



**Regular City Council Public Hearing Meeting
November 5, 2014
COUNCIL CHAMBERS
7:00 PM**

AGENDA

1. Call to Order
2. **AB 46** Resolution Authorizing Supplemental Appropriation to the 2014-2015 Capital Improvements Budget of the City of Rochester, Department of Public Works, Sewer Works, for the So-Called Salmon Falls Road Sewer Reconstruction Project P-9
3. **AB 56** Resolution for the Bond Financing Public Hearings – Ratifications P-19
 - 3.1. **AB 56 (1)** Resolution Ratifying, Affirming, and Confirming, June 15, 2010 Actions of the Rochester Mayor and City Council with Respect to the Following, To Wit:

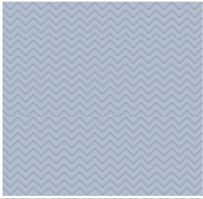
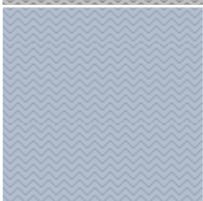
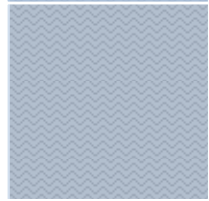
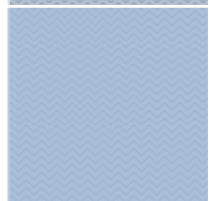
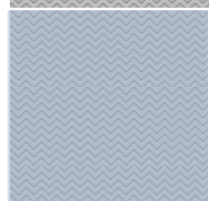
“Resolution Authorizing Supplemental Appropriation to the 2009-2010 Capital Budget of the City of Rochester for Engineering Services Relative to Brock Street and Authorizing Bonding in Connection Therewith”

And, in the Alternative, Re-Adopting the Same P-13
 - 3.2 **AB 56 (2)** Resolution Ratifying, Affirming and Confirming December 7, 2010 Actions of the Rochester Mayor and City Council with Respect to the Following, To Wit:

“Resolution Authorizing Supplemental Appropriation to the 2010-2011 Capital Budget of the City of Rochester for the Completion of the North Main Street Bridge Project and Authorizing Bonding in Connection Therewith”

And, in the Alternative, Re-Adopting the Same P-15
 - 3.3 **AB 56 (3)** Resolution Ratifying, Affirming and Confirming December 7, 2010 Actions of the Rochester Mayor and City Council with Respect to the Following, To Wit:

“Resolution Approving Purchase and Sale Agreement with Regard to Real Property Situate at 2-4 Walnut Street and Making a Supplemental Appropriation in Connection Therewith”



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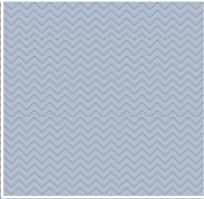
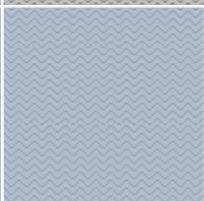
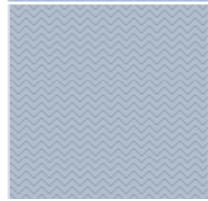
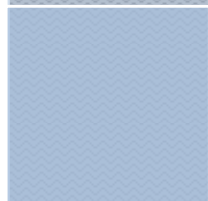
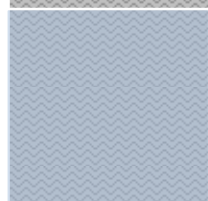


**And, in the Alternative, Re-Adopting the Same
P-17**

4. Adjournment

**Regular City Council Meeting
November 5, 2014
COUNCIL CHAMBERS
(Immediately following the City Council Public Hearing)**

1. Call to Order
2. *Presentation of the Colors by the Rochester Veterans Council
 - 2.1. *Proclamation for Veterans Day P-39
3. Opening Prayer
4. Roll Call
5. Acceptance of Minutes
 - 5.1. [October 7, 2014, Regular City Council Meeting Minutes](#)
 - 5.2. [October 21, 2014, Special City Council Meeting Minutes](#)
6. Communications from the City Manager
 - 6.1. Employee of the Month Award P-42
 - 6.2. City Manager's Report P-41
7. Communications from the Mayor
 - 7.1. Proclamation: National American Indian Heritage Month P-57
 - 7.2. ***Clarification:** Community Revitalization Tax Relief Incentive Application for 2-6 North Main Street
8. Presentations of Petitions and Council Correspondence
9. Nominations, Appointments, Resignations, and Elections
10. Reports of Committee P-59
 - 10.1. Appointments Committee P-61



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10.2. Codes and Ordinances Committee P-63

10.3. Community Development - **Meeting Canceled**

10.4. Finance Committee P-69

10.5. Joint Building Committee P-83

10.6. Public Safety Committee P-95

10.7. Public Works Committee P-99

11. Old Business

12. New Business

12.1. **AB 60** Resolution Approving Cost Items Associated with Proposed City of Rochester Multi-Year Collective Bargaining Agreement with International Brotherhood of Teamsters, Local 633, (Library Employees) P-105

12.2. **AB 46** Resolution Authorizing Supplemental Appropriation to the 2014-2015 Capital Improvements Budget of the City of Rochester, Department of Public Works, Sewer Works, for the So-Called Salmon Falls Road Sewer Reconstruction Project – **Second Reading and Adoption** P-19

12.3. **AB 57** Second Hand Dealer's License Renewal – **Seeking Approval** P-139

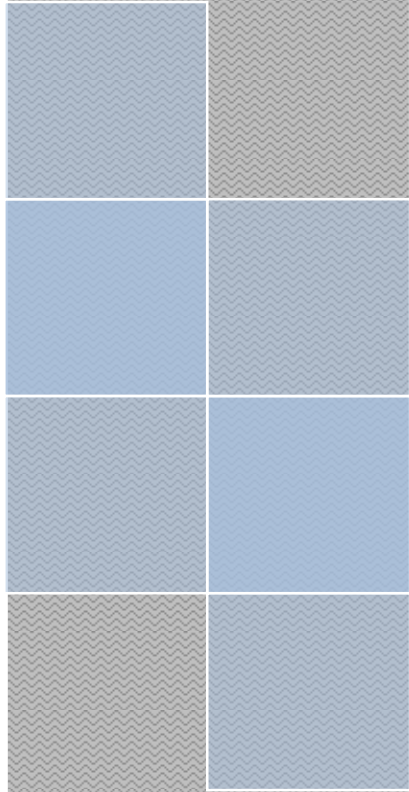
12.4. **AB 59** A Resolution Accepting and Adopting the 2014 Update to the City of Rochester's Local Emergency Operations Plan ("LEOP") – **First Reading and Adoption** P-141

12.5. Discussion: City Hall Annex

12.6. **AB 56** Resolution for the Bond Financing Public Hearings – Ratifications **First Reading, Second Reading and Adoption** P-19

12.6.1. **AB 56 (1)** Resolution Ratifying, Affirming, and Confirming, June 15, 2010 Actions of the Rochester Mayor and City Council with Respect to the Following, To Wit:

"Resolution Authorizing Supplemental Appropriation to the 2009-2010 Capital



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Budget of the City of Rochester for Engineering Services Relative to Brock Street and Authorizing Bonding in Connection Therewith"

**And, in the Alternative, Re-Adopting the Same
First Reading, Second Reading, and Adoption
P-13**

- 12.6.2. AB 56 (2) Resolution Ratifying, Affirming and Confirming December 7, 2010 Actions of the Rochester Mayor and City Council with Respect to the Following, To Wit:**

"Resolution Authorizing Supplemental Appropriation to the 2010-2011 Capital Budget of the City of Rochester for the Completion of the North Main Street Bridge Project and Authorizing Bonding in Connection Therewith"

**And, in the Alternative, Re-Adopting the Same
First Reading, Second Reading, and Adoption
P-15**

- 12.6.3. AB 56 (3) Resolution Ratifying, Affirming and Confirming December 7, 2010 Actions of the Rochester Mayor and City Council with Respect to the Following, To Wit:**

"Resolution Approving Purchase and Sale Agreement with Regard to Real Property Situate at 2-4 Walnut Street and Making a Supplemental Appropriation in Connection Therewith"

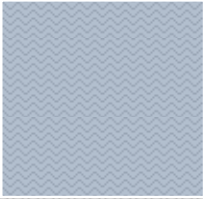
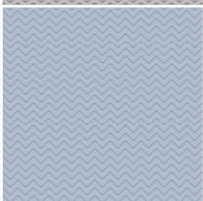
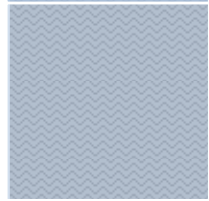
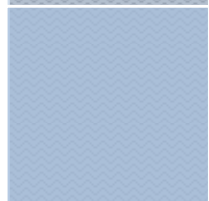
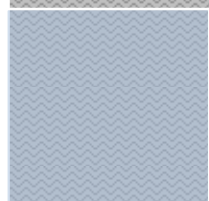
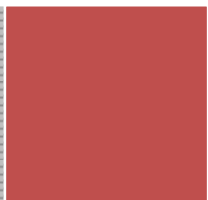
**And, in the Alternative, Re-Adopting the Same
First Reading, Second Reading, and Adoption
P-17**

13. Other

14. Non-Public Session

14.1. Non-Public Personnel, RSA 91-A 3 II (a)

15. Adjournment



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**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION
TO THE 2014-2015 CAPITAL IMPROVEMENTS BUDGET OF THE
CITY OF ROCHESTER, DEPARTMENT OF PUBLIC WORKS, SEWER WORKS
FOR THE SO-CALLED SALMON FALLS ROAD SEWER RECONSTRUCTION
PROJECT**

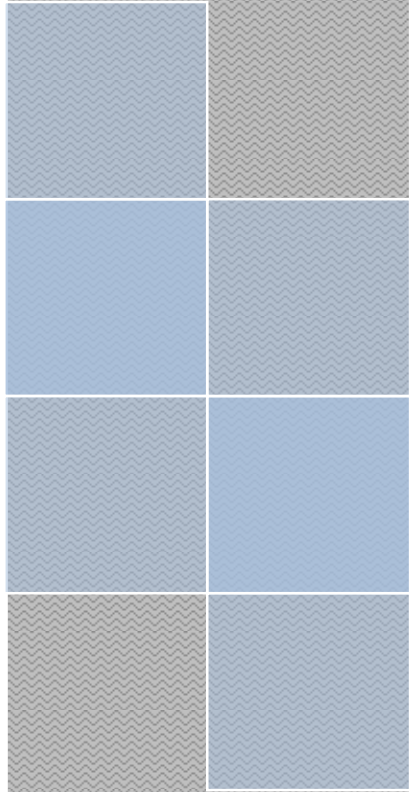
BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER,
AS FOLLOWS:

That the sum of Ninety-Eight Thousand Five Hundred Fifteen Dollars and Thirty-Five Cents (\$98,515.35) be, and hereby is, appropriated as a supplemental appropriation to the 2014-2015 capital improvements budget of the City of Rochester, Department of Public Works, Sewer Works, for the purpose of providing sums necessary to pay costs and/or expenditures with respect to the so-called Salmon Falls Road sewer reconstruction project (the "Project"), and provided further that such appropriation shall be drawn in its entirety from the proceeds of bonding/borrowing to be undertaken by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Ninety-Eight Thousand Five Hundred Fifteen Dollars and Thirty-Five Cents (\$98,515.35), through the issuance of bonds and/or notes, and/or through other legal form(s), for the purposes of funding the expenditures incident to the implementation of the Project outlined, and referred to, in the preceding paragraph, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter to the extent required, necessary and/or appropriate. The useful life for the aforesaid Project is 20 years.

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

CC FY15 10-07 AB 46



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City of Rochester Formal Council Meeting

10/31/14

AGENDA BILL

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

AGENDA SUBJECT Supplemental Appropriation / Changing Funding Source for Salmon Falls Road Reconstruction Sewer Work. Account # 55026020-771000-12513	
Council Action Item <u> X </u> or Information Only <u> </u>	Funding Required? Yes <u>XX</u> No <u> </u>
Resolution Required? Yes <u>XX</u> No <u> </u>	Funding Resolution Worksheet? Yes <u>XX</u> No <u> </u>

AGENDA DATE	Next Available
DEPT. HEAD SIGNATURE	Peter C. Nourse, PE – DPW Director Original with Signature is on file with City Clerk
DATE SUBMITTED	September 29, 2014
ATTACHMENTS Yes No <u>XX</u>	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	Blaine Cox, Deputy City Manager Original with Signature is on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, City Manager Original with Signature is on file with City Clerk

FINANCE & BUDGET INFORMATION

DIRECTOR OF FINANCE APPROVAL	Roland Connors, Deputy Finance Director Original with Signature is on file with City Clerk
SOURCE OF FUNDS	Sewer Fund – Bonding
ACCOUNT NUMBER	55026020-771000-12513
AMOUNT	\$98,515.35
APPROPRIATION REQUIRED Yes <u>XX</u> No <u> </u>	

LEGAL AUTHORITY

Resolution for additional appropriation in the amount \$98,515.35 – Sewer fund bond.

SUMMARY STATEMENT

The funds for this project were appropriated with CWSRF funding source as part of the FY2012 CIP Budget. The original appropriation was in the amount of \$366,000. This project was not funded by CWSRF and completed after expensing \$98,515.35.

RECOMMENDED ACTION

Resolution for supplemental appropriation of \$98,515.35 with bonding as the funding source.

AGENDA BILL - FUNDING RESOLUTION EXHIBIT

Project Name: Sewer Fund CIP - Salmon Falls Road Reconstruction

Date: 09/29/2014

Fiscal Year: FY2015

Fund (select):

GF ☐ Water ☐ Sewer ☐ Arena ☐

CIP ☐ Water CIP ☐ Sewer CIP ☒ Arena CIP ☐

Special Revenue ☐

Fund Type: Annual Lapsing ☐ Multi-year Non-Lapsing ☒

Deauthorization

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

Appropriation

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	55026020	771000	12513		98,515.35	
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 ☐

**RESOLUTION RATIFYING, AFFIRMING, AND CONFIRMING
JUNE 15, 2010 ACTIONS OF THE ROCHESTER MAYOR AND CITY COUNCIL
WITH RESPECT TO THE FOLLOWING, TO WIT:**

**“RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE
2009-2010 CAPITAL BUDGET OF THE CITY OF ROCHESTER
FOR ENGINEERING SERVICES RELATIVE TO BROCK STREET
AND AUTHORIZING BONDING IN CONNECTION THEREWITH”**

AND, IN THE ALTERNATIVE, RE-ADOPTING THE SAME

WHEREAS, on June 15, 2010 the Rochester Mayor and City Council, after conducting a Public Hearing on the same, adopted a resolution entitled: “Resolution Authorizing Supplemental Appropriations to the 2009-2010 Capital Budget of the City Of Rochester for Engineering Services Relative to Brock Street and Authorizing Bonding in Connection Therewith” (hereinafter referred to as the “Brock Street Engineering and Bonding Resolution”); and

WHEREAS, a copy of the Brock Street Engineering and Bonding Resolution is annexed hereto as **Exhibit A**; and

WHEREAS, it has come to the attention of the City that the posting of the Public Hearing Notice with respect to the Brock Street Engineering and Bonding Resolution may not have been accomplished so as to meet the requirements for such posting established in RSA 91-A:2, II, since the Public Hearing Notice was not published in a newspaper of general circulation within the City of Rochester, and (although the habitual and customary practice of the City is to post such a public hearing notice in two (2) appropriate places within the City of Rochester), the existing documentation as to whether the Public Hearing Notice was posted in two (2) appropriate places within the City of Rochester at least 24 hours, excluding Sundays and holidays prior to the meeting at which the Public Hearing was to be held, is unclear and/or inadequate: and

WHEREAS, the Rochester Mayor and City Council have, this evening, conducted a Public Hearing, complying with the posting requirements of RSA 91-A:2, II, with respect to this resolution and the Brock Street Engineering and Bonding Resolution;

NOW THEREFORE, by passage of this resolution, the Rochester Mayor and City Council, not only adopt this resolution in its entirety, but further hereby take the following specific actions with regard to the Brock Street Engineering and Bonding Resolution, to wit:

- a. The Mayor and City Council of the City of Rochester ratify, affirm, and confirm the approval and adoption of the Brock Street Engineering and Bonding Resolution annexed hereto as **Exhibit A**, on June 15, 2010, and to the extent necessary and/or possible legalize such actions; and
- b. In the alternative, and to the extent necessary, the Mayor and City Council of the City of Rochester hereby re-adopt and re-approve the Brock Street Engineering and Bonding Resolution annexed hereto as **Exhibit A**, effective as of June 15, 2010.

CC FY 15 11-05 AB 56 (1)

EXHIBIT A**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATIONS TO THE
2009-2010 CAPITAL BUDGET OF THE CITY OF ROCHESTER
FOR ENGINEERING SERVICES RELATIVE TO BROCK STREET
AND AUTHORIZING BONDING IN CONNECTION THEREWITH****BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:**

That the sum of Fifty Thousand Dollars (\$50,000.00) be, and hereby is appropriated as a supplemental appropriation to the City of Rochester 2009-2010 capital budget of the City of Rochester, Department of Public Works, for the purposes of providing funds for use in connection with engineering services related to so-called Brock Street Reconstruction project, involving the reconstruction of Brock Street and infrastructure located therein and/or related thereto. Further, that the sums necessary to fund such supplemental appropriation shall be drawn in their entirety from the issuance of bonds and/or notes by the City of Rochester, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid additional Brock Street Reconstruction project is 20 years. To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution. CC FY 15 11-05 AB 56 (1)

**RESOLUTION RATIFYING, AFFIRMING AND CONFIRMING
OCTOBER 5, 2010 ACTIONS OF THE ROCHESTER MAYOR AND CITY COUNCIL
WITH RESPECT TO THE FOLLOWING, TO WIT:**

**“RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE
2010-2011 CAPITAL BUDGET OF THE CITY OF ROCHESTER FOR THE
COMPLETION OF THE NORTH MAIN STREET BRIDGE PROJECT AND
AUTHORIZING BONDING IN CONNECTION THEREWITH”**

AND, IN THE ALTERNATIVE, RE-ADOPTING THE SAME

WHEREAS, on October 5, 2010 the Rochester Mayor and City Council, after conducting a Public Hearing on the same, adopted a resolution entitled: “Resolution Authorizing Supplemental Appropriation to the 2010-2011 Capital Budget of the City of Rochester for the Completion of The North Main Street Bridge Project and Authorizing Bonding in Connection Therewith” (hereinafter referred to as the “North Main Street Bridge Project Completion and Bonding Resolution”); and

WHEREAS, a copy of the North Main Street Bridge Project Completion and Bonding Resolution is annexed hereto as **Exhibit A**; and

WHEREAS, it has come to the attention of the City that the posting of the Public Hearing Notice with respect to the North Main Street Bridge Project Completion and Bonding Resolution may not have been accomplished so as to meet the requirements for such posting established in RSA 91-A:2, II, since the Public Hearing Notice was not published in a newspaper of general circulation within the City of Rochester, and (although the habitual and customary practice of the City is to post such a public hearing notice in two (2) appropriate places within the City of Rochester), the existing documentation as to whether the Public Hearing Notice was posted in two (2) appropriate places within the City of Rochester at least 24 hours, excluding Sundays and holidays prior to the meeting at which the Public Hearing was to be held, is unclear and/or inadequate; and

WHEREAS, the Rochester Mayor and City Council have, this evening, conducted a Public Hearing, complying with the posting requirements of RSA 91-A:2, II, with respect to this resolution and the North Main Street Bridge Project Completion and Bonding Resolution;

NOW THEREFORE, by passage of this resolution, the Rochester Mayor and City Council, not only adopt this resolution in its entirety, but further hereby take the following specific actions with regard to the North Main Street Bridge Project Completion and Bonding Resolution, to wit:

- a. The Mayor and City Council of the City of Rochester ratify, affirm, and confirm the approval and adoption of the North Main Street Bridge Project Completion and Bonding Resolution annexed hereto as **Exhibit A**, on October 5, 2010, and to the extent necessary and/or possible legalize such actions; and
- b. In the alternative, and to the extent necessary, the Mayor and City Council of the City of Rochester hereby re-adopt and re-approve the North Main Street Bridge Project Completion and Bonding Resolution annexed hereto as **Exhibit A**, effective as of October 5, 2010.

CC FY15 11-05 AB 56 (2)

EXHIBIT A**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE
2010-2011 CAPITAL BUDGET OF THE CITY OF ROCHESTER FOR THE
COMPLETION OF THE NORTH MAIN STREET BRIDGE PROJECT AND
AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Four Hundred Fifty-Eight Thousand Six Hundred Fifteen Dollars and Eighty-Four Cents (\$458,615.84) be, and hereby is, appropriated as part of the City of Rochester 2010-2011 capital budget of the Department of Public Works, for the purpose of providing funds necessary for the purpose of the completion of the so-called North Main Street Bridge repair project, that the sums necessary to fund such appropriation shall be received through the proceeds of bonds and/or notes issued by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of up to Four Hundred Fifty-Eight Thousand Six Hundred Fifteen Dollars and Eighty-Four Cents (\$458,615.84), through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the completion of the so-called North Main Street Bridge repair project referred to in the preceding paragraph of this resolution, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid so-called North Main Street Bridge repair project is 20 years.

Further, that the Finance Director is hereby authorized to establish such accounts as are required to implement the provisions of this resolution. **CC FY15 11-05 AB 56 (2)**

**RESOLUTION RATIFYING, AFFIRMING, AND CONFIRMING
DECEMBER 7, 2010 ACTIONS OF THE ROCHESTER MAYOR AND CITY COUNCIL
WITH RESPECT TO THE FOLLOWING, TO WIT:**

**“RESOLUTION APPROVING PURCHASE & SALE AGREEMENT WITH
REGARD TO REAL PROPERTY SITUATE AT 2-4 WALNUT STREET
AND MAKING A SUPPLEMENTAL APPROPRIATION
IN CONNECTION THEREWITH”**

AND, IN THE ALTERNATIVE, RE-ADOPTING THE SAME

WHEREAS, on December 7, 2010 the Rochester Mayor and City Council, after conducting a Public Hearing on the same, adopted a resolution entitled: “Resolution Approving Purchase & Sale Agreement with regard to Real Property Situate at 2-4 Walnut Street and Making a Supplemental Appropriation in Connection Therewith” (hereinafter referred to as the “2-4 Walnut Street Acquisition and Bonding Resolution”); and

WHEREAS, a copy of the 2-4 Walnut Street Acquisition and Bonding Resolution is annexed hereto as **Exhibit A**; and

WHEREAS, it has come to the attention of the City that the posting of the Public Hearing Notice with respect to the 2-4 Walnut Street Acquisition and Bonding Resolution may not have been accomplished so as to meet the requirements for such posting established in RSA 91-A:2, II, since the Public Hearing Notice was not published in a newspaper of general circulation within the City of Rochester, and (although the habitual and customary practice of the City is to post such a public hearing notice in two (2) appropriate places within the City of Rochester), the existing documentation as to whether the Public Hearing Notice was posted in two (2) appropriate places within the City of Rochester at least 24 hours, excluding Sundays and holidays prior to the meeting at which the Public Hearing was to be held, is unclear and/or inadequate: and

WHEREAS, the Rochester Mayor and City Council have, this evening, conducted a Public Hearing, complying with the posting requirements of RSA 91-A:2, II, with respect to this resolution and the 2-4 Walnut Street Acquisition and Bonding Resolution;

NOW THEREFORE, by passage of this resolution, the Rochester Mayor and City Council, not only adopt this resolution in its entirety, but further hereby take the following specific actions with regard to the 2-4 Walnut Street Acquisition and Bonding Resolution, to wit:

- a. The Mayor and City Council of the City of Rochester ratify, affirm, and confirm the approval and adoption of the 2-4 Walnut Street Acquisition and Bonding Resolution annexed hereto as **Exhibit A**, on October 5, 2010, and to the extent necessary and/or possible legalize such actions; and
- b. In the alternative, and to the extent necessary, the Mayor and City Council of the City of Rochester hereby re-adopt and re-approve the 2-4 Walnut Street Acquisition and Bonding Resolution annexed hereto as **Exhibit A**, effective as of December 7, 2010.

CC FY 15 11-05 AB 56 (3)

EXHIBIT A**RESOLUTION APPROVING PURCHASE & SALE AGREEMENT WITH
REGARD TO REAL PROPERTY SITUATE AT 2-4 WALNUT STREET
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 the Mayor and City Council hereby approve the terms and conditions of a Purchase and Sales Agreement between the City and owner of a certain tract or parcel of land known, and referred to, as 2-4 Walnut Street, Rochester, NH, negotiated by the City Manager on behalf of the City of Rochester ("City") in November 2010, for use in purchasing said property known, and referred to, as 2-4 Walnut Street for use in connection with improvements to the North Main Street, Jackson Street, Washington Street and Walnut Street intersection, and the said City Manager is further authorized to hold a closing in connection therewith and to bond the sum of sign all documents, and to take such actions, necessary to implement the land acquisition contemplated by the aforesaid Purchase and Sales Agreement.

Further, that the sum of Three Hundred Thousand Dollars (\$300,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2010-2011 capital budget for the City of Rochester, Department of Public works, such funds to be used in purchasing said property known, and referred to, as 2-4 Walnut Street for use in connection with improvements to the North Main Street, Jackson Street, Washington Street and Walnut Street intersection. The source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the proceeds of notes and/or bonds issued by the City of Rochester. Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of Three Hundred Thousand Dollars (\$300,000.00) through the issuance of bonds and/or notes, for the purpose of funding the aforesaid land purchase, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforementioned land purchase and related project is 20 years.

Further, that the City Manager and/or his designee be authorized sign all documents necessary to implement the purposes of this resolution, and that the Finance Director is hereby authorized to assign the transactions contemplated by this resolution to the appropriate budget accounts of the City, and/or to establish appropriate accounts therefor.

Furthermore, the supplemental appropriation approved On October 5, 2010 for the purchase of 2-4 Walnut Street is hereby rescinded. **CC FY 15 11-05 AB 56 (3)**



10/31/14

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**AGENDA SUBJECT **Bond Financing Public Hearings - Ratifications**COUNCIL ACTION ITEM ☐
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☐
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☐ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☐

AGENDA DATE	November 5, 2014		
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	Blaine Cox, Signature on file with City Clerk
CITY MANAGER	Dan Fitzpatrick, Signature on file with City Clerk

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 33 MUNICIPAL FINANCE ACT

CC FY 15 AB 56

SUMMARY STATEMENT

As the Finance Office is preparing to issue general obligation bonds related to expenditures that have occurred for capital projects that the City has undertaken, it has been discovered that the required documentation of proper public hearing *postings* is not on file for three separate bonding related public hearings that occurred in 2010. The public hearings did take place and we have the hearing meeting minutes, we simply cannot verify that the public hearings were properly noticed per RSA 91-A. As a result, Bond Counsel has advised that we can correct this flaw if we properly notice and hold another set of public hearings followed by a ratification vote of the City Council.

RECOMMENDED ACTION

Hold requisite public hearings and ratify previous bonding resolutions.

**ROCHESTER CITY COUNCIL PUBLIC HEARINGS
JUNE 15, 2010
COUNCIL CHAMBERS
7:00 PM**

MEMBERS PRESENT

Councilor Grassie
Councilor Hamann
Councilor Hervey
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Reed-Erickson
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager Scruton
Attorney Carl Potvin, Chamber of Commerce
Michael Deegan, Rochester Main Street
Rick Lundborn, Roch. Econ. Devel. Comm.
Fred Leonard, Resident
Lisa Stanley, Roch. Econ. Devel. Comm.

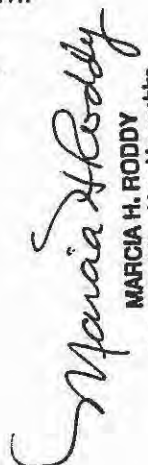
MINUTES

Mayor Jean opened the Public Hearing at 7:00 PM. City Clerk Eisenberg took a silent roll call. All Councilors were present. The public was invited to speak to Council regarding either of the items on the public hearing agenda.

- 1. PROPOSAL TO AUTHORIZE BONDING IN THE AMOUNT OF UP TO \$50,000.00 FOR THE PURPOSE OF FUNDING COSTS ASSOCIATED WITH THE BROCK STREET PROJECT IN REGARD TO ENGINEERING.**
- 2. PROPOSAL TO AMEND CITY ORDINANCE 11.20(b), CITY OF ROCHESTER ECONOMIC DEVELOPMENT SPECIAL RESERVE FUND**

Attorney Carl Potvin, Chairman of the Board, Rochester Chamber of Commerce, stated he would like to address Council regarding the proposed Amendment to the Ordinances on behalf of the Chamber of Commerce. He read a letter from the Chamber. *See Addendum A to City Council Packet for June 15, 2010.*

Mr. Michael Deegan, Vice-President, Board of Directors for Rochester Main Street, spoke on behalf of the Board of Directors and volunteers from the organization against the proposed Amendment to the Ordinances relative to the Economic Development Special Reserve Fund. He said a promise was made when this fund was established, to utilize the funds for economic development in the City, to the benefit of the residents of Rochester. However, since its inception the Fund has not been funded on an annual basis and has been consistently


MARCIA H. RODDY
Notary Public - New Hampshire
My Commission Expires July 14, 2015

I attest that this is a true copy of the June 15, 2010,
Rochester City Council Public Hearing minutes, and
submitted for duplication on October 14, 2014
Marcia H. Roddy, Deputy City Clerk
City of Rochester, New Hampshire

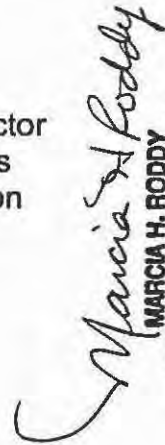
**ROCHESTER CITY COUNCIL SPECIAL MEETING
JUNE 15, 2010
COUNCIL CHAMBERS
(8:50 PM)**

MEMBERS PRESENT

Councilor Grassie
Councilor Hamann
Councilor Hervey
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Reed-Erickson
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager Scruton
Roland Connors, Interim Finance Director
Commissioner Esterberg, Public Works
Jeff Winders, Conservation Commission
Attorney Danford Wensley


MARCIA H. RODDY
Notary Public - New Hampshire
My Commission Expires July 14, 2015

MINUTES

Mayor Jean called the Special City Council Meeting to order at 8:50 PM. Sheryl Eisenberg, City Clerk, took a silent roll call. All Councilors were present.

1] Resolution Authorizing Supplemental Appropriation to the 2009-2010 Capital Budget of the City of Rochester for the Purpose of Funding Additional Fire Exits at the Nancy Loud School and the Maple Street School for the Rochester School Department

Councilor Grassie **MOVED** to read the resolution by title only for the second time. Councilor Reed-Erickson seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only for the second time as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE
2009-2010 CAPITAL BUDGET OF THE CITY OF ROCHESTER
FOR THE PURPOSE OF FUNDING ADDITIONAL FIRE EXITS
AT THE NANCY LOUD SCHOOL AND THE MAPLE STREET SCHOOL
FOR THE ROCHESTER SCHOOL DEPARTMENT**

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

I attest that this is a true copy of the June 15, 2010, Rochester Special City Council meeting minutes, and submitted for duplication on October 14, 2014
Marcia H. Roddy, Deputy City Clerk
City of Rochester, New Hampshire

disbursed by said Trustees, as more particularly set forth below in this Resolution. Further, that the sum of Five Thousand Dollars (\$5,000.00) is hereby appropriated as a supplemental appropriation to the 2009-2010 operating budget for the City of Rochester for the purpose of establishing the Trustees of the Trust Funds trust fund referred to above. The source of the sums necessary to fund such appropriation shall be drawn in their entirety, from the aforesaid donation received from Route 11 Investments, Inc..

Furthermore, the Trustees of the Trust Funds trust fund to be established pursuant to this Resolution shall be a non-lapsing account from which the said Trustees of the Trust Funds are authorized, from time to time, to disburse such portion of the principal and/or interest of said trust fund as the Rochester City Manager, or his designee, may request in writing, for the purpose of exercising the Grantee's oversight, enforcement and other rights set forth in the aforesaid Conservation Easement Deed dated May 6, 2010, recorded at Book 3832, Page 179 of the Strafford County Records.

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

Councilor Walker **MOVED** to suspend the Rules and read the resolution by title only for the second time. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only for the second time.

Councilor Walker **MOVED** to adopt the resolution. Councilor Grassie seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

3] Resolution Authorizing Bonding for Engineering Costs Associated with the Brock Street Project (\$50,000)

Councilor Walker **MOVED** to read the resolution by title only for the first time. Councilor Torr seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATIONS
TO THE 2009-2010 CAPITAL BUDGET OF THE CITY OF ROCHESTER FOR
ENGINEERING SERVICES RELATIVE TO BROCK STREET AND
AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Fifty Thousand Dollars (\$50,000.00) be, and hereby is appropriated as a supplemental appropriation to the City of Rochester 2009-2010 capital budget of the City of Rochester, Department of Public Works, for the purposes of providing funds for use in connection with engineering services related to the so-called Brock Street Reconstruction project, involving the reconstruction of Brock street and infrastructure located therein and/or related thereto. Further, that the sums necessary to fund such supplemental appropriation shall be drawn in their entirety from the issuance of bonds an/or notes by the City of Rochester, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid additional Brock Street Reconstruction project is 20 years. To the extent not otherwise provided for in this Resolution, the Finance Director is hereby authorized to establish and/or designate such accounts and or account numbers as are necessary to implement the transactions contemplated in this Resolution.

Councilor Walker **MOVED** to suspend the Rules and read the resolution by title only for the second reading. Councilor Torr seconded the motion. The **MOTION CARRIED** by unanimous voice vote. Mayor Jean read the resolution by title only for a second time.

Councilor Walker **MOVED** to adopt the resolution. Councilor Torr seconded the motion.

Councilor Lachapelle inquired how much money had been appropriated for engineering relative to this project in the past. Commissioner Esterberg said she did not have that information at hand, but would be happy to get the data to the Council. She added that the Council had deauthorized the remainder of the funds that were to be used for the engineering in March. She provided a brief explanation of the project. Councilor Varney noted this project would cost in excess of \$4 million. The **MOTION CARRIED** by unanimous voice vote.

4] Amendment to Ordinances Relative to Economic Development Special Reserve Fund (Chapter 11.20(b))

No action. Mayor Jean said the amendment **FAILED** because no member of the Council wished to take action on it.

5] Resolution for Supplemental Appropriation to the Conservation Fund Pursuant to the Provisions of Section 11.21(c) of the General Ordinances of the City of Rochester

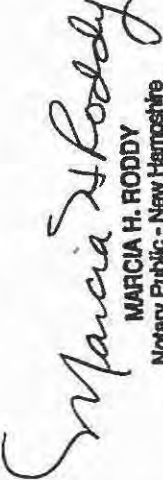
**ROCHESTER CITY COUNCIL PUBLIC HEARINGS
OCTOBER 5, 2010
COUNCIL CHAMBERS
7:00 PM**

MEMBERS PRESENT

Councilor Grassie
Councilor Hamann
Councilor Hervey
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochele
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager Scruton
Mr. Tony Harlan, Resident
Mr. Fred Leonard, Resident
Mr. Tom Kaczynski, Resident
Mr. Robert Gates, Resident


MARCIA H. RODDY
Notary Public - New Hampshire
My Commission Expires July 14, 2015

MINUTES

Mayor Jean opened the meeting at 7:00 PM. Deputy City Clerk Kelly Walters took a silent roll call. All Councilors were present except Councilor Reed-Erickson, who had been excused.

1. PROPOSAL TO AUTHORIZE/PROCEED WITH BONDING IN THE AMOUNT OF \$458,615.84 FOR THE PURPOSE OF PROVIDING FUNDS FOR THE COMPLETION OF THE SO-CALLED NORTH MAIN STREET BRIDGE REPAIR PROJECT

2. PROPOSAL TO AUTHORIZE/PROCEED WITH BONDING IN THE AMOUNT OF UP TO \$50,000.00 FOR THE PURPOSE OF PROVIDING FUNDS NECESSARY FOR THE EXTENSION OF THE MUNICIPAL WATER LINE TO AND ALONG JEFFERSON STREET

Mayor Jean read the titles of both public hearing issues. He invited the public to address the City Council regarding these items.

Mr. Tony Harlan, 5 Jefferson Street, advised that all four residents of Jefferson Street wished to be involved as participants of the proposed waterline extension. He urged the Councilors to proceed with the proposal as it had been discussed previously.

I attest that this is a true copy of the October 5, 2010, Rochester City Council Public Hearing minutes, and submitted for duplication on October 14, 2014
Marcia H. Roddy, Deputy City Clerk
City of Rochester, New Hampshire

**ROCHESTER CITY COUNCIL MEETING
OCTOBER 5, 2010
COUNCIL CHAMBERS
7:00 PM**

MEMBERS PRESENT

Councilor Grassie
Councilor Hamann
Councilor Hervey
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager Scruton
Blaine Cox, Finance Director
Dan Wensley, City Attorney

MEMBERS EXCUSED

Councilor Reed-Erickson

MINUTES

1] CALL TO ORDER

Mayor Jean opened the Regular City Council Meeting at 7:23 PM.

2] PLEDGE OF ALLEGIANCE

Councilor Hamann led the recitation of the Pledge of Allegiance.

3] OPENING PRAYER

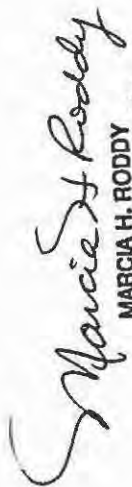
Mayor Jean called for a moment of silence, bearing in mind the brave Americans who fight to protect our freedom.

4] ROLL CALL

Deputy City Clerk Walters called the roll. All Councilors were present except Councilor Reed-Erickson, who had been excused.

5] ACCEPTANCE OF MINUTES

a] September 7, 2010 Regular City Council Meeting


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Notary Public - New Hampshire
My Commission Expires July 14, 2015

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Rochester City Council Meeting minutes,
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Marcia H. Roddy, Deputy City Clerk
City of Rochester, New Hampshire

by the Finance Director in the 2010-2011 operating budget of the City of Rochester, Police Department. Further, that the sum of Twenty-Nine Thousand Four Hundred Eighty-Six Dollars and Seventy Cents (\$29,486.00) be, and hereby is, appropriated as a supplemental appropriation to the 2010-2011 operating budget for the City of Rochester, Police Department, such funds to be used for the purpose of providing funds for acquisition of police vehicle(s) and related expenses, all as more particularly set forth in the application for such grant (account number(s) of which is/are to be established by the Finance Director in the 2010-2011 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 U.S. Department of Justice, Justice Assistance grant. Such grant program is administered by the Strafford County Sheriff's Department as fiscal agent for this multi-jurisdictional Justice Assistance grant.

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

Councilor Varney **MOVED** to **ADOPT** the resolution. Councilor Larochelle seconded the motion. Mayor Jean mentioned there would not be matching funds from the City required. City Manager Scruton stated that was correct. Councilor Varney asked if one front-line police cruiser would be purchased with the acceptance of this grant. Captain Dumas replied yes. He said funds from another grant would be used to fully equip this vehicle.

Councilor Walker asked if this is a replacement vehicle or is it an additional vehicle for the Rochester Police Department. City Manager clarified that during the budget process, Council was told that another grant was anticipated to purchase another vehicle; this is that grant. Councilor LaBranche asked how many new police cruisers has the Police Department received this year. Captain Dumas replied the City has a total of five new vehicles, three of which are front line vehicles.

Councilor Hamann requested an updated cruiser replacement plan. Council briefly discussed the make and model of the cruisers. The **MOTION CARRIED** by a unanimous voice vote.

d] Resolution Authorizing Supplemental Appropriation to the 2010 – 2011 Capital Budget of the Department of Public Works, Water Supply for Water Line Extension on Jefferson Street and Authorizing Bonding in Connection Therewith (\$50,000.00)

Councilor Walker **MOVED** to read the resolution by title only for a first time. Councilor Grassie seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor Jean read the resolution by title only for a first time.

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE
2010-2011 CAPITAL BUDGET OF THE CITY OF ROCHESTER,
DEPARTMENT OF PUBLIC WORKS, WATER SUPPLY WORKS,
FOR WATER LINE EXTENSION
AND AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

I. That the sum of Fifty Thousand Dollars (\$50,000.00) be, and hereby is, appropriated as part of the City of Rochester 2010-2011 capital budget of the Department of Public Works, Water Supply Works budget for the purposes of providing funds necessary for the extension of a water line to and along Jefferson Street, an accepted public street. Further, that the sums necessary to fund such appropriation up to the amount of Fifty Thousand Dollars (\$50,000.00) shall be received through the proceeds of bonds and/or notes issued by the City of Rochester in connection with a loan from the State of New Hampshire Revolving Loan Fund.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of up to Fifty Thousand (\$50,000.00), through the issuance of bonds and/or notes, for the purpose of funding the extension of a water line to and along Jefferson Street, such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life of the aforesaid water line is in excess of 20 years.

II. Further, that the implementation of the aforesaid water line extension project and the issuance of the bonds and/or notes, for the purpose of funding the extension of such water line to and along Jefferson Street, as more fully provided for in Paragraph I above, is made specifically contingent upon the City, City Manager, and/or his designee, certifying to the Mayor and Rochester City Council a plan, consistent with the provision of Chapter 38 of the NH Revised Statutes Annotated and Chapter 17, Section 17.32 and the General Ordinances of the City of Rochester, for the payment and/or repayment to the City by Jefferson Street property owners receiving special benefit from the aforesaid water line extension, of all costs associated with such water line extension, including the costs associated with the borrowing of the funds required to implement the same, and the Mayor and City Council voting to approve such plan.

By adoption of this resolution the Mayor and Rochester City Council of the City of Rochester, in accordance with the provisions of Chapter 17, Section 17.32 and the General Ordinances of the City of Rochester, hereby determines that: (1) the

public good requires that the above referenced water line extension project be financed by the issuance of bonds and/or notes; and/or (2) that undue hardship would result to those property owners receiving special benefit from the above referenced water line extension project if the financing thereof was required that they pay for the same in cash.

Councilor Varney **MOVED** to suspend the rules and read the resolution by title only for a second time. Councilor Walker seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor Jean read the resolution by title only for a second time. Councilor Varney asked why this item would be bonded. What would the interest cost over a twenty-year period? City Manager Scruton explained that the "four" water users [residents] would be paying this back over a period of time, compared to using the current cash fund. Councilor Varney asked who would be paying the interest on the loan. City Manager Scruton replied the residents that requested the waterlines. Councilor Varney stated that it seems to be an unnecessary expense regardless of who pays for it.

Mayor Jean clarified for the public that the residents of Jefferson Street would be paying for the extension. Councilor Larochelle **MOVED** to **TABLE** the resolution, as the City Manager suggested, until after the Non-public Session. Councilor Lachapelle seconded the motion. The **MOTION CARRIED**, to table, by a unanimous voice vote.

e] Resolution Authorizing Supplemental Appropriation to the 2010 – 2011 Capital Budget of the City of Rochester for the Completion of the North Main Street Bridge Project (\$458,615.84) and Authorizing Bonding in Connection Therewith

Councilor LaBranche **MOVED** to read the resolution by title only for a first time. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor Jean read the resolution by title only for a first time.

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE
2010-2011 CAPITAL BUDGET OF THE CITY OF ROCHESTER FOR THE
COMPLETION OF THE NORTH MAIN STREET BRIDGE PROJECT AND
AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Four Hundred Fifty-Eight Thousand Six Hundred Fifteen Dollars and Eighty-Four Cents (\$458,615.84) be, and hereby is, appropriated as part of the City of Rochester 2010-2011 capital budget of the Department of Public Works, for the purpose of providing funds necessary for the purpose of the completion of the so-called North Main Street Bridge repair project, that the sums necessary to fund such appropriation shall be received through the proceeds of

bonds and/or notes issued by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of up to Four Hundred Fifty-Eight Thousand Six Hundred Fifteen Dollars and Eighty-Four Cents (\$458,615.84), through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the completion of the so-called North Main Street Bridge repair project referred to in the preceding paragraph of this resolution, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid so-called North Main Street Bridge repair project is 30 years.

Further, that the Finance Director is hereby authorized to establish such accounts as are required to implement the provisions of this resolution.

Councilor Larochelle **MOVED** to suspend the rules and read the resolution by title only for a second time. Councilor Hervey seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor Jean read the resolution by title only for a second time.

Councilor Varney **MOVED** to **ADOPT** the resolution. Councilor Grassie seconded the motion. Councilor Larochelle asked, "What would the consequence be if this resolution was not adopted and are there any other options?" City Manager Scruton replied that the consequence would be that the North Main Street Bridge would not be finished. He said the accountability is certainly something that the Council would vigorously research and pursue. The important matter is to complete the bridge; there are means in which the City can try to recoup the cost later.

Councilor LaBranche asked if the City has looked at the bonding rates compared to the number of years the project is bonded for. City Manager Scruton replied that interest rates would be researched at the time of bonding. Councilor Walker said this project has been a mess since day one; it results in an increase of \$458,000 to the taxpayers. There has been no accountability. He stated that he would vote in favor of the motion; however, he requests that a "resignation" would be submitted as well. Councilor Torr asked who chose this contractor; he requested information regarding the other contractors that bid on the project. City Manager Scruton did not recall who else bid on the project; however, this contractor was the lowest bid. It is City policy to grant the contract with the lowest bid. Councilor Torr spoke against granting the contract to the lowest bid. Councilor Varney suggested to find a way to select better engineering firms and to monitor the process. The City has a problem with the way it manages and monitors infrastructure projects, typically with the significant projects. He said

there is a systemic issue with the evaluation process. He said this problem had nothing to do with a low-bid. The engineering firm was chosen by its qualifications. The same problems occurred with the South Main Street Project. Mayor Jean agreed that there is a systemic failure in the system. These problems are occurring repeatedly. He said a comprehensive review would occur once this project is complete. The City should hold those responsible for creating the situation accountable.

Councilor Keans asked if the additional amount of funding would be bonded together with the original amount that was requested. City Manager Scruton replied yes.

Councilor Walker pointed out that the Council knows there is a problem with the system; however, he still expects a "resignation" with the passing of this motion. The City Council requested accountability at the very beginning of this project. The accepting of failure should not be an option for the City of Rochester. Councilor Lachapelle requested a vote on the motion. He withdrew his request for Councilor Varney. Councilor Varney **MOVED** to state in the resolution that the life of the project is twenty years not thirty. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** to amend the motion by a unanimous voice. Mayor Jean called for a vote on the main motion. Several Councilors requested a roll call vote. The main **MOTION CARRIED** by a 10 to 2 roll call vote. Councilor Grassie, LaBranche, Lauterborn, Keans, Hervey, Varney, Laroche, Walker, Lachapelle, and Mayor Jean voted in favor of the motion. Councilors Torr and Hamann voted against the motion. The resolution is amended as follows:

**RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE
2010-2011 CAPITAL BUDGET OF THE CITY OF ROCHESTER FOR THE
COMPLETION OF THE NORTH MAIN STREET BRIDGE PROJECT AND
AUTHORIZING BONDING IN CONNECTION THEREWITH**

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

That the sum of Four Hundred Fifty-Eight Thousand Six Hundred Fifteen Dollars and Eighty-Four Cents (\$458,615.84) be, and hereby is, appropriated as part of the City of Rochester 2010-2011 capital budget of the Department of Public Works, for the purpose of providing funds necessary for the purpose of the completion of the so-called North Main Street Bridge repair project, that the sums necessary to fund such appropriation shall be received through the proceeds of bonds and/or notes issued by the City of Rochester.

Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of up to Four Hundred Fifty-Eight Thousand Six Hundred Fifteen Dollars and

Eighty-Four Cents (\$458,615.84), through the issuance of bonds and/or notes, for the purpose of providing funds necessary for the completion of the so-called North Main Street Bridge repair project referred to in the preceding paragraph of this resolution, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforesaid so-called North Main Street Bridge repair project is 20 years.

Further, that the Finance Director is hereby authorized to establish such accounts as are required to implement the provisions of this resolution.

13] NON-PUBLIC SESSION

a] Land, RSA 93 A:3 II(d)

b] Personnel, RSA 93 A:3 II(a)

Councilor Lachapelle **MOVED** to enter into a Non-Public Session under Land, RSA 93 A:3 II(d) and Personnel, RSA 93 A:3 II(a) at 8:55 PM. Councilor LaBranche seconded the motion. The **MOTION CARRIED** by a 12 to 0 roll call vote. Councilors Larochelle, Lachapelle, Hervey, Varney, Hamann, Torr, Keans, Lauterborn, Grassie, Walker, LaBranche, and Mayor Jean voted in favor of the motion. *Councilor Larochelle was excused at 10:30 PM.*

Councilor Walker **MOVED** to exit the Non-Public Session and seal the minutes indefinitely at 12:05 PM. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Larochelle **MOVED** to remove the resolution from the **TABLE**. Councilor Keans seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Grassie **MOVED** to specify that this funding would be drawn from the Water Works Fund Balance opposed to bonding the money. Councilor Torr seconded the motion. The **MOTION CARRIED** to amend the funding source by a majority voice vote. The **MOTION CARRIED** to approve the resolution as amended by a unanimous voice vote. Councilor Torr questioned the amount of the resolution. If the City is now paying in cash upfront, there should no longer be any interest due. City Manager said the remaining amount could be deauthorized at some point in time. Councilor Torr requested that the project begin immediately. City Manager Scruton said it would be a matter of completing the legal paperwork. The amended resolution is as follows:

RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION TO THE 2010-2011 CAPITAL BUDGET OF THE CITY OF ROCHESTER,

**ROCHESTER CITY COUNCIL PUBLIC HEARING
DECEMBER 7, 2010
COUNCIL CHAMBERS
7:00PM**

MEMBERS PRESENT

Councilor Grassie
Councilor Hamann
Councilor Hervey
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochelle
Councilor Lauterborn
Councilor Reed-Erickson
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager John Scruton
City Attorney Danford Wensley
Blaine Cox, Finance Director

MINUTES

Mayor Jean called the City Council Public Hearing to order at 7:00 PM. Kelly Walters, Deputy City Clerk, took a silent roll call. All Councilors were present.

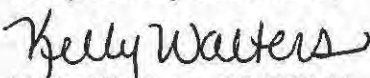
1] PROPOSAL TO BOND FOR THE PURCHASE OF 2 – 4 WALNUT STREET

Mayor Jean read the Public Hearing Notice by title only. He invited the Public to address the City Council. No member of the public came forward.

City Manager Scruton advised the Council that a typographical error appeared in the Public Notice. The correct amount is \$300,000.

Mayor Jean closed the Public Hearing at 7:03 PM.

Respectfully submitted,


Kelly Walters, CDCCNH
Deputy City Clerk

CITY OF ROCHESTER
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Rochester City Council will conduct a PUBLIC HEARING on Tuesday, December 7, 2010 at 7:00 p.m. relative to the following matter:

PROPOSAL TO AUTHORIZE/PROCEED WITH BONDING IN THE AMOUNT OF UP TO \$300,000.00 FOR THE PURPOSE OF PROVIDING FUNDS NECESSARY FOR THE PURCHASE OF REAL PROPERTY SITUATE AT 2-4 WALNUT STREET, ROCHESTER, NH, FOR USE IN CONNECTION WITH IMPROVEMENTS TO THE NORTH MAIN STREET, JACKSON STREET, WASHINGTON STREET AND WALNUT STREET INTERSECTION.

The Rochester City Council will conduct a public hearing to take citizen input on the question of whether to authorize and/or proceed with the bonding/borrowing of up to \$3000,000.00 for the purpose of providing funds necessary for the purchase of the property situate, and known, as 2-4 Walnut Street, Rochester, NH , for use in connection with improvements to the North Main Street, Jackson Street, Washington Street and Walnut Street intersection.

Copies of the "Resolution Approving Purchase & Sale Agreement with Regard to Real Property Situate at 2-4 Walnut Street and Making a Supplemental Appropriation in Connection Therewith" are available in the Rochester City Clerk's Office, 31 Wakefield Street, Rochester, New Hampshire.

The PUBLIC HEARING on the above matter will be conducted by the City Council at the City Hall, City Council Chambers, 31 Wakefield Street, Rochester, New Hampshire.

Citizens are invited to attend the PUBLIC HEARING and to ask questions or otherwise speak on the foregoing proposal.

Persons with disabilities requesting accommodations should contact the City Clerk's Office, (tel. 332-2130) on or before December 6, 2010 in order to make arrangements.

Sheryl Eisenberg,
City Clerk

**ROCHESTER CITY COUNCIL MEETING
December 7, 2010
COUNCIL CHAMBERS
7:00 PM**

MEMBERS PRESENT

Councilor Grassie
Councilor Hamann
Councilor Hervey
Councilor Keans
Councilor LaBranche
Councilor Lachapelle
Councilor Larochele
Councilor Lauterborn
Councilor Reed-Erickson
Councilor Torr
Councilor Varney
Councilor Walker
Mayor Jean

OTHERS PRESENT

City Manager John Scruton
City Attorney Danford Wensley
Blaine Cox, Finance Director
Melodie Esterberg, Commissioner of
Public Works

MINUTES

1] CALL TO ORDER

Mayor Jean called the Regular City Council meeting to order at 7:00 PM.

2] PLEDGE OF ALLEGIANCE

Councilor Hervey led the recitation of the Pledge of Allegiance.

3] OPENING PRAYER

Mayor Jean requested a moment of silence in memory of Pearl Harbor Day.

4] ROLL CALL

Kelly Walters, Deputy City Clerk, called the roll. All Councilors were present.

5] ACCEPTANCE OF MINUTES

a] November 9, 2010 Regular City Council Meeting

Councilor Lachapelle **MOVED** to adopt the minutes of the November 9, 2010, Regular City Council meeting as written. Councilor Walker seconded the motion. Councilor Larochele requested that the motion include a minor correction of a

f] Resolution Approving Purchase & Sale Agreement with Regard to Real Property Situate at 2 – 4 Walnut Street

Councilor Walker **MOVED** to read the resolution by title only for a first reading. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor Jean read the resolution by title only for a first time as follows:

**RESOLUTION APPROVING PURCHASE & SALE AGREEMENT WITH
REGARD TO REAL PROPERTY SITUATE AT 2-4 WALNUT STREET
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 the Mayor and City Council hereby approve the terms and conditions of a Purchase and Sales Agreement between the City and owner of a certain tract or parcel of land known, and referred to, as 2-4 Walnut Street, Rochester, NH, negotiated by the City Manager on behalf of the City of Rochester ("City") in November 2010, for use in purchasing said property known, and referred to, as 2-4 Walnut Street for use in connection with improvements to the North Main Street, Jackson Street, Washington Street and Walnut Street intersection, and the said City Manager is further authorized to hold a closing in connection therewith and to bond the sum of sign all documents, and to take such actions, necessary to implement the land acquisition contemplated by the aforesaid Purchase and Sales Agreement.

Further, that the sum of Three Hundred Thousand Dollars (\$300,000.00) be, and hereby is, appropriated as a supplemental appropriation to the 2010-2011 capital budget for the City of Rochester, Department of Public works, such funds to be used in purchasing said property known, and referred to, as 2-4 Walnut Street for use in connection with improvements to the North Main Street, Jackson Street, Washington Street and Walnut Street intersection. The source of the sums necessary to fund such appropriation shall be drawn, in their entirety, from the proceeds of notes and/or bonds issued by the City of Rochester. Further, that the Mayor and City Council of the City of Rochester hereby resolve that, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, be, and hereby is authorized to borrow the sum of Three Hundred Thousand Dollars (\$300,000.00) through the issuance of bonds and/or notes, for the purpose of funding the aforesaid land purchase, such borrowing to be on such terms and conditions as the said Treasurer and City Manager may deem to be in the best interest of the City of Rochester. Such borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful life for the aforementioned land purchase and related project is 20 years.

Further, that the City Manager and/or his designee be authorized sign all documents necessary to implement the purposes of this resolution, and that the Finance

Director is hereby authorized to assign the transactions contemplated by this resolution to the appropriate budget accounts of the City, and/or to establish appropriate accounts therefore.

Furthermore, the supplemental appropriation approved On October 5, 2010 for the purchase of 2-4 Walnut Street is hereby rescinded.

Councilor Walker **MOVED** to suspend the rules and read the resolution by title only for a second time. Councilor Grassie seconded the motion. The **MOTION CARRIED** by a majority voice vote. Mayor Jean read the resolution by title only for a second time.

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Grassie seconded the motion. Councilor Walker requested a roll call vote. Councilor Grassie seconded the request. The **MOTION CARRIED** by a 9 to 4 roll call vote. Councilors Lauterborn, Hervey, Keans, Grassie, Hamann, Reed-Erickson, Larochelle, Walker, and Mayor Jean voted in favor of the motion. Councilors Torr, Varney, LaBranche, and Lachapelle voted against the motion.

13] OTHER

Councilor Torr shared that he has discussed the poor economy with many folks in the City. He **MOVED** to institute a hiring freeze for the remainder of the fiscal year 2011. Councilor Walker seconded the motion. Councilor Torr said by instituting a hiring freeze, it keeps the Council more informed of any potential hiring going on within the City. It does not mean that no employees can be hired. City Manager Scruton spoke against the motion. This type of restriction falls unfairly on those departments that are in need of special skills such as a City Engineer and a Crime Analyst. He did not believe the City Council has the authority to institute a hiring freeze. Council discussed the matter further.

Councilor Lauterborn **MOVED** to send the hiring freeze to the Finance Committee for review. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by an 8 to 5 Show-of-Hands vote [*first voice was unclear*].

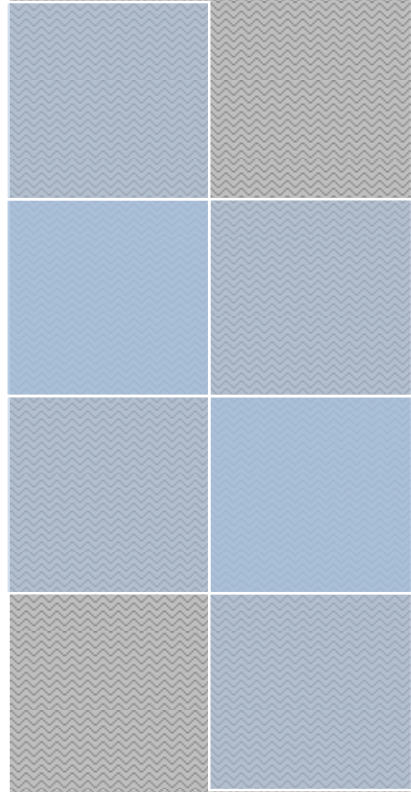
14] NON-PUBLIC SESSION

a] Land, RSA 91 A:3 II(d)

b] Reputation, RSA 91 A:3 II(c)

c] Personnel, RSA 91 A: II(a)

Councilor Lachapelle **MOVED** to enter into a Non-Public Session under Land, RSA 91 A:3 II(d), Reputation, RSA 91 A:3 II(c) and Personnel, RSA 91 A: II(a) at 9:41 PM. Councilor LaBranche seconded the motion. The **MOTION CARRIED** by a



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City of Rochester, New Hampshire

OFFICE OF THE MAYOR

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

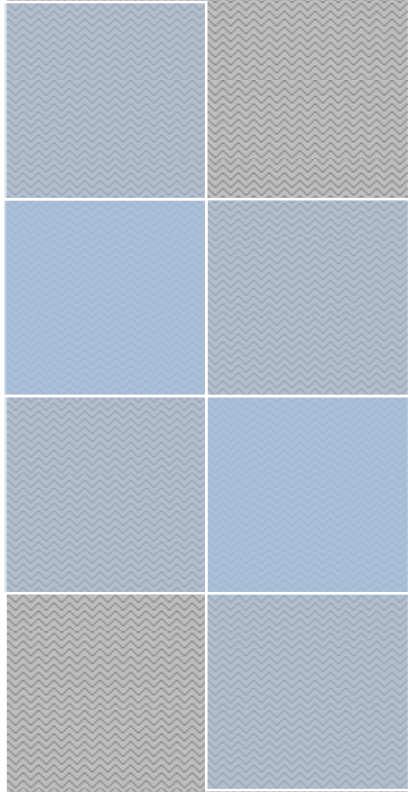
www.RochesterNH.net

PROCLAMATION

- WHEREAS,** Every year on November 11th, communities across this Nation join to observe Veterans' Day in remembrance of the brave men and women who selflessly served in America's armed forces, defending our freedom, security and democracy; and
- WHEREAS,** They are the most noble of citizens who made great sacrifices for the cause of peace, and they deserve and will always have the respect and appreciation of all citizens; and
- WHEREAS,** On Veterans' Day we pause to commemorate the contributions of all who have served in various branches of our military, those who have passed away; and those still with us, as their families do each day; and
- WHEREAS,** America has been blessed with an abundance of such men and women who nobly battled tyranny and oppression in two World Wars, and those who fought in Korea, Vietnam, and the Middle East, and
- WHEREAS,** Today our men and women in uniform are again at war, fighting terrorism and standing vigilantly in defense of America and our cherished way of life; and
- NOW, THEREFORE,** I, Thomas J. Jean, Mayor of the City of Rochester, NH do hereby proclaim November 11, 2014 as Veteran's Day and salute our Veterans for stepping into harm's way to protect our freedom.

IN WITNESS WHEREOF, I have set my Hand and caused the Seal of the City of Rochester to be affixed this 1st day of November in the year of our Lord, Two Thousand and Fourteen.

Mayor Thomas J. Jean



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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

**CITY MANAGER'S REPORT
NOVEMBER 5, 2014**

The Employee of the Month is: Sheldon Perkins, Code Compliance Officer - Building, Zoning & Licensing Services.

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

- September 29, 2014
- October 6, 2014
- October 14, 2014
- October 20, 2014

Contracts and documents executed since last month:

- Bond Anticipation Note
- Consolidated Annual Performance and Evaluation Report (CAPER)
- Chamber Rental Agreement
- Consulting Services – Conservation land and easements
- Honeywell – Ice Arena Controls Upgrade
- Highway Safety Fund Project – approval
- Horne Construction – change order #7- #11
- HUD Certificate of Consistency
- RHA – 5 Year Plan
- Structural Engineering Services approval
- Anti-Nepotism Policy - waiver

The following standard reports have been enclosed:

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

EMPLOYEE OF THE MONTH NOMINATION FORM

EMPLOYEE'S NAME Sheldon Perkins

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

Sheldon has been working very hard at revitalization in the City. One of his jobs is enforcing the Neighborhood Stabilization Program (NSP) and working the program with CDBG. Sheldon is always helpful and informative with customers when it comes to compliance issues dealing with City of Rochester.

QUALITY CUSTOMER SERVICE (EXTERNAL/INTERNAL)

He tries mediation with the Court system as well as going to Court for cases. He prosecutes the violators of the Codes therefore, bringing in additional revenues in fines, and building permits for the City. Sheldon has worked hard at creating Chapter 44 which is in the hands of the City Attorney.

Sheldon is a pleasure to work with and has been a great asset to our department as well as for the City.

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

Sheldon is on the Board of Directors for the Main Street program. Sheldon also meets with the Land Lord Associations and the citizens. He also attends the Codes and Ordinance Committee meetings as needed.

Sheldon is very deserving of this award!

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

DATE: October 1, 2014

10/31/14



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7609 Fax (603) 332-7589

CITY OF
Received

OCT 20 2014

City Manager
ROCHESTER

Date: October 20, 2014

To: Daniel Fitzpatrick, City Manager

From: Blaine Cox, Deputy City Manager

Blaine Cox

RE: Bond Anticipation Note

Please review and sign the attached "Summary of Terms and Conditions." This document will allow the City to secure the proceeds of a Bond Anticipation Note (B.A.N.) related to the East Rochester School renovations and expansion project.

To date, the City has expended approximately \$1.7 million in support of this project. In addition, the School Department is projecting monthly expenditures of \$500,000 to \$1,000,000 for the remainder of the project. The City's existing cash reserves are insufficient to cover these outflows of cash.

Bond Counsel Attorney David Barnes has indicated that the Council approvals are in place to utilize B.A.N. funding.

city mgr Report

10/31/14



New England

U.S. Department of Housing and Urban Development

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

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

CITY OF
Received
OCT 9 2014
City Manager
ROCHESTER

OCT - 6 2014

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

Dear Mr. Fitzpatrick:

Subject: FY 2013 Consolidated Annual Performance and Evaluation Report (CAPER)

We have reviewed and approved the City of Rochester's Consolidated Annual Performance and Evaluation Report (CAPER) for your program year July 1, 2013 to June 30, 2014. Our review also included statistical and narrative data captured in HUD's Integrated Disbursement and Information System (IDIS).

Based on the information provided, we find Rochester's FY 2013 CAPER to be consistent with the City's Consolidated Plan for 2011 - 2015 and Action Plan for 2013 - 2014. The narrative describes how the City is working to meet the goals identified in the plans as well as proposed versus actual outcome results. We also find the City to be within the 15% cap for public services and the 20% cap for planning and administration.

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

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

Sincerely Yours,

Robert D. Shumeyko
Director

CC: Karen Pollard, Economic Development Manager



City of Rochester, New Hampshire

CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

www.RochesterNH.net

October 3, 2014

CITY OF
Received
OCT 3 2014
City Manager
ROCHESTER

TO: Daniel W. Fitzpatrick, City Manager

FROM: Samantha Rodgerson, Executive Assistant

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

The attached rental agreement with Arts Rochester (DBA Sole City Dance) is attached. There is a City policy pertaining to rental agreements.

Arts Rochester (DBA Sole City Dance) will need more space to change into costumes for Saturday night's performance; therefore, they requested to use the Council Chambers as a dressing room for their actors. Arts Rochester (DBA Sole City Dance) will be using the council chambers and conference room on Friday, December 12, 2014 from 5pm until 10pm and Saturday, December 13, 2014 from 11am until 10pm.

Public Buildings and MIS have been notified so that they can note the condition of the room prior to and after use, as per policy.

10/31/14



PLANNING & DEVELOPMENT DEPARTMENT

City Hall - Second Floor

31 Wakefield Street,

Rochester, New Hampshire 03867-1917

(603) 335-1338 - Fax (603) 335-7585

Web Site: www.rochesternh.net

CITY OF
Received
OCT 16 2014
City Manager
ROCHESTER

Date: October 16, 2014

To: Daniel Fitzpatrick
City Manager

From: Seth Creighton *SC*
Staff Planner

Re: Signature needed on contract for Consulting Services Related to the Acquisition of
Conservation Lands/Easements (bid #14-57)

The City has chosen to award bid #14-57, "Consulting Services Related to the Acquisition of
Conservation Lands/Easements", to Truslow Resource Consulting, LLC.

A contract between Truslow Resource Consulting, LLC, and the City of Rochester has been drafted
and reviewed by the City's Legal Counsel, and signed by Truslow Resource Consulting, LLC. The
contract is now ready for your signature.

Please contact me if you have any questions about this contract.



10/31/14

CITY OF
Received
OCT 16 2014
City Manager
ROCHESTER

To: Dan Fitzpatrick, city manager

From: Chris Bowlen, director

Dept: Recreation and Arena

Date: 10/16/14

Re: Letter of Transmittal

"Honeywell International Inc. Rochester Ice Arena – Controls Upgrade"

Please find attached a proposal from Honeywell International Inc to replace and upgrade the entire control system at the ice arena. The current DDC (digital control) system that is tied into the chiller plant and the building mediator is no longer a supported piece of equipment. With the mediator recently failing, our plant does not have a way to be controlled electronically and keeps us at a higher level for potential operational emergencies.

Honeywell under their current contract has provided two options to fix this situation. I am recommending what we move forward with Option #2. Under this option, Honeywell will deduct the cost of what it would entail to replace the failed mediator. Option #1 would put the arena at a long term risk as there are only two of these specific original units left in the entire area and they are not covered under any long term warranty. Therefore, Option #1 makes no practical sense to move forward even as it is covered under the agreement. Option #2 will build longevity and future serviceability into our system. The net result after the deduct is a cost of \$5,569.00 to replace all of the components. I will be securing money in the FY15 budget in a couple of line items in order to accomplish this.

Kindly sign in the space provided.



Margaret Wood Hassan
GOVERNOR

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR
HIGHWAY SAFETY AGENCY
78 REGIONAL DRIVE, BUILDING 2
CONCORD, N.H. 03301-8530

TDD Access: Relay NH 1-800-735-2964
603-271-2131
FAX 603-271-3790

10/31/14

Peter M. Thomson
COORDINATOR

September 30, 2014

CITY OF
Received
OCT 6 2014
City Manager
ROCHESTER

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

Dear Chief Allen:

Please be advised that your application for federal funds for Highway Safety Project #315-15A-067 entitled "Rochester Operation Safe Commute Patrols" has been officially approved by this Office, and will be reimbursed to the extent described in the approved project application. **Please be advised that these overtime patrols must be conducted on October 10, November 26, and December 31, 2014, and January 16, February 13, March 17, April 3, May 22, June 12, July 3, August 10, and September 4, 2015.**

Reimbursement will be made after payment in full has been made and copies of invoices which have been paid are forwarded to this Office. Reimbursement procedures issued by the US Office of Management and Budget require that **billing for reimbursement for this contract must be received by the NH Highway Safety Agency within 20 days of the end of the contract period.** A copy of the "Procedure for Reimbursement of Federal Highway Safety Funds for Municipal Projects" is enclosed along with a questionnaire entitled "Project and Audit Information" which is to be completed and returned to this Agency.

Also find enclosed a quarterly report form for your use in reporting the progress made as the result of this contract. The information is required for our reports to the National Highway Traffic Safety Administration to demonstrate the overall effectiveness of the State's Highway Safety Program. Please return the report to us at the end of the month following each quarterly period.

We ask that you pay special attention to the audit report requirement appearing on the enclosed project addendum - HS-4(a).

Your cooperation will expedite the processing of reimbursements. If you have any questions concerning any aspects of this project, please let me know at once so that we may complete the project in an orderly fashion.

Sincerely,

Peter M. Thomson
Coordinator

/djf

Enclosures

cc: Daniel Fitzpatrick, City Manager ✓



ROCHESTER RECREATION & ARENA

LETTER OF TRANSMITTAL

CITY OF
Received
OCT 14 2014
City Manager
ROCHESTER

TO: Dan Fitzpatrick, City Manager
FROM: Chris Bowlen, Director
DATE: October 14, 2014



I am sending you: X Attached Under Separate Cover

The following items: Change Order #7-#11 Document
Horne Construction Company Inc.

These are transmitted as checked below:

<u> X </u> For Approval	<u> </u> For Your Use/Information
<u> </u> As Requested	<u> </u> For Review & Reply
<u> </u> Approved as Submitted	<u> </u> Approved as Noted
<u> </u> Returned for Corrections	
<u> </u> Re-submit <u> </u> Copies for approval	
<u> </u> Submit <u> </u> Copies for distribution	

SUPPLEMENTAL INFORMATION:

Please find attached for your signature Change Orders #7 through #11 as a result of the completion of the arena restrooms. As you can see these CO's are a NET decrease in the GMP. The amount is reduced by (\$7,303.80).

Reviewed by: Signed electronically Date 10/14/14
Blaine Cox, Deputy City Manager / Director of Finance



City of Rochester, New Hampshire
Department of Recreation, Arena

Recreation & Youth Services: 150 Wakefield Street, Suite #1, Rochester, NH 03867 • 603-332-4120
Arena: 63A Lowell Street, Rochester, NH 03867 • 603-335-6749
Fax: 603-335-7573 • www.rochesterrec.com

10/31/14

CITY OF
Received

OCT 14 2014

City Manager
ROCHESTER

Samantha Rodgerson

From: MYoung@dhhs.state.nh.us
Sent: Monday, October 13, 2014 2:53 PM
To: Samantha Rodgerson
Subject: Certifications of Consistency with the Consolidated Plan
Attachments: Final Daniel Fitzpatrick-Rochester10-10-2014.doc; Academy-Rochester.pdf; Rochester Family-Rochester.pdf; State of NH-Rochester.pdf

Hi Samantha. Per our conversation, attached are Certifications of Consistency with the Consolidated Plan forms requiring signatures by the City of Rochester's certifying official. The State of New Hampshire, Bureau of Homeless and Housing Services, is applying to HUD for renewal funding for The Housing Partnership, Behavioral Health & Developmental Services of Strafford County (d/b/a Community Partners), and multiple projects for the State of New Hampshire under the Continuum of Care program. I have described those projects in the attached e-mail to Daniel Fitzpatrick.

Please provide Daniel Fitzpatrick with a copy of this e-mail, the memorandum attached addressed to him, and the forms for his signature. If either of you have questions or need additional information, please do not hesitate to e-mail or call me (271-9196).

If possible, I would appreciate your scanning and e-mailing the signed originals to me, or faxing them to me at 271-5139 by close of business 10/20/14. Please mail the originals to me at the address below.

Thank you, Samantha, for your assistance.

Martha Young, Program Administrator
Bureau of Homeless and Housing Services
129 Pleasant Street
Concord, NH 03301
603-271-9196

(See attached file: Final Daniel Fitzpatrick-Rochester10-10-2014.doc)

(See attached file: Academy-Rochester.pdf)(See attached file: Rochester Family-Rochester.pdf)(See attached file: State of NH-Rochester.pdf)

10/31/14

Samantha Rodgerson

From: Stacey Price [Staceyp@rhanh.org]
Sent: Monday, October 13, 2014 12:24 PM
To: Samantha Rodgerson
Subject: Signature Needed
Attachments: doc07797820141013100927.pdf; 2015 Five Year Plan 2.doc

CITY OF
Received
OCT 14 2014
City Manager
ROCHESTER

Hi Samantha,

Attached you will find a form that is in need of Dan's signature for the RHA's 5 Year Plan. If possible, could Dan sign the form and have it scanned back to me before Wednesday? I have attached the Five Year Plan without the attachments for quick reference. Please let me know if you have any questions or concerns.

Thank you for your assistance.

Stacey Price
Executive Director
Rochester Housing Authority
77 Olde Farm Lane
Rochester, NH 03867
603-332-4126 / Fax 603-332-0039
www.rhanh.org

THE INFORMATION IN THIS EMAIL IS CONFIDENTIAL

The information contained in this email is considered confidential and intended for the individual or company named above. If the receiver of this mail is not the named addressee, or the person responsible to deliver it to the addressee, you are hereby notified that any dissemination, distribution or duplication of this communication, or any part thereof is strictly prohibited. If you have received this mail in error, please contact our office immediately at 603-332-4126, return this message, and delete all copies from your computer system. Any use, retention, dissemination, forwarding, printing, or copying of this mail is strictly prohibited.

10/14 - sent signed
to Stacey@RHA



ROCHESTER RECREATION & ARENA

LETTER OF TRANSMITTAL

CITY OF
Received
OCT 1 2014
City Manager
ROCHESTER

TO: Dan Fitzpatrick, City Manager

FROM: Chris Bowlen, Director

DATE: October 1, 2014



I am sending you: ☒ Attached ☐ Under Separate Cover

The following items: Professional structural engineering services

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	

SUPPLEMENTAL INFORMATION:

Please find attached a proposal from JSN Associates, Inc from Portsmouth, New Hampshire. The services proposed would be used to develop a structural enhancement plan for the arena facility in order to develop a budget for necessary for work to be completed and to determine whether it is a feasible option or not.

The amount for this proposed work is \$5,800 and funding for this is available in the approved CIP Arena renovations account.

Kindly review and sign the proposal so that I can move forward. If you have any questions please let me know.



City of Rochester, New Hampshire
Department of Recreation, Arena

Recreation & Youth Services: 150 Wakefield Street, Suite #1, Rochester, NH 03867 • 603-332-4120
Arena: 63A Lowell Street, Rochester, NH 03867 • 603-335-6749
Fax: 603-335-7573 • www.rochesterrec.com



10/31/14

CITY OF
Received
OCT 16 2014
City Manager

To: Dan Fitzpatrick, city manager
From: Chris Bowlen, director
Dept: Recreation and Arena
Date: 10/16/14
Re: Permission for exception to Policy 2.001

I am requesting your permission to grant an exception to 2.001 "Anti-Nepotism Policy" for the purposes of hiring a part time seasonal (October through March) employee in the role of recreation basketball coordinator. The department is proposing the hiring of an individual that has applied, been interviewed and is a quality candidate to assist our department with the overall youth basketball operations. The basketball program consistently draws 350 to 400 Rochester youth from first grade through high school. Using quality part time staff to augment the oversight of these types of programs has proven to be an effective way to achieve a positive outcome.

Attached you will find a more precise description of this request in an email to me from Assistant Director Colanto. This email also describes the relationship and exception sought in regard to Policy 2.001.

I concur with the Assistant Director's email and request your permission to move forward with the hiring process. I have provided a space below for you to sign off so we may forward this to HR.

Please let me know if you have any questions.

City Manager Approval :

A handwritten signature in black ink, appearing to read "Dan W. Fitzpatrick".

Date:

OCT 16 2014

OCTOBER 2014

[illegible]

DATE	DEPARTMENT	PERMISSION PERMITS	MISCELLANEOUS
10/1/2014	City Manager's Office	EVENT	RMS - 5K
10/6/2014	City Manager's Office	EVENT	Gonic PTA - 5K
10/10/2014	City Manager's Office	EVENT	HRCU - Employee Gathering
10/27/2014	City Manager's Office	RAFFLES	Elks
10/6/2014	City Manager's Office	TAGGING	Spaulding Class of 2017
10/6/2014	City Manager's Office	TAGGING	Rochester Youth Football
10/17/2014	City Manager's Office	TAGGING	Dance N' Motion
10/17/2014	City Manager's Office	TAGGING	Special Olympics

NUMBER	COUNCIL MEMBER	FORUM	REQUEST/INQUIRY	ACTION



City of Rochester, New Hampshire

OFFICE OF THE MAYOR

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

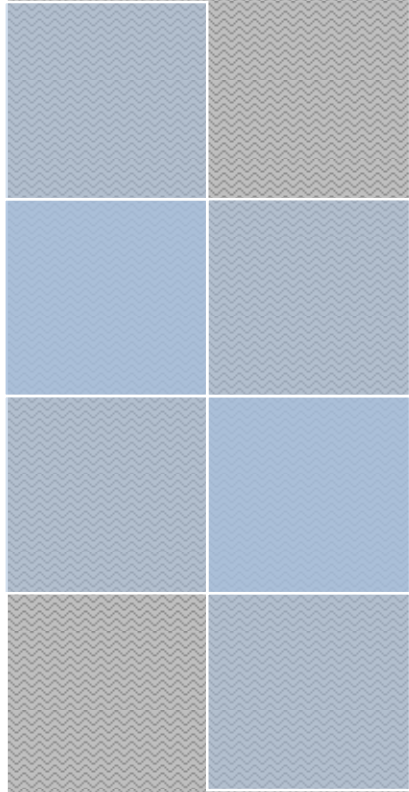
www.RochesterNH.net

PROCLAMATION NATIONAL AMERICAN INDIAN HERITAGE MONTH

- WHEREAS,** the history and culture of our great nation have been significantly influenced by American Indians and indigenous peoples; and
- WHEREAS,** the contributions of American Indians have enhanced the freedom, prosperity, and greatness of America today; and
- WHEREAS,** their customs and traditions are respected and celebrated as part of a rich legacy throughout the United States; and
- WHEREAS,** Native American Awareness Week began in 1976 and recognition was expanded by Congress and approved by President George Bush in August 1990, designating the month of November as National American Indian Heritage Month; and
- WHEREAS,** in honor of National American Indian Heritage Month, community celebrations as well as numerous cultural, artistic, educational and historical activities have been planned;
- NOW, THEREFORE,** I, Thomas J. Jean, by virtue of the authority vested in me as Mayor of the City of Rochester do hereby proclaim November as the National American Indian Heritage Month, in the City of Rochester, and urge all our citizens to observe this month with appropriate programs, ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Rochester, New Hampshire to be affixed this 1st day of November in the year of our Lord Two Thousand Fourteen.

Thomas J. Jean
Mayor

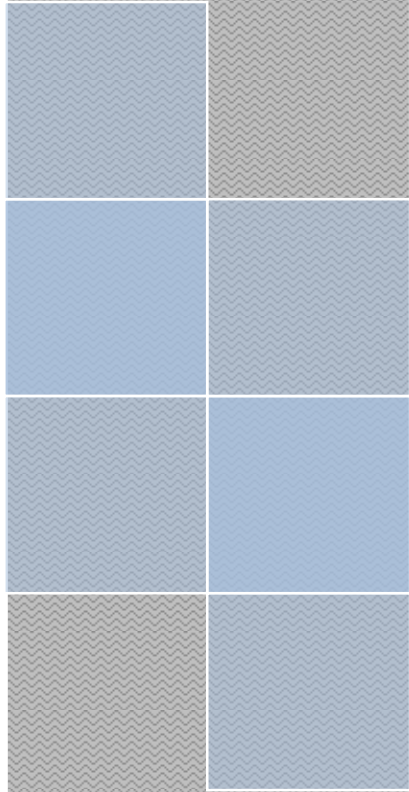


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Reports of Committees

- Appointments Committee – 10/07/2014
- Codes and Ordinances Committee – 10/02/2014
- Finance Committee – 10/14/2014
- Joint Building Committee – 10/27/2014
- Public Safety Committee – 10/15/2014
- Public Works and Building Committee – 10/16/2014



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Appointments Committee Minutes

October 7, 2014

Committee Members Present:

John Larochelle, Chair

Jake Collins

James Gray

Donald Hamann

Sandra Keans

John Larochelle called the meeting to order at 5:45 P.M. on October 7.

Nel Sylvain – Planning Board - Reappointment

Nel reports that the Planning Board members work well together and the Board is very productive.

The Appointments Committee unanimously recommends Nel Sylvain for Reappointment to the Planning Board, term to expire January 2, 2018.

Robert Jaffin – Planning Board – Reappointment

Robert has enjoyed serving on the Planning Board and would like to continue to serve the City in this capacity.

The Appointments Committee unanimously recommends Robert Jaffin for reappointment to the Planning Board, term to expire January 2, 2018.

Robert May – Planning Board Alternate

Robert has recently retired as a Social Security Administration manager and has been living in Rochester since 2012. He served as the Chairman of the Littleton, NH Planning Board from 1995 to 2006 and currently serves on the Board of Directors of the Homemakers Health Services.

The Appointments Committee unanimously recommends Robert May for appointment to the Planning Board as an alternate member, term to expire January 2, 2018.



Richard Tilton, Jr – Selectman Ward 1

Richard has served as Ballot Clerk for Ward 1 for two years and is familiar with the duties of Selectman.

The Appointments Committee unanimously recommends Richard Tilton, Jr. for appointment as Selectman for Ward 1, term to expire January 2, 2020.

Janet Davis – Rochester Economic Development Commission (REDC) - Reappointment

Janet has been on the REDC for several years and as secretary is responsible for taking and distributing minutes for the meetings. She would like to continue to serve the City as a member of the REDC

The Appointments Committee unanimously recommends Janet Davis for reappointment to the REDC, term to expire January 2, 2018.

Robert Jaffin – Rochester Economic Development Commission (REDC)

Robert serves on the Rochester Planning Board and is on the Executive Committee of the Strafford Regional Planning Commission. His extensive background includes transportation and emergency preparedness. The Appointments Committee feels that Robert is extremely well qualified to serve on the REDC.

The Appointments Committee unanimously recommends that Robert Jaffin be considered for appointment to the REDC, when an opening is available.

Respectfully submitted,

John Larochelle, Chair
Appointments Committee

CODES AND ORDINANCES COMMITTEE

Of the Rochester City Council

Thursday October 2, 2014

City Council Chambers

31 Wakefield Street, Rochester, NH

7:00 PM

Committee Members Present

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

Others Present

Captain Toussaint
Robert Goldstein
Councilor Gray
Gail Varney

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

Councilor Lachapelle asked if anyone from the public wanted to address the Codes and Ordinances Committee at this time.

Gail Varney, resident, addressed the committee regarding the City's annual report. Ms. Varney expressed her concerns with the way the report was bound. Ms. Varney showed the committee copies of the standard format that is used. She explained that this type of the annual report goes back to at least 1874 and there is tradition of having them hard bound so they will hold up. She said these reports get archived in the State Library and the current copy would not last the test of time as would the hard bound copies will and they should shrink them down to the standard size. She would like them to continue the tradition so that it would make a complete set.

Councilor Lachapelle asked the City Clerk's Office to research this issue. Councilor Varney stated that they should address City Manager Fitzpatrick where this initially came from him, as well as check into the State archives.

3. Approval of the Codes and Ordinances Committee Minutes

- **September 4, 2014**

Councilor Gates **MOVED** to **ACCEPT** the Committee minutes of September 4, 2014 with the exception of revising the attendance, adding that Councilor Gates and Councilor Gray were in attendance. Councilor Varney seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. Discussion of Home Occupancy Renewals

Councilor Lachapelle stated that Robert Goldstein from the Board of Assessors was present to explain his issues regarding home occupancy renewals.

Mr. Goldstein stated that he would like to see a three or five year renewal on these in-home businesses because currently once they receive this type of license it does not expire and explained why he felt the need to have these renewals. He explained that second hand dealers have to renew. He said that veterans and disabled individuals have to apply every year to get their tax credit. Mr. Goldstein said that having the home occupancy renewal would have the verification that they still meet the criteria.

Councilor Varney asked Councilor Gates if the software that his committee was looking at would be an effective way to track these permits. Councilor Gates stated that the software could help with this. Councilor Varney said that the software could maintain a list of these businesses.

The Codes and Ordinances Committee discussed having Sheldon Perkins, Code Enforcement Officer, look at this and see how many of these businesses are out there.

Mr. Goldstein explained that some of these home businesses expand outside the limits of what was original accepted. Councilor Lachapelle agreed that in some situations they do expand outside the criteria.

Councilor Lachapelle asked if there was a charge for the home occupation license. Mr. Goldstein said yes, there is a charge for the application and an additional charge for the mailing.

Councilor Varney suggested that they find out how many of these home businesses are out there to realize the magnitude of the problem.

Councilor Gray stated that page 1, paragraph four of the minutes indicates how many are in the city and that the home businesses which are for food services and child care are followed up on. He asked how much time and effort would it take for the inspections, and what cost would the City incur. Mr. Goldstein explained the State regulates food and child care. He explained that there would be no inspection; they would just reapply. Councilor Lauterborn questioned why they would not do an inspection. She said that maybe they should be just looking at the offenders. Mr. Goldstein stated that nothing is being done currently to the offenders. They are spoken to, but most of the time nothing is done.

Mr. Goldstein explained that the issue the City had with a certain home occupation could have been dealt with if they had to reapply and were denied. Councilor Lauterborn did not agree because this resident even went against court orders.

Mr. Goldstein said that the veterans and elderly have to reapply to show they meet the requirements for the exemption. He stated that if the home occupation needs to reapply they would need to show they are compliant and he explained how that would work.

Councilor Varney was not in favor of having these home businesses reapplying. Councilor Varney said they could check on these businesses every few years. He felt that the offenders are being taken care of by the Code Enforcement Officer pretty quickly and it might be getting too bureaucratic.

Councilor Lachapelle asked that Mr. Perkins be invited to the next Codes and Ordinances Committee meeting to discuss possibly doing something semi annually for this type of business and maybe he could address the percentages which are food or child care oriented.

Mr. Goldstein explained that currently the home occupation permit stays with the property even if the homeowner moves, but with reapplying it would terminate itself. The Codes and Ordinances Committee discussed this further with Mr. Goldstein. Councilor Lauterborn felt that there are a lot of "maybes" when it comes to this issue. Councilor Bogan suggested if the applicant moves from the property the application should be voided, and maybe they need to change the application. Councilor Gates asked Mr. Goldstein, as well, about this where the application is under the resident's name. Mr. Goldstein explained these are home businesses that are in R1

where they are not permitted and that is the reason for it being listed under the property.

Councilor Gates agreed with Councilor Lauterborn that it should be complaint driven. Mr. Goldstein just wanted the committee to take it into consideration as a recommendation.

Councilor Varney explained the fees for the home occupation application and maybe they need to get feedback from Jim Campbell from the Planning Department.

Councilor Lachapelle stated that this issue will stay in committee until the committee's next meeting. Mr. Goldstein thanked them for their time. Councilor Lachapelle stated that the next Codes and Ordinances Committee meeting will be held November 6, 2014.

5. Panhandling

Councilor Lachapelle asked Captain Toussaint if he had time to review the Concord Ordinance, which has not been challenged by the ACLU.

Captain Toussaint stated that it helps to tighten things up. He cited State RSA 265.40 and he explained this RSA further. He also addressed RSA 644.2 as it pertained to disorderly conduct addressing obstructing traffic, but it is a little loose. Captain Toussaint stated the Concord ordinance makes it cleaner. Councilor Lachapelle asked if this type of ordinance would affect the Fire Department Boot Drive. The committee discussed this further.

Councilor Varney stated per Mr. Perkins that when a business is open and has a parking lot, they consider the parking area as a road way. Captain Toussaint explained the definitions of way and roadway. Councilor Lachapelle asked if they passed an ordinance such as Concord's would the gentleman who stands at the Home Depot be in violation. Captain Toussaint stated that the ordinance would make it cleaner as to rights and duties and he addressed the current statutes. Captain Toussaint said that panhandling has died down in the City.

Councilor Gray asked if RSA 265.40 would make it a violation of panhandling in the Service Credit Union parking lot. Captain Toussaint agreed, but most of the time it would be complaint driven.

Councilor Lachapelle **MOVED** to have Attorney Wensley draft the Concord ordinance in the Rochester format and send it to the full City

Council. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Other

Councilor Varney checked into the home occupation application and stated that it is non-transferable.

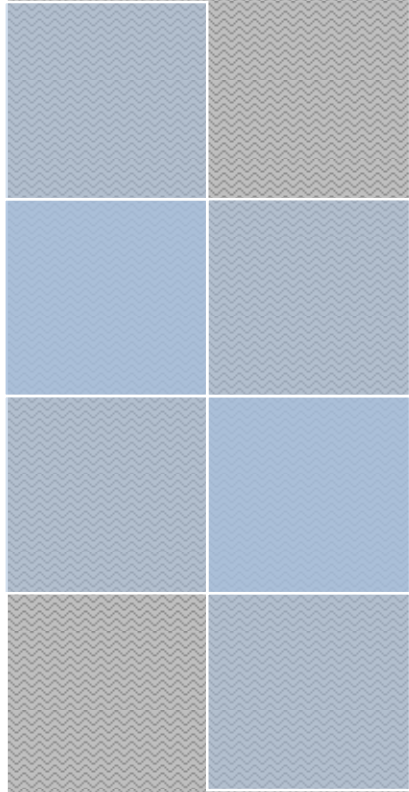
Captain Toussaint made himself available to answer other questions from the Codes and Ordinances Committee.

7. Adjournment

Councilor Bogan **MOVED** to **ADJOURN** the Committee meeting at 7:34 PM. Councilor Gates seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Respectfully submitted,

Nancy Carignan
Assistant City Clerk



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FINANCE COMMITTEE MEETING
October 14, 2014
Council Chambers
7:00 P.M.

Members Present:

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

Other Present

Councilor Gray
City Manager Fitzpatrick
Deputy City Manager Cox
DPW Director Nourse
Arena Director Bowlen
Econ Dev Manager Pollard
Senior Accountant Sullivan
HR Manager Hoyt
Planning Director Campbell
Nel Sylvain, Planning Board Chair
Kevin Barry, Arena Commission
Bob Brown, Arena Commission
Dale Bickford, Arena Commission
Newton Kershaw

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] Old Business

3.1. Arena Capital Projects Funding

Arena Director Bowlen introduced Arena Commission member Kevin Barry. Mr. Barry reviewed a Power Point presentation (copy attached).

Mayor Jean reminded the Committee that moving the Arena capital budget to the General Fund was discussed during the FY2015 budget development process. Councilor Varney requested that a 5-year capital plan be developed specific to the Arena facility. Mayor Jean followed up indicating that such a plan should be a part of the Arena's FY2016 budget request.

The Committee briefly discussed whether the Arena should remain as an Enterprise Fund or be brought in as a City General Fund department. Combining the Recreation and Arena operations as one General Fund department was also suggested.

3.2 Codes Software

Senior Accountant Sullivan appeared before the Committee and provided an update on the work of the staff team evaluating Codes Software proposals. Only two vendors submitted responses - EnerGov & Viewpoint- to the initial Request for Proposals. The team has re-issued the RFP in an effort to solicit additional vendor participation. This second RFP has an October 30, 2014 submission deadline.

4] New Business

4.1 Exactions

Senior Accountant Sullivan addressed the Committee on the subject of "exactions" and he described how three of these currently held by the City have run beyond the 6-year time limit allowed. As a result, the Planning Board is considering returning the funds to the entities that supplied them. The Planning Board seeks feedback from the Finance Committee.

Councilor Gray stated that exactions are taken to allow mitigation of issues caused by a project. Since the exacted funds for these three projects were not needed for mitigations, the funds should be returned. This sentiment was the consensus of the Committee.

Planning Director Campbell indicated that the Planning Department could handle the return of these funds administratively without further Council or Planning Board action. Mr. Campbell also indicated that the City is holding two other exaction funds that are still within the 6-year term.

4.2 Building and Grounds Department Outsourcing

Public Works Director Nourse reviewed his memorandum to the Committee regarding outsourcing the Building and Grounds Department.

Deputy City Manager Cox added that two companies were invited to submit proposals but only one company responded with a proposal. The Finance Office conducted two independent analyses of the proposal received.

After a detailed discussion, Mr. Nourse and Mr. Cox were directed to extend the financial analyses out multiple years, remove the health insurance escalator from the proposal and provide a copy of Dover's existing contract with the vendor.

4.3 2-6 North Main Street 79-E Application

The applicant, Mr. Newton Kershaw, and Economic Development Manager Pollard reviewed the 79-E application.

The Chair of the Council's Community Development Committee, Councilor Gray, described his committee's review of the application.

Mayor Jean, using the property's baseline assessed value of \$489,000, calculated the current taxes to be approximately \$12,777 and the additional property taxes that would be generated by improvements to the property to be approximately \$3,135. Mayor Jean shared these calculations to show the approximate value of the exemption under 79-E.

Councilor Lauterborn MOVED to recommend to the full Council the granting of the application with a term of nine (9) years. Councilor Larochelle provided a second to the motion.

Councilor Walker MOVED to AMEND the main motion by reducing the term to five (5) years. Councilor Torr provided a second to the motion. Mayor Jean conducted a voice vote on the motion to AMEND. He determined that the MOTION FAILED. Mayor Jean then conducted a voice vote on the main motion. The motion was ADOPTED.

4.4 Norway Plains Street

Mayor Jean provided the Committee with some background information and Planning Board Chair Sylvain informed the Committee of the developer's progress with regard to curbing installations and asphalt paving. Mr. Sylvain showed a diagram depicting the three street sections ready for City acceptance.

Councilor Walker MOVED to recommend to the full City Council acceptance of the three street sections outlined by Mr. Sylvain. Councilor Torr provided a second. The motion was ADOPTED on a unanimous voice vote.

5] Finance Director's Report

Councilor Varney questioned Deputy City Manager Cox regarding the "Contribution Holiday" for health insurance premiums taken by the School Department. Mayor Jean directed Mr. Cox to set up a meeting with School Board Chair Harkinson to discuss this issue.

6] Monthly Financial Statements

There was no discussion on the Financial Statements.

7] Other

Councilor Torr informed the Committee of his belief that the Public Works facility should remain in its current location when the City looks to build a new facility.

8] Non-Public Session

Councilor Walker **MOVED** to enter Non-Public session per RSA 91-A:3, II, a for Personnel matters. Deputy Mayor Varney provided a second to the motion. Mayor Jean conducted a roll call vote and the motion was **ADOPTED** unanimously.

The Committee entered Non-Public Session at 9:10 P.M.

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

The Committee exited Non-Public session at 9:37 P.M.

9] Adjournment

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

The meeting adjourned at 9:37 P.M.

Respectfully Submitted,

Blaine M. Cox
Deputy City Manager

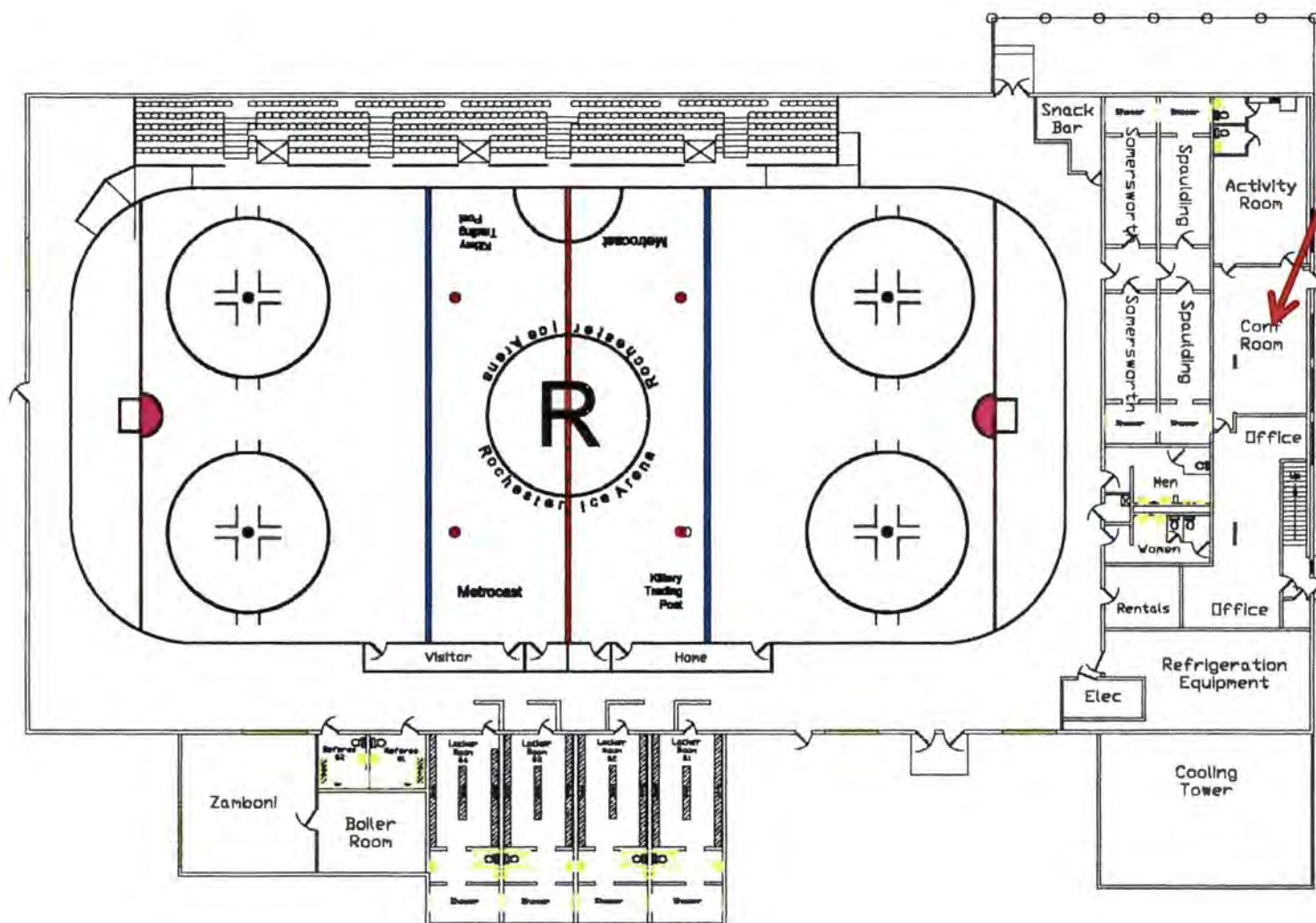
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Rochester Arena

Rochester Arena Site Plan

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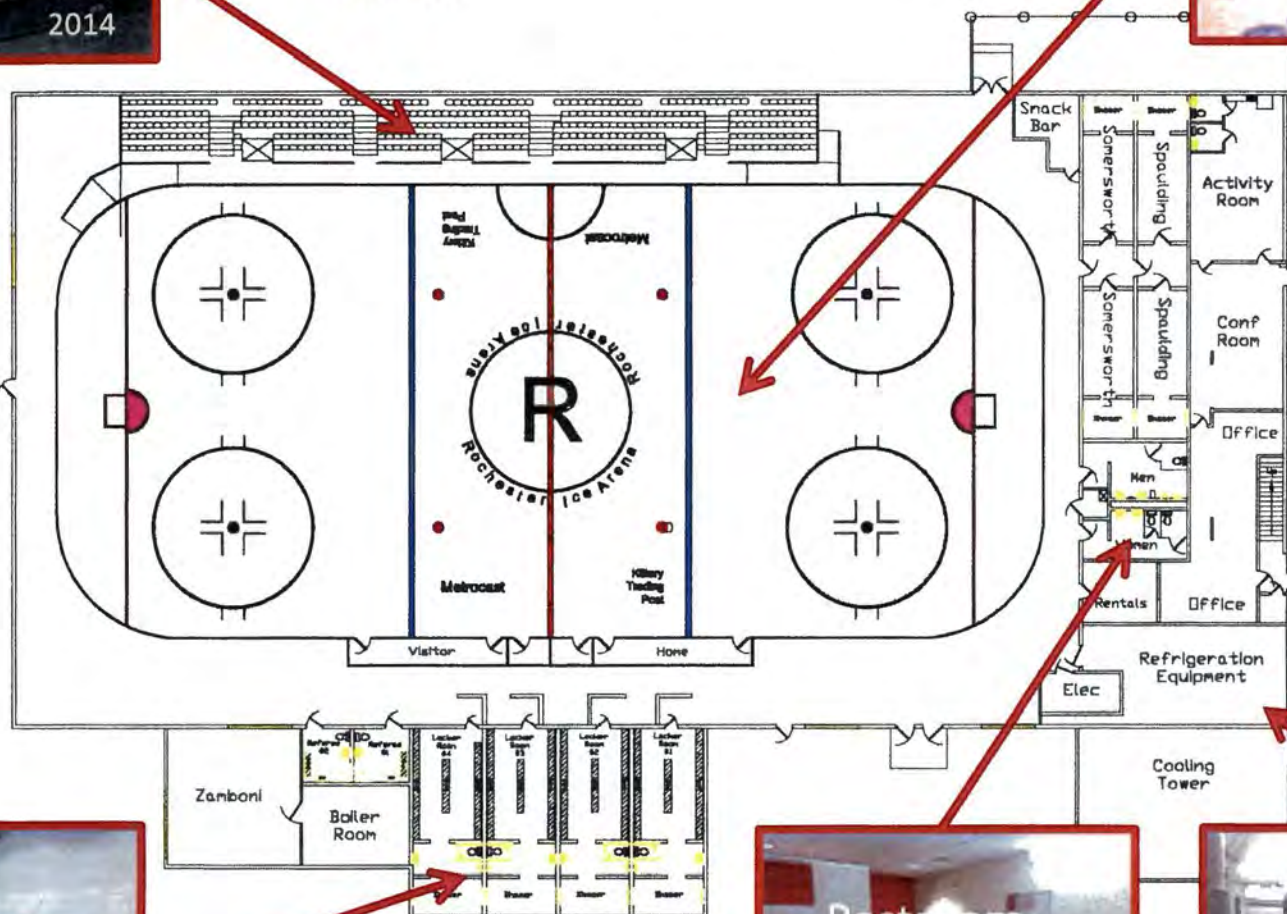


A Decade of Improvement



New This Year
Free WiFi !!!

New This Year
Free WiFi !!!



Rochester Arena

~~ A Decade of Improvement ~~



Project: Spectator Seating (2014)
Desc: Spaulding Red Vinyl Cap Bleachers
351 Seat capacity - 6 Handicap
Benefit: Safety, improved spectator experience



Project: Rest Room Renovations (2014)
Desc: Full Upgrades – Men/Women
Benefit: Public image, patron comfort

Rochester Arena

~~ A Decade of Improvement ~~



Project: Refrigeration Equipment
Desc: High efficiency chiller system
Benefit: Modular, Variable Frequency Drives,
Programmable Logic Controller



Project: Lighting Upgrade
Desc: High output fluorescent lighting
Benefit: Cost efficient, excellent color rendition



Project: Locker Room Additions
Desc: 4 Team, 2 Referee, Zamboni rooms
Benefit: Expanded services, image improvement

Rochester Arena

~~ Proud Hosts to ~~



**Knight
Mail**



Organizations

Spaulding High School Hockey
Rochester Youth Hockey
Somersworth Coe Brown Hockey
Noble/Wells High School Hockey
York High School Girls Hockey
UNH Women's Club Hockey



Events

Spaulding HS Christmas Tournament
Seacoast Hockey League Tournament



Rochester Arena

~~ Recreational Programs/Activities ~~

Rochester Police and Fire Charity Hockey Game
Skate with Santa Charity Food Drive

Adult House Hockey League

Learn to Skate

Stick Practice

Public Ice Skating

Home School Skate

Adult Roller Hockey

Adult Floor Hockey

Public Roller Skating



Rochester Arena

~~ Off Ice Recreation Programs ~~



Rochester Arena

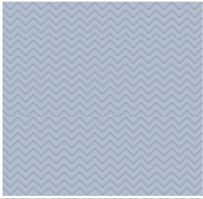
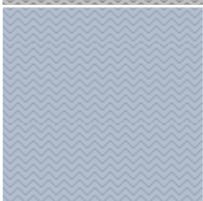
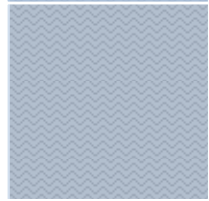
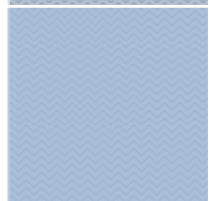
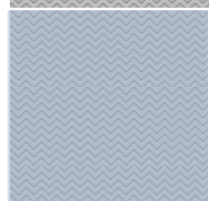
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Typical Weekday	Typical Weekend
Noble HS Practice	
Open Ice	Rochester Youth Hockey Games
Open Public Skating	
Home School Skate	Somersworth HS Game
Spaulding High School Practice	
Somersworth Practice	Spaulding HS Game
Rochester Youth Hockey Practices	
Mens Adult Hockey	Noble HS Game
	Mens Adult Hockey





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Rochester School Board / Rochester City Council

Joint Building Committee Minutes

October 27, 2014

Spaulding High School Library

DRAFT**Members Present:**School Board

Dr. Anthony Pastelis, Vice-Chair

Mr. Daniel Harkinson

Mrs. Audrey Stevens

Mrs. Susan O'Connor (6:09 p.m.)

Members Absent/Excused:

Mr. Paul Lynch

Mr. Robert Watson

Mr. Ralph Torr

Mr. David Walker

City Council

Mrs. Sandra Keans, Chair

Ms. Elaine Lauterborn

Mr. Raymond Varney

Mayor TJ Jean (6:05 p.m.)

Also Present:

Mr. Michael Hopkins

Mrs. Mary Moriarty

Ms. Linda Casey

Mr. Richard Bickford

Mr. Richard Drapeau

Guests and Press

Mrs. Keans called the meeting to order at 6:00 p.m. with a quorum present. Members participated in the pledge of allegiance.

Approval of Minutes

Ms. Lauterborn moved, second by Dr. Pastelis, to approve the minutes of the August 18, 2014 Joint Building Committee meetings as written. The motion carried unanimously.

Hutter Construction

Mr. David Ross, Hutter Construction reported that the construction timeline is on schedule; focus is to have the building weather tight before inclement weather arrives. Mr. Ross stated that there is not a lot to report at this time; the project is on schedule and on budget.

Lavallee|Brensinger Architects

Ms. Casey Gerken, Lavallee|Brensinger Architects provided an update of minor scope changes that have been done; addition of a floor drain in the art room, before slab was poured to accommodate future growth, the restroom on the first floor was expanded and a second restroom was added on the 2nd floor to accommodate the need for changing tables on both levels. Pricing is being worked on for these changes.

Ms. Gerken reviewed proposed requests that would result in credits to budget if approved: remove one hour spray fireproofing at elevator shaft roof - \$1,500 (not required by Code); and downsizing of rooftop mechanical units to more suitable accommodate building needs - \$20,850.

Dr. Pastelis moved, second by Mrs. Stevens, to approve the request changes as presented in the amount of \$1,500 from removal of one hour spray fireproofing at elevator shaft roof and \$20,850 from downsizing of rooftop mechanical units. The motion carried unanimously.

Clerk of the Works Update/Report

Mr. Drapeau reported that testing and inspections of concrete and structural steel are ongoing; results are at or beyond requirements. As previously reported, the project is moving along according to the schedule timeline.

Mr. Bickford noted that there is a good working relationship between the Architects, Contractors and Clerk of the Work; holding one another accountable as the project moves forward.

Furniture Bids/Other

Mr. Hopkins reported that bids for classroom furniture and equipment are being developed; he anticipates having bid results for approval by the Committee in January. Existing furniture will be repurposed throughout the District; the positive aspect of having all new furniture in the new building was reviewed.

A meeting with a playground consultant was had, it appears that most of the equipment can be used with only a few small pieces needing to be purchased to fill in. The proposed poured rubberized system for the playground area is very expensive; playground work will be discussed with the Committee in more detail as information is obtained.

Meetings have been conducted with four solar companies that will be presenting proposals for the ERS Project. Mr. Hopkins anticipates presenting the proposals in November to the JBC Solar Sub-Committee for review.

Public Comment

None

Adjournment

Dr. Pastelis moved, second by Mrs. Stevens, to adjourn. On a unanimous vote, the Committee adjourned at 6:14 p.m.

Respectfully submitted,

Michael Hopkins
Board Secretary

ROCHESTER SCHOOL DISTRICT
East Rochester Elementary School

October 27, 2014
Joint Building Committee Meeting

10/31/14

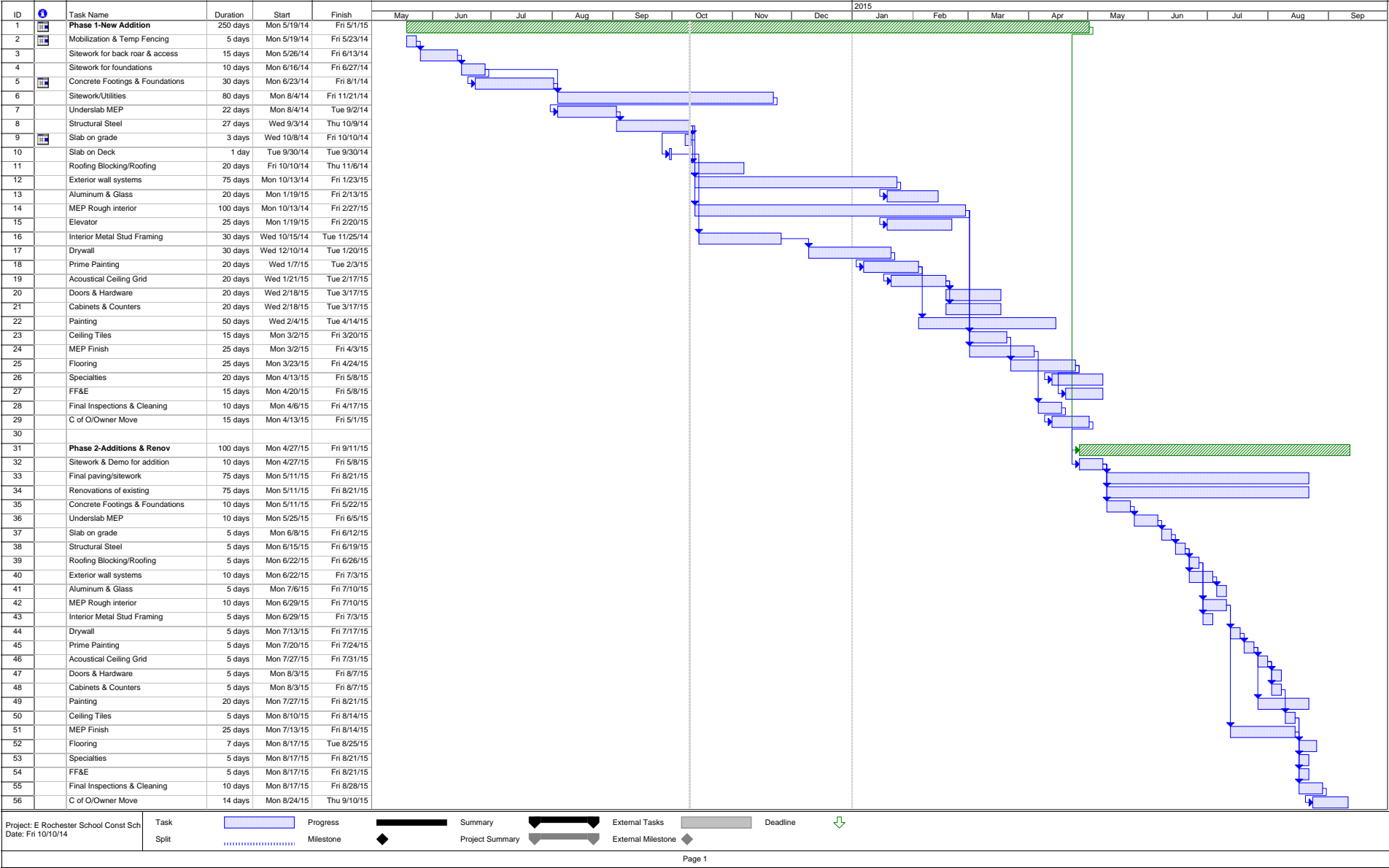


October 27, 2014

Construction Update:

- Review of construction schedule and budget - Hutter
- Review of Proposal Requests and associated pricing - LBA
- Review of Furnishings procurement - Superintendant

October 27, 2014



Construction Schedule

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October 27, 2014



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October 27, 2014

Proposal Request #2: Remove 1hr spray fireproofing at elevator shaft roof (\$-1,500)



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October 27, 2014

Proposed Change #6: Mechanical Unit (\$-20,850)



October 27, 2014

Budget ERS

	Budget	Comments
Classroom Furniture	\$540,000	Furniture to arrive early April
Library Furniture	\$50,000	Summer Arrival
Office/Meeting Room Furniture	\$80,000	Summer Arrival
Playground Equipment	\$20,000	Summer Installation
Technology	\$100,000	April/Summer

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October 27, 2014

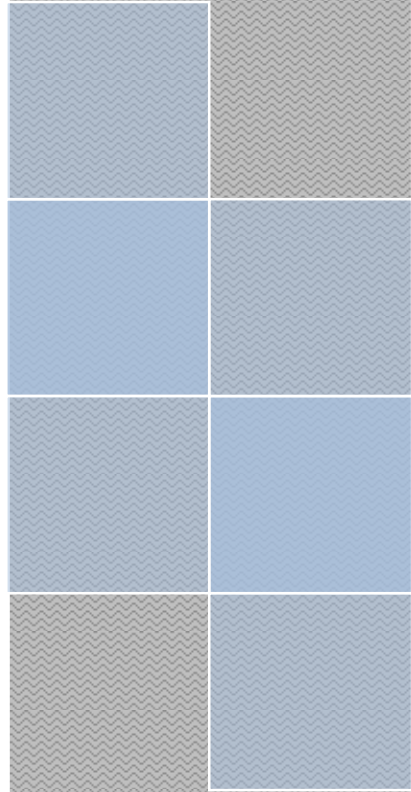
Desks	300
Chairs	400
noiseless feet	400
Tables	
Kidney Shaped	27
Trapezoid	120
File Cabinets	75
Bookcases	120
Teacher Desks	45
Adult Chairs	120
Student mailboxes	14
Classroom rug	14
Big Book Easels	9
computer tables	27
Art Room	
Chairs	30
Tables	15
Drying Rack	3
Display Racks	3
Storage Cabinets	2
Music	
Risers	6
Chairs	60
Music Stands	30
Tables	10
Computer Lab	
Tables	15
Chairs	30

Items to go out to bid for
January approval and arrival in
April.

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October 27, 2014





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Public Safety Committee
Council Chambers
October 15, 2014
7:00 PM

MEMBERS PRESENT

Councilor David Walker, Chairman
Councilor Jake Collins
Councilor Robert Gates
Councilor Donald Hamann
Councilor Peter Lachapelle

OTHERS PRESENT

Michael Bezanson, PE City Engineer
Councilor James Gray
Scott Dumas, Deputy Chief P.D.
Sheila Carlson

Minutes

1. Public Input

The only member of the public present was there for item #2 in the agenda.

2. New Soccer Field-Parking Concerns (update)

Councilor Walker summarized the issue. Mr. Bezanson said that he had received an e-mail from the Superintendent of Schools regarding the parking issues near Pink Street. The email stated that another gate was going to be added further away from Hillsdale to ensure that students don't get picked up at Hillsdale. It also stated that the School Department does not plan to put in a parking lot. Councilor Gates stated that he went to a lot of meetings regarding this, and that there were talks about putting in a parking lot. Councilor Walker said the parking lot was probably cut out of the plans and that he was reluctant to propose putting "no parking" signs up. Councilor Gray said that the Public Safety Committee and the School Board Building Committee should discuss this matter. Sheila Carlson, who was there to hear about the parking issue, said the next School Board Building Committee meeting was going to be held on November 6, 2014. Councilor Walker stated that he would attend the meeting. Councilor Gates said that Councilor Walker should talk to the chair of their meeting before November 6, 2014 and attempt to get on the agenda. Councilor Walker stated he would do so. This was kept in committee until next month and Councilor Walker will attend the School Board Building Committee meeting on November 6, 2014.

3. State Street-Traffic Issue (update)

Councilor Walker summarized the issue. Mr. Bezanson said he checked the area out and that the right-of-way for Old Gonic Road has a variable width; at the intersection of Cedarbrook Avenue (private road) it is 47 feet wide. There appears to be an area within the city's right-of-way to install a sign for Cedarbrook Avenue.

Deputy Chief Dumas said that since there was room to install a sign, a "stop" sign should be installed; it will be enforceable if it is placed in the City's right-of-way.

Councilor Lachapelle made a motion to install a "stop" sign at the discretion of the Public Works Department to be placed on city property stopping traffic from Cedarbrook Village. The motion was seconded by Councilor Hamann. Unanimous voice vote carried the motion.

4. Maple Street-No Parking (update)

Councilor Walker summarized the issue. He stated that he checked out the area and that Maple Street between Fairway and Haig has no room to park between the curbs without blocking a travel lane.

Councilor Hamann made a motion to place "no parking" signs on both sides of Maple Street between Fairway Avenue and Haig Street. The motion was seconded by Councilor Lachapelle. Unanimous voice vote carried the motion.

5. Other

Park on Route 11

Councilor Collins said that there was a resident near the park on Route 11 that was upset with the hunting that is going on at the park. The bow hunting is not the problem the shooting is. Deputy Chief Dumas said he was not aware of it. Councilor Walker said you have to be 300 feet away from a house. Deputy Chief Dumas will put a call into Fish and Game.

Portland Street- 30 mph stop sign.

Councilor Collins said that Arthur Birch had spoke to him about placing the 30 mph on the same post as the "no thru trucks" sign. Councilor Collins said it seems like the signage is accurate but wanted to get the opinion of the committee. Councilor Walker asked Councilor Collins to clarify the issue with Mr. Birch.

Davyanne Locke Lane

Councilor Gray said that the residents near the William Allen School wanted to get the trash collection schedule changed due to traffic concerns at the beginning and end of the school day. Councilor Lachapelle said that they may not be able to change the route. Councilor Walker asked Mr. Bezanson to have the Public Works Department inquire with Waste Management regarding rescheduling trash collection in the Davyanne Locke Lane, Woodman Street and Granite Street area.

Highfield Commons

Deputy Chief Dumas gave an update on the Highfield Commons area. They conducted enforcement and used the speed trailer in the area. The approximate speed was 40 mph and 2000 vehicles. He stated that they were not making an impact yet and that they were still going to do enforcement in the area.

Salmon Falls Bus Stop

Deputy Chief Dumas stated that there had been another issue with a vehicle passing a school bus on Salmon Falls Road. He said that unfortunately they can't be there at all times to enforce and that the signs are up.

Dry Hill Road update

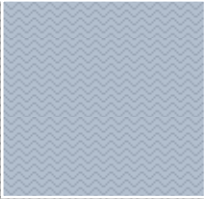
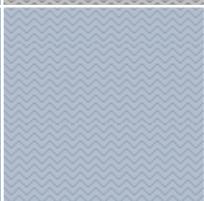
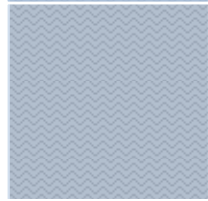
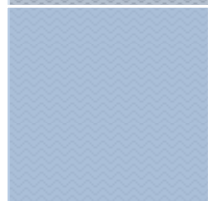
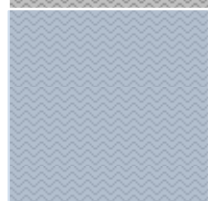
Councilor Gates said that he has not heard anything else from the neighbors regarding any further problems.

Estes Road update

Mr. Bezanson said that he did hear back from the state and they are still looking to remove the house and grade the area. The grading and sight line improvements will be off the roadway. The building is still going through the NH Division of Historical Resources. A future project may address roadway grading and alignment, however there is no timeframe for completion of this project.

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

Respectfully submitted by
Laura Miller
Secretary II, DPW



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Public Works and Buildings Committee

October 16, 2014

Council Chambers

7:00 PM

MEMBERS PRESENT

Councilor Torr, Chairman

Councilor Ray Varney, Vice-Chairman

Councilor David Walker

Councilor Donald Hamann

Councilor Sandy Keans

OTHERS PRESENT

Councilor James Gray

Councilor Jake Collins

Dan Fitzpatrick, City Manager

Peter Nourse, Director DPW

Minutes

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

1. Approve Minutes from September 18, 2014 Meeting

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

Councilor Walker motioned to accept minutes as presented for the meeting of August 21, 2014. The motion was seconded by Councilor Hamann. The motion passed unanimously.

2. Public Input

There was no public input.

3. Round Pond

Mr. Nourse stated that the City had contracted with Wright-Pierce to complete a feasibility study regarding raising the water level of Round Pond. Mr. Nourse stated that the study is concluding and that they have determined that raising round pond by approximately 10 feet will have little environmental impacts, but will nearly double the current capacity. Currently the estimated available water is 2.25 million gallons per day and the estimate after raising the level is 4.25 million gallons per day. Mr. Nourse stated that the next step is to speak with state agencies regarding the proposal. He also stated that the current regulatory climate may be favorable for this type of project and other than some minor issues regarding bird habitats he believes this project could be a go. He stated he may request additional funds for the next step for implementation. Councilor Keans asked how this will tie into the well projects that are in

progress. Mr. Nourse stated that groundwater development is still important. Wells require less treatment

4. Gonic Dam

Mr. Nourse stated that the removal of the Gonic Mill Dams is a project that has been around for quite awhile. He stated that the State of NH DES has been the lead on the project and they are advocating for the removal of the dams. Mr. Nourse went on to say that the hold up for moving forward is the contaminants that will need to be removed from the dam area. He states that the studies have concluded that the best option is to store the contaminated soils on the same property that has the dam. This property is referred to as lot #3. The property has no known owner as the listed owners are deceased and there is no responsible party to involve in the process. Mr. Nourse stated that the State has suggested that they would like to see the City of Rochester take ownership of the lot in question by tax lien seizure. Mr. Nourse stated that he has discussed this with the City's attorney and that this would bring up concerns regarding the City's liability for the hazardous nature of the property and the eventual responsibility for cleanup if it was to become City owned land. Mr. Nourse stated that the City Attorney mentioned RSA 80 42 that might give the State of NH the ability to take the land for the taxes owed. He stated that the NHDES staff is looking into that possibility. Councilor Keans asked if the City has spent any funds on the project. Mr. Nourse stated that we have not. He stated that NHDES has found and managed the grants that have been associated with the project. Mr. Nourse stated that NHDES staff is requesting the City apply for Brownfield Grant, but these grants typically go for projects that are remediating a property with economic potential instead of dam removal and storing contaminants. Mr. Nourse stated that the City does not need to take ownership of the property in order to apply for and use the grant, nor does the city have an obligation to do anything further with the property after using the grant proceeds. He stated that NHDES would look to the City to work towards the remediation only if the City took ownership. Mr. Nourse stated that there may be a cost associated with the assessment needed for the Brown Fields Grant application. That cost is estimated at twelve hundred dollars and we have not committed to funding that yet. Councilors Varney, Walker and Gray stated concerns about taking ownership. All Councilors present were opposed to ownership but were in favor of assisting the State of NH with obtaining ownership if possible by use of the RSA discussed.

5. Ground Water Development

Mr. Nourse stated that the City has spent considerable funds on ground water exploration. He stated that the current well has a capacity of 800,000 gallons per day and the City Concrete site has the same capacity. He stated that there are two other locations being considered. One is on the Fowler Property off from Salmon Falls Road and the other is in Maine. The Fowler site has an expected capacity of 600,000 gallons per day. Councilor Keans asked if any of the wells are in use. Mr. Nourse stated

that the first well is on-line at the Henderson Property. He stated that this and the City Concrete well site will always be tied to the flows in the Cocheco River as the NHDES permit states. Councilor Keans asked how often is use prohibited due to the water level. Mr. Nourse stated that there has been 20 days this year that it was unable to be operating, but all other days it has been on line. He stated that the City Concrete property is being deeded over to the City soon and the first thing is to get that well on line. Mr. Nourse stated that he has sent Mr. Fowler a letter to see if he would like to discuss allowing the City to expand the test well on his property to a fully functional production well. Mr. Nourse also stated that he would like to look into the permitting requirements for the sites in Maine. Councilor Varney stated that going to the East Rochester sites was preferable as that will get us away from the Cocheco River and the fluctuating flows that impact the other two wells. Mr. Nourse stated that he currently has funding to move forward with the discussed groundwater projects and that he will keep the Committee updated.

6. Storm Water Permit (MS4)

Mr. Nourse stated that Massachusetts has received their draft permit for Storm Water and our consultant has conveyed that it is going to be very costly and cumbersome if our permit is similar as expected. He stated that we have joined a coalition with 16 NH communities and that the legal counsel for the coalition has drafted 32 points of concern. Mr. Nourse stated it is probable that the cost could be in the 250 million dollar range in the first 6 years. He stated that this would likely need a municipal department of its own for implementation. Councilor Keans asked if the City was currently working on some of the smaller issues that could be addressed now. Mr. Nourse stated that yes; we are working with our storm water consultant to develop a plan and we are implementing some mapping and other issues that we know we will need to comply with. Mr. Nourse stated that he will keep the Committee informed and he stressed his concern for the scope and ramifications of the pending permit.

7. Other

Paving – Mr. Nourse stated that paving will be completed by end of season. The streets remaining are Brickyard, Railroad and Chamberlain.

Sidewalks – Mr. Nourse stated that the contractor has finished with the season but will be back in the spring to finish Charles Street.

Crack Sealing – Mr. Nourse stated that the staff is working with contractor for expended pricing for this season and to come up with a listing of streets.

Upper City Dam – Mr. Nourse stated this project is just about completed and will finish this season.

Stillwater Circle Bridge – Mr. Nourse stated the bridge work will be finished this season.

Catherine I/I and Reconstruction – Mr. Nourse stated the contractor has begun work and will continue until weather prohibits. He stated that they are looking into working through the winter but if not they will resume in

the spring.

WTP Upgrades – Mr. Nourse stated construction is to begin in November.

Water Tank Maintenance – Mr. Nourse Stated that this project is going out to bid in December with a spring construction schedule planned.

Ryan Circle – Chairman Torr asked if the drainage project is completed. Mr. Nourse stated that it is completed.

Forest Park /Plante Street – Councilor Varney asked for status of the drainage projects on Forest Park and Plante Street. Mr. Nourse stated that Forest Park has begun and that Plante Street requires a new or modified wetland permit and that they will be working on this with NHDES through the winter.

Chesley Hill Road Reconstruction – Councilor Varney asked for status. Mr. Nourse stated that this project is currently being designed and will be schedule for construction in spring of 2015.

Colonial Pines Sewer Project – Councilor Keans asked for status of this project. Mr. Nourse stated that this is in the preliminary stages and he will be adding it to the next CIP budget.

Strafford Square – Councilor Varney asked status of the Strafford Round-a-bout project. Mr. Nourse stated that due to NHDOT Department of Historical Review process it is likely that we will not be demolishing the 2-4 Walnut Street property until spring. He stated that we are awaiting the approval of the design contract and that we will be using 2015 to complete the demolition, utility relocations and the Twombly Street intersection improvements.

EDA – Crossroads Project/Salmon Falls Road Sewer & Water

Extension – Councilor Varney asked if the design had begun. Mr. Nourse stated that it has not. Mr. Nourse stated that he had been given instruction not to begin until the funding sources were all in place. Councilor Varney stated that as the Council and the Finance Department have worked on the funding sources he thinks that it is ok to start. He asked Mr. Nourse to check with the Finance Director. Mr. Nourse stated he would check with finance and stated that he believes this to be nine months for design and up to 24 months for construction.

DPW New Facility – Chairman Torr stated that he would like to see serious consideration of the current dpw site for the planned new building. He stated that he is not in favor of relocation. Mr. Nourse stated that the current location is on the list of sites for consideration, but he believes it will be ruled out as it is not large enough and because of its close proximity to the river. He stated that it would be in the shoreline protection zone of the river. Chairman Torr stated that he believes that the Pickering Road property is too remote for the DPW. Mr. Nourse stated that previous direction from the Committee was to use City owned properties and that due to size requirements and due to the desire to be on City water and sewer, the Pickering Road site is looking like the most likely location. Councilor Torr asked about the Chestnut Hill Road City

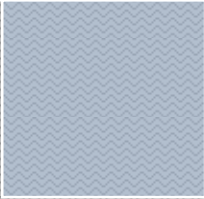
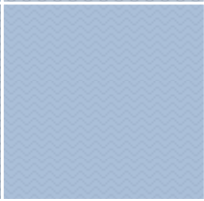
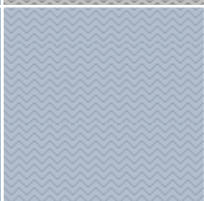
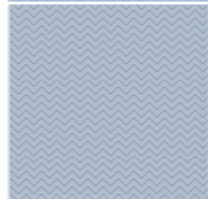
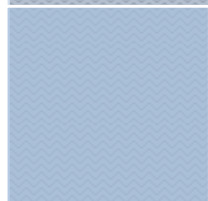
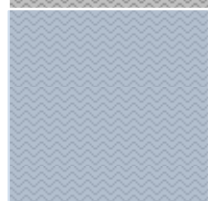
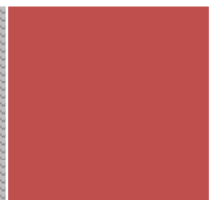
Concrete site that will become City owned. Mr. Nourse stated that it will be an operating well site and there is a protection zone around that well head. He further stated that the sewer line would need to be extended if we were to locate there. Councilor Varney asked size of the property is needed. Mr. Nourse stated is looks like 10-12 acres. Chairman Torr asked the size of the current DPW property. Mr. Nourse stated that it is just over 5 acres. Councilor Varney suggested that a field trip to the Dover DPW site be set up. He stated he thought that the Committee would benefit from seeing a recently constructed building. Councilor Keans stated that Dover's building is not near the down town; it is out on Mast Road off from Route 108.

Flat Rock Ridge Road / Milton Road Intersection – Councilor Varney asked about the intersection improvements needed. He was concerned that the developer will be completed with site work in the spring and the intersection will not be completed prior. Councilor Keans asked if the developer was charged with an exaction to complete the necessary intersection improvements. Councilor Walker stated the developer contributed property instead of funds.

City Hall Annex – Chairman Torr asked for a project status. Mr. Nourse stated he had sent an email earlier in the day showing preliminary work and explained that the Oakpoint Architects will be giving a presentation at the next City Council Workshop meeting on 10/21/14.

***Councilor Walker made a motion for adjournment at 8:10pm.
Councilor Hamann seconded the motion. The motion passed
unanimously.***

Minutes respectfully submitted by Lisa J. Clark, Rochester DPW



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**RESOLUTION APPROVING COST ITEMS ASSOCIATED WITH
PROPOSED
CITY OF ROCHESTER
MULTI-YEAR COLLECTIVE BARGAINING
AGREEMENT WITH
INTERNATIONAL BROTHERHOOD OF TEAMSTERS LOCAL
633
(Library y 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 International Brotherhood of Teamsters Local 633 Bargaining Unit, covering the period July 1, 2014 to June 30, 2016, as set forth in the proposed contract, and as more particularly detailed on the attached **"EXHIBIT A: Teamsters Costt Items - October 2014,"** 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.

Teamsters - City Proposal

Assumptions			
City Health Contribution	80/20	80/20	80/20
Proposed Medical Plan	MTB20IPDED(07) - RX10/20/45	MTB20IPDED(07) - RX10/20/45	MTB20IPDED(07) - RX10/20/45
Projected Health Increase			5.00%
Projected Wage Increase		2.5% COLA	0-3% MERIT/0-2% BONUS
	Current - FY14	FY15	FY16
Wages			
Base Wages: Full-Time	325,634	333,775	342,120
Base Wages: Part-Time	217,914	223,362	228,946
Longevity: Full-Time	3,550	3,550	3,700
Longevity: Part-time	3,075	3,225	3,550
Total Wages	550,173	563,912	578,315
Dollar Change		13,739	14,403
% Change		2.50%	2.55%
Benefits			
Social Security	42,088	43,139	44,241
Health Insurance	91,756	89,576	93,815
Dental	1,600	1,600	1,600
Life	586	601	616
STD	1,656	2,834	2,905
LTD	2,299	3,934	4,033
Total Rollups	139,986	141,684	147,209
Dollar Change		1,698	5,525
% Change		1.21%	3.90%
Totals			
Total Wages Benefits & Rollups	690,159	705,596	725,525
Dollar Change		15,437	19,928
% Change		2.24%	2.82%

20 Total employees - 40% FT



10/31/14

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**AGENDA SUBJECT **Library Collective Bargaining Agreement**COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	November 4, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	2014-10-20		
ATTACHMENTS	YES <input checked="" 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

CC FY15 AB 60

SUMMARY STATEMENT

The Collective Bargaining Agreement (CBA) between the Library Trustees (the City) and the International Brotherhood of Teamsters (Rochester Library personnel) expired on June 30, 2014. The negotiating teams for both sides reached a Tentative Agreement (TA) and the Library personnel ratified the agreement. It now comes to the City Council for consideration for final approval.

RECOMMENDED ACTION

Adoption of this CBA.

Supplemental Information:

1. The term of this contract would be 2 years (July 1, 2014 through June 30, 2016).
2. Wages -
 - a. Year 1 = 2.5% Cost of Living Adjustment for all, no merit.
 - b. Year 2 = 0% to 3% merit. The pay ranges will be adjusted annually based upon the Consumer Price Index.
3. Health Insurance - In section XXVI HEALTH & BENEFIT PLAN re-opener language has been added related to the "cadillac tax."
4. Leave Accruals -
 - a. Section XV VACATION has been amended to reduce the payout of leave accrual upon separation from 2X the annual accumulation down to 1.5X.
 - b. Section XX SICK LEAVE has been amended reducing for new hire part-time employees the maximum accumulation from 120 days down to 75 days.

COST ITEMS SUMMARY

Teamsters - City Proposal

Assumptions			
City Health Contribution	80/20	80/20	80/20
Proposed Medical Plan	MTB20IPDED(07) - RX10/20/45	MTB20IPDED(07) - RX10/20/45	MTB20IPDED(07) - RX10/20/45
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20 Total employees - 40% FT

City of Rochester - Employee Groups Benefits Comparison

October 20, 2014

1. POSITIONS COVERED:

- A. FIRE - Firefighters, Lieutenants and Captains.
- B. POLICE - Full Time Patrol Officers and Sergeants.
- C. PUBLIC WORKS - All Highway, Water, Sewer, Buildings & Grounds positions.
- D. LIBRARY - Librarian I & II, Secretary II, Library Assistant.
- E. COMMUNICATIONS - Dispatcher, Lead Dispatcher.
- F. MANAGERS - City Clerk, Assessor, Tax Collector, Welfare Director, MIS Supervisor, Recreation Director, Code Enforcement Director, Economic Development Manager, Library Director, Planning Director, Public Works Director, Fire Chief.
- G. MIDDLE MANAGERS - Deputy Tax Collector, Deputy City Clerk, Secretary III, Recreation Supervisor, Arena Supervisor, Assistant Director Code Enforcement, Chief Planner, Municipal Services Supervisor, Deputy Fire Chief, Assistant Director of Recreation, Fire Marshall, Chief Water Treatment Operator, Chief Wastewater Treatment Operator, Deputy Finance Director, City Engineer, Assistant Fire Chief.
- H. MUNICIPAL EMPLOYEES - Clerk Typist I & II, Secretary I & II, Network Specialist, Arena Attendant, Parking Enforcement Officer, Account Clerk, Assessing Technician, Welfare Intake Worker, Utility Billing Administrator, Animal Control Officer, Government Channel Coordinator, IS Technician, Evidence Technician, Recreation Program Coordinator, Planner I, Community Development Coordinator, Field Assessor, Juvenile Court Coordinator, Social Worker, Economic Development Specialist, Construction Engineer, Building/Mechanical/Health/Plumbing Inspector, Compliance Officer, Senior Accountant.
- I. NON-UNION - Library Page, Part Time Custodian, Payroll Human Resource Specialist, Executive Secretary, Executive Assistant, Human Resource Manager, Police Command Staff (Lieutenant, Captain, Deputy Chief, Chief), Deputy City Manager.

2. WAGES:

- A. FIRE -
 - 1) FY2013 = COLA 2.75%
 - 2) FY2014 = COLA 2.50%
 - 3) FY2015 = COLA 2.50%
- B. PUBLIC WORKS -
 - 1) FY2013 = None
 - 2) FY2014 = COLA 2.0%
 - 3) FY2015 = COLA 2.0%
- C. LIBRARY -
 - 1) FY2015 = COLA 2.5% (Tentative Agreement)

2) FY2016 = 0% - 3% Merit (Tentative Agreement)

D. POLICE -

- 1) FY2015 = 0% - 5% Merit
- 2) FY2016 = 0% - 5% Merit

E. COMMUNICATIONS -

- 1) FY2015 = COLA 3% or \$0.50, whichever is greater
- 2) FY2016 = 0% - 3% Merit

F. MUNICIPAL EMPLOYEES -

- 1) FY2015 = COLA 2.5%
- 2) FY2016 = 0% - 3% Merit

G. MANAGERS -

- 1) FY2015 = COLA 2.5%
- 2) FY2016 = 0% - 3% Merit
- 3) FY2017 = 0% - 3% Merit
- 4) FY2018 = 0% - 3% Merit

H. MIDDLE MANAGERS -

- 1) FY2015 = COLA 2.5%
- 2) FY2016 = 0% - 3% Merit
- 3) FY2017 = 0% - 3% Merit
- 4) FY2018 = 0% - 3% Merit

I. NON-UNION -

- 1) FY2015 = 0% - 2.5% Merit
- 2) Set by Council & Manager Annually.

3. HEALTH INSURANCE:

A. FIRE/ PUBLIC WORKS/ LIBRARY/ COMMUNICATIONS/ MANAGERS/ MIDDLE MANAGERS/ MUNICIPAL EMPLOYEES/ NON-UNION -

- 1) City contributes 80% of the premium expense of the Mathew-Thornton Blue HMO plan (whichever type of plan the employee selects and is eligible for - Single, 2-Person or Family).
- 2) Office Visit Copay = \$20.
- 3) RX = Retail \$10/\$20/\$45 for 30-day supply, Mail Order \$10/\$20/\$45 for 90-day supply.
- 4) \$250/\$750 deductible. No reimbursement.
- 5) Opt Out of coverage payments = Single: \$1,000, 2-Person: \$1,600 and Family: \$2,400.

4. DENTAL INSURANCE:

- A. FIRE** - City pays up to \$180 per year towards the cost. Employee pays remainder of premium costs.

B. POLICE/ PUBLIC WORKS/ LIBRARY/ MANAGERS/ MIDDLE MANAGERS/ MUNICIPAL EMPLOYEES/ NON-UNION - City pays up to \$250 per year towards cost. Employee pays remainder of premium costs.

5. VACATION PAID LEAVE:

A. FIRE -

0 to 5 years = 80 hrs/ yr. (10 days/yr)
 5+ to 10 years = 120 hrs/ yr. (15 days/yr)
 10+ to 15 years = 144 hrs/ yr. (18 days/yr)
 15+ years = 160 hrs/ yr. (20 days/yr)

Accrual Limitation

Maximum accrual is 1.5x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 1.5x annual accrual.

B. POLICE -

0 to 5 years = 80 hrs/ yr. (10 days/yr)
 5+ to 10 years = 136 hrs/ yr. (17 days/yr)
 10+ to 20 years = 160 hrs/ yr. (20 days/yr)

Accrual Limitation

Maximum accrual is 2x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 1.5x annual accrual.

C. PUBLIC WORKS -

0 to 5 years = 80 hrs/ yr. (10 days/yr)
 5+ to 10 years = 120 hrs/ yr. (15 days/yr)
 10+ to 15 years = 144 hrs/ yr. (18 days/yr)
 15+ years = 160 hrs/r. (20 days/yr)

Accrual Limitation

Maximum accrual is 1.5x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 1.5x annual accrual.

D. LIBRARY -

0 to 5 years = 80 hrs/ yr. (10 days/yr)
 5+ to 10 years = 120 hrs/ yr. (15 days/yr)
 10+ years = 160 hrs/r. (20 days/yr)

Accrual Limitation

Maximum accrual is 2x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 1.5x annual accrual (Tentative Agreement).

E. COMMUNICATIONS -

0 to 5 years = 80 hrs/ yr. (10 days/yr)
 5+ to 10 years = 120 hrs/ yr. (15 days/yr)

10+ years = 160 hrs/r. (20 days/yr)

Accrual Limitation

Maximum accrual is 2x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 1.5x annual accrual.

F. MANAGERS/ MIDDLE MANAGERS -

0 to 5 years = 80 hrs/ yr. (10 days/yr)

5+ to 10 years = 120 hrs/ yr. (15 days/yr)

10+ years = 160 hrs/r. (20 days/yr)

Accrual Limitation

Maximum accrual is 2x the annual amount.

Tentative Agreement: New hires after July 1, 2014 = 1.5x annual accrual.

Separation/Retirement Payout

Maximum payout upon separation = 2x annual accrual.

Tentative Agreement: All employees after July 1, 2015 = 1.5x.

NOTE: On the third year of the agreement (July 1, 2016) vacation accruals for new hires is awarded on their anniversary date and they must use it in the year awarded or it is lost.

G. MUNICIPAL EMPLOYEES -

0 to 5 years = 80 hrs/ yr. (10 days/yr)

5+ to 10 years = 120 hrs/ yr. (15 days/yr)

10+ years = 160 hrs/r. (20 days/yr)

Accrual Limitation

Maximum accrual is 1.5x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 1.5x annual accrual.

H. NON-UNION -

0 to 5 years = 80 hrs/ yr. (10 days/yr)

5+ to 10 years = 120 hrs/ yr. (15 days/yr)

10+ years = 160 hrs/r. (20 days/yr)

Accrual Limitation

Maximum accrual is 2x the annual amount.

Separation/Retirement Payout

Maximum payout upon separation = 2x annual accrual.

6. SICK LEAVE:

A. FIRE -

Firefighters

12 hours accumulated per month = 144 hrs/yr. (18 days)

Maximum accumulation = 1,440 hrs. (180 days)

Retirement payout = 50%.

Captains

8 hours accumulated per month = 144 hrs/yr. (18 days)

Maximum accumulation = 960 hrs. (120 days)
 Retirement payout = 50%.

B. POLICE -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 110 days if hired before July 1, 2014; 50 days if
 hired after July 1, 2014.
 Retirement payout = 50% of unused accumulation (max 55/ 25 days)

C. PUBLIC WORKS -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days (covered by STD & LTD)
 Retirement payout = none.

D. LIBRARY -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days for full-time personnel, 75 days for part-
 time personnel hired after July 1, 2014 (Tentative Agreement).
 Retirement payout = 75% of unused accumulation (max 90 days)

E. COMMUNICATIONS -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days
 Retirement payout = 75% of unused accumulation (max 15 days)

F. MANAGERS -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days
 Retirement payout = 75% of unused accumulation (max 15 days)

G. MIDDLE MANAGERS -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days
 Retirement payout = 75% of unused accumulation (max 15 days)

H. EMPLOYEES -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days
 Retirement payout = 75% of unused accumulation (max 15 days)

I. NON-UNION -

1 day/ month = 12 days/ yr.
 Maximum accumulation = 20 days
 Retirement payout = 75% of unused accumulation (max 15 days)

7. PERSONAL DAYS:

A. FIRE/ POLICE/ LIBRARY/ COMMUNICATIONS/ MANAGERS/ MIDDLE MANAGERS/ MUNICIPAL EMPLOYEES/ NON-UNION = 2 days per year, non-cumulative.

B. PUBLIC WORKS -

0 to 5 years = 1 day per year, non-cumulative.

5+ years = 2 days per year, non-cumulative

8. BEREAVEMENT LEAVE:

All Groups = 1 to 5 days, tiered by relationship.

9. HOLIDAYS:

A. FIRE - 10 days.

B. POLICE/ PUBLIC WORKS/ LIBRARY/ COMMUNICATIONS/ MANAGERS/ MIDDLE MANAGERS/ MUNICIPALEMPLOYEES/ NON-UNION - 11 days.

2821993

CONFIDENTIAL NEGOTIATIONS DOCUMENT**DRAFT OF TENTATIVE AGREEMENT
FOR THE SUCCESSOR COLLECTIVE
BARGAINING AGREEMENT
SALARY RATES REVISIONS SEPT 29, 2014**New language is double underlined.Deleted language appears as a ~~strikeout~~.9-29-14 salary revisions in **bold print**.**AGREEMENT****BETWEEN****LIBRARY TRUSTEES, THE CITY OF ROCHESTER, NH****AND****INTERNATIONAL BROTHERHOOD OF TEAMSTERS****LOCAL 633 OF NEW HAMPSHIRE**Expiration Date: June 30, 2016 ~~2014~~

[TO BE UPDATE IN FINAL AGREEMENT]

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1 CITY OF ROCHESTER

2
3 An Agreement made between the International Brotherhood of Teamsters, Local
4 633 of NH (hereinafter called the "Union"), the Library Trustees and the City of
5 Rochester, New Hampshire (hereinafter called the "City").

6
7 I. PURPOSE

8
9 The objectives of this Agreement are the promotion of harmonious and
10 cooperative relations between the City, the Union and members thereof; and the
11 establishment of an equitable and peaceful procedure for the resolution of differences
12 arising between them concerning wages, hours and other conditions of employment other
13 than managerial policy within the exclusive prerogative of the public employer as defined
14 in RSA 273-A.

15
16 II. RECOGNITION

17
18 A. For the purpose of collective negotiations under RSA 273-A, the City
19 recognizes the International Brotherhood of Teamsters, Local 633, as the exclusive
20 representative of the following personnel:

21
22 Librarian II, Librarian I, Library Assistant and Secretary
23 PELRB Decision No. 2001-066, Certified July 16, 2001

24
25 B. Employees certified as public employee members have and shall be
26 protected in the exercise of the right, without fear of penalty or reprisal, to join and assist
27 the Union or to refrain from Union activities.

28
29 C. The Union agrees to represent all such certified public employee members
30 at the Rochester City Library designated above without discrimination and without regard
31 to membership in the Union.

32
33 D. Reference to the "Union" as exclusive representative or the unit
34 employees means the International Brotherhood of Teamsters, Local 633, and the
35 Union's representatives unless such Union or persons are authorized to represent the
36 Union either by specific designation or by the terms of this Agreement.

37
38 III. NEGOTIATION PROCEDURES

39
40 International Brotherhood of Teamsters, Local 633, and the City agree to enter
41 into collective negotiations in accordance with N.H. RSA 273-A. On or before
42 December 1, prior to the expiration of the Agreement, this being one hundred twenty
43 (120) days prior to the budget submission date, either party may submit to the other
44 written notice of its intention to renegotiate concerning salaries, hours and terms and
45 conditions of employment as defined in RSA 273-A.

1 IV. AGREEMENT

2
3 A. Whenever proposals initiated by either Party with respect to salaries and
4 economic benefits are adopted by the Parties, such proposals shall be reduced to writing
5 and copies thereof shall be attached to this Agreement and become a part thereof.

6
7 B. If any provision of this Agreement or any application of the Agreement to
8 any employee or group of employees shall be found contrary to law, then such provision
9 or application shall not be deemed valid and subsisting, except to the extent permitted by
10 law, but all other provisions or applications will continue in full force and effect. The
11 Parties will meet no later than fourteen (14) days after any such holding for the purpose
12 of renegotiating the provision or provisions affected.

13
14 C. The City, the Union and their respective agents shall not discriminate
15 against any person with respect to promotion, assignment or any other matter because of
16 race, creed, color, age, sex, marital status, sexual orientation, disability, Union
17 membership or Union activities and all persons covered by the terms of this Agreement
18 shall receive equal and full protection thereunder. Neither the City, its agents nor any
19 other supervisory personnel shall discriminate against or discharge any employee because
20 he/she has filed or processed any dispute under the Agreement or instituted any
21 proceeding under the state or federal statute relating to wages, hours or conditions of
22 employment.

23
24 D. All lawful Union activities that directly and clearly relate to this
25 Agreement are protected hereunder, provided, however, that every employee of the
26 Department devote one hundred (100%) percent of his/her time to the Library matters
27 while working unless previously approved in writing by the Library Director.

28
29 V. PROBATIONARY PERIOD

30
31 All new employees shall serve a probationary period of twelve (12) months and shall not
32 be covered by this collective bargaining agreement. They shall have no seniority rights
33 during this period and if disciplined or terminated, the decision of the Library Director is
34 final and not subject to grievance. The probationary period shall be considered part of
35 their seniority time.

36
37 VI. GRIEVANCE PROCEDURE

38
39 A. Definitions:

40
41 1. Grievance shall be defined as a dispute or disagreement arising out of
42 the application or interpretation of the express provisions of this Agreement.

43
44 B. Intent:

1. It is the policy of the City and International Brotherhood of Teamsters, Local 633, to encourage all members of the Library to use informal means of problem resolution.

C. Initiation and Processing:

1. Failure at any step of this procedure to communicate the decision on a dispute within the specified time limits permit the aggrieved person to proceed to the next step. Failure at any step of this procedure to appeal a dispute to the next step within the specified time limits shall be deemed to be acceptance of the decision rendered at that step

2. In the event a dispute cannot be resolved informally by discussion with a Supervisor, the following steps shall be followed in the order given:

Step 1. The dispute shall be submitted to the Library Director in writing by the employee no later than ten (10) workdays after the incident.

Step 2. The Director shall reply, in writing, within seven (7) workdays.

Step 3. If the matter remains unresolved, the written grievance shall be submitted to the City Manager within five (5) workdays. The City Manager shall render his/her decision, in writing, within ten (10) workdays of the date the grievance was submitted to the City Manager or ten (10) days of the date the matter was heard if the City Manager in his/her sole discretion conducts a hearing.

3. The above times may be mutually extended in writing as may be necessary.

D. The formal presentation of any dispute in writing shall not preclude any informal means of reaching settlement of the dispute.

E. In the event the decision of the City Manager is not acceptable, the following procedure will be used to secure the services of an arbitrator:

1. Federal Mediation and Conciliation Service - The parties agree to utilize the services of the Federal Mediation and Conciliation Service (FMCS) prior to proceeding to Arbitration pursuant to Step 2. The grievance mediation shall be in accordance with FMCS rules, shall not be binding on either party and shall be without cost to either party.

2. The Union shall, within twenty (20) days after mediation ends, file for arbitration and request the New Hampshire Public Employee Labor Relations Board (PELRB) to submit a potential list of arbitrators. The City shall also have the right to present grievances in arbitration if the parties are unable to resolve same informally.

1 3. The list shall include a full resume, including personal and
2 professional background and experience, arbitration experience, and per diem
3 expenses.

4 4. The Parties shall determine, within twenty (20) days of receipt of
5 the arbitrator's list, a mutually satisfactory arbitrator. If that is not possible, the
6 PELRB will appoint one.

7 5. Scheduling of an arbitration hearing shall be accomplished by the
8 parties through the arbitrator.

9 6. The City Manager, the Aggrieved and the Union shall receive
10 copies of the arbitrator's report, said report of findings and decisions to be
11 accomplished within thirty (30) calendar days of the completion of the arbitrator's
12 hearing.

13 7 The arbitrator shall limit himself/herself to the issues submitted to
14 him/her and shall consider nothing else. He/she may add nothing to nor subtract
15 nor modify, nor ignore anything set forth from the Agreement between the
16 Parties. The arbitrator's decision shall not go beyond what is necessary for the
17 interpretation and application of the express provisions of this Agreement. The
18 arbitrator shall not substitute the arbitrator's judgment for that of the parties in the
19 exercise of rights granted or retained under this Agreement. In all cases the
20 standard of proof applied by the arbitrator shall be the usual and customary
21 preponderance of the evidence standard. The findings and decision of the
22 arbitrator shall be binding on the Union, the Aggrieved, and the City provided that
23 the Arbitrator has not exceeded his/her legal or contractual authority and has
24 faithfully complied with the conditions set forth in Article VI.

25 8. The Union and the City agree that any differences between the
26 Parties on matters arising under this Agreement shall be settled by the means
27 herein provided.

28 9. The fees and expenses of the arbitrator will be shared by the
29 Parties equally.

30 10. Any appeal pursuant to RSA 542 shall be filed within thirty (30)
31 days of the date of the arbitrator's decision.

32 33 34 VII. DISCIPLINARY PROCEEDINGS

35
36 A. The City retains the sole right and authority to discipline employees. This
37 right and authority includes the absolute right to reprimand, either verbally or in writing,
38 suspend, either with or without pay, demote, discharge, or other types of discipline as
39 may be appropriate to the particular violation, act or omission. As a part of this sole right
40 and authority management may make, amend and enforce its rules and regulations

1 without consultation or consent of employees or the union, subject to all rules and
 2 regulations and amendments thereto being properly posted within the work areas for the
 3 department.

4
 5 B. The procedure for disciplinary action shall include notice, in writing, to
 6 the employee with a copy placed in the employee's personnel file, which includes a
 7 statement of the reason(s) for the discipline. No employee shall receive discipline for
 8 other than just cause.

9
 10 C. Employees shall have the opportunity to present written statements as to
 11 their position and opinion regarding disciplinary proceedings, which shall become part of
 12 the disciplinary file.

13
 14 D. In the event of a written reprimand, the personnel record of the employee will be
 15 cleared of any written evidence of such discipline after one (1) year from the date of the
 16 discipline, provided there be no written reprimands, suspensions, demotions or other
 17 disciplinary actions during the one (1) year period. ~~In the event of a suspension, the~~
 18 ~~personnel record of the employee will be cleared of any written evidence of such~~
 19 ~~discipline after three (3) years from the date of suspension, provided there are no written~~
 20 ~~reprimands, suspensions or other disciplinary actions during the three (3) year period. In~~
 21 the event of a suspension, the employee may in writing ask the Library Director, the
 22 Library Trustees, or the City Manager for the removal of the disciplinary action pursuant
 23 to RSA 275:56. Notwithstanding the foregoing, maintenance of records pertaining to
 24 investigations and the disposition of harassment complaints shall be maintained in
 25 accordance with the City's Harassment policy.

26 27 VIII. MANAGEMENT RIGHTS

28
 29 The City shall retain the sole right and authority to operate and direct the affairs
 30 of the Library in all its various aspects. Among the rights retained, in addition to those
 31 enumerated in RSA 273-A: 1, IX, are the City's right to determine the Library's mission
 32 and set standards and service offered to the public; to direct the working forces, to plan,
 33 direct, control and determine the operations or services to be conducted in and by the
 34 Library or by employees of the Library; to assign and transfer employees; to hire,
 35 promote, or demote employees and to suspend, discipline or discharge employees; to
 36 relieve employees due to lack of work or for other legitimate reasons; to make and
 37 enforce rules and regulations; to determine days of operation and employees' work
 38 schedules; and to change methods, equipment or facilities. Without limiting the
 39 preceding and solely as illustration, matters regarding the policies and practices of the
 40 City and Library Director as established by statute, ordinance or regulations relating to
 41 merit/incentive systems, recruitment, examination, appointment, advancement, or
 42 organization, under the conditions of political neutrality and based upon principles of
 43 merit and competence, shall not be subjects of bargaining under this Agreement. All
 44 rights, which ordinarily vest in and are exercised by public employers, except as such are
 45 specifically relinquished herein, are reserved to and remain vested by the City of
 46 Rochester.

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IX. UNION RIGHTS

The Union shall be allowed to use the facilities of the library for meetings concerning matters covered by this Agreement when such facilities are available and such meetings would not include employees who are on-duty and not otherwise conflict with the business of the library. The Library Director shall be notified, within seven (7) days, whenever possible, for available space.

X. UNION REPRESENTATION

A. The Library shall recognize one (1) steward and one (1) alternate steward duly authorized by the Union and shall investigate and process grievances related to matters covered by this Agreement. Only one (1) steward will be permitted, on duty, up to one (1) hour time to investigate and process each grievance. The Union shall provide the Library with a notice designating the steward and keep such notice current by notifying the Library Director within ten (10) days of any change.

B. Subject to the limitations in the preceding paragraph, the Steward or his/her designee, shall be permitted to formally process grievances during his/her regular duty shift, without loss of pay; however, emergency situations, as reasonably determined by the Director, may require that the scheduling of such activities be interrupted or rescheduled in reference to the job duties of the Union steward or his/her designee.

C. The Library agrees, when possible, to authorize one (1) day off in any calendar year, without loss of time or pay for the steward, to attend Union training programs. The Union shall notify the Department no less than fourteen (14) days in advance of such proposed training programs. The Director or his/her designee shall be the approving authority for such time off.

D. The members of the Union's bargaining committee who are scheduled to work during negotiations, shall be granted time off without loss of pay or benefits for all meetings between the City and the Union for the purpose of negotiating the terms of an Agreement.

XI. UNION CHECK-OFF

A. Upon written authorization from the employee, the City agrees to deduct from the pay of all employees covered by this Agreement, the dues, initiation fees and/or uniform assessments of the Local Union having jurisdiction over such employees and agrees to remit to said Local Union all such deductions on a bi-weekly basis. No unlawful deduction shall be made.

B. The City agrees to a D.R.I.V.E. check-off for employees. Upon written authorization by the employee, the City shall deduct certain amounts as specified by the employee on a bi-weekly basis and remit same on a bi-weekly basis to the Local Union's D.R.I.V.E. account. The name of such fund is Granite State Teamsters' DRIVE. Where

laws require written authorization by the employee, same is to be furnished in the form required. No unlawful deductions shall be made.

C. The Union agrees to indemnify and hold the City harmless from any claim or liability, which might be incurred by the City in connection with complying with the provisions of this Section of the Agreement.

XII. SENIORITY

Seniority for employees governed by this Agreement shall be determined by the date of hire for the last period of regular employment with the City in the work covered by this Agreement at the Rochester City Library within the jurisdiction of the Union.

1. SENIORITY PREFERENCE:

Employees, in order of their seniority, shall have preference:

- a) to work opportunity in the event of lay-off for lack of work;
- b) to recall to work after lay-off;
- c) in selection of vacations from the vacation schedule.

2. LAY-OFF:

a) In the event it shall become necessary because of lack of work to lay-off employees in herein aforesaid classes, temporary employees shall be laid off before regular employees and they shall be called back in the reverse order of that in which they were laid off.

b) In the event of layoff, the City shall lay off in inverse order of employment in the class and department involved. The Department head shall give written notice to the employees affected by a layoff two (2) weeks before the effective date of the action. If there is a recall within one (1) year for positions made vacant by a layoff, available laid-off employees shall be recalled according to classification and seniority. Seniority and accumulated leave (if not paid to the employee upon layoff) shall be restored to the level attained at the time of layoff if recalled within one (1) year.

c) In the event of a dispute involving seniority in lay-off, the matter will be discussed with the Union before action is taken. If agreement is not reached, the City will make the decision and the Union shall have their right to protest the decision through the Grievance Procedure.

d) It is agreed that the provisions in subparagraphs a-c above will remain in force until the effective date of a successor agreement.

1 3. BREAK IN SENIORITY:
2

3 a.) Seniority shall automatically terminate for the following reason:
4

- 5 1. If an employee is discharged;
- 6 2. If an employee voluntarily quits;
- 7 3. If an employee retires;
- 8 4. If an employee has been on lay-off for twelve (12) months;
- 9 5. If, after having been laid off, an employee does not return to work
10 within five (5) working days of notice to do so by personal contact or
11 telephone contact or certified mail sent to the employee's most recent
12 address appearing on the City records (it shall be every employee's
13 responsibility to provide the City with his/her current address at all
14 times).

15 4. POSTING OF LISTS:
16

17 a.) Within thirty (30) days after the signing of this Agreement, a list of
18 employees, arranged in the order of their seniority, shall be posted in a
19 conspicuous place at their place of employment, and a copy furnished to the
20 Union. Claims for corrections to such lists must be made to the City and the
21 Union within ten (10) days after such posting, and after such time the lists will be
22 regarded as corrected. Any dispute, if raised within the ten (10) day period
23 concerning an employee's seniority, shall be referred to the Grievance Procedure
24 as provided herein.

25 b.) The Union shall be entitled to a seniority list each six (6) months upon
26 request. The City shall post a seniority list at least once every twelve (12)
27 months.

28 c.) No employee shall be entitled to a job which he/she cannot or will not
29 properly perform.
30

31 XIII. MILITARY CLAUSE:
32

33 Employees enlisting or entering the Military or Naval Service of the United States
34 shall be granted all rights and privileges provided by the Uniformed Services
35 Employment and Reemployment Act of 1994. Employees who are called to serve on
36 military assignments, such as the National Guard or Naval Reserve, will be compensated
37 by the City for not to exceed a two (2) week period of time annually for the difference
38 between their weekly rate of pay and the amount received by them for services so
39 performed.
40

XIV. LEAVE OF ABSENCE:

Leave without pay may be granted upon the recommendation of the Library Director and approved by the City Manager. The City Manager may grant leaves without pay for such purposes and under such conditions as deemed in the best interest of the employee and the City. A leave of absence without pay may be granted with no loss of seniority rights as described in Article XII.

XV. VACATION

A. The provisions of this section shall apply to regular full-time employees and, on a pro rata basis, to regular part-time employees. Application for vacation leave shall be approved by the Department head and shall be chosen based on seniority, except that no employee shall select more than two (2) weeks at one time until all employees have been given an opportunity to choose their preferred vacation time. Vacation time accrued in a year (based on anniversary date) shall be taken within the next following employment year. Earned vacation time may be used after the completion of the first six (6) months of employment. Carryover of vacation time may occur upon application by the employee and exception granted by the Library Director and City Manager. ~~Employees shall be paid for all unused vacation leave upon separation from employment for any cause.~~

Upon severance of employment, the maximum accumulation paid shall be one and one-half (1.5) times the annual accumulation amount. No vacation time may be used during an employee's severance notice period.

An employee shall accrue paid vacation time at the rate of ten-twelfths (10/12) of a day for each month of employment during each employment year through and including the fifth (5th) employment year. After commencement of the sixth (6th) year of employment, an employee shall accrue vacation time at the rate of one and three-twelfths (1 3/12) days for each month of employment during each employment year through and including the tenth (10th) employment year. After commencement of the eleventh (11th) year of employment, and thereafter, an employee shall accrue paid vacation time at the rate of one and eight-twelfths (1 8/12) days for each month of employment. If an employee takes earned vacation during a time that included a legal holiday, the employee shall be paid holiday pay above and beyond the regular vacation compensation. Employees may opt to buy or sell vacation days in accordance with the flexible benefits plan.

Illustrative Table:

0-5 years	10/12 th day/month	(2 weeks/year)
6-10 years	1 3/12 th day/month	(3 weeks/year)
11+ years	1 8/12 th day/month	(4 weeks/year)

~~B. Eligible employees hired on or before June 12, 2007 shall, after commencement of the fourth (4th) year of employment, accrue paid vacation time at the rate of one and one-twelfth (1 1/12) days for each month of employment during each employment year through and including the fifth (5th) employment year. After the fifth (5th) employment year such employee shall be covered by the vacation accrual schedule set forth in Section A. above.~~

XVI. PERSONAL DAYS LEAVE

Each employee shall be entitled to two (2) non-cumulative Personal Days per year granted on the employee's anniversary date. Personal days may be taken for any purpose except as substitution for suspension as a result of disciplinary action. Personal days must be scheduled and approved by the Department Head in accordance with the employee's preference and the needs of the Department, so long as at least forty-eight (48) hours' notice is provided.

XVII. JURY DUTY

An employee called as a juror will be paid the difference between the fee received for such service and the amount of straight-time earnings lost by reason of such service. Satisfactory evidence of such service must be submitted to the employee's Department Head. Employees who are called to jury duty and are excused from jury duty for a day(s) shall report to their regular work assignment as soon as possible after being excused.

XVIII. BEREAVEMENT LEAVE

Bereavement Leave shall be granted as follows:

- 1.) Bereavement leave of five (5) consecutive days, including working and non-working days from the date of death without any loss of pay in the event of death of a spouse, mother, father, brother, sister or child.
- 2.) Special leave of three (3) consecutive days, including working and non-working days, from the date of death without any loss of pay in the event of death of his/her: Father-in-Law, Mother-in-Law, Grandchild, or person domiciled in the employee household.
- 3.) Special leave of one (1) working day with pay, for the purpose of attending the funeral, shall be granted an employee in the event of the death of his/her:

Grandmother	Grandfather
Sister-in Law	Brother-in Law
Aunt	Uncle

1 4.) Under extenuating circumstances, two (2) additional days with pay may be
 2 granted under sections 1, 2, and 3 above with the written approval of the Library
 3 Director or his/her designee.

5 XIX. FAMILY LEAVE

6
 7 Family Medical Leave shall be granted to eligible employees in accordance with
 8 the City's Family Medical Leave Policy, as amended, provided that 'the employee's
 9 seniority in the Department will not be affected by such leave'.

10
 11 All terms used in the City's Policy, such as "similar position" in the Job
 12 Restoration section, shall be construed in accordance with the interpretation and
 13 construction of such language as determined by the U.S. Department of Labor and/or the
 14 Federal Courts when clarifying the definition of any such terms.

15
 16 The cost of medical opinions regarding an employee's periodic recertification of
 17 leave conditions, or certification of ability to return to work, shall be determined in
 18 accordance with the applicable decisions of the U.S. Department of Labor and/or the
 19 Federal Courts addressing said topics.

20 XX. SICK LEAVE

21
 22
 23 The provisions of this section shall apply to full-time regular employees and, on a
 24 pro-rata basis, part-time regular employees. Sick leave shall be computed and accrued on
 25 a monthly basis, including the probationary period of an employee. Sick leave with pay
 26 shall be granted to all employees at the rate of one (1) day per calendar month worked,
 27 credited at the end of the month. Sick leave for full-time regular employees will be
 28 accumulated in accordance with the Flexible Benefit Plan. Sick leave for part-time
 29 regular employees hired before June 30, 2014 will be accumulated up to one hundred and
 30 twenty (120) days. Effective as of the signing of this Agreement, any part-time employee
 31 hired after June 30, 2014 shall accumulated up to seventy-five (75) days.

32
 33 Employees completing twelve (12) consecutive months of employment without
 34 taking sick leave will be granted one (1) non-accumulative personal day. Employees
 35 may, at their discretion and with Department head approval, sell their non-accumulative
 36 personal day during the annual open enrollment period. This provision relates only to the
 37 non-accumulative personal day awarded for non-use of sick leave for twelve (12)
 38 consecutive months. Personal days may be taken for any purpose except as substitution
 39 for suspension as a result of disciplinary action. Personal days must be scheduled and
 40 approved by the Department Head in accordance with the employee's preference and the
 41 needs of the Department, so long as at least forty-eight (48) hours' notice is provided.

42
 43 Up to three (3) additional days each year (non-accumulative from year to year)
 44 may be taken by an employee when the ill health of a member of the employee's
 45 immediate family requires the employee's care. For purposes of this section, an
 46 employee's immediate family shall be deemed to be the spouse, child, stepchild, mother,

1 father, or other dependents living in the same household. An exception may be made by
2 the Department head where extenuating circumstances exist.

3
4 Employees who terminate their employment through retirement shall be entitled
5 to a lump sum payment for three-quarters of the number of accumulated days due at the
6 rate of pay at the time of termination of service, not to exceed seventy-five percent (75%)
7 of one hundred and twenty (120) days or seventy-five (75) days of accumulated sick
8 leave, as applicable. For the purpose of this section, retirement shall be defined as having
9 completed ten (10) consecutive years of service with the City of Rochester and being
10 eligible to retire under the New Hampshire Retirement System or other retirement plan
11 paid in part or in full by the City.

12
13 Employees who terminate their employment by voluntary resignation, and who
14 have served at least ten (10) years with the City of Rochester, shall be entitled to a lump
15 sum payment for one-half of the accumulated sick leave due them, at the employee's rate
16 of pay at the time of termination, not to exceed fifty (50%) percent of one hundred and
17 twenty (120) days or seventy-five (75) days of accumulated sick leave, as applicable. In
18 the event of termination by reason of death, said payment in the amount of 50% of
19 accrued sick leave shall be made to his/her beneficiary.

20
21 Sick leave shall be considered a matter of grace and not a privilege and shall be
22 allowed only in case of actual illness or to keep necessary medical appointments. Sick
23 leave shall be used in minimum blocks of two (2) hours.

24
25 To receive compensation while absent on sick leave, the employee shall notify
26 his/her Department head prior to the time set for beginning his/her daily duties or as may
27 be specified by the Department Head. At the discretion of the Department head, a
28 doctor's certificate may be required for an absence due to illness in excess of three (3)
29 days. If the Department head has a reasonable basis to believe or suspect an employee
30 has abused sick leave privileges, he/she may require a doctor's certificate for an illness of
31 less than three (3) days. Proof of illness or disability may be required at any time by the
32 City Manager, Department Head, or Division Head.

33
34 Unless otherwise instructed, an employee absent due to illness or injury for a
35 period in excess of one (1) week, must report the status of his/her condition to the City no
36 less than once per week until the employee returns to active employment. The employee
37 shall give the City reasonable advance notice of his/her return to active employment.

38
39 Abuse of sick leave privilege may be cause for dismissal. Sick leave shall be
40 recorded regularly in the personnel records and the personnel Officer shall review all sick
41 leave records periodically and shall investigate cases, which indicate abuse of the
42 privilege.

XXI. SICK LEAVE TRANSFER

The City Manager may grant a sick leave transfer to an employee if it is determined to be in the best interests of the City and if the following conditions are met:

1. The request must be in writing and for an extended illness of three or more week's duration.
2. The employee must first use all other available paid leave.
3. Employees recovering from workers' compensation injury or illness are not eligible.
4. Employees who wish to donate sick leave must still have 30 days left after the donation is made and may donate no more than 5 days in one year.
5. Donation are strictly voluntary and anonymous.
6. Donation of leave under this section do not affect eligibility for receipt of a personal leave day for not using sick leave in a twelve-month period.

XXII. HOLIDAYS

City employees shall have the following paid holidays:

New Year's Day	Columbus Day
Martin Luther King Day	Veteran's Day
President's Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	

And such other days as may be designated from time to time by the City Manager. When a holiday falls on a Sunday, the following Monday shall be declared a holiday for City employees. When a holiday falls on a Saturday, the preceding Friday shall be declared a holiday. If at all possible the holidays will coincide with the Rochester School calendar, at the City Manager's discretion. The provisions of this section shall apply to full-time regular employees and, on a pro-rata basis, to part-time regular employees.

XXIII. EDUCATIONAL REIMBURSEMENT

The following Educational Reimbursement Incentive Policy will apply to all library employees after one (1) year of service. The City agrees to provide reimbursement for courses if all of the following are met:

1. The course is approved in advance in writing by the Library Director, who shall respond within five (5) days.

2. The course is related to the employee's job or as part of a career development program.
3. There is sufficient funding in the budget for that purpose.
4. No more than 3 courses per fiscal year unless approved by the City Manager.
5. Reimbursement for only the tuition of the course will be based upon completion of and proof of a grade of B- (B-minus) or better.

XXIV. CONFERENCES

The City will pay the expenses of Library employees attending professional conferences provided (a) the Library Director gives advance written approval; (b) the conference is related to the employee's job or part of a career development program; and (c) there is sufficient funding in the budget.

XXV. HOURS OF WORK

A full-time regular employee shall mean an employee who works thirty-five (35) or more hours per week for six (6) or more consecutive calendar months in any job classification established by the City as a regular position.

A part-time regular employee shall mean an employee who works less than thirty-five (35) hours per week and who is retained to work six (6) or more consecutive calendar months in any job classification established by the City as a regular position.

Employees shall be compensated for all hours of work over forty (40) hours per week at the rate of one and one half (1 ½) times the employee's regular hourly rate of pay. When employees perform work, less than forty (40) hours per week, but time beyond their regular hours of work, they shall be compensated with their regular rate of pay, hour for hour. Alternatively, with the approval of the Director, employees may elect to be compensated with compensatory time at the rate of one and one-half (1 ½) hours for each hour worked over forty (40) hours per week to be accumulated to maximum of forty (40) hours.

If an employee is designated in writing by the Library Director to assume the full duties and responsibilities of a higher classification for a period of fourteen (14) calendar days or more, the employee shall be paid at the range minimum for the higher classification or a five percent (5%) premium, whichever is greater.

A definite reporting time shall be established by the Library for each employee. In the event of a substantial deviation in the commencement of a previously established

1 start time, the City agrees to give the employee as much notice as is practical. Working
2 time for all employees shall start when they are instructed to report to work.

3 XXVI. HEALTH AND BENEFIT PLAN

4
5 The Flexible Benefits Program as offered by the City of Rochester will be
6 provided to all full-time regular Library employees. ~~Commencing as soon as practicable~~
7 ~~after City Council approval, The City will pay 80% of Anthem Matthew Thornton Plan~~
8 ~~((\$250/\$750 deductible) with \$20 office visits, \$150 ER visits and \$10/\$20/\$45 co-pays~~
9 ~~for 34-day retail or 90-day mail order prescriptions. The City will reimburse the~~
10 ~~employee member up to \$250 of his/her deductible expenses as incurred for the first two~~
11 ~~years of the contract. Any agreement allowing certain employees to retain other insurance~~
12 ~~plans at 80% City subsidy will expire upon the effective date of the new insurance plan.~~

13
14 In order to reduce health insurance costs for the benefit of all involved the City
15 reserves the right to select and substitute a more cost effective alternate health insurance
16 plan to replace the plan(s) identified above. Such alternate plan must provide employees
17 with comprehensive core protection and services that are fundamentally equivalent to the
18 protections and services enjoyed by employees under the plans previously provided by
19 the City. The Union will also agree that the City may add any other plans as long as the
20 plans are optional.

21
22 The parties agree to work cooperatively and to negotiate in good faith to avoid the
23 imposition of all taxes, assessments, and/or fees (hereafter "penalties") that may result
24 from the implementation of the so-called "Cadillac Tax" under the Affordable Care Act
25 of 2009.

26 27 28 XXVII. EMERGENCY CLOSINGS

29
30 In the event that the City Manager, ~~or Library Trustees, or their Designee,~~
31 determines that Library services will be curtailed and/or limited due to storms, power
32 outages or other unforeseen circumstances, the affected employees so notified shall not
33 be required to report to work, or employees who have reported for work shall be released
34 without loss of pay or use of earned leave time. When an employee is unable to report to
35 work due to weather conditions, and the City Manager or Library Trustees have not
36 curtailed and/or limited Library services, the employees may draw from vacation time or
37 other appropriate leave. Employees who are not scheduled to work shall not be
38 compensated for the emergency closing hours. The provisions of this section shall apply
39 to full and part-time employees.

40 41 XXVIII. COMPENSATION AND WAGES

42
43 Pay increases will be granted as follows:

44
45 A. Effective July 1, 2014, the City will increase the hourly rate for all library
46 employees by 2.5%. This increase is in lieu of any merit increase for FY 2015.

1
2 B. Effective July 1, 2015, The compensation of each member of the bargaining unit
3 shall be reviewed during the year by his/her department head to determine if an
4 increase in pay is to be made in accordance with the City's established Merit Pay
5 Plan which is incorporated by reference herein. Subject to said Plan's funding by
6 the City, additional compensation thereunder shall be available to members of the
7 bargaining unit upon exactly the same terms and conditions as those extended to
8 unorganized employees of the City. Any merit salary plan adjustment shall be
9 made from 0% to .53% and given in conjunction with the employee's annual
10 performance evaluation and will be effective at the beginning of the pay period
11 immediately following the employee's anniversary date July 1st. Any merit salary
12 increase so awarded shall be based on a rating of employees by their supervisor
13 using a systematic and formal evaluation process. Performance found to be
14 meritorious shall be certified by the supervisor and a pay adjustment made. Merit
15 pay increases will not be diminished because of financial considerations of the
16 Library or the City.

17
18 C. Library employees who reach the top of his/her respective pay range shall be
19 eligible for a lump sum payment annually of up to two percent (2.0%). The
20 Library Director will consider the written evaluation and the personnel file, and
21 such other information the Library Director may determine in his/her discretion is
22 relevant before making a recommendation to the Trustees. To the extent an
23 employee's proposed merit increases causes the employee to exceed his/her pay
24 range, the employee shall be entitled to an amount not to exceed two percent
25 (2.0%) above the then top of the pay range. Any amount due that exceeds the top
26 of the pay range shall be paid in a lump sum amount in the first pay period in
27 December and shall not become part of base wages.

28
29 D. In addition, effective July 1, 2015, each member of the bargaining unit shall be
30 eligible for an annual bonus for exemplary service. This exemplary service bonus
31 shall be awarded at the discretion of the City Manager and may be awarded in an
32 amount up to 2.0% of the recipient's salary and shall not become part of base
33 wages.

34
35 E. The maximum pay range will adjust by the percentage change in the CPI index
36 for Boston-Brockton-Nashua (November to November of the prior year) annually
37 on July 1, during the term of this Agreement. Any future adjustment for a
38 successor collective bargaining agreement in these pay ranges shall be negotiated
39 by the parties.

40 This article shall not be effective during the duration of this agreement. It is
41 understood that no merit increases will be given during this contract term (Expiring June
42 30, 2014)

~~During this contract all employees will receive the following general increases so long as they have completed their probationary period and have received a "fully competent" evaluation.~~

Effective Date	COLA
City Council Approval July 5, 2011	2.0 %
July 1, 2012	2.0 %
July 1, 2013	2.0 %

~~The minimum and maximum of the wage ranges set forth in Attachment A Wage/Salary Schedule will be increased as follows:~~

City Council Approval July 5, 2011	2.0 %
July 1, 2012	2.0 %
July 1, 2013	2.0 %

~~It is agreed that wage increases will be retroactive to the date of City Council approval and shall apply only to persons who are employed in the bargaining unit on the date the Agreement is approved by the City Council.~~

XXIX. WORKER'S COMPENSATION

An employee out of work due to a job connected injury or illness shall receive Worker's Compensation. The difference between the amount paid to the employee through Worker's Compensation and his/her regular wage shall be paid to the employee by the employer for a period of the first twenty (20) work days of said job connected injury; said amount shall not be charged against the employee's accumulated sick leave or vacation time. The actual payment of wages under this section shall be a combination of the Worker's Compensation benefit as determined by the Department of Labor and a supplemental payment by the City of Rochester which will be the difference between the Worker's Compensation payment and the employee's regular compensation, to be paid on a bi-weekly basis.

At the end of the first twenty (20) work day period of said job connected injury, the employee shall continue to receive both the Worker's Compensation benefit and the difference between that benefit and the employee's regular compensation, except that the compensation, shall be charged against the employee's accrued sick leave, if any, and thereafter, against vacation leave. The employee may elect to receive only the Worker's Compensation benefit and decline to receive the differential between the Worker's

1 Compensation and the regular weekly compensation, so as to avoid the charge against
 2 sick leave or vacation leave. It shall be the responsibility of the employee to file this
 3 election in a timely manner.

4
 5 Provided further, that after expiration of the first twenty (20) work day period the
 6 Library Director may order a complete physical and/or mental examination of said
 7 employee by two (2) registered physicians; and if the report of their examination
 8 establishes the injury as one which permanently incapacitates said employee, application
 9 shall be made for retirement under the provisions of the New Hampshire Retirement Law.
 10 The commencement of payments under the New Hampshire Retirement Law shall end
 11 the employer's obligation for payment of vacation time and/or accumulated sick leave
 12 under this section. Provided further, that if it is determined immediately after an
 13 employee is injured, by two (2) registered physicians selected by the Library Director,
 14 that an employee will not be able to return to his/her regular duties at any time in the
 15 future, then employer shall not be obligated to pay the difference between the Worker's
 16 Compensation and the employee's regular wage for the time periods of injury as outlined
 17 above.

18
 19 The City agrees to continue paying the employee's retirement payments on the
 20 City's supplemental payment while the employee is unable to work due to the injury or
 21 illness.

22 XXX. LONGEVITY

23 Years of Service	24 Annual Payment
25 3-5 years	26 \$200
27 6-10 years	28 \$325
29 11-15 years	30 \$400
31 16-20 years	32 \$550
33 21 years of more	34 \$600

35 This schedule shall become effective July 1, 2011. Employees shall receive
 36 longevity pay annually on the employee's anniversary date. Upon termination of
 37 employment with the City, employees shall receive longevity pay pro-rated for the
 38 number of days of longevity in that year calculated from the employee's anniversary date
 39 to the day employee terminates. ~~Eligible part-time employees will not be paid for~~
 40 ~~longevity in the year ending June 30, 2012. Eligible part-time employees will be paid~~
 41 ~~one half of the appropriate tier on the longevity schedule in the year ending June 30,~~
 42 ~~2013. Eligible part-time employees will be paid the full amount of the appropriate tier on~~
 the longevity schedule in the year ending June 30, 2014.

XXXI. ADHERENCE TO RULES, REGULATIONS, POLICIES AND PROVISIONS

It is understood that for the duration of this Agreement employees shall continue to serve under the direction of the Library Director and in accordance with City policies and administrative rules, regulations and the provisions of this Agreement.

XXXII. BULLETIN BOARDS

The City shall provide a space in the Library for a Union bulletin board, which is readily accessible to all members. Only notices that are approved by the Union president shall be posted on said bulletin board.

XXXIII. DURATION

This agreement shall be effective upon approval of the cost items by the Rochester City Council. This agreement shall expire on June 30, ~~2014~~ 2016. No cost item in this agreement will have retroactive effect unless it is specifically noted in the agreement and the retroactive cost of such provision is specifically approved by the City Council. Persons not employed in the bargaining unit on the date the City Council approves the cost items will not be eligible for any retroactive payments or benefits.

Signed this _____ day of _____, 2014, at the City of Rochester, New Hampshire.

TEAMSTERS LOCAL 633 OF
NEW HAMPSHIRE

CITY OF ROCHESTER
ROCHESTER PUBLIC LIBRARY

Chief Negotiator

Chief Negotiator

Secretary-Treas.

City Manager

Negotiating Team Member

Chair, Library Trustees

1 | Adopted by majority vote of the Rochester City Council and Mayor on ~~July 5,~~
2 | ~~2011~~ , 2014.

3
4
5
6
7

City Clerk (Seal)

ATTACHMENT A

CITY OF ROCHESTER
AND
INTERNATIONAL BROTHERHOOD OF TEAMSTERS
LOCAL 633 OF NEW HAMPSHIRE
WAGE/SALARY SCHEDULE

	<u>7/1/2009</u>		<u>7/1/2011</u>		<u>7/1/2012</u>		<u>7/1/2013</u>	
	Min	Max	Min	Max	Min	Max	Min	Max
LIBRARIAN I	21.05	28.19	21.47	28.75	21.90	29.33	22.34	29.92
LIBRARIAN I	19.05	25.56	19.43	26.07	19.82	26.59	20.22	27.12
SECRETARY II	15.53	20.85	15.84	21.27	16.16	21.70	16.48	22.13
LIBRARY ASST	14.25	19.05	14.54	19.43	14.83	19.82	15.13	20.22

ATTACHMENT A
CITY OF ROCHESTER
AND
TEAMSTERS LOCAL 633 OF NEW HAMPSHIRE
LIBRARY WAGE AND SALARY SCHEDULE

	<u>7/1/2013</u>		<u>7/1/2014</u>		<u>7/1/2015</u>	
	Min	Max	Min	Max	Min	Max
<u>LIBRARIAN II</u>	22.34	29.92	22.90	30.67	-	-
<u>LIBRARIAN I</u>	20.22	27.12	20.73	27.80	-	-
<u>SECRETARY II</u>	16.48	22.13	16.89	22.68	-	-
<u>LIBRARY ASST</u>	15.13	20.22	15.51	20.73	-	-



10/31/14

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT	SECOND HAND DEALER APPROVAL- We Buy Stuff- William Murphy
----------------	--

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	October 27, 2014		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED	October 17, 2014		
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	1	

COMMITTEE SIGN-OFF

COMMITTEE	LICENSING BOARD	Police, Fire and City Manager
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	N/A
ACCOUNT NUMBER	N/A
AMOUNT	N/A
APPROPRIATION REQUIRED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

LEGAL AUTHORITY

CC FY 15 AB 57

SUMMARY STATEMENT

William Murphy is the owner of WE BUY STUFF, existing Second Hand Dealer business.
Change of ownership/partnership is the reason for the license name change.

RECOMMENDED ACTION

APPROVE SECOND HAND DEALER AS REQUESTED



10/31/14

City of Rochester Formal Council Meeting**AGENDA BILL****NOTE: Agenda Bills are due by 10 AM on the Monday the week before the City Council Meeting.**

AGENDA SUBJECT: Emergency Operations Plan Update 2014

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐FUNDING REQUIRED? YES ☐ NO ☒
* IF YES ATTACH A FUNDING RESOLUTION FORMRESOLUTION REQUIRED? YES ☒ NO ☐FUNDING RESOLUTION FORM? YES ☐ NO ☒

AGENDA DATE	November 5, 2014		
DEPT. HEAD SIGNATURE	Norm Sanborn, Jr. Signature on file with City Clerk		
DATE SUBMITTED	October 10, 2014		
ATTACHMENTS	YES <input checked="" 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	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	N/A
ACCOUNT NUMBER	N/A
AMOUNT	N/A
APPROPRIATION REQUIRED	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

LEGAL AUTHORITY

Council Action Required

SUMMARY STATEMENT

The plan was revised and updated to assist the City in Planning for future Emergency events that could affect the City. It was developed by Hubbard Consulting and participants from the City of Rochester.

RECOMMENDED ACTION

Recommend adoption of the plan.



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

MANAGEMENT TEAM MEETING
September 29, 2014
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Peter Nourse, Director Public Works
Danford Wensley, City Attorney
Samantha Rodgers, Executive Asst.
Jim Grant, Director BZLS
Brian Sylvester, Library Director

Norm Sanborn, Chief- Fire
Scott Dumas, Deputy Chief - Police
Karen Pollard, Economic Development Mgr

EXCUSED:

Chris Bowlen, Director - RAYS
Jim Campbell, Chief Planner

MINUTES

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

1. Management Team Minutes – September 22, 2014

There was no discussion, minutes were approved by consensus.

2. City Council Inquiry Report

All items are closed. There was no discussion

3. City Calendar for Week

Reviewed upcoming meetings, no further discussion.

4. Right to Know Requests

No new requests have been received. No discussion.

5. City Hall signage

- There are currently no address markings or hours of operations for City Hall. City Manager Fitzpatrick suggested that Mr. Nourse have the address and hours put up so that customers are able to locate City Hall easier.

6. Press Releases

- City Manager Fitzpatrick advised that his budget does not have the necessary funds to utilize Kathryn Buxton for ongoing press releases; however it's important to get

positive news to the press. He recently prepared a press release in-house for the achievements of 2 individuals and encourages all departments to submit information to him whenever they have positive news and his office will produce a press release and forward to various media representatives. There was some further discussion about the need for us to tell our own story and that it is our responsibility to do so.

7. Antennas on water towers - process

- City Manager Fitzpatrick wanted guidance on this process. It was determined that it should start in Planning as it may require Planning Board review. After that it may go to other departments and committees for recommendation.

8. Other

Director Sylvester

- Advised that they had Keith MacKenzie and his K-9 to search for bed bugs and that there were no findings.
- Advised that they have put out the RFP for the new security system.
- Advised that he will be preparing and forwarding a memo about heating fuel.

Deputy Chief Dumas

- Advised that they assisted Dover with a domestic violence call over the weekend.
- Advised that they are investigating a reported kidnapping.
- Advised that they received a resignation from a dispatcher.
- Advised that they will be doing interviews for a new records clerk.
- Informed the committee about an upcoming Disproportionate Minority Contact (DMC) symposium to be held on Thursday. It is designed to address discrepancies among minority youths in the juvenile justice system.

Manager Pollard

- Advised that this week is Manufacturer's Week in New Hampshire. The community colleges have tours of their facilities planned and the Rochester facility tours are full.
- Advised that Thursday is the Manufacturers Summit that she will be attending
- Discussed GTBY's ATAC (Great Bay Community College Advanced Training & Academic Center) event and that they are also working on an expansion of their facility.
- Advised that they will be holding their Seacoast Manufacturing Exchange next Wednesday and that Mayor Jean will read a proclamation.

Attorney Wensley

- Briefed the committee on the Fairpoint Case.

Director Nourse

- Advised that the Ward 2 meeting is tonight at the Frisbie Conference Center. DPW will be there to discuss the Colonial Pines sewer project off of Old Dover Road.

Director Grant

- Advised that there has been an influx of permits such as Highfields Common, Cumberland Farms and Frisbie.

City Manager Fitzpatrick

- Advised that he will be working on a TV show with Celeste. It will feature city topics of interest and departments. Topics can be discussion of capital projects, plowing, etc. It is a great way to communicate with the community better.

The Management Team meeting adjourned at 9:48 A.M.

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

MANAGEMENT TEAM MEETING
October 6, 2014
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Brian Sylvester, Library Director
Peter Nourse, Director Public Works
Danford Wensley, City Attorney
Samantha Rodgerson, Executive Asst.
Jim Grant, Director BZLS
Chris Bowlen, Director - RAYS

Norm Sanborn, Fire Chief
Karen Pollard, Economic Development Mgr
Jim Campbell, Chief Planner

EXCUSED:

Michael Allen, Police Chief

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:10 A.M.

1. Management Team Minutes – September 29, 2014

There was no discussion, minutes were approved by consensus.

2. City Council Inquiry Report

All items are closed. There was no discussion

3. City Calendar for Week

Reviewed upcoming meetings, there was no further discussion.

4. Right to Know Requests

No new requests have been received. No discussion.

5. Boards & Commissions – agendas and minutes

- There was discussion that not all committee minutes and agendas are being updated in a timely fashion. The City Manager reminded staff that if there are concerns with staff, resources or budget to let him know.
- Deputy City Manager Cox reminded that Department Reports would need to be to City Clerk's office by October 14th.

6. Ethics & Compliance Helpline – new contact information

- Discussed that the 3rd party vendor that we now use to monitor our Ethics & Compliance helpline has provided new posters and brochures with a new contact number and online website reporting. The website and PPM's will be updated with the new information.

7. PPM discussion and review

- Discussed the proposed Use of Ceiling Mounted Projector in City Council Chambers policy that was forwarded by MIS for review. There was some brief discussion.
- Discussed the Incentive to Quit Smoking policy that had been approved in 2008. Deputy City Manager Cox will discuss with Diane Hoyt to see if this can be handled as part of the wellness program and will come back with a recommendation.

8. Other

City Manager Fitzpatrick

- Briefly discussed the complimentary ticket offering by the Opera House and the concerns that were brought up by a resident.

Deputy City Manager Cox

- Advised to let the Finance know of any upcoming large payments that will need to be made, as they are scrambling to meet cash flow while getting the bonding out.

Chief Sanborn

- Informed that this week is Fire Prevention Week. Advocating checking smoke detectors to make sure they are working. Will be having schools in as well as visiting schools to discuss fire prevention.
- Advised that the EOP (Emergency Operations Plan) report is done. The final copy will go to City Council for approval.
- Advised that have worked out the FEMA grant and have purchased the air packs. The company will do the training and fit tests.

Manager Pollard

- Advised that the Economic Development office would be closed on Friday, as staff will be at training or out of town meetings all day.

Attorney Wensley

- Laverdiere closing is occurring today.

Chief Planner Campbell

- Advised that a business for Route 11 has contacted Planning as they will need to increase their footprint. Will be able to be handled through staff.

10/31/14

- Advised that there are some minor subdivisions, lot line revisions scheduled for the Planning Board meeting. Advised that the maintenance facility proposed by the State off of Exit 16 would be reviewed as they have submitted their designs, etc.

The Management Team meeting adjourned at 9:49 A.M.

Respectfully submitted,

Samantha Rodgers
Executive Assistant



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

MANAGEMENT TEAM MEETING
October 14, 2014
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Brian Sylvester, Library Director
Peter Nourse, Director Public Works
Scott Dumas, Police – Deputy Chief
Samantha Rodgers, Executive Asst.
Norm Sanborn, Fire Chief

Karen Pollard, Economic Development Mgr
Jim Grant, Director BZLS
Danford Wensley, City Attorney

EXCUSED:

Chris Bowlen, Director - RAYS
Jim Campbell, Chief Planner

MINUTES

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

1. Management Team Minutes – October 6, 2014

There was no discussion, minutes were approved by consensus.

2. City Council Inquiry Report

There were no items, no discussion

3. City Calendar for Week

Reviewed upcoming meetings, there was no further discussion.

4. Right to Know Requests

No new requests have been received. No discussion.

5. Council Action Report

- There was some discussion as to whether this item needed to be on the agenda for the Management Team. It was decided that it does not need to be, however if there is an item that requires discussion to bring it up.
- Ms. Rodgers brought up the Blackwater Road driveway item and what is being done to notify the requestor. Attorney Wensley will get the agreement to Ms. Rodgers so that she can forward it on to the requestor.

6. State DOT response – Pomerleau well

- A copy of the letter was provided to Director Nourse. Ms. Rodgerson will forward a copy to Mr. Pomerleau.

7. Solicitation letter – water line insurance

- This was brought up at the Council meeting and there is a notice on the government channel and the website to notify residents.

8. New City logo

- Ms. Rodgerson explained that we now have a better color digital logo that has been used successfully at Collins Sports for embroidery. Can use for letterhead, etc.

9. Norway Plains Road subdivision Street acceptance memo

- There was no discussion.

10. Other**City Manager Fitzpatrick**

- Discussed a concern with property that was purchased from the City in 1974. After some discussion, he asked that Attorney Wensley look into and work on getting it cleared up.

Director Sylvester

- Advised that the Library is not doing the Annual Book Sale this year as it is cost prohibitive. They will be doing daily book sales.

Deputy Manager Cox

- Advised that they are working to get the bond issue out.

Director Nourse

- Advised that they have nearly completed the corrective action for Trinity Circle. They may have funds to address the water works issues as well.
- Advised that he will be at the Finance Committee to discuss the privatization of Buildings & Grounds.

Deputy Chief Dumas

- Advised that they had a relatively quiet weekend. He explained that there were 772 calls for service, which is busy but not out of the norm.

Chief Sanborn

- Advised that they had a quiet weekend.

- Advised that Fire Prevention Week finished up and that they still have some school visits scheduled this week.

Manager Pollard

- Advised that she will be on vacation this week.
- Advised that she will be at the Finance Committee tonight to discuss the 79e application.
- Advised that she will be conducting interviews today for the Community Development Coordinator position.
- Advised that she was a guest instructor at last week's UNH Economic Development Academy.

Director Grant

- Advised that the zoning discussion for the cell tower last week was canceled. They will be doing balloon tests and may be willing to look at alternate locations.

The Management Team meeting adjourned at 9:40 A.M.

Respectfully submitted,

Samantha Rodgers
Executive Assistant



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

MANAGEMENT TEAM MEETING
October 20, 2014
9:00 A.M.

PRESENT:

Daniel Fitzpatrick, City Manager
Blaine Cox, Deputy City Manager
Danford Wensley, City Attorney
Peter Nourse, Director Public Works
Michael Allen, Police Chief
Samantha Rodgers, Executive Asst.
Norm Sanborn, Fire Chief
Jim Grant, Director BZLS

Jim Campbell, Chief Planner

EXCUSED:

Brian Sylvester, Library Director
Karen Pollard, Economic Development Mgr
Chris Bowlen, Director - RAYS

MINUTES

City Manager Fitzpatrick called the Management Team meeting to order at 9:04 A.M.

1. Management Team Minutes – October 14, 2014

There was no discussion, minutes were approved by consensus.

2. City Council Inquiry Report

There were no items, no discussion

3. City Calendar for Week

Reviewed upcoming meetings, there was no further discussion.

4. Right to Know Requests

No new requests have been received. No discussion.

5. Backflow Prevention Program

- City Manager Fitzpatrick indicated this topic was handled well at Thursday's Public Works Committee.

6. Solicitation Policy

- This may be discussed at a future meeting.

7. Other

Chief Planner Campbell

- Discussed some of the topics for tonight's Planning Board Workshop.
 - drinking water
 - aquifer protection
 - First City Motors is coming back

City Manager Fitzpatrick

- Advised that a new local business mentioned they had some problems with approvals, etc. He checked into the situation and it was discovered that they had started construction without approvals. There was some further discussion.
- Mentioned that he filmed his first show, "City Manager's Corner" with his guest, Mayor Jean. The show will be of various topics and he will have department heads as guests to discuss items of importance.

Deputy Manager Cox

- Advised that they are still working on the bond issue and preparing for the audit.

Chief Sanborn

- Advised that they provided mutual aid twice to Dover last week.
- Advised that they are working with Frisbie Hospital to discuss how to handle potential cases of Ebola.

Director Nourse

- Advised that the EPA Contingent would be in town as a follow-up from last May.
- Advised that Oak Point Associates would be making a presentation tomorrow night at the Council workshop.

Chief Allen

- Advised that the FBI requested Officer MacKenzie and his K-9 to PA to assist with the manhunt.
- Advised that he will be meeting with the Police Commission to discuss items for non-public.
- Advised that he has a meeting scheduled for Friday with a potential new phone vendor.
- Advised that they interviewed candidates for 4 vacant dispatch positions.
- Advised that they are working on the background check for records clerk position.
- Advised that the Zombie Walk is scheduled for Friday and that the PD would provide traffic control as requested from Rochester Main Street.

Attorney Wensley

- Advised he met with an attorney representing estate of land by GSBP.

- Advised that he received a cal in regards to SUR/Hanson Street item and possible subpoena of city staff.

Director Grant

- Advised that his department is collaborating with Economic Development and Planning to create a mobile/web- based app for the Developer's Handbook.

The Management Team meeting adjourned at 9:56 A.M.

Respectfully submitted,

Samantha Rodgerson
Executive Assistant



City of Rochester, New Hampshire

Office of the City Clerk

31 Wakefield Street • Rochester, NH 03867-1917

AFFIDAVIT

PUBLIC NOTICE POSTING

I, Kelly Walters, City Clerk (full name and title, printed) do hereby swear or affirm that on October 28, 2014 the following items were posted at the date and times listed below for each posting:

1. Item: Public Hearing Notice, Public Hearing Agenda, and Regular City Council Meeting City of Rochester Public Hearing Notice Ratifying, Affirming, Confirming, and, in the Alternative and to the Extent Necessary, Re-Adopt A Resolution Authorizing Supplemental Appropriations to the 2009-2010 Capital Budget of the City of Rochester for Engineering Services Relative to Brock Street and Authorizing Bonding in Connection There with CC FY 15 AB 56-1

Location(s):

City Clerk's Office and City Hall Bulletin Boards : October 28, 2014, at 5:53 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

City of Rochester Website: October 28, 2014, at 5:16 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

Rochester Public Library: October 28, 2014, at 6:00 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

2. Item: City of Rochester Public Hearing Notice Ratifying, Affirming, Confirming, and, in the Alternative and to the Extent Necessary, Re-Adopt a Resolution Authorizing Supplemental Appropriations to the 2010-2011 Capital Budget of the City of Rochester for The Completion of the North Main Street Bridge Project and Authorizing Bonding in Connection Therewith CC FY 15 AB 56-2

Location(s):

City Clerk's Office and City Hall Bulletin Boards: October 28, 2014, at 10:31 AM

5: 53 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

City of Rochester Website: October 28, 2014, at 5: 16 AM/PM I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

Rochester Public Library: October 28, 2014, at 6: 00 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

3. Item: City of Rochester Public Hearing Notice Ratifying, Affirming, Confirming, and, Re-Adopt a Proposal to Authorize/Proceed with Bonding in the Amount of up to \$300,000 for the Purpose of Providing Funds Necessary for the Purchase of Real Property Situate at 2-4 Walnut Street, Rochester, NH, for use in Connection with Improvements to the North Main Street, Jackson Street, Washington Street and Walnut Street Intersection CC FY 15 AB 56-1

Locations:

City Clerk's Office and City Hall Bulletin Boards: October 28, 2014, at 5: 53 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

City of Rochester Website: October 28, 2014, at 5: 16 AM/PM I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

Rochester Public Library: October 28, 2014, at 6: 00 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

4. Item: Resolution Proposal to Authorize Bonding in an Amount of up to \$98,515.35 for the Purpose of Providing Funds for the So-Called Salmon Falls Road Sewer Reconstruction Project.

Locations:

City Clerk's Office and City Hall Bulletin Boards: October 28, 2014, at 5: 53 AM/PM, I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

City of Rochester Website: October 28, 2014, at 5: 16 AM/PM I personally posted/supervised the posting of the above referenced Public Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing and Regular City Council meeting.

Rochester Public Library: October 28, 2014, at ~~6~~: ~~10~~ AM/PM ~~10~~/B1/14
personally posted/supervised the posting of the above referenced Public
Hearing Notice and Agenda (s) for the November 5, 2014, Public Hearing
and Regular City Council meeting.

Copies of said notice(s) and/or agenda(s) is/are attached to this Affidavit and
each was posted in accordance with the provisions of New Hampshire Revised
Statutes Annotated Chapter 91-A:2, II, which states:

Except in an emergency or when there is a meeting of a legislative committee, a notice of the time and place of each such meeting, including a nonpublic session, shall be posted in 2 appropriate places one of which maybe the public body's Internet website, if such exists, or shall be printed in a newspaper of general circulation in the city or town at least 24 hours, excluding Sundays and legal holidays, prior to such meetings. An emergency shall mean a situation where immediate undelayed action is deemed to be imperative by the chairman or presiding officer of the public body, who shall post a notice of the time and place of such meeting as soon as practicable, and shall employ whatever further means are reasonably available to inform the public that a meeting is to be held.

Signed: Thelma Walter Date: 10/28/2014