

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

**Date:** April 20, 2021

**Motion to enter Nonpublic Session**

Made by: Lauterborn

Seconded by: Belkin

**Specific Statutory Reason** cited as foundation for the nonpublic session:

X 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 McCarley	<u>Yes</u>	No	Not Present
Deputy Mayor Lauterborn	<u>Yes</u>	No	Not Present
Councilor Hutchinson	<u>Yes</u>	No	Not Present

Councilor Belken	Yes	No	Not Present
<del>Councilor LaChance</del>	<del>Yes</del>	<del>No</del>	<del>Not Present</del>
Councilor Hamann	Yes	No	Not Present
Councilor Lachapelle	Yes	No	Not Present
Councilor Abbott	Yes	No	Not Present
Councilor Walker	Yes	No	Not Present
Councilor Hainey	Yes	No	Not Present
Councilor Rice	Yes	No	Not Present
Councilor Gray	Yes	No	Not Present
Councilor Bogan	Yes	No	Not Present

#### **Entered nonpublic session**

Time: 8:08 pm

#### **Other persons present during nonpublic session:**

City Manager Blaine Cox, Deputy City Manager Katie Ambrose, Attorney Matt Upton, Human Resource Director Diane Hoyt, Director of Economic Development Michael Scala, and City Attorney Terence O'Rourke

#### **Description of matters discussed, and final decisions made:**

##### Update on Negotiations with Firefighter's Union

Attorney Upton provided update to Council members. Director Hoyt provided an overview of the cost analysis of the proposed contract over the course of the two (2) years. Upton recommended in the current economy not going over a two (2) year contract.

55 North Main Street

Scala presented an offer to buy the building from the Grant Brothers out of Boston. They want to build 1<sup>st</sup> floor commercial, underground parking, and 30 residential units mix of 1, 2, and 3 bedroom units. The sale offer was \$225,000.00. Assessed value is \$176,000.00. Unanimous vote in favor of authorizing the City Manager to sign the P & S.

13-17 Hanson Street Pocket Park

Scala stated it would cost \$800 to clean the area to prepare for a pocket park. Scala stated that the DPW director stated that his current staff could do the work. Scala stated his Department would cover the cost of the picnic tables. Council unanimously votes to allow Scala to send draft Lease Agreement to the property owner.

PDA Easement

Scala asked the Council to give the City Manager permission to sign the Easement language being drafted by PDA's attorney and the City Attorney. Council unanimously votes to authorize the CM to execute all necessary easement documents.

**Motion to leave nonpublic session and return to public session**

Made by: Lauterborn  
Seconded by: Walker

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

**Public session reconvened**

Time: 9:14 pm

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

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

If yes, motion made by: Lauterborn

Seconded by: Walker

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.

☒ 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 McCarley	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Deputy Mayor Lauterborn	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Hutchinson	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Belken	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
<del>Councilor LaChance</del>	<del>Yes</del>	<del>No</del>	<del>Not Present</del>
Councilor Hamann	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Lachapelle	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Abbott	Yes	No	<b>Not Present</b>
Councilor Walker	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Hainey	Yes	No	<b>Not Present</b>
Councilor Rice	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Gray	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Bogan	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present

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

Time: 9:14 pm

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