

**Regular City Council Meeting
September 3, 2019
Council Chambers
7:10 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Bogan
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
Julian Long, Economic Development

COUNCILORS EXCUSED/ABSENT

Councilor Hutchinson

MINUTES

1. Call to Order

Mayor McCarley called the Regular City Council Meeting to order at 7:10 PM.

2. Opening Prayer

Mayor McCarley asked all those present to observe a moment of silence.

3. Pledge of Allegiance

Mayor McCarley led the Council in the Pledge of Allegiance.

4. Roll Call

Deputy City Clerk Cassie Givara took the roll call. All Councilors were present except for Councilor Hutchinson who was excused.

5. Acceptance of Minutes

5.1 Regular City Council Meeting: August 6, 2019 *consideration for approval*

Councilor Lachapelle **MOVED** to accept the minutes of the August 6 Regular City Council meeting. Councilor Walker seconded the motion.

Councilor Lauterborn **MOVED** to **AMEND** the minutes as follows: On Page 49 of the packet in the third paragraph, it should state that "the Committee voted and supported the request for My Friend's Place and Community Action." Councilor Bogan seconded the amendment. The **MOTION CARRIED** to **AMEND** the minutes by a unanimous voice vote.

Councilor Walker **MOVED** to **ACCEPT** the minutes as amended. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.2 Special City Council Meeting: August 20, 2019 *consideration for approval*

Councilor Lachapelle **MOVED** to accept the minutes of the August 20th Special City Council Meeting. 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 presented the Employee of the Month award for September 2019 to Nicole Rodler of the Police Department.

6.2 City Manager's Report

Contracts and documents executed since last month:

- Department of Public Works
 - GIS Asset Management Software Contract
 - GSBP Water Extension – Engineering Contract
 - GZA Environmental – Wetlands Monitoring
 - Water Treatment Plant Upgrade Project – Contract with Surety Company due to Contractor Resignation
- Economic Development Department

- Archeological Survey – Riverwalk Recreation Trails Tap Grant
- CDBG – CAP Weatherization – environmental review – East Rochester condo – replace water heater and plumbing lines
- CDBG – CAP Weatherization – environmental review
 - 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
- CDBG – CAP Weatherization – environmental review – replace plumbing & heating system in manufactured home in northwest region
- CDBG – CAP Weatherization- environmental review – repair roof, toilet and install insulation in stick-built home in East Rochester
- CDBG – CAP Weatherization – environmental review – full weatherization retrofit in single-family home in Frenchtown
- CDBG Environmental Review – JOB Loan Project

- Finance Department
 - Fire Protection Engineer Review recommendation – 20 Spaulding Avenue

- IT
 - Atlantic Broadband – Windstream POTS line conversion to EMTA
 - Sole Source Vendor – Blue Spruce Technologies – HPE Switches and networking gear and administration
 - Sole Source Vendor – Exactitude – Security camera and access control solutions
 - Sole Source Vendor – Systems Engineering – consulting for Microsoft Windows Enterprise Solutions
 - Sole Source Vendor – Telephone & Network Technologies – low voltage cable installation & servicing
 - Sole Source Vendor – Omada Technologies – procurement & consulting for Palo Alto Technologies devices
 - Systems Engineering – Network Expansion & Upgrades 2019 CIP Project
 - Tyler Technology – Munis PACE 15 Program

- Legal
 - Deed Release – 24 Cherokee Way

- Police Department
 - JAG Grant Application – City Manager Approval
 - Wrecker Agreement – Bob’s Towing

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

- Tuition Reimbursement - Libby, J – BZLS

The following standard reports have been enclosed:

- Monthly Overnight Travel Summary
- Permission & Permits Issued
- Personnel Action Report Summary

Councilor Hamann inquired about an item on page 86 of the packet in the City Manager’s report regarding the Fire Protection Engineer Review and asked for some background on the item.

City Manager Cox stated that this referred to a City tax deeded property at 20 Spaulding Avenue which the City has owned for several years. City Manager Cox said that there are some significant life safety code issues at this property, so they are looking to have a Fire Protection Engineer do a review of the property. It was stated that existing City staff is not able to do an in-depth assessment as would be required for this property.

Councilor Hamann inquired about an item in the packet regarding CDBG funds for the CAP Weatherization program and asked how the individual properties were chosen. Julian Long, Community Development Specialist, answered that when Community Action Partnership takes in applications for their fuel assistance programs, they also ask questions to determine whether the applicants could benefit from weatherization services. Mr. Long stated that eligibility is based on income as laid out by HUD guidelines.

Councilor Keans inquired about the item on page 73 in the City Manager’s report regarding a service agreement for Asset Management software, services, and support. Councilor Keans wanted to ensure the price listed was not for a one-year contract. City Manager Cox confirmed that this was for the purchase of an entire software system and not a single year contract.

Councilor Keans referenced the signed wrecker agreement contained in the City Manager’s report. Council Keans said she had received feedback from constituents regarding the current wrecker company not accepting credit cards. The vehicle then incurs an additional overnight impound fee because the resident

is unable to pay with anything other than cash. Councilor Keans suggested adding into the wrecker agreement that the company must take credit card as payment.

7. Communications from the Mayor

Mayor McCarley announced that the Rochester Fair would be opening on September 12-16 and then opening again September 19-22.

Mayor McCarley stated that the new iteration of the Tri-City Mayors' Task Force on Homelessness would be meeting on September 12, 2019. She stated that the pared-down Task Force would be focusing on the seven strategies laid out in their Master Plan and figuring out a way to move forward and implement the actions within the plan. The members who will be representing Rochester will be Jeremy Hutchinson and Barbara Holstein.

Mayor McCarley stated she had received correspondence from the Mayors of both Nashua and Manchester in regards to the Doorway Program, which is a program which establishes entryways to assistance for those with substance use disorders seeking recovery. Mayor McCarley asked Council to report back if they'd received any feedback from constituents or others on this program.

8. Presentation of Petitions and Council Correspondence

No Discussion

9. Nominations, Appointments, Resignations, and Elections

No Discussion.

10. Reports of Committees

10.1 Appointments Committee

10.1.1 Appointment: Timothy Roberts – Recreation and Arena, Term to Expire 1/2/2021

Mayor McCarley nominated Timothy Roberts for appointment to the Recreation & Arena Commission with a term to expire on January 2, 2021. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Roberts. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Roberts has been appointed to serve on the Recreation and Arena Commission.

10.12 Appointment: Paul Giuliano – Zoning Board of Adjustments Alternate Member, Term to expire 1/2/2021

Mayor McCarley nominated Paul Giuliano for appointment to the Zoning Board of Adjustments with a term to expire on January 2, 2021. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Giuliano. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Giuliano has been appointed to serve on the Zoning Board of Adjustments.

10.13 Reappointment: Leo Brodeur – Zoning Board of Adjustments, Elevate from Alternate to full member, Term to expire 1/2/2022

Mayor McCarley nominated Leo Brodeur for elevation from an alternate to a full member of the Zoning Board of Adjustments with a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Brodeur. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Brodeur has been appointed to serve as a Regular member on the Zoning Board of Adjustments.

10.14 Appointment: Taylor Poro – Zoning Board of Adjustments Alternate Member, Term to expire 1/2/2022

Mayor McCarley nominated Taylor Poro for appointment to the Zoning Board of Adjustments with a term to expire on January 2, 2022. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Poro. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Poro has been appointed to serve on the Zoning Board of Adjustments.

10.15 Appointment: Terry Garland – Zoning Board of Adjustments Alternate Member, Term to Expire 1/2/21

Mayor McCarley nominated Terry Garland for appointment to the Zoning Board of Adjustments with a term to expire on January 2, 2021. Councilor

Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Garland. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Garland has been appointed to serve on the Zoning Board of Adjustments.

10.16 Appointment: Whitney Belton – Rochester Economic Development Commission, Term to expire 1/2/2020

Mayor McCarley nominated Whitney Belton for appointment to the Rochester Economic Development Commission with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Ms. Belton. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Belton has been appointed to serve on the Rochester Economic Development Commission.

10.17 Reappointment: Matt Wyatt – Arts & Culture Commission, Term to Expire 1/2/2021

Mayor McCarley nominated Matt Wyatt to be reappointed to the Arts & Culture Commission after a brief absence for a term to expire on January 2, 2021. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Wyatt. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Wyatt has been reappointed to serve on the Trustees of the Trust Fund.

10.18 Appointment: Daniel Nickerson – Conservation Commission, Term to expire 1/2/2020

Mayor McCarley nominated Daniel Nickerson for appointment to the Conservation Commission with a term to expire on January 2, 2020. Councilor Lachapelle seconded the nomination. Councilor Walker **MOVED** that nominations cease and that the Clerk cast one ballot for Mr. Nickerson. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Mr. Nickerson has been appointed to serve on the Conservation Commission.

10.19 Appointment: Sue Delemus – Zoning Board of Adjustments Alternate Member, Term to

expire 1/2/2022

Mayor McCarley nominated Sue Delemus for appointment to the Zoning Board of Adjustments with a term to expire on January 2, 2022. Councilor Walker seconded the nomination. Councilor Walker **MOVED** that nominations cease. Councilor Hamann seconded the motion. Councilor Walker requested a ballot vote. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley announced that Ms. Delemus has been appointed to serve as an alternate on the Zoning Board of Adjustments by a ballot vote with 7 Councilors in favor and 5 Councilors opposed.

10.2 Codes & Ordinances Committee**10.21 Committee Recommendation: To change the Ward 2 polling location to Chamberlain Street School *consideration for acceptance***

Councilor Lachapelle **MOVED** to take the Ward 2 Polling location change off the table. Councilor Walker seconded the motion. Mayor McCarley explained that the City had reached an agreement with St. Mary's Parish, the current Ward 2 polling location, and there is no longer a need to change the polling location. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle reported that he had spoken to City Clerk staff who had informed him that the Chamberlain Street location offered more space and better lighting for the elections, but nonetheless he does recommend denying this request.

Councilor Lachapelle **MOVED** to deny the change in Ward 2 polling location to Chamberlain Street School. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

10.22 Amendment to Chapter 75 of the general Ordinances of the City of Rochester regarding fireworks *first reading, consideration for second reading and adoption*

Councilor Lachapelle explained that these amendments were minor wording changes which would remove reference to the Rochester Fairgrounds as the location of the City fireworks display.

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

(see attached Addendum A).

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 amendment to chapter 75 regarding fireworks. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle announced that the Codes & Ordinances would be holding their next meeting on Thursday, September 5, 2019 at 6:00 PM in Council Chambers.

10.3 Community Development Committee

Councilor Lauterborn stated that the Committee had performed a site visit to 73-77 North Main Street, an applicant for a 79E tax exemption. The Committee toured the building and spoke to the applicant and will be recommending the full 11-year tax exemption for which the property is eligible. This item will appear on a future Council agenda for a vote.

103.1 Committee Recommendation – Previously Tabled: To recommend adoption of the draft Analysis of Impediments to Fair Housing consideration to accept

Councilor Lauterborn gave a background of this agenda item, stating it had appeared at the August 20 workshop at which time it was tabled to allow adequate time for Council to review. Councilor Walker **MOVED** to remove the item from the table. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn **MOVED** to **ACCEPT** the draft Analysis of Impediments to Fair Housing. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote. Councilor Torr asked that it be shown for the record that he voted in opposition.

103.2 Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2020 second reading and consideration for adoption

Councilor Lauterborn stated that this amendments allowed for two changes to the original CDBG action plan: an additional \$5000 to My Friend's Place for a generator. The other change would allow CAP to transfer \$5000 of their previously allocated funds for use toward a winter homeless shelter.

Councilor Walker **MOVED** to read the resolution by title only for a second time. Councilor Lachapelle 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 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.

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

Councilor Lauterborn reported that the Committee would next meet on Monday, September 9, 2019 at 7:00 PM in the City Hall Annex.

10.4 CTE Joint Building Committee

Councilor Varney referred Council to the meeting minutes from August 26, 2019. Councilor Varney stated that the project is coming along nicely and appears to be slightly ahead of schedule. He reported that the project is within the budget, although they did need to spend some of the contingency on some machinery needed to complete the project. Councilor Varney said there may be contingency requested for work on a wall from the original construction. Mayor McCarley said there is still approximately \$349,000 in contingency.

Councilor Torr questioned the decision to use a particular type of construction material in the auto shop area of the school. He questioned whether it was due to budgetary constraints. There was a discussion held regarding the original plans for the project and the reasoning for selected construction materials.

Councilor Varney reported that the next meeting of the CTE Joint Building Committee would be on September 30th with a tour of the facility at 6:30 PM prior to the meeting.

10.5 Finance Committee

Mayor McCarley noted that the first two action items for the Finance Committee would not proceed as listed on the agenda. These items would not be vote for adoption, but rather for first reading and referral to the Codes & Ordinances Committee.

105.1 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 and referral to Codes & Ordinances Committee*

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

time by title only (see attached Addendum B).

Councilor Lachapelle **MOVED** to refer the amendment to the Codes & Ordinances Committee. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

1052 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, consideration for second reading and adoption and referral to Codes & Ordinances Committee*

Councilor Lachapelle **MOVED** to read the Amendment for a first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the amendment for a first time by title only (see attached Addendum C).

Councilor Lachapelle **MOVED** to refer the amendment to the Codes & Ordinances Committee. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

1053 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*

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 by title only as follows:

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.

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.

10.6 Public Safety

10.6.1 Committee Recommendation: To deny a "Slow Children Playing" sign and a "Speed Limit" sign on Regency Court *consideration for approval*

Councilor Walker **MOVED** to approve the committee recommendation to deny a "slow children playing" and a speed limit sign on Regency Court. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

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*

Councilor Walker **MOVED** to approve the installation of the standard school zone signage package at East Rochester School. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

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*

Councilor Walker **MOVED** to approve the installation of the standard school zone signage package at the Nancy Loud School (minus the reduced speed limit school zone signage on Cocheco Avenue). Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle pointed out that the school zone signage has now been approved for updating for all Rochester Schools.

10.7 Public Works

Councilor Torr discussed the action item for colonial pines sewer project which had been on the agenda this evening for public hearing. Mayor McCarley indicated that the item was being taken out of Committee and the full Council would vote on this item at the Special Meeting on September 17, 2019. Peter Nourse, Director of City Services, addressed Council and requested a vote on this item as soon as possible so the work could get started.

Councilor Walker **MOVED** to suspend the rules and add the Supplemental Appropriation for Colonial Pines to the agenda. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority voice vote.

There was a discussion regarding whether or not the resolution had already been read for a first time by title only. It was decided that it would not be detrimental to read it again for a first time.

Councilor Walker **MOVED** to read the resolution for a first time by title only. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a majority 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.

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. Councilor Varney clarified that the source for this supplemental appropriation is undesignated fund balance. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lauterborn spoke to Council regarding the large scale construction project which has been going on in the Colonial Pines area. She stated that the residents of Colonial Pines have an active Facebook page and she wanted to pass along the great things that had been said about the S.U.R. Construction crew working on the project. The residents have reported that the workers are hardworking, accommodating, and kind.

11. Old Business

No Discussion.

12. Consent Calendar

No Discussion.

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*

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 by title only as follows:

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 it 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 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 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 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 73-77 North Main Street property.

Councilor Keans inquired about the process these 79E Applications need to complete before approval and stated that this particular application had not gone before the Historic District Commission. Mayor McCarley answered that

there is a process, but parts of the process can occur simultaneously and there is no particular order in which these steps need to occur. Councilor Keans requested that the City Manager put together a document showing the steps these applications need to complete. She stated that most City processes have such a document outlining the requirements and steps. Councilor Keans spoke about the difference in procedure from past 79E application and not understanding why they had to be rushed through.

Councilor Varney answered that if the construction is started on these projects prior to the 79E being approved, the applicant is not able to receive the benefits. Due to this, it is important to get the approval early in the process as part of the business decision on whether or not to move forward with the project. Councilor Varney stated it would not make sense to go through the Planning Board and other City Commissions only to have the application denied by Council.

Councilor Keans inquired about the covenants which are written on each of these 79E decisions. She asked where they are generated and when does it come back to Council. City Manager Cox stated that it is the City Attorney who writes the covenants. He stated that he would put together a description of the entire process and timeline including the covenants.

13.2 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 for the Ice Arena Parking Lot Project *first reading, consideration for second reading and adoption*

Councilor Lachapelle **MOVED** to read the resolution for a first time by title only. Councilor Bogan 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 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.

Councilor Lachapelle **MOVED** to suspend the rules and read 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 majority voice vote.

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*

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 by title only as follows:

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.

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 majority voice vote.

Mayor McCarley stated that this resolution is to change the funding source for a fire truck which has already been ordered, so the City is not bonding this equipment purchase.

133.1 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*

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 by title only as follows:

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.

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 Torr inquired if this resolution meant that the City was ordering two fire trucks in one year. Councilor Varney stated that this truck was ordered quite a while ago and was almost ready to be delivered. Chief Klose confirmed that this purchase is the "pumper" which was already on order and is set to be delivered around the end of October or beginning of November. Chief Klose also reported that the dealership where the truck was purchased will be moving from Milton to Rochester.

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

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*

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 by title only as follows:

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.

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 unanimous voice vote.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Walker requested a roll call vote. The **MOTION CARRIED** by a 12-0 roll call with Councilors Torr, Abbott, Varney, Lachapelle, Gray, Walker, Bogan, Hamann, Gates, Keans, Lauterborn and Mayor McCarley all voting in favor.

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*

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 by title only as follows:

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 besought from the New Hampshire Department of Justice. One Hundred Twenty-Two and 62/100Dollars (\$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.

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.

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*

Councilor Lachapelle **MOVED** to accept the addition of the question of sports betting on the ballot for the municipal election on November 5, 2019. Councilor Walker seconded the motion.

Mayor McCarley gave an overview of this agenda item. She reminded Council that they had voted in spring of 2018 on the question of whether or not to allow Keno on the ballot for the municipal election. The question could be added to the ballot either by Council vote or by citizen petition with the signatures of a certain percentage of registered voters. It was discussed and decided by Council in June of 2018 to include Keno on the Municipal ballot. Mayor McCarley reported that although there would be a public hearing on both the Keno and Sports Betting questions, Council did not need to take another vote on Keno.

The **MOTION CARRIED** by a majority voice vote.

14. Other

Councilor Varney spoke regarding the evening use of the basketball courts at Hanson Pines. Due to the lack of lighting, kids have been pulling their cars up to the courts and using the headlights to illuminate the area. Councilor Varney suggested the City start looking at what it would take to have those courts properly illuminated by next spring and summer, especially due to the heavy use of the basketball courts.

Councilor Keans stated that she recalled there being some pushback from residents in the area of the basketball courts regarding evening use when it has been brought up in the past. She suggested having posted hours of authorized use.

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)**

Councilor Lauterborn **MOVED** to enter into non-public session at 8:08 PM under RSA 91-A:3, II(d) Land and RSA 91-A:2(a) Personnel. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Torr, Abbott, Varney, Lachapelle, Gray, Walker, Bogan, Hamann, Gates, Gates, Keans, Lauterborn and Mayor McCarley all voting in favor.

Councilor Lachapelle **MOVED** to exit the non-public session at 9:59 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Councilor Lauterborn **MOVED** to seal the minutes of the non-public session because disclosure could render the proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by an 11-0 roll call vote with Councilors Gray, Gates, Hamann, Abbott, Keans, Varney, Lauterborn, Lachapelle, Walker, Bogan, and Mayor McCarley all voting in favor. Councilor Torr was not present.

16. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council Meeting at 10:00 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

City of Rochester

Regular City Council Meeting
September 3, 2019

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

ADDENDUM A

Regular City Council Meeting September 3, 2019

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]**

§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 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.

4. Documented reasons why the bid or required amount of quotations cannot be sourced

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.

ADDENDUM C

Regular City Council Meeting September 3, 2019

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 8% and 17% 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 ~~G~~ general Fund-~~U~~ 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 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 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 8% and 17% of the actual total~~ between 8% and 17% of the actual total ~~g~~ General Fund ~~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 ~~U~~ unassigned Fund balance of the ~~G~~ general 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 Bbbalance - 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~~ emergency appropriations from the ~~G~~ general Fund ~~U~~ unassigned Fund balance of the City of Rochester to meet an essential need for public expenditure. If such ~~emergency~~ 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 Bbbalance 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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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				
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