



**Adjourned Regular City Council Meeting
January 14, 2014
COUNCIL CHAMBERS
7:00 PM**

AGENDA

- 1. Call to Order [Reconvene the Adjourned Meeting of January 7, 2014]**
- 2. Pledge of Allegiance**
- 3. Opening Prayer**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1. December 3, 2013, Regular City Council Minutes**
 - 5.2. January 7, 2014, Inauguration Minutes**
- 6. Communications from the City Manager**
 - 6.1. Employee of the Month Award**
 - 6.2. City Manager's Report**
 - 6.3. Merit Plan/Position Classifications**
 - 6.4. City Manager's Appointments**
 - 6.5. ACLU Letter Regarding Panhandling**
 - 6.6. Presentation of the Team Charter Use of Technology Self Directed Work Team**
- 7. Communications from the Mayor**
 - 7.1. Rules of Order**
 - 7.2. Committee Assignments of 2014-2015**

This page intentionally left blank

7.3. Mayoral Appointments

7.3.1. Appointments to Ad Hoc Committees

7.3.2. Chair Appointments of Boards and Commissions

8. Presentations of Petitions and Council Correspondence

9. Nominations, Appointments, Resignations, and Elections

10. Reports of Committee

10.1. Appointments Committee

10.2. Finance Committee

10.2.1. Amendment to Water Ordinance Relative to Required Water System Connections – 1st Reading Only and Refer to a Public Hearing

10.2.2. Amendment to Water Ordinance Relative to Water Rate – 1st Reading Only and Refer to a Public Hearing

10.3. Joint Building Committee – *Forthcoming*

10.4. Public Safety Committee

10.5. Public Works Committee

11. Old Business

12. Consent Calendar

12.1. AB 1 Resolution De-Authorizing Portion of FY 2010-2011 Water Works Capital Budget Appropriation in the Amount of \$126,540.62 Relative to the Alum Sludge Management Program

12.2. AB 2 Resolution De-Authorizing a Portion of a Certain FY 2006-2007 Rochester Water Works So-Called Washington Street High Pressure Zone Project CIP Budget Appropriation and Making a Supplemental Appropriation in Connection Therewith

13. New Business

This page intentionally left blank

13.1. AB 3 Resolution De-Authorizing Portions of the Rochester School Department Fiscal Year's 2011, 2012, and 2014 Budget Capital Budget Appropriations for Various Completed Capital Projects

- **AB 3-a Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Budget of the City of Rochester, School Department for the So-Called William Allen School Entrance Construction Project**

13.2. AB 11 Insurances Update from Workplace Benefits Solutions

13.3. AB 12 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Operating Budget of the City of Rochester, Economic Development Department, for the Economic Development Marketing Services Purposes

13.4. AB 5 Approval of a New Second Hand Dealer – *Craziee Collectors* Located on 14 North Main Street

13.5. AB 6 Resolution Accepting Green Infrastructure Grant to the City of Rochester and Making a Supplemental Appropriation in Connection Therewith

13.6. AB 7 Resolution Conditionally Accepting Conservation Easement with Respect to Property Situate on Peaslee Road in Rochester, New Hampshire Known as Hope Farm

13.7. AB 4 Resolution Accepting Grant from the State of New Hampshire for the City of Rochester's So-Called "Teen Night" Program and Making a Supplemental Appropriation in Connection Therewith

13.8. AB 8 Resolution Authorizing Supplemental Appropriation to the 2013-2014 Capital Budget for the City of Rochester, Public Works Department for the So-Called Salmon Falls Road Hazards Safety Improvement Project – *Forthcoming*

13.9. AB 14 Resolution Authorizing City Manager to Convey City's Interest in Property Situate in Former Old Milton Road Right-of-Way

14. Items Removed from Consent Calendar:

This page intentionally left blank

15. Other

16. Non-Meeting/Non-Public Session

16.1 Non-Meeting: Consultation with Legal Counsel, RSA 91-A: 2 (d)

16.2 Non-Public Session: Personnel, RSA 91-A: 3 II (a)

17. Adjournment

This page intentionally left blank



City of Rochester, New Hampshire
OFFICE OF THE CITY MANAGER
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167

CITY MANAGER'S REPORT
January 14, 2014

The Employee of the Month is Samantha Rodgerson.

For your information, please see the enclosed Management Team Meeting minutes:

- November 25, 2013
- December 2, 2013
- December 9, 2013
- December 16, 2013
- December 23, 2013
- December 30, 2013

For your information, please see the enclosed Department Head Meeting minutes:

- December 5, 2013

Contracts and documents executed since last month:

- Brock Street Change Order #6
- Environmental Review – Housing Authority – request for funds
- Substantial Amendment to FY13-14 CDBG Action Plan
- Rental of Council Chambers & Conference Room – Arts Rochester
- Peer review – Great Bay Estuary

For your further information:

- FY12 Consolidated Annual Performance and Evaluation Report (CAPER)
- ACLU Right to Know Request pertaining to the City's Panhandling Ordinance
 - You may wish to discuss this in "closed session" with the City Attorney.
- Fire Department Letter – ISO Analysis
 - This is very positive news for all City residents.
 - An approved ISO rating WILL result in lower Fire insurance costs.
 - The improved rating is a direct result of the City's improvements to its water supply system.
- NHMA – Ethics and Compliance Training information
 - The City recently completed its first employee ethics training.
 - Attached for your information is a copy of the training content
- The Lifeflight Foundation letter to the City

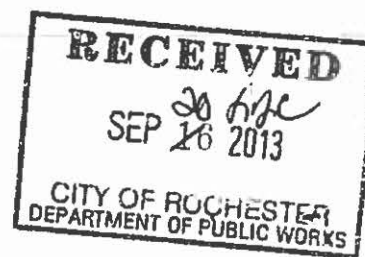
- Cooperative Alliance for Seacoast Transportation letter

The following standard reports have been enclosed:

- Personnel Action Report Summary
- Permission & Permits Issued
- City Council Request & Inquiry Report

Lisa Clark

From: Jennifer Murphy Aubin
Sent: Friday, September 20, 2013 1:23 PM
To: Lisa Clark
Cc: Karen Pollard
Subject: Employee of the month nomination



Hi Lisa,

I am writing to recommend Samantha Rodgerson for Employee of the Month. Sam paved the way for a smooth transition to my new role. As a new employee, I have been welcomed warmly by all but especially by Sam. On my first day, I walked into an organized Economic Development office and there is not a day that has gone by since then that I haven't thanked Sam as I encounter a smart filing system and background material to guide me along.

Beyond that, she consistently trained me, despite starting a new role herself as well; she always makes time to answer my questions with historical context to help me understand the evolution of city government and writes up helpful resources as I adapt to new systems. She is bright – in all the senses of the word – very easy to talk to, always willing to see the positive aspects of any situation and goes above and the beyond the call of duty to support me as well the community of Rochester.

A few examples come to mind:

1. We promote and list properties on thinkRochester website, she goes beyond what is given to our office and doggedly researches all the listings to benefit the listing agent as well as showcase the wonderful development in our fair City.
2. She is willing to go the extra mile, whether it be sitting with me on a late Thursday afternoon to get a thinkRochester TV video onto disks, which eventually went on to win top prizes at the NEDA awards, an marketing & promotion tastemaker. Had she not helped me, we would not have snagged top awards!
3. She is in a word, unflappable, unwilling to let any technology or technical glitch, get in her way.

She is tremendously talented, with a flair for creative and beautiful marketing collaterals. She is a true asset to the City of Rochester and I am so proud to call her my colleague!

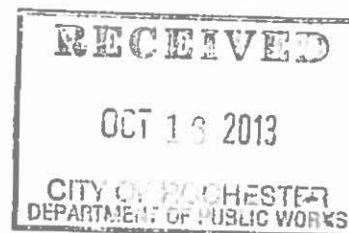
Cheers, Jen

Jennifer A. Murphy Aubin
 Executive Secretary - Economic & Community Development
 City of Rochester
 Mailing address: 31 Wakefield Street
 Office Location: 150 Wakefield Street
 Rochester, NH 03867
 603-335-7522
 603-335-7597 - fax
www.thinkrochester.biz
jennifer.murphy.aubin@rochesternh.net



Find us on
Facebook

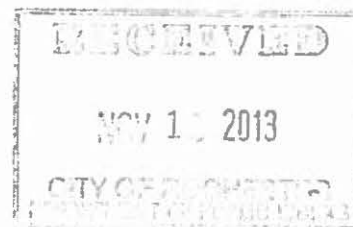
Follow us online



IMPORTANT PRIVACY NOTICE

This email contains information that may be confidential and privileged. If you are not the intended recipient, please refrain from disclosing, copying, distributing, or using any information contained herein. Please note such actions are prohibited. If you have received this email in error, please notify the sender immediately.

Oct. 16th
 Nov 13th
 1st Dec 12th
 '23/2013





City of Rochester, New Hampshire

Division of Community Development

31 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.thinkrochester.biz

Date: ~~June~~ 20, 2013

To: Employee of the Month Committee

From: Deputy City Manager/Director of Community Development Karen Pollard

Re: Samantha Rodgerson

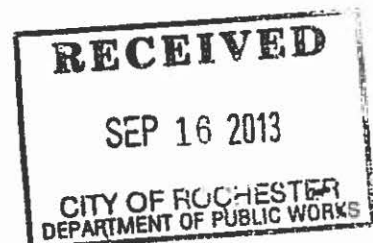
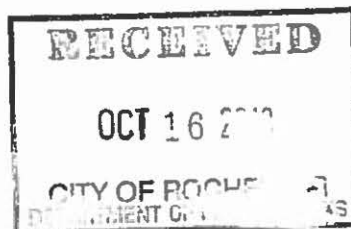
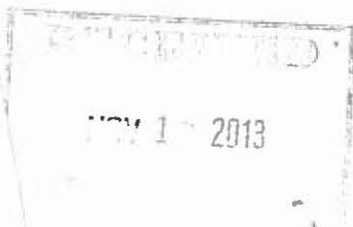
I would like to nominate Samantha Rodgerson as Employee of the Month for August 2013. As Secretary in Economic Development she had played a vital role in attracting new business and investment to the City for more than seven years.

Notably, she coordinated multiple meetings, events and presentations during the Safran/Albany project which encompassed three years of activity. She compiled reams of data and analysis, and packaged it in ways that were easy to understand. She multi-tasked and changed priorities whenever necessary, and has enjoyed the continuing promotion of the project and the company in Rochester.

Samantha compiled and coordinated the City's first-ever EDA Grant Application for \$1.9 million dollars. Upon receipt of the package, the EDA Representative was thoroughly impressed with our first time effort, and asked to use our application package as an example to others who intend to apply. Samantha's attention to detail, and follow up with multiple Departments and consultants made the project come together in only eight weeks. Her diligence allowed me to work with staff and the City Council on the other components of the application including resolutions, budgeting and letters of support.

Samantha is a strong team player and worked with Mary Ellen Humphrey on the Start-Up Rochester Business Plan Competition. Her marketing and promotional skills were invaluable as the competition was seeking sponsors, entrepreneurs and attendees to the event all at once. Afterwards Samantha prepared the recognitions that were sent to each finalist, and as always makes sure the city is presented in the most positive way possible.

Samantha has moved to a higher position, and she has completely earned her new role as Executive Assistant. I know she will serve the City Manager, Mayor, the City Council and the public that come into City Hall as well she has represented me. I am fortunate I will still have her available input and advice as we all rise to new opportunities. I do want to recognize her very valuable contribution to me.



MANAGEMENT TEAM MINUTES
November 25, 2013

PRESENT:

Daniel W. Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Karen Pollard, Deputy City Manager
Michael Allen, Police Department
Norm Sanborn, Jr., Fire Chief
Chris Bowlen, Recreation & Arena Director
Danford Wensley, City Attorney
Samantha Rodgers, Executive Assistant
Peter Nourse, Director Public Works

ABSENT:

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:02 A.M.

1. Management Team Meeting minutes – November 18, 2013

There was no discussion, minutes were approved by general consensus.

2. City Council Inquiry Report

No new items, no discussion.

3. Calendar for week of November 25, 2013

No discussion.

4. Right to Know requests

No new requests, no discussion

5. JOB Loans Summary/Status Report

Deputy Manager Pollard will have staff complete a standard monthly report.

6. PPM's

- Email PPM – Deputy Manager Cox had forwarded Attorney Wensley information, who will work on creating a policy that takes into account State retention policies.
- Hats, Hoodies & Sunglasses Policy – staff has brought this to Deputy Manager Cox's attention, he will work on a policy and bring forward to discuss further.

- Background Check for New Hires
 - Samantha said she will be working on since HR has not had time to.
 - City Manager Fitzpatrick said it should come from HR
 - Deputy Manager Cox will discuss with his staff
 - Samantha will forward information from Chris Fillmore and example policies.

7. Using Workplace Success to scan in files

- Some brief discussion took place, need to be cognizant of:
 - Server space and capability
 - Will it be searchable

Deputy Manager Cox thought it could be part of a Self-Directed Work Team and the City would utilize some kind of content management software.

City Manager Fitzpatrick mentioned that he chartered the first Self-Directed Work Team last week. He renamed it to the Joint Loss Management & Workplace Safety Committee.

8. Business Cards for CM office

The City Manager's office would like to have business cards from the various departments for Samantha to have on hand to give out. There was some brief discussion about whether or not to have all cards be uniform in style. Will revisit topic in the Summer.

9. Bleachers at the Arena

Mr. Bowlen is working on and will send a report when done.

10. Department Council Orientation

City Manager Fitzpatrick discussed a request from Councilor Elect Gates about meeting with Public Works.

- DPW is setting up
- If any other departments would like to set up orientation, let Samantha know so that she can coordinate.
- Post online once it has been scheduled
- Pollard coordinating tour of Safran for REDC and Council
- Wensley suggested legal orientation for 6pm prior to the first meeting in January (after inauguration)

11. Waiver of Liability Request

Request from Great Bay Community College – ATAC for Fire Department to perform FIT testing on respirators. Fire Department requests that students sign a liability waiver before performing testing. Samantha will contact PLT.

12. Other

- **Comprehensive Rezoning**
 - It was brought up that the text changes are not clear.
 - Ms. Pollard will submit a memo as to what information can be found online.
- **Email from John Toth – reducing overhead costs**
 - Will respond to provide example of cost reduction using our current budget

Allen

- Dispatcher resigned, will now be hiring 4 dispatchers
- Firearms in public buildings – is there a policy
 - City Manager Fitzpatrick will discuss at agenda meeting with Mayor and Deputy Mayor

Pollard

- Day before Thanksgiving break attire?
 - City Manager Fitzpatrick confirmed it will be normal "Friday" business casual

Cox

- Provided a budget timeline with dates
- Explained budget narratives and the use of Issues and Options

Rodgerson

- Active Shooter Training
 - has heard from staff that they were not aware of training
 - would like to attend if another class is offered
 - Deputy Manager Cox will contact Sgt. Deluca
- StarDoc – copier dashboard
 - Status of account setup

Nourse

- One traffic light was still out after the wind storm
- PD lobby window discussed at PWC

- Will go to full Council
- Sidewalk plows have been rebuilt and look brand new

Bowlen

- Anne May's retirement party is Dec. 6th – been with City 32 years
 - Need headcount by Wednesday to Diane or Sarah
 - Last official day is December 17th
 - Lauren Colanto has been offered the position - will start on December 1st

Sanborn

- Busy with power outages on Sunday
- About 8 homes still without power

Wensley

- Stillwater Circle
 - Money was not an exaction
 - Will forward the City Council his advice
 - Mayor's letter will be sent

There was no further discussion, the Management Team meeting adjourned at 10:12am.

Respectfully submitted,

Samantha Rodgerson
Executive Assistant

MANAGEMENT TEAM MINUTES
December 2, 2013

PRESENT:

Daniel W. Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Karen Pollard, Deputy City Manager
Michael Allen, Police Department
Norm Sanborn, Jr., Fire Chief
Chris Bowlen, Recreation & Arena Director
Danford Wensley, City Attorney
Samantha Rodgers, Executive Assistant
Peter Nourse, Director Public Works

ABSENT:

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:05 A.M.

1. Management Team Meeting minutes – November 25, 2013

There was no discussion, minutes were approved by general consensus.

2. City Council Inquiry Report

No new items, no discussion.

3. Calendar for week of December 2, 2013

Mentioned upcoming meeting, no discussion.

4. Right to Know requests

- Request on information on Academy Street – forwarded to BZLS Dept.
- Request on information on Stillwater – requested files from Planning for customer to come in and review
- SmartProcure request – forwarded to Finance for response

5. Other

- There was some discussion on the former Robbins Auto Parts location. Will look into for space needs issue.
- PD Annex – discussed status of demolition

Allen

- Conducting interviews for dispatchers

Cox

- UAB meets next Monday and Finance meets next Tuesday, working on packets for meetings
- Preparing RFP for audit cycle
- Will be reviewing tax cap data

Nourse

- Boiler at Gonic Fire let go
 - Funds to replace were cut from budget
- Lights on Main Street
 - Called in but communication breakdown
 - Crews have been called in to work on

Bowlen

- Bleachers to be put in December 11th

Sanborn

- Fire over weekend at Jamey Drive
 - Total loss, no injuries
- 2 mutual aid calls
 - Lebanon
 - Gas leak in Farmington

There was no further discussion, the Management Team meeting adjourned at 9:32am.

Respectfully submitted,

Samantha Rodgerson
Executive Assistant

MANAGEMENT TEAM MINUTES
December 9, 2013

PRESENT:

Daniel W. Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Karen Pollard, Deputy City Manager
Michael Allen, Police Department
Norm Sanborn, Jr., Fire Chief

Chris Bowlen, Recreation & Arena Director
Peter Nourse, Director Public Works
Danford Wensley, City Attorney
Samantha Rodgers, Executive Assistant

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:05 A.M.

1. Management Team Meeting minutes – December 2, 2013

There was no discussion, minutes were approved by general consensus.

2. City Council Inquiry Report

Items 2, 3, 4 & 6 were responded to by email and closed. Item 5 is to be prepared by the Fire Dept.

3. Calendar for week of December 9, 2013

Mentioned upcoming meetings. This will be the last UAB meeting with George Lewis, could be replaced by Tom Willis. Brief discussion on other meetings.

4. Right to Know requests

No new requests, no discussion.

5. City Council Action Items Report

#7 – C&G Auto - there was brief discussion about what the next step is and where it is at. Attorney Wensley offered his feedback. Deputy City Manager Pollard will follow-up with Planning.

6. Environmental NH sign on – email

Will be given to the Mayor for follow-up.

7. Opera House parking and buses

Deputy City Manager Cox will setup a meeting with Opera House to discuss.

8. Other

Fitzpatrick

- Common Street – they were to have attorney draw up their request.
 - Attorney Wensley to talk with their attorney.
- Letter from Opera House about build-out.
 - Building, Zoning and Licensing Services has a copy
- Citizen complaint at 28 Brickyard
 - Requested further information from Councilor Lachapelle.
- Tablets – android vs. ipad – there was brief discussion about differences

Allen

- Busy weekend with tree lighting, parade and 2 untimely deaths
- Offered dispatch position to top candidate who declined based on pay amount.

Pollard

- Buxton Co will be doing a presentation on Thursday at REDC meeting
 - Review the past and what can be done now and how this tool will be used in future business
 - Will be taped
 - Review 1st major project (2008) and impact of it
- Planet Fitness renewed lease and is making improvements to their facility.

Cox

- Annual financials SEC, preparing bond
- Watching tax bills, county tax bill is next week

Rodgers

- Revising and upgrading Annual Report
 - Request for more pictures
- Will be getting a quote from Kathryn Buxton for PR for the City.
 - Will be for bi-monthly, city-wide newsletter (electronic and print) and 4 press releases per month

Nourse

- Had float in parade, created by volunteers
- 2nd floor of PD Annex is demoed

Bowlen

- Nice send off for Anne May on Friday night
- Record attendance on Saturday at Teen Night, over 300 attendees

Wensley

- Provided update on Fairpoint litigation

Sanborn

- Structure fire on Friday
- Flag detail at parade on Sunday

There was no further discussion, the Management Team meeting adjourned at 10:05am.

Respectfully submitted,

Samantha Rodgerson
Executive Assistant

MANAGEMENT TEAM MINUTES
December 16, 2013

PRESENT:

Daniel W. Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Karen Pollard, Deputy City Manager
Michael Allen, Police Department
Norm Sanborn, Jr., Fire Chief

Chris Bowlen, Recreation & Arena Director
Michael Bezanson, Public Works Engineer
Danford Wensley, City Attorney
Samantha Rodgers, Executive Assistant

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:05 A.M.

1. Management Team Meeting minutes – December 9, 2013

One correction was made on page 2- change the word bond to the word bill. No further discussion, minutes were approved by general consensus.

2. City Council Inquiry Report

No new items, no discussion.

3. Calendar for week of December 16, 2013

Mentioned upcoming meetings.

4. Right to Know requests

One request received from Jeff Winders. Information forthcoming from Finance. No further discussion.

5. US EPA Letter – David Green

Michael Bezanson will check into purchasing a table for the City.

6. Blaisdell update

Attorney Wensley provided a brief update on the status.

7. StarDoc

Deputy City Manager Cox provided a handout that showed how to log on. If the department would like to get email toner alerts, let either Dennis or himself know.

8. Computer applications training

Deputy Manager Cox will be looking into setting up training for staff for applications such as adobe/excel after the 1st of the year.

9. Other

Pollard

- EDA Grant update
 - May need to put out to bid as design/build
 - Spoken to legislative delegation
- Rt. 11 TIF Plan – hope to have to Council in January.

Cox

- Property tax revenues came in last week

Bezanson

- Weathered the storm well
- Stairs are done at PD, apologized for any problems

Rodgersen

- 3rd Annual Employee Appreciation Dinner, Friday, March 21, 2014 beginning at 5:30pm

Bowlen

- Will be providing the Mayor a tour of the ice arena
- Discuss projects that have been working on, tomorrow night
- Friday night is 18th Annual Skate with Santa to benefit Gerry's Food Pantry

Wensley

- Provided legal updates
- Wrap up Woodland Green
- Thanked Director Nourse and staff for assistance with item on Henderson property

Sanborn

- Quiet weekend
- Tower truck sent out last Tuesday
 - Swivel to be sent out for analysis, hope costs will be minimal
 - Hope to have truck back this weekend
- Toy Bank party on Saturday at Community Center

There was no further discussion, the Management Team meeting adjourned at 9:48am.

Respectfully submitted,

Samantha Rodgersen
Executive Assistant

MANAGEMENT TEAM MINUTES
December 23, 2013

PRESENT:

Daniel W. Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Karen Pollard, Deputy City Manager
Michael Allen, Police Department
Norm Sanborn, Jr., Fire Chief

Chris Bowlen, Recreation & Arena Director
Peter Nourse, Public Works Director
Danford Wensley, City Attorney
Samantha Rodgers, Executive Assistant

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:03 A.M.

1. Management Team Meeting minutes – December 16, 2013

One correction was made on page 2. No further discussion, minutes were approved by general consensus.

2. City Council Inquiry Report

No new items, no discussion.

3. Calendar for week of December 23, 2013

- Mentioned upcoming meetings. The online calendar had already been updated to reflect that the Community Development Committee had been cancelled.
- City Manager Fitzpatrick will be off for the rest of the week and then next Tuesday.
- Discussion of not closing City Hall early or sending people home early took place. If an employee wishes to leave early, they must take vacation time. Some offices may close at the discretion of the department head, if all employees wish to take vacation time.

4. Right to Know requests

- ACLU request – Attorney Wensley informed the committee that he had sent a letter in response that we are working on pulling together the information requested. It will be up to the City Council if they wish to look into the ordinance to make changes or repeal it. This item will be on the agenda as part of the City Manager's report at the City Council meeting on the 14th.

- Nottingham Lane request – there was no discussion as Building, Zoning & Licensing Services had already provided information.

5. City Council Orientation

City Manager Fitzpatrick complemented Director Nourse on putting together a good session to introduce the new City Councilors to the Public Works Department. He encouraged the other departments to put one together for their departments and to let Samantha know so that she can coordinate.

6. Building Projects supervision

Deputy City Manager Cox had this put on the agenda in regards to some comments from City Council about why Public Buildings was not involved with the Arena renovation. Director Bowlen indicated that the Arena is funded by an enterprise fund and it wasn't part of their (Buildings & Grounds) oversight. They took their policy direction from the Arena Commission.

7. Other

Fitzpatrick

He received his annual review and was given some clear goals from the City Council. He mentioned two of those goals as priority.

- City Hall Annex and the space needs
 - Asked Peter for info he will need for the CIP and to start working on, so that it can be part of the CIP approval in July.
 - Would like to start working on the building in August
 - The building would be for office and meeting space
 - Let Dan know what information is needed for the engineering
 - He would like Deputy City Managers Pollard and Cox to work on who will need to be there and the general layout.
 - Deputy City Manager Cox mentioned it would be a good idea to have a structural engineer in to look at it.
- City-wide IT upgrade
 - City Manager Fitzpatrick has asked Tom Mullin, Jim Grant, Kern Mann, John Larochelle and Michelle Mears to be part of a self-directed work team (SDWT).
 - Deputy City Manager is working on setting up a consultant to discuss with the SDWT.

Cox

- Discussed a recent walk through of the City Hall Annex and that he was informed that the upper floor was not cleaned as thoroughly as

the others and suggested that Director Nourse may wish to discuss with the EnviroVantage project supervisor.

Allen

- Provided an update on the hiring of the dispatchers process
 - Have hired 2
 - Kerry Devine came back
 - A new guy will be starting at the end of the week
 - Another person they are looking at to fill the 3rd vacancy
 - Will be conducting an interview tomorrow for the 4th opening
- Tom Powers graduated the academy on Friday and will start his field training
- Home invasion yesterday
 - Alleged suspect shot homeowner in the leg

Nourse

- They are treating the roads but are down a truck at this time
- Held orientation for new Councilors last Thursday at the Public Works facility
 - It was brought up that they would like to see City staff apply for a TIGER Grant for the Glenwood/Allen Street railroad crossing to open the through way back up.
 - Deputy City Manager Pollard mentioned that this had been discussed with NH Northcoast previously and that they had no interest in an additional downtown railroad intersection unless it was fully signalized with arms.
 - Deputy City Manager Pollard will discuss with staff and look into applying but cautioned that may need to seek specialized assistance with the grant application since it is so specialized.

Cox

- Working on the continuing disclosure with the SEC due on the 31st.

Pollard

- Will be using this time to clean off her desk and get ready for the new year

Bowlen

- Friday night was the 18th Annual Skate with Santa
 - Attendance was down, however donations increased
- Discussed issue brought up at Ward 2 RUN meeting about parking concerns
 - The road gets congested if parking on both sides
 - Chief Allen thought no parking on one side should be sufficient.

- Will have Public Works put up signs for no parking on one side when heavy turnout is expected. Director Bowlen will notify the department in advance.

Sanborn

- Quiet weekend
- Tower truck is back, they are awaiting the results of the testing
 - It is the new swivel which is covered by a 5 year warranty

City Manager Fitzpatrick closed the meeting by wishing all Happy Holidays. The meeting adjourned at 9:56am.

Respectfully submitted,

Samantha Rodgerson
Executive Assistant

MANAGEMENT TEAM MEETING
December 30, 2013
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Norman Sanborn, Fire Chief
Michael Allen, Police Chief
Shirley McCrillis, Executive Secretary
Michael Bezanson, City Engineer
Chris Bowlen, RAYS Director

ABSENT:

Blaine Cox, Deputy City Manager
Peter Nourse, DPW Director
Samantha Rodgerson, Executive Asst.
Danford Wensley, City Attorney
Karen Pollard, Deputy City Manager

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:05 A.M.

1. Management Team Minutes - December 23, 2013

After a brief discussion, minutes were approved by consensus.

2. City Council Inquiry Report

Item #7 Action Item to read Fire Chief will work with the Finance Office to determine information.

3. City Calendar for Week

City Manager Fitzpatrick will be out of the office on Tuesday, December 31st.

4. Right to Know Requests

There was no discussion.

5. New England Water Environment Association Award Luncheon

City Manager Fitzpatrick advised that he will be attending the award luncheon for David Green on January 29th along with Peter Nourse and Michael Bezanson.

He will ask Samantha Rodgerson to register him for the event.

6. Other

Fire Chief Sanborn

- Advised that there was a fire at Punchbrook Way that was contained because of the sprinkler system. He commented on the benefits of sprinkler systems.
- Informed the team that the RFD had participated in a mutual aid fire in New Durham on Ridge Road
- Announced that the RFD has been successful in lowering their ISO rating from 4 to 3 after trying for many years. He attributed the success to extension of water lines within the City.

City Manager Fitzpatrick will ask his Executive Assistant to contact Kathy Buxton to do a press release.

Chris Bowlen

- Advised that there had been a Holiday Hockey tournament this past weekend.

7. Adjournment

The Management Team meeting adjourned at 9:21 A.M.

Respectfully submitted

Shirley McCrillis
Executive Secretary

sam

City Department Heads Meeting
Minutes
12/5/13

Meeting called to order 9:00

Present: Chief Michael Allen, RPD; Jim Campbell, Planning Director; Lauren Colantro, Assistant Recreation Director; Blaine Cox, Deputy City Manager and Finance Director; Assistant Chief Scott Dumas, RPD; Assistant Chief Mark Dupuis, RFD; Daniel Fitzpatrick, City Manager; Jim Grant, Director of Building, Zoning, and Licensing Services; Diane Hoyt, Director of Human Resources; Todd Marsh, Welfare Director; Anne May, Assistant Recreation Director (retired); City Assessor Tom Mullin, Karen Pollard, Deputy City Manager and Director of Economic Development; Chief Norman Sanborn Jr., RFD; Dennis Schaefer, Director of MIS; Brian Sylvester, Library Director; Kelly Walters, City Clerk

Opened the meeting with discussion of new Policy/Procedure Memos. City Clerk Walters and Finance Director Cox both mentioned proposed revisions to the file naming for city committee minutes/agendas/packets PPM – these revisions will be forwarded to Samantha Rodgers in the City Manager's office.

Finance Director Cox reviewed the small change to the credit card policy, which clarified the procedure for lost/stolen cards (Item J). The change was approved without discussion.

The purchasing policy was briefly discussed but had already been approved at a previous meeting.

Economic Development Director Pollard asked about orientation sessions for the new councilors – someone had asked her and she had no information. This may have been a reference to team-building meetings being held by the Mayor.

Peter Nourse (DPW) is holding an orientation for the councilors on the department of public works, to introduce the councilors to staff and familiarize them with the department's operations. The City Manager is recommending that all other departments pursue something similar.

Discussed the issues surrounding the glass window at RPD. The council approved re-installing the glass used in the old station.

A security camera is being installed in the office area of the DPW facility.

Discussed the change in title for code enforcement – it is now the Department of Building, Zoning, and Licensing Services.

Employee of the year nominations are still needed: the deadline is January 15th. Nominations should be submitted to Lisa Clark in a sealed envelope marked “Employee of the Year nomination”.

City Assessor Mullin announced that the assessing office now has four certified assessors. He will share further information about this with the City Manager for a press release.

Assistant Rec. Director May introduced Lauren Colantro to the group. Ms. Colantro will be taking over as the Assistant Director for the Recreation department. Asst. Director May’s last day is Dec. 6th – she is retiring after 32 years.

Chief Allen gave an update on the PD. There are currently four vacancies in the dispatch office, and interviews are ongoing. Two police officers have been hired. The department gave out their annual awards recently. The Blair Memorial Award was given to Sgt. Anthony Deluca. Detective Joseph Rousseau received the Officer of the Year award, Florence Alley received the Support Person of the Year award, and Kayla Rohloff received the Communications Person of the Year award.

The City Manager announced that he plans to seek funding in the next fiscal year budget for a more aggressive PR campaign for the city. Discussed various means of getting press out used by PD and other departments.

Building, Zoning and Licensing Services Director Grant is coordinating the rotary volunteers doing traffic control at the parade on Sunday. Volunteers will meet at city hall at 2 PM.

Economic Development Director Pollard discussed the recent training done with her staff, where they did Meyers-Briggs tests. She recommended this type of training for all departments.

Discussed street light issues from last week – it was not caused by the street crews decorating.

MIS Director Schaefer reported that two state maintained T-1 lines (one at RPD and one for auto registry) will be removed, and that the city will have to foot the bill for bandwidth etc. for those services.

Welfare Director Marsh reminded everyone that the welfare and fire departments are doing the toy bank again this year. Families can apply at the welfare office.

Discussed pest infestation in the city and risks to city employees going into homes. After the first of the year, a new law will require landlords to be financially responsible for treating infested apartments/homes. If it is provable that the tenant brought the infestation into a clean facility, the landlord can bill the individual. The Building, Zoning, and Licensing Services office will maintain records but won’t be responsible for enforcing or

checking for infestations. Infestation is a risk to code enforcement officers, police, fire, DPW, etc. Fire department uses trained dogs to sniff out infestations – other remedies can be used on infected furniture to eliminate the pests.

At 10:04 the meeting adjourned for a presentation from Dianne P. Annon, of Best Doctors, and Steve McDougal, of Primex.

The Best Doctors program is meant to match injuries and illnesses to the most suitable doctors. The program's services are part of the city's worker's comp. Part of their role is to evaluate medical care providers – in this area, Seacoast Redicare is the recommended facility for occupational healthcare services. This recommendation is not a mandate, and employees have complete freedom to choose their health care provider.

Discussion followed regarding emergency situations and liability issues. The most important thing is to ensure that injured employees receive medical care.

City Assessor Mullin asked whether Seacoast Redicare is affiliated with Wentworth Douglas – Mrs. Annon will find out and follow up with him.

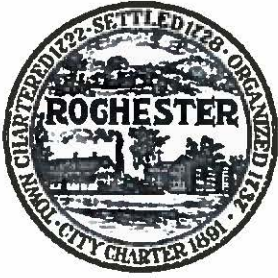
HR Director Hoyt asked what supervisors should do if an employee has a lost time injury that is questionable – in that situation, the supervisor should speak to Steven McDougal at Primex.

Mr. McDougal reminded the group that Primex only has 21 days to respond to a workers comp claim, and that if documentation hasn't been received by the medical facility the claims could be denied.

More information about the Best Doctors program is available at www.bestdoctors.com.

The meeting adjourned at 10:38.

Submitted 12/9/13
Brian Sylvester
Library Director



**City of Rochester
Dept of Public Works**

45 Old Dover Road
Rochester, NH 03867
Phone: (603) 332-4096
Fax: (603) 335-4352

Received
NOV 26 2013

City Manager
Rochester

RECEIVED
NOV 25 2013
FINANCE OFFICE
CITY OF ROCHESTER

Memo

To: Blaine Cox.
Finance Director/Deputy City Manager

From: Lisa J. Clark *LJC*

Date: 11/25/2013

Re: Brock Street – Change Order #6 additional \$21,381.72

Enclosed please find five (5) copies of Change Order #6. This change is associated with installation of rip-rap slope, repairs to damaged signal conduit and relocation of a water main with in project area.

The \$21,381.72 in funds for this change will come from the following accounts:

55016010 -771000-13515 \$2,999.48 (water)
55016010 -771000-06522 \$4,719.52 (water)
15013010 -771000-13515 \$13,662.72 (highway)

If you have any questions please let me know, if not, please sign and pass on to the City Manager for signatures. This documents should be returned to the DPW for distribution.

Signature *Blaine Cox* 2013-11-26
(Blaine Cox, Finance Director / Deputy City Manager)

Cc: Peter Nourse, PE, City Engineer

Date: 11-26-2013
To: Daniel Fitzpatrick
City Manager
From: Elena V. Engle
Community Development Specialist
Re: Environmental Review- Housing Authority
Project # CFP NH36P008501-13

CITY OF
Received
NOV 26 2013
City Manager
ROCHESTER

This Request for Release of Funds was to be attached to the packet I sent over last week for signature regarding the Environmental Review completed for the Capital Funds Project with the Rochester Housing Authority; however, I mistakenly left the form out of the packet. This needs to be signed as well for submission to HUD- my apologies.

Contact me at x7519 with any questions.

Thank you.

Date: 12.4.2013
To: Daniel Fitzpatrick
City Manager
From: Elena V. Engle
Community Development Specialist
Re: Substantial Amendment to FY 13-14 CDBG Action Plan

CITY OF
Received
DEC 4 2013
City Manager
ROCHESTER

Attached is a letter outlining the substantial changes to the FY 13-14 CDBG Action Plan as approved by City Council on 12.3.13. This letter outlines the decision to reallocate funds from the Catherine Street Project to the Gonic School Playground and details the need for the project and its eligibility. Correspondence with the City's HUD Representative, Michelle Blake indicate no formal process of approval for these changes, however, a letter signed by the appropriate authority was requested to be sent to HUD and kept on file.

Please let me know if you have any questions.

Thank you.



City of Rochester, New Hampshire
OFFICE OF THE CITY MANAGER
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167

December 9, 2013

TO: Daniel W. Fitzpatrick, City Manager

FROM: Samantha Rodgerson, Executive Assistant *SR*

REGARDING: **Rental of Council Chambers & Conference Room**

There is a City policy pertaining to rental of Council Chambers and the Conference Room. A rental agreement needs to be completed by the requesting organization and accompanied by a \$100 deposit.

We are in receipt of their deposit. The attached rental agreement with Arts Rochester is attached and requires a signature by the City Manager.

This is so that Arts Rochester can utilize additional space to change into costumes for Friday and Saturday night's performances. Arts Rochester will be using the Council Chambers and the Conference Room from 5pm - 9:30pm on Friday, December 13, 2013 and from 12noon – 10pm on Saturday, December 14, 2013.

Enclosure

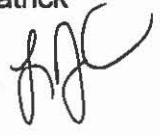


**City of Rochester
Dept of Public Works**

45 Old Dover Road
Rochester, NH 03867
Phone: (603) 332-4096
Fax: (603) 335-4352

CITY OF
Received
DEC 24 2013
City Manager
ROCHESTER

Memo

To: Daniel W. Fitzpatrick
From: Lisa Clark 
Office Manager
Date: December 24, 2013
Subject: Peer Review – Great Bay Estuary

Attached please find (4) copies of the actual contract document regarding the previously agreed to peer review for the Great Bay nutrient criteria. The estimated one hundred thousand dollar in cost will be split 1/3 each to the three participating communities, Rochester, Dover and Portsmouth. The funds are available in the City of Rochester Sewer CIP account number 55026020-772000-13532.

Please Initial the front page of each, and sign where indicated.

Please sign and return the documents to me at the DPW for distribution..

Lisa Clark

From: David Green
Sent: Tuesday, December 24, 2013 7:56 AM
To: Lisa Clark
Subject: FW: Status and Final Approval Request for Peer Review
Hi Lisa, here's the explanation and approval. Thanks, Dave

From: Dan Fitzpatrick
Sent: Wednesday, September 18, 2013 4:21 PM
To: David Green; TJ1; Blaine Cox; Peter Nourse
Subject: RE: Status and Final Approval Request for Peer Review

Let do it!

From: David Green
Sent: Wednesday, September 18, 2013 3:09 PM
To: TJ1; Dan Fitzpatrick; Blaine Cox; Peter Nourse
Subject: Status and Final Approval Request for Peer Review

Hello,

I wanted to update you on the status of the 2009 Numeric Nutrient Criteria for the Great Bay Estuary peer review process that we have been working with DES on over the past few months. We have come to agreement on charge questions, documents to be reviewed, public input (technical only), and the number of and qualifications of the peer reviewers.

As it stands there will be a 4 person panel of experts – 2 water quality and estuarine systems modelers, 1 eelgrass expert (not Fred Short!!), and 1 Dissolved Oxygen (DO) expert. The final report is expected from the panel by the end of January 2014.

The cost of the peer review will be \$25,000 per expert, travel and expenses if required to evaluate the estuary and in terms of management the communities will provide a panel clerk, Sally Brabble of the law firm Sheehan, Phinney, Bass and Green to serve as the interface with the reviewers. The costs will be split 3-ways with Dover and Portsmouth. Anticipated cost for Rochester: \$35,000 to \$40,000 which is in the range we estimated.

Our hope is to finalize the packages and send them out to the reviewers ASAP (next two weeks) as time is critical. We anticipate that we will receive the peer review report prior to the issuance of our Draft NPDES permit and the outcome will be extremely important as to the level of treatment that will be necessary and upgrade costs to meet new nutrient limits.

Looking for final approval to proceed – please advise.

Thank you,
David Green
Chief Operator WWTF
david.green@rochesternh.net
Phone #: 603-332-8950
Fax #: 603-335-6940

cm Report



New England

U.S. Department of Housing and Urban Development

Office of Community Planning Development
Thomas P. O'Neill, Jr. Federal Building
10 Causeway Street
Boston, Massachusetts 02222-1092

Fax (617) 565-5442
Tel (617) 994-8350

CITY OF
Received

DEC 9 2013

City Manager
ROCHESTER

DEC 4 2013

Mr. Daniel Fitzpatrick
City Manager
City of Rochester
31 Wakefield Street
Rochester, NH 03867

Dear Mr. Fitzpatrick:

Subject: FY 2012 Consolidated Annual Performance and Evaluation Report (CAPER)

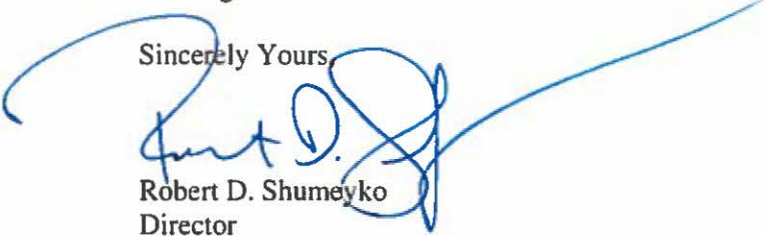
We have reviewed and approved the City of Rochester's Consolidated Annual Performance and Evaluation Report (CAPER) for your program year July 1, 2012 to June 30, 2013. Our review also included statistical and narrative data captured in HUD's Integrated Disbursement and Information System (IDIS).

Based on the information provided, we find Rochester's FY 2012 CAPER to be consistent with the City's Consolidated Plan for 2011 - 2015 and Action Plan for 2012 - 2013. The narrative describes how the City is working to meet the goals identified in the plans as well as proposed versus actual outcome results. We also find the City to be within the 15% cap for public services and the 20% cap for planning and administration.

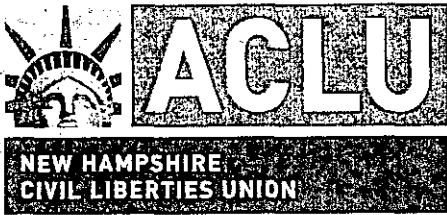
As a result of our review, we have determined that the City of Rochester has carried out its activities and certifications in a timely manner, consistent with the requirements and primary objective of the Housing and Community Development Act of 1974, as amended, and with other applicable laws and program requirements. Pursuant to 24 CFR 570.905, we find that the City of Rochester has the continuing capacity to carry out its activities in a timely manner.

Please remember that a copy of this letter must accompany all copies the CAPER. If you have any questions or if we can be of any assistance, please contact your CPD Representative, Michelle Blake, at 603-666-7510, extension 3049 or Michelle.Blake@hud.gov.

Sincerely Yours,


Robert D. Shumeyko
Director

CC: Elena Engle, Community Development Specialist



NEW HAMPSHIRE CIVIL LIBERTIES UNION

18 Low Avenue
Concord, New Hampshire 03301
603-225-3080
www.NHCLU.org

DEVON CHAFFEE
EXECUTIVE DIRECTOR

December 11, 2013

VIA REGULAR AND ELECTRONIC MAIL (dwensley@JonesWensley.com)

Danford J. Wensley
40 Wakefield Street
Rochester, NH 03867-1500

Re: Rochester "Panhandling Ordinance," Chapter 31 of Rochester City Ordinances

Dear Mr. Wensley:

I write on behalf of the New Hampshire Civil Liberties Union ("NHCLU") in an effort to avoid litigation concerning Chapter 31 of the Rochester City Ordinances. In particular, we ask that the City of Rochester take steps immediately to rescind Chapter 31 of the Rochester City Ordinances in its entirety. If the City does not agree to rescind Chapter 31 by January 3, 2014, we will work with citizens impacted by this law to bring an action seeking preliminary and permanent injunctive relief against the Ordinance's enforcement, as well as attorneys' fees. Contemporaneous with this letter, the NHCLU has submitted a Right-to-Know request pursuant to RSA 91-A.

Chapter 31 is problematic in part because, while the City has sought to justify the law with concerns about "aggressive" behavior, the Chapter's scope is not limited to such conduct. For example, while the Chapter purports to prohibit so-called "aggressive" solicitation, it proscribes a wide range of peaceful conduct—including any form of solicitation (such as merely holding a sign) designed to "immediately" obtain money (i) "within 50 feet of any entrance or exit of any business or organization during its business hours," (ii) within 50 feet of an ATM or bank, (iii) in a bus shelter or at a bus stop, and (iv) in a median of any public road. *See, e.g.,* Chapter 31.3(b)-(i). These prohibitions effectively ban peaceful panhandling on sidewalks and other public spaces in the entire downtown/business district area of Rochester, including most (if not all) of the public square on the corner of North Main Street and Wakefield Street. As explained in more detail below, Chapter 31 is unconstitutional.

First, by prohibiting only a request for "the purpose of immediately obtaining money or any other object of value," the law is a content-based speech restriction and is presumptively unconstitutional. *See, e.g., R. A. V. v. City of St. Paul Minnesota*, 505 U.S. 377, 382 (1992) (stating that content-based restrictions are presumptively invalid); *Clatterbuck v. City of Charlottesville*, 708 F.3d 549, 556 (4th Cir. Va. 2013) ("The Ordinance plainly distinguishes between types of solicitations on its face. Whether the Ordinance is violated turns solely on the nature or content of the solicitor's speech: it prohibits solicitations that request immediate donations of things of value, while allowing other types of solicitations, such as those that request future donations"). Chapter 31 can only survive constitutional review if it is narrowly tailored to meet some compelling governmental interest—that is, if it is the least restrictive means of addressing whatever compelling interests the City identifies.

Second, Chapter 31 cannot pass strict scrutiny, especially where it bans all forms of solicitation (whether it be verbal or in writing) in a large portion of the city. Laws generally banning panhandling in public, or even in some large section of a city, have previously been struck down as unconstitutional abridgements of the right to free speech. See *Clatterbuck*, 708 F.3d at 556 (plaintiff's complaint challenging no-solicitation zone survives motion to dismiss); *Ayres v. City of Chicago*, 125 F.3d 1010, 1015-16 (7th Cir. 1997) (granting injunction against ordinance forbidding the peddling of any merchandise, except newspapers, on either public property or certain private property in districts designated by the city council); *Speet v. Schuette*, 889 F. Supp. 2d 969, 978 (W.D. Mich. 2012) (holding unconstitutional Michigan statute prohibiting begging), *aff'd*, 726 F.3d 867 (6th Cir. 2013); *Loper v. New York City Police Dep't*, 999 F.2d 699, 705 (2d Cir. 1993) (restriction on "begging" was impermissibly content-based); *Pike's Peak Justice & Peace Commission*, No. 12-cv-03095-MSK (D. Colo. Dec. 18, 2012) (ordinance prohibiting all forms of solicitation within a 12-block area of downtown Colorado Springs was unconstitutional). Indeed, we are not aware of a single case anywhere in the country upholding a ban on panhandling in a wide-swathe of a downtown area as is the case here.

The City has not even identified a compelling interest for this ban on peaceful, protected speech, especially where the "Intent of the Ordinance" primarily concerns the prevention of "threatening, intimidating or harassing behavior." As Councilor Lauterborn explained in a May 14, 2013 article in the *Rochester Times*, "members of the community who have complained about the issue see panhandling as a nuisance that can foster a negative image for the city." Of course, this is not a compelling interest for precluding the exercise of free speech by the City's poor and vulnerable, and it goes without saying that the very reason for the First Amendment's existence is to protect speech that others find a "nuisance." See *Boos v. Barry*, 485 U.S. 312, 322 (1988) ("As a general matter, we have indicated that in public debate our own citizens must tolerate insulting, and even outrageous, speech in order to provide adequate 'breathing space' to the freedoms protected by the First Amendment.") (internal quotations omitted).

Even if the City has a compelling interest (which it does not), the City cannot demonstrate that an effective ban on all panhandling in medians and much of downtown Rochester is a narrowly tailored and least restrictive means of advancing that interest. As both the Supreme Court and the Tenth Circuit have explained, "one is not to have the exercise of his liberty of expression in appropriate places abridged on the plea that it may be exercised in some other place." *Reno v. ACLU*, 521 U.S. 844, 880 (1997) (quoting *Schneider v. State*, 308 U.S. 147, 163 (1939)); *ACORN v. Golden*, 744 F.2d 739, 749 n.8 (10th Cir. 1984) (same); see also *Comite de Journaleros v. the City of Redondo Beach*, 657 F.3d 936, 947-51 (9th Cir. 2011) (ordinance making it unlawful "for any person to stand on the street and solicit employment, business, or contributions from an occupant of any motor vehicle" was unconstitutional); *People v. Griswold*, 821 N.Y. S. 2d 394, 402-403 (City Ct. of N.Y. 2006) ("There is no reason why prohibiting the homeless from standing on traffic islands to solicit donations is necessary to protect safety, if others are permitted to engage in similar conduct.").

Third, Chapter 31.3(a)'s language purporting to ban solicitation in an "aggressive manner" is not necessary to assure safety or preserve the peace, especially given that other statutes already criminalize the very "aggressive" behavior that the City purports to address.

New Hampshire, for example, already prohibits individuals from interfering with traffic and from engaging in threatening behavior in a public place. See RSA 265:40(I) ("No person shall stand on the travelled portion of a roadway for the purpose of soliciting a ride, employment, business or contributions from the occupant of any vehicle."); RSA 644:2 ("A person is guilty of disorderly conduct if: I. He knowingly or purposely creates a condition which is hazardous to himself or another in a public place by any action which serves no legitimate purpose; or II. He or she: (a) Engages in fighting or in violent, tumultuous or threatening behavior in a public place; or (b) Directs at another person in a public place obscene, derisive, or offensive words which are likely to provoke a violent reaction on the part of an ordinary person; or (c) Obstructs vehicular or pedestrian traffic on any public street or sidewalk or the entrance to any public building.").

Fourth, the language in Chapter 31.2(b) and 31.3(a) purporting to ban "aggressive" solicitation is unconstitutionally vague, as it fails in many instances to specify the prohibited conduct, leaving police free to implement a discriminatory policy of selectively enforcing the Chapter against the poor. For example, Chapter 31.2(b), which defines "aggressive manner," prohibits a soliciting person from (i) following "a person being solicited," (ii) "continuing to solicit within five feet of the person being solicited after the person has made a negative response to such solicitation," (iii) "using words," or (iv) approaching a person to the extent that all such conduct is done in a manner that is "likely to intimidate the person" being solicited or likely to cause a reasonable person to fear the commission of a criminal act. Because, for example, it is entirely unclear from the Chapter what specific acts or words or even whether the continued display of a sign can be considered "aggressive" or "intimidating," it is up to individual police officers to determine whether this language has been violated.

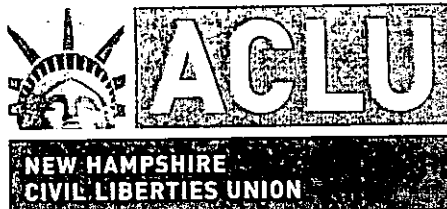
Finally, by carving out from the Chapter's scope solicitations for future donations and ordinary commercial transactions, Chapter 31 is plainly targeted, without any valid basis, at the poor and homeless. Thus, the law also violates the Equal Protection Clause of the Fourteenth Amendment. See, e.g., *Police Dep't of Chicago v. Mosley*, 408 U.S. 92, 99-100 (1972); *Parr v. Mun. Court for Monterey-Carmel Judicial Dist.*, 479 P.2d 353 (Cal. 1971).

We urge you to review the precedents discussed above and to conduct your own independent review of the law's constitutionality. We do not believe it is a productive use of anyone's time or of taxpayers' money for the City to defend such a patently unconstitutional law. I am, of course, more than willing to discuss this matter and to answer any questions you may have concerning the constitutional issues discussed above. I enjoyed our productive conversation yesterday, and I look forward to your response.

Very truly yours,



Gilles Bissonnette
NHCLU, Staff Attorney
Gilles@nhclu.org



NEW HAMPSHIRE CIVIL LIBERTIES UNION

18 Low Avenue
Concord, New Hampshire 03301
603-225-3080
www.NHCLU.org

DEVON CHAFFEE
EXECUTIVE DIRECTOR

December 11, 2013

VIA REGULAR AND ELECTRONIC MAIL (dwensley@JonesWensley.com)

Danford J. Wensley
40 Wakefield Street
Rochester, NH 03867-1500

Re: Right-to-Know Request Regarding Panhandling Complaints in Rochester

Dear Mr. Wensley:

This is a Right-to-Know request to both the City of Rochester and its Police Department pursuant to RSA 91-A by the New Hampshire Civil Liberties Union ("NHCLU"). My understanding is that you represent the City of Rochester and its Police Department. If I am mistaken, please let me know immediately.

The NHCLU defends and promotes the fundamental principles embodied in the Bill of Rights and the U.S. and New Hampshire Constitutions. In furtherance of that mission, the NHCLU regularly conducts research into government activities in New Hampshire.

This request seeks records concerning, among other things, complaints about panhandling in the City of Rochester. Below, I have enumerated certain categories of information for production in accordance with RSA 91-A:

1. For the three (3) years prior to July 2, 2013 to the present, copies of all complaints regarding individuals either orally or in writing soliciting in public money or other objects of value from another person without the exchange of corresponding equivalent compensation (hereinafter, "panhandling"), including but not limited to any (i) "aggressive" panhandling, (ii) panhandling through deception, or (iii) panhandling occurring near any automated teller machine, bank, bus stop, bus shelter, or median of any public road.
2. For the three (3) years prior to July 2, 2013 to the present, copies of all complaints regarding individuals either orally or in writing (including leafleting) soliciting a person in public to (i) engage in a commercial transaction, (ii) purchase a service, (iii) sign a petition, (iv) donate money in the future, (v) support a politician, political cause, or charity, (vi) attend an event or function, or (vii) visit a business establishment.
3. For the three (3) years prior to July 2, 2013 to the present, copies of all complaints or documented incidents regarding safety near or around automated teller machines, banks, bus stops, and bus shelters.

4. For the three (3) years prior to July 2, 2013 to the present, copies of all complaints or documented incidents regarding safety in and around median strips, including any and all accidents.
5. For the three (3) years prior to July 2, 2013 to the present, copies of all complaints or documented incidents where a person stepped into the roadway to collect any money or other object of value resulting from a panhandling solicitation, including any and all accidents.
6. For the three (3) years prior to July 2, 2013 to the present, copies of all complaints or documented incidents regarding panhandling by individuals who had oral, but not written, permission to panhandle on private property.
7. For the three (3) years prior to July 2, 2013 to the present, copies of all documents discussing the use of public places for panhandling.
8. Copies of all documents discussing the desirability of having fewer panhandlers in Rochester in connection with business and tourism interests.
9. Copies of all documents concerning Chapter 31 of the Rochester's City Ordinances ("the Ordinance"), including but not limited to (i) all documents concerning the purpose and intent of the Ordinance, (ii) all findings related to the Ordinance, and (iii) all communications exchanged between the Rochester Police Department and the Rochester City Council addressing the Ordinance.
10. Copies of all written warnings, summons, citations, or penalties issued pursuant to the Ordinance by the Rochester Police Department, including any document describing the facts that led to the warning, summons, citation, and/or penalty. This request includes documents sufficient to identify the name of and contact information for the person receiving the warning, summons, or citation.
11. For the three (3) years prior to July 2, 2013 to the present, copies of all written warnings, summons, citations, or penalties issued by the Rochester Police Department pursuant to RSA 265:40 ("Pedestrians Soliciting Rides or Business") or RSA 644:2 ("Disorderly Conduct"), including any document describing the facts that led to the warning, summons, citation, and/or penalty.

In responding to this request, please consider the time limits mandated by the Right-to-Know law. In discussing those limits in *ATV Watch v. N.H. Dep't of Res. & Econ. Dev.*, 155 N.H. 434 (2007), the New Hampshire Supreme Court has stated that RSA 91-A:4, IV requires that a public body or agency, "within 5 business days of the request, make such records available, deny the request in writing with reasons, or to furnish written acknowledgement of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied." *Id.* at

440. Please let me know at your earliest convenience when I can expect to receive the records requested. Further, I would like to receive access to documents as they become available, rather than waiting for the entire response to be compiled.

These records must be produced irrespective of their storage format; that is, they must be produced whether they are kept in tangible (hard copy) form or in an electronically-stored format, including but not limited to e-mail communications. In the event you decide to withhold any document or documents, as defined above, that is otherwise responsive to the foregoing requests, please provide a written log of the documents so withheld, identifying: (a) the addressee(s); (b) the recipient(s); (c) the names of persons copied on the document; (d) the date of the document; (e) the general subject matter of the document; and (f) the "reasons" for withholding the document by citing to the exemption in the Right-to-Know law, or other New Hampshire law, on which you rely.

Thank you for your anticipated cooperation. I look forward to hearing from you as soon as possible. Of course, if you have any questions or concerns, do not hesitate to contact me.

Very truly yours,



Gilles Bissonnette
NHCLU, Staff Attorney
Gilles@nhclu.org



4 B Eves Drive, Suite 200
P.O. Box 961
Marlton, NJ 08053-3112

t 856.985.5600
f 856.810.9065

December 23, 2013

Mr. Daniel Fitzpatrick, Manager
Rochester
31 Wakefield Street
Rochester, NH 03867

RE: Rochester, Strafford County, NH
Public Protection Classification: 3/9
Effective Date: April 1, 2014

Dear Mr. Fitzpatrick:

We wish to thank you, Fire Chief Norman Sanborn, Jr. and Mr. Ken Henderson for your cooperation during our recent Public Protection Classification (PPC) survey. ISO has completed its analysis of the structural fire suppression delivery system provided in your community. The resulting classification is indicated above.

Enclosed is a summary of the ISO analysis of your fire suppression services. If you would like to know more about your community's PPC classification, or if you would like to learn about the potential effect of proposed changes to your fire suppression delivery system, please call us at the phone number listed below.

ISO's Public Protection Classification Program (PPC) plays an important role in the underwriting process at insurance companies. In fact, most U.S. insurers – including the largest ones – use PPC information as part of their decision-making when deciding what business to write, coverage's to offer or prices to charge for personal or commercial property insurance.

Each insurance company independently determines the premiums it charges its policyholders. The way an insurer uses ISO's information on public fire protection may depend on several things – the company's fire-loss experience, ratemaking methodology, underwriting guidelines, and its marketing strategy.

PPC is important to communities and fire departments as well. Communities whose PPC improves may get lower insurance prices. PPC also provides fire departments with a valuable benchmark, and is used by many departments as a valuable tool when planning, budgeting and justifying fire protection improvements.

ISO appreciates the high level of cooperation extended by local officials during the entire PPC survey process. The community protection baseline information gathered by ISO is an essential foundation upon which determination of the relative level of fire protection is made using the Fire Suppression Rating Schedule.

The classification is a direct result of the information gathered, and is dependent on the resource levels devoted to fire protection in existence at the time of survey. Material changes in those resources that occur after the survey is completed may affect the classification. Although ISO maintains a pro-active process to keep baseline information as current as possible, in the event of changes please call us at 1-800-444-4554, option 2 to expedite the update activity.

ISO is the leading supplier of data and analytics for the property/casualty insurance industry. Most insurers use PPC classifications for underwriting and calculating premiums for residential, commercial and industrial properties. The PPC program is not intended to analyze all aspects of a comprehensive structural fire suppression delivery system program. It is not for purposes of determining compliance with any state or local law, nor is it for making loss prevention or life safety recommendations.

If you have any questions about your classification, please let us know.

Sincerely,

Dominic Santanna

Dominic Santanna
(800) 444-4554 Option 2

jj

Encl.

cc: Chief Norman Sanborn, Jr., Rochester Fire Department
Mr. Ken Henderson, Supervisor, Rochester Water Department
Mr. Jason Cole, Director, Rochester Police Department

Public Protection Classification Summary Report

Rochester

NEW HAMPSHIRE

Prepared by

**Insurance Services Office, Inc.
4B Eves Drive, Suite 200
P.O. Box 961
Marlton, New Jersey 08053-3112
(856) 985-5600**

December 2013

Background Information

Introduction

ISO collects and evaluates information from communities in the United States on their structure fire suppression capabilities. The data is analyzed using our Fire Suppression Rating Schedule (FSRS™) and then a Public Protection Classification (PPC™) number is assigned to the community. The surveys are conducted whenever it appears that there is a possibility of a classification change. As such, the PPC program provides important, up-to-date information about fire protection services throughout the country.

The Fire Suppression Rating Schedule (FSRS) recognizes fire protection features only as they relate to suppression of first alarm structure fires. In many communities, fire suppression may be only a small part of the fire department's overall responsibility. ISO recognizes the dynamic and comprehensive duties of a community's fire service, and understands the complex decisions a community must make in planning and delivering emergency services. However, in developing a community's Public Protection Classification, only features related to reducing property losses from structural fires are evaluated. Multiple alarms, simultaneous incidents and life safety are not considered in this evaluation. The PPC program evaluates the fire protection for small to average size buildings. Specific properties with a Needed Fire Flow in excess of 3,500 gpm are evaluated separately and assigned an individual classification.

A community's investment in fire mitigation is a proven and reliable predictor of future fire losses. Statistical data on insurance losses bears out the relationship between excellent fire protection – as measured by the PPC program – and low fire losses. So, insurance companies use PPC information for marketing, underwriting, and to help establish fair premiums for homeowners and commercial fire insurance. In general, the price of fire insurance in a community with a good PPC is substantially lower than in a community with a poor PPC, assuming all other factors are equal.

ISO is an independent company that serves insurance companies, communities, fire departments, insurance regulators, and others by providing information about risk. ISO's expert staff collects information about municipal fire suppression efforts in communities throughout the United States. In each of those communities, ISO analyzes the relevant data and assigns a Public Protection Classification – a number from 1 to 10. Class 1 represents an exemplary fire suppression program, and Class 10 indicates that the area's fire suppression program does not meet ISO's minimum criteria.

ISO's PPC program evaluates communities according to a uniform set of criteria, incorporating nationally recognized standards developed by the National Fire Protection Association and the American Water Works Association. A community's PPC depends on:

- **Needed Fire Flows**, which are representative building locations used to determine the theoretical amount of water necessary for fire suppression purposes.
- **Emergency Communications**, including emergency reporting, telecommunicators, and dispatching systems.
- **Fire Department**, including equipment, staffing, training, geographic distribution of fire companies, operational considerations, and community risk reduction.
- **Water Supply**, including inspection and flow testing of hydrants, alternative water supply operations, and a careful evaluation of the amount of available water compared with the amount needed to suppress fires up to 3,500 gpm.

Data Collection and Analysis

ISO has evaluated and classified over 48,000 fire protection areas across the United States using its Fire Suppression Rating Schedule (FSRS). A combination of meetings between trained ISO field representatives and the dispatch center coordinator, community fire official, and water superintendent is used in conjunction with a comprehensive questionnaire to collect the data necessary to determine the PPC number. In order for a community to obtain a classification better than a Class 9, three elements of fire suppression features are reviewed. These three elements are Emergency Communications, Fire Department, and Water Supply.

A review of the **Emergency Communications** accounts for 10% of the total classification. This section is weighted at **10 points**, as follows:

- Emergency Reporting 3 points
- Telecommunicators 4 points
- Dispatch Circuits 3 points

A review of the **Fire Department** accounts for 50% of the total classification. ISO focuses on a fire department's first alarm response and initial attack to minimize potential loss. The fire department section is weighted at **50 points**, as follows:

- Engine Companies 6 points
- Reserve Pumpers 0.5 points
- Pump Capacity 3 points
- Ladder/Service Companies 4 points
- Reserve Ladder/Service Trucks 0.5 points
- Deployment Analysis 10 points
- Company Personnel 15 points
- Training 9 points
- Operational considerations 2 points
- Community Risk Reduction 5.5 points

A review of the **Water Supply** system accounts for 40% of the total classification. ISO reviews the water supply a community uses to determine the adequacy for fire suppression purposes. The water supply system is weighted at **40 points**, as follows:

- Credit for Supply System 30 points
- Hydrant Size, Type & Installation 3 points
- Inspection & Flow Testing of Hydrants 7 points

There is one additional factor considered in calculating the final score – **Divergence**.

Even the best fire department will be less than fully effective if it has an inadequate water supply. Similarly, even a superior water supply will be less than fully effective if the fire department lacks the equipment or personnel to use the water. The FSRS score is subject to modification by a divergence factor, which recognizes disparity between the effectiveness of the fire department and the water supply.

The Divergence factor mathematically reduces the score based upon the relative difference between the fire department and water supply scores. The factor is introduced in the final equation.

Public Protection Classification Number

The PPC number assigned to the community will depend on the community's score on a 100-point scale:

PPC	Points
1	90.00 or more
2	80.00 to 89.99
3	70.00 to 79.99
4	60.00 to 69.99
5	50.00 to 59.99
6	40.00 to 49.99
7	30.00 to 39.99
8	20.00 to 29.99
9	10.00 to 19.99
10	0.00 to 9.99

The classification numbers are interpreted as follows:

- Class 1 through (and including) Class 8 represents a fire suppression system that includes an FSRS creditable dispatch center, fire department, and water supply.
- Class 8B is a special classification that recognizes a superior level of fire protection in otherwise Class 9 areas. It is designed to represent a fire protection delivery system that is superior except for a lack of a water supply system capable of the minimum FSRS fire flow criteria of 250 gpm for 2 hours.
- Class 9 is a fire suppression system that includes a creditable dispatch center, fire department but no FSRS creditable water supply.
- Class 10 does not meet minimum FSRS criteria for recognition, including areas that are beyond five road miles of a recognized fire station.

Distribution of Public Protection Classification Numbers

The 2013 published countrywide distribution of communities by the Public Protection Classification number is as follows:

Countrywide



Assistance

The PPC program offers help to communities, fire departments and other public officials as they plan for, budget, and justify improvements. ISO is also available to assist in the understanding of the details of this evaluation.

ISO Public Protection representatives can be reached by telephone at (800) 444-4554. The technical specialists at this telephone number have access to the details of this evaluation and can effectively speak with you about your PPC questions. What's more, we can be reached via the internet at www.isomitigation.com/talk/.

We also have a website dedicated to our Community Hazard Mitigation Classification programs at www.isomitigation.com. Here, fire chiefs, building code officials, community leaders and other interested citizens can access a wealth of data describing the criteria used in evaluating how cities and towns are protecting residents from fire and other natural hazards. This website will allow you to learn more about ISO's Public Protection Classification program. The website provides important background information, insights about the PPC grading processes and technical documents. ISO is also pleased to offer Fire Chiefs Online — a special secured website with information and features that can help improve your ISO Public Protection Classification, including a list of the Needed Fire Flows for all the commercial occupancies ISO has on file for your community. Visitors to the site can download information, see statistical results and also contact ISO for assistance.

In addition, on-line access to the Fire Suppression Rating Schedule and its commentaries is available to registered customers for a fee. However, fire chiefs and community chief administrative officials are given access privileges to this information without charge.

To become a registered fire chief or community chief administrative official, register at www.isomitigation.com.

Public Protection Classification

ISO concluded its review of the fire suppression features being provided for Rochester. The resulting community classification is **Class 03/09**.

If the classification is a single class, the classification applies to properties with a Needed Fire Flow of 3,500 gpm or less in the community. If the classification is a split class (e.g., 6/9), the following applies:

- The first class (e.g., "6" in a 6/9) applies to properties within 5 road miles of a recognized fire station and within 1,000 feet of a fire hydrant or alternate water supply.
- Class 8B or class 9 applies to properties beyond 1,000 feet of a fire hydrant but within 5 road miles of a recognized fire station.
- Alternative Water Supply: The first class (e.g., "6" in a 6/10) applies to properties within 5 road miles of a recognized fire station with no hydrant distance requirement.
- Class 10 applies to properties over 5 road miles of a recognized fire station.
- Specific properties with a Needed Fire Flow in excess of 3,500 gpm are evaluated separately and assigned an individual classification.

Summary Evaluation Analysis

FSRS Feature	Earned Credit	Credit Available
Emergency Communications		
414. Credit for Emergency Reporting	1.65	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	1.85	3
440. Credit for Receiving and Handling Fire Alarms	7.50	10
Fire Department		
513. Credit for Engine Companies	5.87	6
523. Credit for Reserve Pumps	0.41	0.50
532. Credit for Pump Capacity	3.00	3
549. Credit for Ladder Service	3.50	4
553. Credit for Reserve Ladder and Service Trucks	0.44	0.50
561. Credit for Deployment Analysis	5.11	10
571. Credit for Company Personnel	6.15	15
581. Credit for Training	3.88	9
730. Credit for Operational Considerations	2.00	2
590. Credit for Fire Department	30.36	50
Water Supply		
616. Credit for Supply System	26.88	30
621. Credit for Hydrants	3.00	3
631. Credit for Inspection and Flow Testing	3.20	7
640. Credit for Water Supply	33.08	40
Divergence	-4.40	-
1050. Community Risk Reduction	4.33	5.50
Total Credit	70.87	105.50

Emergency Communications

Ten percent of a community's overall score is based on how well the communications center receives and dispatches fire alarms. Our field representative evaluated:

- Communications facilities provided for the general public to report structure fires
- Enhanced 9-1-1 Telephone Service including wireless
- Computer-aided dispatch (CAD) facilities
- Alarm receipt and processing at the communication center
- Training and certification of telecommunicators
- Facilities used to dispatch fire department companies to reported structure fires

	Earned Credit	Credit Available
414. Credit Emergency Reporting	1.65	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	1.85	3
Item 440. Credit for Emergency Communications:	7.50	10

Item 414 - Credit for Emergency Reporting (3 points)

The first item reviewed is Item 414 "Credit for Emergency Reporting (CER)". This item reviews the emergency communication center facilities provided for the public to report fires including 911 systems (Basic or Enhanced), Wireless Phase I and Phase II, Voice over Internet Protocol, Computer Aided Dispatch and Geographic Information Systems for automatic vehicle location. ISO uses National Fire Protection Association (NFPA) 1221, *Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems* as the reference for this section.

Item 410. Emergency Reporting (CER)	Earned Credit	Credit Available
A./B. Basic 9-1-1, Enhanced 9-1-1 or No 9-1-1 For maximum credit, there should be an Enhanced 9-1-1 system, Basic 9-1-1 and No 9-1-1 will receive partial credit.	20.00	20
1. E9-1-1 Wireless Wireless Phase I using Static ALI (automatic location identification) Functionality (10 points); Wireless Phase II using Dynamic ALI Functionality (15 points); Both available will be 25 points	10.00	25
2. E9-1-1 Voice over Internet Protocol (VoIP) Static VoIP using Static ALI Functionality (10 points); Nomadic VoIP using Dynamic ALI Functionality (15 points); Both available will be 25 points	10.00	25
3. Computer Aided Dispatch Basic CAD (5 points); CAD with Management Information System (5 points); CAD with Interoperability (5 points)	15.00	15
4. Geographic Information System (GIS/AVL) The PSAP uses a fully integrated CAD/GIS management system with automatic vehicle location (AVL) integrated with a CAD system providing dispatch assignments.	0.00	15
Review of Emergency Reporting total:	55.00	100

Item 422- Credit for Telecommunicators (4 points)

The second item reviewed is Item 422 "Credit for Telecommunicators (TC)". This item reviews the number of Telecommunicators on duty at the center to handle fire calls and other emergencies. All emergency calls including those calls that do not require fire department action are reviewed to determine the proper staffing to answer emergency calls and dispatch the appropriate emergency response. NFPA 1221, *Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems*, recommends that ninety-five percent of emergency calls shall be answered within 15 seconds and ninety-nine percent of emergency calls shall be answered within 40 seconds. In addition, NFPA recommends that ninety percent of emergency alarm processing shall be completed within 60 seconds and ninety-nine percent of alarm processing shall be completed within 90 seconds of answering the call.

To receive full credit for operators on duty, ISO must review documentation to show that the communication center meets NFPA 1221 call answering and dispatch time performance measurement standards. This documentation may be in the form of performance statistics or other performance measurements compiled by the 9-1-1 software or other software programs that are currently in use such as Computer Aided Dispatch (CAD) or Management Information System (MIS).

Item 420. Telecommunicators (CTC)	Earned Credit	Credit Available
A1. Alarm Receipt (AR) Receipt of alarms shall meet the requirements in accordance with the criteria of NFPA 1221	20.00	20
A2. Alarm Processing (AP) Processing of alarms shall meet the requirements in accordance with the criteria of NFPA 1221	20.00	20
B. Emergency Dispatch Protocols (EDP) Telecommunicators have emergency dispatch protocols (EDP) containing questions and a decision-support process to facilitate correct call categorization and prioritization.	20.00	20
C. Telecommunicator Training and Certification (TTC) Telecommunicators meet the qualification requirements referenced in NFPA 1061, <i>Standard for Professional Qualifications for Public Safety Telecommunicator</i> , and/or the Association of Public-Safety Communications Officials - International (APCO) <i>Project 33</i> . Telecommunicators are certified in the knowledge, skills, and abilities corresponding to their job functions.	20.00	20
D. Telecommunicator Continuing Education and Quality Assurance (TQA) Telecommunicators participate in continuing education and/or in-service training and quality-assurance programs as appropriate for their positions	20.00	20
Review of Telecommunicators total:	100.00	100

Item 432 - Credit for Dispatch Circuits (3 points)

The third item reviewed is Item 432 "Credit for Dispatch Circuits (CDC)". This item reviews the dispatch circuit facilities used to transmit alarms to fire department members. A "Dispatch Circuit" is defined in NFPA 1221 as "A circuit over which an alarm is transmitted from the communications center to an emergency response facility (ERF) or emergency response units (ERUs) to notify ERUs to respond to an emergency". All fire departments (except single fire station departments with full-time firefighter personnel receiving alarms directly at the fire station) need adequate means of notifying all firefighter personnel of the location of reported structure fires. The dispatch circuit facilities should be in accordance with the general criteria of NFPA 1221. "Alarms" are defined in this Standard as "A signal or message from a person or device indicating the existence of an emergency or other situation that requires action by an emergency response agency".

There are two different levels of dispatch circuit facilities provided for in the Standard – a primary dispatch circuit and a secondary dispatch circuit. In jurisdictions that receive 730 alarms or more per year (average of two alarms per 24-hour period), two separate and dedicated dispatch circuits, a primary and a secondary, are needed. In jurisdictions receiving fewer than 730 alarms per year, a second dedicated dispatch circuit is not needed. Dispatch circuit facilities installed but not used or tested (in accordance with the NFPA Standard) receive no credit.

The score for Credit for Dispatch Circuits (CDC) is influenced by monitoring for integrity of the primary dispatch circuit. There are up to 0.90 points available for this Item. Monitoring for integrity involves installing automatic systems that will detect faults and failures and send visual and audible indications to appropriate communications center (or dispatch center) personnel. ISO uses NFPA 1221 to guide the evaluation of this item. ISO's evaluation also includes a review of the communication system's emergency power supplies.

Item 432 "Credit for Dispatch Circuits (CDC)" = 1.85 points

Fire Department

Fifty percent of a community's overall score is based upon the fire department's structure fire suppression system. ISO's field representative evaluated:

- Engine and ladder/service vehicles including reserve apparatus
- Equipment carried
- Response to reported structure fires
- Deployment analysis of companies
- Available and/or responding firefighters
- Training

	Earned Credit	Credit Available
513. Credit for Engine Companies	5.87	6
523. Credit for Reserve Pumpers	0.41	0.5
532. Credit for Pumper Capacity	3.00	3
549. Credit for Ladder Service	3.50	4
553. Credit for Reserve Ladder and Service Trucks	0.44	0.5
561. Credit for Deployment Analysis	5.11	10
571. Credit for Company Personnel	6.15	15
581. Credit for Training	3.88	9
581. Credit for Operational Considerations	2.00	2
Item 590. Credit for Fire Department:	30.36	50

Basic Fire Flow

The Basic Fire Flow for the community is determined by the review of the Needed Fire Flows for selected buildings in the community. The fifth largest Needed Fire Flow is determined to be the Basic Fire Flow. The Basic Fire Flow has been determined to be 3500 gpm.

Item 513 - Credit for Engine Companies (6 points)

The first item reviewed is Item 513 "Credit for Engine Companies (CEC)". This item reviews the number of engine companies, their pump capacity, hose testing, pump testing and the equipment carried on the in-service pumpers. To be recognized, pumper apparatus must meet the general criteria of NFPA 1901, *Standard for Automotive Fire Apparatus* which include a minimum 250 gpm pump, an emergency warning system, a 300 gallon water tank, and hose. At least 1 apparatus must have a permanently mounted pump rated at 750 gpm or more at 150 psi.

The review of the number of needed pumpers considers the response distance to built-upon areas; the Basic Fire Flow; and the method of operation. Multiple alarms, simultaneous incidents, and life safety are not considered.

The greatest value of A, B, or C below is needed in the fire district to suppress fires in structures with a Needed Fire Flow of 3,500 gpm or less: **3 engine companies**

- a) **2 engine companies** to provide fire suppression services to areas to meet NFPA 1710 criteria or within 1½ miles.
- b) **3 engine companies** to support a Basic Fire Flow of 3500 gpm.
- c) **3 engine companies** based upon the fire department's method of operation to provide a minimum two engine response to all first alarm structure fires.

The FSRS recognizes that there are **3 engine companies** in service.

The FSRS also reviews Automatic Aid. Automatic Aid is considered in the review as assistance dispatched automatically by contractual agreement between two communities or fire districts. That differs from mutual aid or assistance arranged case by case. ISO will recognize an Automatic Aid plan under the following conditions:

- It must be prearranged for first alarm response according to a definite plan. It is preferable to have a written agreement, but ISO may recognize demonstrated performance.
- The aid must be dispatched to all reported structure fires on the initial alarm.
- The aid must be provided 24 hours a day, 365 days a year.

FSRS Item 512.D "Automatic Aid Engine Companies" responding on first alarm and meeting the needs of the city for basic fire flow and/or distribution of companies are factored based upon the value of the Automatic Aid plan (up to 1.00 can be used as the factor). The Automatic Aid factor is determined by a review of the Automatic Aid provider's communication facilities, how they receive alarms from the graded area, inter-department training between fire departments, and the fire ground communications capability between departments.

For each engine company, the credited Pump Capacity (PC), the Hose Carried (HC), the Equipment Carried (EC) all contribute to the calculation for the percent of credit the FSRS provides to that engine company.

Item 513 "Credit for Engine Companies (CEC)" = 5.87 points

Item 523 - Credit for Reserve Pumpers (0.50 points)

The item is Item 523 "Credit for Reserve Pumpers (CRP)". This item reviews the number and adequacy of the pumpers and their equipment. The number of needed reserve pumpers is 1 for each 8 needed engine companies determined in Item 513, or any fraction thereof.

Item 523 "Credit for Reserve Pumpers (CRP)" = 0.41 points

Item 532 – Credit for Pumper Capacity (3 points)

The next item reviewed is Item 532 "Credit for Pumper Capacity (CPC)". The total pump capacity available should be sufficient for the Basic Fire Flow of 3500 gpm. The maximum needed pump capacity credited is the Basic Fire Flow of the community.

Item 532 "Credit for Pumper Capacity (CPC)" = 3.00 points

Item 549 – Credit for Ladder Service (4 points)

The next item reviewed is Item 549 "Credit for Ladder Service (CLS)". This item reviews the number of response areas within the city with 5 buildings that are 3 or more stories or 35 feet or more in height, or with 5 buildings that have a Needed Fire Flow greater than 3,500 gpm, or any combination of these criteria. The height of all buildings in the city, including those protected by automatic sprinklers, is considered when determining the number of needed ladder companies. Response areas not needing a ladder company should have a service company. Ladders, tools and equipment normally carried on ladder trucks are needed not only for ladder operations but also for forcible entry, ventilation, salvage, overhaul, lighting and utility control.

The number of ladder or service companies, the height of the aerial ladder, aerial ladder testing and the equipment carried on the in-service ladder trucks and service trucks is compared with the number of needed ladder trucks and service trucks and an FSRS equipment list. Ladder trucks must meet the general criteria of NFPA 1901, *Standard for Automotive Fire Apparatus* to be recognized.

The number of needed ladder-service trucks is dependent upon the number of buildings 3 stories or 35 feet or more in height, buildings with a Needed Fire Flow greater than 3,500 gpm, and the method of operation.

The FSRS recognizes that there are **1 ladder companies** in service. These companies are needed to provide fire suppression services to areas to meet NFPA 1710 criteria or within 2½ miles and the number of buildings with a Needed Fire Flow over 3,500 gpm or 3 stories or more in height, or the method of operation.

The FSRS recognizes that there are **0 service companies** in service.

Item 549 "Credit for Ladder Service (CLS)" = 3.50 points

Item 553 – Credit for Reserve Ladder and Service Trucks (0.50 points)

The next item reviewed is Item 553 "Credit for Reserve Ladder and Service Trucks (CRLS)". This item considers the adequacy of ladder and service apparatus when one (or more in larger communities) of these apparatus are out of service. The number of needed reserve ladder and service trucks is 1 for each 8 needed ladder and service companies that were determined to be needed in Item 540, or any fraction thereof.

Item 553 "Credit for Reserve Ladder and Service Trucks (CRLS)" = 0.44 points

Item 561 – Deployment Analysis (10 points)

Next, Item 561 "Deployment Analysis (DA)" is reviewed. This Item examines the number and adequacy of existing engine and ladder-service companies to cover built-upon areas of the city.

To determine the Credit for Distribution, first the Existing Engine Company (EC) points and the Existing Engine Companies (EE) determined in Item 513 are considered along with Ladder Company Equipment (LCE) points, Service Company Equipment (SCE) points, Engine-Ladder Company Equipment (ELCE) points, and Engine-Service Company Equipment (ESCE) points determined in Item 549.

Secondly, as an alternative to determining the number of needed engine and ladder/service companies through the road-mile analysis, a fire protection area may use the results of a systematic performance evaluation. This type of evaluation analyzes computer-aided dispatch (CAD) history to demonstrate that, with its current deployment of companies, the fire department meets the time constraints for initial arriving engine and initial full alarm assignment in accordance with the general criteria of in NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*.

A determination is made of the percentage of built upon area within 1½ miles of a first-due engine company and within 2½ miles of a first-due ladder-service company.

Item 561 "Credit Deployment Analysis (DA)" = 5.11 points

Item 571 – Credit for Company Personnel (15 points)

Item 571 "Credit for Company Personnel (CCP)" reviews the average number of existing firefighters and company officers available to respond to reported first alarm structure fires in the city.

The on-duty strength is determined by the yearly average of total firefighters and company officers on-duty considering vacations, sick leave, holidays, "Kelley" days and other absences. When a fire department operates under a minimum staffing policy, this may be used in lieu of determining the yearly average of on-duty company personnel.

Firefighters on apparatus not credited under Items 513 and 549 that regularly respond to reported first alarms to aid engine, ladder, and service companies are included in this item as increasing the total company strength.

Firefighters staffing ambulances or other units serving the general public are credited if they participate in fire-fighting operations, the number depending upon the extent to which they are available and are used for response to first alarms of fire.

On-Call members are credited on the basis of the average number staffing apparatus on first alarms. Off-shift career firefighters and company officers responding on first alarms are considered on the same basis as on-call personnel. For personnel not normally at the fire station, the number of responding firefighters and company officers is divided by 3 to reflect the time needed to assemble at the fire scene and the reduced ability to act as a team due to the various arrival times at the fire location when compared to the personnel on-duty at the fire station during the receipt of an alarm.

The number of Public Safety Officers who are positioned in emergency vehicles within the jurisdiction boundaries may be credited based on availability to respond to first alarm structure fires. In recognition of this increased response capability the number of responding Public Safety Officers is divided by 2.

The average number of firefighters and company officers responding with those companies credited as Automatic Aid under Items 513 and 549 are considered for either on-duty or on-call company personnel as is appropriate. The actual number is calculated as the average number of company personnel responding multiplied by the value of AA Plan determined in Item 512.D.

The maximum creditable response of on-duty and on-call firefighters is 12, including company officers, for each existing engine and ladder company and 6 for each existing service company.

Chief Officers are not creditable except when more than one chief officer responds to alarms; then extra chief officers may be credited as firefighters if they perform company duties.

The FSRS recognizes **7.50 on-duty personnel** and an average of **7.00 on-call personnel** responding on first alarm structure fires.

Item 571 "Credit for Company Personnel (CCP)" = 6.15 points

Item 581 – Credit for Training (9 points)

Training	Earned Credit	Credit Available
A. Facilities, and Use For maximum credit, each firefighter should receive 18 hours per month in structure fire related subjects as outlined in NFPA 1001.	0.00	35
B. Company Training For maximum credit, each firefighter should receive 16 hours per month in structure fire related subjects as outlined in NFPA 1001.	9.38	25
C. Classes for Officers For maximum credit, each officer should be certified in accordance with the general criteria of NFPA 1021. Additionally, each officer should receive 12 hours of continuing education on or off site.	4.24	12
D. New Driver and Operator Training For maximum credit, each new driver and operator should receive 60 hours of driver/operator training per year in accordance with NFPA 1002 and NFPA 1451.	3.33	5
E. Existing Driver and Operator Training For maximum credit, each existing driver and operator should receive 12 hours of driver/operator training per year in accordance with NFPA 1002 and NFPA 1451.	5.00	5
F. Training on Hazardous Materials For maximum credit, each firefighter should receive 6 hours of training for incidents involving hazardous materials in accordance with NFPA 472.	0.50	1
G. Recruit Training For maximum credit, each firefighter should receive 240 hours of structure fire related training in accordance with NFPA 1001 within the first year of employment or tenure.	3.88	5
H. Pre-Fire Planning Inspections For maximum credit, pre-fire planning inspections of each commercial, industrial, institutional, and other similar type building (all buildings except 1-4 family dwellings) should be made annually by company members. Records of inspections should include up-to date notes and sketches.	10.81	12

Item 580 “Credit for Training (CT)” = 3.88 points

Item 730 – Operational Considerations (2 points)

Item 730 "Credit for Operational Considerations (COC)" evaluates fire department standard operating procedures and incident management systems for emergency operations involving structure fires.

Operational Considerations	Earned Credit	Credit Available
Standard Operating Procedures The department should have established SOPs for fire department general emergency operations	50	50
Incident Management Systems The department should use an established incident management system (IMS)	50	50
Operational Considerations total:	100	100

Item 730 "Credit for Operational Considerations (COC)" = 2.00 points

Water Supply

Forty percent of a community's overall score is based on the adequacy of the water supply system. The ISO field representative evaluated:

- the capability of the water distribution system to meet the Needed Fire Flows at selected locations up to 3,500 gpm.
- size, type and installation of fire hydrants.
- inspection and flow testing of fire hydrants.

	Earned Credit	Credit Available
616. Credit for Supply System	26.88	30
621. Credit for Hydrants	3.00	3
631. Credit for Inspection and Flow Testing	3.20	7
Item 640. Credit for Water Supply:	33.08	40

Item 616 – Credit for Supply System (30 points)

The first item reviewed is Item 616 "Credit for Supply System (CSS)". This item reviews the rate of flow that can be credited at each of the Needed Fire Flow test locations considering the supply works capacity, the main capacity and the hydrant distribution. The lowest flow rate of these items is credited for each representative location. A water system capable of delivering 250 gpm or more for a period of two hours plus consumption at the maximum daily rate at the fire location is considered minimum in the ISO review.

Where there are 2 or more systems or services distributing water at the same location, credit is given on the basis of the joint protection provided by all systems and services available.

The supply works capacity is calculated for each representative Needed Fire Flow test location, considering a variety of water supply sources. These include public water supplies, emergency supplies (usually accessed from neighboring water systems), suction supplies (usually evidenced by dry hydrant installations near a river, lake or other body of water), and supplies developed by a fire department using large diameter hose or vehicles to shuttle water from a source of supply to a fire site. The result is expressed in gallons per minute (gpm).

The normal ability of the distribution system to deliver Needed Fire Flows at the selected building locations is reviewed. The results of a flow test at a representative test location will indicate the ability of the water mains (or fire department in the case of fire department supplies) to carry water to that location.

The hydrant distribution is reviewed within 1,000 feet of representative test locations measured as hose can be laid by apparatus.

For maximum credit, the Needed Fire Flows should be available at each location in the district. Needed Fire Flows of 2,500 gpm or less should be available for 2 hours; and Needed Fire Flows of 3,000 and 3,500 gpm should be obtainable for 3 hours.

Item 616 "Credit for Supply System (CSS)" = 26.88 points

Item 621 – Credit for Hydrants (3 points)

The second item reviewed is Item 621 "Credit for Hydrants (CH)". This item reviews the number of fire hydrants of each type compared with the total number of hydrants.

There are a total of 803 hydrants in the graded area.

620. Hydrants, - Size, Type and Installation	Number of Hydrants
A. With a 6 -inch or larger branch and a pumper outlet with or without 2½ -inch outlets	803
B. With a 6 -inch or larger branch and no pumper outlet but two or more 2½ -inch outlets, or with a small foot valve, or with a small barrel	0
C/D. With only a 2½ -inch outlet or with less than a 6 -inch branch	0
E/F. Flush Type, Cistern, or Suction Point	0

Item 621 "Credit for Hydrants (CH)" = 3.00 points

Item 630 – Credit for Inspection and Flow Testing (7 points)

The third item reviewed is Item 630 "Credit for Inspection and Flow Testing (CIT)". This item reviews the fire hydrant inspection frequency, and the completeness of the inspections. Inspection of hydrants should be in accordance with AWWA M-17, *Installation, Field Testing and Maintenance of Fire Hydrants*.

Frequency of Inspection (FI): Average interval between the 3 most recent inspections.

Frequency	Points
1 year	30
2 years	20
3 years	10
4 years	5
5 years or more	No Credit

Note: The points for inspection frequency are reduced by 10 points if the inspections are incomplete or do not include a flushing program. An additional reduction of 10 points are made if hydrants are not subjected to full system pressure during inspections. If the inspection of cisterns or suction points does not include actual drafting with a pumper, or back-flushing for dry hydrants, 20 points are deducted.

Total points for Inspections = 3.20 points

Frequency of Fire Flow Testing (FF): Average interval between the 3 most recent inspections.

Frequency	Points
5 years	40
6 years	30
7 years	20
8 years	10
9 years	5
10 years or more	No Credit

Total points for Fire Flow Testing = 0.00 points

Item 631 "Credit for Inspection and Fire Flow Testing (CIT)" = 3.20 points

Divergence = -4.40

The Divergence factor mathematically reduces the score based upon the relative difference between the fire department and water supply scores. The factor is introduced in the final equation.

Community Risk Reduction

	Earned Credit	Credit Available
1025. Credit for Fire Prevention and Code Enforcement (CPCE)	1.57	2.2
1033. Credit for Public Fire Safety Education (CFSE)	1.66	2.2
1044. Credit for Fire Investigation Programs (CIP)	1.10	1.1
Item 1050. Credit for Community Risk Reduction	4.33	5.50

Item 1025 – Credit for Fire Prevention Code and Enforcement (2.2 points)	Earned Credit	Credit Available
Fire Prevention Code Regulations (PCR) Evaluation of fire prevention code regulations in effect.	10.00	10
Fire Prevention Staffing (PS) Evaluation of staffing for fire prevention activities.	1.73	8
Fire Prevention Certification and Training (PCT) Evaluation of the certification and training of fire prevention code enforcement personnel.	4.00	6
Fire Prevention Programs (PCP) Evaluation of fire prevention programs.	12.87	2
Review of Fire Prevention Code and Enforcement (CPCE) total:	1.57	40

Item 1033 – Credit for Public Fire Safety Education (2.2 points)	Earned Credit	Credit Available
Public Fire Safety Educators Qualifications and Training (FSQT) Evaluation of public fire safety education personnel training and qualification as specified by the authority having jurisdiction.	10.00	10
Public Fire Safety Education Programs (FSP) Evaluation of programs for public fire safety education.	20.25	30
Review of Public Safety Education Programs (CFSE) total:	1.66	40

Item 1044 – Credit for Fire Investigation Programs (1.1 points)	Earned Credit	Credit Available
Fire Investigation Organization and Staffing (IOS) Evaluation of organization and staffing for fire investigations.	8.00	8
Fire Investigator Certification and Training (IQT) Evaluation of fire investigator certification and training.	6.00	6
Use of National Fire Incident Reporting System (IRS) Evaluation of the use of the National Fire Incident Reporting System (NFIRS) for the 3 years before the evaluation.	6.00	6
Review of Fire Prevention Code and Enforcement (CPCE) total:	1.10	20

Summary of Public Protection Classification Review

Completed by ISO

for

Rochester

FSRS Item	Earned Credit	Credit Available
Emergency Reporting		
414. Credit for Emergency Reporting	1.65	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	1.85	3
440. Credit for Receiving and Handling Fire Alarms	7.50	10
Fire Department		
513. Credit for Engine Companies	5.87	6
523. Credit for Reserve Pumpers	0.41	0.5
532. Credit for Pumper Capacity	3.00	3
549. Credit for Ladder Service	3.50	4
553. Credit for Reserve Ladder and Service Trucks	0.44	0.5
561. Credit for Deployment Analysis	5.11	10
571. Credit for Company Personnel	6.15	15
581. Credit for Training	3.88	9
730. Credit for Operational Considerations	2.00	2
590. Credit for Fire Department	30.36	50
Water Supply		
616. Credit for Supply System	26.88	30
621. Credit for Hydrants	3.00	3
631. Credit for Inspection and Flow Testing	3.20	7
640. Credit for Water Supply	33.08	40
Divergence	-4.40	--
1050. Community Risk Reduction	4.33	5.50
Total Credit	70.87	105.5

Final Community Classification = 03/09

INSURANCE SERVICES OFFICE, INC.
HYDRANT FLOW DATA SUMMARY

City Rochester

Witnessed by: Rochester Water Dept.

County Strafford

NEW
HAMPSHIRE
State (28)

Date: Oct 14, 2013

TEST NO.	TYPE DIST.*	TEST LOCATION	SERVICE	FLOW - GPM $Q=(29.83(C(d^2)p^{0.5}))$				PRESSURE PSI		FLOW -AT 20 PSI		REMARKS***	MODEL TYPE
				INDIVIDUAL HYDRANTS			TOTAL	STATIC	RESID.	NEEDED **	AVAIL.		
1		Cocheco St @ Front St	Rochester Water Dept, Main Service	1130	0	0	1130	73	69	4000	4600		
1-A		Cocheco St.@ Front St.	Rochester Water Dept, Main Service	1130	0	0	1130	73	69	3500	4600		
10		Charles @ Hancock Sts	Rochester Water Dept, Main Service	1430	0	0	1430	66	42	2250	2000		
11		Oak St @ Rte 125	Rochester Water Dept, Main Service	2990	0	0	2990	78	70	4500	8700		
11-A		Oak St @ Rte 125	Rochester Water Dept, Main Service	2990	0	0	2990	78	70	3500	8700		
11-B		Oak St @ Rte 125	Rochester Water Dept, Main Service	2990	0	0	2990	78	70	750	8700		
12		Ten Rod Rd @ Spaulding Tpke	Rochester Water Dept	1240	0	0	1240	90	65	2250	2200	(B)-(1150 gpm)	
13		Dodge St @ S.Main St.	Rochester Water Dept, Main Service	1590	0	0	1590	95	85	4000	4700		
13-A		Dodge St @ S.Main St.	Rochester Water Dept, Main Service	1590	0	0	1590	95	85	750	4700		
14		Cross Road @ Milton rd	Rochester Water Dept, Main Service	820	0	0	820	68	42	1500	1100		
15		Jupiter St @ Vinewood St.	Rochester Water Dept, Main Service	710	0	0	710	75	70	750	2600		
2		Highland St @ Walnut St.	Rochester Water Dept, Main Service	1810	0	0	1810	54	52	3500	8400		
3		Farmington rd @ Nashoba Dr.	Rochester Water Dept, Main Service	1810	0	0	1810	65	60	2500	5900		
4		North Main St @ Claire St	Rochester Water Dept, Main Service	2020	0	0	2020	65	55	4000	4600		
4-A		North Main St @ Claire St.	Rochester Water Dept, Main Service	2020	0	0	2020	65	55	2000	4600		
5		Rochester Hill @ Continental Blvd	Rochester Water Dept, Main Service	2120	0	0	2120	84	42	1500	2700		

THE ABOVE LISTED NEEDED FIRE FLOWS ARE FOR PROPERTY INSURANCE PREMIUM CALCULATIONS ONLY AND ARE NOT INTENDED TO PREDICT THE MAXIMUM AMOUNT OF WATER REQUIRED FOR A LARGE SCALE FIRE CONDITION.

THE AVAILABLE FLOWS ONLY INDICATE THE CONDITIONS THAT EXISTED AT THE TIME AND AT THE LOCATION WHERE TESTS WERE WITNESSED.

*Comm = Commercial; Res = Residential.

**Needed is the rate of flow for a specific duration for a full credit condition. Needed Fire Flows greater than 3,500 gpm are not considered in determining the classification of the city when using the Fire Suppression Rating Schedule.

*** (A)-Limited by available hydrants to gpm shown. Available facilities limit flow to gpm shown plus consumption for the needed duration of (B)-2 hours, (C)-3 hours or (D)-4 hours.

INSURANCE SERVICES OFFICE, INC.
HYDRANT FLOW DATA SUMMARY

City Rochester

County Strafford

NEW
HAMPSHIRE
State (28)

Witnessed by: Rochester Water Dept.

Date: Oct 14, 2013

TEST NO.	TYPE DIST.*	TEST LOCATION	SERVICE	FLOW - GPM				PRESSURE		FLOW -AT 20 PSI		REMARKS***	MODEL TYPE
				INDIVIDUAL HYDRANTS			TOTAL	PSI		NEEDED **	AVAIL.		
6		Franklin @ Chamberlain Sts	Rochester Water Dept, Main Service	2210	0	0	2210	65	62	2250	9500		
7		Sheridan Ave @ Charles St	Rochester Water Dept, Main Service	710	0	0	710	75	70	2500	2600		
8		Church St. @ RTE 125	Rochester Water Dept, Main Service	290	0	0	290	90	5	1750	250		
9		Lafayette St @ Brock St	Rochester Water Dept, Main Service	1750	0	0	1750	65	55	6000	3900		
9-A		Lafayette St @ Brock St.	Rochester Water Dept, Main Service	1750	0	0	1750	65	55	4000	3900		


THE ABOVE LISTED NEEDED FIRE FLOWS ARE FOR PROPERTY INSURANCE PREMIUM CALCULATIONS ONLY AND ARE NOT INTENDED TO PREDICT THE MAXIMUM AMOUNT OF WATER REQUIRED FOR A LARGE SCALE FIRE CONDITION.

THE AVAILABLE FLOWS ONLY INDICATE THE CONDITIONS THAT EXISTED AT THE TIME AND AT THE LOCATION WHERE TESTS WERE WITNESSED.

*Comm = Commercial; Res = Residential.

**Needed is the rate of flow for a specific duration for a full credit condition. Needed Fire Flows greater than 3,500 gpm are not considered in determining the classification of the city when using the Fire Suppression Rating Schedule.


*** (A)-Limited by available hydrants to gpm shown. Available facilities limit flow to gpm shown plus consumption for the needed duration of (B)-2 hours, (C)-3 hours or (D)-4 hours.



NHMA
NEW HAMPSHIRE MUNICIPAL ASSOCIATION
EST. 1941

City of Rochester
Local Government Ethics:
Ethics and Compliance Program

C. Christine Fillmore
Staff Attorney, NHMA
December 19, 2013



NHMA
NEW HAMPSHIRE MUNICIPAL ASSOCIATION
EST. 1941

Is This Really a Problem?

- Google search "ethics & government"
193,000,000 hits
- Adlai Stevenson, Gov. of Illinois, 1952: "Public confidence in the integrity of the government is indispensable to faith in democracy. When we lose faith in the system, we lose faith in everything we fight and spend for."

Why Are You Here Today?

- What does our government say about us?
Can people trust city government?
- Your Council, Mayor and Manager have committed to a culture of ethical behavior for all City elected and appointed officials and every employee.



Why Are You Here Today?

- ~~Complacency~~ Vigilance
- What begins as a small, seemingly harmless act can grow into something significant.
- What each person does here has consequences, good and bad.



The Message:

- Why are *you* here?
- Why are you involved in City government?
- What is the point of your job?
- What is the point of government?
- Those who serve are the ones who lead.



What Are Ethics?

- ***"Don't do obvious wrong things."***
- Following State law and City rules
- Doing what's best for the community
- Separating public and personal interests
- Honesty, integrity, trustworthiness
- Concern about public perception



One Perspective...

- “Who is right” and “Who is in charge”
- Do these things help? How much time is wasted debating them? Does it matter?
- What if you were on the other side? Would you feel differently about the issue?
- “What’s in it for me?” – is this appropriate?
- Keep remembering: Why are you here?
TO SERVE.



Can We Legislate Ethics?

- Often referred to as trying to legislate “civility,” and it isn’t easy.
- People have been trying to do it for thousands of years.
- In this case, policies are in place not only to respond to problems, but to prevent them.
- Everyone knows what is expected.
- Public knows City is committed to it.



Rochester's Approach

- NH Cities may create codes of ethics to apply to elected and appointed officials as well as employees. (RSA Chapter 49-C)
- Rochester Policy and Procedure Manual ("PPM") and City Charter include codes and ethical guidance for everyone
- Wonderful way to instill a culture of ethical behavior in City government as a whole



Rochester's Approach

- Leadership calls for ethics as a priority and demonstrates it in what they say and do
- Commitment by all to make the time, budget the money and plan the program
- Collaboration among stakeholders to develop consensus
- Implementation – make ethics an integral part of training and daily activities
- Reflection and renewal – not a static thing



Rochester's Approach

- Letter to City Vendor Colleagues, 10/18/13:
"The City of Rochester is committed to building and supporting an organization that demonstrates honesty, integrity, ethics and best practices."
- The PPM was created to offer guidance for the complex legal and business issues faced by everyone in City government.



We'll Look At...

- State laws placing controls on ethics
- City Code of Ethics
 - Code itself, plus
 - Other portions of PPM that address ethical issues
- Ethics Compliance Program
- Social media and public v. private life
- Practical examples



Following the Law

- Seems like the simplest part to handle...
- Learn what the law says, and then do it.
 - Which laws?
 - Up to date?
 - What if it is unclear? Court interpretation?
 - Three lawyers, four opinions?



Following the Law

- Education about legal requirements is key, but it may not be enough
- How does it look? What will happen if other people find out about this?
- **Just because it is legal does not mean it is a good idea.**



Statutory Regulation

- RSA Chapter 640, Corrupt Practices
 - Class B Felonies:
 - Bribery (offering, accepting, failing to report)
 - Improper Influence (threatening harm to influence action)
 - Misdemeanors: Offer or acceptance of
 - Gifts in return for action
 - Improper payments
 - Purchase of public office



Statutory Regulation

- RSA Chapter 643, Abuse of Office
 - Official Oppression – knowingly committing an unauthorized act or failing to carry out a duty, while purporting to be acting officially, with the purpose of benefiting self or others.
 - Misuse of Information – speculation, acquisition or sale of property with inside knowledge obtained by virtue of public office.
 - Misdemeanors



RSA 91-A, Right to Know Law

- “Ethics” often involve issues under this law.
- Public meetings: proper notice, public access, minutes
 - Nonpublic sessions and “nonmeetings”
- Governmental Records: available for inspection and copying, time limits
 - Some records are exempt
- 1.011 – City’s RTK request policy (great!)



Defamation of Character

- Libel (written) and slander (spoken)
- Statement that tends to lower someone in the esteem of any substantial and respectable group
- Failure to exercise reasonable care in publishing (in print or by speaking) a *false* and *defamatory* statement about plaintiff to a *third party*.



Defamation of Character

- Even if it is defamatory, might be privileged
 - Legislative process
 - Judicial proceedings
 - Qualified privilege – published on a lawful occasion, in good faith, for a justifiable purpose, with reasonable belief that it is true
- Opinions aren't defamatory unless it is reasonably understood that opinion is based on defamatory facts



Defamation of Character

- No specific privilege for city officials conducting official business
 - This means there is no immunity for making defamatory statements in a meeting or over the internet, even if about official matters
 - Truth is a defense
 - Must be about a specific person, not general statement about a group
- Citizens may be liable for public comment



Conflicts of Interest

- A conflict of interest arises when a local official has a direct personal (financial) interest in the outcome.
- The interest must be 'immediate, definite and capable of demonstration; not remote, uncertain, contingent or speculative.'
- The official must "recuse" himself/herself
 - Does not participate in any aspect of resolving that matter
 - Does not create a "vacancy" in the office, only a temporary inability to act



Conflicts of Interest

- Courts resolve "conflict of interest" disputes by examining the type of action taken:
- "Judicial" decisions
 - Court may invalidate the board's action when a person with a conflict participated
- "Legislative" decisions
 - Court will only invalidate the action if the person with the conflict cast the deciding vote.
 - *Michael v. Rochester*, 119 N.H. 734 (1979).



Conflicts of Interest

- Judicial or “quasi-judicial” decision
 - Decision directly affects rights of specific people;
 - Entered only after notice and hearing;
 - Decision based only on evidence and law;
 - Higher “juror standard” applies; and
 - Officials must be “indifferent,” not biased
- Legislative matters, general applicability, affects all citizens
 - Procedural rules, or decision made by the people, such a zoning ordinance amendment or budget



Conflicts of Interest

- What to do when there is a conflict?
 - Disclose it up front and deal with it. If no one objects, they may have waived their right to do so later.
 - Ask the board for a non-binding vote.
 - When in doubt, step down. (Usually.)
- Rochester’s Ethics Policy addresses this.



Rochester Code of Ethics

- All City employees must follow it
 - Anyone working for the City, whether paid or unpaid
 - This is a broader definition of “employee” than elsewhere in the law and that is okay.
- Read the “Statement” section at the top – this is the reason for the policy.
- In other words, “do the right thing.”



Gifts

- No employee shall, directly or indirectly,
 - Solicit, accept or receive
 - Any gift in any form (\$, services, loans, travel, entertainment or hospitality)
 - If a reasonable inference can be drawn that gift was intended to influence or reward
 - Employee’s official actions



Confidential Information

- Shall not disclose confidential information learned in the course of official duties
- Shall not use confidential information to further personal interests
- Compare to RSA 42:1-a. Elected officials may be *removed from office* for doing this. It is the only specific violation of the oath of office in NH law.



Representation – Own Agency

- Shall not be compensated, or agree to be compensated under express or implied agreement, for
- Services rendered regarding any matter that is before any city agency
 - Which the employee has jurisdiction of, or
 - To which the employee may appoint any member, officer or employee



Representation – Other Agency

- Employees representing someone in front of another City agency:
 - Okay if done under a straight fee-for-service agreement
 - NOT okay if the representation is done on a contingent fee basis, i.e., the compensation is dependent upon what happens. (I don't get my permit, you don't get paid.)



Disclosure of Personal Interests

- Involves "legislation"
- Any Council member or employee who participates in the discussion of legislation or who gives official opinion to the Council on legislation before it
- Must disclose on the official record any direct or indirect financial or personal interest they have in the matter.



Conflicting Investments

- Employees shall not invest or hold interest directly or indirectly in any financial, business, commercial or other private transaction which creates a conflict with their official duties.
- Conflict: not defined here. Personal or financial interest that is in conflict with the interest of the public?



Private Employment

- Shall not engage, solicit, negotiate for or promise to
 - Accept private employment or
 - Render services for private interests
- If those services conflict with or impair the proper discharge of official duties for the City.



Future Employment

- Former City employees may not appear before any City board or agency regarding any matter in which they personally participated or considered in their capacity as a City employee.
- (But may be an advocate on City's behalf.)



Other Referenced Codes

- Fire Chiefs:
 - Serve in a position of public trust
 - Not to be used for personal/family gain
 - No improper influence in either direction
 - Be fair as employers, carry out policies fairly
 - Avoid conflicts of interest
 - Attend to ethics of the department



Other Referenced Codes

- Council on Accreditation
 - Maintaining the public trust goes beyond mere compliance with the law
 - Ethics standards can, and should, exceed the law
 - Consider “what we are comfortable reading about our organization in the newspaper.”
 - Combination of legal compliance and culture of trustworthiness and accountability



A Side Note: “Friends Of...”

- Are the “Friends of” a separate entity from the City? (501(c)(3), for example)
- Key: if not part of City government, money may not be commingled with City funds.
- Association raises and holds funds, then:
 - Donates \$ to City (specific or general purpose)
 - Purchase and donate items/property
 - Donate as part of an appropriation in budget (accounted for as revenue)



Other Referenced Codes

- International City Managers' Association
 - Affirm the dignity and worth of City services, maintain a constructive attitude toward City affairs and a deep sense of social responsibility as a trusted public servant
 - Dedication to the highest ideals of honor integrity to merit respect and confidence of other officials, employees, and the public



Other Referenced Codes

- International City Managers' Association
 - Affirm the dignity and worth of City services, maintain a deep sense of social responsibility as a trusted public servant
 - Dedication to the highest ideals of honor integrity to merit respect and confidence of other officials, employees, and the public
 - Chief function of government is to serve the best interests of all people



Other Referenced Codes

- International City Managers' Association
 - The chief function of City government is to serve the best interests of all people
 - Keep the community informed about City affairs, encourage communication between citizens and government, emphasize friendly and courteous service to the public
 - Seek no favor; personal profit from confidential information or misuse of public time is dishonest.



Other Referenced Codes

- Int'l Economic Development Council
 - Practice with integrity, honesty and adherence to the trust placed in employees, both in fact and appearance
 - Remain free of interest, influence or relationship which could impair professional judgment or appear that way
 - Be mindful – you are representatives of the community; represent their overall interests.



Other Referenced Codes

- National Association of Realtors
 - Zealously maintain and improve the standards of your calling (whatever it is)
 - Share with fellow employees and officials a common responsibility for the integrity and honor of government service



Other Referenced Codes

- NH Gov't Finance Officers' Association
 - Personal standards – honor and integrity in all relationships to merit respect, trust and confidence of colleagues and public
 - Recognize and be accountable for responsibilities as public servants.
 - Respect the rights, responsibilities and integrity of colleagues and those with whom they work. (Team effort.)



Other Referenced Codes

- Rochester Police Department
 - Mission is protection of life and property
 - Fair and equal treatment, rights and dignity of the public.
 - Credibility of the agency is the basis for all action.
 - Ethics for both sworn officers and civilian employees – each area is critical.



Vehicles and Internet

- 1.009 – Use of City Vehicles
 - Only for City business, except for commuting and incidental personal stops directly on the commuting route.
- 5.001 – Internet Usage
 - Access is for legitimate business use
 - City may monitor (no expectation of privacy)
 - Concern about transporting in viruses, etc.
 - Efficiency and security are the drivers here



Alcohol and Drugs

- 2.014 – Workplace Policy
 - No possession, use, or influence of drugs or alcohol during work hours or while engaged in City business. (Prescriptions require notice to supervisor if they may interfere with performance or create a danger.)
- 2.015 – CDL Substance Policy
 - Under federal law, testing is required



Gifts and Prizes

- 1.012 – gifts/entertainment of more than nominal value may seem an attempt to influence officials, employees, volunteers
 - No soliciting/accepting inappropriate gifts from those who may request City services or business (nothing more than “nominal value”)
 - Exceptions: Advertising items >\$20; items for all to enjoy >\$50; Manager-approved gifts
 - Includes family members (defined in policy)



Nepotism

- 2.001 – employment of family members
 - Why? Creates awkward situations
 - No family member or close relationship in same department as another employee
 - Ok if in another department and no reporting relationship between positions
 - Family members and “close relationships” as defined in policy



Harassment and Discrimination

- Prohibited by federal and state law as well as City policy
- Federally, 5 statutes and US Constitution
- State, NH Constitution and RSA 354-A
- City Policy 2.004
- Applies to discrimination in employment as well as sexual harassment on the job



Discrimination

- Prohibited in all stages of employment on the basis of race, color, religion, gender, national origin, age, physical or mental disability.
- State law prohibits the same thing and adds prohibition on the basis of marital status or sexual orientation.
- City adds genetic information and veterans



Harassment

- Sexual Harassment: unwelcome advances, request for favors and other verbal, non-verbal and physical conduct of a sexual nature in the workplace, when:
 - Submission is made explicitly or implicitly a term or condition of employment
 - Submission or rejection is used as a basis for employment decisions
 - Conduct has purpose OR effect of unreasonably interfering with work performance, or creating an intimidating, hostile or offensive work environment



Romantic Relationships

- Fraternization among those of different management levels creates difficulties (employee – supervisor)
- Even peer-to-peer relationships may create a sexual harassment violation under federal law after the relationship ends if one party engages in prohibited actions.



Harassment and Discrimination

- Complaints/Concerns: report workplace violations verbally or in writing to supervisor, HR Manager, or City Manager
- Report either about self or others
- Failure to report may preclude court action later
- Reports are investigated promptly and impartially.
- Privacy of all people is maintained under state law
- Employees must cooperate in any investigation
- Resolution will be communicated to those affected



Harassment and Discrimination

- Appropriate disciplinary action may be taken if a violation is found
- Employees may also pursue legal action
- Non-retaliation:
 - No person who in good faith raises a concern, or who reports or cooperates in the investigation of alleged violation of the policy may be retaliated against in any way (violates the policy and is also illegal)



Ethics and Compliance Program

- Purpose:
 - To allow employees to raise concerns
 - To provide assurance that they will be protected from reprisals or victimization for making good faith reports alleging improper or wrongful activity
 - In so doing, to foster a culture of high standards for ethical, moral and legal conduct.
 - Continue to foster open communication



Ethics and Compliance Program

- Activity to report immediately:
 - Discrimination or harassment
 - Illegal activity (local, state, or federal laws)
 - Fraud
 - Unethical or unprofessional business conduct
 - Noncompliance with City policies/procedures
 - Substantial, specific or imminent danger to an employee or public health or safety
 - Other illegal or improper practices or policies



Ethics and Compliance Program

- Ethics Policy 2.009: ethics complaints should be filed with the HR Department;
- Compliance Policy 2.011 has different reporting requirements
- If not sure, Helpline may be the best place to begin and get information about the proper reporting procedure for the situation



Ethics and Compliance Program

- Reporting requirements for all employees:
 - Actual or potential violation of law, regulation, policy or procedure
 - Report actual or potential violations to Compliance Officer (City Manager) or Helpline
 - Report other concerns to immediate supervisor, then Department Head/Director, or if uncomfortable with either, the Helpline



Ethics and Compliance Program

- Next Steps:
 - Compliance Intake Form will be completed for all Helpline calls (form is in the PPM), including all detail given by the caller
 - Calls may be anonymous, but it may make investigation more difficult
 - Concerns will be addressed and resolved within 30 days
 - Documentation of investigation and resolution will be maintained by Chief Compliance Officer



Ethics and Compliance Program

- Confidentiality about employee concerns will be maintained at all times to the extent it can be. Information only on a “need to know” basis.
- **HELPLINE:**
 - 603-509-1905
 - Compliance@RochesterNH.net
 - 24/7 availability



Non-Retaliation Policy

- 2.012: Prohibits retaliation against those who make good faith reports of potential violations of law, regulations or city policies
- RSA 275-E: Prohibits retaliation for good-faith reporting of potential illegal conduct, participation in investigation, or refusal to cooperate in illegal activities as directed by employer



Non-Retaliation Policy

- Reports of retaliation: Chief Ethics Compliance Officer (City Manager) or the Helpline
- City Manager investigates all reports
- Reports that are knowingly false, malicious, or made with reckless disregard for facts to disprove the allegation are also prohibited



Reporting Considerations

- Aside from Policies, things to think about:
 - Consider your own behavior first. Did anything today strike a nerve? Would you be embarrassed if others knew about it? If so, don't do it. When in doubt, don't do it.
 - If someone else is doing something that seems wrong in any of the ways we've looked at, do something. Contact supervisor, department head, HR, Chief Compliance Officer, Helpline



Social Media Policy

- The City has an online presence. Why?
- To more effectively interact and communicate with residents, businesses, and other interested parties.
- Taking government to where the public is.
- However, for employees, it does not take the place of regular channels for reporting within government.



Social Media Policy

- 5.002: Governs use of the City's online channels
 - Use on behalf of City requires conduct of a dignified and professional manner
 - Conduct the same as it would be in person
 - Never assume what you do is private (a quiet "side conversation" may be possible in person, but never on the internet)
 - No disclosures that might affect legal proceedings



Social Media Policy

- When using the City's social media channels, comply with the site's rules
- May not violate Charter, ordinances, PPM, or any law
- **You are responsible for what you post**
- May not post anything that infringes on copyright, trademark, or patent rights, or anything violating the rights to privacy of any person, business, entity or organization on the City's social media channels



Social Media Policy

- City may remove content posted by anyone if it is unacceptable under the policy.
- No political content permitted to support or oppose a candidate, campaign or ballot measure, or any political organization.
- Note that Freedom of Speech rights under US Constitution and New Hampshire law are not affected (speech as an individual).



Public v. Personal

- Where is the line between an official or employee's public life and personal life?
- Some issues are of public concern:
 - Illnesses and behavioral issues that affect the performance of official duties
 - Financial issues for a person who handles money or budgetary issues



Public v. Personal

- Can an official or employee be ethical in public if he or she is unethical in private?
- What if the unethical/questionable behavior occurred when they were much younger?
- What if someone has "served their time" and is now eligible for office again? Might it depend on what the offense was?



Public v. Personal

- What does the public see?
 - Broadcasts of meetings on cable and website – video as important as audio. What does body language reveal?
 - What does it say when an official is reading email, texting, using laptop/iPad while the meeting is going on? Disinterested, or having private conversations with others in the room?
- These are indicators of ethics and can affect public trust in government.



Public v. Personal

- Social Media communication is a lot like traditional media (telephone, newspaper, email, newsletters, bulletin board, meeting), they just look different
- Draw an analogy to a more traditional form of media
- The only differences are *SPEED* and *REACH*



Public v. Personal

- “Official” accounts should be used only for official business
- Personal accounts – just because it is an individual account **doesn’t mean no one else will see it**
- Be very careful to separate City business from personal statements and activities (but beware this can be difficult)



Public v. Personal

- Consequences of personal commentary
 - Release of confidential information under RSA 91-A may be removed from office (RSA 42:1-a) and subject municipality to liability (invasion of privacy, libel, etc.)
 - Even if you win, still have to pay to defend it
 - Inaccurate/misleading comments affect public confidence in municipal government



Public v. Personal

- May affect the legality of actions
 - Ex., Planning Board and ZBA must act judicially hearing cases, members must remain impartial until it is time to decide. Prejudgment is a reason for recusal, RSA 673:14, I.
 - Comments on social media by board member about individual applications or interpretation of ordinances and regulations indicate bias/prejudgement, put decisions in jeopardy.



Public v. Personal

- Comments by a municipal official or employee – are they personal or official?
- One member of a board – are they speaking on behalf of the board or not?
- Don't lose your rights as a citizen just because you are an official or employee but need to be clear when it is personal.



Public v. Personal

- Final social media thoughts:
- What does being a “friend” with someone on Facebook mean when you are an official? Can you “unfriend” them?
- Like other social interactions with one exception – permanence. You can delete it but it is never really gone.
- If you don’t want to see it out there, don’t put it out there.



Questions?

- Thank you for attending!
- New Hampshire Municipal Association
 - 603-224-7447 x3408
 - 1-800-852-3358 x3408
 - legalinquiries@nhmunicipal.org





THE LIFEFLIGHT FOUNDATION

PO Box 899 | Camden, Maine 04843 | (207) 230-7092
www.lifeflightmaine.org

CITY OF
Received
DEC 20 2013
City Manager
ROCHESTER

December 17, 2013

City of Rochester
City Hall, 31 Wakefield St
Rochster, NH 03867
Dear City Clerk of Rochester,

Over 15,000 times since 1998, people suffering medical trauma or severe illness have been transported to specialized care safely. In that time, over 531 transports were mutual aid out of the state: 12 from Canada, 3 from Vermont, 28 from Massachusetts and 488 from New Hampshire. With nationally recognized safety standards, we are more than transport-we are a flying emergency room. Highly trained nurses, paramedics and sophisticated equipment on board perform the critical processes needed to save lives.

LifeFlight is the lowest cost medical air transport carrier in the entire United States. We transport anyone regardless of ability to pay. Charity care totals over 30% of our flights, or \$1.5m+ in lost revenue yearly. As a nonprofit with a mission of ensuring everyone has access to critical care when they need it, where they need it, we rely on donations to replace and upgrade equipment and aircraft. Other funding models around the country include subscription services or taxes to support the state or regional air medical service. Maine does neither, and state bond funds we have received have been used exclusively for infrastructure: helipads at nearly every community hospital, Automated Weather Observation Systems and GPS approaches which are used by other aviation entities.

Twenty-three towns inside the state have supported LifeFlight, in yearly amounts from \$100.00 to \$2000.00. The attached list gives a sense of how many communities have been affected by LifeFlight. To determine the worth of service one could multiply each municipality's flights by the cost of one flight, or alternatively, by understanding that having a child, husband or mother come home again when there would otherwise have been no chance of that is very hard to put a price on.

On behalf of all the reunited families and communities, I would like to invite Rochester to join with others to keep LifeFlight in the air, serving the entire state of Maine and surrounding areas with the highest standards of care. We would be happy to fill out any application you may have to be considered for support.

Thank you for your consideration. Please contact me with questions or comments.

Sincerely,

Thomas Judge
Executive Director

Town	#	Town	#	Town	#	Town	#	Town	#
Abbot	2	Burlington, VT	1	Dover-Foxcroft	222	Hampden	7	Old Town	4
Acadia Nat'l Park	3	Burnham	3	Dresden	16	Hancock	9	Oquilon Twp	1
Acton	5	Byron	7	Durham	8	Hanover	2	Oquossoc	3
Addison	4	Calais	491	Eagle Lake Twp	1	Harbor	4	Orland	8
Aherst	1	Cambridge, NH	1	Eastport	1	Harmony	5	Orneville	1
Albany	1	Camden	10	East Andover	2	Harpswell	6	Orrington	2
Albion	4	Canaan	13	East Blue Hill	1	Harrington	12	Osborne	5
Alfred	3	Canada	1	East Dixfield	2	Harrison	28	Ossippee, NH	1
Allagash	1	Canton	17	E. Hancock Cty	5	Hartland	6	Otisfield	8
Alna	1	Caratunk	16	East Livermore	2	Haynesville	1	Owls Head	2
Alton	3	Caribou	122	East Orland	1	Hebron	12	Oxford	60
Amherst	2	Carmel	3	East Waterboro	1	Hermon	1	Palermo	20
Andover	13	Carabassett	31	East Winthrop	1	Hiram	3	Palmyra	10
Anson	4	Carroll, NH	1	Eddington	8	Holden	4	Paris	8
Appleton	5	Carroll Plnt	1	Edgecomb	3	Hope	9	Parkman	2
Argyle	3	Carthage	4	Edmunds	1	Houlton	286	Parmachenee Twp	1
Arrowsic	2	Casco	7	Edmunston, NB	8	Howland	9	Parsonsfield	3
Ashland	1	Castine	3	Effingham, NH	1	Hudson	6	Pasadumkeag	1
Athens	5	Ctr Conway, NH	1	Ellsworth	433	Indian Twp	3	Patten	2
Auburn	7	Chadam	1	Embden	4	Islesboro	15	Peabody, MA	1
Augusta	243	Chamberlain Lake	2	Errol, NH	3	Islesford	1	Pembroke	2
Aurora	5	Chantham, NH	2	Etna	8	Jackman	81	Penobscot	6
Avon	3	Chelsea	15	Eustis	9	Jackson	1	Peru	6
Bailey Island	2	Cherryfield	14	Exeter, NH	13	Jay	23	Peterborough, NH	1
Baileyville	1	Chesterville	2	Farfield	11	Jefferson	18	Phillips	37
Bangor	1184	China	15	Farmingdale	5	Johnson Mtn Twp	1	Phipsburg	2
Bar Harbor	444	Claremont, NH	1	Farmington	617	Jonesport	4	Pittsburg, NH	5
Bartlett, NH	2	Clayton Lake	1	Farmington Falls	1	Kasooth Twp	1	Pittsfield	304
Bass Harbor	2	Cliff Island	1	Fayette	4	Kenduskeag	2	Pittston	15
Bath	8	Clifton	1	Fort Kent	393	Kennebunk	3	Pittston Farm	3
Belfast	609	Clinton	5	Fort Knox	1	Kennebunkport	1	Pleasant Ridge	1
Belgrade	15	Coburn Gore	2	Foxborough, MA	1	Kents Hill	5	Plymouth	9
Benton	3	Colebrook	62	Frankfort	7	Kingfield	27	Plymouth, MA	1
Berlin, NH	88	Columbia	3	Franklin	19	Kingman	1	Plymouth, NH	38
Bernard	1	Columbia Falls	10	Franklin, NH	4	Kingsbury Plnt	1	Poland	10
Bethel	143	Concord, NH	4	Fredericton, NB	2	Kokadjo	2	Popham	1
Biddeford	14	Conway, NH	3	Freedom, NH	1	Laconia, NH	55	Port Clyde	1
Bingham	19	Corinna	7	Freeport	5	Lagrange	6	Portage Lake	1
Blue Hill	316	Corinth	8	Frenchville	5	Lakeview Plnt	1	Porter	2
Boothbay Hbr	48	Cornish	3	Fryeburg	27	Lakeville Plnt	1	Portland	121
Boston, MA	16	Cornville	3	FT Kent	1	Lamoine	3	Portsmouth, NH	9
Bowdoin	10	Cranberry Isls	2	Gardiner	52	Lancaster, NH	40	Pownal	3
Bowdoinham	16	Crawford	1	Garland	1	Lawrence, MA	4	Presque Isle	230
Bowerbank	1	Cushing	4	Georgetown	4	Lebanon	7	Princeton	3
Bradford	7	Cutler	1	Gilead	1	Lebanon, NH	2	Prospect	6
Bradley	1	Damariscotta-Newcastle	151	Gilmanton, NH	1	Lee	3	Prospect Hbr	2
Brewer	48	Danforth	8	Glen, NH	1	Leeds	2	Quebec City, QC	1
Bridgton	687	Danville Jnct	1	Glenburn	2	Levant	6	Randolph	7
Brighton	1	Davis Twp	1	Goodwins Mills	1	Lewiston	568	Rangleley & Plnt	77
Brooklin	8	Day Block Twp	1	Gorham	2	Methuen, MA	4	Raymond	1
Brooks	3	Deblois	1	Gouldsboro	6	Metinic Island	2	Readfield	16
Brooksville	3	Dedham	5	Gray	5	Mexico	2	Ripley	1
Brookton	1	Dedham, MA	1	Great Duck Island	1	Millbridge	3	Rivier-du-Loup, QC	1
Brownfield	2	Deer Isle	7	Greenbush	1	Millinocket	240	Rochester, NH	115
Brownville	4	Denmark	4	Greene	9	Milo	4	Rockland	5
Brownville Jnct	2	Dennysville	1	Greenfield	2	Milton	5	Rockport	640
Brunswick	134	Detroit	4	Greenville	236	North Haven	18	Rockwood	5
Bryant Pond	10	Dexter	9	Greenwood	3	N. Monmouth	2	Rome	2
Buckfield	13	Dixfield	13	Groton, NH	1	N. New Portland	4	Roxbury	9
Bucksport	14	Dixmont	3	Guilford	1	North Newry	1	Rumford	574
Burlington	3	Dover, NH	16	Hallowell	5	N. Oxford Cty	2	Sabattus	6

LifeFlight Transports by Town 1998-2013

Page 2

Town	#	Town	#	Town	#	Town	#
Saint Albans	12	TWP10 R12	1	Winter Harbor	6		
St. Johnsbury, VT	2	TWP18	1	Winterport	8		
Salem	1	TWP19	2	Winthrop	33		
Salisbury Cove	1	TWP20	1	Wiscasset	20		
Sandy River Plnt	1	TWP22	2	Wolfeboro, NH	73		
Sanford	27	TWP28	1	Woodstock	16		
Sargentville	1	TWP30	2	Woodsville, NH	1		
Searsport	5	TWP34	2	Woolwich	13		
Sebago	5	TWP40 MD	1	York	56		
Sebago Lake	2	Temple	1	TOTAL	15360		
Seboeis Plnt	2	Tenants Harbor	2				
Seboomook	2	The Forks	7				
Seboomook Lake	1	Thomaston	4				
Sedgewick	4	Thorndike	3				
Shaker Village	1	Topsham	6				
Shapleigh	5	Trenton	22				
Shelburne, NH	1	Trescott	1				
Sidney	22	Troy	3				
Skowhegan	633	Turner	16				
Smithfield	3	Union	9				
Solon	14	Unity	11				
Somerville	1	Upton	1				
Somesville	1	Vassalboro	2				
Sorrento	2	Veazie	1				
Richmond	12	Verona	1				
S. Aroostook Cty	1	Vienna	3				
S. Casco	1	Vinalhaven	54				
S. China	18	Wakefield, NH	1				
S. Gardiner	1	Waldo	1				
S. Levant	1	Waldoboro	4				
S. Paris	13	Wales	5				
S. Thomaston	1	Waltham	4				
Southwest Hbr	2	Warren	16				
Springfield	7	Washington	6				
Standish	9	Waterboro	2				
Starks	3	Waterford	3				
Stetson	2	Waterville	356				
Steuben	18	Waterville Vly, NH	2				
St. George	1	Wayland, MA	1				
Stockton Springs	3	Wayne	14				
Stonington	18	Weld	1				
Stow	2	Wells	3				
Stratton	3	Wesley	2				
Strong	5	West Baldwin	1				
Sugarloaf	6	West Bath	2				
Sullivan	10	W. Cntrl Somerset Co	3				
Sumner	7	West Forks	3				
Sunday River	3	West Gardiner	8				
Sunset	1	West Minot	1				
Surry	3	West Paris	14				
Sutton Island	1	West Rockport	1				
Swans Island	48	Westport Island	2				
TWPD	2	Whitefield	16				
TWP3	1	Whiting	1				
TWP3 R4	1	Willimantic	3				
TWP3 ND	1	Wilsons Mills	3				
TWPD Indian							
Purchase	1	Wilton	7				
TWPD4 NP	1	Winsor	24				
TWP7 R12	1	Winn	1				
TWP7 R17	1	Winslow	2				



CITY OF
Received
JAN 6 2013
City Manager
ROCHESTER

January 3, 2014

Mr. Daniel Fitzpatrick
City Manager
City Hall, 31 Wakefield Street
Rochester, NH 03867

Dear Mr. Fitzpatrick,

COAST continues to see strong demand for our services. During FY2013 (Oct. 1, 2012 – Sept. 30, 2013) COAST once again carried over 506,000 passengers as more and more residents of the Greater Seacoast have come to rely upon COAST on a daily basis. COAST offers an affordable, convenient and efficient way for individuals to access their jobs, education, medical services and commerce. Public transit, COAST, is an important part of your community and provides an essential service for thousands of the region's residents.

As I explained at our Community Leader Luncheon at the beginning of last year, COAST also continues to experience an explosion of growth in our federally mandated van services for individuals with disabilities, averaging nearly 50% annually between FY09 & FY13. These demand responsive services, which can provide up to door-to-door service under the Americans with Disabilities Act (ADA), are for people who cannot utilize the fixed-route bus system due to a functional limitation or disability. Unfortunately, this is the most complex and costly service COAST administers and operates. New Hampshire's rapidly aging population, growing knowledge of this service and the downshifting of state supported services to COAST are all driving this growth. Over the last five years, the annual costs associated with operating this service have gone from \$180,000 to just over \$1,000,000.

The continued success and growth of COAST and public mass transportation statewide in New Hampshire is indicative of the growing importance of this and other alternative modes of transportation to our residents and local businesses. The number one and two uses of COAST and public transit as a whole are for work and to access commerce. Public transit provides affordable access to employment opportunities and the ability to shop local, both critically important to our local and regional economies.

Public transit only exists through the public's recognition that it is an important component of the overall set of services that we support in our communities. Public transit, with a low fare to ride (i.e., \$1.50), does not pay for itself through user fees, regardless of how many passengers are carried. COAST routes, despite all of our

tremendous success, have farebox recovery ratios ranging from 53% to less than 10%. The fare to ride public transit is low so as to be affordable for anyone to take advantage of and utilize on a frequent basis. There is a public benefit to this. Without community-based public transportation options; (1) many of our region's residents would have extremely limited or no access to employment opportunities, healthcare and basic services, (2) some area employers would have a harder time attracting and accessing employees, (3) family transportation expenses would be much higher, (4) more disabled and elderly individuals would be unable to continue living independently in their own homes, and (5) our streets would be more crowded.

The funds contributed to COAST by the municipalities served by our core system (Rtes. 1, 2, 6, 7 & ADA) are critical to matching and leveraging over \$1,500,000 in federal funds to support our regional public transit system.

Without the continued support of communities like yours, we would not be able to provide essential public transit services to your residents and the greater Seacoast. In order to secure the federal funding needed to operate our system and based on the FY2015 municipal funding formula, COAST needs a commitment from the City of Rochester in the amount of \$103,239. This represents a \$678 increase from our previous year's request of \$102,561 which the City funded 98.5%. The City's funds this year will leverage approximately \$154,000 in Federal Transit Administration (FTA) funds to support our operation.

If you should have any questions, need more information, or if you would like me to make a presentation on our services and request, please do not hesitate to contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rad Nichols', with a stylized, cursive flourish extending from the end.

Rad Nichols
Executive Director

Attachments

cc: Mr. Kenneth Ortmann, Rochester Representative to the COAST Board of Directors



Funding Formula Summary

COAST uses a funding formula to provide an equitable way of determining municipal funding of the regional public transit system. Since COAST's inception the formula has evolved as federal funding sources have come and gone, the census has impacted the region and attempts have been made to refine the formula to provide more equitable assessments.

The latest iteration of the formula was presented to Town and City Managers from all member communities in December 2003. The formula was viewed as equitable by the group (by consensus), and was subsequently adopted by the COAST Board of Directors as the basis for municipal requests beginning in 2004.

COAST has worked closely with the Strafford Regional Planning Commission and Rockingham Planning Commission to develop the funding formula.

The funding formula is a blended average, by community, of four separate factors:

- 1) population residing within a ½ mile of a COAST route (US Census)
- 2) employment located within a ½ mile of a COAST route (NH DOL)
- 3) weekly service miles (COAST)
- 4) ridership within the community (COAST)

Each of the four factors carries equal weight. The end result is an overall assessment for each community served by COAST.

Updates to the variables are applied when data for all member communities becomes available. Some of the data, such as population and employment figures, can only be updated when the regional planning commissions are provided this information through the federal or state agencies that control this information. Population and employment data is analyzed at the census block level and are not updated at this level on a regular basis. Updates to weekly service miles and ridership are applied on an annual basis, based on current or projected conditions (weekly service miles) or the past year's performance (ridership).

The total amount of municipal funding requested is determined only after considering and applying all other revenue sources against projected expenses in the projected operating budget.



2015 Municipal Funding Formula & Requests (25% ADA Growth)

(for the period 10/1/14 - 9/30/15)

Funding Formula

- For regional COAST bus service on Routes 1, 2, 6, 7 & ADA paratransit services for disabled individuals.
- Based on Blended Averages of 1/2 Mile Population & Employment, Weekly Service Miles & Ridership.

	Population Within 0.5 Mile	Local % of Total Population	Employees Within 0.5 Mile	Local % of Total Employment	Weekly Service Miles (1)	Local % of Total Service Miles	% Change FY14 - FY13	Ridership (2)	Local % of Total Ridership	% Change FY13 - FY14
Berwick	1,837	2.7	900	1.7	143	1.5	-0.2%	3,152	1.0	-13.5%
Dover	18,285	26.8	8,733	16.4	2,682	27.3	2.5%	116,677	37.0	17.3%
Exeter	5,764	8.4	5,814	10.9	273	2.8	5.7%	3,225	1.0	17.0%
Greenland	1,513	2.2	1,848	3.5	245	2.5	-7.5%	743	0.2	21.6%
Farmington	2,907	4.3	747	1.4	632	6.4	0.0%	9,282	2.9	1.3%
Newington	35	0.1	4,243	7.9	551	5.6	2.0%	27,105	8.6	28.9%
Newmarket	5,372	7.9	863	1.6	429	4.4	-8.5%	2,898	0.9	10.9%
Portsmouth	8,169	12.0	16,022	30.0	884	9.0	-2.8%	40,351	12.8	12.7%
Rochester	12,422	18.2	8,092	15.2	2,032	20.7	0.9%	58,515	18.6	17.1%
Somersworth	9,236	13.5	4,364	8.2	1,504	15.3	0.5%	52,213	16.6	18.2%
Stratham	2,686	3.9	1,784	3.3	445	4.5	-8.7%	803	0.3	29.9%
	68,226		53,410		9,818		-0.1%	314,964		16.7%

Proposed Funding Shares

	% of Total Budget	FY15 Request	FY14 Requested	\$ Change FY14 - FY15	% Change FY14 - FY15
Berwick	1.7	\$ 9,709	\$ 10,179	\$ (470)	-4.62%
Dover	26.9	\$ 152,828	\$ 151,168	\$ 1,660	1.10%
Exeter	5.8	\$ 32,891	\$ 32,578	\$ 314	0.96%
Greenland	2.1	\$ 11,946	\$ 12,182	\$ (237)	-1.94%
Farmington	3.8	\$ 21,379	\$ 21,943	\$ (564)	-2.57%
Newington	5.6	\$ 31,569	\$ 30,162	\$ 1,407	4.66%
Newmarket	3.7	\$ 21,005	\$ 21,581	\$ (577)	-2.67%
Portsmouth	15.9	\$ 90,663	\$ 91,417	\$ (754)	-0.83%
Rochester	18.2	\$ 103,239	\$ 102,561	\$ 678	0.66%
Somersworth	13.4	\$ 76,196	\$ 75,549	\$ 648	0.86%
Stratham	3.0	\$ 17,145	\$ 17,664	\$ (518)	-2.93%
	100.0	\$ 568,570	\$ 566,985	\$ 1,585	0.28%

Sheet Notes:

1. Includes mileage adjustments for planned routing adjustments & a 25% increase ADA related miles.
2. Represents only those riders who rode COAST's core services (Rtes. 1, 2, 6, 7 & ADA trips associated with these routes).

DECEMBER 2013[illegible]

1/2/2014

PERSONNEL ACTIONS.xls, DECEMBER 2013

PERMITS ISSUED

December 2013

DATE	DEPARTMENT	PERMISSION PERMITS	MISCELLANEOUS
11/5/2013	City Manager's Office	BANNER	Rochester Runners
11/26/213	City Manager's Office	EVENT	The Homemakers - Craft Fair & Raffle
11/26/2013	City Manager's Office	EVENT	SHS - Bonfire (date change)
11/26/2013	City Manager's Office	EVENT	Rochester School Dept. - Yard Sale
12/12/2013	City Manager's Office	EVENT	Pleasant Street - Lapierre - dumpster on sidewalk

Council Inquiry report December 2013.xls

NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION
1	Varney	10-13-13 Codes & Ordinance Committee	Class 2 Fire Permits- asked that chief statistician provide them with complaints of this nature for last year	Received letter from Chief Allen that will go to Dec. Codes & Ordinances Committee meeting - Inquiry closed.
2	Varney	11/12/13 Finance	<ul style="list-style-type: none"> ●updated Working Capital Analysis ●estimate of water & sewer fund balances with 1.5% annual increase in rates for the next 3 to 5 years 	responded via email. Inquiry closed.
3	Keans	11/12/13 Finance	<ul style="list-style-type: none"> ●have septage volumes changed in recent years ●how septage rates compare to neighboring communitites 	responded via email. Inquiry closed.
4	Walker	11/12/2013	would like data on our water system loss rate	responded via email. Inquiry closed.
5	Varney	11/12/2013	future report on how many overtime hours as a result of vacation leave vs. other causes of overtime expenses of Fire Dept.	report prepared by Fire Dept. (see new request #7)
6	Torr	11/12/2013	Backflow Prevention bid - why not done in-house	responded via email. Inquiry closed.
7	Varney	12/10/2013	Councilor Varney stated that this information (Fire Dept overtime information received)does not answer his request to see how vacation time converts to "man-years".	Fire Dept.

This page intentionally left blank



City of Rochester Formal Council Meeting

AGENDA BILL

JAN 09 2014

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT

Position Classifications

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☐ NO ☒

FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	January 14, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	13	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	<i>[Signature]</i>
CITY MANAGER	<i>[Signature]</i>

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

The Merit Plan/ Employment Policy Handbook Article II; Amendment of Rules, stipulates:
AMENDMENT OF RULES

The City Manager may amend these Rules and Regulations from time to time as deemed suitable and necessary to carry out the provisions of the City Charter by submission of such amendments to the City Council. An amendment shall become effective upon a majority vote of the City Council

taken within sixty (60) days of amendment submittal. Written request for re-classification of existing positions or the classification of new positions shall be submitted to the Personnel Advisory Board for review and recommendation to the City Manager. The Board shall make a written recommendation to the City Manger, with a copy submitted to the City Council, within 90 days of the request. Only one (1) request for re-classification, for the same position, shall be considered per year.

SUMMARY STATEMENT

City Manager Fitzpatrick presented on December 10, 2013 in non-public session the proposed job descriptions of Payroll/Human Resource Specialist and Human Resource Manager at pay ranges of 6 and 12, respectively. These job classifications were reviewed and approved by the Personnel Advisory Board on April 24, 2012.

The amended position of Human Resources Manager and the new position of Payroll/ Human Resources Specialist are submitted to more accurately reflect the changing roles and responsibilities of existing personnel in these functional areas.

After a lengthy discussion, the Mayor determined the sense of the Finance Committee was to support the City Manager in presenting these at the January 14, 2014 Council meeting but at pay scales of 5 and 11.

RECOMMENDED ACTION

Creation/ Adoption of these positions within the Merit Plan.

HUMAN RESOURCE MANAGER (proposed)

Statement of Duties

Administrative, technical and professional work in administration of the City's payroll, employee benefit and personnel systems; ensuring compliance with employment laws and contracts; labor negotiations and labor relations; developing policies and procedures, administering compensation and benefit programs, recruiting of new employees and effectively managing the overall operation of the department; all other related work as required.

Supervision

Works under the general supervision of the Deputy City Manager - Director of Finance & Administration. Incumbent generally establishes own work plan and priorities in accordance with established policies and guidelines; only unusual issues are referred to supervisor.

Performs varied, responsible duties requiring comprehensive knowledge of payroll and human resource programs, applicable federal, state and local laws, regulations and City policies. Requires the exercise of technical expertise in applying standard personnel professional techniques providing general guidance to employees and department heads regarding matters of personnel policies and procedures.

Supervises one full-time regular employee.

Job Environment

Work is generally performed under typical office conditions.

Operates a computer and general office equipment, such as a calculator, copier, facsimile machine and telephone.

Makes frequent contact with municipal employees and retirees; makes regular contact with the general public; makes frequent contact with outside vendors such as health insurance companies and government agencies. Contact is by telephone, in person and by correspondence.

Has access to highly confidential information, such as city-wide personnel records, including sensitive medical information, collective bargaining strategies, and personnel investigation information. Has access to confidential communication between the department and citizens, employees, and outside agencies.

Errors in administration could result in monetary loss, reduced levels of service, confusion and delay on the provision of services and could have legal and/or financial repercussions.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Oversees eight (8) collective bargaining agreements, participates in negotiations, meets with employees to discuss issues and attempts to resolve these issues prior to becoming a grievance; interprets contracts; creates an environment to foster a committed, motivated, and productive work force through orientation of new employees, furnishing job-related training, and enhancing the relationship between management and labor.

Ensures compliance with all applicable state and federal laws.

Assists the City Manager in the development and implementation of human resource policies and programs; compiles and revises personnel procedures and manuals; advises and makes recommendations on human resource matters and on human resource organization and administration; communicates new policies in writing.

Provides advice and direction to department heads and supervisors on policies, contract language, disciplinary action, employee problems, work procedures, and other employment matters.

Supervises the preparation of the City's payroll system, 941 quarterly tax reports and year end W-2 processing for municipal and school employees in accordance with local, state and federal policies and regulations.

Prepares and administers annual operating budget for the department; assures that responsibilities are performed within the budget restrictions; assures for effective and efficient use of budget funds, personnel and material.

Prepares salary and benefit projections for all municipal departments for the annual budget.

Reviews all personnel issues with supervisors and determines appropriate corrective action, which may include an investigation of fault; reviews contracts for compliance and writes discipline letters; meets with the employee, union representative and supervisor to issue reprimand.

Oversees and participates in the recruitment, screening, hiring, and orientation of all new city employees. Maintains employment applications. Performs new employee orientation, including explanation of the City's various benefit programs.

Responsible for the administration of the City's pay and classification system. Works with management to ensure that employee classifications are accurate and complete through regular update process.

Establishes, maintains and secures personnel files and personnel transactions, such as hiring, promotions, transfers, performance reviews, terminations, reference and credit checks.

Manages the collection and maintenance of worker's compensation and liability claims data and records; works closely with insurance companies on claims.

Oversees the activities of personnel assigned to the office, to include work allocation, problem resolution and performance evaluations.

Coordinates employee recognition programs.

Participate in special projects as assigned.

Attends staff meetings and meetings with other agencies & administration when required.

Performs other similar or related duties as required, or as the situation dictates.

Recommended Minimum Qualifications

Education and Experience

Bachelors Degree in human resources, public administration or related field preferred; three to five years of personnel administration experience or an equivalent combination of education and experience.

Knowledge, Ability and Skill

Knowledge: Thorough working knowledge of public sector personnel practices and applicable federal and state laws. Thorough knowledge of City government. Thorough knowledge of City's personnel benefits, employee classification, compensation and personnel practices; working knowledge of federal, state human resource regulations such as FMLA and ADA.

Ability: Ability to interact in a positive and effective manner with people on sensitive issues. Ability to communicate orally in a clear and concise manner. Ability to receive, understand and execute oral and written instructions. Ability to maintain detailed and accurate records and to prepare written and oral reports.

Skill: Knowledge and demonstrated usage of personal computers, particularly word processing and spreadsheet applications. Excellent employee relations skills and ability to handle multiple tasks.

Physical and Mental Requirements

Minimal physical effort generally required in performing duties often under typical office conditions. Position requires the ability to operate a keyboard and standard office equipment at efficient speed. The employee is frequently required to use hands to finger, handle or feel objects, tools, or controls and to reach with hands and arms. The employee is frequently required to sit, talk and hear. Specific vision requirements include close vision, distance vision, and the ability to adjust focus.

This job description does not constitute an employment agreement between the employer and the employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

City of Rochester, N. H.
Human Resource Manager/ Grade 11
Adopted 02/06/01
Amended 02/01/06

HUMAN RESOURCE COORDINATOR (existing position)

Statement of Duties

Administrative, technical and professional work in administration of the City's payroll, employee benefit and personnel systems; all other related work as required.

Supervision

Works under the general supervision of the Director of Finance & Administration. Incumbent generally establishes own work plan and priorities in accordance with established policies and guidelines; only unusual issues are referred to supervisor.

Performs varied, responsible duties requiring comprehensive knowledge of payroll and human resource programs, applicable laws, regulations and City policies. Requires the exercise of technical expertise in applying standard personnel professional techniques providing general guidance to employees and department heads regarding matters of personnel policies and procedures.

Supervises one full-time regular employee.

Job Environment

Work is generally performed under typical office conditions.

Operates a computer and general office equipment, such as a calculator, copier, facsimile machine and telephone.

Makes frequent contact with municipal employees and retirees; makes regular contact with the general public; makes frequent contact with outside vendors such as health insurance companies and government agencies. Contact is by telephone, in person and by correspondence.

Has access to highly confidential personnel, claims and collective bargaining records.

Errors in administration could result in monetary loss, reduced levels of service, confusion and delay on the provision of services and could have legal and/or financial repercussions.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Responsible for the administration of the City's pay and classification system. Works with management to ensure that employee classifications are accurate and complete through regular update process.

Participates in the development, administration and updating of personnel policies and procedures. Implement provisions of labor agreements in a timely manner.

Assists in collective bargaining as it relates to human resource and payroll issues. Works with the City's negotiator and plays a role in representing management in negotiating collective bargaining agreements.

Prepares and submits written reports including workman's compensation, EEO, insurance etc., and maintains detailed payroll and human resource records.

Works with departments on human resources issues and training needs; interpretation of human resource policies and procedures, and labor agreements.

Answer human resource related questions from employees, management, and outside agencies; provide information on current City rules and policies.

Oversees and participates in the recruitment, screening, hiring, and orientation of all new city employees. Maintains employment applications.

Establishes, maintains and secures personnel files and personnel transactions, such as hiring, promotions, transfers, performance reviews, terminations, reference and credit checks.

Manages the collection and maintenance of worker's compensation and liability claims data and records; works closely with insurance companies on claims.

Supervises the preparation of the City's payroll system and 941 quarterly required tax reports for municipal and school employees in accordance with local, state and federal policies and regulations.

Schedules training and provides assistance to department level payroll clerks.

Prepares pay and benefit projections for the annual budget.

New employee orientation, including explanation of the City's various benefit programs.

Provides direct support to employees in the administration of the City's Flex Plan.

Reconciles insurance invoices with payroll records.

Oversees the activities of personnel assigned to the office, to include work allocation, problem resolution and performance evaluations.

Participate in special projects as assigned.

Attends staff meetings and meetings with other agencies & Administration when required.

Performs other similar or related duties as required, or as the situation dictates.

Recommended Minimum Qualifications

Education and Experience

Bachelors Degree in human resources, public administration or related field preferred; three to five years of personnel administration experience or an equivalent combination of education and experience.

Knowledge, Ability and Skill

Knowledge: Thorough working knowledge of public sector personnel practices and applicable federal and state laws. Thorough knowledge of City government. Thorough knowledge of City's personnel benefits, employee classification, compensation and personnel practices; working knowledge of federal, state human resource regulations such as FMLA and ADA.

Ability: Ability to interact in a positive and effective manner with people on sensitive issues. Ability to communicate orally in a clear and concise manner. Ability to receive, understand and execute oral and written instructions. Ability to maintain detailed and accurate records and to prepare written and oral reports.

Skill: Knowledge and demonstrated usage of personal computers, particularly word processing and spreadsheet applications. Excellent employee relations skills and ability to handle multiple tasks.

Physical and Mental Requirements

Minimal physical effort generally required in performing duties often under typical office conditions. Position requires the ability to operate a keyboard and standard office equipment at efficient speed. The employee is frequently required to use hands to finger, handle or feel objects, tools, or controls and to reach with hands and arms. The employee is frequently required to sit, talk and hear. Specific vision requirements include close vision, distance vision, and the ability to adjust focus.

This job description does not constitute an employment agreement between the employer and the employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

PAYROLL/HUMAN RESOURCE SPECIALIST (proposed)

Statement of Duties

Performs skilled clerical and record keeping work of more than ordinary difficulty in the maintenance and processing of the City's payroll and benefit system; assists the Human Resource Manager in the efficient operation of the department; including administration of employee benefits and maintenance of personnel files; all other related work as required.

Supervision

Works under the general direction of the Human Resource Manager, following department and citywide rules and policies, and federal, state and local regulations, requiring the ability to plan and perform operations, and to independently complete assigned tasks according to a prescribed time schedule. Unusual cases are referred to supervisor.

Performs varied and responsible bookkeeping, record keeping, and clerical duties, which require the application of prescribed procedures, but require the use of initiative and judgment in the analysis of circumstances.

Job Environment

Work is performed under typical office conditions.

Operates a variety of office equipment including personal computer, calculator, copier, facsimile machine and telephone.

Makes frequent contact with municipal employees and insurance companies, other city departments and officials, and government agencies. Communication is by means of telephone, personal discussion, and correspondence.

Has access to highly confidential information, such as city-wide personnel records, including sensitive medical information, collective bargaining strategies, and personnel investigation information. Has access to confidential communication between the department and citizens, employees, and outside agencies.

Errors in the application of established departmental office procedures or federal, state and local regulations could result in monetary loss, reduced levels of service, confusion and delay in the provision of services and could have legal and/or financial repercussions for the city.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Prepares and administers the City's payroll system - receives, examines, verifies for content and accuracy and reconciles all payrolls presented for processing. Prepares and processes payroll and required tax reports for municipal and school employees in accordance with local, state and federal policies and regulations. Schedules training and provides assistance to department level payroll clerks.

Assists with required quarterly and year-end payroll tax reporting for municipal and school employees.

Provides direct support to employees in the administration and maintenance of the City's Flexible Benefit Plan or in accordance with the collective bargaining agreement language pertaining to employee benefits. Provides direct support to employees and retirees with benefit claim issues or concerns.

Assists in the orientation of employees; places advertisements for open positions, completes pre-employment paperwork including motor vehicle driver records and criminal background checks, schedules pre-employments physical; processes required paperwork and reviews the benefits and policies of the City.

Administers all benefit programs including health, dental, life, disability, deferred annuities, and NHRS. Processes changes in benefit status or employee information as needed. Prepares and processes annual open enrollment.

Maintains and updates confidential employee files including personal information and personnel actions; maintains accurate employee information in database including new hires, changes in benefits, demographic information, employee accruals and worker's compensation.

Responds appropriately to inquiries relating to benefits, policies, rules and regulations and collective bargaining agreements, or refers to manager as needed.

Assist the manager with various projects as requested, including salary and budget projections, development of union proposals, collective bargaining spreadsheets, salary surveys, coordinating employee recognition and wellness programs.

Prepares requisitions, purchase orders and routine reports; prepares and processes monthly NHRS reports and payments for municipal and school employees; reconciles monthly benefit invoices for medical, dental, life and disability insurance.

Prepares reports and works with Auditors.

Responsible for outgoing mail.

Answers and screens in-coming telephone calls, mail, faxes and visitors.

Performs similar or related work, as required, or as situation dictates.

Recommended Minimum Qualifications

Education and Experience

High school degree or equivalent and supplemental training in bookkeeping or related subject; three years of experience in clerical, bookkeeping or related field; experience in a municipal setting preferred; or an equivalent combination of education and experience.

Knowledge, Ability and Skill

Knowledge: Thorough knowledge of departmental operations and functions. Working knowledge of office procedures and bookkeeping principles. General knowledge and understanding of governmental fund accounting.

Ability: Position requires the ability to comprehend the full scope of citywide and departmental activities and policies. Ability to manage multiple tasks effectively within time and priority constraints, and maintain confidential information.

Skill: Skill with computers, particularly with financial and spreadsheet applications. Strong organizational and planning skills. Effective written and oral communication skills.

Physical Requirements

Minimal physical effort generally required in performing duties under typical office conditions. Position requires the ability to operate a keyboard and standard office equipment at efficient speed. The employee is frequently required to use hands to finger, handle, or feel objects, tools, or controls, and reach with hands and arms. The employee is frequently required to sit and talk and hear. Specific vision requirements include close vision, distance vision, and the ability to adjust focus.

This job description does not constitute an employment agreement between the employer and the employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

ACCOUNT CLERK II (existing)

Statement of Duties

Performs skilled clerical, bookkeeping and record keeping work of more than ordinary difficulty in the maintenance and processing of financial records, accounts and transactions; all other related work as required.

Supervision

Works under the general direction of a superior, following department and citywide rules, regulations and policies, requiring the ability to plan and perform operations, and to independently complete assigned tasks according to a prescribed time schedule. Unusual cases are referred to supervisor.

Performs varied and responsible bookkeeping, record keeping, and clerical duties, which require the application of prescribed procedures, but require the use of initiative and judgment in the analysis of circumstances.

Job Environment

Work is performed under typical office conditions.

Operates a variety of office equipment including personal computer, calculator, copier, facsimile machine and telephone.

Makes regular contacts with municipal employees and the general public; makes frequent contact with other city departments and officials, vendors and government agencies. Communication is by means of telephone, personal discussion, and correspondence.

Has access to confidential information, such as personnel records, bid proposals, reports and information pertaining to citizens or groups receiving municipal services. May have access to confidential communication between the department and citizens, employees, and outside agencies.

Errors in the application of established departmental office procedures could result in monetary loss, reduced levels of service, confusion and delay in the provision of services and could have legal and/or financial repercussions for the city.

Essential Functions

The essential functions or duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

Special Note: *The following functions of the Account Clerk II position are meant to be of a similar complexity, but specific to certain departments.*

Answers and screens in-coming telephone calls and visitors.

Performs a variety of bookkeeping and basic accounting tasks including the processing of department bills, the department payroll; verifies and corrects invoices; checks for accuracy, legality or excessive payments; reviews and processes purchase orders; reviews accuracy of bills with regard to calculations, tax, discounts etc.; prints bill warrant; processes departmental receipts on a daily basis.

Processes purchase orders for department supplies and/or equipment.

Prepares reports and works with Auditors.

Prepares detailed analytical spreadsheets for reports to local, state and local agencies and commissions.

Oversees and assists departments in the preparation of bid documents and audits all purchase order over \$500 to ensure compliance with local and state laws and policies; maintains detailed bid files and related documents.

Internally audits and ages request for payments from all City departments to ensure compliance with purchasing procedures.

Prepares and administers the City's payroll system including required tax reports for municipal and school employees in accordance with local, state and federal policies and regulations.

Provides direct support to employee in the administration of the City's Flex Plan.

Performs similar or related work, as required, or as situation dictates.

Recommended Minimum Qualifications

Education and Experience

High school education; or equivalent; three years of experience in clerical, bookkeeping or related field; experience in a municipal setting preferred; or an equivalent combination of education and experience.

Knowledge, Ability and Skill

Knowledge: Thorough knowledge of departmental operations and functions. Working knowledge of office procedures and bookkeeping principles. Thorough knowledge of arithmetic. General knowledge and understanding of governmental fund accounting. General knowledge of postal regulations.

Ability: Position requires the ability to comprehend the full scope of citywide and departmental activities and policies. Ability to organize clerical and statistical records and to prepare reports from same. Ability to work effectively under time constraints to meet deadlines. Ability to deal appropriately with city departments and the public in an effective manner.

Skill: Skill with typing and computers, particularly with financial and spreadsheet applications. Skill in the operation of all the above listed tools and equipment. Skill in maintaining financial ledgers and books with a high level of accuracy. Aptitude for working with numbers.

Physical Requirements

Minimal physical effort generally required in performing duties under typical office conditions. Position requires the ability to operate a keyboard and standard office equipment at efficient speed. The employee is frequently required to use hands to finger, handle, or feel objects, tools, or controls, and reach with hands and arms. The employee is frequently required to sit and talk and hear. Specific vision requirements include close vision, distance vision, and the ability to adjust focus.

This job description does not constitute an employment agreement between the employer and the employee, and is subject to change by the employer, as the needs of the employer and requirements of the job change.

City of Rochester, N. H.
Account Clerk II/Grade 4
Adopted 10/01/02
Amended 02/03/06

This page intentionally left blank



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

January 7, 2014

David G. Dubois
37 Sullivan Farm Drive
Rochester, NH 03868

Dear Mr. Dubois:

It is my pleasure to re-appoint you as a member of the Personnel Advisory Board. This appointment is effective immediately and will continue for a 1-year term, to expire January 2, 2015.

Please sign the enclosed Oath of Office and return it to the City Clerk's Office at your earliest convenience. Your signature must be notarized and they would be happy to assist you with that at the City Clerk's Office.

Thank you for the care and effort you have expressed to our citizens throughout your service as a member of the Personnel Advisory Board.

Very truly yours,

Daniel W. Fitzpatrick
City Manager

cc: City Clerk's Office

This page intentionally left blank



City of Rochester, New Hampshire
OFFICE OF THE CITY MANAGER
31 Wakefield Street • Rochester, NH 03867
(603) 332-1167

January 7, 2014

Robert S. Goldstein
15 St. James Terrace
Rochester, NH 03867

Dear Mr. Goldstein:

It is my pleasure to re-appoint you as a member of the Board of Assessors. This appointment is effective immediately and will continue for a 3-year term, to expire January 2, 2017.

Please sign the enclosed Oath of Office and return it to the City Clerk's Office at your earliest convenience. Your signature must be notarized and they would be happy to assist you with that at the City Clerk's Office.

Thank you for the care and effort you have expressed to our citizens throughout your service as a member of the Board of Assessors.

Very truly yours,

Daniel W. Fitzpatrick
City Manager

cc: City Clerk's Office

This page intentionally left blank



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

November 4, 2013

John Larochelle
152 Chesley Hill Road
Gonic, NH 03839

Dear Mr. Larochelle:

It is my pleasure to re-appoint you as a member of the Rochester Board of Health. This appointment is effective immediately and will continue for a 3-year term, to expire January 1, 2017.

Please sign the enclosed Oath of Office and return it to the City Clerk's Office at your earliest convenience. Your signature must be notarized and they would be happy to assist you with that at the City Clerk's Office.

Thank you for the care and effort you have expressed to our citizens throughout your service as a member of the Rochester Board of Health.

Very truly yours,

Daniel W. Fitzpatrick
City Manager

cc: City Clerk's Office

This page intentionally left blank



City of Rochester, New Hampshire

31 Wakefield Street

Rochester, New Hampshire 03867-1915

(603) 332-1167

WWW.RochesterNH.net

TEAM CHARTER

USE OF TECHNOLOGY SELF DIRECTED WORK TEAM

1. Purpose

Utilization of technology, including but not limited to, computer software and hardware across all departments and levels of the city operations to maximize the city's efficiency and effectiveness.

2. Background

Part of the City of Rochester's Self Directed Work Team Program

3. Scope

The mission of this Use of Technology Self Directed Work Team is to enhance the use of technology within the city government.

4. Team Composition

The SDWT is composed of employees from various departments and levels of the organization. The employees are selected by the City Manager. The chair may be selected from among its members or selected by the City Manager and there are no set term limits. A City Councilor may be selected by the City Manager to act as a liaison or champion.

5. Membership Roles

All members are expected to attend meetings as required.

The chair creates and distributes the agenda for each meeting, presides over meetings and maintains the team's records. The chair is responsible for sending out communications from the team to the city employees and city department heads. The chair may appoint a non-team member to take minutes, distribute the minutes to team members and aid the group.

6. Team Operations

The SDWT meets during the first two weeks of January each year. The meeting locations and dates for the year are set at the January meeting. Officers are elected as needed. Team membership is voluntary, and members may leave the group at any time. The committee works best when all city departments are represented.

7. Team Performance Assessment

During the first meeting of the team, the members shall address the role of the team and its members, the process the team shall follow to fulfill the mission statement, the advisory nature of the team's recommendations, and generally ensure the role and purpose is made clear. Benchmarks and timetables should be established to gauge the teams progress in achieving its mission.

8. Performance milestones and schedules

Benchmarks, set during the year, are reviewed annually at the January meeting. Self-assessments are performed annually in March.

9. Communication Plan

Meeting minutes shall be forwarded to the City Manager for inclusion in the City Manager's Report.

Recommendations shall be included as an Issues and Options Request in the Annual City Budget.

Daniel W. Fitzpatrick

Date: _____

Team Leader (Chair)

Date: _____

Rochester, New Hampshire



2013

City Council

Rules of Order

Amended and Adopted on June 4, 2013



RULES OF ORDER OF THE CITY COUNCIL CITY OF ROCHESTER, NEW HAMPSHIRE

ARTICLE 1: CITY COUNCIL MEETINGS	3
SECTION 1.1 REGULAR MEETINGS	3
SECTION 1.2 SPECIAL MEETINGS.....	3
SECTION 1.3 ABSENCE OR DISABILITY OF MAYOR, DEPUTY MAYOR.....	3
SECTION 1.4 ORDER OF BUSINESS	3
SECTION 1.5 PUBLIC HEARINGS.....	4
ARTICLE 2: DUTIES AND POWERS OF PRESIDING OFFICER.....	6
SECTION 2.1PRESIDING OFFICER - DECORUM AND ORDER	6
SECTION 2.2 PRESIDING OFFICER - DECLARING VOTES.....	6
SECTION 2.3 PRESIDING OFFICER - ROLL CALL VOTES.....	6
SECTION 2.4 PRESIDING OFFICER - ORDER OF QUESTIONS	6
SECTION 2.5 DISPOSAL OF MOTIONS	6
SECTION 2.6 MOTION FOR ADJOURNMENT	6
SECTION 2.7 PRESIDING OFFICER - RECOGNIZING MEMBERS	6
SECTION 2.8 COMMITTEE APPOINTMENTS	7
SECTION 2.9 ROBERT'S RULES OF ORDER	7
ARTICLE 3: RIGHTS AND DUTIES OF MEMBERS	8
SECTION 3.1 COUNCIL MEMBER SPEAKING.....	8
SECTION 3.2 COUNCIL MEMBER IN DEBATE	8
SECTION 3.3 INTERRUPTION OF COUNCIL MEMBER.....	8
SECTION 3.4 COUNCIL MEMBER SPEAKING, LIMITATIONS.....	8
SECTION 3.5 PRECEDENCE OF MOTIONS.....	8
SECTION 3.6 MOTION REDUCED TO WRITING	9
SECTION 3.7 VOTING ON MOTIONS, ABSTENTIONS	9
SECTION 3.8 MAYORAL VETO - EXERCISE AND VOTE TO OVERRIDE	9
SECTION 3.9 DIVISION OF A QUESTION.....	9
SECTION 3.10 READING OF A PAPER, OBJECTIONS.....	9
SECTION 3.11 SUSPENSION, AMENDMENT, AND REPEAL OF RULES	9
SECTION 3.12 ATTENDANCE OF MEMBERS	10

ARTICLE 4:AGENDAS, COMMUNICATIONS, COMMITTEES, REPORTS, RESOLUTIONS	11
SECTION 4.1 AGENDA PREPARATION.....	11
SECTION 4.2 MEMORIALS AND DOCUMENTS, PRESENTATION	11
SECTION 4.3 REPORTS AND PAPERS, LEGIBLY WRITTEN OR TYPED	11
SECTION 4.4 STANDING COMMITTEES	11
SECTION 4.5 SPECIAL COMMITTEES	12
SECTION 4.6 REMOVAL OF A COMMITTEE MEMBER	12
SECTION 4.7 PUBLIC INPUT AT WORKSHOP OR COMMITTEE MEETINGS.....	12
SECTION 4.8 SITTING OF COMMITTEE DURING COUNCIL MEETINGS.....	13
SECTION 4.9 COMMITTEE REPORTS	13
SECTION 4.10 COMMITTEE OF THE WHOLE, COUNCIL RULES.....	13
SECTION 4.11 AUTHORIZATION OF EXPENDITURES, CITY DEBT	13
SECTION 4.12 ORDINANCES AND RESOLUTIONS	13
SECTION 4.13 CODES AND ORDINANCES COMMITTEE, ORDINANCE ENROLLMENT	14
SECTION 4.14 ELECTIONS BY BALLOT.....	14
SECTION 4.15 RECORD OF VOTES AND PROCEEDINGS.....	14
SECTION 4.16 FUNCTIONS OF FINANCE COMMITTEE	14
SECTION 4.17 FUNCTIONS OF CODES AND ORDINANCES COMMITTEE	14
SECTION 4.18 FUNCTIONS OF PUBLIC WORKS AND BUILDING COMMITTEE	14
SECTION 4.19 FUNCTIONS OF PUBLIC SAFETY COMMITTEE	15
SECTION 4.20 FUNCTIONS OF COMMUNITY DEVELOPMENT COMMITTEE	15
SECTION 4.21 FUNCTIONS OF THE APPOINTMENTS REVIEW COMMITTEE	15
SECTION 4.22 INAUGURAL MEETING, ORDER EXERCISES	15
SECTION 4.23 COUNCIL COMMUNICATIONS.....	16
SECTION 4.24 MINUTES.....	16
APPENDIX	16

**RULES OF ORDER OF THE
CITY COUNCIL
CITY OF ROCHESTER, NEW HAMPSHIRE**

**ARTICLE 1
CITY COUNCIL MEETINGS**

SECTION 1.1 REGULAR MEETINGS

Regular meetings of the City Council shall be held in the Council Chamber in City Hall on the first Tuesday of each month, at 7:00 o'clock PM, except when a state general election or a regular municipal election is held on said first Tuesday of the month of November. The November meeting date in the year in which a regular municipal election is conducted shall be the Wednesday following said municipal election, in accordance with Section 52 of the City Charter. The November meeting date in the year in which a state general election is conducted shall be the second Tuesday of that month, unless the City Council shall otherwise direct. The inaugural meeting date following the regular municipal election shall be the first Tuesday after January 1. If any such date shall fall upon a legal holiday or upon the day on which a special state or municipal election is conducted the City Council shall vote to conduct said meeting on the day following or on the Tuesday following that holiday or election day.

SECTION 1.2 SPECIAL MEETINGS

The City Clerk shall call a special meeting of the City Council at the written request of the City Manager, the Mayor, or at the written request of a majority of City Council. Special meetings of the City Council shall be held upon written notice being delivered by the City Clerk to each City Councilor at least forty-eight (48) hours prior to said meeting, said notice stating the purpose for which the meeting is called. The Mayor shall take the chair precisely at the hour appointed for the meeting and call the members to order, and within ten minutes or sooner if a quorum be present, shall cause the roll to be called, and the names of the members present to be recorded. The Clerk shall also record the names of the members coming in after the calling of the roll.

SECTION 1.3 ABSENCE OR DISABILITY OF MAYOR, DEPUTY MAYOR

In the absence or disability of the Mayor, the Deputy Mayor shall take the chair and preside over the meeting and shall act as Mayor during such absence or disability. In the absence or disability of both Mayor and Deputy Mayor, the Clerk shall call the Council to order and shall preside until a chairperson shall be chosen by a roll call vote and plurality of votes, who shall preside and act as Mayor during such absence or disability. [6/4/2013]

SECTION 1.4 ORDER OF BUSINESS

(a) The order of business for regular meetings of the City Council shall be as follows:

1. Call to order
2. Pledge of Allegiance
3. Prayer
4. Roll Call
5. Approval of the minutes of the previous meeting(s)
6. Communications from the Mayor
7. Communications from the City Manager
8. Presentation of Petitions and Council Correspondence [and Disposal thereof by Reference or Otherwise]
9. Nominations, Appointments and Elections
10. Report of Committees
11. Old Business [Items Remaining from Prior Meetings]
12. New Business
13. Other
14. Adjournment

(b) New Business: Items requiring Council action may be introduced by any member of the City Council, but may not be acted upon at the meeting in which they are introduced unless the items are properly filed in accordance with Article 4, Section 4.1 herein. The Council may act upon said items if they have not been filed in advance by suspending Council Rules by a two-third (2/3) vote of the City Council.

SECTION 1.5 PUBLIC HEARINGS

Public Hearings: To receive citizen input and feedback on certain specific matters that have been placed on the meeting agenda for consideration and action by the City Council, Public Hearings will be scheduled and held as required by law and/or whenever referred for a public hearing by simple majority vote of Council Members present. Upon being referred by Council vote, Public Hearings will be noticed for and held during a subsequent Regular and/or Special Meeting or Committee Meeting. At the request of the presiding officer, Ordinances or Resolutions scheduled on an agenda for public hearing will be briefly introduced with appropriate explanations by staff. Citizens will then have the opportunity to address the Council speaking to the specific item(s) subject to public hearing, subject to the following guidelines: [6/4/2013]

i.. All speakers shall be residents of the City of Rochester, property owners in the City of Rochester, and/or designated representatives of recognized civic organizations or businesses located and/or operating in the City of Rochester;

ii. All speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member;

- iii. Speakers shall first recite their name and address for the record, and, if applicable, the name and address of the civic organization and/or business they have been designated to represent;
- iv. For each public hearing item, a speaker shall be provided a single opportunity for comment;
- v. Public Hearings are not intended to be utilized for a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager, or administrative staff; and
- vi. The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.

<p style="text-align: center;">ARTICLE 2 DUTIES AND POWERS OF PRESIDING OFFICER</p>

SECTION 2.1 PRESIDING OFFICER - DECORUM AND ORDER

The presiding officer shall preserve decorum and order, may speak to points of order in preference to the members, and shall decide all questions of order, subject to an appeal to the Council on motion of any member, and no other business shall be in order until the questions on the appeal shall have been decided.

SECTION 2.2 PRESIDING OFFICER - DECLARING VOTES

The presiding officer shall declare all votes, but if any member doubts the vote, the presiding officer, without further debate upon the question, shall require a division and shall declare the results.

SECTION 2.3 PRESIDING OFFICER - ROLL CALL VOTES

When any member shall require a question to be put in the roll call vote, the presiding office shall so order if the request is seconded.

SECTION 2.4 PRESIDING OFFICER - ORDER OF QUESTIONS

The presiding officer shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature.

SECTION 2.5 DISPOSAL OF MOTIONS

After a motion is made and seconded, it shall be considered, and, after it is stated by the presiding officer, it shall be disposed of by vote of the City Council, unless the mover withdraws it before a decision or amendment and the second agrees to withdrawal of the motion.

SECTION 2.6 MOTION FOR ADJOURNMENT

The presiding officer shall consider a motion to adjourn as always in order, the time of the next meeting having been agreed upon, unless a member has possession of the floor, or any question has been put and not decided. The motion to adjourn, or to lay on the table, or to take from the table, if seconded, shall be decided without debate.

SECTION 2.7 PRESIDING OFFICER - RECOGNIZING MEMBERS

When two or more members ask to be recognized at the same time, the presiding officer shall name the member who shall speak first.

SECTION 2.8 COMMITTEE APPOINTMENTS

All Council committees shall be appointed and announced by the presiding officer, who shall designate the chairperson and vice-chairperson thereof. The Mayor shall be Chair of the Finance Committee and an Ex-Officio voting member of all other committees of the Council.

SECTION 2.9 ROBERT'S RULES OF ORDER

When no other provision is herein made, questions of parliamentary law shall be decided as prescribed in the most recent edition of Robert's Rules of Order.

<p style="text-align: center;">ARTICLE 3 RIGHTS AND DUTIES OF MEMBERS</p>

SECTION 3.1 COUNCIL MEMBER SPEAKING

When any member is about to speak in debate, or deliver any matter to the Council, the member shall use a raised hand to be recognized, shall remain seated, respectfully address the presiding officer, shall be confined to the question under debate, and shall avoid personalities. The presiding officer shall attempt to allow a particular stream of discussion to be completed prior to allowing a member to change the direction of the debate at hand.

SECTION 3.2 COUNCIL MEMBER IN DEBATE

Members in debate shall address each other as Councilor or may use a description by the ward represented, or such other designation as may be intelligible and respectful.

SECTION 3.3 INTERRUPTION OF COUNCIL MEMBER

No member speaking shall be interrupted by another, except to call to order or to correct a mistake. But if any member, in speaking or otherwise, transgresses the Rules of the Council, the member so called to order shall immediately cease speaking unless permitted to explain, and the chair shall decide the question of order. The City Council, if appealed to, shall decide the question with limited debate.

SECTION 3.4 COUNCIL MEMBER SPEAKING, LIMITATIONS

Upon a motion and 2/3 vote by the council to limit debate, the chair shall limit discussions on any motion before the council. After such vote and if no time limit is set as part of the motion, no member shall speak more than twice on the same question, or more than five minutes at one time, nor more than once, until all other members choosing to speak shall have spoken.

SECTION 3.5 PRECEDENCE OF MOTIONS

The following motions shall have precedence in the order in which they are arranged:

1. **TO ADJOURN:** A privileged motion to be voted on at once if seconded; not debatable.
2. **TO LAY ON THE TABLE/TO TAKE FROM THE TABLE:** Requires a second, not debatable.
3. **TO CALL FOR THE PREVIOUS QUESTION/TO MOVE THE QUESTION (TO CLOSE DEBATE):** Requires a second, not debatable.
4. **TO POSTPONE TO A TIME CERTAIN:** Requires a second, debatable.

5. **TO REFER:** Requires a second; debatable.
6. **TO AMEND:** Requires a second; debatable.
7. **TO POSTPONE INDEFINITELY:** Requires a second; debatable.
8. **MAIN MOTION:** Requires a second; debatable.

SECTION 3.6 MOTION REDUCED TO WRITING

Every motion shall be reduced to writing, if the presiding officer directs, or if a member of the Council requests it.

SECTION 3.7 VOTING ON MOTIONS, ABSTENTIONS

Every member who shall be in the Council Chamber when a question is put shall vote, except that no member may vote on any question in which the member has a direct interest to a degree that may significantly impair the independent and impartial exercise of that member's judgment as a Councilor. If a member takes this rule for purposes of not voting, the member shall inform the City Council before a vote be taken on the motion under consideration.

SECTION 3.8 MAYORAL VETO - EXERCISE AND VOTE TO OVERRIDE

To be effective, the right of veto accorded to the Mayor under the provisions of Section 10-A of the Rochester City Charter, must be exercised, and notice of such exercise must be communicated in writing to the City Clerk, within one hundred forty-four (144) hours after action by the Council. As soon as practicable after receipt of the Mayor's written notice of exercise of the veto power, and in no event later than seventy-two (72) hours after receipt of such notice, the City Clerk shall inform the Council in writing of the Mayor's exercise of such veto. The Council may override said veto by a two-thirds (2/3) vote of all Councilors serving in office, as provided for in Section 10-A of the Rochester City Charter, no later than the close of the next regular meeting of Council.

SECTION 3.9 DIVISION OF A QUESTION

The division of a question may be called for when the sense will admit it.

SECTION 3.10 READING OF A PAPER, OBJECTIONS

When the reading of a paper is called for, and the same is objected to by any Member, it shall be determined by a vote of the Council.

SECTION 3.11 SUSPENSION, AMENDMENT, AND REPEAL OF RULES

No standing Rule of Order of the Council shall be suspended unless two-thirds (2/3) of the members present shall consent thereto. Nor shall any Rule of Order be repealed or amended without a motion therefore, made at a previous meeting, nor unless a majority of the whole City Council concur therein. The Rules of Order of the City Council shall be

reaffirmed by the new Council following each municipal election. The Rules of the former Council shall not be binding.

SECTION 3.12 ATTENDANCE OF MEMBERS

Every member shall take notice of the day and hour to which the Council may stand adjourned, and shall give his punctual attendance accordingly.

<p style="text-align:center">ARTICLE 4 AGENDAS, COMMUNICATIONS, COMMITTEES, REPORTS, RESOLUTIONS</p>

SECTION 4.1 AGENDA PREPARATION

The agenda for each Council meeting shall be prepared by the Mayor, the Deputy Mayor and the City Manager in conjunction with the City Clerk. Any Councilor may place an item on the agenda provided that the items be submitted in writing or email to the City Clerk, the Mayor, the Deputy Mayor or the City Manager seven (7) days prior to the meeting of Council. The City Clerk shall provide Council members with copies of the agenda at least five (5) days before the meeting of the Council. All resolutions, and subject matter, to be presented to the Council shall be made available to the members prior to said Council meeting.

SECTION 4.2 MEMORIALS AND DOCUMENTS, PRESENTATION

All memorials and other documents addressed to the City Council shall be presented by the presiding officer or by a member in the presiding officer's place, who shall explain the subject thereof; and they shall lie on the table to be taken up in order in which they are presented, unless the Council shall otherwise direct.

SECTION 4.3 REPORTS AND PAPERS, LEGIBLY WRITTEN OR TYPED

All reports and other papers submitted to the City Council shall be written in fair hand or typewritten. The Clerk shall make copies on any papers to be reported by the committees, at the request of the chairs thereof. At the request of any councilor a digital copy may be provided in place of printed page.

SECTION 4.4 STANDING COMMITTEES

At the commencement of the new year following the regular municipal election, the following committees shall be appointed by the Mayor:

Finance:

Shall consist of seven (7) members including the Mayor who shall serve as chair.

Public Works and Buildings:

Shall consist of five (5) members.

Public Safety:

Shall consist of five (5) members.

Codes and Ordinances:

Shall consist of five (5) members.

Community Development:

Shall consist of five (5) members.

Appointments Review Committee:

Shall consist of five (5) members.

- A. No Council Member shall serve on more than three (3) standing committees, excluding the Finance Committee.
- B. All vacancies occurring in any standing committee shall be filled by the Mayor.

SECTION 4.5 SPECIAL COMMITTEES

Special committees shall consist of three (3) members unless a different number be ordered by the Mayor.

SECTION 4.6 REMOVAL OF A COMMITTEE MEMBER

A member of any committee may be removed by a two-thirds (2/3) vote of the entire Council.

SECTION 4.7 PUBLIC INPUT AT WORKSHOP OR COMMITTEE MEETINGS

The chair shall call the committee together and no committee shall act by separate consultations, and no report shall be received from any committee unless agreed to in committee actually assembled, and voted upon by a majority of the members thereof.

Public input on any subject appropriate to be brought before the Council shall be allowed at the beginning of every committee meeting or council workshop and shall be placed as the first item of business on the agenda of said meeting. When possible, the chair shall allow for reasonable input from the public during the meeting, to allow citizens to comment on any item appearing on the agenda, except for any items discussed in any non-public session. The chair may limit any public input to insure that the committee is able to complete its work and to provide for the decorum of the meeting.

i. Speakers shall be residents of the City of Rochester, property owners in the City of Rochester, and/or designated representatives of recognized civic organizations or businesses located and/or operating in the City of Rochester; [6/4/2013]

ii. Speakers shall address their comments to the presiding officer and the Council as a body and not to any individual member;

iii. Speakers shall first recite their name and address for the record, and, if applicable, the name and address of the civic organization and/or business the have been designated to represent;

- iv. Each speaker shall be provided a single opportunity for comment, limited to five (5) minutes with the five (5) minutes beginning after the obligatory statement of named and address by the speaker;
- v. Public Input shall not be a two-way dialogue between speaker(s), Council Member(s), and/or the City Manager, or administrative staff; and
- vi. The presiding officer shall preserve strict order and decorum for and by all speakers appearing before the Council.

SECTION 4.8 SITTING OF COMMITTEE DURING COUNCIL MEETINGS

No committee shall sit during the meetings of the City Council without special leave.

SECTION 4.9 COMMITTEE REPORTS

It shall be the duty of every committee of the Council to which any subject may be specially referred to report thereon at the next meeting of the City Council, or to ask for further time.

SECTION 4.10 COMMITTEE OF THE WHOLE, COUNCIL RULES

The rules of proceedings in Council shall be observed in a committee of the whole so far as they may be applicable, excepting the rules limiting the time speaking.

SECTION 4.11 AUTHORIZATION OF EXPENDITURES, CITY DEBT

After the annual appropriations shall have been passed, no subsequent expenditure shall be authorized for any object, unless provisions for the same shall be made by a specific transfer from some of the annual appropriations or money in the treasury unappropriated or by expressly creating therefore a City debt; and no City debt shall be created except by a majority vote of the Council in the affirmative.

SECTION 4.12 ORDINANCES AND RESOLUTIONS

Every ordinance, and all resolutions imposing penalties or authorizing the expenditure of money when introduced, shall be written and shall pass through the following stages before they shall be considered as having received the final action of the Council, to wit: First reading for information, and if not rejected or otherwise disposed of, the City Attorney and City Clerk, shall carefully examine them to see that they are in technical form and that their provisions are not repugnant to the Laws and Constitution of the State of New Hampshire or to the Charter and Ordinances of the City of Rochester: They shall then be referred by the chair to the appropriate Council committee for review, public hearing (if required) and discussion. All committees shall make a report for final action to the Council. After such report, the question shall be, "Shall they be read a second time?" If not then rejected, the question shall be on the passage of the same to be enrolled. Upon an affirmative vote, the chair shall refer such ordinance or resolution to the Codes and Ordinances Committee for review as set forth in Section 4.13. and

make a report of them to the Council, at which time they shall be deemed to be enrolled. No ordinance or resolution as above referred shall be amended except on its second reading. All other resolutions shall have one reading before they shall finally be passed by the Council.

SECTION 4.13 CODES AND ORDINANCES COMMITTEE, ORDINANCE ENROLLMENT

It shall be the duty of the Codes and Ordinances Committee to examine every ordinance that shall have passed the several readings required, and if found correctly enrolled, officially made part of the general ordinances of the City of Rochester and/or the official record of the City Council and to report the same to the Council.

SECTION 4.14 ELECTIONS BY BALLOT

In all elections by ballot on the part of the City Council, blank ballots and all ballots for persons not eligible shall be reported to the Council.. To be elected any person seeking election must receive a majority of the votes of those members present and voting. Tally of the ballots shall be reported to the Council and recorded in the minutes. Unless otherwise directed by the Council all ballots shall be destroyed after being reported.

SECTION 4.15 RECORD OF VOTES AND PROCEEDINGS

The Clerk shall keep a record of the votes and proceedings of the City Council, entering thereon all orders and resolutions, except such as it is necessary to engross; reports, memorials, and other papers submitted to the Council shall be noted only by their titles or a brief description of their purpose, but any accepted reports may be entered at length on said record.

SECTION 4.16 FUNCTIONS OF FINANCE COMMITTEE

Functions shall include: Purchasing, Trust Funds, Operating Budget, Final Capital Budget, Taxes, City Reports, Legal Affairs, Insurance, Audits, Claims, Accounts, Bids, Review of Expenditures, Receipts, Contract Change Orders, Welfare and Grants. The Finance Committee shall present a monthly report of the City accounts to the Council.

SECTION 4.17 FUNCTIONS OF CODES AND ORDINANCES COMMITTEE

Functions shall include: Municipal Elections and Returns, Charter and Ordinances, Council By-Laws, Enrolled Bills, Planning, Zoning, and such other matters as may be directed by the City Council.

SECTION 4.18 FUNCTIONS OF PUBLIC WORKS AND BUILDING COMMITTEE

Functions shall include: Roads, Sewer Systems, Water Systems, Engineering, Public Buildings, Recycling and Solid Waste, Pollution, Water Resources, Space Allocations.

SECTION 4.19 FUNCTIONS OF PUBLIC SAFETY COMMITTEE

Functions shall include: Police, Fire, Parking, Traffic, Street Signs, Street Lights, Animal Control, and Public Health Services.

SECTION 4.20 FUNCTIONS OF COMMUNITY DEVELOPMENT COMMITTEE

Functions shall include: Economic Development, Industrial Development, Land Use Policy, Technology Issues, Chamber of Commerce, Rochester Main Street, Arts and Cultural, Recreation, Parks, Adult & Youth Services, Promotional Activities and Festivals, Public Relations, COAST, CDBG and Human Services Agencies.

SECTION 4.21 FUNCTIONS OF THE APPOINTMENTS REVIEW COMMITTEE

Functions shall include: Interviewing of candidates for Council appointed positions on various boards of the City, including but not exclusive of Planning Board, Zoning Board of Adjustment, Trustees of the Trust Fund, Library Trustees, Arena Commission, Recreation, Parks and Youth Services, Welfare Appeals Board, Utility Advisory Board.

SECTION 4.22 INAUGURAL MEETING, ORDER EXERCISES

The order of exercises at the meeting held on the first Tuesday after January 1, or Wednesday, January 2, following the regular municipal election shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Prayer
4. Roll Call of Councilors-Elect
5. Mayor takes Oath of Office
6. Councilors-Elect take Oath of Office
7. Roll Call of School Board Members-Elect
8. School Board Members-Elect take Oath of Office
9. Roll Call of Police Commissioners-Elect
10. Police Commissioner-Elect takes Oath of Office
11. Election of Deputy Mayor
12. Inaugural Address
13. Old and/or New Business

SECTION 4.23 COUNCIL COMMUNICATIONS

- (a) No member shall cause to be mailed, electronically transferred, delivered, or left at City Hall any documents or correspondence for any other member or the City Manager which does not clearly identify the name of the member sending such information and, if possible, the source of such information.
- (b) No anonymous correspondence shall be placed in any member's Council mailbox. All mail, electronic media or other correspondence shall clearly identify the sender, source and date it was received.

SECTION 4.24 MINUTES

All meetings of the City Council including all standing and special committees of the Council shall take roll call at all committee meetings and record their proceedings and provide minutes of any meeting to the City Clerk's Office in a manner prescribed under NH RSA 91-A (NH Right To Know Law).

APPENDIX

REVISED AND ADOPTED BY CITY COUNCIL FEBRUARY 6, 1990

AMENDED AND REAFFIRMED BY CITY COUNCIL JANUARY 14, 1992

REAFFIRMED BY CITY COUNCIL JANUARY 11, 1994

AMENDED BY CITY COUNCIL MARCH 1, 1994

AMENDED AND REAFFIRMED BY CITY COUNCIL JANUARY 9, 1996

AMENDED AND ADOPTED BY CITY COUNCIL FEBRUARY 3, 1998

AMENDED AND ADOPTED BY CITY COUNCIL FEBRUARY 5, 2002

AMENDED AND ADOPTED BY CITY COUNCIL MARCH 5, 2002

AMENDED AND ADOPTED BY CITY COUNCIL FEBRUARY 3, 2004

AMENDED AND ADOPTED BY CITY COUNCIL JANUARY 10, 2006

AMENDED AND ADOPTED BY CITY COUNCIL JANUARY 15, 2008

AMENDED AND ADOPTED BY CITY COUNCIL February 2, 2010

AMENDED AND ADOPTED BY CITY COUNCIL February 7, 2012 (1.4) (3.1) (3.5) and (4.1)

AMENDED AND ADOPTED BY CITY COUNCIL June 4, 2013 (1.3) (1.5) and (4.7)

This page intentionally left blank

Appointments Committee Minutes

December 9, 2013

Committee Members Present:

John Larochelle, Chair

Sandra Keans

Donald Hamann

John Larochelle called the meeting to order at 7:00 p.m. on December 9th.

John Larochelle REDC - Rochester Economic Development Commission

John has been a member of the REDC for six years. He would like to continue to serve on the REDC and provide a link between it and the City Council.

The Appointments Committee unanimously recommends John Larochelle for reappointment to the REDC, term to expire January 2017.

Respectfully submitted,

John Larochelle, Chair
Appointments Committee

This page intentionally left blank

FINANCE COMMITTEE MEETING

December 10, 2013

Council Chambers

7:00 P.M.

Present:

Mayor Jean
Councilor Varney
Councilor Keans
Councilor Walker
Councilor Lauterborn
Councilor Larochelle

Others Present

Councilor Gray
City Manager Fitzpatrick
Deputy City Manager Cox
Councilor Elect Collins
Police Chief Allen
Councilor Elect Gates
HR Coordinator Hoyt
Councilor Lachapelle (7:00 -
7:10)

Excused:

Councilor Torr

MINUTES

1] Call to Order

Mayor Jean called the meeting to order at 7:05 P.M.

2] Public Input

There was no public input.

3] Old Business

3.1 Stillwater Circle

Mayor Jean stated that he had sent a letter to the residents as requested by the Committee at the November meeting and that he had received a response. The Mayor stated that he would continue to work with the residents at Stillwater and this item would be kept in Committee.

3.2 Outside Details

City Manager Fitzpatrick informed the Committee that he had reviewed this issue with the Police, Fire and Public Works departments. His recommendation would be to charge for outside details except when an event is co-sponsored by the City.

Councilor Larochelle MOVED that the outside detail expenses for events to be co- sponsored by the City are to be included in the City Manager's annual

budget presented to the Council. Councilor Walker offered a second to the motion which was ADOPTED by a unanimous voice vote.

Mayor Jean stated that the existing details to be co-sponsored would include the Christmas Parade, Memorial Day Parade, Night Before the 4th of July, Zombie Trick or Treat Night, Oktoberfest and the Christmas Tree Lighting event.

3.3 Water and Sewer Rates

Deputy City Manager Cox informed the Committee that the Finance Office has created a new rates model for the Committee and had received an updated Working Capital Analysis from the auditor for both the Water and Sewer funds.

Senior Accountant Sullivan presented a series of Power Point slides displaying the new rates model (copy attached).

Mayor Jean requested that the Finance Office work with the auditor to amend the Working Capital Analysis Liquidity Ratio to factor out the "due to other funds."

Councilor Varney MOVED to recommend to the full Council a rate increase of 1.5% to the current Water Rate and to recommend no adjustment to the Sewer Rate. Councilor Walker offered a second to the motion which was ADOPTED by a unanimous voice vote.

4] New Business

4.1 Historical Society Boiler

After a brief discussion, the Mayor determined the intent of the Council is to fund the boiler replacement at the Historical Society by transferring funds from General Overhead "Contingency", Account 11080050-584000.

4.2 Police Overtime and Compensatory Time

Chief Allen reviewed the worksheet contained in the Committee packet and ended by stating that the overtime expenditure budget is trending over budget for the year due to the compensatory time allocation which was not budgeted. He also informed the Committee that the Police Department has averaged seven to eight officers short staffed since the start of the fiscal year on July 1st.

Mayor Jean requested that Police Chief Allen add the ComStat data report to the monthly department report that is provided to the full Council every month.

Chief Allen also made the point that in addition to being short staffed, as noted above, the Police Department has experienced a marked increase in the volume of calls for service.

5] Finance Director's Report

Deputy City Manager Cox indicated that the FY2015 Budget Development schedule is outlined in his report for the Committee's review and comment.

Mayor Jean requested that the O & M Budget and CIP Budget Public Hearings scheduled for June 3, 2014 be moved to June 17, 2014. The Mayor stated that this would place the Public Hearings after all the individual department budgets have been presented, thus allowing the public to comment on all budgets.

Mr. Cox received confirmation from the Committee that due to the inauguration of new City Councilors on January 7, 2014 and the recess of the Regular City Council Meeting to January 14, 2014, there will be no Finance Committee meeting in January.

Mr. Cox handed out a memorandum from Fire Chief Sanborn (copy attached) dated December 10, 2013. The Chief submitted this information in response to the Committee's request for additional information regarding the Fire Department's overtime expense.

Councilor Varney stated that this information does not answer his request to see how vacation time converts to "man-years."

6] Monthly Financial Statements

Councilor Varney requested that the Arena Department provide a report on the FY2014 use of "contingency" at next Tuesday's Council Workshop.

Mayor Jean asked Mr. Cox why many of the insurance liability accounts appear overspent. Mr. Cox indicated that:

- a) The insurance carrier, Local Government Center Property Liability Trust, had changed how these premiums are being calculated causing the City to be slightly under budgeted and
- b) The Finance Office was correcting how these expenses are being assessed to individual departments. As a result, some departments, such as police, are being charged more than what they were budgeted for in FY2014.

Councilor Varney inquired why the Building, Zoning and Licensing account line for legal was trending over budget. Mr. Cox responded that the BZL department has been very active in their code compliance efforts which has resulted in increased legal expense.

7] Other

Deputy City Manager Cox distributed a worksheet (copy attached) detailing the pay scales for all employee groups. Mr. Cox stated that the non-union pay scales were adjusted in 2006 (2.1%) and again in 2007 (3.43%), but have not been adjusted for the last six years. This in addition to recent adjustments to the pay ranges under collective bargaining agreements has resulted in the non-union pay scales being approximately 5% below the collectively bargained pay scales.

The Mayor determined that the Committee would support the City Manager bringing to the full Council an adjustment to the non-union scales.

Councilor Larochelle stated that he was looking for the agenda to contain an item regarding the creation of a formal policy to address the issue of when and where the City extends water and sewer infrastructure. The Mayor indicated he would consider the creation of select committee to address the issue.

8] Non-Public Session

Councilor Walker **MOVED** to enter non-public session per RSA 91-A:3, II (a) for Personnel and as RSA 91-A:3, II (d) Land. Councilor Keans provided a second to the motion which was **ADOPTED** by a unanimous roll-call vote.

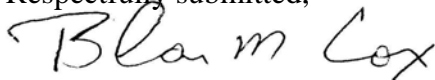
The Committee entered non-public session at 8:34 P.M.

Councilor Walker **MOVED** to exit non-public session and to seal the minutes indefinitely. Councilor Lauterborn provided a second to the motion which was **ADOPTED** by a unanimous voice vote. The Committee exited non-public session at 9:55 P.M.

9] Councilor Walker **MOVED** to adjourn. Councilor Varney provided a second to the motion which was **ADOPTED** by a unanimous voice vote.

The meeting adjourned at 9:10 P.M.

Respectfully submitted,



Blaine M. Cox
Deputy City Manager

BMC:sam

**FY14–FY17
Water Rate
Core Assumptions**

**Consumption Growth
1.2 % to 2.0% Each Year**

**Operating Expense Increases
2.0% Each Year**

**Additional Debt Service Increase
\$ 3.5 Million Each Year FY15-FY17
20 Year Level Principal @ 3.5% Interest**

Water FY14-FY17 Rate Projections

	WATER FUND	FY13	FY14	FY15	FY16	FY17
	New Connections	32	32	35	39	43
	Consumption Growth %	0.60%	1.20%	1.51%	2.01%	2.01%
A	TOTAL REVENUE UNITS	751,893	760,942	772,398	787,924	803,761
	(1) Unit = 748 gallons					
	OPERATING REVENUES					
	User Fees	\$3,444,992	\$3,553,598	\$3,668,893	\$3,892,343	\$4,203,670
	Other Service Charges	\$157,914	\$164,688	\$171,767	\$179,165	\$186,898
B	TOTAL OPERATING REVENUES	\$3,602,906	\$3,718,286	\$3,840,660	\$4,071,508	\$4,390,567
C	OPERATING EXPENSES (Less Depreciation)	\$1,838,738	\$1,875,513	\$1,913,023	\$1,951,283	\$1,990,309
	Percentage Increase over Prior Year		2.00%	2.00%	2.00%	2.00%
D	WATER CURRENT 20 YEAR DEBT SERVICE	\$1,531,460	\$1,473,409	\$1,447,020	\$1,347,542	\$1,320,524
E	ADDITIONAL DEBT SERVICE					
	Authorized & Unissued Debt	\$0	\$0	\$3,500,000	\$3,500,000	\$3,500,000
	Added Principal & Interest Payments	\$0	\$0	\$297,500	\$297,500	\$297,500
	Prior Year Authorized & Unissued P&I Payments	\$0	\$0	\$0	\$297,500	\$595,000
	Additional Principal & Interest Payments	\$0	\$0	\$297,500	\$595,000	\$892,500
F	ALL OPERATIONAL EXPENSES	\$3,370,198	\$3,348,922	\$3,657,543	\$3,893,825	\$4,203,333
G	MINIMUM RATE TO COVER ALL EXPENSES	\$4.48	\$4.40	\$4.74	\$4.94	\$5.23
H	PROJECTED USER RATES	\$4.60	\$4.67	\$4.75	\$4.94	\$5.23
	RATE INCREASE PERCENTAGE		1.5%	1.7%	4.0%	5.9%
I	PROJECTED SURPLUS (DEFICIT)	\$232,708	\$369,364	\$183,117	\$177,683	\$187,235

WATER FUND ALLOCATION OF MODEL COSTS

ALLOCATION OF COSTS			FY13	FY14	FY15	FY16	FY17
A	Operational OH Costs per Revenue Unit		\$2.0053	\$1.9718	\$1.9071	\$1.8574	\$1.8077
	Water Treatment Variable Costs Per Revenue Unit		\$0.4402	\$0.4929	\$0.5696	\$0.6191	\$0.6686
	Sub Total All Operational Costs Per Revenue Unit		\$2.4455	\$2.4647	\$2.4767	\$2.4765	\$2.4762
B	Current Debt Service Cost per Revenue Unit		\$2.0368	\$1.9363	\$1.8734	\$1.7102	\$1.6429
	Authorized & Unissued-Projections per Revenue Unit		\$0.0000	\$0.0000	\$0.3852	\$0.7627	\$1.1104
	Sub Total Costs per Revenue Unit		\$4.4823	\$4.4010	\$4.7353	\$4.9495	\$5.2296
C	Estimated Water Treatment Total Production Units		1,070,000	1,080,700	1,091,507	1,102,422	1,113,446
	<i>1 Unit = 748 gallons</i>						
D	Water Treatment Variable Costs Per All Units		\$0.3343	\$0.3410	\$0.3478	\$0.3548	\$0.3619
E	Water Treatment Variable Costs Per Gallon		\$0.00041	\$0.00046	\$0.00054	\$0.00059	\$0.00065

MODEL RATE INCREASE VS LEVEL RATE INCREASE

A	WATER FUND			FY13	FY14	FY15	FY16	FY17
	PROJECTED USER RATES			\$4.60	\$4.67	\$4.75	\$4.94	\$5.23
	PERCENTAGE INCREASE				1.5%	1.7%	4.0%	5.9%
	PROJECTED SURPLUS (DEFICIT)			\$232,708	\$369,364	\$183,117	\$177,683	\$187,235
B	LEVEL RATE INCREASE 1.5%			\$4.60	\$4.67	\$4.74	\$4.81	\$4.88
	LEVEL RATE INCREASE 1.5%-VARIANCE			0	(\$0.00)	(\$0.01)	(\$0.13)	(\$0.35)
	LEVEL RATE SURPLUS (DEFICIT)			\$232,708	\$369,364	\$174,648	\$75,348	(\$92,255)

Water Fund-Audited Working Capital Analysis

CITY OF ROCHESTER, NEW HAMPSHIRE

Working Capital Analysis - Water Fund

	Fiscal Year Ending						
	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Current Assets:							
Accounts receivable	\$ 1,049,075	\$ 1,071,649	\$ 968,845	\$ 1,064,724	\$ 998,144	\$ 937,330	\$ 904,314
Due from other governments	2,196	15,076	101,097	1,074,529	80	620,372	4,237
Due from other funds			549,991	622,112	4,493	677	7,000
Deferred debt financing expense	4,689	3,200	3,067	4,110	5,392	5,392	
Prepaid expenses	314	351	384	359	11,597	16,497	14,062
Inventory	321,831	276,733	247,190	265,134	248,539	231,381	242,083
Total Current Assets	<u>\$ 1,378,105</u>	<u>\$ 1,367,009</u>	<u>\$ 1,870,574</u>	<u>\$ 3,030,968</u>	<u>\$ 1,268,245</u>	<u>\$ 1,811,649</u>	<u>\$ 1,171,696</u>
Current Liabilities:							
Accounts payable	\$ 175,210	\$ 81,654	\$ 413,918	\$ 692,309	\$ 109,049	\$ 204,060	\$ 211,191
Accrued expenses	291,861	258,416	229,395	240,632	234,495	247,671	169,509
Retainage payable	61,920	79,878	105,641	141,730	82,495	125,280	159,081
Deposits payable							25,000
Due to other governments				14,235			
Due to other funds	855,648	301,372	38,533	19,227	1,995,109	191,445	4,067,581
Current portion of bonds payable	976,861	910,450	824,694	836,614	620,325	618,363	422,827
Total Current Liabilities	<u>\$ 2,361,500</u>	<u>\$ 1,631,770</u>	<u>\$ 1,612,181</u>	<u>\$ 1,944,747</u>	<u>\$ 3,041,473</u>	<u>\$ 1,386,819</u>	<u>\$ 5,055,189</u>
Working Capital Analysis:							
Working Capital Balance (Deficit)	<u>\$ (983,395)</u>	<u>\$ (264,761)</u>	<u>\$ 258,393</u>	<u>\$ 1,086,221</u>	<u>\$ (1,773,228)</u>	<u>\$ 424,830</u>	<u>\$ (3,883,493)</u>
Liquidity Ratio	0.58	0.84	1.16	1.56	0.42	1.31	0.23
Cash and Equivalents Analysis:							
Due from other funds	\$ -	\$ -	\$ 549,991	\$ 622,112	\$ 4,493	\$ 677	\$ 7,000
Due to other funds	855,648	301,372	38,533	19,227	1,995,109	191,445	4,067,581
Net Cash and Equivalents Position (Deficit)	<u>\$ (855,648)</u>	<u>\$ (301,372)</u>	<u>\$ 511,458</u>	<u>\$ 602,885</u>	<u>\$ (1,990,616)</u>	<u>\$ (190,768)</u>	<u>\$ (4,060,581)</u>

**FY14–FY17
Sewer Rate
Core Assumptions**

**Discharge Growth
1.0 % to 1.5% Each Year**

**Operating Expense Increases
2.0% Each Year**

**Additional Debt Service Increase
\$4 Million Each Year FY15-FY17
20 Year Level Principal @ 3.5% Interest**

Sewer FY14-FY17 Rate Projections

	SEWER FUND	FY13	FY14	FY15	FY16	FY17
	Regular Units	548,664	555,488	563,850	575,185	586,745
	High Volume	188,717	188,000	188,000	188,000	188,000
A	Total Units	737,381	743,488	751,850	763,185	774,745
	OPERATING REVENUES		0.83%	1.12%	1.51%	1.51%
	User Fees	\$4,484,253	\$4,522,805	\$4,574,984	\$4,813,615	\$5,136,211
	Other Service Charges	\$220,330	\$224,737	\$229,231	\$233,816	\$238,492
	Miscellaneous	\$88,624	\$90,396	\$92,204	\$94,048	\$95,929
B	Total Operating Revenues	\$4,793,207	\$4,837,938	\$4,896,420	\$5,141,480	\$5,470,633
	OPERATING EXPENSES	\$2,082,932	\$2,124,591	\$2,167,082	\$2,210,424	\$2,254,633
			2.00%	2.00%	2.00%	2.00%
D	SEWER CURRENT 20 YEAR DEBT SERVICE	\$2,318,882	\$2,142,368	\$2,123,392	\$2,037,070	\$1,976,021
E	ADDITIONAL DEBT SERVICE					
	Authorized & Unissued Debt	\$0	\$0	\$4,000,000	\$4,000,000	\$4,000,000
	Added Principal & Interest Payments	\$0	\$0	\$340,000	\$340,000	\$340,000
	Prior Year Authorized & Unissued P&I Payments	\$0	\$0	\$0	\$340,000	\$680,000
	Additional Principal & Interest Payments	\$0	\$0	\$340,000	\$680,000	\$1,020,000
F	ALL OPERATIONAL EXPENSES	\$4,401,814	\$4,266,959	\$4,630,475	\$4,927,495	\$5,250,654
G	MINIMUM RATE TO COVER ALL EXPENSES	\$5.97	\$5.74	\$6.16	\$6.46	\$6.78
H	Regular Rate	\$6.24	\$6.24	\$6.24	\$6.46	\$6.78
	High Volume Rate	\$5.62	\$5.62	\$5.62	\$5.84	\$6.16
	PERCENTAGE INCREASE		0.00%	0.00%	3.53%	4.95%
I	PROJECTED SURPLUS (DEFICIT)	\$391,393	\$570,980	\$265,945	\$213,985	\$219,979

SEWER FUND ALLOCATION OF MODEL COSTS

ALLOCATION OF COSTS			FY13	FY14	FY15	FY16	FY17
A	Operational OH Costs per Revenue Unit		\$2.2033	\$2.2289	\$2.2194	\$2.2012	\$2.2117
	Water Treatment Variable Costs Per Revenue Unit		\$0.6214	\$0.6287	\$0.6629	\$0.6951	\$0.6984
	Sub Total All Operational Costs Per Revenue Unit		\$2.8248	\$2.8576	\$2.8823	\$2.8963	\$2.9102
	Current Debt Service Cost per Revenue Unit		\$3.1448	\$2.8815	\$2.8242	\$2.6692	\$2.5505
B	Authorized & Unissued-Projections per Revenue Unit		\$0.0000	\$0.0000	\$0.4522	\$0.8910	\$1.3166
	Sub Total Costs per Revenue Unit		\$5.9695	\$5.7391	\$6.1588	\$6.4565	\$6.7773

MODEL RATE INCREASE VS LEVEL RATE INCREASE

A

SEWER FUND	FY13	FY14
PROJECTED USER RATES	\$6.24	\$6.24
PROJECTED HIGH VOLUME RATE	\$5.62	\$5.62
PERCENTAGE INCREASE		0.0%
PROJECTED SURPLUS (DEFICIT)	\$391,393	\$570,980

FY15	FY16	FY17
\$6.24	\$6.46	\$6.78
\$5.62	\$5.71	\$6.02
0.0%	3.5%	5.0%
\$265,945	\$213,985	\$219,979

B

LEVEL RATE INCREASE 1.5% USER	\$6.24	\$6.24
LEVEL RATE INCREASE 1.5% HIGH VOL	\$5.62	\$5.62
USER RATE INCREASE 1.5%-VARIANCE	\$0.00	\$0.00
HIGH VOLUME INCREASE 1.5%-VARIANCE	\$0.00	\$0.00
LEVEL RATE SURPLUS (DEFICIT)	\$391,393	\$570,980

\$6.33	\$6.43	\$6.53
\$5.70	\$5.79	\$5.88
\$0.09	(\$0.03)	(\$0.25)
\$0.08	\$0.08	(\$0.14)
\$334,570	\$186,501	\$17,120

Sewer Fund-Audited Working Capital Analysis

CITY OF ROCHESTER, NEW HAMPSHIRE

Working Capital Analysis - Sewer Fund

	Fiscal Year Ending						
	2013	2012	2011	2010	2009	2008	2007
Current Assets:							
Accounts receivable	\$ 1,634,302	\$ 1,682,551	\$ 1,642,851	\$ 1,766,532	\$ 1,645,527	\$ 1,592,872	\$ 1,073,562
Due from other governments	294,278	326,257	951,300	1,303,873	1,522,668	4,383,402	4,366,674
Due from other funds	2,663,685	3,178,744	2,439,382	1,066,957		4,278,937	7,114
Deferred debt financing expense	10,458	3,256	3,667	4,915	6,448	6,448	
Inventory	31,621						
Total Current Assets	<u>\$ 4,634,344</u>	<u>\$ 5,190,808</u>	<u>\$ 5,037,200</u>	<u>\$ 4,142,277</u>	<u>\$ 3,174,643</u>	<u>\$ 10,261,659</u>	<u>\$ 5,447,350</u>
Current Liabilities:							
Accounts payable	\$ 201,751	\$ 134,018	\$ 368,086	\$ 161,335	\$ 109,203	\$ 255,539	\$ 222,946
Accrued expenses	304,322	564,025	605,538	664,706	677,277	630,858	660,862
Retainage payable	66,866	19,595	17,646	54,091	50,338	133,988	181,755
Deferred revenue	355,482	379,182	402,880	426,579	436,752	466,033	
Due to other governments				5,231			
Due to other funds					250,870	3,681,239	751,948
Current portion of bonds payable	1,773,780	1,554,765	1,554,332	1,574,510	1,538,380	1,730,924	1,620,408
Total Current Liabilities	<u>\$ 2,702,201</u>	<u>\$ 2,651,585</u>	<u>\$ 2,948,482</u>	<u>\$ 2,886,452</u>	<u>\$ 3,062,820</u>	<u>\$ 6,898,581</u>	<u>\$ 3,437,919</u>
Working Capital Analysis:							
Working Capital Balance (Deficit)	<u>\$ 1,932,143</u>	<u>\$ 2,539,223</u>	<u>\$ 2,088,718</u>	<u>\$ 1,255,825</u>	<u>\$ 111,823</u>	<u>\$ 3,363,078</u>	<u>\$ 2,009,431</u>
Liquidity Ratio	1.72	1.96	1.71	1.44	1.04	1.49	1.58
Cash and Equivalents Analysis:							
Due from other funds	\$ 2,663,685	\$ 3,178,744	\$ 2,439,382	\$ 1,066,957	\$ -	\$ 4,278,937	\$ 7,114
Due to other funds	-	-	-	-	250,870	3,681,239	751,948
Net Cash and Equivalents Position (Deficit)	<u>\$ 2,663,685</u>	<u>\$ 3,178,744</u>	<u>\$ 2,439,382</u>	<u>\$ 1,066,957</u>	<u>\$ (250,870)</u>	<u>\$ 597,698</u>	<u>\$ (744,834)</u>



Norman Sanborn, Jr.
Chief of Department

Rochester Fire Department
City of Rochester
37 Wakefield Street • Rochester, NH 03867

Tel (603) 335-7545
Fax (603) 332-9711

December 10, 2013

TO: Blaine Cox, Deputy City Manager
FROM: Norm Sanborn, Jr., Fire Chief *Norm Sanborn Jr.*
SUBJECT: Request for Vacation Overtime

The following is a percentage of how all overtime is spent for FY14.

Vacation	30%
Sick Time	11%
Workers Comp	13%
Miscellaneous (Personal & Administrative Leave Coverage)	32%
Recalls, Box alarms	14%

As you see above, a large percentage of overtime is being spent this year in the miscellaneous area; specifically to cover shifts for two officers on administrative leave.

Please feel free to contact me if you need any other information.

Position Classifications & Pay Ranges for All City Personnel as of 2013-12-10

Managers' CBA

Grade	Position	Min	Max
10	City Clerk	\$ 55,181	\$ 73,935
11	Chief Assessor	\$ 57,966	\$ 77,703
11	Tax Collector	\$ 57,966	\$ 77,703
12	Director of Welfare	\$ 60,877	\$ 81,546
12	Systems Supervisor	\$ 60,877	\$ 81,546
13	Director of Recreation	\$ 63,864	\$ 85,645
13	Director of Code Enforcement	\$ 63,864	\$ 85,645
13	Economic Development Manager	\$ 63,864	\$ 85,645
13	Library Director	\$ 63,864	\$ 85,645
14	Director of Planning	\$ 67,114	\$ 89,952
17	Director of Public Works	\$ 77,686	\$ 104,119
17	Fire Chief	\$ 77,686	\$ 104,119

Middle Managers' CBA

Grade	Position	Min	Max
5	Deputy Tax Collector	\$ 16.28	\$ 21.85
5	Deputy City Clerk	\$ 16.28	\$ 21.85
7	Secretary III	\$ 18.85	\$ 25.25
9	Communications Center Manager	\$ 45,439	\$ 60,897
9	Recreation Supervisor	\$ 45,439	\$ 60,897
9	Arena Supervisor	\$ 45,439	\$ 60,897
10	Asst Director of Code Enf Services	\$ 55,181	\$ 73,935
10	Chief Planner	\$ 55,181	\$ 73,935
10	Municipal Services Supervisor	\$ 55,181	\$ 73,935
11	Deputy Fire Chief	\$ 57,966	\$ 77,703
11	Assistant Director of Recreation	\$ 57,966	\$ 77,703
11	Fire Marshal	\$ 57,966	\$ 77,703
11	Chief Water Treatment Operator	\$ 57,966	\$ 77,703
11	Chief Wastewater Treatment Operator	\$ 57,966	\$ 77,703
12	Bus. Administrator/Deputy Treasurer	\$ 60,877	\$ 81,546
13	City Engineer	\$ 63,864	\$ 85,645
14	Assitant Fire Chief	\$ 67,114	\$ 89,952

Municipal Employees

Grade	Position	Min	Max
2	Clerk Typist I	\$ 14.06	\$ 18.85
2	Secretary I	\$ 14.06	\$ 18.85
3	Administrative/Network Specialist	\$ 14.78	\$ 19.80
3	Arena Attendant	\$ 14.78	\$ 19.80
3	Clerk Typist II	\$ 14.78	\$ 19.80
3	Parking Enforcement Officer	\$ 14.78	\$ 19.80
3	Account Clerk I	\$ 14.78	\$ 19.80
4	Account Clerk II	\$ 15.51	\$ 20.81
5	Secretary II	\$ 16.28	\$ 21.85
5	Utility Billing Administrator	\$ 16.28	\$ 21.85
6	Animal Control Officer	\$ 17.95	\$ 24.07
6	Crime Analyst	\$ 17.95	\$ 24.07
6	IS Technician	\$ 17.95	\$ 24.07
6	Recreation Program Coordinator	\$ 17.95	\$ 24.07
7	Community Development Coordinator	\$ 18.85	\$ 25.27
7	Field Assessor	\$ 18.85	\$ 25.27
7	Juvenile Court Coordinator	\$ 18.85	\$ 25.27
7	Social Worker	\$ 18.85	\$ 25.27
8	Economic Development Specialist	\$ 19.80	\$ 26.53
9	Construction Engineer	\$ 21.85	\$ 29.28
9	Building/Mechanical Inspector	\$ 21.85	\$ 29.28
9	Health/Plumbing Inspector	\$ 21.85	\$ 29.28
10	Senior Accountant	\$ 26.53	\$ 35.54

Non-Union

Grade	Position	Min	Max
1	Library Page	\$ 8.95	\$ 13.26
2	Custodian (part time)	\$ 13.40	\$ 17.96
4	Assessing Technician	\$ 14.78	\$ 19.83
5	Lead Custodian (inactive)	\$ 15.51	\$ 20.82
6	Planner I	\$ 17.10	\$ 22.93
7	Financial Analyst (inactive)	\$ 17.96	\$ 24.08
8	Executive Secretary	\$ 18.86	\$ 25.28
9	Executive Assistant	\$ 20.82	\$ 27.90
9	Human Resource Coordinator	\$ 20.82	\$ 27.90
9	Office Manager	\$ 43,292	\$ 58,020
10	Deputy Assessor (Inactive)	\$ 25.28	\$ 33.86
11	DPW Operations Manager (inactive)	\$ 55,227	\$ 74,032
11	Police Lieutenant	\$ 55,227	\$ 74,032
12	Prosecutor (part time)	\$ 27.89	\$ 37.35
13	Police Captain	\$ 60,847	\$ 81,599
15	Deputy Police Chief	\$ 67,142	\$ 90,010
17	Director of Finance (Inactive)	\$ 74,017	\$ 99,201
18	Chief of Police	\$ 77,694	\$ 104,214
18	Deputy City Manager - Community Dev	\$ 77,694	\$ 104,214
18	Deputy City Manager - Finance & Admin	\$ 77,694	\$ 104,214

AMENDMENT TO WATER ORDINANCE RELATIVE TO
REQUIRED WATER SYSTEM CONNECTIONS

THE CITY OF ROCHESTER ORDAINS:

That chapter 17 of the General Ordinances of the city of Rochester, entitled "Water" as presently amended, be further amended by deleting therefrom the existing subsection (b) of Section 17.4 thereof, entitled "Water Service Connection Required", in its entirety, and by inserting in its stead the following subsection, said subsection (b) of Section 17.4 of the General Ordinances of the City of Rochester.

"(b) Existing structures within two hundred (200) feet of the public water system of the City, and currently served by private wells shall connect to the public water system at such time as the well fails or the property is transferred, whichever occurs first. For the purposes of this section, existing structures shall mean houses, buildings, or property used for human occupancy, employment, recreation, or other purposes, that are constructed as of January 1, 2012. For the purposes of this section, the term "well fails" shall mean any well failure requiring additional earth disturbance such as digging and/or drilling, other than such activity associated solely with well pump replacement and/or access."



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT	Water Ordinance 17.4 Amendments
----------------	---------------------------------

COUNCIL ACTION ITEM <input checked="" type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>	* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	--

AGENDA DATE	January 14, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	January 8, 2014		
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

--

SUMMARY STATEMENT

Codes and Ordinances Committee

December 5, 2013

(excerpted minutes)

Amendment to Water Ordinance -

Councilor Lachapelle reviewed the water ordinance 17.4, which came from the prior UAB meeting with the Codes and Ordinances Committee, where they had made the change as it pertained to “well fails.”

This item passed the UAB with a three-to-two vote. He thought that it should go to Attorney Wensley to make the changes and then brought to the full City Council.

The Codes and Ordinances Committee members discussed the changes that are being presented as it pertains to adding a section (B) to the current ordinance. Councilor Varney explained the change as it pertains to the word “fails.”

Councilor Keans debated that it should be connected with the sewer ordinance and that they should be parallel. Councilor Lauterborn was under the impression that this was a minor definition change for “well fails.” Councilor Keans did not feel that there was enough information for them to make a decision.

Councilor Gray tried to explain the definition further in regards to the sewer, as well as water, where it could require a permit. Councilor Varney asked if it required a permit. Mr. Nourse said not through Public Works. The Codes and Ordinances Committee discussed parallel terminology further.

Councilor Lachapelle wanted to have the change sent to the full City Council. The committee further discussed keeping the issue in committee until the February 6, 2014 meeting. Councilor Gray discussed looking at this from a permit level [water or sewer] in regards to failure or the property being sold.

Councilor Keans did not feel that it read well by adding section (B) because of the definitions. Councilor Varney stated that the sewer ordinance is defined.

Councilor Lauterborn MOVED to add a section (B) to ordinance 17.4. Councilor Varney seconded the motion. The MOTION CARRIED by a four to one majority voice vote.

RECOMMENDED ACTION

Adopt Amendments to ordinance.

This page intentionally left blank

**ORDINANCE AMENDMENT
RELATIVE TO WATER USER RATE**

THE CITY OF ROCHESTER ORDAINS:

I. That Chapter 17, Section 17.34 of the General Ordinances of the City of Rochester, entitled "Water Rate and Fee Schedule", be amended by deleting the portion of said ordinance entitled "Quarterly Water Rates" and by replacing such portion of the ordinance with the following:

17.34 Water Rate and Fee Schedule

Quarterly Water Rates

Residential Customers without exemption:	\$4.67	per 100 cu. ft. of water use
Residential Customers with exemption:	\$2.02	
Commercial and industrial customers:	\$4.67	

Unmetered Residential Customers:	
Per quarter per unit without exemption:	\$124.87
Per quarter per unit with exemption:	\$62.42

Minimum Fee:	
Per quarter per unit without exemption:	\$17.74
Per quarter per unit with exemption:	\$14.21

II. That this ordinance amendment shall take effect on March 1, 2014

SUMMARY STATEMENT

Finance Committee Meeting

December 10, 2013

(excerpt of minutes)

Water and Sewer Rates -

Deputy City Manager Cox informed the Committee that the Finance Office has created a new rates model for the Committee and had received an updated Working Capital Analysis from the auditor for both the Water and Sewer funds. Senior Accountant Sullivan presented a series of Power Point slides displaying the new rates model. Mayor Jean requested that the Finance Office work with the auditor to amend the Working Capital Analysis Liquidity Ratio to factor out the "due to other funds."

Councilor Varney MOVED to recommend to the full Council a rate increase of 1.5% to the current Water Rate and to recommend no adjustment to the Sewer Rate. Councilor Walker offered a second to the motion which was ADOPTED by a unanimous voice vote.

RECOMMENDED ACTION

Adopt 1.5% increase to Water Rates.

**FY14–FY17
Water Rate
Core Assumptions**

**Consumption Growth
1.2 % to 2.0% Each Year**

**Operating Expense Increases
2.0% Each Year**

**Additional Debt Service Increase
\$ 3.5 Million Each Year FY15-FY17
20 Year Level Principal @ 3.5% Interest**

Water FY14-FY17 Rate Projections

	WATER FUND	FY13	FY14	FY15	FY16	FY17
	New Connections	32	32	35	39	43
	Consumption Growth %	0.60%	1.20%	1.51%	2.01%	2.01%
A	TOTAL REVENUE UNITS	751,893	760,942	772,398	787,924	803,761
	(1) Unit = 748 gallons					
	OPERATING REVENUES					
	User Fees	\$3,444,992	\$3,553,598	\$3,668,893	\$3,892,343	\$4,203,670
	Other Service Charges	\$157,914	\$164,688	\$171,767	\$179,165	\$186,898
B	TOTAL OPERATING REVENUES	\$3,602,906	\$3,718,286	\$3,840,660	\$4,071,508	\$4,390,567
C	OPERATING EXPENSES (Less Depreciation)	\$1,838,738	\$1,875,513	\$1,913,023	\$1,951,283	\$1,990,309
	Percentage Increase over Prior Year		2.00%	2.00%	2.00%	2.00%
D	WATER CURRENT 20 YEAR DEBT SERVICE	\$1,531,460	\$1,473,409	\$1,447,020	\$1,347,542	\$1,320,524
E	ADDITIONAL DEBT SERVICE					
	Authorized & Unissued Debt	\$0	\$0	\$3,500,000	\$3,500,000	\$3,500,000
	Added Principal & Interest Payments	\$0	\$0	\$297,500	\$297,500	\$297,500
	Prior Year Authorized & Unissued P&I Payments	\$0	\$0	\$0	\$297,500	\$595,000
	Additional Principal & Interest Payments	\$0	\$0	\$297,500	\$595,000	\$892,500
F	ALL OPERATIONAL EXPENSES	\$3,370,198	\$3,348,922	\$3,657,543	\$3,893,825	\$4,203,333
G	MINIMUM RATE TO COVER ALL EXPENSES	\$4.48	\$4.40	\$4.74	\$4.94	\$5.23
H	PROJECTED USER RATES	\$4.60	\$4.67	\$4.75	\$4.94	\$5.23
	RATE INCREASE PERCENTAGE		1.5%	1.7%	4.0%	5.9%
I	PROJECTED SURPLUS (DEFICIT)	\$232,708	\$369,364	\$183,117	\$177,683	\$187,235

WATER FUND ALLOCATION OF MODEL COSTS

ALLOCATION OF COSTS			FY13	FY14	FY15	FY16	FY17
A	Operational OH Costs per Revenue Unit		\$2.0053	\$1.9718	\$1.9071	\$1.8574	\$1.8077
	Water Treatment Variable Costs Per Revenue Unit		\$0.4402	\$0.4929	\$0.5696	\$0.6191	\$0.6686
	Sub Total All Operational Costs Per Revenue Unit		\$2.4455	\$2.4647	\$2.4767	\$2.4765	\$2.4762
B	Current Debt Service Cost per Revenue Unit		\$2.0368	\$1.9363	\$1.8734	\$1.7102	\$1.6429
	Authorized & Unissued-Projections per Revenue Unit		\$0.0000	\$0.0000	\$0.3852	\$0.7627	\$1.1104
	Sub Total Costs per Revenue Unit		\$4.4823	\$4.4010	\$4.7353	\$4.9495	\$5.2296
C	Estimated Water Treatment Total Production Units		1,070,000	1,080,700	1,091,507	1,102,422	1,113,446
	<i>1 Unit = 748 gallons</i>						
D	Water Treatment Variable Costs Per All Units		\$0.3343	\$0.3410	\$0.3478	\$0.3548	\$0.3619
E	Water Treatment Variable Costs Per Gallon		\$0.00041	\$0.00046	\$0.00054	\$0.00059	\$0.00065

MODEL RATE INCREASE VS LEVEL RATE INCREASE

A						
WATER FUND		FY13	FY14	FY15	FY16	FY17
PROJECTED USER RATES		\$4.60	\$4.67	\$4.75	\$4.94	\$5.23
PERCENTAGE INCREASE			1.5%	1.7%	4.0%	5.9%
PROJECTED SURPLUS (DEFICIT)		\$232,708	\$369,364	\$183,117	\$177,683	\$187,235
B						
LEVEL RATE INCREASE 1.5%		\$4.60	\$4.67	\$4.74	\$4.81	\$4.88
LEVEL RATE INCREASE 1.5%-VARIANCE		0	(\$0.00)	(\$0.01)	(\$0.13)	(\$0.35)
LEVEL RATE SURPLUS (DEFICIT)		\$232,708	\$369,364	\$174,648	\$75,348	(\$92,255)

Water Fund-Audited Working Capital Analysis

CITY OF ROCHESTER, NEW HAMPSHIRE

Working Capital Analysis - Water Fund

	Fiscal Year Ending						
	2013	2012	2011	2010	2009	2008	2007
Current Assets:							
Accounts receivable	\$ 1,049,075	\$ 1,071,649	\$ 968,845	\$ 1,064,724	\$ 998,144	\$ 937,330	\$ 904,314
Due from other governments	2,196	15,076	101,097	1,074,529	80	620,372	4,237
Due from other funds			549,991	622,112	4,493	677	7,000
Deferred debt financing expense	4,689	3,200	3,067	4,110	5,392	5,392	
Prepaid expenses	314	351	384	359	11,597	16,497	14,062
Inventory	321,831	276,733	247,190	265,134	248,539	231,381	242,083
Total Current Assets	<u>\$ 1,378,105</u>	<u>\$ 1,367,009</u>	<u>\$ 1,870,574</u>	<u>\$ 3,030,968</u>	<u>\$ 1,268,245</u>	<u>\$ 1,811,649</u>	<u>\$ 1,171,696</u>
Current Liabilities:							
Accounts payable	\$ 175,210	\$ 81,654	\$ 413,918	\$ 692,309	\$ 109,049	\$ 204,060	\$ 211,191
Accrued expenses	291,861	258,416	229,395	240,632	234,495	247,671	169,509
Retainage payable	61,920	79,878	105,641	141,730	82,495	125,280	159,081
Deposits payable							25,000
Due to other governments				14,235			
Due to other funds	855,648	301,372	38,533	19,227	1,995,109	191,445	4,067,581
Current portion of bonds payable	<u>976,861</u>	<u>910,450</u>	<u>824,694</u>	<u>836,614</u>	<u>620,325</u>	<u>618,363</u>	<u>422,827</u>
Total Current Liabilities	<u>\$ 2,361,500</u>	<u>\$ 1,631,770</u>	<u>\$ 1,612,181</u>	<u>\$ 1,944,747</u>	<u>\$ 3,041,473</u>	<u>\$ 1,386,819</u>	<u>\$ 5,055,189</u>
Working Capital Analysis:							
Working Capital Balance (Deficit)	<u>\$ (983,395)</u>	<u>\$ (264,761)</u>	<u>\$ 258,393</u>	<u>\$ 1,086,221</u>	<u>\$ (1,773,228)</u>	<u>\$ 424,830</u>	<u>\$ (3,883,493)</u>
Liquidity Ratio	0.58	0.84	1.16	1.56	0.42	1.31	0.23
Cash and Equivalents Analysis:							
Due from other funds	\$ -	\$ -	\$ 549,991	\$ 622,112	\$ 4,493	\$ 677	\$ 7,000
Due to other funds	<u>855,648</u>	<u>301,372</u>	<u>38,533</u>	<u>19,227</u>	<u>1,995,109</u>	<u>191,445</u>	<u>4,067,581</u>
Net Cash and Equivalents Position (Deficit)	<u>\$ (855,648)</u>	<u>\$ (301,372)</u>	<u>\$ 511,458</u>	<u>\$ 602,885</u>	<u>\$ (1,990,616)</u>	<u>\$ (190,768)</u>	<u>\$ (4,060,581)</u>

MODIFIED WATER FUND WORKING CAPITAL ANALYSIS- DUE TO OTHER FUNDS BALANCE REMOVED FROM CURRENT LIABILITIES LINE

CITY OF ROCHESTER, NEW HAMPSHIRE

Working Capital Analysis - Water Fund

	Fiscal Year Ending						
	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Current Assets:							
Accounts receivable	\$ 1,049,075	\$ 1,071,649	\$ 968,845	\$ 1,064,724	\$ 998,144	\$ 937,330	\$ 904,314
Due from other governments	2,196	15,076	101,097	1,074,529	80	620,372	4,237
Due from other funds			549,991	622,112	4,493	677	7,000
Deferred debt financing expense	4,689	3,200	3,067	4,110	5,392	5,392	
Prepaid expenses	314	351	384	359	11,597	16,497	14,062
Inventory	321,831	276,733	247,190	265,134	248,539	231,381	242,083
Total Current Assets	<u>\$ 1,378,105</u>	<u>\$ 1,367,009</u>	<u>\$ 1,870,574</u>	<u>\$ 3,030,968</u>	<u>\$ 1,268,245</u>	<u>\$ 1,811,649</u>	<u>\$ 1,171,696</u>
Current Liabilities:							
Accounts payable	\$ 175,210	\$ 81,654	\$ 413,918	\$ 692,309	\$ 109,049	\$ 204,060	\$ 211,191
Accrued expenses	291,861	258,416	229,395	240,632	234,495	247,671	169,509
Retainage payable	61,920	79,878	105,641	141,730	82,495	125,280	159,081
Deposits payable							25,000
Due to other governments				14,235			
Current portion of bonds payable	976,861	910,450	824,694	836,614	620,325	618,363	422,827
Total Current Liabilities	<u>\$ 1,505,852</u>	<u>\$ 1,330,398</u>	<u>\$ 1,573,648</u>	<u>\$ 1,925,520</u>	<u>\$ 1,046,364</u>	<u>\$ 1,195,374</u>	<u>\$ 987,608</u>
Working Capital Balance (Deficit) from Operations	(127,747)	36,611	296,926	1,105,448	221,881	616,275	184,088
Liquidity Ratio	0.92	1.03	1.19	1.57	1.21	1.52	1.19
Due to other funds	855,648	301,372	38,533	19,227	1,995,109	191,445	4,067,581
Net Working Capital Balance (Deficit)	<u>\$ (983,395)</u>	<u>\$ 36,611</u>	<u>\$ 296,926</u>	<u>\$ 1,105,448</u>	<u>\$ 221,881</u>	<u>\$ 616,275</u>	<u>\$ 184,088</u>
Net Liquidity Ratio	0.58	0.84	# 1.16	# 1.56	# 0.42	# 1.31	# 0.23
Cash and Equivalents Analysis:							
Due from other funds	\$ -	\$ -	\$ 549,991	\$ 622,112	\$ 4,493	\$ 677	\$ 7,000
Due to other funds	855,648	301,372	38,533	19,227	1,995,109	191,445	4,067,581
Net Cash and Equivalents Position (Deficit)	<u>\$ (855,648)</u>	<u>\$ (301,372)</u>	<u>\$ 511,458</u>	<u>\$ 602,885</u>	<u>\$ (1,990,616)</u>	<u>\$ (190,768)</u>	<u>\$ (4,060,581)</u>

Better measurement of
operational strength

**FY14–FY17
Sewer Rate
Core Assumptions**

**Discharge Growth
1.0 % to 1.5% Each Year**

**Operating Expense Increases
2.0% Each Year**

**Additional Debt Service Increase
\$4 Million Each Year FY15-FY17
20 Year Level Principal @ 3.5% Interest**

Sewer FY14-FY17 Rate Projections

	SEWER FUND	FY13	FY14	FY15	FY16	FY17
	Regular Units	548,664	555,488	563,850	575,185	586,745
	High Volume	188,717	188,000	188,000	188,000	188,000
A	Total Units	737,381	743,488	751,850	763,185	774,745
	OPERATING REVENUES		0.83%	1.12%	1.51%	1.51%
	User Fees	\$4,484,253	\$4,522,805	\$4,574,984	\$4,813,615	\$5,136,211
	Other Service Charges	\$220,330	\$224,737	\$229,231	\$233,816	\$238,492
	Miscellaneous	\$88,624	\$90,396	\$92,204	\$94,048	\$95,929
B	Total Operating Revenues	\$4,793,207	\$4,837,938	\$4,896,420	\$5,141,480	\$5,470,633
C	OPERATING EXPENSES	\$2,082,932	\$2,124,591	\$2,167,082	\$2,210,424	\$2,254,633
			2.00%	2.00%	2.00%	2.00%
D	SEWER CURRENT 20 YEAR DEBT SERVICE	\$2,318,882	\$2,142,368	\$2,123,392	\$2,037,070	\$1,976,021
E	ADDITIONAL DEBT SERVICE					
	Authorized & Unissued Debt	\$0	\$0	\$4,000,000	\$4,000,000	\$4,000,000
	Added Principal & Interest Payments	\$0	\$0	\$340,000	\$340,000	\$340,000
	Prior Year Authorized & Unissued P&I Payments	\$0	\$0	\$0	\$340,000	\$680,000
	Additional Principal & Interest Payments	\$0	\$0	\$340,000	\$680,000	\$1,020,000
F	ALL OPERATIONAL EXPENSES	\$4,401,814	\$4,266,959	\$4,630,475	\$4,927,495	\$5,250,654
G	MINIMUM RATE TO COVER ALL EXPENSES	\$5.97	\$5.74	\$6.16	\$6.46	\$6.78
H	Regular Rate	\$6.24	\$6.24	\$6.24	\$6.46	\$6.78
	High Volume Rate	\$5.62	\$5.62	\$5.62	\$5.84	\$6.16
	PERCENTAGE INCREASE		0.00%	0.00%	3.53%	4.95%
I	PROJECTED SURPLUS (DEFICIT)	\$391,393	\$570,980	\$265,945	\$213,985	\$219,979

SEWER FUND ALLOCATION OF MODEL COSTS

ALLOCATION OF COSTS			FY13	FY14	FY15	FY16	FY17
A	Operational OH Costs per Revenue Unit		\$2.2033	\$2.2289	\$2.2194	\$2.2012	\$2.2117
	Water Treatment Variable Costs Per Revenue Unit		\$0.6214	\$0.6287	\$0.6629	\$0.6951	\$0.6984
	Sub Total All Operational Costs Per Revenue Unit		\$2.8248	\$2.8576	\$2.8823	\$2.8963	\$2.9102
B	Current Debt Service Cost per Revenue Unit		\$3.1448	\$2.8815	\$2.8242	\$2.6692	\$2.5505
	Authorized & Unissued-Projections per Revenue Unit		\$0.0000	\$0.0000	\$0.4522	\$0.8910	\$1.3166
	Sub Total Costs per Revenue Unit		\$5.9695	\$5.7391	\$6.1588	\$6.4565	\$6.7773

MODEL RATE INCREASE VS LEVEL RATE INCREASE

A	SEWER FUND	FY13	FY14
	PROJECTED USER RATES	\$6.24	\$6.24
	PROJECTED HIGH VOLUME RATE	\$5.62	\$5.62
	PERCENTAGE INCREASE		0.0%
	PROJECTED SURPLUS (DEFICIT)	\$391,393	\$570,980

FY15	FY16	FY17
\$6.24	\$6.46	\$6.78
\$5.62	\$5.71	\$6.02
0.0%	3.5%	5.0%
\$265,945	\$213,985	\$219,979

B	LEVEL RATE INCREASE 1.5% USER	\$6.24	\$6.24
	LEVEL RATE INCREASE 1.5% HIGH VOL	\$5.62	\$5.62
	USER RATE INCREASE 1.5%-VARIANCE	\$0.00	\$0.00
	HIGH VOLUME INCREASE 1.5%-VARIANCE	\$0.00	\$0.00
	LEVEL RATE SURPLUS (DEFICIT)	\$391,393	\$570,980

\$6.33	\$6.43	\$6.53
\$5.70	\$5.79	\$5.88
\$0.09	(\$0.03)	(\$0.25)
\$0.08	\$0.08	(\$0.14)
\$334,570	\$186,501	\$17,120

Sewer Fund-Audited Working Capital Analysis

CITY OF ROCHESTER, NEW HAMPSHIRE

Working Capital Analysis - Sewer Fund

	Fiscal Year Ending						
	<u>2013</u>	<u>2012</u>	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>
Current Assets:							
Accounts receivable	\$ 1,634,302	\$ 1,682,551	\$ 1,642,851	\$ 1,766,532	\$ 1,645,527	\$ 1,592,872	\$ 1,073,562
Due from other governments	294,278	326,257	951,300	1,303,873	1,522,668	4,383,402	4,366,674
Due from other funds	2,663,685	3,178,744	2,439,382	1,066,957		4,278,937	7,114
Deferred debt financing expense	10,458	3,256	3,667	4,915	6,448	6,448	
Inventory	31,621						
Total Current Assets	\$ 4,634,344	\$ 5,190,808	\$ 5,037,200	\$ 4,142,277	\$ 3,174,643	\$ 10,261,659	\$ 5,447,350
Current Liabilities:							
Accounts payable	\$ 201,751	\$ 134,018	\$ 368,086	\$ 161,335	\$ 109,203	\$ 255,539	\$ 222,946
Accrued expenses	304,322	564,025	605,538	664,706	677,277	630,858	660,862
Retainage payable	66,866	19,595	17,646	54,091	50,338	133,988	181,755
Deferred revenue	355,482	379,182	402,880	426,579	436,752	466,033	
Due to other governments			5,231				
Due to other funds					250,870	3,681,239	751,948
Current portion of bonds payable	1,773,780	1,554,765	1,554,332	1,574,510	1,538,380	1,730,924	1,620,408
Total Current Liabilities	\$ 2,702,201	\$ 2,651,585	\$ 2,948,482	\$ 2,886,452	\$ 3,062,820	\$ 6,898,581	\$ 3,437,919
Working Capital Analysis:							
Working Capital Balance (Deficit)	\$ 1,932,143	\$ 2,539,223	\$ 2,088,718	\$ 1,255,825	\$ 111,823	\$ 3,363,078	\$ 2,009,431
Liquidity Ratio	1.72	1.96	1.71	1.44	1.04	1.49	1.58
Cash and Equivalents Analysis:							
Due from other funds	\$ 2,663,685	\$ 3,178,744	\$ 2,439,382	\$ 1,066,957	\$ -	\$ 4,278,937	\$ 7,114
Due to other funds	-	-	-	-	250,870	3,681,239	751,948
Net Cash and Equivalents Position (Deficit)	\$ 2,663,685	\$ 3,178,744	\$ 2,439,382	\$ 1,066,957	\$ (250,870)	\$ 597,698	\$ (744,834)

Public Safety Committee
Council Chambers
December 18, 2013
7:00 PM

Members Present

Councilor David Walker, Chairman
Councilor James Gray
Councilor Stephen Hervey
Councilor Brian LaBranche
Councilor Peter Lachapelle

Others Present

Gretchen Young, PE, Construction Engineer
Scott Dumas, Deputy Chief P.D.
Donald Hamann

Minutes

Councilor Walker brought the meeting to order at 7:00 PM.

1. Public Input

There were no members of the public present.

2. Stop Sign-Allen Street-awaiting traffic data

Councilor Walker summarized that a resident had requested a stop sign on Allen Street at the intersection of Allen Street and Eastern Avenue. Deputy Chief Dumas stated he had data for the past 2 years for Allen Street. There were no accidents in this area.

Councilor Lachapelle made a motion to deny the request for a stop sign on Allen Street. The motion was seconded by Councilor Hervey. Unanimous voice vote passed 4 to 1.

3. Stuarts Greenhouse-awaiting data

Councilor Walker summarized that the owner of Stuarts Greenhouse is requesting a guardrail at the intersection of Milton Rd and Cross Road to protect his property. Ms. Young said she spoke with Commissioner Nourse about this request and he said that Mr. Stuart had requested this a few years ago and was told he could put up a guardrail as long as it was on his property. Ms. Young provided the committee members with a map showing how the Stuarts fence and storage area extends approximately 5' into the Cross Road right-of-way. Deputy Chief Dumas researched data for the past 2 years. He stated that in October of this year there was an accident that took the fence out. Councilor Hervey asked if the city would be opposed to have Mr. Stuart place big rocks on his property. Ms. Young said that he could put large rocks on the property but did not recommend any large rocks in the Cross Road right-of-way.

Councilor Lachapelle made a motion to deny the request for a guardrail by Stuart's Greenhouse. The motion was seconded by Councilor Hervey.

Unanimous voice vote carried the motion. Councilor Lachapelle asked Ms. Young to write a letter to the owner of Stuarts Greenhouse explaining the issue and the reasons for the committee denying the request.

4. Intersection May/Upham Street and Columbus Ave-poorly lit-move light down from pole

Deputy Chief Dumas stated that it was communicated wrong to him. This was kept in committee, so they can find out where the resident wants the light moved to.

Councilor Walker asked Deputy Chief Dumas to get clarification of where the resident wants the street light moved to.

5. Glenwood Avenue-right turn only

Councilor Walker summarized that this request came from the planning board. There is a housing project that has been approved to go in off of Glenwood Ave. Councilor LaBranche said this is a terrible intersection. He asked how many units were approved, Councilor Gray said he wasn't sure but it was a good number of units. Councilor Walker stated that this was a poor intersection and that he did not believe that the housing project should have been approved without making necessary improvements to the railroad crossing to open up that connection, however, it is not fair to punish the current residence on Glenwood Avenue by making everyone take a right only out of Glenwood Avenue.

Councilor LaBranche made a motion to deny the right turn only request on Glenwood Avenue. The motion was seconded by Councilor Hervey.
Unanimous voice vote carried the motion.

6. Other

Councilor Gray said that the left hand turn from Washington to Brock Street was to slow. The light only stays green for 7 to 9 seconds. Councilor Walker asked Ms. Young if DPW could check the timing on this light.

Councilor LaBranche made a motion to adjourn the meeting, seconded by Councilor Hervey. The motion passed and the meeting adjourned at 7:15 PM.

Respectfully submitted by
Laura Miller
Secretary II, DPW

Public Works and Buildings Committee

December 19, 2013

Council Chambers

7:00 PM

MEMBERS PRESENT

Councilor Torr, Chairman

Councilor Ray Varney-Vice Chairman

Councilor David Walker

Councilor John Larochelle

Councilor Brian LaBranche

OTHERS PRESENT

Councilor Donald Hamann

Councilor Elect Jake Collins

Councilor Elect Derek (Mack) Kittredge

Peter Nourse, Director DPW

Gretchen Young, Construction Engineer

Donald Dodier, 79 Chamberlain Street

Minutes

Chairman Torr called the Public Works and Buildings Committee meeting to order at 7:00 PM.

1. Approve minutes from November 21, 2013 meeting

Chairman Torr asked for a recommendation for the last month's minutes.

Councilor Walker made a motion to accept the minutes of the November 21, 2013 meeting as presented. Councilor Labranche seconded the motion. The motion passed unanimously.

2. Public Input.

Mr. Dodier of 79 Chamberlain Street came to the podium. He stated that he was present to check the status of deliberations regarding extending the water and sewer mains on Chamberlain Street. Mr. Nourse stated that it was the council's decision to present this project as part of the Capital Improvement Project (CIP) budget presentation in order for it to be considered and weighed for importance with the other CIP projects that are proposed. Mr. Dodier stated that there are failing sewers and that he would like serious consideration given to the sewer extension.

3. Salmon Falls Highway Safety Improvement Project (HSIP).

Mr. Nourse stated that this projects original budget was five hundred thousand dollars. The funding is split 90% federal grant and 10% City. Mr. Nourse stated in order to complete the project an additional appropriation of one hundred and sixty-four thousand, seven hundred and ninety-six dollars will be necessary (\$164,796). He went on to explain that the survey of right-of-way determined that it is very irregular in widths and in order to soften the curves the project area will need to be elongated to 1800'. Mr. Nourse stated that the state is willing to participate at the same 90%

federal and 10% funding, so it will ultimately cost the City just about sixteen thousand, five hundred dollars more (\$16,500). Councilor Walker stated that the City should be able to fund that additional amount.

Councilor Varney stated the City would need to appropriate the total amount of the increase and be reimbursed as the project progresses.

Councilor Varney made a motion to recommend that the City Council do a supplemental appropriation of the one hundred and sixty four thousand, seven hundred and ninety-six dollars (164,796) for the Salmon Falls HSIP. The appropriation would have a 90% NHDOT federal Grant and 10% City Highway split. Councilor Walker seconded the motion. The motion passed unanimously.

Councilor Varney asked Mr. Nourse if there would be an additional public information meeting for the residents in the area. Mr. Nourse stated that he was planning on a meeting in February or March. Councilor Walker asked if there would be any land takings necessary. Mr. Nourse stated there would not be. He stated that elongating the project will allow for us to stay within the City's right-of-way.

4. Wakefield Street (Union to Chestnut Hill)

Mr. Nourse stated in previous Public Works Committee meetings there was discussion about reclamation and paving in this area. He stated that it is known to have concrete underneath the current asphalt and he has determined that there are water and sewer improvements necessary as well. Councilor Walker stated that would make it a much bigger project than just paving. Mr. Nourse stated that he would like to put the project into the General fund Highway CIP for a future year. Councilor Keans stated if the trees were to be taken down, she would like to ensure others are planted in their place. Mr. Nourse stated that they would be looking at replacing sidewalks as well as reshaping the intersection with Glenwood Avenue. Councilor Keans stated that prior to this project it would make sense to get Glenwood Avenue opened up through to Allen Street. She stated that there are "Tiger Grants" available for the railroad crossing that we should be looking into. Councilor Walker stated that opening Glenwood Avenue through to Allen Street makes sense. He stated that it will be important now because of the proposed elderly housing that is approved to be located on Glenwood. He stated these seniors would have an easier time exiting and entering through Allen Street. Councilor Walker stated that we should be aggressively pursuing the "Tiger Grant" if available. Councilor Keans suggested that the City's grant writer should work on this. Councilor Varney stated that there are several highway projects in the works, and while the Wakefield Street is important, he states that the funds are going to be tight for the FY2015 CIP.

5. Capital Improvement Projects (CIP) 2015

Highway CIP – Mr. Nourse stated that the Strafford Square project is going to be a large part of the FY2015 Highway division CIP. He stated

that currently there is over a million available in the current general fund highway CIP budget, but he expects this to be a 2 to possibly 2.5 million dollar project. He stated that this project was originally planned over 10 years ago and that the utility pole relocation to underground was never part of that plan. Councilor Keans stated that the state never factors in the cost escalations for projects that go on for years such as this one. She states that what was awarded then will be all that is awarded now. Mr. Nourse stated that he will also have the highway portion of the Franklin Street I/I Project and the design for the North Main Street Gap project.

Water CIP - Mr. Nourse stated that the Franklin Street water component will be in the CIP as well as Water Tank and Reservoir dam rehabilitation projects. Mr. Nourse stated that at the Councils request he has put the Chamberlain Street water and sewer extensions into the CIP. He went on to say that he does not support this effort due to the low number of residents that will be served, and there is no proof of failed septic systems.

Sewer CIP – Mr. Nourse stated that the Franklin Street I/I project will be in the CIP as well as the Wastewater Interceptor, the River Street Pump Station, Chamberlain Street Sewer Extension and a project for Colonial Pines evaluation for a sewer extension. Mr. Nourse stated that extending the sewer in the Colonial Pines area will be a large project and would pick up a significant number of users.

Buildings and Ground CIP- Mr. Nourse stated that he would like to put in a survey project for the downtown lights. He stated that the lighting and wiring in and on these poles is decades old and need evaluating. He stated that when the lights were out recently on North Main Street he had an opportunity to see what was inside these electrical boxes and he saw the need.

6. **Strafford Square Project:**

Mr. Nourse stated that he is having issues with communications from the NHDOT on this project. He stated that the current project manager is not responsive. It took a year to get answers on 3 significant questions and he is not optimistic of this getting any better in the future. He stated that recently he went to Mr. Watson who would be the next step above the project manager, and he did receive an unofficial email from the project manager stating the following. 1.) CLD Engineers have been approved as being selected based on NHDOT's Quality Based Selection (QBS) criteria. 2.) The City requested reimbursement of part B engineering and right-of-way (ROW) acquisition expenses. The engineering has been reimbursed in full, but the request for ROW acquisition expenses are and have been pending for over a year. The emailed response says they are approved but they are awaiting the transfer of funds in order to reimburse. 3.) The City requested reconsideration for reimbursement of the Part A preliminary design expenses. The City felt that there was verbal authorization to proceed between the then project manager and the then DPW Director. The email stated that these would be denied again as there was no documented approval for the expenses. The email stated that a formal

letter stipulating these 3 determinations would be forth coming. Councilor Keans asked Mr. Nourse if the State of NH has programmed the funds for 2015 for construction. Mr. Nourse stated that he assumed they have. He stated he will look into confirming that information.

7. **Milton Road / Crossroads Project**

Gretchen Young stated that it appears that there are several projects happening in the area between the highway ramps and the Cross Roads Industrial Park. She stated that previously the Public Works Committee had discussed adding a center turn lane in this area. She stated that it was also discussed to have the developers in the area participate in the cost to add this lane. Ms. Young stated that she recommends that a plan be designed for this lane. Then in the future it will be possible to determine exaction fees for developers based on the plan and the estimated cost for implementation. Ms. Young stated that the economic developers are promoting this area as a revitalization project so now would be the time to get this design ready. Councilor Varney asked if the right-of-way is wide enough to implement the additional lane. Ms. Young stated that it is believed to be a sixty foot or more right-of-way and that it would accommodate an additional lane. Councilor Walker suggested that the area and lane should be extended all the way from the turnpike ramps to the Industrial Park. Councilor Varney suggested that this project be included in the budget discussion for the CIP.

Councilor Labranche requested that they consider the intersection of Salmon Falls Road when doing improvements to the area. He stated that the cars going north on the Milton Road that are intending to turn right onto Salmon Falls road, are trying to go up the side of stopped traffic. He stated that it should be looked at.

8. **DPW Facility Study**

Mr. Nourse stated that he has understood that the Council would like the DPW to look at City owned land for use regarding the new facility. He stated that he would like to have the study incorporate the evaluation of several properties. He stated that he has five locations for suggestion.

1.)45 Old Dover Road. He stated this is the current location. He stated the physical location is good in relations to access to the City. He stated that it is somewhat small and the approximation to the river poses some site issues, as does construction while working. It is in his opinion viable.

2.)58 Pickering Road. This is the old Gonic Brickyard property and while there is some staff resistance to this site due to the remote location from town, Mr. Nourse stated this is viable as well. He stated that the City's main sewer line runs through the property and therefore we would not want it developed by anyone else, and this is a large parcel that would allow for a building giving storage to the whole fleet. **3.)Havenhill Road.**

Mr. Nourse stated that this property is located on the Somersworth line at the Salmon Falls Road end of the Haven Hill Road. He stated that although also remote Salmon Falls provides access to East Rochester, and Rt 108 provides access to the downtown area. **4.)62 Easter Avenue**

provides access to a large parcel that runs parallel behind the buildings on Wakefield Street. This may be too wet for use but is close to downtown and should be looked at with the study. **5.)22 Phillips Road**, Mr. Nourse stated that this is roadway located at the intersection of Flat Rock Ridge Road and the Milton Road. He stated if feasible it would be accessible to downtown via the Milton Road and access to East Rochester and Gonic could be via the Spaulding turnpike as it would be close to the on ramps. Councilor Varney suggested that Mr. Nourse look at some of the State of NH owned properties. There was discussion as to the current location and the proximity to the Cocheco River. Councilor Keans suggested retrofitting the current building and property. Councilor Labranche asked what the ideal location size would be. Mr. Nourse stated that currently we are located on 5 acres he suggested that 10 acres would be desirable. Chairman Torr asked Councilor Elect Collins for his opinion. Mr. Collins stated that he would like to see a study group or committee be formed to determine if the facility should be on existing land or if a property purchase should be considered. He stated that he was impressed with the presentation and tours that Mr. Nourse had set up for the incoming and existing Councilors this week. He stated that it seems to him that the DPW is doing as much, and possibly more for this City than other departments, and they are doing it with less. He further stated that he does not intend to slight the other departments, but he believes it is time to get this department what it needs for a building. Councilor Varney asked if it was possible to get the conceptual design done prior to deciding the location. Mr. Nourse stated that is part of the plan. Mr. Nourse stated that the trends for recently built DPW's in our area, is to put them out of town. He stated that Dover, Somersworth and Portsmouth had done the same. Councilor Keans stated that the armory on Rochester Hill Road be looked at. She stated that the State of NH is looking to give some of these properties up. Chairman Torr suggested the City Concrete site on Chestnut Hill Road.

9. **Other**

Spaulding Turnpike Invoices – Mr. Nourse stated that the invoices are finally in for the City's cost of water and sewer on the turnpike project. He stated that the DPW is likely to dispute one of the invoices as we believe it is being over billed. He said the good news is once these invoice are settled we will be able to de-authorize significant amounts in the water and sewer CIP accounts.

Tiger Grants – Councilor Walker reiterated his desire to have City Staff looking into this regarding the Glenwood Avenue / Allen Street railroad crossing.

Pictometry / Council Chambers Computer – Councilor Larochelle stated that he would like to see the Council Chambers fitted with a computer system that is able to bring up the Pictometry software in a usable way. He stated that he was able to demonstrate tonight how much value it could lend to discussions if a system was put into place to make in

usable. Councilor Larochelle and others would like to utilize this tool during Committee and City Council meetings. The current configuration is not working. It is too slow and keeps locking up.

Historical Society Boiler – Councilor Varney asked the status. Mr. Nourse stated that the funds were set up this week and that he believed Unitil started the work necessary on their side.

Arena Building – Councilor Varney asked Mr. Nourse if he had any part of the improvements being made at the Arena. Mr. Nourse stated that he does not. Councilor Varney stated concerns with the Arena project and stated he would be discussing them with the City Manager.

Councilor Walker made a motion to adjourn at 8:14 PM. Councilor Labranche seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Lisa Clark, Secretary III Rochester DPW

RESOLUTION DEAUTHORIZING
PORTION OF FY 2010-2011 WATER WORKS
CAPITAL BUDGET APPROPRIATION

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

WHEREAS, by June 2011 Resolution adopted by the Mayor and City Council, a Capital Improvements Budget appropriation in the amount of One Million Fifty Thousand Dollars (\$1,050,000.00) was appropriated in the FY 2010-2011 City of Rochester, Water Works Capital Improvements budget for the so-called Alum Sludge Management project (project# 11515) (the "Project"), with such appropriation to be funded, in its entirety, from the proceeds of bonding by the City of Rochester; and

WHEREAS, such Project has been completed at a final cost of Nine Hundred Twenty-Three Thousand Four Hundred Fifty-Nine Dollars and Thirty-Eight Cents (\$923,459.38), thereby leaving the sum of One Hundred Twenty-Six Thousand Five Hundred Forty Dollars and Sixty-Two Cents (\$126,540.62) of the aforementioned funds appropriated for such Project, no longer necessary for such Project's purposes;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize One Hundred Twenty-Six Thousand Five Hundred Forty Dollars and Sixty-Two Cents (\$126,540.62) of the previously appropriated funds for the so-called Project, thereby leaving the sum of Nine Hundred Twenty-Three Thousand Four Hundred Fifty-Nine Dollars and Thirty-Eight Cents (\$923,459.38) appropriated for said Project, and further withdraws all bonding authority with respect to the aforesaid deauthorized portion of the original Project appropriation.

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.



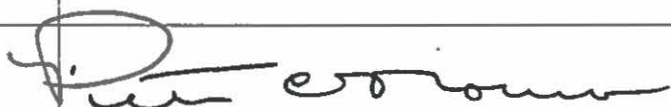
City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

RECEIVED
DEC 12 2013
CITY CLERK'S OFFICE
ROCHESTER, NY



AGENDA SUBJECT WATER FUND CIP ACCOUNT 55016010-771000-11515	
Council Action Item <u>xx</u> or Information Only <u> </u>	Funding Required? Yes <u> </u> No <u>xx</u>
Resolution Required? Yes <u>xx</u> No <u> </u>	Funding Resolution Worksheet? Yes <u> </u> No <u>xx</u>

AGENDA DATE	JANUARY 7, 2014 2014-01-14
DEPT. HEAD SIGNATURE	
DATE SUBMITTED	12/10/13
ATTACHMENTS Yes <u> </u> No <u> </u>	


COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	BOND
ACCOUNT NUMBER	55016010-771000-11515 Alum Sludge Management Remaining Balance \$126,540.62
AMOUNT	Original appropriation \$1,050,000
APPROPRIATION REQUIRED Yes <u>xx</u> No <u> </u>	De-authorize bonding amount of \$126,540.62

LEGAL AUTHORITY

SUMMARY STATEMENT

According to FY2011 adopted budget book page 94(attached), the original appropriation for this account was 1,050,000. The funding source is bond. This action is to de-authorize the remaining balance as project is completed.

RECOMMENDED ACTION

1. Resolution to de-authorize bonding amount of \$126,540.62..

CC 2014-01-14 AB 1 (Water Fund CIP)

ENTERPRISE FUNDS**Water Department****1. Alum Sludge Management Program****\$1,050,000 (Bond)**

This project is to develop a plan to dewater and dispose of the alum sludge that is generated during the water treatment process and disposed of at the wastewater plant. Historically the alum sludge has been deposited into alum sludge lagoons. These lagoons are filling up. This is to remove the sludge, build a dewatering process and dispose of the solid. Engineering funded in FY10.

2. Business Office-Mail Folder Inserter**\$5,000 (Cash)**

Current mail folder inserter machine is six years old and experiencing frequent jams and breakdowns. Usage has increased substantially. Machine is used for Payroll, Accounts Payable, Tax and Water Billings, Dog License notices, as well as numerous other bulk mailings. Split 50% GF, 25% Water, 25% Sewer.

3. Spaulding Turnpike Utility Relocation - Exit 14**\$225,000 (Bond)**

To relocate the water lines currently located within the Spaulding Turnpike right-of-way outside the project area. To fund those sections of water main as a result of Spaulding widening that will not be funded by the State. This funds water relocation for the fifth contract -Exit 14

4. Update Water Audit**\$16,000 (Cash)**

This is to fund a comprehensive audit of the water distribution system to look for leaks and sources of unaccounted for water. City recently spend significant funds to replace water meters. Performing audit will enable to locate other sources of error to calculate water losses. Last audit was performed in 1999. AWWA has updated procedures since then. Look for additional sources of unaccounted for water. AWWA has revised procedures for performing water.

Sewer Department**1. Business Office-Mail Folder Inserter****\$5,000 (Cash)**

Current mail folder inserter machine is six years old and experiencing frequent jams and breakdowns. Usage has increased substantially. Machine is used for Payroll, Accounts Payable, Tax and Water Billings, Dog License notices, as well as numerous other bulk mailings. Split 50% GF, 25% Water, 25% Sewer.

2. Clarifier Maintenance Program**\$40,000 (Cash)**

This program funds mid-life maintenance of clarifiers at the wastewater treatment plant. There are three clarifiers that were constructed when the plant was built in 2000. They should be taken out of service and maintained every 10 years. Final of three year plan.

3. Pump Station Replacement Program**\$545,000 (Bond,Cash)**

This program is to replace existing sewer pump stations systematically. Start with replacing the older

This page intentionally left blank

**RESOLUTION DEAUTHORIZING A PORTION OF A CERTAIN
FY 2006-2007 ROCHESTER WATER WORKS
SO-CALLED WASHINGTON STREET HIGH PRESSURE ZONE PROJECT
CIP BUDGET APPROPRIATION
AND MAKING A SUPPLEMENTAL APPROPRIATION
IN CONNECTION THEREWITH**

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

I. WHEREAS, by resolution previously adopted by the Mayor and City Council in June 2006 as part of the FY 2006-2007 City of Rochester, Department of Public Works, Water Works CIP Budget, the sum of Three Million Twenty Thousand Dollars (\$3,020,000.00) was appropriated for the purpose of the so-called Washington Street High Pressure Zone project (the "Project"), with funding for such project to be drawn, to the extent of Two Million Eighty-Five Thousand Dollars (\$2,085,000.00) from various federal, state and/or private sources, and, to the extent of Nine Hundred Thirty-Five Thousand Dollars (\$935,000.00) from the proceeds of bonding by the City of Rochester: and

WHEREAS, through various resolutions of the Mayor and City Council, the sum of Two Million One Hundred Thirty-Five Thousand Dollars (\$2,135,000.00), of the Three Million Twenty Thousand Dollars (\$3,020,000.00) originally appropriated for such Project, has already been deauthorized, leaving an appropriated amount for the Project of Eight Hundred Eighty-Five Thousand Dollars (\$885,000.00), with all of such funds to be derived from the proceeds of bonding by the City of Rochester; and

WHEREAS, in January of 2010, the sum of Seven Hundred Seventy-Eight Thousand Twenty-One Dollars (\$778,021.00) of the aforesaid Eight Hundred Eighty-Five Thousand Dollars (\$885,000.00) in outstanding appropriated bonding authority was bonded by the City of Rochester, leaving a current amount of appropriated but, as yet, unbonded, spending authorization of for the Project of One Hundred and Six Thousand Nine Hundred Seventy-Nine Dollars (\$106,979.00); and

WHEREAS, the Project is completed, and expenditures for the completed Project have totaled Seven Hundred Eighty-Four Thousand Twenty Dollars and Sixty-Nine Cents (\$784,020.69), a total of Five Thousand Nine Hundred Ninety-Nine Dollars and Sixty-Nine Cents (\$5,999.69) more than the amount of the existing bonded funds received by the City for the Project; and

WHEREAS, the costs, and other factors, associated with bonding the sum of an additional Five Thousand Nine Hundred Ninety-Nine Dollars and Sixty-Nine Cents (\$5,999.69) to provide for the remaining funds to necessary to defray all of the costs associated with the Project would be counter-productive and disproportionately expensive at this time;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby withdraw and deauthorize the above mentioned appropriation to the FY 2006-2007 City of Rochester, Water Works CIP Budget for the Project to the extent of One Hundred and Six Thousand Nine Hundred Seventy-Nine Dollars (\$106,979.00) (leaving an appropriation balance in such Project account of Seven Hundred Seventy-Eight Thousand Twenty-One Dollars (\$778,021.00) and withdraw any and all authority to borrow with respect to the same.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby appropriate, as a supplemental appropriation to the City of Rochester, 2013-2014 CIP for the Rochester Water Works the sum of Five Thousand Nine Hundred Ninety-Nine Dollars and Sixty-Nine Cents (\$5,999.69), for the purpose of providing funds necessary for the Project, and further provide, that the sums necessary to fund the Project shall be derived, in their entirety, from funds drawn from the presently unexpended so-called Water Fund balance of the Rochester Water Works.

Furthermore, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate, establish, and/or eliminate such accounts and/or account numbers, and to take all such other steps, as may be necessary to implement the transactions contemplated by this Resolution.

CC 2014-01-14 AB 2

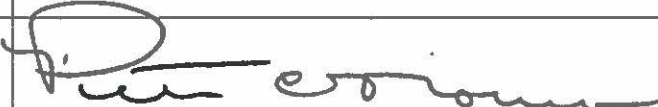


City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.



AGENDA SUBJECT WATER FUND CIP ACCOUNT 55016010-771000-07532	
Council Action Item <u>XX</u> or Information Only <u> </u>	Funding Required? Yes <u>XX</u> No <u>XX</u>
Resolution Required? Yes <u>XX</u> No <u> </u>	Funding Resolution Worksheet? Yes <u> </u> No <u>XX</u>

AGENDA DATE	JANUARY 7, 2014 2014-01-14
DEPT. HEAD SIGNATURE	
DATE SUBMITTED	12/10/13
ATTACHMENTS Yes <u> </u> No <u> </u>	


COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	 2013-12-12
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	 2013-12-12
SOURCE OF FUNDS	BOND & OTHER
ACCOUNT NUMBER	55016010-771000-07532 Washington Street High Pressure Zone Remaining Balance \$100,979.31
AMOUNT	Original appropriation \$3,020,000
APPROPRIATION REQUIRED Yes <u>XX</u> No <u> </u>	De-authorize bonding amount of \$106,979 Request Cash funding for \$5,999.69

LEGAL AUTHORITY

SUMMARY STATEMENT

According to FY2007 adopted budget book page 93(attached), the original appropriation for this account was 3,020,000. The funding source has been partial bond, grant & SRF (attached email summary from finance). This action is to de-authorize the remaining balance and cash fund \$5,999.69 of the expenses to date.

RECOMMENDED ACTION

1. Resolution to de-authorize bonding amount of \$106,979.
2. Resolution for cash funding of \$5,999.69 to fund expenses to date.

CC 2014-01-14 AB 2 (Water Fund CIP)

Replacement of Carbon Filter Media **\$300,000 (Cash)**
Replacement of Carbon Filter Media.

Process Control Upgrade **\$645,000 (Bond)**
To repair the flocculation and sedimentation basins and rehabilitate the HVAC systems. This project will address the chlorine odors in the office and lab areas first then the mechanical issues in the filter and chemical rooms.

1. Reconstruct Reservoir Intake Structure **\$100,000 (Bond)**
Reconstruction of Round Pond intake structure and permanent solution to extra water that cannot be accessed due to presence of 4 – 6' of mud and silt blocking access to the intake structure. Involves permitting and hiring company to excavate silt and mud from intakes.

2. Water Distribution System Upgrade **\$300,000 (Bond)**
This is to continue an existing City program to upgrade old and undersized water mains throughout the City using City crews and contract forces. Water mains will be replaced or relined as determined by the facilities plan and hydraulic model of the system.

3. South Main Street Project **\$482,000 (SRF)**
This project has been under development for a number of years. The project is nearly designed with work expected to begin in 2006. This is for the water works improvements associated with the project. Will focus in increasing the 6" main on South Main Street to a 12" main.

4. Washington Street High Pressure Zone **\$3,020,000 (Bond, Grant)**
This funds the creation of a new water supply high-pressure zone to adequately provide water to the outer Washington Street area including the new Highfields and Secretariat Estate Developments. Funding request includes contributions by developers.

Sewer Department

Vehicle Replacement Program **\$46,000 (Cash)**
Replaces equipment and vehicles used by the Sewer Department that are past their useful life. Planned for FY07 is replacement of utility tractor with loader bucket at WWTP, replace van #03 with ¾ ton pickup.

Sewer Collection System Upgrade **\$300,000 (Bond)**
This program replaces old and undersized sewer mains throughout the City using City crews and contract forces. Provides funding for incremental expansions of the sewer system when requested and approved according to the sewer ordinance.

Pump Station Telemetry Program **\$90,000 (Bond)**
Install equipment at remaining pump stations to enable automatic notification of staff when there is an emergency condition at any of the City's 26 sewer pump stations. Some of the newer stations have this capability. Program extends to all locations.

RESOLUTION DEAUTHORIZING PORTIONS OF
ROCHESTER SCHOOL DEPARTMENT
FISCAL YEAR'S 2011, 2012 AND 2014
CAPITAL BUDGET APPROPRIATIONS
FOR VARIOUS COMPLETED CAPITAL PROJECTS

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

WHEREAS, by various resolutions previously adopted by the Mayor and City Council with regard to Fiscal Year's 2011, 2012 and 2014, various sums were appropriated in the City of Rochester, School Department Capital Budgets for the purpose of paying the costs associated with certain capital improvement projects, with the funds from which the costs of such projects being designated as, and derived, in their entirety, from the proceeds of bonding by the City of Rochester (such projects being more particularly designated in the Exhibit referred to in the following paragraph, and being collectively hereinafter referred to as the "Projects"); and

WHEREAS, such Projects, as more particularly identified in **Exhibit A** annexed hereto, have been completed, and the unexpended balances remaining in such individual project accounts, and with respect to which bonding is authorized, totals One Hundred Seventy-Three Thousand Seven Hundred Eighty-Three Dollars (\$173,783.00) of the total funds appropriated for such Projects, which amounts are no longer necessary for such Projects' purposes;

NOW, THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize the sum One Hundred Seventy-Three Thousand Seven Hundred Eighty-Three Dollars (\$173,783.00) appropriated for the said Projects in the individual project accounts in the amount of the unexpended balances remaining in each individual project account as reflected in the annexed **Exhibit A**, and further withdraw any and all bounding authority with respect to, and to the extent of, the appropriations herein deauthorized.

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 page intentionally left blank

RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO
THE 2013-2014 CAPITAL BUDGET OF THE
CITY OF ROCHESTER, SCHOOL DEPARTMENT
FOR THE SO-CALLED WILLIAM ALLEN SCHOOL
ENTRANCE CONSTRUCTION PROJECT

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

That the sum of One Hundred Seventy-Three Thousand Seven Hundred Eighty-Three Dollars (\$173,783.00) be, and hereby is, appropriated as part of the City of Rochester 2013-2014 capital budget of the City of Rochester, School Department, for the purpose of providing sums necessary for the so-called William Allen Entrance Construction project (the "Project"), further, that the sums necessary to fund such supplemental appropriation shall be derived, in their entirety, from the proceeds of bonds and/or notes to be issued by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of up to One Hundred Seventy-Three Thousand Seven Hundred Eighty-Three Dollars (\$173,783.00), through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the so-called Project, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid Project is 30 years.

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.



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

RECEIVED
DEC 16 2013
CITY CLERK'S OFFICE
ROCHESTER, NH

AGENDA SUBJECT

School CIP Funding: Re-purposing

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☐ NO ☐

AGENDA DATE

January 7, 2014

DEPT. HEAD SIGNATURE

DATE SUBMITTED

ATTACHMENTS YES ☐ NO ☐

* IF YES, ENTER THE TOTAL NUMBER OF
PAGES ATTACHED

COMMITTEE SIGN-OFF

COMMITTEE

CHAIR PERSON

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER

CITY MANAGER

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL

SOURCE OF FUNDS

ACCOUNT NUMBER

AMOUNT

APPROPRIATION REQUIRED YES ☐ NO ☐

LEGAL AUTHORITY

RSA 32, City Charter, City Ordinances

SUMMARY STATEMENT

School Department coming to the City Council for a change of use on some CIP projects that have remaining funds. School seeking to use these funds to do the project at William Allen School in conjunction with the City's Granite Street

RECOMMENDED ACTION

City of Rochester School Department

Mr. Michael Hopkins
Superintendent of Schools
e-mail: hopkins.m@rochesterschools.com

Mrs. Mary A. Moriarty
Assistant Superintendent of Schools
e-mail: moriarty.m@rochesterschools.com

Ms. Linda Casey
Business Administrator
e-mail: casey.l@rochesterschools.com

Mrs. Christiane Allison
Director of Student Services
e-mail: allison.c@rochesterschools.com

Office of the Superintendent
150 Wakefield Street
Suite #8
Rochester, NH 03867-1348
(603) 332-3678
FAX: (603) 335-7367

December 13, 2013



City Manager
Received
DEC 17 2013

**Mr. Daniel Fitzpatrick, City Manager
and the Rochester City Council**
Rochester City Hall
31 Wakefield Street
Rochester, NH 03867

Dear Mr. Fitzpatrick and Council Members:

At its regular meeting of December 12, 2013, the Rochester School Board voted to approve the allocation of \$185,000 towards the William Allen School Entrance construction with the City's construction projects. I am submitting a request on behalf of the Rochester School Board to City Council for a change of purpose for the CIP lines as outlined below, totaling \$173,783 to the William Allen School Entrance construction project:

Line 15019000 743000 12103 RMS Mechanical Units		
Project Status - Complete	Balance	\$ 10,212.
Line 15019000 743000 14103 Boiler Retrofit		
Project Status - Complete	Balance	\$ 4,743.
Line 15019000 745000 11102 ERS Roof		
Project Status - Complete	Balance	\$126,420.
Line 15019000 745000 12101 Building Enhancements		
Project Status - Complete	Balance	\$ 32,408.

The work on the front entrance is in conjunction with the Catherine Street Roadway and sewer work. We have been working in conjunction with the Public Works Department and City Engineer to plan the project. This would go out to bid as part of the city project.

I request that this be placed on the agenda for your next City Council meeting and to advise us of the date when the request will be considered. We will be happy to attend the meeting to answer any questions you may have.

Sincerely,

Michael L. Hopkins
Superintendent of Schools

MLH/mgm

cc Rochester School Board



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT	Health Insurance Informational Presentation
----------------	---

COUNCIL ACTION ITEM <input type="checkbox"/> INFORMATION ONLY <input checked="" type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--	--

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	--

AGENDA DATE	January 14, 2014	
DEPT. HEAD SIGNATURE		
DATE SUBMITTED	January 8, 2014	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	<i>Blawie</i>
CITY MANAGER	<i>D. W. Fildes</i>

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

NA

SUMMARY STATEMENT

Mr. Thomas Delacey of Workplace Benefit Solutions will present information for the City Council and other interested parties regarding the current status of health insurance in New Hampshire as well as nationally. Mr. Delacey brings extensive experience from the finance and insurance industries, most recently at CIGNA Healthcare. At CIGNA, he worked exclusively with large employers where he was involved in benefit design, contribution strategy, and funding mechanisms designed to control benefit outlays. Tom also has broad experience in reporting and financial analysis.

RECOMMENDED ACTION

None.

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE 2013-2014 OPERATING BUDGET
OF THE CITY OF ROCHESTER, ECONOMIC DEVELOPMENT DEPARTMENT,
FOR ECONOMIC DEVELOPMENT MARKETING SERVICES PURPOSES**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That the sum of Sixty Thousand Dollars (\$60,000.00) be, and hereby is, appropriated as part of the City of Rochester 2013-2014 operating budget of the City of Rochester, Department of Economic Development Department, for the purpose of providing sums necessary for the purposes of obtaining and implementing Economic Development marketing and related services for the City of Rochester provided by Buxton Co. Further, that the sums necessary to fund such appropriation shall be derived, in their entirety, from the undesignated fund balance of the so-called Rochester Economic Development Fund.

Further, that the City Manager, and/or his designee, is hereby authorized to enter into a contract and/or other agreement(s) with the said Buxton Co. for the above referenced marketing and related services, on such terms and conditions as the said City Manager deems to be in the best interests of the City of Rochester, and to execute such documents and to take such other actions as are necessary to implement the purposes of this resolution

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.

CC 2014-01-14 AB 12



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

RECEIVED

JAN 09 2014

CITY CLERK'S OFFICE
ROCHESTER, NH

AGENDA SUBJECT	
Authorize BUXTON CO. investment Year 1 from the Economic Development Reserve Fund	
AGENDA DATE	Tuesday, January 14 th 2014
DEPT. HEAD SIGNATURE	Karen Pollard Deputy City Manager & Director of Community Development
DATE SUBMITTED	Monday, January 6 th 2014
ATTACHMENTS	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Buxton Proposal ROI Summary – Nov 2013

COMMITTEE SIGN-OFF

COMMITTEE	Rochester Economic Development Commission January 9 th 2014 Meeting
CHAIR PERSON	Rick Lundborn

DEPARTMENT APPROVALS

Deputy City Manager	Karen Pollard
CITY MANAGER	Daniel Fitzpatrick

BUDGET INFORMATION

SOURCE OF FUNDS	Economic Development Fund
SOURCE ACCOUNT NUMBER	7023 325301 Undesignated Fund Balance
EXPENDITURE AMOUNT	\$60,000
APPROPRIATION REQUIRED	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	To Marketing 70231010 534007 FY2014

LEGAL AUTHORITY

The Rochester City Ordinances Chapter 3, Section 12C, dedicates the Economic Development Commission to perform certain specific functions. 1. Promote the City of Rochester, through advertising, prospect development and other means, as an attractive location for industrial and business expansion; 2. Assist prospects interested in evaluating Rochester as a potential industrial or business location; act as the official agent of the City Government in matters pertaining to economic development; 3. Undertake appropriate actions to encourage continued availability of marketable industrial/commercial sites within the City. Also, assisting interested site owners and/or their agents in marketing available industrial/commercial properties.

The Economic Development Fund was established in by the City of Rochester in 2004 to dedicate and utilize a portion of the Waste Management Host Community Fees for economic development purposes. The undesignated fund balance in the ED Fund is sufficient to make the Buxton investment.

SUMMARY STATEMENT

Rochester has had a positive relationship with Buxton since our first major retail analysis in 2007, and through consistent strategy implementation have been able to achieve a return on investment annually of \$1.9 Million. Rochester has changed and grown through the Recession, and Buxton has developed new and more advanced tools along with the technology to reach out in a more sophisticated way to our target companies. The attached proposal is a multi-year agreement, giving the city comprehensive retail and psychographic data, ESRI market segmentation data and the tablet interface to mobilize this powerful data and bring it to the business owner, CEO or real estate professional – wherever they may be. Coupling this tool with our award winning website, customized electronic proposals and trade show teams, this is a powerful resource and competitive advantage. See the attached proposal. Time is of the essence in this matter, as the first shopping center trade show of 2014 is to be on March 6 in Hartford, CT.

RECOMMENDED ACTION

Request the City Council approve a supplemental appropriation for \$60,000 to contract with the Buxton Co. Year 1, and to utilize the Economic Development Fund reserve as the funding source. Buxton Co. Year 2 will appear as a request in the FY 2015 Economic Development Marketing Budget.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name:

Date:

Fiscal Year:

Fund (select):

GF ☐

Water ☐

Sewer ☐

Arena ☐

CIP ☐

Water CIP ☐

Sewer CIP ☐

Arena CIP ☐

Special Revenue ☐

ED Fund ☒

Fund Type: Lapsing ☒ Non-Lapsing ☐

Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	7023	534007	Marketing	-	-	60,000.00
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	7023	325301	Undesignated	-	-	60,000.00
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☐

Funds will be returned ☐

THINK ROCHESTER NEW HAMPSHIRE

REPORT OF ESTIMATED ECONOMIC IMPACT

DECEMBER 2013 (VALUES FROM APRIL 2013)

PREPARED BY KAREN POLLARD, Deputy City Mgr/Dir Community Dev

TOTAL EST. ANNUAL CASH ROI 2013 \$ 2,785,596.21

SELECT NEW RETAILERS	REMODEL/REINVEST
ADVANCED AUTO PARTS	PLANET FITNESS
AROMA JOE'S	CUMBERLAND FARMS x3
ASHLEY FURNITURE HOMESTORE (O'KEEFE)	FRIENDLY'S
ASPEN DENTAL	BURGER KING
BANK OF NEW HAMPSHIRE	MCDONALD'S x2
BEN FRANKLIN	SPAULDING STEAK & ALE
BIG LOTS	MARKET BASKET
BUFFALO WILD WINGS	HANNAFORD
COUNTRY CLUTTER (COUNTRY ESSENTIALS)	ENTERPRISE CAR RENTAL
CVS PHARMACY	DOMINO'S PIZZA
DOLLAR TREE	
DOS AMIGOS	DOWNTOWN INDEPENDENT BUSINESSES
FAMILY DOLLAR x2	
FAMOUS FOOTWEAR	
FIRESTONE STORES (COUNTRY TIRE)	OTHER RETAIL MATCHES
FISHER AUTO PARTS (O'NEILL AUTO PARTS)	AUTO ZONE
GAMESTOP	CLAIRE'S BOUTIQUE
GODFATHER'S PIZZA (GOODFELLA'S)	CURVES
JOANN FABRICS	GENERAL NUTRITION CENTER
KOHL'S	HOME DEPOT INC
LITTLE CEASAR'S PIZZA	J C PENNEY
LOWE'S	KENTUCKY FRIED CHICKEN
MAURICES	MAURICES
PET PARADISE	NAPA AUTO PARTS
PET SMART	PAYLESS SHOE SOURCE
QUIZNO'S	REGIS SALON (HAIR EXCITEMENT)
RITE AID x2	SEARS HOME STORES
SALLY BEAUTY SUPPLY	SHERWIN-WILLIAMS CO
STAPLES	SHOE DEPT
SUPER CUTS	SUPER WAL-MART
TACO BELL	WALGREENS
TRACTOR SUPPLY	WENDY'S
TROPICAL SMOOTHIE CAFÉ	
VERIZON x2	

DIRECT IMPACT

148.14 Acres @ \$73,409,422

Annual Tax Revenue @ \$26.36 / \$1,000 = \$ 1,935,072.36

INDIRECT IMPACT

93.59 Acres @ \$32,265,700

Annual Tax Revenue @ \$26.36 / \$1,000 = \$ 850,523.85

PIPELINE PROJECTS

134.78 Acres @ \$66,788,996

Est. Tax Value = \$495,541/Acre L&B

Annual Tax Revenue @ \$26.36 / \$1,000 = \$ 1,760,557.00



INVESTMENT FY2007 \$ 50,000.00
 ANNUAL RETURN ON INVESTMENT \$91 / \$1
 GROWTH & RETENTION 2007-2012 \$ 105,675,122.00

A map of the Northeast United States, including parts of Canada, is shown in a light orange color against a dark teal background. Numerous red dots are scattered across the map, representing retail locations. The dots are concentrated in the New England area, particularly around Boston and New York City, and are also spread across the surrounding states and provinces.

Buxton

Rochester, NH

Retail Recruitment and Retention with Visitor Insights Solution

Prepared by: Lisa Hill

Expiration Date: January 31, 2014



BUXTON IS YOUR **COMPETITIVE ADVANTAGE**

OUR VALUE PROPOSITION

Since our founding in 1994, Buxton has been a leading force in retail site and development. We are recognized for creating solutions that provide results. Buxton began as a service to help retailers make informed site selection decisions by understanding their customers and precisely determining their markets and soon realized that the company's expertise in retail site and market analysis could also be leveraged to benefit communities desiring retail expansion.

More than simply providing data, Buxton supplies custom marketing materials and strategies targeting the unique site requirements of retailers, developers and commercial real estate brokers. Buxton clients achieve outstanding success using our tools for retail identification, selection and recruitment. And our clients benefit from our unique understanding of retail site selection from the retailer's point of view.

- **Grow Your Community.** Create new, permanent jobs that will satisfy your citizen's desire to shop at home; retain dollars currently spent outside of your community and maximize revenue growth to fund city services.
- **Leverage Buxton's Retail Industry Expertise.** Establish credibility with decision makers by providing factual evidence to support your site and gain a competitive position by leveraging our experience:
 - 2000+ retail, restaurant, and healthcare clients
 - 650+ public sector clients nationwide
 - 35+ million square feet of retail space
 - 500+ cumulative years of retail management and economic development experience
- **Access Your Buxton Solution with Ease.** Utilize your best-in-class retail recruitment solution via SCOUT, with the touch of a button from any mobile device. Get the insights and answers to your retail recruitment and site analysis questions and have the big picture in the palm of your hand.
- **Develop a Long-Term Partnership.** You will receive personal guidance and ongoing insight into key industry topics and as a Buxton client, you have unlimited access to our staff and our booth to help optimize your marketing efforts at the International Council of Shopping Centers (ICSC) annual meeting in Las Vegas, NV.

SECTION 1: SCOPE OF SERVICES

Buxton is pleased to present this proposal to Rochester, NH. The purpose of this proposal is to outline and review your community development objectives and how Buxton's solutions will enhance your ability to effectively meet those objectives.

Rochester, NH's Objectives

1. Develop profile of residents and visitors
2. Recruit and retain new retailers and restaurants
3. Understand current retail and restaurant economic condition
4. Understand resident and visitors impact on the local economy and determine their media preferences to market your community to potential visitors

Retail Recruitment and Retention Solution: Your Community & Visitor Profiles

Our solution is a total marketing strategy that enables community leaders to understand the consumer profile of their residents and visitors and to leverage the combined total consumer profile to identify specific retailers and restaurants who seek a market with purchasing habits just like yours. This solution provides you with the ability to actively pursue identified retailers, making a compelling case for their expansion to the Rochester, NH, utilizing custom marketing packages for each target. You will have access to the same analytical information and insights retailers depend on today to make site selection decisions, providing you with instant credibility and the ability to differentiate your community.

Step 1 - Research Your Community

Buxton uses more than 250 consumer and business databases that are updated regularly to compare your potential sites to the universe of all competing sites operating in the U.S. We define your current retail situation and those in any neighboring communities that impact your retail environment.

Step 2 – Define and Evaluate Your Local Trade Area

Customers shop by convenience, measuring distance based on time, not mileage. We will conduct a custom drive-time analysis to determine your trade area using our proprietary methodology and knowledge of our retail clients' actual trade areas. We evaluate your local trade area to understand the characteristics which make it distinctive and valuable to retailers/restaurants. Your residential drive-time trade area is provided to you as a map that accurately depicts your residential consumer shopping patterns.

Step 3 – Profile Your Trade Area's Residential and Visitor Customers

You will have insights into more than 7,500 categories of lifestyles, purchase behaviors, and media reading and viewing habits of your residents and visitors. Buxton will develop three (3) unique profiles for your solution:

1. **Residential Profile-** will analyze all the households in your drive-time trade area.
2. **Visitor Profile-** will analyze all VISA expenditures for a recent twelve (12) month period where the cardholder's originating address is located outside of your drive-time trade area. Expenditures are consolidated at the ZIP+4 level so as to de-identify individual cardholder

information, which provides Buxton with a way to develop an accurate consumer profile of the visitors to your community.

3. **Combined Total Community Consumer Profile-** Buxton will combine your residential and visitor profiles to develop your overall consumer profile which will be used to match retailers and restaurants as fits for your community.

Step 4 – We Match Retailers and Restaurants to Your Market’s Potential

Buxton matches the combined total community consumer profile against the customer profiles of 5,000+ retailers in our proprietary database. We identify the similarity between the two profiles using Buxton’s proprietary retail matching algorithm to determine if your site presents an attractive opportunity for each retailer. We then further qualify the list of matched results to verify that a retailer is currently operating or expanding, that they operate in similar sites and that your site affords an adequate buffer from competition and cannibalization, so as to be realistically considered an expansion opportunity.

Step 5 – We Create Marketing Packages

Buxton will assemble individualized marketing packages for up to twenty (20) targeted retailers and will notify each retailer’s key real estate decision maker, by letter that they have been qualified by Buxton as a potential viable fit for your site and should expect to be contacted by a representative of the city.

Your marketing packages will be delivered to you in SCOUT and include:

1. Map of the retail site and trade area
2. Map of retailer’s potential customers
3. Retailer match report that compares the site’s trade area characteristics and consumer profile with the retailer’s sites in similar trade areas

Solution Deliverables

- SCOUT Touch Access
- Drive-Time Trade Area Map
- Retail Site Assessment
- Residential, Visitor, and Combined Profile
- Retail Match List (specific retailers that match the total community consumer profile)
- Retailer Specific Marketing Packages (for up to twenty (20) retailers)
- iPad at completion pre-loaded with all findings

Access and Use Your Retail Recruitment Solution via SCOUT

Buxton’s Retail Recruitment solution will allow you to actively recruit retailers to your community and support existing businesses with the push of a button in SCOUT Touch, providing you with crucial information about your community, your trade areas, your residents, and much more. SCOUT is a web-based platform which is accessible on any Windows or iOS enabled device with an internet connection and designed to give decision-makers in your community access to the data and solutions that will assist them in making better business decisions. The Retail Recruitment solution includes one (1) iPad which will be provided at completion and will be pre-loaded with all key findings. This iPad, possession of the

Rochester, NH, is enabled with four (4) SCOUT Users with the ability to **run demographic and trade area profile reports**, and view maps, and other data elements.

Identifying and quantifying the key variables which impact your community, you will acquire insights from these findings that will provide you with a strong foundation from which to understand retail recruitment and business retention efforts. In Buxton's SCOUT Touch you will be able to:

- Identify Retail Matches
- Run Variable Reports
- View City Limit Maps
- Run Healthcare Reports
- Run Demographic & Consumer Propensity Reports
- See Aerial View
- View Physician Intelligence
- Run Comparable Reports
- Run Retail Leakage/Surplus Reports



ANSWERS AT YOUR FINGERTIPS. ANYTIME. ANYWHERE.

Next Page: Fees and Timing

SECTION 2: FEES & TIMING

YEAR 1 SOLUTION FEE	SOLUTION TIMELINE
\$60,000	<ul style="list-style-type: none">Your SCOUT access will be enabled within ten (10) business days of the execution of this agreementRochester, NH will have access to retail match lists and marketing packages within sixty (60) business days of execution.

Rochester, NH will be invoiced during the three (3) year term of this agreement as follows:

- \$60,000 Year 1 Fee (50% of total solution fee invoiced upon execution, 50% invoiced upon solution delivery)
- \$50,000 Year 2 Fee (Invoiced 1st Anniversary of this agreement)
- \$40,000 Year 3 Fee (Invoiced 2nd Anniversary of this agreement)

All service fees associated with this agreement are due net ten (10) days from the date of the invoice.

Note: Year 2 & 3 of this agreement will include a Retail Recruitment model refresh, up to ten (10) retail marketing packages, and full SCOUT and SCOUT Touch Access. Rochester may elect to terminate Year 3 services by providing Buxton with written notice at least 90 days prior to the 2nd anniversary of this agreement if Buxton has received payment for all Year 1 and Year 2 fees. If Rochester elects to terminate Year 3 of this agreement, the Year 3 Fee will not be invoiced or payable.

Buxton may include Rochester, NH on its client list in presentations and public relations efforts. When doing so, Buxton will not reveal information that is confidential and proprietary to Rochester, NH.

Buxton

Signature

Printed Name

Title

Date

Rochester, NH

Signature

Printed Name

Title

Date

This page intentionally left blank



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

RECEIVED

DEC 31 2013

CITY CLERK'S OFFICE
ROCHESTER, NH

AGENDA SUBJECT
NEW SECOND HAND DEALER- Craziee Collectors

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
--	--

RESOLUTION REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
--	--

AGENDA DATE	December 20, 2013
DEPT. HEAD SIGNATURE	Jim Grant X <i>[Signature]</i>
DATE SUBMITTED	December 23, 2013
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED 2

COMMITTEE SIGN-OFF

COMMITTEE Licensing board	Police and Fire Departments and City Manager
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Karen Pollard X <i>[Signature]</i>
CITY MANAGER	Dan Fitzpatrick X <i>[Signature]</i>

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	<i>[Signature]</i> 2014-01-06
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

SUMMARY STATEMENT

RECOMMENDED ACTION

Approve a new second hand dealer license application for Stacia Robinson.
Business name: Craziee Collectors

MEMORANDUM

To: Mayor and City Council

From: James Grant, Director of Building, Zoning & Licensing Services

Subject: New Second Hand Dealer License Application

Business: **Craziee Collectors**
The location is 14 No Main St

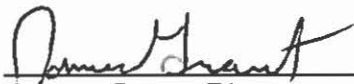
Date: December 20, 2013

Stacia Robinson is seeking a Second Hand Dealer License to operate a thrift store at 14 No Main St.

This request to approve business is pending inspection for compliance.

The application has been reviewed and approved by the members of the Licensing Board.

I respectfully request that the Mayor and City Council approve this request as submitted.



James Grant, Director
Building, Zoning & Licensing Services

JG/klg



PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
31 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

Planning
Community Development
Conservation Commission
Historic District Commission
Arts & Culture Commission

December 9, 2013

Stacia Robinson
186 Washington Street
Barrington, NH 03825

RE: 14 North Main Street
Tax Map 121 Lot 10, Business-1 Zone

Dear Ms. Robinson,

I have reviewed your letter of intent for a Special Downtown review to operate a thrift store at the above address. Following a review of the Zoning Ordinance, I have determined this use is an allowed use and will not require further review through the Site Plan Review process. Further review by this Department is not necessary because you are not adding a new building or parking spaces and your proposed use is very similar to the prior use and will not have a significantly different impact on the City of Rochester.

Please note that any signage will require the submission of an application for a permit from the Building, Zoning, and Licensing Services Department and approval from the Rochester Historic District Commission.

The standards for signage are included in Section 42.8 beginning on page 28 of the Rochester Zoning Ordinance that can be found on-line at http://www.rochesternh.net/Public_Documents/RochesterNH_Clerk/General_Ordinances/CHAPTER_42_ZONING.pdf

Also, please note that there can be no outside display of merchandise on City property without City approval.

Finally, please consult with the Building, Zoning, and Licensing Services Department at 332-3508 for any permits that are required. You should also contact the Fire Department to discuss anything they may require.

Congratulations and good luck at this location. Please feel free to call me with any questions or concerns.

Sincerely,-

Michelle Mears,
Staff Planner

cc: J. Grant, BZL Dept
M. Humphrey, Economic Development
Planning Board
File 121-10-B1-13

RESOLUTION ACCEPTING
GREEN INFRASTRUCTURE GRANT
TO THE CITY OF ROCHESTER
AND MAKING A SUPPLEMENTAL APPROPRIATION
IN CONNECTION THEREWITH

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

WHEREAS, in furtherance of a Resolution adopted by the Mayor and City Council of the City of Rochester on October 15, 2013, the City of Rochester, Planning and Community Development Department was authorized to apply for a grant from the Southeast Watershed Alliance for a so-called “Green Infrastructure” grant (the “Grant”) in the amount of Sixteen Thousand Dollars (\$16,000.00), to enable the City to adopt a commitment to develop a program to review and consider Low Impact Design (“LID”) and Green Infrastructure (“GI”) when reviewing and/or altering and/or amending the City’s current standards, regulations and ordinances, such as Site Plan Regulations, Subdivision Regulations, Public Works Infrastructure Design Standards, and the like strategies (the “Project”); and

WHEREAS, the application for such Grant required that if such Grant was approved in the amount requested in the application submitted by the City and was accepted by the City and the grant funds were provided to the City, the City would be required to provide matching funds for the Project in an amount of up to Four Thousand Dollars (\$4,000.00); and

WHEREAS, the application for such Grant has been accepted, and the Grant, in the amount of Sixteen Thousand Dollars (\$16,000.00), is to be provided to the City, as a sub-grantee, by the University of New Hampshire the primary grantee of the larger grant award from the Southeast Watershed Alliance;

NOW THEREFORE, the City of Rochester, by adoption of this Resolution by the Mayor and City Council, hereby accept the aforementioned Grant, in the amount of Sixteen Thousand Dollars (\$16,000.00), and such grant funds shall be assigned to a special non lapsing reserve account(s) established by the Finance Director in the 2013-2014 operating budget of the Planning and Community Development Department.

Further, that the sum of Twenty Thousand Dollars (\$20,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2013-2014 operating budget for the City of Rochester, Planning and Community Development Department, such funds to be used for the purpose enabling the City of Rochester to adopt a commitment to develop a program to review and consider Low Impact Design (“LID”) and Green Infrastructure (“GI”) strategies when reviewing and/or altering and/or amending the City’s current standards, regulations and ordinances, such as Site Plan Regulations, Subdivision Regulations, Public Works Infrastructure Design Standards, and the like (the “Project”). The source of the sums necessary to fund such appropriation shall be drawn, to the extent of up to Sixteen Thousand Dollars (\$16,000.00), from the aforesaid Grant to the City of Rochester, and, to the extent of up to Four Thousand Dollars (\$4,000.00) from the undesignated, unexpended General Fund Balance of the City of Rochester.

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.

CC 2014-01-14 AB 6



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT: Acceptance of Green Infrastructure Grant	
Council Action Item <u>X</u> or Information Only___	Funding Required? Yes <u>X</u> No___
Resolution Required? Yes <u>X</u> No___	Funding Resolution Worksheet? Yes <u>X</u> No___

AGENDA DATE	1/14/14
DEPT. HEAD SIGNATURE	
DATE SUBMITTED	1/6/14
ATTACHMENTS Yes <u>X</u> No <input type="checkbox"/>	Grant Award Letter

COMMITTEE SIGN-OFF

COMMITTEE	Community Development Committee Support 8/26/13
CHAIR PERSON	Elaine Lauterborn

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	<i>Blain Gx</i>
CITY MANAGER	<i>D. W. Fritzel</i>

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	<i>Blain Gx 2014-01-06</i>
SOURCE OF FUNDS	National Estuarine Research Reserve System (NERRS)- UNH was awarded grant funds, Rochester would be sub-grantee.
ACCOUNT NUMBER	TBD by Finance
AMOUNT	\$16,000 grant with a potential maximum of \$4,000 cash match by the City
APPROPRIATION REQUIRED Yes <u>X</u> No <input type="checkbox"/>	

LEGAL AUTHORITY

City Charter Section 4: Except as herein provided otherwise, the City Council shall have all powers conferred by law upon City Councils, Boards of Mayor and Alderman, and the Selectmen of Towns so far as applicable to cities.

SUMMARY STATEMENT

Green infrastructure is a design and development technique that uses soil and vegetation (in addition to, or in-place-of conventional drainage pipes and catch basins) to capture and treat storm water runoff. 'Green infrastructure' might also be known as Low Impact Development (LID) and/or stormwater Best Management Practices. GI Benefits: groundwater recharge, reuse of storm water, improved water quality, improved natural habitat, beautification of neighborhoods and roads, increased property values and reduced time to sale, reduced heating and cooling costs, local job creation (for operations and maintenance), and, reduced municipal costs (less and cleaner storm water entering the City system means less City money spent on maintenance, repair, and enlargement of the City's drainage systems).

The Green Infrastructure Project is made possible through funding from the **National Estuarine Research Reserve System (NERRS)**. NERRS Science Collaborative has awarded \$4.9 million to fund nine research projects aimed at making coastal communities and environments more resilient in handling extreme storm events, which are becoming more common. UNH was **granted this funding through NERRS and the City of Rochester is a sub-grantee**.

Proposed Plan for Rochester:

In order to create a means with which the city can require, with consistency, the implementation of the best and most current Low Impact Development and Green Infrastructure stormwater mitigation practices, the City would hire a consultant to:

- Review the stormwater components of the existing city documents including the Site Plan Regulations, Subdivision Regulations, Public Works Infrastructure Design Standards, and Chapter 50 of the City Ordinances in order to
- Collect and review other available information including the Southeast Watershed Alliance Stormwater Standards
- Provide recommendations to update regulations to include current and consistent information that focus on Low Impact Development (LID) and Green Infrastructure (GI) strategies, and address Best Management Practices for stormwater management.
- Assist with pollutant hotspot identification and mapping, establishing baseline data and/or methodology for tracking and monitoring the ongoing maintenance of these systems.

All recommendations will be filtered through the committee assigned to this project to ensure that recommended changes meet the needs of the City; No changes will be made to any City regulation, ordinance or standard without proper approval.

RECOMMENDED ACTION

The Community Development Department is requesting for the City Council to accept the Green Infrastructure Grant award through UNH in the amount of \$16,000.

The Community Development Department is requesting for the City Council to determine if a cash match will be provided and in what amount (up to \$4,000).

The Community Development Department is requesting the City Council to determine if they will be appointing a council member to the planning committee responsible for reviewing recommended changes to stormwater documents. Meetings of this committee will likely occur once a month during the daytime.

AGENDA BILL - FUNDING RESOLUTION- Amended

EXHIBIT

Project Name:

Date:

Fiscal Year:

Fund (select):

GF ☐

Water ☐

Sewer ☐

Arena ☐

CIP ☐

Water CIP ☐

Sewer CIP ☐

Arena CIP ☐

Special Revenue ☒

Fund Type: Annual Lapsing ☐ Multi-year Non-Lapsing ☐

Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD		16,000.00	-	4,000.00
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD		16,000.00	-	4,000.00
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☐

Funds will be returned ☐

12/18/2013
City of Rochester
31 Wakefield Street,
Rochester, NH 03867

Dear Elena Engle

Thank you for your interest in **Green Infrastructure for NH Coastal Watershed Communities** phase 2 implementation program. We are happy to inform you that your proposal for assistance in implementing Zoning and Land Development Regulations and Planning approaches was selected for funding. The project team will be in touch over the next few weeks in order to begin developing an implementation plan. In the meantime please confirm that you are still the appropriate contact and notify me via e-mail that you are interesting in accepting the award. We recognize that acceptance of outside funds for this project may require city approvals or other authorizations. Please consider this letter as your formal award notification to fund the LID assistance project. A grant in the sum of \$16,000 has been awarded to complete the tasks outlined in the proposal. We realize that this amount is less than what the town requested however with existing resources such as the model stormwater standards developed through the southeast watershed alliance we feel that the objectives and tasks outlined in the proposal can be completed.

We look forward to working with you. Please do not hesitate to contact me if you need any additional information or confirmations.

Sincerely

A handwritten signature in black ink, appearing to read 'James Houle', with a large, stylized initial 'J'.

James Houle, M.A., CPSWQ.
Project Coordinator
The UNH Stormwater Center
Environmental Research Group
Dept of Civil Engineering
35 Colovos Road
University of New Hampshire
Durham, NH 03824
Phone: 603-767-7091 Fax: 603-862-3957
web: <http://www.unh.edu/unhsc/>

RESOLUTION CONDITIONALLY ACCEPTING
CONSERVATION EASEMENT WITH RESPECT TO
PROPERTY SITUATE ON PEASLEE ROAD
IN ROCHESTER, NEW HAMPSHIRE
KNOWN AS THE HOPE FARM

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

I. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby accept from the State of New Hampshire, State Conservation Committee, Conservation License Plate Grant Program in an amount not to exceed Four Thousand Nine Hundred Ninety-Nine Dollars (\$4,999.00), and furthermore, 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.

II. That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, do conditionally accept a conservation easement over portions of the property situate at 36 Peaslee Road in Rochester, New Hampshire (Tax Map 253, Lot 49) currently owned by Hope Farm Real Estate Holdings, LLC, and known as the Hope Farm, and by such conditional acceptance indicates its approval for the Rochester Conservation Commission to acquire said conservation easement interest in the aforesaid property in the name of the City of Rochester (the "Project), such acceptance and approval being specifically subject to the following two (2) conditions, to wit:

A. That the form and content of the Conservation Easement Deed and related documents to be utilized to convey such conservation easement interest to the City of Rochester, prior to the payment for the same by the Rochester Conservation Commission out of (i) funds to be drawn from the so-called Conservation Fund of the City of Rochester in an amount not to exceed One Hundred Eighty-Five Thousand Dollars (\$185,000.00); and (ii) grant funds to the City of Rochester, Conservation Commission from the State of New Hampshire, State Conservation Committee, Conservation License Plate Grant Program, in an amount not to exceed Four Thousand Nine Hundred Ninety-Nine Dollars (\$4,999.00), shall be approved by the City Manager of the City of Rochester, or his designee, prior to their expenditure of funds for such Project; and

B. That the total cost for such conservation easement Project to the City of Rochester, including related costs of acquisition, be in an amount not to exceed One Hundred Eighty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$189,999.00) for the said Project.

III. Further, that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, and upon compliance with the conditions established in this Resolution, hereby appropriate, as a supplemental appropriation to the City of Rochester, 2013-2014 CIP for the City of Rochester, Conservation Commission in an amount not to exceed One Hundred Eighty-Nine Thousand Nine Hundred Ninety-Nine Dollars (\$189,999.00), for the purpose of providing funds

necessary for the Project, and further provide, that the sums necessary to fund the Project shall be derived, in an amount not to exceed One Hundred Eighty-Five Thousand Dollars (\$185,000.00) drawn from the so-called Conservation Fund of the City of Rochester, and in an amount not to exceed Four Thousand Nine Hundred Ninety-Nine Dollars (\$4,999.00) drawn from grant funds received by the City of Rochester, Conservation Commission from the State of New Hampshire, State Conservation Committee, Conservation License Plate Grant Program.

IV. FURTHERMORE, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate, establish, and/or eliminate such accounts and/or account numbers, and to take all such other steps, as may be necessary to implement the transactions contemplated by this Resolution.

CC 2014-01-14 AB 7



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

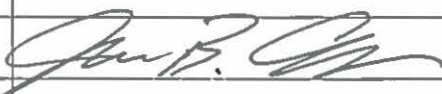
AGENDA SUBJECT: Vote to authorize Conservation Commission efforts to purchase a Conservation Easement on the Hope Farm property at 36 Peaslee Rd Map/Lot # 253/49

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☒ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐



FUNDING RESOLUTION FORM? YES ☒ NO ☐

AGENDA DATE	January 14, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2 pages attached (Funding Resolution and Grant Award Letter)	


COMMITTEE SIGN-OFF

COMMITTEE: Conservation Commission	
CHAIR PERSON	Deborah Shigo

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	 2014-01-06
SOURCE OF FUNDS	Conservation Fund (Rochester) and 2014 Conservation License Plate Grant Program (State of NH)
ACCOUNT NUMBER	To Be Determined
AMOUNT	Not to Exceed \$189,999 [\$185,000 plus \$4,999 grant]
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Conservation Easement - Hope Farm,36 Peaslee Rd (Tax-Map: 253-49)

Date: 01/14/2014

Fiscal Year: FY 2014

Fund (select):

GF ☐

Water ☐

Sewer ☐

Arena ☐

CIP ☒

Water CIP ☐

Sewer CIP ☐

Arena CIP ☐

Special Revenue ☒ *Conservation Fund 7024*

Fund Type: Annual Lapsing ☐ Multi-year Non-Lapsing ☒

Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	15011081	771000	145XX	-	4,999.00	185,000.00
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	150003	471000	145XX	-	-	185,000.00
2	150002	471000	145XX	-	4,999.00	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From
To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☐

Funds will be returned ☐



NOV 26 2013

State Conservation Committee
PO Box 3907 • Concord NH 03302-3907

November 25, 2013

Ms. Deborah Shigo
City of Rochester, Conservation Commission
31 Wakefield Street
Rochester, NH 03867

Dear Ms. Shigo;

Congratulations! The City of Rochester, Conservation Commission *Hope Farm Project* grant proposal was selected for funding in the amount of \$4,999.00 by the State Conservation Committee through the 2014 Conservation License Plate Grant Program. It was a highly competitive grant round, and the SCC was only able to provide partial funding for the project as submitted in the grant proposal.

The State Conservation Committee conditions of the award include the following:

1. Funding for transaction costs, including survey, Baseline Documentation Report, Administration.
2. Verification that funding has been secured and completion of fee acquisition is required prior to reimbursement of transaction costs.

I will be working with you and the project contact person over the next few months to complete a Grant Agreement between the City of Rochester and the State of New Hampshire. Unless notified otherwise, I will be sending the project contact person via email a list and description of all required documentation. The targeted grant start date is April 2014. Please note that funds are not officially awarded until the Grant Agreement is fully executed. Payments cannot be made for expenses incurred before the contract has been fully executed.

Again, congratulations on the award. Please contact me at 603.868.6112 or bluesky24@comcast.net should you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Dea Brickner-Wood".

Dea Brickner-Wood
Administrator
Conservation License Plate Grant Program

cc: Bambi Miller, Contractor, City of Rochester

From: [Roland Connors](#)
To: [Blaine Cox](#); [Kelly Walters](#)
Subject: RE: Conservation Fund Balance
Date: Tuesday, January 07, 2014 11:32:58 AM

The unaudited fund balance is \$523,263.65 as of 01/07/2014.

From: Blaine Cox
Sent: Tuesday, January 07, 2014 11:29 AM
To: Kelly Walters
Cc: Roland Connors
Subject: Conservation Fund Balance

Kelly – I just wanted to confirm that you have the current conservation fund balance estimate for the Hope Fram Easement agenda item, correct?

Where did this come from?

Please confirm with Rolly that it is up to date data.

Blaine M Cox
Deputy City Manager
City of Rochester, New Hampshire
31 Wakefield Street
Rochester, NH 03867
Telephone: (603)335-7609
Email: blaine.cox@rochesternh.net

The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees regarding the business of the City of Rochester, are government records available to the public upon request. Therefore, this e-mail communication may be subject to public disclosure.

RESOLUTION ACCEPTING GRANT
FROM THE STATE OF NEW HAMPSHIRE
FOR THE
CITY OF ROCHESTER'S
SO-CALLED "TEEN NIGHT" PROGRAM
AND MAKING A SUPPLEMENTAL APPROPRIATION
IN CONNECTION THEREWITH

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

That a grant in the amount of Ten Thousand Dollars (\$10,000.00) from the State of New Hampshire, Department of Health and Human Services, Division of Children and Youth Services to the City of Rochester, Police Department, for the purpose of providing funds for the conduct of the so-called "Teen Night" program (the Project), is, hereby accepted by the City of Rochester, pending authorization by the Governor and Executive Council and signature by the Governor of such Grant amount. Such funds, when received, shall be assigned to an account(s) the number(s) of which is/are to be established by the Finance Director in the 2013-2014 operating budget of the City of Rochester, Police Department.

Further, that the aforesaid sum of Ten Thousand Dollars (\$10,000.00) be, and hereby is, appropriated as a supplemental appropriation to the City of Rochester 2013-2014 operating budget for the City of Rochester, Police Department, with such sum to be placed in a special non-lapsing reserve account to be established/designated by the Finance Director, such funds to be used exclusively for the aforesaid Project purposes. Further, that the source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid grant funds received from the State of New Hampshire, Department of Health and Human Services, Division of Children and Youth Services to the City of Rochester, Police Department.

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.



City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

RECEIVED
DEC 17 2013
CITY CLERK'S OFFICE
ROCHESTER, NH

AGENDA SUBJECT: Seeking Permission from council to accept funds in the amount of \$10,000.00 from the State of NH, pending approval and the Governor's signature at the next scheduled Governor's and Council meeting January 15, 2014. This is for Teen Night funding.	
COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

AGENDA DATE	Next meeting in December 2013.		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	12/16/13		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	Federal through State
ACCOUNT NUMBER	TBD
AMOUNT	
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from council to accept funds in the amount of \$10,000.00 from the State of NH.

RECOMMENDED ACTION

Recommend acceptance of funds from the State of NH.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name:

**Seeking permission from council to accept funds in the amount of
\$10,000.00 through the State of NH for Teen Night Events.**

Date:

12/16/2013

Fiscal Year:

FY14

Fund (select one):

GF

Water ☐

Sewer ☐

Arena ☐

CIP ☐

Water CIP ☐

Sewer CIP ☐

Arena CIP ☐

Special Revenue ☒

Request Type:

Supplemental ☒

Deauthorization

Fund Type:

Lapsing
Annual

Non-Lapsing X
Multi Year

Deauthorization

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1						
2						
3						
4						

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD	TBD		\$ 10,000.00	
2						
3						
4						

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1						\$ -
2				-	-	-
3				-	-	-
4				-	-	-

DUNS # **TBD**

CFDA # **TBD**

Grant # **TBD**

Grant Period: From **12/01/2013**
To **12/31/2014**

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced ☐

Funds will be returned ☐


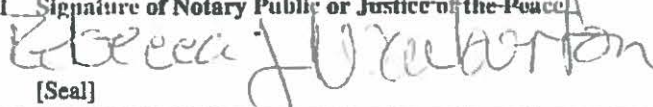
Subject: State Advisory Group (SAG) Prevention Services for the Community

AGREEMENT

The State of New Hampshire and the Contractor hereby mutually agree as follows:

GENERAL PROVISIONS

1. IDENTIFICATION.

1.1 State Agency Name Department of Health & Human Services Division for Children, Youth and Families		1.2 State Agency Address 1056 North River Road Manchester, NH 03104	
1.3 Contractor Name Rochester Police Department		1.4 Contractor Address 23 Wakefield St. Rochester, NH 03867	
1.5 Contractor Phone Number (603) 330-7252	1.6 Account Number 072-50057542140614	1.7 Completion Date February 1, 2015	1.8 Price Limitation \$10,000
1.9 Contracting Officer for State Agency Eric D. Borrin		1.10 State Agency Telephone Number 603-271-9558	
1.11 Contractor Signature 		1.12 Name and Title of Contractor Signatory Michael Allen Chief of Police	
1.13 Acknowledgement: State of <u>NH</u> , County of <u>Stratford</u> On <u>12/12/13</u> before the undersigned officer, personally appeared the person identified in block 1.12, or satisfactorily proven to be the person whose name is signed in block 1.11, and acknowledged that s/he executed this document in the capacity indicated in block 1.12.			
1.13.1 Signature of Notary Public or Justice of the Peace  [Seal]			
1.13.2 Name and Title of Notary or Justice of the Peace Rebecca J. Warburton Notary Public Exp. 6/9/15			
1.14 State Agency Signature		1.15 Name and Title of State Agency Signatory	
1.16 Approval by the N.H. Department of Administration, Division of Personnel (if applicable) By: _____ Director, On: _____			
1.17 Approval by the Attorney General (Form, Substance and Execution) By: _____ On: _____			
1.18 Approval by the Governor and Executive Council By: _____ On: _____			

CERTIFICATE OF VOTE

I, Daniel Fitzpatrick, do hereby certify that:
(Name of the elected Officer of the Agency; cannot be contract signatory)

1. I am a duly elected Officer of City of Rochester
(Agency Name)

2. The following is a true copy of two resolution duly adopted at a meeting of the Board of Directors of
the Agency duly held on 12.16.13:
(Date)

RESOLVED: That the Chief of Police
(Title of Contract Signatory)

is hereby authorized on behalf of this Agency to enter into the said contract with the State and to
execute any and all documents, agreements and other instruments, and any amendments, revisions,
or modifications thereto, as he/she may deem necessary, desirable or appropriate.

3. The forgoing resolutions have not been amended or revoked, and remain in full force and effect as of
the 12 day of December, 2013.
(Date Contract Signed)

4. Michael T. Allen is the duly elected Chief of Police
(Name of Contract Signatory) (Title of Contract Signatory)

of the Agency.

[Signature]
(Signature of the Elected Officer)

STATE OF NEW HAMPSHIRE

County of Stafford

The forgoing instrument was acknowledged before me this 16 day of December, 2013.

By Daniel M. Fitzpatrick
(Name of Elected Officer of the Agency)

[Signature]
(Notary Public/Judge of the Peace)

(NOTARY SEAL)

Commission Expires: 10/9/15

This page intentionally left blank

This page intentionally left blank



City of Rochester Formal Council Meeting

RECEIVED

JAN 09 2014

CITY CLERK'S OFFICE
ROCHESTER, NH

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT Supplemental Appropriation for Salmon Falls Road Hazards Safety Improvement Project (HSIP)	
Council Action Item <input checked="" type="checkbox"/> or Information Only <input type="checkbox"/>	Funding Required? Yes <input checked="" type="checkbox"/> No: <input type="checkbox"/>

Resolution Required? Yes <input type="checkbox"/> No <input type="checkbox"/>	Funding Resolution Worksheet? Yes <input type="checkbox"/> No <input type="checkbox"/>
---	--

AGENDA DATE	Soonest Available Council Meeting date.
DEPT. HEAD SIGNATURE	<u>Peter C. Nourse</u>
DATE SUBMITTED	07 Jan 2014
ATTACHMENTS Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Public Works Committee Meeting Minutes 12/19/13

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Blaine Cox <u>Blaine Cox</u>
CITY MANAGER	Daniel Fitzpatrick <u>Daniel Fitzpatrick</u>

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	

LEGAL AUTHORITY

SUMMARY STATEMENT

This project is a 90%-10% cost split with NHDOT. At 12/19/13 PWC meeting, DPW advised that the previous estimated cost to complete the project, \$500,000 had been determined to be less than that required to complete the work. DPW advised that the current estimated project cost would be \$664,796, an additional amount of \$164,796. This amount would have to be carried up front for the project to proceed per plan. PWC carried a motion to recommend to Council for a supplemental appropriation of the \$164,796 for the project with the stipulation that the 90-10 split be applied by NHDOT. NHDOT stated in correspondence that it will seek to apply the 90-10 split to this additional amount. They have further

CC 2014-01-14 AB 8 (Salmon Falls Road
Hazards Safety Improvement Project HSIP)

stated that should they be unable to apply the 90-10 split that the City would have to determine if it would fund the \$164,796 entirely. However it looks likely that the 90-10 split will be applied by NHDOT.

RECOMMENDED ACTION

To save time, this AB would be in place during the next Council meeting where the full Council receive the PWC report and vote on this issue.

Public Works and Buildings Committee

December 19, 2013

Council Chambers

7:00 PM

MEMBERS PRESENT

Councilor Torr, Chairman

Councilor Ray Varney-Vice Chairman

Councilor David Walker

Councilor John Larochelle

Councilor Brian LaBranche

OTHERS PRESENT

Councilor Donald Hamann

Councilor Elect Jake Collins

Councilor Elect Derek (Mack) Kittredge

Councilor Peter Nourse, Director DPW

Gretchen Young, Construction Engineer

Donald Dodier, 79 Chamberlain Street

Minutes

Chairman Torr called the Public Works and Buildings Committee meeting to order at 7:00 PM.

1. Approve minutes from November 21, 2013 meeting

Chairman Torr asked for a recommendation for the last month's minutes.

Councilor Walker made a motion to accept the minutes of the November 21, 2013 meeting as presented. Councilor Labranche seconded the motion. The motion passed unanimously.

2. Public Input.

Mr. Dodier of 79 Chamberlain Street came to the podium. He stated that he was present to check the status of deliberations regarding extending the water and sewer mains on Chamberlain Street. Mr. Nourse stated that it was the council's decision to present this project as part of the Capital Improvement Project (CIP) budget presentation in order for it to be considered and weighed for importance with the other CIP projects that are proposed. Mr. Dodier stated that there are failing sewers and that he would like serious consideration given to the sewer extension.

3. Salmon Falls Highway Safety Improvement Project (HSIP).

Mr. Nourse stated that this projects original budget was five hundred thousand dollars. The funding is split 90% federal grant and 10% City. Mr. Nourse stated in order to complete the project an additional appropriation of one hundred and sixty-four thousand, seven hundred and ninety-six dollars will be necessary (\$164,796). He went on to explain that the survey of right-of-way determined that it is very irregular in widths and in order to soften the curves the project area will need to be elongated to 1800'. Mr. Nourse stated that the state is willing to participate at the same 90%

federal and 10% funding, so it will ultimately cost the City just about sixteen thousand, five hundred dollars more (\$16,500). Councilor Walker stated that the City should be able to fund that additional amount. Councilor Varney stated the City would need to appropriate the total amount of the increase and be reimbursed as the project progresses. ***Councilor Varney made a motion to recommend that the City Council do a supplemental appropriation of the one hundred and sixty four thousand, seven hundred and ninety-six dollars (164,796) for the Salmon Falls HSIP. The appropriation would have a 90% NHDOT federal Grant and 10% City Highway split. Councilor Walker seconded the motion. The motion passed unanimously.***

Councilor Varney asked Mr. Nourse if there would be an additional public information meeting for the residents in the area. Mr. Nourse stated that he was planning on a meeting in February or March. Councilor Walker asked if there would be any land takings necessary. Mr. Nourse stated there would not be. He stated that elongating the project will allow for us to stay within the City's right-of-way.

4. Wakefield Street (Union to Chestnut Hill)

Mr. Nourse stated in previous Public Works Committee meetings there was discussion about reclamation and paving in this area. He stated that it is known to have concrete underneath the current asphalt and he has determined that there are water and sewer improvements necessary as well. Councilor Walker stated that would make it a much bigger project than just paving. Mr. Nourse stated that he would like to put the project into the General fund Highway CIP for a future year. Councilor Keans stated if the trees were to be taken down, she would like to ensure others are planted in their place. Mr. Nourse stated that they would be looking at replacing sidewalks as well as reshaping the intersection with Glenwood Avenue. Councilor Keans stated that prior to this project it would make sense to get Glenwood Avenue opened up through to Allen Street. She stated that there are "Tiger Grants" available for the railroad crossing that we should be looking into. Councilor Walker stated that opening Glenwood Avenue through to Allen Street makes sense. He stated that it will be important now because of the proposed elderly housing that is approved to be located on Glenwood. He stated these seniors would have an easier time exiting and entering through Allen Street. Councilor Walker stated that we should be aggressively pursuing the "Tiger Grant" if available. Councilor Keans suggested that the City's grant writer should work on this. Councilor Varney stated that there are several highway projects in the works, and while the Wakefield Street is important, he states that the funds are going to be tight for the FY2015 CIP.

5. Capital Improvement Projects (CIP) 2015

Highway CIP – Mr. Nourse stated that the Strafford Square project is going to be a large part of the FY2015 Highway division CIP. He stated

that currently there is over a million available in the current general fund highway CIP budget, but he expects this to be a 2 to possibly 2.5 million dollar project. He stated that this project was originally planned over 10 years ago and that the utility pole relocation to underground was never part of that plan. Councilor Keans stated that the state never factors in the cost escalations for projects that go on for years such as this one. She states that what was awarded then will be all that is awarded now. Mr. Nourse stated that he will also have the highway portion of the Franklin Street I/I Project and the design for the North Main Street Gap project. **Water CIP** - Mr. Nourse stated that the Franklin Street water component will be in the CIP as well as Water Tank and Reservoir dam rehabilitation projects. Mr. Nourse stated that at the Councils request he has put the Chamberlain Street water and sewer extensions into the CIP. He went on to say that he does not support this effort due to the low number of residents that will be served, and there is no proof of failed septic systems. **Sewer CIP** - Mr. Nourse stated that the Franklin Street I/I project will be in the CIP as well as the Wastewater Interceptor, the River Street Pump Station, Chamberlain Street Sewer Extension and a project for Colonial Pines evaluation for a sewer extension. Mr. Nourse stated that extending the sewer in the Colonial Pines area will be a large project and would pick up a significant number of users. **Buildings and Ground CIP**- Mr. Nourse stated that he would like to put in a survey project for the downtown lights. He stated that the lighting and wiring in and on these poles is decades old and need evaluating. He stated that when the lights were out recently on North Main Street he had an opportunity to see what was inside these electrical boxes and he saw the need.

6. Strafford Square Project:

Mr. Nourse stated that he is having issues with communications from the NHDOT on this project. He stated that the current project manager is not responsive. It took a year to get answers on 3 significant questions and he is not optimistic of this getting any better in the future. He stated that recently he went to Mr. Watson who would be the next step above the project manager, and he did receive an unofficial email from the project manager stating the following. 1.) CLD Engineers have been approved as being selected based on NHDOT's Quality Based Selection (QBS) criteria. 2.) The City requested reimbursement of part B engineering and right-of-way (ROW) acquisition expenses. The engineering has been reimbursed in full, but the request for ROW acquisition expenses are and have been pending for over a year. The emailed response says they are approved but they are awaiting the transfer of funds in order to reimburse. 3.) The City requested reconsideration for reimbursement of the Part A preliminary design expenses. The City felt that there was verbal authorization to proceed between the then project manager and the then DPW Director. The email stated that these would be denied again as there was no documented approval for the expenses. The email stated that a formal

letter stipulating these 3 determinations would be forth coming. Councilor Keans asked Mr. Nourse if the State of NH has programmed the funds for 2015 for construction. Mr. Nourse stated that he assumed they have. He stated he will look into confirming that information.

7. Milton Road / Crossroads Project

Gretchen Young stated that it appears that there are several projects happening in the area between the highway ramps and the Cross Roads Industrial Park. She stated that previously the Public Works Committee had discussed adding a center turn lane in this area. She stated that it was also discussed to have the developers in the area participate in the cost to add this lane. Ms. Young stated that she recommends that a plan be designed for this lane. Then in the future it will be possible to determine exaction fees for developers based on the plan and the estimated cost for implementation. Ms. Young stated that the economic developers are promoting this area as a revitalization project so now would be the time to get this design ready. Councilor Varney asked if the right-of-way is wide enough to implement the additional lane. Ms. Young stated that it is believed to be a sixty foot or more right-of-way and that it would accommodate an additional lane. Councilor Walker suggested that the area and lane should be extended all the way from the turnpike ramps to the Industrial Park. Councilor Varney suggested that this project be included in the budget discussion for the CIP.

Councilor Labranche requested that they consider the intersection of Salmon Falls Road when doing improvements to the area. He stated that the cars going north on the Milton Road that are intending to turn right onto Salmon Falls road, are trying to go up the side of stopped traffic. He stated that it should be looked at.

8. DPW Facility Study

Mr. Nourse stated that he has understood that the Council would like the DPW to look at City owned land for use regarding the new facility. He stated that he would like to have the study incorporate the evaluation of several properties. He stated that he has five locations for suggestion.

- 1.)45 Old Dover Road. He stated this is the current location. He stated the physical location is good in relations to access to the City. He stated that it is somewhat small and the approximation to the river poses some site issues, as does construction while working. It is in his opinion viable.
- 2.)58 Pickering Road. This is the old Gonic Brickyard property and while there is some staff resistance to this site due to the remote location from town, Mr. Nourse stated this is viable as well. He stated that the City's main sewer line runs through the property and therefore we would not want it developed by anyone else, and this is a large parcel that would allow for a building giving storage to the whole fleet.
- 3.)Havenhill Road. Mr. Nourse stated that this property is located on the Somersworth line at the Salmon Falls Road end of the Haven Hill Road. He stated that although also remote Salmon Falls provides access to East Rochester, and Rt 108 provides access to the downtown area.
- 4.)62 Easter Avenue

provides access to a large parcel that runs parallel behind the buildings on Wakefield Street. This may be to wet for use but is close to downtown and should be looked at with the study. 5.)22 Phillips Road, Mr. Nourse stated that this is roadway located at the intersection of Flat Rock Ridge Road and the Milton Road. He stated if feasible it would be accessible to downtown via the Milton Road and access to East Rochester and Gonic could be via the Spaulding turnpike as it would be close to the on ramps. Councilor Varney suggested that Mr. Nourse look at some of the State of NH owned properties. There was discussion as to the current location and the proximity to the Cocheco River. Councilor Keans suggested retrofitting the current building and property. Councilor Labranche asked what the ideal location size would be. Mr. Nourse stated that currently we are located on 5 acres he suggested that 10 acres would be desirable. Chairman Torr asked Councilor Elect Collins for his opinion. Mr. Collins stated that he would like to see a study group or committee be formed to determine if the facility should be on existing land or if a property purchase should be considered. He stated that he was impressed with the presentation and tours that Mr. Nourse had set up for the incoming and existing Councilors this week. He stated that it seems to him that the DPW is doing as much, and possibly more for this City than other departments, and they are doing it with less. He further stated that he does not intend to slight the other departments, but he believes it is time to get this department what it needs for a building. Councilor Varney asked if it was possible to get the conceptual design done prior to deciding the location. Mr. Nourse stated that is part of the plan. Mr. Nourse stated that the trends for recently built DPW's in our area, is to put them out of town. He stated that Dover, Somersworth and Portsmouth had done the same. Councilor Keans stated that the armory on Rochester Hill Road be looked at. She stated that the State of NH is looking to give some of these properties up. Chairman Torr suggested the City Concrete site on Chestnut Hill Road.

9. Other

Spaulding Turnpike Invoices – Mr. Nourse stated that the invoices are finally in for the City's cost of water and sewer on the turnpike project. He stated that the DPW is likely to dispute one of the invoices as we believe it is being over billed. He said the good news is once these invoice are settled we will be able to de-authorize significant amounts in the water and sewer CIP accounts.

Tiger Grants – Councilor Walker reiterated his desire to have City Staff looking into this regarding the Glenwood Avenue / Allen Street railroad crossing.

Pictometry / Council Chambers Computer – Councilor Larochelle stated that he would like to see the Council Chambers fitted with a computer system that is able to bring up the Pictometry software in a usable way. He stated that he was able to demonstrate tonight how much value it could lend to discussions if a system was put into place to make in

usable. Councilor Larochelle and others would like to utilize this tool during Committee and City Council meetings. The current configuration is not working. It is too slow and keeps locking up.

Historical Society Boiler – Councilor Varney asked the status. Mr. Nourse stated that the funds were set up this week and that he believed Unitil started the work necessary on their side.

Arena Building – Councilor Varney asked Mr. Nourse if he had any part of the improvements being made at the Arena. Mr. Nourse stated that he does not. Councilor Varney stated concerns with the Arena project and stated he would be discussing them with the City Manager.

Councilor Walker made a motion to adjourn at 8:14 PM. Councilor Labranche seconded the motion. The motion passed unanimously.

Minutes respectfully submitted by Lisa Clark, Secretary III Rochester DPW

RESOLUTION AUTHORIZING CITY MANAGER
TO CONVEY CITY'S INTEREST IN PROPERTY SITUATE
IN FORMER OLD MILTON ROAD RIGHT-OF WAY

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

That the City Manager be, and hereby is, authorized to convey, to the record owners of the two (2) parcels of real property (that is Rochester Tax Map 125, Lot 91; Rochester Tax Map 125, Lot 92; and Rochester Tax Map 125, Lot 93) located in the vicinity of the intersection of South NH Rte. 125) and the so called Old Milton Road, and which abut the two (2) parcels described in the resolution adopted by the Mayor and City Council of the City of Rochester on November 13, 2012, discontinuing such former portions of the so-called Old Milton Road, the parcel which abuts their respective properties. Such authorized conveyance shall be accomplished by Quitclaim Deed, which conveyance shall be subject to the reservation, to the City of Rochester and/or other lawful owner thereof, of any and all existing sewer, drain, water pipe and/or other utility pipes, structures, appurtenances and/or easements and/or any and all permits or licenses previously established pursuant to RSA 231:159-182, which such easements, and permits and/or licenses shall be reserved and shall remain in effect as an encumbrance upon the underlying land, as provided for in RSA 231:46.

Further, that the City Manager be, and hereby is, authorized to sign any and all documents, and to take all such additional actions, as are necessary to effectuate the implementation and execution of the acts authorized in this resolution.

CC 2014-01-14 AB 14

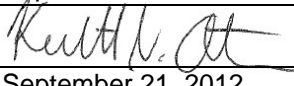


City of Rochester Formal Council Meeting

AGENDA BILL

NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.

AGENDA SUBJECT	Old Milton Road R-O-W abandonment
----------------	-----------------------------------

AGENDA DATE	September 21, 2012 October 2, 2012
DEPT. HEAD SIGNATURE	
DATE SUBMITTED	September 21, 2012
ATTACHMENTS	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

CHIEF FINANCIAL OFFICER	
CITY MANAGER	

BUDGET INFORMATION

SOURCE OF FUNDS	NA
SOURCE ACCOUNT NUMBER	NA
EXPENDITURE AMOUNT	NA
APPROPRIATION REQUIRED	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

LEGAL AUTHORITY

RSA 47:5 City Property. – The city councils shall have the care and superintendence of the city buildings, all city property and all public squares and streets; and the power to sell or let what may be legally so disposed of, and to purchase property, real or personal, for the use of the city, whenever the interests or convenience of the city shall require it.

SUMMARY STATEMENT

Request by abutting property owners to purchase what they believe to be "excess" City land. See attached pictures.

RECOMMENDED ACTION

Authorize City Manager to research City interest in land, and, if none, work with legal counsel to determine appropriate transfer process.

