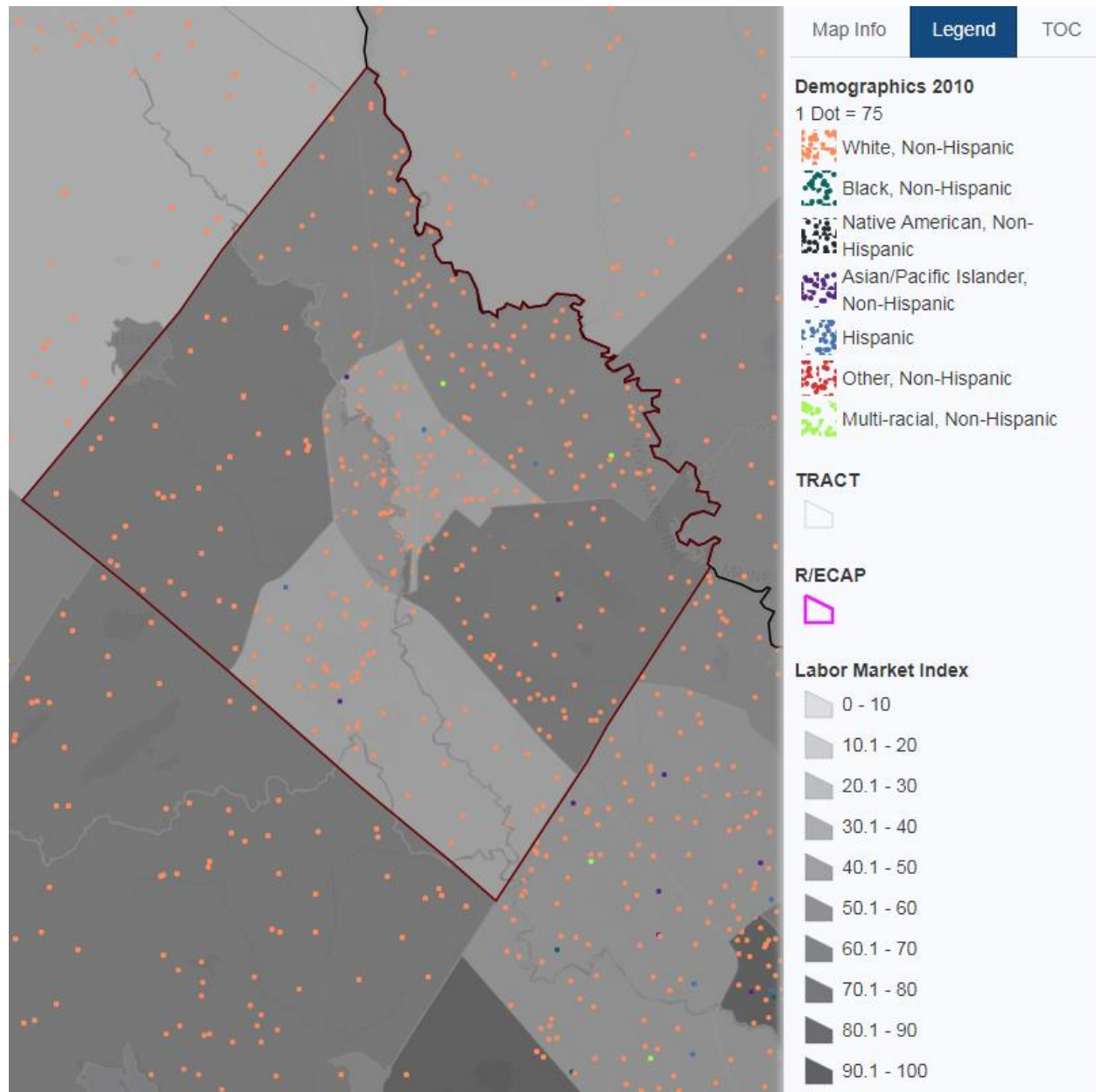


Job Proximity by National Origin

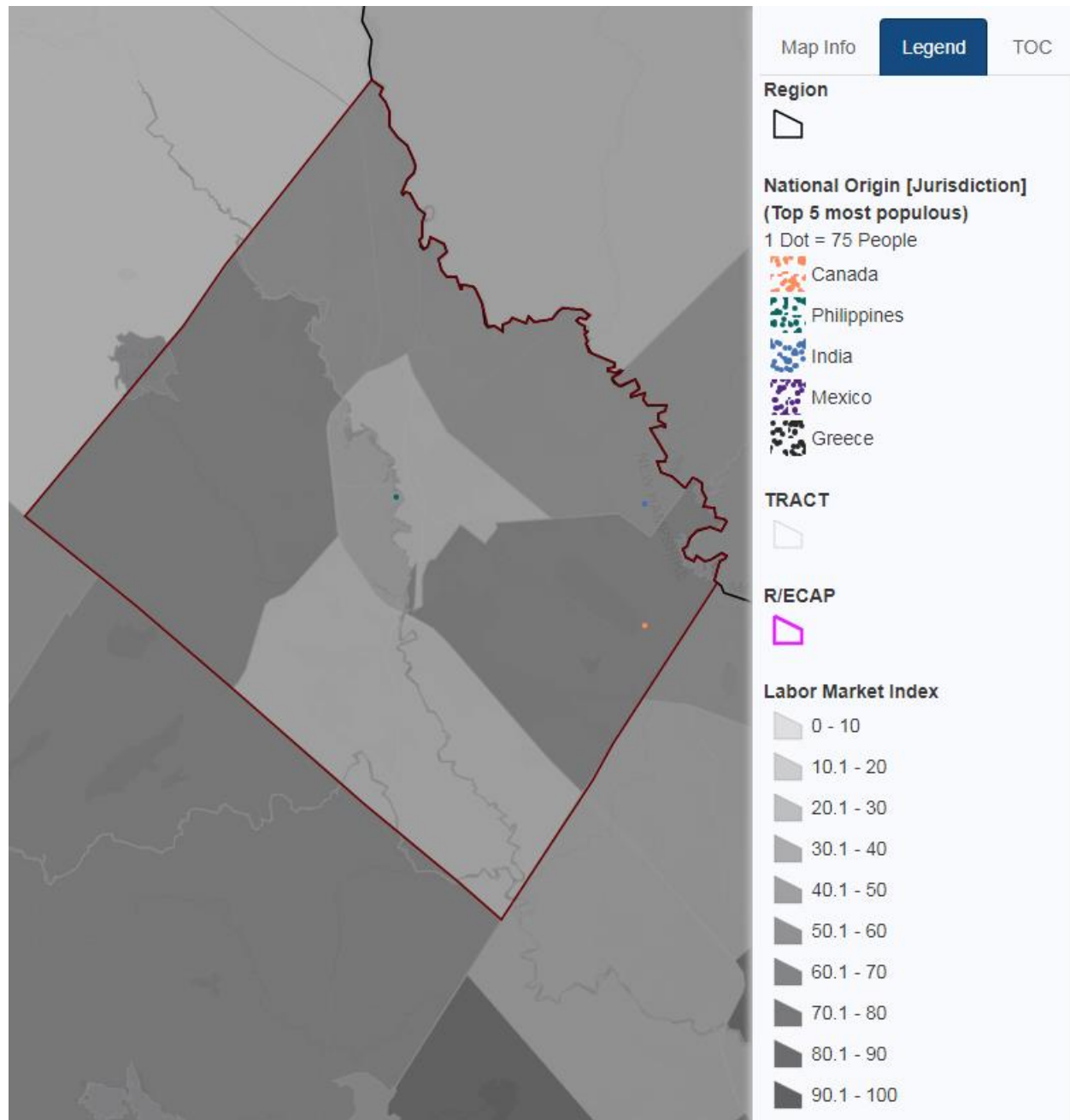


Job Proximity by Family Size

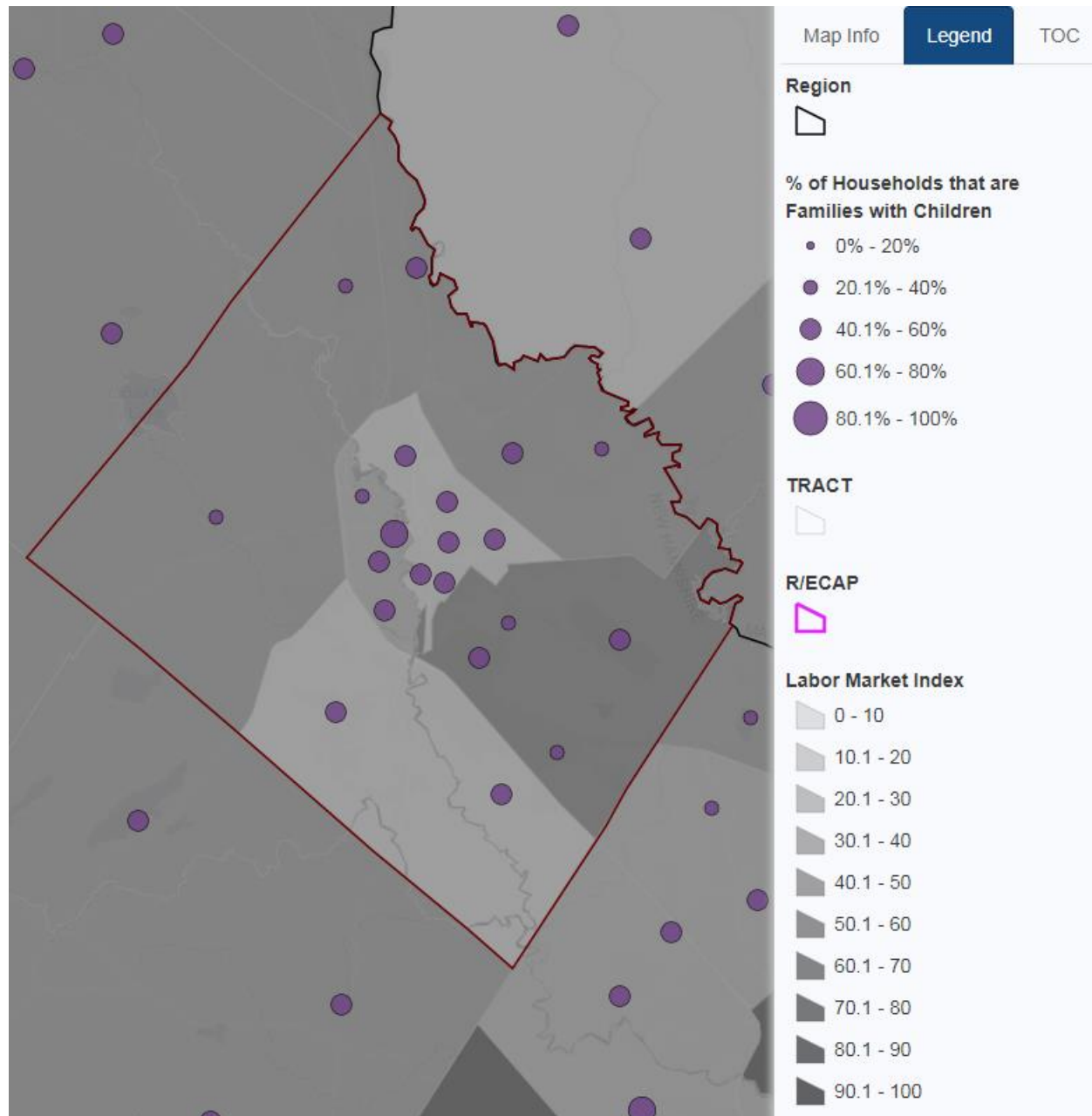
Labor market index data is not as homogenous. As seen on the maps below, created using the HUD AFFH Tool, darker areas indicate higher levels of labor engagement, while lighter areas indicate lower levels of labor engagement. No areas of the city are either at the highest or lowest levels, but there are disparities, with the central (downtown) and south-southeastern parts of the city showing lower levels than the northern, western, and eastern parts of the city. While residents seem relatively evenly spread between higher and lower census tracts based on race/ethnicity and national origin, there appears to be a concentration of families with children in the lower census tracts.



Labor Market Index by Race/Ethnicity



Labor Market Index by National Origin



Labor Market Index by Family Size

ii. How does a person's place of residence affect their ability to obtain a job?

A primary impact of residency for many residents is access to public transportation. American Community Survey data from 2012-2016 indicates that 3.7% of Rochester households do not have a personal vehicle and 18.1% of households have only one personal vehicle. The Cooperative Alliance for Seacoast Transportation (COAST) has four bus routes that run through the City of Rochester. These routes primarily pass through the main corridors of the city—NH Route 11, NH Route 125, and NH Route 108. Public input received at neighborhood ward meetings as well as at Rochester Housing Authority residents meetings has consistently expressed the need for more transportation services, especially services for elderly residents and residents with disabilities.

Fortunately, these bus routes run through the densely populated downtown region and provide access to a large number of residents. As discussed in previous sections, racial and ethnic minorities in the City of Rochester disproportionately rent rather than own their housing, and rental housing (especially affordable rental housing) in the City of Rochester disproportionately is located in the downtown and immediate vicinity of downtown. Families with children also disproportionately live in or near the downtown.

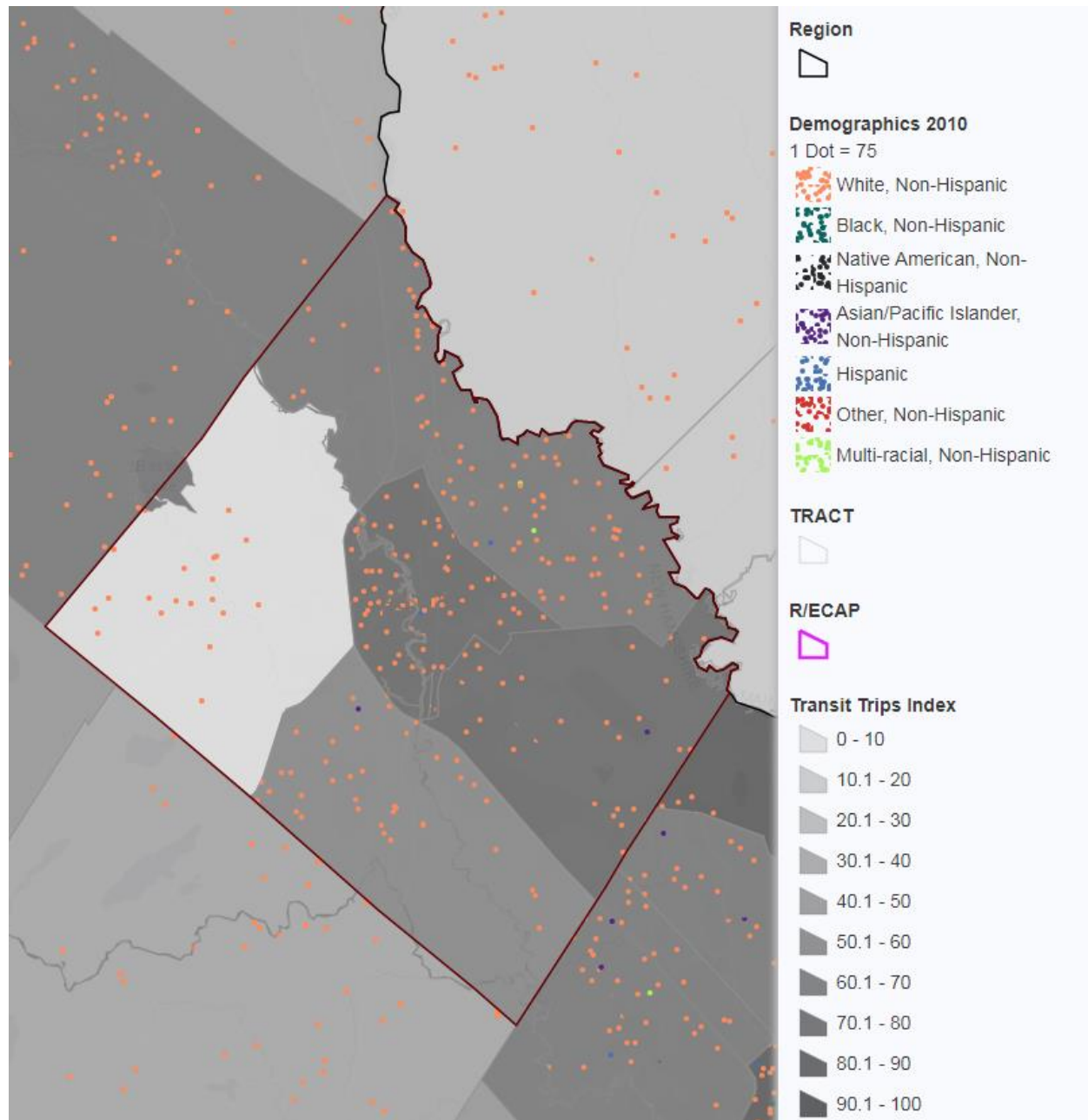
iii. *Which racial/ethnic, national origin, or family status groups are least successful in accessing employment?*

As seen on the maps in the previous subsection, darker areas indicate higher levels of labor engagement, while lighter areas indicate lower levels of labor engagement. No areas of the city are either at the highest or lowest levels, but there are disparities, with the central (downtown) and south-southeastern parts of the city showing lower levels than the northern, western, and eastern parts of the city. While residents seem relatively evenly spread between higher and lower census tracts based on race/ethnicity and national origin, there appears to be a concentration of families with children in the lower census tracts.

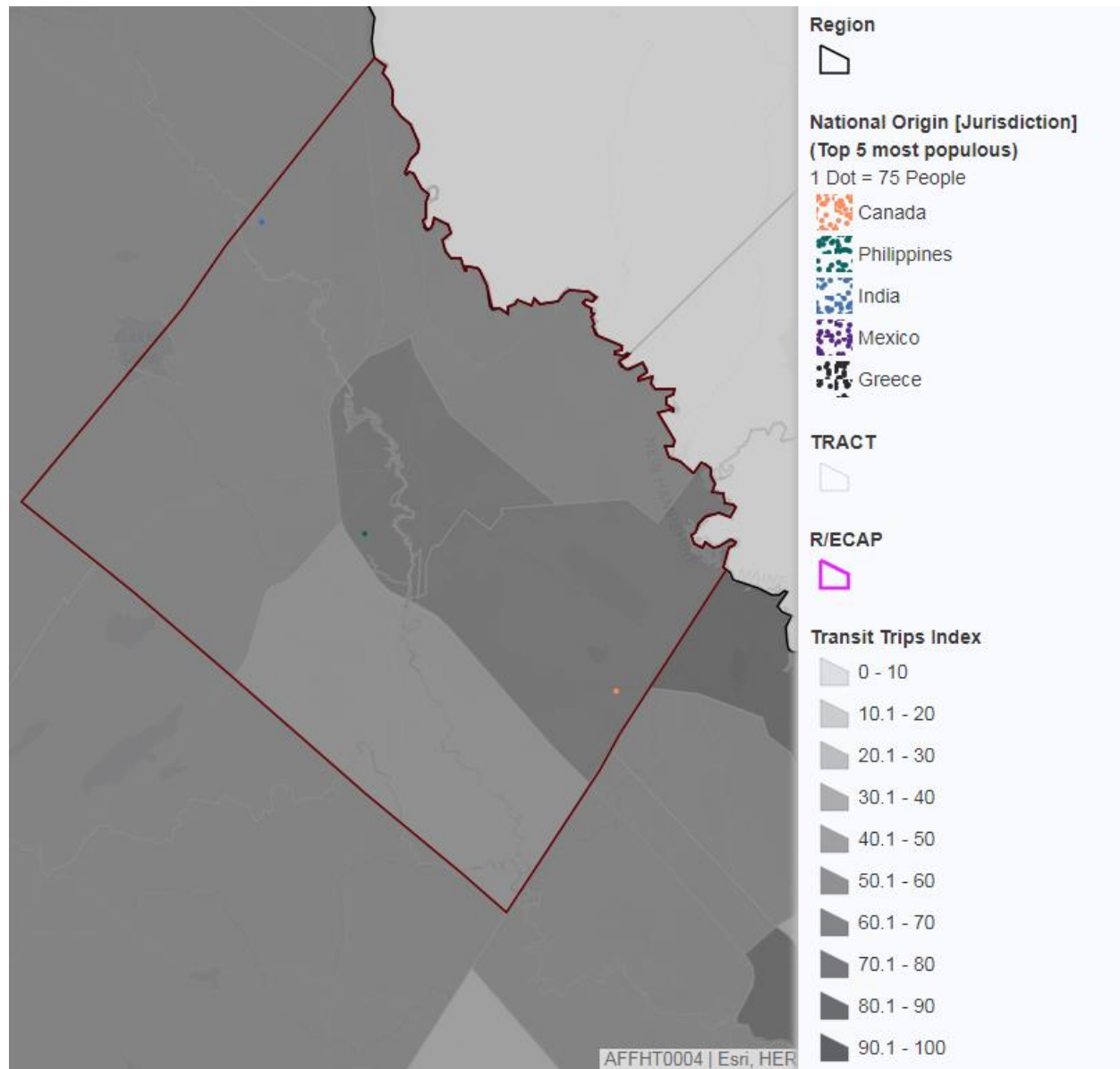
c. Transportation Opportunities

i. *Describe any disparities in access to transportation based on place of residence, cost, or other transportation related factors.*

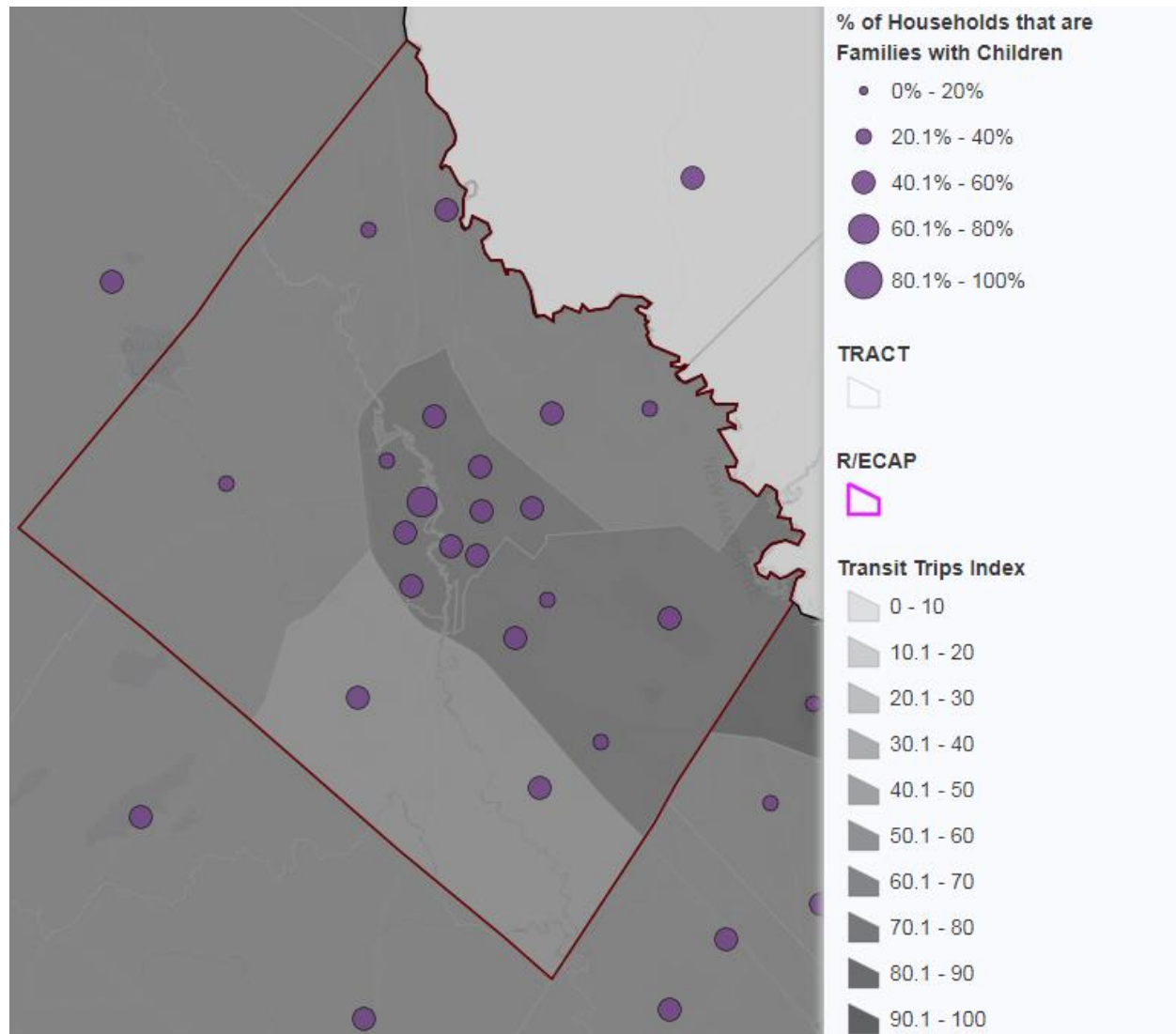
American Community Survey data from 2012-2016 indicates that 3.7% of Rochester households do not have a personal vehicle and 18.1% of households have only one personal vehicle. The Cooperative Alliance for Seacoast Transportation (COAST) has four bus routes that run through the City of Rochester. These routes primarily pass through the main corridors of the city—NH Route 11, NH Route 125, and NH Route 108. The University of New Hampshire (UNH) Wildcat Transit system also provides bus services regionally. In addition to COAST and UNH Wildcat, the Seacoast region has train transportation access with Amtrak stations in the City of Dover and the towns of Durham and Exeter. Charter bus services (to Boston and New York City) are available through C & J Bus Lines, which has bus stations located in the cities of Dover and Portsmouth.



Transit Trips and Race/Ethnicity



Transit Trips and National Origin

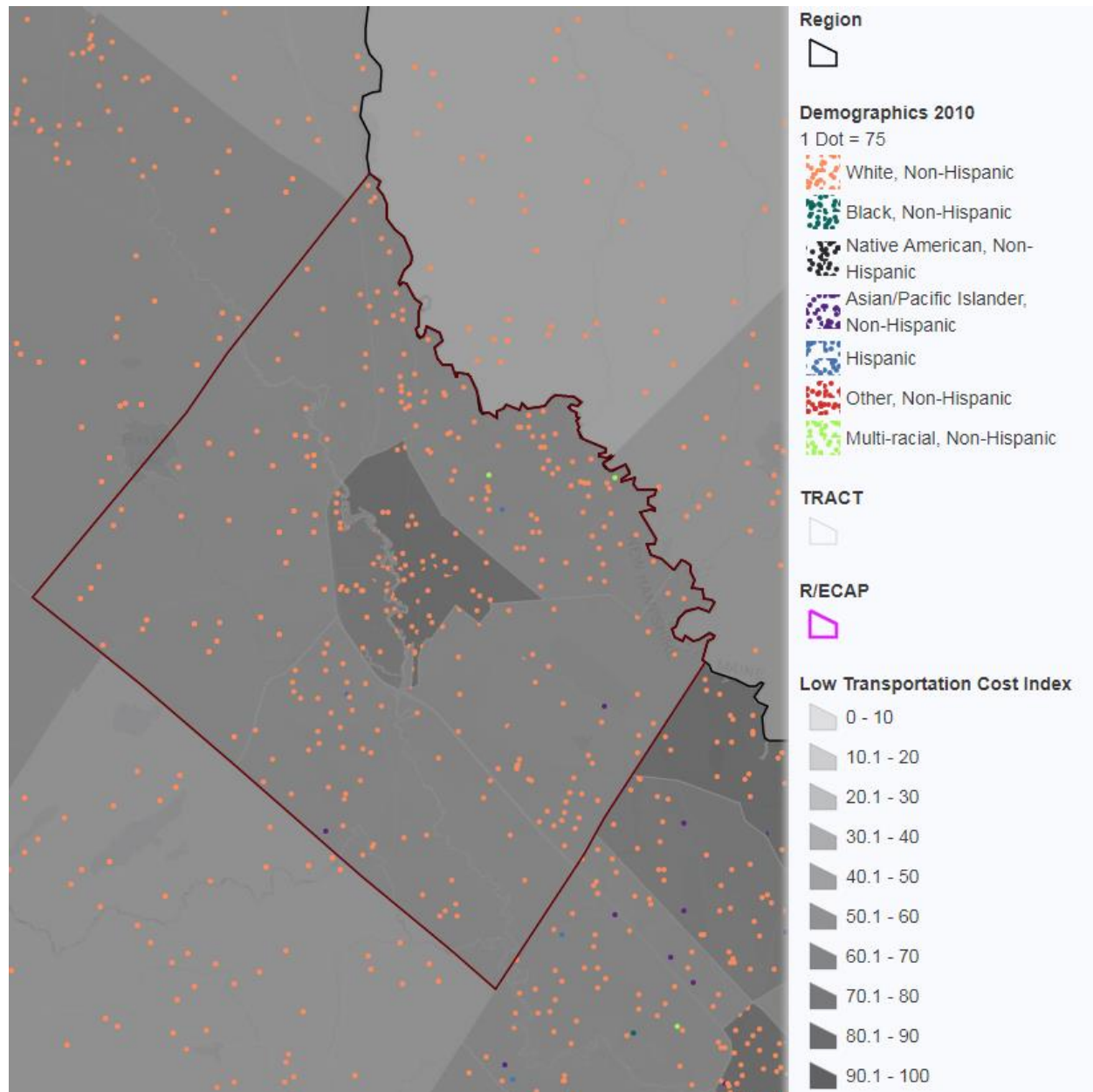


Transit Trips and Family Status

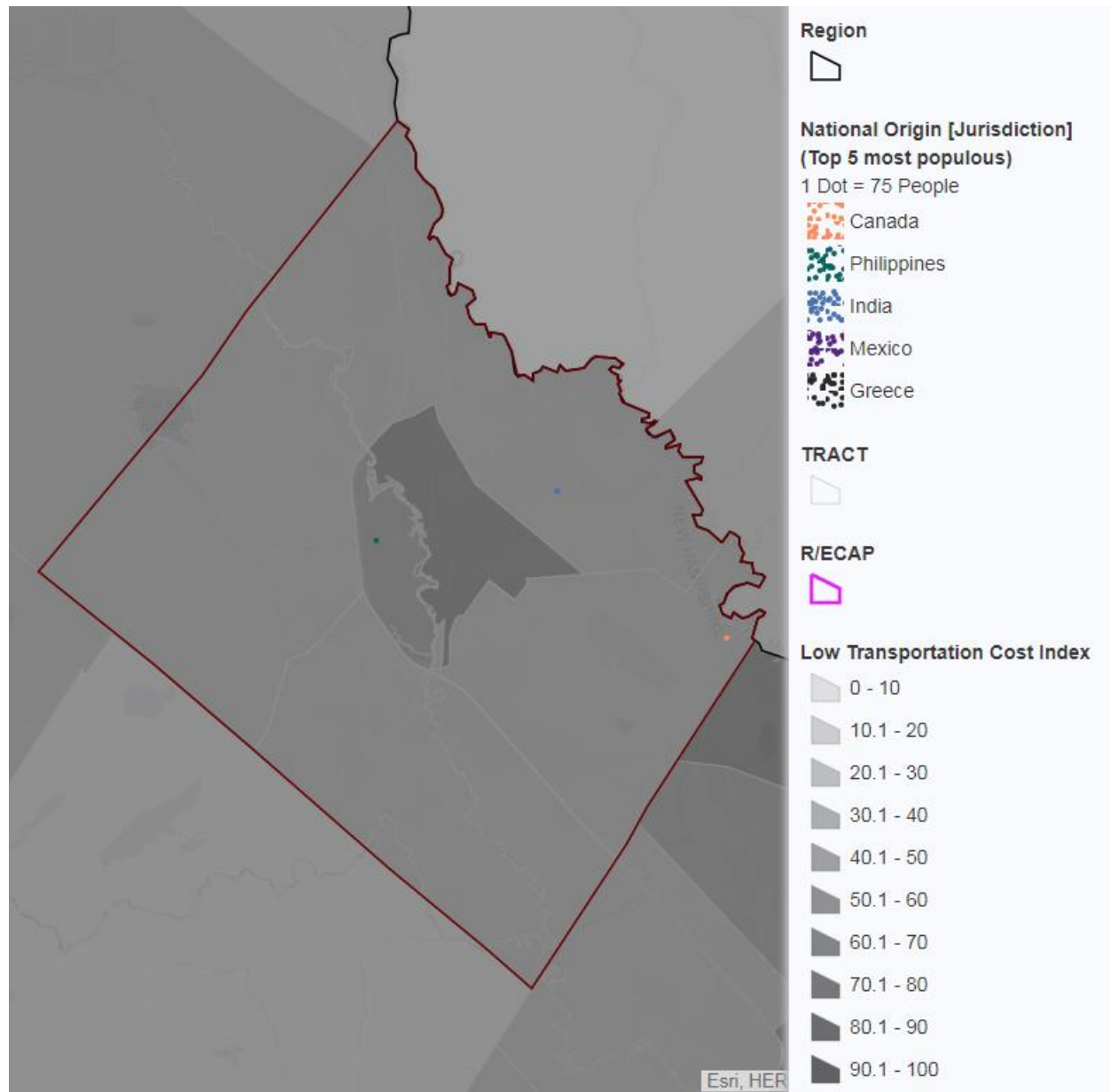
As seen on the maps above, created using HUD data and the HUD AFFH Tool, there are high levels of transit access citywide. The central area of the city and the eastern area have slightly higher levels, however, while the southeastern portion of the city has slightly lower levels. Racial and ethnic minorities, residents with foreign national origins, and families with children live largely in the areas of the city with higher levels of transit access.

ii. Which racial/ethnic, national origin or family status groups are most affected by the lack of a reliable, affordable transportation connection between their place of residence and opportunities?

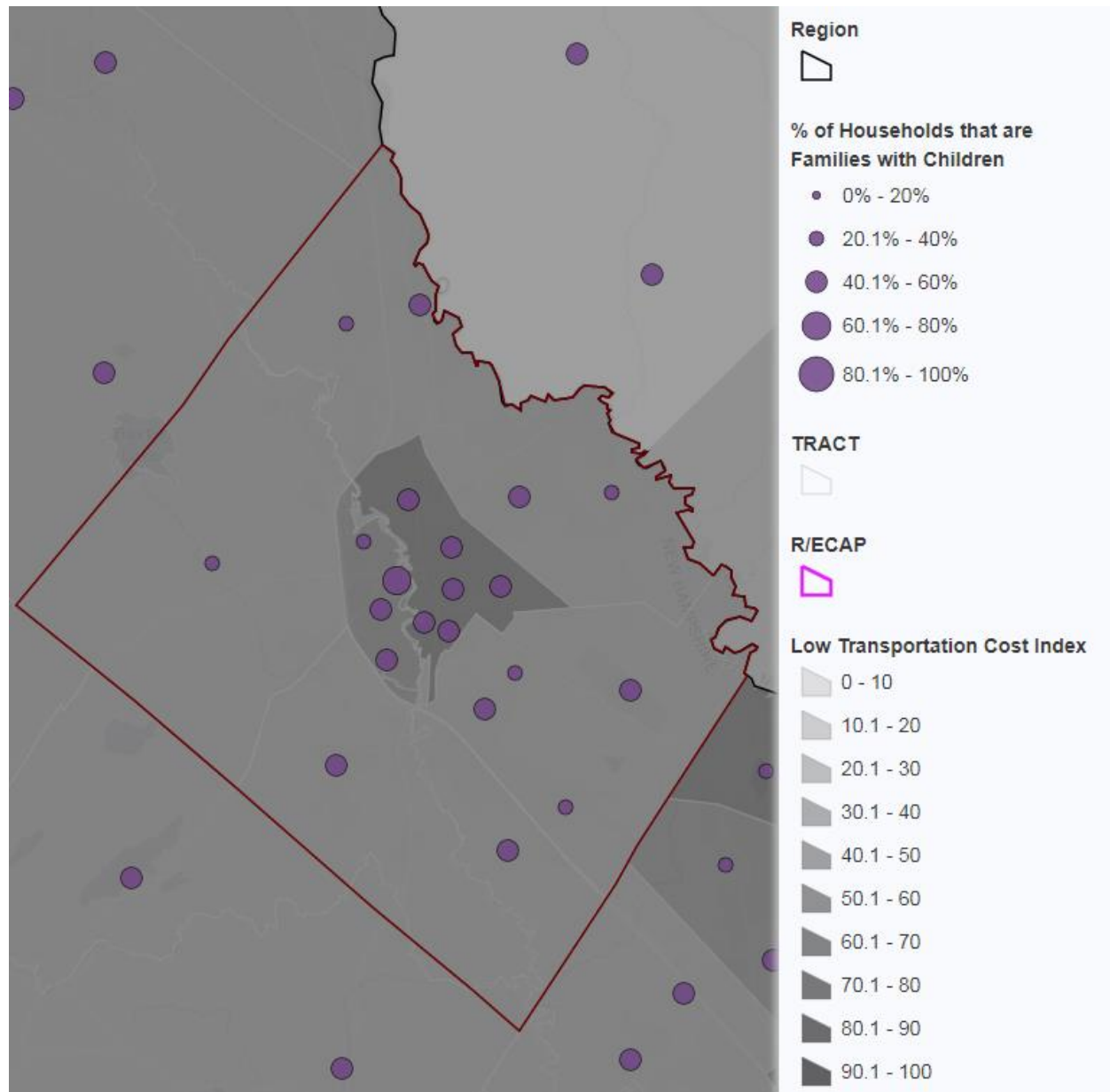
As seen on the maps in the previous subsection, created using HUD data and the HUD AFFH Tool, there are high levels of transit access citywide. Racial and ethnic minorities, residents with foreign national origins, and families with children live largely in the areas of the city with higher levels of transit access. However, public input received at neighborhood ward meetings as well as at Rochester Housing Authority residents meetings has consistently expressed the need for more public and private transportation services, especially services for elderly residents and residents with disabilities.



Low Transportation Cost and Race/Ethnicity



Low Transportation Cost and National Origin

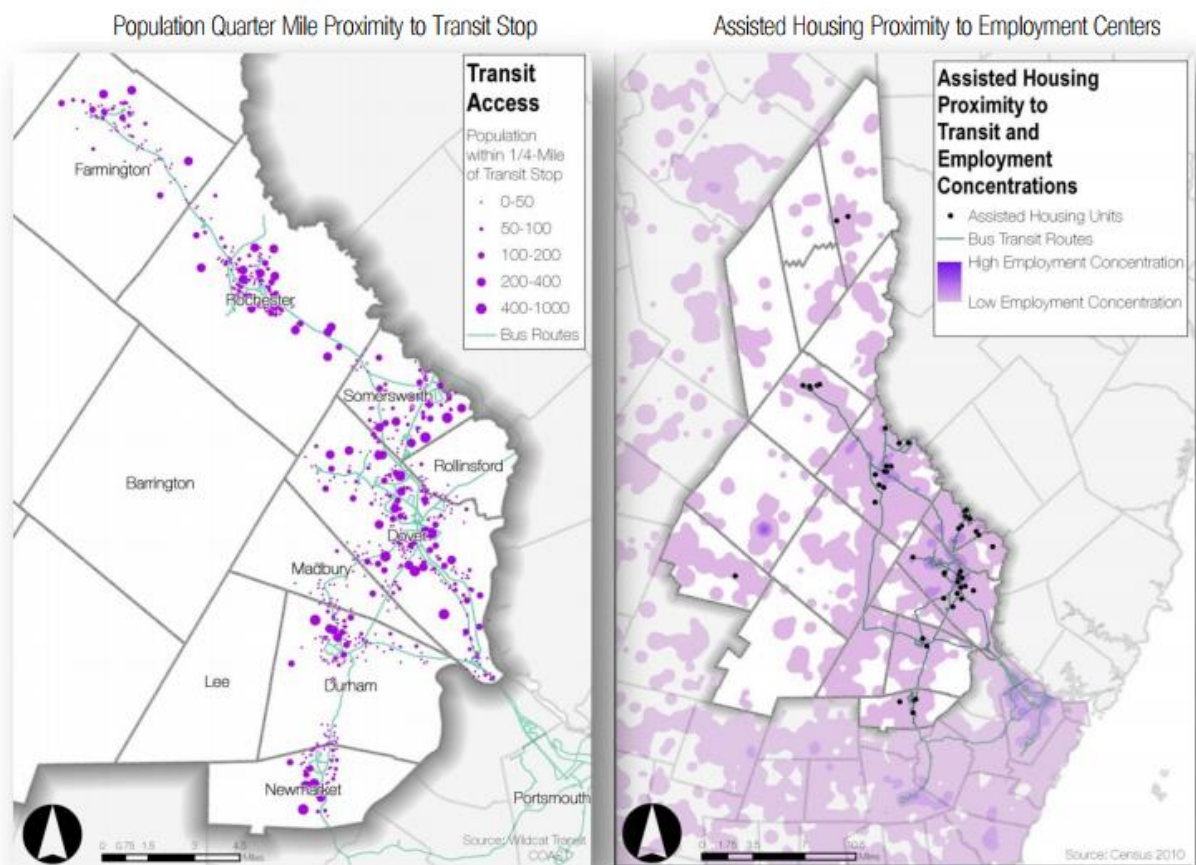


Low Transportation Cost and Family Status

On the transportation cost maps above, created using HUD data, higher transportation cost indices (the darker shading) represents lower cost of transportation in that neighborhood. The lowest transportation costs, therefore, exist in the central and more urban part of the city, which is also where bus routes are concentrated. The more rural outskirts of the city have slightly higher costs, but all areas of the city have relatively high transportation costs indices (in the 50-70% range). While most families with children live in the regions with lower transportation costs, Asian/Pacific Islander residents, Hispanic residents, and multiracial residents live disproportionately in the regions with somewhat higher transportation costs. Residents originating from Canada and India also live disproportionately in the regions with somewhat higher transportation costs.

- iii. *Describe how the jurisdiction's and region's policies, such as public transportation routes or transportation systems designed for use personal vehicles, affect the ability of protected class groups to access transportation.*

American Community Survey data from 2012-2016 indicates that 3.7% of Rochester households do not have a personal vehicle and 18.1% of households have only one personal vehicle. The alternative transportation access section of Strafford Regional Planning Commission's 2015 *Fair Housing and Equity Assessment* affirmed that access to opportunity, including employment opportunity, is dependent on access to transportation. Two GIS-based surveys conducted by the commission examined the relationship between population centers in Strafford County and transportation services, and these analyses (mapped below) found that transportation services are available within a quarter mile walking distance of the most densely populated regions of the county and large portions of the county's population.



Population Proximity to Bus Stops in Strafford County

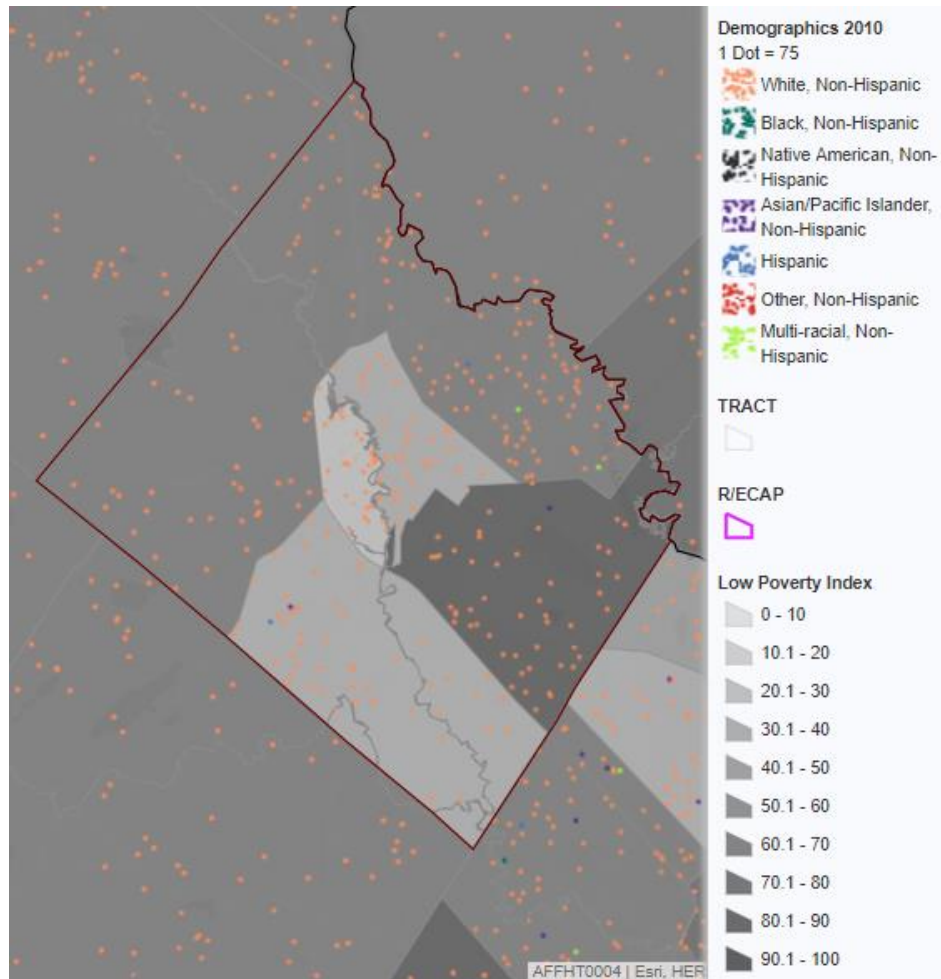
source: Strafford Regional Planning Commission, Fair Housing and Equity Assessment (January 2015)

d. Low Poverty Exposure Opportunities

- i. *Describe any disparities in exposure to poverty by protected class groups.*

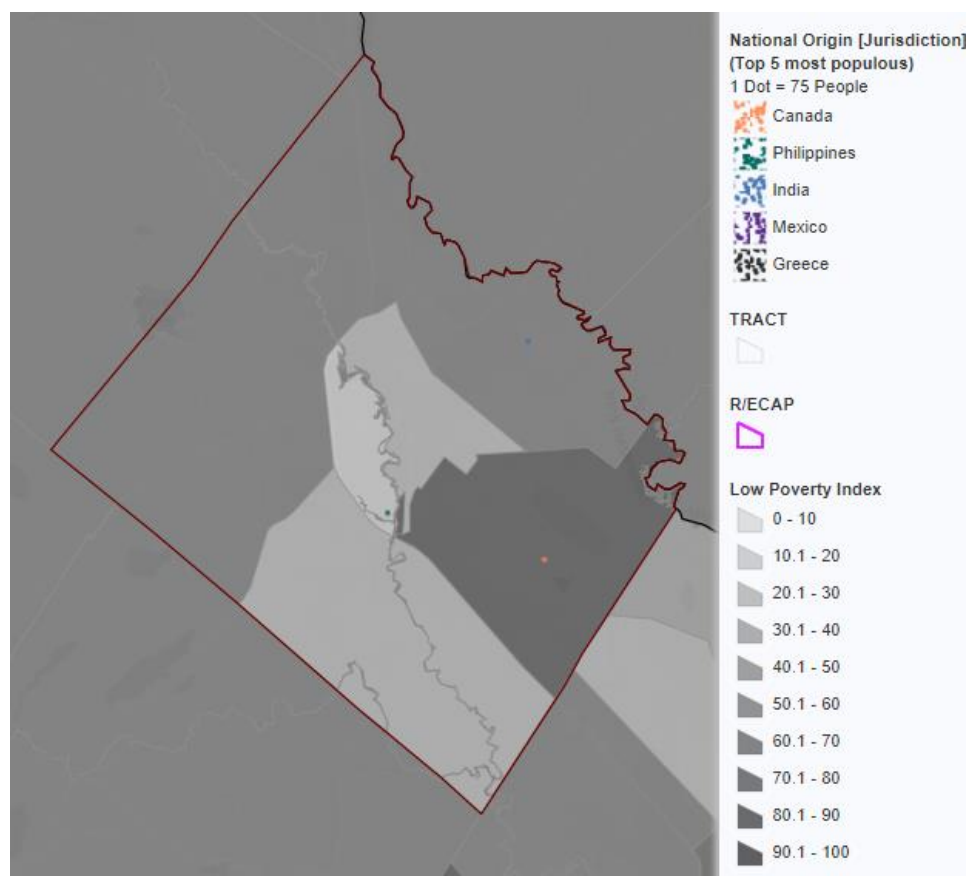
In the maps below, created using HUD data on depth and intensity of poverty by census tract, the values range from 0 to 100, and higher scores indicate less exposure to poverty in a neighborhood. The

areas of highest poverty exposure are the more urban center of the city and the southeastern region of the city, while the more rural eastern and western region of the city has the least poverty exposure. The northern region of the city, comprised of the former Village of East Rochester, has intermediate levels of poverty exposure.



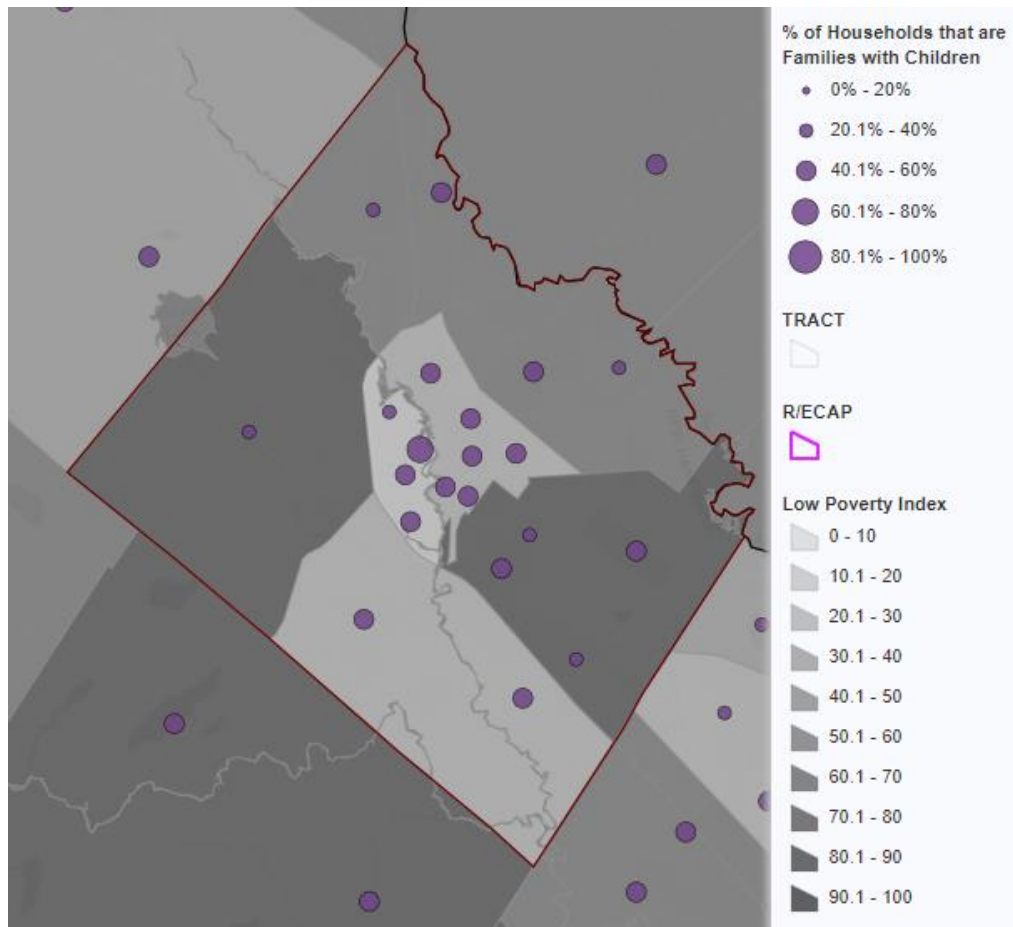
Poverty and Race/Ethnicity

As shown on the map above, created using the HUD AFFH Tool, Asian/Pacific Islander residents and Hispanic residents disproportionately live in the census tracts with intermediate and highest poverty exposure, while multiracial residents disproportionately live in intermediate poverty exposure census tracts.



Poverty and National Origin

As shown on the map above, created using the HUD AFFH Tool, residents with a national origin from India live disproportionately in census tracts with the highest poverty exposure, while residents with a national origin from Canada live disproportionately in census tracts with the lowest poverty exposure.



Poverty and Family Status

As shown on the map above, created using the HUD AFFH Tool, families with children largely live in the census tracts with the highest poverty exposure, although there are sizable populations of families with children in census tracts with intermediate and lowest poverty exposures.

ii. What role does a person's place of residence play in their exposure to poverty?

The areas of highest poverty exposure are the more urban center of the city and the southeastern region of the city, while the more rural eastern and western region of the city has the least poverty exposure. The northern region of the city, comprised of the former Village of East Rochester, has intermediate levels of poverty exposure.

iii. Which racial/ethnic, national origin or family status groups are most affected by these poverty indicators?

Asian/Pacific Islander residents and Hispanic residents disproportionately live in the census tracts with intermediate and highest poverty exposure, while multiracial residents disproportionately live in intermediate poverty exposure census tracts. Residents with a national origin from India live disproportionately in census tracts with the highest poverty exposure, while residents with a national origin from Canada live disproportionately in census tracts with the lowest poverty exposure. Families with children largely live in the census tracts with the highest poverty exposure, although there are sizable populations of families with children in census tracts with intermediate and lowest poverty exposures.

iv. *Describe how the jurisdiction's and region's policies affect the ability of protected class groups to access low poverty areas.*

Data from the New Hampshire Housing Finance Authority, in its *Housing Market Update* report for September 2017 and November 2017, indicates statewide trends of rising home prices, low rental vacancy, low availability of homes for purchase, and increasing rents. The City of Rochester's Planning Department has reported that much of the new housing development in the last three years has been higher-end housing (\$300,000 and up). Regionally, there has been a trend of lower income residents being priced out of the southern part of the Seacoast New Hampshire region, then housing costs rising in the northern regions.

In addition, the City of Rochester's Planning Department have identified problems within the current zoning ordinance. Density allowances can prevent multifamily, affordable housing developments from being financially feasible for housing developers. Consultations with regional housing developers and affordable housing non-profit agencies statewide have also indicated a lack of affordable housing incentive programs within the State of New Hampshire, which has led to poverty concentrations in the downtown region, where the housing stock is older, dilapidated, and lower cost.

f. *Patterns in Disparities in Access to Opportunity*

i. *Identify and discuss any overarching patterns of access to opportunity and exposure to adverse community factors based on race/ethnicity, national origin or familial status. Identify areas that experience an aggregate of poor access to opportunity and high exposure to adverse factors. Include how these patterns compare to patterns of segregation and R/ECAPs.*

There is largely even distribution of race/ethnicity, national origin, and family status among the school proficiency levels, with the exception of Asian/Pacific Islander, Hispanic, and multiracial residents living disproportionately in lower proficiency census tracts. All areas of the City of Rochester, as well as Strafford County, have close proximity to jobs. Regarding labor engagement, the central downtown, south, and southeastern parts of the city show lower levels than the northern, western, and eastern parts of the city, with a concentration of families with children in the lower-engagement census tracts. Racial and ethnic minorities, residents with foreign national origins, and families with children live largely in the areas of the city with higher levels of transit access. Asian/Pacific Islander residents and Hispanic residents, residents with a national origin from India, and families with children all disproportionately live in the census tracts with intermediate and highest poverty exposure. Households with children live disproportionately in the downtown, which has census tracts that have relatively lower environmental health quality than the outskirt regions of the city.

2. *Additional Information*

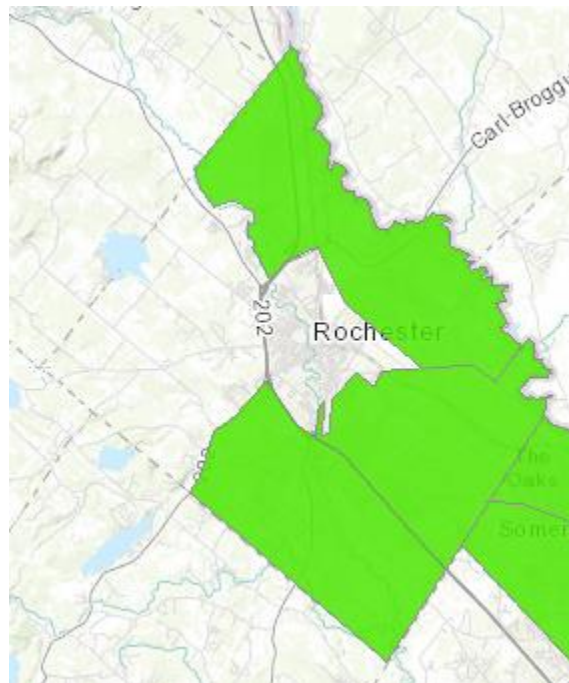
a. *Beyond the HUD-provided data, provide additional relevant information, if any, about disparities in access to opportunity in the jurisdiction and region affecting groups with other protected characteristics.*

In addition to HUD data, state lead poisoning data has led the New Hampshire Department of Health and Human Services to designate the City of Rochester as one of eight "high risk" communities for lead poisoning issues, mostly due to the age and conditions of the housing stock which is dominant in the downtown target area. This ranking is supported by a 2012 Health Needs Assessment from the regional

Wentworth-Douglass Hospital which includes “physical environment” as one of the top 15 health needs in the Seacoast area.

Data from Strafford Regional Planning Commission's 2015 fair housing assessment found that "Dover and Rochester, the [Strafford County] region's largest municipalities, are comparable in both geographic size and total population" but while Dover had a minority population of 9.44%, Rochester had a minority population of only 4.58%. The report suggests that data indicates "Dover is more affordable [than Rochester] to minority renters and owners." This is concerning as, generally, rents and home prices are lower in the City of Rochester than the City of Rochester.

Recent data from the U.S. Department of Agriculture's Food Access Research Atlas, displayed in the map below, show there are areas of low food access in the northern, eastern, and southern areas of the city. These are also areas of the city that have disproportionate concentrations of racial/ethnic minorities, such as Asian/Pacific Islander residents and Hispanic residents. However, not all of these regions are lower-income; the southern region of the city, for example, has a higher median income than the rest of the city.



Food Access Map of Rochester
(source: USDA Food Access Research Atlas)

- b. *The program participant may also describe other information relevant to its assessment of disparities in access to opportunity, including any activities aimed at improving access to opportunities for areas that may lack such access, or in promoting access to opportunity (e.g., proficient schools, employment opportunities, and transportation).***

The City of Rochester has made several efforts to improve access to opportunities for its residents. The Rochester Farmers Market was founded in 2016 with substantial assistance from the city's Office of Economic and Community Development. The city's Economic Development Specialist served on the steering committee for the market in its first two years, and the Community Development Coordinator helped the market draft several start-up grant

applications. In addition to providing a central, easily-accessible downtown location to purchase high-quality whole foods, the Rochester Farmers Market also has special programs that provide free or reduced-cost food to veterans and SNAP recipients.

The City of Rochester also provides rental assistance for low-income residents through Community Development Block Grant funding to several non-profit agencies specializing in this form of financial support. All of the recipients of rental assistance are low-income, and beginning in FY 2017-2018, some of the funding has been reserved specifically for residents with mental illnesses and/or developmental disabilities. The city's CDBG activities also disproportionately serve racial and ethnic minority residents; for example, as reported in the FY 2016-2017 Consolidated Annual Performance Evaluation Report to HUD, 14 of residents with CDBG funds were racial or ethnic minorities, compared to 4.6% of the overall population of the city.

The City of Rochester has also partnered with New Hampshire Housing Legal Assistance's Housing Justice Project to provide landlord education outreach services to Rochester landlords, especially landlords renting to low to moderate income tenants. The city most recently provided CDBG funding for this sort of outreach in FY 2015-2016, and the outreach was specifically targeted at educating landlords and other housing providers on the rights of tenants with disabilities (both physical and mental).

The City of Rochester has also partnered with the Cooperative Alliance for Seacoast Transportation (COAST), the major public transportation provider for the region, on a number of initiatives aimed at increasing and improving transportation options for elderly residents, residents with disabilities, and lower-income residents. These efforts have included a Tri-City Volunteer Drivers Program (serving the neighboring cities of Rochester, Dover, and Somersworth) and a presentation on free and reduced cost transportation options presented by the COAST Community Transportation Manager to Rochester Housing Authority residents.

3. Contributing Factors of Disparities in Access to Opportunity

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disparities in access to opportunity.

- Access to financial services

Home Mortgage Disclosure Act (HMDA) data for 2016 for all City of Rochester census tracts, provided by the Consumer Financial Protection Bureau, showed 649 individual loan denial records for primary applicants. Of these 649 records, there was one record from an American Indian/Alaska Native resident, nine records from Asian residents, one record from a Black or African-American/Hispanic resident, two records from Black or African-American residents, ten records from Hispanic or Latino residents, and 43 records in which the applicant did not provide race or ethnicity identification. The remaining 578 records were of white non-Hispanic residents.

A search of this same record set for co-applicant race and ethnicity data showed nine Asian residents, one Black or African-American/Hispanic resident, three Black or African-American residents, two Native Hawaiian or Other Pacific Islander residents, 31 records in which the co-applicant did not provide race or ethnicity identification, and 321 records for

which there was not a co-applicant. The remaining 282 records were of white non-Hispanic residents.

No reason for the loan denial was provided for any of the records.

For primary applicants, if one excludes the records where an applicant did not provide race or ethnicity identification, 96.2% of the denied loan applicants were white non-Hispanic residents. For co-applicants, if one excludes the records where an applicant did not provide race or ethnicity identification or where there was not a co-applicant, 94.9% of the denied loan co-applicants were white non-Hispanic residents. According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), so these loan denial rates seem to indicate that there is not discriminatory lending occurring, as the percentage of non-white residents who have received denials is roughly the same as the overall percentage of non-white residents within the city.

In addition, there is national-level data available on disparities in access to financial services. A 2012 report from the National Fair Housing Alliance, “Discriminatory Effects of Credit Scoring on Communities of Color,” found that “current credit scoring systems have a disparate impact on people and communities of color” and that “many credit scoring mechanisms include factors that do not just assess the risk characteristics of the borrower ... [but] also reflect the riskiness of the environment in which a consumer is utilizing credit as well as the riskiness of the types of product a consumer uses.”²⁴ The report also states that “[c]redit and other scoring mechanisms are being used by employers to evaluate job applicants, insurers to determine auto, life and homeowners insurance, and landlords to screen tenants,” which expands the disparities faced by communities of color in access to financial services.

A 2018 report from the Brookings Institution, “Supporting Mortgage Lending in Rural Communities,” found that “[t]he GSEs [Government Sponsored Enterprises] and Ginnie Mae continue to provide critical mortgage capital to low- and moderate-income borrowers, and borrowers of color” and that “FHA [Federal Housing Administration] continues to play an outsized role among borrowers of color in rural areas.”²⁵ This data is especially useful as New Hampshire is a predominately rural state.

- The availability, type, frequency, and reliability of public transportation

American Community Survey data from 2012-2016 indicates that 3.7% of Rochester households do not have a personal vehicle and 18.1% of households have only one personal vehicle. The Cooperative Alliance for Seacoast Transportation (COAST) has four bus routes that run through the City of Rochester. These routes primarily pass through the main corridors of the city—NH Route 11, NH Route 125, and NH Route 108. Public input received at neighborhood ward meetings as well as at Rochester Housing Authority

²⁴ Rice L, Swesnik D, “Discriminatory Effects of Credit Scoring on Communities of Color,” National Fair Housing Alliance. June 2012. <<http://nationalfairhousing.org/wp-content/uploads/2017/04/NFHA-credit-scoring-paper-for-Suffolk-NCLC-symposium-submitted-to-Suffolk-Law.pdf>>.

²⁵ Calhoun M, Feltner T, Smith P, “Supporting Mortgage Lending in Rural Communities,” The Brookings Institution. January 2018. <https://www.brookings.edu/wp-content/uploads/2018/01/es_2018_01_10_rural_housing_report.pdf>.

residents meetings has consistently expressed the need for more transportation services, especially services for elderly residents and residents with disabilities.

The University of New Hampshire (UNH) Wildcat Transit system also provides bus services regionally. In addition to COAST and UNH Wildcat, the Seacoast region has train transportation access with Amtrak stations in the City of Dover and the towns of Durham and Exeter. Charter bus services (to Boston and New York City) are available through C & J Bus Lines, which has bus stations located in the cities of Dover and Portsmouth.

HUD data, obtained and analyzed using the HUD AFFH Tool, indicates that there are high levels of transit access citywide. The central area of the city and the eastern area have slightly higher levels, however, while the southeastern portion of the city has slightly lower levels. Racial and ethnic minorities, residents with foreign national origins, and families with children live largely in the areas of the city with higher levels of transit access. There is not a negative disparity in opportunity to access public transportation for residents in protected classes.

- Lack of private investments in specific neighborhoods

Public input received at neighborhood ward meetings as well as consultations with non-profit agencies and local business organizations have indicated that there is a lack of private investment in the downtown Ward 4 residential neighborhood (Block Group 2, Census Tract 844) known as Frenchtown. Frenchtown is bordered by River Street, Gagne Street, Washington Street, and North Main Street.

This neighborhood is low-income with significant crime rates and drug activity rates. Much of the residential housing is owned by out of state property owners who do not maintain their properties in good condition. These factors deter potential developers from purchasing properties in this neighborhood or otherwise investing in the neighborhood.

- Lack of public investments in specific neighborhoods, including services or amenities

Most of the City of Rochester's investments, especially its CDBG investments, have been targeted to low-income downtown census tracts, as these areas of the city have the highest populations and greatest needs. Higher-income census tracts on the outer edges of the city have received less funding, and consultation with the Strafford Regional Planning Commission indicates that the East Rochester area of the city lacks a grocery store. In addition to CDBG funding, the low-income Frenchtown neighborhood, located in the downtown region, received substantial financial support during the city's 2009 Neighborhood Stabilization Program that renovated five dilapidated residential properties in the neighborhood.

The City of Rochester also has six state-designated Economic Revitalization Zones (ERZ) within the city, zones with "[v]acant land or structures previously used for industrial, commercial, or retail purposes but currently not so used due to demolition, age, obsolescence, deterioration, brownfields, relocation of the former occupant's operations, or cessation of operation resulting from unfavorable economic conditions either generally or in a specific economic sector."²⁶ The six ERZ areas are geographically distributed throughout the city and include the downtown, the former village of Gonic (southern

²⁶ NH RSA 162-N. <<http://www.gencourt.state.nh.us/rsa/html/xii/162-n/162-n-mrg.htm>>.

Rochester), and the former village of East Rochester (north-northeastern Rochester). There is not a lack of public investment in any specific neighborhoods of the city.

- Lack of regional cooperation

The City of Rochester's Community Development Division has worked to enhance coordination between the Rochester Housing Authority, non-profit organizations providing housing and related services, community development staff in the neighboring cities of Dover and Portsmouth, and relevant Rochester departments such as the Welfare Office and Planning Department. The City of Rochester's Community Development Coordinator also engages in significant outreach and involvement in relevant community organizations, such as serving on the Greater Seacoast Coalition on Homelessness steering committee, serving on the board of directors of the Cooperative Alliance for Seacoast Transportation (COAST), and active involvement with the Balance of State Continuum of Care. This has included attending an informational session in November 2017 on the Balance of State Continuum of Care's implementation of statewide coordinated entry for homeless services. There is not a lack of regional cooperation and, in fact, regional cooperation has been steadily increasing in recent years.

- Land use and zoning laws

In April of 2014, the City of Rochester updated the Chapter 42 of City of Rochester General Ordinances, which took ten years to complete. The Downtown Commercial District Zone has an average parcel size of 17,675 square feet, which would only allow for three dwelling units per parcel without seeking a variance from the Zoning Board of Adjustment under the 2014 ordinance. In early 2018, the ordinance was revised to lower the density limits to 500 sq. ft. per dwelling unit to allow for increased density within this zone, as the previous density regulations proved off-putting for developers who otherwise would be interested in investing in the downtown mixed-use buildings. Later in 2018, the Rochester Planning Department worked with the Community Development Division and the consultants at BendonAdams to perform a more in-depth analysis of downtown density and draft recommendations to further improve property owners' ability to develop downtown housing. A revised version of these recommendations was adopted by City Council in 2019.

These factors have led to disparate access to opportunity for lower-income residents, residents who rent (versus own) their housing, racial and ethnic minorities, and families with children, all of whom disproportionately live in the downtown region.

- Lending discrimination

According to Home Mortgage Disclosure Act (HMDA) data for 2016, for primary Rochester applicants, if one excludes the records where an applicant did not provide race or ethnicity identification, 96.2% of the denied loan applicants were white non-Hispanic residents. For co-applicants, if one excludes the records where an applicant did not provide race or ethnicity identification or where there was not a co-applicant, 94.9% of the denied loan co-applicants were white non-Hispanic residents. According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), so these loan denial rates seem to indicate that there is not discriminatory lending occurring, as the percentage of non-white residents who have received denials is roughly the same as the overall percentage of non-white residents within the city.

- Location of employers

All areas of the City of Rochester, as well as Strafford County, have close proximity to jobs. American Community Survey data from 2012 to 2016 indicates that the vast majority of Rochester workers travel less than an hour to reach their place of employment (91.9%), and 54% of Rochester workers travel less than a half hour to reach their place of employment. The mean travel time to work according to this ACS data is 26.2 minutes. HUD data, obtained through the AFFH Tool, shows that job proximity is the same throughout all census tracts in the City of Rochester. There is not a disparity in access to opportunity as related to location of employers.

- Location of environmental health hazards

There are concentrations of Asian/Pacific Islander residents, Hispanic residents, and multiracial residents in census tracts identified by HUD as having higher environmental quality. There are concentrations of residents with a national origin of India in the northern part of the city and residents with a national origin of Canada in the eastern part of the city. All of these census tracts include the more rural southern and northern regions of the city.

However, the majority of households with children live in the more urban center of the city, which contains the census tracts that have relatively lower environmental health quality than the outskirt regions of the city. The disparity in health quality between these regions is fairly small, with all regions of the city ranking in between 30 and 60 on the 100 point scale of environmental health quality. Factors influencing this disparity likely include (1) the presence of more potential pollutants in this more urbanized area, including higher numbers of gas stations, auto repair shops, drycleaners, and other such businesses than in the more rural regions of the city and (2) the presence of lower quality low-income housing, which may contain code violations and health hazards such as lead paint.

- Location of proficient schools and school assignment policies

Racial and ethnic minorities in the City of Rochester disproportionately rent rather than own their housing, and rental housing (especially affordable rental housing) in the City of Rochester disproportionately is located in the downtown and immediate vicinity of downtown. Schools in the downtown are William Allen School, Chamberlain Street School, School Street School, and Maple Street Magnet School. Maple Street Magnet School enrollment is via application rather than residency; therefore, Maple Street Magnet School students live throughout the city.

National origin data and maps from HUD indicate a measurable population of residents originally from Canada in the east-central part of the city and from India in the north-central part of the city. Schools in the east-central part of the city are Chamberlain Street School and McClelland School. Schools in the north-central part of the city include East Rochester School and Nancy Loud School. Overall, there is equitable access to schools of similar proficiency, with the main exception being students enrolled at School Street School. The availability of the high-proficiency Maple Street Magnet School to students throughout the city somewhat offsets this.

The Rochester School Department policies related to enrollment include Admission of Nonresident Students (JECB),²⁷ Assignment of Students to Schools (JECC),²⁸ and Assignment of Students to Magnet Schools (JECC-1).²⁹ The Admission of Nonresident Students policy states, in part, that:

the Superintendent or designee will review the applications and determine eligibility for admission to Spaulding High School based on a variety of factors, including ... [l]ikelihood of success ... In applying these selection criteria, the Rochester School District will not discriminate on the basis of any protected classification as identified in Policy AC (Nondiscrimination) or any classification protected by state or federal law.

The Assignment of Students to Schools policy states that “[s]tudents shall be assigned to schools based upon their home address” with assignment zones “reviewed by the administration on an annual basis, and updated on the district’s website.” There are a few exceptions to the policy, including special needs of specifically classified students and class size limits. The Assignment of Students to Magnet Schools policy states, in part, that “requests for available slots will be accepted from February 1st” and if there are more requests for admission than slots available, “a lottery will be used for any open slots and a waiting list established.” Students with an older sibling already enrolled at Maple Street Magnet School do not have to participate in the lottery to also gain admission.

These are facially neutral and equitable policies, but due to geographic concentrations of certain racial and ethnic groups, groups of certain national origins, and families with children, these policies can potentially lead to inequitable results in school placements.

- Location and type of affordable housing

Non-public affordable housing is mainly comprised of duplex and multi-unit buildings built over fifty years ago, concentrated in the downtown area, with some other multi-unit apartment complexes located more toward the outskirts of the city. Public housing is spread throughout the City of Rochester, including near the downtown, in the former East Rochester village, and the former Gonic village. Available public housing ranges from small four-unit buildings at Wellsweep Acres to the large 72-unit building of Wyandotte Falls. Many of the units are intended for elderly residents and/or residents with disabilities, while the 60-unit Cold Spring Manor is available for families.

For the downtown region, much of the residential housing is owned by out of state property owners who do not maintain their properties in good condition. In addition, current density allowances in the downtown are considered far too low by many housing developers to make it profitable to purchase and develop multi-family buildings with affordable rents. As racial and ethnic minority households disproportionately rent rather than own their housing, and families with children live disproportionately in the downtown region, these factors potentially impact racial and ethnic minorities and families with children more than racial and ethnic majorities and households without children.

- Occupancy codes and restrictions

²⁷ <http://rochesterschools.com/Webmaster/policy/BookJ/JECB.htm>.

²⁸ <http://rochesterschools.com/Webmaster/policy/BookJ/JECC.htm>.

²⁹ <http://rochesterschools.com/Webmaster/policy/BookJ/JECC-1.htm>.

The Community Development Coordinator consulted with the City of Rochester's Office of Economic Development. This consultation indicated that the City's current fire safety codes have impacted the development of multi-family housing units. Such multi-family units are required to have sprinkler systems, as opposed to fire alarms, and building developers and property owners often find this cost-prohibitive. Given that this impacts multi-family housing but not single-family housing, these fire safety codes disproportionately impact the City of Rochester's affordable housing. Also, as racial and ethnic minority households disproportionately rent rather than own their housing, these factors potentially impact racial and ethnic minorities and families with children more than racial and ethnic majorities and households without children.

- Private discrimination

Anecdotal reports from several public service agencies that serve low-income residents suggest that family size has been a basis of discrimination within the City of Rochester, with larger families with children being turned away from rental housing by landlords. Consultation with the City of Manchester-based Organization for Refugee and Immigrant Success indicates that family size discrimination may disproportionately impact refugees and immigrants. Such discrimination may be underreported.

Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination within the City of Rochester. Consultation with the Housing Justice Project has indicated that many of the disability-based discrimination cases statewide are regarding individuals with mental disabilities, and this is likely true for the Rochester-specific data also.

Consultations with city departments, including the Welfare Office, Department of Building, Zoning, and Licensing Services, and Planning Department, have not indicated any city policies that may be influencing private discrimination. However, other consultations, such as with New Hampshire Legal Assistance, have indicated that city support for landlord education and outreach on non-discrimination laws and obligations would be helpful.

iv. Disproportionate Housing Needs

1. Analysis

- Which groups (by race/ethnicity and family status) experience higher rates of housing cost burden, overcrowding, or substandard housing when compared to other groups? Which groups also experience higher rates of severe housing burdens when compared to other groups?*

Housing cost burdens above 30% of household income are a problem for all City residents, with a City-wide percentage of 38% facing this problem. (See Table 21 below, which uses 2007-2011 federal CHAS data.) The percentage of white residents with a housing cost burden above 30% of the household income is only slightly above this at 38.2%. Certain racial and ethnic minorities have far greater percentages, however, primarily Asian and American Indian residents. The computed rate for Hispanic residents (17.4%) excludes a large percentage of "no/negative income" residents and seems contradicted by other reports of a high poverty rate of 21% among Hispanic residents. It seems likely that Hispanic residents, as a category, also have a disproportionately high housing cost burden.

It is notable that, according to the 2007-2011 Comprehensive Housing Affordability Strategy (CHAS) data, the severe housing problems disproportionately affecting racial and ethnic minorities in the City of Rochester appear to be less than non-severe housing problems. The main exception seems to be for Hispanic residents who are at or under 30% of the area median income, as seen in the table below.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,125	475	85
White	1,020	450	85
Black / African American	4	0	0
Asian	0	0	0
American Indian, Alaska Native	10	25	0
Pacific Islander	0	0	0
Hispanic	55	0	0

Data 2007-2011 CHAS

Source:

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

b. Which areas in the jurisdiction and region experience the greatest housing burdens? Which of these areas align with segregated areas, integrated areas, or R/ECAPs and what are the predominant race/ethnicity or national origin groups in such areas?

Housing cost burdens above 30% of household income are a problem for all City residents, with a City-wide percentage of 38% facing this problem. The percentage of white residents with a housing cost burden above 30% of the household income is only slightly above this at 38.2%. Certain racial and ethnic minorities have far greater percentages, however, primarily Asian and American Indian residents. The computed rate for Hispanic residents (17.4%) excludes a large percentage of “no/negative income” residents and seems contradicted by other reports of a high poverty rate of 21% among Hispanic residents. It seems likely that Hispanic residents, as a category, also have a disproportionately high housing cost burden.

It is notable that, according to the 2007-2011 Comprehensive Housing Affordability Strategy (CHAS) data, the severe housing problems disproportionately affecting racial and ethnic minorities in the City of Rochester appear to be less than non-severe housing problems. The main exception seems to be for Hispanic residents who are at or under 30% of the area median income.

According to data compiled by the Strafford Regional Planning Commission in its *Fair Housing and Equity Assessment* report, there is a slight concentration of racial and ethnic minorities who rent in the center of the City (Wards 2 and 6), and there is a heavier concentration of racial and ethnic minorities who own their homes in the northwestern portion of the City (Wards 3 and 5).

Both these areas overlap, to large extent, the census tracts classified by HUD as 51% or greater low to moderate income.

Overall, the greater needs of specific racial or ethnic minorities in the City of Rochester seem to correlate strongly with economic/income status. Addressing the housing needs of low-income residents will address the needs of low-income racial and ethnic minorities. In addition, addressing the greater rates of poverty among specific racial and ethnic groups in the City indirectly will impact and reduce housing needs. Analysis of the potential barriers to home ownership for racial and ethnic minorities and approaches to reducing these barriers are also needed, especially as home ownership is a traditional anchor of wealth building for American families.

c. Compare the needs of families with children for housing units with two and three or more bedrooms with the available existing housing stock in each category of publicly supported housing.

The Rochester Housing Authority owns and manages several properties providing house to lower-income residents:

- Wellsweep Acres (Olde Farm Ln.) has 76 units of low-rent public housing for elderly residents and residents with disabilities.
- Wyandotte Falls (Bridge St.) has 72 units of low-rent public housing for elderly residents and residents with disabilities.
- Gonic (Felker St.) has 12 units of low-rent public housing for elderly residents and residents with disabilities.
- Magic Avenue (East Rochester) has 12 units of low-rent public housing for elderly residents and residents with disabilities.
- Cold Spring Manor (Emerson Ave.) Has 60 units of low-rent public housing for families.

In addition to these properties, there are four tax credit properties with which the Rochester Housing Authority is involved:

- Linscott Court Apartments (Columbus Ave.) has 58 units of family housing.
- Emerson Court (Emerson Ave.) has 12 units of family housing.
- Marsh View Housing (Brock St.) has 12 of housing for elderly residents.
- Arthur H. Nickless Jr. Housing (Glenwood Ave.) has 24 units of housing for elderly residents.

Consultations with organizations serving lower-income Rochester families, such as the Community Action Partnership of Strafford County and the SHARE Fund, have indicated that lower-income families with larger numbers of children have had difficulties in locating rental housing. This has been due to a combination of (1) lack of rental housing with adequate number of bedrooms and (2) reported discrimination against families with larger numbers of children. While these issues have related to private housing specifically, an increase in public housing for families could help alleviate these issues, especially given that public housing units for elderly residents/residents with disabilities currently outnumber public housing units for families.

d. Describe the differences in rates of renter and owner occupied housing by race/ethnicity in the jurisdiction and region.

As discussed in previous sections of analysis, current data indicates that racial/ethnic minorities disproportionately rent versus own their housing. It is likely that racial and ethnic minorities live in the heavily renter-occupied Rochester downtown, which has a large number of multiunit building, to a disproportionate degree than the outskirts of the city that has more single-family homes occupied by the homeowner. Data compiled by the Strafford Regional Planning Commission indicates that there is mostly even integration of racial and ethnic minority renters in the City of Rochester, with a slight concentration near the City's downtown (Wards 2 and 6). Unfortunately, available local and regional data does not provide a breakdown by race/ethnicity.

2. Additional Information

a. Beyond the HUD-provided data, provide additional relevant information, if any, about disproportionate housing needs in the jurisdiction and region affecting groups with other protected characteristics.

According to the *Regional Housing Needs Assessment and Fair Housing Analysis* drafted by the Strafford Regional Planning Commission, more ethnic and racial minorities rent than own their homes as compared to white residents. Hispanic/Latino residents also have the highest level of poverty (21%) of all races and ethnicities in the City. In addition, the City of Rochester has a relatively high percentage of residents with disabilities, especially children with disabilities. While racial and ethnic minorities do not appear to be overrepresented among the City's homeless population, based on the Annual Homeless Assessment Reports (AHAR) to Congress, people with disabilities (and especially those with mental health-related disabilities) are vastly overrepresented among those reported to be experiencing homelessness.

Anecdotal reports from several public service agencies that serve low-income residents suggest that family size has been a basis of discrimination within the City of Rochester, with larger families with children being turned away from rental housing by landlords. Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination. These reports do not include information on the nature of the disability, unfortunately (e.g., physical, developmental, behavioral).

In addition, the Stafford Regional Planning Commission's *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment* identified the City of Rochester's 75+ population as an "area of concern," which indicates segregation of this population. Other community needs assessments, such as the 2014 *Strafford County Community Assessment* published by the Community Action Partnership of Strafford County and the *Fair Housing and Equity Assessment*, have indicated that the population of the City of Rochester increasingly will skew older over the next five years and beyond. This is in keeping with overall statewide trends, and the preference for New Hampshire's elderly population to "age in place."

b. The program participant may also describe other information relevant to its assessment of disproportionate housing needs. For PHAs, such information may include a PHA's overriding housing needs analysis.

The City of Rochester has a large number of single-family detached homes as well as a large number of manufactured homes, especially as compared to neighboring municipalities. The City of Rochester has eight manufactured home parks, by far the largest number in the Strafford County region. Identified demographic trends indicate that the City's population will be increasingly older, by proportion, and will desire smaller units of housing. In addition, a fair percentage of current housing is forty years or older, and much of this aging housing stock requires updates in heating and cooling systems as well as lead-based paint abatement.

There is a substantial quantity of subsidized housing in the City of Rochester, but the demand for affordable housing still outmatches the supply. This is true for both renters and homeowners, although owning an affordable home is especially a problem for extremely low-income residents. Consultations with City personnel and regional public service agencies indicate that home values and rents are expected to continue increase, as they have during the previous next five years. In addition, disproportionately high rental costs for four-bedroom units, identified through analysis of data provided by the New Hampshire Housing Finance Authority, indicate a need for more affordable family housing.

3. Contributing Factors of Disproportionate Housing Needs

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disproportionate housing needs.

- ***The availability of affordable units in a range of sizes***

Barriers to affordable housing for the City of Rochester's residents continue to consist primarily of regional increases in rental rates, very low vacancy rates in the rental housing market, and preferences among real estate developers for higher-end market rate housing over affordable housing and workforce housing. The City of Rochester has addressed these affordability barriers through its ongoing partnerships with and financial support to regional public service agencies (such as the SHARE Fund, Community Partners, and the Community Action Partnership of Strafford County) to fund rental assistance to lower-income renters and weatherization assistance to lower-income homeowners.

Specifically, the focus on the aging demographics of New Hampshire generally and the Seacoast region specifically. Much of the recent housing development in the City of Rochester has been smaller one-bedroom and two-bedroom units, and the Rochester Housing Authority currently has more smaller units intended for elderly residents and residents with disabilities than it does larger units for families. Disproportionately high rental costs for four-bedroom units, identified through analysis of data provided by the New Hampshire Housing Finance Authority, also indicate a need for more affordable family housing.

- ***Displacement of residents due to economic pressures***

Consultations with Strafford Regional Planning Commission, Community Action Partnership of Strafford County, and the City of Rochester's Planning Department have all indicated a long-term regional pattern of increasing housing costs. This has started in the southern part of the Seacoast region, especially the City of Portsmouth, and has slowly worked its way north. This has resulted in residents being priced out of Portsmouth first and then the City of Dover. This has led to a migration of low to moderate income residents moving into the northern regions of Strafford

County, especially the City of Rochester, which has lower housing costs than does Portsmouth or Dover.

The City of Rochester is uniquely positioned within the county and area. It is in between the more urban southern areas of the Seacoast and the more rural northern areas. It is the farthest northern municipality that receives public transit services, and it also houses the N.H. local Department of Health and Human Services district office that oversees various benefits programs such as SNAP and TANF. For these reasons, Rochester exists in a “sweet spot” between affordability and access to services, which means that Rochester has seen an influx of homeless and lower-income residents from the southern regions of the Seacoast area and that these residents are unlikely to migrate further north.

- ***Lack of private investments in specific neighborhoods***

Public input received at neighborhood ward meetings as well as consultations with non-profit agencies and local business organizations have indicated that there is a lack of private investment in the downtown Ward 4 residential neighborhood (Block Group 2, Census Tract 844) known as Frenchtown. This neighborhood is low-income with significant crime rates and drug activity rates. Much of the residential housing is owned by out of state property owners who do not maintain their properties in good condition, and this neighborhood was the focus of the City of Rochester’s 2009 Neighborhood Stabilization Program.

- ***Lack of public investments in specific neighborhoods, including services or amenities***

Most of the City of Rochester’s investments, especially its CDBG investments, have been targeted to lower-income downtown census tracts, as these areas of the city have the highest populations and greatest needs. Higher-income census tracts on the outer edges of the city have received less funding, and consultation with the Strafford Regional Planning Commission indicates that the East Rochester area of the city lacks a grocery store.

- ***Land use and zoning laws***

In April of 2014, the City of Rochester updated the Chapter 42 of City of Rochester General Ordinances, which took ten years to complete. The Downtown Commercial District Zone has an average parcel size of 17,675 square feet, which would only allow for three dwelling units per parcel without seeking a variance from the Zoning Board of Adjustment under the 2014 ordinance. In early 2018, the ordinance was revised to lower the density limits to 500 sq. ft. per dwelling unit to allow for increased density within this zone, as the previous density regulations proved off-putting for developers who otherwise would be interested in investing in the downtown mixed-use buildings. Later in 2018, the Rochester Planning Department worked with the Community Development Division and the consultants at BendonAdams to perform a more in-depth analysis of downtown density and draft recommendations to further improve property owners’ ability to develop downtown housing. A revised version of the draft recommendations was approved by City Council in 2019.

- ***Lending discrimination***

According to Home Mortgage Disclosure Act (HDMA) data for 2016, for primary Rochester applicants, if one excludes the records where an applicant did not provide race or ethnicity identification, 96.2% of the denied loan applicants were white non-Hispanic residents. For co-

applicants, if one excludes the records where an applicant did not provide race or ethnicity identification or where there was not a co-applicant, 94.9% of the denied loan co-applicants were white non-Hispanic residents. According to data from the 2010 U.S. Census and the 2009-2013 American Community Survey, the City of Rochester is 94.3% white (28,080 residents), so these loan denial rates seem to indicate that there is not discriminatory lending occurring, as the percentage of non-white residents who have received denials is roughly the same as the overall percentage of non-white residents within the city.

C. Disability and Access Analysis

1. Population Profile

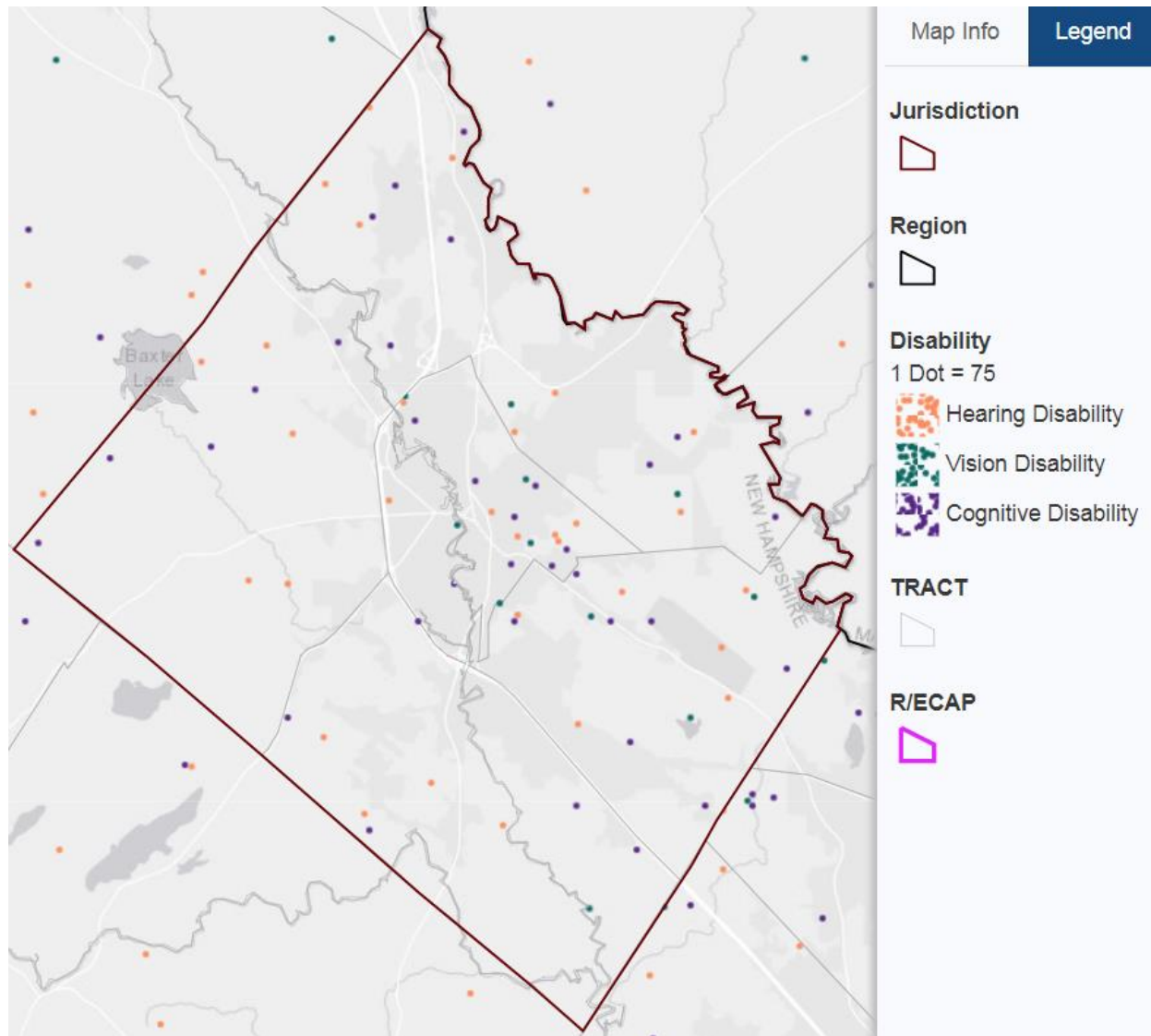
a. How are persons with disabilities geographically dispersed or concentrated in the jurisdiction and region, including R/ECAPs and other segregated areas identified in previous sections?

As shown in the maps below, in subsection b, there is large geographical dispersal of residents with disabilities throughout the City of Rochester. There is a slight concentration in the city's downtown area. This slight concentration is likely due to the greater availability of public transit in the downtown, as Route 2 of the Cooperative Alliance for Seacoast Transportation runs along Route 108/S. Main Street/Wakefield Street.

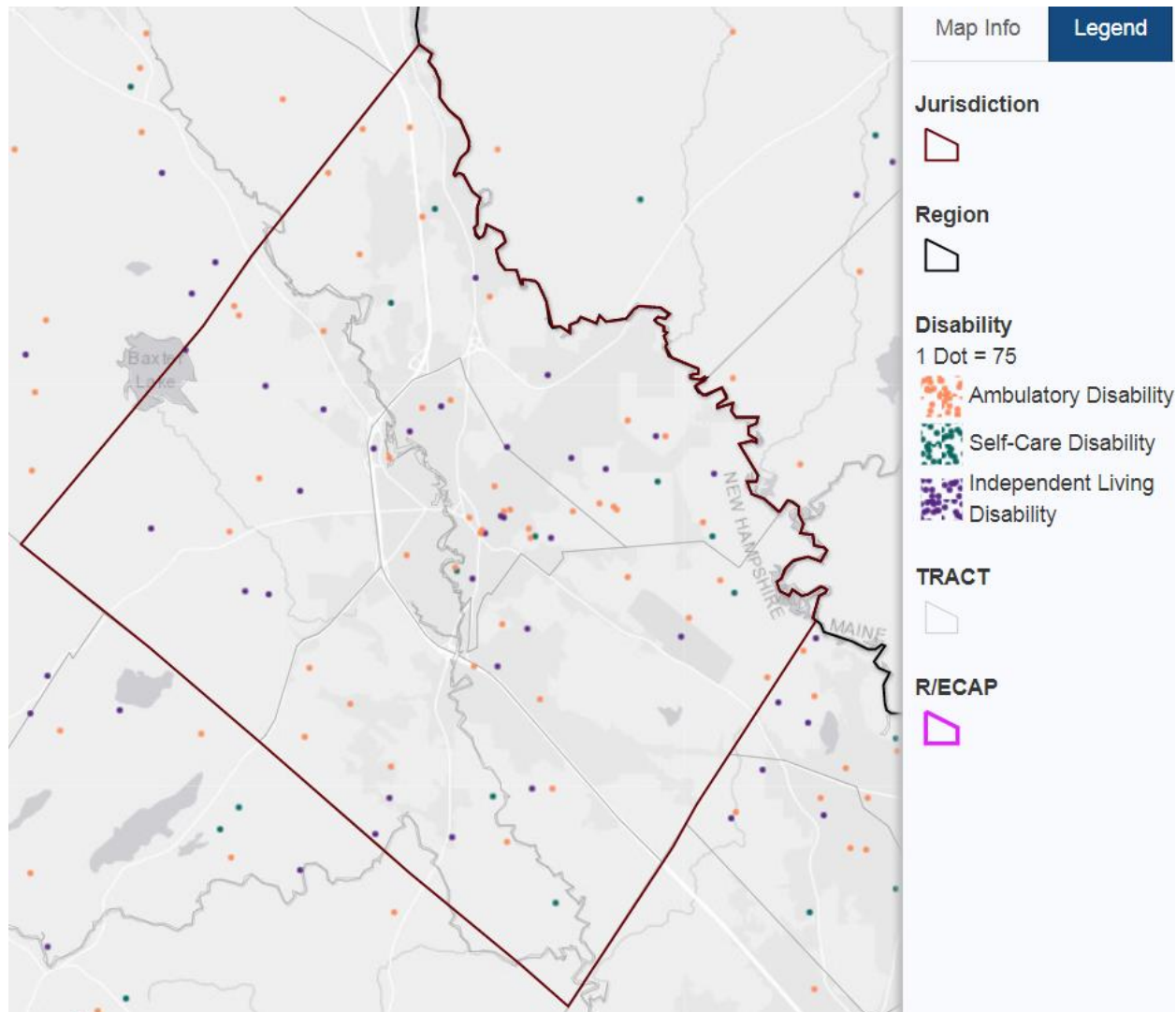
There are no R/ECAPs located in the City of Rochester.

b. Describe whether these geographic patterns vary for persons with each type of disability or for persons with disabilities in different age ranges.

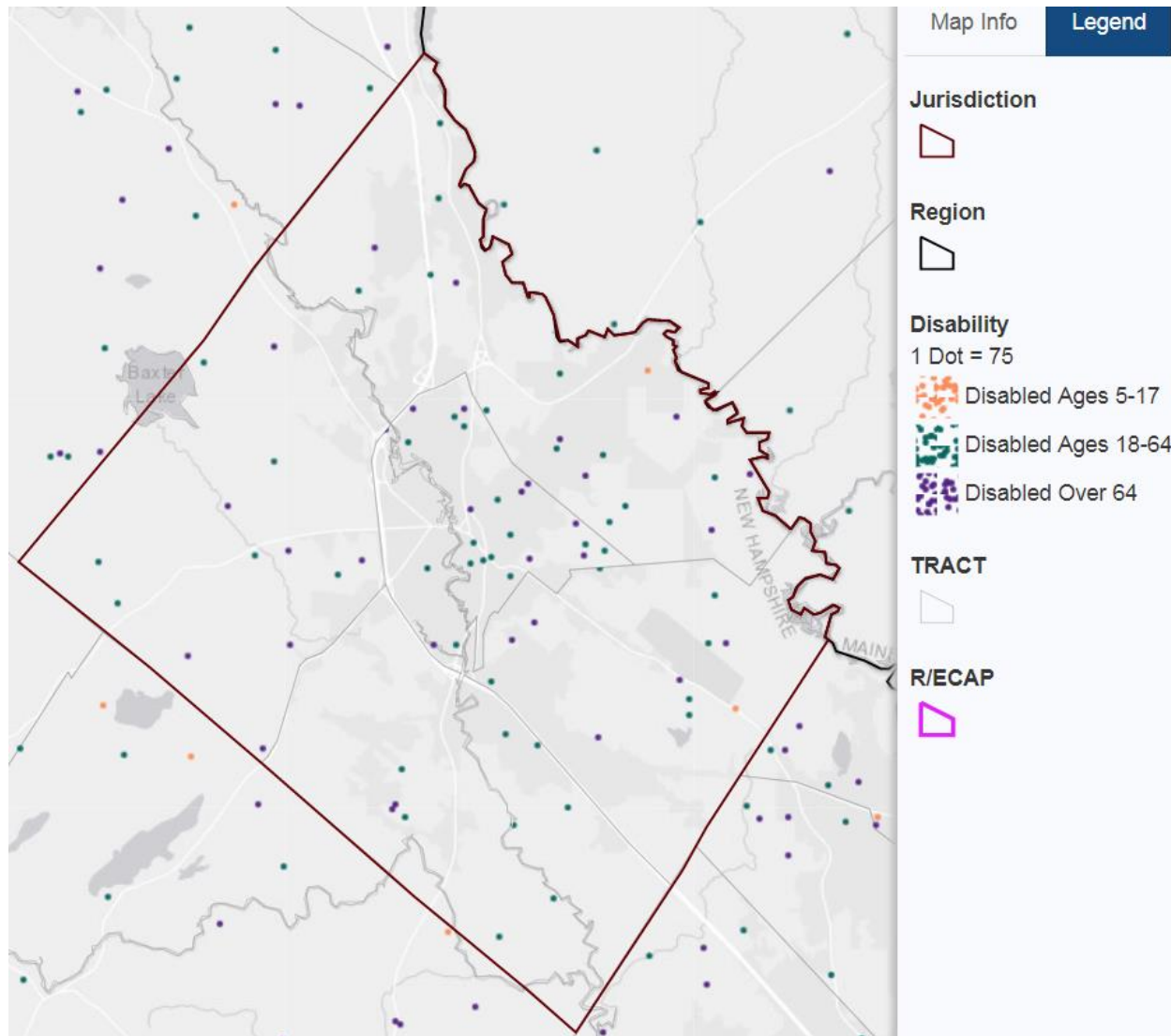
As shown in the maps below, there is large geographical dispersal of residents with disabilities throughout the City of Rochester. There is a slight concentration in the city's downtown area, especially of residents with cognitive disabilities. Otherwise, there are no notable geographic patterns for various disability types or age ranges. What is notable is that the City of Rochester has a much greater number of residents with disabilities in the adult and elderly age ranges than minor residents with disabilities.



Disability by Type: Hearing, Vision, and Cognitive Disability



Disability by Type: Ambulatory, Self-Care, and Independent Living Disability



Disability by Age

2. Housing Accessibility

- a. Describe whether the jurisdiction and region have sufficient affordable, accessible housing in a range of unit sizes.**

Consultation with the New Hampshire Disability Rights Center, as well as local social service providers, have indicated affordability and accessibility issues for many residents with disabilities, especially residents reliant on SSI or SSDI. The New Hampshire Disability Rights Center reports that a large number of their clients are housing burdened (that is, spending more than 30% of their total income on housing costs).

A significant factor in lack of accessibility is the age of the housing stock in the City of Rochester and the wider Seacoast region. Of all 13,694 housing units within the City of Rochester, only 133 units were built in 2010 or later. The

majority of available housing within the city (7,593 units) was built prior to 1980, and a significant percentage (3,783 units) was built prior to 1950. This aged and aging housing stock, built prior to Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, often presents accessibility issues for residents with mobility-related disabilities. This can include stairs without chairlifts, bathrooms without grab bars, and hallways and doorways without adequate clearance room for wheelchair users.

Total number of housing units	13,694
Number of pre-1970 occupied housing units	5,992
Number of pre-1970 owner-occupied housing units	2,928
Number of pre-1970 vacant rental housing units	73
Total number of pre-1970 housing units	6,114
Percentage of pre-1970 housing units	44.6%
Percentage of occupied pre-1970 housing units	97.7%
Source and date of data	2016-2010 and 2011-2015 American Community Survey; New Hampshire Housing Finance Authority 2016 Vacancy Rate by County (http://nhhousingdata.nhhfa.org/diveport#page=a0022 ; http://www.nhhfa.org/assets/pdf/2016_Rent_Survey_vacancy_rates.pdf)

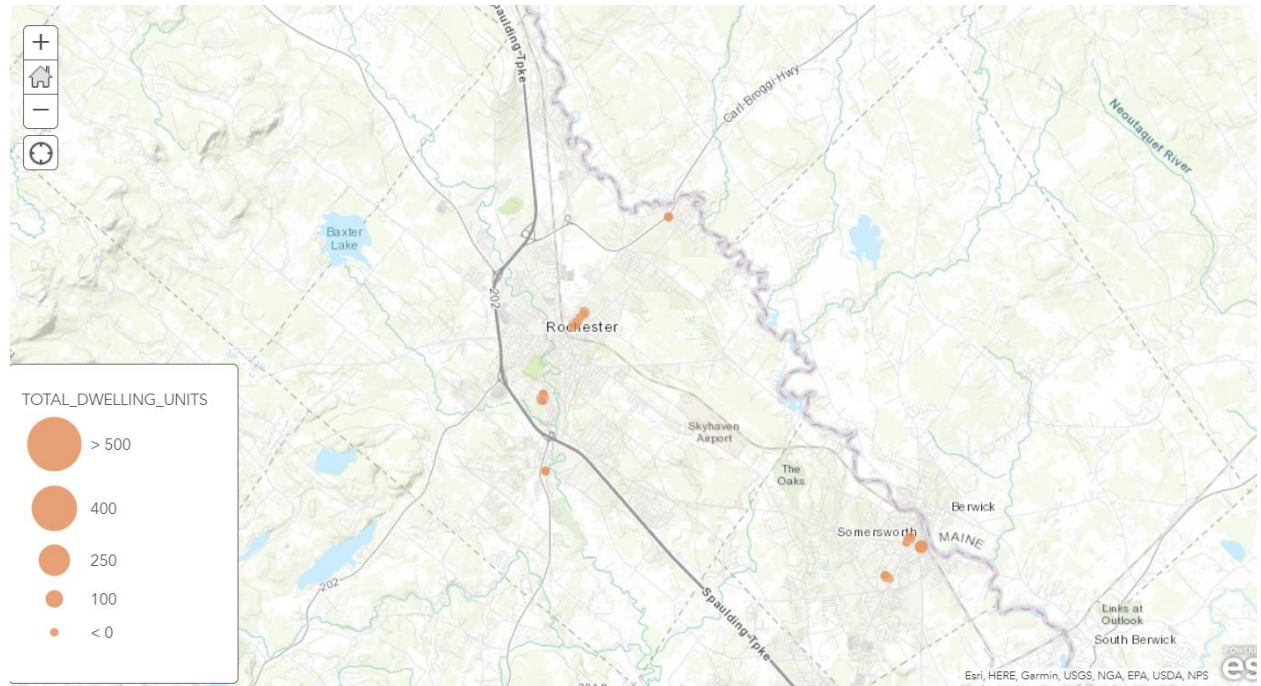
Another accessibility concern, identified through consultation with the New Hampshire Disability Rights Center, is public transportation. Many residents with disabilities rely on public transportation to access employment, essentials such as grocery stores, and medical care. Consultations at the neighborhood ward meetings with residents have indicated a desire for expanded public transportation availability, especially for elderly residents and residents with disabilities. However, financial constraints and reduced state funding for public transit mean that current bus routes are unlikely to expand.

b. Describe the areas where affordable accessible housing units are located. Do they align with R/ECAPs or other areas that are segregated?

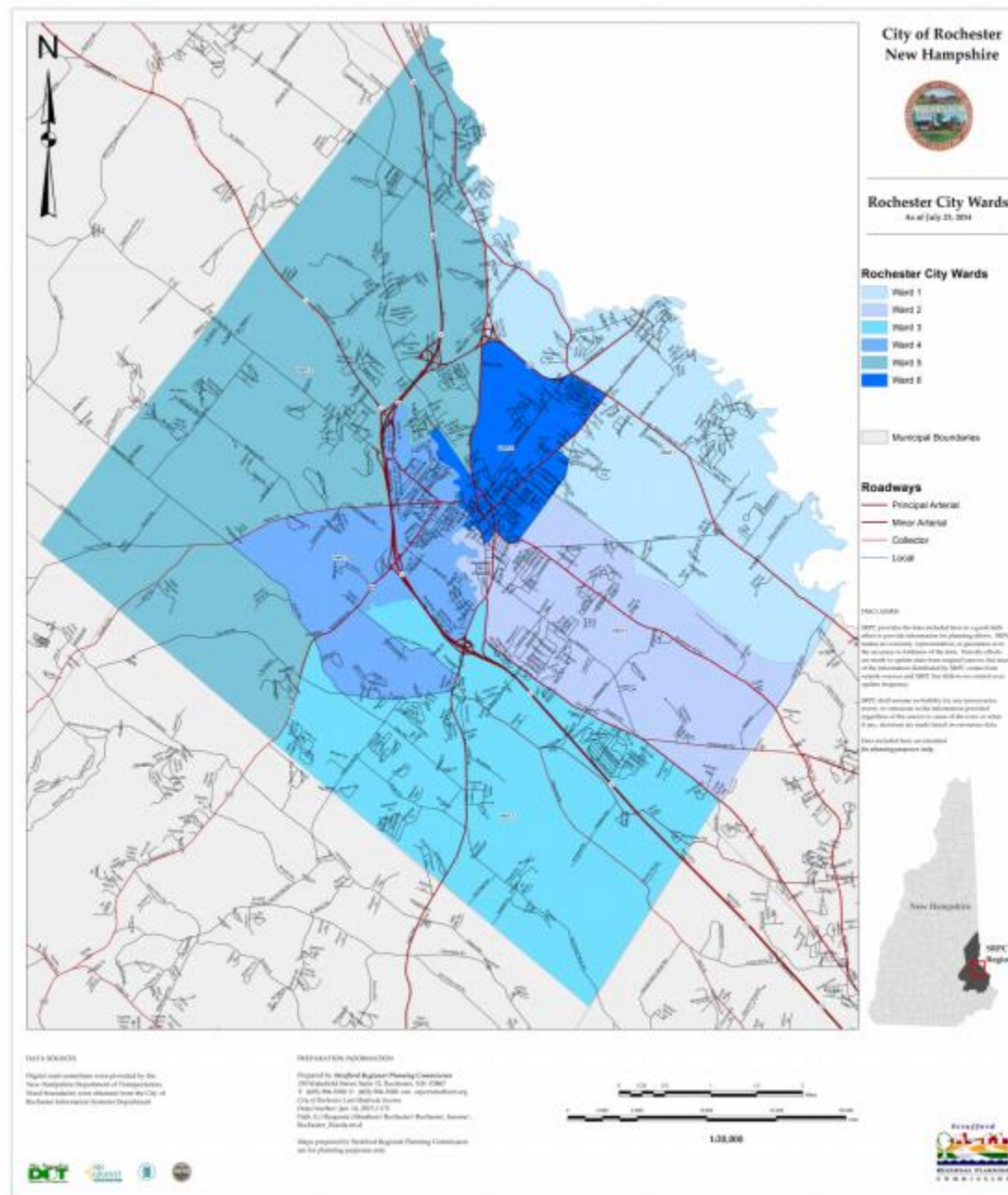
The below maps, showing Rochester Housing Authority buildings, was created using HUD data through ArcGIS. The Rochester Housing Authority's housing is disproportionately aimed at serving elderly residents and residents with disabilities, so this data is being used as a proxy for more general data on affordable accessible housing as it is the closest data available.

According to data compiled by the Strafford Regional Planning Commission in its 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, there was mostly even integration of racial and ethnic minority renters in the City of Rochester, with a slight concentration near the City's downtown

(Wards 2 and 6). In contrast, there was a heavy concentration of racial and minority homeowners in the City's northwestern region (Wards 3 and 5), indicating segregation. This same report also identified the City of Rochester's 75+ population as an "area of concern," which indicates segregation of this population.



Map of Rochester Public Housing Buildings by Dwelling Unit Number
(source: ArcGIS)



Map of the City of Rochester's Six Wards

Most Rochester Housing Authority housing units are located in or near the downtown area, primarily in Ward 4 and Ward 6. These are also areas of the city where there is private rental housing units available for lower income residents, and COAST's Route 2 bus route runs through the downtown. While these areas are not R/ECAPS or areas of significant segregation, the City of Rochester and the Rochester Housing Authority should work to identify opportunities to create more affordable accessible housing in areas of the city outside of the downtown.

- c. *To what extent are persons with different disabilities able to access and live in the different categories of publicly supported housing?***

The Rochester Housing Authority's housing is disproportionately aimed at serving elderly residents and residents with disabilities. Most RHA buildings are located in or near the city's downtown region, which has the most access to public transportation, grocery stores, and other services.

3. Integration of Persons with Disabilities Living in Institutions and Other Segregated Settings

a. *To what extent do persons with disabilities in or from the jurisdiction or region reside in segregated or integrated settings?*

State-level data from the National Council on Disability indicates that there are no persons with developmental disabilities or intellectual disabilities residing in large state institutions.³⁰ Segregated settings include local assisted living facilities within the City of Rochester, such as Rochester Manor (<https://www.genesishcc.com/rochester>), and Rochester Housing Authority has housing complexes specifically for elderly residents and residents with disabilities. However, these housing situations differ significantly from institutionalized settings in that residents enter them voluntarily and have full or near-full access to the wider community.

In addition, according to 2016 ACS data, there are about 5,015 residents with disabilities living in the City of Rochester, which is about 17% of the overall population of the city. The number of residents in assisted living facilities and RHA housing for elderly residents/residents with disabilities measures only in the hundreds, which means that the majority of residents with disabilities in the City of Rochester are living in integrated settings.

b. *Describe the range of options for persons with disabilities to access affordable housing and supportive services.*

The Rochester Housing Authority's housing is disproportionately aimed at serving elderly residents and residents with disabilities. There are also assisted living facilities available in the city, such as Rochester Manor, as well as a multitude of supportive services provided by a variety of non-profit agencies. Such supportive services include Community Partners, which provides behavioral health services; Tri-City Co-op, which provides peer-to-peer mental health supports; and the Homemakers and Cornerstone VNA, which provide home medical care and other related services. The City of Rochester also has the Monarch School of New England, which serves students with physical, developmental or other disabilities who are aged 5-21, and the Seacoast Learning Center, which serves students with dyslexia.

However, according to data compiled by the Strafford Regional Planning Commission in its 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, there was identified segregation of Rochester's

³⁰ "Institutions: Definitions, Populations, and Trends," National Council on Disability, Sept. 2012. <<https://ncd.gov/publications/2012/Sept192012/Institutions>>.

75+ population. Unfortunately, the report provides analysis at the municipal level and does not provide a breakdown of census tract demographics.

4. Disparities in Access to Opportunity

a. To what extent are persons with disabilities able to access the following? Identify major barriers faced concerning:

i. Government services and facilities

All major public buildings (including but not limited to City Hall, City Hall Annex, Rochester Public Library, Rochester Police Station, and Rochester Community Center) are accessible for wheelchair users. Accessibility includes wheelchair ramps, door buttons, and grab bars in restrooms inside the buildings. All of these buildings are also accessible via bus routes serviced by the Cooperative Alliance for Seacoast Transportation (COAST). COAST buses can be lowered to allow entry for wheelchair users and other riders with mobility-related disabilities, and COAST also provides ADA paratransit services.

Public hearing notices published by the City of Rochester also include instructions that residents with disabilities should contact the City Clerk's Office with any accommodations requests prior to public hearings so that residents with disabilities may fully participate in hearings.

In addition, the City of Rochester has used its CDBG funding for accessibility upgrades in a number of public facilities. Within the last five years, this has included installation of handicap-accessible front doors at the Rochester Public Library, renovation of a wheelchair ramp at Tri-City Co-op, and replacement of an elevator at Community Partners.

ii. Public infrastructure (e.g., sidewalks, pedestrian crossings, pedestrian signals)

While the downtown core of the City of Rochester has good distribution of sidewalks, pedestrian crossings, pedestrian signals, etc., this becomes decreasingly true as one moves away from the more urban downtown area to the more rural outskirts of the city. These areas often have higher speed limits, few to no sidewalks, and few to no pedestrian crossings. Public input sessions conducted as part of CDBG Annual Action Plan public consultation have indicated that a lack of sidewalks especially have a negative impact on residents who use wheelchairs and other mobility aids.

iii. Transportation

Public input and consultations with a range of non-profit agencies have indicated transportation gaps in the Seacoast region. Due to financial concerns and low ridership, COAST has reduced or eliminated routes to the northern, more rural areas of Strafford County. COAST data and other consultations also indicate increasing and undermet needs for Americans with Disabilities Act (ADA) paratransit and demand response services, which are generally more expensive than fixed-route service.

In addition, the Community Development Coordinator and Rochester Housing Authority staff also met in-person with Rochester Housing Authority residents on November 11, 2015. Many residents in attendance were elderly and/or residents with disabilities. The discussion centered on the need for more transportation accessibility and options, as well as other concerns. Subsequent meetings between RHA residents and COAST community outreach staff indicated that some of this need may be addressed through providing the public with more familiarity with the many existing transportation programs and options.

iv. Proficient schools and educational programs

As discussed in previous sections, racial and ethnic minorities in the City of Rochester disproportionately rent rather than own their housing, and rental housing (especially affordable rental housing) in the City of Rochester disproportionately is located in the downtown and immediate vicinity of downtown. Schools in the downtown are William Allen School, Chamberlain Street School, School Street School, and Maple Street Magnet School. Maple Street Magnet School enrollment is via application rather than residency; therefore, Maple Street Magnet School students live throughout the city. The downtown area is also where most public housing is located.

National origin data and maps from HUD indicate a measurable population of residents originally from Canada in the east-central part of the city and from India in the north-central part of the city. Schools in the east-central part of the city are Chamberlain Street School and McClelland School. Schools in the north-central part of the city include East Rochester School and Nancy Loud School. Overall, there is equitable access to schools of similar proficiency, with the main exception being students enrolled at School Street School. The availability of the high-proficiency Maple Street Magnet School to students throughout the city somewhat offsets this.

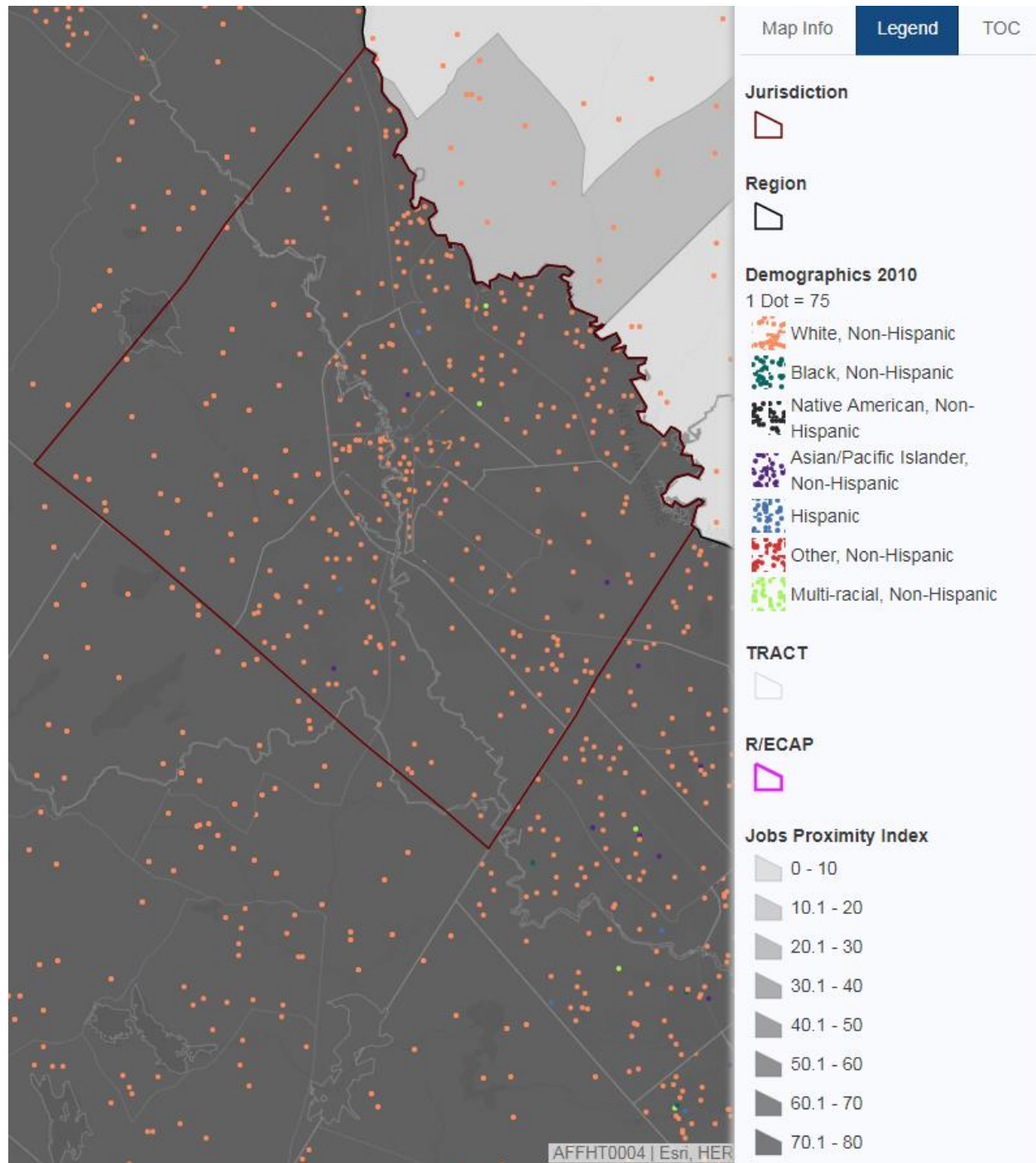
In addition to this data, it is worth noting that all of the Rochester elementary schools have higher percentages of students with disabilities (in the range of 17-30% for most of the schools) than the state average of 18%.

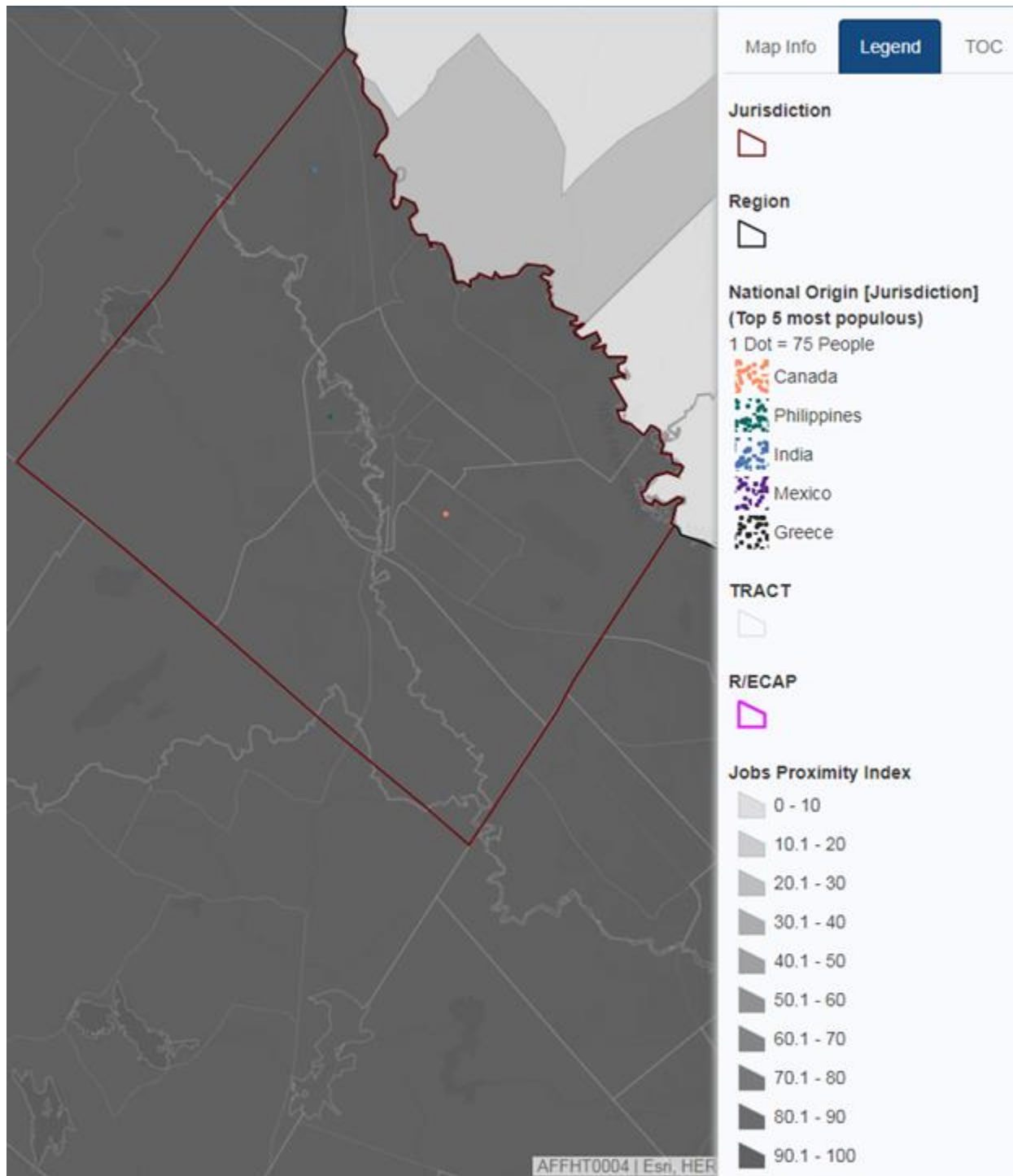
There have been some accessibility issues with some schools, mostly due to the age of the school buildings. The City of Rochester's CDBG program has paid for replacement of elevators and chairlifts at Spaulding High School as well as the installation of a chairlift at Maple Street Magnet School. It is likely that other buildings, that were built prior to accessibility requirements or that have aging elevators or other accessibility improvements, will also need renovations to existing accessibility improvements or the installation of accessibility improvements.

v. Jobs

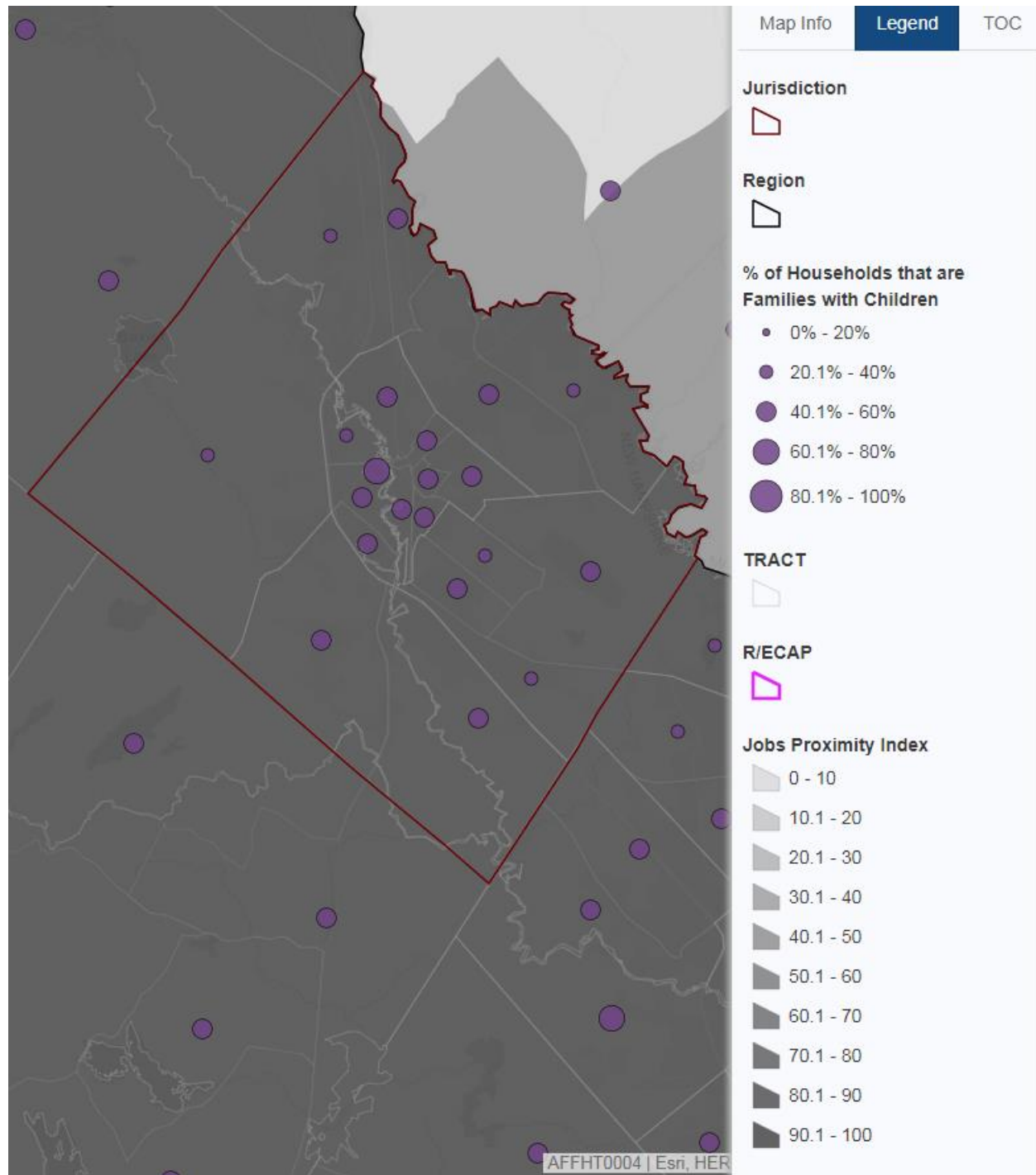
All areas of the City of Rochester, as well as Strafford County, have close proximity to jobs. American Community Survey data from 2012 to 2016 indicates that the vast majority of Rochester workers travel less than an hour to reach their place of employment (91.9%), and 54% of Rochester workers travel less than a half hour to reach their place of employment. The mean travel time to work according to this ACS data is 26.2 minutes.

HUD data, obtained through the AFFH Tool, shows that job proximity is the same throughout all census tracts in the City of Rochester.

**Job Proximity by Race/Ethnicity**



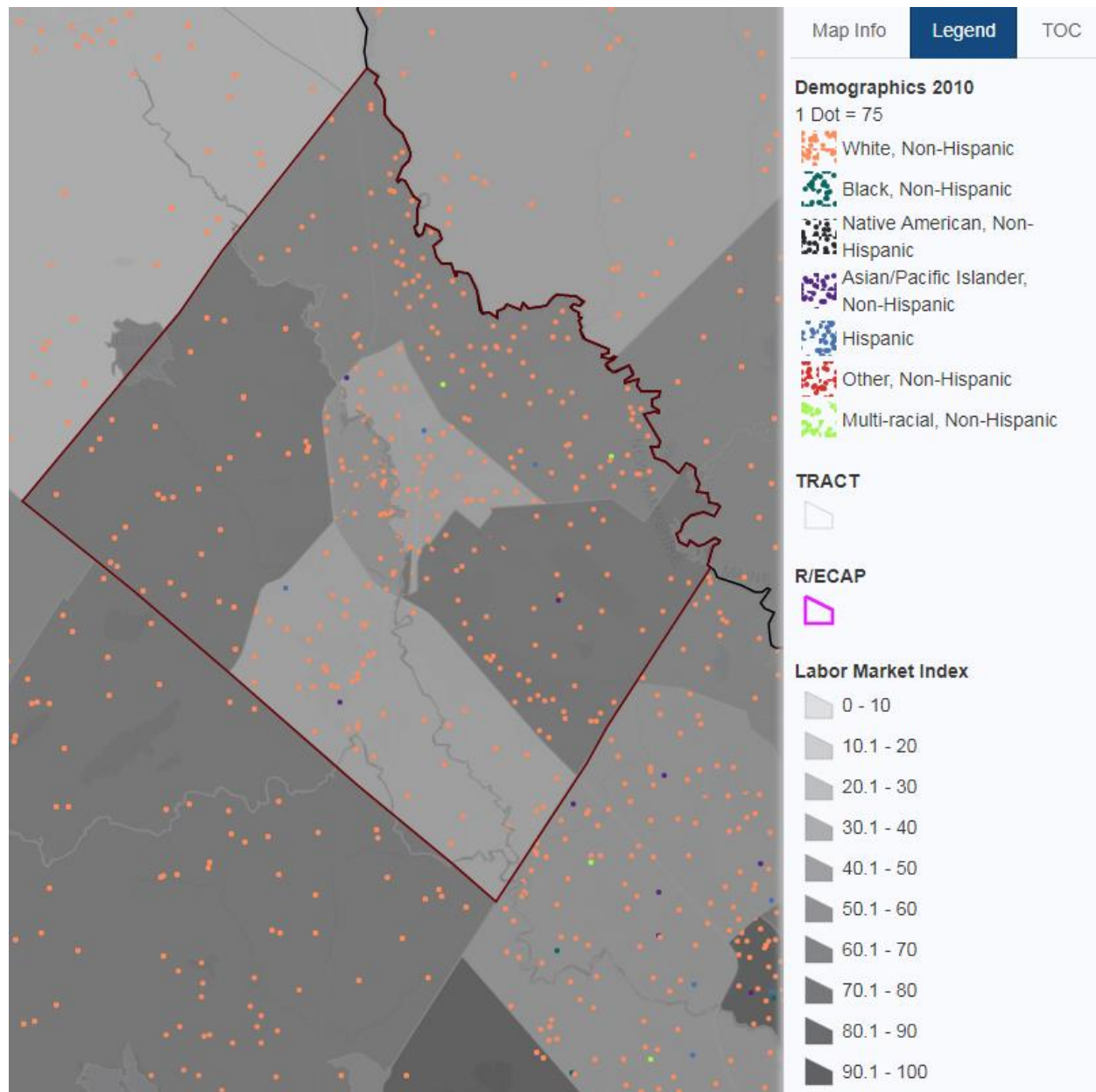
Job Proximity by National Origin



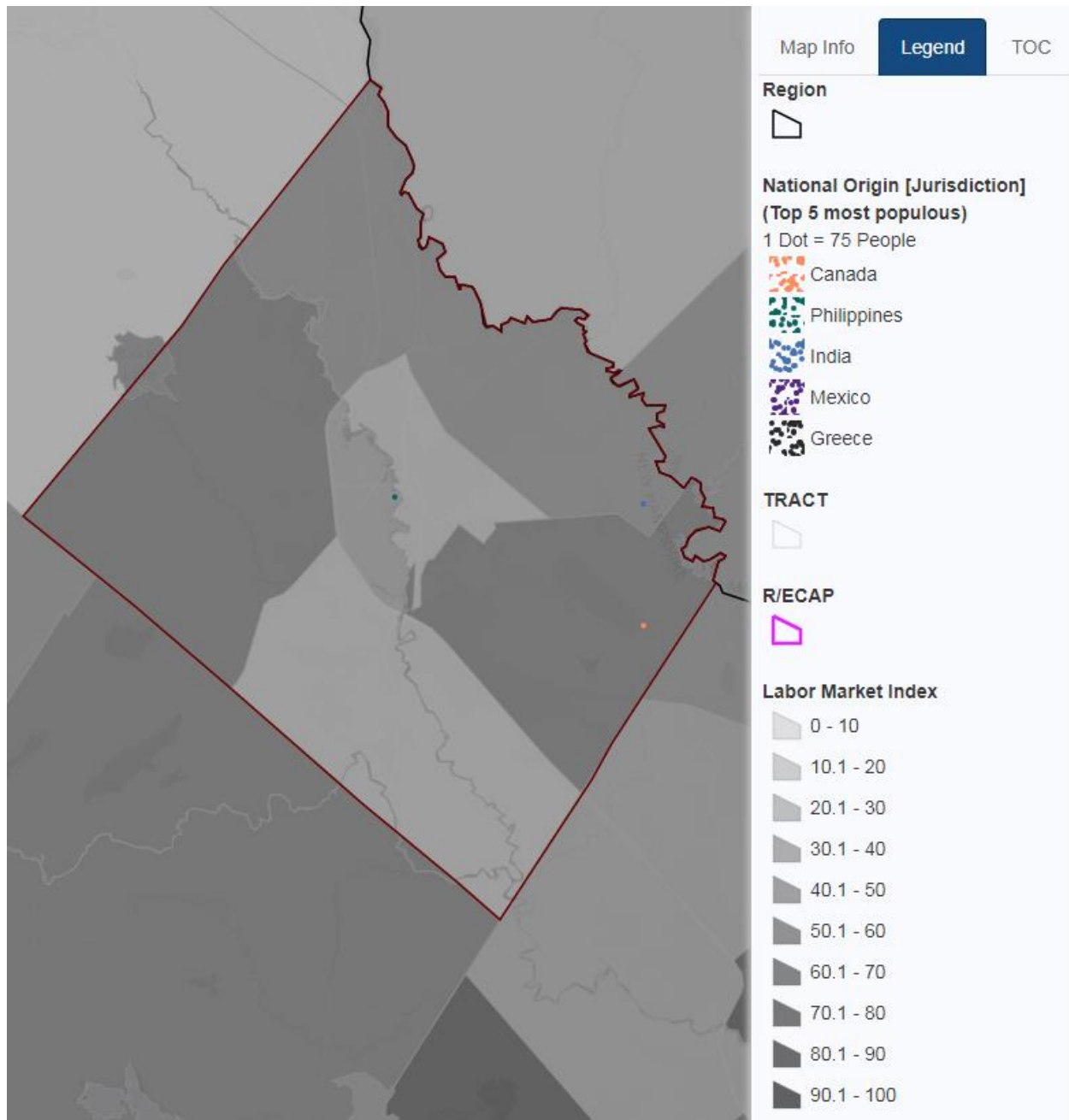
Job Proximity by Family Size

Labor market index data is not as homogenous as job proximity data, however. As seen on the maps below, created using the HUD AFFH Tool, darker areas indicate higher levels of labor engagement, while lighter areas indicate lower levels of labor engagement. No areas of the city are either at the highest or lowest levels, but there are disparities, with the central (downtown) and south-southeastern parts of the city showing lower levels than the northern, western, and eastern parts of the city. As discussed in previous subsections, there is large geographical dispersal of residents with disabilities throughout the

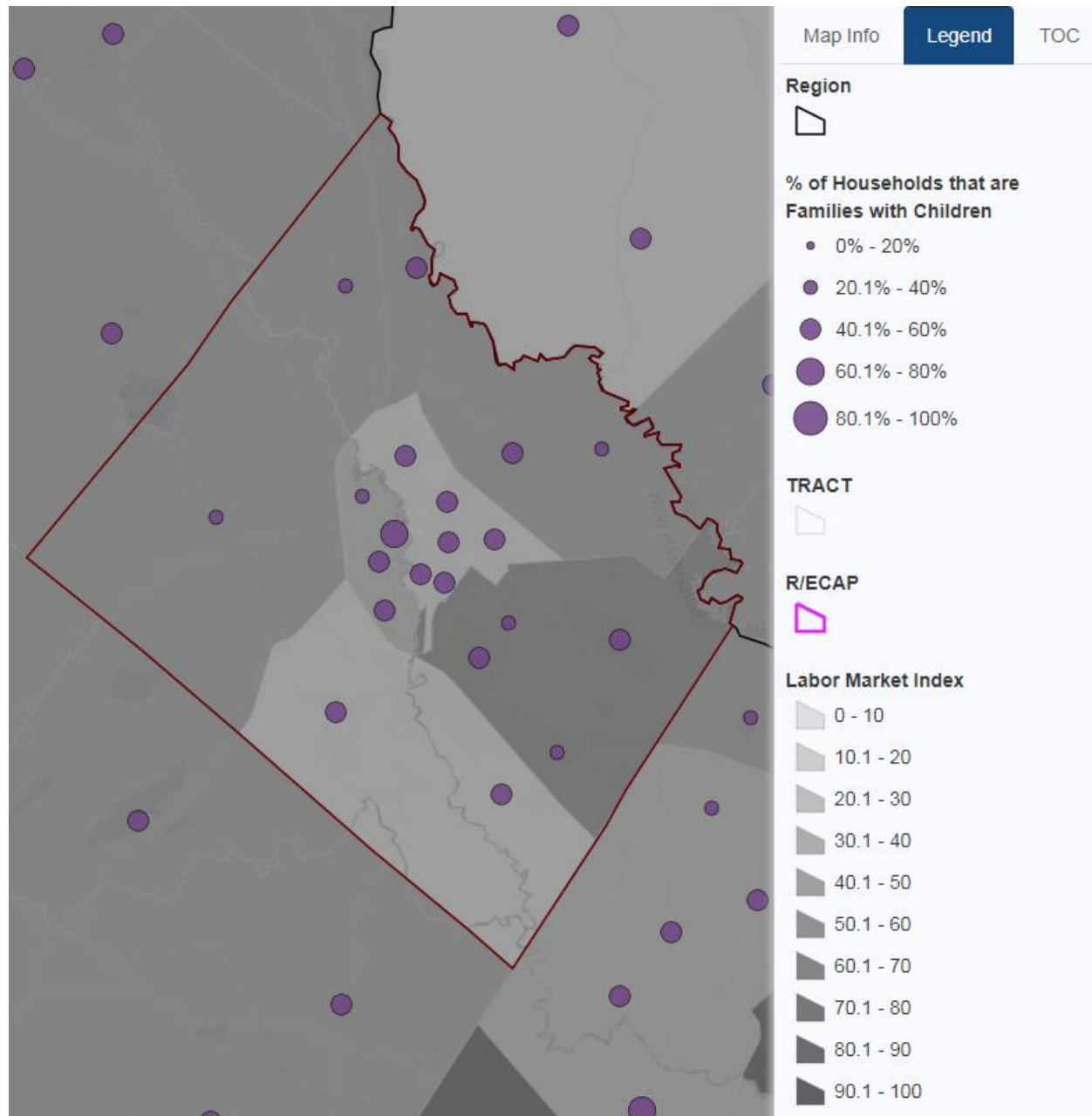
City of Rochester. There is a slight concentration in the city's downtown area, especially of residents with cognitive disabilities.



Labor Market Index by Race/Ethnicity



Labor Market Index by National Origin



Labor Market Index by Family Size

- b. Describe the processes that exist in the jurisdiction and region for persons with disabilities to request and obtain reasonable accommodations and accessibility modifications to address the barriers discussed above.***

The City of Rochester prohibits discrimination on the basis of disability, as well as other federally recognized categories, in its official employee policies.³¹ The City of Rochester's zoning ordinance provides that the Zoning Board of Adjustments "may grant a variance ... when reasonable accommodations are necessary to allow a person or persons with a recognized

³¹ <https://www.rochesternh.net/city-manager/pages/employee-policies-procedures>.

physical disability to reside in or regularly use the premises.”³² Also, in FY 2015-2016, the city’s CDBG program funded a handicap accessibility improvements microgrants program. This program provided funding for accessibility improvements for low- to moderate-income Rochester residents.³³

In addition, the city offers assessment exemptions and tax credits for many residents. This includes assessment exemptions for elderly residents and residents with disabilities³⁴ as well as tax credits for veterans,³⁵ including a tax credit for veterans with disabilities related to their service³⁶ and property tax exemptions for certain disabled veterans.³⁷

c. Describe any difficulties in achieving homeownership experienced by persons with disabilities and by persons with different types of disabilities.

Consultation with the New Hampshire Disability Rights Center, as well as local social service providers, have indicated affordability and accessibility issues for many residents with disabilities, especially residents reliant on SSI or SSDI. The New Hampshire Disability Rights Center reports that a large number of their clients are housing burdened (that is, spending more than 30% of their total income on housing costs).

A significant factor in lack of accessibility is the age of the housing stock in the City of Rochester and the wider Seacoast region. Of all 13,694 housing units within the City of Rochester, only 133 units were built in 2010 or later. The majority of available housing within the city (7,593 units) was built prior to 1980, and a significant percentage (3,783 units) was built prior to 1950. This aged and aging housing stock, built prior to Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, often presents accessibility issues for residents with mobility-related disabilities. This can include stairs without chairlifts, bathrooms without grab bars, and hallways and doorways without adequate clearance room for wheelchair users.

The City of Rochester has undertaken several programs to help make accessibility improvements more affordable for homeowners with disabilities. These have included the assessing exemptions, tax credits, and handicap accessibility improvements microgrants programs discussed in the prior subsection.

5. Disproportionate Housing Needs

a. Describe any disproportionate housing needs experienced by persons with disabilities and by persons with certain types of disabilities.

Consultation with the New Hampshire Disability Rights Center, as well as local social service providers, have indicated affordability and accessibility issues for many residents with disabilities, especially residents reliant on SSI or SSDI. The New Hampshire Disability Rights Center reports that a large number of their clients are housing burdened (that is, spending more than 30% of their total income on housing costs).

³² Ch 42.4.2, City of Rochester ordinances. <<https://www.ecode360.com/documents/RO2619/RO2619-042.pdf>>

³³ https://www.rochesternh.net/sites/rochesternh/files/file/file/final_fy_2015_2016_annual_action_plan_-_website_version_0.pdf.

³⁴ https://www.rochesternh.net/sites/rochesternh/files/uploads/disabled_qualifications_checklist_1.pdf.

³⁵ <https://www.rochesternh.net/assessing/pages/veteran-tax-credits>.

³⁶ https://www.rochesternh.net/sites/rochesternh/files/imce/u883/disabled_vet.jpg.

³⁷ <https://www.rochesternh.net/sites/rochesternh/files/file/file/72-36a.pdf>.

A significant factor in lack of accessibility is the age of the housing stock in the City of Rochester and the wider Seacoast region. Of all 13,694 housing units within the City of Rochester, only 133 units were built in 2010 or later. The majority of available housing within the city (7,593 units) was built prior to 1980, and a significant percentage (3,783 units) was built prior to 1950. This aged and aging housing stock, built prior to Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, often presents accessibility issues for residents with mobility-related disabilities. This can include stairs without chairlifts, bathrooms without grab bars, and hallways and doorways without adequate clearance room for wheelchair users.

In addition, consultations with a number of agencies and organizations (including the Great Seacoast Coalition to End Homelessness, Community Partners, and regional homeless shelters) have indicated that chronic homelessness is experienced disproportionately by residents with mental illnesses and/or substance use disorders. This is confirmed by data from the New Hampshire Housing Finance Authority that states that of those adults receiving shelter in a homeless shelter, 23% reported a physical disability and 33% reported a mental health disability, whereas only about 13% of the overall state population is comprised of residents with disabilities.³⁸ To address the needs of these specific subpopulations, consultations have indicated a need for more permanent supportive housing and local in-patient treatment facilities for substance use disorder.

6. Additional Information

- a. Beyond the HUD-provided data, provide additional relevant information, if any, about disability and access issues in the jurisdiction and region affecting groups with other protected characteristics.*

In addition to HUD-provided data, the above analyses related to disability and access issues also relied on data from New Hampshire Legal Assistance's Housing Justice Project, the New Hampshire Commission on Human Rights, and the Strafford Regional Planning Commission's Fair Housing and Equity Assessment. The above analyses also incorporated consultations conducted with a number of disability organizations, including the New Hampshire Disability Rights Center (<http://www.drcnh.org>), Community Partners (<https://www.communitypartnersnh.org>), and Tri-City Consumers' Action Cooperative (<http://www.tricitycoop.org>).

- b. The program participant may also describe other information relevant to its assessment of disability and access issues.*

N/A.

7. Disability and Access Issues Contributing Factors

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of disability and access issues and the fair housing issues, which are Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each

³⁸ "2016-2020 Consolidated Plan," New Hampshire Housing Finance Authority. <<https://www.nhhfa.org/assets/pdf/2016conplan.pdf>>.

contributing factor, note which fair housing issue(s) the selected contributing factor relates to.

- ***Access to proficient schools for persons with disabilities***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Overall, there are not disparities in access to opportunity (such as access to jobs or public housing), but there are disparities in access to opportunities based on building and infrastructure accessibility (such as older school buildings that are not fully accessible). These areas are analyzed in depth in previous subsections. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities.

There have been some accessibility issues with some schools, mostly due to the age of the school buildings. The City of Rochester's CDBG program has paid for replacement of elevators and chairlifts at Spaulding High School as well as the installation of a chairlift at Maple Street Magnet School. It is likely that other buildings, that were built prior to accessibility requirements or that have aging elevators or other accessibility improvements, will also need renovations to existing accessibility improvements or the installation of accessibility improvements.

The City of Rochester also has the Monarch School of New England, which serves students with physical, developmental or other disabilities who are aged 5-21, and the Seacoast Learning Center, which serves students with dyslexia.

- ***Access to publicly supported housing for persons with disabilities***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Overall, there are not disparities in access to opportunity (such as access to jobs or public housing), but there are disparities in access to opportunities based on building and infrastructure accessibility (such as older school buildings that are not fully accessible). These areas are analyzed in depth in previous subsections. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities.

The Rochester Housing Authority's housing is disproportionately aimed at serving elderly residents and residents with disabilities. Most of RHA's buildings are located in or near the downtown region, which is where there is the best access to public transportation, grocery stores, and other services.

- ***Access to transportation for persons with disabilities***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Overall, there are not disparities in access to opportunity (such as access to jobs or public housing), but there are disparities in access to opportunities based on building and infrastructure accessibility (such as older school buildings that are not fully accessible). These areas are analyzed in depth in previous subsections. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities.

Public input and consultations with a range of non-profit agencies have indicated transportation gaps in the Seacoast region. Due to financial concerns and low ridership, COAST has reduced or eliminated routes to the northern, more rural areas of Strafford County. COAST data and other consultations also indicate increasing and undermet needs for Americans with Disabilities Act

(ADA) paratransit and demand response services, which are generally more expensive than fixed-route service.

In addition, the Community Development Coordinator and Rochester Housing Authority staff also met in-person with Rochester Housing Authority residents on November 11, 2015. Many residents in attendance were elderly and/or residents with disabilities. The discussion centered on the need for more transportation accessibility and options, as well as other concerns. Subsequent meetings between RHA residents and COAST community outreach staff indicated that some of this need may be addressed through providing the public with more familiarity with the many existing transportation programs and options.

- ***Inaccessible government facilities or services***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Overall, there are not disparities in access to opportunity (such as access to jobs or public housing), but there are disparities in access to opportunities based on building and infrastructure accessibility (such as older school buildings that are not fully accessible). These areas are analyzed in depth in previous subsections. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities.

All major public buildings (including but not limited to City Hall, City Hall Annex, Rochester Public Library, Rochester Police Station, and Rochester Community Center) are accessible for wheelchair users. Accessibility includes wheelchair ramps, door buttons, and grab bars in restrooms inside the buildings. All of these buildings are also accessible via bus routes serviced by the Cooperative Alliance for Seacoast Transportation (COAST). COAST buses can be lowered to allow entry for wheelchair users and other riders with mobility-related disabilities, and COAST also provides ADA paratransit services.

- ***Inaccessible sidewalks, pedestrian crossings, or other infrastructure***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Overall, there are not disparities in access to opportunity (such as access to jobs or public housing), but there are disparities in access to opportunities based on building and infrastructure accessibility (such as older school buildings that are not fully accessible). These areas are analyzed in depth in previous subsections. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities.

While the downtown core of the City of Rochester has good distribution of sidewalks, pedestrian crossings, pedestrian signals, etc., this becomes decreasingly true as one moves away from the more urban downtown area to the more rural outskirts of the city. These areas often have higher speed limits, few to no sidewalks, and few to no pedestrian crossings. Public input sessions conducted as part of CDBG Annual Action Plan public consultation have indicated that a lack of sidewalks especially have a negative impact on residents who use wheelchairs and other mobility aids.

- ***Lack of affordable in-home or community-based supportive services***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Overall, there are not disparities in access to opportunity, as there are many in-home

and community-based supportive services available to Rochester residents. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities.

The Rochester Housing Authority's housing is disproportionately aimed at serving elderly residents and residents with disabilities. There are also assisted living facilities available in the city, such as Rochester Manor, as well as a multitude of supportive services provided by a variety of non-profit agencies. Such supportive services include Community Partners, which provides behavioral health services; Tri-City Co-op, which provides peer-to-peer mental health supports; and the Homemakers and Cornerstone VNA, which provide home medical care and other related services. The City of Rochester also has the Monarch School of New England, which serves students with physical, developmental or other disabilities who are aged 5-21, and the Seacoast Learning Center, which serves students with dyslexia.

However, according to data compiled by the Strafford Regional Planning Commission in its 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, there was identified segregation of Rochester's 75+ population. Unfortunately, the report provides analysis only at the municipal level and does not provide a breakdown of census tract demographics.

- ***Lack of affordable, accessible housing in range of unit sizes***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations do indicate that there are disproportionate housing needs for residents with disabilities, as well as access to opportunity given a lack of affordable, accessible housing.

Consultation with the New Hampshire Disability Rights Center, as well as local social service providers, have indicated affordability and accessibility issues for many residents with disabilities, especially residents reliant on SSI or SSDI. The New Hampshire Disability Rights Center reports that a large number of their clients are housing burdened (that is, spending more than 30% of their total income on housing costs).

A significant factor in lack of accessibility is the age of the housing stock in the City of Rochester and the wider Seacoast region. Of all 13,694 housing units within the City of Rochester, only 133 units were built in 2010 or later. The majority of available housing within the city (7,593 units) was built prior to 1980, and a significant percentage (3,783 units) was built prior to 1950. This aged and aging housing stock, built prior to Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, often presents accessibility issues for residents with mobility-related disabilities. This can include stairs without chairlifts, bathrooms without grab bars, and hallways and doorways without adequate clearance room for wheelchair users.

Another accessibility concern, identified through consultation with the New Hampshire Disability Rights Center, is public transportation. Many residents with disabilities rely on public transportation to access employment, essentials such as grocery stores, and medical care. Consultations at the neighborhood ward meetings with residents have indicated a desire for expanded public transportation availability, especially for elderly residents and residents with disabilities. However, financial constraints and reduced state funding for public transit mean that current bus routes are unlikely to expand.

- ***Lack of affordable, integrated housing for individuals who need supportive services***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations do not indicate that there are a lack of access to opportunity or disproportionate housing needs for residents with disabilities in this area.

State-level data from the National Council on Disability indicates that there are no persons with developmental disabilities or intellectual disabilities residing in large state institutions. Segregated settings include local assisted living facilities within the City of Rochester, such as Rochester Manor (<https://www.genesishcc.com/rochester>), and Rochester Housing Authority has housing complexes specifically for elderly residents and residents with disabilities. However, these housing situations differ significantly from institutionalized settings in that residents enter them voluntarily and have full or near-full access to the wider community.

In addition, according to 2016 ACS data, there are about 5,015 residents with disabilities living in the City of Rochester, which is about 17% of the overall population of the city. The number of residents in assisted living facilities and RHA housing for elderly residents/residents with disabilities measures only in the hundreds, which means that the majority of residents with disabilities in the City of Rochester are living in integrated settings.

- ***Lack of assistance for housing accessibility modifications***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations do not indicate that there are a lack of access to opportunity or disproportionate housing needs for residents with disabilities in this area.

The City of Rochester prohibits discrimination on the basis of disability, as well as other federally recognized categories, in its official employee policies.³⁹ The City of Rochester's zoning ordinance provides that the Zoning Board of Adjustments "may grant a variance ... when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises."⁴⁰ Also, in FY 2015-2016, the city's CDBG program funded a handicap accessibility improvements microgrants program. This program provided funding for accessibility improvements for low- to moderate-income Rochester residents.⁴¹ Non-governmental resources include the Community Toolbox (<http://www.commttoolbox.org/>), which provides small home repairs and renovations in the Seacoast New Hampshire region, and Granite State Independent Living's Accessibility Pilot Program (<https://www.gsil.org/new-accessibility-pilot-program-homeowners-disabilities/>).

In addition, the City of Rochester offers assessment exemptions and tax credits for many residents. This includes assessment exemptions for elderly residents and residents with disabilities⁴² as well as tax credits for veterans,⁴³ including a tax credit for veterans with disabilities related to their service⁴⁴ and property tax exemptions for certain disabled veterans.⁴⁵

³⁹ <https://www.rochesternh.net/city-manager/pages/employee-policies-procedures>.

⁴⁰ Ch 42.4.2, City of Rochester ordinances. <<https://www.ecode360.com/documents/RO2619/RO2619-042.pdf>>

⁴¹ https://www.rochesternh.net/sites/rochesternh/files/file/file/final_fy_2015_2016_annual_action_plan_-_website_version_0.pdf.

⁴² https://www.rochesternh.net/sites/rochesternh/files/uploads/disabled_qualifications_checklist_1.pdf.

⁴³ <https://www.rochesternh.net/assessing/pages/veteran-tax-credits>.

⁴⁴ https://www.rochesternh.net/sites/rochesternh/files/imce/u883/disabled_vet.jpg.

⁴⁵ <https://www.rochesternh.net/sites/rochesternh/files/file/file/72-36a.pdf>.

- ***Lack of assistance for transitioning from institutional settings to integrated housing***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations do not indicate that there are a lack of access to opportunity or disproportionate housing needs for residents with disabilities in this area.

State-level data from the National Council on Disability indicates that there are no persons with developmental disabilities or intellectual disabilities residing in large state institutions. Segregated settings include local assisted living facilities within the City of Rochester, such as Rochester Manor (<https://www.genesishcc.com/rochester>), and Rochester Housing Authority has housing complexes specifically for elderly residents and residents with disabilities. However, these housing situations differ significantly from institutionalized settings in that residents enter them voluntarily and have full or near-full access to the wider community.

In addition, according to 2016 ACS data, there are about 5,015 residents with disabilities living in the City of Rochester, which is about 17% of the overall population of the city. The number of residents in assisted living facilities and RHA housing for elderly residents/residents with disabilities measures only in the hundreds, which means that the majority of residents with disabilities in the City of Rochester are living in integrated settings.

For those residents who are in segregated settings and wish to transition to integrated housing, there are regional supports to help residents do so. Tri-City Consumers' Action Co-Operative provides peer-to-peer mental health supportive services, and Community Partners operates a rental assistance program that pairs financial support with ongoing case management.

- ***Land use and zoning laws***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations do not indicate that there are a lack of access to opportunity or disproportionate housing needs for residents with disabilities in this area.

The City of Rochester's zoning ordinance provides that the Zoning Board of Adjustments "may grant a variance ... when reasonable accommodations are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises."⁴⁶ Also, in FY 2015-2016, the city's CDBG program funded a handicap accessibility improvements microgrants program. This program provided funding for accessibility improvements for low- to moderate-income Rochester residents.⁴⁷ In addition, the City of Rochester offers assessment exemptions and tax credits for many residents. This includes assessment exemptions for elderly residents and residents with disabilities⁴⁸ as well as tax credits for veterans,⁴⁹ including a tax credit for veterans with disabilities related to their service⁵⁰ and property tax exemptions for certain disabled veterans.⁵¹

⁴⁶ Ch 42.4.2, City of Rochester ordinances. <<https://www.ecode360.com/documents/RO2619/RO2619-042.pdf>>

⁴⁷ https://www.rochesternh.net/sites/rochesternh/files/file/file/final_fy_2015_2016_annual_action_plan_-_website_version_0.pdf.

⁴⁸ https://www.rochesternh.net/sites/rochesternh/files/uploads/disabled_qualifications_checklist_1.pdf.

⁴⁹ <https://www.rochesternh.net/assessing/pages/veteran-tax-credits>.

⁵⁰ https://www.rochesternh.net/sites/rochesternh/files/imce/u883/disabled_vet.jpg.

⁵¹ <https://www.rochesternh.net/sites/rochesternh/files/file/file/72-36a.pdf>.

Also, in April of 2014, the City of Rochester updated the Chapter 42 of City of Rochester General Ordinances, which took ten years to complete. The Downtown Commercial District Zone has an average parcel size of 17,675 square feet, which would only allow for three dwelling units per parcel without seeking a variance from the Zoning Board of Adjustment under the 2014 ordinance. In early 2018, the ordinance was revised to lower the density limits to 500 sq. ft. per dwelling unit to allow for increased density within this zone, as the previous density regulations proved off-putting for developers who otherwise would be interested in investing in the downtown mixed-use buildings. Later in 2018, the Rochester Planning Department worked with the Community Development Division and the consultants at BendonAdams to perform a more in-depth analysis of downtown density and draft recommendations to further improve property owners' ability to develop downtown housing. A revised version of these recommendations was adopted by City Council in 2019.

- ***Lending discrimination***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations indicate that there are a lack of access to opportunity and disproportionate housing needs for residents with disabilities in this area.

Home Mortgage Disclosure Act (HMDA) data for 2016 for all City of Rochester census tracts, provided by the Consumer Financial Protection Bureau, was reviewed in-depth in earlier subsections. The rate of denials for home loans seemed proportionate for both white residents and racial/ethnic minority residents of the city. The HMDA data does not provide demographic information on loan applicants' disability status, unfortunately.

Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination. These reports do not include information on the nature of the disability, unfortunately (e.g., physical, developmental, behavioral). Consultation with the New Hampshire Legal Assistance Housing Justice Project indicates that many of the housing discrimination cases based on disability discrimination involve rental residents rather than home-owning residents, but this may reflect the lower income of New Hampshire Legal Assistance clients.

- ***Location of accessible housing***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations indicate that there are a lack of access to opportunity and disproportionate housing needs for residents with disabilities in this area, as affordable downtown housing in the City of Rochester is disproportionately comprised of older housing that is more likely to have accessibility issues.

A significant factor in lack of accessibility is the age of the housing stock in the City of Rochester and the wider Seacoast region. Of all 13,694 housing units within the City of Rochester, only 133 units were built in 2010 or later. The majority of available housing within the city (7,593 units) was built prior to 1980, and a significant percentage (3,783 units) was built prior to 1950. This aged and aging housing stock, built prior to Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, often presents accessibility issues for residents with

mobility-related disabilities. This can includes stairs without chairlifts, bathrooms without grab bars, and hallways and doorways without adequate clearance room for wheelchair users.

Consultations with regional housing developers and affordable housing non-profit agencies statewide have also indicated a lack of affordable housing incentive programs within the State of New Hampshire, which has led to poverty concentrations in the downtown region, where the housing stock is older, dilapidated, and lower cost.

- ***Occupancy codes and restrictions***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations indicate that there are a lack of access to opportunity and disproportionate housing needs for residents with disabilities in this area. Most of these needs relate to the costs of upgrading older and more affordable housing to meet current codes.

For example, the Amazon Park neighborhood is located on the eastern outskirts of the city and is comprised of low-income manufactured housing, travel trailers, campers, etc. Community Partners, which provides behavioral health services, has many clients who reside within Amazon Park. The City of Rochester and the owners of Amazon Park were engaged in litigation related to the park throughout 2017 and 2018, with the city expressing life safety and building safety code concerns with the housing units within the park.⁵² The State Supreme Court ruled that Amazon Park may be operated as a year-round permanent residential park but that all housing units must meet the City of Rochester's fire and life safety codes and building codes.

Consultations with housing developers, non-profit social service agencies, and others indicate that this problem extends beyond just Amazon Park to other older and/or dilapidated housing within the city. The costs for bringing these buildings up to code, especially if they have been neglected for some time period, can be prohibitive for the buildings' owners. Offsetting these barriers, there is New Hampshire's accessory dwelling units law, which was enacted in 2017.⁵³ The law requires New Hampshire municipalities to "allow accessory dwelling units as a matter of right or by either conditional use permit pursuant to RSA 674:21 or by special exception, in all zoning districts that permit single-family dwellings."

- ***Regulatory barriers to providing housing and supportive services for persons with disabilities***

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations indicate that there is not a lack of access to opportunity or disproportionate housing needs for residents with disabilities in this area.

There are not direct regulatory barriers to providing housing and supportive services for persons with disabilities, but consultations with city staff and non-profit agencies such as Community Action Partnership of Strafford County indicate that the need to obtain zoning variances can negatively impact the ability to construct housing for residents with disabilities. In addition, as discussed in previous sections, density limitations can affect housing developers' ability to construct affordable housing in the downtown region.

⁵² Early B, "Rochester: Amazon Park trailers unsuitable for year-round residents," *Foster's Daily Democrat*. <<http://www.seacoastonline.com/news/20170423/rochester-amazon-park-trailers-unsuitable-for-year-round-residences>>.

⁵³ NH RSA 674:71-72. <<https://www.nh.gov/osi/planning/resources/documents/accessory-dwelling-units-law.pdf>>.

- *State or local laws, policies, or practices that discourage individuals with disabilities from being placed in or living in apartments, family homes, and other integrated settings*

Both HUD data and other data indicates there is not segregation or R/ECAPs for residents with disabilities. Data and consultations indicate that there is a history of lack of access to opportunity or disproportionate housing needs for residents with disabilities in this area, and likely these concerns are continuing.

The 2015 *Analysis of Impediments to Fair Housing Choice*, prepared by New Hampshire Housing Finance Authority and New Hampshire Legal Assistance, provides an overview of several New Hampshire court cases of recent years. In *Amanda D. v. Hassan*, filed in 2012 by the New Hampshire Disability Rights Center and joined by the U.S. Department of Justice, the case was based on state institutionalization practices, which the plaintiff asserts were unlawful discrimination against persons with mental illness. An agreement between the parties was reached in 2014, which requires the provision of community-based mental health services, employment support services, and supportive housing. As discussed in previous subsections, the need for more community-based mental health services, employment support services, and supportive housing for residents with mental illness and other disabilities continue both locally and regionally.

D. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

1. *List and summarize any of the following that have not been resolved: a charge or letter of finding from HUD concerning a violation of a civil rights-related law, a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law, a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law, or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.*

N/A. There are no unresolved findings.

2. *Describe any state or local fair housing laws. What characteristics are protected under each law?*

New Hampshire RSA 354-A prohibits discrimination in employment, public accommodations, and the sale or rental of housing or commercial property, because of age, sex, sexual orientation, gender identity, race, creed, color, marital status, familial status, physical or mental disability or national origin.⁵⁴

3. *Identify any local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and the resources available to them.*

New Hampshire Commission for Human Rights

⁵⁴ New Hampshire RSA 354-A. <<http://gencourt.state.nh.us/rsa/html/nhtoc/nhtoc-xxxi-354-a.htm>>.

The New Hampshire Commission for Human Rights (<https://www.nh.gov/hrc>) is a state government department and is vested under RSA 354-A with the responsibility to “receive, investigate and pass upon complaints alleging violations of this chapter” which covers employment, housing, and public accommodations discrimination. The commission’s website provides an overview of the state statute and associated rules, discrimination data, commission decisions, instructions on how to file a complaint with the commission, and links to other federal and state human rights resources. There are also subsections on pregnancy discrimination and disability discrimination specifically but not the other categories of protection (age, sex, sexual orientation, gender identity, race, creed, color, marital status, familial status, or national origin).

According to the 2015 state AI, all state-based housing discrimination cases must be lodged with the Commission for Human Rights initially. Complainants may file a complaint by telephone, fax, mail, online, or in person at the commission’s offices. The website has a specific complaint form for housing and commercial property discrimination complaints.⁵⁵

New Hampshire Legal Assistance

New Hampshire Legal Assistance (<http://www.nhla.org>) is a statewide legal services agency serving low-income residents of New Hampshire. The agency has offices in Berlin, Claremont, Concord, Manchester, and Portsmouth. NHLA’s Housing Justice Project promotes helps individuals and families who are either currently without shelter or are at imminent risk of becoming homeless. The Housing Justice Project handles cases such as Section 8 or public housing issues, mortgage foreclosure, property tax issues, mobile home park issues, fair Housing/housing discrimination complaints, and housing accessibility issues for persons with mobility disabilities.

The Fair Housing Project provides civil legal aid to assist clients with disabilities when they need to obtain accommodations in housing situations, defends clients facing unlawful evictions, and files discrimination complaints with administrative agencies or in court. In addition to individual representation, the Fair Housing Project engages in systemic advocacy by providing training throughout the state on fair housing topics and by advocating for changes in laws, ordinances and policies that have a negative impact on protected class members.

New Hampshire Disability Rights Center

The New Hampshire Disability Rights Center (<http://www.drcnh.org/>) is New Hampshire's designated protection and advocacy agency and authorized by federal statute “to pursue legal, administrative and other appropriate remedies” on behalf of individuals with disabilities. The DRC is a statewide organization independent from state government or service providers. DRC provides information, referral, advice, legal representation, and advocacy to individuals with disabilities on a wide range of disability-related problems. DRC's authority includes access to facilities to conduct monitoring activities, including site visits and speaking with residents of the facility.

The Disability Rights Center has a specific page on housing issues at <http://www.drcnh.org/IssueAreas/housing.html>. The page provides a “know your rights”

⁵⁵ <https://www.nh.gov/hrc/documents/housing.pdf>.

overview, fair housing information, information on emotional support animals, and resources section including both legal and financial services.

Seacoast Chapter of the National Association for the Advancement of Colored People (NAACP)

The Seacoast NAACP (<http://www.seacoastnaacp.com/>) is a local chapter of the National Association for the Advancement of Colored People, one of the oldest civil rights organizations in the nation. Its mission is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and discrimination. The Seacoast chapter's website includes a section on legal issues, which provides a discrimination complaint form and information on filing complaints with the NAACP.

Additional Information

During the FY 2015-2016 program year, Rochester CDBG funds paid for a landlord-tenant law "know your rights" workshop hosted by New Hampshire Legal Assistance's Housing Justice Project staff. This workshop provided an important resource to the Rochester community, and several important connections between landlords, tenants, city staff, and legal assistance staff were made during the workshop. In subsequent years, Rochester Community Development staff has attended NHLA fair housing trainings and encouraged the NHLA to apply for additional CDBG funding.

In addition, Community Development staff has drafted and posted a fair housing webpage to the city's Community Development website. This page, which can be found online at <http://www.rochesternh.net/community-development-division/pages/fair-housing>, provides links to the texts of the federal Fair Housing Act and New Hampshire state anti-discrimination protections, to several HUD fair housing resources, to HUD housing demographics data for the city, and to the websites of the New Hampshire Legal Assistance's Housing Justice Project, New Hampshire Commission for Human Rights, and National Fair Housing Alliance.

4. Fair Housing Enforcement, Outreach Capacity, and Resources Contributing Factors

Consider the listed factors and any other factors affecting the jurisdiction and region. Identify factors that significantly create, contribute to, perpetuate, or increase the severity of fair housing enforcement, outreach capacity, and resources and the fair housing issues, which are Segregation, RECAPs, Disparities in Access to Opportunity, and Disproportionate Housing Needs. For each significant contributing factor, note which fair housing issue(s) the selected contributing factor impacts.

- ***Lack of local private fair housing outreach and enforcement***

The primary source of fair housing outreach and enforcement for the state of New Hampshire is New Hampshire Legal Assistance's Housing Justice Project. New Hampshire Legal Assistance (<http://www.nhla.org>) is a statewide legal services agency serving low-income residents of New Hampshire. The Housing Justice Project handles cases such as Section 8 or public housing issues, mortgage foreclosure, property tax issues, mobile home park issues, fair Housing/housing discrimination complaints, and housing accessibility issues for persons with mobility disabilities.

The Fair Housing Project provides civil legal aid to assist clients with disabilities when they need to obtain accommodations in housing situations, defends clients facing unlawful evictions, and files discrimination complaints with administrative agencies or in court. In addition to individual representation, the Fair Housing Project engages in systemic advocacy by providing training throughout the state on fair housing topics and by advocating for changes in laws, ordinances and policies that have a negative impact on protected class members.

In addition to NHLA, there is the New Hampshire Commission for Human Rights. This government department is vested under RSA 354-A with the responsibility to “receive, investigate and pass upon complaints alleging violations of this chapter” which covers employment, housing, and public accommodations discrimination. According to the 2015 state AI, all state-based housing discrimination cases must be lodged with the Commission for Human Rights initially. Complainants may file a complaint by telephone, fax, mail, online, or in person at the commission’s offices. The website has a specific complaint form for housing and commercial property discrimination complaints.

Both HUD data and other data indicates there is not segregation or R/ECAPs within the City of Rochester. Data and consultations indicate that there is not a disparity in access to opportunity or disproportionate housing needs. However, given the constraints of financial resources and staff availability, the NHLA Housing Justice Project is unable to provide assistance to all potential clients who contact them or to do non-targeted monitoring in as wide a geographical region as would be ideal. The New Hampshire Commission for Human Rights has an administrative staff of four persons and an investigative staff of four additional persons, as well as seven appointed commissioners, and this seems adequate for the state.

- ***Lack of local public fair housing enforcement***

The primary source of fair housing outreach and enforcement for the state of New Hampshire is New Hampshire Legal Assistance’s Housing Justice Project. New Hampshire Legal Assistance (<http://www.nhla.org>) is a statewide legal services agency serving low-income residents of New Hampshire. The Housing Justice Project handles cases such as Section 8 or public housing issues, mortgage foreclosure, property tax issues, mobile home park issues, fair Housing/housing discrimination complaints, and housing accessibility issues for persons with mobility disabilities.

The Fair Housing Project provides civil legal aid to assist clients with disabilities when they need to obtain accommodations in housing situations, defends clients facing unlawful evictions, and files discrimination complaints with administrative agencies or in court. In addition to individual representation, the Fair Housing Project engages in systemic advocacy by providing training throughout the state on fair housing topics and by advocating for changes in laws, ordinances and policies that have a negative impact on protected class members.

In addition to NHLA, there is the New Hampshire Commission for Human Rights. This government department is vested under RSA 354-A with the responsibility to “receive, investigate and pass upon complaints alleging violations of this chapter” which covers employment, housing, and public accommodations discrimination. According to the 2015 state AI, all state-based housing discrimination cases must be lodged with the Commission for Human Rights initially. Complainants may file a complaint by telephone, fax, mail, online, or in person at the commission’s offices. The website has a specific complaint form for housing and commercial property discrimination complaints.

Public housing is also monitored for fair housing compliance by HUD's Office of Fair Housing and Equal Opportunity (https://www.hud.gov/program_offices/fair_housing_equal_opp). The website for HUD's Office of Fair Housing and Equal Opportunity provides information on how to file a housing complaint and specifies seeking housing assistance as an area of enforcement. The website provides the complaint form in both English and Spanish, and there are subsections on assistance for persons with disabilities and for persons with limited English proficiency.

Both HUD data and other data indicates there is not segregation or R/ECAPs within the City of Rochester. Data and consultations indicate that there is not a disparity in access to opportunity or disproportionate housing needs. However, given the constraints of financial resources and staff availability, the NHLA Housing Justice Project is unable to provide assistance to all potential clients who contact them or to do non-targeted monitoring in as wide a geographical region as would be ideal. The New Hampshire Commission for Human Rights has an administrative staff of four persons and an investigative staff of four additional persons, as well as seven appointed commissioners, and this seems adequate for the state.

- ***Lack of resources for fair housing agencies and organizations***

Given the constraints of financial resources and staff availability, the NHLA Housing Justice Project is unable to provide assistance to all potential clients who contact them or to do non-targeted monitoring in as wide a geographical region as would be ideal. The New Hampshire Commission for Human Rights has an administrative staff of four persons and an investigative staff of four additional persons, as well as seven appointed commissioners, and this seems adequate for the state.

- ***Lack of state or local fair housing laws***

The State of New Hampshire, under RSA 354-A, prohibits discrimination in the sale or rental of housing (as well as other areas) based on age, sex, sexual orientation, gender identity, race, creed, color, marital status, familial status, physical or mental disability, or national origin. The City of Rochester does not have a municipal-level fair housing ordinance but explicitly follows RSA 354-A as well as all federal anti-discrimination laws.

V. Fair Housing Goals and Priorities

1. *For each fair housing issue, prioritize the identified contributing factors. Justify the prioritization of the contributing factors that will be addressed by the goals set below in Question 2. Give the highest priority to those factors that limit or deny fair housing choice or access to opportunity, or negatively impact fair housing or civil rights compliance.*

Goal #1: Increase Access to Quality Affordable Housing

One of the most common housing problems, identified across multiple consultations, is the lack of adequately affordable housing. Average income has not kept pace with average rental costs; as a result, many Rochester residents spend well over 30% of their income on housing. According to calculations from the New Hampshire Housing Finance Authority, less than 10% of the housing units in Strafford County are affordable to half of the renting households.

Lastly, the relative lack of public housing availability is a problem for the City. Consultation with the Rochester Housing Authority has indicated that the current wait list for housing is somewhere around five years long. In addition, according to the Regional Housing Needs Assessment drafted by the Strafford Regional Planning Commission, many of the assisted rental housing units produced under subsidized housing programs are no longer available.

Quality affordable housing will be increased through a variety of approaches, including but not limited to rental assistance program support for lower-income residents, housing rehabilitation funding targeted to lower-income homeowners, educational and vocational assistance aimed at increasing lower-income residents' income levels, and pursuing opportunity to construct more public housing units or convert existing housing to public housing.

Goal #2: Increase Home Ownership Opportunities for Ethnic and Racial Minorities

According to data compiled by the Strafford Regional Planning Commission in its 2015 report, *Local Solutions for the Strafford Region: Fair Housing and Equity Assessment*, there is a slight concentration of racial and ethnic minorities who rent in the center of the City (Wards 2 and 6), and there is a heavier concentration of racial and ethnic minorities who own their homes in the northwestern portion of the City (Wards 3 and 5). Both these areas overlap, to large extent, the census tracts classified by HUD as 51% or greater low to moderate income.

Home ownership opportunities for ethnic and racial minorities will be increased through a combination of initiatives, including Fair Housing Act educational outreach to local lending institutions; providing information on low-income home ownership resources to regional organizations dedicated to protecting the rights of racial and ethnic minority populations; and partnering with fair housing organizations, such as the New Hampshire Legal Assistance's Housing Justice Project, to address discrimination complaints related to mortgages and home buying.

Goal #3: Reduce Housing Discrimination Against Residents with Disabilities

The City of Rochester has a relatively high percentage of residents with disabilities, especially children with disabilities. Based on federal AHAR reports, people with disabilities (and especially those with mental health-related disabilities) are vastly overrepresented among those reported to be experiencing homelessness. Data from the New Hampshire Legal Assistance Housing Justice Project (<http://www.nhla.org/content/housing-16>), as well as the New Hampshire Commission on

Human Rights (<https://www.nh.gov/hrc/>), indicate that disability is by far the protected category with the most reports of discrimination. These reports do not include information on the nature of the disability, unfortunately (*e.g.*, physical, developmental, behavioral).

Focusing on disability as a protected class, therefore, makes sense in terms of maximizing impact of limited resources. Reducing discrimination will include a broad range of approaches, including supporting rental assistance programs with case management specifically for residents with disabilities, supporting behavioral health general supportive services, and support substance use disorder treatment and recovery services (as there are high levels of coincidence between behavioral health issues and substance use disorders). The City of Rochester will also partner with the Rochester Housing Authority to address any accessibility issues in the city's public housing stock and to identify and pursue opportunities to create more accessible public housing units.

Goal #4: Landlord Education and Outreach on Fair Housing Issues and Protected Categories

According to the Regional Housing Needs Assessment and Fair Housing Analysis drafted by the Strafford Regional Planning Commission, more ethnic and racial minorities rent than own their homes as compared to white residents. These same reports also indicate that a greater percentage of renter households (48% of all renters) in the Strafford County region have a high housing cost burden (30% or more of income) than do owner households (33% of all owners). In addition, these analyses have found that senior occupancy of rental units should increase, as more elderly residents reach age 75+ and seek smaller living spaces located closer to services and amenities.

Anecdotal reports from several public service agencies that serve low-income residents suggest that family size has been a basis of discrimination within the City of Rochester, with larger families with children being turned away from rental housing by landlords. Both "familial status" and "marital status" are protected categories under New Hampshire RSA 354-A.

Given that especially vulnerable populations, including protected classes such as racial and ethnic minorities and persons with disabilities, disproportionately rent versus own their housing, a goal focusing on improving housing equity specifically for renting households will be set. This will be accomplished through education and outreach on fair housing principles and the protections afforded by the Fair Housing Act, targeted to local landlords and property managers; partnering with fair housing organizations, such as the New Hampshire Legal Assistance's Housing Justice Project, to address discrimination complaints related to rental housing and to organize housing discrimination testing activities; and rental assistance focusing on low-income residents and/or residents with disabilities, to increase access to quality, affordable rental housing. The City of Rochester and the Rochester Housing Authority will also partner to conduct landlord education and outreach specifically focused on landlords who accept Section 8 vouchers.



08/29/2019

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

CDBG Analysis of Impediments to Fair Housing

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	8/20/2019		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	8/9/2019		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	106	

COMMITTEE SIGN-OFF

COMMITTEE	Community Development Committee
CHAIR PERSON	Elaine Lauterborn

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3608

SUMMARY STATEMENT

The U.S. Department of Housing and Urban Development (HUD) requires the City of Rochester, as part of its Community Development Block Grant (CDBG) planning and reporting, to address impediments to fair housing within the city. The Community Development Coordinator has conducted extensive research and consultations into fair housing issues within the city and the wider region and has drafted an updated Analysis of Impediments to Fair Housing for the City of Rochester. The Community Development Committee voted at its July meeting to recommend that the full City Council adopt the draft Analysis of Impediments to Fair Housing.

RECOMMENDED ACTION

Approve the draft Analysis of Impediments to Fair Housing.

DRAFT – CITY OF ROCHESTER FY 20 CDBG ACTION PLAN AMENDMENT

Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2020

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

WHEREAS, the City of Rochester has received additional requests for funding for Community Development Block Grant (CDBG) eligible projects and has unallocated prior year CDBG funds;

WHEREAS, the Mayor and City Council of the City of Rochester desire to program these additional funds into other worthwhile activities;

THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby appropriate Five Thousand Dollars (\$5,000.00) in unexpended prior year CDBG funds for a My Friend's Place generator project and to reallocate Five Thousand Dollars (\$5,000.00) in Community Action Partnership's previously awarded FY 20 weatherization funds towards an emergency winter homeless shelter project.

FURTHER, that the funds necessary to fund the above appropriation shall be drawn in their entirety from the above-mentioned FY 2020 and prior fiscal year CDBG grant funds that the City of Rochester has received from the federal government.

FURTHER STILL, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

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City Clerk's Office



08/29/2019

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

CDBG FY20 Action Plan Amendment - Second Reading and Adoption

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	September 3, 2019		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	8/27/2019		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2

COMMITTEE SIGN-OFF

COMMITTEE	Community Development Committee
CHAIR PERSON	Elaine Lauterborn

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	CDBG (HUD)
ACCOUNT NUMBER	TBD
AMOUNT	\$10,000.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

4 CFR § 91.1 requires the submission of an Annual Action Plan for the City of Rochester to continue to receive Community Development Block Grant funding.

SUMMARY STATEMENT

At the July 8, 2019, the Community Development Committee voted to amend the adopted FY 2020 CDBG annual action plan to allocate \$5,000 in unexpended prior year CDBG funds for My Friend's Place generator project and to reallocate \$5,000 in Community Action Partnership's previously awarded FY 20 weatherization funds towards an emergency winter homeless shelter project.

RECOMMENDED ACTION

- Step 1 (7/16/2019): Review of the draft FY20 Annual Action Plan amendment and referral to public hearing scheduled for August 6, 2019.
- Step 2 (8/6/2019): Public hearing to solicit citizen feedback on adoption of the draft FY20 Annual Action Plan amendment.
- Step 3 (9/3/2019): Second review and adoption of the draft FY20 Annual Action Plan amendment.

Rochester School Board / Rochester City Council
CTE Joint Building Committee Minutes
August 26, 2019
Richard Creteau Technology Center

DRAFT

Members Present: City Council
School Board
Mr. Matthew Pappas, Chair
Mr. Matthew Beaulieu
Mr. Robert Watson
Mrs. Audrey Stevens

Members Absent:
Mr. Geoffrey Hamann
Mr. Jeremy Hutchinson
Mr. Thomas Abbott
Mr. Paul Lynch
Mr. Nathaniel Byrne
Mr. Raymond Turner

Also Present:
Mr. Kyle Repucci, Superintendent
Ms. Michel Halligan-Foley
Ms. Cherie Mann
Ms. Kathy Miskoe
Mr. Lance Whitehead
Ms. Anne Ketterer
Mr. Richard Drapeau
Mr. David Totty
Mrs. Sarah Harrington
Guests

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

Approval of Minutes

Mrs. Stevens moved, second by Mayor McCarley, the Committee approve the minutes of the July 8, 2019 and July 25, 2019 CTE Joint Building Committee meetings. The motion carried unanimously.

Update from Harvey Construction

Ms. Kathy Miskoe from Harvey Construction reviewed the Phases on the Construction Update document and updated the Committee on the progress since the last meeting. The schedule was also reviewed.

Update from Lavallee/Brensinger

Mr. Lance Whitehead, Lavallee/Brensinger, reviewed and explained the updated budget. He informed the Committee that Holy Rosary Credit Union has requested that a granite sign be put in front of the CTE center and they are willing to cover the cost of that.

Mr. Beaulieu moved, second by Mr. Varney, to accept the change order for \$7,465.26 for a granite sign with Holy Rosary Credit Union completely reimbursing the cost. The motion carried unanimously.

Tech Center Cleaning Equipment

Mr. David Totty, Facilities Director, reviewed the Tech Center Cleaning Equipment list. Discussion ensued.

Mayor McCarley moved, second by Mrs. Stevens, to approve the purchase of the cleaning equipment as presented. The motion carried unanimously.

Next Meeting

The next meeting of the Committee is scheduled for September 30, 2019 at 7:00 p.m. with a tour at 6:30 p.m.

Other

Discussion ensued regarding the remaining contingency funds and items that are still needed. The list will be reviewed again at next month's meeting.

Mr. Varney moved, second by Mr. Beaulieu, to authorize that up to \$100,000 be spent on needed items that require the most lead time. The motion carried unanimously.

Public Comment

None

Adjournment

Mayor McCarley moved, second by Mr. Watson, to adjourn at 7:31 p.m. The motion passed unanimously.

Respectfully submitted,

Kyle Repucci
Board Secretary



Spaulding HS Creteau TC Construction Update



August 26, 2019



Phase 3 New Front Addition







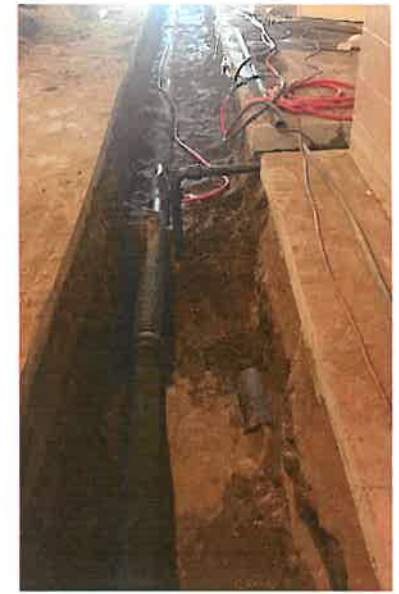
Phases 5 Maker Space



Phases 6 Graphic Arts



Phase 8 Lab and Classroom Renovations and corridor

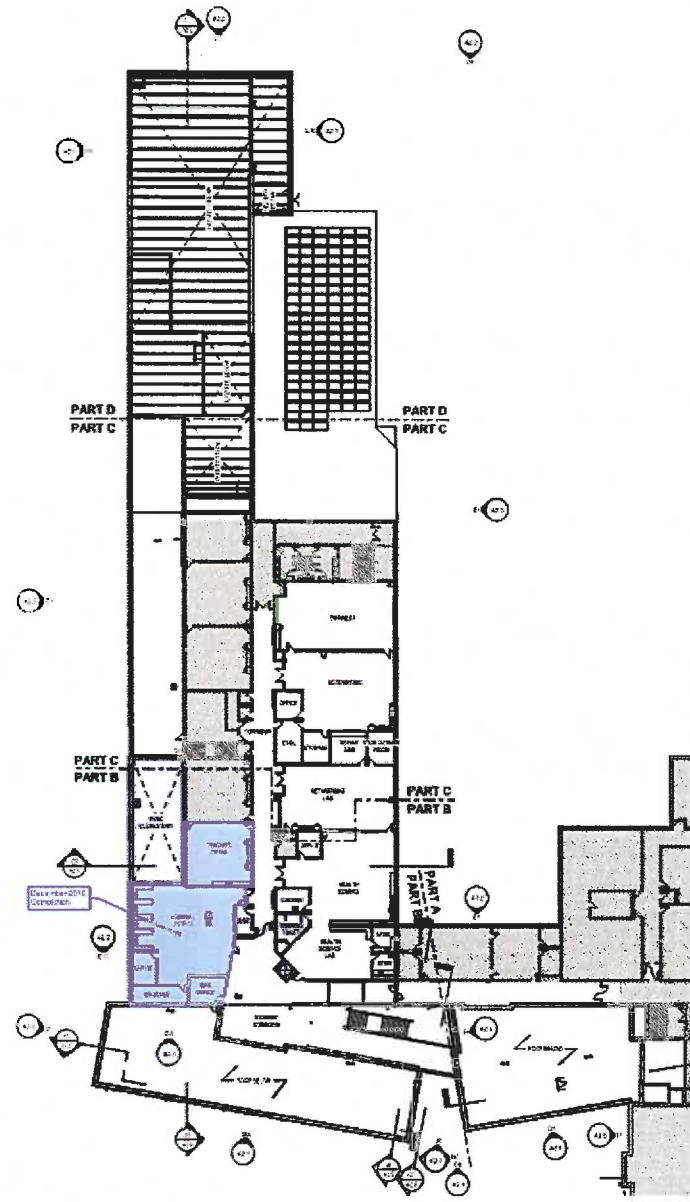
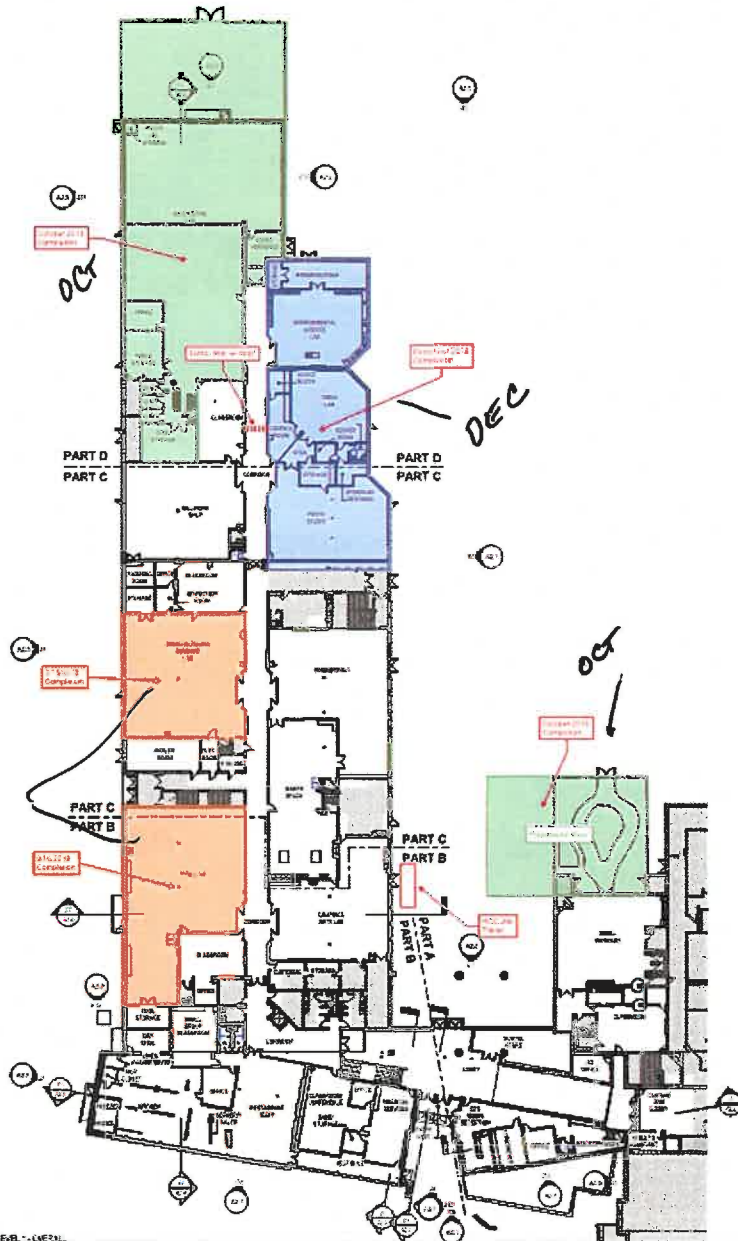


Phase 8 Lab and Classroom Renovations and corridor



HARVEY

MID SEP

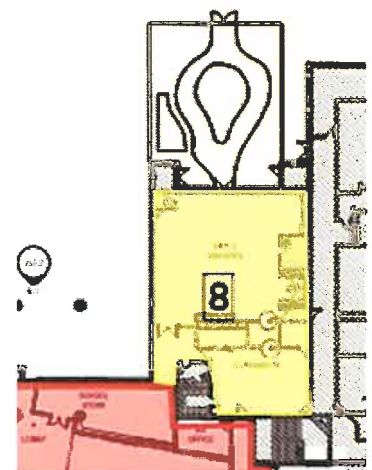


Phase 8 Small Wonders

Controls upgrade

Millwork

Playground Work in September



Phase 8a Auto Addition

DONE
Roofing and slab work ongoing

RSD Equipment move in the week of 9/16

October completion



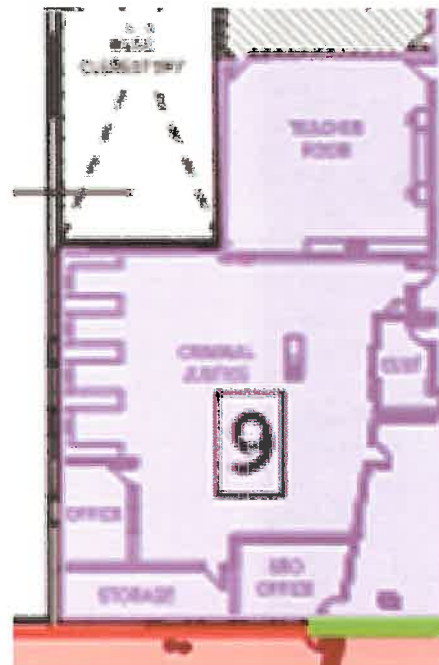
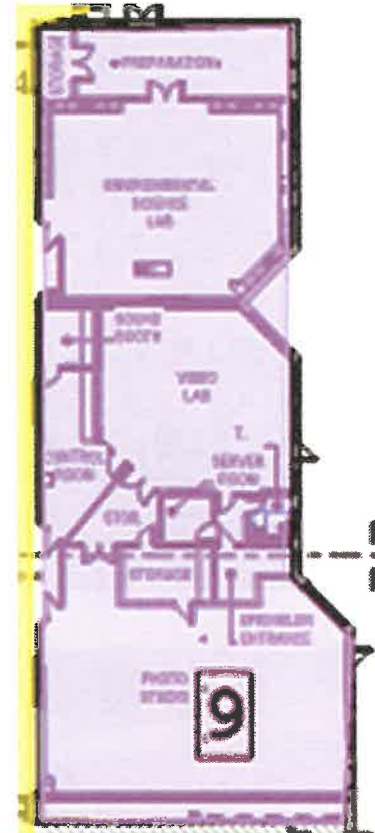
Phase 9 1st Floor Photo / Video Lab/Environmental Science

2nd Floor Criminal Justice

2nd floor Corridor wall already in place
separating work zone

2nd floor corridor upgrades – already
complete

December Completion



Rochester RW Creteau		Overall Budget		26-Aug-19	State	Local
Based on Harvey Construction Schedule of Values						
83,233sf of Renovated or Added Space, 543sf of High School Space						
Project is 99.35% CTE Space, 00.65% High School Space						
Upfront Costs, Utility Charges, and Permit Fees		Pre-Bond Budget		Notes		
Insurance Fees		\$0	\$0	Jobsite Insurance in CM General Conditions		
Bond and Legal Council and Site Permitting		\$23,500	\$0	Not applicable for State Funding		
Planning Board Fee		\$0	\$0	Paid directly by Operating Budget		
Re-zoning Fees		\$0	\$0	Verify w/ Local Authorities		
Water System Permit		\$0	\$0	Existing		
Other Permitting and Utility Tie Ins		\$3,000	\$3,000	Verify w/ Local Authorities		
Elevator Tie In		\$0	\$0	Existing		
Telephone and Data Connection		\$0	\$0	Existing		
1 Subtotal - Upfront Costs, Utility Charges, and Permit Fees		\$26,500	\$3,000	On Budget - Still to be Verified		
Site Data				Not applicable for State Funding		
Survey, Wetlands mapping, Environmental, Traffic Studies		\$20,000	\$8,000	Hayner Swanson		
Geotechnical investigations		\$20,000	\$12,500	SW Cole		
2 Subtotal - Site Data		\$40,000	\$20,500			
Professional Fees						
Architectural/ Structural / Civil / MEP / FP Engineering Fees		\$997,739	\$1,033,700	Lavallee Brensinger Architects		
A/E Reimbursable expenses (estimate)		\$34,000	\$51,000	Printing, Shipping, Etc		
Existing Assessment & Drawings		\$37,500	\$82,559	Completed under separate contract- Local Side Funded by previous Budget		
Assessment, Programming, Equipment Review				Completed under separate contract		
Conceptual Design		\$37,500		Completed under separate contract- Local Side Funded by previous Budget		
Additional Services: Studio Lighting and AV, Intercom, Phone, Security System		\$12,000	\$37,000	Integrated Solutions Group - Awarded by JBC 01/28/2019		
Furniture design/selection services		\$0	\$0	To be determined if Needed		
Existing Equipment Inventory services		\$0	\$0	To be determined if Needed		
Record Documents		\$0	\$0	Under CM Contract		
3 Subtotal - Design and Engineering Costs		\$1,118,739	\$1,204,259			
Independent Consultants						
Commissioning Agent		\$15,000	\$38,500	RFS - Awarded by JBC on 1/28/2019		
Construction Inspection & Testing		\$25,000	\$28,044	Based on SW Cole's Proposal		
Owner's Clerk of the Works		\$80,000	\$90,000	Based on Drapeau Proposal of \$500/mos. x 18 Mos		
4 Subtotal - Independent Consultants		\$120,000	\$156,544			
Furnishings & Equipment						
Camera And Card Access Systems		\$0	\$0	Part of Construction Budget		
Technology (CPU & Promethean Boards)		\$200,000		Part of CTE Equipment, Furniture Tech Budget Below		
Furniture		\$20,000		Part of CTE Equipment, Furniture Tech Budget Below		
Digital Television and Streaming Services at the TV Studio			\$29,689	Televue - Awarded by JBC on 1/28/2019 -Atlantic Broadband Funding of \$9685.70 for Local Side of costs		
TV Studio Lighting and AV Equipment			\$157,468	Additional Equipment Approved by JBC 3/25/2019		
CTE Program Equipment, Furniture, and Technology (priorities 1+2)		\$800,000	\$773,803	Excludes Priority 3		
On Hold Large Equipment Purchases			See Right	\$357,534		
Custodial Equipment		\$7,500	\$20,000	\$7500 VCT Equipment, \$4400 Carpet		
5 Subtotal - FF&E		\$1,027,500	\$980,959			
Construction Costs		\$	\$			
Site construction (Earthwork Bid + Ext Improvements)		\$300,000	\$616,066	Earnwork Bid= \$518,265 Exterior Improvements= \$97,801 Per Harvey Schedule of Values 5/29/2018		
Builders Risk Insurance		\$55,000	\$20,713	Not applicable for State Funding		
Flooring at Bridge - Deduct Alternate - Declined (below)			\$3,528	Based on HCC Contract		
High School renovations		\$50,000	\$50,000	HS Only Area - carried as an Alternate for bidding		
General Conditions						
Building Demolition						
Culinary Kitchen Equipment						
CTE Additions						
CTE Renovation Level 2 (MEP, Interiors, new partitions)						
CTE Renovation Level 1 (MEP, Interiors, limited partition changes)		\$13,452,485	\$13,118,363	Based on Bid results and Harvey Construction Guaranteed Maximum Price Contract		
CTE Renovation - Limited Changes (MEP only)						
CTE Core Areas- Unchanged (MEP only)						
Performance and Payment Bonds						
CM Fees						
CM's Construction Contingency						
6 Subtotal - Construction Costs		\$13,857,485	\$13,808,670	GMP Contract with Harvey Construction		
Owners Construction Contingency -Allowance		\$500,000	\$700,000	Increased due to unforeseen conditions to date.		
Alternates to come out of contingency						
6 ADD - Cost to Engrave Bricks for Donation - \$20/Brick - pending decisions				JBC Decision to Proceed with Fundraising in Future		
7 ADD- New paving Overlay - \$29,388, Declined by JBC 4/30/18				Declined - JBC to re-evaluate at a later date		
Change Orders / Proposed Change Orders to Date						
Change Order 1		\$	32,450.33			
Change Order 2		\$	(14,703.76)	Credit		
Change Order 3		\$	106,692.16			
Change Order 4		\$	173,095.73			
Change Order 5		\$	18,265.42			
Change Order 6		\$	49,451.63			
Change Order 7		\$	(22,433.75)	Credit		
Pending: Bank Exterior Sign			\$7,940.68	To be reimbursed by Bank		
Remaining Owners Contingency			\$349,242	Total Spent: 2.54%		
7 TOTAL- Contingencies		\$500,000	\$700,000			
8 Total Project Estimate		\$16,690,224	\$16,873,932			
Likely State Funded Portion		\$12,023,793	\$11,985,399	Assuming 75% Maximum applied to Applicable Expenses - Capped Per Budget Request		
Likely Community Funded Portion		\$4,666,431	\$4,888,533	Costs for renovations related to Improvements for High School Areas and Sitework		
Local/Community Funding Sources						
a Bond Amount Per City Council		\$	4,800,000.00			
b Operating Budget Previous Years Expenditures		\$	21,043.00	Local Portion For Pre-Bond Services		
c Atlantic Broadband		\$	9,685.70			
d Rebates through Electric Company		\$	70,000.00	To be Verified - Subject to availability		
e FTA Contributions for Lighting Changes		\$	27,923.33			
f Contributions from HRCU for Change Order 6		\$	11,495.17	For Dedicated Electric Panel		
g Contributions from HRCU for Sign Above		\$	7,940.68			
h Leftover Local Only Funding		\$	(59,555.06)	Below Budget with Rebates and Contributions		
Total Local Funding Available		\$	4,948,087.88			

\$20K

CLEANING EQUIP

\$19,701

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City Clerk's Office

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Paul recently met with me and asked that I share our current cut list from the CTE equipment. Michele has worked extremely hard monitoring all of the requests and purchases and has done a great job putting this list together for future consideration and or discussion. Please feel free to reach out with any questions and I look forward to meeting on the 26th. -Kyle

Kyle Repucci
Superintendent

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City Clerk's Office

Finance Committee
Meeting Minutes

Meeting Information

Date: August 13, 2019
Time: 7:00 PM
Location: City Council Chambers
31 Wakefield Street
Rochester, NH 03867

Committee members present: Mayor McCarley, Deputy Mayor Varney, Councilor Walker, Councilor Gray, Councilor Lauterborn, Councilor Keans, and Councilor Abbott

City staff present: City Manager Blaine Cox, Deputy City Manager Katie Ambrose, Deputy Finance Director Mark Sullivan, Director of Recreation and Arena Services Chris Bowlen, Deputy Finance Director Roland Connors, Economic Development Specialist Jenn Marsh, Economic Development Manager Mike Scala, and Jennifer Murphy Aubin, Economic Development Department

Others present: Ray Barnett and Angela Mills, Rochester Main Street Executive Director

Committee Members absent/excused: Councilor Torr

Minutes:

1. Call to Order

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

2. Public Input

Ray Barnett, resident, addressed the Committee regarding the elderly tax exemption, potentially modifying the qualifications for those eligible, and other ideas about assisting the elderly to pay taxes.

3. Unfinished Business

3.1 Purchasing Procedure – Administrative Ordinances 7-40

Councilor Lauterborn **MOVED** to recommend the Amendment to the Purchasing Procedure to the full City Council. Councilor Varney seconded the motion. Councilor Gray questioned if the motion included sending the proposed Amendment to the Codes and Ordinances Committee for review. Councilor Lauterborn concurred. The **MOTION CARRIED** by a unanimous voice vote to recommend the Amendment to the Purchasing Procedure to be presented to the full City Council and to refer the matter to the Codes and Ordinances for review.

3.2 Veterans Credits and Elderly Exemptions

Mayor McCarley recalled that the City Council made some changes to the Veterans Tax Credits and Elderly Exemption a little over a year ago. Councilor Keans agreed with the City Assessor's statements about who pays for the tax credits. She said many people do not understand that such a change could actually have a negative impact to elderly folks who do not qualify for the tax credits. She added that all taxpayers, including the elderly population, are required to pay higher taxes to make up the difference for those who do qualify for the tax credits. Councilor Lauterborn agreed and said it is worth repeating again. She said that every time a tax credit is given out, it is the rest of the taxpayers who are required to make up the difference. Mayor McCarley said if there are no further discussions and no motion has been made, then this will end at the Committee level and no action shall be taken.

3.3 Fund Balance Policy – General Fund

City Manager Cox said one of the more significant changes being proposed, is to the utilization of the General Fund Balance for any recurring items. Mr. Connors said this change is being proposed based upon input from the Finance Committee made back in April, 2019. Some Committee members still had concerns with the use of the General Fund Balance. He explained that this is a revised draft to accommodate those changes. He explained that the title of subsection (d) was originally entitled "Emergency Appropriations" and has since been revised to read "General Fund unassigned fund balance – Recurring." Mr. Connors supported this proposed change because there are times in which the Council is asked to utilize the General Fund balance for recurring expenses. He gave one example which general funds were used to cover additional costs associated with the Special

Education for the School Department. This expense would be considered a recurring expenditure as opposed to a non-recurring expenditure. He said this is a necessary change to the language because the general fund is not solely for “emergency” expenditures.

Mr. Connors said another concern brought to his attention from the Finance Committee had been to include language which would require a two-thirds majority vote. Mr. Connors stated that this language was added to both sub-sections (c) and (d). He added, lastly, it was recommended that the Ordinance be cross-referenced with the Fund Balance Policy. He said sub-sections (a) through (d) of the proposed ordinance have been incorporated directly into the revised Fund Balance Policy for that reason.

Councilor Varney questioned the fact that under subsection (d) of the Amendment, it states that the “balance” required for the General Fund Unassigned Fund Balance, must be between a minimum of 8% and 17%; however, there is no specifications for a maximum balance. Mr. Connor did not oppose including a maximum fund balance requirement. He said the fund balance should be based upon the City’s level of outstanding debt in order to receive a good bond rating. Councilor Gray said, at some point, the taxpayers are not going to be in favor of accumulating a bulky fund balance. He added that the “use” of the fund balance is what is important. He did not see a reason to separate the ordinance into two separate categories: (c) non-recurring and (d) recurring. Mr. Connors supported the additional requirement that has been placed upon the “recurring” use of the fund balance as follows: *If such appropriation reduces the unassigned fund balance to a level below the minimum prescribed by Subsection B of this section, the resolution authorizing such appropriation shall include a plan to restore the unassigned fund balance (between 8% and 17%) within a period not to exceed 2 years.* Councilor Gray argued that if the unassigned fund balance drops below the minimum balance requirements, then there should be a plan in place to restore that balance regardless if it was a recurring or non-recurring expenditure. He reiterated that the ordinance could be simplified by combining (c) and (d).

Councilor Walker gave reasons why he did not feel a two-thirds requirement would be beneficial to the process. The Committee briefly debated the matter. The Committee briefly discussed the effect a healthy fund balance has on the bond rates.

Councilor Walker **MOVED** to recommend the Amendment to Chapter §7-62 General Fund unassigned fund balance to the full City Council and to refer the

matter to the Codes and Ordinances Committee for review. Councilor Gray seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. New Business

4.1 2019 City Fireworks recap, plans for the 2020 event

Chris Bowlen, Director of Recreation and Arena Services, addressed the Finance Committee about the recent Fireworks Event held in the City of Rochester. He introduced Angela Mills, Executive Director of Rochester Main Street. The City has partnered with Rochester Main Street for the second time for this event and there has been a lot of positive feedback from the constituents of the City.

Mr. Bowlen said there is a lot of preparation and planning for an event of this magnitude. He requested a sense of the Committee regarding if the City intends to continue with this event on an annual basis in order to start plans for next year's event. He had photos and social media comments about this year's event to share with the Committee.

Councilor Walker asked if there were any issues with this year's event. Mr. Bowlen replied that there were no significant issues this year; however, parking may be an issue in the future.

Ms. Mills stated that Rochester Main Street secured a Coast Shuttle in order to transport folks from the Union Street Parking Area, City Hall parking lot, and other places around the City, to the Event held at the Rochester Community Center.

Councilor Keans spoke against a proposal to enter into a multi-year contract with the pyrotechnics company.

Councilor Varney questioned if the City could find funds to support the 2020 event in this fiscal year's budget in order to allow the Recreation and Arena Department and Rochester Main Street to plan the event prior to next year's budget. Mr. Sullivan explained that the current problem is that Mr. Bowlen is asked to plan an event one year in advance of the budget cycle. In order to plan the event a supplemental appropriation is made to provide enough funds to make a deposit for the pyrotechnics company; however, the total amount of the project funds is

subject to being cut during the budget cycle. The City Council should decide if it's committed to this event and recognize the fact that funding the event could cross fiscal years. It is unlike other projects which could be planned after July 1st of each fiscal year. He suggested presenting a resolution that would propose a two year commitment of the fireworks event and place the funding in a multi-year fund in order to allow for proper planning and funding of this annual event. Councilor Varney questioned if it was necessary to place the funds in a multi-year fund. Mr. Sullivan said it would be best to utilize a multi-year fund and if the event did not occur for any reason the funding would be placed back in the General Fund. Councilor Varney said each City Council as a whole should have an opportunity to decide to have the event or not. He added that it would make more sense to place the funding in a single-year fund. It was noted that the allocation for the event has been \$20,000 which is divided up between Pyrotechnics Company, Rochester Main Street, and funds to off-set expenses related to the Police and Fire staff. Councilor Gray suggested using the term "non-lapsing" in order to cross over fiscal years. Mr. Sullivan replied that is correct and it's the same concept as multi-year fund. Councilor Keans asked what other expenses are considered non-lapsing in the City. Mr. Sullivan replied that all the CIP projects and some vehicles are in non-lapsing funds because they crossover fiscal years. The Committee discussed other ideas about how to stay ahead of the funding of this event. Councilor Walker **MOVED** to send to the full City Council a resolution authorizing a supplemental appropriation with enough funds for the next Fireworks Display. Councilor Varney seconded the motion. Councilor Walker said in this way, the City Council could consider not to fund the fireworks one year; however, it would always be one year in advance. Councilor Gray suggested making the "non-lapsing" fund part of the resolution. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn said that it was indicated that the City appropriates about \$5,000 to Rochester Main Street for the Fireworks event. She questioned for what that funding pays. Ms. Mills replied that it was spent on the vendors, porta potties, and logistics which calculates to more than the \$5,000 allocation.

Mayor McCarley thanked Mr. Bowlen and Ms. Mills for their work on this event and indicated that it was great event for Rochester. Councilor Gray added that the Police Department did a great job directing traffic after the event.

4.2 Economic Development –Fitness Center

Jennifer Murphy Aubin, Economic Development Department, shared a short video about a proposed out-doors fitness center. She said there are two funding options included with the finance committee packet. One option is to fund the project in this fiscal year and the other is to postpone for one year. Ms. Aubin stated that there are two sites that qualify for proposed locations. One possible location is at the Rochester Common and the other location is at Hanson Pines. The Hanson Pines option is expected to cost more due to the fact that the pavement must be torn out first. Both options have plenty of visibility and are located in high foot-traffic areas of the City.

Ms. Aubin stated that originally there were a few sponsors willing to donate funding; however, there is only one sponsor left at this time with a committed donation of \$10,000, which is Comcast. She said the Comcast logo would be placed on the back of the fitness center structure.

Ms. Aubin stated that if the City decided to purchase the equipment in this fiscal year there would be an additional savings of \$5,000.

City Manager Cox said the Playground Structure Project would be starting soon. He added that in order to coordinate the Fitness Center Project along with the Playground Structure Project, the City Council would need to appropriate the funding in this fiscal year soon, otherwise the two projects could not be coordinated together.

City Manager Cox directed the Committee members to page 23 of the finance committee packet which shows the approximate size of the proposed Comcast logo to be placed on the fitness center structure. He said the Finance Committee and/or City Council may have some concerns about the size and placement of the Comcast logo for a one time donation of \$10,000.

Ms. Aubin shared slides relative to maps of the proposed location and what the Comcast logo would entail. Councilor Lauterborn stated that it seems to be a large amount of advertisement for basically a five percent donation. She questioned if this is a typical amount of advertisement for such a small donation. Ms. Aubin shared her findings from speaking to other communities. She said some Communities have received larger donations from local supporters.

Ms. Aubin said both the Rochester Common and Hanson Pines are heavily utilized areas of the City; however, it could bring even more folks to these areas which can also deflect vandalism. Ms. Aubin said the material being used for this structure is very durable and weathers like playground equipment.

Councilor Keans said the Rochester Common did not seem like a favorable location which means it may end up being at the Hanson Pines. She questioned if parking would be an issue for the Hanson Pines location. Councilor Keans raised concerns about the City competing with other fitness centers within the City. She said it seems to be based for folks from ages 15 to 65 and is not sure if the City should spend almost \$200,000 on a small portion of the population of the City. Councilor Lauterborn clarified that it would cost the City approximately \$157,000 because of the proposed \$30,000 grant and \$10,000 sponsor donation. She added that the Committee should have another conversation about the \$10,000 donation and the size of the advertisement for said donation.

Councilor Lauterborn asked if there were concerns from DPW about installation at the Rochester Common. Ms. Aubin replied that Mr. Nourse did indicate that there may be some concerns about the culture or “look” of the Common; however, the footprint shows how compact that space would end up being.

Ms. Aubin addressed concerns raised by Councilor Keans about competing with the local fitness centers in the City. Ms. Aubin said this structure would complement these fitness center and give them another option to utilize. Ms. Aubin gave more information about the broad range of participants with such fitness centers.

Councilor Lauterborn requested that Mr. Bowlen give input to which might be a better location for participation at an outdoor fitness center. Mr. Bowlen replied that the Hanson Pines might bring about a younger crowd whereas the Common might have an adult base.

Councilor Varney recalled that this project started out as a \$100,000 project and somehow has morphed into a \$200,000 project. Ms. Aubin referred to the Finance Committee packet which has a break-down of the various costs which this project entails. Mr. Sullivan referred to page 19 of the finance committee packet

which identifies the costs and funding sources. Councilor Varney reiterated that this project has morphed into a much bigger burden on the City than its original design. Ms. Aubin explained that this project began in 2017; however, there has been a transition in staffing and some of the original sponsors are not able to contribute at this time. She said rather than seeking additional sponsors for this project, it is being brought back to the Finance Committee to see what direction should be the next step. Councilor Varney stated that the City has budgeted almost \$400,000 to renovate the equipment at Hanson Pines and the Rochester Common and it seems unlikely that the City could add another \$157,000 at this time. He added that it is a great proposed project; however, it has become too costly at this time.

Councilor Walker supported the Rochester Common as the best location; however, the Committee should have more discussion about the unsightly proposed advertisement on the structure. He said that the project is getting costly and the City may postpone and/or the City staff should seek more contributions from sponsors. The Committee discussed the potential placement and participants of such a fitness center. Councilor Walker suggested that DPW should make sure that the proposed project would not cause any problems with the underground infrastructure of the Rochester Common. City Manager Cox concluded that the Economic Development Department will work with the feedback and delay the project until Fiscal Year 2021 budget cycle.

4.3 79E Application 73-77 North Main Street

Jenn Marsh, Economic Development Specialist, addressed the committee regarding the request for a 79E application for 73-77 North Main Street which is directly across the street from the Rochester Court House. She gave details about the project and said the increase in property taxes could be waived for an approved period of time which in this case is eligible for eleven years. She said a representative of the project is in attendance this evening if there are any questions.

Councilor Varney asked if this project has been to the Historic District Commission. Mayor McCarley replied that it is scheduled to go to the HDC tomorrow evening.

Councilor Walker asked who the applicant was for this project. Ms. Marsh

replied Justin Gargiulo is the applicant. Councilor Walker supported the idea. Ms. Marsh said it has the potential to have a lower level restaurant and out-door dining if possible.

Councilor Keans asked if the Fire Department has provided any information as to the back of the building relative to the fire escape. Ms. Marsh stated that the developer is working with the Fire Department on this design. It is difficult at this point because the “use” of the first floor is still unknown; however, once a final plan is in place, then it could be sent back to the HDC. Councilor Keans said the back of the building could look very different with or without the fire escape. She questioned how the HDC could make a final determination without a plan in place now. Ms. Marsh said any additional exterior work would be required to be sent back to the HDC.

Councilor Keans referred to page 27 of the finance committee packet and the 79E Exhibit. She said the sentence which refers to “open space” would need to be removed from the exhibit because that idea has to be negotiated separately with the City Manager’s office. Ms. Marsh agreed to make those adjustments to the exhibit prior to the public hearing. She said a public hearing is scheduled for September 3, 2019. The applicant is seeking a recommendation from the Finance Committee to send the request to the full City Council. Ms. Marsh requested that the City Council include the recommendation to approve the project for the full amount of eleven years. Councilor Walker **MOVED** to send the request to the full City Council at the next Regular Meeting with the recommendation of eleven years. *(The increase in property taxes would be waived for an approved period of eleven years.)* Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4.4 UAB Water-Sewer Rate PowerPoint Presentation

Mayor McCarley stated that this presentation has been postponed.

5. Reports from Finance & Administration

5.1 Monthly Financial Report Summaries – July 1, 2019

Mr. Sullivan said the first month of the fiscal year report can be found in the finance committee packet. He said things are trending in a normal process for the

beginning of a fiscal year and there is not a lot to report.

Councilor Keans referred to page 73 of the packet. She said it looks like several departments have already spent over 60% of their budget. Mr. Sullivan said he could get back to the Committee with those details; however, it is likely the process of creating the entire encumbrance of an annual bill which will be paid off in sections as it becomes due. They have not actually spent all the money; however, the requisition for the money is already in place. Councilor Keans questioned if it was the cost associated with air conditioning. Mr. Sullivan said it could be partly due to air conditioning. Ms. Ambrose

6. Other

Councilor Keans asked about the City's initiative on energy efficiency through Honeywell about four years ago. She questioned if these savings are being tracked. The Committee discussed the matter briefly. City Manager Cox recalled that data had been provided to the City from Honeywell in the past; however, this has not been done in a few years. He agreed that the City staff could gather that data to provide to the City Council.

Councilor Varney said it seems there may be a substantial surplus sent back to the City from the School Department. Is there any indication about the surplus from the City-side of the budget? Mr. Connors replied that it is still premature at this point to estimate a fund balance. He agreed to provide that information to the City Council in a few more weeks as it becomes available. Councilor Varney suggested that possibly, if there were enough of a City-side surplus, and the General Fund Balance had a healthy balance, then expected purchase of a new fire truck (ladder) could be spent out of cash rather than bonding. Councilor Walker agreed. The Committee briefly spoke about the expenses involved with bonding vehicles as opposed to purchasing with cash. Mr. Connors said the City has already pre-paid for the new fire truck; however, it is appropriate to change the funding source from "bond" to unassigned fund balance if possible.

Ms. Ambrose provided information to the Finance Committee relative to a question raised from Councilor Keans about encumbrances earlier in the meeting. She said some of the encumbrances included the HVAC contract, elevator inspections, and fire alarm inspections. She reiterated that these are requisitions that have been built in order to prepare for anticipated costs to each department. City Manager Cox provided examples for the Committee.

Mr. Sullivan, on behalf of the Fire Department, informed the Finance Committee, that they have followed the Finance Committee's recommendations for the bidding process for Swiftwater Rescue Boat. They sent bid specification to fourteen vendors and received two responses, one of which was from the same vendor as last time (InMar). The question is if they are okay to proceed with the requisition order and purchase of the boat. The sense of the Committee was to allow them to proceed with the purchase.

7. Adjournment

Councilor Walker **MOVED** to **ADJOURN** the Finance Committee at 8:21 PM. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

FINANCE COMMITTEE

Agenda Item

08/29/2019

Agenda Item Name: General Ordinances- Administrative Code Chapter 7-40- Purchasing

Date Submitted: 8/6/19

Name of Person Submitting Item: Mark Sullivan Deputy Finance Director

E-mail Address: mark.sullivan@rochesternh.net

Meeting Date Requested: Aug 13, 2019

Issue Summary Statement: Continued discussion on review of the threshold amounts in the Purchasing Procedures, ordinance 7-40 from July 9-2019 Finance Committee meeting. Attached is the Administrative Code Chapter 7-Purchasing Procedures 7-40, and a draft mark up of suggested edits. Understanding from 7-9-19 meeting is as follows;

\$1,000 threshold can be increased to \$5,000

\$5,001 to \$15,000 require a minimum of three written vendor quotes, no verbal.

\$15,001 or greater requires competitive sealed bid process, substitution of approved vendor lists, State of NH and State of MA bid lists, and any other approved purchasing group may be allowed.

Additional Follow-Up from 7-9-19:

What does School Department use for thresholds ? School Department utilizes the same purchasing thresholds as City, and competitive sealed bid at \$10,000 or above.

How do we guard against employee-vendor relationships and collusion ? The annual audit requires any employee to disclose any vendor relationship in which the employee receives a direct benefit. This is called the Related Third Party Transaction disclosure. Failure to disclose this relationship, as well as any other act of vendor collusion, if discovered to exist, are subject to ethics review and other potential disciplinary actions.

Recommended Action: Recommendation to endorse, refer to Codes & Ordinances.

§7-38 Legal basis.

The provisions of this article governing purchasing procedures to be used by the City of Rochester are incorporated with the Administrative Code in accordance with the requirements of Section 27 of the Rochester City Charter.

§ 7-39 Purchase orders required.

Purchase orders authorized by the proper authority shall be used in all instances.

§ 7-40 Purchasing procedures.

[Amended 9-4-2007; 10-15-2013]

A. All purchases shall have electronic approval, and said sums for each category below shall not be exceeded for any one item, or combination of items to be purchased from any single vendor. Approval levels are noted for each category.

~~A.B. All~~ All Purchases ~~under one up to five thousand dollars one dollar (\$1,001.) (\$5,000)~~ shall have the electronic approval of the Department Head and Purchasing Department. ~~with the limitation that said sum shall not be exceeded for any one item or combination of items to be purchased from any single vendor.~~

~~B.C.~~ All purchases ~~one five thousand and one dollars (\$1,000.) (\$5,001)~~ up to fifteen ~~than ten thousand one dollars (\$15,000) (\$10,001.)~~ shall have a minimum of three (3) quotations comparable for the same product or service quotes. The three quotations -must be written vendor responses, no verbal quotations allowed. The quotation, or notes, must be attached to the requisition request. Approval is required by Department Head, Purchasing Department, Finance Director, or Deputy Finance Director, before conversion to purchase order.

~~If three quotes are not available then an exception may be made with the approval of the City Manager, or his/her designee, clearly documenting the reason for the exception in the electronic requisition document. The maximum of ten thousand dollars (\$10,000.) shall not be exceeded for any one item or combination of items to be purchased from any single vendor.~~

~~C.D.~~ All purchases fifteen thousand and one dollars (\$15,001) or greater require competitive sealed bid process. Utilization of approved vendor lists, or other approved bid lists may be substituted for the sealed bid process with approval of City Manager, or designee. Approval is required by the Department Head, Purchasing Department, Finance Director, or Deputy Finance Director, and City Manager. Bid results/quotation notes must be attached to requisition request.

E. Exceptions to the above may be allowed for the following, provided its determined to be in the best overall interest of the City; Approval required by City Manager, or designee.

1 Professional service contracts

2. Sole Source Vendors.

3 .Computers, complex Information Technology (IT) equipment, and software.

5. Emergency situations which create immediate risk to City.

~~D. All individual item purchases or contracts over ten thousand dollars (\$10,000.) shall require a competitive sealed bid process and approval of the department head, Finance Director and the City Manager. Exceptions for purchases over ten thousand dollars (\$10,000.) may be allowed at the discretion of the City Manager for professional service contracts, computer software/hardware, passenger vehicles/one-ton vehicles or smaller, or other items where comparative pricing instead of a sealed bid process may be in the best overall interest of the City. The City Council shall be formally notified whenever an exception to the sealed bid process occurs.~~

§ 7-41 Sale of tax-deeded property.

[Amended 2-1-2005]

- A. In accordance with the provisions of RSA 80:42 and/or 80:80, the City Manager is hereby indefinitely, and until such time as this section is repealed, authorized to transfer tax liens upon real property acquired by the City at a Tax Collector's sale for nonpayment of taxes thereon and/or to convey property acquired by the City by tax deed for nonpayment of taxes; provided, however, that a public auction and/or advertised sealed bid sale is held, and the results of said public auction and/or sealed bid sale are confirmed by a majority vote of the City Council. In conducting such public auction and/or sealed bid sale, the City Manager may establish a minimum amount for which the property is to be sold and the terms and conditions of sale.
- B. The City Manager, by ordinance, may be authorized to dispose of tax liens or tax-deeded property in a manner otherwise than provided in this section, as justice may require.
- C. Upon the affirmative two-thirds vote of the Rochester City Council, the City Manager may be authorized to transfer tax liens upon real property acquired by the City at a Tax Collector's sale for nonpayment of taxes thereon and/or to convey property acquired by the City by tax deed for nonpayment of taxes without conducting a public auction and/or advertised sealed bid sale, subject to such terms and conditions as the City Council shall establish.
- D. For purposes of this section, the authority to dispose of the property "as justice may require" shall include the power of the City Manager to transfer the tax lien(s) and/or convey the property to a former owner, or to a third party for benefit of a former owner, upon such reasonable terms as may be agreed to in writing, including the authority of the City to retain a mortgage interest in the property, or to reimpose its tax lien, contingent upon an agreed payment schedule, which need not necessarily reflect any prior redemption amount. Any such agreement shall be recorded in the Registry of Deeds. This subsection shall not be construed to obligate the City to make any such conveyance or agreement.

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City Clerk's Office

FINANCE COMMITTEE

Agenda Item

08/29/2019

Agenda Item Name: Administrative Code 7-62 Undesignated Fund Balance

Date Submitted: 8/6/19

Name of Person Submitting Item: Roland Connors-Deputy Finance Director

E-mail Address: roland.connors@rochesternh.net

Meeting Date Requested: August 13, 2019

Issue Summary Statement: Review of Administrative Code 7-62 Undesignated Fund Balance at the April 9, 2019 Finance Committee meeting requested some additional updates. The changes were referencing the Ordinance in the Policy, and added language in regarding non-recurring requiring 2/3'rds Council vote.

Recommended Action: Review/Discussion/Acceptance referral recommendation to Codes & Ordinances Committee.

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 7-62 ~~Undesignated~~ General Fund unassigned fund balance.

- A. Purpose. The Rochester City Council recognizes that the establishment and maintenance of fiscal responsibility and the promotion of property tax stabilization are goals which promote the public health, safety and welfare of the City of Rochester and its inhabitants. Therefore, it is the purpose of the Rochester City Council in adopting this section to establish a mechanism whereby the fiscal integrity of the City is strengthened and maintained, and the long-term stability of the City's property tax rate is promoted, through the establishment of a systemic and disciplined process for the prudent and planned utilization of revenues. In adopting this section, the Rochester City Council recognized that it is prudent financial practice for municipalities such as Rochester to establish and maintain ~~an~~ undesignated a minimum General Fund Unassigned fund balance (as hereinafter more particularly defined) of between 58% and 1017% of their respective total general General fund ~~Fund~~ appropriations expenditures. General Fund expenditures include City, County, and School collectively.
- B. Minimum ~~undesignated~~ General Fund unassigned fund balance requirement. The ~~C~~ general F ~~Fund~~ Unassigned F fund balance of the City, at the end of any fiscal year, as established and reported to the State of NH on Form MS-535 "Financial Report of the Budget" and confirmed within the notes of the City's annual ~~in accordance with generally accepted accounting principles (GAAP), including any and all balances derived from accounts and/or operations taken into account in the "general fund" column of the City's annual audit, and excluding any and all reserves, and any dedicated fund balances of the general fund audited financial statements,~~ shall for the purposes of this section be designated as the "~~undesignated~~ Unassigned fund balance" of the ~~g~~ General F ~~Fund~~ of the City of Rochester, and shall be referred to throughout this section as the "~~undesignated~~ Unassigned fund balance." The ~~undesignated~~ unassigned fund balance for any fiscal year shall be maintained at a minimum level of between not less than 5% and 17% of the actual total gGeneral Ffund ~~appropriations expenditures~~ for the City for that fiscal year.
- C. Use of ~~undesignated~~ General Fund Unassigned fund balance – Non-Recurring. In any subsequent fiscal year, the City Council may, upon adoption of a written resolution, by a two-thirds majority vote, after notice and public hearing, utilize the excess of the actual ~~Unassigned F~~ Unassigned F fund balance of the ~~G~~ general F ~~Fund~~ (as determined by the annual audit of the City) over the prescribed ~~undesignated~~ unassigned fund balance level established in Subsection **B** of this section from the prior fiscal year for capital projects, transfers to capital projects, transfers to capital reserve, or for any other appropriation of a non-recurring nature.
- D. ~~Emergency appropriations-~~ Use of General Fund undesignated Unassigned Ffund Bb balance – Recurring. At any time in a budget year, the City Council may, upon adoption of a written resolution, by ~~majority~~ a two-thirds majority vote, after notice and public hearing, make ~~emergency~~ appropriations from the ~~G~~ general F ~~Fund~~ Unassigned Ffund balance of the City of Rochester to meet an essential need for public expenditure. If such ~~emergency~~ appropriation reduces the ~~undesignated~~ unassigned fund balance to a level below the minimum prescribed by Subsection **B** of this section, the resolution authorizing such appropriation shall include a plan to restore the ~~undesignated~~ Unassigned Ffund Bb balance to the minimum level established in Subsection **B** of this section within a period not to exceed 2 years.

*This section supplements and supersedes the provisions promulgated under the City of Rochester Fund Balance Policy

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CITY of ROCHESTER
New Hampshire
Proposed FUND BALANCE POLICY

ADOPTED BY ROCHESTER
CITY COUNCIL in SEPTEMBER 2014

Purpose and Scope

The following policy has been adopted by the City of Rochester, New Hampshire. This policy is intended to ensure that the City maintains adequate fund balances and reserves in order to:

- Provide sufficient cash flow for the daily financial needs,
- Secure and maintain investment grade bond ratings,
- Offset significant economic downturns or revenue shortfalls, and
- Provide funds for the unforeseen expenditures related to emergencies.

This policy supplements the provisions promulgated under and it is superseded by the City's General Ordinances regarding the City's fund balance and reserve policies. Specifically, Chapter 7-62.

Definitions

Fund type definitions: The following definitions will be used in reporting activity in governmental funds across the City. The City may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

- **General Fund** is used to account for all financial resources not accounted for and reported in another fund.
- **Special Revenue Funds** are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.
- **Enterprise Funds** are used to account for the City's business type activities where goods and/or services are provided to the general public and a user fee is charged.
- **Capital Projects Funds** are used to account for all financial resources restricted, committed or assigned to expenditure for the acquisition or construction of capital assets.
- **Permanent Funds** are used to account for resources restricted to the extent that only earnings, and not principal, may be used for purposes that support the City's purposes.

Fund balance reporting in governmental funds. Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54:

Non-spendable	<i>Not available for appropriation.</i> Not available for spending either now or in the future because they are legally or contractually required to be maintained intact.	
Restricted	<i>Available for spending for a specific purpose.</i> Constraints on spending that are legally enforceable as stipulated in the Charter, by outside parties or enabling legislation.	
Unrestricted	Committed	<i>Not available for appropriation.</i> Constraints on spending that the City has imposed upon itself by the highest level formal action. Majority vote is required to approve a commitment however two thirds vote is required to remove a commitment.
	Assigned	<i>Available for appropriation.</i> Resources intended for spending for a specific purpose set by the governing body itself or by some person or body delegated to exercise such authority in accordance with policy established by the Council.
	Unassigned	<i>Available for appropriation.</i> Residual amounts not contained in any other classification. Reported in the general fund only.

Operational Guidelines

The following guidelines address the classification and use of fund balance in governmental funds:

Classifying Fund Balance Amounts

Fund balance classifications depict the nature of the net resources that are reported in a governmental fund. An individual governmental fund may include non-spendable resources and amounts that are restricted, committed, or assigned, or any combination of those classifications. The general fund may also include an unassigned amount.

Encumbrance Reporting

Encumbering amounts for specific purposes for which resources have already been restricted, committed, or assigned should not result in separate display of encumbered amounts. Encumbered amounts for specific purposes for which amounts have not been previously restricted, committed or assigned, will be classified as committed or assigned, as appropriate, based on the definitions and criteria set forth in Governmental Accounting Standards Board (GASB) Statement No. 54.

Prioritization of Fund Balance Use

When expenditure is incurred for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the City to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the City that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

General Fund Unassigned Fund Balance

Purpose. The Rochester City Council recognizes that the establishment and maintenance of fiscal responsibility and the promotion of property tax stabilization are goals which promote the public health, safety and welfare of the City of Rochester and its inhabitants. Therefore, it is the purpose of the Rochester City Council in adopting this section to establish a mechanism whereby the fiscal integrity of the City is strengthened and maintained, and the long-term stability of the City's property tax rate is promoted, through the establishment of a systemic and disciplined process for the prudent and planned utilization of revenues. In adopting this section, the Rochester City Council recognized that it is prudent financial practice for municipalities such as Rochester to establish and maintain a minimum General Fund unassigned fund balance (as hereinafter more particularly defined) of between 8% and 17% of total General Fund expenditures. General Fund expenditures include City, County, and School collectively.

This minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

Minimum General Fund unassigned fund balance requirement.

The General Fund unassigned fund balance of the City, at the end of any fiscal year, as established and reported to the State of NH on form MS-535 "Financial Report of the Budget" and confirmed within the notes of the City's annual audited financial statements, shall for the purposes of this section be designated as the "unassigned fund balance" of the General Fund of the City of Rochester, and is referred to throughout section 7-62 of the City ordinance as the "unassigned fund balance." The unassigned fund balance for any fiscal year shall be maintained at a minimum level of between 8% and 17% of total General Fund expenditures for the City for that fiscal year.

Use of General Fund unassigned fund balance – Non-Recurring.

In any subsequent fiscal year, the City Council may, upon adoption of a written resolution, by a two-thirds majority vote, after notice and public hearing, utilize the excess of the actual unassigned fund balance of the General Fund (as determined by the annual audit of the City) over the prescribed unassigned fund balance level established in Subsection **B** of section 7-62 of the City ordinance from the prior fiscal year for capital projects, transfers to capital projects, transfers to capital reserve, or for any other appropriation of a non-recurring nature.

Use of General Fund unassigned fund balance - Recurring.

At any time in a budget year, the City Council may, upon adoption of a written resolution, by a two-thirds majority vote, after notice and public hearing, make appropriations from the General Fund unassigned fund balance of the City of Rochester to meet an essential need for public expenditure. If such appropriation reduces the unassigned fund balance to a level below the minimum prescribed by Subsection **B** of section 7-62 of the City ordinance, the resolution authorizing such appropriation shall include a plan to restore the unassigned fund balance to the minimum level established in Subsection **B** of section 7-62 of the City ordinance within a period not to exceed 2 years.

Implementation and review

Upon adoption of this policy the Rochester City Council authorizes the City Manager to establish any standards and procedures which may be necessary for its implementation. The City Manager shall review this policy and provide a report of any recommendations for changes to the Rochester City Council at the following times:

- At least bi-annually
- If there is a change by GASB concerning fund balance reporting
- If there is a reasonable probability that the General Fund unassigned fund balance is expected to exceed 17 percent in the current or next budget cycle

**Resolution Authorizing Supplemental Appropriation to the 2019-2020 Recreation Special
Events Fund of the City of Rochester of \$20,000.00**

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

That the sum of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated as a supplemental appropriation to the 2019-2020 Recreation Special Events Fund of the City of Rochester, Recreation Department for expenditures specifically related to the City sponsored Fourth of July fireworks event. Advanced appropriation is needed in order to prepay costs associated with the event. The entirety of the supplemental appropriation shall be derived from the General Fund Unassigned Fund Balance.

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

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City Clerk's Office

Public Safety Committee
Council Chambers
August 21, 2019
7:00 PM

MEMBERS PRESENT

Councilor David Walker
Councilor Robert Gates
Councilor Geoffrey Hamann
Councilor Peter Lachapelle

MEMBERS ABSENT

Councilor Jeremy Hutchinson

OTHERS PRESENT

Michael Bezanson, PE, City Engineer
Gary Boudreau, Deputy Police Chief
Mark Klose, Fire Chief FD
Dan Camara, GIS Asset Mgmt. Technician

Minutes

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

1. Public Input

There were no members of the public present for public input.

2. Regency Court-Slow Children Playing or a Speed Limit Sign

Councilor Walker summarized the issue. Regency Court is approximately 900 feet long. Councilor Walker said there appeared to be a number of houses on the street and that it was probably some of those residents speeding on their own street. Councilor Walker asked the Committee what they wanted to do regarding this request. Councilor Lachapelle stated that the “children at play” sign was no longer a recognized sign. Councilor Walker said that they typically do not put “speed limit” signs in neighborhoods because all neighborhoods would want them. **Councilor Lachapelle made a motion to deny a “Slow Children Playing” sign and a “Speed Limit” sign on Regency Court. The motion was seconded by Councilor Hamann. Unanimous voice vote carried the motion.**

3. 1 ½ Chestnut Street-Safety Concern

Councilor Walker summarized the issue. This was the building that was condemned by the City because of a fire. A neighbor to the building sent an

email to the City Manager's office expressing her concerns with the vacant building. She said the homeless folks are going in and out of the building and she fears for her safety. The owner of the building has a case status hearing on October 2nd and he must show the court that he has substantially repaired the building to such an extent to allow the City to lift the tear down order. Councilor Walker stated that they were told at the City Council meeting the night before that the owner has secured the building by boarding up the doors and windows on the 1st floor and has installed cameras. He needs to show a substantial amount of construction done by the end of September to lift the tear down order issued by the City of Rochester. If there isn't a sufficient amount of construction done by the end of September the tear down order will stay in affect and the building will be torn down. Councilor Lachapelle said he was told the owner was going to start work this week, but as of yesterday nothing has been done. Councilor Walker said that the issues should be taken care of at this point with the securing of the building and the installation of cameras and that if the owner does not do a substantial amount of work to the building by the end of September the tear down order will come into play.

4. Whitehall Road Crosswalk-Safety Concern

Councilor Walker summarized the issue. He stated it is one of the most well lit crosswalks and has a blinking yellow light and that they are looking for additional help form the City. Mike Allen, Frisbie Memorial Hospital's Director of Security, sent an email to Councilor Lachapelle regarding a safety concern with the marked crosswalk on Whitehall Road that connects the employee parking lot with the hospital. He said the crosswalk is well marked and there is a yellow flashing light alerting drivers to slow down at the intersection. He said it is a straightaway and drivers often exceed the speed limit through the crosswalk and sometimes fail to stop for pedestrians crossing the road. He said there have been accidents at the crosswalk and a number of close calls where pedestrians have been almost struck while in the crosswalk. They are looking for a portable crosswalk sign in the middle of the road similar to what the other crosswalks have in the downtown area. Councilor Hamann said there was one of the portable pedestrian signs there on Friday. Mr. Bezanson said a similar request was made 4 years ago. A portable pedestrian warning sign has been placed by Frisbee Memorial Hospital in the past. Councilor Walker stated that the City will allow Frisbee to place a portable pedestrian sign at the crosswalk, but the City will not pay for it. Councilor Lachapelle asked Mr. Bezanson if it was the City's sign that is up now, and Mr. Bezanson stated that he didn't believe it was. **Councilor Lachapelle made a motion to recommend a letter being sent to Frisbee**

stating it was approved that they could place a portable pedestrian sign at the crosswalk on Whitehall road near the employee parking lot at there expense. Councilor Hamann seconded the motion. Unanimous voice vote carried the motion. Mr. Bezanson will send Mr. Allen a letter stating that they can place a pedestrian sign there at their cost. Councilor Hamann said he did not want to start a precedent of allowing anybody to place signs. Councilor Walker said that any entity interested in placing such a sign would have to make a request through the Public Safety Committee.

5. School Zone Signage

Councilor Walker summarized the issue. Mr. Bezanson said that this past month they looked at both the East Rochester School and the Nancy Loud School for the school zone signage. He stated these were the last 2 public schools in the City to review, and that both schools have a combined walking route according to the School Department. Councilor Walker asked if all the other schools were done and Mr. Bezanson stated yes. Mr. Bezanson said there was a critical crosswalk on Portland Street located right at the East Rochester School. There are also several places to cross near the Nancy Loud School. The East Rochester School was addressed first. There are reduced speed limit zone signs in each direction on Portland Street near the East Rochester School, but no “End School Speed Limit” signs in the area. Councilor Walker asked about signage near the crosswalk on Portland Street. Mr. Bezanson said there are no signs currently marking the crosswalk, but he recommends placing the 5-sided school crossing signs and arrows pointing down. He also recommends moving the existing 5-sided advance warning signs ahead of the reduced speed limit signs. He also stated that adding another crosswalk near the school’s vehicle exit should be considered in the future; a proposed development across the street from the school could add further pedestrian traffic to the area. Councilor Hamann said there was a little history on a crosswalk that was going to be painted: a resident called the City Manager’s office at the time and said it was being painted into his driveway, so the City Manager stopped it from being painted.

Councilor Walker asked how the signage looked near the Nancy Loud School. Mr. Bezanson said there is another reduced speed zone on Portland Street near the Nancy Loud School and old signage on Green Street, not the proper signage for a reduce speed zone. Cocheco Avenue has two crosswalks near the school entrance, one of which has a regular pedestrian sign. Mr. Bezanson reminded

the Committee that DOT is going to pave Highland Street in East Rochester and the crosswalk at Grove Street will be removed.

Councilor Lachapelle made a motion to install the standard school zone package near the East Rochester School at the discretion of the Department of Public Works. The motion was seconded by Councilor Hamann. Unanimous voice vote carried the motion.

Councilor Lachapelle made a motion to install the standard school zone package near the Nancy Loud School in East Rochester minus the reduced speed limit school zone signage on Coheco Avenue. Councilor Hamann seconded the motion. Unanimous voice vote carried the motion.

6. E911 Update

Councilor Walker summarized the issue. Deputy Chief Boudreau said there were no new updates from the Committee. The Main Street name changes in East Rochester and in Gonic will go into effect next month, September. Councilor Lachapelle asked if the residents have been notified. Deputy Chief Boudreau believes they all have been, but he will double check to make sure.

7. Season Cold Weather Shelter

Councilor Walker summarized the issue. This item was advanced on the agenda because Fire Chief Klose was on a call due to the storm and was going to be a little late for the meeting. Councilor Walker read an email from the Mayor. The county will operate the seasonal cold weather shelter for this winter, The Emergency Management Director and the folks from the county will be coordinating the criteria and the opening date of the shelter as well as the transportation and the issue they had with the transportation in the past. It was said this will probably be the last year so the issue is not going to go away. All the agencies were at the table last week; everybody knows this may not be the best solution, but it will work for one more year. Councilor Lachapelle said that the Mayor mentioned last night that there would be a meeting coming up regarding the shelter. Councilor Walker said yes regarding the rules and the criteria of the shelter.

8. Other

Used Needles

Councilor Hamann said a while back he brought up the safety issue with used needles and this issue is not going away. He stated that some of the problems with the safety at 1 ½ Chestnut Street are related to used needles in the area. He finds a lot of used needles while walking his dog on City property. He stated he does not know how to fix the problem and it really bothers him. He wants to keep the conversation going and be up front about it. Councilor Walker said it is an ongoing battle. Deputy Chief Boudreau stated they get calls every day to pick up used needles and they get to them as soon as they can because it is a public safety issue. He stated that police officers have been stuck with the needles.

Speed Trailer Updates

Deputy Chief Boudreau had updates on the speed trailer placement for last month.

The speed trailer was placed on Main Street in Gonic and has been out there for six days with over 20,000 vehicles with the average speed going 24.48 mph and the 85th percentile was 29 mph and the speed limit on the road is 25 mph.

The speed trailer was placed on Gear Road for 7 days with just over 3,600 vehicles the average speed being 33 mph and the 85th percentile was 39 mph. The speed limit was noted by the officer responsible as being 30 mph in the area; however, it may be a 35 mph zone.

The speed trailer was placed on Whitehall Road for 7 days and there were just under 11,000 vehicles recorded with the average speed being 36.5 mph and the 85th percentile was 42 mph and the speed limit is 30 mph. The speed is a little higher in this area. Deputy Chief Boudreau said he ran another report with the highest risk hours and it is 1 PM to 5 PM. The road is used as a cut through; as they get staffing back, they will place officers in the area. Councilor Walker asked what streets were next for the speed trailer. Deputy Chief Boudreau said there were no more streets on the list, so he will place it again on Whitehall Road but in the area of the Frisbie crosswalk; also, a complaint came in for Rangeway Drive, so he will have it placed on Rangeway and Norway Plains Road.

Update on Gonic Road

Mr. Bezanson said the construction on Gonic Road for the two-way left turn lane is under way, it's not completed yet but work is progressing.

Road Safety Audit-Old Dover Road/Tebbetts Road

Mr. Bezanson said the Road Safety Audit for the Old Dover Road/Tebbetts Road intersection is scheduled for September 12, 2019 at the City Hall Annex.

Emergency Management Update

Fire Chief Klose was late for the meeting because of the storm. Lighting struck and hit a tree and split the copper propane piping to the house. He said it has been a rough couple of weeks with the storms. The Emergency Management Trailer has been ordered through Emergency Management and Homeland Security and EMPG, it is on its way to New Hampshire. It will take about 10 days to put everything in it and will be stored at the Gonic Fire Station. Councilor Walker asked if they were going to take care of the maintenance of the trailer and Fire Chief Klose said yes they were.

Rangeway Drive-Speeding Issue

Councilor Walker said a request came in for a speeding issue on Rangeway. A resident is concerned because her children play in the area and she asked someone to slow down and they responded by saying she would run them over if they were in the way. Deputy Chief Boudreau said the streets are narrow so it might look like vehicles are going faster than they really are. Councilor Walker said they would place the speed trailer on Rangeway and get some data. This request was kept in Committee until next month when they receive the data.

Councilor Lachapelle made a motion to adjourn the meeting at 7:29 PM. Councilor Hamann seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Laura Miller, Secretary II.



- Legend
- School
 - One Way Travel
 - Existing Signage
 - Existing Crosswalk
 - Existing Sidewalk

1 inch = 350 feet

0 350 700 Feet

Page 273 of 304









This map is intended for planning purposes only.
All features shown should be considered approximate.
Date: 8/21/2019
Author: DC - Rochester, NH
Source: NHGRANIT, City of Rochester

Existing Conditions
East Rochester School &
Nancy Loud School

Rochester, NH



Legend

-  School
-  Signalized Intersection
-  Stop or Yield Sign
-  Pedestrian Route
-  Crosswalk
-  Sidewalk



**Public Works and Buildings Committee
Meeting Minutes
August 15, 2019
Council Chambers**

MEMBERS PRESENT

Councilor Ralph Torr, Chairman
Councilor Ray Varney- Vice Chairman
Councilor Sandy Keans
Councilor David Walker

MEMBERS ABSENT

Councilor Geoffrey Hamann

OTHERS PRESENT

Blaine M. Cox, City Manager
Katie Ambrose, Deputy City Manager
Peter C. Nourse PE, Director of City Service
James Quinn, GIS / Asset Management
J. P. Parnes, Weston & Sampson Engineers

MINUTES

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

1. **Approve minutes from the July 18, 2019 Public Works & Buildings Committee Meeting.**

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

Councilor Walker made a motion to accept minutes as presented for July 18, 2019 Public Works & Building Committee meeting. The motion was seconded by Councilor Varney. The Motion passed unanimously.

2. **Public Input - None**
3. **New DPW Facility**

Mr. Nourse stated that the DPW Facility is about 66% designed a Request for Qualifications (RFQ) will be out within the next few weeks. He explained the RFQ process was to determine a list of prequalified contractors to be used in the bidding process. Mr. Nourse stated that the actual bid is expected to go out in October and open six weeks after that in November. Mr. Nourse stated that the City's consultant from Weston & Sampson Engineers is here to explain some of the details of the building and for the Councilors to ask any questions regarding the new facility. Mr. Nourse introduced JP Parnas from Weston & Sampson Engineers. Mr. Parnas displayed images of the site and building. He explained the internal & external components of the project. There was a color coded image depicting the spaces and the uses within building. He explained that the engineers have been coordinating with Police Department to

accommodate the radio tower to be placed on site, and coordinating with the Information Technologies (IT) Department to ensure all needs are met there as well. Mr. Parnas pointed out the wash bay. Councilor Keans asked about the catch system for the water in wash bay and the oil in the garage bays. Councilor Walker asked about the exhaust systems. Mr. Parnas explained those how the new systems work. He discussed the exhaust systems and monitoring systems, and he explained that the wash water will be stored in tanks and pumped for hauling to offsite treatment. Mr. Cox asked about future expansion capabilities in the vehicle storage areas. Mr. Parnas explained that the end bay has been designed to accommodate and additions if necessary. Councilor Keans asked if there is still a space left to build a fire station as discussed previously. Mr. Parnas explained that a large space had been left for that purpose. He stated the site would support a facility larger than the current Central Fire Station. Councilor Varney requested that the powerpoint be posted on the website for the public and other councilors to view and he asked the bulletin board in City Council Chambers be updated with latest renderings.

4. **Old Town Farm Cemetery**

Mr. Nourse describe the CIP project that has been funded to replace approximately 850 feet of fencing around this North Main Street cemetery. He stated that we would be replacing it with similar chain link fence and that he is recommending the black vinyl coated fencing. Councilor Keans asked about the height. Mr. Nourse stated it would be the same as the current fence. Mr. Nourse asked if the Committee Members had a preference for pole mounting or fence mounting of the sign that had been donated by a relatives that have family interred in the cemetery. There was a discussion about the location of a gate. Councilor Walker suggested the area that nearest cemetery and North Main. Mr. Nourse requested guidance regarding the sign placement. The consensus was for two signs, one facing the gate side and one on the North Main Street side. There was a discussion on galvanized or vinyl coated fencing. The Committee agreed on black vinyl.

5. **Road Safety Audit – Tebbetts Road and Old Dover Road Intersection**

Mr. Nourse stated the NH DOT would be here to conduct the safety audit on the intersection of Tebbetts Road and Old Dover Road at 8AM on September 12, 2019. He stated that they would be meeting in the City Hall Annex Conference room and then moving to the site. Mr. Nourse stated that the City Council members are welcome to attend and that it will be about a ½ day long event.

6. **Columbus / Summer Street Intersection**

Mr. Nourse stated that during the FY2020 budgeting process the project to widen this intersection and install new traffic signals was removed or possibly pushed back a few years. He stated that he believed that previous discussion about applying for grant funding had been favorable and stated staff was looking to apply for a grant. Mr. Nourse stated that the department would be applying for a Congestion and Air Quality Mitigation

Grant. He stated that the application for the 80/20 grant is due next month and he is looking for a letter of support from the Mayor and/or City Council to include in the grant packet. Councilor Keans asked if there was any land purchases or takings needed. Mr. Nourse stated it might be necessary to acquire some land from the Profile Bank property. Councilor Varney suggested that the letter should come from the full City Council and Mayor.

7. GSBP Water Extension

Mr. Nourse stated that there were six (6) bidders for the construction of this project. He stated that the Defelice Corporation from Massachusetts is the low bidder at \$1,213,211.65 and that the City's consultant has vetted the company and we will awarding to them. Mr. Nourse stated that this is a four (4) month project and we are hoping to get started soon. He stated that there are still a few loose ends to tie up with North Coast Railroad Company and with Albany for right of way and pavement issues. He stated the project will be starting from the Whitehall Road end and that should allow the project to get started while those issues are being cleared up. Councilor Keans asked about future property sales and the location of water. Mr. Nourse stated that they will be presenting the plan to accommodate future sales to the full City Council at the meeting on August 20, 2019.

8. Colonial Pines Project Update

Mr. Nourse stated that this is on the agenda to discuss the drainage funding. He stated that in order to address both the surface and subsurface drainage the City Council would have to appropriate the one (1) million dollars per the estimate from the construction contractor on site. He stated that in order to install the drainage the sewer work would slow down and we would not be making it to the Tingley Street connection until next season. He stated that approximately ½ of this phase would have both sewer and drainage done before winter and then the other half next year. Mr. Nourse stated that if the City Council intends to install drainage to the entire neighborhood and fix all existing drainage it would be approximately \$1.2 million in additional funding for the next phase and \$1.5 million in additional funding for the final phase. Councilor Torr asked about the family on Tingley that is in need of sewer. Mr. Nourse stated that if we agree to the drainage piece now, we would not be getting that family sewer this season. Councilor Varney asked about the schedule for a supplemental appropriation for the drainage project. Ms. Ambrose stated that if recommended tonight by the Committee, the first reading and referral to a public hearing would be on the Special City Council Meeting scheduled for August 20th. She stated that the Public Hearing would be prior to the Regular City Council Meeting on the September 3rd. The Council would then need to complete the second reading and adoption at that meeting in order to have funding completed in time to meet the construction schedule as discussed.

Councilor Varney made a motion to recommend that the full City Council complete

a supplemental appropriation in the amount of 1 million dollars from the General Fund Un-Assigned Fund Balance for the Colonial Pines Phase 2 Drainage Project. The motion was seconded by Councilor Walker. The Motion passed unanimously.

9. Road Work

Mr. Nourse stated FY19 Paving is completed with just some striping left. He stated that the DPW has run the pavement condition index (PCI) report and he displayed the list of paving recommendations for the FY2020 funding. He stated that it was run with both \$900K and \$1.1 million and it basically sent out the same list. The list was displayed on the monitors. The roads listed were Chapman, Jonathan, Huckins, Columbus Ave from Lowell to Knight St, Cross Road from Milton Road to Stacy Drive, Salmon Falls from Stonewall to Eagle Drive, all of Dartmouth, Edgewood, Nature, Sunset and Jeremiah Lane. Mr. Nourse stated that he did not need a resolution this meeting as it could wait until the next meeting. Councilor Torr asked about Betts Road. Mr. Nourse stated that the Committee had asked him to get some estimates on the larger roads that are in poor shape, but due to the high cost to rebuild them they are not coming up when the PCI is run. He said these roads include Estes Rd, Betts Rd, Sheepboro Rd, Four Rod Road and the lower part of Salmon fall Road. Mr. Nourse explained what work would be needed and showed a picture of the ideal road structure. He stated that it is about \$250 per foot to rebuild these road, and to do all of them it would be about \$11 Million. Mr. Nourse stated that he had discussed North Road with the City's oncall contractor and he he was given an estimate of \$88,000 to lower the pavement, tie in the grades to the catch basins and repave the road. Mr. Nourse stated that the Committee had also asked him to look into the conditions on Osborne Street. He stated that Osborne Street was reclaimed and paved and there are driveways that are lower than the roads, just as they were before the new paving. He stated that a catch basin was installed as there was some standing water. He stated it was installed too high and then it was fixed and it is working, though it is a little lower than it ideally should be. He stated that he was unable to get a price to reconstruct the road as there was not an interest by the contractor to work on the road. He stated that if he had to estimate a number, he would base it on the estimate for North Street and as North Street about 1/2 the length and has many more driveways he would estimate \$200,000. Mr. Nourse stated that Osborn Street was contracted as a reclaim and pave and that is what was done. He stated that the paving plan is to replace pavement or overlay pavement. It is not for road reconstruction. Osborn was not scheduled to be reconstructed. Councilor Walker asked for a quote to reconstruct Osborn Street.

10. Other

Arena Parking Lot – Councilor Varney asked when the arena parking lot would be completed. Mr. Nourse stated that he did not have an exact date but the drainage plan is ready and we will need to have a contractor install (4) catch basins prior to paving. He stated that we will work with the arena to mitigate the impacts to the operation of the facility.

Woodman Park – Mr. Nourse stated that Wright Pierce Engineers will be coming back to the Committee in October with finalized plans and that he would like some guidance on the fountain. Specifically, should it mirror the one at Duval Park or Torr Park, as they are currently two different fountains? The Committee suggest that it should mirror the one at Torr Park in front of the High School.

Police Department Masonry Wall & Flag Poles – Mr. Nourse stated that the Buildings and Grounds staff have put a dry lock finish paint on the masonry work and it looks great. Councilor Torr agreed and stated that he was going to mention how nice it looks. Councilor Torr asked that the flag poles at the PD be looked at for flag etiquette. He stated that the US Flag should be on the taller pole and the State flag should be slightly lower and to the right of the US flag. Mr. Nourse stated that he would look into it.

Councilor Walker made a motion to adjourn at 8:12PM. Councilor Varney seconded the motion. The motion passed unanimously.

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

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City Clerk's Office

**Resolution Authorizing Supplemental Appropriation to the 2019-2020 Capital
Improvements Plan (CIP) of the City of Rochester, Department of Public Works CIP
Fund, in the Amount of \$25,000.00 for the Ice Arena Parking Lot Project**

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

That the sum of Twenty Five Thousand Dollars (\$25,000.00) is hereby appropriated as a supplemental appropriation to the 2019-2020 CIP budget of the City of Rochester, Department of Public Works to pay for costs and expenditures related to the Ice Arena Parking Lot Project. The entirety of the supplemental appropriation shall be derived from the General Fund Unassigned Fund Balance.

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

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City Clerk's Office



08/29/2019

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

Arena Parking Lot Renovation - Supplemental Appropriation

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	September 3, 2019		
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE signature on File City clerks office		
DATE SUBMITTED	8/28/19		
ATTACHMENTS AB-FRF	YES <input checked="" type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	General Fund - Unassigned Fund Balance
ACCOUNT NUMBER	55036030-771000-20564
AMOUNT	\$25,000
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Council Resolution

SUMMARY STATEMENT

This agenda bill request a supplemental appropriation from the General Fund un-assigned Fund Balance (cash). The requested amount of \$25,000 is to supplement the original funding of \$215,000. The DPW's original estimate for the project is insufficient to complete the project. The contractor has recommended stone base be added to the project and the additional cost to include that was not included in the previous estimates.

RECOMMENDED ACTION

1. Resolution authorizing a supplemental appropriation in the amount of \$25,000 from the General Fund - Un-assigned Fund balance for the Ice Arena Parking Lot Renovation - CIP Account #55036030-771000-20564.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

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

Deauthorization

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

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15013010	771000	20564	-	-	25,000 -
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Authorizing Supplemental Appropriation to the City of Rochester Fire Department Capital Improvement Project (CIP) Fund for Apparatus Replacement

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

That the sum of Six Hundred Thousand Dollars (\$600,000.00) be, and hereby is, appropriated as a supplemental appropriation to the FY2019 City of Rochester Fire Department (CIP) Fund for the costs associated with the replacement of an apparatus and provided further that all funds for such supplemental appropriation shall be derived from the General Fund unassigned fund balance.

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

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City Clerk's Office



08/29/2019

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 APPARATUS REPLACEMENT PROGRAM PROJECT 19516 - CHANGE SOURCE OF FUNDS FROM BORROWING TO GENERAL FUND UNASSIGNED FUND BALANCE

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	09/03/2019		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	08/21/2019		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE DEPARTMENT APPROVAL	
SOURCE OF FUNDS	CHANGE THE FUNDING SOURCE FROM - GEN FUND BORROWING (BOND) TO - GEN FUND UNASSIGNED FUND BALANCE
ACCOUNT NUMBER	15012020-773150-19516
AMOUNT	\$600,000.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

CITY COUNCIL ACTION REQUIRED

SUMMARY STATEMENT

THE FIRE DEPARTMENT CAPITAL IMPROVEMENT PLAN PROJECT 19516 WAS ORIGINALLY APPROPRIATED DURING THE FY19 ADOPTED BUDGET PROCESS WITH A BORROWING FUNDING SOURCE.

THE FINANCE OFFICE RECOMMENDS THAT THE COUNCIL CONSIDER TAKING THE FOLLOWING ACTIONS TO CHANGE THE FUNDING SOURCE FROM BORROWING TO GENERAL FUND UNASSIGNED FUND BALANCE:

- 1) APPROVE A \$600,000 SUPPLEMENTAL APPROPRIATION WITH A FUNDING SOURCE OF GENERAL FUND UNASSIGNED FUND BALANCE.
- 2) APPROVE A \$600,000 DE-AUTHORIZATION AND WITHDRAWAL OF BORROWING AUTHORITY

RECOMMENDED ACTION

RECOMMEND SUPPLEMENTAL APPROPRIATION FROM GF UNASSIGNED FUND BALANCE AND DE-AUTHORIZATION OF BORROWING AUTHORITY.

**Resolution Deauthorizing City of Rochester Fire Department Capital Improvement Project
(CIP) Funding for the Apparatus Replacement Program**

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

In accordance with the provisions of RSA 33:9, Six Hundred Thousand Dollars (\$600,000.00) of previous bond authority is deauthorized from the FY2019 Fire Department CIP Fund for the Apparatus Replacement Program.

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.

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City Clerk's Office

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	15012020	773150	19516	-	-	600,000.00
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15012020	773150	19516	-	-	600,000.00
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	150000	473150	19516	-	-	(600,000.00)
2	150003	473150	19516	-	-	600,000.00
3				-	-	
4				-	-	-

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced ☐Funds will be returned ☐

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City Clerk's Office

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED CITY OF ROCHESTER MULTI-YEAR COLLECTIVE
BARGAINING AGREEMENT WITH NEW ENGLAND POLICE BENEVOLENT
ASSOCIATION LOCAL 23 (Police Patrol Personnel)**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the cost items associated with the multi-year year collective bargaining agreement between the Rochester Police Commission and the New England Police Benevolent Association Local 23 Bargaining Unit, covering the period January 1, 2020 to June 30, 2023, as set forth in the proposed contract, and as more particularly detailed on the attached “**EXHIBIT A: POLICE – 8/7/2019 Tentative Agreement**,” which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2020 operating budget of the City.

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City Clerk's Office

POLICE - 8/7/2019 Tentative Agreement

City Health Contribution	80/20	80/20	80/20	80/20	80/20
Health Plan	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000
Projected Health Increase			3.5%	3.5%	3.5%
Projected Pay Adjustment		MERIT TRACK	MERIT TRACK	COLA & MERIT TRACK	COLA & MERIT TRACK
	Current FY20	FY20 - 1/2 yr	FY21	FY22	FY23
Wages					
Base Wage	3,018,591	3,098,559	3,234,122	3,384,072	3,528,467
Holiday Pay	127,710	131,093	136,828	143,172	149,281
Early Report	94,331	96,830	101,066	105,752	110,265
Longevity	750	750	17,000	18,500	21,500
On-call (detectives)	-	3,900	7,800	7,800	7,800
Total Wages	3,241,381	3,331,131	3,496,817	3,659,297	3,817,313
Dollar Change		89,750	165,685	162,480	158,016
% Change		2.77%	4.97%	4.65%	4.32%
Benefits					
Medicare	47,000	48,301	50,704	53,060	55,351
Health Insurance	444,453	444,453	460,009	476,109	492,773
Opt Out	22,400	22,400	22,400	22,400	22,400
Dental	11,700	11,700	11,700	11,700	11,700
Life Insurance	540	540	2,700	2,700	2,700
Total Rollups	526,093	527,394	547,512	565,969	584,924
Dollar Change		1,301	20,118	18,456	18,955
% Change		0.25%	3.81%	3.37%	3.35%
Totals					
Total Wages Benefits and Ro	3,767,474	3,858,526	4,044,329	4,225,265	4,402,236
Dollar Change		91,052	185,803	180,936	176,971
% Change		2.42%	4.82%	4.47%	4.19%

50 Total Employees - 100% FT

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City Clerk's Office

Resolution Deauthorizing \$735.86 in funding related to the 2019 Victims of Crimes Act Grant

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

That the amount of Seven Hundred Thirty-Five and 86/100 Dollars (\$735.86) appropriated as part of the 2019 Victim of Crimes Act (VOCA) Grant is hereby deauthorized. Six Hundred Thirteen and 24/100 Dollars (\$613.24) of the deauthorization is grant reimbursement which will not be sought from the New Hampshire Department of Justice. One Hundred Twenty-Two and 62/100 Dollars (\$122.62) of the deauthorization is derived from the City's required local match and shall be returned to the General Fund Unassigned Fund Balance.

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

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City Clerk's Office



08/29/2019

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

Deauthorization of FY 2019 VOCA Grant Funds

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	September 3, 2019		
DEPT. HEAD SIGNATURE	Mike Scala		
DATE SUBMITTED	August 1, 2019		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	NH Dept. of Justice / General City funds
ACCOUNT NUMBER	70112010-511002 / 70112010-522000
AMOUNT	\$613.24 (\$490.62 DOJ, \$122.62 City)
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

City Charter, Section 4: Except as herein provided otherwise, the City Council shall have all powers conferred by law upon City Councils, Boards of Mayor and Aldermen, and the Selectmen of Towns so far as applicable to cities.

SUMMARY STATEMENT

The City of Rochester received a NH Department of Justice Victim of Crime Act (VOCA) grant in FY 2018-2019 in the amount of \$25,836.00, with a non-Federal matching funds requirement of \$6,459.00, to fund a part-time victim-witness advocate position. The matching funds were provided for in the approved FY 2018-2019 Legal Department budget. There are remaining funds from the FY 2017-2018 grant in the amount of \$613.24 (federal) and \$122.62 (matching City funds).

RECOMMENDED ACTION

Deauthorize the federal and City funds and transfer the remaining \$122.62 from Fund 7011 to the General Fund, unassigned balance.

08/29/2019



Over \$2 Billion and Counting for our Schools

July 31, 2019

City Manager Blaine Cox
City of Rochester
31 Wakefield Street
Rochester, NH 03867

GOVERNOR Christopher T. Sununu
CHAIRMAN Debra M. Douglas
COMMISSIONER Paul J. Holloway
COMMISSIONER J. Christopher Williams
EXECUTIVE DIRECTOR Charles R. McIntyre

City of Rochester
City Manager
Received
AUG 5 2019

Dear City Manager Cox,

As you may be aware, House Bill 480 was recently signed into law legalizing sports betting in New Hampshire. The Lottery Commission's division of sports wagering will conduct and regulate sports betting in the state, which is allowed through various channels, including at up to ten sports book retail locations.

We anticipate launching sports betting platforms in early 2020 following the selection process for online vendors and retailers. While we cannot predict if the physical sports books will be stand-alone or co-located within other commercial businesses, we do expect retailers to apply in metropolitan areas – and they can only conduct sports book operations in municipalities that have voted to allow it.

In a process identical to that allowing Keno, cities have the option to put the question to voters whether to permit the operation of sports book retail locations within the municipality. Given the launch schedule and the anticipated demand by players, I respectfully recommend the City Council place HB 480 on the ballot for voters to decide this fall. This does not mean that a business will apply within your city for one of the ten available sports book locations, but this suggestion is being made so that if a retailer does wish to apply, they would not have to wait two years until the election of 2021 before they could engage in the activity.

Be assured that if the City votes to allow the operation of sport books and an establishment is selected by the Lottery Commission, the City must grant that establishment approval before the Lottery will permit that location to begin operations.

The local option section of House Bill 480 is enclosed for your reference. My staff is standing by to answer any questions you may have, and will do our best to attend an upcoming City Council meeting at your request.

Respectfully,

Charlie McIntyre
Executive Director

Enclosure



Live Free or Die

New Hampshire Lottery Commission
TEL 603.271.3391 FAX 603.271.1160

14 Integra Drive Concord, New Hampshire 03301

TDD 1.800.735.2969 www.nhlottery.com

CHAPTER 215
HB 480-FN - FINAL VERSION EXCERPT

For the full text of HB 480: www.gencourt.state.nh.us/bill_status/billText.aspx?sy=2019&id=217&txtFormat=html

HOUSE BILL 480-FN

AN ACT relative to sports betting.

Be it Enacted by the Senate and House of Representatives in General Court convened:

215:1 New Chapter; Sports Betting. Amend RSA by inserting after chapter 287-H the following new chapter:

CHAPTER 287-I SPORTS BETTING

287-I:5 Sports Book Retail Operations. The commission and its agents are further authorized to operate physical sports book retail locations within the state for the purposes of accepting tier I and tier III sports wagers from authorized bettors and paying prizes relating to those wagers. The sports book retail locations may be co-located with other commercial businesses or general commercial retail locations. No more than 10 sports book retail locations may be in operation at any given time.

287-I:6 Local Option for Operation of Sports Book Retail Locations.

I. Any town or city may allow the operation of a sports book retail location according to the provisions of this subdivision, in the following manner, excepting that nothing in this section shall be construed to prohibit Internet or mobile wagering or lottery games involving tier III sports wagers in the jurisdiction, if so authorized by the passage of this statute.

(a) In a town, the question shall be placed on the warrant of an annual town meeting under the procedures set out in RSA 39:3, and shall be voted on a ballot. In a city, the legislative body may vote to place the question on the official ballot for any regular municipal election, or, in the alternative, shall place the question on the official ballot for any regular municipal election upon submission to the legislative body of a petition signed by 25 of the registered voters.

(b) The selectmen, aldermen, or city council shall hold a public hearing on the question at least 15 days but not more than 30 days before the question is to be voted on. Notice of the hearing shall be posted in at least 2 public places in the municipality and published in a newspaper of general circulation at least 7 days before the hearing.

(c) The wording of the question shall be substantially as follows: "Shall we allow the operation of sports book retail locations within the town or city?"

II. If a majority of those voting on the question vote "Yes", sports book retail locations may be operated within the town or city.

III. If the question is not approved, the question may later be voted upon according to the provisions of paragraph I at the next annual town meeting or regular municipal election.

IV. A municipality that has voted to allow the operation of sports book retail locations may consider rescinding its action in the manner described in paragraph I of this section.

V. An unincorporated place may allow the operation of a physical sports book retail location by majority vote of the county delegation, after a public hearing is held.

VI. The commission shall maintain a list of municipalities where sports book retail locations may be placed into operation.