

**Special City Council Meeting
July 19, 2016
Council Chambers
7:25 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Barnett
Councilor Bogan
Councilor Gates
Councilor Gray
Councilor Keans
Councilor Lachapelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Willis
Mayor McCarley

OTHERS PRESENT

City Manager Daniel Fitzpatrick
Deputy City Manager Blaine Cox
City Attorney Terence O'Rourke

COUNCILORS EXCUSED

Councilor Hamann

MINUTES

1. Call to Order

Mayor McCarley called the Special City Council meeting to order at 7:25 PM. Marcia Roddy, Deputy City Clerk, took the roll call. All Council members were present except for Councilor Hamann, who had been excused.

2. School Department Collective Bargaining Agreements

2.1 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with Rochester Federation of Teachers - Teachers (Teaching Positions)

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

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH
ROCHESTER FEDERATION OF TEACHERS - TEACHERS
(Teaching 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 City of Rochester and the ROCHESTER FEDERATION OF TEACHERS – Teachers' Bargaining Unit, covering the period August 29, 2016 to August 26, 2019, as set forth in the proposed contract, and as more particularly detailed on the attached "EXHIBIT A: RFT: Teachers – July 2016," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Superintendent of Schools, 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 is contained in the Fiscal Year 2017 operating budget of the City.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Lachapelle **MOVED** for a roll call vote. Councilor Torr seconded the motion. The **MOTION** for a roll call vote **CARRIED** by unanimous voice vote.

Councilor Gates asked where does the issue of merit pay stand with regard to the teachers union and negotiations for the contracts. Mayor McCarley said it had been discussed during the negotiations. City Manager Fitzpatrick said that the School District was not successful in obtaining it during this round of negotiations, but that the issue will be part of the next round in the future. Councilor Gates added that he would encourage all of the unions in the City to have merit pay provisions in their contracts.

Councilor Keans said that teachers do not have specific job functions

on a daily basis and their contracts are more complicated in negotiations.

Councilor Bogan said her belief is that a teacher is on a "plan" then he or she does not get a merit increase.

The **MOTION** to **ADOPT** the resolution **CARRIED** by a 11-1 roll call vote. Councilors Keans, Lauterborn, Willis, Lachapelle, Gray, Abbott, Torr, Bogan, Gates, Varney, and Mayor McCarley voted yes. Councilor Barnett voted no. Councilor Hamann was absent.

2.2 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with the Rochester Federation of Teachers - Food Service (Food Service Personnel)

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

RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH PROPOSED CITY OF ROCHESTER MULTI-YEAR COLLECTIVE BARGAINING AGREEMENT WITH ROCHESTER FEDERATION OF TEACHERS - FOOD SERVICE (Food Service 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 City of Rochester and the ROCHESTER FEDERATION OF TEACHERS – Food Service Bargaining Unit, covering the period July 1, 2016 to June 30, 2019, as set forth in the proposed contract, and as more particularly detailed on the attached "**EXHIBIT A: RFT: Food Service – July 2016**," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Superintendent of Schools, 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 is contained in the Fiscal Year 2017 operating budget of the City.

Councilor Lachapelle **MOVED** to suspend the rules and read the

resolution by title only for the second time. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor McCarley read the resolution for the second time.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Bogan seconded the motion. Councilor Lachapelle **MOVED** for a roll call vote. Councilor Torr seconded the motion. The **MOTION** for a roll call vote **CARRIED** by unanimous voice vote. The **MOTION** to **ADOPT** the resolution **CARRIED** by a 12-0 roll call vote. Councilors Torr, Gray, Keans, Varney, Gates, Barnett, Bogan, Lauterborn, Abbott, Willis, Lachapelle, and Mayor McCarley voted yes. Councilor Hamann was absent.

3. Non-Public Session

3.1 Non-Public Session, RSA 91-A:3, II (a) [Compensation]

3.1 Non-Public Session, RSA 91-A:3, II (c) [Reputation]

3.3 Non-Public Session, RSA 92-A:3, II (d) [Land]

Councilor Lauterborn **MOVED** to enter Non-Public session under RSA 91-A:3, II (a) [Compensation], RSA 91-A:3, II (c) [Reputation], RSA 92-A:3, II (d) [Land] at 7:30 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by roll call vote. Councilors Varney, Hamann, Abbott, Gates, Gray, Willis, Torr, Keans, Lauterborn, Lachapelle, Barnett, Bogan, and Mayor McCarley all voted yes.

Councilor Lauterborn **MOVED** to exit Non-Public session at 8:08 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

Councilor Lauterborn **MOVED** to seal the minutes of the Non-Public session for Reputation for the reason that divulgence would affect the reputation of a person other than a member of the Council, and seal the minutes of the Non-Public session for Land for the reason that divulgence would render a proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by roll call vote. Councilors Abbott, Barnett, Bogan, Gates, Gray, Lachapelle, Lauterborn, Keans, Torr, Varney, Willis, and Mayor McCarley all voted yes. Councilor Hamann was not present.

4. Other

No discussion

5. Adjournment

Councilor Lachapelle **MOVED** to **ADJOURN** the Special City Council Meeting at 8:09 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Marcia H. Roddy, CNHDCC
Deputy City Clerk