



City of Rochester, NH
Preamble for August 4, 2020 Public Hearing and Regular City Council Meeting

Good Evening, as Chairperson of the (City Council, Planning Board, Police Commission, ZBA, etc), I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

a.) **Providing public access to the meeting by telephone:** At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. The public can call-in to the below number using the conference code. Some meetings will allow live public input, however you must have pre-registered online, otherwise, the meeting will be set to allow the public to "listen-in" only, and there will be no public comment taken during the meeting. [Public Input Registration](#) (Please note: In order to notify the meeting host that you would like to speak, press 5* to be recognized and unmuted)

Phone number: 857-444-0744 Conference code: 843095

b.) **Public Access Troubleshooting:** If any member of the public has difficulty accessing the meeting by phone, please email PublicInput@RochesterNH.net or call 603-332-1167.

c.) **Public Input:** Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, when permitted, with the City Council (Public Hearing and/or Workshop settings) are encouraged to do so by the following methods:

- **Mail:** City Clerk/Public Input, 31 Wakefield Street, Rochester, NH 03867 (*must be received at least three full days prior to the anticipated meeting date*)
- **email** PublicInput@rochesternh.net (*must be received no later than 4:00 pm of meeting date*)
- **Voicemail** 603-330-7107 (*must be received no later than 12:00 pm on said meeting date in order to be transcribed*)

Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

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City Clerk's Office



**Regular City Council Meeting
August 4, 2020
Meeting Conducted Remotely
6:30 PM**

Agenda

- 1. Call to Order**
 - 2. Opening Prayer**
 - 3. Pledge of Allegiance**
 - 4. Roll Call**
 - 5. Resolution Authorizing Supplemental Appropriation to the Rochester School Department in the amount of \$490,000.00 *first reading and referral to public hearing* P. 13**
 - 6. Recess to Public Hearing**
-

**City Council Public Hearing
August 4, 2020
Meeting conducted remotely
*Immediately following City Council Meeting***

- 1. *Call to order***
 - 2. Resolution Authorizing Supplemental Appropriation to the Rochester School Department in the amount of \$490,000.00 P. 13**
 - 3. Adjourn to Regular Meeting**
-

- 7. Reconvene Regular City Council Meeting**

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City Clerk's Office

8. Acceptance of Minutes

8.1 Regular City Council Meeting: July 7, 2020 *consideration for approval* P. 19

8.2 Special City Council Meeting: July 21, 2020 *consideration for approval* P. 39

9. Communications from the City Manager

9.1 City Manager's Report *forthcoming*

10. Communications from the Mayor

11. Presentation of Petitions and Council Correspondence

12. Nominations, Appointments, Resignations, and Elections

12.1 *Resignation*: Deborah Casey – Supervisor of the Checklist Ward 3 P. 51

13. Reports of Committees

13.1 Fidelity Committee P. 53

13.2 Finance Committee P. 59

13.2.1 *Committee Recommendation*: To approve the \$9,966 purchase of a trailer for the Fire Department for storage of PPE *consideration for approval* P. 61

13.2.2 *Committee Recommendation*: To approve the conversion of the Economic Development Microloan Program into a grant *consideration for approval* P. 63

13.3 Planning Board P. 65

13.4 Public Works P. 75

13.4.1 *Committee Recommendation*: To deny roadway access to abutting Barrington Development through the Stillwater Circle Neighborhood

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City Clerk's Office

consideration for approval P. 77

13.4.2 Committee Recommendation: approve the removal of the Oak tree at the front of City Hall ***consideration for approval P. 78***

13.4.3 Resolution Authorizing \$132,000.00 Expenditure from the RSA 162-k TIF Fund for the Innovation Drive Water-Sewer Line Extension Project *first reading and consideration for adoption P. 119*

13.5 Public Safety P. 131

13.5.1 Committee Recommendation: To install a “blind driveway” sign at 122 Governors Road for traffic travelling from the town of Farmington into Rochester ***consideration for approval P. 132***

13.5.2 Committee Recommendation: To remove the “no thru truck” signs on Autumn Street at the Highland Street end ***consideration for approval P. 133***

13.5.3 Committee Recommendation: To install a streetlight at the corner of Whitehall Road and Hillcrest Drive ***consideration for approval P. 135***

13.5.4 Committee Recommendation: To add an additional pedestrian warning sign at the crosswalk near Church Street at the discretion of DPW ***consideration for approval P. 136***

13.5.5 Committee Recommendation: To approve the two new crosswalk locations on Charles Street and Congress Street as designed by DPW ***consideration for approval P. 137***

13.5.6 Committee Recommendation: To approve the dam safety signs to be installed on the side of the North Main Street Bridge ***consideration for approval P. 138***

14. Old Business

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City Clerk's Office

14.1 Discussion: NHMA Policy Positions for Conference October 2, 2020 P. 141

15. Consent Calendar

16. New Business

- 16.1 Resolution Granting Community Revitalization Tax Relief to the Property Located at 10 – 14 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project *first reading and referral to public hearing on August 18, 2020* P. 151**
- 16.2 Resolution for Supplemental Appropriation to the Conservation Fund for Fiscal Year 2019-2020 pursuant to the provisions of Section 7-64(c) of the General Ordinances of the City of Rochester *first reading and consideration for adoption* P. 201**
- 16.3 Resolution Establishing Polling Places and Times for the September 8, 2020 State Primary Election *first reading and consideration for adoption* P. 205**
- 16.4 Resolution Approving Cost Items Associated with proposed City of Rochester Multi-Year Collective Bargaining Agreement with Rochester Municipal Employees Association SEIU Local 1984 (Support Personnel All City Department) *first reading and consideration for approval* P. 207**
- 16.5 Resolution Authorizing Supplemental Appropriation to the Rochester School Department in the amount of \$490,000.00 *second reading and consideration for adoption* P. 13**
- 16.6 Resolution Authorizing \$20,000.00 Appropriation from the Economic Development Special Reserve Fund for Water Street Paving *first reading and consideration for adoption* P. 247**

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City Clerk's Office

17. Other

18. Non-Public/Non-Meeting

18.1 Non-Public Session – Land, RSA 91-A:3, II (d)

19. Adjournment

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City Clerk's Office

**Supplemental Appropriation to the
Rochester School Department in the amount of \$490,000.00**

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

That the amount of Four Hundred Ninety Thousand Dollars (\$490,000.00) is hereby appropriated as a supplemental appropriation to the Rochester School Department for the purpose of paying costs associated with unanticipated costs related to the COVID-19 pandemic response. The funding for this supplemental appropriation shall be derived in its entirety from the General Fund Unassigned Fund Balance.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

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City Clerk's Office



07/30/2020

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

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			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
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

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

LEGAL AUTHORITY

SUMMARY STATEMENT

RECOMMENDED ACTION

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 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				-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1				-	-	-
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

**Rochester School Department
COVID Supply Needs
2020**

07/30/2020

<u>Already Purchased:</u>	Quantity	Cost
Chemical Buckets & rolls of dry wipes	120	\$ 1,807.20
Alcohol Wipes	20 cases	\$ 2,376.00
Plexiglass	18 sheets	\$ 3,765.00
Lexan (sneeze guard material)	10 sheets	\$ 2,900.00
Wet Pads and Microfiber cloths		\$ 3,332.64
Hand sanitizer dispensers (battery operated)	30	\$ 5,212.50
Hand sanitizer (manual dispenser)	370	\$ 10,360.00
Gel Hand Sanitizer	38 gallons	\$ 4,522.00
Gel Hand Sanitizer pump bottle	240	\$ 1,848.00

To be purchased:

Masks (Disposable)	71,000	\$ 22,224.99
Masks (cloth) for students and staff	26,000	\$ 71,500.00
Masks (visible) for staff	2,000	\$ 7,900.00
Lexan (sneeze guard material)	40 sheets	\$ 11,600.00
Wet Pads and Microfiber cloths		\$ 3,332.64
Gel Hand Sanitizer	380 gallons	\$ 45,220.00
Gel Hand Sanitizer pump bottle	240	\$ 1,848.00
Classroom desk/table dividers	5000	\$ 35,000.00
Water Bottle Filling Stations	6 locations	\$ 25,000.00
Electrostatic Sprayers	14	\$ 10,200.00
Soap and Paper Towels		\$ 99,000.00
Floor markings and other signage		\$ 30,000.00
Temporal Scanners	22	\$ 2,200.00
Gowns	150	\$ 3,750.00
Gloves	9	\$ 2,000.00
Face Shields	45	\$ 4,500.00
Goggles	20	\$ 250.00
Stethoscopes	10	\$ 500.00
2 Part time custodians to full time		\$ 77,599.56
		<hr/>
		\$ 489,748.53

**Regular City Council Meeting
July 7, 2020
Meeting Conducted Remotely
6:34 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Belken
Councilor Bogan
Councilor Gray
Councilor Hailey
Councilor Hamann
Councilor Hutchinson
Councilor Lachapelle
Councilor Lachance
Councilor Rice
Councilor Walker
Deputy Mayor Lauterborn
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Mark Sullivan, Deputy Finance Director
Mark Klose, Fire Chief

Minutes

1. Call to Order

Mayor McCarley called the Regular City Council meeting to order at 6:34 PM. The following preamble was read prior to the Public Hearing immediately preceding the Regular meeting:

Good Evening, as Chairperson of the City Council, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

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Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

d.) **Roll Call:** Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name (and/or ward), also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. (Additionally, Council members are required to state their name and ward each time they wish to speak.)

Deputy City Clerk Cassie Givara called the roll prior to the public hearing immediately preceding the Regular meeting. All Councilors were present. In addition, all Councilors indicated that they were alone in the location from which they were connecting remotely.

2. Opening Prayer

Mayor McCarley asked for a moment of silence before the start of the meeting.

3. Pledge of Allegiance

City Manager Cox presented a video of the Spaulding High School Select Singers performing the Star Spangled Banner.

4. Roll Call

The roll call was taken following the preamble earlier in the evening. All Councilors were present.

5. Acceptance of Minutes

5.1. Regular City Council Meeting: June 2, 2020 *consideration for approval*

Councilor Walker **MOVED** to **APPROVE** the minutes of the June 2, 2020 Regular City Council Meeting. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley all voting in favor.

5.2. City Council Special Meeting: June 16, 2020 *consideration for approval*

Councilor Walker **MOVED** to **APPROVE** the minutes of the June 16, 2020 Special Meeting. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken, Lachance, and Mayor McCarley all voting in favor.

6. Communications from the City Manager

City Manager Cox referred to an email received by Council earlier in the day from the Deputy City Clerk. The email contained two public input emails which had been submitted by residents prior to tonight's Public Hearing. City Manager Cox stated that the subject of the emails had not been germane to the topic of the public hearing, so they would instead be read at the July 21, 2020 workshop meeting.

6.1. City Manager's Report

Councilor Lachapelle asked City Manager Cox if the subject of outdoor dining at City restaurants would be discussed at the July 21 workshop meeting. City Manager Cox confirmed that outdoor dining is on the agenda for the next workshop meeting and City Staff will be presenting some information for Council to review. Councilor Lachapelle asked if the City Attorney would be drafting an amendment to the ordinance as it

currently stands for Council to review. City Manager Cox stated that at this time they were not considering ordinance changes, but rather had suggestions for Council to consider and discuss.

7. Communications from the Mayor

Mayor McCarley reminded all those watching that the Farmer's Market takes place at the Community Center each Tuesday from 3:00 PM through 6:00 PM.

7.1. Discussion: In-Person City Council Meetings

Mayor McCarley indicated that originally, tonight's meeting had been proposed to take place in Council Chambers. There had been mixed feelings expressed by members of Council in regards to meeting in person and the pros and cons thereof. She felt it would be best to have a discussion to determine how everyone feels the meetings should proceed under the current circumstances.

Councilor Gray referenced the most recent statistics on COVID-19 which showed that although Rochester cases were declining, it is still the community in Strafford County with the highest number of active cases. He stated that this information should be taken into consideration.

Councilor Lachance said that although he preferred an in-person meeting, the remote meetings are working well and he would prefer to leave the decision to the discretion of the Chair.

Councilor Hutchinson stated that he didn't feel there was a need to rush into in person meetings when the remote format is working well; however he felt that if the Council did decide to reinstate in-person meetings, they should first have some public health policy in place to mitigate some of the risks. Personal Protective equipment, social distancing, and limitations on observers/audience members should be established prior to the start of in-person meetings.

Councilor Belken agreed that remote meetings were working well and it was most appropriate to continue on in this way; however she felt that public input was lacking in the remote format and said that it would be nice to offer a better option for the public to contribute during meetings.

Councilor Bogan agreed with Councilor Hutchinson that there was no need to rush into in-person meetings. She discussed the potential drawbacks of meeting in-person with Councilors, staff and the public needing to wear masks and the potential communication troubles. Councilor Bogan stated that she felt the public needed to be made more aware of how to call in to the meetings to speak live. She felt that the current system can seem confusing and suggested that instructions could be given on the government channel for those wishing to call in.

Council Walker emphasized the importance of in-person meetings and said that he felt Council should resume meetings in person. He stated that the public input portion is

imperative to Council meetings, but has been greatly lacking in the remote format. Councilor Lauterborn agreed with Councilor Walker's statements.

Councilor Hamann stated that he was in favor of in-person meetings, although with the caveat that he would not be able to wear a mask.

Councilor Lachapelle agreed that the public input portion had been lacking during remote meetings and he felt that it is easier to accomplish more when Council meets in person; that being said, he stated he did not yet feel comfortable meeting in person and gave several public health reasons.

Councilor Rice said he could see both sides of the issue; it is more possible to have in-depth conversations in person, but there are health and safety drawbacks to consider. He said he didn't feel the safety aspect could be overcome unless Council meetings were moved into a space larger than Council chambers. He speculated about the potential of using the Opera House as a meeting spot.

Councilor Hainey recommended that Council follow CDC guidelines in determining how to move forward with meetings, although she questioned the City asking staff to report to work daily and potentially be exposed while Council continues to meet remotely. She agreed that public input has been lacking during the remote meetings.

Mayor McCarley said that city staff had explored the option of using a larger space (School Board conference room), but the feedback after the trial run indicated that the sound quality had made it difficult to hear the discussion. Mayor McCarley reported that the City had initially looked at the Opera House as an option, but due to set up and technical issues, it was taken out of consideration. She stated that the City could take another look at the option.

Mayor McCarley indicated that for the foreseeable future, the Council will look to continue with remote Teams meetings. City Manager Cox said that city staff was continuing to work with consultants to work out the technical and audio issues. He suggested, with multiple Councilors undecided on in-person meetings, that the Council continue to meet remotely for at least the next meeting or two while the technical issues are being reviewed.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

9.1. Resignation: Elizabeth Tonkins-Agea - Arts & Culture Commission

Councilor Walker **MOVED** to **ACCEPT**, with regret, the resignation of Elizabeth Tonkins-Agea from the Arts & Culture Commission. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken,

Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan, and Mayor McCarley all voting in favor.

10. Reports of Committees

10.1. Community Development Committee

10.1.1. Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2021 CDBG Action Plan prior to amendments *second reading and consideration for adoption*

Councilor Lauterborn **MOVED** to read the resolution for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Lachance, Abbott, Gray, Rice, Bogan, Hainey, Lachapelle, Lauterborn, and Mayor McCarley all voting in favor. Mayor McCarley read the resolution for a second time by title only as follows:

Resolution to Amend the Community Development Block Grant (CDBG) Funds for Fiscal Year 2021

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

WHEREAS, the City of Rochester has received additional Community Development Block Grant (CDBG) funds through the Coronavirus Aid, Relief, and Economic Security (CARES) Act eligible projects and has unallocated prior year CDBG funds;

WHEREAS, the Mayor and City Council of the City of Rochester desire to program these additional funds into other worthwhile activities;

THEREFORE, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby adopt the following allocations: Three Thousand Dollars (\$3,000.00) to the Homeless Center for Strafford County, Twenty-Five Thousand Dollars (\$25,000.00) to the Community Action Partnership of Strafford County, Ten Thousand Dollars (\$10,000.00) to Strafford Nutrition Meals on Wheels, Twenty Thousand Dollars (\$20,000.00) to My Friend's Place, Thirty Thousand Dollars (\$30,000.00) to HAVEN, Two Thousand Five Hundred Dollars (\$2,500.00) to SHARE Fund, Fifteen Thousand Two Hundred Seventy One Dollars and Twenty Cents (\$15,271.20) to Cross Roads House, Two Thousand Dollars (\$2,000.00) to Strafford County Public Health Network, and Twelve Thousand Dollars (\$12,000.00) to Dover Adult Learning Center.

FURTHER, that the funds necessary to fund the above appropriation shall be drawn in their entirety from the above-mentioned CARES Act CDBG grant funds that the City of Rochester has received from the federal government.

FURTHER STILL, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lauterborn **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, Lachance, and Mayor McCarley all voting in favor.

10.2. Finance Committee

10.2.1. Committee Recommendation: To approve the Non-Union Annual CPI Wage Scale Adjustments consideration for approval

Councilor Walker **MOVED** to **APPROVE** the non-union annual CPI wage scale adjustments. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley all voting in favor.

10.3. Fidelity Committee

Councilor Hutchinson reported that the Fidelity Committee would be meeting again via ZOOM on Thursday, July 9 at 6:00 PM. Councilor Hutchinson asked Mayor McCarley for an update on the recent meeting between the Tri-City Mayors and the County Commissioners in regard to a shelter location.

Mayor McCarley said that the Fidelity Committee as well as the Mayors had been discussing for quite some time the need for a permanent shelter option in the area. The Mayors and County Commissioners recently met with Betsey Andrews Parker of Community Action Partnership to review this issue. Ms. Andrews Parker reported that there is COVID-19 relief money available relative to homelessness and associated issues. The discussion centered on how to best put these funds to use; bringing in developers, identify land and location for shelter, and working through any potential zoning issues which may be encountered. The three cities and the County would take advantage of the federal funds available to establish a shelter and would collaborate on developing programming and operations for said shelter along with assistance from subject matter experts in local social service agencies. Mayor McCarley stated that the Mayors will be meeting with developers later in the week to discuss potential ideas and locations.

10.4. Planning Board

Mayor McCarley indicated that the monthly report from the Planning Board has been added as a new ongoing agenda item in order for Council to stay up-to-date on the proposals and actions coming before the Board.

Councilor Walker reviewed several items which had been reviewed at the previous nights' Planning Board meeting as well as items which are being continued to future meetings.

Councilor Lachance asked about the proposed residential units being developed at 28 North Main Street and whether they would be market rate or a mix of market and low-income. Councilor Walker indicated that the developer intends the units to be market rate.

Councilor Lachapelle inquired about the proposed Irving station at the corner of Columbus Avenue and Brock Street. He asked if this Irving station would be in addition to the Irving already located further down Route 125 or if this would be a replacement thereof. Councilor Walker indicated that the developers did not mention any plans for the already existing Irving station on 125.

10.5. Personnel Advisory Board

10.5.1 Public Information and Community Engagement Manager

City Manager Cox referenced a new position which Council had approved during the recent budget hearings in regards to a Public Information specialist. City staff had then drafted a job description and came up with a recommended pay grade. The City Charter requires this information to be reviewed and approved by the Personnel Advisory Board, which has occurred, and the job description and pay grade is now coming to City Council for final approval.

City Manager Cox clarified that he had expanded upon the original public information piece, which the city had been contracting out, and added some community engagement functions. Originally it had been determined that the position would fall under Economic Development, but after looking at these additional functions and comparing to models in other cities, it had been decided that the position would fall under the City Manager's department.

Councilor Lachance **MOVED** to **APPROVE** the position as presented by the Personnel Advisory Board and City Manager. Councilor Walker seconded the motion. Councilor Rice inquired if this new position would be working with the Community Engagement Officer at the police department. City Manager Cox confirmed that not only would this new position be working with the community engagement officer at the police department, but would be working closely with all City departments, as well as collaborating with the School department. Mayor McCarley said it was envisioned that this position would also work with Rochester Main Street, the Chamber of Commerce, and other agencies throughout Rochester.

Councilor Lachapelle noted that he did not support the establishment of this new position and asked if this would be an outside hire. City Manager Cox indicated that the position would be posted and advertised like any open position within the City. He stated that they have received both internal and external candidate applications. Councilor Lachapelle asked if the job functions of the new position cross-referenced any existing positions. City Manager Cox responded that some of the job functions within the new position had previously been included under the senior executive assistant position, but these job functions have been removed from that position; there will be no duplication of job functions.

Councilor Rice asked how the employment review process would work for the new position and to whom the new employee would report. City Manager Cox said the position would be non-union, which has an established review process, and the position would report directly to the City Manager.

The **MOTION CARRIED** by an 11-2 roll call vote with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Walker, Bogan, Hamann, Belken, Lachance, and Mayor McCarley voting in favor and Councilors Lachapelle and Gray voting opposed.

10.6. Public Works

10.6.1 Committee Recommendation: To accept the donation of land for tax parcel, Map 256 Lot 38-2 by the property owner to the City of Rochester consideration for acceptance

Councilor Walker **MOVED** to **APPROVE** the acceptance of a land donation from a property owner to the City of Rochester. Councilor Hamann seconded the motion. Councilor Walker clarified that this small parcel is a triangle of land where Old Dover Road meets Whitehall Road which the City may utilize if the intersection is ever reconfigured. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan, and Mayor McCarley all voting in favor.

10.6.2 Resolution Authorizing Exchange of Rochester Project No. 40647 Route 125/Columbus Avenue Intersection Improvements for Capacity/Safety Improvements on Route 11 in the State of New Hampshire 10 Year STIP Plan and Supplemental Appropriation in Conjunction Therewith first reading and consideration for adoption

Councilor Walker explained this resolution would adjust the order of a couple projects in the 10-year STIP plan in order to have the Route 11 improvements occur sooner. Councilor Walker **MOVED** to read the resolution for a first time by title only. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous

roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Lachance, Abbott, Gray, Rice, Bogan, Hainey, Lachapelle, Lauterborn and Mayor McCarley all voting in favor. Mayor McCarley asked if the resolution needed to be read for a first time by title only. Councilor Walker stated that the motion which was just read was to exchange the projects and authorize the supplemental appropriation in the same vote.

Councilor Walker reported that a representative from Rochester Rise Up had come to the Public Works Committee with a request to have decorative lights placed on the light posts downtown. He stated that there are examples of options included with the Public Works minutes and he would like to have Council review them prior to discussing and making a decision next month.

11. Old Business

11.1 Resolution Authorizing Supplemental Appropriation from General Fund Unassigned Fund Balance in the amount of \$350,000.00 for the Purchase of 55 North Main *second reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, Lachance and Mayor McCarley all voting in favor. The resolution was read by title only for a second time as follows:

Resolution Authorizing Supplemental Appropriation from General Fund Unassigned Fund Balance in the amount of \$350,000.00 for the Purchase of 55 North Main

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

That the sum of Three Hundred Fifty Thousand Dollars (\$350,000.00) be, and hereby is, appropriated to pay for the costs associated with the City's acquisition of the property located at 55 North Main Street, Rochester. The entirety of this supplemental appropriation shall be derived from the General Fund Unassigned Fund Balance.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Lachapelle stated that he would not be voting in favor of this resolution and thought that the City was paying far too much for the property. Mayor McCarley acknowledged that the City is paying much more than the assessed value for the property, but said she felt as though this purchase is a wise decision for the City; the property is an anchor store in the downtown area which the City has not been able to utilize for decades. This purchase will allow the property to be developed into something beneficial for Rochester. The **MOTION CARRIED** by a 10 – 3 roll call vote with Councilors Rice, Walker, Hainey, Abbott, Bogan, Belken, Hamann, Lauterborn, Lachance, and Mayor McCarley voting in favor and Councilors Lachapelle, Gray, and Hutchinson voting opposed.

11.2 Committee Recommendation (Public Safety): To install overhead streetlights and crosswalk signs with rectangular rapid flashing beacons at the North Main Street Crosswalk in an amount of \$50,000 consideration for approval

Mayor McCarley read the recommendation and **MOVED** to approve the installation of the lights and flashing beacons at the North Main Street crosswalk. Councilor Rice seconded the motion. Mayor McCarley reminded Council that this item had been tabled at a previous meeting due to concerns about cash flow with the General Fund during COVID-19. She stated that the money for this project would now be coming from contingency. Councilor Lachapelle suggested a less expensive option would be to remove one parking spot in this area of North Main Street which would open the line of sight a great deal. Councilor Bogan said that she has started to notice the same safety issues showing up at the Factory Court crosswalk and she expressed concern that if this first crosswalk project is authorized, then it would lead to the Factory Court crosswalk being authorized and the multiple flashing beacons would affect the aesthetic downtown.

Councilor Hamann said he has had multiple constituents reach out to him asking when this crosswalk would be fixed and he felt it was important to get it completed. Councilor Walker agreed that although the cost is high, the crosswalk is dark and dangerous and if it is not addressed it could potentially lead to tragedy. Councilor Lachance agreed that the cost to address this crosswalk is high and acknowledged that there are other crosswalks that pose safety concerns which will have to be addressed in the future. Councilor Lachance said that he felt the traffic was an issue coming from both directions at this particular crosswalk and neither removing parking spots nor adding flashing lights will completely fix the problem; he suggested there may need to be other traffic measures taken to address the issue downtown. The **MOTION CARRIED** by an 11 – 2 roll call vote with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Walker, Gray, Hamann, Belken, Lachance, and Mayor McCarley voting in favor and Councilors Lachapelle and Bogan voting opposed.

12. Consent Calendar

No discussion.

13. New Business

13.1 Resolution Authorizing Acceptance of Coronavirus Emergency Supplemental Funding Program Grant and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

Councilor Lachapelle **MOVED** to read the resolution for a first time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a 12 – 1 roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Abbott, Bogan and Mayor McCarley voting in favor and Councilor Lachance voting opposed. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Authorizing Acceptance of Coronavirus Emergency Supplemental Funding Program Grant and Supplemental Appropriation in Connection Therewith

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

That a U.S. Department of Justice Assistance Coronavirus Emergency Supplemental Funding Program Grant in the amount of Eighty-Nine Thousand Two Hundred Twenty-Six Dollars (\$89,226.00) awarded to the City of Rochester's Police Department is hereby accepted.

Further, that a supplemental appropriation in the amount of Eighty-Nine Thousand Two Hundred Twenty-Six Dollars (\$89,226.00) be, and hereby is, appropriated to the Rochester Police Department for the purpose of carrying out the purposes of the U.S. Department of Justice Assistance Coronavirus Emergency Supplemental Funding Program Grant. The entirety of the supplemental appropriation shall be derived from the U.S. Department of Justice Assistance Coronavirus Emergency Supplemental Funding Program Grant. The funds will be used for the purchase and retrofitting of a backup mobile dispatch center trailer for the Rochester Police Department.

Still further, that the City Manager or his designee is authorized to enter into a grant agreement and any other contracts with the U.S. Department of Justice Assistance Program that are necessary to receive and administer the grant funds detailed above; and

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. All projects will be assigned a unique account number for tracking and reported purposes.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Rice asked for clarification on whether this motion was simply to accept the funds and then there would have to be separate action to appropriate the funds to a police department specific project. Deputy City Manager Ambrose stated that this vote would both accept the funding and appropriate the funds specifically for the mobile emergency dispatch center trailer. She stated that there is a \$10,000 balance between the awarded funds in phase one of the project. These additional funds would be handled through the COVID-19 emergency multi-year fund which was previously established. Councilor Rice asked for a cost for the total project. Deputy City Manager Ambrose said that the total cost is \$150,000. Councilor Rice implied that there may be additional requests in future budget cycles for vehicles to tow the trailer. Deputy City Manager Ambrose stated that any additional requests would have to be approved by Council. Councilor Rice stated that although he felt these funds could be utilized within the City, he felt that this project was not urgent and the options should be reviewed further. Councilor Hainey asked for more information on the cost of each phase of the project and where the additional money would be derived.

Deputy Chief Boudreau outlined what was entailed in phase one of the project and stated that the police department is not looking to request funding for phase two in the next fiscal year; they may look into additional grants in the next several years. Phase one would allow for a fully functioning emergency mobile dispatch unit which could also be used as a command post for events such as festivals or fireworks. Deputy Chief Boudreau clarified that there would be no future request for a tow vehicle for this mobile unit; there are vehicles available at both the fire department and department of public works which can be utilized.

Deputy City Manager Ambrose gave further details on the specifics of the grant. She reported that the City had a backup dispatch center set up utilizing equipment which has now been reallocated for its original purpose in the police station, so this was an area of risk identified which could be covered by the grant. This funding is available with no match requirement from the City, and the deadline to accept funding is August 2, 2020. The intent is to look for additional grant funding in the future for any additional phases of the project.

Councilor Lachance asked where the backup dispatch center had been located and why it had been dismantled. Deputy Chief Boudreau said that the backup dispatch center had been located in the Gonic Fire Station and the equipment which had been used was already purchased and planned for the equipment upgrades in the police department. The police station was not yet ready for the installation of the new equipment, so it was utilized for the back-up center in the case that the current

dispatch center was contaminated or if there had to be any temporary shutdowns due to COVID-19. It was clarified that the unit does not have to be mobile, but if it is established as a mobile unit it can serve additional functions for the police department and be more beneficial. Councilor Lachance asked if, in the event of an emergency, there was another organization which could handle dispatch functions. Deputy Chief Boudreau stated that Strafford County Dispatch is the current back up for Rochester, but they are not equipped to handle Rochester's workload for anything more than a temporary basis; it's only a short term plan. Deputy Finance Director Ambrose clarified that this funding is coming from a Department of Justice grant and needs to be specifically related to the police department and COVID-19.

Councilor Walker asked how long the current dispatch center has been in place and whether there had been any need for a backup in that time. Deputy Chief Boudreau answered that the current dispatch center was established in 2004, and there have been temporary crashes where Strafford County Dispatch was utilized for an hour or two at a time. Councilor Walker stated that he felt there should be a more worthy project determined for this funding and felt that the mobile dispatch unit is a want rather than a need.

Deputy City Manager Ambrose clarified that there would need to be special permission granted in order to change the project for which these grant funds have been intended, which is a possibility, but the August 2 deadline is still relevant. Mayor McCarley stated that if this motion is not approved, there would be limited time to review and source other COVID-19-related police department projects for which this funding could be used.

Councilor Walker inquired about the grant process and said that he thought grant funding had to be approved by Council with the specific project for which the funds are intended being approved by Council as well. City Manager Cox stated that a previous Council had voted to allow the City to apply for grants without Council permission as long as matching funds were not required; this grant does not require matching funds.

The **MOTION FAILED** by a 7 – 6 roll call vote with Councilors Hamann, Gray, Bogan, Hainey, Lachapelle, and Mayor McCarley voting in favor and Councilors Walker, Hutchinson, Belken, Lachance, Abbott, Rice and Lauterborn voting opposed.

13.2 Resolution Authorizing the Acceptance of a \$3,750 Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption*

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

unanimous roll call vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, Lachance and Mayor McCarley voting in favor. Mayor McCarley read the resolution for a first time by title only as follows:

Resolution Authorizing the Acceptance of a \$3,750 Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That a Three Thousand Seven Hundred Fifty Dollars (\$3,750.00) State Governor's Commission on Alcohol Fund Grant is hereby accepted by the City on behalf of the RPD.

Further, the City Council authorizes a supplemental appropriation to the RPD operating budget in the amount of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00) with the entirety of the supplemental appropriation being derived from said Grant.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution and to establish special revenue, non-lapsing, multi-year fund accounts(s) as necessary to which said sums shall be recorded.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Belken asked for more information on projects for which this funding would be used. Deputy Chief Boudreau said the money comes from the juvenile court diversion program and is typically used for events such as Teen Night, Teen travel camp, and providing opportunity for Rochester youth which they might not normally have.

Mayor McCarley stated that the current motion is to be read by title only, which had been voted on previously

The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley voting in favor. Mayor McCarley acknowledged that the resolution had already been read for a first time, and noted that the previous vote indicated a clear intent to adopt.

14. Other

Councilor Lachapelle asked how many permits had been issued for fireworks this past Fourth of July weekend and how many complaints were received. Deputy Chief Boudreau answered that there were 22 permits issued, and there had been 67 complaint calls to which the police department responded. There were 2 warnings issued and 15 summons issued for fireworks without a permit. Councilor Lachance referenced a discussion at one of the previous years' Codes & Ordinances meetings where the police department indicated they were going to have a directed patrol strictly to deal with fireworks complaints around this time of year. Deputy Chief Boudreau answered that this "problem oriented policing unit" was assigned specifically for fireworks using 2-3 officers each night and they had issued the majority of the summonses.

Councilor Lachapelle asked about the legality of including information on the fireworks ordinance and permits with the tax bills. City Manager Cox answered that it is not permissible to include anything in the tax bill mailings that does not pertain directly to taxes. Councilor Lachapelle asked about the cost of a specified mailing prior to the Fourth of July informing residents of the ordinance. City Manager Cox stated he would look into the cost.

There was a brief discussion regarding a cannon which had been discharged in the City on the Fourth of July and whether or not it was permitted.

Councilor Lachance asked if there was a way that Council could suspend the sign ordinance from August 9 to November 10 in regards to election signage. He stated that due to COVID-19 there would not be door-to-door electioneering or rallies, so he felt the sign ordinance should be reviewed without having to go through the normal process of Committee approval which would place an approval too late in the election season to be useful. Mayor McCarley stated that she would follow up with the State and the City Attorney to determine if this could be considered. Councilor Lachapelle said that the sign ordinance conversation would be added to the next Codes and Ordinances Committee meeting on August 6 which would take place remotely. Councilor Lauterborn asked Councilor Lachapelle to consider holding the next Codes & Ordinance meeting in person; She said that due to the small size of the Committee, it would not be difficult to social distance if given a large enough space. Councilor Lachapelle stated that he would consider this.

Councilor Lachance asked if it is legal to restrict attendance at a public meeting. Mayor McCarley spoke about the executive orders which had been enacted and since rescinded and the need to review this to determine how to move forward.

Councilor Hutchinson emphasized the need for consistency through the City's boards and commissions. Earlier in the evening when it had been discussed, the decision had been made to remain with remote meetings at least throughout the next several meetings. It needs to be decided if it will be a City-wide policy or will be left up to the chairperson of each board and commission. Mayor McCarley suggested that any remaining meetings for the month of July should be conducted remotely. The Council will discuss this matter again on July 21 at the workshop meeting and determine how to move forward. Councilor Walker disagreed and stated that it would

be possible to properly socially distance with small committees meeting in-person. He stated that it is a disservice to the public and the way they are able to provide comment by continuing with remote meetings. Councilor Gray noted that although some committees are small, the meetings are well attended by multiple City staff members as well as the public and there can be a great amount of people in the room.

Councilor Walker reiterated that he felt it was very important, especially for the Public Works Committee, to be able to meet in-person. He stated that there is a contentious item on the agenda which may generate a good deal of public input and the public should be able to more easily access this meeting. Councilor Hutchinson inquired if the public is allowed to submit input via email and voicemail as well as speaking live over the phone during the Public Works meetings. Councilor Walker confirmed these options are available, but he does not feel it is sufficient or user-friendly for the public. He stated that he understood there were Councilors who were still nervous about meeting in-person, but he speculated that if a definitive vote was taken on the matter, it may be that more want to meet in person. He felt is it possible to meet safely within CDC guidelines.

Councilor Hutchinson stated that it is not a matter or being nervous about COVID-19, but rather about an elected body modeling good public health policy, especially in light of the high number of deaths in this country due to the virus.

Councilor Gray said that although he did not disagree with the potential of in-person meetings, he did not feel it was possible in Council Chambers. He said the City needed to look at a larger space to allow social distancing. Councilor Abbott suggested the possibility of setting up a remote public input station, such as a laptop set up in Council Chambers. This laptop could be signed into the meeting allowing members of the public to be seen and speak "in person" to Council. City Manager Cox said he would look into the possibility, but believes this could be accomplished.

Councilor Lachance suggested there be a sense of Council taken. Mayor McCarley agreed. Mayor McCarley asked for a sense of council where a yes vote would be to meet in-person for the month of July and a no vote would be continuing to meet remotely. The sense of Council was to continue meeting remotely by a 7 – 6 roll call vote with Councilors Lauterborn, Abbott, Walker, Hamann, Belken, and Mayor McCarley voting yes and Councilors Hainey, Hutchinson, Rice, Lachapelle, Gray, Bogan and Lachance voting no.

Councilor Belken said she had been contacted by a constituent about some confusion regarding voting absentee and wanted to know if there was any updated guidance on this matter and how the elections would proceed. Deputy City Clerk Cassie Givara updated Council on the current absentee ballot process. She stated that the City Clerk's office has taken on additional help solely to deal with absentee ballots and election functions due to the large volume of absentee ballot requests anticipated. Ms. Givara reported that the City Clerk's office is in regular contact with the Secretary of State and well as the Attorney General to keep up to date on any new guidance and election law in regards to absentee ballots. There will likely be

much larger volumes and they will need to be pre-processed differently than they have in the past prior to Election Day in order to accommodate the volume. Councilor Gray clarified that there is no plan to count any votes prior to Election Day, but rather to pre-process the ballots by opening outer envelopes and verifying the proper affidavits have been signed.

Councilor Rice referenced requests from downtown businesses in regards to outdoor dining in the downtown area, such as allowing entertainment and extending hours and extending the season. Councilor Rice pointed out that if this issue is heard at the Codes meeting, it will not come back to City Council until September and any potential ordinance change would be even later. He recommended that action be taken sooner to benefit the downtown businesses before the season is over. City Attorney O'Rourke said these issues would be discussed at the July 21 workshop meeting along with presentations from City staff. He will then draft the ordinance amendments, which will not require a public hearing, and can be potentially voted on at the beginning of August once it has been determined which direction the Council wants to go.

There was a brief discussion about the current outdoor dining ordinance and some allowances which had been made due to COVID-19 such as extending the use of City property for outdoor dining. There was a discussion regarding the timeline needed for these potential ordinance changes and how to make it beneficial for the effected businesses. It was stated that there could be a Special meeting in July to vote on ordinance changes if necessary.

Councilor Gray suggested that, for the sake of proper process, the vote for agenda item 13.2 for the Police Department grant should be retaken with the proper annotation that it's being adopted. Mayor McCarley indicated the vote for adoption will be taken prior to the non-public session. Mayor McCarley asked for a roll call vote on the motion to **ADOPT** the grant. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Lachance, Hutchinson, and Mayor McCarley voting in favor.

15. Non Public/ Non Meeting

Councilor Lachapelle **MOVED** to enter into a non-public session under Land, RSA 91-A:3, II (d) at 8:38 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Lachance, Abbott, Bogan and Mayor McCarley all voting in favor.

15.1 Non-Public Session – Land, RSA 91-A:3, II (d)

Councilor Lachapelle **MOVED** to exit the non-public session at 9:23 PM. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a majority roll call vote with Councilors Walker, Hutchinson, Belken, Lachance, Gray, Rice, Bogan,

Hainey, Lachapelle, Lauterborn, and Mayor McCarley voting in favor. Councilors Hamann and Abbott were not present at the time of the roll call vote.

Councilor Lauterborn **MOVED** to seal the minutes of the non-public session because disclosure would render the proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, and Mayor McCarley voting in favor.

16. Adjournment

Mayor McCarley **ADJOURNED** the Regular City Council meeting at 9:26 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

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left blank...*

City Clerk's Office

**City Council Special Meeting
July 21, 2020
Meeting Conducted Remotely
6:34 PM**

COUNCILORS PRESENT

Councilor Abbott
Councilor Belken
Councilor Bogan
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Hutchinson
Councilor Lachapelle
Councilor Lachance
Councilor Rice
Councilor Walker
Deputy Mayor Lauterborn
Mayor McCarley

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Jenn Marsh, Economic Development
Kelly Walters, City Clerk
Ray Turner, Ward 2 Moderator
Police Chief Paul Toussaint
Peter Nourse, Director of City Services

Minutes

1. Call to Order

Mayor McCarley called the Special City Council meeting to order at 7:31 PM. She had read the following preamble prior to the City Council Workshop meeting immediately preceding the Special Meeting:

Good Evening, as Chairperson of the City Council, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

a.) **Providing public access to the meeting by telephone:** At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. The public can call-in to the below number using the conference code. Some meetings will allow live public input, however you must have pre-registered online, otherwise, the meeting will be set to allow the public to "listen-in" only, and there will be no public comment taken during the meeting. [Public Input Registration](#) (Please note: In order to notify the meeting host that you would like to speak, press 5* to be recognized and unmuted)

Phone number: 857-444-0744

Conference code: 843095

b.) **Public Access Troubleshooting:** If any member of the public has difficulty accessing the meeting by phone, please email PublicInput@RochesterNH.net or call 603-332-1167.

c.) **Public Input:** Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, when permitted, with the City Council (Public Hearing and/or Workshop settings) are encouraged to do so by the following methods:

- **Mail:** City Clerk/Public Input, 31 Wakefield Street, Rochester, NH 03867 (*must be received at least three full days prior to the anticipated meeting date*)
- **email** PublicInput@rochesternh.net (*must be received no later than 4:00 pm of meeting date*)
- **Voicemail** 603-330-7107 (*must be received no later than 12:00 pm on said meeting date in order to be transcribed*)

Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

d.) **Roll Call:** Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name (and/or ward), also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. (Additionally, Council members are required to state their name and ward each time they wish to speak.)

2. Roll Call

Deputy City Clerk Cassie Givara had taken the roll prior to the City Council Workshop meeting immediately preceding the Special Meeting. All Councilors were present except for Councilor Lachance who was excused. All Councilors indicated that they were alone in the location from which they were connecting except for Councilor Gray who stated his spouse was present.

3. Discussion: Outdoor Dining ordinance – Suggested changes

City Manager Cox referred to recent discussion held by Council in regards to the regulations for outdoor dining at downtown restaurants. City Manager Cox stated that City staff had met and came up with direct responses to the feedback from both Council and downtown establishments in reference to hours of operation, length of season, entertainment, and various other issues and suggested language on how Council can vote to make these changes.

Jenn Marsh, Economic Development, stated that while there are some changes which are being requested on a more immediate basis to benefit downtown establishments in regards to outdoor dining, there will be other changes which staff would like Council to review and potentially make changes to over the next few months which would not be related to outdoor dining.

Ms. Marsh stated that the first proposed change is to extend the season of operation for outdoor dining in the downtown area, which currently runs from April 1 through October 31. There has been interest shown in extending this further into the fall. The second change is for hours of operation; the current closing time is 11:00 PM Monday through Saturday and 10:00 PM on Sunday. The proposed change would extend the closing time to match the times stated by the liquor commission.

Councilor Belken inquired if there was staff available from the Department of Public Works who could speak about the potential issues encountered if the outdoor dining season is extended beyond October 31 if there is plowing required for an early storm. Peter Nourse, Director of City Services, stated that he shared the concern of having the temporary outdoor dining structures in place if plowing becomes necessary. City Manager Cox stated that the City would be in constant

communications with the downtown restaurants, keeping an eye on the weather, and taking necessary action if there was snow predicted. Mr. Nourse expressed concern about the temporary structures; if a sudden storm hit, the structures and jersey barriers would need to be removed quickly in order to plow both the streets and the sidewalks. He stated there needed to be more discussion on the matter. Mr. Nourse said he did not feel comfortable extending outdoor dining beyond October 31. Councilor Walker also asserted that there may be less interest in outdoor dining during cold weather. No action was taken on this item.

Ms. Marsh reiterated the hours of operation for outdoor dining are proposed to extend to match the indoor dining hours allowable, which is 1:00 AM at this time to per the liquor commission's guidelines (with the serving of alcohol ceasing half an hour prior to close). There was clarification of when the final drinks could be served versus when the restaurant closes. Councilor Lachapelle **MOVED** the following resolution:

THE CITY OF ROCHESTER ORDAINS:

That Chapter 80 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (additions in italics and deletions struck out):

§ 80-21 Hours of operation.

Outdoor dining establishments may utilize the area for outdoor dining during their normal business, except that all tables within the area shall be cleared of all food and alcoholic beverages by ~~11:00 p.m.~~ 1:00 a.m. Monday through ~~Saturday and by 10:00 p.m.~~ on Sunday with no alcohol served within the area subsequent to ½ hour before the foregoing closure times.

The effective date of these amendments shall be upon passage.

Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hamann, Walker, Hutchinson, Belken, Abbott, Gray, Rice, Bogan, Hailey, Lachapelle, Lauterborn, and Mayor McCarley all voting in favor.

Ms. Marsh introduced the third proposed change which would allow for outdoor entertainment in restaurants downtown. She shared an excerpt of the lease from Revolution which states:

The Lessee agrees that it will use the Premises for outdoor activities designed and intended to attract and/or entertain potential patrons and customers of the commercial, retail service, professional and/or restaurant establishments

located in Rochester downtown. Lessee may use the Premises for Outdoor Dining consistent with the provisions of City of Rochester Ordinance 26.10. Outdoor live music will conclude each night by 10:00 p.m. and no amplified music will be allowed.

Ms. Marsh clarified that staff is suggesting the City allow duo and trio musical acts to perform acoustic music at other downtown establishments.

Councilor Bogan expressed a concern that, with multiple restaurants in such close proximity, if this could cause issues or interference when multiple restaurants have musicians playing at the same time. Councilor Rice suggested that the Council take a hands-off approach and let the restaurants determine amongst themselves who would allow music and at what time on which days; the restaurants can self-regulate and work out the logistics on their own to avoid interference. Ms. Marsh agreed that the establishments will be able to regulate a music schedule on their own.

Councilor Belken said that the clashing sound would probably be minimized by traffic noise, especially with acoustic acts. She asked if the ordinance could allow for amplification if it is kept below a certain wattage. Ms. Marsh clarified that while amplifiers are not permitted, musicians are able to use speakers and microphones. Councilor Rice inquired if this change to the ordinance would also allow for establishments to place speakers outside and play recorded music or the radio for their clientele. The sense of Council seemed to be that recorded music would fall under the same category and same regulations as live entertainment.

It was questioned how action could be taken this evening to make amendments to the ordinance regarding entertainment at outdoor dining establishments. City Attorney O'Rourke cautioned that there had been concerns expressed by staff which still needed to be reviewed further and he did not feel that this ordinance amendment was in a place to be voted on yet. He clarified that in other areas of the country where guidelines and permitting exist regarding outdoor entertainment, the ordinances are very extensive and thought out. Attorney O'Rourke suggested sending the item back to staff for further work up before any action is taken. Councilor Rice suggested that this issue be reviewed at the Codes & Ordinances Committee. Councilor Lachapelle stated there would be a Codes & Ordinances meeting on August 6 and they would be able to review whatever language City staff had drafted at that time, and the Committee can send the decision to the September City Council meeting.

Councilor Belken inquired if there was currently a permitting process to allow outdoor entertainment downtown. City Attorney O'Rourke confirmed that there is a special events permit available through the City Manager's office. It was stated that while the Council works on the language and taking action of amending

the ordinance, restaurants can go through the existing permitting process in the meantime if they want to pursue entertainment at their establishment. It was clarified that the special events permit is available only for a certain length of time or single event.

Councilor Rice directed Council to a section of the ordinance with a strikeout which would change the intention from only allowing use of sidewalks to allowing establishments to use the City's streets, green space, lots, or whatever is available to them for outdoor dining, to also allow entertainment in those spaces.

Councilor Lachapelle **MOVED** the following resolution:

THE CITY OF ROCHESTER ORDAINS:

That Chapter 80 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows deleting section 80-31 in its entirety:

~~§ 80-31 Use of property other than sidewalks.~~

~~Use of City property, other than sidewalks, for outdoor dining as defined in this article and the terms of said use must be separately negotiated with the City outside of the above delineated permitting process.~~

The effective date of these amendments shall be upon passage.

Councilor Rice seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Lauterborn, Hainey, Abbott, Gray, Hutchinson, and Mayor McCarley all voting in favor.

4. Discussion: Proposed New Polling Location for Ward 2 - Chamberlain Street School *consideration for approval*

City Clerk Kelly Walters gave some background on the proposed change. She stated that St. Mary's Parish, the current Ward 2 polling location, has served the City well since 2003 and the staff has been very accommodating; but at this time with the new safety protocols required for COVID-19 voting, the space available at St. Mary's is not adequate. Ms. Walters said that at the February election, St. Mary's allowed the City to expand into the corridor of the church to use that area as well as the banquet hall, but space was still limited.

Ray Turner, Ward 2 Moderator, agreed that St. Mary's has worked well, but stated that there are challenges with layout and design as well as managing lines

in the tight space. Mr. Turner anticipated that these challenges would be increased with the upcoming elections when social distancing is factored into the equation. He said it would be

Councilor Lachapelle inquired if there was a plan to place signage at St. Mary's Church alerting voters of the new polling location if the Council does decide to vote on the change. Councilor Lachapelle said some voters may not hear about the change or see the notices in the paper and will drive to their previous polling place. Ms. Walters stated that there will be signage placed at St. Mary's for both elections and there will also be a postcard mailed to all ward 2 voters alerting them of the change in polling location.

Councilor Lachapelle **MOVED** to change the Ward 2 polling location to Chamberlain Street School. Councilor Belken seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken, and Mayor McCarley all voting in favor.

5. Resolution Authorizing Acceptance of Coronavirus Emergency Supplemental Funding Program Grant and Supplemental Appropriation in Connection Therewith *second reading and consideration for adoption*

Mayor McCarley opened the discussion by stating that this resolution had failed at the previous Council meeting and was discussed at length at the Finance Committee meeting. She stated that the resolution needed to be read for a second time and adopted; after which there can be a separate discussion on whether or not the Council wants to come up with a different use for the grant money than what is stated in the current resolution.

Councilor Lachapelle **MOVED** to read the resolution for a second time by title only. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Abbott, Bogan, and Mayor McCarley all voting in favor. The resolution was read for a second time by title only as follows:

Resolution Authorizing Acceptance of Coronavirus Emergency Supplemental Funding Program Grant and Supplemental Appropriation in Connection Therewith

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

That a U.S. Department of Justice Assistance Coronavirus Emergency Supplemental Funding Program Grant in the amount of Eighty-Nine Thousand Two Hundred Twenty-Six Dollars (\$89,226.00) awarded to the City of Rochester's Police Department is hereby accepted.

Further, that a supplemental appropriation in the amount of Eighty-Nine Thousand Two Hundred Twenty-Six Dollars (\$89,226.00) be, and hereby is, appropriated to the Rochester Police Department for the purpose of carrying out the purposes of the U.S. Department of Justice Assistance Coronavirus Emergency Supplemental Funding Program Grant. The entirety of the supplemental appropriation shall be derived from the U.S. Department of Justice Assistance Coronavirus Emergency Supplemental Funding Program Grant. The funds will be used for the purchase and retrofitting of a backup mobile dispatch center trailer for the Rochester Police Department.

Still further, that the City Manager or his designee is authorized to enter into a grant agreement and any other contracts with the U.S. Department of Justice Assistance Program that are necessary to receive and administer the grant funds detailed above; and

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. All projects will be assigned a unique account number for tracking and reported purposes.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. Councilor Rice asked if the current vote was to accept the grant money but not to appropriate it to the specific project stated in the resolution. Mayor McCarley clarified that the vote was to accept the money for the specific project stated in the resolution (backup emergency dispatch trailer) and if Council wants to suggest changes to the project, they would need to apply for an amendment. Councilor Rice stated that he felt the project was not a necessity and would lead to further financial obligations down the road. Councilor Gray spoke about the potential of looking at the responsibility of an emergency backup dispatch at a county level. Chief Toussaint clarified that this item had been noted in the City's multi-hazard mitigation plan which was last updated in 2018, prior to COVID, and identified as a weakness in the City's infrastructure if there was a multi-hazard event. Chief Toussaint emphasized the need and importance for the backup dispatch trailer and reiterated that this grant was an opportunity which might not be available again. The **MOTION CARRIED** by a 11 – 1 roll call vote with Councilors Lachapelle, Walker, Hailey, Abbott, Bogan, Gray, Belken,

Hamann, Lauterborn, Hutchinson, and Mayor McCarley voting in favor and Councilor Rice voting opposed.

6. Discussion: Resuming in-person meetings *consideration for approval*

Councilor Hainey expressed that she had a change of heart from her previous statements and **MOVED** to have City Council meetings in person with the Committee and Board meetings being held in person at the discretion of the Chair. Councilor Walker seconded the motion. Councilor Lachapelle asked if Councilors are not comfortable meeting in person, how the meetings would operate. Mayor McCarley stated there would still be the option for Councilors to log in remotely via Microsoft Teams if they chose not to attend in person. Councilor Rice felt there would be challenges with a meeting where some Councilors attend in person and others via Teams. He suggested if there is not a prevailing sentiment to meet in person, the Council continue with remote meetings. Councilor Hutchinson stated there is not a rush to meet in person when the COVID-19 situation is still fluid and developing. He felt that if the Council does move toward meeting in person, there should first be safety provisions in place to ensure that both the public and staff is protected. Councilor Gray stated that the motion needs to be more thorough and include potential requirements for wearing masks, placing partitions between Councilors, and social distancing.

City Manager Cox reminded Council that when there were "mixed" meetings with some Councilors meeting in person and some connecting remotely, the feedback from those watching had been that the audio was not of good quality. There is a fix being worked on, but it is not currently in place yet. Councilor Walker reiterated that it is a disservice to the public not being able to participate in public comment. He felt that the Council should be able to meet following CDC guidelines to remain safe. Mayor McCarley clarified that the motion on the table would be for the Council to meet in person while following CDC guidelines for masking. A yes vote is to meet in person and a no vote is to continue remotely. It was clarified that the individual committees meeting in person would be left to the discretion of the Chairs. The **MOTION FAILED** by a 8-4 vote with Councilors Lauterborn, Hamann, Hutchinson, Belken, Abbott, Gray, Rice, Bogan, and Lachapelle voting opposed and Councilors Walker, Hainey, and Mayor McCarley voting in favor.

Councilor Walker **MOVED** to allow the Committee Chairs to hold in person meetings if they so choose. Councilor Hainey seconded the motion. City Manager Cox asked if the motion would include allowing the public to attend in person for public comment. Councilor Walker stated that the motion does include allowing in-person public input. Councilor Hutchinson added that the individual committee members could choose to assess their risk and to not meet in person,

so there should be provisions in place for committee members who are not comfortable meeting in person. The **MOTION FAILED** by a 7 – 5 roll call vote with Councilors Walker, Bogan, Lauterborn, Hailey, and Mayor McCarley voting in favor and Councilors Rice, Belken, Lachapelle, Hamann, Abbott, Gray, and Hutchinson voting opposed.

Councilor Walker referenced the format for public input which had taken place at the last Public Works meeting and **MOVED** to run public input with this same format for other committee meetings. Councilor Rice seconded the motion. Mayor McCarley clarified that City Manager Cox had been present in City Hall and a laptop was set up to allow the public to speak directly to the Committee which was meeting via Teams. Councilor Gray questioned whether there was a motion needed for this procedure to take place. He stated it was more a matter of ensuring there was adequate staff in the building to facilitate the process. City Manager Cox said he was willing to take care of the process for any meetings at which he was in attendance; otherwise there could be staff lined up to set up and run the laptop. Councilor Lachapelle questioned the feasibility of having this form of input at every meeting due to the necessity of staff being present for each meeting. Councilor Rice stated that City staff is present at each meeting to take minutes and these same staff members should be able to set up the laptop and facilitate the public input portion of the meeting.

Councilor Hailey expressed a reluctance to ask staff members to put themselves at risk after Council had just voted to remain with remote meetings to avoid said risk. She suggested that members of the public be asked to wear masks and follow CDC guidelines. Councilor Walker stated that it had been recommended that the public wear masks and there had been masks available at City Hall, but not all participants chose to use the masks. City Manager Cox stated that staff would be wearing PPE, and if the employee was high risk or uncomfortable with the task, they would not be required to take on the responsibility. Councilor Gray suggested that an area can be constructed with a partition to protect City staff if needed.

The **MOTION CARRIED** by a 9 – 3 roll call vote with Councilors Hailey, Lauterborn, Abbott, Hutchinson, Rice, Walker, Gray, Bogan, and Hamann voting in favor and Councilors Lachapelle, Belken and Mayor McCarley voting opposed.

Councilor Walker referenced a discussion at the recent Public Works Committee meeting regarding pavement cuts on North Main Street. He said it is imperative that Council make a decision on this time-sensitive item and waiting until the August 4, 2020 meeting would not be ideal. Councilor Walker read a passage from the meeting and recommended that Council lift the moratorium on curb cuts on North Main Street as follows: 1) Union Street below the crosswalk which will be replaced 2) cut on North Main Street below the crosswalk which

will be replaced and 3) A fresh cut on Wakefield street where the pavement will be restored properly (the pavement was redone on Wakefield Street in 2018). Councilor Walker **MOVED** to lift the moratorium to allow the curb cuts on North Main Street. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Belken, Gray, Hamann, Rice, Lauterborn, Hainey, Lachapelle, Hutchinson, Walker, Abbott, Bogan, and Mayor McCarley all voting in favor.

7. Non-Public/Non-Meeting

Councilor Lauterborn **MOVED** to enter into a non-public session under Land, RSA 91-A:3, II (d) at 8:27 PM. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Rice, Walker, Hainey, Abbott, Bogan, Gray, Belken, Hamann, Lauterborn, Hutchinson and Mayor McCarley all voting in favor.

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

7.2. Non-Meeting – Personnel 91-A:3, II (a)

Councilor Lachapelle **MOVED** to exit the non-public session at 9:47 PM. Councilor Walker seconded the motion. The **MOTION CARRIED** by a 11- 0 roll call vote with Councilors Rice, Walker, Belken, Bogan, Lachapelle, Hamann, Hainey, Abbott, Gray, Hutchinson and Mayor McCarley voting in favor. Councilor Lauterborn was not present at the time of the roll call vote.

Councilor Walker **MOVED** to seal the minutes of the non-public session indefinitely because disclosure would render the proposed action ineffective. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by a unanimous roll call with Councilors Hainey, Lauterborn, Abbott, Hutchinson, Rice, Lachapelle, Walker, Gray, Bogan, Hamann, Belken and Mayor McCarley voting in favor.

8. Adjournment

Mayor McCarley **ADJOURNED** the Special City Council Meeting at 9:50 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

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City Clerk's Office

From: Deb Hebert Casey <debhebertcasey@gmail.com>
Sent: Tuesday, July 7, 2020 9:33 AM
To: Kelly Walters <kelly.walters@rochesternh.net>; Deb Casey <debhebertcasey@gmail.com>
Subject: [External] Resignation as Supervisor of Checklist - Deb Casey

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

July 7, 2020

Dear Kelly,

It is with a sad heart that due to Covid-19 exposure potential, I am tendering my resignation as Ward 3 Supervisor of the Checklist.

I've tremendously enjoyed working with you all for the past few years.
If you see a place where my organizational skills can be of help in an area that minimizes exposure to Covid-19; please reach out to me.

Also, I don't know if you and the others in the office know; my Dad died of a stroke on June 20, 2020. Mom and Dad celebrated their 64th wedding anniversary on June 16th, 2020.

Sincerely,
Debra J Casey
603-674-0674
DebHebertCasey@gmail.com

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City Clerk's Office



**Fidelity Committee
of the
Tri-City Joint Mayors' Task Force on Homelessness
Remote Meeting Via Zoom
July 9, 2020
6:00 PM**

MAYORS

Mayor Caroline McCarley
Mayor Karen Weston
Mayor Dana Hilliard

Rochester Members

Jeremy Hutchinson
(Chairman)

Barbara Holstein

Dover Members

Charles Reynolds

Betsey Andrews Parker

Somersworth Members

Todd Marsh
(Vice Chairman)

Dina Gagnon

Others Present: Lauren Krans, Assistant Director of Rochester Recreation & Arena. Mary Boisse, SOS. Julian Long, Rochester Economic Development. Dave Carpenter, Dover Planning. Tory Jennison, Integrated Delivery Network. Lindsey Williams, Dover City Council. Paige Farmer, Home For All. Susan Gaston, Dover welfare

MINUTES

1. Call to Order

Vice Chairman Marsh called the meeting of the Fidelity Committee to order at 6:01 PM. Cassie Givara, Deputy City Clerk of Rochester, took the roll call. All committee members were present except for Chairman Hutchinson, who was excused. Additionally, Mayor McCarley, Mayor Carrier and Mayor Hilliard were all present.

2. Public Input (3-minute maximum and/or submit a statement)

Paige Farmer, Director of Home For All, spoke to the committee regarding the goals of her organization; primarily to end homelessness in the region. She stated that they have multiple projects which they have been working on over the past year,

and although they were slowed down due to COVID-19, they are still working diligently. They have been placing emphasis on increasing landlord engagement to expand units which will accept vouchers and creative solutions for offering more affordability in rental housing. Home For All will be looking to expand the work which is being done in this area and Ms. Farmer stated she would be giving updates at future meetings when they become available.

Tory Jennison, gave an update on the work she has been doing with the State's emergency operations center to support their planning around health and housing for vulnerable populations, such as the homeless and housing insecure. Ms. Jennison reported that there have been no outbreaks of COVID reported at any area shelters due in large part to the work which has been done in developing safety protocols, introducing PPE, and educating staff and creating new procedures to keep residents safe. Ms. Jennison reported that the State has opened two sites, in Laconia and Dover, for those needing further support or quarantine due to possible exposure to COVID or high risk thereof. She spoke of the prevalence of people leaving shelters and entering community encampments due to their higher perceived risk of COVID in shelters; she said there is work being done to try to develop a shelter experience that these people will deem acceptable and safe. Ms. Jennison gave details on how the shelters in the area have ensured social distancing and safety.

Martha Stone, Crossroads House, spoke about the numbers they have been seeing at the shelter. She stated that in the winter months, although their capacity is typically 100 people, they flex to accommodate higher numbers during the cold months; bunk beds are added to fit more people in each room. When COVID began, Crossroads housed 120-130 people at that time which made it impossible to follow CDC guidelines for distancing and numbers. The shelter implemented a decompression plan by using a second site to house 30% of the population at a local motel. Ms. Stone reported that they are still able to provide case management and meals, as well as staff visits, at this remote location. She stated that although this is a very expensive way to offer case management, it has given some residents the incentive to take steps to obtain apartments as opposed to returning to the shelter environment.

Ms. Stone stated that the funding for this second site only runs through the remainder of the calendar year, so there needs to be a funding solution so residents utilizing this service are not put out on the street in January. She spoke about the reduced capacity Crossroads has seen due to the pandemic and the decrease in intakes they have been performing over the past several months.

Dave Carpenter, Dover Planning, gave an update on two resolutions which Dover has passed recently to allocate Dover's allotment of CARES funds. He gave information on how some of the funding may be used to develop programs to augment the current welfare programs via additional funding for rent and utilities assistance. Mr. Carpenter also spoke about a pilot program into which funding has been dispersed which is designed to improve existing residential units in Dover which may not currently meet minimal standards to qualify for housing vouchers.

Mary Boisse, Manager of the Recovery Friendly Workplace program at SOS, announced that SOS has reopened. They are at limited capacity, but are available Monday through Saturday, 9:00 AM – 5:00 PM. Ms. Boisse said since reopening, SOS has not experienced the numbers which they have anticipated and it has been relatively slow.

3. Communications from the Mayors

Mayor McCarley gave a brief update on meetings the mayors have been having with the County Commissioners to try to come up with a solution for a permanent shelter in the region. There are currently discussions on potential use of County land and how CARES act funds could be leverages to help with this goal.

4. Communications from the Chair

Vice Chair Marsh spoke about the challenges being faced with vulnerable populations even prior to COVID. He asserted that Corona has simultaneously slowed the progress of the work which was being done by many social services agencies as well as increased the need. Vice Chair Marsh felt that things were evening out just slightly, enough to allow work to move forward.

5. Presentation/Discussion: Recovery Friendly Workplace Initiative

Lauren Krans, Assistant Director of Recreation and Arena, shared her experience with establishing the Department of Recreation and Arena as a Recovery Friendly Workplace. Ms. Krans reported that the process was easy and fairly seamless. She acknowledged that the proposal had been met with some skepticism regarding the purpose and potential implications of having such a designation; but by and large the process has been met favorably and has been a positive experience. Ms. Krans clarified that the process of designating a business or City department as Recovery Friendly can go at any pace which is comfortable and manageable to the organization and there is not a specific timeline which needs to be followed. She said the program provides a safe atmosphere for employees to ask for help and support as well as education on available resources. Ms. Krans stated that although Recreation and Arena is the first city department to establish the recovery friendly designation, there has been interest shown in other areas and it is likely other departments and organizations will follow suit.

Mary Boisse, SOS, stated that the idea of establishing a Recovery Friendly workplace is to lift the veil of stigma surrounding substance misuse and recovery and to confront the issue head on. Ms. Boisse stated that there are people dealing with these issues at every age and walk of life and it is often encountered in the workplace. She stated that any step forward is a good one and gave examples of how organizations could take steps toward becoming recovery friendly.

Ms. Krans detailed the process which the Department of Recreation and Arena went through in order to establish the Recovery Friendly Workplace. She emphasized the need to first ensure all the decision makers were on board with the process.

Ultimately, the department developed a declaration statement or a statement of intent which is similar to a brief mission statement specific to recovery friendly workplace.

Mayor Carrier inquired what the obligations would be on the part of the employer offering this program. Ms. Boisse stated that there is a program which is required to be completed within one year of establishing the recovery friendly workplace. The organization would also need to provide, and have readily available, information on resources for employees.

There was a discussion on how to go about the process of establishing a recovery friendly workplace. Ms. Krans offered to supply the committee with the declaration statement used by Rochester Recreation & Arena as an example. Both Ms. Krans and Ms. Boisse offered their experience and knowledge for any other organization or department looking to develop a plan for a recovery friendly workplace. Vice Chair Marsh suggested revisiting this item within the next few months at the committee level to develop recommendations for the City Councils.

6. Review of Master Plan

6.1 Master Plan strategy proposals and priorities

Vice Chair Marsh outlined his top three priorities from the Master Plan:

Strategy 2, section 1: Commit to review barriers and opportunities in zoning and planning

Strategy 3, Section 4: Expand long-term case managed rental subsidy programs for individuals on a path to gainful employment

Strategy 5, Section 5: Increase numbers of case managers at social service agencies

Barbara Holstein emphasized the need to focus on Strategy #2: Create Affordable Housing for all, in its entirety. The four subsections contained within the strategy are all important, and creating affordable housing would help alleviate so many of the issues discussed by the committee.

Betsey Andrews Parker prioritized Strategy 1: Create Seasonal Cold Weather Shelter as well as Strategy 2: Create Affordable Housing for all in its entirety. Ms. Andrews Parker spoke about the potential of a TIF district established for developers who commit to setting aside 10% - 15% of their housing to be considered "affordable, and to stop blocking workforce housing.

Dave Carpenter suggested the committee look into the use of CARES funds for some of these strategies which would likely qualify.

Lindsey Williams, Dover, emphasized the importance of Strategy 3: Increase Homeless Prevention, Rapid Rehousing, and Supportive Housing Programs; in particular sections 2 and 3 which deal with landlord issues. Ms. Williams stated that eviction prevention is very important and educating of both clients and landlords would help a great deal.

7. Discussion: Location for Permanent Shelter

No further discussion at this time.

8. Other

Tory Jennison stated that within the Master Plan, each strategy has at least one recommendation that falls within the domain of municipal work. She suggested identifying the action in each strategy which is a municipal role and coming back to the committee with objectives which are in the domain of the cities so proposals can be developed to be placed on their respective Council agendas for action. There was a discussion on having at least one Council member from each City attend Fidelity Committee meetings to help facilitate the work.

Betsey Andrews Parker suggested the Committee have a discussion on the work they are doing and what is expected of them from the Mayors and City Councils. The committee should also look at other groups to determine the work which is already being done so there is no duplication of effort, and a formal report should be developed on what has been done.

The next meeting of the Fidelity Committee is scheduled for August 13, 2020 at 6:00 PM, meeting remotely.

9. Closing Public Input

No discussion.

10. Adjournment

Vice Chair Marsh **ADJOURNED** the Fidelity Committee meeting at 8:02 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk, Rochester

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City Clerk's Office

Finance Committee

Meeting Minutes

Meeting Information

Date: July 14, 2020

Time: 6:30 P.M.

Location: Conducted Remotely Via Microsoft Teams

Committee members present: Mayor McCarley, Deputy Mayor Lauterborn, Councilor Bogan, Councilor Gray, Councilor Hamann, Councilor Lachance, and Councilor Walker.

City staff present: City Manager Blaine Cox. Deputy City Manager Katie Ambrose. Deputy Finance Director Mark Sullivan. Chief Assessor Jonathan Rice. Police Chief Toussaint. Assistant Fire Chief Tim Wilder.

Agenda & Minutes

1. Call to Order

Mayor McCarley called the Finance Committee to order at 6:30 and read the following preamble:

Good Evening, as Chairperson of the Finance Committee, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency.

At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting.

This evening for the first time in quite a while, we are holding the Finance Committee Meeting in the School Department Board Room #2. To prevent any violation of the Emergency Order #16 pursuant to Executive Order 2020-04, the public may access this meeting virtually as described below. The public may access by calling into 1-585-318-2007, Conference ID: 325-517-274.

The meeting will also be broadcast on Atlantic Broadband channel 26 and on our City website. At this time, I will call for the roll call for the Finance Committee. Please note that due to the right-to-know law, all votes that are taken during this meeting shall be done by Roll Call vote.

Deputy City Clerk Cassie Givara took the roll call. The following Committee Members were present and stated that they were ~~alone~~ at the location from which they were connecting

remotely: Mayor McCarley, Deputy Mayor Lauterborn, Councilor Bogan, Councilor Gray, Councilor Hamann, and Councilor Walker. Councilor Lachance signed into the meeting at 6:34 PM.

2. Public Input

There was no correspondence submitted prior to the meeting and there were no callers present on the conference line.

3. Unfinished Business-None

No Discussion.

4. New Business-

4.1 All Veteran's Tax Credit Presentation

At the request of Councilor Lachance, Chief Assessor Jonathan Rice gave a presentation on the All Veterans tax credit. Mr. Rice outlined what was included in the state RSA regarding the All Veteran's tax credit and gave details on eligibility and process. He explained that the current veteran's tax credit requires, amongst other criteria, recipients to have served active duty in the US Armed Forces. The All veteran's Tax credit would allow for those serving during "gap periods" and peace time between conflicts to apply for the credit as well. The exemption is \$300 per qualifying resident and is deducted from the total property tax amount. If adopted, the City could opt to phase in the tax credit over a 3-year period.

Mr. Rice stated that the Assessor's office has identified 110 residents who would qualify for this exemption, but estimated there could be as many as 857 "gap" veterans in Rochester who may qualify. Mr. Rice gave a cost calculation estimate of adopting the exemption using two different methodologies. He estimated the cost could be between \$249,880 and \$255,088; however he clarified that this number is very difficult to project accurately. Mr. Rice gave estimated costs for the first year of implementation as well as potential annual cost.

Councilor Walker asked what the difference is between the current veteran's tax credit and the RSA being proposed. Chief Assessor Rice clarified that any veterans who do not qualify by the criteria of the standard veteran's tax credit due to the period in which they served are denied the tax credit under the current RSA. Councilor Gray stated that the City would need to consider how this tax credit would affect the other tax payers of Rochester. Deputy Finance Director Sullivan reported that for every \$100,000 this credit would have approximately a 3.8 cent impact.

There was a discussion regarding the potential number of veterans who may qualify for this credit and how the data is compiled. Mr. Rice speculated that, based on data from other municipalities who had enacted the tax credit, approximately 8% of qualifying veterans would apply in the first year at a cost of approximately \$33,000.

No action was taken on this item.

4.2 Fire Department-Sole Source Vendor Request-Toyne

Mark Sullivan, Deputy Finance Director, reported that the Fire Department had requested to use Eastern Fire Apparatus as their sole source for Toyne, which is the manufacturer of the fire engines the department uses. This item had been heard at a 2018 finance committee meeting and there had been no resolution or decision made at that meeting, which is why it

is being brought back up. Deputy Finance Director Sullivan clarified the use of the term “sole source” vendor and stated that a more appropriate term for what the fire department is trying to accomplish would be “preferred vendor.”

Councilor Walker inquired if the purchase being referenced was the \$600,000 pumper truck. Assistant Fire Chief Tim Wilder confirmed it was the pumper for \$640,000. Councilor Walker stated that for such a high cost, he felt the item should go out to bid. Councilor Lauterborn agreed with Councilor Walker and stated that for such a large purchase which is not made frequently, it does not make sense to lock the fire department into an agreement with a single vendor for future purchases unless there was a financial benefit to the City.

Assistant Chief Wilder stated that the Fire Department is not looking to lock into a long-term agreement, but that their last several purchases have been Toyne and the department has been very pleased with the service and support they’ve received and the relationship which has been built with the company.

Councilor Gray suggested structuring the bid acceptance based on total cost of ownership and not on the bid price for the equipment itself. City Manager Cox confirmed the City would be able to waive the requirement to competitively bid based on the criteria the fire department requires, and just bid out for a Toyne. Deputy Finance Director Sullivan clarified that this process would not lock the City into any long term agreement; the term sole source vendor has just been used when there is a bid waiver requested for use of a specific vendor.

Deputy Finance Director Sullivan stated that if a bid went out specifically for Toyne, there would only be one response due to Eastern Fire Apparatus being the only Toyne distributor in the region. If the purchase did go to bid, it would have to be more general and not specify Toyne. Councilor Hamann suggested that the fire department put their required features and criteria into their request for bid.

Councilor Lauterborn reiterated that by committing to an agreement with a single company, the City would lose all leverage when negotiating price; she said there seems to be no financial benefit to the City having a sole source vendor. Councilor Walker concurred with Councilor Lauterborn. Assistant Chief Wilder assured the Committee that the company they have chosen is competitive in pricing and would not take financial advantage based on their status as the sole vendor.

Mayor McCarley agreed that, while it is good to have a strong relationship with a vendor, there doesn’t seem to be a benefit and it doesn’t put the City in a stronger position to state that said vendor is the only vendor. Mayor McCarley stated that the Committee indicated that they would like the Fire Department to continue as they have without having a sole source vendor.

No action was taken on this item.

4.3 Fire Department-Emergency Management Grant-Use of City 50% surplus

Deputy Finance Director Sullivan gave some background on this item. He stated that there had been an error on the initial appropriation for the EMPG grant received in June of 2019. The State had outlined and sourced a specific trailer and set up a grant match by allowing the City to use their Seabrook expenses towards the grant match. It was discovered when talking to the grant manager that \$9,966 would be funded 100% for the trailer with the grant match covered, but when the agenda bill was drafted it stated that this amount was 50% of the total project cost of \$19,000. When the resolution was written, it stated that 50% was coming from the grant and 50% coming from general fund Unassigned Fund Balance. It has now been determined that the extra funding was not necessary, so the amount appropriated

from the unassigned fund balance is a surplus. Chief Klose has requested to use this surplus to purchase an additional trailer for PPE storage with these funds which are already appropriated. Deputy Finance Director Sullivan stated that if the surplus is not used for the purchase of the trailer, it can be deauthorized and returned to the general fund.

Assistant Chief Wilder explained that the department currently has a lack of storage for the PPE which they need to keep stocked for current and future use. The trailer which was previously purchased with the grant is already fully stocked, and there is a large amount of PPE on order to be delivered with limited space to store it.

Councilor Walker asked what the total cost of the trailer would be. Deputy Finance Director Sullivan stated the total cost is \$9,966. Councilor Walker inquired why the need for the additional trailer had not been identified during the budget process. Assistant Chief Wilder clarified that it was a timing issue; with COVID-19 increasing and the need for additional PPE storage not being realized until May when the budget was already proposed and the process was underway.

It was stated that this trailer, if purchased, would be housed at the Department of Public Works. Currently there are cases of PPE being stored at any available space at the central fire station and there needs to be a designated, safe area for storage.

Councilor Lachance **MOVED** to recommend to full Council the approval of a \$9,966 purchase of a trailer for the fire department for storage of PPE. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachance, Lauterborn, Bogan, Gray, Walker, Hamann, and Mayor McCarley all voting in favor.

4.4 Coronavirus Emergency Supplemental Funding Program Grant Acceptance & Discussion

Finance Director Ambrose gave some background information on this item which had been failed to pass at the July 7, 2020 City Council Meeting. The City became aware that they qualified for an \$89,226 Department of Justice grant, with a deadline for application of June 12, 2020. At that time, the City had not yet heard back from other organizations on whether or not the City would be awarded funding for which they'd applied. It is not permissible to "double dip" on expenditures for funding sources, which made the process more difficult. During this time there was discussion on the temporary backup dispatch center set up in the Gonic Fire Station. The equipment used in the backup dispatch was being returned to the police department for the use for which it was originally intended, so emergency/backup dispatch was identified as an area of need.

This funding source, for which there is no match requirement, was determined to be appropriate for use in establishing a mobile emergency dispatch center. The grant was awarded June 18th, and the deadline for acceptance is August 2nd. Finance Director Ambrose reported that the grant can potentially be adjusted; it first has to be accepted under the current project, and then a grant adjustment notice can be submitted outlining an alternative project. The new request will be accepted or denied in 5 – 10 days. She recommended that the City Council accept the funds and then wait to vote to appropriate them at the next meeting if needed. Any new project identified would need to be COVID-19 related as well as Police Department-specific.

Chief Toussaint emphasized the importance of the communications center (dispatch) which is operating 24/7, 365 days a year and dispatches for Police, Fire, EMS and occasionally

DPW. He stated that while Strafford County Dispatch is used as a backup, they are not equipped to deal with the volume which Rochester generates and can only be used on a very temporary basis. The Rochester Police Communications Center had been identified as an area during COVID-19 where weaknesses existed. If there had to be a shut down for cleaning/sanitizing due to staff exposure or illness, there would not be a viable alternative for dispatch. He clarified that there are other scenarios outside of COVID-19 which could potentially cause equipment failure or shut down dispatch, and without a backup it would be extremely problematic. Chief Toussaint emphasized how critical it is to have redundancy in the dispatch center and stated that this backup center is a valuable asset which the City could use for years to come; he outlined the potential uses and benefits. Chief Toussaint clarified that there would be no future request for a tow vehicle for this mobile dispatch trailer as the City already has departments with vehicles which would serve this functions. There would not be additional requests for funding for future phases of the project.

Councilor Lauterborn **Moved** that the committee recommend to full Council that they accept the emergency supplemental fund grant at the Special meeting to be held on July 21, 2020. Councilor Bogan seconded the motion. It was clarified that this motion is just to accept the grant, and for a separate action to potentially be made to adjust the project request. The **MOTION CARRIED** by a roll call vote with Councilors Bogan, Hamann, Lachance, Walker, Gray, Lauterborn, and Mayor McCarley all voting in favor.

4.5 Economic Development-Microloan conversion to grant-Discussion

Finance Director Ambrose indicated that the City had been given word from the GOFERR funding program that the City could be reimbursed for the microloan program if it were to be converted into a grant. Currently the program is a loan, and the terms state that the recipient is to reimburse the City over the course of a 2-year period. Converting to a grant program would reduce the risk of potentially not receiving the funds back from recipients because the City would be reimbursed for the total up front.

Councilor Lauterborn inquired if the City was unaware of the potential of reimbursement from GOFERR if this program was a grant when it was originally established as a loan. Finance Director Ambrose clarified that it is not known upfront which programs and projects will be reimbursable through the CARES act funds, you need to apply to determine whether you fit the criteria.

Councilor Gray asked if converting the microloan program to a grant could adversely affect recipients and make them ineligible for other federal funding. Finance Director Ambrose stated she was unaware of any funding conflicts which this conversion could cause. Councilor Lauterborn stated that she felt the initial program was instated too hastily; that perhaps a larger demographic or different recipients may have applied if it had been a grant from the beginning. Mayor McCarley reported that the loan program had been a great help to many downtown businesses.

Councilor Hamann **Moved** to recommend to full Council that the Economic Development Microloan program be converted into a grant. Councilor Bogan seconded the motion. The **MOTION CARRIED** by a 6 – 1 roll call vote with Councilors Walker, Lauterborn, Bogan, Lachance, Hamann, and Mayor McCarley voting in favor and Councilor Gray voting opposed.

5. Reports from Finance & Administration

5.1 Monthly Financial Report Summaries June 2020, Revenue review

5.1 (a) June 30, 2020 Revenues

5.1 (b) June 30, 2020 Expenses

Deputy Finance Director Sullivan stated that taxes are over 90% collected and collections are where they should be with revenues and motor vehicles going strong. Finance Director Ambrose reported that the budget freeze did not continue into the New Year, although Finance continues to monitor cash.

6. Other

No discussion.

7. Adjournment

Mayor McCarley **ADJOURNED** the Finance Committee Meeting at 7:38 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

City of Rochester Planning Board
Monday July 6, 2020
City Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on, 2020)

Members Present

Nel Sylvain, *Chair*
Mark Collopy, *Vice Chair*
Tim Fontneau
Robert May
Dave Walker

Members Absent

Daniel Rines, excused
A. Terese Dwyer, excused
Mark Sullivan, excused

Alternate Members Present

Donald Hamann
Peter Bruckner

Staff: Seth Creighton, *Interim Director of Planning & Development/Chief Planner*
Crystal Galloway, *Planning Secretary*

(These are the legal minutes of the meeting and are in the format of an overview of the meeting. A recording of the meeting will be on file in the City clerk's office for reference purposes. It may be copied for a fee.)

Mr. Sylvain called the meeting to order at 7:01 p.m. and made the following statement:

Good Evening, as Chairperson of the Planning Board I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

a.) Providing public access to the meeting by telephone: At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. The public can call-in to the below number using the conference code. This is currently set to allow the public to "listen-in" only, there will be no public comment taken during the meeting.

Phone number: 857-444-0744
Conference Code: 843095

b.) Public Access Troubleshooting: If any member of the public has difficulty accessing the meeting by phone, please email crystal.galloway@rochesternh.net or call 603-335-1338.

Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name and ward, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. Additionally, Planning Board members are required to state their name each time they wish to speak.

The Planning Secretary conducted the roll call. All Planning Board members were present with the exception of Mr. Rines, Ms. Dwyer, and Mr. Sullivan who were excused. In addition, all Planning Board members indicated that they were alone in the location from which they were connecting remotely.

III. Seating of Alternates

Mr. Bruckner voted in place of Mr. Rines.

IV. Communications from the Chair

There were no communications from the Chair.

V. Approval of Minutes

A motion was made by Mr. Walker and seconded by Mr. May to approve the June 15, 2020 meeting minutes. The motion carried unanimously by a roll call vote.

VI. Consent Agenda

A. Birchwood Ponds, LLC, Chesley Hill Road – Waiver from impact fees request

Mr. Collopy asked if the Board grants the waiver does it mean they accept all the points the applicant's attorney has set in his letter. He said he doesn't want to set a precedence for what active and substantial is. Mr. Creighton said we're not consenting to the language but staff does support the waiver request because it falls under one of the waiver criteria because the developer is donating some land to the City.

B. Thomas & Diane Aubert, Carole Court – Extension request

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the consent agenda. The motion carried unanimously by a roll call vote.

VII. Continued Applications

A. Tropic Star Development, LLC, 717 Columbus Avenue

Patrick McLaughlin of GPI presented the site plan to construct a convenience store and fueling station. He said they obtained a variance for the Zoning Board for parking in the front.

Mr. McLaughlin explained it is a currently vacant lot and they are proposing a 4,350 square foot convenience store with some indoor and outdoor seating and a fuel canopy out front with five fuel islands. He went on to explain the drainage and stormwater management for the site as well as the fuel tank system.

Traffic Engineer Heather Monticup explained a full traffic study was completed in January 2020 and one of the questions that came up was site access. She explained they are proposing a full access driveway to the south and a right in only access to the north. Ms. Monticup went on to explain the access points and layout and circulation of the parking lot.

Mr. Sylvain asked if there was any input for the public hearing. There was none; Mr. Sylvain brought the discussion back to the Board.

Mr. Creighton said staff supports the project and recommends the Board approve the site plan. He went on to explain the three conditional use permits they are requesting.

Mr. Sylvain asked if the plantings along the front of the site are trees or shrubs. Mr. McLaughlin said they are trees. Mr. Sylvain expressed concern with line of sight. Ms. Monticup explained they are canopy trees.

Mr. Fontneau asked there would be a "no stacking" sign at the right in only lane. Ms. Monticup said it wasn't a concern because of the space between the turn lane and the gas pumps.

A motion was made by Mr. Walker and seconded by Mr. Bruckner to accept the application as complete and close the public hearing. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the three conditional use permits. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to grant the waiver request. The motion carried unanimously by roll call vote.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to approve the site plan. The motion carried unanimously.

VIII. New Applications

A. Groen Construction, Inc., 124 Meaderboro Road

The applicant asked that the application be withdrawn.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to accept the withdrawal request. The motion carried unanimously by a roll call vote.

B. Paul Delisle, 28 North Main Street

Paul Delisle said he owns the building and he is proposing to split the two commercial units on the first floor to two residential units in the back and two smaller commercial units in the front.

Mr. Sylvain opened the public hearing. Mr. Creighton read the following email:

I represent the owner of 27 North Main Street, Rochester, the property directly Across the street from the property referenced above requesting a conditional use permit.

I have read their application. With respect their attachment "26-30 Main St, Rochester" at the paragraph "Fire Protection." The applicant states a sprinkler system will be installed by a professional fire company. However, the applicant does not state if the entire building will be sprinklered or only portions. Please advise if the plan is for the entire building sprinklered or only parts. If parts, which parts.

I look forward to your reply.

Mark D. Hanlon, Esq.
Hanlon & Zubkus
27 North Main St.
Rochester, NH 03867
Phone: (603) 332-8499
Fax: (603) 332-5571

There were no further comments from the public; Mr. Sylvain brought the discussion back to the Board.

Mr. Creighton said staff supports the conditional use permit as presented.

Mr. Bruckner suggested adding a window to the back of the building.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to close the public hearing and approve the conditional use permit. The motion carried unanimously by a roll call vote.

C. Boudreau Living Trust, 68 Ten Rod Road

Joel Runnals of Norway Plains Associates presented the plan for a 2-lot subdivision. He explained both lots meet or exceed the minimum lot size and frontage for the residential-1 zone and said both lots are serviced by municipal water and sewer that runs along Ten Rod Road. Mr. Runnals said at this time there are no proposals for any additional building but added there is an existing shed that will need to be relocated.

Mr. Sylvain asked if there was any input for the public hearing. There was none; Mr. Sylvain brought the discussion back to the Board.

Mr. Creighton said staff recommends approving the plan as presented.

A motion was made by Mr. Walker and seconded by Mr. Bruckner to accept the application as complete and close the public hearing. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Mr. May to approve the subdivision. The motion carried unanimously by a roll call vote.

Mr. Sylvain called a recess at 8:25pm

Mr. Sylvain called the meeting back to order at 8:33pm

D. Prep Partners Group, LLC, 0 Innovation Drive

Scott Lawler of Norway Plains Associates presented the site plan for a 46,300 square foot warehouse and distribution facility. He explained the proposed building layout, 16 loading dock locations and the drainage plan. Mr. Lawler said there will be 10 full-time employees, and 50 part-time employees over two shifts. Mr. Lawler briefly explained the traffic study that was completed and well as the FAA approval that is required.

Mr. Sylvain opened the public hearing.

Mr. Creighton read the following into record:

Good Afternoon Seth, Crystal and Mr. Lawler,

We represent an abutting land owner who owns the Profile Apartments. Currently that property is on a private well that services a number of apartments spread out over a series of buildings. The demand is high enough that it is considered a public water supply system. The abutting owner has two concerns with the project as it relates to the well:

- The well is not currently shown on the plans nor is the protective well radius. Its location is not known directly to us, but it should be shown on the plan with the proper radius. This would ensure that the stormwater infiltration system designed at the back of the proposed site meets the requirements of NHDES Alteration of Terrain in terms of separation and potential treatment criteria. A GIS cut is required for the Alteration of Terrain Application, and could simply be superimposed on the plan to ensure separations are met. In the event it is close in proximity a survey location may be required.
- The applicant is concerned that in the event the well is compromised, that this plan makes no arrangement to provide water to the abutting land owner(s). Being a quasi-municipal project, it may be short sited to simply extend a waterline into the proposed structure and not consider extending the waterline to and through constructed items to abutting land owners, and allowing a potential easement for hook up to the line. The alternative to provide water south down NH Route 108 is for its installation within the NHDOT Right of Way. It may be less hassle and less costly to consider extending the waterline through this property to service the other larger parcels to which this abuts. This includes two parcels that the municipality owns and controls. The owner would like the board to at least consider the extension potential for the future development potential for the remainder of the corridor.

Thank you all for your time and attention to this matter.

Christopher R. Berry
Principal, President

There were no further comments from the public; Mr. Sylvain brought the discussion back to the Board.

Mr. Lawler explained as part of the alteration of terrain permit application they reviewed well head protection overlay which shows a well head protection radius. He further explained the gravel wetlands is also in the well head protection overlay area.

Mr. Creighton said staff recommends the Board approve the site plan with conditions as set forth.

Mr. Bruckner asked what the height of the proposed building will be. Mr. Lawler said it will be approximately 57 feet high which meets the zoning requirements for the Industrial zone.

Mr. Sylvain asked how the loading docks will be screened. Mr. Lawler explained they will look at some landscaping along the grass area to help soften the view.

A motion was made by Mr. Walker and seconded by Mr. Collopy to accept the application as complete and close the public hearing. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Mr. Collopy to grant the waiver request. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Walker and seconded by Mr. Collopy to approve the site plan with the conditions as stated. The motion carried unanimously by a roll call vote.

E. EIP Communications I, LLC, 133 Blackwater Road

Attorney Brian Grossman presented the plan to construct a communications tower. He explained the need for additional cell phone service in the surrounding area which would extend coverage to approximately 1,200 new customers. Mr. Grossman said they are proposing a 150 foot monopole tower with a 16 foot lightening rod which will be located within a 65 x 65 fenced area.

Mr. Sylvain asked if there was any input for the public hearing. There was none; Mr. Sylvain brought the discussion back to the Board.

Mr. Creighton said staff recommends the Board accept the application as complete and approval.

A motion was made by Mr. Collopy and seconded by Mr. Walker to accept the application as complete and close the public hearing. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Collopy and seconded by Mr. Walker to grant the waiver request. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Collopy and seconded by Mr. Walker to approve the site plan. The motion carried unanimously by a roll call vote.

F. Thomas & Diane Aubert, 828 Portland Street

Christopher Berry of Berry Surveying & Engineering presented the plan for a 56-lot subdivision. He reminded the Board they saw the design review a few months prior, the applicant took the comments received and made some changes. Mr. Berry went on to explain the layout and proposed new street entrances. He said they have been to TRG meetings and have addressed all comments from staff. Mr. Berry said they will file an alteration of terrain permit and with the division of historical resources.

Mr. Sylvain opened the public hearing.

Colin Claffey of 795 Portland Street is concerned that Portland Street will be inundated with traffic. He said they should have an entrance onto Highland Street.

Mr. Berry said this is one of the main reasons they did a design review with the Board and had so many technical reviews with staff. Mr. Berry reminded the Board they preferred a second access onto Portland Street over full access onto Highland Street.

Donna Cunha of 798 Portland Street expressed her concerns regarding traffic on Portland Street.

Mr. Creighton read the following emails into the record:

Planning Board,

I have several concerns as to the development here and how this will effect my property. Concerns for development and maintenance around the pond that is behind my fence and what is being done to that area. It still has 1,000's of the planting pots on the ground there and the trees are not being maintained and have completely grown over my property and fence. I would like to know what the plans are for this area, who is going to maintain it and when will that start.

There is also another large manmade pond (hole that was dug and is filled with water) area out behind the pond that I am concerned about what that is being used for and how these are going to be maintained.

Concerns over the construction and lighting that will be coming into my windows all around my property, what is being done so that is not extreme.

Concerned over all the construction around my property causing problems for my foundation. How can I be protected.

Drainage is a serious issue, since they are changing the path of the current running water. The drainage that was placed by my fence is flooding and not draining properly. How is this to be corrected and prevented from the back side of my property.

Traffic from the new construction only entering and exiting onto Portland Street. I believe will be an extreme amount of traffic if there is not an exit onto the 202 side. 202 has several businesses and entrances to other streets, that adding another road for the Carole Court development to 202 should not be an issue.

Concerns over the large amount of lighting and headlights that will be entering into my windows, from both the large amount of traffic and from the street lights that are being added.

Concerned,

Donna Cunha
798 Portland Street
East Rochester, NH 03868

Jim, Gail & I (795 Portland Street) were in attendance of the public hearing on Monday the second of March. The proposed rain garden changes were presented. One resident talked about water concerns behind her house. Another resident talked about traffic on Hickey Street. No other concerns were raised about the water gardens at this time and the vote was to move on. The presentation of the project design moved forward by Chris Berry discussing roads and drainage issues, entrance & exits for the project, etc. The public was not allowed to speak after this review.

We had several concerns and were unable to bring them up as the public hearing was closed. Originally there were four entrances/exits for the development: Two on Portland Street, one on Hickey Street and one on Highland Street. By the end of the meeting it had reduced to two, both on Portland Street. We live next to East Rochester School and across the street from Carol Court. It was said that Highland Street was busy and vehicle speeds were fast and that left turns out on to Highland Street would not work. Portland Street is as busy as Highland Street and cars are racing down our street all the time. The entrance of the school has a lot of vehicles backed up in the road (blocking traffic) to get into the school both morning and afternoon. Concerns by the board were Hickey Street was not quite as wide. It is wide enough for two cars to go down and the speed would be slow due to the road being so short. Cars could exit left or right onto either Magic Ave or go a little further to

Grove Street which will empty onto Highland Street or Portland Street. Having the only two entrances/exits on Portland Street, one being Carol Court, which is located across from the exit of the East Rochester Elementary School and the other one 3-4 house lots going towards East Rochester, would be a disaster. There will be approximately 63 houses, with a lot more cars and children added to the buses entering/exiting and small children walking home now. We have walked the perimeter of the property many times. Traffic could enter/exit the Hickey/Magic Ave or even use Grove Street for the third enter/exit and just East of Dunkin Donuts/the convenience store could be a fourth entrance/exit on Highland street. With 63 homes in a condensed area, I would think both the police and fire department would require multiple access points on three sides of the property in case of any incident, fire or other event.

In summary, please consider;

- 1) Multiple entrances/exits,
- 2) Fire & safety concerns for project & surrounding residents,
- 3) Excessive traffic to Portland Street residents,
- 4) Incorporate these concerns into the project meeting and investigate possible solutions,
- 5) Propose a format change to these meetings where the public can ask questions after the presentation has been given so there is clarity by all and suggestions/ideas/comments can be brought forward for review.

We appreciate the opportunity to voice our concerns to the Planning & Development board, thank you, Gail & Colin Claffey.

There were no further comments from the public; Mr. Sylvain brought the discussion back to the Board.

Mr. Berry reminded the Board it was their request that access from Highland Street was to be a right turn in only. He said both the Fire Department and the Police Department preferred full access onto Highland Street.

Mr. Sylvain asked if it would change the project too much if they change access onto Highland Street. Mr. Berry said it will change things because there is a site distance issue with looking left into East Rochester so NHDOT may not allow an exit onto Highland Street.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to accept the application as complete. The motion carried unanimously by a roll call vote.

A motion was made by Mr. Fontneau and seconded by Mr. Walker to continue the application to the August 3, 2020 meeting. The motion carried unanimously by a roll call vote.

IX. Other Business

A. Release of surety for Norman Vetter, 53 Allen Street, Map 117 Lot 2-8

There was a brief discuss regarding sign offs with the Planning Department and Public Works.

A motion was made by Mr. Walker and seconded by Mr. Fontneau to release surety in the amount of \$27,384.17 plus interest. The motion carried unanimously by a roll call vote.

B. Other

There was no other business to discuss.

X. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Fontneau to adjourn at 10:46 p.m. The motion carried unanimously by a roll call vote.

Respectfully submitted,

Crystal Galloway,
Planning Secretary

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left blank...*

City Clerk's Office

Public Works and Buildings Committee
Meeting Minutes
July 16, 2020
Meeting Conducted Remotely

MEMBERS PRESENT

Councilor David Walker, Chairman
Councilor Jim Gray- Vice, Chairman
Councilor Don Hamann
Councilor Chris Rice

MEMBERS ABSENT

Councilor Doug Lachance

OTHERS PRESENT

Blaine M. Cox, City Manager
Peter C. Nourse PE, Director of City Service
Daniel Camara, GIS / Asset Management
Michael Scala, Director Economic Development
Mark Sullivan, Deputy Finance Director
Samantha Rodgers, Senior Executive Assistant

MINUTES

Councilor Walker called the Public Works and Building Committee to order at 7PM and he read the following statement:

Good Evening, as Chairperson of the Public Works and Buildings Committee I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A: 2, III (b).

Federal, State and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As Such this meeting will be conducted without a quorum of this body physically present in the same room.

In addition to the following public access information, the Public Works and Buildings Committee will be allowing the public to come to City Hall and speak to the Committee via video conferencing software for Public Input and the Stillwater Circle Public Input. In an effort to adhere to CDC guidelines-enter only at the front Wakefield entrance and exit out the side closest the PD and adhere to 6 foot social distancing while inside. Hand sanitizer and face masks will be available at the Wakefield entrance.

For public access to the meeting by telephone: At this time, we welcome members of the public accessing this meeting remotely. In order for any public attendee to be allowed to comment during the public input portion of our meeting, you must have registered before the meeting with your name and the telephone number that you will use to call in. You may register now online [here](https://bit.ly/35Ru0Wu) or by copying or typing the following address into your browser: <https://bit.ly/35Ru0Wu>. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rules of conduct and decorum do apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting.

The public can call-in to listen at the below number using the conference code.

Phone Number: 857-444-0744

Conference Code: 843095

Public Access Troubleshooting: If any member of the public has difficulty accessing the meeting by phone, please email PublicInput@RochesterNH.net or call 603-332-1167.

Public Input: Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, are encouraged to do so by the following methods:

- **Mail:** Rochester Public Works & Buildings Committee 45 Old Dover Road, Rochester, NH 03867 (*must be received at least three full days prior to the anticipated meeting date*)
- **Email** – Lisa.Clark@rochesternh.net (*must be received no later than 4:00 pm of meeting date*)
- **Voicemail** 603-335-7572 (*must be received no later than 12:00 pm on said meeting date in order to be transcribed*)

Please include with your correspondence the intended meeting date for which you are submitting. *All correspondence will be included with the corresponding meeting packet (Addendum).*

Roll Call: Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name and ward, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. Additionally, Committee members are required to state their name and ward each time they wish to speak.

Let's start the meeting by taking a Roll Call attendance. When each member states their name and ward, also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. Additionally, Committee members are required to state their name and ward each time they wish to speak. “

Councilor Walker *Present*
Councilor Gray *Present*

Councilor Rice *Present*
Councilor Lachance – **NOT PRESENT**

Councilor Hamann Present**1. Public Input Stillwater Circle**

Councilor Walker stated that this item was placed on the agenda to allow for public input regarding a Barrington Subdivision that may wish to have a full access or an emergency access road from their development through the Stillwater Circle neighborhood. Blaine Cox stated that he was at City Hall with several Residents that wished to speak to the Committee via video conferencing and he stated that Mrs. Rodgerson has several residents waiting in the virtual lobby to speak via the telephonic conferencing. The following residents spoke:

Leo Brodeur, 29 Sugar Brooke Rd

Dave Obrien, 89 Stillwater Circle

Mat Pappas, 72 Stillwater Circle

Karen McGarghan, address unknown

Jody McNally, 13 Stillwater

Michelle Brodeur, 29 Sugar Brook Rd

Douglas Parker, 25 Sugar Brook Rd

Jim Andrews, 21 Echo Brook Rd

Doug Robbins, 11 Spirit Creek Rd

All resident voiced opposition to an access road coming into their development from the Barrington abutter's property. The reasons stated included additional traffic causing safety issues in a neighborhood with heavy pedestrian traffic, road maintenance issues, and quality of life issues due to the additional traffic. There was also concern for property values. Several mentioned that the reason they bought homes in the neighborhood was the quiet nature of the development. Councilor Walker asked all that spoke if they had would accept a crash gate for emergency access only to the roadway. All were opposed to that option as well. Some stated that once the access was built it would be a problem later. The reasons stated was it would be easy to change this to an open access road if it was already constructed and some mentioned that when plowing or when crash gate would be used for access, it would be left ungated for indefinite periods of time. One resident asked if there was any incentives being offered to the City of Rochester from the Town of Barrington or from the Developer. Councilor Walker stated there were not. He said that the possibility of running a water line into the Barrington development might be beneficial to the City's water system.

Councilor Hamann stated that he has heard from the residents he would support the residents wishes. Councilor Rice stated that he too would like to support the residents of the neighborhood. Councilor Gray inquired about the condition of the bridge. Mr. Nourse stated that the bridge has underwent significant repairs that cost about a ½ million dollars. He stated that State of NH does not have it on their red listed bridge list for any deficiencies. Mr. Nourse stated that in answer to Councilor Gray's questions last month

about planning regulations, Rochester does not have planning regulations that require the second egress due to the size of a development, but the planning board does have the discretion to make it a requirement of a development. Mr. Nourse stated that the bridge going into this Stillwater Circle neighborhood is maintained by the City of Rochester alone and he stated that a road is not necessary should a water line extension be considered.

Councilor Hamann made a motion to recommend that the full City Council deny roadway access of any kind into this neighborhood from the abutting Barrington development. Councilor Rice seconded the motion. A roll call vote to deny access was taken

Councilor Rice Yes

Councilor Gray Yes

Councilor Hamann, Yes

Councilor Walker, Yes

The motion passed unanimously

Mr. Annis, the developer of the Barrington subdivision, spoke and thanked the Committee and the residents for their time and input on the issue.

All correspondence including a petition with 88 signatures are attached to these minutes.

2. Public Input - No public input.

3. City Hall Tree:

Mr. Nourse stated that this item had been added at the agenda at the request of a City Councilor. He stated the Oak Tree on the front lawn of City Hall prohibits our ability to grow grass in the area. He stated that the tree is a three sided tree that is not a particularly good looking tree and when last discussed his recommendation was to remove it. Mr. Cox stated that it was Councilor Lachance that suggested this tree be brought back up for removal due to the problems with the grass in the area. Mr. Nourse displayed some pictures of the area that showed the large circle of under the tree without any grass, just bare earth around the base of the tree. Mr. Nourse also mentioned that the acorns on the steps are somewhat concerning. Councilor Walker suggested that the area might look bare without a tree there and asked if some other type of tree could be planted. Mr. Nourse stated that staff could plant a nice tree or shrub but he suggested that with the new lighting it might look nice without a tree. Councilor Rice asked if another tree might eventually cause the same issue. Mr. Nourse stated that depending on the tree species we could run into this problem again. He stated he would need to research this issue. Mr. Cox stated that in past years the root system from the tree had cause issues with the drainage under the walkway. Councilor Haman suggested taking it down and possibly putting in something else once the grass takes root. Councilor Rice suggested lilacs.

Councilor Hamann made a motion to recommend that the full City Council approve the removal of the oak tree on the front lawn of City Hall. Councilor Rice seconded the motion. A roll call vote to recommend removal of the tree was taken:

Councilor Rice Yes

Councilor Gray Yes

Councilor Hamann, Yes

Councilor Walker, Yes

The motion passed unanimously

4. DPW Facility

Mr. Nourse stated that a small ground breaking ceremony was held at the site on June 30, 2020. He stated that the pictures are available on the City's website. He stated that staff will be updating the project information on the website weekly and will be posting pictures of the progress. He stated that the work is progressing quickly. Mr. Nourse asked for the Committee's consensus on going with natural gas vs. propane. He stated there are sufficient project funds available to make this change, but want to be sure that all were supportive of the change from propane to natural gas. He stated that the payback in operational costs will be 5-7 years. Mr. Nourse explained that there will also be savings associated with the elimination of the concrete pads and fencing that was specified for where the propane tanks were going to be. Councilors Hamann, Rice, Gray and Walker all voiced their approval of the natural gas change to the project. Councilor Rice asked the Director to schedule a site walk for the Committee. Councilor Walker suggested the 3rd or 4th week in August.

5. 10-16 Wallace Street

Mr. Nourse displayed a visual of the former Advance Recycling location now a City owned property. He stated that the property has several soil contaminants that have been monitored for over 10 years. He stated that the soil contamination is migrating underground to the abutting property, the Professional Arts Building. Mr. Nourse stated that we have applied for an EPA Brownfields Grant three times and this 3rd time we have received a \$200,000 grant. The picture displayed showed the areas that will be addressed with this soil removal and replacement project. He stated that the estimated cost of the project is \$242,000 and the remaining cost of this soil remediation project will come from Economic Development fund that was appropriated for this property.

6. Gonic Kane Brickyard – Pickering Road

Mr. Nourse stated that this is the former 58, now 0 Pickering Road site. He stated that this site has been monitored for several years. Mr. Nourse stated that there are many contaminates above the maximum contaminate levels (MCL) for groundwater but the most concerning one is benzene which is registering 60 to 140 times the regulated and appears to be migrating toward the Cocheco River. This project is being manage and paid for by NHDES. All expenses for this soil remediation project will be paid for directly by NHDES. Mr. Nourse stated that the City has been considering remediating and marketing this site for industrial use for many years. He cautioned that the City's main sewer interceptor /line runs through the center of this property and that this is the line that takes nearly all of the City's sewerage to the Wastewater Treatment Plant. He stated that this is a brick arch structure measuring 22x28 inches that was built in the early 1900's. Mr. Nourse stated that this line is in good condition but that care will need to be taken with this project and any future development of the property. Mr. Nourse

explained that the project construction contract documents specify that no matter the contamination levels, the soil will not be excavated within 10 feet of this line. The importance of the City's sewer system has been prioritized.

7. **FY2020 Paving Program**

Mr. Nourse stated that the paving of Salmon Falls Road is scheduled for late summer early fall and the other roads that were listed as part of the FY2020 Paving Plan will likely be completed in the spring. Mr. Nourse explained that internally staff will be meeting with the Finance Department to discuss the possibility of a supplemental appropriation for the FY21 Paving Plan that was cut from the budget. He stated that the plan will be coming to the Public Works and Buildings Committee for a recommendation to the full City Council. Councilor Gray stated that he was looking forward to hearing the recommendations for paving.

8. **Strafford Square RoundAbout**

Mr. Nourse presented the Committee with an aesthetic design of Strafford Square. He reviewed the project with the Committee. He explained that once it gets started it will be a two phase two year project. He stated the first phase of the project will be to make some changes to the water and sewer lines and to move the all of the utilities underground. He explained the second phase is to put the roundabout in place. Mr. Nourse said he is still hopeful to get the first phase out to bid this year and then the second phase out next year. He stated tonight he just wanted to get the Committees consensus on some of the aesthetic design elements such as lighting and green spaces. He explained that the NHDOT funding schedule requires the submission of the plans with these elements shown. Mr. Nourse displayed many pictures of roundabouts. He explained that the center of the Strafford Square roundabout will be elevated and vegetated. He stated that the raise center and foliage is to block and deflect vehicle headlights from shining across the circle at oncoming traffic and is also a traffic calming measure. He stated that the current plan has a flag pole in and some low maintenance plantings, as the area will be too busy and unsafe for an adopt a spot and day time maintenance. Councilor Walker asked if the historic granite watering trough would be used in the center. Mr. Nourse stated that the plan calls for things that would not be distracting to the vehicles and suggested if it is to be moved back to the area that it might be more appropriate in one of the green spaces. The consensus of the Committee was to move it to the greenspace. There was discussion on putting welcome signs using the City logos from the Wayfinding project. The Committee suggestion was that the signs be as limited as possible accepting signs for safety. The Committee was in favor of the flag pole and plantings. Mr. Nourse then displayed pictures of lighting fixtures. He stated that the downtown globes are not going to be used in the project area. He suggested that what is used at this roundabout may be used in the "Gap Project" that is scheduled for design in an out year for the area between Strafford Square and the North Main Street Bridge. Mr. Nourse stated that historic type fixtures could be used and would blend

nicely with the ones in the downtown. The Committee discussed the importance of fixtures that point the light down and they discussed the need to light up the crosswalks for safety. The Committee was in favor of vintage style lighting.

9. Excavation Requests- Street Moratorium

Mr. Nourse stated that he had advised the Committee of Comcast work for cable installations in the downtown. He stated that when discussed he had stated that most of the work was going to be in crosswalk that Comcast would replace or under sidewalks that they would also replace. He stated that there is one cut that will require a waiver to the moratorium in the downtown and he apologized for not having the details available. Councilor Gray suggested that the Committee Chair review the details with the Director via email. He stated if the waiver is recommended by Public Works Department and the Chairman approved then the Director could complete an agenda bill and go directly to the City Council and not hold up the contractor. The Committee agreed and the Director stated he would forward the information.

10. Non Public – RSA91-A:3,II (d)

At 8:32 PM Councilor Hamann made a motion to enter non-public session citing RSA 91-A:3,II (d). Councilor Rice seconded the motion. A roll call vote to enter Non-Public Session was taken.

<i>Councilor Rice</i>	<i>Yes</i>	<i>Councilor Gray</i>	<i>Yes</i>
<i>Councilor Hamann,</i>	<i>Yes</i>	<i>Councilor Walker,</i>	<i>Yes</i>

At 9:04pm Councilor Gray made a motion to leave Non-Public Session and to return to Public Session. The Motion was seconded by Councilor Rice. A roll call vote to re-enter public session was taken.

<i>Councilor Rice</i>	<i>Yes</i>	<i>Councilor Gray</i>	<i>Yes</i>
<i>Councilor Hamann,</i>	<i>Yes</i>	<i>Councilor Walker,</i>	<i>Yes</i>

Councilor Gray made a motion to seal the minutes citing it may render a proposed action ineffective. Councilor Haman seconded the motion. A roll call vote to seal the minutes was taken.

<i>Councilor Rice</i>	<i>Yes</i>	<i>Councilor Gray</i>	<i>Yes</i>
<i>Councilor Hamann,</i>	<i>Yes</i>	<i>Councilor Walker,</i>	<i>Yes</i>

11. Other

8 Plante Street Drainage – Councilor Hamann stated that the resident had a land survey that states the City roadway is on his parcel of land. The Councilor stated that the City will be hearing from the property owner. Councilor Walker suggested a letter and a copy of the survey.

Brock Street – Councilor Walker asked when there would be digging on Brock Street. He said there are markings in the road but no equipment yet. Mr. Nourse stated he would get back to the Councilor on this.

vinth Douglas 781-654-1039
 Jody 330-7655


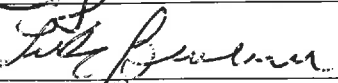
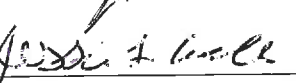

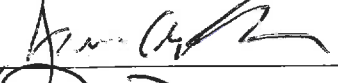

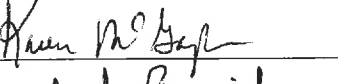
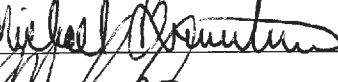


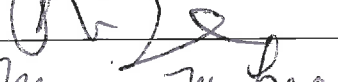
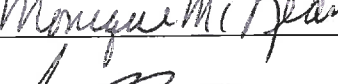

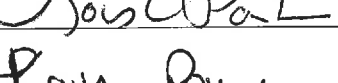
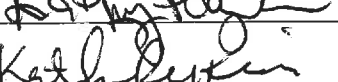
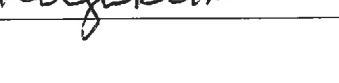
07/30/2020


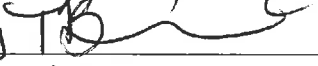

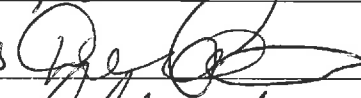



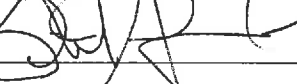

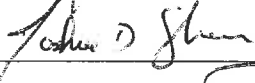
Petition to Stop the building of The Access Road Adjacent to Sugarbrook Rd. Going into Barrington NH

Petition summary and background	There are many different reasons not to build an access road. For some it is a safe place to walk for children elderly and allow children to ride bikes well as other residents of the Stillwater Circle Housing area. Others it is a problem of the wildlife for our live stock. Safety is a Number one concern, with all the cars accessing our neighborhood from a large community in Barrington New Hampshire. In the winter months, we face other issues such as possible accidents, Roads will need more repairs, Plowing. This will bring noise Pollution to a very quiet neighborhood. We are also afraid of the depreciation in our home values, due the extra traffic and possibly of crime, as well as safety issues.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to Stop the building of the Access Rd.

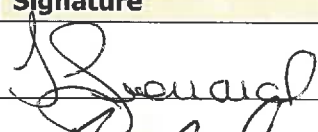

Printed Name	Signature	Address	Comment	Date
DOUGLAS A. PARKER	<i>Douglas A. Parker</i>	25 SUGAR BROOK RD		12 JUL 20
ALEXANDRA PARKER	<i>Alexandra Parker</i>	25 Sugar Brook Rd.		7/12/20
Michael Healey	<i>Michael Healey</i>	4 Sugar Brook		7/12/20
Jay Taylor	<i>Jay Taylor</i>	4 Stillwater Circle	NOOOO	7/12/20
Mary-Jane Traggis	<i>Mary-Jane Traggis</i>	6 Stillwater Circle	Dangerous; too fast;	7/12/2020
Genai L. O'Brien <small>was Genai Wilkey</small>	<i>Genai L. O'Brien</i>	89 Stillwater Circle	Too much traffic. Home values. Dangerous	7/12/2020
DAVID JOSEPH	<i>David Joseph</i>	89 Stillwater circle	to dangerous	7/12/2020
Jim Brunen	<i>Jim Brunen</i>	12 Sugar Brook Rd		7/12/2020
MARK SNIFFEN	<i>Mark Sniffen</i>	86 STILLWATER CIR		
Hanna Philbrick	<i>Hanna Philbrick</i>	53 Stillwater Circle		
Allison Sniffen	<i>Allison Sniffen</i>	80 Stillwater Cir		7/13/2020

①

Printed Name	Signature	Address	Comment	Date
SHARON JAGLONSKI		12 SPIRIT CREEK RD	AGAINST ACCESS RD	7/12/20
LEO BRODQUR		89 SUGAR BROOK RD	NO ACCESS	7/12/20
Jessica Carroll		44 Stillwater Cir.	NO ACCESS	7/13/20
Patricia Carroll		44 Stillwater	" "	7/13/20
James Thorn		39 Stillwater Cir.	NO ACCESS	
Dean Miles		40 Stillwater Cir.	No Access Road	7/13/20
Karen McBarghan		1 Sugar Brook Rd	NO UNGATED ACCESS ROAD	7/13/20
Michael Brinkman		36 Stillwater Circle	No ungated access	7/13/20
Madeline Brinkman		36 Stillwater Circle	No Ungated access	7.13.20
JANET HILTZER		43 STILLWATER CIR.	NO UNGATED ACCESS	7/13/2020
Shane Tessimon		43 Stillwater Cir.	NO UNGATED ACCESS	7/12/20
Monique McLean		10 Spirit Creek Rd	No gated road Access	7/13/20
Lori Corneau		5 Sugar Brook Road	No gated road Access	7/13/20
Lois Parker		7 Stillwater Cir	No access	7/13/20
KATHY PAYEUR		7 Stillwater Circle	NO ACCESS	7/13/20
Katelyn Perkins		7 Sugar Brook Rd	No Access	7/13/20

Printed Name	Signature	Address	Comment	Date
Kevin Poulin		53 Stillwater Cr		7/13
Tiffany Boudreau	TB 	15 Sugarbrook Rd		7/13
Justin Boudreau	JB 	15 Sugarbrook Rd		7/13
Devin Robbins		11 Spirit Creek Rd	Safety Reasons and Will Cost lots	7/13
Douglas Robbins		" "	Had not had one in 30 years why now? my back had hurt	7/13-
MILITARE T. Dumont		66 Stillwater Circle	DO NOT WANT TO SEE NEIGHBORHOOD ROAD TO CAR	7/14/2020
Debra L. Dumont		66 Stillwater Circle	Increase in traffic creating safety issues for walkers	
Stephen Leonard		61 Stillwater Circle	bicycles, everyone. Cost of food repair due to increase in traffic.	7/14/20
Katrina Rhodes	Katrina Rhodes	3 Stillwater Circle	No way!	7/14/20
Shirley Freeman	Shirley Freeman	54 Stillwater Circle		7/14/20
Thomas Ems		11 Sugarbrook Rd		7/14/20
JOSHUA SHAWVER		50 Stillwater Circle		7/14/20
Trish Kertanis	PA Kertanis	47 Stillwater Cr.		7/14/20
Angie Miles	Angie Miles	40 Stillwater Circle	DO NOT WANT THIS	07/14/20
Donna Bissen	DONNA BISSON	34 Stillwater Cr.	NO WAY!	7/14/20
Dorothy Tarabini	Dorothy Tarabini	132 Stillwater rd	NEVER	

Printed Name	Signature	Address	Comment	Date
Samartha Combs-Piere	<i>Samartha Combs-Piere</i>	57 Stillwater Circle	too dangerous, do not agree	7/12/20
Richard Chong	<i>Richard Chong</i>	15 Stillwater Circle	too much traffic	7/13/20
Susan Melan	<i>Susan Melan</i>	17 Stillwater Cir.	too much traffic	7/13/20
Rich Reilly	<i>Rich Reilly</i>	21 Stillwater Cir		7-13-20
Sue Moore	<i>Sue Moore</i>	18 Stillwater Cir.		7/13/20
Jenish Mohr	<i>Jenish Mohr</i>	16 Stillwater Cir		7-13-20
Joshua Travers	<i>Joshua Travers</i>	16 Stillwater Cir		7-13-20
Ann Truworthy	<i>Ann Truworthy</i>	8 Stillwater Circle		7/13/20
Denise Henderson	<i>Denise Henderson</i>	9 Stillwater Circle	not for us, we don't have a second access, not necessary	7-13-20
Brianna Neely	<i>Brianna Neely</i>	7 Stillwater Circle		7-13-20
Kayla S. Denison	<i>Kayla S. Denison</i>	7 Stillwater Circle	to much traffic	2000 7/13
Brenda Baker	<i>Brenda Baker</i>	25 Stillwater Circle		7-13-20
James Piniro	<i>James Piniro</i>	85 Stillwater Circle		7-13-20
Min Gauthier	<i>Min Gauthier</i>	82 Stillwater Circle	to much traffic	7-13-20
William Levesque	<i>William Levesque</i>	76 Stillwater Circle	10 Dangerous to much traffic	7/13/20
Rob Galley	<i>Rob Galley</i>	69 Stillwater Circle	Too much traffic	7/13/20

Printed Name	Signature	Address	Comment	Date
Tanya Leonard		61 Stillwater Cir	No - too much traffic	7/13/20
Brad Parks		59 Stillwater Cir	Too many kids/dogs	7/13/20

Alex Love

57 Stillwater Cir.

7/13/20

Darci Goodwin

60 Stillwater Cir

Too much traffic

7/13/20

DAN ASHBURNER

24 Echo Brook Rd.

TRAFFIC

7/13/20

Jim Anderson

21 Echo Brook Rd

7/13/20

Wayne Wilcox

22 Echo Brook Rd too much traffic

7/13/2020

Wayne Wilcox

William L. Horton

18 Echo Brook

Too much traffic

7/13/2020

Holly Baumbach

15 Echo Brook road

16 Echo Brook

7/13/20

7-13-20

Sue Sealey

Sue Sealey

traffic

Joseph Richman

13 Echo Brook

7/13/2020

Alli Heather Morin

14 Echo Brook Rd.

too much traffic 7/13/2020

Curtis Moody

Curtis Moody

12 Echo Brook Rd

Traffic

7/13/20

Beverly Corriveau

Beverly A Corriveau

9 Echo Brook Rd

7/13/20

Terri Maysen

Jenni Kausz

5 Echo Brook Rd

7/13/2020

Printed Name	Signature	Address	Comment	Date
Melissa Eaton	Melissa Eaton	30 Stillwater Circle Rochester NH 03839	Sent letters !! Phone no. !	7/14/2020
PHILIP WILLIAMS	Philip Williams	10 Stillwater Cir	PLEASE NO!	7/14/2020
Randy Scott McNally	Randy Scott McNally	13 Stillwater Cir 13 Stillwater Cir.	NO GOOD REASON TO	7/14/2020
Jody L McNally	Jody L McNally	13 Stillwater Circle	Don't ruin PLEASE our neighborhood	7-14-2020
Kelli Higgins	Kelli Higgins	5 Stillwater Circle	NO more traffic!	7/14/2020
JESSICA McNally	Jessica McNally	13 Stillwater Cir		7/14/20
Jared Pernini	Jared Pernini	13 Stillwater Circle		7.14.20
Ian Watt	Ian Watt	19 Stillwater Circle		7/14/20
John Ward	John Ward	8 Sugar Brook		7/14/20
Sarah Stewart	Sarah Stewart	8 Sugar Brook		7/14/20
Alicia Capello	Alicia Capello	4 Stillwater Circle		7/15/20
Anthony Capello	Anthony Capello	4 Stillwater Circle		7/15/20
Aaliyah Mohamed	Aaliyah Mohamed	11 Spirit Creek Rd		7/15/20

From: cinikki123@metrocast.net
Sent: Wednesday, June 24, 2020 8:58 AM
To: [Lisa Clark](#)
Cc: [Dave Walker](#); [James Gray](#); donald.hamann@rochester.net; chris.rice@rochesternh.net; douglas.lachance@rochester.net; [Peter Lachapelle](#)
Subject: [External] Stillwater Circle subdivision impact

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Clark;

I am responding to the letter I received about the proposed Barrington subdivision requesting an ungated road access to Stillwater. I have contacted Peter Lachapelle in the past on this matter.

I know many of the neighbors are very concerned about this and am hoping they are also voicing their opinions.

My husband and I strongly oppose an ungated access road for the following reasons:

1. Increased traffic through our neighborhood (shortcuts to 125 and 202)
2. Higher safety risks for our grandchildren and all other children in the neighborhood due to increased traffic
3. Road maintenance costs would increase since traffic would increase.
4. Unknown impact on home valuations

We have lived here for 20 years and enjoyed the safety of the area and the minimal traffic flow. Most everyone knows their neighbors and looks out for each other. Once you open access to another development that is the same size as this.....that safety and sense of security is taken away.

We feel that if Barrington wants to build a development, they should have both access points on the Barrington side. Barrington will receive the tax dollars and be responsible for maintenance of GreenHill and the roads in the subdivision. There is no benefit to the residents of Stillwater Circle having an open gate access road.

We would however, be open to an **EMERGENCY LOCKED/GATED** road if that is an option without the possibility of changing it in later years.. We were here during the Mothers Day Flood when the bridge was underwater and this would make sense for the first responders. A contingency to a gated access road in the agreement would need to be perpetual in nature, and have side barriers to dissuade off road vehicle use of the area.

(Please note that there are several people who do not feel comfortable with this option because they believe the city will not keep its word).

Sincerely;

Cindy and James Andrews
21 Echo Brook Road
Rochester, NH 03839

June 26, 2020

To Peter Nourse,

Please no gate or ungated roadway into Stillwater Circle. We live in a nice quiet neighborhood. Any type of gate will create more traffic & noise, more danger to the children playing & riding their bikes & scooters. A lot of mothers & fathers walk with their family & dogs in the evening & weekends. A lot of seniors also walk every day.

Now only residents family & friends come into the circle. With a gate we will have strangers cutting through

to avoid the lights on 125.
a possibly undesirable
looking to rob or destroy
just for the fun of it!

I'm a senior citizen and
like my home + neighborhood
just like it is.

When I bought my
house having only one
way in + out was a plus!

Sincerely,
Beverly Corriveau
9 Echo Brook Rd.
Stillwater Circle

From: [Tom Evans](#)
Sent: Monday, June 29, 2020 3:54 PM
To: [Lisa Clark](#)
Subject: [External] Proposed Residential Subdivision In
Barrington Requesting Access Road In Rochester

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The purpose of this communication is to relay a negative opinion of this request for the following reasons:

- The increase in traffic generated by the access road into Stillwater Circle will increase safety problems and concerns; Specifically, there is a great number of residents walking and bicycling the streets in this neighborhood who would need to share the road with the increased vehicle traffic.
- Allowing for the ungated access road would adversely impact the character of the Stillwater Circle neighborhood.
- The correspondence from the City, dated June 10, 2020 did not indicate how the ungated access road would benefit the City of Rochester.

Respectfully,

Tom Evans

11 Sugar Brook Rd, Rochester, NH 03839

From: [Lisa Clark](#)
Sent: Sunday, July 5, 2020 12:43 PM
To: [Lisa Clark](#)
Subject: FW: [External] Stillwater Circle

From: Melissa DuVarney <melissaduvarney@yahoo.com>
Sent: Sunday, July 5, 2020 12:18 PM
To: Lisa Clark <lisa.clark@rochesternh.net>
Subject: [External] Stillwater Circle

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

July 5, 2020

Dear Lisa Clark ,

This letter is in regards to the June 10th letter from the Public Works Committee of the Rochester City Council reviewing a potential ungated roadway connection from a new development in Barrington thru Stillwater Circle in Gonic.

This ungated roadway would allow the Barrington residents to use Rochester roads and bridge to gain access to 125 and the highway faster. This unnecessary added use would cost the city of Rochester money to repair both roads and bridge at a faster rate than our normal neighborhood use. Our neighborhood already has sections that are riddled with potholes due to poor drainage issues. Our streets were cut up and patched by the addition of added TV and internet cables. I don't imagine they would fair well with excess usage.

I don't agree to have it gated. This would allow it to be ungated in a number of years.

As a 14 year homeowner of Stillwater Circle I need to express my disdain for such an idea. I am a hard working single mom with a 4 year old, who plans on being here for the next 30 years. I grew up in Rochester and moved away as a young adult and chose to come back to this city because of this neighborhood. We live in this special neighborhood because it's quiet, private and safe. My son and I go for walks, bikes rides daily and enjoy visiting all the neighborhood cats that roam the streets. We have neighborhood parties and gatherings on our quiet streets. Children are able to safely play in the streets and enjoy an old fashion esque life that has since gone by the wayside.

My concern and as is the many neighbors I have spoken with and seen comments on Facebook is that this will create traffic we don't need or want. We have a right as hard working tax paying resident of Rochester to say, please don't allow this. This is our home and please don't tarnish our privacy, safety and quiet life here.

I have heard theirs concern over the storm many years ago where the river overflowed due to dam issues. We were all given the choice to stay or leave. We were all brought home and the rare issue was resolved by morning. We were never forced to be evacuated like the 55+ community Tara Estates, which to my knowledge also has one easement. Having one entrance and exit is common across the country for many communities. I can live with a rare situation like the overflowing that occurs once or maybe twice in a lifetime to have the benefits of living in our peaceful neighborhood.

I am pleading with you to please not allow this roadway connection to happen.

Thank you for your time and consideration,

Sincerely,

Melissa Eaton
30 Stillwater Circle
Rochester, NH 03839
603-973-1871
melissaduvarney@yahoo.com

July 5, 2020

Dear Lisa Clark ,

This letter is in regards to the June 10th letter from the Public Works Committee of the Rochester City Council reviewing a potential ungated roadway connection from a new development in Barrington thru Stillwater Circle in Gonic.

This ungated roadway would allow the Barrington residents to use Rochester roads and bridge to gain access to 125 and the highway faster. This unnecessary added use would cost the city of Rochester money to repair both roads and bridge at a faster rate than our normal neighborhood use. Our neighborhood already has sections that are riddled with potholes due to poor drainage issues. Our streets were cut up and patched by the addition of added TV and internet cables. I don't imagine they would fair well with excess usage.

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I am pleading with you to please not allow this roadway connection to happen.

Thank you for your time and consideration,

Sincerely,



Melissa Eaton
30 Stillwater Circle
Rochester, NH 03839
603-973-1871
melissaduvarney@yahoo.com

From: [Lisa Clark](#)
Sent: Monday, July 6, 2020 6:57 PM
To: [Ronda Boisvert](#)
Subject: Fwd: [External] [Rochester NH] Stillwater Circle additional roadway
(Sent by Dorothy Taraburelli , Dorothytaraburelli@yahoo.com)

Please pdf for pwc as we discussed
Sent from my iPhone

Begin forwarded message:

From: Blaine Cox <blaine.cox@rochesternh.net>
Date: July 6, 2020 at 3:29:28 PM EDT
To: Lisa Clark <lisa.clark@rochesternh.net>
Subject: FW: [External] [Rochester NH] Stillwater Circle additional roadway (Sent by Dorothy Taraburelli , Dorothytaraburelli@yahoo.com)

FYI - one more for the PWC.

-----Original Message-----

From: cmsmailer@civicplus.com <cmsmailer@civicplus.com>
Sent: Monday, July 6, 2020 2:15 PM
To: City Council <CityCouncil@rochesternh.net>
Subject: [External] [Rochester NH] Stillwater Circle additional roadway (Sent by Dorothy Taraburelli , Dorothytaraburelli@yahoo.com)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City Council,

Dorothy Taraburelli (Dorothytaraburelli@yahoo.com) has sent you a message via your contact form (<https://www.rochesternh.net/users/city-council/contact>) at Rochester NH.

If you don't want to receive such e-mails, you can change your settings at <https://www.rochesternh.net/user/661/edit>.

Message:

I have lived on Stillwater Circle since 1999. It is a wonderful place to live, quiet and peaceful and very little traffic except for those who live here. There are many one access roads in Barrington and in Rochester. I do not understand this problem. I also do not want an increase in traffic and lose my peaceful life. I ask you please to listen to my message and to vote not to allow the other access road going through here. That problem is the developers and it should not have any influence on us at all. Obviously this is a requirement for Barrington and that's their problem. Thank you for your consideration in this matter.

07/30/2020

From: "dianne51disney@icloud.com" <dianne51disney@icloud.com>

Date: July 8, 2020 at 8:39:54 PM EDT

To: Lisa Clark <lisa.clark@rochesternh.net>, Dave Walker <dave.walker@rochesternh.net>, James Gray <james.gray@rochesternh.net>, Donald Hamann <donald.hamann@rochesternh.net>, Christopher Rice <christopher.rice@rochesternh.net>, Douglas Lachance <douglas.lachance@rochesternh.net>, Caroline McCarley <caroline.mccarley@rochesternh.net>

Subject: [External] Proposal before Public Works Committee to build/allow ungated cut through into Stillwater Circle subdivision from proposed Barrington subdivision

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

TO: Rochester Public Works Committee

RE: July 16th Public Works Committee meeting regarding Stillwater Circle roadway connection at the request of Barrington developer

We wish to submit our objections to this proposed ungated cut through requested by the Barrington developer. We object for the following reasons:

- The Stillwater Circle subdivision is a family-oriented neighborhood of narrow streets used by its residents for walking, bike riding, playing, and the residents traveling to their homes. These people would be in danger from the heavy traffic and unable to enjoy their own neighborhood.
- The necessary repairs to the ROCHESTER streets caused by the heavy use would become the responsibility of ROCHESTER, but all tax dollars from the BARRINGTON subdivision will go to BARRINGTON.
- The intersection of Stillwater Circle onto Stillwater Circle is a blind intersection and would be made more dangerous by the heavy, fast moving traffic.
- The intersection of Stillwater Circle onto Flagg Road is also a dangerous intersection and would be made worse with the heavy traffic from the Barrington residents who will be racing through the neighborhood in order to avoid the Green Hill Road lights so they can get to the highway, or Lowes quicker.
- Home values in this neighborhood will decrease due to the heavy traffic and safety concerns. It will no longer be a family neighborhood, but a race track.

Why would Rochester destroy a lovely Rochester neighborhood in order to accommodate a Barrington developer and help the Barrington tax base?

I hope the Committee will recognize the dangers of agreeing to this proposal and tell the developer **NO** and protect the safety and home values of Rochester residents.

Douglas and Dianne DuVarney

30 Stillwater Circle

Mr. Peter C. Nourse
 Director of City Services
 City of Rochester, NH

Dear Director Nourse,

My wife and I are residents of Stillwater Circle in Rochester. We reside at 29 Sugar Brook Rd and are the abutters to the roadway connection that will be discussed at the July 16th meeting of the Public Works Committee of the Rochester City Council. The other abutting neighbors to this proposed connection are the Parkers who live at 25 Sugar Brook Rd. There are approximately 103 homes in the Stillwater Circle development with an average of two vehicles per home.

Your letter to the Stillwater Circle residents does not provide much background information regarding the need to have an ungated roadway connection from the proposed 100 acre parcel in Barrington (Map 210, Parcel #57). There is also an adjoining 100 acre parcel (#44) which is not part of the presentation but could factor into future discussion. Parcel #44 could also be developed at a later date since an egress point would now be available. That potentially could compound the problem that this access point provides.

The Barrington Planning Board Meeting Minutes of 12/17/19 and the Public Works and Buildings Committee Meeting Minutes of 5/21/20 are the basis of my comments. The references to the Barrington Minutes will be noted as BPB and the Public Works will be noted as PWM.

In order to build the proposed 78 lot subdivision (BPB) which could have as many as 150 vehicles, a second egress road is required and per the town's regulations. The developer can't have more than 1,000 feet of roadway to the furthest end of the development (BPB, page 6 of 10). The parcel does have access to Hansonville road in Barrington for a second egress point that is requires over 1,200 feet of road construction. Based on the size of the parcel, the developer would require a variance from the Barrington Zoning Board of Adjustment which would likely be granted since the development would bring additional tax revenues to the town of Barrigt. The proposed ungated access to Stillwater Circle would result in a cost saving to the developer with no benefit to the residents of Stillwater who are unlikely to use the roadway into the Barrington development.

Regarding traffic flow in the area, the distance from the proposed entrance on Sugar Brook Rd to the traffic light on Flagg Rd to Route 125 is 1.2 miles. From this light, the distance to exit 12 of the Spaulding Turnpike is 3 miles. The distance from the entrance to the Barrington parcel on Green Hill Rd to the traffic light on Route 125 is 1.1 miles. If the traveler is going to Rochester or the Spaulding Turnpike, and additional 1.1 miles of travel is required to reach the traffic light at Flagg Rd. There would be an additional 1 mile of travel to reach the light on Flagg Rd. Some traffic would come through Stillwater Circle to save time and add to the current flow in the area. I performed a traffic study of the traffic moving across our home in Stillwater Circle using an unscientific process (an Arlo motion detector on my garage). The study was made from 6/22/20 to 6/28/20 and an average of 50 vehicles drove by my home daily. This does not include the residents who walk around the development and those who ride their bicycles every day. Allowing traffic flow from the Barrington development will increase the volume of traffic on Stillwater Circle.

Regarding the Mother's Day flood of May, 2006, there is only one access road to Stillwater Circle. This development was started over 20 years ago and no provisions were made for a second egress road. The residents who chose to leave until the water receded two days later were assisted by the NH National Guard. This was a once in a hundred year event but it did happen. We have lived on Sugar Brook for 20 and a half years (over 7,100 days). We left the development for two days.

In summary, this proposal is not beneficial to the residents of Stillwater Circle. It only serves the needs of the developer of the Barrington parcel #57 to reduce the cost of the project. Please deny this request.

Respectfully,
Leo and Michelle Brodeur
29 Sugar Brook Rd
Rochester, NH 03839

cc: Mr. David Walker, Public Works and Building Committee Chairman
Mr. James Gray, Public Works and Building Committee Vice Chairman

From: [John Hussey](#)
Sent: Saturday, July 11, 2020 2:35 PM
To: [Lisa Clark](#)
Subject: [External] Fwd: Stillwater Exit

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----
From: **John Hussey** <jhussey354@gmail.com>
Date: Sat, Jul 11, 2020, 12:26 PM
Subject: Stillwater Exit
To: <Lisa.Clark@rochester.net>

Dear Lisa,

I am writing on behalf of
Trinity Conservation LLC. . We
are the "owner of record" of the
Land in Barrington that abuts
The open space owned by the
City of Rochester where the proposed exit would actually be
Constructed.

There seems to be a bit of
a "dis-connect" in the way that
This was presented to the residents
Of Stillwater..

Our intentions were to emphasize that this would be

an "Emergency Only" gate.

The town of Barrington does not want a crash gate installed because of possible cosmetic damage to their fire trucks.

In lieu of a crash gate, we would suggest a weather resistant Fabric be stretched across the opening, neatly lettered, "Emergency only"....This would Prevent any indiscriminant travel Through the exit and would not cause damage to a firetruck.

This type of arrangement would be a total benefit to all involved...It would not disturb the daily peace and quiet of the residents, but in Case of some catastrophic event That prevented crossing the bridge, The people would have another way in and out.

Also, just for the record:

About two years ago, we were approached by the City of Rochester with the then, assistant City engineer, Owen Friend-Gray, acting as agent and asked to Consider just such an agreement.

Two points of access and egress were required for the
Subdivision approval, but the
Second was never actually
constructed ...From talking with
Owen, we infer that he was worried
not only about safety of the
residents, but the potential liability
To the city and tax payers should
some one die because an ambulance could not get across
The bridge .

If it could be made more clear to
The residents of what our exact
Intentions are, we think that they
would be a lot more receptive....
Or possibly send it on to the council
with "Emergency Only" as a strict
Contingency.??

Sincerely, John Hussey

From: genaiwickey73@yahoo.com
Sent: Sunday, July 12, 2020 6:49 PM
To: [Lisa Clark](#)
Cc: [Dave OBrien](#)
Subject: [External] July 16th meeting

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I hope all is well. I live at 89 Stillwater Circle and my husband and I are against the access road for Barrington. First of all, we chose our home due to it is a low traffic neighborhood and it is practically a cul-de-sac. Secondly, this will interfere with our property values. Thirdly, we do not want any additional traffic. We are the second house on the right as you come in this neighborhood and people speeding is already an issue.

I appreciate your time. My husband will be on the call. I can't be due to a work conflict.

Thank you,

Genai and David O'Brien of 89 Stillwater Circle in Rochester

Sent from myMail for iOS

From: Beth Evans <slowdown.livehappy52@gmail.com>
Sent: Monday, July 13, 2020 7:33 AM
To: Lisa Clark
Subject: [External] Stillwater/Barrington access road issue

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Lisa,

My husband and I have been living in the Stillwater development for 14 years and love the community in this development. It is, for the most part a quiet, family and pet friendly area where residents can walk peacefully and children can ride bikes without traffic worries. By adding this access road for the Barrington development we feel this life style would be compromised. Also the bridge over the Isinglass river at the entrance to the development would be subject to way more traffic than it was designed for.

We see no reason why this development would need to cut through our development when they can use either Hansonville Rd or Green Hill Rd to access it and stay in Barrington. It makes no sense to any of us.

I am not for this road and please don't allow.

Thank You

Beth Evans
11 Sugar Brook Rd

Sent from my iPad

From: [William Horton](#)
Sent: Sunday, July 12, 2020 3:25 PM
To: [Lisa Clark](#)
Subject: [External] Stillwater Circle subdivision impact

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from [Mail](#) for Windows 10

Dear Ms.Clark

I am responding to the letter I received about the proposed Barrington subdivision requesting an ungated road access to Stillwater. My wife and I have much concern on this issue, as many of my neighbors also do.

My wife and I strongly oppose an ungated access road for the following reasons:

1. Increased traffic through our neighborhood. {shortcuts for 125 to 202} 3 times a day.
2. Higher safety risks for all the children in our neighborhood due to increased traffic.
3. This would become a short cut to get to RTE>125 or other Rochester locations.
4. Road maintenance costs would increase as traffic would increase.
5. Unknown impact on home valuations.

We have lived here for over 20 years and enjoyed the safety of the area and the minimal traffic flow. Most everyone knows their neighbors and looks out for other. Once you open access to another development that is the same size or larger the safety and sense of security is taken away. We feel if Barrington wants to build a development, they should have both access points on the Barrington side. Barrington will receive the tax dollars and be responsible for maintenance of Green Hill and the roads in the subdivision. There is no benefits to the residents of Stillwater Circle having an open gate access road.

We would however, be open to an EMERGENCY LOCKED/GATED road if that is an option without the possibility of changing it in later years ,[Put in legal form]. Having been here during the Mothers Day Flood when the bridge was under water and this would make sense for first responders. A contingency to a gated access road in the agreement would need to be perpetual in nature, and have side barriers to dissuade off road vehicle use of the area.

Please note several residents of this development do not feel comfortable with this option because they believe the city will not keep its word.

Sincerely;

William L. and Mary J. Horton
18 Echo Brook Road
Rochester, NH 03839

July 14, 2020

To Whom It May Concern,

In regards to the proposed ungated roadway connection from Stillwater Circle to the subdivision off Greenhill Road, Barrington, NH:

For those who have been through the home searching and buying process, you will understand the painstaking journey it takes to find the perfect house at the perfect time in a perfect place. I found that perfect house 7 years ago in the Stillwater Circle neighborhood in Rochester, NH. That evening I closed on this house, I was bringing a load of boxes of all shapes and sizes crammed with my belongings to move into my new place. As I pulled into the neighborhood, I passed by two kids on their bikes, playfully pedaling down their imaginary racing track they had made with sidewalk chalk signaling the start and finish of their race track. I progressed further to my house and advanced upon another pair of kids gleefully playing at a basketball hoop that their dad had set up alongside the road. Finally, as I approached my driveway, I could hear the loud crack of a skateboard hitting the pavement from the neighbor's kid next door who was practicing ollies in the street.

I took the last box into the house as the sun set below the pine trees lining the neighborhood and took a sigh of relief; not only because the boxes were moved in, but because I had been drawn back to my memories as a child in a similar neighborhood I had grown up in. My friend and I were those two kids on the bikes pretending we were race car drivers. My friend and I were the basketball all-stars, even if it meant we made every 1 out of 100 baskets. My friend and I were the skateboarders, practicing whatever move Tony Hawk had seemingly invented that day. The road was our playground because that's what kids did back then and that's what kids still do to this day.

Then came the day the dump trucks and bulldozers started to travel on our playground. Just like the Stillwater Circle neighborhood, there was undeveloped land adjacent to my neighborhood as well. There was just enough room to fit 25 brand new houses in that field and to fit those 25 houses, they needed to build a road. To accommodate the construction vehicles and remain safe, our race tracks had to be adjusted to the side of the road, the basketball hoop had to be moved into the driveway, and the skateboarding just stopped altogether. The road was a bit harder to play in, but not impossible to enjoy.

I remember the day the houses were finally constructed and the new road in our neighborhood was finally paved. This new road in our neighborhood became our new race tracks, basketball courts, and a blank canvas for a 9 year old's imagination. But this new road, however, did not present an everlasting safe opportunity to play in as it had before this new neighborhood sprang up.

The developer for this new neighborhood had decided to build another road opening to the main road in town. Our neighborhood had that too, but we were first. Thus, a car could travel from the main road into the new neighborhood, through my neighborhood, and out onto the main road,

shaving off about 30 seconds to the motorist's commute. The same was true for the reverse direction, of course. Our roads abruptly were no longer our playground and tragically, my friend was struck by a vehicle when he went to grab the basketball for me after I missed my 99th shot. The motorist was using our safe neighborhood - our playground - to cut through to save time on his commute. My friend survived, thankfully, but we couldn't have the same fun as we used to. The sound of bikes, basketballs, and laughter from kids ceased and all that was left to be heard were cars passing by.

7 years ago I moved into the Stillwater Circle neighborhood. A neighborhood surrounded by nice homes and even nicer neighbors with kids and pets. I have been a lifelong resident of New Hampshire and although 37 years hasn't spanned a limited existence yet, it has been enough to see this state grow at an alarming, and sometimes, discouraging, unsafe rate. The above incident I experienced may not happen here with the new road being put into place, but I would rather not chance seeing a family being disrupted by the tragedy that might happen to one of their kids or pets from a motorist who was "just cutting through." I'm sure you would not want to run that chance either.

With a persistent plea, I am asking you to please reconsider the plans to move the ungated roadway connection to another location, preferably Barrington, and not through a neighborhood that prides itself on the safety and wellbeing of all who live in it. Simply put, a road through a populated neighborhood that people will undoubtedly use to cut time off their commute, is not a good idea. Please use common sense and decency. That is and hopefully will continue to be the New Hampshire way.

Sincerely,

Joshua Shawver
50 Stillwater Circle
Rochester, NH

Mr. Peter C. Nourse
 Director of City Services
 City of Rochester, NH

Dear Director Nourse,

My wife and I are residents of the Stillwater Circle development in Rochester. We reside at 25 Sugar Brook Rd and are the direct abutters to the proposed roadway connection that will be discussed at the July 16th meeting of the Public Works Committee of the Rochester City Council. The adjacent neighbors abutting the opposite side of this proposed connection are the Brodeurs who live at 29 Sugar Brook Rd. As the two households in Rochester most directly affected by the proposed roadway from Barrington, we are both in staunch opposition to its approval for several reasons.

First and foremost is that there is no clear benefit to the City of Rochester or the residents of Stillwater Circle from this proposed roadway. Instead it is likely that there will be a cascade of negative impacts directly to the residents within the community. Most notably will be the increase in vehicle traffic. Regarding traffic flow in the area currently, my neighbor Mr. Brodeur has conducted an observational study of traffic in front of his home in which he noted an average of 50 vehicles per day, over the span of one week, passing in front of his home. Bear in mind that the Brodeurs and myself live at the furthest end of the development and so, theoretically, have the least amount of traffic within Stillwater Circle.

Any traveler, from Stillwater Circle or the proposed development in Barrington, would only be saved a mere 1.1 additional miles, or approximately 90 seconds, of travel with the proposed access road connecting through to Greenhill Road. Using a rough estimate of 2.5 cars per household for the proposed 78 lot subdivision would add a potential 195 vehicles. Many of these would no doubt utilize the most direct route to NH 16 and so travel through the Stillwater Circle development. Some local Barrington traffic would likely come through Stillwater Circle to save time, adding to the current flow in the area. Allowing traffic flow from the Barrington development will increase the volume of traffic on Stillwater Circle.

In addition, as traffic flow increases it will degrade the quality of life that the residents enjoy in Stillwater Circle. As a limited access community there are many residents here, quite a few of which are children, who enjoy walking, running, and riding their bicycles through the development every single day. Increased traffic will make these activities less desirable and reduce public safety.

Another issue is that the Barrington parcel already has access to Hansonville road in Barrington for a second egress point. but this requires an extra 1,200 feet of road construction and presents a host of other costs that the developer could avoid by simply building an extra 100 feet of road to connect through to Stillwater and potentially gain access Rochester's public utilities. The proposed ungated access to Stillwater Circle would result in a costs savings to the developer with no benefit to the residents of Stillwater who are unlikely to use the roadway into the Barrington development.

Regarding the rare occurrence of the Mother's Day flood of May 2006 and a potential secondary egress for Stillwater Circle. This development was started over 20 years ago and no provisions were made for a second egress road. The residents who chose to leave until the water receded two days later were assisted by the NH National Guard. This was a once in a 100+ year event, but it did happen and is a risk anyone moving here takes just as any homeowner risks a natural disaster such as a tornado or fallen tree damaging or blocking access to their property.

07/30/2020

In summary, this proposal is not beneficial to the residents of Stillwater Circle. It serves only the needs of the developer of the Barrington parcel #57 and #44 to reduce the cost of the project. Please **deny** this request.

Respectfully,

Douglas and Alexandra Parker

Douglas and Alexandra Parker
25 Sugar Brook Rd
Rochester, NH 03839

cc: Mr. David Walker, Public Works and Building Committee Chairman
Mr. James Gray, Public Works and Building Committee Vice Chairman

Voicemail received July 16, 2020 at 12:19 PM from Jay Taylor 6 Stillwater Circle.

I'm against the access road, there are a lot of children in this area. We already have problems with cars going too fast along the outside of the circle, not so much in the interior areas. The outside of the circle has a real problem with people speeding and a lot of cars. If you add in an access road that is just going to make that problem worse and safety is going to be a big problem. Thank you

iMessage
Today 12:42 PM

Good Afternoon. I am responding to the letter I received. We have concerns about a connection from the Stillwater neighborhood to a new proposed neighborhood in Barrington. Putting a connection to the other neighborhood would sadly turn this into a "cut through street". There are many adults and children that walk/ride bikes through the neighborhood and could be more at risk of their being an accident. Our neighborhood is peaceful and would no longer be with a higher volume of traffic. We ask that you consider all factors. A cut through street is not necessary. Thank you for giving matter your prompt attention.

Sincerely,
Roderick J. Gadway
Donna J. Gadway
55 Stillwater Circle
Gonic, NH 03839

Subject:

FW: [External] Ungated Roadway Connection from the Potential Subdivision to Stillwater Circle

07/30/2020

-----Original Message-----

From: Deborah Albro-McMahon <dalbromcmahon@gmail.com>

Sent: Thursday, July 16, 2020 11:40 AM

Subject: [External] Ungated Roadway Connection from the Potential Subdivision to Stillwater Circle

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to an ungated roadway connection from a potential subdivision to Stillwater Circle because I like that Stillwater Circle is not a thru street. We have enough traffic without it being a thru street. If it becomes a thru street it will mean more traffic and be more dangerous for people who live here to bike and walk the neighborhood. Why does the town of Barrington desire an ungated roadway connection from the subdivision to Stillwater Circle? Having a subdivision that is not a thru street is more desirable. I hope that the City of Rochester does not allow the Town of Barrington to have an ungated roadway connection from the potential subdivision to Stillwater Circle. I'm sure the people living here in Rivers Edge Estates will agree with me.

Deb Albro-McMahon
6 Spirit Creek Road
Gonic, NH 03839
Sent from my iPhone

Subject:

FW: [External] Opposed to to ungated roadway access to Stillwater Circle

07/30/2020

From: Jon Eisenberg <jon-eisenberg@comcast.net>

Sent: Thursday, July 16, 2020 11:23 AM

Subject: [External] Opposed to to ungated roadway access to Stillwater Circle

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lisa,

Just want to voice my opinion , as a resident of Stillwater Estates we are opposed to the proposed access road from the proposed subdivision to be built in Barrington. Can not see the benefit to us and most importantly there is a lot of children who play on these streets and the increased traffic might do them some harm. Thank you for listening and hope all is well, be safe!

Jon Eisenberg

-----Original Message-----

From: Lozier, Dwain <dwain.lozier@unh.edu>

Sent: Wednesday, July 15, 2020 9:04 PM

Subject: [External] Stillwater Circle Access Road to Barrington

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

I live at 63 Stillwater Circle and my property directly abuts the proposed development off Greenhill Road in Barrington. I have a couple questions listed below that I hope will be addressed.

#1- 76 unit subdivision means what exactly? Will it be single family homes, condos or multiplexed housing? What is the anticipated population density?

#2- What size will the lots be?

#3- Will there be any buffer in the common area between the Rochester and Barrington town lines?

#4- Will the ungated roadway connection be the main entrance or secondary entrance into the proposed development?

#5- How will the increased traffic on Stillwater be assessed to address the deferred maintenance on Stillwater such as the storm drains and paving repair?

5a- what impact will this have on the bridge into Stillwater?

#6- Will the speed limit on Stillwater be assessed due to the increased traffic?

#7- Stillwater is a very walking friendly neighborhood so with the increased traffic will sidewalks be added?

#8- Will Stillwater be posted as "not a through road" ?

#9- What will be done to mitigate the traffic noise to the residents of Stillwater?

Our taxes are not low and understand that it helps with support services, etc but what will the city of Rochester gain from a residential development in Barrington? If the above items aren't addressed, this is access road is not favorable for Stillwater residents.

Thank you in advance for reading my email. We will be watching the proceedings and hope many questions will be answered.

Sincerely,

Dwain and Denise Lozier

63 Stillwater Circle

Sent from my iPad

07/30/2020

From: Alicia Capello <acapello30@gmail.com>
Sent: Thursday, July 16, 2020 1:54 PM
To: PublicInput <PublicInput@rochesternh.net>
Subject: [External] Stillwater Circle Access Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

I am writing this email to express my family's opposition to the idea of a public access road leading to a subdivision in Barrington via the backside of our neighborhood. We own a home at 4 Stillwater Circle which is at the beginning of the neighborhood. We see a lot of traffic come through here because of where we are, right next to the stop sign. An access road would act as a shortcut and create additional traffic. We have small children and already have to dodge traffic constantly on our evening walks. It would be a safety hazard for the many children in the neighborhood. Please do not allow a public second entrance. If this entrance must exist I implore you to make it a private gated road for emergency personnel only.

Best Regards,

Alicia Capello

07/30/2020

From: Janet Hilber <jhilber68@gmail.com>**Sent:** Thursday, July 16, 2020 11:58 AM**To:** PublicInput <PublicInput@rochesternh.net>**Subject:** [External] Stillwater Circle opposition

Dear Mr. Nourse,

You have asked for an opinion on an ungated roadway to a new 76 Unit residential subdivision in Rochester and this has stirred a lot of anger in our neighborhood. Several people chose this Stillwater Circle neighborhood because it IS enclosed. You must know the neighborhood is here and have a reason to be in this area which keeps the traffic lower, making it much safer for everyone who lives here. That is one of the reasons the city saw fit to increase our house values for tax assessment. It is a desirable neighborhood for the safety reasons. Our children can play safely in their yards and ride their bikes and other toys on these roads. Usually the vehicles drive slowly because everyone knows how many children are here, and it is a great thing that the children are also outside playing, instead of being stuck inside playing video games or watching tv. The adults can get their exercise by walking the 1 Mile outer circle and more if you add the center roads. Many feel able to walk their dogs safely too.

Adding an UNGATED road as a throughway to Greenhill Rd is something I am highly against! Once people find out about this "shortcut" the traffic will increase dramatically and endanger our safety. I understand the desire for a second access route for us and for the new neighborhood in BARRINGTON, but there are other ways to accomplish that. The desire for the city to receive more money by "selling" water and sewer to residents of another town is not a sufficient reason for us to give up our safe and quiet living. We are punished by the City for having a desirable neighborhood and then have something like this possible be forced on us. Unacceptable.

Additional concerns are the loss of land for the wildlife, and if more land is developed, where are all the animals supposed to go? Why should Rochester residents pay for things for Barrington? The roads and bridge will have a lot more wear and tear and will require more maintenance. If you add sidewalks, we will lose part of our own property lines.

Possible solutions:

The 22.1 Acres (Tax Map 0262-0058) that just sold will probably be developed soon. Make it a requirement for an access road into this neighborhood, even if it is just a gated access road and has to go along the back of the neighborhood through the Rochester Easements. Yes it would require another bridge, but what are the chances both bridges would fail at the same time?

Trinity Conservation (how ironic of a name) owns 205 acres in 2 separate lots. They could have an access road on Greenhill Rd and Hansonville Rd if the design the subdivision correctly and have an easement through the other lot. Have them buy land on the other side and get to Chapman Dr.

There is so much more to say, but this should give you an idea of our feeling against this proposition.

Thank you,

Janet Hilber

43 Stillwater Circle

07/30/2020

From: loricorneau75 <loricorneau75@gmail.com>**Sent:** Thursday, July 16, 2020 2:33 PM**To:** PublicInput <PublicInput@rochesternh.net>**Subject:** [External] Stillwater Circle Access Road For New Development

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To whom it may concern,

I am a resident in the Stillwater Circle subdivision on 5 Sugar Brook Road. I have great misgivings about a new development being built behind ours with the proposal of an access road connecting the new neighborhood to ours.

My first concern is that my husband and I have an autistic child who has no sense of danger and any extra traffic from the new neighborhood could be very dangerous to him. We cannot live in a high traffic neighborhood or a main road because of that so we bought our home in this neighborhood is because it's safe with very low traffic. We also have lots of small children in the neighborhood who are always outside playing in the good weather and more traffic is also unsafe for them. Another concern is of everything being built up and developed around here, leaving nowhere for the wildlife to go and potentially dangerous animals such as coyotes, bears and moose will end up in people's yards. There's been sightings of these animals in people's yards this year around here so that's really bad! They can pose a threat to both the children in the neighborhood and the adults. We can't have it getting worse. All the residents are also concerned about what this new development and access Road will do to our home values.

Myself, my husband and most of the residents in the Stillwater Circle development do not want this access road in our neighborhood for the above reasons and many others. Please reconsider doing that and work out another plan for the new development.

Lori Corneau

Stillwater Circle development resident

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone

Granite State Business Park (GSBP) – Mr. Scala stated that there have been a few things happening at the business park and the subdivision that has been approved and recorded there. He stated that Prep Partners had closed on the property and they are working their way through approvals of the 150,000 square foot warehouse. Norway Plains and Associates is completing the utility design for the building and have determine the most direct and cost effective way for the sewer line is to cut across the Pease Development Authorities (PDA) parcel / property to Innovation Drive. He stated that the initial survey work has been completed and all of the elevations work. Mr. Scala stated that he is looking to get the Councils approval to work with the PDA on an easement and a supplemental appropriation for the cost of the sewer extension. The funding would be from this TIF District. Mr. Scala stated that the initial estimates are approximately \$100,000 to \$150,000. Mr. Sullivan stated that financially the district could support the estimates that have been up to \$200,000 for this project and recommended the supplemental funding source to come from the GSBP TIF Surplus. Councilor Walker explained that in his experience working with the Federal Aviation Administration (FAA) it could take a while to obtain the easement. He asked if that would significantly impact the project schedule. Mr. Scala stated that he understood the possibility of a lengthy process and believe that they could get the easement in the time frame necessary.

Councilor Hamann made a motion to recommend that the full City Council approve the sewer easement through the PDA property and to approve a supplemental appropriation to the TIF Fund for the construction of the necessary sewer line. The motion was seconded by Councilor Rice. A roll call vote was taken to approve the sewer easement and supplemental appropriation.

<i>Councilor Rice</i>	<i>Yes</i>	<i>Councilor Gray</i>	<i>Yes</i>
<i>Councilor Hamann,</i>	<i>Yes</i>	<i>Councilor Walker,</i>	<i>Yes</i>

Councilor Hamann made a motion to adjourn at 9:17 pm. Councilor Walker seconded the motion. The motion passed unanimously. A Roll Call vote was taken

<i>Councilor Rice</i>	<i>Yes</i>	<i>Councilor Gray</i>	<i>Yes</i>
<i>Councilor Hamann,</i>	<i>Yes</i>	<i>Councilor Walker,</i>	<i>Yes</i>

Minutes respectfully submitted by Lisa J. Clark, City of Rochester Administration and Utility Billing Supervisor.

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City Clerk's Office

**Resolution Authorizing \$132,000.00 Expenditure from the RSA 162-k TIF Fund for the
Innovation Drive Water-Sewer Line Extension Project**

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

That the amount of One Hundred Thirty Two Thousand Dollars (\$120,000.00) is hereby authorized to be expended from the RSA 162-k TIF Fund to pay for the costs associated with the so-called Innovation Drive Water-Sewer Line Extension Project.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. All projects will be assigned a unique account number for tracking and reported purposes.

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City Clerk's Office



07/30/2020

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

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

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

AGENDA DATE			
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
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

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

LEGAL AUTHORITY

--

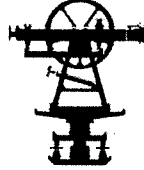
SUMMARY STATEMENT

RECOMMENDED ACTION

NORWAY PLAINS ASSOCIATES, INC.

LAND SURVEYORS • SEPTIC SYSTEM DESIGNERS • CIVIL ENGINEERS

P.O. Box 249
2 Continental Blvd.
Rochester, NH 03866-0249
603-335-3948 / 800-479-3948
www.norwayplains.com



P.O. Box 268
31 Mooney Street
Alton, NH 03809-0268
603-875-3948
rtetreault@norwayplains.com

July 27, 2020

Michael Scala, Director of Economic Development
City of Rochester
33 Wakefield Street
Rochester, NH 03867

VIA Email: michael.scala@rochesternh.net

**Re: Proposed Sanitary Sewer and Water Extension Construction Plans and Easement Plan –
Innovation Drive, Rochester, Strafford County, NH**

Dear Michael:

Thank you for the opportunity to provide a proposal for the above referenced project. The scope of work outlined in detail below is based on the understanding that the City would like to design an extension to the municipal sanitary sewer system off Innovation Drive. This gravity sewer extension will provide sanitary sewer connection to Lot 21-1 on Map 255 which was recently created. Furthermore, this gravity sewer line would provide access to the other two lots from the recent subdivision, albeit from a pressure force main from those lots. Our scope of services for the City of Rochester will include:

Survey Phase:

- **Field Survey:** Survey Crews will perform necessary on-the-ground survey of the proposed roadway and portions of Airport Drive and Innovation to obtain the following design grade site features:
 - Topography (Design Grade – On Ground);
 - Drainage structures such as culverts, catch basins, etc.;
 - Utilities (i.e. water, sewer, electrical transmission lines and poles, etc., as visually apparent, shown on reference material;
 - Any exposed ledge/rock;
 - Ditch lines;
 - Roadways.
- **Existing Features Plan:** An Existing Features Plan will be computed using the field survey data collected. The plan will provide or include:
 - Imperial Units;
 - Graphical representation of all surveyed features;
 - 2-ft. topographic contours;
 - Legend of all symbols, abbreviations, and line types used;
 - Location of the control points and/or benchmarks.

- **Easement Plan:** An Easement Plan will be computed using the field survey data collected and the proposed sanitary sewer lines and other municipal utilities. The plan will provide or include:
 - Existing Property lines with meets and bounds;
 - Existing site features;
 - Proposed Utility Easement with easement meets and bounds;
 - Suggested Legal Description.

Survey Phase Cost Estimate: \$2,500

Engineered Design Phase:

- **Utility Plan and Profiles:** A Utility Plan and Profile sheet will be prepared to depict the location of proposed utilities and their connection to existing utilities located on Innovation Drive.
- **Construction Detail Sheets:** Accompanying the above design will be the necessary construction details describing required material specifications, installation procedures, etc.
- **Coordination with Department of Public Works:** The design plans and associated construction detail sheets will be submitted to the Department of Public Works for review and approval.

Permitting Phase:

- **State of New Hampshire:** This project will require approval from the State of New Hampshire, Department of Environmental Services (NHDES), Wastewater Engineering Bureau, for extending the municipal sewer system.

Engineering & Permitting Phases Cost Estimate: \$5,000

General Assumptions & Exclusions:

The scope of Services outlined above and the total cost as noted below are predicated on a number of assumptions, City fees, and exclusions. These are as follows:

- Reimbursable expenses such as NHDES review fees, Third Party Engineering Review (if required), excavator fees for test pits, Registry of Deeds copy and/or recording fees, State application fee, etc.;
- Analysis of any offsite utilities;
- Design changes precipitated by revisions to the proposed utilities location after the concept plan has been approved by you and/or the Department of Public Works;
- Preparation of Construction Specifications for bidding purposes;
- Preparation of and monitoring of the Stormwater Pollution Prevention Plan (SWPPP) in accordance with the Construction General Permit of the NPDES and the EPA (not anticipated given the limited earth disturbance);
- Geotechnical soil exploration or testing;
- Relocation design of existing utilities;
- Construction layout;
- Construction inspections;
- As-built survey, once completed.

Total Estimated Cost:

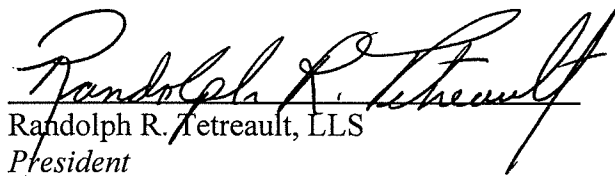
Based on our understanding of the project at this time, the above proposal is *estimated* at a total cost of approximately **\$7,500.00**. Additional work requested that is not included in the stated scope of services will be charged separately at our standard hourly rates. We will notify you in advance of the cost of any such additional work. A schedule of our hourly rates is attached for your reference.

As the job progresses, you will be billed on a thirty (30) day basis. Payment is due upon receipt of your bill. If payment is not received by us within ten (10) days of the date of billing, all work on the project will cease and all information withheld pending receipt of said payment. Accounts overdue thirty (30) days from the date of billing are subject to a service charge of 1.5% per month (18% per year) of the unpaid balance. Should collection procedures become necessary, attorney fees will be demanded in addition to principal and service charge amounts.

Please sign one copy of this proposal, initial the terms and conditions, and return both as evidence of your understanding of our scope of services and acceptance of the method of payment. Please make note of your Purchase Order # in the space provided below. Upon receipt of these items, we will schedule work to begin.

We look forward to working with you on this project. Please do not hesitate to contact me with any questions or comments.

Sincerely yours,
Norway Plains Associates, Inc.


Randolph R. Tetreault, LLS
President

Accepted By: _____
(Signature)

Date: _____

Printed Name: _____

Title: _____
(if applicable)

Please circle one: Owner -or- Responsible Party

Purchase Order # to be referenced: _____

NORWAY PLAINS ASSOCIATES, INC.**TERMS AND CONDITIONS:**

"CLIENT" is defined as the entity described in the acceptance line of the accompanying proposal letter or the name the proposal is issued to; Norway Plains Associates is hereby referenced as "NPA."

Ownership of Documents:

All documents, data, and digital information, including but not limited to reports, letters, CAD files, pdf's, raw coordinate data, etc., produced by Norway Plains Associates, Inc. under this agreement shall remain the property of Norway Plains Associates, Inc. and may not be used by the CLIENT for any other purposes than those described in the agreement (attached) without the written consent of NPA.

Access to the Site:

Unless otherwise stated, NPA will have access to the site for activities necessary for the performance of the services described in the agreement. NPA will take reasonable precautions to minimize any damage due to these activities, but has not included in the fee the cost of restoration of any resulting damage.

Jobsite Safety:

In performing construction observation visits to the jobsite, NPA shall have no control over or responsibility for the Contractor's means, methods, sequence, techniques or procedures in performing the construction. These are solely the responsibility of the Contractor, who is also responsible for complying with all health and safety precautions as required by any and all regulatory agencies. Jobsite safety is the responsibility of the general contractor, who has control over the construction employees at the jobsite.

Reimbursable Expenses:

The cost of materials consumed as well as fees charged by other entities, including but not limited to the Registry of Deeds, backhoe rental fees, State and City/Town Departments, during the fulfillment of the preceding agreement are NOT included as part of the stated fee arrangement. The cost of these items is the responsibility of the CLIENT to pay *in addition* to the estimated total cost. Consumable materials include but are not limited to: Black line copies of plan materials; Mylar copies of plan materials; Copies of written materials; Survey Flagging, Stakes, Hubs and Risers; Boundary Monuments.

Witness Fees:

NPA's employees shall not be retained as expert witnesses except by separate, written agreement. The CLIENT agrees to pay NPA's legal expenses, administrative costs and fees pursuant to NPA's then current fee schedule for NPA to respond to a subpoena.

Fees:

Total Fees for a project are based upon schedules and work flow. If applicable, any total fee indicated, except lump sum, shall be understood to be an estimate and shall not be exceeded by more than 25% without written approval of the CLIENT.

Billing /Payment:

NPA will bill you on a thirty (30) day basis as the job progresses. Payment is due upon your receipt of our bill. We accept cash, check, and Mastercard, Visa, Discover, and American Express credit cards. Accounts overdue thirty (30) days from the date of billing are subject to a service charge of 2% per month (24% per year) of the unpaid balance. Work will stop if payment is not received within 30 days of invoice. At this time NPA will contact you to verify the status of payment. Work will not begin again until the CLIENT agrees to pay past due amounts in full. Should collection procedures become necessary, reasonable attorney fees will be demanded in addition to principal and service charge amount.

Indemnification:

NPA and CLIENT mutually agree, to the fullest extent permitted by law, to indemnify and hold each other harmless from any and all damage, liability or cost (including reasonable attorneys' fees and defense costs) to the extent caused by their own negligent acts, errors or omissions and those of anyone for whom they are legally liable, and arising from the project that is subject of this agreement. Neither party is obligated to indemnify the other in any manner whatsoever for the other's own negligence.

Termination of Services:

This agreement may be terminated upon 5 days written notice by either party should the other fail to perform his obligations hereunder. In the event of termination, the CLIENT shall pay Norway Plains Associates, Inc. for all services rendered to the date of termination, all reimbursable expenses, and reasonable termination expenses.

Dispute Resolution:


As a prerequisite for filing a negligence suit, the CLIENT agrees to obtain a Certificate of Merit. Any claim or dispute between the CLIENT and Norway Plains Associates, Inc. shall be submitted to non-binding mediation, subject to the parties agreeing to a mediator(s). Unless otherwise specified this agreement shall be governed by the laws of the state of New Hampshire no matter where the project is located.

Assignment of Contract:

Norway Plains Associates, Inc. may assign this agreement to a successor-in-interest to Norway Plains Associates, Inc. upon 30-day advance notice in writing to the CLIENT.

Client Initial

Date


NPA Initial

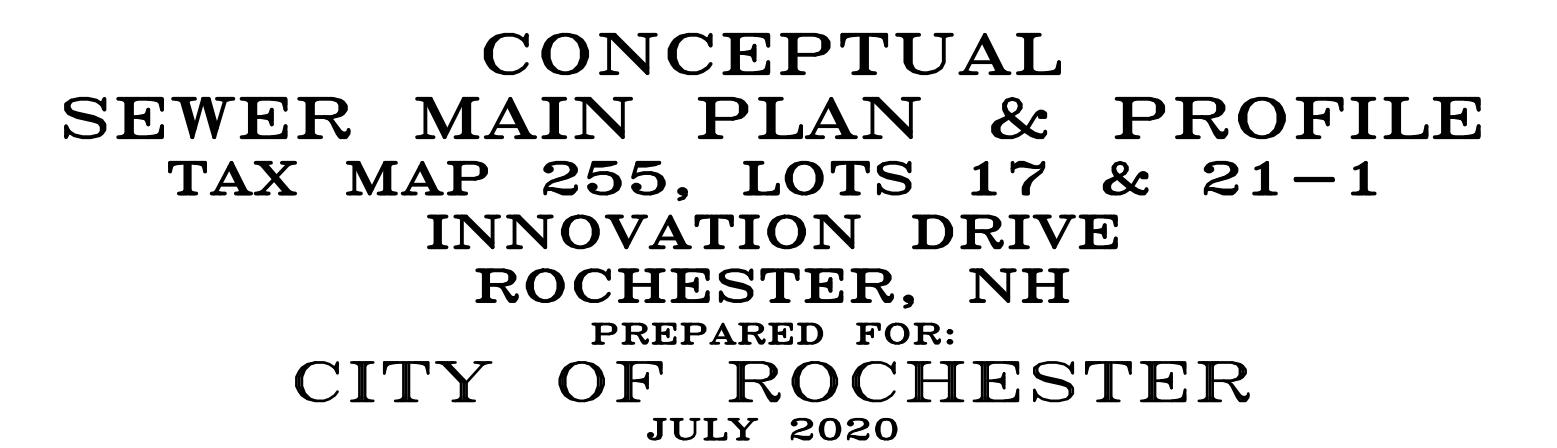
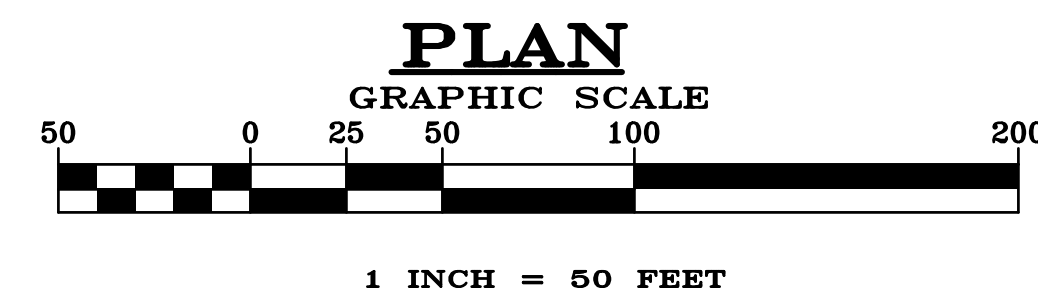
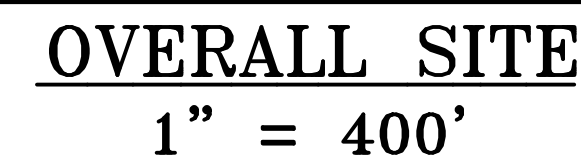
NORWAY PLAINS ASSOCIATES, INC.

SCHEDULE OF HOURLY RATES – 2020

3 PERSON FIELD CREW - (3 @ \$50 EA)	\$150/HR
2 PERSON FIELD CREW - (2 @ \$62.50 EA)	\$125/HR
1 PERSON FIELD CREW – w/UAS	\$150/HR
1 PERSON FIELD CREW – w/ROBO/GPS	\$100/HR
1 PERSON FIELD CREW (FIELD TECHNICIAN)	\$75/HR
LICENSED LAND SURVEYOR / PRINCIPAL	\$125/HR
CERTIFIED WETLAND SCIENTIST	\$125/HR
PROFESSIONAL ENGINEER	\$110/HR
PROJECT MANAGER	\$100/HR
LLS	\$90/HR
LLS - Research/Calcs/Drafting	\$85/HR
ENGINEER TECHNICIAN	\$75/HR
SEPTIC DESIGNER/SITE DESIGNER	\$75/HR
UAS SURVEY TECHNICIAN	\$75/HR
DRAFTER	\$60/HR
SURVEY TECHNICIAN	\$55/HR
PROJECT COORDINATOR	\$45/HR
CLERICAL	\$35/HR

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City Clerk's Office



CAREFULLY REVIEW ALL SHEETS OF THIS PACKAGE TO INSURE PROPER CONSTRUCTION. SPECIFIC SITE CONDITIONS SHOULD BE EXPLORED PRIOR TO CONSTRUCTION. CONTACT BOTH THE DESIGN ENGINEER AND THE PROJECT OWNER FOR ANY AVAILABLE GEOTECHNICAL OR HYDROGEOLOGICAL INFORMATION AVAILABLE BUT NOT CONTAINED WITHIN THE PLAN SET. IF THERE ARE ANY QUESTIONS WITH THE DESIGN PRESENTED IN THIS PLAN SET PLEASE CONTACT THE ENGINEERING STAFF AT NORWAY PLAINS ASSOCIATES, INC. (603)-335-3948.

NORWAY PLAINS ASSOCIATES, INC.

2 Continental Blvd., Rochester, N.H. 603-335-3948

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City Clerk's Office

Public Safety Committee
Meeting Minutes
July 15, 2020
6:00 PM
Meeting Conducted Remotely

MEMBERS PRESENT

Councilor Don Hamann, Chair
Councilor Peter Lachapelle, Vice-chair
Councilor Palana Belken
Councilor Jeremy Hutchinson
Councilor Chris Rice

OTHERS PRESENT

Michael Bezanson, PE, City Engineer
Gary Boudreau, Deputy Police Chief
Tim Wilder, Assistant Fire Chief
Dan Camara, GIS Asset Mgmt. Tech.

Minutes

Councilor Hamann brought the Public Safety Committee meeting to order at 6:00 PM and he read the following statement:

Good Evening, as Chairperson of the Public Safety Committee, I am declaring that an emergency exists and I am invoking the provisions of RSA 91-A:2, III (b). Federal, state, and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is imperative to the continued operation of City government and services, which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location.

Providing public access to the meeting by telephone: At this time, I also welcome members of the public accessing this meeting remotely. Even though this meeting is being conducted in a unique manner under unusual circumstances, the usual rule of conduct and decorum apply. Any person found to be disrupting this meeting will be asked to cease the disruption. Should the disruptive behavior continue thereafter, that person will be removed from this meeting. The public can call-in to the below number using the conference code. Some meetings will allow live public input, however you must have preregistered on line, otherwise, the meeting will be set to allow the public to "listen-in" only and there will be no public comment taken during the meeting. Phone number: 857-444-0744, conference code: 843095.

Public Access troubleshooting: If any member of the public has difficulty accessing the meeting by phone, please email: PublicInput@RochesterNH.net or call 603-332-1167.

Public Input: Due to the ongoing situation with COVID-19, the City of Rochester will be taking extra steps to allow for public input, while still ensuring participant safety and social distancing. In lieu of attending the meeting, those wishing to share comments, when permitted, with the Public Safety Committee are encouraged to do so by the following methods:

- **Mail:** City Manager's Office-/Public Input, 31 Wakefield Street, Rochester, NH 03867 (must be received at least three full days prior to the anticipated meeting date)
- **Email** Samantha.Rodgerson@rochesternh.net (must be received no later than 4:00 pm of meeting date)
- **Voicemail:** 603-332-1167 (must be received no later than 12:00 pm on said meeting date in order to be transcribed)
- **Roll Call:** Please note that all votes that are taken during this meeting shall be done by Roll Call vote.

Let's start the meeting by taking a Roll Call attendance. When each member states their name (and/or ward), also please state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law. (Additionally, Council members are required to state their name and ward each time they wish to speak.)

Councilor Hamann Ward 5 Present

Councilor Hutchinson Ward 1 Present

Councilor Rice Ward 5 Present

Councilor Belkin Ward 2 Present

Councilor Lachapelle Ward 3 Present

1. Public Input

Councilor Hamann asked Ms. Rodgerson if there were any members of the Public waiting in the virtual lobby that were waiting to speak. She stated that there was one person waiting and that his item was on the agenda. Councilor Hamann asked the committee members if the item 6. 122 Governors Road-blind driveway sign could be moved up on the agenda. The Committee was in agreement to that.

2. 122 Governors Road-Blind Driveway Sign

Juan Medina called in to the Public Safety Committee meeting to voice his concerns regarding speeding issues on Governors Road. Living on Governors

Road for the last 15 years, he has witnessed the City do a good job paving the road; it has been done twice since he has been there. Now there is a speeding issue because of the newly paved road. His driveway is on the only bend in the road. Coming from the Town of Farmington, vehicles are speeding and drivers can't see his driveway. Every morning he is concerned for his wife and son when they are leaving. He has trimmed the bushes back in the area to help. He is requesting a blind driveway sign. Councilor Rice asked Mr. Medina if he had a shared driveway and Mr. Medina said yes, 110-112 is a shared driveway. He also stated there is a lot of foot traffic in the area. Councilor Rice asked Deputy Police Chief when the speed trailer was placed on Governors Road. Deputy Chief Boudreau said he doesn't think it has been placed on Governors Road.

Councilor Rice made a motion to install a "blind driveway" sign for traffic travelling from the Town of Farmington into Rochester. The motion was seconded by Councilor Belkin. A Roll Call vote was taken to support this motion.

<i>Councilor Rice</i>	<i>Yes</i>	<i>Councilor Hutchinson</i>	<i>Yes</i>
<i>Councilor Belkin</i>	<i>Yes</i>	<i>Councilor Hamann</i>	<i>Yes</i>
<i>Councilor Lachapelle</i>	<i>Yes</i>		

3. Autumn Street-"No thru Trucks" Signage

Councilor Hamann summarized the issue. A letter from Thomas Plourde of 116 Autumn Street was received by City staff. Mr. Plourde is requesting updated signage related to "No Thru Trucks" on Autumn Street and Salmon Falls Road. Mr. Bezanson gave a little background on this. In 2014, the City Council voted to post the portion of Salmon Falls Road between Highland St and Milton Rd to local traffic only due to the pavement condition. The pavement on that portion of roadway had been shimmed in 2012 and a construction project was planned to begin in 2015. That construction project has since been completed and the roadway improved. "No Thru Trucks" signs were installed on both ends of Autumn Street in 2012. It appears that the "No Thru Trucks" sign on the Highland Street end was removed maybe in 2018. Trucks travelling from Maine do use Autumn Street as a cut-through.

Councilor Lachapelle made a motion to remove the "No Thru Trucks" signs on Salmon Falls Road and install a "No Thru Trucks" sign on Autumn Street at the Highland Street end. The motion was seconded by Councilor Rice. A Roll Call vote was taken to support this motion.

<i>Councilor Hutchinson</i>	<i>Yes</i>	<i>Councilor Lachapelle</i>	<i>Yes</i>
<i>Councilor Belkin</i>	<i>Yes</i>	<i>Councilor Rice</i>	<i>Yes</i>
<i>Councilor Hamann</i>	<i>Yes</i>		

4. Chamberlain Street-Speeding Concerns

Councilor Hamann summarized the issue. Mr. Bezanson said that staff spoke with Priscilla LeBlanc regarding speeding concerns on Chamberlain Street between Portland and Franklin; she requested a speed limit sign. Deputy Chief Boudreau said that the speed trailer was in the area for 10 days with 3,803 vehicles the average speed being 27.53 mph and 85 percent 33.62. Mr. Bezanson stated that the complainant's address is 32 Chamberlain Street. Councilor Hamann said it is a short straight stretch of roadway. No action was taken on this request.

5. Closing Charles Street To Commercial Traffic

Councilor Hamann summarized the issue. Councilor Lachapelle wanted to know how these requests were coming in; he stated that he does not have any back-up documentation. Councilor Hamann read an email that he received from Nellie Bentz of 24 Charles Street. She bought her house on Charles Street in 2018 and since then has learned more about the street: litter everywhere, trash piled in front of houses, property theft, and heavy traffic. She stated there is no reason for commercial trucks to be on Charles Street. Councilor Hamann stated that this is more than traffic issue. Councilor Lachapelle said that dealing with trash not properly disposed of already exists in an ordinance. These issues just need to be reported. The closing Charles Street to commercial traffic is another issue. Councilor Lachapelle said there is a gas station and a Day Care Center on the Route 125 side and an attorney, an insurance company, and a CPA on the Charles Street and Liberty end. Councilor Hamann said that he doesn't think that they can close Charles Street to commercial traffic. Councilor Belkin said she lives in a house near this Charles Street area; she said she walks in that area at different times of day, walks her dogs in the area, and can cross the street with little problem. She said there is speeding in the area. Deputy Chief Boudreau said the speed trailer was out near the Woodman Park Triangle for 8 days. There were 11,881 vehicles with the average speed being 24.16 miles per hour and the 85th percentile being 31.21, below the speed limit. Councilor Hamann said he recommends doing nothing about the commercial traffic and he will send her an email telling her to reach out to the Department of Building, Zoning, and Licensing Services for the trash complaints.

6. Old Milton Rd (backside of Dunkin Donuts)-Safety Concerns

Councilor Hamann received an email from City staff detailing a visit from Brian Paquette regarding safety concerns with the back side of Dunkin Donuts at the Old Milton Road entrance; there have been several near misses, and he was looking for something to be done to resolve this problem. Councilor Hamann

asked Deputy Chief Boudreau if there were any accidents reported at this location. Deputy Chief Boudreau said none on Old Milton Road; there have been accidents on Milton Road. Councilor Hamann said there is not much they can do about the trucks with the businesses there. Mr. Bezanson said there is a defined painted line on the property for the business's drive through service. There may be an options to define the driveway better in this area. He said DPW could approach the business to see what they will consider to do. Councilor Lachapelle said he doesn't want to cause undue hardship for them. Councilor Belkin said she would like a conversation to take place to see if they are willing to do something about the issue. Mr. Bezanson will have a discussion with Dunkin Donuts and will report back next month. Kept in committee.

7. Whitehall Road-Street Light

Councilor Hamann summarized the issue. Jeff Grant sent an email regarding having a 25-watt streetlight installed on Whitehall Road; he lives just past the railroad tracks at 50 Whitehall Road. He stated in his email that the homeless frequent the land behind his house and they have even walked up his driveway to get to the Chamberlain Forest area. Councilor Hamann asked if this would meet the Streetlight Policy. Mr. Bezanson stated that currently there is no streetlight at the intersection of Whitehall/Hillcrest, there is an unlit railroad crossing in this area of Whitehall, and there is a sidewalk that extends 2,100 feet between streetlights in this area. Councilor Lachapelle asked if there was a street light at the Whitehall/Sunset intersection. Mr. Bezanson said yes. Councilor Rice asked how much a street light would cost. Mr. Bezanson said he didn't remember right off hand. ***Councilor Lachapelle made a motion to install a streetlight at the corner of Whitehall Road and Hillcrest Drive. Councilor Rice seconded the motion. A Roll Call vote was taken to support this motion.***

<i>Councilor Hutchinson</i>	<i>Yes</i>	<i>Councilor Rice</i>	<i>Yes</i>
<i>Councilor Belkin</i>	<i>Yes</i>	<i>Councilor Hamann</i>	<i>Yes</i>
<i>Councilor Lachapelle</i>	<i>Yes</i>		

8. Perambulation of Boundaries

Councilor Hamann summarized the issue. Mr. Bezanson stated that although required every seven years by State RSA, perambulation of the City's boundaries has not been performed to his knowledge in Rochester in recent history. The most records relate to visiting boundary markers around the boundaries of the City and attempting to coordinate with the abutting cities/towns. The last time this was done was in 1991 by City staff person Dennis Schaffer, who located 26 out of a potential 37 boundary markers. In 2005 Rochester coordinated with

Somersworth to visit common boundary markers. Then in 2007, a surveyor found two additional boundary markers not found in 1991. The RSA requiring perambulation for all municipalities every 7 years is still on the books in New Hampshire; however, Rochester is not the only community that has not placed this task high on their priority list. Legislation has been proposed in recent years to repeal this RSA, but it has not passed yet. New Hampshire and Massachusetts have similar laws, but all other New England states have removed similar laws from their books. Councilor Hamann shared that Nick Bellows of 20 Mandela Drive had volunteered to help with the City's perambulation. By RSA, perambulation is required by the governing body, but in cities the task is often delegated to the office of the City Engineer. Councilor Rice recommends not taking any action at this time. Councilor Hamann said he agrees with Councilor Rice to have no action at this time. Mr. Bezanson added that in the six plus years since he has been employed by Rochester as the City Engineer he hasn't been asked to participate in any of the other six abutting city/town perambulations either.

9. Washington Street-Speed Limit

Councilor Hamann summarized the issue; Paula Gilmore sent him an email requesting more speed limit signs on Washington Street. She stated that there is one at the intersection of Washington and Brock, but is hidden by trees. Councilor Lachapelle said a sign is not going to slow people down. Deputy Chief Boudreau said the speed limit is 30 mph from Strafford Square. Councilor Rice asked if the signs are in the GIS database. Mr. Bezanson said there is an extensive amount of signs located in the database, but could not guarantee that 100% of them are included yet. Councilor Rice asked if the GIS database was something that councilors or citizens could have access to. Mr. Bezanson said there is a public-facing GIS that anyone can access; and, he could look into getting access to the specific GIS application with City infrastructure for City Councilors. No action was taken on this request.

10.52 Pickering Road-Crosswalk Signage

Councilor Hamann summarized the issue. Mr. Bezanson received an email from April Talon of 52 Pickering Road regarding signage at an existing crosswalk near her residence. The pedestrian sign marking the crosswalk on the right side of the road travelling westbound is blocked from view by the buildings on the curve. Ms. Talon is requesting an additional pedestrian warning sign on the left side of the road. ***Councilor Lachapelle made a motion to add an additional pedestrian warning sign at the crosswalk near Church Street at the***

discretion of DPW. The motion was seconded by Councilor Belkin. A roll call vote was taken to support this motion.

<i>Councilor Hutchinson</i>	<i>Yes</i>	<i>Councilor Rice</i>	<i>Yes</i>
<i>Councilor Belkin</i>	<i>Yes</i>	<i>Councilor Hamann</i>	<i>Yes</i>
<i>Councilor Lachapelle</i>	<i>Yes</i>		

11. Millers Farm Drive-Street Light Request

Councilor Hamann summarized the issue. Several emails were received by City staff requesting streetlights in the Phase 3 area of Millers Farm Drive. Phase 1 and Phase 2 have streetlights installed as part of the development. Mr. Bezanson said that all of the streetlights included in the approved development plans of the different phases were installed by the developer; however, no streetlights were planned for the back loop of Millers Farm Drive. He also said installation of streetlights in this area is not as simple as adding a cobra head; the utilities in this development are all underground, so electrical conduit/transformers and lampposts would need to be installed. Charlene Pollano of 65 Millers Farm Drive called into the meeting and spoke regarding adding streetlights. She moved there a year and a half ago. She and her neighbors are concerned about homeless people roaming around in the area and even have had them on their porches. On one occasion, police officers looking for someone in the area asked residents to turn their porch lights on. Ms. Pollano stated that we may be talking about adding two lights. This was kept in committee. Mr. Bezanson will work on a cost estimate for the proposed additional streetlights.

12. Congress/Charles Streets-Crosswalk Locations

Councilor Hamann summarized the issue. Mr. Bezanson explained the proposed design of two additional crosswalks and the adjustment of a third crosswalk in the Charles St/Congress St area. These crosswalks would be part of the Woodman Area Infrastructure Improvements project. One crosswalk is proposed to be added at the Liberty St/Charles St intersection crossing Charles. Another crosswalk is proposed between the Charles St municipal parking lot and proposed parking spaces on Congress St. And, the crosswalk across Charles St at the Portland St intersection already exists, but is proposed to be moved slightly to separate it from the Portland crosswalk. Mr. Bezanson is requesting approval to install the two new crosswalks. Councilor Lachapelle asked whether it made sense to remove the crosswalk at Portland, since it would now be in between two other crosswalks. Councilor Belkin stated that there is a lot of foot traffic in that area and wouldn't recommend removing any existing crosswalks.

Councilor Lachapelle made a motion to approve the two new crosswalk locations on Charles Street and Congress Street as designed by DPW. The motion was seconded by Councilor Belkin. A Roll Call vote was taken to support this motion.

<i>Councilor Hutchinson</i>	<i>Yes</i>	<i>Councilor Belkin</i>	<i>Yes</i>
<i>Councilor Lachapelle</i>	<i>Yes</i>	<i>Councilor Hamann</i>	<i>Yes</i>
<i>Councilor Rice</i>	<i>Yes</i>		

13. Cochecho River-Dam Safety Signage

Councilor Hamann summarized the issue. Mr. Bezanson said the Riverwalk Committee is planning to install a kayak launch on the Cochecho River this summer. As they looked into a kayak launch, the question of safety regarding the downstream dam was raised. DPW has discussed the issue of dam warning signs with the City's insurer, the Dam Bureau at NHDES, and the City Attorney. As a result of discussions, DPW is proposing signs to be posted on the side of the North Main Street bridge, which is a historic structure; so, DPW has also run this idea by the HDC. A proof of a proposed sign was presented to the Committee, which includes national standard symbology for dam warning signs. A total of 4 signs are proposed. In addition, the Riverwalk Committee is creating a "rules" sign to be posted at the launch itself. Councilor Lachapelle asked what the cost of the signs will be. Mr. Bezanson stated \$85.00 per sign. Councilor Rice asked what the size of the sign is. Mr. Bezanson stated that the sign size is 18" wide x 24" tall. ***Councilor Lachapelle made a motion to approve the "Dam Safety" signs as presented. The motion was seconded by Councilor Rice. A Roll Call vote was taken to support this motion.***

<i>Councilor Hutchinson</i>	<i>Yes</i>	<i>Councilor Rice</i>	<i>Yes</i>
<i>Councilor Belkin</i>	<i>Yes</i>	<i>Councilor Hamann</i>	<i>Yes</i>
<i>Councilor Lachapelle</i>	<i>Yes</i>		

14. E911 Update

Councilor Hamann asked if there was an update. Deputy Police Chief Boudreau said the E911 Committee has not met since the onset of the COVID-19 pandemic, so there is no update this month.

15. Emergency Management Update

Councilor Hamann asked if there was an update. Assistant Fire Chief Tim Wilder said there was no update this month. The past month has been a nice departure from the full-time EOC for the COVID-19 pandemic, but they are still on stand-by.

16. Seasonal Cold Weather Shelter

Councilor Hamann asked Councilor Hutchinson for an update. Councilor Hutchinson said he did not have an update. The Mayor gave an update at the last City Council Meeting, and there is no further update since then.

17. Other

Public Safety Committee Back-up

Councilor Lachapelle requested that going forward any backup documentation such as emails be included in the meeting agenda packet, so the councilors could be more prepared to discuss agenda items during the meeting.

Walnut Street/202A-Speeding

Councilor Lachapelle wanted to know if Walnut Street west of Twombly was City or State jurisdiction because he was interested in relocating a speed limit sign. Mr. Bezanson said that portion of Walnut St is State DOT jurisdiction. Councilor Lachapelle requested that the speed trailer be deployed to Route 202A; Deputy Chief Boudreau said he would put this area on the list for the speed trailer.

COVID-19 Updates

Councilor Belkin asked if they could get a COVID-19 update for Strafford County. Deputy Chief Boudreau went through recent daily reports that he receives, but unfortunately only Statewide data was included, none specific to Strafford County. Deputy Chief Boudreau will look for County-specific data to update the City Council.

Speeding Downtown

Deputy Chief Boudreau said that there have been some complaints regarding speeding downtown since the outside dining have been in effect. Officers were in the area with speed guns and the speed trailer was out for 15 days there was over 81,000 vehicles the average speed was 21.81 mph.

New Positions at Police and Fire Stations

Councilor Rice asked, since the new budget is now in effect, how the new hirings are coming along for the new positions. Deputy Police Chief Boudreau said 2 candidates are going through background checks and they are active working on recruiting the other 2 hires for the new position approved as of July 1. Assistant Fire Chief Wilder said they just hired 3 new employees in the last few weeks and regarding the 2 new positions for January 1 still have a hand full of great candidates that have been vetted recently on a candidate list.

Traffic Signal at Wakefield/Summer Street Intersection

Councilor Hamann said he had an email sent to him concerning the traffic signal on Wakefield Street at the Fire Station; the resident wanted to know why the signal couldn't be set to blink yellow/red. Assistant Fire Chief Wilder spoke to motorists and pedestrian safety in the intersection. Deputy Chief Boudreau added the issue of the double lane on Wakefield creates a traffic safety issue for those turning onto Wakefield from Summer. Assistant Fire Chief Wilder added the operation of fire apparatus returning to the station warrants the signal stopping traffic for a cycle. Councilor Rice added that the Union Street yield backs up traffic coming into downtown on Wakefield; the traffic signal cycles create breaks in traffic necessary to move traffic through. No action taken.

Add/Remove PSC Agenda Items

Councilor Hutchinson asked if a standing item could be added to the PSC agenda for the Emergency Management team to provide COVID-19 statistics. Councilor Hutchinson suggested that the Seasonal Cold Weather Shelter is no longer needed as a standing agenda item because the issue is being resolved independent of this Committee.

Councilor Hamann adjourned the meeting at 7:58 PM.

Minutes respectfully submitted by Laura Miller, Secretary II.



**New Hampshire Municipal Association
2021-2022 Legislative Policy Process**

**Final Policy Recommendations for Legislative Policy Conference
October 2, 2020**

General Administration and Governance

Local Authority and Efficiency

NHMA supports maintaining local government authority without infringement by the state, and supports measures that enable municipalities to exercise existing authority more efficiently and with greater discretion.

NHMA supports:

- Legislation granting towns the same authority to adopt ordinances that cities have under RSA 47:17;
- The authority of municipalities to regulate or limit the use of firearms on municipal property, and to regulate the carrying of firearms by municipal employees while on duty;
- Legislation allowing a town, by vote of its legislative body, to authorize appointment of the town clerk or town clerk/tax collector by the governing body, or by the chief executive officer based on a town charter;
- Legislation allowing municipalities to satisfy notice publication requirements through the use of electronic notification rather than newspaper publication, in addition to posting notice in public places.

NHMA opposes legislation that detracts from existing local authority.

Right-to-Know Law

NHMA supports the purposes of the Right-to-Know Law: to ensure the greatest possible public access to the actions, discussions, and records of all public bodies, and to ensure government's accountability to the people. NHMA also supports measures to make the law clearer and make compliance with public access requirements easier and less burdensome for public officials and employees and less costly for taxpayers.

NHMA supports:

- Reasonable requirements to make governmental records available electronically if no additional cost is involved;
- The ability to recover reasonable labor costs for responding to voluminous, excessive, or vexatious record requests;
- Exemptions from disclosure that are easy to administer and that provide appropriate protection for confidential and other sensitive information;
- An expedited and inexpensive process for resolving right-to-know complaints;
- Legislation and funding that provide support for education about the Right-to-Know Law.

Elections

NHMA believes that state and local elections should be fair and open, that voting should be simple and convenient without risking election integrity or security, and that election processes should be efficient without imposing undue burdens on local officials.

NHMA supports:

- Establishment of an independent redistricting commission to draw election districts fairly and without regard to partisan advantage;
- Local autonomy over town and city elections;
- More frequent state review and approval of electronic ballot-counting devices;
- Registration and voting processes that are not unnecessarily complex or burdensome, either to voters or to election officials;
- The use of secure technology such as electronic poll books to make election processes more efficient;
- Greater flexibility in the processing of absentee ballots;
- State assistance for the cost of accommodations for disabled voters in local elections.

Labor and Employment

NHMA recognizes the importance of municipal employees, the need for good working conditions, and the right of employees to organize if they choose. NHMA also believes municipal employers should be free to set reasonable terms and conditions of employment or negotiate the same with their employees or employee representatives, without undue state interference.

NHMA supports existing laws governing public employee labor relations, and opposes changes that impose greater burdens or liabilities on employers.

NHMA opposes:

- Legislation creating a mandatory “evergreen clause” for public employee collective bargaining agreements;

- Mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining;
- A right to strike for public employees;
- New mandated employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years;
- Unnecessary limits on municipalities' discretion in making hiring decisions;
- Restrictions on municipalities' ability to privatize or use contracted services.

Substance Misuse Prevention & Response

NHMA supports programs to address substance use disorder and response to substance use issues, to include treatment and recovery support programs.

NHMA supports:

- State funding to address substance use disorder for the following efforts:
 - Prevention
 - Treatment
 - Recovery
 - Enforcement;
- Legislation that supports prevention, treatment, recovery, and enforcement efforts.

NHMA opposes:

- Reductions in state funding for substance use disorder or recovery support programs;
- Legislation that makes it more difficult to address the substance use disorder problem in our communities.

Finance and Revenue

Property Taxes and Related Revenues

NHMA supports legislation that allows municipalities to manage property tax levies in a manner that stabilizes tax rates and ensures equity, fairness, and efficiency in the assessment and collection of property taxes.

NHMA supports:

- The continuing right of municipalities to use any recognized method of appraisal upheld by the New Hampshire judicial system;
- Legislation to ensure that:

- property taxes are assessed to the proper owner by requiring that all owner name changes be separately filed at the registry of deeds when such an owner change is not created by a transfer of the property, and
- all liens, whether of a private or institutional nature, be filed at the registry of deeds, and that all changes to the name of a recorded lienholder be similarly filed;
- A legislative commission to study assessment and collection of property taxes and/or municipal utility fees on manufactured housing on land of another and on transient-type properties;
- Legislation ensuring fairness and accuracy in property tax exemptions including ensuring that all household income and assets are taken into account;
- Legislation that prohibits the use of the income approach by a taxpayer in any appeal of assessed value if the taxpayer refuses to provide such information as requested by the municipality;
- A legislative commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects;
- Legislation amending RSA 80:56 to enable municipalities to charge a fee for any financial remittance issued to the municipality that is returned as uncollectible.

NHMA opposes:

- Legislation that directly or indirectly increases property taxes, including but not limited to new or expanded mandatory exemptions or credits, or changes in the process for valuing, assessing, or taxing specific classes of properties;
- Legislation that undermines the basic goals of the current use program or reduces the 10-acre minimum size requirement for qualification for current use beyond those exceptions now allowed by the rules of the Current Use Board;
- Legislation that expands the definition of “charitable” in RSA 72:23-1 unless the state reimburses municipalities for the commensurate loss of property tax base;
- An assessment methodology for big box stores that employs comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.

State Aid and Non-Property Tax Revenues

NHMA supports funding of state aid to municipalities, supports legislation authorizing local control over non-property tax revenue streams, and opposes legislation that reduces, suspends, or eliminates existing local taxes, fees, or state aid.

NHMA supports:

- Full restoration of revenue sharing under RSA 31-A;
- A state transportation policy that provides adequate and sustainable funding for state and municipal infrastructure and transportation systems and maintains at least the 12 percent share of state highway funds distributed to municipalities;
- Legislation authorizing the establishment of local option fees and providing for periodic adjustments to statutory fees to compensate for factors including, but not limited to, the

effects of inflation, such as an increase in the maximum optional fee for transportation improvements;

- Legislation to ensure the collection of unpaid bills for ambulance and other emergency services;
- Reimbursement from the state for the cost of municipal services provided to state-owned properties;
- Legislation amending motor vehicle registration enforcement laws to ensure collection of all state and local registration fees owed by New Hampshire residents;
- Legislation amending RSA 36-A:5 II to allow trustees of trust funds to invest conservation funds instead of only the town treasurer, if voted by the legislative body;
- Programming that supports reduced cost, cost sharing, or equipment sharing that upgrades or replaces aging or unsafe transportation network(s) for towns.

NHMA opposes:

- Suspension of the statutory catch-up provision of the meals and rooms tax distribution;
- Diversion of state highway funds for non-state transportation network purposes.

New Hampshire Retirement System (NHRS)

NHMA supports the continuing existence of a retirement system for state, municipal, school, and county government employees that is secure, solvent, fiscally healthy, and financially sustainable, and that both employees and employers can rely on to provide retirement benefits for the foreseeable future.

NHMA supports:

- Restoration of the state's 35% share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan;
- Inclusion of participation by a municipal official designated by NHMA on any legislative study committee or commission formed to research alternative retirement system benefits plans or designs;
- Performance of an actuarial analysis of any legislation proposing benefits changes or other plan changes that may affect employer contribution rates.

NHMA opposes:

- Legislation expanding benefits that increase current or future employer contribution costs;
- Legislation that assesses additional charges on employers beyond NHRS board-approved rate changes;
- Legislation that expands the eligibility of NHRS membership to positions not currently covered by the plan;
- Legislation further restricting a municipality's ability to employ NHRS retirees in part-time positions or the imposition of any fees or penalties associated with such employment.

Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration;
- A revenue structure that is fair to citizens with lower to moderate incomes.

NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments.

Infrastructure, Development, and Land Use

Energy, Environment, and Sustainability

NHMA supports preservation and enhancement of municipal energy, climate, and sustainability planning for communities, protection of the natural environment, and implementation of clean and renewable energy, while recognizing the need for municipalities to manage their resources and the natural environment without undue cost.

NHMA supports:

- Legislation that broadens municipalities' ability to install and use renewable energy sources, including higher caps or elimination of caps on net energy metering;
- Legislation that provides financial and other assistance to municipalities for conservation techniques and installation and maintenance of renewable energy sources;
- Legislation that allows municipalities to adopt local environmental regulations that are no less stringent than those implemented by the state;
- Legislation that enables municipalities to enact measures that promote local energy and land use systems that are both economically and environmentally sustainable;
- Legislation that protects and preserves local natural resources and public infrastructure, builds community resilience, and fosters adaptation to climate change and mitigates its risks;
- Policies that support customer and community choice in energy supply and use competitive market-based mechanisms to promote innovation, cost effectiveness, and sustainability; and

- Legislation that provides state or federal assistance to municipalities to mitigate environmental inequity impacts faced by their residents, and drive early local engagement in decision processes.

NHMA opposes:

- Legislation that overrides local determinations of appropriate energy sources and regulations.

Water Resources Protection, Control, and Management

NHMA supports measures enabling municipalities to protect, control, and manage efficiently and safely water and its resources, treatment, and movement, with a focus on management and infrastructure. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Legislation that provides state or federal investment in maintaining and making improvements to the state's critical water infrastructure, including, but not limited to, public drinking water, wastewater, and stormwater systems, and dams;
- Legislation that encourages regional and innovative solutions to drinking water, wastewater, stormwater, and groundwater issues;
- Regulation of emerging contaminants at feasibly achievable levels when supported by relevant scientific and technical standards that are broadly accepted by peer review and cost-benefit analyses, when coupled with appropriate state or federal funding.

NHMA opposes:

- Enactment of stricter drinking water, wastewater, or stormwater regulations for municipalities unless any costs of compliance are funded by the state or federal government.

Solid Waste Management

NHMA recognizes the need for cost-efficient solid waste disposal mechanisms that allow municipalities to protect, control, and manage efficiently and safely solid waste. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Programs that support municipal, regional, and state efforts to handle solid waste disposal through reduction, reuse, recycling, resource recovery, composting, and other measures, while maintaining local control;

- Comprehensive state programs to deal with existing and emerging contaminants at no additional cost to municipalities.

NHMA opposes:

- Increased tipping fees to pay for solid waste programs unless they are fully reimbursed by the state.

Housing

NHMA recognizes the need for diverse and affordable housing in New Hampshire and the responsibility of each municipality to afford reasonable opportunities for the development of diverse and affordable housing. NHMA believes municipalities should have discretion in how to satisfy this responsibility and supports legislation that enables municipalities to find innovative ways to ensure an adequate supply of housing.

NHMA supports:

- Legislation that allows municipalities to require the inclusion of affordable and diverse housing opportunities as part of new housing developments;
- Financial and other incentives to municipalities to encourage development of diverse and affordable housing;
- Statewide efforts to provide housing for those recovering from substance misuse, subject to reasonable municipal regulation;
- Policies that encourage documentation and financial traceability of cash and bartered rental transactions;
- Legislation and policies that encourage creative and flexible approaches to meeting housing needs of current and future demographics in different regions.

NHMA opposes:

- Legislation and policies that allow for or encourage housing practices that exclude people from and decrease the availability of quality, affordable housing;
- Legislation that erodes local control over land use decisions.

Land Use

NHMA supports the long-standing authority of municipalities to regulate land use matters with minimal interference from the state.

NHMA supports:

- Legislation authorizing municipalities to regulate short-term rentals of residential properties, including licensing requirements and health and safety protections;
- Legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions.

NHMA opposes:

- Legislation that limits municipal control in implementing statewide priorities in zoning and land use regulation;
- New state mandates requiring municipalities to allow specific types of housing;
- All other statewide land use mandates.

Information Technology, Communications, and Cybersecurity

NHMA supports initiatives to make the most current information and communication technology accessible to New Hampshire communities, so long as local authority over land use regulation and safety issues is not compromised.

NHMA supports:

- Legislation that increases the ability of municipalities, especially those in rural and remote areas, to facilitate and advance access to reliable broadband technology to the premises in their communities;
- Legislation that provides flexibility for municipalities in accessing poles and pole attachments, including legislation that directs the New Hampshire Public Utilities Commission to adopt the FCC rule on access to poles called “One-Touch-Make-Ready” in order to facilitate bringing high-speed fiber optic cable to service all New Hampshire communities, homes, and businesses by internet service providers (ISPs) in an expedient and cost-effective manner;
- Legislation that provides state and federal investment, including grants, for installation of high-speed fiber optic broadband technology to serve all New Hampshire communities, homes, and businesses;
- Legislation that requires or encourages and incentivizes providers to disclose information to local government relative to access and broadband connections provided in the municipality to help municipalities better understand and address the needs of their community;
- State investment in cybersecurity assistance to municipalities to protect data and infrastructure.

NHMA opposes:

- Legislation that limits municipalities’ ability to prevent or regulate deployment of technologies that would impede vehicular or pedestrian passage on roadways or sidewalks;
- Statewide mandates on cybersecurity practices unless any associated costs are funded by the state or federal government.

Transportation

NHMA supports state policies that ensure access to convenient, efficient, reliable, and safe multi-modal transportation in New Hampshire as cost effectively as possible.

NHMA supports:

- Appropriate funding for state and local modes of transportation, including but not limited to roads, culverts, and bridges;
- Continued state and federal investment in public transit projects designed to reduce traffic on New Hampshire's roads.

NHMA opposes:

- Any action or inaction by the New Hampshire Department of Transportation that results in the downshifting of road, bridge, culvert, or drainage maintenance responsibilities from the state to municipalities.

Economic Development, Recovery, and Vitality

NHMA supports allowing municipalities to implement measures to foster economic development which allows for the preservation and creation of jobs and vitality within our communities.

NHMA supports:

- Legislation that allows for local adoption of more options and more flexibility to provide incentives for economic recovery and development;
- Expansion and more flexibility of state tax credit and exemption programs to foster economic recovery, development, and vitality.

NHMA opposes:

- Legislation that makes it more burdensome to implement economic recovery, development, and vitality measures.

Resolution Granting Community Revitalization Tax Relief to the Property Located at 10-14 North Main Street Under the Provisions of RSA 79-E in Connection with a Proposed Rehabilitation Project

Be it Resolved by the Mayor and City Council of the City of Rochester, as follows:

Whereas, in an effort to stimulate local economic development and enhance City downtowns and Town centers, the New Hampshire Legislature has enacted RSA Chapter 79-E, entitled “Community Revitalization Tax Relief Incentive”; and

Whereas, the City of Rochester adopted the provisions of such Community Revitalization Tax Relief Incentive Program pursuant to RSA Chapter 79-E by Resolution of the City Council on October 7, 2008; and

Whereas, Scenic Salinger, LLC, owner of the so-called 10-14 North Main Street in downtown Rochester, is desirous of making use of the benefits of RSA Chapter 79-E and it has, therefore, proposed a substantial rehabilitation project with respect to the structure located upon the so-called 10-14 North Main Street; and

Whereas, RSA Chapter 79-E requires that the governing body of the City of Rochester make certain findings and determinations with regard to a proposed substantial rehabilitation project in order for the structure to qualify for the RSA Chapter 79-E Community Revitalization Tax Relief Incentive;

Now, Therefore, the Mayor and City Council of the City of Rochester, by adoption of this resolution, hereby make the following findings and determinations with respect to the proposed substantial rehabilitation proposal for the so-called 10-14 North Main Street property contemplated by the owner’s Community Revitalization Tax Relief Application dated July 29, 2020, to wit:

(1) Any tax relief under the provisions of RSA Chapter 79-E or this resolution that is to be accorded with respect to the so-called 10-14 North Main Street property project shall be accorded only after the property owner grants to the City a covenant pursuant to the provisions of RSA 79-E:8 ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and in accordance with the requirements of RSA 79-E:8; and

(2) The Mayor and City Council find public benefits under RSA 79-E:7 in the proposed revitalization project proposed with respect to the so-called 10-14 North Main Street property project; and

(3) The proposed substantial rehabilitation project with respect to the aforesaid 10-14 North Main Street provides the following public benefits to downtown Rochester:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally and historically important on a local level, within the context of the City's Historic District and the City center in which the building is located;
- III. It promotes development of downtown Rochester, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B;

(4) The specific public benefit is preserved through a covenant under RSA 79-E:8 if the project is implemented consistent with (a) the aforementioned application; (b) compliance with the recommendation to the City Council approved by the Community Development Committee on August 17, 2020; (c) the terms of this resolution; and (d) any other applicable requirements of Chapter 79-E; and

(5) The Mayor and City Council find that the proposed use is consistent with the City's Master Plan and development regulations.

Furthermore, as a result of making such determinations and findings, and subject to the owner's compliance therewith, and with the provisions of RSA Chapter 79-E, the Mayor and City Council hereby grant the requested tax relief for a period of seven (7) years beginning with the completion of the substantial rehabilitation of the structure upon the so-called 10-14 North Main Street property.



07/30/2020

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

RSA 79-E 10-14 North Main Street

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	August 4, 2020		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	July 29, 2020		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	46

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" 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 Council, Boards of Mayor or Alderman, and the Selectman of Towns so far as applicable to Cities.

AB Form - revised 8/17/2016

SUMMARY STATEMENT

RSA 79-E (Community Revitalization Tax Relief Incentive) is a legislative proposal that encourages investment in the downtown and village centers with a tax incentive modeled on NH statute (Barn Bill). Its goals are to encourage the rehabilitation and active use of underutilized buildings and in doing so, to

- promote strong local business
- promote smart, sustainable growth, as an alternative to sprawl, in accordance with the purpose and objectives of RSA Ch. 9-B.

10-14 North Main Street

These buildings requires a substantial amount of renovation. Chinburg properties will rehabilitate the existing commercial space in the Scenic Theatre and Salinger Block. The intent is to keep the front facades of both buildings as long as there are no unforeseen circumstances. The two buildings will then be interconnected behind the commercial space and the owner will be adding 50 residential units with some parking on the rear facing first level.

RECOMMENDED ACTION

Approve the application for RSA 79-E for 10-14 North Main Street, allowing tax relief for this building for a period of time determined by the Rochester City Council in accordance with Section 79-Ef. Economic Development recommends the full 7 years that are applying for.

Section 79-E:5 Duration of tax relief period

- Substantial rehabilitation tax relief incentive up to 5 years
- Additional tax relief incentive for new residential units up to 2 years



07/30/2020

City of Rochester, New Hampshire

Division of Community Development

31 Wakefield Street, Rochester NH 03867

(603) 335-7522 www.thinkrochester.biz

Review Form: For RSA 79e Community Revitalization Tax Relief Incentive

Building Name (if any): <u>Scenic Theater and Salinger Block</u> Building Address: <u>10, 12 & 14 North Main Street</u> Owner Name(s): <u>Eric J. Chingburg</u> Owner Address(es): <u>3 Penstock Way, Newmarket, NH 03857</u>	Map# <u>0120</u> Lots# <u>0361 and 0010</u> Zoning: <u>DTC</u> Overlay District: <u>Special Downtown</u> Year Built <u>1900 and 1912</u> Square Footage of Building <u>12,175 and 7,667</u>
Contact Name: <u>Eric Chinburg</u> Phone # <u>603-819-3183</u> Email address: <u>jduchesne@chinburg.com</u>	Applicant Name(s) (if different from owner): <u>SAME</u> Applicant Address: _____ Phone # _____ Email address: _____
Existing Uses (describe number of units by type and size). 2 vacant buildings that contain both commercial and residential space. Is there a change of use associated with this project? <u>Yes</u> <u>X</u> <u>No</u> If so, please describe:	Is the building eligible or listed on the State or National Register of Historic Places or located in a Local, State, or Federal Historic District? Yes <u>X</u> No _____ Provide historic district name:
Will the project include rehabilitation of residential units? <u>x</u> Yes <u>No</u> If yes, how many: <u>50</u> If yes, please describe: The Salinger portion of the project has 2 existing residential units and the Scenic with zero units. The finished project will interconnect the two buildings with a total of 50 residential units.	Will the project involve affordable residential units? <u>Yes</u> <u>x</u> <u>No</u> If yes, please describe: 10 No Main – The Salinger Block 12-14 No Main – The Scenic Theatre
<u>Other Review & Comment (if necessary)</u> Historic District Review: <u>Approved May 3, 2020</u> Special Downtown Review: <u>No</u> Minor Site Review: <u>No</u> Planning Board Review: <u>Approved May 4, 2020</u> Special Exception: <u>Approved May 4, 2020</u> Zoning Board of Adjustment: <u>No</u>	<u>Section 79:E-4</u> Application Date: <u>July 29, 2020</u> Complete: Yes Staff Review: <u>July 29, 2020</u> City Council First Reading: <u>August 4, 2020</u> Post Public Hearing : <u>by August 8, 2020</u> Public Hearing Date: <u>August 18, 2020</u> *Required within 60 days of receipt of application City Council Second Reading <u>August 18, 2020</u> *Required within 45 days of Public Hearing

Does this application meet the appropriate tests?

Is it a qualifying structure located in a designated downtown zone? <u> x </u> Yes <u> </u> No	
Pre-rehabilitation assessed value (from most recent City Assessment): \$ 157,800 and 100,800 Total: <u>\$258,600</u>	
Total estimated cost of rehabilitation (from application):	\$6,131,000
Percentage of rehabilitation costs to assessment valuation:	<u> 2,370 </u> %
Does the estimated cost of rehabilitation exceed 15% of pre-rehabilitation assessed valuation, or \$75,000, whichever is lower? YES <u> X </u> NO <u> </u>	
Is there public benefit? Must satisfy at least 1 of the conditions below. (Section 79-E:7) <u> X </u> It enhances the economic vitality of the Downtown District. <u> X </u> It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district. <u> X </u> It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community. <u> X </u> It increases residential housing in urban or town centers. <u> X </u> In a Local, State, or Federal Historic District?	
Are other funding programs being applied to this project? <u> </u> Yes <u> X </u> No Other Programs. – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.	

ELIGIBILITY: Yes <u> X </u> No <u> </u>	
1) Substantial Rehabilitation Tax Relief Incentive (Up to 5 Years)	<u> 5 </u>
2) Additional Tax Relief Incentive for New Residential Units (Up to 2 Years)	<u> 2 </u>
3) Additional Tax Relief Incentive for Affordable Housing (Up to 4 Years)	<u> </u>
4) Additional Tax Relief for rehabilitation of historic places* (Up to 4 Years)	<u> </u>
* Rehabilitation in accordance with the in accordance with Secretary of Interior's Standards for Rehabilitation.	<u> 7 </u>
	(Total)

Name & Title: Jennifer Marsh, ED SpecialistDate: 7/29/2020

City Council Review/Decision

Public Hearing Posting: _____ Public Hearing Date: _____

City Council Meeting Date: _____

Does the City Council agree with findings of at least one Public Benefit?

- ☐ Enhances economic vitality of the village ____Yes____No
- ☐ Enhances and improves a culturally or historically important structure? ____Yes____No
- ☐ Promotes development of the downtown, providing for efficiency, safety, and greater sense of community? ____Yes____No
- ☐ Increases residential housing units in downtown? ____Yes____No

The Application was:	() GRANTED () DENIED
Substantial Rehabilitation Tax Relief Incentive granted for (up to 5 years beginning with completion of rehab)	Years
Tax Relief Incentive for New Residential Units granted for (up to an additional 2 years, 4 years if affordable housing)	Years
Tax Relief Incentive for Rehabilitation of Historic Places in accordance with the U.S. Secretary of Interiors Standards for Rehabilitation for (up to additional 4 years)	Years
Total	Years

IF DENIED, REASON(S) FOR DENIAL

Number of Yea: _____ Number of Nay: _____

Follow Up Letters Sent to:

- ☐ Applicant/Owner
- ☐ Assessing Department
- ☐ Economic Development
- ☐ Planning Department
- ☐ City Manager's Office
- ☐ Finance Department

COVENANTS

Completed By: _____ Date: _____

Filed at Strafford County: _____ Date: _____

Copies to:

- ☐ Assessing Dept
- ☐ Finance Dept
- ☐ In File

The Standards (Department of the Interior regulations 36 CFR 67) pertain to all historic properties listed in or eligible for listing in the National Register of Historic Places.

- 1) A property shall be used for its intended historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- 2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- 3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- 4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- 5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- 6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- 7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- 8) Significant archeological resources affected by a project, shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- 10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Comments from Historic District Commission:

Name & Title: _____

Meeting Date: _____

**TITLE V
TAXATION
CHAPTER 79-E
COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE
Section 79-E:1**

79-E:1 Declaration of Public Benefit. –

I. It is declared to be a public benefit to enhance downtowns and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality.

II. It is further declared to be a public benefit to encourage the rehabilitation of the many underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.

II-a. In instances where a qualifying structure is determined to possess no significant historical, cultural, or architectural value and for which the governing body makes a specific finding that rehabilitation would not achieve one or more of the public benefits established in RSA 79-E:7 to the same degree as the replacement of the underutilized structure with a new structure, the tax relief incentives provided under this chapter may be extended to the replacement of an underutilized structure in accordance with the provisions of this chapter.

II-b. It is further declared to be a public benefit to encourage the rehabilitation of historic structures in a municipality by increasing energy efficiency in the preservation and reuse of existing building stock.

III. Short-term property assessment tax relief and a related covenant to protect public benefit as provided under this chapter are considered to provide a demonstrated public benefit if they encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of a qualifying structure, as defined in this chapter.

Source. 2006, 167:1. 2009, 200:3, 4, eff. July 15, 2009. 2013, 78:1, eff. April 1, 2013.

Section 79-E:2**79-E:2 Definitions. –** In this chapter:

I. "Historic structure" means a building that is listed on or determined eligible for listing on the National Register of Historic Places or the state register of historic places.

II. "Qualifying structure" means a building located in a district officially designated in a municipality's master plan, or by zoning ordinance, as a downtown, town center, central business district, or village center, or, where no such designation has been made, in a geographic area which, as a result of its compact development patterns and uses, is identified by the governing body as the downtown, town center, or village center for purposes of this chapter. Qualifying structure shall also mean historic structures in a municipality whose preservation and reuse would conserve the embodied energy in existing building stock. Cities or towns may further limit "qualifying structure" according to the procedure in RSA 79-E:3 as meaning only a structure located within such districts that meet certain age, occupancy, condition, size, or other similar criteria consistent with local economic conditions, community character, and local planning and development goals. Cities or towns may further modify "qualifying structure" to include buildings that have been destroyed by fire or act of nature, including where such destruction occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town.

III. "Replacement" means the demolition or removal of a qualifying structure and the construction of a new structure on the same lot.

IV. "Substantial rehabilitation" means rehabilitation of a qualifying structure which costs at least 15 percent of the pre-rehabilitation assessed valuation or at least \$75,000, whichever is less. In addition, in the case of historic structures, substantial rehabilitation means devoting a portion of the total cost, in the amount of at least 10 percent of the pre-rehabilitation assessed valuation or at least \$5,000, whichever is less, to energy efficiency in accordance with the U.S. Secretary of the Interior's Standards for Rehabilitation. Cities or towns may further limit "substantial rehabilitation" according to the procedure in RSA 79-E:3 as meaning rehabilitation which costs a percentage greater than 15 percent of pre-rehabilitation assessed valuation or an amount greater than \$75,000 based on local economic conditions, community character, and local planning and development goals.

V. "Tax increment finance district" means any district established in accordance with the provisions of RSA 162-K.

VI. "Tax relief" means:

(a) For a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation thereof.

(b) For the replacement of a qualifying structure, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on a replacement structure shall not exceed the property tax on the replaced qualifying structure as a result of the replacement thereof.

(c) For a qualifying structure which is a building destroyed by fire or act of nature, that for a period of time determined by a local governing body in accordance with this chapter, the property tax on such qualifying structure shall not exceed the tax on the assessed value of the structure that would have existed had the structure not been destroyed.

VII. "Tax relief period" means the finite period of time during which the tax relief will be effective, as determined by a local governing body pursuant to RSA 79-E:5.

Source. 2006, 167:1. 2009, 200:5-7. 2010, 329:1, 2. 2011, 237:1, 2, eff. July 5, 2011. 2013, 78:2, eff. April 1, 2013.

Section 79-E:3

79-E:3 Adoption of Community Revitalization Tax Relief Incentive Program –

I. Any city or town may adopt or modify the provisions of this chapter by voting whether to accept for consideration or modify requirements for requests for community revitalization tax relief incentives. Any city or town may do so by following the procedures in this section.

II. In a town, other than a town that has adopted a charter pursuant to RSA 49-D, the question shall be placed on the warrant of a special or annual town meeting, by the governing body or by petition under RSA 39:3.

III. In a city or town that has adopted a charter under RSA 49-C or RSA 49-D, the legislative body may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances, and other legislation. In the alternative, the legislative body of such municipality may vote to place the question on the official ballot for any regular municipal election.

IV. If a majority of those voting on the question vote "yes," applications for community revitalization tax relief incentives may be accepted and considered by the local governing body at any time thereafter, subject to the provisions of paragraph VI of this section.

V. If the question is not approved, the question may later be voted on according to the provisions of paragraph II or III of this section, whichever applies.

VI. The local governing body of any town or city that has adopted this program may consider rescinding its action in the manner described in paragraph II or III of this section, whichever applies. A vote terminating the acceptance and consideration of such applications shall have no effect on incentives previously granted by the city or town, nor shall it terminate consideration of applications submitted prior to the date of such vote.

Source. 2006, 167:1. 2010, 329:3, eff. July 20, 2010.

Section 79-E:4

79-E:4 Community Revitalization Tax Relief Incentive. –

I. An owner of a qualifying structure who intends to substantially rehabilitate or replace such structure may apply to the governing body of the municipality in which the property is located for tax relief. The applicant shall include the address of the property, a description of the intended rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee.

I-a. In order to assist the governing body with the review and evaluation of an application for replacement of a qualifying structure, an owner shall submit to the governing body as part of the application, a New Hampshire division of historical resources individual resource inventory form, prepared by a qualified architectural historian and a letter issued by the local heritage commission and if the qualifying structure is located within a designated historic district established in accordance with RSA 674:46, a letter from the historic district commission or, if such local commissions are not established, a letter issued by the New Hampshire division of historical resources that identifies any and all historical, cultural, and architectural value of the structure or structures that are proposed to be replaced and the property on which those structures are located. The application for tax relief shall not be deemed to be complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structure as required under RSA 79-E:4, II until the inventory form and the letter, as well as all other required information, have been submitted.

II. Upon receipt of an application, the governing body shall hold a duly noticed public hearing to take place no later than 60 days from receipt of the application, to determine whether the structure at issue is a qualifying structure; whether any proposed rehabilitation qualifies as substantial rehabilitation; and whether there is a public benefit to granting the requested tax relief and, if so, for what duration.

III. No later than 45 days after the public hearing, the governing body shall render a decision granting or denying the requested tax relief and, if so granting, establishing the tax relief period.

IV. (a) The governing body may grant the tax relief, provided:

- (1) The governing body finds a public benefit under RSA 79-E:7; and
- (2) The specific public benefit is preserved through a covenant under RSA 79-E:8; and

(3) The governing body finds that the proposed use is consistent with the municipality's master plan or development regulations; and

(4) In the case of a replacement, the governing body specifically finds that the local heritage commission or historic district commission or, if such local commissions are not established, the New Hampshire division of historical resources has determined that the replaced qualifying structure does not possess significant historical, cultural, or architectural value, the replacement of the qualifying structure will achieve one or more of the public benefits identified in RSA 79-E:7 to a greater degree than the renovation of the underutilized structure, and the historical, cultural, or architectural resources in the community will not be adversely affected by the replacement. In connection with these findings, the governing body may request that the division of historical resources conduct a technical evaluation in order

to satisfy the governing body that historical resources will not be adversely affected.

(b) If the governing body grants the tax relief, the governing body shall identify the specific public benefit achieved under RSA 79-E:7, and shall determine the precise terms and duration of the covenant to preserve the public benefit under RSA 79-E:8.

V. If the governing body, in its discretion, denies the application for tax relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the board of tax and land appeals or the superior court in the same manner as provided for appeals of current use classification pursuant to RSA 79-A:9 or 79-A:11 provided, however, that such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.

VI. Municipalities shall have no obligation to grant an application for tax relief for properties located within tax increment finance districts when the governing body determines, in its sole discretion, that the granting of tax relief will impede, reduce, or negatively affect:

- (a) The development program or financing plans for such tax increment finance districts; or
- (b) The ability to satisfy or expedite repayment of debt service obligations incurred for a tax increment financing district; or
- (c) The ability to satisfy program administration, operating, or maintenance expenses within a tax increment financing district.

Source. 2006, 167:1. 2009, 200:8-11, eff. July 15, 2009.

Section 79-E:5

79-E:5 Duration of Tax Relief Period. –

I. The governing body may grant such tax assessment relief for a period of up to 5 years, beginning with the completion of the substantial rehabilitation.

I-a. For the approval of a replacement of a qualifying structure, the governing body may grant such tax assessment relief for a period of up to 5 years, beginning only upon the completion of construction of the replacement structure. The governing body may, in its discretion, extend such additional years of tax relief as provided for under this section, provided that no such additional years of tax relief may be provided prior to the completion of construction of the replacement structure. The municipal tax assessment of the replacement structure and the property on which it is located shall not increase or decrease in the period between the approval by the governing body of tax relief for the replacement structure and the time the owner completes construction of the replacement structure and grants to the municipality the covenant to protect the public benefit as required by this chapter. The governing body may not grant any tax assessment relief under this chapter with respect to property and structures for which an election has been made for property appraisal under RSA 75:1-a.

II. The governing body may, in its discretion, add up to an additional 2 years of tax relief for a project that results in new residential units and up to 4 years for a project that includes affordable housing.

III. The governing body may, in its discretion, add up to an additional 4 years of tax relief for the substantial rehabilitation of a qualifying structure that is listed on or determined eligible for listing on the National Register of Historic Places, state register of historic places, or is located within and important to a locally designated historic district, provided that the substantial rehabilitation is conducted in accordance with the U.S. Secretary of Interior's Standards for Rehabilitation.

IV. The governing body may adopt local guidelines to assist it in determining the appropriate duration of the tax assessment relief period.

Source. 2006, 167:1. 2009, 200:12. 2010, 329:4, eff. July 20, 2010.

Section 79-E:6

79-E:6 Resumption of Full Tax Liability. – Upon expiration of the tax relief period, the property shall be taxed at its market value in accordance with RSA 75:1.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:7

79-E:7 Public Benefit. – In order to qualify for tax relief under this chapter, the proposed substantial rehabilitation must provide at least one of the public benefits, and the proposed replacement must provide one or more of the public benefits to a greater degree than would a substantial rehabilitation of the same qualifying structure, as follows:

- I. It enhances the economic vitality of the downtown;
- II. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;
 - II-a. It promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation.
- III. It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community,

consistent with RSA 9-B; or

IV. It increases residential housing in urban or town centers.

Source. 2006, 167:1. 2009, 200:13, eff. July 15, 2009. 2013, 78:3, eff. April 1, 2013.

Section 79-E:7-a

79-E:7-a Public Benefit Determinations. – Cities or towns may adopt according to the procedure in RSA 79-E:3 provisions that further define the public benefits enumerated in RSA 79-E:7 to assist the governing body in evaluating applications made under this chapter based on local economic conditions, community character, and local planning and development goals.

Source. 2010, 329:5, eff. July 20, 2010.

Section 79-E:8

79-E:8 Covenant to Protect Public Benefit. –

I. Tax relief for the substantial rehabilitation or replacement of a qualifying structure shall be effective only after a property owner grants to the municipality a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for which the tax relief was granted and as otherwise provided in this chapter.

II. The covenant shall be coextensive with the tax relief period. The covenant may, if required by the governing body, be effective for a period of time up to twice the duration of the tax relief period.

III. The covenant shall include provisions requiring the property owner to obtain casualty insurance, and flood insurance if appropriate. The covenant may include, at the governing body's sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition or damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of provisions set forth in RSA 79-E:9, I.

IV. The local governing body shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property.

V. The applicant shall pay any reasonable expenses incurred by the municipality in the drafting, review, and/or execution of the covenant. The applicant also shall be responsible for the cost of recording the covenant.

Source. 2006, 167:1. 2009, 200:14, eff. July 15, 2009.

Section 79-E:9

79-E:9 Termination of Covenant; Reduction of Tax Relief; Penalty. –

I. If the owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided in RSA 79-E:8, III, the governing body shall, after a duly noticed public hearing, determine whether and to what extent the public benefit of the rehabilitation or replacement has been diminished and shall determine whether to terminate or reduce the tax relief period in accordance with such determination. If the covenant is terminated, the governing body shall assess all taxes to the owner as though no tax relief was granted, with interest in accordance with paragraph II.

II. Any tax payment required under paragraph I shall be payable according to the following procedure:

(a) The commissioner of the department of revenue administration shall prescribe and issue forms to the local assessing officials for the payment due, which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

(b) The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

(c) Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

(d) Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18 percent per annum shall be due thereafter on any amount not paid within the 30-day period. Interest at 12 percent per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no tax relief had been granted.

Source. 2006, 167:1. 2009, 200:15, eff. July 15, 2009.

Section 79-E:10

79-E:10 Lien for Unpaid Taxes. – The real estate of every person shall be held for the taxes levied pursuant to RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:11

79-E:11 Enforcement. – All taxes levied pursuant to RSA 79-E:9 which are not paid when due shall be collected in the same manner as provided in RSA 80.

Source. 2006, 167:1. 2007, 42:3, eff. July 20, 2007.

Section 79-E:12

79-E:12 Rulemaking. – The commissioner of the department of revenue administration shall adopt rules, pursuant to RSA 541-A, relative to the payment and collection procedures under RSA 79-E:9.

Source. 2006, 167:1, eff. April 1, 2006.

Section 79-E:13

79-E:13 Extent of Tax Relief. –

I. (a) Tax relief granted under this chapter shall pertain only to assessment increases attributable to the substantial rehabilitation performed under the conditions approved by the governing body and not to those increases attributable to other factors including but not limited to market forces; or

(b) Tax relief granted under this chapter shall be calculated on the value in excess of the original assessed value. Original assessed value shall mean the value of the qualifying structure assessed at the time the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect public benefit as required in this chapter, provided that for a qualifying structure which is a building destroyed by fire or act of nature, original assessed value shall mean the value as of the date of approval of the application for tax relief of the qualifying structure that would have existed had the structure not been destroyed.

II. The tax relief granted under this chapter shall only apply to substantial rehabilitation or replacement that commences after the governing body approves the application for tax relief and the owner grants to the municipality the covenant to protect the public benefit as required in this chapter, provided that in the case of a qualifying structure which is a building destroyed by fire or act of nature, and which occurred within 15 years prior to the adoption of the provisions of this chapter by the city or town, the tax relief may apply to such qualifying structure for which replacement has begun, but which has not been completed, on the date the application for relief under this chapter is approved.

Source. 2006, 167:1. 2010, 329:6. 2011, 237:3, eff. July 5, 2011.

Section 79-E:14

79-E:14 Other Programs. – The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

Source. 2006, 167:1, eff. April 1, 2006.

10-14 North Main Street; RSA-79:E Application Summary

Applicant: Eric J. Chinburg

Eligible years: Applying for 7 out of the max of 11 years

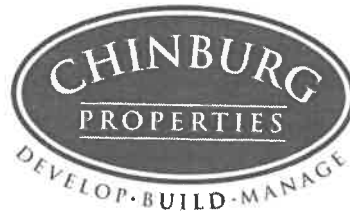
Project: Rehabilitate the existing commercial space in the Scenic Theatre and Salinger Block. The intent is to keep the front facades of both buildings as long as there are no unforeseen circumstances. The two buildings will then be interconnected behind the commercial space and the owner will be adding 50 residential units with some parking on the rear facing first level.

Exterior Changes: The owners will be adding a large interconnected building to the rear of the commercial space. Elevations will change on the sides and rear while keeping the front facades of the building. The project has already been approved by both Planning Board and Historic District.

RSA 79-E is a temporary tax relief incentive for property owners who want to make a substantial investment in rehabilitation in a historic district, downtown or village center. The tax relief if granted would consist of a finite period of time during which the property tax on the structure would not increase as a result of a substantial rehabilitation. In exchange for the relief, the property owner grants a covenant ensuring there is public benefit to the rehabilitation.

Qualifications:

1. A qualifying property must provide a public benefit. Public benefits could be restoring a historic building, promoting downtown development, increasing downtown housing, or increasing the economic vitality of downtown. 10-14 North Main meet all of these criteria.
2. A qualifying project must have substantial rehabilitation costs of at least 15% of the pre-rehabilitated assessed value, or costs of \$75,000 whichever is less. 10-14 North Main exceeds both of these baselines. Total estimated costs of the project are \$6,131,000 which is approximately an increase of 2,370% of the pre-assessed value.



July 29, 2020

City of Rochester, New Hampshire
Division of Community & Economic Development
31 Wakefield Street, Rochester NH 03867

RE: 10 & 12-14 N. Main Street, Rochester, NH 79-E Application

This letter is respectfully submitting a request for Community Revitalization Tax Relief per RSA 79-E.

Scenic Salinger, LLC is requesting 7 years of tax relief in accordance with the requirements of RSA 79-E.

To support our request, please find enclosed the following materials:

1. Completed Application form with signatures.
2. Application Fee made payable to City of Rochester
3. Documentation and photos of Historic Information
4. Copy of Property Record Cards
5. Description of Public Benefit
6. Site plans, diagrams, elevations associated with the Project
7. Cost Estimates associated with the Project
8. Documentation of State of Federal Funds- Not Applicable
9. Notice of Decision for Other Reviews

Sincerely,

Eric J. Chinburg
President, Chinburg Properties
on behalf of Scenic Salinger, LLC



07/30/2020

City of Rochester, New Hampshire
Division of Community & Economic Development
31 Wakefield Street, Rochester NH 03867

Application Revised August 15, 2019
Community Revitalization Tax Relief (per RSA 79E)
City of Rochester, New Hampshire

Application must be accompanied by \$150 application fee payable to "City of Rochester"

Date of Preparation: 6/25/20

Property information

Property address/location: 10 & 12-14 N. Main Street, Rochester, NH

Name of building (if any): Scenic Theatre and Salinger Block

Tax map & lot #: Map 120 Lot 361 & Map 121 Lot 10 Year built: 1900 & 1912

Square Footage: 12,175 & 7,667 (adj. building area per tax cards) Condition: Very poor

Zoning: DTC

Vacant, how long: approximately > 5 years

Is this structure eligible or listed on the State or National Register of Historic Places, or located in a local, state or federal Historic District? Yes X No

Name of District: Downtown Commercial & Historic District

Existing Uses: Describe the units by type and size, how many floors Both buildings are vacant. Salinger Block is 4 stories and Scenic Theatre is 3 stories.

Change of Use?: Applicant proposes to convert the properties to mixed-use with commercial uses on a portion of the 1st floor and rental apartments on the upper floors.

Property Owner

Name (include name of individual): Eric J. Chinburg, Manager

Company: Scenic Salinger, LLC

Mailing address: 3 Penstock Way, Newmarket, NH 03857

Telephone #: 603-868-5995 x11 Email: echinburg@chinburg.com

Applicant or Agent Contact:

Name (include name of individual): Eric J. Chinburg, Manager

Company: Scenic Salinger, LLC

Mailing address: 3 Penstock Way, Newmarket, NH 03857

Telephone #: 603-819-3183 Email: jduchesne@chinburg.com

EXHIBIT**Proposed Project Information**

Name of Architect (if known): CJ Architects, Portsmouth, NH

Name of Licensed Contractor (if known): Chinburg Builders, Inc.

Will the project include rehabilitation of residential units? Yes If yes, how many
50 residential units (14 in existing buildings; 36 in new addition).

Are the residential units defined as "affordable"? Yes _____ No X

(The current affordable rents in the City of Rochester are available at www.NHHFA.org)

Describe the commercial space, square footage, uses and conditions: The project creates 2,700 square feet of commercial or retail space in the existing North Main Street sections of the buildings.

Please describe in detail the public benefits associated with this project? You may attach pages to the application for this and the following question. (RSA 79-E:7)

The project restores a historically important structure in the city, increases downtown housing and creates jobs and opportunity for the local businesses (please see attached for a complete list of benefits to the public).

Explain the project in your own words: The project creates 50 market rate apartments and 2,700 sf of commercial space by restoring the handsome North Main Street sections of both buildings and constructing a new, interconnected 4-story-over-parking addition to their rear.

Pre-Rehabilitation Ad Velorum Tax Valuation \$157,800 (10 N. Main) & \$100,800 (12-14 N. Main) --- Total of \$258,600. Please obtain a Property Record Card from the Rochester Assessing Department, and include a copy with the application. ATTACHED.

Does the estimated cost of rehabilitation exceed 15% of pre-rehabilitation valuation, or \$75,000, whichever is lower? YES X NO _____ % _____

Note: This program is available for projects where the rehabilitation cost equals or exceeds 15% of the pre-rehabilitation assessed valuation or \$75,000, whichever is lower. If your project does not meet this standard, it is not eligible for Tax Relief under RSA 79e.

Project costs

Describe work that will constitute the substantial rehabilitation and estimated/projected costs.
See enclosed narrative and budget

Historic Restoration: _____ Cost: \$ _____
 Sustainability/Efficiency: _____ Cost: \$ _____
 Interior Alterations: _____ Cost: \$ _____
 Exterior Alterations: _____ Cost: \$ _____
 Structural: _____ Cost: \$ _____
 Electrical: _____ Cost: \$ _____
 Plumbing: _____ Cost: \$ _____
 Mechanical: _____ Cost: \$ _____
 Safety/Fire Protection: _____ Cost: \$ _____
 Other: _____ Cost: \$ _____

Expected construction dates. Start: September 1, 2020; Finish: August 31, 2021

Total project cost: \$ _____

Please attach written estimates whenever possible.

Will any state or federal grants or funds be used in this project? Yes _____ No X
 If yes, please provide information in detail on an additional sheet.

Note: The provisions of this chapter shall not apply to properties whose rehabilitation or construction is subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50 percent of construction costs from state or federal programs.

Other Approvals and Information

Please include the scheduled date of review or attach the **Notice of Decision** as appropriate:

Project Narrative or Letter of Intent to Planning: Site Plan and Conditional Use Permit

Date: May 4, 2020 (date of Planning Board approval of application)

Historic District Review: _____ Date: _____

(Required only if replacing a qualified structure)

Other (please specify): _____ Date: _____

Application Checklist

(Applications are not complete, and review will not be scheduled, until all supporting items are delivered)

- ☒ Completed Application form with signatures.
- ☒ Application Fee made payable to City of Rochester
- ☒ Documentation and photos of Historic Information
- ☒ Copy of Property Record Card
- ☒ Description of Public Benefit
- ☒ Site plans, diagrams, elevations associated with the Project
- ☒ Cost Estimates associated with the Project
- n/a ☐ Documentation of State of Federal Funds
- ☒ Notice of Decision for Other Reviews
- ☒ Request for Tax Relief

fm
7/29/2020

Request for Community Revitalization Tax Relief

- ☒ Substantial Rehabilitation Tax Relief Incentive (Up to 5 Years)
- ☒ Additional Tax Relief Incentive for New Residential Units (Up to 2 Years)
- ☐ Additional Tax Relief Incentive for Affordable Housing (Up to 4 Years)
- ☐ Additional Tax Relief for rehabilitation of historic places* (Up to 4 Years)

* Rehabilitation in accordance with the in accordance with Secretary of Interior's Standards for Rehabilitation.

Please explain your request for the above tax relief categories. You may attach an additional sheet. The Applicant is requesting 7 years of tax relief. 1. The rehabilitation of the existing buildings will have costs exceeding \$75,000 and therefore the project satisfies the Substantial Rehabilitation Tax Relief Incentive (5 years). 2. The project will create 50 new residential units and therefore the Project satisfies the requirement for New Residential Units incentive (2 years)

Submission of Application

This application must be signed by the property owner. Please submit an electronic version and /or a complete package of information to:

Rochester Community & Economic Development
Mail: 31 Wakefield St, Rochester, NH 03867
michael.scala@rochesternh.net

A \$150.00 application fee (payable to "City of Rochester") must be submitted in order for this application to be considered complete. Please follow up at 603-335-7522 to insure all information and payments have been received.

I (we) hereby submit this application under the Community Revitalization Tax Relief Incentive Statute (NH RSA 79-E) and attest that to the best of my (our) knowledge all of the information herein and in the accompanying materials is true and accurate. I (we) have reviewed the statute and understand that: a) there will be a public review process and public hearing to evaluate the merits of this application; b) I (we) will need to enter into a covenant with the City; and c) I (we) may be required to pay reasonable expenses associated with the creation and recording of the covenant to the Strafford County Registry of Deeds.

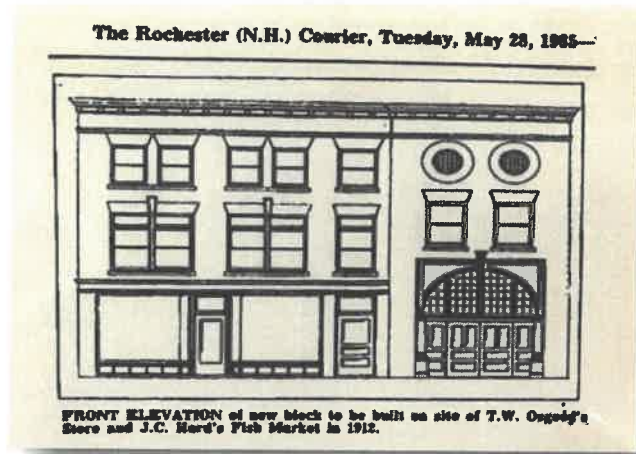
Signature of property owner (1): 

Printed Name: Eric J. Chinburg, Manager Date: 06/25/20

Signature of property owner (2): _____ N/A _____

Printed Name: _____ N/A _____ Date: _____ N/A _____

Historic Information



Left image: view shows the planned elevation for the Scenic Theater before construction.

Lower image: Looking south, view shows early image of Scenic Theater with retail in the east bays and the theater entrance in the west bay.



Each of the four streets extending from Central Square exhibits a character determined by their building types and periods of development. Along North Main Street the streetscape consists primarily of low-scale commercial structures with simple, Georgian-Revival facades. Wakefield Street, historically a prominent residential street is now the focus of the city's municipal activity. The Rochester City Hall an eclectic blend of Neoclassical and Renaissance-Revival motifs now dominates the area. Hanson Street, which extends west from Central Square is a narrow, open-block street created by a continuous row of wooden Victorian-period commercial blocks on the south side. South Main Street runs southeasterly from Central Square and differs from the other streets owing to a wider variety of building types. Originally a fashionable residential street featuring several large mansions, its character was changed with the construction of large commercial blocks at the end of the 19th century, and new public buildings in the beginning of the 20th century.

6. SALINGER BLOCK

6.1 History of the Salinger Block


The Salinger Block was originally built by Charles K. Chase in 1879 on the site of his earlier and much smaller brick store that had burned in 1878. In 1885, the dry goods merchant Isadore Salinger bought the four-story wooden building for \$23,000 and remodeled it, later building off the rear elevation to create a substantial addition. Born in Mecklenburg-Schwerin, Germany in 1843, Mr. Salinger had arrived in the United States at the age of 24 with no money and unable to speak English. His determination and knowledge of the dry goods business led to a flourishing business and eventually with the means to buy the block known historically by his name.



Looking south; view shows Salinger Block ca. 1880 in its original, 3-story plus mansard design with symmetrical façade and wood siding. The early wood-framed store posting "Toys Fruits & Confectionery" on its sign is located adjacent west, later relocated to make way for the Scenic Theater in 1912.

Note all windows were 2/2, four chimneys with decorative corbelled caps, twin symmetrically designed storefronts with centered door to upper floors.

Property Record Cards

0120	0361	0000	Building Location 10 NO MAIN ST		MULTI FAMILY		Acct: 197		APPRaised: 157,800 / USE VALUE: 0 / ASSESSED: 157,800 /		Total Card 157,800 / Total Parcel 157,800 /																
Map	Block	Lot	City of Rochester																								
Property Location			In Process Appraisal Summary (First 4 Lines Only)					Legal Description																			
No.	Alt No.	Direction/Street/City	Use Code	Land Size	Building Value	Yard Items	Land Value	Total Value	Entered Lot Size		User Account																
10		NO MAIN ST, ROCHESTER	903	0.20	72,100.00	0.00	85,700.00	157,800.00	Total Land 0.20		27228																
Ownership			Total Card	0.20	72,100.00	0.00	85,700.00	157,800.00	Land Unit Type AC - EXCESS ACRES		GIS Reference																
Owner 1 CITY OF ROCHESTER			Total Parcel	0.20	72,100.00	0.00	85,700.00	157,800.00	Parcel ID 0120-0361-0000		GIS Reference																
Owner 2			Source	Mkt Adj Cost	Total Value per Sq Unit	12.96	/Parcel	12.96	Inspection Date																		
Owner 3			Previous Assessment (First 9 Lines Only)																								
Street 1 31 WAKEFIELD ST			Text Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Assessed Value	Notes	Date														
Street 2			2020	903	FV1	72,100	0	0.2000	85,700	157,800	157,800		05/01/2020														
Town/City ROCHESTER			2019	903	FV	72,100	0	0.2000	85,700	157,800	157,800		10/30/2019														
St/Prov NH Country			2018	013	FV	100,900	0	0.2000	85,700	186,600	186,600	Year End Roll	09/19/2018														
Postal 03867 Type			2017	013	FV	111,400	0	0.2000	85,700	197,100	197,100	Year End Roll	09/07/2017														
Previous Owner			2016	013	FV	127,600	0	0.2000	85,700	213,300	213,300	Year End Roll	09/08/2016														
Owner 1 KELLY GEORGE			2015	013	FV	182,200	0	0.2000	85,700	267,900	267,900	Year-end	10/01/2015														
Owner 2			2014	013	FV	182,200	0	0.2000	85,700	267,900	267,900	Year End Roll	09/29/2014														
Street 1 39 SO MAIN ST			2013	013	FV	191,800	0	0.2000	85,700	277,500	277,500	Year End Roll	09/04/2013														
Town/City ROCHESTER			2012	013	FV	191,800	0	0.2000	85,700	277,500	277,500	Year End Roll	09/20/2012														
St/Prov NH Country			Sales Information (First 5 Lines Only)																								
Postal 03867-2755			Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	TSF	Verification	Notes															
			KELLY GEORGE	4579-788	99	06/26/2018	Quiet Title	0.00	No	No	OTHER	CORRECTS PREVIOUS DEED REF IN BK-4576, PG-1															
			KELLY GEORGE M	4576-100	1	06/13/2018	Government	0.00	No	No	OTHER																
			KELLY GEORGE M &	2230-423		09/07/2000	Convenience	23,500.00	No	No	PA-34																
			KELLY GEORGE	2162-742		12/09/1999	Farm/Rel/Aff	4,000.00	No	No	OTHER																
			KELLY GEORGE M & THEODORE	1156-641		01/15/1995		0.00	No	No																	
Narrative Description			Building Permits (First 8 Lines Only)																								
This parcel contains 0.20000 AC of land mainly classified as CITY OF ROCHESTER with a MIX USE BLDG Building built about 1880, having primarily BRICK Exterior and 12,175 Square Feet, with 2 Residential Units and 1 Commercial Unit, 2 Baths, 11 Rooms, and 5 Bedrooms.			Date	Number	Description	Amount	Orig	Last Visit	Fed Code	F. Description	General Notes																
			09/12/2020	B-20-341	DEMOLITION	0.00	C		5	EXEMPT CONST	selective demolition for re																
			05/11/2016	P-16-60	PLUMBING	400.00	C		3	COM CONST	INSTALL BACKFLOW DE																
			01/25/2016	E-12750	ELECTRIC	2,000.00	C	05/04/2016	3	COM CONST	CORRECT MISCELLANE																
			12/15/2015	B-12444	REPAIRS	1,200.00	C	01/31/2016	3	COM CONST	EXPIRED/NOT DONE R																
			12/05/2014	9470	STG TANK	100.00	C	03/29/2015	3	COM CONST																	
			11/13/2013	5814	STG TANK	950.00	C	12/17/2013	3	COM CONST																	
			10/21/2011	1213	STG TANK	1,000.00	C	12/12/2011	3	COM CONST																	
			11/14/2008	06-1640	WINDOWS	4,000.00	CE	03/20/2007																			
Other Assessments			Activity Information (First 11 Lines Only)																								
Code Description Amount Com Int			Date	Result	By	Name																					
			07/02/2018	DEED CHANGE	DM	DARCY																					
			09/14/2018	DEED CHANGE	DM	DARCY																					
			09/01/2018	CORRECTION	TG	THERESA																					
			05/02/2018	CORRECTION	JR	JON																					
			05/09/2018	MEAS-INSPCTD	RV	RICK																					
			04/17/2015	OWN ADD CHG	LA	LEONA																					
			09/08/2011	CORRECTION	TM	TOM																					
			11/01/2007	OWN ADD CHG	VB	VERNA																					
			09/16/2007	OWN ADD CHG	VB	VERNA																					
			04/14/2008	OWN ADD CHG	VW	VIRGINA																					
			01/20/2005	ZONE CHANGE	TM	TOM																					
Land Section (First 9 Lines Only)			Sign: _____																								
Use Code	Description	LUC Factor	No of Units	Depth/Price/Unit	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adjusted Unit Price	Neigh	Neigh	Neigh	Int 1	%	Int 2	%	Int 3	%	Appraised Value	Alt Class	%	Spec Land	Juris	Land Factor	Assessed Value	Notes
903	CITY OF ROCHESTER	1.0000	0.2000		PRIMARY ACRE	SITE	1.0000	90,000.00	428,500.00	3003	1.000									85,700					1.0000	85,700	
Total AC/H			0.20000		Total SF/SH		8,712.0000		Parcel LU	903	CITY OF ROCHESTER		Prime NB Desc	COMMERCIAL					Total	85,700.00	Total				Total		85,700

Exterior Information				Bath Features				Comments				Sketch																																																	
Type	40M - MIX USE BLDG			Full Bath	2	Rating	INFERIOR	SALINGER BLOCK - NO ELEVATOR ADJ INCL IN FUNCT DEPR																																																					
Story Height	3 - 3			A Bath		Rating																																																							
(Liv) Units	2	Total	3	3/4 Bath		Rating																																																							
Foudation	1 - CONCRETE			A 3/4 Bath		Rating																																																							
Frame	01 - WOOD			1/2 Bath		Rating																																																							
Prime Wall	7 - BRICK			A HBath		Rating																																																							
Sec Wall	ASBESTOS 20%			Other Fix		Rating																																																							
Roof Struct	4 - FLAT			Other Features																																																									
Roof Cover	11 - MEMBRANE			Kitchen	2	Rating	INFERIOR																																																						
Color	WHITE			A Kitchen		Rating																																																							
View/Desir	NONE			Fireplace		Rating																																																							
Bld Name				WSFlues		Rating																																																							
General Information				Condo Information				Remodeling Mobile Home																																																					
Grade	C+ - AVG. (+)			Location				Exterior	Make																																																				
Year Blt	1880	Eff Yr Blt		Total Units	0			Interior	Model																																																				
Alt LUC		Alt %	48	Floor				Additions	Serial #																																																				
Jurisdct		Fact	1.00000	% Own				Kitchen	Year																																																				
Const Mod				Name				Baths	Color																																																				
Lump Sum Adj				Depreciation				Plumbing	0120-0391-0000																																																				
Interior Information				Avg H/HFI				Parcel ID																																																					
Prime Int Wall	6 - AVERAGE			Phys Cond	VP - Very Poor	88%		Electric																																																					
Sec Int Wall				Functional	D - DESIGN	25%		Heating																																																					
Partition	T - TYPICAL			Economic				General																																																					
Prim Floors	8 - AVERAGE			Special				Comparable Sales (First 7 Only)																																																					
Sec Floors				Override				Sub Area (First 8 Only)																																																					
Basement Floors				Total				Sub Area Detail (First 10 Only)																																																					
Subfloor				9%				<table border="1"> <thead> <tr> <th>Sub Area</th> <th>% Usbl</th> <th>Description</th> <th>Type</th> <th>Qu</th> <th># of Tenants</th> </tr> </thead> <tbody> <tr> <td>FFL</td> <td>100</td> <td>RTL</td> <td>100</td> <td>C</td> <td>1</td> </tr> <tr> <td>FFL</td> <td>100</td> <td>RTL</td> <td>100</td> <td>C</td> <td>1</td> </tr> <tr> <td>UFL</td> <td>100</td> <td>UNF</td> <td>100</td> <td>C</td> <td></td> </tr> </tbody> </table>				Sub Area	% Usbl	Description	Type	Qu	# of Tenants	FFL	100	RTL	100	C	1	FFL	100	RTL	100	C	1	UFL	100	UNF	100	C																											
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Basement Garage				Calc Summary				<table border="1"> <thead> <tr> <th>Code</th> <th>Description</th> <th>Area - SQ</th> <th>Rate - AV</th> <th>Undepr Value</th> </tr> </thead> <tbody> <tr> <td>FFL</td> <td>1ST FLOOR</td> <td>7,011.00</td> <td>58.490</td> <td>410,073.39</td> </tr> <tr> <td>SFL</td> <td>2ND FLOOR</td> <td>2,582.00</td> <td>58.490</td> <td>151,021.18</td> </tr> <tr> <td>TFL</td> <td>3RD FLOOR</td> <td>2,582.00</td> <td>52.840</td> <td>135,916.48</td> </tr> <tr> <td>UFL</td> <td>UPPR FLOOR</td> <td>2,582.00</td> <td>23.390</td> <td>60,392.98</td> </tr> <tr> <td>BMT</td> <td>BASEMENT</td> <td>7,011.00</td> <td>14.620</td> <td>102,500.82</td> </tr> <tr> <td colspan="2">Net Sketched Area</td> <td>21,768.00</td> <td></td> <td></td> </tr> <tr> <td colspan="2">Total</td> <td></td> <td></td> <td>859,904.85</td> </tr> <tr> <td colspan="2">Size Adj</td> <td>12,175.00</td> <td>Gross Area</td> <td>21,768.00</td> </tr> <tr> <td colspan="2"></td> <td></td> <td>Fin Area</td> <td>12,175.00</td> </tr> </tbody> </table>				Code	Description	Area - SQ	Rate - AV	Undepr Value	FFL	1ST FLOOR	7,011.00	58.490	410,073.39	SFL	2ND FLOOR	2,582.00	58.490	151,021.18	TFL	3RD FLOOR	2,582.00	52.840	135,916.48	UFL	UPPR FLOOR	2,582.00	23.390	60,392.98	BMT	BASEMENT	7,011.00	14.620	102,500.82	Net Sketched Area		21,768.00			Total				859,904.85	Size Adj		12,175.00	Gross Area	21,768.00				Fin Area	12,175.00
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Image



0121 0010 0000
Map Block Lot

Building Location
12-14 NO MAIN ST

COMMERCIAL

Acct: 236

APPAISED:
USE VALUE:
ASSESSED:

Total Card 100,800 /
Total Parcel 100,800 /
0 /
100,800 /

Property Location

No.	Alt No.	Direction/Street/City
12	14	NO MAIN ST, ROCHESTER

Ownership

Owner 1	CITY OF ROCHESTER
Owner 2	
Owner 3	
Street 1	31 WAKEFIELD ST
Street 2	
Town/City	ROCHESTER
St/Prov	NH Country
Postal	03867
Type	

Previous Owner

Owner 1	AKERMAN HEIDI
Owner 2	
Street 1	252 BUNKER HILL RD
Town/City	NEW BOSTON
St/Prov	NH Country
Postal	03070

Narrative Description

This parcel contains 0.17000 AC of land mainly classified as CITY OF ROCH with a MIX RETAIL Building built about 1900, having primarily BRICK Exterior and 7,667 Square Feet with 2 Commercial Units, 1 Half Bath.

Other Assessments

Code	Description	Amount	Com Int

Property Factors

Item	Code	Description	%	Item	Code	Description
Zone 1	DTC	DOWNTOWN	100	Utility 1	2	CITY SEWER
Zone 2				Utility 2	4	NONE
Zone 3				Utility 3	9	CITY WATER C
Census Tract				Exempt		
Flood Hazard						
District 1	RO	ROCHESTER	0	Topo	1	LEVEL
District 2				Street	1	PAVED
District 3				Traffic	5	HEAVY

Land Section (First 9 Lines Only)

Use Code	Description	LUC Factor	No of Units	Depth/ Price/Unit	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adjusted Unit Price	Neigh	Neigh Int	Neigh Modifier	Int1	%	Int2	%	Int3	%	Appraised Value	Alt Class	%	Spec Land	Jur's	Land Factor	Assessed Value	Notes
903	CITY OF ROCH	1.0000	0.1700		PRIMARY ACRE	SITE	1.00000		90,000.00	450,000.00	3003	1.000								76,500	0				1.00000	76,500	
Total AC/HA			0.17000		Total SF/SM			7,405,200.00		Parcel LUC	903	CITY OF ROCH		Prime NB Desc	COMMERCIAL					Total	76,500.00	Total			Total		76,500

In Process Appraisal Summary (First 4 Lines Only)

Use Code	Land Size	Building Value	Yrd Items	Land Value	Total Value
903	0.17	24,300.00	0.00	76,500.00	100,800.00
Total Card	0.17	24,300.00	0.00	76,500.00	100,800.00
Total Parcel	0.17	24,300.00	0.00	76,500.00	100,800.00
Source	Mkt Adj Cost	Total Value per Sq Unit /Card	13.15	/Parcel	13.15

Previous Assessment (First 9 Lines Only)

Tax Yr	Use	Cal	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Assessed Value	Notes	Date
2020	903	FV1	24,300	0	0.1700	76,500	100,800	100,800		05/01/2020
2019	903	FV	24,300	0	0.1700	76,500	100,800	100,800		10/30/2019
2018	903	FV	27,500	0	0.1700	76,500	104,400	104,400	Year End Roll	08/19/2018
2017	325	FV	27,500	0	0.1700	76,500	104,400	104,400	Year End Roll	09/07/2017
2016	325	FV	27,500	0	0.1700	76,500	104,400	104,400	Year End Roll	09/08/2016
2015	325	FV	27,500	0	0.1700	76,500	104,400	104,400	Year-end	10/01/2015
2014	325	FV	27,500	0	0.1700	76,500	104,400	104,400	Year End Roll	09/29/2014
2013	325	FV	64,900	0	0.1700	76,500	141,400	141,400	Year End Roll	09/04/2013
2012	325	FV	64,900	0	0.1700	76,500	141,400	141,400	Year End Roll	09/20/2012

Sales Information (First 5 Lines Only)

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	TSF	Verification	Notes
AKERMAN HEIDI	4529-888	11	11/21/2017	Government	0.00	No	No	OTHER
EJARQUE PETER W &	4520-250	6	10/11/2017	Foreclosure	85,000.00	No	No	OTHER
SPLAINE M PATRICIA	3535-401	1	05/30/2007	Not 100%int	70,000.00	No	No	OTHER
VERRES FINANCIAL CORP	2176-708		02/15/2000	Val Lnd&Bldg	80,000.00	No	No	OTHER
SOWA ROBERT	2176-702		02/15/2000	Business Aff	80,000.00	No	No	OTHER

Building Permits (First 8 Lines Only)

Date	Number	Description	Amount	C/O	Last Visit	Fed Code	F. Description	Generat/Notes
08/19/2020	B-20-338	DEMOLITION	0.00	O		5	EXEMPT CONST	selective demolition for rec
12/11/2015	12429	PLUMBING	200.00	C	05/03/2016	3	COM CONST	NVC
03/11/2015	9950	ELECTRIC	800.00	C		3	COM CONST	NVC
03/10/2015	9947	SIGN	20.00	C		3	COM CONST	NVC
02/23/2015	9783	SIGN	105.00	C	03/23/2015	3	COM CONST	
09/03/2014	8658	BATH	300.00	C		3	COM CONST	
09/03/2014	8659	ELECTRIC	500.00	C		3	COM CONST	
08/01/2014	8475	SIGN	100.00	C		3	COM CONST	

Activity Information (First 11 Lines Only)

Date	Result	By	Name
11/21/2017	DEED CHANGE	DM	DARCY
10/19/2017	DEED CHANGE	DM	DARCY
10/05/2015	DEED CHANGE	RV	RICK
06/22/2015	OWN ADD CHG	VK	VERNA
06/04/2014	CORRECTION	TM	TOM
02/01/2013	OWN ADD CHG	GN	GAYE
06/06/2012	NAME CHG	VK	VERNA
08/13/2007	DEED CHANGE	GN	GAYE
02/23/2006	MEAS-INSPECT	TM	TOM
01/20/2005	OWN ADD CHG	VW	VIRGINIA
01/20/2005	ZONE CHANGE	TM	TOM

Sign:

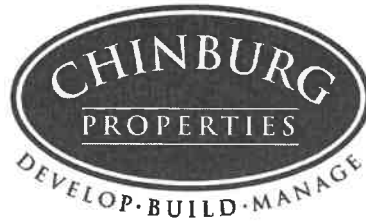
Alt Class	%	Spec Land	Jur's	Land Factor	Assessed Value	Notes
0				1.00000	76,500	
Total				Total	76,500.00	Total



ASR Map
Factor District
Reval District
Market Area
Year
Change Reason

Card
1 of 1

Public Benefits



City of Rochester, New Hampshire
Division of Community & Economic Development
31 Wakefield Street, Rochester NH 03867

RE: 10 & 12-14 N. Main Street, Rochester, NH 79E Application- 79-E:7 Public Benefit

This project benefits the public of Rochester by:

- Enhancing the economic vitality of the downtown
- Enhancing and improving a structure that is culturally and historically important on a local level
- Promoting the preservation and reuse of an existing building stock by the rehabilitation of a historic structure, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation.
- Promoting development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B
- Increasing residential housing in a town center

Eric J. Chinburg
Chinburg Properties
on behalf of Scenic Salinger, LLC

Cost Estimates

Construction Narrative & Estimated Costs

Scenic Salinger, Rochester

Rev.: July 22, 2020



Narrative:

Prior to taking ownership, the city will demolish the rear additions to the Scenic Theater and Salinger Block. The project will create a single building that combines a new 4-story addition and the remaining portions of the existing buildings.

The existing buildings will receive new windows, new roof, and gut renovations to create 14 apartments and a 1st floor shell commercial space. The scope will include new sprinkler, fire alarm, HVAC, plumbing, and electric systems.



The new addition will include an elevator and stairs to serve the joined buildings. The newly construction addition will create 36 apartments over basement level parking.

Estimate of Direct Construction Costs:

<u>Category</u>		<u>Estimate</u>
Project Management + General Conditions & Requirements	\$	450,000.00
Sitework & Utilities	\$	264,000.00
Concrete Work	\$	164,000.00
Masonry & CMU	\$	102,000.00
Steel & Railings	\$	161,000.00
Cabinets & Countertops	\$	166,000.00
Framing & Finish Carpentry	\$	721,000.00
Roofing & Insulation	\$	750,000.00
Doors & Windows	\$	331,000.00
Drywall & Finishes	\$	875,000.00
Appliances & Apartment Accessories	\$	150,000.00
Elevator	\$	175,000.00
Plumbing, HVAC, Sprinkler	\$	1,250,000.00
Electrical Wiring, Fixtures, Data/Phone, Access Control	\$	572,000.00
Estimate Total: \$		6,131,000

Site Plans



<p>10 & 12-14 NORTH MAIN ST. ROCHESTER, NEW HAMPSHIRE</p>	<p>AERIAL VIEW HISTORIC DISTRICT COMMISSION: 05/04/2020</p>	<p> </p>	<p>1.0</p>
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A - VIEW FROM SOUTH MAIN STREET



B - VIEW FROM WAKEFIELD STREET



C - VIEW FROM NORTH MAIN STREET



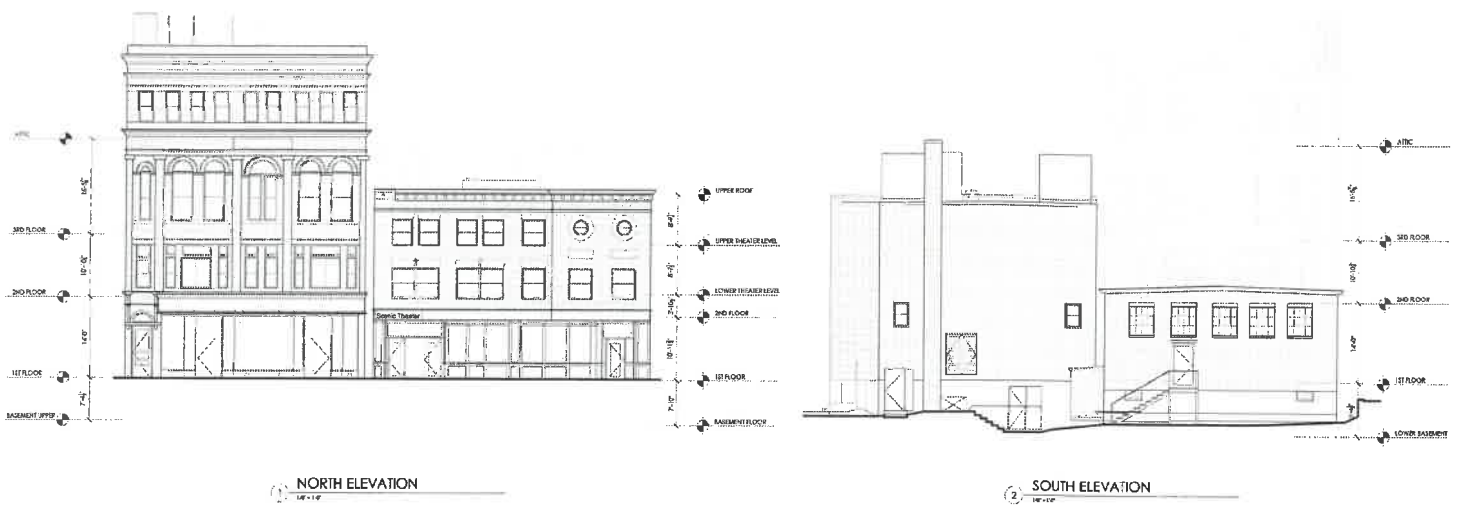
D - VIEW FROM CONGRESS STREET

10 & 12-14 NORTH MAIN ST.
ROCHESTER, NEW HAMPSHIRE

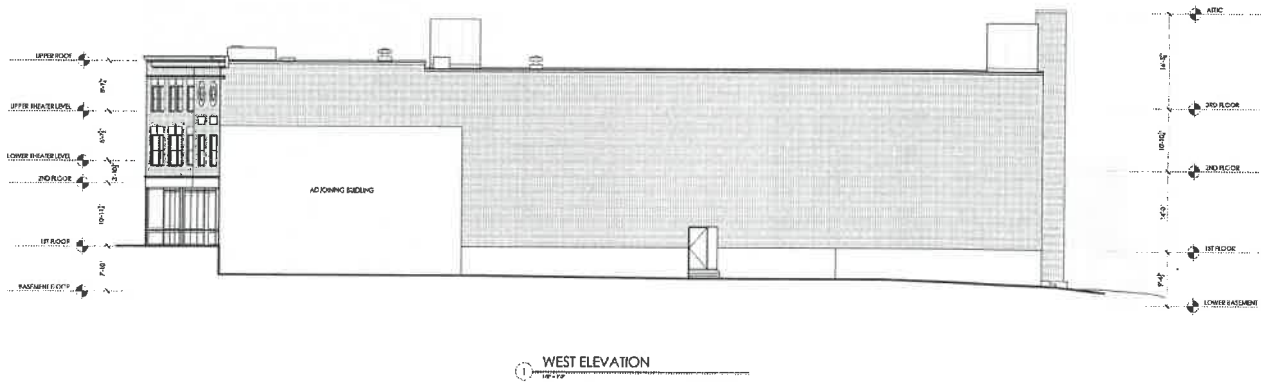
VIEWS TOWARD SITE
HISTORIC DISTRICT COMMISSION: 05/04/2020



2.0



<p>10 & 12-14 NORTH MAIN ST. ROCHESTER, NEW HAMPSHIRE</p>	<p>EXISTING NORTH AND SOUTH ELEVATIONS HISTORIC DISTRICT COMMISSION: 05/04/2020</p>	<p>CJ CJ ARCHITECTS</p> <p>CHINBURG PROPERTY DEVELOP • BUILD • MAINTAIN</p>	<p>3.0</p>
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10 & 12-14 NORTH MAIN ST.
ROCHESTER, NEW HAMPSHIRE

EXISTING WEST ELEVATION
HISTORIC DISTRICT COMMISSION: 05/04/2020



3.1



<p>10 & 12-14 NORTH MAIN ST. ROCHESTER, NEW HAMPSHIRE</p>	<p>EXISTING EAST ELEVATION HISTORIC DISTRICT COMMISSION: 05/04/2020</p>	<p>CJ CJ ARCHITECTS</p>	<p>CHINBURG PROPERTY PERFECT BUILD. MANAGE</p>	<p>3.2</p>
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EXISTING



PROPOSED FOOTPRINT

10 & 12-14 NORTH MAIN ST.
ROCHESTER, NEW HAMPSHIRE

PROPOSED PLAN
HISTORIC DISTRICT COMMISSION: 05/04/2020



4.0



10 & 12-14 NORTH MAIN ST.
ROCHESTER, NEW HAMPSHIRE

PROPOSED EXTERIOR VIEW
HISTORIC DISTRICT COMMISSION: 05/04/2020



5.0



10 & 12-14 NORTH MAIN ST.
ROCHESTER, NEW HAMPSHIRE

PROPOSED NORTH AND
SOUTH ELEVATIONS
HISTORIC DISTRICT COMMISSION: 05/04/2020



6.0



10 & 12-14 NORTH MAIN ST.
ROCHESTER, NEW HAMPSHIRE

PROPOSED WEST ELEVATION
HISTORIC DISTRICT COMMISSION: 05/04/2020



6.1



<p>10 & 12-14 NORTH MAIN ST. ROCHESTER, NEW HAMPSHIRE</p>	<p>PROPOSED EAST ELEVATION HISTORIC DISTRICT COMMISSION: 05/04/2020</p>	<p>CJ ARCHITECTS</p> <p>CHINBURG PROPERTIES DESIGN • BUILD • MAINTAIN</p>	<p>6.2</p>
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Notices of Decision



PLANNING & DEVELOPMENT DEPARTMENT
City Hall Annex
33 Wakefield Street
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 330-0023
Web Site: www.rochesternh.net

Planning Board
Conservation Commission
Historic District Commission
Arts & Culture Commission

NOTICE OF DECISION

May 11, 2020

Matt Assia
Chinburg Properties
3 Penstock Way
Newmarket, NH 03857

Re: Site plan and Conditional Use Permit for 51 residential units with 2,300 s.f. for commercial space. Case# 121 – 10 & 120 – 361 – DTC – 20

Dear Applicant:

This is to inform you that the Rochester Planning Board at its May 4, 2020 meeting **APPROVED** your application referenced above.

"Applicant", herein, refers to the property owner, business owner, individual(s), or organization submitting this application and to his/her/its agents, successors, and assigns.

Precedent Conditions [Office use only. Date certified: _____; CO signed off? _____;

As- Builts received? _____; All surety returned? _____]

The Planning Board hereby grants the following waivers:

1) Site Plan Regulation Article III Section 10 (Parking and Circulation) tabulates that 52 parking spaces are required for this proposal. The applicant is providing 14 spaces onsite. They are requesting a waiver for the other 38 parking spaces. The applicant has a legal agreement to lease 45 parking spaces from the City, within one or more of the City's adjacent parking lots on Congress Street. The agreement states, "The parking lease shall be for an initial base term of twenty (20) years and shall include three 5-year extension options to be exercised at Chinburg's sole discretion".

The Planning Board grants this waiver because the applicant has secured 45 offsite parking spaces for at least 20 years, and will have 14 onsite spaces; totaling 59 spaces when only 52 are required.

All of the precedent conditions below must be met by the applicant, at the expense of the applicant, prior to the plans being certified by the Planning Department. Certification of the plans is required prior to issuance of a building permit or recording of any plans. Once these precedent conditions are met and the plans are certified the approval is considered final.

Please note If all of the precedent conditions are not met within 3 calendar months to the day of the board's approval – by August 4, 2020 - the board's approval will be considered to have lapsed and resubmission of the application will be required.* It is the sole responsibility of the applicant (or his/her agent) to ensure that these conditions are met by this deadline. We urge the applicant to carefully track his/her progress in meeting the individual conditions. See RSA 674:39 on vesting.

- 1) Plan modifications. The plan drawings are to be modified as follows:
 - a) None at this time.
- 2) Plan notes. Add the following notes (or equivalent) to the plan drawings:
 - a) None at this time.
- 3) Architectural design review is being reviewed by the Historic District Commission. The applicant shall meet with Planning Staff before submitting their application and ensure that rear façade look good because this may become a second frontage in the near future.
- 4) Exterior lighting details and photometric plans are needed, for the rear of the garage and rear of the building and along the side of the garage (where the sidewalk is located).
- 5) Final determination of where roof runoff will tie in must be noted/shown on the plans. Additionally, the condition of the existing downstream systems and proposed connection points must be evaluated and upgraded (if needed) and agreements regarding ownership and maintenance drafted. The applicant shall work with the Department of Public Works engineers on this.
- 6) Final determination of watermain/water service extensions, design, and hydrants shall be discussed and designed closely with the Department of Public Works engineers and the Assistant/Deputy Fire Chief. Final design/requirements are to be noted/shown on the plans.
- 7) If the dumpsters are to be located outside, the applicant shall add a pad detail to the plans that include Positive Limiting Barriers (V-grooves) around the pad's perimeter.
- 8) The Planning & Development Department shall receive a copy of the Developer's Parking Agreement with the City and will be made part of the file.

- 9)# Current Use. The subject property or a portion of it is not presently in Current Use.
- 10) State plane coordinates. The plans are to be tied into the State Plane Coordinate System.
- 11) Inspections. Inspections will be made by City Staff during construction but there are no costs to the applicant associated with these inspections.
- 12) Pre-Construction Meeting. The pre-construction meeting agreement is to be signed by the property owner.
- 13) Other Permits. All required state and federal permits must be obtained – including any water and sewer, as appropriate – with copies of permits or confirmation of approvals delivered to the Planning Department.
- 14) Drainage Maintenance. A drainage maintenance agreement approved by the Department of Public Works must be executed. In addition, a stormwater operations and maintenance plan and schedule shall be submitted.
- 15) Final Drawings. (a) three sets of large black-line plus (b) one set of 11"x17" final approved site plan drawings plus (c) one electronic version by pdf or flash drive must be on file with the City. *Each individual sheet in every set of drawings must be stamped and signed by the land surveyor, engineer, or architect responsible for the site plans.* (The applicant need only submit additional black-line sets of drawings or individual sheets, as needed to make four complete sets – consult the Planning Department). At the discretion of the Planning Department minor changes to drawings (as required in precedent condition, above) may be marked by hand. Note: If there are significant changes to be made to the plans, as specified above, one full size paper check print must be sent to the Planning Department for review prior to producing these final drawings. (The primary set of plans was last received April 3, 2020).

General and Subsequent Conditions

All of the conditions below are attached to this approval.

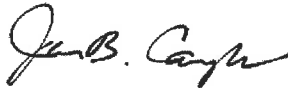
- 1) Lot pins are to be set and a letter stating such be submitted by a licensed surveyor to the Planning Department prior to a CO being issued.
- 2) The City will assign a new property address when a final plan/building permit plan is presented. Address identifiers will need to be placed at the front and rear of the structure prior to Certificate of Occupancy. Temporary address identifiers must be utilized during construction.
- 3) At time of building permit application submission, the applicant shall include a narrative list on what Energy/Water Conservation measures have been incorporated into the design.
- 4) Recycling receptacles must be onsite and available for utilization, in addition to trash receptacles.
- 5) Video security shall be installed at exterior doors.

- 6) All deeds should be reviewed by the City before they get recorded at the Registry, to avoid any errors.
- 7) North Main Street is under a roadway Moratorium until 2023. Any disturbance to the paved travel way requires approval of the Public Works & Building Committee as well as City Council.
- 8) DPW Permits Required: Demolition, Excavation, Drainage, Water Connection (if New), Sewer Connection (if New) and Sewer Assessment. Fees to be waived.
- 9)# Site Work. **No site work may be undertaken until: a) all of the precedent conditions are met; b) the pre-construction meeting with City Staff has taken place; c) the limits of the proposed tree line are marked; and d) all appropriate erosion and sedimentation control structures are in place.** These erosion and sedimentation control measures and the orange fence must be in place prior to the pre-construction meeting in order that they may be inspected at the meeting. Contact the City of Rochester Planning Department to arrange for the pre-construction meeting.
- 10) Performance Guarantee. Not applicable.
- 11) Erosion Control. If needed as determined by the City Engineer, all erosion and sedimentation control structures must remain in place and be maintained until vegetation is established or ground surface is suitably stabilized. Note that the filter fabric on silt fences must be buried at least 12" below the ground surface in order to function properly. Best management practices must be followed for wetlands protection.
- 12) As-Builts. Three sets of full size (measuring at least 22"x34") or black line paper plus one set of 11"x17" plus one digital pdf copy of the as-built site plans (or "record drawings") stamped and signed by the Engineer or Surveyor are to be submitted to the Planning Department prior to issuance of the Certificate of Occupancy (or use/occupancy of the site where no CO is required). The as-built drawings must include the following language or equivalent: "This as-built drawing substantially conforms with the final plans approved by the City of Rochester Planning Board and certified by the Planning and Development Department except for the following significant modifications: ...". If no significant modifications were made simply state "none". Otherwise, itemize the modifications on the as-built or on an accompanying letter. The Department relies on the good judgement and good faith of the Engineer/Surveyor in determining which modifications should be considered significant (for example, minor adjustments in locations of plant materials would not be significant whereas relocation of a catch basin would be).
- 13) Execution. The project must be built and executed exactly as specified in the approved application package unless changes are approved by the City.
- 14) Approval. All of the documentation submitted in the application package by the applicant and any requirements imposed by other agencies are part of this approval unless otherwise updated, revised, clarified in some manner, or superseded in full or in part. In the case of conflicting information between documents, the most recent documentation and this notice herein shall generally be determining.

- 15) Violations. In the event of any violations of these conditions of approval or of any pertinent local, state, or federal laws – such as those regarding erosion and sedimentation control, wetlands, stormwater management, and general site development standards – the City of Rochester reserves the right to take any appropriate permissible action, including, but not limited to, withholding of driveway permits, revocations of permits/approvals, referring violations to other agencies, and calling of bonds.
- 16) Other Permits. It is the responsibility of the applicant to obtain all other local, state, and federal permits, licenses, and approvals which may be required as part of this project. Contact the City of Rochester's Building, Zoning, and Licensing Department at 332-3508 regarding building permits. Please also contact the City of Rochester Fire Department at 330-7182 to ensure that the proposed building meets all Fire Codes. Finally, please contact the Department of Public Works for any stormwater, sewer, or water permits or fees that are required.

(Note: in both sections above, the numbered condition marked with a # and all conditions below the # are standard conditions on all or most applications of this type).

Sincerely,



James B. Campbell, AICP,
Director of Planning & Development

cc: Allen & Major Assoc.
Viewpermit
File



Planning and Development
Conservation Commission
Historic District Commission
Arts & Culture Commission

PLANNING & DEVELOPMENT DEPARTMENT
City Hall - Second Floor
33 Wakefield Street,
Rochester, New Hampshire 03867-1917
(603) 335-1338 - Fax (603) 335-7585
Web Site: www.rochesternh.net

City of Rochester
Historic District Commission
CERTIFICATE OF APPROVAL

May 21, 2020

RE: 10&14 North Main Street, Rochester, NH Map 120 Lot 361, Downtown Commercial Zone & Historic Overlay District

Dear: Scenic and Salinger LLC., Chinberg Properties:

I am pleased to inform you that the Historic District Commission (HDC) approved your application for the above referenced project at the meeting on May 12, 2020. The application for Certificate of Approval for demolition rear of the building, rehabilitation of existing Scenic and Salinger facades on Main Street portions, and four story addition of apartments in the rear of the building as approved as submitted to the Planning and Development Department.

Please note that this approval is valid for two years from the date of the HDC meeting. Substantial work on the project must commence by May 12, 2022 or this approval will become null and void. Contact the City of Rochester Building, Zoning, Licensing, and Licensing Services Department at 332-3508 for any permits you may need including: demolition, building and mechanical, and sign permit. You will need Special Downtown Review for the parking and potential driveway changes.

It is the applicant's responsibility to obtain any other applicable permits from local, state, and federal agencies. Contact the following City of Rochester Departments:

- Building, Zoning, and Licensing Services Department at 332-3508
- Fire Department at 335-7545
- Department of Public Works at 332-4096.

Thank you for meeting with me and please feel free to contact the Planning and Development Department if you have any questions.

Sincerely,

Michelle Mears, AICP

Senior Planner, City of Rochester

cc: Building, Zoning & Licensing Services
View Permit TPL-20-51
File

**RESOLUTION FOR SUPPLEMENTAL APPROPRIATION TO THE
CONSERVATION FUND FOR FISCAL YEAR 2019-2020
PURSUANT TO THE PROVISIONS OF SECTION 7-64(c) OF THE
GENERAL ORDINANCES OF THE CITY OF ROCHESTER**

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

As a supplemental appropriation to the 2019-2020 fiscal year operating budget of the City of Rochester, the sum of Twenty Eight Thousand Fifty Three Dollars (\$28,053.00); from annual excess Land Use Change Tax funds for fiscal year 2019-2020 (account number to be designated/determined by the Finance Director) to the City of Rochester Conservation Fund (account number to be designated/determined by the Finance Director), the sums necessary to fund such supplemental appropriation to be drawn in their entirety from the aforesaid annual excess Land Use Change Tax revenues received during fiscal year 2019-2020.

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. The effective date of this Resolution shall be June 30, 2020.

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City Clerk's Office



07/30/2020

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 FY19 EXCESS LAND USE CHANGE TAX - TRANSFER REQUEST
RETROACTIVE TO 06/30/2020

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	08/04/2020		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	07/21/2020		
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

COMMITTEE SIGN-OFF

COMMITTEE	NA
CHAIR PERSON	NA

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE DEPARTMENT APPROVAL	
SOURCE OF FUNDS	EXCESS LAND USE CHANGE TAX (LUCT)
ACCOUNT NUMBER	11080050-593004
AMOUNT	\$28,053.00
APPROPRIATION REQUIRED	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>

LEGAL AUTHORITY

CITY COUNCIL

SUMMARY STATEMENT

THIS REQUEST IS FOR THE COUNCIL TO CONSIDER A TRANSFER OF \$28,053.00 IN EXCESS LAND USE CHANGE TAX TO THE CONSERVATION COMMISSION FUND FROM THE GENERAL FUND.

RECOMMENDED ACTION

RECOMMEND APPROVAL OF THE TRANSFER.

**Resolution Establishing Polling Places and Times for the
September 8, 2020 State Primary Election**

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER:

That the following polling places are hereby established for the City of Rochester for the upcoming September 8, 2020 State Primary Election.

- WARD 1: East Rochester Elementary School**
773 Portland Street, East Rochester
- NEW: WARD 2: Chamberlain Street School**
65 Chamberlain Street, Rochester
- WARD 3: Gonic Elementary School**
*10 Railroad Avenue, Rochester
- WARD 4: McClelland Elementary School**
59 Brock Street, Rochester
- WARD 5: Rochester Community Center**
150 Wakefield Street/Community Way, Rochester
Located on the Chestnut Hill Road Side of Building
- WARD 6: Elks Lodge #1393**
295 Columbus Avenue, Rochester

Further, that in accordance with RSA 659:4, and Section 47 of the City Charter – All polling places shall be open from 8:00 A.M. to 7:00 P.M., on said Election Day.

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City Clerk's Office

**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
ROCHESTER MUNICIPAL EMPLOYEES ASSOCIATION
SEIU LOCAL 1984
(Support Personnel All City Departments)**

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

That pursuant to, and in accordance with, the provisions of Chapter 273-A of the New Hampshire Revised Statutes Annotated, the cost items associated with the multi-year year collective bargaining agreement between the City of Rochester and the ROCHESTER MUNICIPAL EMPLOYEES ASSOCIATION (RMEA) Local 1984 Bargaining Unit, covering the period July 1, 2020 to June 30, 2023, as set forth in the proposed contract, and as more particularly detailed on the attached "**EXHIBIT A: RMEA LOCAL 1984 – JULY 2020**," which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester Director of Finance, is hereby approved. The provision of funds necessary to fund the aforementioned, and hereby approved, collective bargaining agreement "cost items" in the first year of the agreement will be contained in the Fiscal Year 2021 operating budget of the City.



07/30/2020

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: RMEA Collective Bargaining Agreement

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	August 4, 2020		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	July 30, 2020		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	37	

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 checked="" type="checkbox"/>	

LEGAL AUTHORITY

RSA 273-A: Public Employee Labor Relations

SUMMARY STATEMENT

The Collective Bargaining Agreement (CBA) between the Rochester Municipal Employees (RMEA) and the City expired on June 30, 2020. The negotiating teams for both sides reached a Tentative Agreement (TA) and the RMEA personnel ratified the agreement. It now comes to the City Council for consideration for final approval.

RECOMMENDED ACTION

Adoption of this CBA.

EXHIBIT A: RMEA LOCAL 1984 - July 2020
--

City Health Contribution	80/20	80/20	80/20	80/20
Health Plan	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000	SOS \$20/40 RX 10/20/45 DED \$1000/3000
Projected Health Increase			3.5%	3.5%
Projected Pay Adjustment				
	Current FY20	FY21	FY22	FY23
Wages				
Base Wage	1,819,839	1,904,475	1,982,560	2,074,739
Longevity	10,740	11,690	12,540	12,980
Total Wages	1,830,579	1,916,165	1,995,100	2,087,719
Dollar Change		85,586	78,935	92,619
% Change		4.68%	4.12%	4.64%
Benefits				
FICA	113,496	118,802	123,696	129,439
Medicare	26,543	27,784	28,929	30,272
Health Insurance	342,934	359,051	371,618	384,624
Opt Out	9,600	9,600	9,600	9,600
Dental	9,900	9,900	9,900	9,900
Disability Insurance	18,344	19,197	19,984	20,913
Life Insurance	2,839	2,971	3,093	3,237
Total Rollups	410,161	428,503	443,124	458,546
Dollar Change		18,343	14,620	15,423
% Change		4.47%	3.41%	3.48%
Totals				
Total Wages Benefits and Rollups	2,240,740	2,344,669	2,438,224	2,546,265
Dollar Change		103,929	93,555	108,042
% Change		4.64%	3.99%	4.43%

41 Total Employees - 80% full-time

ARTICLE 1: RECOGNITION

The City of Rochester (City) recognizes the State Employees Association, SEIU Local 1984 (Union), as the exclusive representative for all employees in the following positions:

Account Clerk-II
~~Administration/Network Specialist~~
 Animal Control Officer
 Arena Attendant
~~Assessing Technician~~ Assessor I
~~Clerk Typist I~~ Administrative Technician I
~~Clerk Typist II~~ Administrative Technician II
 Community Development Coordinator
 Compliance Officer
~~Construction Engineer~~
 Crime Analyst
 Economic Development Specialist
 Electrical Inspector (Building/Mechanical Inspector)
 Evidence Technician
~~Field Assessor~~ Assessor II
GIS/Asset Management Technician
GIS/Construction Technician
 Government Channel Coordinator
 Health Inspector (Health/Plumbing Inspector)
~~IS Technician~~ IT Technician
 Juvenile Diversion Coordinator
 Parking Enforcement Officer
 Planner I
 Recreation Program Coordinator
~~Secretary I~~ Administrative Assistant I
~~Secretary II~~ Administrative Assistant II
~~Senior Accountant~~
Senior Planner
 Social Worker
Systems Administrator
 Utility Billing Administrator
~~Utility Billing Clerk (Account Clerk I)~~
 Welfare Intake Worker

ARTICLE 2: MANAGEMENT RIGHTS

The City retains traditional rights to manage and direct the affairs of the employer in all of its various aspects and to manage and direct its employees, pursuant to managerial policy within the exclusive prerogative of a public employer as defined by RSA 273-A:1, XI, including but not limited to the following: to plan, direct, control and determine all operations and services of the City; to direct the working forces; to establish the qualifications for employment; and to lay off employees for lack ~~or~~^{of} work or lack of funds; to schedule and assign work; to establish work and productivity standards and to, from time to time, change those standards; to assign overtime; to determine the methods, means, organization, and number of personnel by which such operations are to be conducted; to make and enforce rules and regulations; to employ, discipline, suspend, demote and discharge employees for just cause; to change or eliminate existing methods, equipment or facilities; provided however, that the exercise of any of the above rights shall not conflict with any of the express written provisions of this agreement.

The City agrees to provide notice to the Association concerning the posting of new positions or the modification of existing positions.

ARTICLE 3: PROBATION

All newly hired employees not currently employed by the City of Rochester shall be in a probationary status for twelve (12) months and not subject to this agreement. The City at its discretion may reduce the probationary period for persons rehired within three (3) years of terminating employment with the City in good standing.

ARTICLE 4: DISCIPLINARY POLICY

1. The City agrees that it shall only discipline or discharge bargaining unit members for cause. The term "discharge" shall not include termination of employment directly caused by departmental reduction or restructuring.
2. The bargaining unit member has the right to request a union representative at any meeting where disciplinary matters are discussed.
3. Disciplinary action will normally be taken in the following order:
 - a. Verbal warning
 - b. Written warning
 - c. Suspension
 - d. Discharge
4. The parties recognize that certain infractions are sufficiently serious to merit immediate suspension or discharge. Nothing herein shall serve to deprive any bargaining unit member of his/her rights under law.

ARTICLE 5: GRIEVANCE PROCEDURE

1. Definition A grievance is defined as an alleged violation, misunderstanding, or misapplication of a specific provision of this Agreement. The grievance shall state the facts giving rise to the dispute, a description of the specific provisions of the Agreement allegedly violated, misunderstood, or misapplied, and a clear description of the relief sought.
2. Time Limits The time limits specified in this Article shall mean calendar days unless stated differently. Time limits indicated hereunder are considered maximum, unless extended by mutual agreement. All such agreements to extensions must be in writing.
3. General Provisions
 - 3.1 The union shall be the exclusive representative of the employee at all levels of the grievance procedure and may use representatives of its own choosing.
 - 3.2 Responses at all levels of the grievance procedure shall be communicated in writing to the president of the union or an authorized designee. The Union shall be responsible for contacting the employee.
 - 3.3 Failure at any grievance level to meet or to communicate the decision within the specified time limits to the president of the Union or his/her designee shall permit the Union to proceed directly to the next level.
 - 3.4 The time limits for the processing of any grievances may be extended by written consent of both parties.
 - 3.5 All grievances shall be initiated not later than ten (10) calendar days after the occurrence of the event giving rise to the grievance.
 - ~~3.6 All grievances shall be initiated not later than five (5) calendar days after the occurrence of the event giving rise to the grievance.~~
 - 3.7-3.6 Both parties to this agreement recognize the benefit of resolving all grievances at the lowest possible level and the importance of early and effective communication of this process.

Step #1

The Union member or his/her Union Representative shall submit in writing, within ten (10) calendar days of the occurrence of the event giving rise to the grievance, a summary of said grievance. This summary shall specifically state the article of Agreement or implied condition that has been violated. The Union member shall meet to discuss informally any violation of this Agreement with the Department Head within ten (10) calendar days of the grievance. The Department Head shall within ten (10) calendar days following the informal meeting, deliver his/her written decision/opinion to the Union and to the Member. If the Union member is not satisfied by the informal opinion/decision of the Department Head, the Union member will move on to step two.

Step #2

The Union member and his/her Union Representative shall appeal in writing, within ten (10) calendar days of the Department Head's written decision to the

City Manager. The City Manager shall hold a hearing within ten (10) days of the written appeal to discuss the grievance and shall then provide a written decision within ten (10) calendar days of the hearing to the Union. If the Union member and his/her representative are still not satisfied they may then move on to step three.

Step #3

If the Group has not reached an agreement, they may appeal to the New Hampshire Public Employee Labor Relations Board (PELRB) within ~~seven (7)~~ten (10) days of the written decision issued by the City Manager at step 2 for the appointment of an arbitrator. The decision of the PELRB arbitrator will be binding on both parties to this agreement. The cost of this arbitration shall be borne equally by the Group and the City.

The decision of the arbitrator shall be final and binding. However, either party may appeal the decision of the arbitrator pursuant to RSA 542. Any appeal not filed within forty-five (45) days of the arbitrators opinion shall be deemed waived.

ARTICLE 6: HOLIDAYS

1. Employees shall have the following paid holidays:

New Year's Day	Columbus Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	

And such other days as may be designated from time to time by the City Manager.

2. When a holiday falls on a Sunday, the following Monday shall be declared a holiday for City employees. When a holiday falls on a Saturday, the preceding Friday shall be declared a holiday. If at all possible the holidays will coincide with the Rochester School calendar, at the City Manager's discretion. The provisions of this section shall apply to full-time regular employees and, on a pro-rata basis, to part-time regular employees.

2.3. In the event that any deviation from the normal workday (i.e. early release) due to a holiday identified in paragraph 1 is changed, the City Manager shall provide as much notice as possible.

ARTICLE 7: VACATIONS

The provisions of this section shall apply to full-time regular employees and, on a pro-rata basis, to part-time regular employees who work a minimum of 40 hours a pay period. Applications for vacation leave shall be approved by the Department Head and shall be chosen based on seniority, except that no employee shall select more than two (2) weeks at one time until all employees have been given an opportunity to choose their preferred vacation time. Vacation time will be accrued during the probationary period but may not be taken until after successful completion of probation, except with approval of the employee's supervisor and the City Manager. After commencement of the first year of continuous full-time employment, each employee shall accrue paid vacation time at the rate of ten-twelfths (10/12) of a day for each month of full-time employment during each employment year through and including the fifth (5th) employment year. After the commencement of the sixth (6th) year of full-time employment, each employee shall accrue paid vacation time at the rate of one and three-twelfths (1 3/12) days for each month of full-time employment during each employment year through and including the tenth (10th) employment year. After commencement of the eleventh (11th) year of full-time employment, each employee shall accrue paid vacation at the rate of one and eight-twelfths (1 8/12) days for each month of full-time employment during each employment year.

Illustrative Table

0 – 5 years	10/12 th day/month	2 weeks/year
6 – 10 years	1 3/12 th day/month	3 weeks/year
11+ years	1 8/12 th day/month	4 weeks/year

Employees may opt to buy or sell vacation days in accordance with the Flexible Benefit Plan.

~~Effective July 1, 2014, the maximum accumulation shall be one and one-half (1.5) times the annual accumulation amount. In the first twelve months of this agreement, current employees will be moved to the new maximum accumulation amount at the end of their anniversary month.~~ Upon reaching the maximum, monthly additions to the total shall cease until usage reduces the accumulation.

The employer shall approve or reject a request for vacation time in writing within ten (10) business days, exclusive of the absence of the employee's supervisor or designee, after receiving a properly executed application for leave. A rejected request for vacation time shall state the reason for the rejection.

ARTICLE 8: PERSONAL DAYS

Each eligible employee shall be entitled to two (2) non-cumulative Personal Days when hired and each year thereafter, granted on the employee's anniversary date. Personal days may be taken for any purpose except as substitution for suspension as a result of disciplinary action. Personal days must be scheduled and approved by the Department Head in accordance with the employee's preference and the needs of the Department, so long as notice is provided as soon as practicable.

ARTICLE 9: SICK LEAVE

1. The provisions of this section shall apply to full-time regular employees and, on a pro-rata basis, to part-time regular employees. Sick leave shall be computed and accrued on a monthly basis, including the probationary period of an employee. Sick leave with pay shall be granted to all employees at the rate of one (1) day per calendar month worked, credited at the end of the month. Employees hired prior to November 1, 1998, who elected to continue their current plan, shall be allowed accruals up to one hundred and twenty (120) days. Group members hired November 1, 1998 or later shall be allowed sick leave accrual up to twenty (20) days.
2. Employees completing twelve (12) consecutive months of employment without taking sick leave will be granted one (1) non-accumulative personal day. Employees may, at their discretion and with Department head approval, sell their non-accumulative personal day during the annual open enrollment period. This provision relates only to the non-accumulative personal day awarded for non-use of sick leave for twelve (12) consecutive months.
3. Up to three additional days each year (non-accumulative from year to year) may be taken by an employee when the ill health of a member of the employee's immediate family requires the employee's care. For purposes of this section, an employee's immediate family shall be deemed to be the spouse, child, stepchild, mother, father, or other dependents living in the same household. An exception may be made by the Department head where extenuating circumstances exist.
4. Employees who terminate their employment through retirement shall be entitled to a lump sum payment for three-quarters of the number of accumulated days due at the rate of pay at the time of termination of service, not to exceed seventy-five percent of one hundred and twenty (120) days accumulated sick leave. For the purpose of this section, retirement shall be defined ~~as~~ having completed ten (10) consecutive years of service with the City of Rochester and being eligible to retire under the New Hampshire Retirement System or other retirement plan paid in part or in full by the City.
5. Employees who terminate their employment by voluntary resignation, and who have served at least ten (10) years with the City of Rochester, shall be entitled to a lump sum payment for one-half of the accumulated sick leave due them, at the employee's rate of pay at the time of termination, not to exceed fifty (50%) percent of one hundred and twenty (120) days accumulated sick leave. In the event of termination by reason of death, said payment in the amount of 50% of accrued sick leave shall be made to his/her beneficiary.
6. Sick leave shall be considered a matter of grace and not a privilege and shall be allowed only in case of actual illness or to keep necessary medical appointment. Sick leave shall be used in one-quarter (1/4) hour increments.

7. To receive compensation while absent on sick leave, the employee shall notify his/her Department head prior to the time set for beginning his/her daily duties or as may be specified by the Department Head. At the discretion of the Department head, a doctor's certificate may be required for absence due to illness in excess of three (3) consecutive days. If the Department head has a reasonable basis to believe or suspect an employee has abused sick leave privileges, he/she may require a doctor's certificate for an illness of less than three (3) days. Proof of disability may be required at any time by the City Manager, Department Head, or Division Head.
8. Abuse of ~~sick~~any leave privilege may be cause for dismissal. ~~Sick-ll~~leave shall be recorded regularly in the personnel records and the personnel Officer shall review all sick leave records periodically and shall investigate cases, which indicate abuse of the privilege.

ARTICLE 10: SICK LEAVE TRANSFER

The City Manager may grant a sick leave transfer to an employee if it is determined to be in the best interests of the City and if the following conditions are met.

1. The request must be in writing and for an extended illness of three or more week's duration.
2. The employee must first use all other available paid leave.
3. Employees recovering from a workers' compensation injury or illness are not eligible.
4. Employees who wish to donate sick leave must still have 15 days left after the donation is made and may donate no more than 5 days in one year.
5. Donations are strictly voluntary and anonymous.
6. Donations of leave under this section do not affect eligibility for receipt of a personal day for not using sick leave in a twelve-month period.

ARTICLE 11: BEREAVEMENT LEAVE

Bereavement leave shall be granted as follows:

1. Special leave of five (5) working days to attend the funeral, memorial and/or burial services, without any loss of wages in the event of the death of a spouse or child.
2. Special leave of three (3) ~~working consecutive~~ days, ~~including working and non-working~~ days from the date of death, without loss of wages in the event of death of employee's:

Father	Mother
Sister	Brother
Father-in-law	Mother-in-law
<u>Step Parent</u>	<u>Son or daughter in-law</u>
Grandchild	or person domiciled in employee's household.

3. Special leave of one (1) working day with pay shall be granted to attend funeral of employee's:

Grandmother	Sister-in-law
Grandfather	Brother-in-law
Aunt	Uncle
<u>Niece</u>	<u>Nephew</u>

4. Upon written approval of Department Head, two (2) additional days with pay may be granted for the above when there are extenuating circumstances.
5. An employee shall be required to give notice if they intend to use bereavement leave in nonconsecutive working days. Such request will not be unreasonably denied.

ARTICLE 12: JURY DUTY

An employee called as a juror will be paid the difference between the fees received for such service and the amount of straight-time earnings lost by reason of such service. Satisfactory evidence of such service must be submitted to the employee's Department Head. Employees who are called to jury duty and are excused from jury duty for a day(s) shall report to their regular work assignment as soon as possible after being excused.

ARTICLE 13: MILITARY LEAVE

Any permanent employee who is a member of the Reserve Component of the Armed Forces of the United States, and is activated or required to undergo field training therein, shall be entitled to a leave of absence with pay for the period of such training, but not to exceed three (3) weeks in any one (1) year, in addition to the annual vacation leave, provided the amount of base pay paid to such employee for such leave of absence shall be the difference between his compensation for military activities as shown by a statement by military authorities giving rank, pay and allowance, and the amount of employee's regular wage.

ARTICLE 14: LEAVE OF ABSENCE

Leave without pay may be granted upon the recommendation of the Department head and approved by the City Manager. The City Manager may grant leaves without pay for such purposes and under such conditions as deemed in the best interest of the employee and the City. A leave of absence without pay may be granted with no loss of employment rights.

ARTICLE 15: HOURS OF WORK

1. Non Salaried employees: The employees shall work days and hours determined by the Department head or the City Manager in the case of any non-salaried Department Head schedule. Overtime shall be paid for any work performed beyond the 40 hours in a week (for the purposes of this article, holiday hours paid in accordance with Article 6 of this agreement are included as work performed). With the exception of flex-scheduled employees, overtime shall be paid for any work performed by employees that take minutes at board and committee meetings after 6PM or working on Saturday or Sunday.
Salaried employees: An employee who, under this agreement, regularly receives each pay period a predetermined or fixed amount of money constituting compensation, based on a predetermined amount of wages to be paid as determined by a weekly rate and which amount is not subject to reduction because of variations in the quality or quantity of the work performed and regardless of the hours or days. Salaried employees do not have a fixed schedule.
2. The City recognizes the Union is composed of salaried and hourly, professional members whose hours and methods of work are defined by the requirements of their respective positions.
3. Non-Salaried employees may request to be compensated with compensatory time at the rate of one and one half (1 ½) hours for each hour of overtime worked. All overtime must receive the prior approval of the Department Head. If compensatory time is to be used to compensate overtime hours, the employee and the Department Head prior to the hours being worked must agree to it. Compensatory time may be accrued to a total of forty (40) hours. All compensatory time must be used by June 15 of each year or it will be paid out as overtime on the next pay day. An hourly employee called back to work after normal working hours, shall be paid one and one half (1 ½) time the employee's regular hourly rate of pay for a minimum of two (2) hours for each such call back.

ARTICLE 16: WORKING OUT OF CLASSIFICATION

Employees assigned in writing by the City Manager, designee or Department Head to work in a position with a higher labor grade shall, after working in such position for two (2) weeks, receive a non-retroactive ten percent (10%) premium on his/her base compensation, but in no case more than the base salary of the employee being replaced. After working in such a position for six (6) weeks or more, the employee shall receive the greater of a 10% premium or the bottom of the range for that position. If the assignment to a position with a higher labor grade is planned or expected, the pay arrangement above for working two (2) weeks will commence at the beginning of the assignment.

ARTICLE 17: EMERGENCY CLOSINGS

In the event that the City Manager determines that City services will be curtailed and/or limited due to storms, power outages or other unforeseen circumstances, the non-essential employees so notified shall not be required to report to work, or employees who have reported for work shall be released without loss of pay. When an employee is unable to report to work due to weather conditions, and the City Manager has not curtailed and/or limited city services, the employee may draw from vacation time or other appropriate leave. Employees who are not working and out on leave when City services are curtailed shall not be compensated for the emergency closing day. The provisions of this section shall apply to full and part-time regular employees (to include probationary employees for regular positions).

ARTICLE 18: WORKERS' COMPENSATION

1. An employee out of work due to a job-connected injury shall receive worker's compensation. The difference between the amount paid to the employee through worker's compensation and the employee's regular net wage shall be paid to the employee by the City for a period of the first twenty (20) work days of said job connected injury; said amount shall not be charged against the employee's accumulated sick leave or vacation time. The actual payment of wages shall be a combination of the worker's compensation benefit as determined by the Department of Labor and a supplemental payment by the City which will be the difference between the worker's compensation payment and the employee's net regular compensation, to be paid on a bi-weekly basis.
2. At the end of the twenty (20) day period of said job connected injury, the employee shall continue to receive both worker's compensation benefit and the difference between that benefit and the employee's regular compensation, except that the differential between the worker's compensation benefit and the employee's net regular compensation shall be charged against the employee's accrued sick leave, if any, and thereafter, against vacation leave. The employee may elect to receive only the worker's compensation benefit and decline to receive the differential between the worker's compensation benefit and the net regular weekly compensation, so as to avoid the charge against sick leave or vacation leave.
3. In the event that a physician finds that the employee is permanently incapacitated, the employee shall apply for NHRS disability retirement benefits. If the employee is awarded a disability retirement under the provisions of the New Hampshire Retirement Law, the commencement of payments under the New Hampshire Retirement Law shall end the City's obligation to provide the difference between the worker's compensation payment and the employee's regular compensation, to be paid on a bi-weekly basis.

ARTICLE 19: TEMPORARY ALTERNATE DUTY

In accordance with RSA 281-A:23-b, employees will be provided temporary alternate work opportunities if disabled by a work-related injury or illness. The City will make every effort to utilize Temporary Alternative work opportunity if they are appropriate to the situation. As soon as the treating physician has released the employee to lighter duties than his/her current position requires, the employee will be called upon to return to employment in a temporary alternative position. Such re-assignment may be to different duties or a different work schedule and may include assignment to a different division or position within the City of Rochester subject to limitations deemed necessary by the employees' physician.

ARTICLE 20: DEFENSE OF LAW SUITS

In accordance with RSA 31:105, the City shall indemnify and hold harmless any Union member covered by this Agreement from any and all losses, including reasonable attorney's fees of attorney (s) selected by the City and other expenses of defense, in connection with any claim, demand, action, suit or judgment arising out of any act or omission of the Union member if, at the time of the act or omission, the Union member was acting in good faith and within the scope of his/her employment or office.

ARTICLE 21: RETIREMENT

Membership in the State of New Hampshire Retirement System is mandatory for all full-time regular employees. The employee's share of cost for the retirement benefit shall be deducted from the employee's pay in accordance with amounts established by the New Hampshire Retirement System.

ARTICLE 22: UNIFORMS

Items to be provided for Parking Enforcement Officer and Animal Control Officer. The city shall provide all articles of uniforms and equipment which are required by the City. All such articles which are determined by the City to have been damaged in the line of duty shall be repaired or replaced by the City.

Items to be provided for the positions of Assessing Technician, Compliance Officer, Field Assessor and Code Enforcement Inspectors. For employees in these classifications, the City shall provide the following on an annual basis:

- \$125 for pre-approved protective footwear
- Six shirts with City identification
- One three season jacket with City identification

Employees, at the time of separation of employment, are required to return all articles

of uniforms, clothing and equipment which were provided by the City.

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ARTICLE 23: EDUCATIONAL REIMBURSEMENTS

The following Educational Reimbursement Incentive Policy will apply to all City employees after one (1) year of service. The City agrees to provide reimbursement for courses if all of the following are met:

1. The course is approved in advance by the Department head;
2. The course is related to the employee's job or as part of a career development program;
3. There is sufficient funding in the budget for that purpose;
4. No more than three (3) courses per fiscal year unless approved by the City Manager;
5. Reimbursement for only the cost of the course will be as follows:
100% for an A grade; 90% for a B grade; and 70% for a C grade. If the course is pass/fail, a grade of pass will qualify for 100% reimbursement.

Proof of course completion and grade attainment must be submitted before reimbursement.

ARTICLE 24: UNION BUSINESS LEAVE

1. The officers and representatives of the Union are as follows: President, Vice President, Secretary/Treasurer, and Stewards. The President of the Union shall provide the City with a roster of officers and representatives and keep the City informed of any changes in that roster.
2. Up to three (3) representatives of the Union shall be allowed time off for negotiations or conferences with City Officials, without loss of pay or benefits, provided that the City's operations shall always take priority over other business. Off-duty personnel will not be compensated for such negotiations, conferences or hearings.
3. Officers of the Union shall be granted time off, without loss of pay, to conduct union business that cannot be conducted during off-duty time.
4. Officers and/or representatives of the Union shall be granted time off, without loss of pay, to attend training classes without loss of pay or benefits to further management-employee relations.
5. The number of days off with pay and benefits under paragraphs 3 and 4 shall not exceed an aggregate of four (4) days for the entire bargaining unit per calendar year. All requests for leave pursuant to paragraphs 3 and 4 shall be submitted in writing to the City Manager no less than ten (10) working days prior to the date of the requested leave.
6. Any Officer or Steward of the Union shall be allowed to investigate any situation/issue brought to his/her attention by either union members or management. If the nature of the issue is such that expedited handling will result in prompt disposition thereof without interference to department operations then

management shall allow the Officer/Steward to investigate the matter while on duty, provided that City operations will always take priority over other business. It is further understood that time spent by Officers/Stewards on Union related matters while off duty is non-compensable. Time spent by Officers/Stewards processing matters through the grievance procedure, attending disciplinary sessions with supervisors, and attending disciplinary and/or administrative hearings before appropriate authorities shall only be paid during their regularly scheduled workweek.

7. Staff representatives of the Union shall be allowed to meet with employees during unpaid lunch and/or coffee breaks to the degree the meetings do not disrupt the workplace.

ARTICLE 25: REDUCTIONS IN FORCE

In the event of layoff, the City shall lay off in inverse order of employment in the class and department involved. The Department head shall give written notice to the employees affected by a layoff four (4) weeks before the effective date of the action. If there is a recall within fourteen (14) months for positions made vacant by a layoff, available laid-off employees shall be recalled according to classification and seniority. Seniority and accumulated leave (if not paid to the employee upon layoff) shall be restored to the level attained at the time of layoff if recalled within fourteen (14) months.

Employees who are eligible for recall shall be sent a recall notice by registered mail, return receipt requested. The employee must notify the City Manager within three (3) weeks after receiving the notice of recall of their intention to return to work. Failure by the employee to so notify the City Manager shall represent a decision not to accept the recall. The City shall be deemed to have fulfilled its obligations under this section by mailing the recall notice by registered mail, return receipt requested, to the last address provided by the employee. It shall be the obligation and responsibility of the employee to immediately notify the City Manager of any changes in mailing address during the fourteen (14) month period from layoff provided by this section, or extension thereof.

ARTICLE 26: DUES DEDUCTION

Payroll Deduction: The Association shall be entitled to have payroll deductions for membership dues and for one (1) additional program, from its members. Upon an individual written authorization form signed by the employee and approved by the Union, the City agrees to deduct from each employee's regular paycheck, a sum for the Union dues, and any sum for any additional program, to be paid to the Union biweekly.

Dues Change: When a change in dues necessitates a modification of payroll deductions and the Union wishes to implement such modification, it shall furnish a certificate evidencing the authorizing vote to the City, together with a written request for the modification in payroll deductions. The certificate shall be signed and sworn to by the Secretary of the Association with Corporate Seal.

To the extent that action is necessary by the Employer to implement the dues deductions, the Employer shall make reasonable effort to insure that the payroll deductions are put into effect as soon as practicable.

Member and Employee Reports: The Employer agrees to provide payroll deduction information to the Union on a biweekly basis for the administration of dues deductions.

In addition, the Employer shall provide the Union a monthly report of all newly hired bargaining unit employees, bargaining unit employees who have been promoted, and employees who have separated service, retired, or who are on an unpaid leave of absence.

ARTICLE 27: FLEXIBLE BENEFITS PROGRAM

With the exception of the Health Plans offered and provisions for selling accrued leave, the meaning and intent is to provide the same level of benefit and coverage under the Flexible Benefit Program that is available to employees prior to the implementation of this agreement.

HEALTH PLAN OPTIONS

All full-time regular employees shall be provided with comprehensive medical insurance coverage through the Flexible Benefits Program as offered by the City of Rochester.

The City's contribution to medical insurance premiums shall be limited to 80% of the ~~MTB20IPDED-RX10/20/45 plan. The following plans will be offered to employees:~~

~~a) — ABS20IPDED-RX10/20/45~~

~~Anthem Matthew Thornton HMO plan~~

~~\$250/750 deductible~~

~~Co-pays: \$20 office visits and \$150 ER visits~~

~~RX co-pays: \$10/20/45 34-day retail or 90-day mail order~~

~~b) — AB5-RX\$10/20/45~~

~~Anthem Matthew Thornton HMO plan~~

~~No deductible~~

~~Co-pays: \$5 office visits and \$25 ER visits~~

~~RX co-pays: \$10/20/45 34-day retail or 90-day mail order~~

~~e)a) ABSOS20/40/1KDED-RX10/20/45~~

~~Anthem Blue Site of Service plan~~

~~\$1000/3000 deductible~~

~~Co-pays: \$20 office visits; \$40 specialist visits, \$100 emergency room, \$50 urgent care~~

~~RX co-pays: \$10/20/45 34-day retail or 90-day mail order~~

~~Effective July 1, 2016, the City's contribution to medical insurance premiums shall be 100% of the ABSOS20/40/1KDED-RX10/20/45 plan or 80% of the ABS20IPDED-RX10/20/45 plan towards plan a) or plan b).~~

~~Effective July 1, 2017 the a) MTB20IPDED-RX10/20/45 plan and the b) MTB5-RX10/20/45 will no longer be offered. Employees may elect coverage under the ABSOS20/40 plan or to opt out of employer sponsored insurance. The City's contribution to medical insurance premiums shall be limited to 97% of ABSOS20/40 1KDED-RX 10/20/45 plan.~~

~~Effective July 1, 2018 the City's contribution to medical insurance premiums shall be limited to 90% of ABSOS20/40 1KDED — RX 10/20/45 plan.~~

~~Effective July 1, 2019 the City's contribution to medical insurance premiums shall be limited to 80% of ABSOS20/40 1KDED — RX 10/20/45 plan.~~

The employee share of premiums shall be paid by the individual employee through payroll deductions.

The City and the Union agree that the City reserves the right to select and substitute alternative health plans to replace the existing health plans identified above. Such alternative plans must provide employees with services that are equal or comparable to the above mentioned plans. The Union will also agree that the City may add any other plans as long as the plans are optional.

Employees that have medical coverage through their spouse may choose to “opt out” or “opt down” of participation in the City-sponsored plan. If employees opt out or opt down, they will receive a portion of the monthly premium savings that can be used to offset the cost of other benefits or receive it as taxable compensation in their paychecks throughout the year.

The amount the employee can receive depends on their eligible coverage level, as shown in this chart:

Eligible Coverage Level*	Annual Opt-Out Amount
Family Coverage	\$2,400
2-Person Coverage	\$1,600
Single Coverage	\$1,000
Eligible/Chosen Level**	Annual Opt-Down Amount
Family to Single Coverage	\$1,200
Family to 2-Person Coverage	\$750
2-Person to Single Coverage	\$750

**Eligible coverage level refers to the number of eligible dependents the employee has.*

***Eligible/chosen coverage level refers to an employee that chooses a plan lower than their eligible coverage level.*

To opt out, employees must provide proof of comprehensive insurance coverage elsewhere.

The City parties reserves the limited right to re-open this agreement in the event that unanticipated changes in health insurance regulations and/or costs substantially increase, alter or impair the financial obligations of the City parties or subject its health insurance plans to fines, taxes and/or penalties. Nothing herein shall obligate either

party to reach agreement on any change after the reopening of the agreement and if no agreement is reached then the current agreement shall remain in full force and effect.

REIMBURSEMENT ACCOUNTS

Reimbursement accounts offer a tax effective way to pay certain healthcare and ~~dependant~~dependent care expenses. Two types of reimbursement accounts are available to all employees:

- Healthcare reimbursement account (maximum annual contribution \$2,500)
- Dependent care reimbursement account (maximum annual contribution – the lesser of the follows:
 - \$5,000 if you are married and file joint tax returns, or if you are single,
 - \$2,500 if you are married and file separately, or
 - The lower of you and your spouse's income

These deductions shall be prorated for employees who are employed for less than a full calendar year.

DENTAL INSURANCE

All employees covered by this agreement are provided with the Northeast Delta Dental Plan through the Local Government Center. That plan or one with the same or greater benefits is provided by the City with the City paying up to ~~two hundred and fifty dollars (\$250.00)~~three hundred dollars (\$300.00) per year towards the cost of the benefit.

Employee pays costs above that amount through the Flexible Benefits Program and payroll deductions. The Base Option V Coverage A, B; Mid Option III Coverage A, B, C and High Option I coverage A, B, C, and D are available to the employee in either Single, Two-Person or Family Plans.

DISABILITY INCOME PROTECTION

Full Coverage Plan

The Full Coverage Plan is mandatory for employees hired after November 1, 1998. It includes three separate and distinct elements:

- a) Sick Leave Account
- b) Short-Term Disability (STD) Plan
- c) Long-Term Disability (LTD) Plan

Limited Plan

With this plan, if you are unable to work because of accident or illness, you will receive 100 percent of your salary for as many sick days as you have accrued, to a maximum of 120 days.

Limited Plan Plus

Employees hired prior to November 1, 1998, may continue their participation in the sick leave program in place at that time and purchase LTD insurance.

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LIFE INSURANCE

The City pays 100% of the cost of a basic amount of life insurance protection for all employees. This “core coverage” is equal to one times the employee’s base salary. Employees can choose to purchase additional “supplemental coverage”. The cost of any additional insurance will be made through payroll deductions or offset by any remaining city-provided benefit funds.

BUY/SELL ACCRUED LEAVE

During the City’s open enrollment period, and part of the Flexible Benefits Program, employees may opt to buy or sell back to the City up to six (6) days of accrued vacation or sell back to the City one (1) day of accrued earned personal leave in exchange for Benefit Bucks (used for the employee’s share of medical, dental and/or supplemental life insurance). However, after the exchange, the employee still must have at least five (5) days of vacation leave.

ARTICLE 27A: MEDICAL INSURANCE (PART-TIME EMPLOYEES)

Employees classified as part-time (less than 35 hours/week) shall be eligible to enroll in the same medical plan(s) that are offered to full-time employees at their own expense.

ARTICLE 28: COMPENSATION AND WAGES

1. Merit Pay:

~~Effective July 1, 2016 employees in the bargaining unit will be eligible for merit pay of between zero percent (0.0%) and four percent (4.0%) based upon the results of the annual performance evaluation process. See attached Exhibit A. Any merit salary increase so awarded shall be based on a rating of employees by their supervisor using a systematic and formal evaluation process to be completed as set forth below. The department head will consider the written evaluation, the personnel file, recommendations of the supervisor and such other information to determine the base wage adjustment. Merit pay increases will not be diminished because of financial considerations of the Department or the City.~~

2. Evaluation Process:

~~By February 1 of each year of this contract, the Department Head or Supervisor shall complete a draft evaluation of each position/employee within the bargaining unit. The evaluation shall utilize the evaluation instrument attached as Exhibit A. The Department Head or Supervisor shall meet with each unit employee prior to February 15th to discuss the draft evaluation.~~

~~The Department Head or Supervisor shall thereafter fill out a Merit Pay worksheet for each employee and assign the merit pay increase in accordance therewith. By March 15th, the Department Head or Supervisor shall advise the employee of the assigned merit increase and any recommendations from the Department Head or Supervisor for an additional annual bonus for extraordinary service (See section 3 below). The City Manager shall approve all evaluations and wage adjustments no later than May 1st of the then current year. Wage increases shall be effective from July 1st of each year.~~

~~In the event that an employee is disciplined during a year and that discipline is overturned the employee's performance evaluation will be redone and the employee will receive any resultant retroactive pay increase for that year.~~

3. Extraordinary Annual Bonus:

~~The City Manager may, with a recommendation from the Department Head, award up to a 2.0% annual bonus for extraordinary service to the City of Rochester or its taxpayers by a bargaining unit employee. This bonus shall be in addition to any merit pay and shall be paid in the first pay period of December. This bonus shall not be added to the employee's base wages. The grant or failure to grant this extraordinary annual bonus by the City Manager shall not be subject to the grievance process.~~

4. Appeal Process

~~Any unit employee that is dissatisfied with their assigned wage increase may ask for a meeting with the Department Head within 10 days of receipt of notification of their wage increase. Employees that receive less than a 1.25% wage increase may appeal the Department Head or Supervisor recommended wage increase to the Personnel Advisory Board for an advisory opinion within thirty (30) days of July 1 of each respective year. The parties will submit their prospective positions in writing with the City bearing the burden of production and proof. The parties will submit their respective positions within 15 days of a request for an appeal or upon an agreed on date. If the PAB finds the rating of the City unreasonable in any manner it shall adjust the merit pay accordingly. If the PAB finds the City's position to be supported by the evidence presented it shall uphold the decision of the City. The recommended pay increases shall not be arbitrary or capricious.~~

~~The pay ranges contained in the salary schedule will adjust by the percentage change in the CPI index for Boston-Brockton-Nashua (from November to November of the year proceeding the effective date of the pay range adjustment). To the extent an employee's proposed merit increase causes the employee to exceed his/her pay range, the employee shall be entitled to an amount not to exceed two (2) percent above the then top of the pay range. Any amount due that exceeds the top of the pay range, shall be paid in a lump sum amount in the first pay period in December and shall not become part of base wages.~~

1. Effective July 1, 2020, employees shall be placed on a Merit Track (Exhibit B) in accordance with their classification grade (Exhibit A) and the agreed to worksheet. If the July 1, 2020 Merit Track placement results in the employee receiving 4% or higher, the employee will not be eligible for a merit track advancement in the first year of this agreement. If the July 1, 2020 Merit Track placement results in the employee receiving 1% or lower, employee will be placed on the next higher step.
2. Thereafter, employees will be eligible for a Merit Track advancement effective the first full pay period including their anniversary date of hire, based upon the results of a performance evaluation process that shall include, but not be limited to, a written evaluation (Exhibit C) performed by the employee's supervisor, the personnel file and such other information to determine in his/her discretion is relevant before making a recommendation to the City Manager for Merit Track advancement. The Merit Advancement Worksheet (Exhibit C) will have a total of one hundred available points. Employees that do not receive a score of 70 or better shall not be recommended for Merit Track advancement. Merit Track advancement will not be diminished because of financial considerations of the Department or the City.
3. The merit tracks attached hereto will be adjusted as follows:

A. Effective July 1, 2021: 2.0%

B. Effective July 1, 2022: 2.0%

4. Any employee that is denied Merit Track advancement, may request a re-evaluation anytime between 90 and 120 days after the anniversary date. If the City Manager, after consulting with the department head, agrees that a significant improvement has been made since the original evaluation was completed, the City Manager will have the final discretion to make a final decision on whether a Merit Track advancement shall be awarded. Any such adjustment will be effective on the date of the City Manager's decision and shall not be retroactive.

WAGE/SALARY SCHEDULE

Effective

Grade	Position	Hrly Min	Hrly Max	Exempt Min	Exempt Max
2	Clerk Typist I				
2	Secretary I				
3	Administrative/Network Specialist				
3	Arena Attendant				
3	Clerk Typist II				
3	Parking Enforcement Officer				
3	Account Clerk I				
4	Account Clerk II				
4	Assessing Technician				
4	Welfare Intake Worker				
5	Secretary II				
5	Utility Billing Administrator				
6	Animal Control Officer				
6	Crime Analyst				
6	Government Channel Coordinator				
6	IS Technician				
6	Evidence Technician				
6	Recreation Program Coordinator				
6	Planner I				
7	Community Development Coordinator				
7	Field Assessor				
7	Juvenile Court Coordinator				
7	Social Worker				
8	Economic Development Specialist				
9	Construction Engineer				
9	Building/Mechanical Inspector				
9	Health/Plumbing Inspector				
9	Compliance Officer				
10	Senior Accountant				

ARTICLE 29: LONGEVITY

The City provides longevity pay to full-time employees based on continuous years of service as follows:

<u>Years of Service</u>	<u>Annual Payment</u>
3 – 5	\$200.
6 –10	\$325.
11–15	\$400.
16-20	\$550.
21 or more	\$600

Payment shall be made annually on the payroll that includes the employee's anniversary date. Upon termination of employment with the City, employees shall receive longevity pay pro-rated for the number of days of longevity in that year calculated from the employee's anniversary date to the day employee terminates.

The City provides longevity pay to part-time employees based on continuous years of service as follows:

<u>Years of Service</u>	<u>Annual Payment</u>
3 – 5	\$100.
6 –10	\$165.
11–15	\$200.
16-21	\$275.
21 or more	\$300.

Payment shall be made annually on the payroll that includes the employee's anniversary date. Upon termination of employment with the City, employees shall receive longevity pay pro-rated for the number of days of longevity in that year calculated from the employee's anniversary date to the day employee terminates.

The amount of payment will be based upon the status (part time/full time) of the employee on their anniversary date.

ARTICLE 30: SEPERABILITY

Should any provision of this Agreement be held invalid by any court or tribunal of competent jurisdiction, or if compliance with or enforcement of any such provision should be restrained by any court, all other provisions of this Agreement shall remain in force.

ARTICLE 31: COPIES

The City shall file a copy of this agreement with the New Hampshire Public Relations Board within fourteen (14) days of its execution. The agreement shall also be available to bargaining unit members on the City's intranet.

DRAFT

ARTICLE 32: DURATION

This Agreement shall be effective on July 1, 202016 and shall expire on June 30, 202023. Nothing in this agreement will be retroactive unless it is specifically described as such and the cost of such items is specifically approved by the City Council.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be signed by their respective Negotiating Committee on this the _____ day of June 202016.

Rochester Municipal Employees Group

City of Rochester

By:-----

By:-----

By:-----

By:-----

By:-----

By:-----

Chief Negotiator

Chief Negotiator

Adopted and approved by the Rochester City Council on ~~June 7, 2016~~.

City Clerk (Seal)

EXHIBIT A: CLASSIFICATION GRADES

<u>Grade</u>	<u>Classification Title</u>
<u>3</u>	<u>Administrative Assistant I</u>
<u>6</u>	<u>Administrative Assistant II</u>
<u>2</u>	<u>Administrative Technician I</u>
<u>4</u>	<u>Administrative Technician II</u>
<u>6</u>	<u>Assessor I</u>
<u>9</u>	<u>Assessor II</u>
<u>5</u>	<u>Account Clerk</u>
<u>6</u>	<u>Animal Control Officer</u>
<u>4</u>	<u>Arena Attendant</u>
<u>8</u>	<u>Community Development Coordinator</u>
<u>9</u>	<u>Compliance Officer</u>
<u>6</u>	<u>Crime Analyst</u>
<u>10</u>	<u>Economic Development Specialist</u>
<u>9</u>	<u>Electrical Inspector (Building/Mechanical Inspector)</u>
<u>6</u>	<u>Evidence Technician</u>
<u>11</u>	<u>GIS/Asset Management Technician</u>
<u>10</u>	<u>GIS/Construction Technician</u>
<u>8</u>	<u>Government Channel Coordinator</u>
<u>11</u>	<u>Health Inspector (Health/Plumbing Inspector)</u>
<u>9</u>	<u>IT Technician</u>
<u>9</u>	<u>Juvenile Division Coordinator</u>
<u>3</u>	<u>Parking Enforcement Officer</u>
<u>8</u>	<u>Planner I</u>
<u>7</u>	<u>Recreation Program Coordinator</u>
<u>10</u>	<u>Senior Planner</u>
<u>9</u>	<u>Social Worker</u>
<u>12</u>	<u>Systems Administrator</u>
<u>5</u>	<u>Utility Billing Administrator</u>
<u>5</u>	<u>Welfare Intake Worker</u>

EXHIBIT B: MERIT TRACK

FY21												
Grade	1	2	3	4	5	6	7	8	9	10	11	12
2	15.96	16.40	16.85	17.31	17.79	18.28	18.78	19.30	19.83	20.37	20.93	21.51
3	16.78	17.24	17.72	18.20	18.70	19.22	19.75	20.29	20.85	21.42	22.01	22.61
4	17.60	18.08	18.58	19.09	19.62	20.16	20.71	21.28	21.87	22.47	23.09	23.72
5	18.48	18.99	19.51	20.05	20.60	21.16	21.75	22.34	22.96	23.59	24.24	24.91
6	20.37	20.93	21.51	22.10	22.70	23.33	23.97	24.63	25.31	26.00	26.72	27.45
7	21.39	21.98	22.58	23.20	23.84	24.50	25.17	25.86	26.57	27.31	28.06	28.83
8	22.46	23.08	23.71	24.36	25.03	25.72	26.43	27.16	27.90	28.67	29.46	30.27
9	24.80	25.48	26.18	26.90	27.64	28.40	29.18	29.99	30.81	31.66	32.53	33.42
10	26.04	26.76	27.49	28.25	29.02	29.82	30.64	31.49	32.35	33.24	34.16	35.09
11	28.00	28.77	29.56	30.37	31.21	32.07	32.95	33.86	34.79	35.74	36.73	37.74
12	30.34	31.17	32.03	32.91	33.82	34.75	35.70	36.68	37.69	38.73	39.80	40.89
FY22												
Grade	1	2	3	4	5	6	7	8	9	10	11	12
2	16.28	16.73	17.19	17.66	18.15	18.64	19.16	19.68	20.22	20.78	21.35	21.94
3	17.12	17.59	18.07	18.57	19.08	19.60	20.14	20.69	21.26	21.85	22.45	23.07
4	17.95	18.45	18.95	19.47	20.01	20.56	21.13	21.71	22.30	22.92	23.55	24.19
5	18.85	19.37	19.90	20.45	21.01	21.59	22.18	22.79	23.42	24.06	24.72	25.40
6	20.78	21.35	21.94	22.54	23.16	23.80	24.45	25.12	25.81	26.52	27.25	28.00
7	21.82	22.42	23.03	23.67	24.32	24.99	25.67	26.38	27.11	27.85	28.62	29.40
8	22.91	23.54	24.19	24.85	25.54	26.24	26.96	27.70	28.46	29.24	30.05	30.88
9	25.30	25.99	26.71	27.44	28.20	28.97	29.77	30.59	31.43	32.29	33.18	34.09
10	26.56	27.29	28.04	28.81	29.61	30.42	31.26	32.12	33.00	33.91	34.84	35.80
11	28.56	29.35	30.15	30.98	31.83	32.71	33.61	34.53	35.48	36.46	37.46	38.49
12	30.95	31.80	32.67	33.57	34.49	35.44	36.42	37.42	38.45	39.51	40.59	41.71
FY23												
Grade	1	2	3	4	5	6	7	8	9	10	11	12
2	16.60	17.06	17.53	18.01	18.51	19.02	19.54	20.08	20.63	21.20	21.78	22.38
3	17.46	17.94	18.43	18.94	19.46	19.99	20.54	21.11	21.69	22.29	22.90	23.53
4	18.31	18.81	19.33	19.86	20.41	20.97	21.55	22.14	22.75	23.37	24.02	24.68
5	19.23	19.76	20.30	20.86	21.43	22.02	22.63	23.25	23.89	24.54	25.22	25.91
6	21.19	21.78	22.37	22.99	23.62	24.27	24.94	25.63	26.33	27.05	27.80	28.56
7	22.25	22.87	23.49	24.14	24.80	25.49	26.19	26.91	27.65	28.41	29.19	29.99
8	23.37	24.01	24.67	25.35	26.05	26.76	27.50	28.25	29.03	29.83	30.65	31.49
9	25.80	26.51	27.24	27.99	28.76	29.55	30.36	31.20	32.06	32.94	33.84	34.77
10	27.09	27.84	28.60	29.39	30.20	31.03	31.88	32.76	33.66	34.58	35.54	36.51
11	29.13	29.93	30.76	31.60	32.47	33.36	34.28	35.22	36.19	37.19	38.21	39.26
12	31.57	32.43	33.33	34.24	35.18	36.15	37.15	38.17	39.22	40.30	41.40	42.54

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City Clerk's Office

Resolution Authorizing \$20,000.00 Appropriation from the Economic Development Special Reserve Fund for Water Street Paving

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

That, in accordance with §7-63 (A) (2), the amount of Twenty Thousand Dollars (\$20,000.00) is hereby appropriated from the Economic Development Special Reserve Fund to pay for the costs associated with paving portions of Water Street associated with the City's Development Agreement for the so-called Scenic/Salinger Project which is part of the economic revitalization of the City's historic downtown.

To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such multi-year, non-lapsing accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. All projects will be assigned a unique account number for tracking and reported purposes.

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City Clerk's Office



07/30/2020

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

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

AGENDA DATE		
DEPT. HEAD SIGNATURE		
DATE SUBMITTED		
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

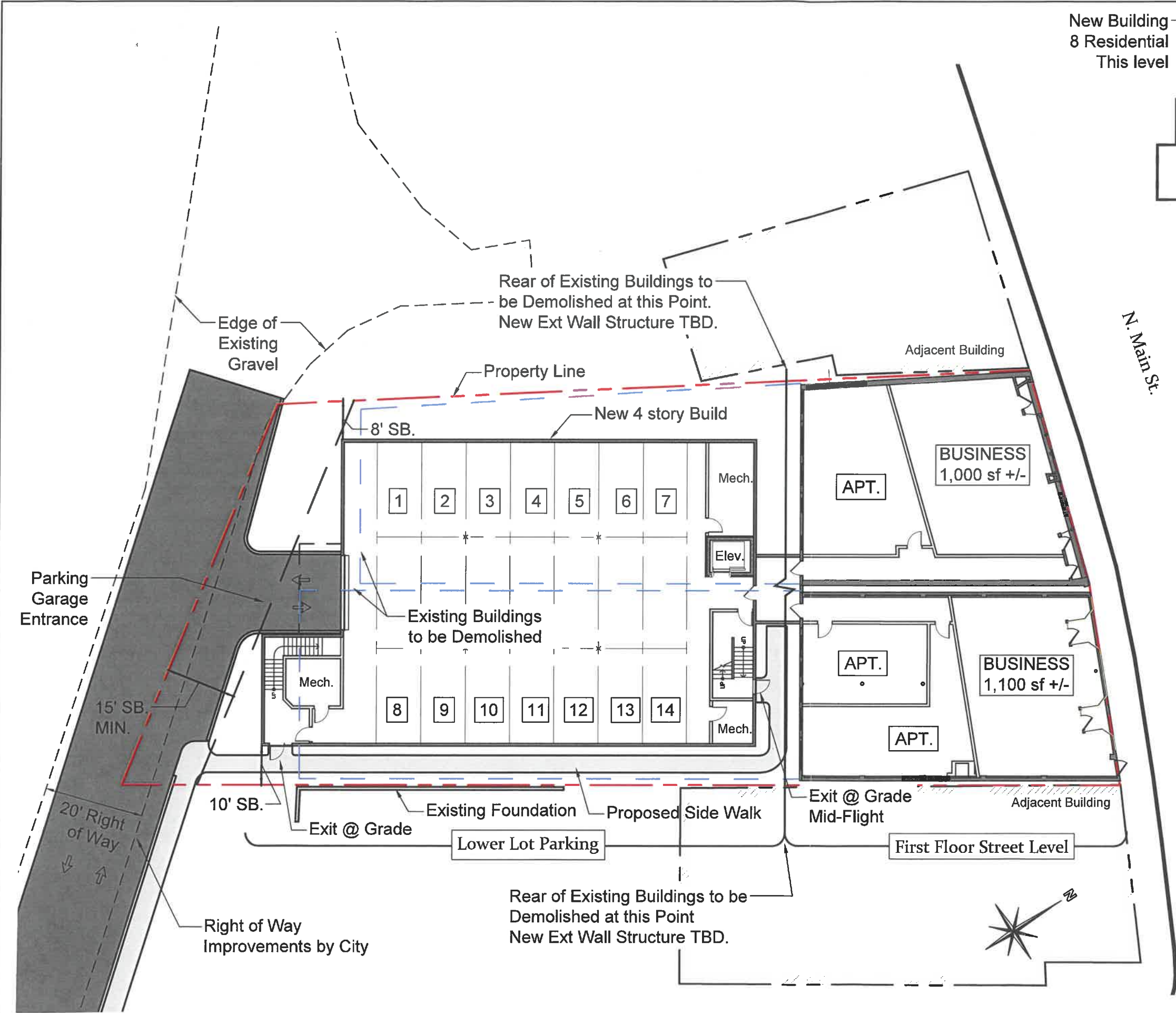
FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

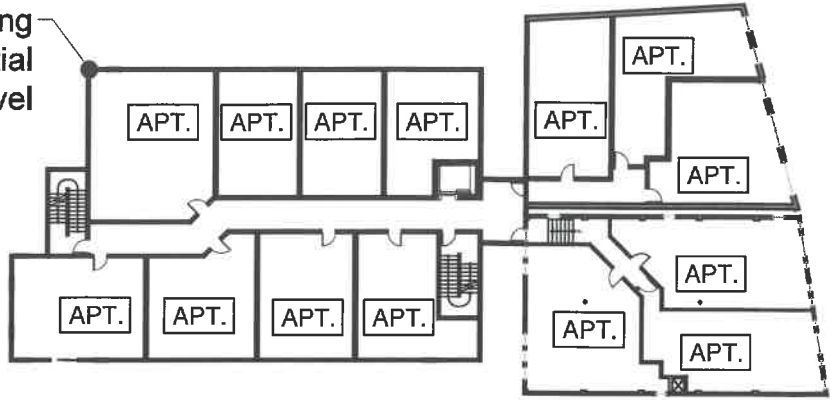
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SUMMARY STATEMENT

RECOMMENDED ACTION



New Building
8 Residential
This level



Typical Floor Plan Layout Level Two

Total Gross Foot Print:
44, 511 sf (To Exterior of Building Wall)

Total Net Leased Area
36,460 sf (Gross Tenant Area)

- New Building : 6,554 sf per level x4
= 26,216 + Parking Garage
- Scenic Theater Block : 2,465 sf per level x3
= 7,395 + Basement
- Salinger Block : 2,725 sf per level x4
= 10,900 + Basement

- 52 Apartments 400 to 800 sf (Avg. = 600 sf)
- 14 Onsite Parking Spaces
- Additional Parking @ Near by Municipal Lots

PROJECT SCENIC SALINGER BLOCK
ADDRESS 10 N. MAIN ST. ROCHESTER NH, 03867

Chinburg Properties, Inc
3 Penstock Way
Newmarket, NH 03857

DATE: 1/23/2020

SHEET 00