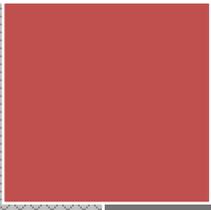




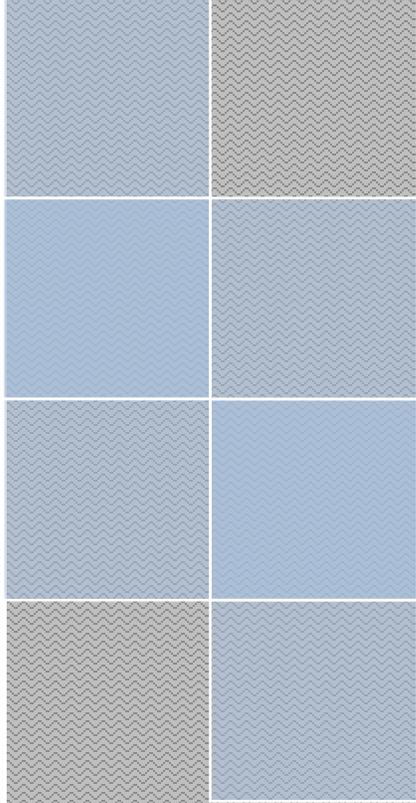
Regular City Council Meeting  
March 3, 2015  
COUNCIL CHAMBERS  
7:00 PM

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Opening Prayer
4. Roll Call
5. Acceptance of Minutes
  - 5.1. [February 3, 2015, Regular City Council Meeting Minutes](#)
  - 5.2. [February 17, 2015, Special City Council Meeting Minutes](#)
6. Communications from the City Manager
  - 6.1. Employee of the Month Award P. 8
  - 6.2. City Manager's Report P. 7
7. Non-Meeting:
  - 7.1. **AB 106** Non-Meeting, RSA 91-A:2,1(b), Consultation with Legal Counsel P. 39
8. Collective Bargaining Agreements:
  - 8.1. **AB 109** Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 863 – [Public Works Employees] - **First Reading, Second Reading, and Adoption** P. 41



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**8.2. AB 110 Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with the American Federation of State, County, and Municipal Employees (AFSCME) Local 93 – [School Department Custodial, Grounds and Skilled Employees **First Reading, Second Reading, and Adoption** P. 47**

**9. Communications from the Mayor**

**9.1. Appointment:** Norman Sanborn, Jr. to Licensing Board

**9.2. Proclamation:** Read Across America P. 53

**9.3. Discussion:** City Hall Annex

**10. Presentations of Petitions and Council Correspondence**

**10.1. Letter of Appreciation:** Bank of America P. 34

**11. Nominations, Appointments, Resignations, and Elections**

**11.1. Resignation:** Tom D'Arcy, Moderator: Ward Five P. 55

**12. Reports of Committee**

**12.1. Appointments Committee P. 59**

**12.2. Codes and Ordinances Committee P. 61**

**12.3. Community Development Committee P. 69**

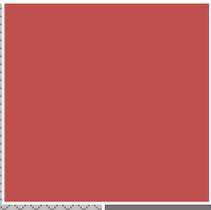
**12.4. Finance Committee P. 71**

**12.5. Public Safety Committee P. 75**

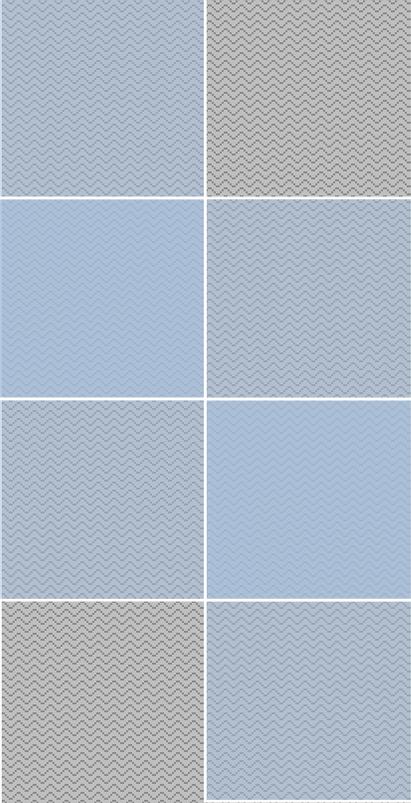
**12.6. Public Works Committee P. 77**

**13. Old Business**

**14. Consent Calendar**



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**15. New Business**

- 15.1. **AB 113** Annual Renewal of Second Hand Dealers Licenses/Pawn Brokers Licenses – **Motion to Approve**  
P. 99
- 15.2. **AB 103** Resolution Accepting Grant to the Rochester Police Department from the NH Police Standards and Training Council, and Making a Supplemental Appropriation in Connection Therewith and Training Council – **First Reading, Second Reading, and Adoption** P. 103
- 15.3. **AB 102 Revised AB 77** Resolution De-Authorizing Portion of the FY 2011-2012 Capital Budget Appropriation of the City of Rochester for Land Purchase Related to the So-Called Granite State Business Park and Taking Other Related Actions – **First Reading, Second Reading, and Adoption** P. 109
- 15.4. **AB 104** Resolution Authorizing a Supplemental Appropriation to the 2014-2015 Operating Budget of the City of Rochester, Department of Public Works, Highway Division, for Winter Highway Conditions Maintenance Purposes – **First Reading, Second Reading, and Adoption** P. 115
- 15.5. **AB 105** Resolution Authorizing the Trustees of the Trust Funds for the City of Rochester to Pay Certain Fees Related to the Management of Capital Reserve Funds from the Capital Reserve Fund Income in Accordance with the Provisions of RSA 34:16, II – **First Reading and Adoption** P. 121
- 15.6. **AB 107 REVISED** Amendment to Chapter 23 of the General Ordinances of the City of Rochester Regarding “Fire Safety Measures” **Second Reading, MOVE to Substitute the Original Proposed Amendment for the Revised Proposed Amendment and Adoption** P. 129

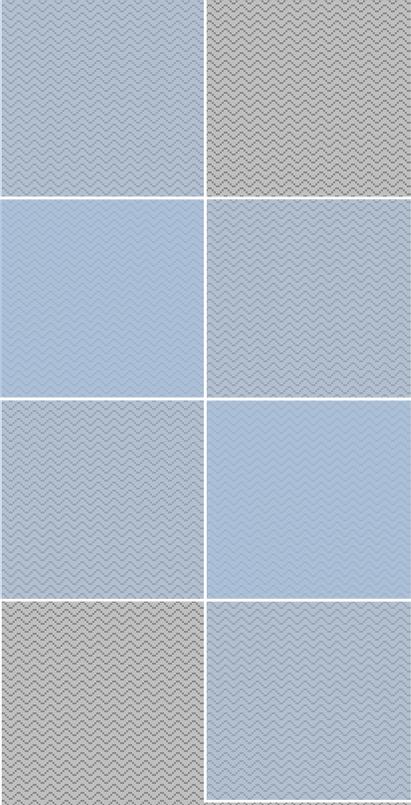
**16. Other****17. Non-Meeting and Non-Public Session(s):**

- 17.1. Non-Public Session - Personnel, RSA 91-A:3, III (a)

**18. Adjournment**



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*City of Rochester, New Hampshire*

OFFICE OF THE CITY MANAGER  
31 Wakefield Street • Rochester, NH 03867  
(603) 332-1167  
[www.RochesterNH.net](http://www.RochesterNH.net)

**CITY MANAGER'S REPORT  
MARCH 3, 2015**

The Employee of the Month is: Donald Graves, Building, Zoning & Licensing Services

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

- January 26, 2015
- February 2, 2015
- February 9, 2015
- February 17, 2015

Contracts and documents executed since last month:

- Chesley Hill Amendment # 2
- COOP (Continuity of Operations Plan) Grant – Hubbard Consulting contract – Fire Dept.
- Employee Recognition Team – Charter update
- Haying Agreement – Parsell Farms
- Highway Safety Grants – Police Department
- MRI Contract – DPW review
- Viewpoint Software – Planning & Permitting
- Water Treatment Plant upgrade – Change order #1
- Workplace Safety Team – review
- Wrecker Contracts

The following Computer Lease/Purchase and Tuition Reimbursement requests have been approved:

- Computer Lease – Frechette, R (Police Dept.)
- Computer Lease – Wheeler, J (Fire Dept.)

The following is included for your information:

- Thank you letter from Bank of America

The following standard reports have been enclosed:

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

March 2015

2/25/15

## EMPLOYEE OF THE MONTH NOMINATION FORM

EMPLOYEE'S NAME Donald Graves

DEPARTMENT Building, Zoning & Licensing Services

Provide examples of how the employee has performed actions that were above and beyond those normally expected for the employee's position. The more examples you can give adds to the strength of the nomination. If more room is needed, please use reverse side.

### SERVICE TO THE COMMUNITY

Donald is not only the building inspector but also the Assistant Director and fills in for the Director at TRG meetings, sight meetings and other services for the people and peers in the City of Rochester, NH.

### QUALITY CUSTOMER SERVICE (EXTERNAL/INTERNAL)

Always helpful and informative with customers when it comes to building issues. He takes the time to solve building and code problems for customers and contractors.

### PROFESSIONALISM AND COMMITMENT BEYOND WHAT IS EXPECTED FOR THE EMPLOYEE'S POSITION

Donald has always gone above and beyond what is expected by helping the citizens get a better knowledge of codes adopted by this City of Rochester, NH. He watches out for the safety of people additionally while he is inspecting. Two years ago he detected a leak in a gas water heater coming from the exhaust pipe and diverted a potential disaster.

YOUR NAME: Jim, Bob, Sheldon, Karen and Sue

DATE: October 24, 2014

PLEASE NOTE: You may use either this form or a letter, whichever is more convenient for you. Thank you for your time and interest in the Employee of the Month Program!

ANY OF THE ABOVE ITEMS IS ENOUGH TO NOMINATE AN EMPLOYEE.



*City of Rochester*  
OFFICE OF THE CITY MANAGER  
MANAGEMENT TEAM  
31 Wakefield Street • Rochester, NH 03867  
(603) 332-1167  
[www.RochesterNH.net](http://www.RochesterNH.net)

**MANAGEMENT TEAM MEETING**  
**January 26, 2015**  
**9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Karen Pollard, Economic Development Mgr.  
Jim Grant, Director BZLS  
Danford Wensley, City Attorney  
Brian Sylvester, Library Director  
Jim Campbell, Planning Director

Samantha Rodgerson, Executive Asst.  
Chris Bowlen, Director - RAYS  
Peter Nourse, DPW Director  
Michael Allen, Police Chief  
Blaine Cox, Deputy City Manager  
Norm Sanborn, Fire Chief

**MINUTES**

City Manager Fitzpatrick called the Management Team meeting to order at 9:06 A.M.

**1. Management Team Minutes – January 20, 2015**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

No new items, no discussion.

**3. City Calendar for Week**

Reviewed upcoming meetings. No further discussion.

**4. Right to Know Requests**

There was a request for City personnel contact information. After some discussion, it was determined that there is no expectation of privacy for employees as it pertains to city contact information, not personal.

**5. City truck logo**

The question was raised as to what markings needed to be used for the new Recreation department truck. After some discussion, it was determined that there is no official

policy, however it was thought best to use both the City seal and the Recreation department logo.

## **6. Other**

### **Director Sylvester**

- Advised that they have 2 positions open at the Library; a page and the library assistant.
- Advised that the book drop is out of order, as there is a problem with the locking mechanism.
- Advised that a Trustee resigned but that they have a person interest in their replacement.

### **Director Nourse**

- Advised that they had a 20 hour snow operation event over the weekend.
- Advised that their sand and salt supplies are sufficient.
- Advised that the refurbished sidewalks plows are working great.

### **City Manager Fitzpatrick**

- Advised that if the State declares a State of Emergency that he will close City offices to non-essential personnel.

### **Executive Assistant Rodgerson**

- Advised that she was notified by a resident that a new round of letters from HomeServe was being sent out to residents regarding insurance for their water line. The resident suggested placing a notice in the paper so that those without cable or internet would be aware. A press release will be sent to the newspaper. After some discussion, it was advised that we may also wish to notify the AG's Consumer Protection Division.
- Advised that department annual reports were due by January 16<sup>th</sup> and requested that those departments still working on theirs, to get them over sooner rather than later.

### **Deputy City Manager Cox**

- Advised that a UAB member resigned.
- Advised that several bargaining agreements required reviews to be done in February. The review form can be found in the agreement, however he will have Ms. Hoyt send out the forms.

**Manager Pollard**

- Advised that Julian Long has been holding meetings as he works on the 5 year plan for CDBG.
- Advised that her staff has received a significant amount of leads and that they are working on following up with them all.

**Chief Sanborn**

- Advised that they had numerous accidents and calls for medical aid over the weekend.
- Advised that they were currently providing mutual aid for a house fire in Somersworth.
- Advised that they are preparing for the storm and would be having a conference call with Emergency Management at noon.
- Advised that the emergency shelter would be opened on an as needed basis and that it was too early to determine as of yet.

**Director Bowlen**

- Advised that they would be paying attention to the storm as it pertains to the load on the roof at the Arena.
- Advised that he has some concerns with parking for an event against Dover on Wednesday/Thursday. May look into postponing the event due to clean-up efforts.

**Chief Allen**

- Advised that there was a heroin overdose that resulted in 4 felony arrests with evidence of distribution, one of which was a teacher at Spaulding High School.
- Advised that the ATC wanted to setup a meeting with him.
- Advised that he was notified that Officer MacKenzie would be receiving the Police Officer of the Year award by the State American Legion organization.
- Advised that the new prosecutor, Joe Plaia, would be starting on February 2.
- Advised that the County Chiefs met with NH Listens and would be hiring them to conduct 3-4 community forums to discuss community policing items.

**Director Campbell**

- Advised that they are supposed to have the Planning Board retreat tonight, however may need to cancel pending the weather.

**Director Grant**

- Advised that the garage at 39 Chestnut Street has been taken down.

The Management Team meeting adjourned at 9:46 AM.

Respectfully submitted,

Samantha Rodgerson  
Executive Assistant



*City of Rochester*  
OFFICE OF THE CITY MANAGER  
MANAGEMENT TEAM  
31 Wakefield Street • Rochester, NH 03867  
(603) 332-1167  
[www.RochesterNH.net](http://www.RochesterNH.net)

**MANAGEMENT TEAM MEETING**

**February 2, 2015**

**9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
Jim Grant, Director BZLS  
Danford Wensley, City Attorney  
Brian Sylvester, Library Director  
Norm Sanborn, Fire Chief  
Samantha Rodgers, Executive Asst.

Seth Creighton, Chief Planner  
Chris Bowlen, Director - RAYS  
Michael Bezanson, DPW Engineer  
Scott Dumas, Deputy Chief

**EXCUSED:**

Karen Pollard, Economic Dev. Mgr

**MINUTES**

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

**1. Management Team Minutes – January 26, 2015**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

No new items, no discussion.

**3. City Calendar for Week**

Reviewed upcoming meetings. No further discussion.

**4. Right to Know Requests**

The requests have been answered.

**5. Other**

**City Manager Fitzpatrick**

The City Manager reminded all to limit the use of acronyms when possible or to make note of what the acronym stands for.

**Director Sylvester**

- Advised that they had a record setting circulation day, with 1,351 checkouts. It was the highest circulation since 2010.
- Advised that they would be having a small book sale this week, \$5 per bag.
- Advised that the AARP would be available for tax prep by appointment on Tuesday and Thursday and walk-in on Saturday.
- Advised that they have had more claims, but at a lower amount.

**Deputy City Manager Cox**

- Advised that they received the final FY2014 Audit and that the auditor had no material findings.

**Chief Dumas**

- Advised that they had a relatively quiet weekend, with only 10 or 11 arrests.
- Advised that there was an unattended death yesterday, but that it appears as though it was from natural causes.
- Advised that they had one DWI and one disturbance on Super Bowl Sunday.

**Chief Sanborn**

- Advised that they are working with Homeland Security to get a disaster declaration from Emergency Management, which would then reimburse some of the expenses for storm cleanup.

**Director Bowlen**

- Advised that the snow on the roof of the Arena had been taken care of.
- Advised that there are some concerns with the roof at the Community Center as there are new leaks.
- Advised that the parking for the Dover/Spaulding game worked well and there were no complaints. The high school had a shuttle bus from the church to the arena.

**Engineer Bezanson**

- Advised that they have been busy with snow removal.
- Advised that they are down a grader and are awaiting some parts.

**Chief Planner Creighton**

- Advised that the Planning Board scheduled for tonight may be canceled, just waiting for the chair to confirm.

**Director Grant**

- Advised that Code Compliance Officer Perkins would be in court on Friday for a junk car lot on Tibbetts Road and is hoping for a verdict this week.

The Management Team meeting adjourned at 9:24 AM.

Respectfully submitted,

Samantha Rodgerson  
Executive Assistant



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OFFICE OF THE CITY MANAGER  
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31 Wakefield Street • Rochester, NH 03867  
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[www.RochesterNH.net](http://www.RochesterNH.net)

**MANAGEMENT TEAM MEETING**

**February 9, 2015**

**9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
Jim Grant, Director BZLS  
Danford Wensley, City Attorney  
Brian Sylvester, Library Director  
Norm Sanborn, Fire Chief  
Samantha Rodgers, Executive Asst.

Seth Creighton, Chief Planner  
Chris Bowlen, Director - RAYS  
Mike Allen, Police Chief  
Karen Pollard, Economic Dev. Mgr

**EXCUSED:**

Peter Nourse, Director DPW

**MINUTES**

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

**1. Management Team Minutes – February 2, 2015**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

Item # 8, suggested to add the topic of the request – Ten Rod Road signage. Item # 3 is on the upcoming Finance Committee agenda. No further discussion.

**3. City Calendar for Week**

Reviewed upcoming meetings. No further discussion.

**4. Right to Know Requests**

No new requests, no discussion.

**5. Other**

**City Manager Fitzpatrick**

The City Manager shared an article on renting vs. home ownership. It would seem that the trend throughout the country is shifting to people renting rather than buying and that Rochester needs to keep that in mind.

**Director Sylvester**

- Advised that he will be going to the Public Safety Committee meeting to discuss the need for some additional signage at the Library.

**Chief Allen**

- Advised that the new dispatcher started today, however the other dispatcher backed out over the weekend.
- Advised that they had a relatively quiet weekend, no overdoses.

**Deputy City Manager Cox**

- Advised that he has reached out the unions to extend the performance evaluation process by 1 month to allow additional time for department heads.
- Advised that he would be rescheduling the Fire and DPW budget discussions with the City Manager.
- Informed all that Rolly was selected as Employee of the Year and to stop in and congratulate him.

**Manager Pollard**

- Advised that her office is trying to keep their meetings on track due to the weather events.

**Chief Sanborn**

- Advised that it was relatively quiet over the weekend.
- Advised that they are at the next step for the disaster declaration from Emergency Management. They will be working to provide additional backup material.

**Chief Planner Creighton**

- Advised that tonight's Planning Board meeting rescheduled from last week would most likely be rescheduled again due to the weather.
- Advised that Rochester VW is looking to expand and that Key Auto is looking at building a new used car dealership on Route 11.
- Advised that staff is continuing work on the Ch. 50 Stormwater rewrite and the Acquirer Protection.

**Director Bowlen**

- Advised that he had a roof assessment done and that they are in good shape as of now.
- Advised that there was a lower turnout for teen night, most likely due to the weather, but still pretty good with over 200 teens attending.

**Director Grant**

- Advised that there is a Zoning Board meeting on Wednesday with 2 items on the agenda.

The Management Team meeting adjourned at 9:30 AM.

Respectfully submitted,

Samantha Rodgerson  
Executive Assistant



*City of Rochester*  
OFFICE OF THE CITY MANAGER  
MANAGEMENT TEAM  
31 Wakefield Street • Rochester, NH 03867  
(603) 332-1167  
[www.RochesterNH.net](http://www.RochesterNH.net)

**MANAGEMENT TEAM MEETING**  
**February 17, 2015**  
**9:00 A.M.**

**PRESENT:**

Daniel Fitzpatrick, City Manager  
Blaine Cox, Deputy City Manager  
Jim Grant, Director BZLS  
Danford Wensley, City Attorney  
Brian Sylvester, Library Director  
Norm Sanborn, Fire Chief  
Samantha Rodgerson, Executive Asst.

Seth Creighton, Chief Planner  
Lauren Colanto, Asst. Director - Recreation  
Scott Dumas, Deputy Chief - Police  
Karen Pollard, Economic Dev. Mgr  
Peter Nourse, Director DPW

**MINUTES**

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

**1. Management Team Minutes – February 9, 2015**

Minutes were approved by general consensus.

**2. City Council Inquiry Report**

- Item # 10 discussed at Finance Committee, will be part of FY16 budget discussions.
- Item # 8 – this item is closed
- Item #9 – this item was answered by Economic Development Manager Pollard.
- Item # 12 – this was discussed at the Finance Committee – the response to Wells Fargo is that the City is not interested in accepting the property.

**3. City Calendar for Week**

Reviewed upcoming meetings. No further discussion.

**4. Right to Know Requests**

No new requests, no discussion.

**5. Community Center locker rooms**

Mr. Nourse responded that the boys locker room project was in next year's CIP to rebuild.

## **6. Other**

### **Assistant Director Colanto**

- Discussed that the roof at the Arena is stable, however they are weighing canceling all programs for the day until they can get the snow cleared.
- Discussed the roof and potential snow load concerns at the Community Center.

There was some further discussion about the inspection of City buildings and roof load as well as clearing out around the fire hydrants.

### **Director Sylvester**

- Advised that there is a Library Trustees meeting scheduled for tonight where they will be discussing pest management solutions.
- Advised that they currently have 2 vacancies they are working on filling.
- Advised that there was air quality testing scheduled for today at the Community Center.

### **Executive Assistant Rodgerson**

- Advised that the Annual Employee Appreciation Dinner was scheduled for March 27<sup>th</sup> at 5:30pm.
- Requested that any awards, certifications or accolades for departments and staff be forwarded to her so that they can be recognized at the dinner.

### **Chief Planner Creighton**

- Advised that the Planning Board meeting that had been rescheduled twice due to weather is been scheduled for next week.

### **Deputy Chief Dumas**

- Advised that they have 3 police officer candidates and will be conducting interviews.
- Advised that the new prosecutor is working well and that the two officers will go into the shift rotation next week.

### **Director Nourse**

- Advised that they have moved 96 inches of snow so far and that they had staff on for 12 hours over the weekend for storm cleanup.
- Advised that the GRDD (Granite Ridge Development District) pre-bid is today at 10am. The bid opens in 10 days.

**Deputy City Manager Cox**

- Advised that all of the collective bargaining units agreed to a 1-month extension for performance evaluations.
- Advised that they had a ratings call to convert to permanent bonding. They will be selling the bond this week and closing next week.

**Chief Sanborn**

- Advised that they provided mutual aid for a house fire in Strafford.
- Advised that they had a few overdoses over the weekend. Two calls were from the same location within hours of each other with different victims.
- Advised that they provided mutual aid for a fatal vehicle accident in Milton.
- Advised that they had water issues at the following locations:
  - Secretariat Estates
  - Jordans Eye Care
  - 1 Winter Street
- Advised of roof collapse at Nancy Loud School.

**Manager Pollard**

- Advised that next week she will be in Mexico for Rotary.
- Advised that State of the City is on March 5<sup>th</sup>.
- Advised that her department has had a lot of activity on projects and it that it should be a busy construction season.

**Director Grant**

- Advised that the Zoning Board upheld the compliance officer's determination on a Milton Road signage concern.
- Advised that the Zoning Board would be sending the 2<sup>nd</sup> hand dealer's item to full Council.

The Management Team meeting adjourned at 9:28 AM.

Respectfully submitted,

Samantha Rodgerson  
Executive Assistant



**City of Rochester  
Dept of Public Works**

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

# Memo

RECEIVED  
JAN 28 2015  
FINANCE OFFICE  
CITY OF ROCHESTER  
Received  
JAN 29 2015  
City Manager  
ROCHESTER

**To:** Blaine Cox.  
Finance Director/Deputy City Manager

**From:** Lisa J. Clark

**Date:** 1/26/2015

**Re:** Chesley Hill Road – Amendment #2  
Additional Engineering for Norman Street Questions

Enclosed please amendment #2 for the Chesley Hill Road Project. This amendment is for the additional site visits and summary memorandum requested by the City of Rochester.

The funds are available in the Chesley Hill Road Project account 15013010-771000-15520.

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

Signature Blaine Cox  
(Blaine Cox, Finance Director / Deputy City Manager)

Cc: Peter Nourse, PE, City Engineer



Norman Sanborn, Jr.  
Chief of Department

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

2/25/15

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

February 11, 2015

CITY OF  
Received  
FEB 11 2015  
City Manager  
ROCHESTER

TO: Dan Fitzpatrick, City Manager  
FROM: Norm Sanborn, Jr., Fire Chief *Norm Sanborn Jr.*  
SUBJECT: Continuity of Operations Plan Contract

In December of 2014 I applied for this grant with your approval. The grant was also approved by the City Council at their January 2015 meeting.

I just received final grant approval from NH Emergency Management and the go ahead on this project.

Attached to this memo is the contract from Hubbard Consulting LLC Services who will be completing the Continuity of Operations Plan for the City.

Can you please review the contract and sign.

If you need more information or have any questions, please feel free to contact me.



## City of Rochester, New Hampshire

Employee Recognition and Achievement Team  
 31 Wakefield Street • Rochester, NH 03867  
 (603) 335-7572 Fax (603) 335-4352

CITY OF  
 Received  
 FEB 17 2015  
 City Manager  
 ROCHESTER

---

### INTEROFFICE MEMORANDUM

---

**TO:** Dan Fitzpatrick, City Manager  
**FROM:** Lisa J. Clark, DPW Office Manager *LJC*  
 Chairman, Employee Recognition & Achievement Team  
**DATE:** February 13, 2015  
**SUBJECT:** Revised / Update Team Charter, Post annual review

---

Enclosed please find two (2) copies of the revised team charter. Per our Team Charter we had our annual meeting on 2/10/15 to review challenges and team performance. The following revisions are the revisions resulting from discussion at that meeting.

1. Team Members list actual chair & vice chair and then department or locations of others only.
2. If a team member is unable to be present or has actually nominated someone they may send a representative from their same department or location.
- 3.

If you have any questions please let me know, if not, please sign and keep one copy for your records. Please forward the second copy back to me for filing with committee records.



# MEMO

---

City Manager's Office  
31 Wakefield Street  
Rochester, NH 03867-1917  
603-332-1167 FAX: 603-335-7565  
[samantha.rodgerson@rochesternh.net](mailto:samantha.rodgerson@rochesternh.net)

February 18, 2015

RE: Haying Agreement – Parsell Farms

Mr. Parsell has requested to renew his Haying Agreement with the City of Rochester for the period of March 1, 2015 – March 1, 2016. Please sign where indicated if the City agrees to renew this agreement with Mr. Parsell.

Thank you,

Samantha Rodgers  
Executive Assistant

2/25/15



## ROCHESTER POLICE DEPARTMENT

23 WAKEFIELD STREET  
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127  
FAX (603) 330-7159  
[www.rochesterpd.org](http://www.rochesterpd.org)

*"Dedication, Pride, Integrity"*

POLICE COMMISSION

LUCIEN G. LEVESQUE  
*Chairman*  
BRUCE E. LINDSAY  
*Vice Chairman*  
DEREK J. PETERS  
*Commissioner*

MICHAEL J. ALLEN  
*Chief of Police*

CITY OF  
Received  
FEB 13 2015  
City Manager  
ROCHESTER  
February 12, 2015



TO: Daniel Fitzpatrick  
City Manager

FROM: Michael J. Allen  
Chief of Police

RE: Highway Safety Grants

Dear Mr. Fitzpatrick:

Attached are two highway safety grant applications that require your signature. One for DWI Patrols and one for Enforcement Patrols. These patrols are both 100% federally funded. If you would please sign them and send them back to us for further processing I would appreciate it.

*cm Report*

2/25/15

# CITY of ROCHESTER

OFFICE OF THE DEPUTY CITY MANAGER  
FINANCE OFFICE  
31 WAKEFIELD STREET  
ROCHESTER NH 03867

BLAINE COX  
VOICE 603.335.7609  
FAX 603.335.7589  
E-MAIL: [blaine.cox@rochesternh.net](mailto:blaine.cox@rochesternh.net)

## LETTER OF TRANSMITTAL

TO: Daniel Fitzpatrick, City Manager  
FROM: Blaine Cox, Deputy City Manager *Blaine*  
DATE: February 20, 2015

CITY OF  
Received  
FEB 20 2015  
City Manager  
ROCHESTER

I am sending you:  Attached  Under Separate Cover

The following items:

Municipal Resources, Inc. (MRI) Professional Services Contract

These are transmitted as checked below:

<input checked="" type="checkbox"/>	For Approval	<input type="checkbox"/>	For Your Use/Information
<input type="checkbox"/>	As Requested	<input type="checkbox"/>	For Review & Reply
<input type="checkbox"/>	Approved as Submitted	<input type="checkbox"/>	Approved as Noted
<input type="checkbox"/>	Returned for Corrections		
<input type="checkbox"/>	Re-submit _____ Copies for approval		
<input type="checkbox"/>	Submit _____ Copies for distribution		
<input type="checkbox"/>	_____		

SUPPLEMENTAL INFORMATION:

The attached Professional Services Contract from MRI is for the provision of:

1. Organizational Assessment of the Department of Public Works with a not-to-exceed contract price of \$8,500.
2. Recruitment Services for a replacement director of Public Works at a flat fee of \$7,500.

# CITY of ROCHESTER

OFFICE OF THE DEPUTY CITY MANAGER  
FINANCE OFFICE  
31 WAKEFIELD STREET  
ROCHESTER NH 03867

BLAINE COX  
VOICE 603.335.7609  
FAX 603.335.7589  
E-MAIL: [blaine.cox@rochesternh.net](mailto:blaine.cox@rochesternh.net)

## LETTER OF TRANSMITTAL

TO: Daniel Fitzpatrick, City Manager  
FROM: Blaine Cox, Deputy City Manager *BMC*  
DATE: January 30, 2015

CITY OF  
Received

JAN 30 2015

I am sending you:  Attached  Under Separate Cover

City Manager  
ROCHESTER

The following items:

Planning & Permitting Software contract with Viewpoint

These are transmitted as checked below:

<input checked="" type="checkbox"/>	For Approval	<input type="checkbox"/>	For Your Use/Information
<input type="checkbox"/>	As Requested	<input type="checkbox"/>	For Review & Reply
<input type="checkbox"/>	Approved as Submitted	<input type="checkbox"/>	Approved as Noted
<input type="checkbox"/>	Returned for Corrections		
<input type="checkbox"/>	Re-submit <input type="checkbox"/> Copies for approval		
<input type="checkbox"/>	Submit <input type="checkbox"/> Copies for distribution		
<input type="checkbox"/>			

### SUPPLEMENTAL INFORMATION:

The Planning & Permitting Software review committee has chosen Viewpoint as their first choice to provide the City with a software solution. I have reviewed the attached contract and recommend approval.



## City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

45 Old Dover Road • Rochester, NH 03867

(603) 332-4096 Fax (603) 335-4352

[www.rochesternh.net](http://www.rochesternh.net)

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### INTEROFFICE MEMORANDUM

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**TO:** Blaine Cox, Deputy City Manager/Finance Director  
**FROM:** Lisa J. Clark, DPW Office Manager *ljc*  
**DATE:** February 4, 2015  
**SUBJECT:** Water Treatment Plant Upgrade Project  
 Change Order 1  
**CC:** Peter C. Nourse, PE DPW Director  
 Michael Bezanson, PE City Engineer

CITY OF  
 Received  
 FEB 9 2015  
 City Manager  
 ROCHESTER

Enclosed please find four (4) copies of Change Order #1. This change is associated with additional work to be completed on the chemical feed system. This work is outside of the original scope and bid docs. .

The funding for this change is available in the WTP Upgrade Project account, 55016010-772000-14527 and this change has been approved in advance for the Drinking Water State Revolving Fund loan associate with the project.

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

Signature \_\_\_\_\_

*Blaine Cox*

*2-6-2015*

Blaine Cox, Finance Director/Deputy City Manager



***City of Rochester, New Hampshire***  
**WORKPLACE SAFETY AND JOINT LOSS MANAGEMENT  
 COMMITTEE**

31 Wakefield Street • Rochester, NH 03867

To: Daniel Fitzpatrick, City Manager  
 From: Brian Sylvester, chair, Workplace Safety Committee  
 Date: 2/9/2015  
 Subject: Review of Workplace Safety Committee

Since being chartered as a self-directed work team, the workplace safety committee has met six times and performed five building inspections. The facilities inspected in calendar year 2014 were the city playgrounds, the Department of Public Works facility, the Ice Arena, the Water Treatment Plant, and the city offices in the Community Center. A spreadsheet of recommendations from those inspections is available for all employees to review on the city intranet.

During the regular meetings of the committee, the group reviewed a total of 51 incidents, the majority of which were not severe. 21 of those incidents involved employees from the department of public works or the water treatment facilities. The committee made no recommendations that any department change any of their policies or procedures, and at this time the committee recommends that the city continue to focus on reducing slip/trip/fall injuries and back injuries caused by lifting or lowering. A spreadsheet over-viewing these incidents and listing the recommendations of the supervisor and the committee is available for all employees to review on the city intranet.

Committee members participated in safety training for employees in March of 2014, and the committee maintains the city's Prime3 designation with Primex, earning a small discount to worker's compensation and property liability insurance. The current members of the committee are Brian Sylvester, library (chair), Dorinda Howard, library (co-secretary), Lauren Colanto, recreation (co-secretary), Jim Grant, BZLS, Det. Mike Mundy, RPD, Capt. Don McCullough, RFD, Erik Nau, DPW, Rick Dunton, DPW, and Steve Trepanier, arena. Alternates on the committee include Bruce Snyder, Mark Dupuis, and Bob Dingee. The committee regularly meets with David Witham, risk management supervisor with Primex, and Kevin Flanagan, risk management advisor for Property Liability Trust. A goal for 2015 is to include more departments and more employees outside of management/supervisory level positions.

The next meeting of the committee will take place on March 18<sup>th</sup> at 9:30 AM, tentatively scheduled for the police department training room. All employees are welcome to attend.

Brian Sylvester, Library Director  
 Chair, Workplace Safety and Joint Loss Management Committee

2/25/15

# ROCHESTER POLICE DEPARTMENT



23 WAKEFIELD STREET  
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127  
FAX (603) 330-7159  
[www.rochesterpd.org](http://www.rochesterpd.org)

*"Dedication, Pride, Integrity"*

POLICE COMMISSION

LUCIEN G. LEVESQUE  
*Chairman*  
BRUCE E. LINDSAY  
*Commissioner*  
DEREK J. PETERS  
*Commissioner*

MICHAEL J. ALLEN  
*Chief of Police*

CITY OF  
Received

FEB 13 2015

City Manager

February 10, 2015



TO: Daniel Fitzpatrick  
City Manager

FROM: Michael J. Allen  
Chief of Police

RE: Wrecker Contracts for 2015/16

Dear Mr. Fitzpatrick:

Attached are the wrecker contracts for the 2015/16 term. They require your signature as the head of the licensing board.

Sincerely Yours,  
  
Michael J. Allen  
Chief of Police

2/25/15

# ROCHESTER POLICE DEPARTMENT

POLICE COMMISSION

LUCIEN G. LEVESQUE  
*Chairman*  
BRUCE E. LINDSAY  
*Vice Chairman*  
DEREK J. PETERS  
*Commissioner*



MICHAEL J. ALLEN  
*Chief of Police*

23 WAKEFIELD STREET  
ROCHESTER NH, 03867-1933

BUSINESS (603) 330-7127  
FAX (603) 330-7159  
[www.rochesterpd.org](http://www.rochesterpd.org)

*"Dedication, Pride, Integrity"*



January 29, 2015

TO: Daniel Fitzpatrick  
City Manager

FROM: Michael J. Allen  
Chief of Police

RE: Computer Lease Program Request – Robert Frechette

CITY OF  
Received  
FEB 3 2015  
City Manager  
ROCHESTER

Dear Mr. Fitzpatrick:

I have received a request from an employee to participate in the City's computer lease program. I have reviewed the request and associated documents and find that approval of the request will benefit the employee.

I support the participation. I have attached the request for your further review and offer my thanks in advance for your consideration.

Please let me know if you need anything further from me in this regard.

**FORM A**

(To be completed by the employee and returned to the City Manager)

**TO: DAN FITZPATRICK, CITY MANAGER**

**FROM: Jarrod Wheeler, Fire Fighter**  
(name, department & title)

**SUBJECT: REQUEST TO PARTICIPATE IN EMPLOYEE COMPUTER LEASE/PURCHASE PROGRAM**

I have read and understand the terms and conditions of the Employee Computer Lease/Purchase Agreement and I wish to be considered for participation in the plan. I request the City reimburse me after I have made the purchase and submitted an itemized vendor=s receipt. I understand that this request must be approved by the City and that I must complete a lease purchase agreement before I purchase the equipment. I understand that my request will be evaluated based upon my application to purchase equipment meeting or exceeding minimum recommended specifications system requirements which are subject to change based on the latest hardware technologies. I understand that only brand name, new equipment which must include an industry standard manufacturer=s warranty will be considered for this program.

Attached is a quote which describes the equipment intended to be acquired through this program.

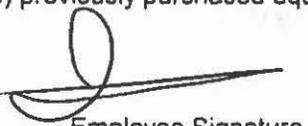
The estimated cost of the equipment to be acquired: \$ 1,200 (not to exceed \$2,000)

Please provide a brief narrative explaining how participation in this program may enhance your computer literacy skills and assist you in your work activities with the City of Rochester.

This will assist me in continuing my Fire service education. Also will allow me to complete Reports in a timely fashion.

I have  have not \_\_\_\_\_ (check one) previously purchased equipment under this program.

2/13/15  
Date

  
Employee Signature

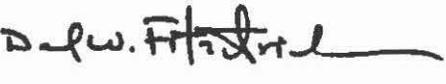
I have reviewed and recommend this request:

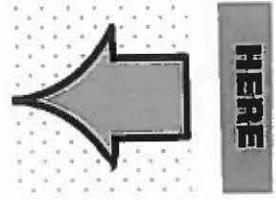
2/13/15  
Date

  
Supervisor or Department Head and Title

Approved:

FEB 17 2015  
Date

  
City Manager or designee





CITY OF  
Received  
FEB 4 2015  
City Manager  
ROCHESTER

Chief Michael Allen

Rochester Police Department  
23 Wakefield Street  
Rochester NH 03867

Dear Chief Allen,

My name is Paul Fennessy and I am the Financial Center Manager at Bank of America, Rochester. I would like to thank and commend the members of your force on the quick response time in responding to the robbery at our bank on Tuesday 01/20/2015. I am equally impressed with the very timely apprehension of the suspect in this crime. It was very comforting to my team to know that he was arrested so quickly.

I recognize that this profession is not one that always receives the respect and appreciation due the people who serve. I want to applaud the professionalism of your team and the care they took in interacting with me and my team. I didn't get all of the names but can call out Captain Gary Boudreau, Lt. Jason Thomas (first through the door), Det. Joe Rousseau, Sergeant Patrick Emerson, canine officer Keith Mackenzie, Chris Mangum, and numerous others whose names and ranks I do not have at my disposal, but I am sure it is easy for you to know and recognize the responders. I am sorry not to call them out individually as they deserve the recognition.

Thank you so much for inspiring such a great team and for the care that they take of the community despite being pulled in many challenging directions. I will surely forward copies of this to the mayor and council to advise them of the tremendous asset the Rochester PD is to the community.

Sincerely,

Paul Fennessy  
Financial Center Manager  
Bank of America  
66 S Main Street  
Rochester NH 03867

cc: City Manager  
Daniel Fitzpatrick

## Council Inquiry report 20150302

NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION
1	Walker	11/20/2014 Public Works Committee	Councilor Walker asked that Mr. Nourse look into the cost of addressing the Chelsey Hill drainage concerns stated and to report back to the Committee.	DPW is working on. Mr. Bezanson to look into.
2	Keans	11/20/2014 Public Works Committee	Asked if the concrete that had been splashed up onto the Library step bricks could be cleaned off.	Mr. Nourse stated that he would look at it. Mr. Sylvester to look into and let Mr. Bezanson know.
3	Varney	12/2/2014 City Council - regular	Councilor Varney requested that the two TIF District Reports [annual] be provided at the next City Council Workshop. He questioned if there would be any revenue left to be transferred to the General Fund once all expenses were paid. Councilor Varney said these reports and what is in the reports must be provided according to State Law.	<b>TIF committee will be meeting 1/30/2015. This item in on the February Finance Committee agenda. Item closed.</b>
4	Gates	12/4/2014 Codes & Ordinances	Councilor Gates asked that an invitation be sent to Mr. Hopkins, Superintendent of Schools, to attend the next Codes and Ordinances meeting. Then he could advise them as to why he opposes the polling locations at the schools.	<b>Received email response for committee. Item closed.</b>
5	Lachapelle	12/4/2014 Codes & Ordinances	Councilor Lachapelle asked that Attorney Wensley look at Chapter 23 (23.14 and 23.15) and draft these items in legal form.	Attorney Wensley is working on.
6	Jean	12/10/2014 Finance Committee	Inquired as to whether the letter has been sent regarding Eastern Avenue as was requested?	<b>Planning sent a letter. Will send a copy to CM's office. Item closed.</b>
7	Keans	12/10/2014 Finance Committee	Inquired as to whether a former car wash now being used by an overhead door company has sought & received the appropriate change of use approvals	The property owner has completed the necessary paperwork and going through the process. Planning will be reviewing.
8	Walker	12/17/2014 - Public Safety Committee	Councilor Walker asked Ms. Pollard to send an e-mail to the mayor to ask the Governor of NH for assistance with the Ten Rod Road Business Park signage matter.	<b>This item is closed.</b>
9	Bogan	1/22/2015 Community Development Committee	Granite Ridge District - whether or not Market Basket will close its current location to move to the development.	<b>This item has been answered and is closed.</b>

## Council Inquiry report 20150302

10	Varney	1/13/2015 Finance Committee	Councilor Varney requested data showing how many taxpayers receive both the Veterans Tax Credit as well as the Elderly Exemption.	<b>This item will be addressed at the Finance Committee. Item closed.</b>
11	Larochelle / Keans	1/13/2105 Finance Committee	Councilor Larochelle stated his preference for further work to detail a semi-quantitative method to evaluate proposed utility extension. Requested that Director Nourse follow up with Pennichuck and seek a copy of such rating matrix they might utilize. Councilor Keans pointed out that all entities cited were private companies and information should be sought from other municipalities; such as Dover & Somersworth.	Will get clarification from Finance Committee
12	Jean	1/13/2015 Finance Committee	After a brief discussion, Mayor Jean directed the City Manager to have the Building, Zoning & Licenses Department conduct an assessment of the property regarding such issues as life safety, structural and overall general conditions. The City Manager is also to report back as to whether the property is currently inhabited and the legal status of any inhabitants.	<b>Finance Committee determined that the city is not interested in taking ownership of the property. Finance Dept will draft response to Wells Fargo. Item is closed.</b>
13	Walker	1/21/2015 Public Safety Committee	Councilor Walker asked Mr. Bezanson to send a letter to the woman who requested the signs to let her know it was a state maintained road and they no longer place "no littering \$250 fine" signs.	<b>This letter was sent. Item closed.</b>

DATE	DEPARTMENT	PERMISSION PERMITS	MISCELLANEOUS
2/13/2015	City Manager's Office	BANNER	Chamber of Commerce - Holiday Parade
1/28/2015	City Manager's Office	EVENT	Northeast Expositions - gun show
2/11/2015	City Manager's Office	EVENT	Children's Dyslexia Center - 5K
2/13/2015	City Manager's Office	EVENT	Chamber of Commerce - Tree Lighting
2/13/2015	City Manager's Office	PARADE	Chamber of Commerce - Parade
2/13/2015	City Manager's Office	RAFFLE	Chamber of Commerce - Raffle
2/13/2015	City Manager's Office	TAG	Corinne's School of Dance
2/13/2015	City Manager's Office	TAG	Chamber of Commerce
2/20/2015	City Manager's Office	TAG	DAV - Forget Me Not Drive - June
2/20/2015	City Manager's Office	TAG	DAV - Forget Me Not Drive - July
2/23/2015	City Manager's Office	TAG	Farmington 500





**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	<b>Non-Meeting with Attorney Upton regarding a Personnel Matter</b>
----------------	---

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	<b>March 3, 2015</b>		
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**

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

**LEGAL AUTHORITY**

**RSA 91-A:2,I(b) "Consultation with Legal Counsel"**

**SUMMARY STATEMENT**

**Attorney Upton will be reviewing with the Council a recent court decision that impacts collective bargaining.**

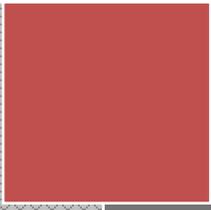
**RECOMMENDED ACTION**

**None.**

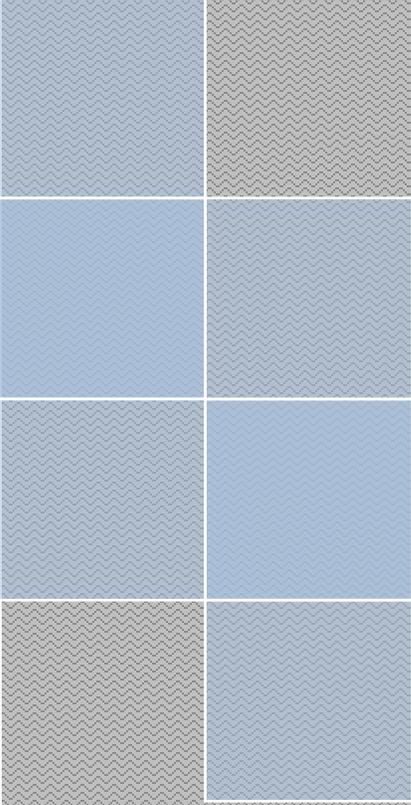
**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH  
PROPOSED  
CITY OF ROCHESTER  
MULTI-YEAR COLLECTIVE BARGAINING  
AGREEMENT WITH  
THE AMERICAN FEDERATION OF STATE, COUNTY  
AND MUNICIPAL EMPLOYEES (AFSCME)  
LOCAL 863  
(Public Works Employees)**

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 American Federation of State, County and Municipal Employees Local 863 Bargaining Unit, covering the period July 1, 2015 to June 30, 2018, as set forth in the proposed contract, and as more particularly detailed on the attached **"EXHIBIT A: AFSCME Cost Items - March 2015,"** 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.



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### 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	<b>AFSCME CBA</b>
----------------	-------------------

COUNCIL ACTION ITEM <input checked="" type="checkbox"/>	INFORMATION ONLY <input type="checkbox"/>
---	---

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

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

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

AGENDA DATE	<b>March 3, 2015</b>		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	<b>February 20, 2015</b>		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	<b>2</b>	

#### 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**

A tentative collective bargaining agreement (TA) was reached between negotiators for the American Federation of State, County and Municipal Employees (AFSCME) and the City of Rochester. Details of this TA were detailed for the City Council on February 17, 2015. Per RSA 273-A:3, II(c) "Within 30 days of the receipt of the submission, the city council ... shall vote to accept or reject the cost items. If the city council ... rejects any part of the submission, or while accepting the submission takes any action which would result in a modification of the terms of the cost item submitted to it, either party may reopen negotiations on all or part of the entire agreement."

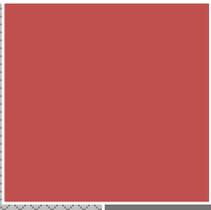
**RECOMMENDED ACTION**

**Acceptance of the CBA.**

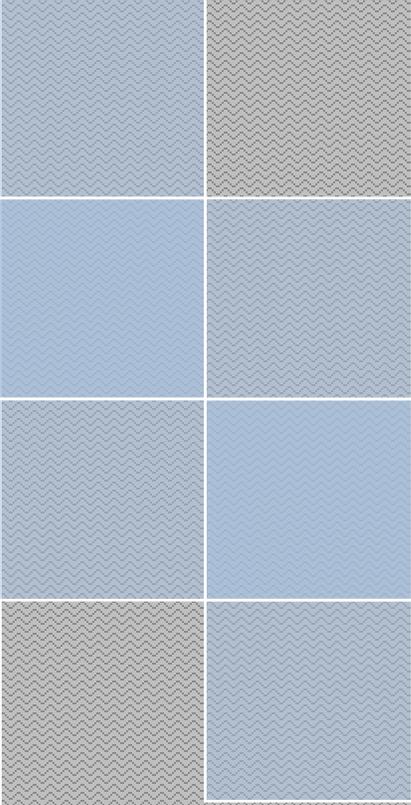
**AFSCME - City Proposal**

City Health Contribution	80/20	100/0	93/7	87/13	80/20
Health Plan	HMO \$20 copay RX 10/20/45 DED \$250/750	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			5%	5%	5%
MERIT		0-4%	0-4%	0-4%	0-4%
	<b>Current FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18</b>	<b>FY19</b>
<b>Wages</b>					
Base Wage	1,669,200	1,669,200	1,777,599	1,830,927	1,885,854
EE to minimum merit		10,073			
longevity		46,550			14,700.00
Total Wages	1,669,200	1,725,824	1,777,599	1,830,927	1,900,554
Dollar Change		56,624	51,775	53,328	69,628
<b>% Change</b>		<b>3.39%</b>	<b>3.00%</b>	<b>3.00%</b>	<b>3.80%</b>
<b>Benefits</b>					
Social Security	103,490	107,001	110,211	113,517	117,834
Medicare	24,203	25,024	25,775	26,548	27,558
Health Insurance	551,047	574,055	560,565	550,619	531,632
Opt Out	9,800	9,800	9,800	9,800	9,800
Life Insurance	3,005	3,106	3,200	3,296	3,395
Disability	19,272	19,925	20,523	21,139	21,943
Total Rollups	710,817	738,912	730,074	724,919	712,162
Dollar Change		28,095	(8,839)	(5,154)	(12,758)
<b>% Change</b>		<b>3.95%</b>	<b>-1.20%</b>	<b>-0.71%</b>	<b>-1.76%</b>
<b>Totals</b>					
Total Wages Benefits and Rollups	2,380,017	2,464,736	2,507,672	2,555,846	2,612,716
Dollar Change		84,719	42,936	48,174	56,870
<b>% Change</b>		<b>3.56%</b>	<b>1.74%</b>	<b>1.92%</b>	<b>2.23%</b>

49 Total Employees - 100% FT



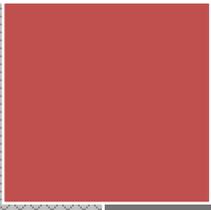
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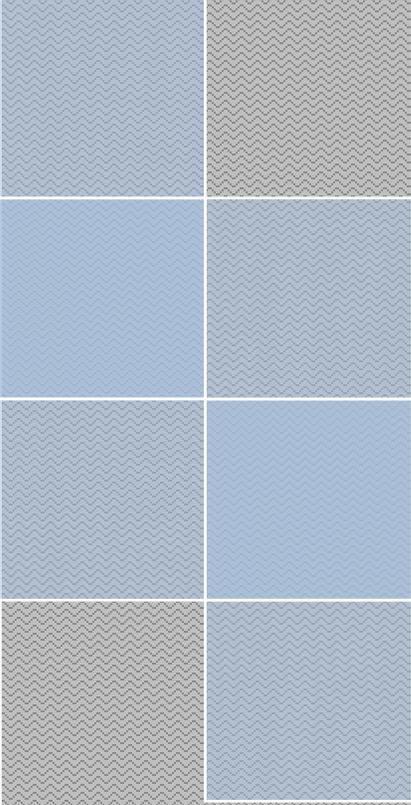
**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH  
PROPOSED  
CITY OF ROCHESTER  
MULTI-YEAR COLLECTIVE BARGAINING  
AGREEMENT WITH  
THE AMERICAN FEDERATION OF STATE, COUNTY  
AND MUNICIPAL EMPLOYEES (AFSCME)  
LOCAL 93  
(School Department Custodial, Grounds  
and Skilled Employees)**

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 American Federation of State, County and Municipal Employees Local 93 Bargaining Unit, covering the period July 1, 2014 to June 30, 2017, as set forth in the proposed contract, and as more particularly detailed on the attached **"EXHIBIT A: AFSCME Cost Items - March 2015,"** which includes a summary financial analysis of the annual costs of the contract to the City provided by the Rochester School Department Business Administrator, is hereby approved.



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**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	<b>AFSCME CBA - School Department</b>
----------------	---------------------------------------

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

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

AGENDA DATE	<b>March 3, 2015</b>	
DEPT. HEAD SIGNATURE		
DATE SUBMITTED	<b>February 20, 2015</b>	
ATTACHMENTS YES <input type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	
CITY MANAGER	

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

**RSA 273-A Public Employee Labor Relations**

**SUMMARY STATEMENT**

A tentative collective bargaining agreement (TA) was reached between negotiators for the American Federation of State, County and Municipal Employees (AFSCME) and the School Department of the City of Rochester. Details of this TA were detailed for the City Council on February 17, 2015. Per RSA 273-A:3, II(c) "Within 30 days of the receipt of the submission, the city council ... shall vote to accept or reject the cost items. If the city council ... rejects any part of the submission, or while accepting the submission takes any action which would result in a modification of the terms of the cost item submitted to it, either party may reopen negotiations on all or part of the entire agreement."

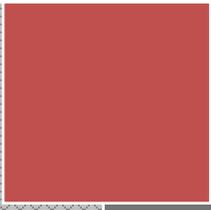
**RECOMMENDED ACTION**

**Acceptance of the CBA.**

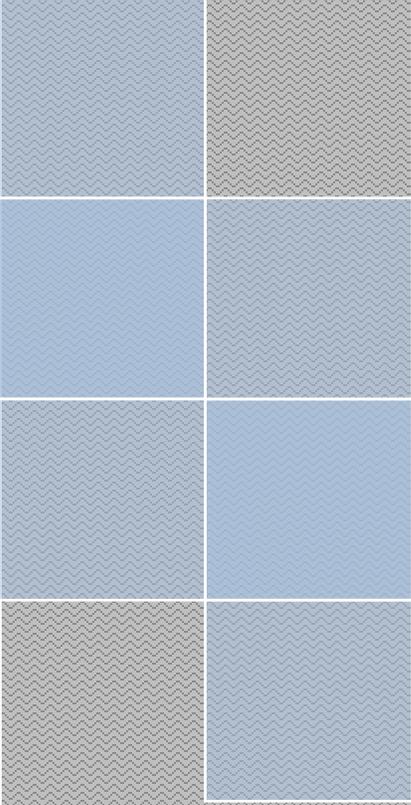
Rochester School Department  
AFSCME Salary Calculations

	<u>Starting Salary</u>	<u>Merit</u>	<u>%</u>	<u>Total Salary</u>	<u>%</u>	<u>FICA</u>	<u>Health Ins</u>	<u>Dental</u>	<u>Total</u>	<u>% Increase</u>
<b>Based on 2% Merit and 80% of the HMO Health Plan and starting FY 2016 HMO-MTBSOS plan</b>										
Current				1,291,060.16		98,766.10	373,719.58	6,366.36	1,769,912.20	
FY2014-2015	1,291,060.16	25,821.20	2.0%	1,316,881.36	2.0%	100,741.42	397,064.98	6,366.36	1,821,054.13	2.9%
FY2015-2016	1,316,881.36	26,691.17	2.0%	1,343,572.53	2.0%	102,783.30	434,513.22	6,684.68	1,887,553.73	3.7%
FY2016-2017	1,343,572.53	27,438.02	2.0%	1,371,010.56	2.0%	104,882.31	316,576.41	7,018.91	1,799,488.18	-4.7%

Exhibit A: AFSCME Cost Items - March 2015



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*City of Rochester, New Hampshire*

OFFICE OF THE MAYOR

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

[www.RochesterNH.net](http://www.RochesterNH.net)

**PROCLAMATION**

**WHEREAS,** Read Across America Day provides an opportunity to excite children about reading; and

**WHEREAS,** Families should play an active role in this effort by reading to their children at least 20 minutes a day; and

**WHEREAS,** this will provide your child with the love for books and knowledge as well as spending precious time with loved ones experiencing the wonder of a good story together; and

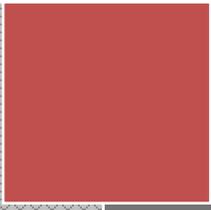
**WHEREAS,** the Read Across America program is a national celebration of Dr. Seuss's birthday. This program promotes reading and adult involvement in the education of our community's students.

**NOW, THEREFORE,** I, Thomas J. Jean, Mayor of the City of Rochester do proclaim March 2, 2015 as "Read Across America Day" in the City of Rochester and call upon our citizens to assure that every child is in a safe place reading together with a caring adult.

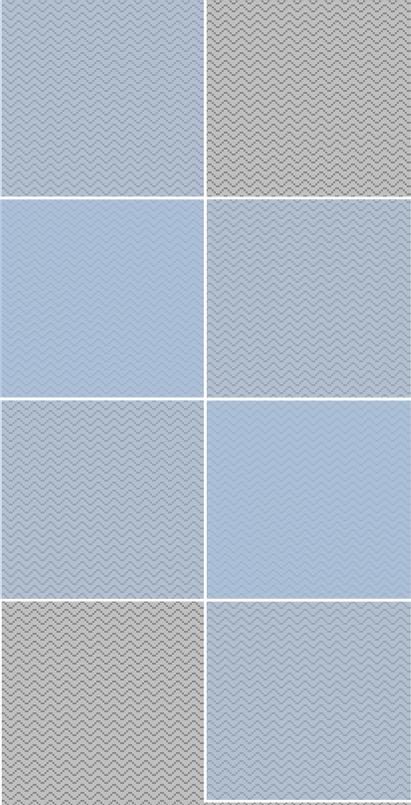
**IN WITNESS WHEREOF,** I hereunto set my hand and caused the seal of the City of Rochester to be affixed on this 2<sup>nd</sup> day of March in the year of our Lord two-thousand and fifteen.

---

Thomas J. Jean  
Mayor



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2/25/15

February 23, 2015

Kelly Walters, City Clerk  
Rochester, NH

RECEIVED  
FEB 23 2015  
CITY CLERK'S OFFICE  
ROCHESTER, NH

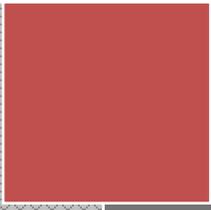
To Whom It May Concern –

I hereby resign from my position as Election Moderator for Ward 5, Rochester, NH, effective immediately.

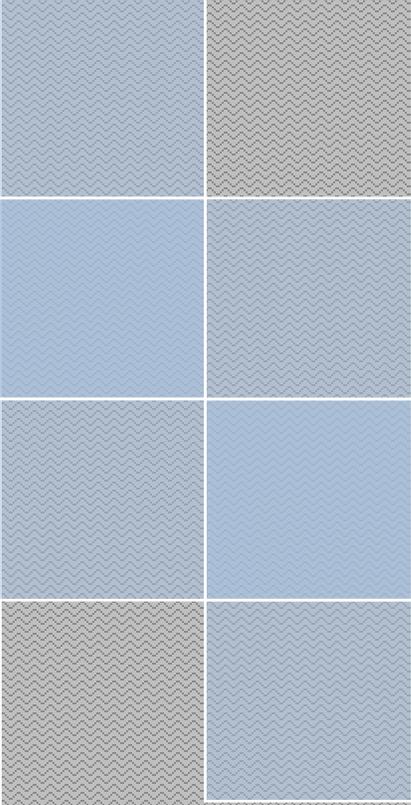
Signed,

A handwritten signature in blue ink, appearing to read 'T. P. D'Arcy', with a long horizontal stroke extending to the right.

Thomas P. D'Arcy



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## Reports of Committees

February 2015

- Appointments Committee – 02/03/2015
- Codes and Ordinances Committee – 02/05/2015
- Community Development Committee - Forthcoming
- Finance Committee – 02/10/2015
- Public Safety Committee – 02/18/2015
- Public Works and Building Committee – 02/19/2015

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**Appointments Committee Minutes**  
February 3, 2015

**Committee Members Present:**

John Larochelle, Chair  
Jake Collins  
James Gray

Donald Hamann

**Committee Members Absent:**

Sandra Keans

John Larochelle called the meeting to order at 6:20 p.m. on February 3rd.

**Eric Adema - Arts & Culture Commission**

Eric comes from a family background in the restaurant business and is planning to open a coffee shop in the downtown. He has experience in the production of a variety of entertainment events in venues such as theater, fairs and festivals. In this capacity he has worked with several well known artists.

The Appointments Committee unanimously recommends Eric Adema for appointment to the Arts & Culture Commission, term to expire July 1, 2018.

**Kristin Ebbeson - Rochester Economic Development Commission - REDC**

Kristin is the new business owner of RiverStones Custom Framing on 33 Main Street and is interested in the economic development of Rochester and is excited about the downtown becoming a vibrant destination. She has a background in technical writing and offers an analytical approach and ability to see the "big picture" .

The Appointments Committee unanimously recommends Kristin Ebbeson for appointment to the REDC, term to expire January 2, 2018.

Respectfully submitted,

John Larochelle, Chair

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**CODES AND ORDINANCES COMMITTEE**  
Of the Rochester City Council  
**Thursday February 5, 2015**  
City Council Chambers  
31 Wakefield Street, Rochester, NH  
7:00 PM

**Committee Members Present**

Councilor Peter Lachapelle, Chair  
Councilor Elaine Lauterborn, Vice Chair  
Councilor Robert Gates  
Councilor Donna Bogan  
Councilor Ray Varney

**Others Present**

Jim Grant, Director of BZLS  
Councilor Gray  
Councilor Collins  
Councilor Keans  
Peter Cutrer, Deputy Fire Chief  
Michelle Mears, Planner

**MINUTES**

**1. Call to Order**

Councilor Lachapelle called the Codes and Ordinances Committee meeting to order at 7:00 PM. All committee members were present..

**2. Public Input**

No member of the public addressed the Codes and Ordinances at that time. Councilor Lachapelle closed public input at 7:01 PM.

**3. Approval of the Codes and Ordinances Committee Minutes**

- **December 4, 2014**

Councilor Gates **MOVED** to **ACCEPT** the Committee minutes of December 4, 2014. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**4. Chapter 23 Fire Prevention Ordinance**

Peter Cutrer, Deputy Fire Chief, addressed the Codes and Ordinances Committee with revisions to the proposed amendments to Chapter 23. He explained that he is back before the committee because of concerns that arose from the February 3, 2015, City Council meeting.

Councilor Keans explained that she had an issue with the title "Certificate of Fitness." She felt that from the sound of it, this indicates that the contractor has passed some standard of training and education to be certified by the City, but the City will not be giving any test.

Councilor Keans also expressed concerns that a lot of this is not mandatory, but required for safety and this could turn into a full time job. She would like to see a disclaimer added stating that the Fire Department will not arbitrarily uphold this agreement. Her other concern was the City being sued for licensing one company and not another. It might be considered a restriction of trade. She does understand that this is about safety.

The committee discussed the different titles for this type of license/registration. They reviewed other communities' programs on this issue.

Councilor Keans did agree that if one of these companies was going to be shutting down a fire system that the Fire Department should be made aware of it; it does make sense to have an agreement.

Councilor Varney asked how the contractor was going to be certified. Councilor Keans stated that they were not. Mr. Cutrer concurred.

Mr. Cutrer confirmed that the issues that Councilor Keans had were with certifying a contractor and possibly getting sued as a result of this agreement. He will be addressing these two issues by explaining the NFPA code, explaining that he sits on four technical committees for them. He gave committee members a handout of the NFPA Fire Code pertaining to the "Certificate of Fitness."

Mr. Cutrer explained that the City cannot make any changes to the NFPA code, but as a municipality they can change the language in their ordinance when it comes to naming the license. He read the committee sections 1.13.4 and 1.13.10, (number six), which pertains to the two issues.

Mr. Cutrer cited that local businesses are getting ripped off by unethical contractors. He gave a couple of examples of these situations and explained that he has caught two contractors without permits or licenses. Councilor Keans asked if they put this license into effect what could be done to those contractors. Mr. Cutrer said that it may sound harsh, but they can be punished. He explained the process. Councilor Keans stated that this will not stop all of these types of contractor. He agreed, but now they would be able to fine them \$175. Mr. Grant mentioned that it is \$100 right now and

Mr. Cutrer is proposing the \$175. Mr. Cutrer mentioned that if a contractor makes an honest mistake they will not be looking to fine them.

Mr. Cutrer said that this license will help contractors that want to play by the rules. If they want to work in the City they will need to have one of these agreements. He went on to explain further that other communities in New Hampshire have this.

Councilor Keans asked if a contractor needs to be licensed to install a sprinkler system. Mr. Cutrer stated that they did not need a license and in New Hampshire there is no license for anything they are proposing. Councilor Keans and Mr. Cutrer discussed this further.

Councilor Varney asked that if electricians and plumbers need licenses, why not these contractors. If this is the case, how will they prevent businesses from getting a bad contractor. He asked how would a business know if they hold this license. Mr. Cutrer said that they would be published on their website. Councilor Keans felt that this could pose a lawsuit. Councilor Varney questioned how are they going to catch these contractors before they leave town; are they going to do an inspection? Mr. Cutrer explained that before they do any work they need to pull a permit and, in this case, it would be a sprinkler permit. They would need plans to be reviewed by the Fire Department and then they would go through the Building, Zoning and Licensing Services.

Mr. Cutrer explained that it is pretty easy right now to get one of these permits. Councilor Varney asked if the proposed license would fix this. Mr. Cutrer stated it would. The contractor or applicant would need to prove to the Fire Department they have the credentials, such as a NICET or Electrical License, to do this type of work. The BZLS would not issue a permit until they have gotten the approval of the Fire Department. Councilor Keans asked where to find the criteria the contractor would have to meet. He read her the NFPA code, which explained this.

Councilor Gates asked how they were going to educate the businesses that they need a licensed contractor when it comes to these systems. He feels that most businesses would get a series of estimates and would most likely go with the lowest priced one. Mr. Cutrer agreed, but it is going to cost them more in the long run. He went on to explain that after the approval and implementation of this amendment they will have a ninety day period to make everyone aware.

Councilor Lachapelle stated he liked the proposed ordinance. Mr. Cutrer explained that there are two positives to this program. Contractors

who do quality work will get a license and they would publish a list on the Fire Department's site stating these are licensed contractors with the City; it will not state if they are recommended. Also, it will not put the City in a position to get sued per the NFPA code 1.13.10 section 6.

Councilor Collins asked Mr. Cutrer about an issue at Safran and how would this pertain to it. Mr. Cutrer briefed the Codes and Ordinances Committee on this issue.

The Codes and Ordinances Committee agreed on titling this document as "Application for Fire Alarm Contractor Listed Agent." Councilor Gray asked that they define "Listed Agent" as it pertains to the certificate of fitness within the ordinance. Mr. Cutrer said that he was going to make the revisions for Chapter 23 and he explained how he was going to list it in the ordinance.

Councilor Varney **MOVED** to present amendments to Chapter 23, Fire Safety Measures, back to the full City Council on March 3, 2015, with revised amendments. Councilor Lauterborn seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Keans asked if they were adopting everything from the NFPA chapter 1.13. Mr. Cutrer explained that not everything was going to be added, just items 5, 6, and 9.

## 5. Discussion: Sign Ordinance, Chapter 42

Michelle Mears, Staff Planner, explained the updated changes the Planning Department is proposing to Chapter 42.29 under Signage since meeting with them in December 2014. She passed out a memo to the committee members.

Ms. Mears stated that this memo represents the recommended changes to portable signs and special promotions, events, and grand opening signs. She explained that they struck out "no more than one such sign may be displayed on any property" when it came to portable signs. She stated that they added two requirements for special promotional signs, adding that they will require a permit and the promotion must take place on the business' premises.

Councilor Varney did not support these types of signs and asked about permanent (pylon) signs. Ms. Mears explained that there are these types of signs at such locations as Shoreyville Plaza, but they cannot be used to

promote. Mr. Grant mentioned that they had discussed allowing plazas with a large road frontage multiple pylon signs.

Councilor Lauterborn said that the business owners that were at the December meeting spoke more about portable signs, such as sandwich boards. She stated these signs would be taken in at night. Councilor Varney said that they are already allowed in the downtown area. Councilor Collins agreed with Councilor Lauterborn when it comes to special promotions and temporary signs, which would be taken in when the business is closed. Ms. Mears said that they can add that requirement to the ordinance. Councilor Varney stated that only one portable sign per business, but when it comes to a plaza they could have several put out and that would look awful. Ms. Mears said they would not be allowed because they would be in a highway zone. Councilor Varney said that in various areas of the City where the speed limits are higher who will even notice these signs.

Councilor Varney asked Ms. Mears about the special downtown overlay and downtown areas. Ms. Mears and Mr. Grant explained them and explained neighborhood mixed use lying in density rings. Councilor Varney did not think they should use the density rings. Mr. Grant explained the use of these was to define the three areas. The committee further discussed the areas that they are looking at.

Councilor Varney said that portable signs should remain on the sidewalk and not in the planting area.

Councilor Lauterborn asked if businesses outside the allowed areas can go to the Zoning Board. Councilor Varney agreed; however, it is difficult.

Councilor Gray asked Mr. Grant if they resolved the issues with the signs on Wakefield Street. Mr. Grant said they are in the process of bringing one to court and the others have taken them down.

Councilor Varney asked Ms. Mears about exempt signs indicated on page 185, 42.29 (j). He commented on political and snipe signs. Ms. Mears explained that was an oversight on her part; they are prohibited. The committee went on to discuss that political signs are a separate issue and they cannot be erected in the City's Adopt-A-Spot areas. Ms. Mears will correct this section. Councilor Varney asked her to also check into 42.29.40 pertaining to political signs.

The Codes and Ordinances Committee discussed 42.29, (m), number 13, [Off-Premise Signs and seasonal signs.] Mr. Grant gave an example that part of this section is due to the fact that some farms are off the road.

Councilor Keans and Councilor Lauterborn felt that these signs are necessary for business. Councilor Varney asked about them being permitted. Mr. Grant commented that maybe these signs need special approval. The Codes and Ordinances Committee felt that this was an option.

Councilor Varney questioned when a person is holding a sign to advertise sales and promotions, is that allowed? Mr. Grant felt that this could be crossing the line with freedom of speech so they could have issues.

Councilor Gray informed the committee on the state RSA 664.17, which pertains to political advertising. Councilor Varney also referred to a letter from Bill Gardner, Secretary of State, which pertained to political signs. Mr. Grant and the Codes and Ordinances Committee discussed that the City does have an ordinance in addition to the state RSA. Councilor Varney explained that per the letter political signs are not allowed on City property. Councilor Gray said that there are three bills currently in committee at the state level addressing this. The Codes and Ordinances Committee briefly discussed this further.

Councilor Varney showed a Power Point presentation of various signs around the City, which the committee discussed with Ms. Mears and Mr. Grant. The Codes and Ordinances Committee discussed that putting signs on light or telephone poles is illegal. Councilor Gray expressed there could be concerns if the poles are privately owned. The committee discussed seeking permission from the companies that own the poles, which would allow the City to remove signs from them.

The Codes and Ordinances Committee discussed banners, which are usually placed on fences around the City. In most cases they are temporary and promoting a charitable organization. Mr. Grant briefly discussed these types of signs with the committee.

Councilor Varney asked about promotional flags and the inflatable characters. Ms. Mears said that she would like to work on this issue. Mr. Grant explained at this time they are allowed.

The committee touched on interior signs, which are permitted, with the exception of the Historic District, where they shall not exceed twenty-five percent of the window area. Also discussed were yard sale signs and banner signs.

Councilor Keans and Councilor Lauterborn said that they had seen vehicles parked on the side of the road and in lots and are displaying

advertising. Mr. Grant said that was allowed under the current ordinance, 42.29 (i) 4, but they are looking to address this.

Councilor Varney asked how are they going to educate the public. He felt they needed adequate time to be in compliance. Councilor Lauterborn thought they could allow them a verbal warning for the first notice. Councilor Keans mentioned that they could work with the City Manager's office to help with getting information out.

Mr. Grant wanted to follow up on parked vehicles as advertising. He stated that it is listed under 42.29 (i), 5 [prohibited signs], of the ordinance, which he read to the committee.

Councilor Lachapelle agreed that there is more work to be done to the proposed ordinance and it will be staying in committee at this time. Ms. Mears stated that she will continue to work on the proposed changes and bring it back to the Codes and Ordinances Committee in March at the next scheduled meeting.

## **6. Discussion: Panhandling**

Councilor Lauterborn explained her frustration with this issue. The Codes and Ordinances Committee discussed a Civil Liberties case pertaining to this type of ordinance. The Superior Court refused to hear the case and sent it back to the lower court.

Councilor Varney stated that the Police Department has had sixty reports over the last year.

Councilor Lauterborn said that they have given this a good effort and maybe it should be a police matter and could fall under "disorderly conduct." The Codes and Ordinances Committee discussed it further; however, Councilor Lachapelle explained that it will stay in committee and there will be no action at this time.

## **7. Other**

Councilor Gates asked to discuss housing occupancy with the committee as he sees a possible issue with refugees coming into the area. He felt they may need to limit occupancy. He handed out his recommendations, which came from the Durham, N.H., ordinance. Councilor Gates wanted the committee to take preventive steps regarding this issue.

Mr. Grant addressed this issue with the Codes and Ordinances Committee. He gave them examples and explained that it would be hard to enforce. Councilor Gates explained that this ordinance would not pertain to families, but unrelated occupants. Mr. Grant and Councilor Gates debate this further. Councilor Lachapelle expressed that he had concerns with this ordinance.

Councilor Keans asked how would this ordinance deal with rooming houses. Mr. Grant state that the NFPA Fire Codes has regulations for rooming houses.

Mr. Grant and the committee briefly discussed Chapter 25.1, Overcrowding Housing, and 25.2, Multi-Family Dwellings, Posting of Owner and Individual Responsibility Required.

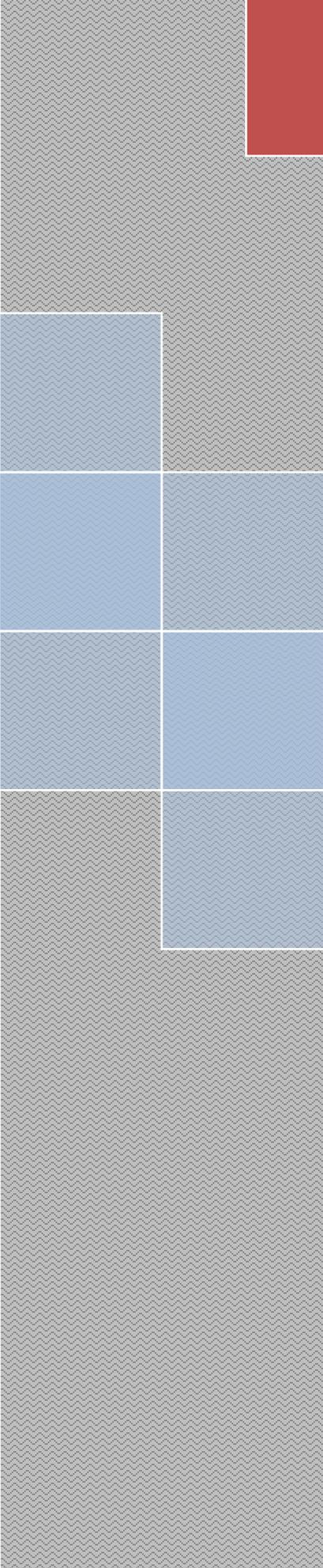
Councilor Lachapelle stated that this issue will be staying in committee at this time. No other business was discussed.

## **8. Adjournment**

Councilor Gates **MOVED** to **ADJOURN** the Committee meeting at 8:25 PM. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Nancy Carignan  
Assistant City Clerk

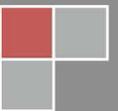


# Community Development Committee Meeting Minutes February 26, 2015

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FINANCE COMMITTEE MEETING

February 10, 2015  
Council Chambers  
7:00 P.M.

Committee Present

Mayor Jean  
Deputy Mayor Varney  
Councilor Keans  
Councilor Laroche  
Councilor Lauterborn  
Councilor Walker  
Councilor Torr

Others Present

Councilor Hamann  
Councilor Gray  
Councilor Bogan  
Councilor Collins

Staff Present

City Manager Fitzpatrick  
Deputy City Manager Cox

MINUTES

1] Call to Order

Mayor Jean called the meeting to order at 7:00 P.M.

2] Public Input

There was no public input.

3] Annual Audit Fiscal Year 2014

Mr. Frank Biron of Melanson Heath, the independent financial audit firm retained by the City, reviewed the Fiscal Year 2014 audit with the Committee. Mr. Biron stated that the City has received a "clean opinion."

Mr. Patrick Mohan, also of Melanson Heath, reviewed the Management Letter associated with the Fiscal Year 2014 audit.

After a brief discussion, the Mayor and several councilors expressed their desire to hold a joint meeting next year when the Fiscal Year 2015 audit is received. The joint meeting would involve the City, School Department and the Trustees of the Trusts Fund.

4] Old Business

4.1 Public Buildings & Grounds Outsourcing

This item was discussed under Agenda Item 8.1.

#### 4.2 Planning and Permitting Software

Mayor Jean reviewed the update information contained in the Committee meeting materials.

Councilor Hamann stated how his participation in the Software Selection Committee had been a very positive experience. He is confident the City will be well served by this process.

#### 4.3 Budget Development Calendar

The Committee discussed three issues pertaining to the Budget Development process calendar. These were:

- a) the Debt Service Analysis should be moved from the end of the budget process to the beginning
- b) the Budget adoption date should not be on the same night as the Public Hearings, and
- c) the Process to review water and sewer rates was discussed

#### 4.4 Glen Street Donation

Deputy City Manager Cox provided the Committee with additional information from Wells Fargo that stipulated the bank would also carry out additional repairs to the property to "cure necessary health, safety, and property preservation issues."

The consensus of the Committee was that it would not be of any value for the City to accept the donation of the property.

### 5] New Business

#### 5.1 Tax Increment Financing District (TIF) Reporting

Deputy City Manager Cox reviewed the Tax Increment Financing (TIF) report contained in the meeting packet pertaining to the Granite State Business Park.

Councilor Varney requested that an annual report also be created pertaining to the Safran-Albany TIF.

#### 5.2 Carney Medical Building Letter from REDC

After a brief discussion, the Mayor determined the consensus of the Committee was that the use of the former Carney Medical Building for City offices, as suggested by the Rochester Economic Development Committee (REDC), was not in the best interest of the City at this time. Mayor Jean stated that he would draft a letter in response to the REDC.

6] Finance Director's Report

Deputy City Manager Cox highlighted two items from the report contained in the meeting packet and he raised two new items as well.

- a) The review of the Assessing process by Municipal Resources (MRI) has begun.
- b) The concept of "leasing" the employee to serve as the Bridging the Gaps Program Coordinator is being pursued by City staff.
- c) The Bond Anticipation Notes for \$18.2 M taken out in December of 2014 will be replaced with permanent financing in March of 2015.
- d) The recent snow events have resulted in 93% of the Winter Maintenance budget being expended. In addition, \$21 K has been moved from General Fund Contingency to fund a road salt purchase to be made later this week.

7] Monthly Financial Statements

There was no discussion on the Financial Statements.

8] Non-Public

Councilor Walker **MOVED** to enter Non-Public session per RSA 91-A:3, II (a) and RSA 91-A:3, II (d). Councilor Lauterborn provided a **SECOND** to the motion which was **ADOPTED** by a unanimous roll call vote.

The Committee entered Non-Public session at 9:14 P.M.

Councilor Walker **MOVED** to exit Non-Public session and to seal the minutes indefinitely. Councilor Larochelle provided a **SECOND** to the motion which was then **ADOPTED** by a unanimous voice vote.

The Committee exited non-public session at 9:40 P.M.

9] Other

Mayor Jean informed the Committee that Public Works Director Nourse will be recognized at next week's City Council Workshop meeting.

10] Adjournment

Councilor Walker **MOVED** to adjourn the Finance Committee meeting. Councilor Lauterborn provided a second to the motion which was **ADOPTED** by a unanimous voice vote.

The meeting adjourned at 9:42 P.M.

Respectfully Submitted,

Blaine M. Cox  
Deputy City Manager

BMC:sam

Public Safety Committee  
 Councilor Chambers  
 February 18, 2015  
 7:00 PM

**MEMBERS PRESENT**

Councilor David Walker, Chairman  
 Councilor Robert Gates  
 Councilor Donald Hamann

**MEMBERS ABSENT**

Councilor Jake Collins  
 Councilor Peter Lachapelle (excused)

**OTHERS PRESENT**

Michael Bezanson, PE City Engineer  
 Councilor James Gray  
 Brian Sylvester, Library Director  
 Captain Paul Toussaint, PD  
 Paul Spencer, 49 Sheepboro Road

Minutes

Councilor Walker brought the meeting to order at 7:00 PM.

1. Public Input

Councilor Walker summarized the issue. Paul Spencer was present to discuss the school bus stop concerns on Sheepboro Road. Mr. Spencer went to the last school committee meeting regarding this issue. He said Mary Moriarty, assistant superintendent of schools, said she checked with the bus company to see if they would reconsider the bus going down Sheepboro Road. The bus company said the road was not wide enough for the school bus. Officer Murphy has been doing a directed patrol in the area. Mr. Spencer said most of the traffic occurs during the grammar school pick up 7:30 AM to 7:40 AM. Councilor Walker stated that he visited this area back in December for a couple of days. He said the people at the bus stop do not have a problem in fact they were a little upset that this was becoming an issue. Councilor Walker said that the city has no jurisdiction with this issue. Councilor Gray asked how much land the city owns. He said that maybe the side of the road could be graded so the vehicles could park off the road. Councilor Walker suggested he contact his school rep. He stated he did and she was shot down as well. Councilor Walker suggested he go to the regular school board meeting which is the second Thursday of each month. Councilor Gray suggested getting a petition signed by everybody on the street that has concerns with the bus stop and Mr. Spencer can bring

the petition to the school board meeting with him. Mr. Bezanson will look at the area to see if it can be graded in the spring.

2. Rochester Public Library-One Way Entrance Signage

Councilor Walker summarized the issue. Brian Sylvester Director of the Rochester Public Library was present to talk about a one way entrance sign. There have been a couple of near misses because there is nothing at the end of the road stating it's a one way. Councilor Gates made a motion to install a "do not enter" sign at the entrance way of library by corner near trees at the discretion of DPW. The motion was seconded by Councilor Hamann. Unanimous voice vote carried the motion.

3. Street light Request-Harry Street, Gonic-Pole 930/2(constituent request through Mayor Jean)

Councilor Walker summarized the issue. He stated that it does meet the street light policy if it is on the Corner Harry Street and Brickyard Drive, if it is on Harry Street in does not meet the street light policy. Councilor Gates made a motion to install a street light at the corner of Brickyard and Harry Streets. The motion was seconded by Councilor Hamann. Unanimous voice vote carried the motion.

4. Timing of Lights at Airport Drive/Rt. 108

Councilor Walker summarized the issue. He sated a couple of people have had problems with the lights when there have been no vehicles coming. This was kept in committee for Mr. Bezanson to review the timing and sensor of the lights.

5. Other

No other requests.

Councilor Gates made a motion to adjourn the meeting, seconded by Councilor Hamann. The motion passed and the meeting adjourned at 7:30 PM.

Respectfully submitted by  
 Laura Miller  
 Secretary II, DPW

**Public Works and Buildings Committee**

**February 19, 2015**

**Council Chambers**

**7PM**

**MEMBERS PRESENT**

Councilor Ralph Torr – Chairman  
Councilor Ray Varney- Vice Chairman  
Councilor Sandy Keans  
Councilor David Walker  
Councilor Donald Hamann

**OTHERS PRESENT**

Councilor James Gray  
Councilor Jake Collins  
Dan Fitzpatrick, City Manager  
Peter Nourse, PE - DPW Director  
Michael S. Bezanson, PE – City Engineer  
Jennifer Hale, PE Acting Construction Engineer & Consultant Tighe & Bond Engineers  
Jason Plourde, PE Tighe & Bond Engineers  
Christopher M. Berg, PE Wright Pierce Engineers  
George Pelletier, 19 Lambert Court  
Phillip & Margaret Tewell, 540 Portland Street  
Stella Goon, 105 South Main – China Palace

**MINUTES**

Chairman Torr called the Public Works and Buildings Committee to order at 7:00 PM.

**1. Approve minutes from January 15, 2015 meeting -**

Chairman Torr requested a recommendation on last month's minutes.

*Councilor Walker made a motion to accept minutes as presented for the January 15, 2015 Meeting. The motion was seconded by Councilor Haman. The Motion passed unanimously.*

**2. Public Input**

No public input.

**3. China Palace / Columbus Ave Parking Lot Extension Project Request**

Mr. Pelletier, owner of 19 Lambert Court stated that he had received a letter from the

DPW stating that this parking lot was being considered for expansion. He stated that he would like to see a copy of a plan to determine how the expansion would affect his property. Mrs. Hale stated that the only plan available is the previous conceptual design plan that was completed by Norway Plains & Associates in 2008. She further stated that to her knowledge that the existing parking lot was completed using this conceptual design and that the scope was reduced to eliminate conflicts with the abutters. Chairman Torr asked how many additional spaces might be added. Mrs. Hale estimated 15 spaces. Mr. Nourse stated that this project was brought to us a few months back at the request of the China Palace owner. He further stated that the City Manager had directed the DPW staff to send out letters to the Lambert Court abutters to notify them that this topic was on this evening's agenda. Chairman Torr asked for an estimated cost to extend the parking lot. Mr. Nourse stated that he does not have the information necessary to give a firm engineers estimate but he stated that it is approximately \$118,000. He further stated that in order to give a good number a preliminary design would need to be done by contracted engineers. This would include survey for existing conditions. Mr. Fitzpatrick asked for an estimate of the cost for a preliminary design. Mrs. Hale stated that it would be approximately \$5000 to \$7500. Councilor Varney suggested that the China Palace submit an application for site plan review. He stated that the project would then be assigned a project number and it would follow the planning process with abutter notifications. Councilor Walker stated that if it is a City Project it wouldn't need to go through that process, but where this is would be a co-funded he too would advise that it follow this process. Mr. Fitzpatrick stated that the City would need a commitment from the China Palace owner. He asked that City Staff obtain the necessary proposal from an engineering firm and then create an invoice for fifty percent of that cost. He stated he would have the proposal mailed to China Palace with an invoice for the fifty percent share and an application for site plan review. Once the City has received a check and a completed application back from the China Palace then the Committee can decide to recommend that the Council take action and fund the other fifty percent of the preliminary design. Phillip Tewell of 540 Portland Street spoke. Mr. Tewell stated that he was here with the owner of the China Palace who would be happy to answer any questions. Mrs. Stella Goon, owner of the China Palace addressed the committee. She stated that she is a long time business owner in Rochester and she is very concerned with the safety of her patrons. She stated that she sees her patrons parking in Walgreens and walking across four lanes of traffic to come in. Mrs. Goon stated that she is willing to commit to this project. She stated she would pay for the fifty percent of the preliminary design.

#### 4. **Milton Road Corridor Study**

Mrs. Hale introduced Jason Plourde of Tighe and Bond Engineers. She stated that Mr. Plourde was here to give a brief presentation on the completed corridor study. Mr. Plourde proceeded with a presentation in which he discussed each intersection. He gave

examples of improvements that could happen now and improvements to be considered as the area is developed. The now improvements included striping the intersection of Norway Plains Road to include an artificial island that would define entrance lane and exit lanes. He suggested trimming trees for better site distance on Milton Road near the turnpike exit ramp and changing the lane signs at the approaches on both the south bound lane on Milton Road and the lane signs exiting the parking lot at the Market Basket. Mr. Plourde also suggested painting a stop bar on Salmon Falls Road at the intersection of Milton Road. The recommendations for future improvements suggested many intersection re-alignments and center turning lanes. The intersection of Salmon Falls Road and Milton Road was discussed at length. Chairman Torr suggested acquiring some of the Lamberts Salvage property to align the intersection rather than taking the Trinkets and Treasures lot and putting a right of way through the properties on the vacant Milton Road Properties. Mr. Plourde stated that he would be presenting this study to the Planning Board at their next meeting and hopefully it will be added to the master plan. Councilor Walker stated that this tool will be used as a guide to determine future impacts and to determine requirements that will be expected for future developments.

#### 5. **Strafford Square**

Mr. Nourse stated that the contract for final design engineering has been approved and awarded to Fay, Spofford and Thorndike (FST). Mr. Nourse stated that FST and City Staff have met with the utility companies and the previous estimates for relocating the utilities to underground were significantly low. Previous estimates were approximately five hundred thousand (\$500,000) to one million (1,000,000) and now they are estimating that it could cost as much as three million dollars to put it the utilities underground. Mr. Nourse stated that he had been hopeful to get the utilities relocated in this calendar year. This would be ahead of the actual construction that should begin in the State of NH fiscal year 2017, or late in calendar year 2016. Chairman Torr asked if we would get the building at 2-4 Walnut Street demolished this year. Mr. Nourse stated that there is a process for that as well due to the NHDOT and Federal funds. He stated that it should be able to be completed this year with non-participating funds. Mr. Nourse stated that Mr. Bezanson has been leading this project and will continue to keep the Committee and full Council informed.

#### 6. **Paving FY2016**

Mr. Nourse distributed the **attached** street list. He stated that the department is going out to bid for paving this spring and it will be important to know what streets should be included for reference in the bid. He stated that if the Committee could make a recommendation at the March meeting the department will be able to get it out to bid in time for the construction season.

#### 7. **DPW Facilities Study / Statistics**

Mr. Nourse distributed the **attached** Community Comparison on DPW Facilities across

the state. Mr. Nourse stated that the document show many comparisons and that demonstrates and supports the need for a new facility in Rochester. Chairman Torr asked for an estimated cost to construct a new facility. Mr. Nourse stated that he estimates the project to be twenty-four million dollars (24,000,000). He stated that would include all furnishings and new equipment. Chairman Varney stated that it is not likely that the City will be able to fund that much money. Mr. Nourse stated that he has split it across 3 budgets at eight million each. Mr. Nourse stated that Dover's recently built facility cost sixteen million and did not include most of the necessary furnishings, tools and equipment. He stated they are still working on getting their building furnished. Mr. Nourse stated that Rochester could build a 10-20 million dollar facility but the Council will need to decide what is needed. Councilor Walker asked if this included a wash bay. Mr. Nourse stated that the plan does include a wash bay. He further stated that the some Councilors consider that a necessity as does staff. Councilor Walker stated that he had heard that when the new State of NH facility is built on the Chestnut Hill Road they might be willing to let us wash vehicles there. Mr. Nourse stated that the new facility should have a wash bay. Mrs. Hale stated that the State of NH building is not yet built and is looking a significant cut backs. She believes one of those cutback is the elimination of a wash bay.

8. **Granite Ridge Development**

Mrs. Hale stated that the City has met with PSNH, now Eversource, and they have come up with an alternate route for the power supply to the development. She stated that although the cost is higher by approximately one hundred thousand dollars, the project is still within budget. Ms. Hale stated that the project is currently out to bid and that five bidders attended the mandatory pre-bid meeting.

9. **Other**

**Samon Falls Road Sewer Extension EDA Project** - Mr. Nourse stated that Christopher Berg of Wright Pierce Engineers is here to update the Committee on the EDA project. He stated there is an opportunity to correct some drainage issues but at a significant cost. Mr. Nourse thought that it was important to keep the committee informed and to have them give the department feedback. Mr. Berg stated that while designing a project his goal is to prevent causing any additional drainage issues to property owners and correcting some issues along the way. He stated that at the culvert nearest to Burke Tree Service we have been discussing raising the roadway. By doing so we would need to install a new box culvert. This could make the road passable during significant rain events, and allow for the installation of a gravity sewer. Leaving the roadway elevation and culvert as it is would require a sewer siphon or a sewer pump station. Wright Pierce is looking at the siphon as an option. Sewer siphons require continual routine maintenance and are avoided when possible. Raising the roadway would create the need for some retaining walls on private properties and could possibly slow the project down due to the need for additional permits and easements. Raising the roadway or leaving it

as is would not change the need for some residents to have private pumping systems; as there will be a few homes that would require it either way. It would drive the cost for the drainage portion of the project up by approximately four to five hundred thousand dollars. Mr. Berg stated that this area did flood during the 2007 and 2008 storms. Councilor Varney suggested that the flooding occurred due to the operation of the Milton Pond Dams. He also stated that he has had discussions with the dam operator and that this may be able to be controlled in the future. All Committee members were opposed to spending additional funds for drainage. Councilor Keans stated that this started as a sewer project and water was added. Councilor Varney stated that the general fund is tight as it is, he did not think adding drainage to the project was a good idea.

**HSIP Salmon Falls Road Project** – Councilor Varney asked if the abutter conflict had been resolved. Mr. Nourse stated it had not. Mr. Nourse stated that Mr. Bezanson is working on this project and would be able to keep them informed.

**Snow Removal – Strafford Square** – Councilor Walker asked if the snow could be knocked down or removed as it is causing issues with safe sited distance.

**TIF District Maintenance** – Councilor Varney asked if the maintenance is being tracked for the Granite State Business Park. Mr. Nourse stated that as in the previous year this will be an estimated cost. Councilor Varney stated that this is important and required by law.

*Councilor Walker made a motion for adjournment at 9:13PM. Councilor Hamann seconded the motion. The motioned passed unanimously.*

Minutes respectfully submitted by Lisa J. Clark, Office Manager Rochester DPW.

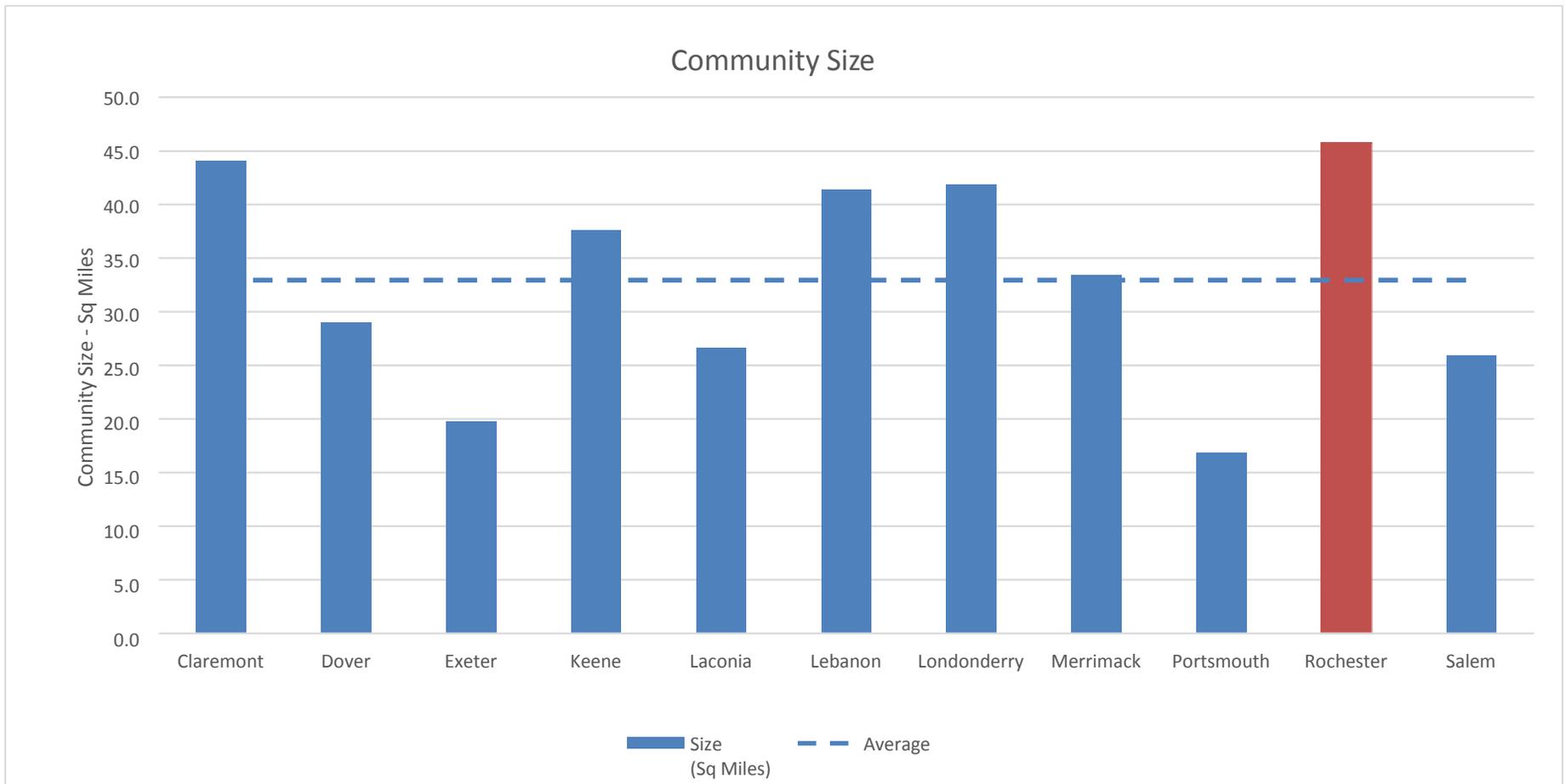


## Community Comparison Raw Data

Community	City (C) Town (T)	Size (Sq Miles)	Population	Density (1,000 Res/Sq Mi)	Miles of Road	Road Density (miles of road per sq mile)	Division Count (Future)	DPW Staff Count	Highway Staff Count	DPW Vehicle Count	DPW Facility Size (\$F)	Age of Facility
Claremont	C	44.1	13,051	0.30	126	2.86	5	33	10	80	13,700	65 yrs
Dover	C	29.0	30,510	1.05	154	5.31	8	65	10	50	53,000	15 yrs
Exeter	T	19.8	14,306	0.72	66.5	3.36	4	38	12	45	29,600	45 yrs
Keene	C	37.6	23,419	0.62	126	3.35	8	69	22	125	76,000	12 yrs
Laconia	C	26.6	16,010	0.60	100	3.76	3	27	6	44	43,000	52 yrs
Lebanon	C	41.4	13,599	0.33	100	2.42	6	48	8	87	34,500	41 yrs
Londonderry	T	41.9	23,236	0.55	180	4.30	3	16	16	31	14,000	41 yrs
Merrimack	T	33.4	25,119	0.75	160	4.79	6	55	26	50	23,000	42 yrs
Portsmouth	C	16.8	21,440	1.28	136	8.10	4	189	58	143	30,150	16 yrs
<b>Rochester</b>	<b>C</b>	<b>45.8</b>	<b>29,745</b>	<b>0.65</b>	<b>180</b>	<b>3.93</b>	<b>4</b>	<b>57</b>	<b>10</b>	<b>59</b>	<b>14,500</b>	<b>63 yrs</b>
Salem	T	25.9	28,112	1.09	210	8.11	2	34	20	96	20,000	36 yrs
Average		32.93	21,686	0.72	139.86	4.57	4.82	57.36	18.00	73.64	31,950	36 yrs
Rochester												
% above or below												
Average		39%	37%	-10%	29%	-14%	-17%	-1%	-44%	-20%	-55%	77%

### Community Comparison Raw Data:

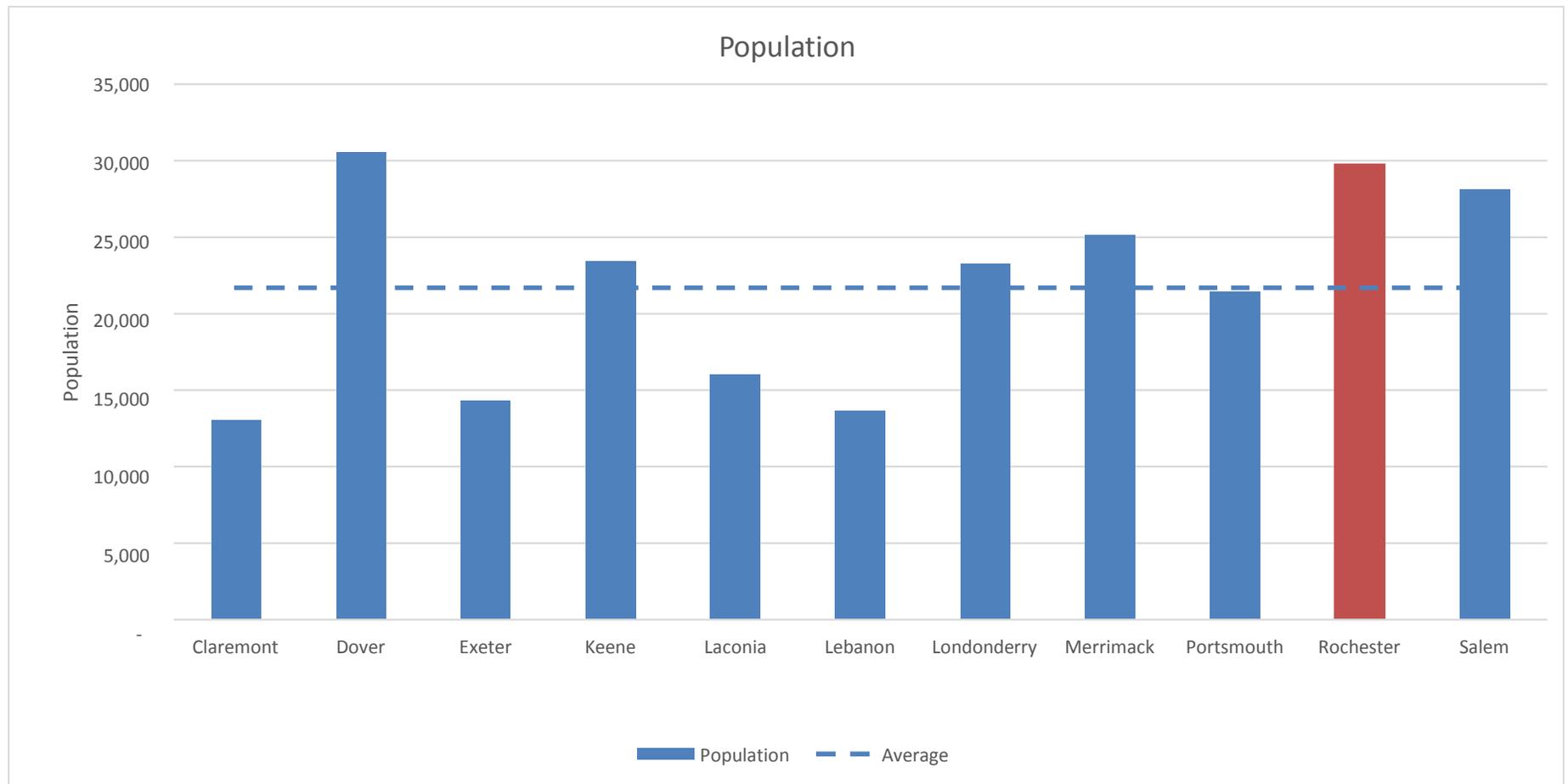
- 10 Similar Communities chosen for comparison
- Rochester slightly larger, more road miles, and more populous than average
- Rochester 40-50% fewer highway staff, vehicles and smaller facility than average
- Rochester DPW building 2<sup>nd</sup> oldest in group



Community Geographic Size

Rochester: 45.80 Square Miles (40% larger than average)

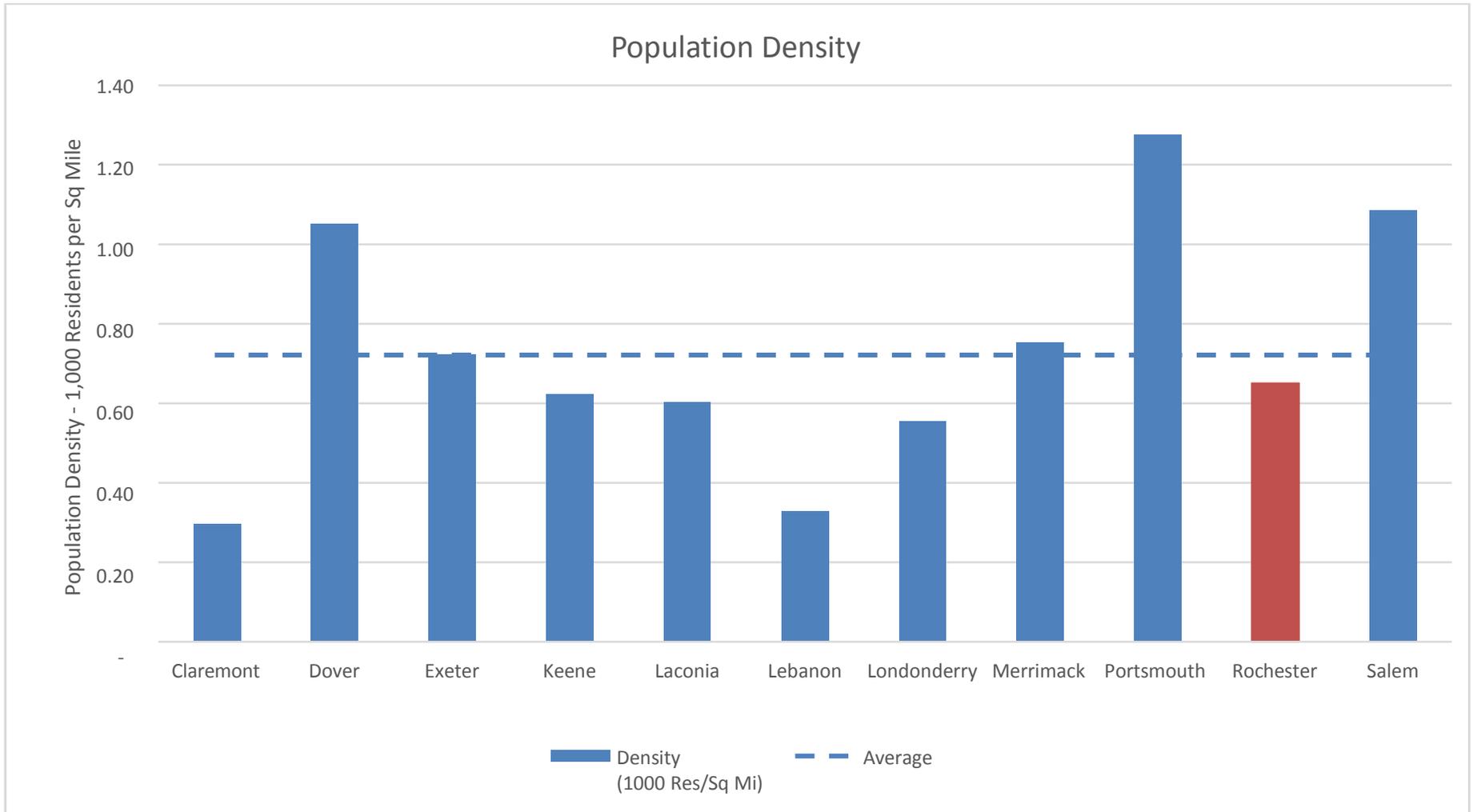
Average: 32.92 Square Miles



Community Population

Rochester: 29,745 Residents

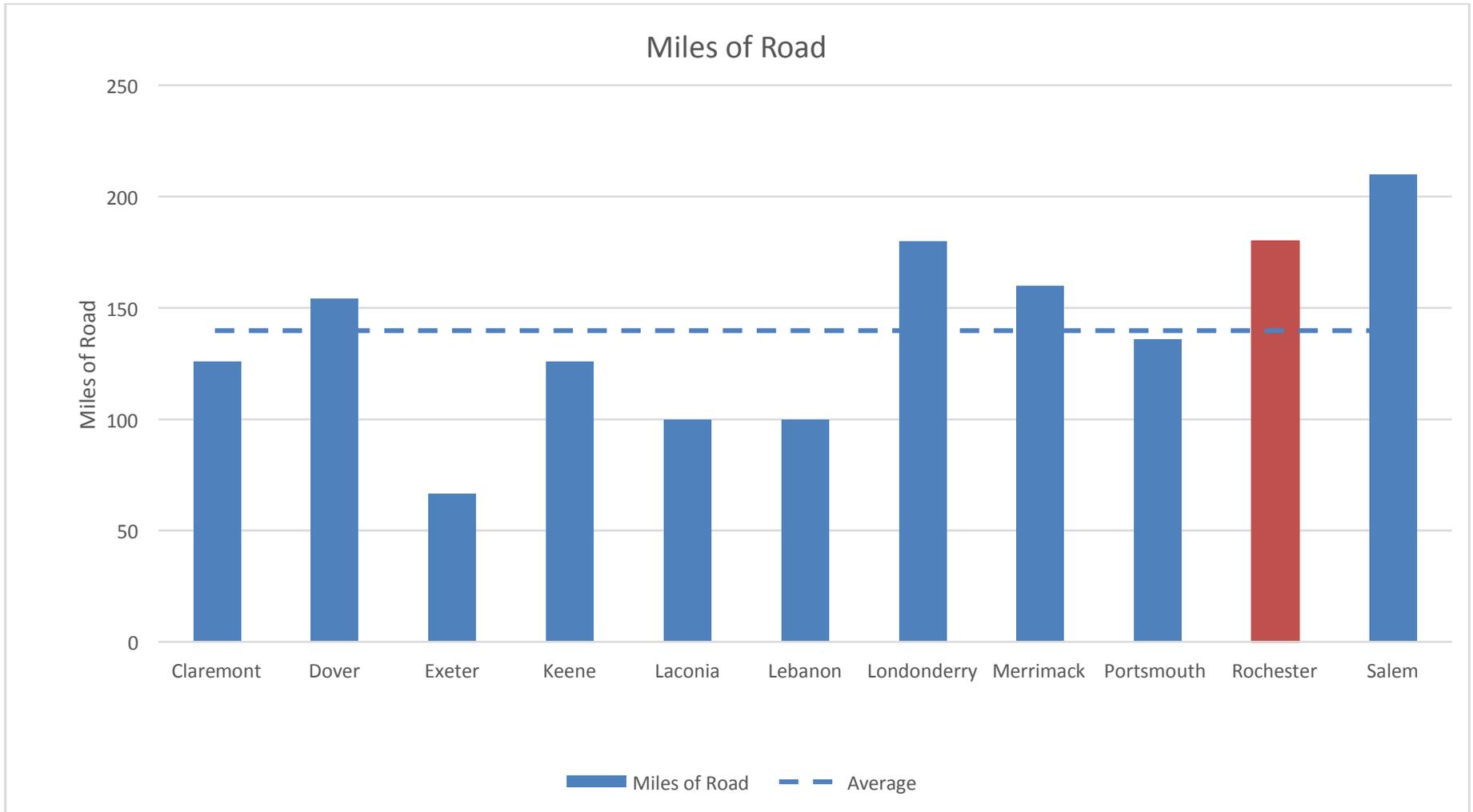
Average: 21,686 Residents



Community Population Density (1,000 Residents per Square Mile)

Rochester: 0.65 (650 Residents per Square Mile)

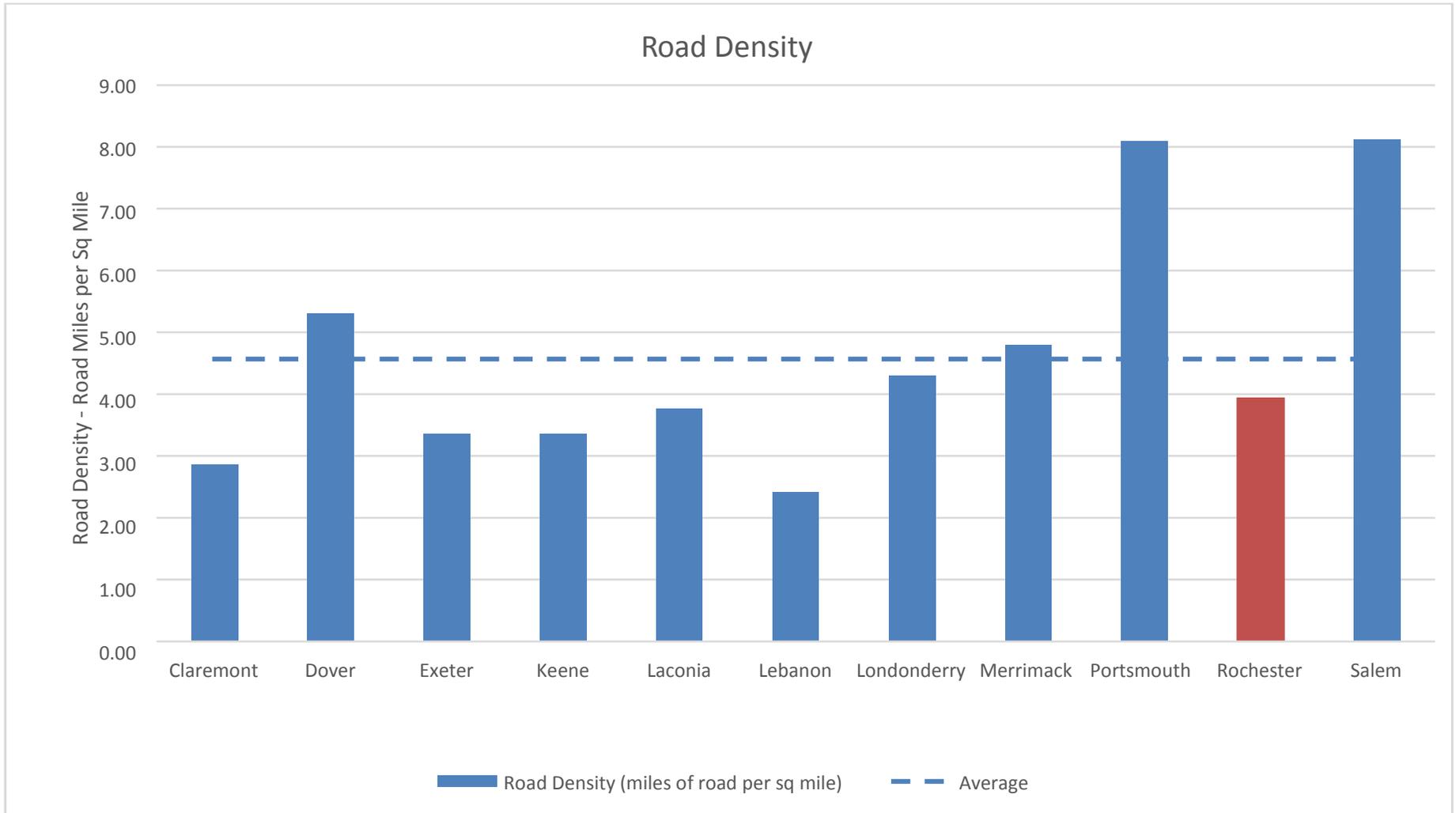
Average: 0.72 (720 Residents per Square Mile)



Miles of Road (Miles of Managed Road)

Rochester: 180 Miles (30% more than average)

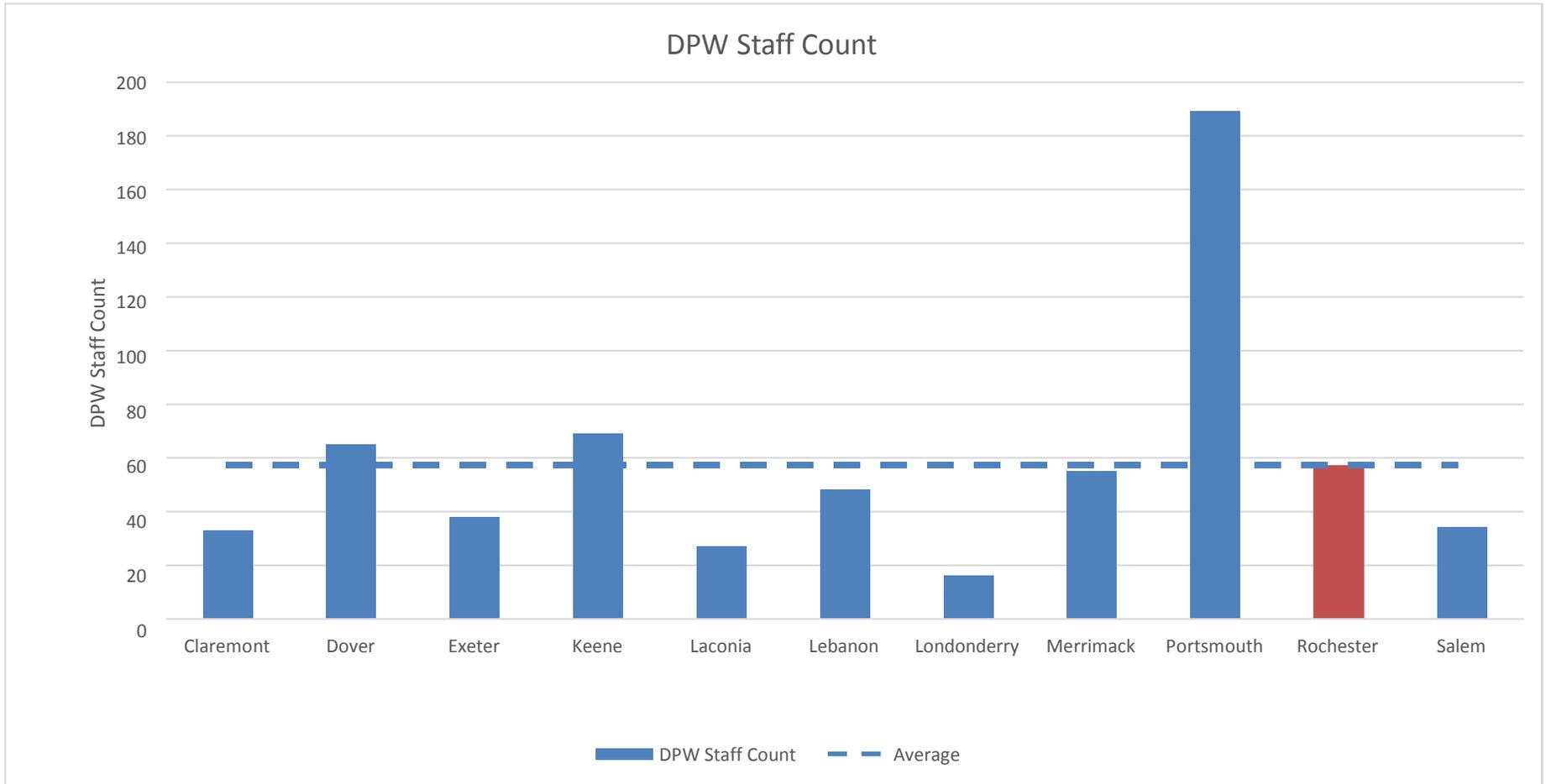
Average: 139.86 Miles



Road Density (Miles of Road per Square Mile)

Rochester: 3.93 miles per square mile

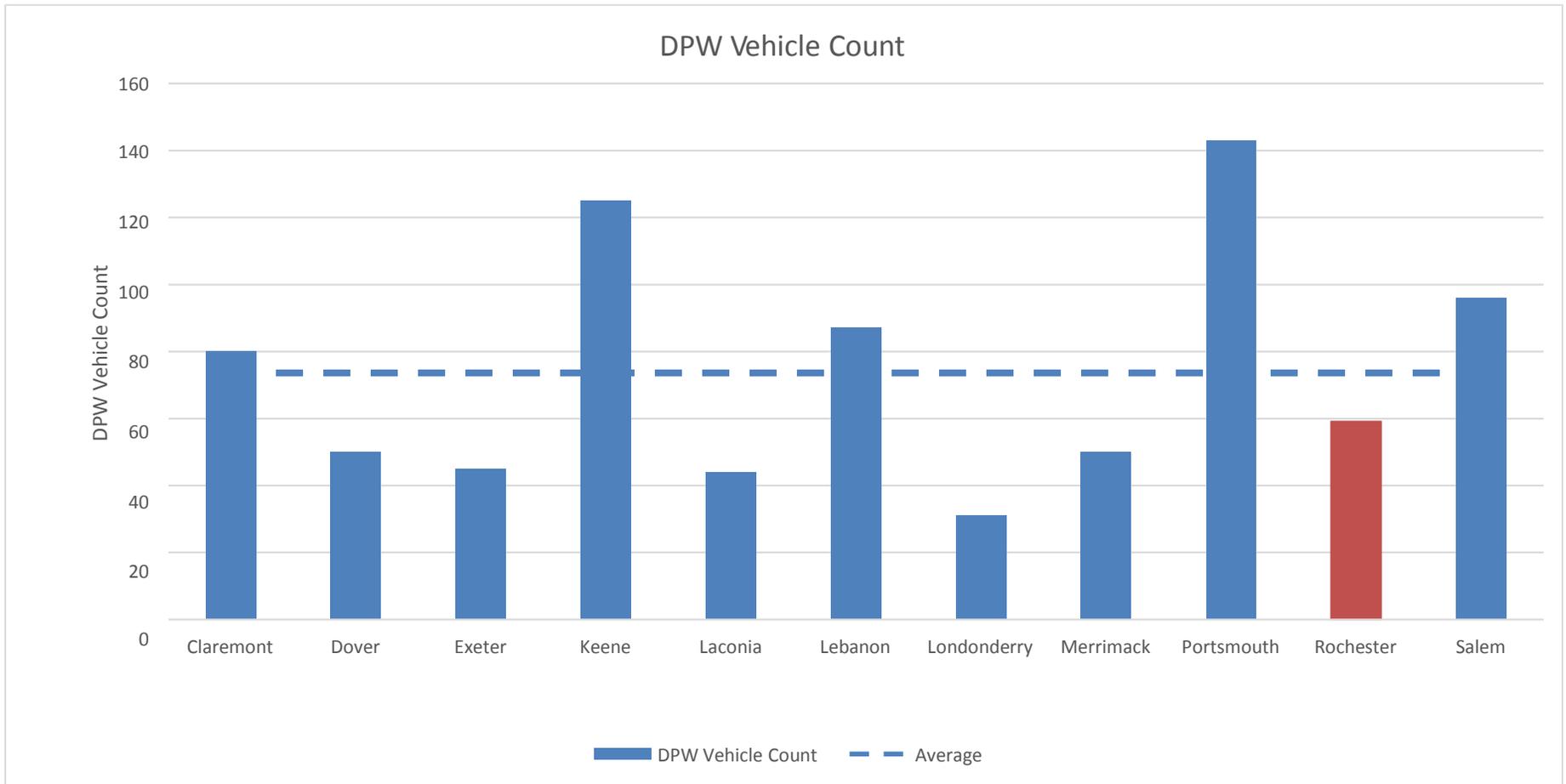
Average: 4.57 miles per square mile



**Total DPW Staff Count (includes administrative staff)**

**Rochester: 57 DPW Staff**

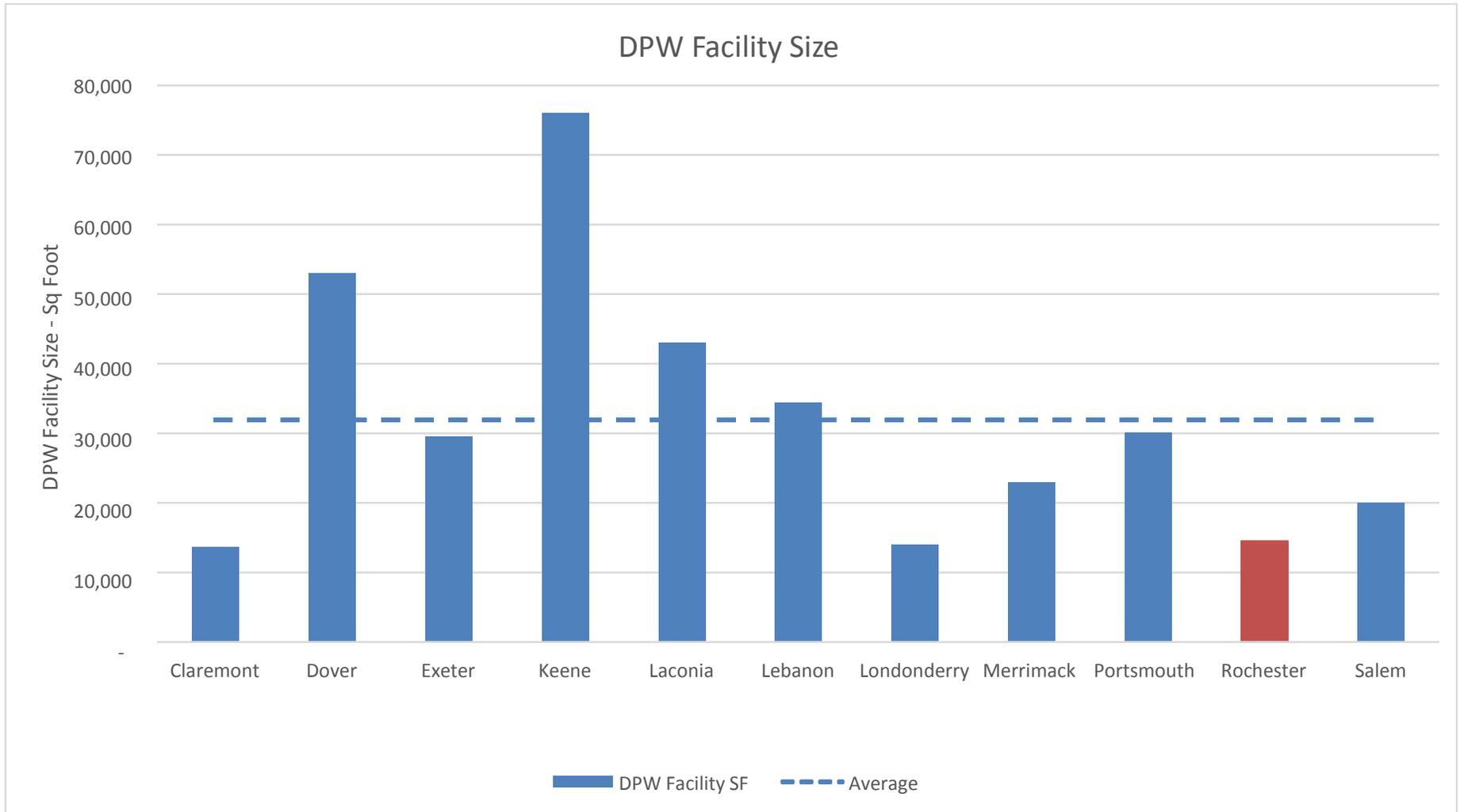
***Average: 57.36 DPW Staff***



DPW Vehicle Count (Vehicles only; assumes vehicles are 50% of total equipment)

Rochester: 59 Vehicles

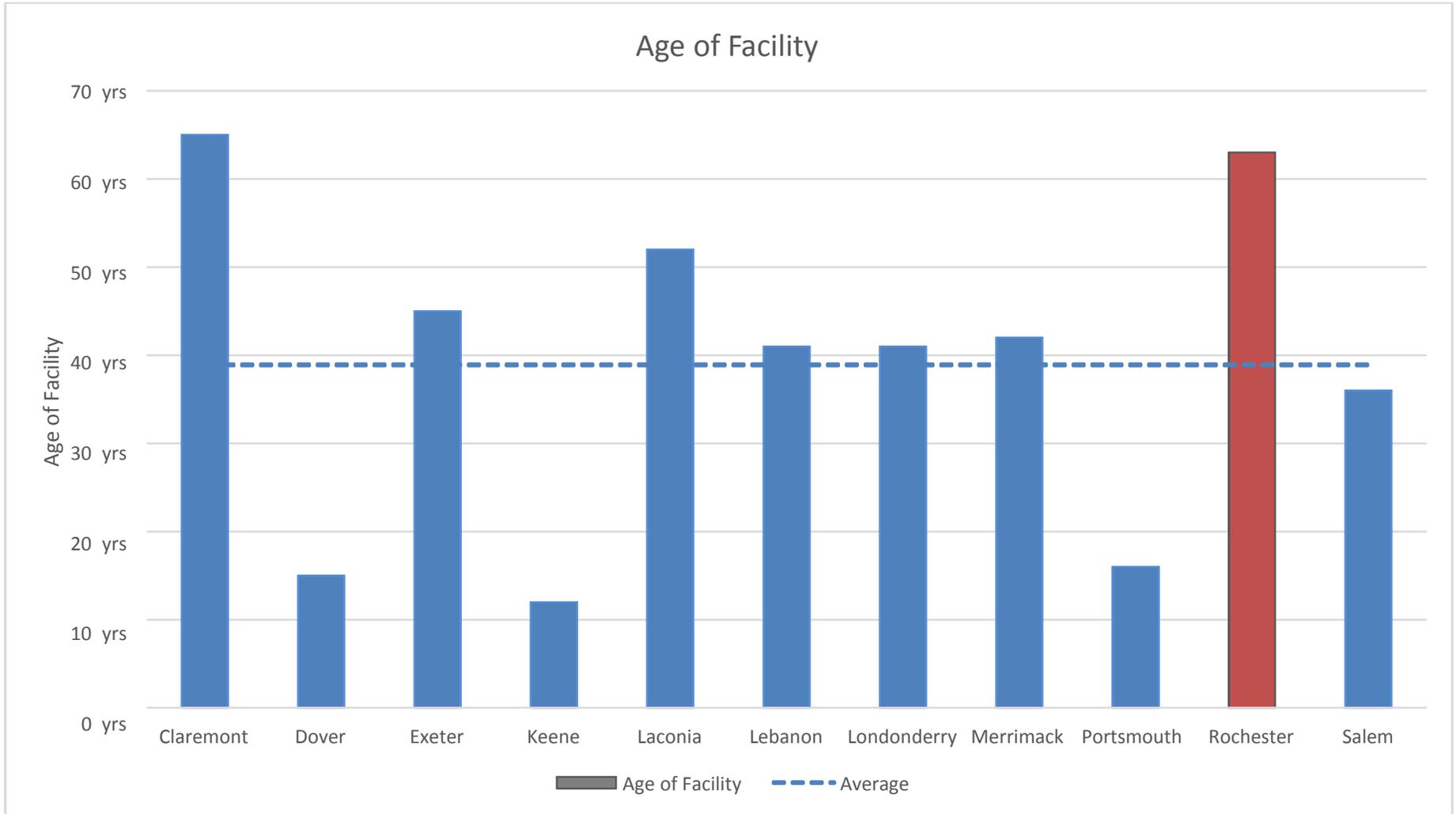
Average: 73.64 Vehicles



**DPW Facility Size (Square Feet)**

**Rochester:** 14,500 Square Feet (50% smaller than average)

**Average:** 31,950 Square Feet



Age of DPW Facility (Years)

Rochester: 63 Years (2<sup>nd</sup> Oldest, 60% older than average)

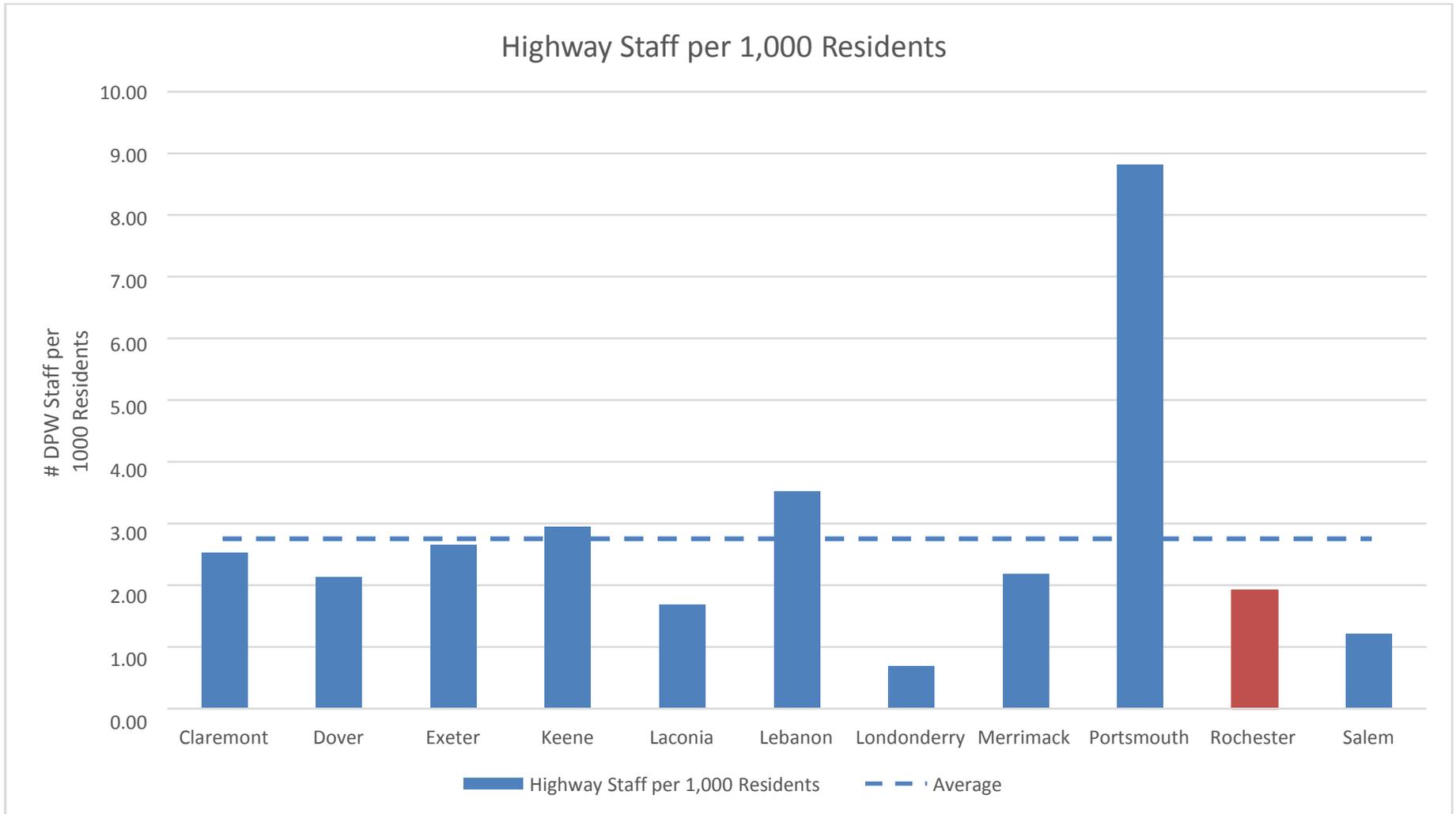
Average: 39 Years

## Community Comparison Ratios

Community	Highway Staff per 1,000 Residents	Facility SF per Staff	Vehicles per 10 Road Miles	Highway Staff per Road Mile	Facility SF per Road Mile
Claremont	2.53	415.15	6.35	0.08	108.73
Dover	2.13	815.38	3.25	0.06	344.16
Exeter	2.66	778.95	6.77	0.18	445.11
Keene	2.95	1,101.45	9.92	0.17	603.17
Laconia	1.69	1,592.59	4.40	0.06	430.00
Lebanon	3.53	718.75	8.70	0.08	345.00
Londonderry	0.69	875.00	1.72	0.09	77.78
Merrimack	2.19	418.18	3.13	0.16	143.75
Portsmouth	8.82	159.52	10.51	0.43	221.69
Rochester	1.92	254.39	3.28	0.06	80.56
Salem	1.21	588.24	4.57	0.10	95.24
Average	2.75	701.60	5.69	0.13	263.20
Rochester % above or below Average	-30%	-64%	-42%	-58%	-69%

### Community Comparison Ratios:

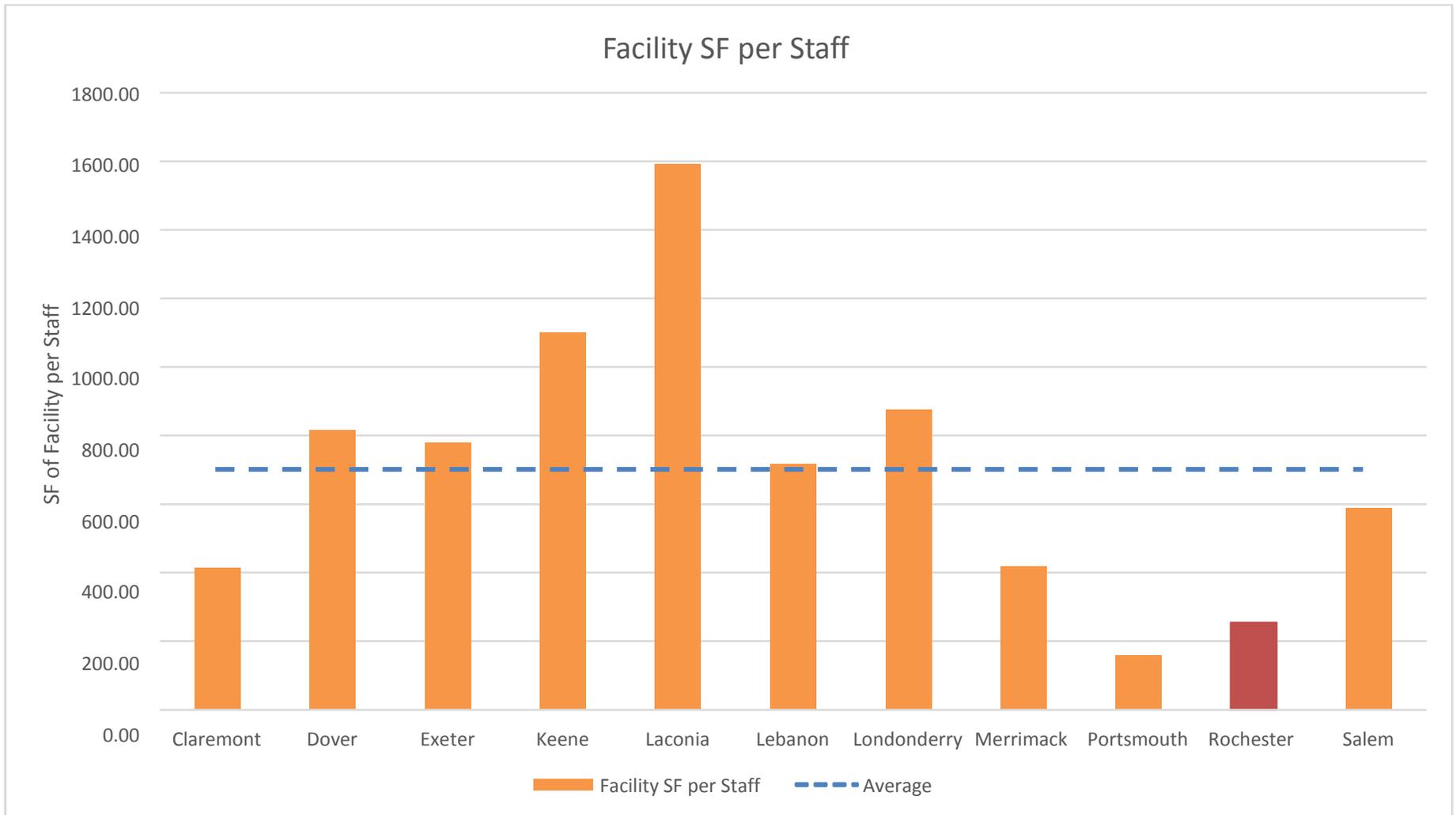
- Rochester Highway Department has 30% fewer Staff per Resident than average
- Rochester DPW Facility has more than 50% less Space per Staff than average
- Rochester has 40% fewer Vehicles and fewer Highway Staff per mile of road than average
- Rochester DPW has almost 70% fewer Staff per Road Mile than average



**Ratio of Staff per Resident (Highway Staff per 1,000 Residents)**

**Rochester:** 1.92 (521 Residents per each Staff Member)

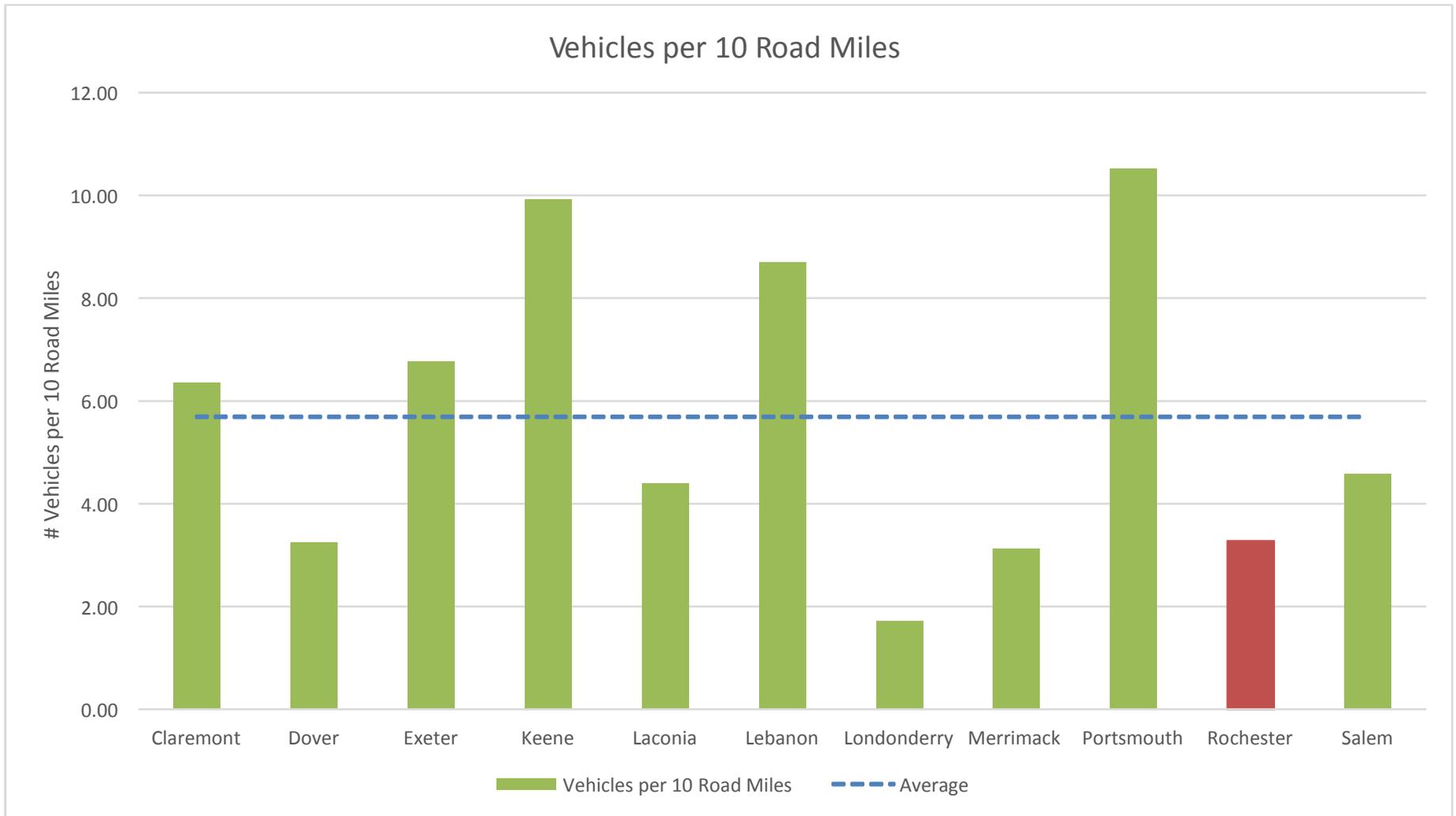
**Average:** 2.75 (502 Residents per each Staff Member)



Ratio of Square Foot of Facility per Staff

Rochester: 254.39 Square Feet per Staff (over 60% less than average)

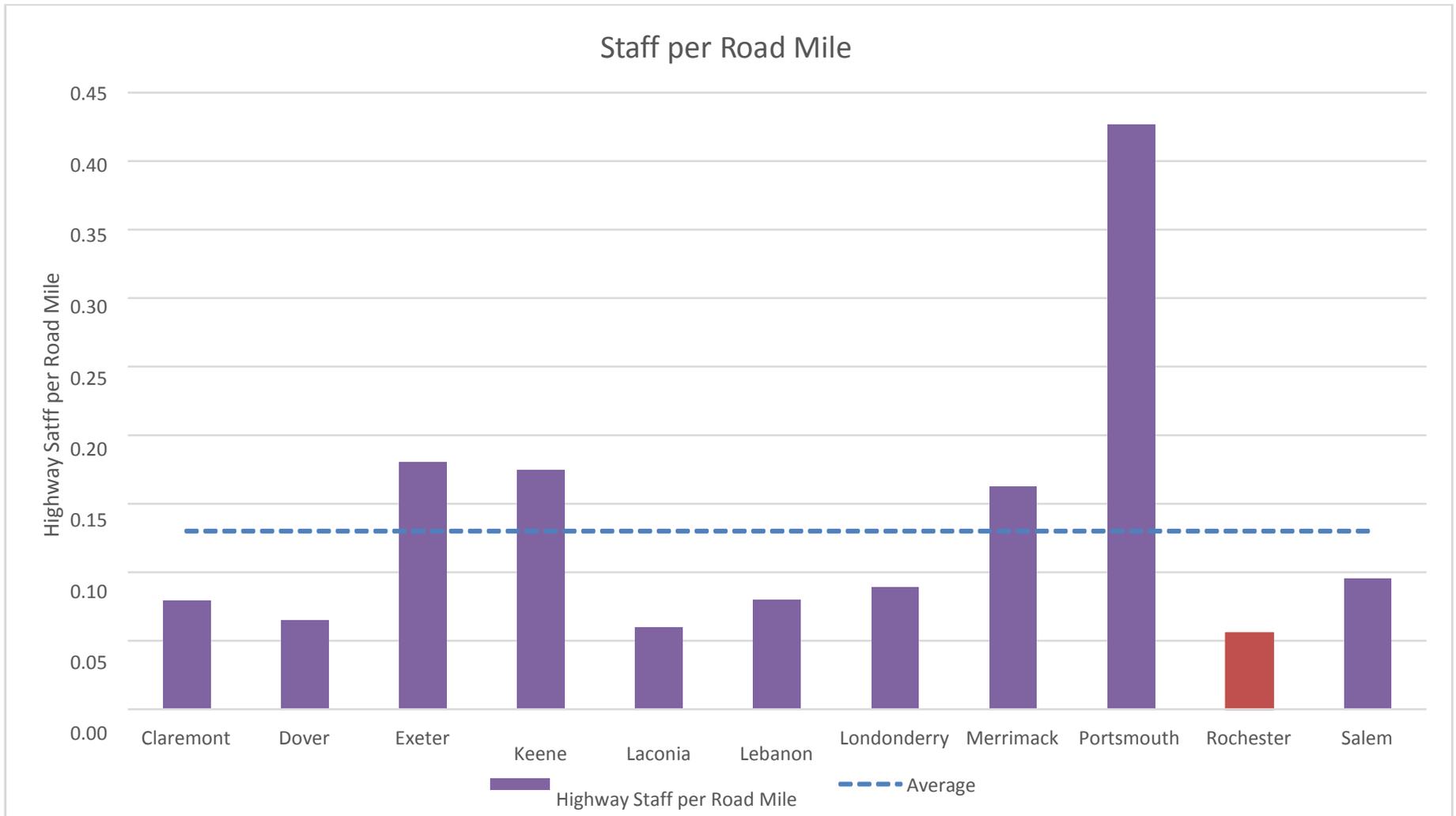
Average: 701.60 Square Feet per Staff



Ratio of Vehicles per Road Mile (# per 10 Road Miles)

Rochester: 3.28 Vehicles per 10 Road Miles (3.05 miles per Vehicle)

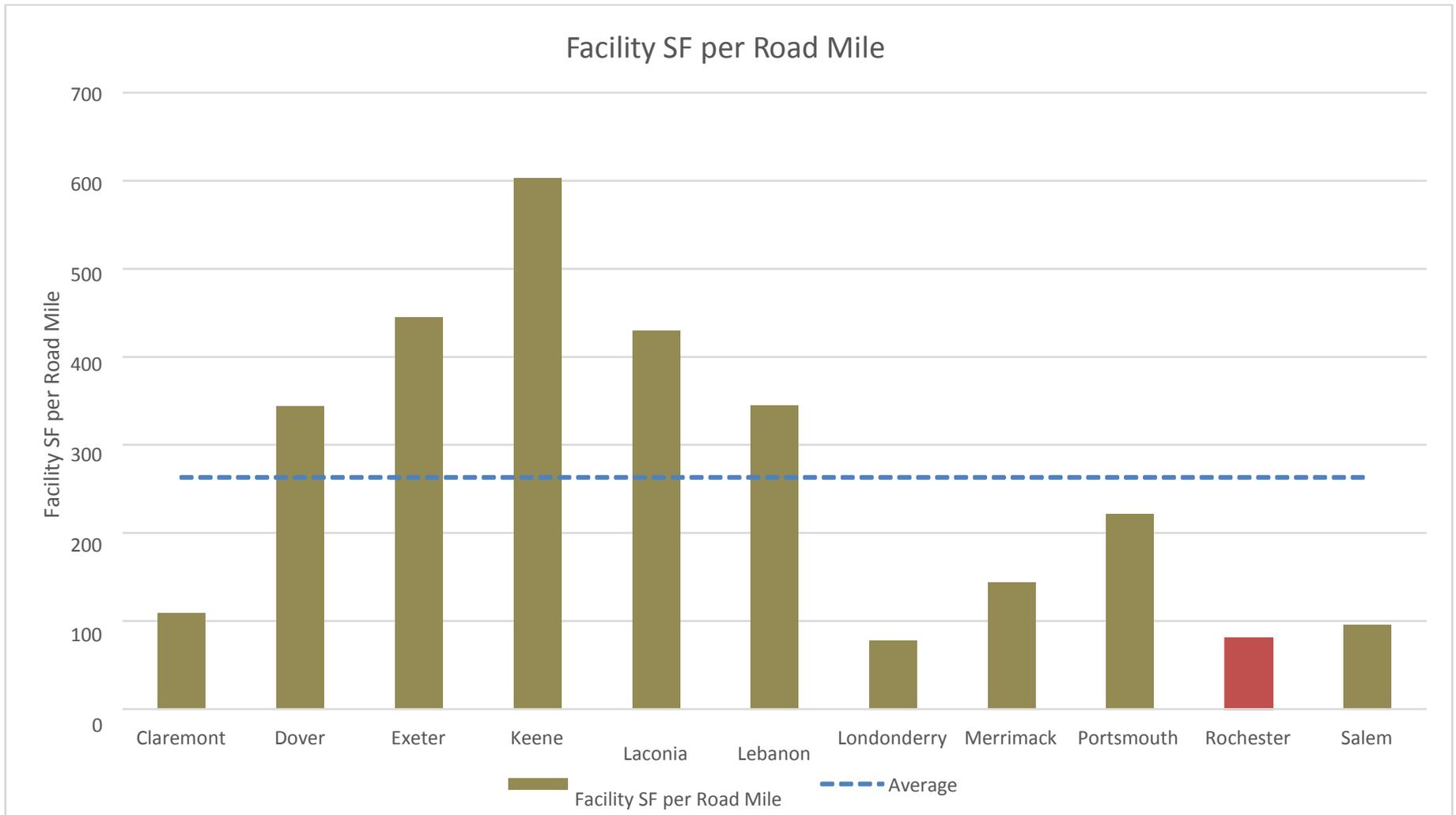
Average: 5.69 Vehicles per 10 Road Miles (1.76 miles per Vehicle)



**Ratio of Staff per Road Mile**

**Rochester:** 0.06 Staff per Road Mile (16.67 Miles for each Staff Member)

**Average:** 0.13 Staff per Road Mile (7.69 Miles for each Staff Member)



Ratio of Square Foot of Facility per Road Mile

Rochester: 80.56 Square Feet per Mile of Road (70% less than average)

*Average: 263.20 Square Feet per Mile of Road*



**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 Annual Renewal for Second Hand Dealers and Pawn Broker Licenses
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

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

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

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

AGENDA DATE	March 3, 2015		
DEPT. HEAD SIGNATURE	Jim Grant - Signature on File		
DATE SUBMITTED	February 23, 2015		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	2	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox - Signature on File
CITY MANAGER	Dan Fitzpatrick - Signature on File

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

--

**SUMMARY STATEMENT**

Annual Renewal for Second Hand Dealers and Pawn Broker Licenses. The attached business's have been approved by the Licensing Board and inspected by the Fire Department and the Building, Zoning, & Licensing Department. All are in compliance at this time.

**RECOMMENDED ACTION**

Approve Second Hand Dealer and Pawn Broker Licenses.

## SECOND HAND DEALERS AND PAWN LICENSING FOR ROCHESTER, NH FOR 2015-2016

LIC TYPE	ESTABLISHMENT	OWNER	ADDRESS
2ND HAND	ALL THINGS CONSIDERED	MR. MANVILLE	131B MILTON RD
2ND HAND	BEA'S JEWELERS	BEATRICE BROCHU	LILAC MALL
2ND HAND	BETHANY UNITED METHODIST CHURCH	JEAN MAIN	24 MAIN ST E.R.
2ND HAND	BEVS BEAR CREEK -FLEA MARKET	BEVERLY SAKS	137 MILTON RD, 03868
2ND HAND	COLLEC-TIQUES	MARC SAXBY	48 NO MAIN ST
2ND HAND	ecoATM, INC	LAURA MOSS	25 LILAC MALL
2ND HAND	ecoATM, INC	LAURA MOSS	116 FARMINGTON RD
2ND HAND	FOUR CORNER ANTIQUES	NANCY RICARD	204 ESTES RD
2ND HAND	GAMESTOP	MICHAEL NICHOLS	160 WASHINGTON ST
2ND HAND	GOLD & THINGS	ROLAND HERSEY	50 SO MAIN ST
2ND HAND	GORDON SECOND HAND	LEO GORDON	174 CHESTNUT HILL RD
2ND HAND	LUCKY FINDS	DENA STANLEY	121 HIGHLAND ST
2ND HAND	QUICK CASH TRADING	GEORGE FRISBEE	17 GONIC RD
2ND HAND	RENAISSANCE FIRE ARMS LLC	ERNEST SHIPMAN	19 MAIN ST, GONIC
2ND HAND	ROCHESTER FLEA MARKET	BENJAMIN H BEAN	184 MILTON RD
2ND HAND	SAGE FARM ANTIQUES	SHARYL MURPHY	5 EXETER RD. NO HAMPTON, NH 03862
2ND HAND	SEACOAST GUN & PAWN	JEFFREY WALTERS	101 HIGHLAND ST
2ND HAND	SKELE-TONE	TODD BERRIOS	50L NO MAIN ST
2ND HAND	THE SALVATION ARMY	MAJOR RONALD BERNADI	28 SIGNAL ST
2ND HAND	TRINITY ANGELICAN CHURCH THRIFT SHOP	MARILYN TUCKER	180 ROCHESTER HILL RD
2ND HAND	TRINKETS & TREASURES	BRIAN LABRANCHE	125 MILTON RD
2ND HAND	UNION ST ANTIQUES	GARY SANSOUCIE	19 UNION ST
2ND HAND	WE BUY STUFF ANTIQUES	WILLIAM MURPHY	4 UNION ST
2ND HAND	WHITE BIRCH BARN SALES	MIKE & JANET BERUBE	258 WASHINGTON ST
2ND HAND	WAL-MART STORES EAST LP	MATT OWENS-LICENSING	116 FARMINGTON RD
PAWN	GOLD & THINGS	ROLAND HERSEY	50 SO MAIN ST
PAWN	QUICK CASH TRADING	GEORGE FRISBEE	17 GONIC RD
PAWN	SEACOAST GUN & PAWN	JEFFREY WALTERS	101 HIGHLAND ST

## COMPLETED INSPECTIONS

SECOND HAND DEALERS PAWN BROKERS	BUILDING & ZONING			FIRE DEPT	
	Inspected	Passed		Inspected	Passed
All Things Considered	√	√		√	√
Bea's Jewelers	√	√		√	√
Bethany United Methodist Church	√	√		√	√
Bev's Bear Creek	Summer Inspection Only				
Collec-tiques	√	√		√	√
eco-ATM, Inc Lilac Mall	√	√		√	√
eco-ATM, Inc 116 Farmington	√	√		√	√
Four Corner Antique Store	√	√		√	√
Game Stop, Inc	√	√		√	√
Gold & Things Trading Center	√	√		√	√
Gordon's Second Hand Shop	√	√		√	√
Lucky Finds	√	√		√	√
Quick Cash Trading Center	√	√		√	√
Renaissance Firearms LLC	√	√		√	√
Rochester Flea Market	√	√		√	√
Sage Farm Antiques	Inspections to be scheduled in October				
Seacoast Gun & Pawn	√	√		√	√
Skeletone	√	√		√	√
The Salvation Army	√	√		√	√
Trinity Anglican Church	√	√		√	√
Trinkets & Treasures	√	√		√	√
Union St. Antiques & Collectibles	√	√		√	√
Wal-Mart #2330	√	√		√	√
We Buy Stuff	√	√		√	√
White Birch Barn Sales	√	√		√	√
<b>PAWNBROKERS</b>					
Gold & Things Trading Center	√	√		√	√
Quick Cash Trading Center	√	√		√	√
Seacoast Gun & Pawn	√	√		√	√

**RESOLUTION ACCEPTING GRANT**  
**TO THE ROCHESTER POLICE DEPARTMENT**  
**FROM THE NH POLICE STANDARDS AND TRAINING COUNCIL,**  
**AND MAKING A SUPPLEMENTAL APPROPRIATION**  
**IN CONNECTION THEREWITH**

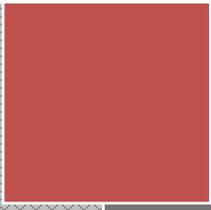
**BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:**

That a State of New Hampshire, Police Standards & Training Council grant in the amount of One Thousand Dollars (\$1,000.00) to the City of Rochester, Police Department, for the purpose of providing funds to send one of the Department's Detectives to a week-long crime processing course in connection with the Department's efforts to further develop its evidence collection team, is hereby accepted by the City of Rochester and such grant funds shall be assigned to an account the number of which is to be established by the Finance Director in the 2014-2015 operating budget of the Rochester Police Department.

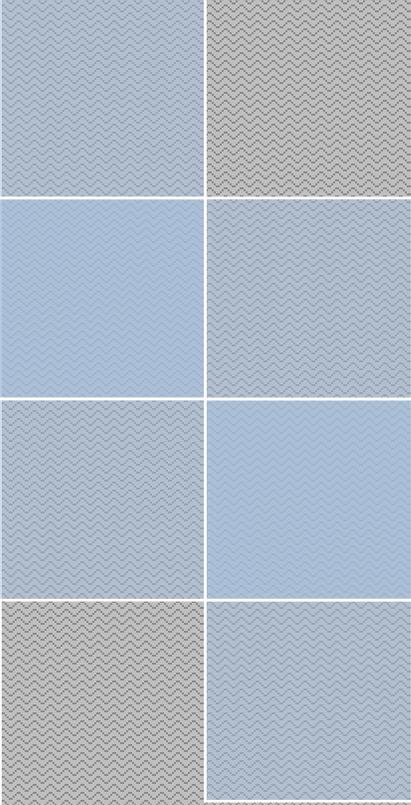
Further, that the sum of One Thousand Dollars (\$1,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2014-2015 operating budget for the City of Rochester, Police Department, such funds to be used for the purpose of providing funds to send one of the Department's Detectives to a week-long crime processing course in connection with the Department's efforts to further develop its evidence collection team (account number of which is to be established by the Finance Director in the 2014-2015 operating budget of the Rochester Police Department). The source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the aforesaid State of New Hampshire, Police Standards & Training Council grant to the City of Rochester.

Furthermore, to the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to designate and/or establish such accounts and/or account numbers as necessary to implement the transactions contemplated by this Resolution.

CC FY 15 03-03 AB 103



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**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.**

<b>AGENDA SUBJECT</b> Seeking permission from council to accept funds in the amount of \$1,000.00 from the Police Standards and Training Council.
--

<b>COUNCIL ACTION ITEM</b> <input checked="" type="checkbox"/> <b>INFORMATION ONLY</b> <input type="checkbox"/>
--

<b>FUNDING REQUIRED?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM
---

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

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

<b>AGENDA DATE</b>	Next available February meeting	
<b>DEPT. HEAD SIGNATURE</b>	Signature on file with City Clerk	
<b>DATE SUBMITTED</b>	2/10/15	
<b>ATTACHMENTS</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1

**COMMITTEE SIGN-OFF**

<b>COMMITTEE</b>	
<b>CHAIR PERSON</b>	

**DEPARTMENT APPROVALS**

<b>DEPUTY CITY MANAGER</b>	Blaine Cox, Signature on file with City Clerk
<b>CITY MANAGER</b>	Dan Fitzpatrick, Signature on file with City Clerk

**FINANCE & BUDGET INFORMATION**

<b>FINANCE OFFICE APPROVAL</b>	Roland Connor, Signature on file with City Clerk
<b>SOURCE OF FUNDS</b>	State of NH
<b>ACCOUNT NUMBER</b>	TBD
<b>AMOUNT</b>	\$1,000.00
<b>APPROPRIATION REQUIRED</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

Council action required
-------------------------

**SUMMARY STATEMENT**

In furtherance of the development of our evidence collection team we request permission from council to accept funds in the amount of \$1,000.00 from the State of NH Police Standards and Training Council to send a Detective to a week long crime processing course.

**RECOMMENDED ACTION**

Recommend acceptance of funds from the State of NH.

**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	NEW			-	-	-
2				-	-	-
3				-	-	-
4				-	-	-

**Appropriation**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	12010053	532001	TBD	-	1000.00	-
2				-	-	-
3				-	-	-
4				-	-	-

**Revenue**

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD	TBD	-	1000.00	-
2				-	-	-
3				-	-	-
4				-	-	-

DUNS #

CFDA #

Grant #

Grant Period: From   
 To

If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



**State of New Hampshire  
POLICE STANDARDS & TRAINING COUNCIL  
ARTHUR D. KEHAS  
LAW ENFORCEMENT TRAINING FACILITY & CAMPUS  
17 Institute Drive — Concord, N.H. 03301-7413  
603-271-2133 FAX 603-271-1785  
TDD Access: Relay NH 1-800-735-2964**

2/25/15



Sheriff Michael L. Prozzo, Jr.  
Chairman

Donald L. Vittum  
Director

February 3, 2015

Chief Michael J. Allen  
Rochester Police Department  
23 Wakefield Street  
Rochester, NH 03867

RECEIVED

FEB 06 2015

OFFICE OF THE CHIEF  
ROCHESTER POLICE DEPT

*Scott*

Dear Chief Allen,

This letter is to confirm that the Police Standards & Training Council, at their meeting on February 3, 2015, approved your requested training grant for a maximum of \$1,000 for Det. Loignon to attend the IPTM Crime Scene Processing Course at Jacksonville, Fla, beginning March 29, 2015.

Rental car fees are not a permissible expense under the Council's published guidelines, and disbursement of grant funds will be made only after the department sends PSTC staff all receipts for expenses incurred in conjunction with the training. Upon the officer's completion of the program, the Council requires that the department forward certificates of completion from the training organization to my attention. These certificates of completion must accompany the receipts in order to receive reimbursement of training grant funds.

Further, the Council has instituted a policy regarding the disbursement and distribution of training grant funds; that is, when training grants are awarded the agency will have **30 days** from the completion date of the approved training to submit all required paperwork to receive reimbursement. If the agency does not comply with this policy, the approved monies will be returned to the Specialized Training Grant Fund to fund future grant requests.

If you have any questions regarding this matter, please feel free to contact me at 271-8278.

Sincerely,

*BRJ*

Captain Benjamin R. Jean  
Support Bureau Commander

*cc: Commission*

**RESOLUTION DEAUTHORIZING PORTION OF FY 2011-2012  
CAPITAL BUDGET APPROPRIATION OF THE CITY OF ROCHESTER  
FOR LAND PURCHASE RELATED TO  
THE SO-CALLED GRANITE STATE BUSINESS PARK  
AND TAKING OTHER RELATED ACTIONS**

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

**WHEREAS**, by virtue of a Resolution by the Mayor and City Council, adopted on September 20, 2011, a Capital Improvements Budget supplemental appropriation in the amount of Seven Hundred Ten Thousand Dollars (\$710,000.00) was approved and adopted as part of the FY 2011-2012 City of Rochester, general overhead capital budget, for the purpose of purchasing approximately 77 acres of land in and/or adjacent to the so-called Granite State Business Park, for use in the City's expansion of such Business Park (the "Project"), with such appropriation to be funded, in its entirety, from funds derived from the City of Rochester's undesignated Fund Balance; and

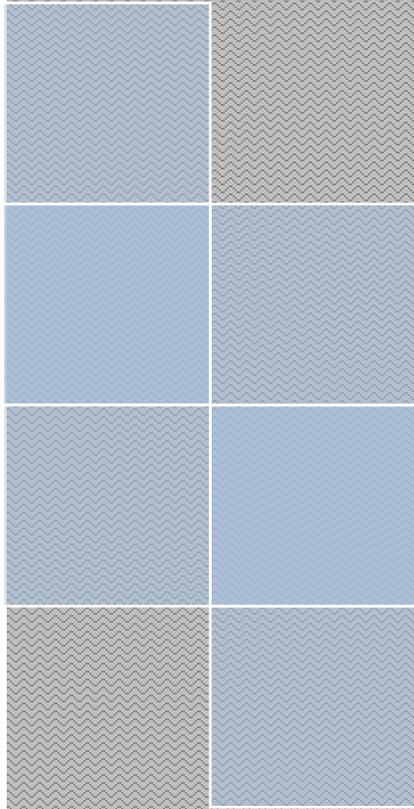
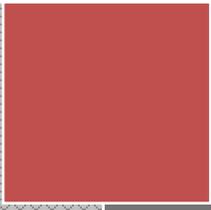
**WHEREAS**, the Project has been completed, and the sum of Eight Thousand Three Hundred Twenty-Eight Dollars and Fifty Cents (\$8,328.50) of funds appropriated for the Project are no longer necessary for such Project's purposes;

**NOW, THEREFORE**, the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby deauthorize Eight Thousand Three Hundred Twenty-Eight Dollars and Fifty Cents (\$8,328.50) of the aforementioned previously appropriated funds for the so-called Project, and hereby authorize the transfer of said deauthorized funds in the amount of Eight Thousand Three Hundred Twenty-Eight Dollars and Fifty Cents (\$8,328.50) to the City of Rochester's so-called General Fund, thereby leaving a total appropriation for such Project in the amount of Seven Hundred One Thousand Six Hundred Seventy-One Dollars and Fifty Cents (\$701,671.50).

**FURTHERMORE**, the adoption on January 6, 2015 of the resolution entitled "Resolution Deauthorizing Portion of FY 2011-2012 Capital Budget Appropriation of the City of Rochester for Land Purchase Related to the So-Called Granite State Business Park", be and hereby is rescinded in its entirety, and the City Clerk is hereby authorized to amend the January 6, 2015 Minutes of the Meeting of the Rochester City Council to appropriately cross-reference this action with the action taken during said January 6, 2015 meeting with respect to the aforementioned January 6, 2015 Resolution.

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

CC FY15 03-03 AB 102



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### 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 Correction to Resolution AB 77 - De-Authorization of the So-Called GSBP Land Purchase
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

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

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

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

AGENDA DATE	03/03/2015		
DEPT. HEAD SIGNATURE	Kelly Walters, Signature on file		
DATE SUBMITTED	02/20/2015		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

#### COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

#### DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

#### FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	Roland Connor, Signature on file with City Clerk
SOURCE OF FUNDS	
ACCOUNT NUMBER	
AMOUNT	
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

#### LEGAL AUTHORITY

City Council.	CC FY15 AB 102 Revised AB 77
---------------	------------------------------

**SUMMARY STATEMENT**

The resolution submitted to the January 6, 2015, Regular City Council meeting had some errors and a new resolution is being sought to correct this error.

**RECOMMENDED ACTION**

Approve the resolution.

**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	15011081	771000	12534	-	-	\$8,328-50
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 #

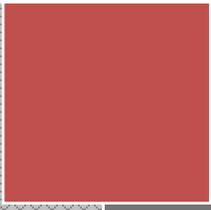
Grant #

Grant Period: From   
To

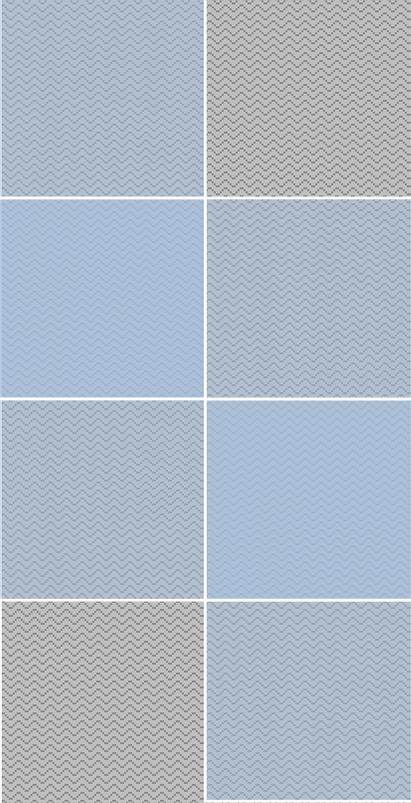
If de-authorizing Grant Funding appropriations: (select one)

Reimbursement Request will be reduced

Funds will be returned



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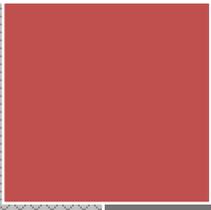
**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION  
TO THE 2014-2015 OPERATING BUDGET OF THE  
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, HIGHWAY DIVISION,  
FOR WINTER HIGHWAY CONDITIONS MAINTENANCE PURPOSES**

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

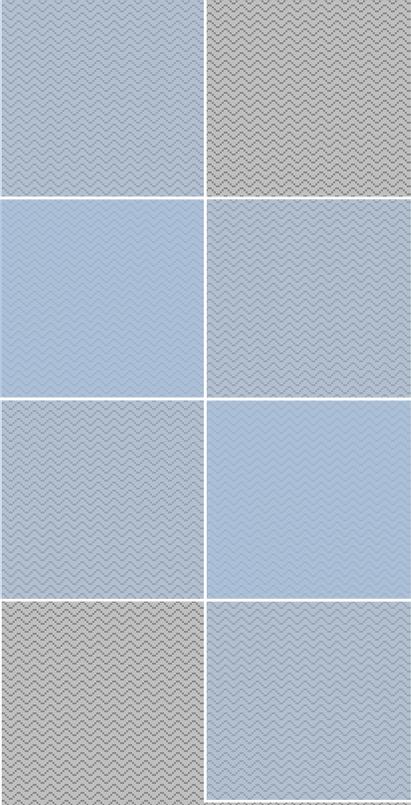
That the sum of Sixty-Four Thousand Seven Hundred and Fifty Dollars (\$64,750.00) be, and hereby is, appropriated as a supplemental appropriation to the 2014-2015 operating budget of the City of Rochester, Department of Public Works, Highway Division, for the purpose of providing funds necessary to pay costs and/or expenditures with respect to the purchase of sand and salt for use on, or with respect to, public highways, infrastructure and related winter highway conditions maintenance and other purposes (the "Project"), and provided further that funds for such appropriation shall be drawn in their entirety from the City of Rochester General Fund, undesignated fund balance.

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

CC FY15 03-03 AB 104



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**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 Supplemental Appropriation - Winter Operation - Supply Line 13010957-561021
---

COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/>
--

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

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

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

AGENDA DATE	March 3, 2015		
DEPT. HEAD SIGNATURE	Peter Nourse		
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Signature on file
CITY MANAGER	Signature on file

**FINANCE & BUDGET INFORMATION**

FINANCE OFFICE APPROVAL	Signature on file
SOURCE OF FUNDS	
ACCOUNT NUMBER	13010957-561021
AMOUNT	\$64,750.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

**LEGAL AUTHORITY**

**City Council Authorization CC FY15 AB 104**

**SUMMARY STATEMENT**

Due to severe weather conditions the DPW Winter/Highway Budget has been depleted. This request is specifically salt and sand. Numerous interdepartmental transfers have been done to accommodate additional purchases for supplies and equipment repairs. This request is specifically for 1,000 Tons of solar salt at \$55.75 = \$55,750 and for 600 Tons of washed sand for roads at \$15 per ton delivered to the DPW = \$9,000. Total requested is \$64,750.

**RECOMMENDED ACTION**

Authorize the Supplemental Appropriation for Winter Maintenance Supplies = \$64,750.



**City of Rochester  
Dept of Public Works**

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

# Memo

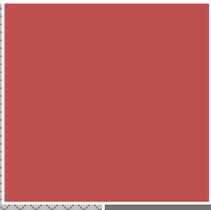
**To:** Daniel Fitzpatrick, City Manager

**From:** Peter Nourse, Director of Public Works

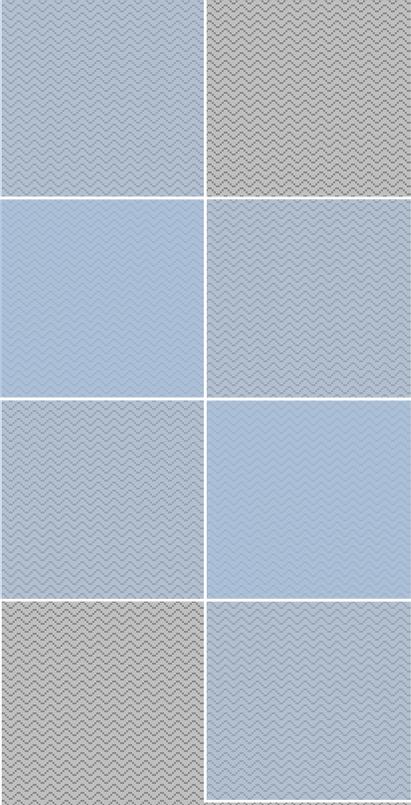
**Date:** 20 February 2015

**Re:** Formal Request – Supplemental Appropriation for Salt Funds for Winter Operations

- 
1. I respectfully request a supplemental appropriation request in the amount of \$55,750 be brought to the City Council at the 3 March Council Meeting.
  2. Per your direction we have placed an order for 1,000 tons of salt with our vendor in mid-February. This is due to the vendor's immediate shortage of salt on hand for communities. Vendor advised that City make immediate purchase of salt or that vendor would not have any available for next couple weeks. This condition is verified by other neighboring communities.
  3. We believe that the 500 tons recently ordered may get the City through the remainder of February at best.



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**RESOLUTION AUTHORIZING THE TRUSTEES OF  
TRUST FUNDS FOR THE CITY OF ROCHESTER TO PAY CERTAIN  
FEES RELATED TO THE MANAGEMENT OF CAPITAL  
RESERVE FUNDS FROM CAPITAL RESERVE FUND INCOME  
IN ACCORDANCE WITH THE PROVISIONS OF RSA 34:16, II**

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

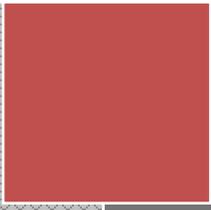
**WHEREAS**, the State of New Hampshire has amended the provisions of Chapter 34 of the New Hampshire Revised Statutes Annotated, by inserting therein RSA 34:16 which permits the governing body of a city (such as the Mayor and City Council of the City of Rochester) to authorize the local trustees of trust funds to charge fees incurred from for banks, brokerage firms, portfolio management departments, and/or investment advisors against the capital reserve funds as provided for in such Section; and

**WHEREAS**, such authority once granted shall remain in effect until rescinded, and no vote by the governing body to rescind such authority shall occur within five (5) years of the original adoption of such authorization; and

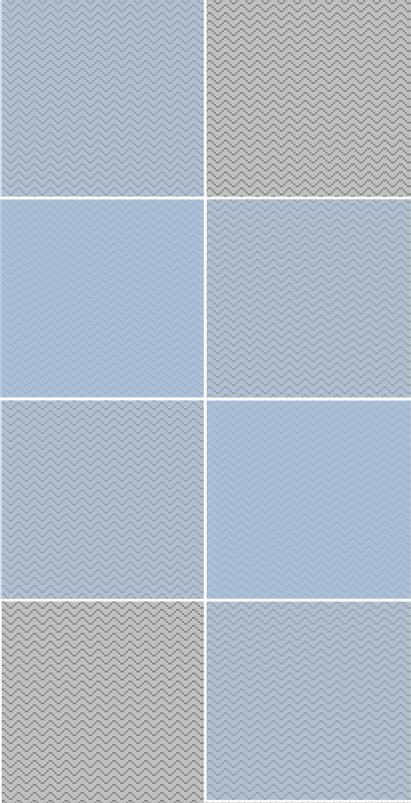
**WHEREAS**, the Rochester Trustees of Trust Funds and the Finance Department have indicated support for the adoption of the provisions of Section 34:16, II, now therefore, by adoption of this resolution, the Mayor and City Council of the City of Rochester hereby authorize the Rochester Trustees of Trust Funds to pay fees for banks, brokerage firms, portfolio management departments and/or investment advisors from capital reserve fund income in accordance with the provisions of RSA 34:16, II.

Further, 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, if any, to implement the transactions contemplated by this Resolution.

CC FY15 03-03 AB 105



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### 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 Authorize the Trustees of the Trust Fund to Pay Fees from Capital Reserve Fund Income
---

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

AGENDA DATE	March 3, 2015		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	February 18, 2015		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	4	

#### 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

City Council
--------------

**SUMMARY STATEMENT**

House Bill 297 - As enabling legislation, the town meeting or governing body in the community may authorize the Trustees of the Trust Funds to compensate banks, brokerage firms, trust companies and investment advisors for the management of capital reserve funds from the income of these funds rather than the municipal budget. The City will save an estimated \$11,000 in fees annually by authorizing trust funds to compensate banks, etc.

**RECOMMENDED ACTION**

Council Approval Recommended

CITY OF  
Received  
2/25/15  
City Manager  
ROCHESTER



# TRUSTEE TIMES

VOLUME 4, ISSUE 4

WINTER 2014

An information resource for New Hampshire Trustees of Trust Funds & Library Trustees



## HOUSE BILL 297 IMPLEMENTATION

Now is the time to get your town meeting warrant article or city resolution submitted.

### House Bill 297 Implementation

The enabling legislation of House Bill 297 relative to the management of trust funds, capital reserve funds and library funds is now in full effect. However, trustees of trust funds, town councils, city councils and selectmen need to implement the bill's provisions, especially with regard to capital reserve funds.

### Proactive Vote Required

As enabling legislation, the town meeting or governing body in the community may authorize the trustees of trust funds to compensate banks, brokerage firms, trust companies and investment advisors for the management of capital reserve funds from the income of these funds rather than the municipal budget. A sample warrant article follows. A city council resolution is on Page 2.

### Sample Warrant Article for Towns

"To see if the town will vote, pursuant to NH RSA 35:9-a-II, to authorize the Trustees of Trust Funds to pay for capital reserve fund investment management services, and any other expenses incurred, from capital reserve funds income. No vote by the town to rescind such authority shall occur within five years of the original adoption of this article."

### Enabling Legislation

The proposed warrant article *enables* the Trustees of Trust Funds to engage an investment advisor to invest the town's capital reserve funds, and it *enables* the trustees to pay for these investment services out of the income from the capital reserve funds. The warrant article does not *require* anything; it merely *enables* the trustees to explore investment options and pay the fees.

### Benefits of Implementing House Bill 297

1. The town or city has an opportunity to exceed the rate of inflation on its capital reserve funds. If the total return on capital reserve funds is less than the rate of inflation, the capital reserve funds are losing purchasing power due to inflation.
2. The governing body does not need to put investment management fees into its budget. The capital reserve funds would pay their own fees.
3. Many towns and cities are already paying investment advisory fees for investment management of their trust funds; HB297 merely extends this authority to capital reserve funds, thereby simplifying administration on many fronts.

### The Five-Year Provision

The last sentence of the law says that "No vote by the town (or city) to rescind such authority shall occur within five years of the original adoption of this article."

This means that the citizens cannot un-enable the trustees' authority to continue paying investment management fees from the income of the capital reserve funds for a five-year period. This sentence was added to the legislation because, without it, the likelihood of investment advisors serving NH communities would be low. Without the five-year sentence, advisors would be subject to the whims of the voters every year.

During the five-year period, trustees can change their investment advisor at will. Since trustees are elected for three-year staggered terms and there is a trustee election every year, the voters can elect a new trustee each year to improve trustees' performance, if necessary. ♦

## Sample Resolution for Cities

"Resolution No. \_\_\_\_ To authorize the City of \_\_\_\_ Trustees of Trust Funds to pay fees for banks, brokerage firms, portfolio management firms, and /or investment advisors related to the management of capital reserve funds from capital reserve fund income.

City of \_\_\_\_\_

Date \_\_\_\_\_

WHEREAS, the State of New Hampshire amended RSA 34 by inserting Section 34:16 effective July 26, 2014, which allows the governing body, which is the City Council, to authorize the Trustees of Trust Funds to charge fees for banks, brokerage firms, portfolio management departments, and/or investment advisors against the capital reserve funds involved; and

WHEREAS, such authority shall remain in effect until rescinded, and no vote by the governing body to rescind shall occur within five (5) years of the original adoption of this resolution; and

WHEREAS the City Trustees of Trust Funds held a meeting on \_\_\_\_\_, 2014, and voted to support the adoption of this resolution,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_ THAT the City of \_\_\_\_ Trustees of Trust Funds are authorized to pay fees for bank, brokerage firms, portfolio management departments, and/or investment advisors from capital reserve fund income." ◇

## LIBRARY CORNER

Once again, Mackensen & Company will be exhibiting at the NH Library Trustees Association Conference to be held at the Grappone Center, Concord, NH, on May 18, 2015.

We will be happy to answer library trustee questions and meet our library clients. ◇

## NHGFOA UPDATE

Mackensen & Company will be on hand at the NH Government Finance Officers Association Meeting at the North Conway Grand Hotel, on May 7-8, 2015. The NHGFOA will be celebrating its 30th anniversary.

We will be happy to answer questions from finance officials who would like to learn how their investment income could increase through the efforts of their trustees of trust funds. ◇

## FINANCE DIRECTORS

### Appropriations Reminder

Per RSA 35:12, town or city appropriations for capital reserve funds must be delivered to the Trustees of Trust Funds no later than 15 days before the end of the municipality's accounting year (calendar year or fiscal year). This provision ensures there is adequate time for trustees to deposit the money before the end of the accounting year so that the deposits will appear on the trustees' year-end bank statements. ◇

Mackensen & Company is a fee-only, SEC-registered investment advisory firm in Hampton, NH. The municipal trust management team at Mackensen & Company provides full service investment management and MS-9 & MS-10 book-keeping support for Trustees with the twin goals of improving investment returns and simplifying accounting, reporting and administrative processes.



MACKENSEN & COMPANY,  
INC.

380 Lafayette Road, Suite D  
Hampton, NH 03842

Serving  
New Hampshire  
Trustees of  
Trust Funds &  
Library Trustees

Phone: 603-926-1775  
Toll-Free: 800-927-7365  
Fax: 603-926-1249  
info@Mackensen.com  
www.Mackensen.com

We like to hear from you!  
Email your comments,  
questions or story ideas to  
Info@Mackensen.com.

**Shirley McCrillis**

---

**From:** Blaine Cox  
**Sent:** Thursday, January 08, 2015 4:56 PM  
**To:** Shirley McCrillis  
**Subject:** FW: Trusts Management Fees  
**Attachments:** Trustee of Trust Funds Investment Management Services Fees Payment Info 2015-01-08.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Shirley – Please contact Trustees and ascertain if they have any objections to this. If not, draft an AB for City Clerk to get on Council agenda.

Blaine M Cox  
 Deputy City Manager  
 City of Rochester, New Hampshire  
 31 Wakefield Street  
 Rochester, NH 03867  
 Telephone: (603)335-7609  
 Email: [blaine.cox@rochesternh.net](mailto:blaine.cox@rochesternh.net)

The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees regarding the business of the City of Rochester, are government records available to the public upon request. Therefore, this e-mail communication may be subject to public disclosure.

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**From:** Blaine Cox  
**Sent:** Thursday, January 08, 2015 4:24 PM  
**To:** Roland Connors  
**Cc:** Shirley McCrillis  
**Subject:** Trusts Management Fees

Rolly – How do our Trustees pay for the services rendered by Charter Trust? The new statute below allows these expenses to be charged against the reserve funds themselves. Should we pursue this with our Trustees & Council? Blaine

**35:9-a Professional Banking or Brokerage Assistance. –**

I. Any trustee or trustees of trust funds having custody of capital reserve funds authorized by this chapter may contract with the trust department or departments of a bank, a brokerage firm, a portfolio management department, or investment advisor in the same manner and for the same purposes as described in RSA 31:38-a, III. They may also place securities in the nominee name of a trust department of a bank, or departments, a brokerage firm, a portfolio management department, or investment advisor, to facilitate transfers for such securities. Capital reserve fund records maintained by any bank, brokerage firm, portfolio management department, or investment advisor shall be available at all times for examination by local auditors, by independent accountants or auditors retained by a municipality, or by the auditors of the department of revenue administration; and such records shall be municipal records and property. In employing such trust departments of banks, brokerage firms, portfolio management departments, or investment advisor, the trustees may enter into contracts or agreements delegating the management of such capital reserve funds to those departments or brokerage firms subject to investment guidelines adopted by the trustees under applicable statutes and subject to at least quarterly review and approval of such management by the trustees. For purposes of this section, the terms "bank," "brokerage firm," "portfolio management department" and "investment advisor" shall have the definitions set forth in RSA 31:38-a.

II. The town meeting may adopt an article authorizing the trustees of trust funds, without further action of the town meeting, to charge any expenses incurred pursuant to paragraph I against the capital reserve funds involved. Such authority shall remain in effect until rescinded by a vote of the town meeting. No vote by the town to rescind such authority shall occur within 5 years of the original adoption of such article. In a town that has a town council, such authority may be granted by the town council and shall remain in effect until rescinded by the town council. No vote by the town council to rescind such authority shall occur within 5 years of the original adoption of such article. Any professional banking and brokerage fees incurred shall be reported in the annual report of the trustees of trust funds as expenditures out of capital reserve funds.

**AMENDMENTS TO CHAPTER 23 OF THE  
GENERAL ORDINANCES OF THE CITY OF ROCHESTER  
REGARDING “FIRE SAFETY MEASURES”**

**THE CITY OF ROCHESTER ORDAINS:**

That Chapter 23 of the General Ordinances of the City of Rochester, entitled “Fire Safety Measures”, as presently amended, be further amended as follows:

- I. That Chapter 23 of the General Ordinances of the City of Rochester, entitled “Fire Safety Measures”, as presently amended, be further amended, by amending the “introductory “SECTIONAL ANALYSIS” of such Chapter 23, so as to provide as follows:

- “23.1 Fire Safety Rules and Regulations
- 23.2 Smoke Detector Wiring
- 23.3 Enforcement Officer
- 23.4 Control of Outdoor Fires
- 23.5 Knox Box Installations
- 23.6 Public Safety Amplification System Required in Large Facilities
- 23.7 Administration and Enforcement
- 23.8 Means of Escape
- 23.9 Fire Department Access
- 23.10 Control of Fire Hazards
- 23.11 Penalty
- 23.12 Sprinkler Requirements for Certain Single-family Dwelling Units
- 23.13 Prohibition and Regulation of Fireworks
- 23.14 Listed Agent Program
- 23.15 Regulation of Fire Alarms”

- II. That Section 23.7 of the General Ordinances of the City of Rochester entitled “Administration and Enforcement”, as presently amended, be further amended, by amending said Section 23.7, as presently enacted, to provide as follows, said amended Section to be known as Section 23.7 of the General Ordinances of the City of Rochester, to wit:

**“23.7 Administration and Enforcement.**

The authority having jurisdiction for the administration and enforcement of this chapter shall be Fire Prevention of the City of Rochester. The fee schedule under this chapter shall be as follows:

Tank Removal	\$25.00
Blasting	\$25.00
Incident Report	\$5.00
Fire Marshal’s Investigation Report	\$25.00

Photographs (Fire Scene)	\$15.00
CD Photos (Fire Scene)	\$15.00
Fire Alarm System Plan Review	\$1.00 per device or \$50.00 minimum
Sprinkler System Plan Review	\$1.00 per device or \$50.00 minimum
Commercial Hood Fire Suppression	\$1.00 per device or \$50.00 minimum
Clean Agent Initial Inspection	\$1.00 per device or \$50.00 minimum Free of Charge
Re-Inspections (Sprinkler Systems, Fire Alarm Systems, Commercial Hood Fire Suppression, Clean Agent)	\$50.00 per person with \$100.00 minimum
Fine	<del>\$100.00</del> \$175.00 (working without a permit or license)
Listed Agent	\$25.00 per year, per restriction
False Alarm, Fire Alarm Activation	\$175 after 2 consecutive, per calendar year

**III.** That Chapter 23 of the General Ordinances of the City of Rochester entitled “Fire Safety Measures”, as presently amended, be further amended, by adding to said Chapter 23, a new Section, to be known as Section 23.14 of the General Ordinances of the City of Rochester, said Section 23.14 to provide as follows, to wit:

**“23.14 Certificate of Fitness Program.**

In accordance with NFPA 1:2009 1.13, or the applicable adopted section of the current Code, the Rochester Fire Department enacts the Listed Agent Program. The Fire Chief or his designee shall promulgate administrative rules for the management of the Listed Agent Program.”

**IV.** That Chapter 23 of the General Ordinances of the City of Rochester entitled “Fire Safety Measures”, as presently amended, be further amended, by adding to said Chapter 23, a new Section, to be known as Section 23.15 of the General Ordinances of the City of Rochester, said Section 23.15 to provide as follows, to wit:

**“23.15 Regulation of Fire Alarms.**

The Fire Chief or his designee shall promulgate administrative rules for the management of the installation and maintenance of Fire Alarms.”

**CC FY15 03-03 AB 107**



**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 Amendment to Chapter 23 Fire Safety Measures - Revised
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COUNCIL ACTION ITEM <input checked="" type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>

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

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

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

AGENDA DATE	03/03/2015		
DEPT. HEAD SIGNATURE	Kelly Walters, Signature on file		
DATE SUBMITTED	02/20/2015		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	9	

**COMMITTEE SIGN-OFF**

COMMITTEE	
CHAIR PERSON	

**DEPARTMENT APPROVALS**

DEPUTY CITY MANAGER	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

**FINANCE & BUDGET INFORMATION**

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

**LEGAL AUTHORITY**

Sent to Attorney Wensley for review and to find out if this action would require another public hearing.

CC FY15 AB 107

**SUMMARY STATEMENT**

This Amendment was sent back to the February 5, 2015, Codes and Ordinances Committee to adjust some of the terminology and fines. The Codes and Ordinances Committee unanimously voted in favor of sending the revised version of the Amendment back to the City Council for adoption.

**RECOMMENDED ACTION**

Approve the revised Amendment to Chapter 23.

## CHAPTER 23

### FIRE SAFETY MEASURES

#### SECTION ANALYSIS

- 23.1 Fire Safety Rules and Regulations
- 23.2 Smoke Detector Wiring
- 23.3 Enforcement Officer
- 23.4 Control of Outdoor Fires
- 23.5 Knox Box Installations
- 23.6 Public Safety Amplification System Required in Large Facilities
- 23.7 Administration and Enforcement
- 23.8 Means of Escape
- 23.9 Fire Department Access
- 23.10 Control of Fire Hazards
- 23.11 Penalty
- 23.12 Sprinkler Requirements for Certain Single-family Dwelling Units
- 23.13 Prohibition and Regulation of Fireworks
- 23.14 [Listed Agent Program](#)
- 23.15 [Regulation of Fire Alarms](#)

#### **23.1 Fire Safety Rules and Regulations.**

The rules and regulations of the State Fire Marshal as they are now constituted and as they are from time to time amended are hereby adopted as and for the Fire Safety Rules and Regulations of the City of Rochester. The full text of such rules and regulations may be obtained by any person at the office of the Chief of the Fire Department of the City of Rochester.

#### **23.2 Smoke Detector Wiring.**

[1]

When installing 120 volt, hard-wired smoke detectors in any type occupancy, the smoke detector shall be wired to a lighting circuit.

#### **23.3 Enforcement Officer.**

The words “officer” and/or “local authorities” wherever used in the rules and regulations of the State Fire Marshall adopted in the foregoing section shall be deemed to refer to the Chief of the Rochester Fire Department.

#### **23.4 Control of Outdoor Fires.**

No person shall kindle, light, or otherwise start an outdoor fire in the City of Rochester for any purpose whatsoever without first having obtained a written permit, without cost, from the Chief of the Rochester Fire Department. All such permits shall be in writing and in such form as the Chief of the Rochester Fire Department shall prescribe and shall set forth any conditions or restrictions which, in the opinion of the Fire Chief, shall be reasonably necessary and prudent to insure the safe performance of permitted activities.

#### **23.5 Knox Box Installations.**

For purposes of rapid entry in cases of emergencies or required access to buildings after hours, any new construction on the following type occupancies occurring after the date of the adoption of this ordinance will require a KNOX BOX to be installed on such premises:

2/8/2000

1. Assembly
2. Educational
3. Mercantile
4. Business
5. Industrial
6. Apartment Complex

The Fire Chief shall have authority to require any other type of building, not listed above, to install a KNOX BOX to meet rapid entry requirements, if in his discretion public safety considerations require such installation.

### **23.6 Public Safety Amplification System Required in Large Facilities** [5]

The purpose of this system is to provide minimum standards to insure a reasonable degree of reliability for emergency services communications from within certain buildings and structures within the City to and from emergency communications centers. It is the responsibility of the emergency service provider to get the signal to and from the building site.

#### (a) Applicability

The provisions of this article shall apply to:

- (1) New buildings greater than fifty thousand (50,000) square feet;
- (2) Existing buildings over fifty thousand (50,000) square feet when modifications, alterations or repairs exceed fifty percent (50%) of the value of the existing building(s) and are made within any twelve (12) month period or the usable floor area is expanded or enlarged by more than fifty percent (50%); and
- (3) All sublevels, regardless of the occupancy, over ten thousand (10,000) square feet.

#### (b) Radio coverage

- (1) Except as otherwise provided in this article, no person shall erect, construct or modify any building or structure or any part thereof, or cause the same to be done, which fails to support adequate radio coverage for firefighters and police officers.
- (2) The City's fire department with consideration of the appropriate police, fire and emergency medical department services shall determine the frequency range or ranges that must be supported.

1/2/2007

- (3) For the purposes of this section, adequate radio coverage shall constitute a successful communications test between the equipment in the building and the communications center for all appropriate emergency service providers for the building.

#### (c) Inbound into the Building

- (1) A minimum average in-building field strength of 2.25 micro-volts (-100 dbm) for analog and five (5) micro-volts (-93 dbm) for digital systems throughout eighty-five percent (85%) of the area of each floor of the building when transmitted from

the City's police dispatch center and the appropriate emergency service dispatch centers which are providing fire and emergency medical protection services to the building.

- (2) If the field strength outside the building where the receive antenna system for the in-building system is located is less than (-100 dbm) for analog, or (-93 dbm) for digital systems, then the minimum required in-building field strength shall equal the field strength being delivered to the receive antenna of the building.

- (3) As used in this article, eighty-five percent (85%) coverage or reliability means the radio will transmit eighty-five percent (85%) of the time at the field strength and levels as defined in this article.

(d) Outbound from the Building

A minimum average signal strength of 112 micro-volts (-6 dbm) for analog and five (5) micro-volts (+1 dbm) for digital systems as received by the City's Police dispatch center and the appropriate emergency service dispatch centers, which are providing fire and emergency medical protection services to the building.

FCC authorization. If amplification is used in the system, all FCC authorizations must be obtained prior to use of the system. A copy of these authorizations shall be provided to the City's Fire Department.

(e) Enhanced amplifications systems

- (1) Where buildings and structures are required to provide amenities to achieve adequate signal strength, they shall be equipped with any of the following to achieve the required adequate radio coverage; radiating cable system(s), internal multiple antenna system(s) with an acceptable frequency range and an amplification system(s) as needed, voting receiver system(s) as needed, or any other City approved system(s).
- (2) If any part of the installed system or systems contains an electrically powered component, the system shall be capable of operation on an independent battery or

1/2/2007

generator system for a period of at least eight (8) hours without external power input or maintenance. The battery system shall automatically charge in the presence of external power.

- (3) Amplification equipment must have adequate environmental controls to meet the heating, ventilation, cooling and humidity requirements of the equipment that will be utilized to meet the requirements of this code. The area where the amplification equipment is located almost must be free of hazardous materials such as fuels, asbestos, etc.

All communications equipment, including amplification systems, cable and antenna systems shall be grounded with a single point ground system of five (5) ohms or less. The

ground system must include an internal tie point within three (3) feet of the amplification equipment. System transient suppression for the telephone circuits, ac power, radio frequency (RF) cabling and grounding protection are required as needed.

(4) The following information shall be provided to the Fire Department by builder:

- (A) A blueprint showing the location of the amplification equipment and associated antenna systems which includes a view showing building access to the equipment; and
- (B) Schematic drawings of the electrical, backup power, antenna system and any other associated equipment relative to the amplification equipment including panel locations and labeling.

(f) Testing procedures – Method to Conducts Tests

- (1) Tests shall be made using frequencies close to the frequencies used by the Police and appropriate emergency services. If testing is done on the actual frequencies, then this testing must be coordinated within the City's Fire Department. All testing must be done on frequencies authorized by the FCC. A valid FCC license will be required if testing is done on frequencies different from the Police, Fire or emergency medical frequencies.

(g) Measurements Shall be Made Using the Following Guidelines

- (1) With a service monitor using a unity gain antenna on a small ground plane;
- (2) Measurements shall be made with the antenna held in a vertical position at three (3) to four (4) feet above the floor;
- (3) A calibrated service monitor (with a factory calibration dated within twenty-four (24) months may be used to do the test);
- (4) The telecommunications unit representative for the City may also make simultaneous measurements to verify that the equipment is making accurate measurements. A variance of 3 db between the instruments will be allowed; and 1/2/2007
- (5) If measurements in one location are varying, then average measurements must be used.
  - (A) All testing shall be done in the presence of a Fire Department representative at no expense to the City or appropriate emergency services department.
  - (B) Signal strength, both inbound and outbound as defined above, shall be measured on each and every floor above and below ground including stairwells, basements, penthouse facilities and parking areas of the structure. The structure shall be divided into fifty (50) foot grids and the measurements shall be taken at the center of each grid.

(h) Annual Tests

Annual tests will be conducted by the City's telecommunications unit or appropriate emergency services department. If communications appear to have degraded or if the tests fail to demonstrate adequate system performance, the owner of the building or structure is required to remedy the problem and restore the system in a manner consistent with the original approval criteria. The re-testing will be done at no expense to the City or the appropriate emergency services departments as required in the original testing procedures.

(i) Field Testing

Police and Fire personnel, after providing reasonable notice to the owner or his/her representative, shall have the right to enter onto the property to conduct field testing to be certain the required level of radio coverage is present. Certificates of Occupancy may be denied for new and existing buildings for failure to comply with these requirements.

**23.7 Administration and Enforcement.**

[2]

The authority having jurisdiction for the administration and enforcement of this chapter shall be Fire Prevention of the City of Rochester. The fee schedule under this chapter shall be as follows:

Tank Removal	\$25.00	
Blasting	\$25.00	
Incident Report	\$5.00	
Fire Marshal's Investigation Report	\$25.00	
Photographs (Fire Scene)	\$15.00	
CD Photos (Fire Scene)	\$15.00	
Fire Alarm System Plan Review	\$1.00 per device or \$50.00 minimum	1/2/2007
Sprinkler System Plan Review	\$1.00 per device or \$50.00 minimum	
Commercial Hood Fire Suppression	\$1.00 per device or \$50.00 minimum	
Clean Agent Initial Inspection	\$1.00 per device or \$50.00 minimum Free of Charge	
Re-Inspections (Sprinkler Systems, Fire Alarm Systems, Commercial Hood Fire Suppression, Clean Agent)	\$50.00 per person with \$100.00 minimum	
Fine <u>license)</u>	<del>\$100.00</del> <u>175.00</u> (working without a permit <u>or</u>	
<u>Listed Agent</u>	<u>\$25.00 per year, per listing restriction</u>	
<u>False Alarm, Fire alarm activation</u>	<u>\$175 after 2 consecutive, per calendar year</u>	

**23.8 Means of Escape.**

[3]

All factories, hotels, tenement houses, public halls, schoolhouses and other buildings used as places of public resort in the City shall be provided with ample means of escape in case of a fire and adequate facilities for entrance and exits on all occasions; and be so erected as not to endanger the health and safety of persons who occupy them.

**23.9****Fire Department Access**

[4]

Before construction on commercial buildings, a residential street or a private street with two (2) or more duplexes or single-family dwellings may begin, Fire Department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface suitable for all-weather driving capabilities.

**23.10****Control of Fire Hazards**

[4]

The Chief of his/her designee shall examine, or cause to be examined, at regular intervals, all places where combustible material may be collected or deposited and cause the same to be removed by the tenants, occupants or owners of such place, at their expense, whenever, in the opinion of the Fire Chief, such removal is necessary for the security of the City against fires. A record of all such inspections shall be kept by the Chief or his/her designee.

**23.11****Penalty**

[3]

Any person, persons, firm, corporation or partnership who shall violate any provision of Chapter 23 shall be guilty of a violation punishable by a fine of not less than one hundred dollars (\$100) or not more than five hundred dollars (\$500). Each day that the violation continues to exist shall constitute a separate offense.

**23.12 Sprinkler Requirements for Certain Single-family Dwelling Units.**

[6]

In addition to sprinkler requirements for structures under the provisions of the applicable N.F.P.A. (National Fire Protection Association) Code and/or any other applicable law or regulation all newly constructed duplexes, triplexes and single-family dwelling unit combination structures that are attached to each other, shall be sprinkled in accordance with National Fire Protection Association (N.F.P.A.) Code standards as contained in the New Hampshire State Fire Code.

**23.13 Prohibition and Regulation of Fireworks.** [7][8][9]

- A. In accordance with the provisions of RSA 160-C, it shall be illegal for any person, firm, partnership or corporation to offer for sale, expose for sale, sell at retail, purchase, possess, use, explode or display any permissible fireworks within the City of Rochester, except as specifically provided for in this ordinance.
- B. As used in this ordinance:
  - i. "Display" means the use, explosion, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.
  - ii. "Permissible fireworks" means those consumers firework devices defined as

“permissible fireworks” in RSA 160-C, as the same currently exists or as, from time to time, hereinafter amended.

- iii. “Fire Chief” means the Fire Chief of the City of Rochester or his/her designee.
- iv. “Police Chief” means the Police Chief of the City of Rochester or his/her designee.

C. Subject to, and in accordance with the provisions of Chapter 160-C of the New Hampshire Revised Statutes Annotated it shall be lawful to possess and/or display permissible fireworks upon compliance with the following requirements:

- i. A person who is 21 years of age or older may display permissible fireworks on private property with the written consent of the owner or in the owner’s presence, subject to the provisions of this ordinance and RSA Chapter 160-C, and any other applicable ordinance regulation or statute.
- “ii No display of permissible fireworks shall be permitted within the City except between the hours of 6 PM and 11 PM on Saturdays in the months of June and July and between the hours of 6 PM and 10 PM on Saturdays between the months of August through May. Permissible fireworks shall be permitted on the following holidays; Labor Day, Fourth of July (including the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city-wide fireworks display held at the Rochester Fairgrounds), on New Year’s Eve (December 31<sup>st</sup>), provided, however, that on New Year’s Eve such display shall be permitted to occur between the hours of 6 PM on December 31<sup>st</sup> and 1:00 AM on January 1<sup>st</sup>.
- iii The display of permissible fireworks shall be of such a character, and so located and conducted, that it shall not be hazardous to property or endanger any person. In accordance with the provisions of RSA Chapter 160-C no permissible fireworks shall be permitted on public property and must be at least 50 feet from nearby buildings, nearby trees, electrical and telephone lines or other overhead obstructions, and the location of any nearby storage of flammable or combustible liquids or gases.
- iv No permissible fireworks may be used, discharged, exploded, or displayed during periods of very high or extreme fire danger as determined by the Fire Chief or the NH Division of Forests and Lands.
- v. Permissible fireworks may be used, discharged, exploded, or displayed in a manner such that any all discharge debris shall remain within the property lines of the lot on which the display originates.
- vi. Anyone using permissible fireworks shall be responsible for removing any debris accumulated due to the discharge of fireworks that fall onto the public way, public property, and any private property twenty-four hours. Anyone failing to remove such debris shall be financially responsible for its clean up.

- vii. Display of permissible fireworks shall be permitted on public property the evening of July 3<sup>rd</sup> beginning at 6PM, including from such time until midnight on any rain date established for the annual city-wide fireworks display held at the Rochester Fairgrounds, provided that such display shall be authorized in a duly issued Block Party Application/Permit from the City's Licensing Board covering the public property on which the display is to occur.”
- [11]A violation of this ordinance shall be subject to the penalties provided for in Chapter 23, Section 23.11, Penalty, of the City of Rochester General Ordinance.
- D. This ordinance shall be construed consistently with NH Code of Administrative Rules Sa c 2600, as made applicable by state statute and as adopted by reference in Section 23.1, of the General Ordinances of the City of Rochester, and is not meant to repeal any section thereof. Nothing in this ordinance shall be interpreted so as to conflict with the provisions of Chapters 160-B or 160-C of the New Hampshire Revised Statutes Annotated, as currently written, or as from time to time hereafter amended. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed a separate, distinct independent provision and such holding shall not affect the validity of the remaining portions thereof.11-9-10
- E. The Police Chief or Fire Chief may suspend the use of permissible fireworks for any of the following reasons:
- i. Unfavorable weather conditions, including but not limited to, lightning storms or high wind conditions exceeding 20 miles per hour or higher.
  - ii. If any person under the age of 21 possesses, uses, discharges or explodes, used, discharged or exploded any permissible firework device.
  - iii. If any person who is using, discharging, exploding, or displaying the permissible fireworks appears to be under the influence of alcohol or drugs;
  - iv. If, in the opinion of the Police Chief or Fire Chief, the use, discharge, exploding, or display of permissible fireworks would create a threat to public safety.
- F. The Police Chief and/or Fire Chief are authorized to seize, take, remove or cause to be removed, at the expense of the owner, all firework devices that are being discharged in violation of this ordinance.”

### **23.14 Listed Agent Program**

In accordance with NFPA 1:2009 1.13, or the applicable adopted section of the current edition of the Code, the Rochester Fire Department enacts the Listed Agent Program. The Fire Chief or his designee shall promulgate administrative rules for the management of the Listed Agent Program.

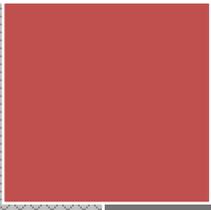
### **23.15 Regulation of Fire Alarms**

The Fire Chief or his designee shall promulgate administrative rules for the management of

the installation and maintenance of Fire Alarms.

- [1] Amended 2/8/2000
- [2] Amended 3/7/2006
- [3] Amended 6/6/2006
- [4] Amended 6/6/2006
- [5] Amended 1/2/2007
- [6] Amended 3/6/2007
- [7] New Section Added 3/4/08
- [8] Amended 11/9/10
- [9] Amended 4/2/2013 Replaced Chapter 23.13
- [10] Replaced [ii] 6/6/2013
- [11] New Section added on 6/4/2013
- [14] New Section added on 11/19/2014
- [15] New Section added on 11/19/2014

11/9/10



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