

**Regular City Council Meeting
August 4, 2015
Council Chambers
7:03 PM**

COUNCILORS PRESENT

Councilor Bogan
Councilor Collins
Councilor Gates
Councilor Gray
Councilor Hamann
Councilor Keans
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager Fitzpatrick
Deputy City Manager Cox
Attorney O'Rourke
Members of the Spaulding High School
Division - 1 State Championship
Members of the Conservation
Commission
Commissioner Storer
Jim Quinn, DPW
Police Chief Allen

Agenda

1. Call to Order

Mayor Jean called the meeting to order at 7:03 PM.

**Proclamation: Spaulding Baseball [Division 1] – State
Championship**

Mayor Jean stated that if there no objections he would amend the Agenda to take up the Proclamation for the Spaulding High School. He invited members of the Spaulding Baseball – Division 1 State Champions to come forward.

Kevin Hebert, Athletic Director, said that Spaulding High School Division 1 has not won a championship since 1984. He thanked the Community for supporting the athletic programs this year and said there were four teams playing in championship games this year. He publicly thanked Police Chief Michael Allen and the Fire Chief Norm Sanborn, Jr., for the post-game ceremony.

2. **AB 16 Resolution Authorizing Supplemental Appropriation for the Water Treatment Plant Upgrade Project and Borrowing Authority Pursuant to RSA 33:9 Resolution 14 - First Reading and Refer to a Public Hearing**

Mayor Jean gave a brief overview of the Water Treatment Plant Upgrade Project. He explained that this is a change in funding source. Councilor Lachapelle **MOVED** to read the resolution for the first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor Jean read the resolution for the first time by title only as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
FOR THE WATER TREATMENT PLANT UPGRADE PROJECT AND
BORROWING AUTHORITY PURSUANT TO RSA 33:9**

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

That the sum of Two Hundred Thousand Dollars (\$200,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Capital Improvement Project (CIP) fund of the City of Rochester Department of Public Works, Water Works for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the so-called Water Treatment Plant (WTP) Upgrade Project.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Two Hundred Thousand Dollars (\$200,000.00), from New Hampshire Department of Environmental Services Drinking Water State Revolving Fund (DWSRF), through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, 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

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

this Resolution. **CC FY16 RESOLUTION 14 08-04 AB 16**

Councilor Lachapelle **MOVED** to send this matter to a Public Hearing. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

3. Recess to the Public Hearing

Councilor Lachapelle **MOVED** to recess to the Public Hearing at 7:11 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. Reconvene the Regular City Council Meeting

The Regular City Council meeting reconvened at 7:59 PM and Mayor Jean called the meeting to order.

5. Pledge of Allegiance

Mayor Jean led the Pledge of Allegiance.

6. Opening Prayer

Mayor Jean asked for a moment of silence in honor of the recent tragedy which took place at a traveling circus in Lancaster, NH, which claimed the lives of a father and daughter. He requested a moment of silence for all military personnel fighting for our freedom.

7. Roll Call

Kelly Walters, City Clerk, took a roll call. All Councilors were present.

8. Acceptance of Minutes

8.1. Correction to the June 9, 2015, Special City Council Meeting Minutes

Councilor Lachapelle **MOVED** to correct and **ACCEPT** the revised set of minutes of the June 9, 2015, Special City Council meeting. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

8.2. July 7, 2015, Revised Regular City Council meeting minutes

Councilor Lachapelle **MOVED** to **ACCEPT** the revised Regular City

Council meeting minutes of July 7, 2015. Councilor Walker seconded the motion. Councilor Lauterborn stated that page 9 of the meeting minutes should be corrected as follows: Councilor ~~Lauterborn~~ Lachapelle wished to recuse himself from the vote. The **MOTION CARRIED** to correct and approve the revised Regular City Council meeting minutes of July 7, 2015.

9. Communications from the City Manager

9.1. Employee of the Month Award

City Manager Fitzpatrick invited Jim Quinn, Department of Public Works – Water Division, to come forward along with Commissioner Storer. City Manager Fitzpatrick announced that Mr. Quinn is a fairly new employee; however, he has been selected as the Employee of the Month for August. City Manager Fitzpatrick said Mr. Quinn came up with a more efficient way to read the water meters for the City Water Department. City Manager Fitzpatrick presented Mr. Quinn with the Award.

9.2. City Manager's Report

City Manager Fitzpatrick gave the following report:

Management Team Meeting minutes:

- June 29, 2015
- July 6, 2015
- July 13, 2015
- July 20, 2015

Contracts & Documents Executed:

- Catherine Street/Sheridan Street – Change Order 1
- CDBG Cap Agreement
- CDBG Contracts
- CDBG – City funded and Non-profits Contracts for the following:
 - CDBG Grant – Sub recipients
 - Cornerstone VNA
- CDBG Environmental Reviews for the following:
 - Accessibility Improvement Microgrants
 - Community Action Partnership – Weatherization Assist. Program
 - Rochester Child Care Center
 - Community Action Partnership – Strafford County Head Start
 - Rochester Library accessible doors project
- CDBG Green Infrastructure Grant Amendment

- Community Center lease renewals for the following:
 - Community Action Partnership - Workplace Success
 - School Administration office
 - Bud Carlson Alternative School – space #1
 - Bud Carlson Alternative School – space #2
 - Bud Carlson Alternative School – space #3
 - Hope School
 - Conference Room
 - Maintenance
 - Title 1 – Homeless Liaison
- Deputy Warden appointment – Wilder, T
- EMPG (Emergency Management Performance Grant) – Fire Dept. tablets project
- GSBP (Granite State Business Park) – Purchase & Sales Agreement
- Hall, J termination of representation letter
- Harriman Architects – revised structural review proposal
- Narcan Agreement
- Receipt, Release, Discharge – Tax Map 118, Lot 8 and 10
- Route 125 pump station – Brown & Caldwell amendment 1
- Route 125 pump station – Scherbon Consolidated Substantial Completion
- US Geological Survey Contract

Additional Documentation:

- EPA environmental regulation memo – from Manager Pollard

The following Computer Lease/Purchase and Tuition Reimbursement requests have been approved:

- Computer Lease/Purchase – Dunton, R. – Fire Dept.

The following standard reports have been enclosed:

- City Council Request & Inquiry Report
- Permission & Permits Issued
- Personnel Action Report Summary

Councilor Keans noticed the Management Team had been discussing a tree removal policy. She questioned if this policy would be reviewed by the City Council prior to passing. City Manager Fitzpatrick recalled that it would likely be sent to the Codes and Ordinances Committee.

10. Communications from the Mayor

10.1. Proclamation: Spaulding Baseball [Division 1] – State Championship

This proclamation was read at the beginning of the City Council meeting.

10.2. Announcement: Congratulations to Rochester Main Street for the Successful 4th Annual Rochester Blues/BBQ Festival held on July 18, 2015

Mayor Jean congratulated Rochester Main Street for the successful 4th Annual Rochester Blues/BBQ Festival held on July 18, 2015.

10.3. Announcement: November 3, 2015, Municipal Election Filing Period:

Begins: Friday, September 4, 2015, at 9:00 AM

Ends: Monday, September ~~22~~, 21 2015, at 5:00 PM

Mayor Jean announced the November 3, 2015, Municipal Election Filing Period as stated above, as corrected.

10.4. Announcement: September 3, 2015, Supervisors Session – last chance to update your voter information prior to the Municipal Election Filing Period

Mayor Jean announced that there would be a Supervisors Session held at the City Hall on September 3, 2015.

10.5. Announcement: 6th Annual Ward Softball Game [Wards 1, 5, and 6 VS. Wards 2, 3, and 4]

Councilor Lachapelle invited the public to attend the 6th Annual Ward Softball Game to be held on August 8, 2015, at Riverside Park here in Rochester at 10:00 AM.

11. Presentations of Petitions and Council Correspondence

No discussion.

12. Nominations, Appointments, Resignations, and Elections

No discussion.

13. Reports of Committees:

13.1. Community Development

Councilor Gray said the Committee discussed the possibility of leasing space in the downtown to establish an outdoor dining area and establishing a location to hold a Farmers Market. Councilor Gray spoke a little bit about the Accessibility Microgrants Program. He added that the Community Development Committee also reviewed the CDBG Community Projects.

13.2. Finance Committee

Mayor Jean stated that the Finance Committee discussed the stipends given to the City Officials [poll workers]; however, this has been kept in Committee.

Mayor Jean stated that the Finance Committee discussed the Bridging the Gaps Program and he **MOVED** to encourage the Bridging the Gaps Director to seek the 501c "non-profit" status. Councilor Walker seconded the motion. The **MOTION CARRIED** by a super majority voice vote.

Mayor Jean gave a brief overview of the request to reclassify two staff employees of the Legal Department. Mayor Jean **MOVED** that the Legal Assistant I and Legal Assistant II positions be accepted and added to the City's approved positions. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mayor Jean **MOVED** that the Elderly and Disabled Exemption Income Limits be adjusted as follows: single income limit to be increased from \$29,900 to \$31,400 and married income limit to be increased from \$39,500 to \$41,500. Councilor Walker seconded the motion. Councilor Lauterborn asked if the elderly exemption income limit would be the same as the disabled exemption income limit. Deputy City Manager Cox replied yes. The **MOTION CARRIED** by a unanimous voice vote.

Mayor Jean **MOVED** to direct the City Manager to sell property located at 422 Old Dover Road and to do so by public sale/sealed competitive bids. Councilor Lachapelle seconded the motion. Mayor Jean listed the following stipulations of the sale: the intended use of the buyer be disclosed, the minimum bid is \$30,000, and the abutters would have the first right of refusal if they are willing to match the highest bid. City Manager Fitzpatrick said the City Council would review the bids to determine if the disclosed intended use is acceptable or not. The **MOTION CARRIED** by a unanimous voice vote.

Mayor Jean said the Finance Committee discussed the paycheck schedule, *26 paychecks per fiscal year*. He noted that normally 26 paychecks are issued each fiscal year; however, this fiscal year there would be 27 paychecks. He noted that it would adjust itself through the calendar year. It would not change the annual compensation given to the employees. Councilor Lauterborn asked if the employee contracts are based on the July to June fiscal year. Mayor Jean replied yes; however, some are off that cycle dependent upon when the contracts were ratified. Councilor Lauterborn suggested addressing this paycheck schedule in case one calendar year results in a 27-paycheck situation. Deputy City Manager Cox took note.

Mayor Jean **MOVED** to increase the Water Rate Per Unit Fee from \$4.67 to \$4.81. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle **MOVED** to read the Amendment to the Ordinances by title only for the first time and to refer the matter to a Public Hearing prior to the September 1, 2015, Regular City Council meeting. Mayor Jean read the Amendment as follows:

ORDINANCE AMENDMENT
RELATIVE TO WATER USER RATE

THE CITY OF ROCHESTER ORDAINS:

- I. That Chapter 17, Section 17.34 of the General Ordinances of the City of Rochester, entitled "Water Rate and Fee Schedule", be amended by deleting the portion of said ordinance entitled "Quarterly Water Rates" and by replacing such portion of the ordinance with the following:

Next Page.

**17.34 Water Rate and Fee
Schedule**

Residential Customers without exemption: Residential Customers	\$4.81 per 100 cu. ft. of water use
Commercial and industrial customers:	\$4.74

Unmetered Residential Customers: Per quarter per unit	\$126.71
Per quarter per unit with exemption:	\$63.35

Minimum Fee:	
Per quarter per unit without	\$18.00
Per quarter per unit with exemption:	\$14.42

II. That this ordinance amendment shall take effect on September 1, 2015

Mayor Jean **MOVED** that the Planning Department's Site Plan Regulations be amended by eliminating the collection of monumentation fees and that once these changes have been made that any/all balances of the monumentation Fees Special Revenue Fund be transferred to the General Fund. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.3. Joint Building Committee

Councilor Keans gave a brief overview of the Joint Building Committee and said the Committee is pleased with the Hutter Construction Company and the work being completed on the New East Rochester School Project. She said there will be some construction happening as the school year begins; however, the project is very much on track for completion. Councilor Torr asked about the completion date. Councilor Keans estimated sometime in October, 2015.

13.4. Public Safety Committee

Councilor Walker said there were no action items at this time.

13.5. Public Works Committee

Councilor Torr requested that the Commissioner of Public Works

address the City Council relative to the Strafford Square Project.

Commissioner Storer distributed a memo relative to securing funds for additional engineering services for Strafford Square. He gave a brief history of some of the original concerns which resulted after a roundabout specialist gave a report in 2013. This concern was brought back to the attention of the Public Works Committee and additional engineering services are being requested. Councilor Torr **MOVED** to approve using up to \$30,000 for the additional engineering on Strafford Square using unencumbered CIP Funds. Councilor Walker seconded the motion. Councilor Walker supported the motion and spoke about the traffic concerns of the original design relative to diverting heavy truck traffic down Twombly Street. Councilor Lauterborn supported the motion; however, she felt strongly that this issue should have been resolved with the original engineer work once the City Council voiced its concerns in 2013. The **MOTION CARRIED** by a majority voice vote. Councilor Walker spoke in favor of spending the additional engineering.

14. Old Business

No discussion.

15. Consent Calendar

No discussion.

16. New Business

16.1. **AB 22** Approval of New Second Hand Dealer Business – Lilac City Trading [199 Wakefield Street] – **Motion to Approve**

Mayor Jean said this license has already been approved by the Licensing Board and no City Council vote is necessary. *See Chapter 34.5 of the City Ordinances.*

16.2. **AB 23** Veterans Tax Credit – Effective Date Confirmation – **See Agenda Bill**

Councilor Walker **MOVED** to approve the effective date for the Veterans Tax Credit as April 1, 2015. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

16.3. **AB 12** Resolution Authorizing Supplemental Appropriation to the FY 2016 Public Buildings Capital

**Improvement Project (CIP) Fund for the So-Called
Annex Project and Borrowing Authority Pursuant to
RSA 33:9 Resolution 8 **Second Reading and Adoption****

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

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO
THE FY 2016 PUBLIC BUILDINGS CAPITAL IMPROVEMENT PROJECT
(CIP) FUND FOR THE SO-CALLED ANNEX PROJECT AND BORROWING
AUTHORITY PURSUANT TO RSA 33:9**

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

That the sum of Three Million Seven Hundred Thirty Four Thousand Dollars (\$3,734,000.00) be, and hereby is, appropriated as a supplemental appropriation to the FY 2016 Public Buildings Capital Improvement Project (CIP) fund for the purpose of providing funds necessary to pay costs and/or expenditures with respect to reconstruction and rehabilitation of the City Hall Annex, the so-called Annex Project.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Three Million Seven Hundred Thirty Four Thousand Dollars (\$3,734,000.00), through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, 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

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY16 RESOLUTION 8 07-07 AB 12**

Councilor Keans **MOVED** to **ADOPT** the resolution. Councilor Varney seconded the motion. Councilor Torr stated that a roll call vote is in order.

Mayor Jean said this City Council along with past City Councils have spent a great deal of time addressing the space needs of the City of Rochester. He added that this plan cannot be ideal for all stakeholders involved; it is by far the most cost efficient way to resolve a lot of the City's space needs. He said this City Council is preserving a historical landmark within the downtown area. This will not be a space which could be expanded in future years; however, it does address the co-location of the Economic Development Department, Planning Department, and the Building Zoning, and Licensing Services Department. This will have a positive impact on customer service, especially for new developers in the City. He understood that the Finance Department would have to keep a close watch on the City's Debt Service, and the City Council will have to prioritize the CIP Projects. The **MOTION CARRIED** by a roll call vote of 11 to 2. Councilors Gray, Larochelle, Lauterborn, Keans, Bogan, Varney, Hamann, Collins, Lachapelle, Walker and Mayor Jean voted in favor of the motion. Councilors Gates and Torr voted against the motion.

16.4. AB 13 Resolution for Supplemental Appropriation to the Conservation Fund for Fiscal Year 2014-2015 Pursuant to the Provisions of Section 11.21 (c) of the General Ordinances of the City of Rochester – Resolution 11 First Reading, Second Reading, and Adoption

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

**RESOLUTION FOR SUPPLEMENTAL APPROPRIATION
TO THE CONSERVATION FUND FOR FISCAL YEAR
2014-2015
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 2014-2015 fiscal year operating budget of the City of Rochester, the sum of Thirty-Nine Thousand Eight Hundred Nineteen and 00/100 Dollars (\$39,819.00); from annual excess Land Use Change Tax funds for fiscal year 2014-2015 (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 2014-2015.

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, 2015. CC FY16 **RESOLUTION 11** 08-04 AB 13

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Varney asked how much money remains in the Conservation Fund at this time. Seth Creighton, Planner, replied the balance is \$7,900. He said most of the Conservation Commission members are in attendance this evening. Councilor Varney asked what the status of reimbursement for the grant received on the Ten Rod Road Property. Mr. Creighton said that South East Land Trust has been notified that the City of Rochester should receive \$257,000; however, that information is not official yet. He added that the \$257,000 is a little more than the amount the City funded through the General Fund. The **MOTION CARRIED** by a unanimous voice vote. Mayor Jean publicly congratulated Mr. Creighton on the birth of his second son William Michael Creighton. Mayor Jean thanked the members of the Conservation Commission for attending the meeting and for all of their hard work.

16.5. AB 15 Resolution Authorizing Supplemental Appropriation to the FY 2016 Public Buildings Capital Improvement Project (CIP) Fund for City Hall Wall Repair Resolution 12 – First Reading, Second Reading, and Adoption

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

RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION

**TO THE FY 2016 PUBLIC BUILDINGS CAPITAL IMPROVEMENT
PROJECT (CIP) FUND FOR CITY HALL WALL REPAIR**

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

That the sum of up to Forty One Thousand Dollars (\$41,000.00) be, and hereby is, appropriated as a supplemental appropriation to the FY 2016 Public Buildings Capital Improvement Project (CIP) fund for the purpose of providing funds necessary to pay costs and/or expenditures for repair work on a wall in City Hall and provided further that all of the 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. **CC FY16 RESOLUTION 12 08-04 AB 15**

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

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

16.6. AB 18 Resolution Authorizing Supplemental Appropriation to the City of Rochester Police Department Operating Budget – Resolution 16 – First Reading, Second Reading, and Adoption

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

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE CITY OF ROCHESTER POLICE DEPARTMENT OPERATING
BUDGET**

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

That the sum of Six Thousand Five Hundred Dollars (\$6,500.00) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester Police Department operating budget for the overtime and backfill costs associated with tactical training and provided further that all of the funds for such supplemental appropriation shall be derived from the New Hampshire Department of Public Safety, Homeland Security and Emergency Management.

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) to which said sums shall be recorded. **CC FY16 RESOLUTION 16 08-04 AB 18**

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Keans asked if this would be a reimbursement for services already rendered. Chief Allen replied yes. The **MOTION CARRIED** by a unanimous voice vote.

16.7. AB 21 Resolution Authorizing Sale of Certain Lots at the Granite State Business Park – Motion to Affirm Previous City Council Action

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

RESOLUTION AUTHORIZING SALE OF CERTAIN LOTS AT THE GRANITE STATE BUSINESS PARK

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

That the City Manager is hereby authorized to enter into a Purchase and Sales Agreement with Hussey Manufacturing Technology, LLC to convey Map 243, Lot 34 and Lot 35 located at the Granite State Business Park in exchange for One Hundred Thirty Five Thousand Dollars. (\$135,000.00).

Further, that the proceeds of said land sale shall be recorded in the General Fund general overhead revenue account 11081-405801 Sale of City Property.

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. **CC FY16 RESOLUTION 17 08-04 AB 21**

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Keans said it is important to note that this was the last lot to be sold on the Phase I side of the Granite State Business Park. Mayor Jean agreed and said these lots can now be developed. He added that the City still retains 50 acres of land on the Phase II of the Granite State Business Park, which can be developed. He said this is a real success for the City of Rochester. The **MOTION CARRIED** by a unanimous voice vote.

16.8. AB 16 Water Treatment Plant Upgrade Resolutions:

16.8.1. Resolution De-Authorizing Appropriation from the City of Rochester Water Retained Earnings Balance for the Water Treatment Plant Upgrade Project – Resolution 13 **First Reading, Second Reading, and Adoption**

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

RESOLUTION DEAUTHORIZING APPROPRIATION FROM THE CITY OF ROCHESTER WATER FUND RETAINED EARNINGS BALANCE FOR THE WATER TREATMENT PLANT UPGRADE PROJECT

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

That the sum of Two Hundred Thousand Dollars (\$200,000.00) of the previous supplemental appropriation of funds from the City of Rochester Water Fund Retained Earnings Balance for the Water Treatment Plant Upgrade Project is hereby deauthorized.

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. **CC FY16 RESOLUTION 13.08-04 AB 16**

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

**16.8.2. Resolution Authorizing Supplemental
Appropriation for the Water Treatment Plant
Upgrade Project and Borrowing Authority
Pursuant to RSA 33:9 – Resolution 14
Second Reading and Adoption**

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

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
FOR THE WATER TREATMENT PLANT UPGRADE PROJECT AND
BORROWING AUTHORITY PURSUANT TO RSA 33:9**

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

That the sum of Two Hundred Thousand Dollars (\$200,000.00) be, and hereby is, appropriated as a supplemental appropriation to the Capital Improvement Project (CIP) fund of the City of Rochester Department of Public Works, Water Works for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the so-called Water Treatment Plant (WTP) Upgrade Project.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Two Hundred Thousand Dollars (\$200,000.00), from New Hampshire Department of Environmental Services Drinking Water State Revolving Fund (DWSRF), through the issuance of

bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, 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

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution. **CC FY16 RESOLUTION 14 08-04 AB 16**

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Lachapelle seconded the motion. Mayor Jean clarified that this is a \$200,000 supplemental appropriation with the sum to be derived from the New Hampshire Department of Environmental Services Drinking Water State Revolving Fund (DWSRF); however, if this project does not achieve the requisite approval of the Governor and Executive Council, which there is no indication that it would not receive approval, then it would be reverted to the bond. The **MOTION CARRIED** by a unanimous voice vote.

17. Non-Meeting/Non-Public Sessions:

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

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

Councilor Varney requested to add another Non-Meeting Agenda Item for "Reputation". Mayor Jean said as there are no objections this would be added to the Non-Meeting/Non-Public Sessions. Councilor Lachapelle **MOVED** to enter into the Non-Meeting, Consultation with Legal Counsel, RSA 91- A:2 I (b), Non-Public Session, Land, RSA 91-A:3 II (d), and Non-Meeting, Consultation with Legal, RSA 91-A, Reputation at 8:58 PM. The **MOTION CARRIED** by a unanimous roll call vote of 13 to 0. Councilors Bogan, Collins, Varney, Walker, Larochelle, Lachapelle, Torr, Hamann, Gates, Keans, Lauterborn, and Mayor Jean voted in favor of the motion.

Councilor Lachapelle **MOVED** to exit the Non-Public Session at 9:29 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

18. Other

Councilor Keans made the point that population statistics are not the only measure of economic improvements in the City. She mentioned that recent development activity in the Granite State Business Park has created jobs for people here in Rochester and beyond. This has resulted in increased property tax revenues, just to name a couple benefits.

Councilor Collins recited portions of the Federalist Papers from 1787-1788.

Mayor Jean commented on the excellent finished product of the City's Annual Report.

19. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council meeting at 9:35 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Kelly Walters
City Clerk