

**Regular City Council Meeting  
August 1, 2023  
Council Chambers  
7:00 PM**

**COUNCILORS PRESENT**

Councilor Beaudoin  
Councilor Berlin  
Councilor de Geofroy  
Councilor Fontneau  
Councilor Gilman  
Councilor Gray  
Councilor Hailey  
Councilor Hamann  
Councilor Malone  
Councilor Larochelle  
Deputy Mayor Lachapelle  
Mayor Callaghan

**OTHERS PRESENT**

Katie Ambrose, City Manager  
Peter Nourse, Director of City Services

**COUNCILORS ABSENT**

Councilor Desrochers

**Minutes**

**1. Call to Order**

Mayor Callaghan called the meeting to order at 7:00 PM. Mayor Callaghan announced that Councilor de Geofroy has requested to attend the meeting remotely. Mayor Callaghan asked Councilor de Geofroy if it was reasonably impractical for him to attend the meeting in person. Councilor de Geofroy replied yes and explained that he had been ill. Councilor de Geofroy stated that other people were in the home and that they may at times pass through the room where he is remotely connected.

**2. Opening Prayer**

Mayor Callaghan asked everyone to stand for a moment of silence.

**3. Pledge of Allegiance**

Councilor Beaudoin led the Pledge of Allegiance.

#### 4. Roll Call

Kelly Walters, City Clerk, called the roll. All City Councilors were present except for Councilor Desrochers, who has been excused. *Councilor Malone arrived at 7:03 PM.*

##### 4.1. Recess the Regular Meeting to enter into a Non-Meeting, RSA 91-A:2 I (b)

Mayor Callaghan called for a roll call vote to recess the Regular Meeting in order to enter into a Non-Meeting, under RSA 91-A:2 I (b) at 7:02 PM. Councilors de Geofroy, Beaudoin, Hamann, Lachapelle, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion. *Councilor Malone was not in the room when the vote had been taken.*

Mayor Callaghan called for a roll call vote to reconvene the Regular City Council meeting at 7:34 PM. Councilors Hainey, Gray, Malone, Gilman, Fontneau, Larochelle, de Geofroy, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of reconvening the meeting.

#### 5. Acceptance of Minutes

##### 5.1 Regular City Council Meeting: July 11, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the July 11, 2023, Regular City Council meeting minutes, as revised. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Berlin, Gray, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, Beaudoin, Malone, Gilman, de Geofroy, and Mayor Callaghan voted in favor of the motion.

#### 6. Communications from the City Manager

##### 6.1 City Manager's Report

City Manager Ambrose presented the following report:

##### **Contracts and documents executed since last month:**

- **Department of Public Works**

- Lease renewal – Crosspoint Church
- Bid award – City Sidewalk Bid – S.U.R.
- Task Order, Lease service line inventory – Underwood Engineers
- Estimate, stormwater catch basin replacement – S.U.R.
- Estimate, Stormwater 36" Culvert replacement – S.U.R.
- Estimate, Water Main Relocation – S.U.R.
- Estimate, 36" Stormwater Drainage Culvert Replacement – S.U.R.
- Purchasing Plan, Large Water Meter Project
- Estimate, 20" Water Main Washington St – S.U.R.
- Scope of Service, NPDES Stormwater Permitting Year 6 assistance - Geosyntec
- Lease Renewal – Strafford Regional Planning Commission
- Proposal, Old Dover Water Main Extension design – Wright Pierce
- **Economic Development**
  - FY24 Municipal Funding Contracts
  - FY23-24 CAP Weatherization – Salmon Falls Road
  - FY23-24 CAP Weatherization – Eagle Drive
  - FY24 CDBG Contracts
- **Fire Department**
  - Agreement for Engineering Services, Central Station Renovation – Weston & Sampson
- **Police**
  - Contract for Supplemental Police Officer – Housing Authority
  - Agreement to Hire Crime Analyst
- **Recreation & Arena**
  - MOU Squamanagonic Disc Golf Club

**The following Standard Report has been enclosed:**

- Personnel Action Report Summary

City Manager Ambrose announced that the City would be conducting a community forum regarding childcare needs for parents and/or guardians with children aged 5 or younger, and/or those planning to adopt a child within the next two years. The event will be held on Tuesday, August 15, 2023 at 10:00 AM and 6:00 PM. The location of the forums shall be 33 Wakefield Street (City Hall Annex Building). She said registration is required: [carole.glenn@rochesternh.gov](mailto:carole.glenn@rochesternh.gov). She said there will be an opportunity for remote participation as well.

## 7. Communications from the Mayor

Mayor Callaghan announced that the American Legion is hosting an event titled *Constitution Day Celebration*. The event will be held on September 15, 2023, from 6 – 8 PM at the American Legion in Rochester, NH.

Mayor Callaghan announced that the *National Night Out event* has been a great success and will conclude this evening with a family movie at 8:30 PM at the Rochester Common.

Mayor Callaghan said the Rochester Public Library has been active in planning fun family events. He said anyone with young children are encouraged to visit the Rochester Public Library for more details. He thanked the library staff for connecting with young families and offering such events.

## 8. Presentation of Petitions and Council Correspondence

No discussion.

## 9. Nominations, Appointments, Resignations, and Elections

No discussion.

## 10. Reports of Committee

### 10.1.Appointments Review Committee

**10.1.1 New Appointment: Brittany Davis – Arts & Culture Commission, Regular Member, Seat F term to expire ~~1/2/2026~~ 7/2/26 consideration for approval**

Councilor Gray said there are two recommended appointments for this evening. Mayor Callaghan nominated Brittany Davis to serve on the Arts and Culture Commission, with a term to expire on ~~1/2/2026~~ 7/2/2026. Councilor Lachapelle seconded the nomination. Mayor Callaghan asked if there were any other nominations. Councilor Lachapelle **MOVED** to cease nominations. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gilman, de Geofroy, Gray, Hailey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Malone, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a vote to approve the nomination for Brittany Davis as stated above. Councilors Hamann, Gilman, Malone, Fontneau, Larochele, Gray, de Geofroy, Berlin, Hailey, Lachapelle, Beaudoin, and Mayor Callaghan voted in favor of the motion.

**10.1.2 New Appointment: Jerry Rainville – Trustees of the Trust Fund, Regular Member, Seat E term to expire 1/2/26 consideration for approval**

Mayor Callaghan nominated Jerry Rainville, to serve on the Trustees of the Trust Fund, with a term to expire on 1/2/2026. Councilor Lachapelle seconded the nomination. Mayor Callaghan asked if there were any other nominations. Councilor Lachapelle **MOVED** to cease nominations. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Gray, Hamann, de Geofroy, Beaudoin, Hailey, Lachapelle, Gilman, Malone, Fontneau, Larochele, Berlin, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan called for a vote to approve the nomination for Jerry Rainville as stated above. Councilors Larochele, Gilman, Berlin, Beaudoin, de Geofroy, Fontneau, Hamann, Lachapelle, Malone, Gray, Hailey, and Mayor Callaghan voted in favor of the motion.

**10.2 Codes & Ordinances Committee**

Councilor Lachapelle said the next Codes and Ordinances Committee meeting is scheduled for this coming Thursday, August 3, 2023.

**10.3 Community Development Committee**

No discussion.

**10.4 Finance Committee**

**10.4.1 Committee Recommendation: To approve \$262,000 in ARPA funds for the Community Outreach Facilitator position consideration for approval**

Councilor Lachapelle **MOVED** to **APPROVE** the Committee Recommendation to approve \$262,000 in ARPA funds for the Community

Outreach Facilitator Position. Councilor Malone seconded the motion. The **MOTION CARRIED** by a 11 to 1 roll call vote. Councilors Lachapelle, Larochele, Hainey, Gilman, de Geofroy, Gray, Malone, Fontneau, Beaudoin, Hamann, and Mayor Callaghan voted in favor of the motion. Councilor Berlin voted against the motion.

**10.4.2 Committee Recommendation: To approve \$200,000 in ARPA funds for the Riverwalk Outlook project consideration for approval**

Mayor Callaghan read the resolution by title only as follows:

**Resolution to Appropriate \$200,000 of American Rescue Plan Act Funds for the Construction of an Overlook on the Cocheco River/Riverwalk Section of Downtown**

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

That the Mayor and City Council of the City of Rochester hereby appropriate Two Hundred Thousand Dollars (\$200,00.00) to the American Rescue Plan Act, fund 6139, for the purpose of paying costs associated with the engineering design, permitting and construction of an Overlook on the Cocheco River/Riverwalk section of the downtown. The entirety of this appropriation shall be derived from the American Rescue Plan Act (ARPA)-Coronavirus State & Local Fiscal Recovery Fund (SLFRF) funding, which City has previously received and accepted. 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 **APPROVE** the Resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Malone, Gray, Hamann, de Geofroy, Beaudoin, Lachapelle, Gilman, Hainey, Fontneau, Larochele, Berlin and Mayor Callaghan voted in favor of the motion.

**10.4.3 Committee Recommendation: To approve the full purchase price of \$546,000 for the Community Center Solar Project consideration for approval**

Mayor Callaghan read the resolution by title only as follows:

**Resolution for Supplemental Appropriation to FY24 General Fund  
CIP of \$546,000 for Community Center Solar Array Project &  
Acceptance of Anticipated \$164,000 Investment Tax Credit-  
Direct Payment**

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

That the Mayor and City Council of the City of Rochester hereby appropriate Five Hundred Forty Six Thousand Dollars (\$546,000.00) to the FY2024 General Fund CIP-Public Buildings for the purpose of paying costs associated with construction of a Solar Array for the Community Center. The entirety of this supplemental appropriation shall be derived from General Fund Unassigned Fund Balance.

Further, the IRS has made changes to laws related to solar Investment Tax Credits (ITC) that offers a direct payment to municipalities of Thirty Percent (30%) of the construction costs in lieu of a tax credit. This direct payment opportunity is anticipated to be One Hundred Sixty Four Thousand Dollars (\$164,000.00).

Further, that the Mayor & City Council agree to accept the anticipated One Hundred Sixty Four Thousand Dollars (\$164,000.00) as a General Fund Miscellaneous Revenue when received.

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 **ADOPT** the resolution. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Gray, Laroche, Hainey, Gilman, Lachapelle, de Geofroy, Berlin, Fontneau, Beaudoin, Malone, Hamann, and Mayor Callaghan voted in favor of the motion. \*Please note: This resolution shall be sent to the September 5, 2023, Regular City Council meeting for a first reading and referral to a public hearing.~~

**10.5 Planning Board**

No discussion.

**10.6 Public Safety**

No discussion.

**10.7 Public Works**

No discussion.

**11. Unfinished Business**

No discussion.

**12. Consent Calendar**

No discussion.

**13. New Business**

- 13.1 Shall the Legislative Body Place the Question of Sports Betting on the Ballot for the November 7, 2023 Municipal Election? (Question: shall we allow the operation of sports book retail locations within the City of Rochester) *First reading, consideration for adoption, and refer to public hearing October 17, 2023***

Councilor Lachapelle **MOVED** to **ADOPT** the recommendation to place the question relative to sports betting on the ballot for the November 7, 2023 Municipal Election and to refer the matter to a public hearing to be held on October 17, 2023. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Beaudoin, Hamann, Hainey, Gray, Lachapelle, de Geofroy, Berlin, Fontneau, Gilman, Malone, Larochelle, and Mayor Callaghan voted in favor of the motion.

- 13.2 Resolution Designating the City Manager with the Authority to Execute Documents Related to Previously Approved Grants and Loans Related to DPW Projects *first reading and consideration for adoption***

Mayor Callaghan read the resolution by title only as follows:

**Resolution Designating the City Manager with the Authority to Execute Documents Related to Previously Approved Grants And Loans Related to DPW Projects**



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

The Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize Kathryn Ambrose, City Manager to act as the City's representative(s) for the execution of all documents necessary to complete agreements for the all previously approved Grants and Loans related to DPW Projects, specifically ARPA and CWSRF Grants and Loans and to process all associate documentation. City Manager Ambrose will replace former City Manager Blaine Cox on all relevant documentation.

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 **ADOPT** the resolution. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors Fontneau, Laroche, Hainey, Gray, Malone, de Geofroy, Berlin, Gilman, Beaudoin, Lachapelle, Hamann, and Mayor Callaghan voted in favor of the motion.

**13.3 Resolution Designating the City Manager and Finance Director with the Authority to Execute Documents Related to the Ledgerview Drive Pump Station Upgrade Project *first reading and consideration for adoption***

Mayor Callaghan read the resolution by title only as follows:

**Resolution Designating the City Manager and Finance Director with the Authority to Execute Documents Related to the Ledgerview Drive Pump Station Upgrade Project**

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

The Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the agreement for the project and to process all associate documentation, specifically they are authorized to execute the date extension amendment to the current ARPA grant.

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 **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote. Councilors de Geofroy, Beaudoin, Hamann, Lachapelle, Malone, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

#### **14. Non-Meeting/Non-Public Session**

##### **14.1. Non-Public Session – Land, RSA 91-A:3, II (d)**

No discussion.

#### **15. Adjournment**

Councilor Lachapelle **MOVED** to **ADJOURN** the Regular City Council Meeting at 7:50 PM. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Hainey, Gray, Malone, Gilman, Fontneau, Larochelle, de Geofroy, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion.

Respectfully Submitted,

Kelly Walters, CMC  
City Clerk