

**CITY COUNCIL
ROCHESTER, NEW HAMPSHIRE
Nonpublic Session Minutes**

Date: November 15, 2022

Motion to enter Nonpublic Session

Made by: Callaghan

Seconded by: Lachapelle

Specific Statutory Reason cited as foundation for the nonpublic session:

____ RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, **unless** the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

____ RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

____ RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, **other than a member of this board**, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

X RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.*

____ RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

____ RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

Roll Call vote to enter nonpublic session:

(circle replies below)

Mayor Callaghan

Yes

No

Not Present

Deputy Mayor Lachapelle

Yes

No

Not Present

Councilor Fontneau

Yes

No

Not Present

Councilor Gilman	<u>Yes</u>	No	Not Present
Councilor Beaudoin	Yes	<u>No</u>	Not Present
Councilor Hamann	<u>Yes</u>	No	Not Present
Councilor Malone	<u>Yes</u>	No	Not Present
Councilor Larochelle	<u>Yes</u>	No	Not Present
Councilor Desrochers	<u>Yes</u>	No	Not Present
Councilor Hailey	<u>Yes</u>	No	Not Present
Councilor Gray	<u>Yes</u>	No	Not Present
Councilor Berlin	<u>Yes</u>	No	Not Present
Councilor de Geofroy	<u>Yes</u>	No	Not Present

Entered nonpublic session

Time: 8:15 pm

Other persons present during nonpublic session:

City Manager Blaine Cox, Deputy City Manager Katie Ambrose, Director of City Services Peter Nourse, Economic Development Director Michael Scala, and City Attorney Terence O'Rourke

Description of matters discussed, and final decisions made:

NOTE: Councilor Beaudoin objected to the Non-Public Session, but still participated.

Proposed Land Swap with Sig Sauer

Scala provided an update on the Milton Road/Salmon Falls Road intersection project. The project is part of the City and State's MOU with Sig Sauer for the construction of its factory near the intersection and part of the City's PILOT Agreement with Sig Sauer.

Since the signing of the MOU and PILOT, Sig Sauer purchased property located in the middle of Milton Road, ie. 125 Milton Road (the former Trinkets & Treasures). The existence of 125 Milton Road made the City's plan for a roundabout on Milton Road less desirable. If 125 Milton Road is removed, the City would redesign the roundabout.

Sig Sauer also purchased more abutting properties in anticipation of business expanding if it received the US Army's contract for its new rifle and squad automatic weapon. Sig Sauer did, in fact, receive said contract from the US Army and now will be greatly expanding its operations.

Director Nourse addressed the Council on the efficacy of the removal of 125 Milton Road and how it is best for the City to build the roundabout where 125 Milton Road currently exists. Nourse reiterated the safety benefits of a roundabout as opposed to other solutions for the intersection.

Councilor Hamman asked how the plan affects the two business across the street from Sig Sauer. Nourse said the effect is unknown as the City is still in the conceptual phase, but does plan to meet with those owners.

Councilor Beaudoin asked the estimated cost of the roundabout. Nourse said right now it would be about \$2.7 million. Beaudoin said it looks like a wash because Sig Sauer will be paying about \$2.4 million in increased taxes during the project. Nourse said that Sig Sauer will also be providing \$250k per year for two year toward this project.

Scala and Nourse proposed that the City swap its remaining abutting properties on Amarosa Drive in exchange for 125 Milton Road.

Council Action: Motion to Authorize the City Manager to Enter into an Agreement with Sig Sauer to Swap Land as Proposed by Scala and Nourse.

Motion by Councilor LaChapelle, Seconded by Councilor Berlin.

Unanimous vote in support.

Motion to leave nonpublic session and return to public session

Made by: LaChapelle

Seconded by: Hailey

Motion: **PASSED** **DID NOT PASS** (circle one)

Public session reconvened

Time: 9:02 pm

Motion made to seal these minutes? **Yes** No (circle one)

Indefinitely? **Yes** No (circle one)

If yes, motion made by: LaChapelle

Seconded by: Hailey

because it is determined that divulgence of this information likely would:

_____ Affect adversely the reputation of any person other than a member of this board.

___X___ Render a proposed action ineffective.

_____ Pertains to preparation or carrying out of actions regarding terrorism.

Roll Call Vote to seal minutes:

(2/3's vote of members present required)

Mayor Callaghan	<u>Yes</u>	No	Not Present
Deputy Mayor Lachapelle	<u>Yes</u>	No	Not Present
Councilor Fontineau	<u>Yes</u>	No	Not Present
Councilor Gilman	<u>Yes</u>	No	Not Present
Councilor Beaudoin	Yes	<u>No</u>	Not Present
Councilor Hamann	<u>Yes</u>	No	Not Present
Councilor Malone	Yes	No	<u>Not Present</u>
Councilor Larochelle	<u>Yes</u>	No	Not Present
Councilor Desrochers	<u>Yes</u>	No	Not Present
Councilor Hainey	<u>Yes</u>	No	Not Present
Councilor Gray	<u>Yes</u>	No	Not Present
Councilor Berlin	<u>Yes</u>	No	Not Present
Councilor de Geofroy	<u>Yes</u>	No	Not Present

Motion: PASSED / DID NOT PASS (circle one)

Time: 9:03 pm

These minutes recorded by: Terence O'Rourke, City Attorney