



**Regular City Council Meeting
June 7, 2022
Council Chambers
6:00 PM**

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 City Council Regular Meeting: May 3, 2022 *consideration for approval* P. 9**
 - 5.2 City Council Special Meeting: May 17, 2022 *consideration for approval* P. 59**
- 6. Communications from the City Manager**
 - 6.1 City Manager's Report P. 63**
- 7. Communications from the Mayor**
 - 7.1. Recognition of exemplary service – Public Safety Communications Dispatchers**
 - 7.2. TIF Presentation**
- 8. Presentation of Petitions and Council Correspondence**
 - 8.1. Zoning Petition: Amendment to Chapter 275 Table 18-C to allow Indoor Recreation in the Industrial Zone as a permitted use- Lisa Stanley *motion to accept or deny the petition* P. 91**
- 9. Nominations, Appointments, Resignations, and Elections**
 - 9.1 *Nomination*: Mark Jennings - NHDES Local River Management Advisory Committee (Cocheco and Isinglass Rivers) *consideration for approval* P. 93**
 - 9.2 *Resignation*: Ashley Greene - Supervisor of the Checklist, Ward 3 *consideration for approval* P. 95**

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City Clerk's Office

9.3 New Appointment: Susan Bailey – Supervisor of the Checklist, Ward 3
consideration for approval P. 97

10. Reports of Committees

10.1 Appointments Review Committee P. 99

10.1.1 New Appointment: Laura Zimmerman – Zoning Board of Adjustments, Seat I, Alternate Member *term to expire 1/02/2025* *consideration for approval* P. 100

10.2 Codes and Ordinances Committee P. 101

10.2.1 Committee Recommendation: To approve the amendments to Chapter 75-1 of General Ordinances of the City of Rochester “Appointment and Requirement of Fire Chief” *consideration for approval* P. 102

10.2.2 Committee Recommendation: To approve the addition to the City Council Rules of Order, section 1.8 “Open Door” as detailed by City Staff *consideration for approval* P. 106

10.3 Finance Committee P. 111

10.3.1 Resolution Pursuant to RSA 34:1-a Establishing an Economic Development Reserve Fund *first reading and refer to Public Hearing June 21, 2022* P. 121

10.4 Planning Board P. 125

10.5 Public Safety P. 131

10.5.1 Committee Recommendation: To place a radar sign permanently on Salmon Falls Road *consideration for approval* P. 132

10.5.2 Committee Recommendation: To reduce the speed limit to 25 mph 2,000 feet prior to the “stop” sign on Salmon Falls Road *consideration for adoption* P. 132

10.5.3 Committee Recommendation: To remove the “2 Hour parking” signs at 197 Columbus Avenue *consideration for approval* P. 134

10.5.4 Committee Recommendation: To place a “dead end” sign on Tuttle Court *consideration for approval* P. 134

10.5.5 Committee Recommendation: To remove the handicap sign on Stillwater circle *considerati on for approval* P. 134

10.6 Public Works P. 137

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- 10.6.1 Resolution Authorizing Supplemental Appropriation to the FY 2022 Sewer Fund Capital Improvement Plan (CIP) Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids Dewatering Facility Project in the Amount of \$2,500,000.00 and Borrowing Authority pursuant to RSA 33:9 *first reading and refer to public hearing June 21, 2022* P. 143**

11. Old Business

- 11.1 Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in the amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road *second reading and consideration for adoption* P. 149**
- 11.2 Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund *second reading and consideration for adoption* P. 151**
- 11.3 Amendment to Chapter 275-8 of the General Ordinances of the City of Rochester regarding the Granite Ridge Development Zone *second reading and consideration for adoption* P. 157**
- 11.4 Resolution Approving Fiscal Year 2022-2023 Operating Budget for the City of Rochester *second reading and consideration for adoption* P. 173**
- 11.5 Resolution Authorizing and Approving Fiscal Year 2022-2023 Capital Budget for the City of Rochester and Authorizing Borrowing in connection therewith *second reading and consideration for adoption* P. 177**

12. Consent Calendar

- 12.1 Resolution Deauthorizing Various Rochester Police Department Grants *first reading and consideration for adoption* P. 181**

| <u>Name of Grant</u> | <u>Amount</u> | |
|---|----------------------|--------|
| Highway Safety Distracted Driving Grant | \$1,833.62 | P. 183 |
| Highway Safety Drive Sober or Get Pulled Over Grant | \$425.75 | P. 187 |
| Highway Safety Join the Clique Grant | \$15.87 | P. 191 |
| Highway Safety Speed Grant | \$588.39 | P. 195 |
| Highway Safety U-Drive, U-Text, U-Pay Grant | \$55.59 | P. 199 |

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13. New Business

- 13.1 City of Rochester Dog Warrant (May 1, 2021 to April 30, 2022) *Motion to Send Warrant to the Police Department for Action*
- 13.2 Resolution Authorizing Acceptance of New Hampshire Department of Justice (NHDOJ) Forfeiture Funds and Appropriation in Connection Therewith in the amount of \$434.25 *first reading and consideration for approval* P. 203
- 13.3 Resolution Authorizing the Acceptance of a \$750.00 Juvenile Court Diversion Network Program Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption* P. 209
- 13.4 Amendment to Chapter 218 of the General Ordinances of the City of Rochester Regarding Stormwater Management and Erosion Control *first reading and consideration for adoption* P. 215
- 13.5 Resolution Authorizing the Acceptance of a \$4,000.00 Governor's Commission Alcohol Fund Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith *first reading and consideration for adoption* P. 223
- 13.6 Resolution Authorizing City Manager to Execute a State of New Hampshire ARPA Grant Agreement for the Ledgeview Drive Pump Station Upgrade Project *first reading and consideration for adoption* P. 229

14. Non-Public/Non-Meeting

- 14.1 Non-Public Session – Personnel, RSA 91-A:3, II (a)
- 14.2 Non-Public Session – Land, RSA 91-A:3, II (d)

15. Adjournment

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City Clerk's Office

**Regular City Council Meeting
May 3, 2022
Council Chambers
6:00 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Larochelle
Councilor Malone
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence, O'Rourke, City Attorney
Julian Long, Community Development
Coordinator
Mark Sullivan, Deputy Finance
Director

COUNCILORS EXCUSED/ABSENT

Councilor Rice

Minutes

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM.

2. Opening Prayer

Mayor Callaghan requested a moment of silence.

3. Pledge of Allegiance

Councilor Beaudoin led the Pledge of Allegiance.

4. Roll Call

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

5. Acceptance of Minutes

5.1 Regular City Council Meeting: April 5, 2022,

consideration *for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the Regular City Council meeting minutes of April 5, 2022. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

6. Communications from the City Manager

6.1 City Manager's Report:

Contracts and Documents Executed Since Last Month:

- **Department of Public Works**
 - Engineering Contract, Woodman Area – Wright Pierce
 - Memorandum of License, DPW Solar Array
 - Change order, carbon storage building completion
 - Task Order, Wakefield St Improvements – Hoyle, Tanner, Assoc.
 - Scope of Services, landfill groundwater permit – Nobis
- **Economic Development**
 - FY22 CDBG Environmental Review – CAP Weatherization 4-8
 - FY22 CDBG Environmental Review – CAP Weatherization 4-22
 - CDFA Account Access authorization
- **Standard Report(s)**
 - Personnel Action Report Summary

City Manager Cox announced that the Department of Revenue Administration (DRA) is offering a larger group of homeowners the opportunity to apply for property tax relief, through the New Hampshire Low & Moderate Income Homeowners Property Tax Relief Program, which can be applied for through the State until June 30, 2022. (*DRA State Form DP-8 Phone number 603-230-5920 or <https://www.revenue.nh.gov>*)

7. Communications from the Mayor

7.1. Proclamation: National Public Works Week, May 15 – 21

Mayor Callaghan read a Proclamation in Honor of National Public Works week in the City of Rochester and declared that May 15th through the 21st shall be designated as National Public Works week in the City of

Rochester.

7.2. Proclamation: Municipal Clerks Week, May 1 – 7

Mayor Callaghan read a Proclamation (By the NH Governor) in Honor of Municipal City Clerk's Week, which will take place from May 1st through May 7th in the City of Rochester.

7.3. Recognition of Exemplary service (Assistant Chief Wilder)

Assistant Fire Chief Wilder addressed the City Council. He said on the morning of June 15, 2021, Rochester agencies were dispatched to a home in Gonic, NH for the apparent pre-mature birth of a set of twins (24 weeks). He gave details about the report which included calling other communities to assist and the successful transport of bringing three viable patients to Frisbie Memorial Hospital. Subsequently, they were transferred by the Barbara Bush Children's Hospital Critical Care Transport Ambulance to the Maine Medical Center. Mr. Wilder called upon the following agencies to come forward and be recognized with a citation certificate and an accommodations medal with the colors pink and blue for their efforts during the childbirth:

- Frisbie Memorial Hospital
 - Rick Morrill, Paramedic
 - Mariel Watson, Paramedic
 - Amanda Jenkes, Paramedic
- Farmington Fire Department
 - Corey Guile, Firefighter
 - Brett MacHenry, Firefighter
 - Hope Moore, Firefighter
- Dover Fire Department and Rescue Services
 - James Calderone, Firefighter
 - Hunter Holt, Firefighter/Paramedic
- Rochester Fire Department
 - Devon Pageau, Lieutenant
 - Pat Couch, Firefighter
 - Matt Woodbury, Firefighter
 - Paul Haggemiller, Firefighter
 - John Boodey, Firefighter

Mr. Wilder thanked all folks who have shown their support to the family involved and the emergency crews.

7.4. Response to Public Comment from the 4/19/2022 City Council Public Hearing

Councilor Gray requested the City Attorney research the legality of shutting the doors of the Council Chambers, while the City Council is in session. He said there are times that other events in the hallway at the same time the City Council holds its meetings.

Mayor Callaghan wished to take a moment to respond to some of the public comments which occurred at the April 19, 2022, Public Hearing, specifically to some of the unassigned fund balances questions.

There were technical difficulties with the laptop in displaying the PowerPoint presentation. Mayor Callaghan skipped to 7.5 and returned to the order of business.

Mayor Callaghan said comments were made at the last public meeting about the Rochester City Council not allowing enough time for public input. He explained that some local communities offer 2- or 3-minute restrictions for public hearings; however, the City of Rochester, consistently allows a 5-minute timeframe for public input participants at the Workshops as well as for public hearings. He added that public input is also welcome at the Committee meetings. Mayor Callaghan said he supports public comment at meetings.

Blaine Cox, City Manager, said in response to the recent public input held at the last Public Hearing, he has prepared a PowerPoint presentation about the Tax Cap. The full PowerPoint can be found as an Addendum to the May 3, 2022 City Council Packet.

City Attorney O'Rourke explained that during public input there has been some indication that there are additional tax cap restriction imposed by RSA 49-C33. Attorney O'Rourke said that indication is false, as was demonstrated in the New Hampshire Supreme Court Case of Teeboom v. City of Nashua back. He summarized the case findings and said RSA 49-C33 is not a further restriction on the tax cap but rather a "safety valve" that municipalities can use when necessary to override the tax cap.

Katie Ambrose led the PowerPoint presentation relative to Supplemental Appropriations and City Charter Section 44. See the full PowerPoint presentation as an Addendum to the May 3, 2022 Regular City Council packet.

The City Council briefly discussed the items.

7.5. Report from the Investigative Committee

Mayor Callaghan stated that the Investigative Committee has submitted their report relative to Christopher Rice. There shall be a Public Hearing Trial at 6:00 PM on May 12, 2022.

Councilor Hainey asked who should Councilors direct questions to about the trial. Attorney O'Rourke replied that questions should be submitted to him (City Attorney).

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Budget Presentation: School Department O & M and CIP

Linda Bartlet, Business Administrator for the Rochester School Department, gave a PowerPoint presentation for the School Department's budget. She said these numbers do not reflect what was originally approved by the School Board because the bottom line of that budget needed to be reduced in order to comply with the Tax Cap. She said this presentation will be based upon the School Board's recommendation, minus \$7,100 in order to comply with the City Manager's proposed budget guidelines/Tax Cap. It was determined that questions would be taken after all presentations were made by the School Department.

Dave Toddy, Director of Facilities for the Rochester School Department, gave a PowerPoint presentation about the FY 2023 School Department Budget Capital Improvement Program.

Kyle Repucci, Superintendent of Schools, presented one last slide which outlined the cost per pupil (Rochester) vs. the state average. He said in 2020-2021 there appears to be a larger increase to the figure. He said this is due to the fact that during the pandemic, far fewer students were actually attending school in the buildings as in year's past. Mr. Repucci asked if the City Council had any questions about the budget presentations.

Councilor Lachapelle asked about the asbestos removal. He spoke about the different types of asbestos. He wished to confirm that any findings of asbestos would be removed when the school buildings are closed. Mr. Toddy replied yes, in fact, a small amount of asbestos

was removed from a building during this past weekend while the School Building was closed. Mr. Toddy said the School Department is in compliance with the required three to five-year inspections. He indicated that there are Asbestos Removal Certified employees within the School Department's Maintenance Department. He said the custodians must all attend Asbestos Awareness Training as well. He briefed the City Council about asbestos and its presence in flooring products.

Councilor Lachapelle said he understood the need for the "sod" on athletic fields. He questioned if the School Board was still considering artificial turf. Councilor Lachapelle understood that it would be an expensive endeavor; however, he questioned how long it might last. Mr. Toddy said the last discussion about the Athletic Fields was only to improve the irrigation system, which did cost the School Department slightly over \$100,000 for that project; with that said, it would be wise to postpone other discussions at this time.

Councilor Beaudoin said the proposed price for the "One-Ton Truck - Vehicle Replacement" seems rather low. He questioned if that price is accurate. Mr. Toddy replied yes. He said it is not a dump truck but rather a regular pick-up truck and that the price was confirmed with the local Ford Dealership.

Councilor Beaudoin asked about the \$300,000 for "District Paving, Sealing, Crack Filling, and Striping". He asked how often this high cost would be included with future CIP Budgets. Mr. Toddy said, the paving itself lasts a long time, *if they are properly maintained*. He said this figure reflects the cost associated with the remaining paving projects. He said once the initial paving projects are completed, that figure will be much lower as the district keeps up with the maintenance of such paving projects.

Mayor Callaghan asked about the "Maple Street School Flooring and Sitework Improvement" (bond). He questioned if the projects could be pushed-out a few years. Mr. Toddy said anything can be deferred; however, the floors are starting to become a trip hazard. Mr. Toddy said the other portion of the funding is meant to alleviate an existing issue with the problematic parking lot, which is causing an overflow to the street. Mr. Toddy said it is also important to provide egress for emergency vehicles.

Councilor Hamann asked what the life expectancy is for the Articulated Boom Lift. Mr. Toddy believed the lift would last at least 20

years and would be protected from the weather.

Councilor Gray spoke about the slide (PowerPoint) which showed which employee positions have been cut during the last 10 years. He said that it does not provide enough information. He requested to know how many positions have been cut from last year's budget to this year's budget and how many positions were cut during the prior year. Superintendent Repucci replied that no positions were cut last year, and this slide was meant to show the number of past cuts. No new positions were added either. He said there will be a need to add new positions back to the budget soon; however, this slide shows how long since the School Department has had to cut positions due to the Tax Cap compliancy.

Councilor Gray asked about the roof inspections. He said there was a failure to the roof in Gonic, which was attributed to the material used to fireproof the roof in question. He understood that the roof inspections would continue at the Middle School and Tech Center because they were replaced with the same material. Councilor Gray questioned if those inspections have continued. Mr. Toddy recalled the inspections are being completed and shared a story of the last inspection. He said the good news is that the roofs are in good shape and the inspections will continue. He outlined the inspection cycles for the City Council.

Councilor Gray asked the City Manager why the City does not purchase the Articulated Boom Lift and then loan it out to the School Department. He felt that it would be underused if stored at the School Department facility.

Councilor Gray stated that the Superintendent continues to present data to show how the per-student costs compares to the State averages. He gave reasons why the State-wide average cannot compare to the City of Rochester. He stated that the City's cost per pupil is more in line with other city/towns of similar size. Councilor Gray reiterated that he has repeatedly asked for this information and does not receive it from the Superintendent. Superintendent Repucci replied that information was provided to Councilor Gray during last year's budget review. He said this information could be provided again this year. Councilor Gray requested that the information be provided to the City Manager because that data would directly impact spending decisions. Councilor Gray said there are State requirements about certain positions that must be held in every School District, which has a greater impact on spending for a smaller School District. He said the

City of Rochester's per pupil costs falls in-line with the larger School Districts in New Hampshire and that information should be included each year with the budget presentation. Superintendent Repucci agreed to gather that information.

Councilor Hainey recalled there had been an issue with mold in the elementary school modular buildings this past year. Mr. Toddy replied that there is not a CIP Budget request; however, there is funding allocated for mold issues in the School Department's Operating Budget. Mr. Toddy said that de-humidifiers have been added to all of the modular buildings, which are in place this year and will continue to run over the summer. He said the modular buildings are certainly aging.

Councilor Beaudoin asked about the district-wide upgrade to the HVAC systems. Mr. Toddy said there is a current upgrade across the district to the control systems. He said at this time there is a review of all HVAC systems and this \$450,000 represents the known problems that must be resolved. He explained that there is a million square feet of occupied school space to regulate temperature in each of the 11 school facilities. Superintendent Repucci added that during the pandemic, the use of such HVAC systems greatly increased to support the air quality needed during the pandemic. Mr. Toddy stated that the usage equates to six and half years of normal usage in the past two years.

Councilor Desrochers addressed comments made by Councilor Gray. She said Rochester School districts total school revenue per student was \$20,025, which is 6.7% below the State average. She said the State average is \$21,462.

Councilor Fontneau said data has been provided about the cost per student and the position-cuts over the last ten years; however, he asked if data could be provided that shows overall student population. Superintendent Repucci said that data has been recently reviewed and Rochester has stayed level compared to other communities. He said that information is being tracked and he would be happy to share that information again.

Councilor Gray stated that the School Department returned close to \$4,000,000 last year for various reasons. Councilor Gray spoke about working with the State in order to allow Schools to utilize those types of funds. He felt the City and School Department should work collectively with the State on this ongoing issue.

10. Nominations, Appointments, Resignations, and Elections

No discussion.

11. Reports of Committees

11.1. Appointments Committee

11.1.1. New Appointment: Lance Powers – Zoning Board of Adjustment, Seat G, Alternate Member term to expire 1/02/2025 consideration for approval

Councilor Gray said the Committee recommends that Lance Powers be appointed as an Alternate Member of the Zoning Board of Adjustment (Seat G). Mayor Callaghan nominated Mr. Powers as stated above. Councilor Desrochers seconded the nomination. Councilor Lachapelle **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Powers. Councilor Hamann seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

11.1.2. Re-Appointment: Jeremiah Minihan – Historic District Commission, Seat C, Regular Member term to expire 1/02/2024 consideration for approval

Councilor Gray said the Committee recommends that Jeremiah Minihan be re-appointed as a Regular Member of the Historic District Commission (Seat C). Mayor Callaghan nominated Mr. Minihan as stated above. Councilor Lachapelle **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Minihan. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by unanimous voice vote.

11.1.3. Reappointment: Joe Boudreau – Utility Advisory Board, Seat B, Regular Member term to expire 1/02/2025 consideration for approval

Councilor Gray said the Committee recommends that Joe Boudreau be re-appointed as a Regular Member of the Utility Advisory Commission (Seat B). Mayor Callaghan nominated Mr. Boudreau as stated above. Councilor Lachapelle **MOVED** that nominations cease and the Clerk cast one ballot for Mr. Boudreau. Councilor Desrochers seconded the motion.

The **MOTION CARRIED** by unanimous voice vote.

11.2. Codes and Ordinances Committee

11.2.1. Recommendation: To recommend the Amendment to Section 4.13 of the Rules of Order Regarding "Elections"

Councilor Lachapelle **MOVED** to make an Amendment to the Rules of Order by removing the verbiage in Section 4.13 "voting by ballot". See *Addendum A*. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle said the Codes and Ordinances Committee shall meet again this Thursday at 6:00 PM in Council Chambers.

11.3. Community Development

Councilor Hainey gave a brief update and said because the final figures associated with the CDBG Grant have not yet been received. She said the April meeting was canceled; however, a vote upon the CDBG Grant is expected at the next Community Development meeting.

11.4. Finance Committee

11.4.1. Committee Recommendation: to recommend the acceptance of the donation of fire gear from Morning Pride at an estimated value of \$3,700.00 *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the committee's recommendation to accept the donation of fire gear from Morning Pride at an estimated value of \$3,700. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.4.2. Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in an Amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Land and Bickford Road *First reading and referral to Public Hearing May 17, 2022*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in the amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the fiscal year 2022 General Fund Capital Improvements Plan Fund in the amount of Five Hundred Thousand Dollars (\$500,000) for the paving rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

Further, for the purposes of funding the expenditures for these paving rehabilitation efforts the Mayor and City Council of the City of Rochester hereby resolve that the funding source shall be General Fund Unassigned Fund Balance. Further, if final expenditures for the rehabilitation of Winkley Farm Lane, Fiddlehead Lane, and Bickford Road result in a surplus of funds said surplus may be allowed to carry forward into the annual pavement rehabilitation Capital Improvements program and be applied to additional pavement rehabilitation efforts.

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

Councilor Lachapelle **MOVED** to refer the resolution to a Public Hearing to be held on May 17, 2022. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.4.3. Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund *first reading and refer to public hearing May 17, 2022*

Mayor Callaghan read the resolution by title only as follows:

Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund

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

By adoption of this Resolution, the City Council hereby discontinues the History of Rochester Capital Reserve Fund. The Trustees of the Trust Funds shall pay all monies remaining in said Fund to the City treasury.

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.

Councilor Lachapelle **MOVED** to refer the resolution to a Public Hearing to be held on May 17, 2022. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

11.5. Planning Board

Councilor Hamann said the Committee did not meet last evening.

11.6. Public Safety

11.6.1. Committee Recommendation: To install flashing beacon sign at the intersection of Hansonville Road and Oak Street at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install flashing beacon sign at the intersection of Hansonville Road and Oak Street at the technical discretion of DPW. Councilor Malone seconded the motion. Councilor Beaudoin asked if this was the same type of motion sensor crosswalk at Lilac City Grill. Mr. Nourse explained that this installation shall be similar to what can be seen on Old Dover Road/Tebbetts Road Intersection. He said it is a flashing solar beacon on top of a Stop Sign. The **MOTION CARRIED** by a unanimous voice vote.

11.6.2. Committee Recommendation: To install an "intersection ahead" sign on Hansonville Road prior to the intersection with Oak street at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install an "intersection ahead" sign on Hansonville Road prior to the intersection with Oak street at the technical discretion of DPW. Councilor Malone seconded the motion. Councilor Lachapelle said there was a lengthy discussion held at the Committee level about this matter. He recalled that Councilor Berlin brought forth this discussion at the meeting. Councilor Lachapelle did not support this motion. Mayor Callaghan stated that he did not support the motion because it seemed like too many signs in one area causing sign pollution. Councilor Laroche supported this motion. He said folks travel up that hill prior to the intersection/stop sign, which does not offer a lot of time to stop once over the hill and it becomes a safety hazard. Councilor Berlin said the Committee looked at that road and determined there are no other existing signs of warning about the upcoming stop signs. He said it cannot be sign pollution without signs present. The **MOTION CARRIED** by a majority voice vote.

11.6.3. Committee Recommendation: To install delineators on Estes Road between Washington Street and Howard Brook at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install delineators on Estes Road between Washington Street and Howard Brook at the technical discretion of DPW. Councilor Malone seconded the motion. Councilor Lachapelle said these delineators are basically reflectors that can sometimes be seen on highways after dusk. He said there is a slight curve and there have been a number of accidents at the upcoming intersection. He said the original request was to install a guardrail. Councilor Berlin agreed that the original request was not feasible, and the delineators is the compromised solution. The **MOTION CARRIED** by a unanimous voice vote.

11.6.4. Committee Recommendation: to replace the existing 30 mph speed limit sign on the southern end of Church Street entering from Rt 125 with a 25 mph speed limit sign and to move the existing 25 mph sign to the northern end of Church Street entering Pickering Road *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's

Recommendation to replace the existing 30 mph speed limit sign on the southern end of Church Street entering from Rt 125 with a 25-mph speed limit sign and to move the existing 25-mph sign to the northern end of Church Street entering Pickering Road. Councilor Malone seconded the motion. Councilor Lachapelle explained if one is traveling on the Country Club side of Church Street from Route 125, the speed limit sign is 30-mph and that shortly thereafter it is reduced to 25-mph sign. Councilor Berlin said this would ensure that the entire street is marked as 25-mph, because currently one side of the street is 25-mph, with the other side of the street 30-mph. The **MOTION CARRIED** by a unanimous voice vote.

11.6.5. Committee Recommendation: to install a "stop" sign on Granite Street at the Sheridan Avenue end, with a painted stop bar at the technical discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to install a "stop" sign on Granite Street at the Sheridan Avenue end, with a painted stop bar at the technical discretion of DPW. Councilor Malone seconded the motion. Mayor Callaghan asked what a painted stop bar would look like. Councilor Lachapelle replied that it would be the large white line/bar painted directly on the pavement, to accompany the new stop sign. Councilor Lachapelle did not see it as completely necessary because it is a one-way street. Councilor Berlin said this recommendation was made because this stop bar would be placed at the location of the ninety-degree-turn at which travelers are not currently stopping, and there is a fence on the property that is erected directly on the corner of that location. He said it is important that travelers do not round that corner without stopping, for safety reasons. Councilor Lachapelle said it can be a line-of-sight issue. The **MOTION CARRIED** by a majority voice vote.

11.6.6. Committee Recommendation: to move the current "yield to pedestrians" sign from the left side of Columbus Avenue northbound of the Lowell Street intersection to the right side of the road at the discretion of DPW *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to move the current "yield to pedestrians" sign from the left side of Columbus Avenue northbound of the Lowell Street intersection

to the right side of the road at the discretion of DPW. Councilor Malone seconded the motion. Councilor Berlin said the sign in question is actually on the opposite of the road and is not completely visible because it is set back into the trees. The **MOTION CARRIED** by a unanimous voice vote.

11.6.7. Committee Recommendation: to change the posted speed limit sign on Estes Road between Route 202A and Route 202 from 35 mph to 30 mph *consideration for approval*

Councilor Lachapelle **MOVED** to **APPROVE** the Committee's Recommendation to change the posted speed limit sign on Estes Road between Route 202A and Route 202 from 35 mph to 30 mph. Councilor Malone seconded the motion. Councilor Lachapelle said this is part of the review of the dangerous curve on Route 202 near the Estes Road Intersection. The **MOTION CARRIED** by a unanimous voice vote. Councilor Hailey wished to thank the Committee for addressing this issue.

Councilor Hailey thanked the Committee/Public Works for ensuring that the sidewalk was re-painted near the East Rochester School.

11.7. Public Works

11.7.1. Committee Recommendation: to approve the requested pavement moratorium waiver on Union Street for the service tie ins at 73-77 North Main Street with the condition that the pavement patch be made as directed by DPW *consideration for approval*

Councilor Hamann **MOVED** to **APPROVE** the Committee's Recommendation as stated above. Councilor Gray seconded the motion. Councilor Hamann said this recommendation had been made by the Public Works Department because in order to tie in the new water line required, they would need to cut into the pavement. He added there is only one more year left on the moratorium. Mayor Callaghan asked how far out into the road the cut would be. Councilor Hamann recalled that it would be cut out at least six feet. Mr. Nourse confirmed the cut out would be approximately six feet into the roadway. Councilor Beaudoin asked if the City would work with a City-approved contractor for this patch job. Mr. Nourse replied yes. The **MOTION CARRIED** by a unanimous voice vote.

11.7.2. Committee Recommendation: to authorize the City to enter into a lease agreement with Potter House Bakery, and if the City Attorney deems it necessary, to include language within the lease about winter maintenance or removal of the Bridge *consideration for approval*

Councilor Hamann **MOVED** to **refer** the matter back to the Committee. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12. Old Business

12.1. Resolution Authorizing Supplemental Appropriation to the Sewer Capital Improvements Plan (CIP) Fund in the amount of \$990,000.00 for the Wastewater Treatment Facility (WWTF) Secondary Clarifier Project *second reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Sewer Capital Improvements Plan (CIP) Fund in the amount of \$990,000.00 for the Wastewater Treatment Facility (WWTF) Secondary Clarifier Project

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Sewer Capital Improvements Plan Fund in the amount of Nine Hundred Ninety Thousand Dollars (\$990,000.00) for the WWTF Secondary Clarifier project with the funding for said appropriation to be derived as follows: Six Hundred Thousand Dollars (\$600,000.00) from a New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan and Three Hundred Ninety Thousand Dollars (\$390,000.00) from State of New Hampshire ARPA Grant funds.

Further, by adoption of this Resolution, the City of Rochester hereby

accepts Three Hundred Ninety Thousand Dollars (\$390,000.00) in ARPA Grant funds from the State of New Hampshire.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.2. Resolution Authorizing Supplemental Appropriation to the Department of Public Works Sewer Capital Improvements Plan (CIP) Fund in the amount of \$1,265,000.00 for the Ledgeview Drive Pump Station Upgrade Project *second reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Department of Public Works Sewer Capital Improvements Plan (CIP) Fund in the amount of \$1,265,000.00 for the Ledgeview Drive Pump Station Upgrade Project

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Sewer Capital Improvements Fund in the amount of One Million Two Hundred Sixty Five Thousand Dollars (\$1,265,000.00) with the funding for said appropriation to be derived as follows: Eight Hundred Eighty Five Thousand Five Hundred Dollars (\$885,000.00) from a New Hampshire Department of Environmental Services (NHDES) Clean Water State Revolving Fund (CWSRF) Loan and Three Hundred Seventy Nine Thousand Five Hundred Dollars (\$379,500.00) from State of New Hampshire ARPA Grant funds.

Further, by adoption of this Resolution, the City of Rochester hereby accepts Three Hundred Seventy Nine Thousand Five Hundred Dollars

(\$379,500.00) in ARPA Grant funds from the State of New Hampshire.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

12.3. Resolution Authorizing \$50,000.00 Appropriation from the General Fund Unassigned Fund Balance for the Creation of a History of Rochester *second reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing \$50,000.00 Appropriation from the General Fund Unassigned Fund Balance for the Creation of a History of Rochester

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

That the amount of Fifty Thousand Dollars (\$50,000.00) is hereby appropriated from the General Fund Unassigned Fund Balance to pay for the costs associated with for the creation of a History of the Town of Rochester.

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

Mayor Callaghan **MOVED** to **VOTE DOWN** the motion. Councilor Malone seconded the motion. Councilor Lachapelle questioned if this resolution would need to be adopted and subsequently voted down. City

Attorney O'Rourke replied that it could be accomplished either way. The **MOTION CARRIED** by majority voice vote.

12.4. Resolution Pursuant to RSA 34:1 Establishing a Fire Apparatus Replacement Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith *second reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Pursuant to RSA 34:1 Establishing a Fire Apparatus Replacement Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of replacing large fire apparatus. The name of such fund shall be the Fire Apparatus Replacement Capital Reserve Fund.

Further, the City Council hereby appropriates Five Hundred Thousand Dollars (\$500,000.00) to said Fund with the entirety of the said appropriation being derived from the General Fund Unassigned Fund Balance.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the Fire Apparatus Replacement Capital Reserve Fund until such time as the City Council names an agent(s) to carry out the purpose of said Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Fire Apparatus Replacement Capital Reserve Fund in a separate investment account. Appropriations made to the Fire Apparatus Replacement Capital Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the Fire Apparatus Replacement Capital Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund any surplus shall be returned to the General Fund as unanticipated revenue.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion.

Councilor Gray stated that he would be voting in opposition to the next three resolutions because the conversations would be better served in conjunction with the budget discussions.

Councilor Beaudoin stated that he would also be opposing the next three resolutions for the same reasons as Councilor Gray. Councilor Beaudoin said these discussions would be better served through the budget negotiations, primarily because in order for this process to be effective in investing the money with the Trustees of the Trust Fund, there needs to be a "date certain" of when the City Council needs each penny back, otherwise the money cannot be invested effectively. Councilor Beaudoin referred to the City Manager's PowerPoint Presentation, which showed the Trustees could invest the money and have a "net" return of 2% back to the City; however, interest rates are rising. Secondly, he continued, the fourth paragraph of this resolution states the following: "The City Council may dissolve the Fire Apparatus Replacement Capital Reserve Fund at its sole discretion". He said the same verbiage is in all three of the similar resolutions. He disagreed with that statement and has brought it to City's attention in the past. He explained that in order for this money to be dissolved or re-appropriated in any way a public hearing and two thirds vote of the City Council would be required under RSA 34:11 and RSA 34:11-a. He suggested that the resolution ought to reflect that verbiage since it is state law. He reiterated that he would oppose all three motions.

Katie Ambrose, Deputy City Manager, said more discussions would take place during the CIP Budget deliberations and specifically be paired up with the department's equipment and vehicle replacement schedules.

Councilor Fontneau said it was his understanding that the City was placing the money in the reserve fund accounts for future purchases, but they were also being laid out "time-wise" in the CIP budget. He said this would allow the Trustees of the Trust Fund to invest the money because the CIP Booklets would be clear on the "time certain"

aspect of each purchase. Mayor Callaghan agreed and said the CIP is usually based upon a six-year plan.

Mayor Callaghan asked if the Attorney O'Rourke is familiar with RSA 34:11 and RSA 34:11-a. Attorney O'Rourke replied yes, and that the verbiage of the resolution is accurate in that no other governmental body can dissolve this fund. He said there is a public hearing required to dissolve such funds according to State Law, which the City must follow.

Councilor Gray gave reasons why he supported vetting these funds as part of the budgetary discussion in order to get a thorough review of such funds and purchases. He said he is not speaking against the creation of such funds; however, he feels the creation of such funds should be accomplished as part of the budget process. Councilor Beaudoin agreed with Councilor Gray and said the Fire Department is scheduled to replace the Forestry Truck in Fiscal Year 23, which has an estimated cost of \$225,000. Councilor Beaudoin said that is an old truck that barely gets used and questioned if it should be replaced. He continued to look at future CIP items and the money associated with each purchase. Councilor Lachapelle argued that is what the budget process is meant to be; it is a chance to give the CIP items a thorough look and make decisions at that time. Councilor Lachapelle supported some of Councilor Gray's points, but reiterated that the CIP discussions would still be vetted through the budget process.

Councilor Fontneau wished to clarify one last time: the money is placed in the specific Capital Reserve Fund to establish the accounts; however, the City Council still has control over what is spent or not spent through the annual CIP Budget process. City Manager Cox agreed, he said by approving these three resolutions this evening, the accounts will be created. He said the proposed schedule or replacement schedule will be discussed as part of the CIP Budget process.

Councilor Larochelle agreed that it is an accounting process. He said it is like moving money from one "envelope" to the next and that no money would be spent unless the City Council decided to spend it.

Councilor Beaudoin asked for clarification. He asked if at the specific time of any purchase such as the new forestry vehicle purchase, the City Council will approve those specific funds for that purchase. City Manager replied yes, the City Council will approve the CIP proposals through the CIP budget process, and it will designate which fund is to be used i.e., Capital Reserve Fund.

Mayor Callaghan said this is basically a long-term planning process with an ability to collect interest as shown in the City Manager's presentation.

Councilor Beaudoin questioned if an amendment could be made now or would it require a second public hearing. Attorney O'Rourke said a non-substantive amendment would not require a second public hearing. Councilor Beaudoin **MOVED** to **AMEND** the motion by adding to the fourth paragraph the following sentence: "...in accordance with RSA 34:11". He said this would clarify this resolution comports with NH State Law. Councilor Fontneau seconded the motion.

Attorney O'Rourke said the amendment was unnecessary and that the City of Rochester must comply with State Law regardless of whether it is written in the resolution. Councilor Fontneau asked if there was any reason it should not be in there. City Attorney said it does not harm the resolution but what if the RSA number changes next year. The **MOTION FAILED** by a majority voice vote.

The main **MOTION CARRIED** by a roll call vote of 8 to 3. Councilors Hainey, Malone, Fontneau, Larochele, Berlin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion. Councilors Gray, Gilman, and Beaudoin voted against the motion.

12.5. Resolution Pursuant to RSA 34:1 Establishing a City Buildings Renovations Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith *second reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Pursuant to RSA 34:1 Establishing a City Buildings Renovations Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of renovating, enlarging, rehabilitating, relocating and/or constructing City buildings and facilities. The name of such fund shall be the City Buildings Renovations Capital Reserve Fund.

Further, the City Council hereby appropriates Five Hundred Thousand Dollars (\$500,000.00) to said Fund with the entirety of the said appropriation being derived from the General Fund Unassigned Fund Balance.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the City Buildings Renovations Capital Reserve Fund until such time as the City Council names an agent(s) to carry out the purpose of said Fund. The Trustees of the Trust Fund will hold the monies appropriated to the City Buildings Renovations Capital Reserve Fund in a separate investment account. Appropriations made to the City Buildings Renovations Capital Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the City Buildings Renovations Capital Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund any surplus shall be returned to the General Fund as unanticipated revenue.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Larochelle seconded the motion. The **MOTION CARRIED** by a roll call vote of 8 to 3. Councilors Berlin, Fontneau, Hamann, Hainey, Lachapelle, Larochelle, Malone, and Mayor Callaghan voted in favor of the motion. Councilors Gray, Beaudoin, and Gilman voted against the motion.

12.6. Resolution Pursuant to RSA 34:1 Establishing a Public Works Apparatus Replacement Capital Reserve Fund and Supplemental Appropriation of \$500,000.00 in Connection Therewith *second*

reading and consideration for adoption

Mayor Callaghan read the resolution by title only as follows:

**Resolution Pursuant to RSA 34:1 Establishing a Public Works
Apparatus Replacement Capital Reserve Fund and
Supplemental Appropriation of \$500,000.00 in Connection
Therewith**

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

By adoption of this Resolution, the City Council establishes a Capital Reserve Fund pursuant to RSA 34:1 for the purpose of replacing large Public Works vehicles and equipment. The name of such fund shall be the Public Works Apparatus Replacement Capital Reserve Fund.

Further, the City Council hereby appropriates Five Hundred Thousand Dollars (\$500,000.00) to said Fund with the entirety of the said appropriation being derived from the General Fund Unassigned Fund Balance.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all capital reserves transferred to the Public Works Apparatus Replacement Capital Reserve Fund until such time as the City Council names an agent(s) to carry out the purpose of said Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Public Works Apparatus Replacement Capital Reserve Fund in a separate investment account. Appropriations made to the Public Works Apparatus Replacement Capital Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation.

The City Council may dissolve the Public Works Apparatus Replacement Capital Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund any surplus shall be returned to the General Fund as unanticipated revenue.

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.

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Berlin seconded the motion. The **MOTION CARRIED** by a roll call vote of 8 to 3. Councilors Hainey, Larochelle, Berlin, Lachapelle, Fontneau, Hamann, Malone, and Mayor Callaghan voted in favor of the motion. Councilors Gilman, Gray, and Beaudoin voted against the motion.

13. Consent Calendar

No discussion.

14. New Business

14.1. Amendment to Chapter 275-8 of the General Ordinances of the City of Rochester regarding residential development at the Granite Ridge *first reading first reading and refer to public hearing May 17, 2022*

Mayor Callaghan read the Amendment by title only and referred the matter to a Public Hearing on May 17, 2022. *See Addendum A.*

14.2. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Water System Asset Management Plan project in the amount up to \$100,000, and Supplemental Appropriation to the Water Capital Improvements Fund *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Water System Asset Management Plan project in the amount up to \$100,000, and Supplemental Appropriation to the Fiscal Year 2022 Water Capital Improvements Fund

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to One Hundred Thousand Dollars (\$100,000)

to the State of New Hampshire ARPA grant program in order to finance the Water System Asset Management Plan project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to One Hundred Thousand Dollars (\$100,000) from the State of New Hampshire ARPA grant program, and that the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Water Capital Improvements Plan Fund in the amount of One Hundred Thousand Dollars (\$100,000) for the Sewer Master Plan project.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the ARPA, process disbursements and execute documents associated with ARPA.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

14.3. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Sewer System Master Plan project in the amount up to \$100,000, and Supplemental Appropriation to the Sewer Capital Improvements Fund *first reading and consideration for adoption*

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Sewer System Master Plan project in the amount up to \$100,000, and

**Supplemental Appropriation to the Fiscal Year 2022 Sewer Capital
Improvements Fund**

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to One Hundred Thousand Dollars (\$100,000) to the State of New Hampshire ARPA grant program in order to finance the Sewer System Master Plan project.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to One Hundred Thousand Dollars (\$100,000) from the State of New Hampshire ARPA grant program, and that the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Sewer Capital Improvements Plan Fund in the amount of One Hundred Thousand Dollars (\$100,000) for the Sewer Master Plan project

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the ARPA, process disbursements and execute documents associated with ARPA.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

**14.4. Resolution Authorizing the Application for and
Acceptance of a State of New Hampshire
American Rescue Plan Act (ARPA) Grant for the
Cocheco Well Improvements in the amount up to
\$1,680,000**

Mayor Callaghan read the resolution for a first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire American Rescue Plan Act (ARPA) Grant for the Cocheco Well Improvements in the amount up to \$1,680,000

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to One Million Six Hundred Eighty Thousand Dollars (\$1, 680,000) to the State of New Hampshire ARPA grant program in order to finance the Cocheco Well improvements.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) from the State of New Hampshire ARPA grant program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application to the ARPA, process disbursements and execute documents associated with ARPA.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

14.4.1. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental

**Services (NHDES) Drinking Water and
Groundwater Trust Funds (DWGTF) Loan
for the Cocheco Well Improvements in the
amount up to \$2,860,000.00 *first reading
and consideration for adoption***

Mayor Callaghan read the resolution for a first time by title only as follows:

**Resolution Authorizing the Application for and Acceptance of a
State of New Hampshire Department of Environmental Services
(NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) Loan
for the Cocheco Well Improvements in the amount up to
\$2,860,000.00**

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a loan application in the amount of up to Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) to the NHDES DWGTF Loan program in order to finance the Cocheco Well improvements.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the loan amount of up to Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) from the NHDES DWGTF Loan program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application, process disbursements and execute loan documents associated with DWGTF.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the resolution. The **MOTION CARRIED** by a unanimous voice vote.

14.4.2. Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) Grant for the Cocheco Well Improvements in the amount up to \$560,000.00 *first reading and consideration for adoption*

Mayor Callaghan read the resolution for the first time by title only as follows:

Resolution Authorizing the Application for and Acceptance of a State of New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) Grant for the Cocheco Well Improvements in the amount up to \$560,000.00

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

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, authorize the Department of Public Works to submit a grant application in the amount of up to Five Hundred Sixty Thousand Dollars (\$560,000) to the NHDES DWGTF grant program in order to finance the Cocheco Well improvements.

It is further resolved that the Mayor and City Council of the City of Rochester, by adoption of this Resolution, accept the grant amount of up to Five Hundred Sixty Thousand Dollars (\$560,000) from the NHDES DWGTF grant program.

Further, the Mayor and City Council of the City of Rochester, by adoption of this Resolution authorize the City Manager and/or the Finance Director to act as the City's representative(s) for the execution of all documents necessary to complete the application, process disbursements and execute loan documents associated with DWGTF.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

14.4.3. Resolution Authorizing Supplemental Appropriation to the Water Capital Improvements Plan (CIP) Fund in the amount of \$5,600,000 for the Cocheco Well Improvements *first reading and refer to a Public Hearing to be held on May 17, 2022*

Mayor Callaghan read the resolution for a first time by title only and for referral to a public hearing as follows:

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 Water Capital Improvements Plan (CIP) Fund in the amount of \$5,600,000 for the Cocheco Well Improvements

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Water Capital Improvements Plan Fund in the amount of Five Million Six Hundred Thousand Dollars (\$5,600,000) for the Cocheco Well Improvements project.

Further, for the purposes of funding the expenditures incident to the implementation of the improvements 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 Three Million Three Hundred Thousand Sixty Dollars (\$3,360,000) through the issuance of bonds and/or notes, and/or through other legal form(s), and

Two Million Two Hundred Forty Thousand Dollars (\$2,240,000) through the acceptance of State of New Hampshire American Recovery Plan Act (ARPA) and State of New Hampshire Department of Environmental Services Drinking Water and Groundwater Trust Fund (DWGTF) grant programs.

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 complete itemization of funding sources is as follows;

One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) from State of New Hampshire (ARPA) grant funds.

Five Hundred Sixty Thousand Dollars (\$560,000) from New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) grant program.

Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) from New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) loan program.

Five Hundred Thousand Dollars (\$500,000) through the issuance of bonds, or other notes.

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

Councilor Lachapelle announced that the public hearing for the above listed resolution will occur on May 17, 2022.

14.5. Resolution Approving Fiscal Year 2022-2023 Operating Budget for the City of Rochester *first reading and refer to Public Hearing to held on May 17, 2022*

Mayor Callaghan read the resolution by title only and referred the matter to a Public Hearing to held on May 17, 2022.

**Resolution Approving Fiscal Year 2022-2023 Operating Budget
for the City of Rochester**

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

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2022 and ending June 30, 2023 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto by attached **Exhibit A**.

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly

set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto. (Exhibit A – See Addendum B)

**14.6. Resolution Authorizing and Approving Fiscal Year
2022-2023 Capital Budget for the City of Rochester
and Authorizing Borrowing in Connection therewith
*first reading and refer to Public Hearing to held on
May 17, 2022***

Mayor Callaghan read the resolution by title only and referred the matter to a Public Hearing to held on May 17, 2022.

**Resolution Authorizing and Approving Fiscal Year 2022-2023
Capital Budget for the City of Rochester and Authorizing
Borrowing in connection therewith**

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

That the capital budget for the City of Rochester for fiscal year 2022-2023 (July 1, 2022 to June 30, 2023) in the total amount specified in **Exhibit A** annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with

the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on **Exhibit A** annexed hereto.

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2023 (July 1, 2022 –June 30, 2023), as amended. (Exhibit A – See Addendum C)

15. Non-Public/Non-Meeting

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

No discussion.

16. Adjournment

Mayor Callaghan **ADJOURNED** the Regular City Council meeting at 8:04 PM.

Respectfully submitted,

Kelly Walters, CMC
City Clerk

ADDENDUM A

SECTION 4.14 ELECTIONS BY BALLOT

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

A. ~~Boards and Commissions appointments shall be elected by ballot of the City Council with the exception of a single candidate.~~ Single candidates upon nominations ceasing will be elected by City Council voice vote that the City Clerk cast one ballot for that candidate.

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PROPOSED 2022-2023 OPERATING BUDGET-EXHIBIT A**OPERATING BUDGET SUMMARY**

| Appropriations: | | Proposed |
|-------------------------------------|-----------|--------------------|
| City | \$ | 38,838,989 |
| County Tax | \$ | 7,254,738 |
| Overlay | \$ | 350,000 |
| Estimated Veteran's Credits | \$ | 694,625 |
| School | \$ | 72,246,585 |
| School Federal Grants | \$ | 4,415,000 |
| School Lunch | \$ | 1,900,000 |
| School State Property Tax | \$ | 3,699,292 |
| City Grants & Special Revenues | \$ | 297,641 |
| Tax Incremental Financing Districts | \$ | 1,335,630 |
| Water Fund | \$ | 7,686,468 |
| Sewer Fund | \$ | 9,620,843 |
| Arena Special Revenue Fund | \$ | 431,661 |
| Community Center | \$ | 941,071 |
| Sub Total | \$ | 149,712,543 |
| Revenues: | | |
| City | \$ | 13,330,106 |
| Use of Fund Balance | \$ | 3,293,250 |
| School | \$ | 33,245,449 |
| School Federal Grants | \$ | 4,415,000 |
| School Lunch | \$ | 1,900,000 |
| City Grants and Donations | \$ | 297,641 |
| Tax Incremental Financing Districts | \$ | 1,335,630 |
| Water Fund | \$ | 7,686,468 |
| Sewer Fund | \$ | 9,620,843 |
| Arena Special Revenue Fund | \$ | 431,661 |
| Community Center | \$ | 941,071 |
| Amount to be Raised by Taxes * | \$ | 73,215,424 |
| Sub Total | \$ | 149,712,543 |

PROPOSED 2022-2023 CAPITAL BUDGETS-EXHIBIT A**CAPITAL BUDGET SUMMARY****Proposed Capital Appropriations:**

| | |
|-------------------------------------|----------------------|
| City | \$ 8,724,250 |
| School | \$ 1,775,000 |
| Water Fund | \$ 6,817,500 |
| Sewer Fund | \$ 2,467,500 |
| Community Center | \$ 766,000 |
| Tax Incremental Financing Districts | \$ 704,400 |
| Total Appropriations | \$ 21,254,650 |

Source of Revenues**General Fund**

| | |
|---------------------------------------|----------------------|
| Bonding and/or other Borrowing | \$ 5,780,000 |
| Operating Budget | \$ 3,918,250 |
| Grants | \$ 1,317,000 |
| Other Sources | \$ 250,000 |
| Subtotal General Fund Revenues | \$ 11,265,250 |

Enterprise Funds & Tax Incremental Financing Districts

| | |
|---|---------------------|
| Bonding and/or other Borrowing | \$ 6,475,000 |
| Operating Budget | \$ 835,000 |
| Grants | \$ 2,679,400 |
| Subtotal Enterprise Funds & Tax Incremental Financing Revenues | \$ 9,989,400 |

| | |
|-----------------------|----------------------|
| Total Revenues | \$ 21,254,650 |
|-----------------------|----------------------|

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Article 8 Granite Ridge Development (GRD)

§ 275-8.1 Purpose.

Well-planned commercial Zones ~~districts~~ provide many benefits. For the community, tax revenue is maximized, infrastructure burden is reduced, and traffic impacts are minimized. For landowners and developers good planning allows for a process that is coherent, flexible and easy to navigate. ~~The Granite Ridge Development Zone (GRD) is intended to:~~

The Granite Ridge Development Zone (GRD) is intended to:

- Provide landowners and Developers with flexible yet clearly defined requirements.
- Minimize infrastructure cost to the City through good planning for the Zone as a whole rather than based on individual lots.
- Maximize the developable areas on the parcels within the Zone through the development of both commercial and residential projects.
- Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.

~~A. Provide landowners and developers with flexible yet clearly defined requirements.~~

~~B. Minimize infrastructure cost to the City through good planning for the district as a whole rather than based upon individual lots.~~

~~C. Maximize the developable areas on the parcels within the district through creation of flexible dimensional requirements.~~

~~D. Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.~~

A. Purpose and Intent

1. Nonresidential Commercial development remains the primary goal of the GRD, but the addition of Multifamily, and Mixed-Use is designed to allow a mixture of residential and commercial uses on one parcel. Developers will be required to receive Conditional Use approval from the Planning Board prior to project construction. The Zone includes options that enable and encourage greater flexibility in the design of mixed-use projects. Developers will provide a Development Plan outlining the project and how it conforms to the regulations and design standards outlined in this document.
2. Developments are intended to be complementary of one another and to create a sense of community between the mixed uses. Housing and commercial uses can be developed to provide the appropriate use of land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land, and expand opportunities for the development of, outside the traditional residential developments.

B. Conditional Use Permit

1. Conditional Use approval may be granted by the Planning Board after proper public notice and public hearing provided that the proposed project complies with the following standards:
 - (a) The Applicant demonstrates that the development complies with the design guidelines outlined in the Design Standards portion of this document, as well as, applicable Site Review Regulations and requirements of §275.21.4. These guidelines encourage components that act as one project and not as two adjacent projects.
 - (b) The Applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, visual blight, light pollution, offensive emissions such as dust, odor, or smoke.

§ 275-8.2 Delineation of Granite Ridge Development Zone.

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A. The Granite Ridge Development Zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning, Zoning, and Development and the Director of Building and Licensing Services. The GRD includes parcels of land located on both the easterly and westerly sides of New Hampshire State Route 11/Farmington Road.

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- ~~A. The zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning and Development and the Director of Building, Zoning, and Licensing Services.~~
- ~~B. The Granite Ridge Development Zone includes parcels of land located on both the easterly and westerly sides of Route 11/Farmington Road. These parcels will benefit from any improvements to be made to Route 11/Farmington Road. Parcels located on the westerly side of Route 11/Farmington Road may have direct contact with, and benefit from, the service road planned to be built on the westerly side of Route 11/Farmington Road and intersections connecting to this service road, if and when opportunities for construction of this service road and these intersections develop.~~

§275 – 8.3. Permitted Uses

A. Principal Uses

1. Nonresidential uses are allowed as follows:
 - [1] Any use as allowed within Tables 18B-18E of §275, Attachments 2-5.
2. Housing: (Conditional Use)
 - [1] Dwelling, mixed-use
 - [2] Dwelling, development multifamily
 - [3] Dwelling, multifamily

B. Accessory Uses

- (a) Recreational facilities
- (b) Community center
- (c) Maintenance Buildings
- (d) Rental and Sales Offices
- (e) Laundry facilities
- (f) Co-working Space – A space where multiple tenants rent working space and have the use of communal facilities.

§275-8.4. Site Plan Process

A. The Developer shall prepare a Site Plan, which locates the proposed types of nonresidential and residential development, accessory uses, utilities, access roads, open space, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Site Plan. If approval is granted, individual lots must be developed as part of the larger Development Plan and phasing outlined below, and not separately. A long term Maintenance Plan may also be required.

- (1) Commercial is the primary use within the GRD, with residential being considered a secondary use. As such, a minimum of fifty-five percent (55%) of total footprint of the project will be reserved for commercial/non-residential use. The remaining forty-five percent (45%) of the total project footprint may be utilized for residential development. By a majority vote, the Planning Board may adjust the final commercial / residential percent allocations subject to Conditional Use details in §275.21.4.
- (2) Dwelling, Mixed-Use (MU) providing that one-hundred percent (100%) of the square footage of the first floor is reserved for a commercial use. Accessory and support uses (e.g. mechanical, storage, etc.) are permitted on the first floor of a mixed-use building, and will be recognized as commercial use. Buildings classified as MU will be exempt from requirements outlined in §275-8.4.A.1 and §275-8.4.A.6.
- (3) A minimum of fifteen percent (15%) of the square-footage of the original parcel shall be reserved as open space and identified as such on the Development Plan. Fifty percent (50%) of the required open space must be usable uplands and reasonably accessible to all property owners/tenants in the project. Any open space provided above fifteen percent (15%) may be mixed wetlands and upland. Amenities constructed for use by the tenants (clubhouse, gym, ball courts, etc.) may be considered part of the “open space” calculation as determined by the Planning Board. The Planning Board shall have the flexibility to negotiate with the Developer when determining the final open space requirement.
- (4) Residential uses require the submission of a plan outlining the number of proposed units achievable under current zoning allowances. This plan should be based upon maps that include plans for open space, parking, roadways, and all nonresidential and accessory buildings associated with the project. The final number of approved units will be subject to Planning Board review, and in some cases may require an analysis of the project’s impact on existing city infrastructure prior to approval.

(5) The minimum size of a residential unit shall be 500 square feet.

(6) No more than fifty percent (50%) of the residential development may be occupied prior to the completion of between twenty-five to fifty percent (25%-50%) of the non-residential structures. By a majority vote, the Planning Board may adjust these percent allocations subject to Conditional Use details in §275.21.4.

(7) The Development Plan may be phased for a term of up to five years (5).

For purposes of this section, development shall include:

- (a) construction of structures – to include proposed timeline, phasing, and ratio of commercial/residential construction;
- (b) schedule for proposed occupancy and leasing of commercial and residential uses;
- (c) environmental remediation;
- (d) site preparation or demolition;
- (e) roadway utility or recreation and common area design and construction; and
- (f) bonding or other security for site development

(8) Providing the Developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five (5) year phasing period provided a request for extension is submitted before the expiration of the initial five-year (5) phasing term.

(9) Residential Development Plan Guidelines.

- (a) Dwelling layouts shall be so designed that parking is screened from external roadways by landscaping, building locations, grading, or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.
- (b) Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the buildings close to each other, or through allowing structures to house residential – preferably on the second or above floor, and nonresidential on the first floor. Creativity and flexibility is encouraged and the development plan may offer another option for mixed-use.
- (c) All residential development must adhere to the architectural design guidelines outlined in section §275-8.5 of this ordinance.

(10) Nonresidential Development Plan Guidelines

- (a) The general character of the nonresidential structures within the development lot is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and signage.

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§ 275-8.5 Architectural and Design standards.

A. Architecture:

The purpose of these Standards is to promote flexibility in large-scale mixed-use developments by considering project proposals based upon a comprehensive, integrated, and detailed plan rather than the specific constraints applicable to piecemeal, lot-by-lot development under conventional zoning requirements. A mixed-use development should improve the quality of new development by encouraging attractive features and promoting quality site design.

B. Non-residential Site Layout

Planning for mixed-use development on a site encompasses items such as its relationship to surrounding uses, building orientation on the site, pedestrian and vehicular circulation, and efficiency of parking areas, screening of loading and utility areas, and the design of landscaping, signage, and lighting.

(1) Trash and Loading:

- (a) Trash and loading areas should be integrated into building design, and possibly inset and/or screened with architectural features. Orient support uses such as trash enclosures, compactors, truck loading areas, and outdoor storage away from residential uses to the extent practical.
- (b) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off a shared access driveway between sites. The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.
- (c) Trash, delivery, and loading areas shall be well screened from Route 11. The lots situated between Market Place Boulevard and Route 11 call for special treatment because they have double frontages.

(2) Building Design:

- (a) Facade treatment. Building facades fronting on a service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.
- (b) Outdoor seating. If applicable, restaurant proprietors are encouraged to include seasonal outdoor seating in their initial site plan. Seating should be screened from parking and roadways.
- (c) Signage. All provisions of Article 29, Signage, herein shall apply.
- (d) When practical, locate some parking and service functions behind the building. For multi-building projects, organize the site layout to provide functional pedestrian spaces and landscaping amenities.
- (e) All facades, including back and side elevations of a building generally visible from public view or adjacent to residential areas, should be architecturally treated.
- (f) Design multi-building projects to include architecturally sensitive design elements throughout the project.

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- (g) Building elevations should incorporate architectural features and patterns that consider a pedestrian scale.
- (h) Building roofs shall be uncluttered and when flat roofs are visible from public roads, pitched roofs or parapets are required.
- (i) Rooftop and ground- mounted mechanical units and ventilating fans are to either be integrated into the design of the building, or screened from view.
- (j) At least two of these elements should repeat horizontally. Buildings with facades greater than 150 feet in length should include several of the elements listed below, repeated at appropriate intervals, either horizontally or vertically:
- Color change. Recognizable, but not strongly contrasting.
 - Texture change.
 - Material change.
 - Architectural variety and interest through a change in plane such as offsets, reveals, archways or projecting ribs.
 - Wall plane projections or recesses.
- (k) Service and exit doors should be integrated into the architecture of publicly visible elevations.
- (l) Where practical, variations in rooflines or parapets should be used to reduce the scale of non-residential buildings. Roof size, shape, material, color and slope should be coordinated with the scale and theme of the building.
- (m) All exterior building walls and structures shall be constructed with attractive, durable materials such as textured concrete, masonry, stone, brick, clapboard, finishing wood, stucco or glass.
- (n) The exterior walls of buildings should not predominantly utilize the following materials, except as accents:
- Pre-fabricated steel panels.
 - Corrugated metal.
 - Asphalt shingle roofs, except for period architecture.
 - Highly reflective glass.
- (o) Buildings should have clearly defined customer entrance(s) incorporating appropriate architectural elements

(3) Pedestrian Amenities:

- (a) Wherever practical, design attractive, safe, and convenient pedestrian and bicycle connectivity to streets, to include access to residential, commercial, and open space areas.
- (b) Design sites to minimize pedestrian and vehicular conflicts. Where pedestrian circulation paths cross vehicular routes, provide a change in paving materials, textures or colors to emphasize the conflict point. Where applicable, and to encourage outdoor seating, dining, and other amenities, sidewalks should be constructed of concrete and at least 10 feet wide.

(4) Vehicular Circulation and Parking:

- (a) To promote safe pedestrian access, create wide and well-lit sidewalks (concrete) and pathways.
- (b) Strive to minimize driveway cuts on arterial streets by providing vehicular cross-access easements and shared access driveways between adjacent commercial projects.
- (c) Traffic calming devices are encouraged in the interior of a site to enhance safety.
- (d) Landscaped parking areas shall be consistent with Section 5 of the Site Plan Regulations in order to break up the mass of large parking lots.

(5) Outdoor Display Areas:

- (a) On final site plans, identify the location of all proposed outdoor display and sales areas, including what type of items would be sold. Their location should not displace required parking, pedestrian, or landscaped areas.

(6) Signage:

- (a) Signage should refer to Article 29 of the City's Zoning Ordinance.

(7) Landscaping and Grading:

- (a) All landscaping and grading shall be consistent with Section 5 of the City's Site Plan Regulations, while complementing and enhancing project architecture.

(8) Lighting:

- (a) Design lighting to follow all site plan regulations and requirements, and where applicable, include pedestrian scale lighting

(9) Building Design/Architectural

- (a) Where practical, building mass should be broken into smaller elements, consistent with the proportions of the architectural style selected and surrounding uses.
- (b) Reduction of building mass may be achieved by using a combination of the following techniques:

- Variation in the rooflines and form.
- Use of ground level arcades and covered areas.
- Use of protected and recessed entries.
- Use of vertical elements on or in front of expansive blank walls.
- Use of pronounced wall plane offsets and projections.
- Use of focal points and vertical accents.
- Inclusion of windows on elevations facing streets and pedestrian areas.
- Retaining a clear distinction between roof, body and base of a building.
- The City supports the construction of “Solar Ready” structures designed for rooftop solar arrays.

(10) Dimensional Requirements:

(a) Non-residential / Mixed-use Buildings

- (1) Minimum structure setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Minimum structure setback from external ROW 300 feet
- (3) Maximum non-residential building height 75 feet.
- (4) Structures over 55 feet shall be placed as close to the center of the lot as practical.

(b) Residential Structures:

- (1) Minimum structure and parking setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Maximum residential building height 100 feet.
- (3) Structures over 55 feet will be placed as close to the center of the lot as practical.
- (4) Minimum setback from Route 11: 200 feet

(11) Parking:

- (a) All dwelling units shall require two independently accessible parking spaces per unit, or as determined by Planning Board, and be consistent with Section 10.C of the Site Plan Regulations
- (b) Non-residential uses shall comply with parking requirements defined by Site Plan Regulations.

(12) Utility Standards

- a) All utilities shall be underground.
- b) Utilities into individual sites shall be run from the common utility lines to be placed in the service road right-of-way.
- c) Service connections for utilities for pad sites, if any are created, shall be provided within the service road right-of-way.
- d) Transformer boxes shall be screened and utilize proper landscaping features.

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~~§ 275-8.3 Pavement dimensional regulations.~~

The setbacks shown in the table below shall apply to pavement used for parking and interior accessways. Driveways into the site from the service road are exempt from these setbacks. These setbacks guarantee a minimum ten-foot wide area for landscaping around the perimeter of the site (five feet plus five feet for adjoining lots along the side lot lines). This section shall supersede perimeter landscaping buffer requirements (15 feet along the front and 10 feet along the side lot lines) established in the Site Plan Regulations.

| | Minimum Property Line Setbacks (in feet) | | |
|----------|--|------|------|
| | Front | Side | Rear |
| Pavement | 10 | 5 | 10 |

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~~§ 275-8.4 Granite Ridge Development Study.~~

This article was created pursuant to the March 2009 "Granite Ridge Development Study, Farmington Road, Rochester, New Hampshire," prepared by CLD Consulting Engineers. This study should be referred to for reference in designing, reviewing, and approving proposed site plans and subdivision plans.

~~§ 275-8.5 Service road regulations.~~

The following requirements apply to those lots situated on the westerly side of Route 11/Farmington Road, on which the planned service road and access roads leading to or from the service road are to be situated:

- A. ~~Rights-of-way.~~ To the extent practical and appropriate, as determined by the Planning Board, as part of any proposed site plan or subdivision plan, each landowner/developer shall incorporate into his/her plan, on the subject land, a sixty-foot wide right-of-way for the construction of the service road and/or access road(s). The right-of-way shall traverse the subject lot from the southerly lot line to the northerly lot line, as appropriate, and in the case of any access road, from the easterly to the westerly lot line, as appropriate, in accordance with the layout of the planned service road and access road(s).
- B. ~~Temporary termination.~~ Where the service road has not been built on the lot adjacent to the subject property, a temporary cul-de-sac shall be built on the subject property to provide for an appropriate turnaround and future connection to the service road on that adjacent lot. Appropriate provisions may be established by the Planning Board to facilitate seamless connection of that cul-de-sac in the future to a service road on the adjacent lot, when that road may be constructed. The temporary cul-de-sac shall

~~conform to the City of Rochester Subdivision Regulations.~~

~~C. Route 11 intersections. As part of any site plan or subdivision plan, the landowner/developer shall incorporate predetermined Route 11 access points into his/her plan.~~

~~D. NHDOT. Developers shall coordinate with the New Hampshire Department of Transportation (NHDOT) regarding the design of the access roads and any intersections with Route 11.~~

~~§ 275-8.6 Road design standards.~~

~~[Amended 3-5-2019]~~

~~A. Service and access roads shall comply with the following standards:~~

~~(1) Right of way: 60 feet.~~

~~(2) Lane width (each): 12 feet.~~

~~(3) Paved shoulder (each): four feet.~~

~~(4) Sidewalk (bituminous): five feet.~~

~~(5) Grass strip: five feet (between road and sidewalk).~~

~~(6) Curb: granite.~~

~~(a) Sloped: side without sidewalk.~~

~~(b) Vertical: side with sidewalk.~~

~~(7) Cross-sectional requirements:~~

~~(a) Wearing course (minimum): one inch (NHDOT Item 403.11).~~

~~(b) Bearing course: two inches (NHDOT Item 403.11).~~

~~(c) Crushed gravel: six inches (NHDOT Item 304.3).~~

~~(d) Bank run gravel: 12 inches (NHDOT Item 304.2).~~

~~B. All materials shall be installed in compliance with NHDOT specifications and the City of Rochester Subdivision Regulations.~~

~~§ 275-8.7 Stormwater management requirements.~~

~~A. Stormwater controls for each individual site plan shall be designed in compliance with the New Hampshire Stormwater Manual Volume 2. To ensure adequate stormwater control given the more flexible dimensional regulations, these design guidelines shall be followed regardless of any requirement imposed as part of the New Hampshire Department of Environmental Services alteration of terrain permitting (for 100,000 square feet +\ of disturbed surface).~~

~~B. The Planning Board shall consider proposals for use of innovative stormwater control structures, such as porous pavement, bioretention areas, gravel wetlands, etc. If the Board concludes that use of these structures is in order, then:~~

~~(1) It may be appropriate to allow for interior landscaped islands within parking lots to be constructed without perimeter curbing if the curbing would interfere with the routing of the stormwater.~~

~~(2) The Planning Board is hereby empowered to adjust parking requirements specified in Article 26, Roads and Parking, herein.~~

~~§ 275-8.8 Utility standards.~~

~~A. All utilities shall be underground.~~

~~B. Utilities into individual sites shall be run from the common utility lines to be placed in the service road right of way.~~

~~C. Service connections for utilities for pad sites, if any are created, shall be provided within the service road right of way.~~

~~§ 275-8.9 Parking lot interconnections.~~

~~A. Where practical, and not impeded by wetlands or other physical constraints, parking lots shall be interconnected between sites.~~

~~B. Appropriate cross easements shall be developed between properties to accommodate parking lot interconnections.~~

~~§ 275-8.10 Design standards.~~

~~A. Trash and delivery areas. The lots situated between the service road and Route 11 call for special treatment because they have double frontages.~~

~~(1) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off of a shared access driveway between sites.~~

~~(2) The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.~~

~~(3) Trash, delivery, and loading areas shall be well screened from Route 11.~~

~~B. Facade treatment. Building facades fronting on the service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.~~

~~C. Outdoor seating. Restaurant proprietors are encouraged to include seasonal outdoor seating.~~

~~D. Signage. All provisions of Article 29, Signage, herein shall apply.~~

~~§ 275-8.11 Adjustments in requirements.~~

~~Since a number of the requirements specified in this Article 8, herein, are design-oriented, the Planning~~

~~Board may adjust any requirements of § 275-8.3, Pavement dimensional regulations, § 275-8.5, Service road regulations, § 275-8.6, Road design standards, § 275-8.7, Stormwater management requirements, § 275-8.8, Utility standards, and § 275-8.10, Design standards, on a case-by-case basis, where it reasonably determines that strict application of any requirement is impracticable due to particular conditions on a given site.~~

| Primary Area of Granite Ridge Development | | | |
|---|---------------------|---------------|----------------------------------|
| PID | Address | Acres | Owner |
| 0208-0001-0000 | 126 Farmington Road | 82.50 | Adamian Construction & Dev. |
| 0208-0001-0001 | 116 Farmington Road | 34.18 | Infinity Properties Rochester |
| 0208-0002-0000 | 0 Farmington Road | 32.00 | The Kane Co. Inc. |
| 0208-0004-0000 | 148 Farmington Road | 1.30 | John & Carolyn Meader |
| 0208-0005-0000 | 150 Farmington Road | 0.63 | Roslyn Stone & Carolyn Meader |
| 0208-0006-0000 | 154 Farmington Road | 1.05 | Alkurabli LLC |
| 0208-0006-0001 | 152 Farmington Road | 0.94 | Richard Ottino |
| 0208-0007-0000 | 160 Farmington Road | 1.33 | 160 Farmington Road Realty Trust |
| 0216-0001-0000 | 20 Farmington Road | 15.00 | Robert Beranger |
| 0216-0002-0000 | 22 Farmington Road | 2.60 | Robert Beranger |
| 0216-0003-0000 | 0 Farmington Road | 2.90 | Robert Beranger |
| 0216-0004-0000 | 36 Farmington Road | 17.10 | Northgate Investment Properties |
| 0216-0005-0000 | 46 Farmington Road | 1.24 | Gene V. Roe |
| 0216-0006-0000 | 48 Farmington Road | 5.62 | Casaccio Real Estate Holdings |
| 0216-0007-0000 | 58 Farmington Road | 7.60 | Casaccio Real Estate Holdings |
| 0216-0008-0000 | 60 Farmington Road | 6.30 | Packy's Investment Properties |
| 0216-0009-0000 | 68 Farmington Road | 20.00 | Stratham Industrial Properties |
| 0216-0010-0000 | 76 Farmington Road | 21.00 | PSNH |
| 0216-0011-0000 | 92 Farmington Road | 85.00 | Stratham Industrial Properties |
| 0216-0017-0000 | 5 Lydall Way | 12.00 | State of New Hampshire DOT |
| 0216-0019-0000 | 0 Farmington Road | 4.50 | PSNH |
| 0216-0020-0000 | 8 Crane Drive | 6.09 | Newport Partners LLC |
| 0216-0021-0000 | 33 Crane Drive | 4.80 | Spinelli Realty Trust |
| 0216-0022-0000 | 27 Crane Drive | 6.35 | Black Marble Realty Trust |
| 0216-0023-0000 | 21 Crane Drive | 3.16 | Black Marble Realty Trust |
| 0216-0024-0000 | 7 Crane Drive | 4.01 | Four Hidden Road Trust |
| 0216-0025-0000 | 47 Farmington Road | 2.80 | Poulin Realty Acquisition |
| | | 382.00 | |
| Secondary Area of Granite Ridge Development | | | |
| PID | Address | Acres | Owner |
| 0208-0008-0000 | 174 Farmington Road | 60.00 | Diane Smith |
| 0208-0008-0001 | 176 Farmington Road | 11.61 | Robidas Properties LLC |
| 0208-0009-0000 | 178 Farmington Road | 4.30 | Rochester/Rural District |
| 0208-0010-0000 | 180 Farmington Road | 1.02 | WAH Realty Corporation |
| 0208-0011-0000 | 184 Farmington Road | 4.00 | Bonnie J. O'Shea |
| 0208-0015-0000 | 0 Farmington Road | 0.29 | City of Rochester |
| 0208-0016-0000 | 0 Farmington Road | 1.66 | Robert Rowe |
| 0208-0017-0000 | 127 Farmington Road | 8.90 | Robert Rowe |
| 0208-0018-0000 | 17 Sterling Drive | 2.02 | Raven Realty |
| 0208-0018-0001 | 18 Sterling Drive | 2.85 | Raven Realty |
| 0208-0018-0002 | 27 Sterling Drive | 5.04 | Axis Property Holdings LLC |
| 0208-0018-0003 | 23 Sterling Drive | 1.55 | Raven Realty |
| 0208-0018-0004 | 0 Sterling Drive | 0.64 | Raven Realty |
| 0208-0019-0000 | 123 Farmington Road | 1.16 | Black Dog Car Wash LLC |
| 0208-0019-0001 | 115 Farmington Road | 1.25 | Hermitage Place LP |
| 0208-0019-0002 | 131 Farmington Road | 0.57 | JMB Automotive Group LLC |

| Primary Area of Granite Ridge Development | | | |
|---|----------------------------|---------------|-----------------------------------|
| PID | Address | Acres | Owner |
| 0209-0001-0000 | 105 Farmington Road | 1.70 | Rudolph Tetreault |
| 0216-0012-0000 | 4 Little Falls Bridge Road | 1.89 | Ralph Torr Rev. Trust |
| 0216-0013-0000 | 0 Little Falls Bridge Road | 11.80 | State of New Hampshire DOT |
| 0216-0018-0000 | 95 Farmington Road | 3.50 | Motiva Enterprises LLC |
| 0216-0018-0001 | 83 Farmington Road | 2.25 | Joseph Blanchette |
| 0216-0018-0002 | 77 Farmington Road | 3.60 | Rochester Hospitality LLC |
| 0216-0019-0000 | 0 Farmington Road | 4.50 | PSNH |
| 0216-0020-0000 | 8 Crane Drive | 6.09 | Newport Partners LLC |
| 0216-0021-0000 | 33 Crane Drive | 4.80 | Rose Realty LLC |
| 0216-0022-0000 | 27 Crane Drive | 5.30 | Black Marble Realty Trust LLC |
| 0216-0023-0000 | 21 Crane Drive | 3.16 | Black Marble Realty Trust LLC |
| 0216-0024-0000 | 7 Crane Drive | 4.01 | Four Hidden Rod Road Realty Trust |
| 0216-0025-0000 | 47 Farmington Road | 2.60 | Poulin Realty Acquisitions LLC |
| 0216-0026-0000 | 0 Farmington Road | 68.00 | Donald & Bonnie Toy |
| 0216-0028-0000 | 23 Farmington Road | 1.70 | Miles Cook III |
| 0216-0028-0001 | 25 Farmington Road | 0.10 | City of Rochester |
| 0216-0029-0000 | 21 Farmington Road | 2.41 | Cardinals Seafarer Restaurant |
| 0221-0154-0000 | 2 Farmington Road | 20.80 | Jean Edgerly Trust |
| 0221-0156-0000 | 14 Farmington Road | 1.20 | Renee & Louanne Cardinal |
| 0221-0157-0000 | 0 Farmington Road | 1.20 | Wayne Cardinal |
| 0221-0158-0000 | 14 Farmington Road | 1.30 | Rene & Luanne Cardinal |
| 0221-0159-0000 | 10 Farmington Road | 2.45 | Lawrence Shapiro Trust |
| 0221-0160-0000 | 18 Farmington Road | 1.32 | Michael & Jean Garzillo |
| 0221-0162-0000 | 18A Farmington Road | 6.40 | Richard & Phyllis Glidden |
| 0221-0163-0000 | 20 Farmington Road | 3.20 | Robert & Karen Beranger |
| 0221-0164-0000 | 17 Farmington Road | 0.91 | Rene G Cardinal & Cardinal Way |
| 0221-0165-0000 | 11 Farmington Road | 1.70 | Seckendorf Real Estate |
| 0221-0166-0000 | 9 Farmington Road | 1.10 | MIB LLC Greenwood Inn |
| 0221-0167-0000 | 7 Farmington Road | 0.30 | Basel Alkurabi |
| 0221-0168-0000 | 3 Farmington Road | 14.00 | Charles Karacas |
| | | 290.15 | |

**City Council Special Meeting
May 17, 2022
Council Chambers
7:06 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hainey
Councilor Hamann
Councilor Larochelle
Councilor Malone
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager
Terence O'Rourke, City Attorney
Peter Nourse, Director of City Services

Minutes

1. Call to Order

Mayor Callaghan called the City Council Special Meeting to order 7:06PM. Deputy City Clerk Cassie Givara had taken attendance prior to Public Hearing immediately preceding the Special Meeting. All Councilors were present.

2. Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 Water Capital Improvements Plan (CIP) Fund in the amount of \$5,600,000 for the Cocheco Well Improvements

Mayor Callaghan read the resolution for a second time by title only as follows:

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 Water Capital Improvements Plan (CIP) Fund in the amount of \$5,600,000 for the Cocheco Well Improvements

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the Fiscal Year 2022 Water Capital Improvements Plan Fund in the amount of Five Million Six Hundred Thousand Dollars (\$5,600,000) for the Cocheco Well Improvements project.

Further, for the purposes of funding the expenditures incident to the implementation of the improvements 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 Three Million Three Hundred Thousand Sixty Dollars (\$3,360,000) through the issuance of bonds and/or notes, and/or through other legal form(s), and Two Million Two Hundred Forty Thousand Dollars (\$2,240,000) through the acceptance of State of New Hampshire American Recovery Plan Act (ARPA) and State of New Hampshire Department of Environmental Services Drinking Water and Groundwater Trust Fund (DWGTF) grant programs.

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 complete itemization of funding sources is as follows;

One Million Six Hundred Eighty Thousand Dollars (\$1,680,000) from State of New Hampshire (ARPA) grant funds.

Five Hundred Sixty Thousand Dollars (\$560,000) from New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) grant program.

Two Million Eight Hundred Sixty Thousand Dollars (\$2,860,000) from New Hampshire Department of Environmental Services (NHDES) Drinking Water and Groundwater Trust Fund (DWGTF) loan program.

Five Hundred Thousand Dollars (\$500,000) through the issuance of bonds, or other notes.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion. Councilor Hainey stated that the resolution indicated this funding was coming from several different sources and inquired how much would be covered by City funds. Peter Nourse, Director of City Services, answered that there was an American Rescue Plan Act (ARPA) grant for \$1,680,00.00, a Drinking Water Trust Fund Grant for \$560,000.00, a Drinking Water Trust Fund (DWTF) loan for \$2,860,000.00 (which would need to be paid back by the City), and then there is \$500,000.00 in City borrowing. He clarified that about 40% of the project is being funded by either DWTF or ARPA grants. Councilor Hainey asked if this meant the City was paying for 60% of the \$5,600,000.00 referenced in the resolution title. Director Nourse stated that the \$5,600,000.00 is the amount received through a grant from the DWTF. Councilor Hainey asked for further clarification on what the 60% of the total cost would be. Director Nourse stated that it would be approximately \$3.1 million, which is the combination of the DWTF loan along with the amount of City borrowing.

Councilor Fontneau asked Director Nourse for a brief summary of how this funding would be used. Director Nourse said the timing was due to the DES requiring the loan application to be submitted by June 1, 2022. The Department of Public Works is required to get Council approval for this supplemental appropriation and send it to the State in order to move forward. Director Nourse explained that these upgrades are for the treatment system of the Cocheco well. He reported that the State will start regulating manganese this coming December and will consider it a primary contaminant as opposed to a secondary contaminant as it had been prior. The proposed upgrades will take approximately a year to complete and will help in reducing manganese below the new maximum contaminant level.

Councilor Beaudoin stated that Department of Public Works had a \$5,150,000 supplemental appropriation in the prior fiscal year's CIP budget and inquired if this same project had been approved but not completed at that time. Director Nourse said this project had not been included in a previous budget. He reported that it is currently included in the upcoming FY23 budget process, but had been pulled out and is being handled in the current fiscal year budget due to the deadlines involved.

Councilor Desrochers spoke about the high increase in population within

Rochester and asked Director Nourse to comment on how this increase, as well as more stringent EPA regulations, affected the need for this project. Director Nourse said this well is going to be increasingly more important. The 2020 water audit and demand analysis indicated that the water needs of the City will eclipse the availability to provide that need within ten years. Director Nourse stated that the well provides about 25% of the City's drinking water and further explained the uses and importance of maintaining this well.

The **MOTION CARRIED** by a unanimous roll call vote with Councilors Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Hainey, Laroche, Gilman, Fontneau, and Mayor Callaghan all voting in favor.

3. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Special Meeting at 7:12 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

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CITY MANAGER'S REPORT

May 2022

Contracts and documents executed since last month:

- **Department of Public Works**

- Pre-Paving ROW service agreement – Berry Surveying & Engineering **P. 64**
- Engineering Contract (septage facility)– Brown & Caldwell **P. 65**
- Change order, Winkley Farm paving – D&C Construction **P. 66**
- Estimate/Scope of Service, Hanson Street lot Drainage – S.U.R. **P. 67**
- Change Order, new DPW- Hutter Construction **P. 68**
- Scope of Services, 202A Water Main Ext – S.U.R. **P. 69**
- Haying Agreement Renewal – Parsell Farm **P. 70**
- Change Order, Pavement & Highway Improvement **P. 71**
- Agreement/Notice to Proceed, Woodman Area – S.U.R. **P. 72**
- Task Order, Portland St Bridge Repair – Hoyle, Tanner, and Assoc. **P. 73**
- Construction Phase Agreement, Tara Estates Sewer Pump Station – Weston & Sampson **P. 74**
- Change Order, Colonial Pines Sewer Extension **P. 75**
- Letter of Consent, Rochester Hill Tank site mods – T-Mobile **P. 76**
- Task Order/Engineering Services Agreement - Underwood Engineers **P. 77**

- **Economic Development**

- FY22 CDBG Environmental Review – CAP Weatherization Briar Ridge **P. 78**
- Financial Management Plan – Easter Seals CDFA Grant **P. 79**
- FY23 CDBG Environmental Review – Hanson Pines Park Improvements **P. 80**
- FY23 CDBG Environmental Review – Public Service Agency Activities **P. 81**
- FY22 CDBG Environmental Review – CAP Weatherization, May 9 **P. 82**
- CDBG-CV Environmental Reviews – Easter Seals Project **P. 83**
- FY22 CDBG Environmental Review – CAP Weatherization, May 17 **P. 84**
- FY22 CDBG Environmental Review – CAP Weatherization, May 17 #2 **P. 85**
- CDBG-CV Environmental Reviews – Gafney Home Project **P. 86**
- FY23 CDBG Environmental Review – CAP Weatherization Release of Funds **P. 87**

- **IT**

- Service Agreement – Consolidated Communications **P. 88**

The following standard report has been enclosed:

- Personnel Action Report Summary **P. 89**



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: April 28, 2022

SUBJECT: Berry Survey & Engineering
Jessica Drive Survey – Pre Paving ROW Survey
Amount \$9,200.00

CC: Michael S. Bezanson, PE City Engineer
Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the Berry Survey & Engineering scope of service / agreement for ROW survey required prior to the paving rehabilitation of this City Street. The City Council has approved this road for the FY2022 Pavement Rehabilitation Project. This survey is a Professional Service Contract covered in the City's Purchasing Policy (Section III.D.5.a). This contract has been reviewed and the scope has been approved by City Engineer.

The funds are available in the following Account:
15013010-771000-21548 – Pavement Rehabilitation

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
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INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
 Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Michael Bezanson, PE, City Engineer *MSB*

DATE: April 27, 2022

SUBJECT: **Septage Receiving Facility Upgrade
 Engineering Design Phase Contract**

CC: Peter Nourse, PE, Director of City Services

Attached is an Agreement for Engineering Services for the preliminary design of the Septage Receiving Facility Upgrade project. This contract is between the City and Brown and Caldwell for engineering services in the amount of \$7,800.00. Brown and Caldwell has been selected through the qualifications based solicitation for on-call engineering services RFQ 21-19. Funds are available for this contract in the following account line:

- Sewer Fund CIP account line: 55026020-772000-20558

Katie - If you have any questions, please let me know. If not, please sign below and forward to the City Manager for signature. The signed original of this contract should be returned to DPW for distribution. Thank you.

Signature_____

Katie Ambrose
 Deputy City Manager/ Director of Finance & Administration

Attachment: Septage Receiving Engineering Design Phase Contract with B&C



City of Rochester, New Hampshire
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INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: April 29, 2022

SUBJECT: D&C Construction
Change Order #2 Signature
Amount \$265,976.40

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE City Engineer

Attached please find (1) one copy of the D&C Construction Change Order #2. This change order is associated with the paving of Winkley Farm Lane. Execution of this Change is required at this time to secure a time slot with paving company early in the season. There will be additional change orders for paving Fiddlehead and a portion of Bickford Road when project construction in those areas occurs. .

The funds are available in the Water Fund Project Contingency and will be used in the event that the Rochester City Council does not appropriate the anticipated paving funds as discussed at the March Public Works Committee and Regular City Council Meeting on April 5, 2022

55016010-771000-20635 = \$265,976.40

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



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06/02/2022

INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: April 28, 2022

SUBJECT: SUR Construction
Hanson Street Lot – Drainage Improvements
Amount \$13,779.00

CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the SUR Construction Company estimate/ scope of service for signature. SUR was selected for this project using the Bid # 21-35 for Emergency and Contracted Services and the pricing is good through 12/31/2022. This scope of is for the Drainage Improvement project for 13-17 Hanson Street Lot.

The funds are available in the following Account:
11080050-584000 – General Fund Contingency

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire
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06/02/2022

INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 9, 2022

SUBJECT: Hutter Construction
New DPW Construction – Change Order #15
\$63,666.35

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE City Engineer

Attached for signature please find (1) one copy of Hutter Construction Change Order #15. Hutter Construction was awarded the Construction Contract for the New DPW per lowest bid for Bid#20-29. The original bid amount was \$17,674,000.00. The total of changes to date (including this change) equal \$616,774.19. The total construction contract amount through change #15 is \$18,290,774.19. This contract increase in the amount of \$63,666.35 is for addition costs of the steel associated with modification to the remote canopy catwalks, additional hot water circulator pump, and a Fuel System Upgrade. This change includes a change of the final completion date to 8/30/2022 .

The funds are available in the following CIP DPW Building Account Lines:

15013010-772000-20584 = \$31,833.17
55016010-772000-20584 = \$15,916.59
55026020-772000-20584 = \$15,916.59

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



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INTEROFFICE MEMORANDUM

TO: **BLAINE COX, CITY MANAGER**
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: **LISA J. CLARK, ADMINISTRATIVE SUPERVISOR**

DATE: April 27, 2022

SUBJECT: SUR Construction
Additional Cost - Water Main Extension to Rt202A Water Ext Project Tank Site
Amount \$107,310.38

CC: Peter C. Nourse, PE, Director of City Services
Michael S. Bezanson, PE City Engineer

Attached please find (1) one copy of the SUR Construction Company estimate/ scope of service for signature. SUR was selected for this project using the Bid # 21-35 for Emergency and Contracted Services and the pricing is good through 12/31/2022. This scope of services describes the additional costs for the work associated with installation of the pipe and the building of the temporary access road through Highfield Common to accommodate the new water tank construction site that is part of the Rt. 202A Water Main and Tank Installation Project.

The funds are available in the following Accounts:
55016010-771000-22546 = \$107,310.38 – Water Distribution System Upgrades

If you have any question, please call, if not please pass on to the City Manager for signature. Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



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06/02/2022

INTEROFFICE MEMORANDUM

TO: BLAINE COX, CITY MANAGER
KATIE AMBROSE, DEPUTY CITY MANAGER/DIRECTOR OF FINANCE & ADMIN

FROM: LISA J. CLARK, ADMINISTRATIVE SUPERVISOR

DATE: May 12, 2022

SUBJECT: Agreement Renewal – 2 year
Parsell Farm – Haying Agreement

CC: Peter C. Nourse, PE, Director of City Services

Attached for signature please find (1) one copy of the Parsell Farm Haying Agreement. This is a renewal of the past agreement for Randall Parsell to continue to hay and maintain the two City owned fields on Pickering Road (Map Lots 0257-0058-000 & 0263-0064-0000). Per the agreement the City maintains the right to terminate the agreement with 1 Months' notice if necessary.

If you have any question please call, **This Document will be sent Via Inter-Office Mail as it requires a witness and notarization of the City Manager for signature.** Please return document to me at the DPW for Distribution

(Katie Ambrose, Deputy City Manager/ Director of Finance & Administration)



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Michael Bezanson, PE, City Engineer *MSB*

DATE: May 10, 2022

SUBJECT: **Pavement & Highway Improvement Project (#19-31)
Change Order No. 3**

CC: Peter Nourse, PE, Director of City Services

Attached is Change Order No. 3 for the Pavement & Highway Improvement project. The current contract with the City's paving contractor allows for contract extensions of up to three additional years. It is recommended to extend the contract with our current paving contractor by signing the attached change order document. This change order document adds FY22 pavement rehabilitation work previously approved by the City Council to the existing paving contract that was initially established for FY19 pavement rehabilitation and was extended to include FY20 and FY21 pavement rehabilitation. To accommodate the additional paving work, the contract time is again extended by this Change Order No. 3; the new Substantial Completion date is June 30, 2023. The total net increased cost to the contract by this Change Order is \$1,053,587.80 inclusive of \$13,805.00 for a NHDOT required pavement patch on Highland Street (Route 202) for final repair of a 2021 emergency sewer main break. Funds are available in the following account lines for this Change Order:

- General Fund CIP account line: 15013010-771000-20586
- General Fund CIP account line: 15013010-771000-21548
- General Fund CIP account line: 15013010-771000-22534

Katie - If you have any questions, please let me know. If not, please sign below and forward to the City Manager for signature. The signed original of Change Order No. 3 should be returned to DPW for distribution. Thank you.

Signature _____

Katie Ambrose

Deputy City Manager/ Director of Finance & Administration

Attachment: Pavement & Highway Improvement, Change Order No. 3

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Dana Webber, PE, Assistant City Engineer

DATE: May 11, 2022

SUBJECT: Agreement and Notice to Proceed Bid No. 22-34
Woodman Area Infrastructure Improvements

CC: Lisa Clark, Administrative Services & Utility Billing Supervisor
Michael Bezanson, PE, City Engineer
Peter Nourse, PE, Director of City Services

Attached please find the Agreement and Notice to Proceed for Construction Contract between the City and SUR Construction, Inc. for construction of Woodman Area Infrastructure Improvements. The pricing for this project is per bid pricing in Bid #22-34.

The contract amount is \$8,260,554.00, which includes the base bid and four bid alternates (A, B, C, D). This project will be funded in part through reimbursements from the Clean Water SRF program. Funds are available for this award in the following CIP account lines:

| | |
|-----------------------|----------------|
| 15013010-771000-20538 | \$2,616,336.39 |
| 15013010-771000-22580 | \$1,518,008.61 |
| 55016010-771000-20538 | \$1,507,834.00 |
| 55016010-771000-22580 | \$1,177,312.00 |
| 55026020-771000-20538 | \$1,441,063.00 |

Please enter date and sign Page 7 of the attached Agreement. Also, please sign the attached Notice to Proceed and insert date. The Notice to Proceed will be dated the same as the Agreement execution date, which will be the official contract start date.

Katie - If you have any questions, please let me know. If not, please sign below and pass on to the City Manager for signature.

The signed Agreement and Notice to Proceed documents should be returned to DPW for distribution.

Signature

Katie Ambrose
Deputy City Manager/ Director of Finance & Administration



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

209 Chestnut Hill Road • Rochester, NH 03867

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INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Michael Bezanson, PE, City Engineer *MSB*

DATE: May 13, 2022

SUBJECT: **Portland Street Bridge (121/121) Repair Project**
Engineering Design Task Order

CC: Peter Nourse, PE, Director of City Services

Attached is a Task Order Agreement for Engineering Services for the design of the Portland Street Bridge (121/121) repair project. This contract is between the City and Hoyle, Tanner & Associates, Inc. for engineering design services in the amount of \$75,568.00. Hoyle, Tanner & Associates has been selected through the qualifications based solicitation for on-call engineering services RFQ 21-19. Funds are available for this contract in the following account line:

- General Fund Public Works CIP account line: 15013010-771000-22536

Katie - If you have any questions, please let me know. If not, please sign below and forward to the City Manager for signature. The signed original of this contract should be returned to DPW for distribution. Thank you.

Signature_____

Katie Ambrose
Deputy City Manager/ Director of Finance & Administration

Attachment: Portland St Bridge Repair Task Order #3 Agreement with HTA



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

209 Chestnut Hill Road • Rochester, NH 03867

(603) 332-4096

www.rochesternh.net

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Michael Bezanson, PE, City Engineer *MSB*

DATE: May 13, 2022

SUBJECT: Tara Estates Sewer Pump Station Upgrade Project
Engineering Construction Phase Agreement

CC: Peter Nourse, PE, Director of City Services

Attached is a Construction Phase Agreement for Engineering Services during the construction of the Tara Estates Sewer Pump Station Upgrade project. This contract is between the City and Weston & Sampson Engineers, Inc. for engineering construction phase services in the amount of \$119,950.76. Weston & Sampson has been selected through the qualifications based solicitation for on-call engineering services RFQ 21-19. Funds are available for this contract in the following account lines:

- Sewer Fund CIP account line: 55026020-772000-21536
- Sewer Fund CIP account line: 55026020-772000-22558

Katie - If you have any questions, please let me know. If not, please sign below and forward to the City Manager for signature. The signed original of this contract should be returned to DPW for distribution. Thank you.

Signature_____

Katie Ambrose

Deputy City Manager/ Director of Finance & Administration

Attachment: Tara Estates PS Upgrade Const. Services Agreement with W&S



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

209 Chestnut Hill Road • Rochester, NH 03867

(603) 332-4096

www.rochesternh.net

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Michael Bezanson, PE, City Engineer *MSB*

DATE: May 20, 2022

SUBJECT: Colonial Pines Sewer Extension-Phase 3 (#22-12)
Change Order No. 1

CC: Peter Nourse, PE, Director of City Services

Attached is Change Order No. 1 for the Colonial Pines Sewer Extension-Phase 3 project (#22-12). Additional ledge (bedrock) was encountered beyond the estimated quantity for removal to install buried drain and sewer pipes. This will result in \$175,000 in additional costs, which is proposed to be partially funded by the \$150,000 contingency item in the contract. To accommodate the additional work to remove this unanticipated ledge, the contract time is extended by 35 days in this Change Order; the new Substantial Completion date is March 29, 2023. The total net increased cost to the contract by this Change Order is \$25,000. Funds are available in the following account line for this Change Order:

- Sewer Fund CIP account line: 55026020-771000-20549

Katie - If you have any questions, please let me know. If not, please sign below and forward to the City Manager for signature. The signed original of Change Order No. 1 should be returned to DPW for distribution. Thank you.

Signature _____

Katie Ambrose

Deputy City Manager/ Director of Finance & Administration

Attachment: Colonial Pines Sewer Extension-Phase 3, Change Order No. 1

INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Dana Webber, PE, Assistant City Engineer

DATE: May 17, 2022

SUBJECT: T-Mobile Generator at Rochester Hill Tank
Letter of Consent

CC: Michael Bezanson, PE, City Engineer
Peter Nourse, PE, Director of City Services

T-Mobile is requesting consent from the City to perform modifications at Rochester Hill Tank site per their lease agreement. Modifications are to provide emergency power for their telecommunication equipment. City departments have reviewed the modifications and T-Mobile has satisfactorily addressed comments.

Please sign and date the attached letter of consent. Attached reference documents include the original lease and proposed modifications plan set.

Katie - If you have any questions, please let me know. If not, please sign below and pass on to the City Manager for signature.

The signed letter of consent should be returned to DPW for distribution to T-Mobile.

Signature

Katie Ambrose
Deputy City Manager/ Director of Finance & Administration



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

209 Chestnut Hill Road • Rochester, NH 03867

(603) 332-4096

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INTEROFFICE MEMORANDUM

TO: Blaine Cox, City Manager
Katie Ambrose, Deputy City Manager/ Director of Finance & Administration

FROM: Michael Bezanson, PE, City Engineer *MSB*

DATE: May 23, 2022

SUBJECT: **Cocheco Well Treatment Improvements
Engineering Design Task Order**

CC: Peter Nourse, PE, Director of City Services

Attached is a Task Order Agreement for Engineering Services for the design of the Cocheco Well Iron (Fe)/Manganese (Mn) Treatment Improvements project. This contract is between the City and Underwood Engineers, Inc. for engineering design services in the amount of \$69,500.00. Underwood Engineers has been selected through the qualifications based solicitation for on-call engineering services RFQ 21-19. Funds are available for this project, and therefore this contract, as appropriated by the City Council at their May 17, 2022 Special Meeting.

Katie - If you have any questions, please let me know. If not, please sign below and forward to the City Manager for signature. The signed original of this contract should be returned to DPW for distribution. Thank you.

Signature _____

Katie Ambrose
Deputy City Manager/ Director of Finance & Administration

Attachment: Cocheco Well Treatment Improvements, UE Task Order No. 3

Date: May 2, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2022 CDBG Environmental Reviews – CAP Weatherization
Environmental Review

Please see attached a completed FY 2022 Community Development Block Grant (CDBG) environmental review for the leaking plumbing repair, replacement of a manifold, and general weatherization of a manufactured home located in Briar Ridge Estates. The City Council approved funding to the CAP weatherization program at the May 4, 2021 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

TO: Blaine Cox, City Manager
FROM: Julian Long, Community Development Coordinator
DATE: May 4, 2022

RE: Easter Seals CDFA Grant – Financial Management Plan

At the November 16, 2021 special meeting, the City Council approved the Community Development Block Grant CARES Act (CDBG-CV) grant for the New Hampshire Community Development Finance Authority (CDFA) funds to construct senior affordable housing at Easter Seal's property at 215 Rochester Hill Rd., Rochester, NH 03867. As part of the grant management process, a financial management plan must be submitted, and the City Manager must sign the policy as the authorized official.

Please sign and date the attached policy, which has been reviewed and revised by Deputy City Manager Katie Ambrose and Deputy Finance Director Mark Sullivan. Thank you very much.

Date: May 6, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2023 CDBG Environmental Reviews – Recreation Department Pickle
Ball Courts

Please see attached a completed FY 2023 Community Development Block Grant (CDBG) environmental review for the installation of pickle ball courts, teen recreation area, and security cameras at Hanson Pines Park. The City Council is anticipated to approve funding to this project at the June City Council meeting. (Usually the environmental review would only be submitted after City Council approval, but it is being submitted in advance as the current Community Development Coordinator will have left the position prior to the meeting date.)

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 9, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2023 CDBG Environmental Reviews – Public Service Agency
Activities

Please see attached the completed FY 2023 Community Development Block Grant (CDBG) environmental reviews for:

- FY 2023 administration and planning activities
- FY 2023 public service activities
- FY 2023 economic development activities

City Council is anticipated to approve funding to these projects at the June City Council meeting. (Usually the environmental review would only be submitted after City Council approval, but it is being submitted in advance as the current Community Development Coordinator will have left the position prior to the meeting date.)

The environmental reviews require the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 9, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2022 CDBG Environmental Reviews – CAP Weatherization
Environmental Review

Please see attached a completed FY 2022 Community Development Block Grant (CDBG) environmental review for the flue liner replacement and cleaning of a stick-built home located just outside downtown. The City Council approved funding to the CAP weatherization program at the May 4, 2021 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 17, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: CDBG-CV Environmental Reviews – Easter Seals Senior Affordable
Housing Project

Please see attached a completed Request for Release of Funds for the Easter Seals senior affordable housing project funded through NH Community Development Finance Authority CDBG CARES Act funds. The City Council approved funding for this project at the November 16, 2021 City Council meeting.

The Request for Release of Funds requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 17, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2022 CDBG Environmental Reviews – CAP Weatherization
Environmental Review

Please see attached a completed FY 2022 Community Development Block Grant (CDBG) environmental review for the weatherization retrofit, bath fan replacement, roof repair, and heating system repair of a stick-built home located in Frenchtown. The City Council approved funding to the CAP weatherization program at the May 4, 2021 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 17, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: FY 2022 CDBG Environmental Reviews – CAP Weatherization
Environmental Review

Please see attached a completed FY 2022 Community Development Block Grant (CDBG) environmental review for the roof replacement, heating system replacement, and insulation of a stick-built home located just south of downtown. The City Council approved funding to the CAP weatherization program at the May 4, 2021 City Council meeting.

The environmental review requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 18, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: CDBG-CV Environmental Reviews – Gafney Home Senior Affordable
Housing Project

Please see attached a completed Request for Release of Funds for the Gafney Home senior affordable housing project funded through NH Community Development Finance Authority CDBG CARES Act funds. The City Council approved funding for this project at the July 20, 2021 City Council meeting.

The Request for Release of Funds requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.

Date: May 20, 2022

To: Blaine Cox
City Manager

From: Julian Long
Community Development Coordinator/Grants Manager

Re: CDBG FY 23 Environmental Review – CAP Weatherization Program

Please see attached a completed Request for Release of Funds for the Community Action Partnership of Strafford County's weatherization assistance program. The City Council is anticipated to approve funding to this project at the June City Council meeting. (Usually the environmental review would only be submitted after City Council approval, but it is being submitted in advance as the current Community Development Coordinator will have left the position prior to the meeting date.)

The Request for Release of Funds requires the signature of the City Manager as the authorized official for the City of Rochester. Thank you very much, and please contact Julian with any questions or concerns.



City of Rochester, New Hampshire

INFORMATION TECHNOLOGY SERVICES

31 Wakefield St • Rochester, NH 03867

www.rochesternh.net

INTEROFFICE MEMORANDUM

TO: Blaine City Manager
Katie Ambrose, Finance Director

FROM: Elizabeth Green, Executive Secretary

DATE: May 20, 2022

SUBJECT: Consolidated – POTS lines

CC: Terence O'Rourke

Consolidated communications company is approved as a sole source vendor for the City's POTS lines. Attached is an EPAK II 36-month service agreement that needs Terence's review and approval then Blaine's signature.

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

Signature_____

Katie Ambrose, Finance Director

| DEPT | NAME | POSITION | # of Employees | FT | PT | SEASONAL/TEMP | NEW HIRE | REHIRE | RETIREMENT | SEPARATED | STEP (CBA) | COLA (CBA) | MERIT PAY ADJ | NU PAY ADJ | PAY ADJ | PROMOTION | OTHER | MISC. INFO |
|------------|-------------------|--------------------------------|----------------|----|----|---------------|----------|--------|------------|-----------|------------|------------|---------------|------------|---------|-----------|-------|---|
| ARENA | JOSHUA AUBE | ARENA ATTENDANT | 1 | | | X | | | | X | | | | | | | | |
| ARENA | NATHAN GAGNON | SUPPORT STAFF 1 | 1 | | | X | | | | X | | | | | | | | |
| CITY CLERK | DIANE MOSES | PER DIEM SEASONAL | 1 | | | X | | X | | | | | | | | | | |
| DPW | STEVEN WHEELER | CUSTODIAN PT NU | 1 | | X | | | X | | | | | | | | | | |
| DPW | THOMAS MARTINEAU | MEDIUM EQUIPMENT OPERATOR | 1 | X | | | | | | | | | | | | | X | |
| DPW | PATRICK SBRIZZA | PT GROUNDS | 1 | | X | | | | | | | | | | | | X | HOURS INCREASE SUMMER |
| DPW | TODD BRISARD | PT GROUNDS | 1 | | X | | | | | | | | | | | | X | HOURS INCREASE SUMMER |
| DPW | BARRY WILEY | SEASONAL WINTER | 1 | | | X | | | | X | | | | | | | | |
| DPW | THOMAS MARCHAND | SEASONAL WINTER | 1 | | | X | | | | X | | | | | | | | |
| DPW | ADAM JENNESS | WWT PLANT OPERATOR | 1 | X | | | | | | X | | | | | | | | |
| ECON DEV | JULIAN LONG | COMM DEV COORDINATOR | 1 | X | | | | | | X | | | | | | | | |
| FIRE | STEVE PLANTE | FIRE CAPTAIN | 1 | X | | | | | | | X | | | | | | | PROMOTION DATE 04/01/2020 |
| FIRE | DEVON PAGEAU | FIRE LIEUTENANT | 1 | X | | | | | | | X | | | | | | | PROMOTION DATE 05/09/2021 |
| IT | JAMES QUINN | SYSTEMS SOLUTIONS ARCHITECT | 1 | X | | | | | | | X | | | | | | | |
| LEGAL | TERENCE O'ROURKE | CITY ATTORNEY | 1 | X | | | | | | | X | | | | | | | ANNIVERSARY DATE 03/02/2015 |
| LEGAL | JENNIFER MUTOLO | PARALEGAL/EXECUTIVE ASSISTANT | 1 | X | | | | | | | X | | | | | | | ANNIVERSARY DATE 03/23/2015 |
| LIBRARY | MELISSA DOUCETTE | LIBRARY SUBSTITUTE | 1 | | | X | | X | | | | | | | | | | |
| PLANNING | RYAN O'CONNOR | SENIOR PLANNER | 1 | X | | | | | | | | | | | | X | | PLANNER I TO SENIOR PLANNER |
| POLICE | TINA DESJARDIN | PARKING ENFORCEMENT OFFICER | 1 | | X | | | | | | X | | | | | | | ANNIVERSARY DATE 05/23/2005 |
| POLICE | FRANK PORFIDO | PATROL OFFICER | 1 | X | | | | | | X | | | | | | | | |
| POLICE | SPENCER AUBE | PATROL OFFICER | 1 | X | | | | | | | X | | | | | | | ANNIVERSARY DATE 05/16/2021 |
| POLICE | ADAM GOVONI | PATROL OFFICER | 1 | X | | | | | | | X | | | | | | | ANNIVERSARY DATE 05/20/2019 |
| POLICE | ZACHARY MARSH | PATROL OFFICER | 1 | X | | | X | | | | | | | | | | | |
| POLICE | SHANE DOWNS | PATROL OFFICER | 1 | X | | | X | | | | | | | | | | | |
| RECREATION | BOB GEE | AQUATIC PROGRAM SUPERVISOR | 1 | | | X | | | | | | | | X | | | | |
| RECREATION | PATRICK CALLAGHAN | CAMP COUNSELOR | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | GRACE BEAULIEU | CAMP COUNSELOR | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | RILEY BISHOP | CAMP COUNSELOR | 1 | | | X | | X | | | | | | | | | | |
| RECREATION | HALEIGH GULLISON | CAMP COUNSELOR | 1 | | | X | | X | | | | | | | | | | |
| RECREATION | CATHERINE TEWELL | CAMP DIRECTOR | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | MADISON CORRIVEAU | HEAD COUNSELOR | 1 | | | X | | X | | | | | | | | | | CAMP COUNSELOR TO HEAD COUNSELOR |
| RECREATION | SETH CORTINA | LIFEGUARD | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | HUNTER CAMIRE | LIFEGUARD | 1 | | | X | | | | | | | | X | | | | |
| RECREATION | ISABELLA SILVA | LIFEGUARD | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | KATHERINE BOWLEY | LIFEGUARD | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | GANNON HUGHES | LIFEGUARD | 1 | | | X | | | | | | | | X | | | | REFEREE/SCOREKEEPER TO LIFEGUARD |
| RECREATION | CONNOR LEMPKE | LIFEGUARD | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | PIPER STURTEVANT | LIFEGUARD | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | KENNIDEE BECTON | LIFEGUARD | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | BRETT PAQUETTE | PROGRAM LEAD | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | JEFFREY TURGEON | RECREATION SERVICES SUPERVISOR | 1 | X | | | | | | | | | | | | X | | SUPPORT STAFF TO RECREATION SERVICES SUPERVISOR |
| RECREATION | KATE SANDERSON | RED CROSS CERTIFIED INSTRUCTOR | 1 | | | X | | X | | | | | | | | | | |
| RECREATION | PAUL CORMIER | REFEREE | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | MICHAEL ALMEIDA | REFEREE | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | KENNETH BILLINGS | REFEREE | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | EMMA BOUDREAU | REFEREE/SCOREKEEPER | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | JULIA ZIADEH | REFEREE/SCOREKEEPER | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | ANDREW GAGNE | REFEREE/SCOREKEEPER | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | KYLE LIBBY | REFEREE/SCOREKEEPER | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | JADE TRUEMAN | REFEREE/SCOREKEEPER | 1 | | | X | | | | X | | | | | | | | |
| RECREATION | SHARA HUGHES | SUPPORT STAFF 2 | 1 | | | X | X | | | | | | | | | | | |
| RECREATION | MOLLY HATCH | SUPPORT STAFF 2 | 1 | | | X | | | | X | | | | | | | | |
| TAX | TRACI BLAISDELL | ADMINISTRATIVE TECHNICIAN I | 1 | | X | | X | | | | | | | | | | | |
| TAX | TRACI BLAISDELL | ADMINISTRATIVE TECHNICIAN I | 1 | | X | | | | | X | | | | | | | | |
| TAX | LINDSAY PARKER | ADMINISTRATIVE TECHNICIAN I | 1 | | X | | | | | X | | | | | | | | |

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left blank...*

City Clerk's Office

Petition for Zoning Ordinance Amendment

Date: April 26, 2022

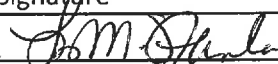
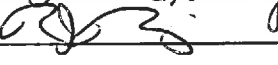
The filings of this petition and payment of the required fees, hereby propose a change in Chapter 42, Table 18-C, of the General Ordinances of the City of Rochester.

It is respectfully requested that the Honorable Mayor and City Council amend the above as follows:

That "Recreation, Indoor" as defined in 275-2.2 of the Zoning Ordinance of the City of Rochester be made a permitted use in the Industrial Districts.

Indoor Recreation is currently allowed by *Conditional Use* in the *Recycling* Industrial zone but is not permitted in the other Industrial Districts. The petitioners feel that Indoor Recreation should be an allowed use, **by right**, in the Industrial Zone.

There are at least three examples of Indoor Recreation facilities currently operating in the Industrial Districts of the City. All were required to seek, and were granted, variances for their operation. (Red Alert Skate Park in the Gerrity Industrial Park, the YMCA in the Ten Rod Road Industrial Park, and Deeproot Crossfit on Amarosa Drive). The petitioners believe these uses operate without conflict in their respective locations and demonstrate the appropriateness of this proposed amendment.

| | Printed Name | Signature | Street Address | Map & Lot Number |
|----|---|---|-------------------|------------------|
| 1 | LISA STANLEY LJR PROPERTIES LLC |  | 54 ALLEN ST. | 0117-0002-0011 |
| 2 | ROBERT RILEY YMCA Executive Director |  | 35 Industrial Way | 0230-0021-0000 |
| 3 | | | | |
| 4 | | | | |
| 5 | | | | |
| 6 | | | | |
| 7 | | | | |
| 8 | | | | |
| 9 | | | | |
| 10 | | | | |

ZONING

275 Attachment 3

City of Rochester

**Table 18-C Food-Lodging-Public Recreation Uses
[Amended 5-7-2019]**

LEGEND

P = Permitted Use

C = Conditional Use

E = Use Allowed by Special Exception

| Food-Lodging-Public Recreation Uses | Residential Districts | | | | Commercial Districts | | | | Industrial Districts | | Special | | Criteria/Conditions |
|--|-----------------------|----|-----|----|----------------------|----|----|----|-------------------------|----|---------|----|---------------------|
| | R1 | R2 | NMU | AG | DC | OC | GR | HC | GI | RI | HS | AS | Reference |
| Cafe | — | — | P | C | P | P | P | P | — | — | — | P | Article 21 |
| Campground | — | — | — | E | — | — | — | — | — | E | — | — | Article 22 |
| Caterer | — | — | P | — | P | P | — | P | P | P | — | — | |
| Club | — | — | C | — | P | P | — | P | — | — | — | — | Article 21 |
| Community center | — | — | P | — | P | P | P | P | — | — | — | — | |
| Conference center | — | — | C | — | P | P | P | P | — | — | P | P | Article 21 |
| Country club | — | — | — | C | — | — | P | E | — | C | — | — | Article 21 |
| Food stand | — | — | E | — | E | E | P | E | E | E | E | E | Article 22 |
| Function hall | — | — | — | — | P | P | P | P | — | — | — | — | |
| Golf course | — | — | — | P | — | — | P | — | — | P | — | — | Article 22 |
| Health club | — | — | C | C | P | P | P | P | — | — | — | — | Article 21 |
| Lodging, bed-and-breakfast | — | C | P | — | P | P | — | P | — | — | — | — | Article 21 |
| Lodging, hotel | — | — | C | — | P | C | P | P | — | — | C | C | Article 21 |
| Lodging, motel | — | — | — | — | — | — | P | P | — | — | — | C | Articles 20 and 21 |
| Nightclub | — | — | — | — | P | — | P | P | — | — | — | — | |
| Recreation, indoor | — | — | C | — | P | C | P | P | — | C | — | — | Article 21 |
| Recreation, outdoor | — | — | — | C | — | C | P | P | — | C | — | — | Article 21 |
| Recreation, park | P | P | P | P | P | P | — | P | | C | — | — | Article 21 |
| Restaurant | — | — | P | — | P | C | P | P | — | — | — | P | Article 21 |
| Restaurant, drive-through | — | — | — | — | P | — | P | P | — | — | — | — | |
| Tavern | — | — | C | — | P | — | P | P | — | — | — | P | Article 21 |
| Theater/cinema (5,000 square feet or less) | — | — | P | — | P | P | P | P | — | — | — | — | Article 21 |
| Theater/cinema (over 5,000 square feet) | — | — | — | — | C | — | P | P | | — | — | — | Article 21 |



LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE NOMINEE FORM



New Hampshire Rivers Management and Protection Program

RSA 483:8-a

Please complete both sides of this form and email to riversprogram@des.nh.gov. Please type "NOMINEE FORM" and nominee's name in the subject line. Forms can also be sent by mail to: Rivers Coordinator, NHDES, 29 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095. For questions, please contact the Rivers Coordinator at 271-2959.

Nominee Information

| | | |
|------------------------------|-------------------|----------------------|
| Nominee Name: Mark Jennings | | Date: 5/6/2022 |
| Street Address: PO Box 1131 | | |
| Town: Rochester, NH | | ZIP Code: 03866-1131 |
| Phone (home): 603-335-6356 | Phone (cell): N/A | Phone (work): N/A |
| Email: Jennings@truevine.net | | |

Nomination Information

| | | |
|--|--|--|
| Type of Appointment - <input checked="" type="checkbox"/> New Appointment <input type="checkbox"/> Reappointment | | |
| River Name: Cocheco and Isinglass Rivers | | |
| Type of Representation - | Municipality: | Other: Resident |
| Please state your interest(s) in serving on the Local River Management Advisory Committee: | | |
| <input type="checkbox"/> Local Government | <input checked="" type="checkbox"/> Conservation | <input type="checkbox"/> Agriculture |
| <input type="checkbox"/> Business | <input type="checkbox"/> Recreation | <input type="checkbox"/> Riparian Landowners |
| <input type="checkbox"/> Other, please specify: _____ | | |

Board of Selectmen or Authorized Signature(s) – REQUIRED (e-signature acceptable)

| | |
|---|--------|
| Name: | Title: |
| Name: | Title: |
| Name: | Title: |
| Note: By statute, the New Hampshire Rivers Management Advisory Committee appoints the Local River Management Advisory Committee (LAC) members for each Designated River from nominees submitted by the local governing bodies through which the Designated River flows (RSA 483:8-a). | |

Additional Information

Please include a short description of your relevant background knowledge of local river-related issues or general river management and protection:

2019 – Participated in Volunteer River Assessment Program for the Coccecho River

2008 to present – Rochester Conservation Commission Member

Most Local Advisory Committees engage in a variety of activities. Reviewing those activities listed below, please check those that are of most interest to you:

- ☐ Grant Writing ☒ Public Education ☐ Committee Administration
☐ Event Organization ☐ Public Relations ☒ Management Plan Preparation/Implementation
☐ Other, please specify: _____

Most Local Advisory Committees meet monthly. In some cases, they may meet more frequently to complete specific tasks, while in other cases your attendance may not be required at all meetings. Please check one of the boxes below to indicate your availability to attend regularly scheduled meetings:

- ☒ I can attend monthly meetings on most weeknights.
☐ I can attend monthly meetings only if scheduled on a specific weeknight.
☐ I can only attend a limited number of monthly meetings.
☐ I cannot attend monthly meetings, but am willing to complete tasks on behalf of the Committee.

For NHDES Office Use Only

LAC Member List and Contacts Database updated (date):

LAC Chair and Nominee have been contacted regarding nomination on (date):

RMPP Staff recommends appointment to the Rivers Management Advisory Committee -

☐ Approve RMPP staff: _____ Date: _____

Appointment confirmation sent to municipality and LAC Chair on (date):

Appointment letter and information packet sent on (date):

From: Ashley Greene <ashley.greene@rochesternh.net>
Sent: Tuesday, May 31, 2022 2:34 PM
To: Kelly Walters <kelly.walters@rochesternh.net>
Subject: Supervisor of the Checklist Resignation

To Whom it May Concern,

I am resigning as the Supervisor of the Checklist for Ward 3, as I have recently moved out of the great City of Rochester. Please accept this email as my official notification of resignation.

Thank you,

Ashley Greene

Administrative Assistant II
Planning Department
City of Rochester
ashley.greene@rochesternh.net
603.335.1338

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City Clerk's Office



06/02/2022

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

**STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP**

POSITION DESIRED: _____

NEW _____ RE-APPOINTMENT _____ REGULAR _____ ALTERNATE _____

NAME: _____

STREET ADDRESS: _____

ZIP _____

TELEPHONE:(H) _____ (W) _____ E-MAIL _____

REGISTERED VOTER: (CIRCLE ONE) YES _____ NO _____ **WARD** _____

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

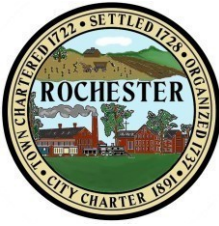
If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: _____

*Intentionally
left blank...*

City Clerk's Office



City of Rochester, New Hampshire

CITY COUNCIL –
APPOINTMENTS REVIEW COMMITTEE
31 Wakefield Street • Rochester, NH
03867 (603) 332-1167
www.RochesterNH.net

Appointments Review Committee

May 17, 2022

City Hall Chambers – Conference Room

5:30 PM

Committee Members Present:

James Gray, Chair
Laura Hainey, Vice-Chair
Dana Berlin
Ashley Desrochers

Committee Members Excused:

Amy Malone

Minutes

Chair Gray called the meeting to order at 5:30 PM on May 17, 2022.

New appointment(s):

Laura Zimmerman - Zoning Board of Adjustments, Seat I (New Appointment, Alternate member) Term to Expire 1/2/2025

Ms. Zimmerman expressed that although she did not have any experience on this type of board, she is willing to learn. Additional information is included on her Statement of Interest.

Councilor Hainey **MOVED** to recommend Laura Zimmerman as an Alternate Member (Seat I) on the Zoning Board of Adjustments with a term to expire 1/2/2025. Councilor Berlin seconded the motion. The **MOTION CARRIED** by a unanimous 4-0 voice vote.

Chair Gray **ADJOURNED** the Appointments Review Committee meeting at 5:45 PM.

Respectfully submitted,

James Gray, Chair



06/02/2022

RECEIVED

MAY 03 2022

CITY CLERK'S OFFICE
ROCHESTER, NH

City of Rochester, New Hampshire
OFFICE OF THE CITY CLERK
31 Wakefield Street • Rochester, NH 03867
FAX (603) 509-1915 PHONE (603) 332-2130

STATEMENT OF INTEREST
BOARD AND COMMISSION MEMBERSHIP

POSITION DESIRED: Zoning Board of Adjustment

NEW ☒ RE-APPOINTMENT ☐ REGULAR ☐ ALTERNATE ☐

NAME: Laura Zimmerman

STREET ADDRESS: 7 Hale St

ZIP 03867

TELEPHONE: (H) 335-0889 (W) NA E-MAIL lzimmerman@yahoo.com

REGISTERED VOTER: (CIRCLE ONE) YES ☒ NO ☐ WARD 4

Statement of Interest/Experience/Background/Qualifications, Etc. (This section need not be completed, but any information provided will be given to all City Councilors and will be available for public inspection). (Additional sheets/information may be attached, if desired; please do not write on the back of this form.)

Interested in getting involved in improving the city. I am
detailed oriented, critical thinker, have served on Dover
hockey board as scheduler and secretary. I also have
many years experience as a manager and customer service.

If this is an application for reappointment to a position, please list all training sessions you have attended relative to your appointed position.

I understand that: (1) this application will be presented to the Rochester City Council only for the position specified above and not for subsequent vacancies on the same board; (2) the Mayor and/or City Council may nominate someone who has not filed a similar application; and (3) this application will be available for public inspection.

I certify that I am 18 years of age or older: Laura Zimmerman

Codes and Ordinances Committee

Councilor Peter Lachapelle, Chair
Councilor Steve Beaudoin Vice Chair
Councilor Skip Gilman
Councilor Ashley Desrochers
(excused)
Councilor Tim Fontneau



Others Present

Mayor Paul Callaghan
Terence O'Rourke, City Attorney
Deputy Fire Chief, Jarrod Wheeler
Councilor Laura Hainey

CODES AND ORDINANCES COMMITTEE
Of the Rochester City Council
Thursday, May 5, 2022
Council Chambers
6:00 PM

Minutes

1. Call to Order

Chair Lachapelle called the Codes & Ordinances Committee meeting to order at 6:01 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were present except for Councilor Desrochers, who was excused.

Councilor Beaudoin **MOVED** to **AMEND** the agenda to add the item "Other" at the end of the agenda, where it had been inadvertently removed from the agenda prior to publishing. Councilor Gilman seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.
**"Other" was added as agenda item #8*

2. Public Input

There was no one present for public input.

3. Acceptance of the Minutes

3.1 April 7, 2022 *motion to approve*

Councilor Beaudoin **MOVED** to accept the minutes of the April 7, 2022 Codes and Ordinances Committee meeting. Councilor Gilman seconded the motion. The **MOTION CARRIED** by a

unanimous voice vote.

4. Proposed Amendment to Chapter 75-1 of the General Ordinances of the City of Rochester “Appointment and requirement of Fire Chief”

Chair Lachapelle read the proposed amendment to the ordinance as follows (changes in red):

§ 75-1 Appointment and requirements of Fire Chief.

Upon appointment, the Fire Chief shall within six months establish residence within the City's boundaries, unless this requirement is waived by the City Manager...

Chair Lachapelle referenced the memo distributed to the Committee from City Manager Cox in support of this amendment (*addendum A*) which outlines the reasons for this change. He stated that he agreed with the City Manager’s assertion that requiring that candidates for the position live in or relocate to Rochester can limit the field of qualified applicants and potentially discount candidates who would be best suited for the job.

Councilor Fontneau stated that he had received communication from several concerned residents and business owners regarding this proposed amendment and these constituents had requested the reasoning behind the proposed changes. Councilor Fontneau asked if the change is being implemented for a particular candidate who lives outside of the City. Chair Lachapelle stated that the City Manager does the interviewing and hiring of the Fire Chief, and he is not aware if there has been a narrowing of the field or if there is a certain candidate in mind.

Chair Lachapelle stated that it make sense to require the Fire Chief to live within a reasonable distance of the City, but not to require residence. Councilor Fontneau referenced the current amendment and clarified that there is no distance requirement as it is worded. Councilor Beaudoin agreed that there is concern with lack of stated distance in the ordinance and wondered if the hiring could be done in cooperation with City Council in a non-public session to protect confidentiality of candidates. He referenced the use of a municipal vehicle and the potential wear and tear of daily driving. Chair Lachapelle pointed out that current City Manager lives outside of the City of Rochester.

Councilor Hainey stated that she had also received communication from concerned citizens who questioned why this amendment was being proposed and questioned the timing of the change coming forward.

Chair Lachapelle stated that although the Fire Chief may be called to the scene of larger emergencies when he is off duty, he is not the first on the scene and there are firefighters at the stations who are first to respond. He reiterated that the amendment is primarily to open up the field to more qualified applicants.

Attorney O'Rourke stated that he had been able to reach the City Manager who was amenable to an amendment which would require the candidate hired to reside within a 20 mile limit of the City. Attorney O'Rourke stated that the recommendation could be kept as shown above, with the stipulation that the candidate hired could live outside the City if there was a waiver from the City manager; alternately, there could be a requirement that the hired candidate live within a 20-mile distance, bypassing the requirement for a waiver. Attorney O'Rourke suggested the verbiage: "Upon appointment, the Fire Chief shall within six months establish residence within **20-miles of** the City's boundaries..."

Councilor Beaudoin reiterated that he felt that the City Council should be involved with the hiring of the Fire Chief and the verbiage should indicate that the candidate is hired "by waiver of the City manager in consultation of the City Council" to allow the Council to weigh in on the candidates' qualifications and whether they meet the criteria. Attorney O'Rourke stated that this process would violate the City Charter, which states that the City Manager hires the Fire Chief. Councilor Beaudoin clarified that he did not want the City Council to make the decision on which candidate to hire, but rather to weigh in on whether the residency policy should be waived. He gave his reasoning on why this could be beneficial. Attorney O'Rourke stated that setting this precedent for City Manager hires could be a slippery slope and could bring into question whether the Council influenced the process and prevented the City Manager from making a particular hire. Councilor Fontneau cautioned against the Council coming between the City Manager and his staff regarding hires.

Deputy Fire Chief Jarrod Wheeler stated that he felt that a vested interest in the City was of equal or greater importance to the distance a candidate lives; the leader of the Fire Department should be immersed in the City.

Councilor Fontneau asked if the Fire Chief was the only position in the City that had this residency requirement. Chair Lachapelle stated that the City Manager has a residency requirement. However, this requirement can be waived by City Council. Councilor Fontneau briefly spoke about the ability of the Fire Chief to be able to respond to larger scale emergencies, but acknowledged that other fire personnel was well equipped and trained to handle these situations without the Chief. He expressed the importance of the Chief living within a reasonable distance of the City,

There was a discussion on whether "20 miles distance" should refer to a radius from the City center, or a 20-mile distance from the City boundary. Councilor Fontneau suggested that the requirement state that the candidate must live within a 2-mile radius from the downtown (Central) Fire Station.

Councilor Beaudoin reported that the previous Fire Chief had received over \$24,000 in overtime in 2021 and suggested that travel distance be taken into consideration because overtime could become a large factor. Deputy Chief Wheeler stated that the prior Fire Chief's overtime was resultant from COVID vaccine clinics and was reimbursed through grant funds; these overtime funds were not paid by the City.

Attorney O'Rourke read the suggested amendment as follows:

§ 75-1 Appointment and requirements of Fire Chief.

Upon appointment, the Fire Chief shall within six months establish residence **within a 20-mile radius from the Fire Station located at 37 Wakefield Street ~~the City's~~ **boundaries, unless this requirement is waived by the City Manager...****

Councilor Fontneau **MOVED** to recommend to City Council the amendment to Chapter 75-

1 as detailed above. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5. Discussion: Code of Ethics and Conduct

Chair Lachapelle stated that he wanted to take this item in a different direction and after further review had found that there are certain portions of the current code which he didn't think would pass Council approval. He reported that he would do further work on the code, bring it to the City Attorney for review, and eventually back to Codes & Ordinances for discussion and Council recommendation.

This item was kept in Committee.

6. Discussion: City Council Rules of Order Section 4.7 “Public Input at Workshop or Committee Meetings” subsection 5 regarding two-way dialogue

Councilor Beaudoin spoke about his experience both as a constituent speaking at public input during Council meetings, and as a State Representative during testimony during hearings. He stated that he felt it was beneficial to be able to ask and answer questions during these hearings and have an active dialogue. He stated that at the Rochester Council, constituents tend to feel “below” the Councilors, both socially and physically due to the arrangement of the dais to the public podium, and well as the lack of reaction and response from the councilors when the public speaks.

Chair Lachapelle stated that the configuration of the raised dais was due to the City Hall garage being directly beneath the Council Chambers, which caused the elevation of the Council seats. He reported that there had been discussion in the past on moving the chambers to the City Hall annex building as part of the renovation, but the project was cost prohibitive. Chair Lachapelle clarified that at the Committee level, there is opportunity for back-and-forth dialogue, and it frequently takes place during these meetings. He reiterated that the appropriate place for two-way dialogue is at Committee meetings; however, at City Council Workshops where there is impending City business on the agenda that needs to be handled, it is more appropriate to allow constituents to have their 5-minute of time during public input without a two-way dialogue with the potential to become lengthy.

Councilor Fontneau spoke about his experience at State-level hearings and City board meetings, and the benefit to allowing discussion between the board and the public. He supported the suggestion to allow a two-way dialogue between Councilors and constituents, but stated that it was important to place time parameters on that portion of the agenda, if approved. He also emphasized the importance of the Chairs' role in maintaining decorum and preventing arguments or debate. Chair Lachapelle stated that he felt it was difficult for the Chair to maintain decorum and control during a meeting if this back and forth were to be allowed. The Chair also clarified the difference between the Planning Board interactions with speakers versus the City Council; with those appearing before the Planning Board being applicants who are looking for approval to build or open businesses within the City, whereas those speaking at City Council workshops are typically residents with concerns or complaints. Councilor Fontneau said it can be frustrating for the public to ask direct questions and potentially not get a response to their concerns.

Chair Lachapelle said that in the past, the Mayor or Deputy Mayor would make a clarification statement at the end of public hearings or public input if they had answers on items that had been addressed. The Council had handled this similarly at the past Regular Council meeting where City Staff gave statements and answers to items which had been brought up during the prior City Council workshop meeting. He suggested that this process should be followed moving forward in order to answer constituent questions and concerns.

Mayor Callaghan stated that it is his instinct to immediately address constituent questions and concerns. However, he reported that the responses that had been issued at the prior Council meeting had been thoroughly researched and had taken quite a bit of time to put together in order to deliver a measured and accurate response. He emphasized the importance of taking this time to research and provide accurate information to the public. Councilor Beaudoin agreed that the City's response to public input at the prior Council meeting had been well done and he suggested continuing with this practice, although with a more streamlined approach. He stated that dependent on the subject matter of the input, relevant City Staff or Council members could be assigned to provide the appropriate response.

Mayor Callaghan referenced the R.U.N. (Rochester United Neighborhoods) meetings, which police department staff had formerly conducted several times a year in each City Ward. He suggested if they were still holding these meetings that the Councilors from the respective wards could attend to answer constituents questions. Chair Lachapelle stated that he thought the RUN meetings had been discontinued during COVID but may be starting up again.

Chair Lachapelle spoke briefly about the engagement with the public that is possible at the committee level with a more relaxed atmosphere and suggested the committee meetings remain as-is.

Councilor Hainey stated that at the State level during testimony, the discussion was geared towards specific topics and the questions and dialogue were clarifying questions. However, at the City Council level the input being given by constituents can be more personal and subjective on items such as how or why the City is spending funds. She cautioned against starting back and forth discussions and giving answers without all the backup knowledge or information available.

Councilor Fontneau recommended that there be a policy established which would detail how responses would be given to constituents. Attorney O'Rourke cautioned against developing a formal policy and explained that it may use the City to have to respond to every question without exception, with some of these questions or comments being opinions and items which are outside Council's purview. He stated that it also put the Chair in a position to determine subjectively on whether or not the question is pertinent. Attorney O'Rourke reminded constituents that they are always able to contact their ward Councilors directly with questions and concerns, and the request would then be able to go through the proper channels to be addressed. He stated that every Councilor has the ability to have topics added to the agenda and this could alleviate some questions.

Councilor Beaudoin urged constituents to pay attention to the committee agendas and attend the meetings where there is the opportunity to have exchanges with Councilors and for these

discussions to result in recommendations and action.

This item was kept in committee.

7. Discussion: Proposed addition of an additional “public input” at the close of Workshop meetings

Councilor Beaudoin referenced a comment which had been by a constituent at the prior Workshop meeting in which the resident expressed difficulty or inability of some other residents to attend the meetings at the scheduled time and, if desired, to make it in time for public input which starts early in the agenda. He suggested if there was an opportunity for an additional public input item later in the agenda prior to adjournment, it would give these residents opportunity to have their voice heard. Mayor Callaghan reminded constituents that if they are unable to attend meetings directly, there is an option to submit public input online to be read at the meeting and included as an addendum to the packet online.

Councilor Fontneau said the benefit of a closing public input would be for constituents to respond and given feedback to particular items that had been discussed on the agenda. He expressed concern that if this was not the intention, there could be the same group of constituents speaking both at the beginning and end of the meetings about the same items which could lengthen the meetings greatly.

Councilor Beaudoin reiterated that although an earlier meeting start time may work for Councilors, it could be difficult for some residents. He stated that the City should be cognizant of not shutting out residents.

This item was kept in committee.

8. Other

Chair Lachapelle spoke about a discussion that had resulted from a noise disturbance at the past Council meeting and whether or not it was permissible by RSA 91-A (Right to Know) to close the doors to Council Chambers to prevent the disturbance. Attorney O'Rourke stated that he had a greater concern with how closing the doors to Chambers might violate fire code. Deputy Chief Wheeler stated that he would review the occupancy limit in the room and pointed out that there is no panic hardware installed on the Council Chambers door, which is a concern. He stated that there might need to be a crash bar installed to meet the fire code.

Chair Lachapelle reviewed a proposed amendment to the Rules of Order drafted by the City Attorney as follows:

SECTION 1.8 OPEN DOOR

Except in circumstances when the City Council is using Council Chambers for Non-Public Sessions or Non-Meeting, the door to Council Chambers shall remain open. However, if the Chair determines that noise or other distractions emanating from the rest of City Hall are interfering with the conduct of business, the Chair

may order the door to be closed. If the Chair does order the door closed, the door shall be immediately affixed with a sign stating “Meeting In Session, Open to the Public, Please Enter Quietly, Door to Remain Closed.” As soon as any interference with the conduct of City Council business has terminated, the door to Council Chambers shall be ordered open by the Chair.

Chair Lachapelle asked if there needed to be an answer from the fire department regarding code and hardware prior to a vote being taken. Attorney O’Rourke stated that a vote could be made to send the item to full Council and the Fire Department could supply and answer prior to the next Regular City Council meeting at which action would be taken on the item.

Councilor Hainey questioned whether this amendment to the Rules of Order would also apply to meeting locations outside of Council Chambers, such as the conference rooms in the Annex. She stated that at the meetings held in the Annex, the doors are regularly closed. Chair Lachapelle stated that this may be addressed by placing a sign on the exterior of the door stating that there is a meeting in progress and inviting the public to enter.

Mayor Callaghan pointed out that the door to Council Chambers has a combination key pad on the exterior and will lock automatically after being closed for a few seconds. There was a discussion on whether this lock could be overridden.

Councilor Gilman **MOVED** to recommend the addition to the City Council Rules of Order, section 1.8 “Open Door”, to the full Council. Councilor Beaudoin seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Chair Lachapelle reported that he had received complaints following the prior City Council meeting in regards to signage that was held up in the Council Chamber’s audience blocking the view of those further back. Chair Lachapelle said he had no issue with signs being displayed at a public meeting, and understood that they were positioned purposely to be seen on camera, but he felt the signs needed to be displayed in the back of the audience where their presence would not obstruct the view of others. Councilor Beaudoin stated he had received a similar complaint. Attorney O’Rourke stated he would research and review the policy of other Cities and come back to the next Council meeting with suggestions on how to handle the issue. Chair Lachapelle suggested that in the meantime the Mayor of Committee Chair could observe for such an obstruction and ask the party displaying signage to relocate, even if temporarily. Attorney O’Rourke confirmed that Chair has the authority to enforce decorum at a meeting.

This item was kept in Committee.

Councilor Fontneau stated that a constituent had contacted him with a question regarding a specific ordinance. This resident owned a single-family lot in the agricultural zone. When they tried to apply for a building permit for a single family home, they were informed that they would need to install sprinklers in the house. There was a brief discussion on the matter. Councilor Beaudoin confirmed that for rural homes, there is a requirement to install either sprinklers or a cistern on the property (due to lack of access to City water). Councilor Fontneau stated that he understood these requirements for new development, but questioned the requirement for a lot already on record. Councilor Beaudoin suggested the resident contact the State Fire Marshalls office. Deputy Chief Wheeler recommended the constituent reach out to Assistant Fire Chief

Wilder who manages code enforcement on the fire department side of the City and would have answers regarding the specific situation.

9. Adjournment

Chair Lachapelle announced that there would be no Codes & Ordinances meeting in June unless something urgent arises.

Chair Lachapelle **ADJOURNED** the Codes and Ordinances Committee meeting at 6:55 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk



City of Rochester, New Hampshire

Office of the City Manager

31 Wakefield Street • Rochester, NH 03867-1917

(603) 335-7506 Fax (603) 332-7589

April 29, 2022

Rochester City Council
Codes And Ordinance Committee
c/o Chairman Deputy Mayor Lachapelle

Deputy Mayor Lachapelle:

This letter is written regarding your May 5, 2022, agenda item #4 concerning the proposed amendment to Chapter 75-1 of the General Ordinances. ***I am writing to support the contemplated change that would add a provision allowing a waiver to the residency requirement placed upon the position of Fire Chief.***

Residency requirements upon municipal employees, which were once more common especially for public safety employees, have been relaxed across the country in recent years. The removal of these requirements has been the result of both legal challenges and economic factors.

From my perspective, there are two factors that likely prompted the residency requirement upon our Fire Chief position. These are (1) response time and (2) community engagement.

From a response time perspective, the concern is with the ability of the Fire Chief to return to the city after normal working hours in a timely manner when the Chief's presence is needed during an emergency event. To this end, it would seem more appropriate to delineate a travel distance or travel time that would allow a timely return to the city. Furthermore, it would seem that such a restriction would not be limited to the Fire Chief but would be applicable to all public safety personnel that would be needed to return to the city in a timely manner for an emergency event in their off-duty hours. The fact that such a restriction is not placed on any other public safety personnel and this has not been problematic, calls into question the validity of this reason for a residency requirement.

From a community engagement perspective, the impetus to have the Fire Chief reside in the city is to encourage the chief to be an active and engaged member of our community. I strongly agree that it is a great benefit to the community to have the Fire Chief engaged and active in Rochester's community! This is true both professionally as Fire Chief and civically as a contributing member of our community. I would argue, however, that living within the city's borders is not required to be an engaged community member nor does living within the borders of the city guarantee that the person serving as Fire Chief will be engaged.

A residency restriction greatly restricts the candidate pool when seeking to fill a vacancy in the Fire Chief position. In addition, in the current housing market it would be very difficult for a new to the city candidate to find a home in the city. Finding a highly

qualified chief, from a technical as well as managerial perspective, far outweighs the need to have a chief live within the city's borders. 06/02/2022

Currently, the City of Rochester has only two positions that have a residency requirement – City Manager and Fire Chief. There is no such requirement for any other positions. The City Manager residency requirement has a waiver provision that can be exercised by the hiring body, the City Council. However, the Fire Chief residency requirement does not have a waiver provision granted for the hiring authority, the City Manager.

It is for the reasons outlined above; I support the contemplated change that would add a provision allowing a waiver to the residency requirement placed upon the position of Fire Chief.

Respectfully,

DocuSigned by:

Blaine Cox

Blaine M. Cox...

City Manager

DRAFT

Finance Committee

Meeting Minutes

Meeting Information

Date: May 10, 2022

Time: 6:00 P.M.

Location: 31 Wakefield Street

Committee members present: Mayor Callaghan, Deputy Mayor Lachapelle, Councilor Beaudoin, Councilor Gray, Councilor Hainey, Councilor Larochelle, and Councilor Hamann.

City staff present: Deputy City Manager Katie Ambrose, Deputy Finance Director Mark Sullivan,

Others present: Tom Kaczynski, resident. Ray Barnett, resident. Anthony Ejarque, Director of the Rochester Opera House.

Agenda & Minutes**1. Call to Order**

Mayor Callaghan called the Finance Committee meeting to order 6:00 PM. Deputy City Clerk Cassie Givara took a silent roll call. All Councilors were present.

2. Acceptance of Minutes: April 12, 2022

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes of the April 12, 2022 Finance Committee meeting. Councilor Hamann seconded the motion. Councilor Beaudoin referred the Committee to section 5.1.3 of the minutes regarding the Economic Development non-capital reserve fund. He pointed out that the minutes reference RSA 47:1-B. Councilor Beaudoin clarified that there is no such RSA in NH and suggested the reference be removed or corrected. The **MOTION CARRIED** to accept the minutes as amended.

3. Public Input

Tom Kaczynski, resident, addressed the Committee in regards to the REDC (Rochester Economic Development Commission) and inquired about their current membership, spending authority, and where more information can be found. Mr. Kaczynski also discussed the Opera House request appearing on this evening's agenda.

Ray Barnett, resident, spoke in regards to the elderly tax exemption and requested a Committee discussion on the topic at the following Finance Committee meeting. Mr. Barnett addressed the Committee regarding the process of public input and corresponding with

DRAFT

Rochester's elected Councilors.

4. Unfinished Business:

4.1.1 Economic Development Non-Capital Reserve Fund

Finance Director Ambrose explained that the resolution establishing the Economic Development non-capital reserve fund had been revised since the Finance Committee meeting on April 12, 2022. It had been slightly reworded for clarity based on discussions at the prior Finance Committee meeting.

Deputy Finance Director Sullivan stated that the resolution had been updated to make it more clear how money is to be put into the fund as well as the multi-layered process of how funds will be requested for expenditure; with Council ultimately having the final say on any appropriations from the fund.

Councilor Larochelle referred the Committee to third paragraph of the resolution and the wording that states, "Appropriations made to the Economic Development Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation" which he felt was confusing. Councilor Larochelle said his understanding was that the phrasing was used in order to directly reflect the wording of the State RSA, however he was unable to find this wording within the RSA. He **MOVED to AMEND** the paragraph as follows:

~~"Appropriations made to the Economic Development Reserve Fund will be submitted to the Trustees of the Trust Fund after July 1 but prior to June 30 of the fiscal year of the appropriation"~~
Pursuant to RSA 34:3, appropriations made to the Economic Development Reserve Fund will be submitted to the Trustees of the Trust Fund from surplus funds remaining on hand at the end of the fiscal year."

Councilor Beaudoin seconded the motion. Finance Director Ambrose said that the way she interpreted the suggested language change was that it is in reference to transferring funds into the account from Unassigned Fund Balance. She speculated that this change directly conflicts with the language earlier in the resolution regarding how funds are appropriated into the account. Councilor Beaudoin read from the RSA and asked if the wording "...not more than half of its unencumbered surplus funds remaining on hand at the end of the fiscal year" would exclude funds derived from Waste Management host fees. Director Ambrose said that it would be in addition to these funds (if desired), not excluding these funds. She said that the original language was intended to illustrate how/when appropriated funds would be transferred to the Trustees. The appropriations into the fund are discussed in the earlier paragraph.

Councilor Beaudoin referenced the fourth paragraph of the resolution. He interpreted the language to mean that the REDC would need to come before Council for funding and inquired if there would need to be a rewrite of this section prior to adoption. He said the wording did not indicate Council needed to approve any expenditures, but rather than the REDC needed a majority

DRAFT

vote and then just needed to inform Council. There was a discussion on whether or not the wording conflicted with the requirements.

Councilor Larochelle read from RSA 34:3 and reiterated that he felt the wording in the resolution needed to be changed to reflect the wording of the enabling legislation, which he felt was more clear. Councilor Lachapelle stated that the fiscal year runs from June 30 through July 1, and keeping this context in mind, the wording stating that this transfer would happen in “the fiscal year of the appropriation” does not need to be clarified.

Councilor Gray stated that RSA 34:3 outlines the process of funds going into the account, whereas RSA 34:6 directs what can and cannot be done with money already within the fund. He cautioned against mixing language from these two different portions of the RSA and suggested that before any recommendations are made, the City Attorney should review and weigh in on the matter. Director Ambrose further clarified the intent of the suggested amendments to the resolution, with the wording from RSA 34:3 stating the limitation on unassigned fund balance being utilized, which is already limited by State RSA and does not need to be restated. The proposed deletion suggested by Councilor Larochelle dictates that funds be transferred to the Trustees within the same fiscal year as the appropriation. She advised that this proposed change would insert language which already exists as well as removing a requirement.

There was further discussion on suggested changes to the resolution and how these suggested changes could potentially affect the intent or cause confusion. The Committee discussed the way the State RSA reads versus the proposed ordinance. Director Ambrose suggested changing the resolution as follows:

“Appropriations made to the Economic Development Reserve Fund will be submitted to the Trustees of the Trust Fund ~~after July 1 but prior to June 30 of the fiscal year of the appropriation~~ **within the same fiscal year of the appropriation**”

Councilor Larochelle **WITHDREW** his motion to amend the resolution. Councilor Beaudoin **WITHDREW** his second. Councilor Larochelle **MOVED** to amend the resolution to reflect the wording suggested by Director Ambrose above. Councilor Lachapelle seconded the motion. Councilor Gray requested input from the City Attorney on the proposed change prior to the next City Council meeting at which action will be taken on this item. The **MOTION CARRIED** by a unanimous voice vote to amend the resolution.

Councilor Beaudoin explained why he would not support the motion to approve this resolution. He stated that the current process has been in place for over 30 years and had been working well. He gave background on the original intention of the fund. He questioned the functions and authority of the Economic Development Commission and the amount of Council oversight, which he felt was lacking based on the wording of the resolution. Councilor Beaudoin explained his interpretation of the State RSA 162-G and how it applies to the spending and investing abilities of REDC. He urged the Committee to oppose the motion until further work up and review was completed.

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Deputy Finance Director Sullivan clarified and corrected the statements made by Councilor Beaudoin. He asserted that, based on City Ordinance and further reflected by the wording of the resolution, Council has full control and the REDC does not have unlimited spending authority as implied. He also clarified that the REDC does not have bonding authority, as stated by Councilor Beaudoin.

Councilor Larochelle spoke about his time on the REDC in the past and stated that it is an advisory commission, which is unable to expend money without approval above and beyond what had already been approved in the budgetary process.

Councilor Beaudoin **MOVED** that the following amendment be made to the fourth paragraph of the resolution:

"All requests for expenditure shall be approved by the 2/3rds vote of the Economic Development Commission prior to being presented to City Council **for final approval**. Upon said 2/3rds vote expenditure requests ~~may~~ **shall** then be presented to City Council....."Expenditure requests ~~can~~ **shall** be presented as part of the annual budget process, or through supplemental appropriations"

Councilor Gray seconded the motion. Councilor Lachapelle pointed out that replacing the word "can" with "shall" makes the referenced presentation of expenditure requests a requirement, regardless of whether or not any exist, which could be problematic. Deputy Finance Director Sullivan stated that the way it is currently written allows the REDC to follow one of two paths, depending on when the funding is needed; either through the budget process or through supplemental appropriation following the budget approval. Councilor Beaudoin **WITHDREW** his amendment to change "can" to "shall." Councilor Gray **WITHDREW** his second to the motion. Councilor Beaudoin read his amended motion as follows:

"All requests for expenditure shall be approved by the 2/3rds vote of the Economic Development Commission prior to being presented to City Council **for final approval**. Upon said 2/3rds vote expenditure requests ~~may~~ **shall** then be presented to City Council....."Expenditure requests can be presented as part of the annual budget process, or through supplemental appropriations"

Councilor Hamann speculated that using the word "shall" imposes an unnecessary requirement on REDC to come before Council. He pointed out that they are already required to come to Council for any expenditure approvals; if the word "shall" is used and their plans change or fall through following a 2/3 vote, they would still be required to come before Council just to alert them that they had a plan which was no longer moving forward. Councilor Beaudoin concurred and **MOVED** to amend the amended amendment to read:

"All requests for expenditure shall be approved by the 2/3rds vote of the Economic Development Commission prior to being presented to City Council **for final approval**. Upon said

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2/3rds vote expenditure requests ~~may~~ ~~shall~~ may then be presented to City Council....."Expenditure requests can be presented as part of the annual budget process, or through supplemental appropriations"

Councilor Gray seconded the motion. There was brief discussion on further amending the resolution. The **MOTION CARRIED** by a unanimous voice vote to amend the resolution with the final recommended wording as follows:

"All requests for expenditure shall be approved by the 2/3rds vote of the Economic Development Commission prior to being presented to City Council **for final approval**. Upon said 2/3rds vote expenditure requests may then be presented to City Council

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"Expenditure requests can be presented as part of the annual budget process, or through supplemental appropriations"

Councilor Lachapelle **MOVED** to recommend to full Council the resolution as amended. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Beaudoin inquired about the process of creating this new fund and the requirements involved, such as public hearings and schedule of said process. Director Ambrose stated that the City Attorney does have the entire process outlined and this timeline, including Public Hearings, will be followed according to statute. Director Ambrose stated that this would be confirmed with the attorney.

5. New Business-

4.1.1 Opera House-Fly Wheel Replacement

Anthony Ejarque, Opera House Director, explained that this request is for the Opera House fly system; this is a weighted mechanical system that raises and lowers lighting as well as scenery and backdrops. He stated that this system has been in place since its inception in 1908 and still utilizes thousands of pounds of sandbags for counterweight. Mr. Ejarque explained that the Opera House is proposing to replace this weighted sandbag system with a mechanical system, which is much safer.

Mr. Ejarque explained that the Opera House was closed for quite a long time due to COVID, and although they have reopened, they are currently only able to present smaller shows and events in part due to capacity limitations. He reported that are losing a significant amount of money each month and requested these improvements to assist in ongoing revitalization efforts. Councilor Beaudoin referenced the money the Opera House had received in GOFERR funds and asked how this money had been used. Mr. Ejarque said that the grants received were used to sustain the operation of the Opera House, the RPAC (Performance Arts Center), as well as leases, payroll, insurance, and other monthly expenses on top of monthly rent.

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Councilor Larochelle asked for more information on the risks associated if the improvements are not completed. Mr. Ejarque said that he believed that the Opera House was one of the few remaining facilities that uses this sandbag system; most other organizations have modernized. He stated that approximately 7,000 pounds of sandbags are suspended over the stage and the performers below. He explained that the nylon ropes are replaced every 5 years or so and the bags are held up with cleats. The potentially risks of this system were discussed.

Mayor Callaghan asked if the Opera House had applied for any of the ARPA funds or other federal grants. Mr. Ejarque clarified that the City owns the facility and the Opera House rents, which makes them ineligible for many of these grants. Infrastructure improvements and structural changes would need to be applied for by the property owner. Councilor Hamann asked Finance Director Ambrose if this project would qualify for any of the City's ARPA funds. Director Ambrose said she would review the treasury guidance to confirm.

There was a conversation regarding this project being excluded from the City Manager's budget and whether or not it could be moved to the 6-year CIP. Deputy Director Sullivan said that this could potentially be done at the Council level; the Council could move to include the project in the FY23 CIP program as cash.

4.1.2 General Fund Unassigned Fund Balance-Follow up Discussion

Finance Director Ambrose said that originally, this presentation was planned for the Finance meeting. However, following the public input at the April 19 Workshop meeting and the questions regarding the unassigned fund balance, the presentation was instead done at the May 5 City Council meeting.

Deputy Finance Director Sullivan briefly summarized the report showing updated usage of fund balance.

Reports from Finance & Administration

5.2.1 Monthly Financial Report Summary-March 31, 2022

Mr. Sullivan stated that the City is trending strong on host fees, motor vehicle registrations, and building permits with the only soft spot being interest income. Expenses are overall slightly above budget.

Mayor Callaghan asked about delinquent property taxes, which a resident had stated were elevated at a prior Council meeting. Deputy Director Sullivan stated that the delinquent taxes were elevated as they pertain to the conservative amount for which the City had budgeted. However, he stated that the level is not the highest it has ever been and it does not appear that residence are defaulting at a higher level than in past years. Councilor Larochelle asked about the rate of interest

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charged on delinquent taxes. Mr. Sullivan said the State requires a maximum no more than 8% charged in interest. Director Ambrose gave the statistics on delinquent taxes for the prior three years, which have decreased each subsequent year.

There was a discussion regarding the Waste Management host fees and the timeline on the contract.

6. Other

Councilor Beaudoin referenced Mr. Barnett's statements during public input in regards to Rochester's elderly exemption and how the City is behind what other neighboring communities offer. He inquired if this matter can be discussed through the budget process or if it comes from the committee level. Director Ambrose stated that the Chief Assessor brings forward an analysis yearly to the Finance Committee for discussion and recommendation if needed. She stated that to her knowledge, Rochester was not far behind other communities, but stated she would request an updated analysis from the Assessor to verify and would include a memo in the next packet. Councilor Gray spoke about pending legislation, which may change the requirements to be eligible for the veteran's credits and briefly spoke about income limitations required for eligibility.

7. Adjournment

Mayor Callaghan **ADJOURNED** the Finance Committee meeting at 7:23 PM

Respectfully Submitted,

Cassie Givara
Deputy City Clerk

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Resolution Pursuant to RSA 34:1-a Establishing an Economic Development Reserve Fund

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

By adoption of this Resolution, the City Council establishes a Non-Capital Reserve Fund pursuant to RSA 34:1-a for the purpose of encouraging economic development within the City, encouraging the development of industrial and commercial sites, promoting the City as an attractive location for businesses and residents, and acquisition of land related to the same. The name of such fund shall be the Economic Development Reserve Fund.

The City Council, at its sole discretion, may appropriate funds into said Economic Development Reserve Fund through supplemental appropriations or the annual budgeting process, however, in no case shall said annual appropriation be less than One Hundred Thousand Dollars (\$100,000.00). Revenue sources can be Waste Management Host Fee Revenues, or General Fund Unassigned Fund Balance. In addition, other unanticipated revenue sources, and proceeds from transactions that were originally derived from the Economic Development Reserve Fund, may also be appropriated into the fund upon a majority vote of the City Council.

Pursuant to RSA 34:6, the Trustees of Trust Funds shall have custody of all non-capital reserves transferred to the Economic Development Reserve Fund. The Trustees of the Trust Fund will hold the monies appropriated to the Economic Development Reserve Fund in a separate liquid investment account. Appropriations made to the Economic Development Reserve Fund will be submitted to the Trustees of the Trust Fund ~~after July 1 but prior to June 30 of the fiscal year of the appropriation.~~ **within the same fiscal year of the appropriation**

Pursuant to RSA 34:10, the City Council names the Economic Development Commission as its agent to carry out the objects of the Economic Development Reserve Fund. All expenditures made by the Economic Development Commission shall be made only for or in connection with the purposes for which said Fund was established and only in accordance with §7-38-40 of the City Code. All requests for expenditures shall be approved by the 2/3rds vote of the Economic Development Commission prior to being presented to City Council **for final approval**. Upon said 2/3rds vote expenditure requests may then be presented to City Council. Expenditure requests shall identify expense categories, or specific project scope detail. General administrative, travel and conference activities shall be ineligible expense activities. Expenditure requests can be presented as part of the annual budget process, or through supplemental appropriations. All approved expenditures shall follow the City's Purchasing Policy.

The City Council may dissolve the Economic Development Reserve Fund at its sole discretion. Upon dissolution of any portion of said fund appropriated from the General Fund said funds will lapse to surplus (General Fund Unassigned Fund balance) and cannot be repurposed directly to a different capital fund or project.

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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.

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City Clerk's Office

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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.

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City Clerk's Office



06/02/2022

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.

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| AGENDA SUBJECT Resolution Pursuant to RSA 34:1-a Establishing an Economic Development Reserve Fund |
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| | |
|--|--|
| COUNCIL ACTION ITEM <input checked="" type="checkbox"/> INFORMATION ONLY <input type="checkbox"/> | FUNDING REQUIRED? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> * IF YES ATTACH A FUNDING RESOLUTION FORM |
|--|--|

| | |
|--|---|
| RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | FUNDING RESOLUTION FORM? YES <input type="checkbox"/> NO <input type="checkbox"/> |
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|---|--|---|--|
| AGENDA DATE | June 7, 2022 | | |
| DEPT. HEAD SIGNATURE | Katie Ambrose, on file | | |
| DATE SUBMITTED | | | |
| ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | * IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED | 9 | |

COMMITTEE SIGN-OFF

| | |
|--------------|-------------------|
| COMMITTEE | Finance Committee |
| CHAIR PERSON | Mayor Callaghan |

DEPARTMENT APPROVALS

| | |
|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

NH RSA 34:1-a

SUMMARY STATEMENT

Finance Committee voted at their May 10th meeting to recommend to full Council the establishment of a Non-Capital Economic Development Reserve Fund. This would ultimately replace the Economic Development Special Reserve Fund; and following establishment further action would be recommended to effectively transfer the funds from the Special Revenue Fund and discontinue the Special Revenue Fund.

The proposed resolution reflects amendments made by the Finance Committee and reviewed by the City Attorney.

RECOMMENDED ACTION

Establish a Non-Capital Economic Development Reserve Fund.

City of Rochester Planning Board
Monday May 16, 2022
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
(These minutes were approved on June, 2022)

Members Present

Mark Collopy, *Chair*
Robert May, *Vice Chair*
Peter Bruckner
Paul Giuliano
Don Hamann
Mark Sullivan
Dave Walker

Members Absent

A.Terese Dwyer, *excused*
Keith Fitts, *excused*
James Hayden, *excused*
Ashley Desrochers, *absent*
Michael McQuade, *excused*

Alternate Members Present

Matthew Richardson

Staff: Ashley Greene, *Administrative Assistant II*
Ryan O'Connor, *Senior Planner*

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

I. Call to Order

Mark Collopy called the meeting to order at 6:30 p.m.

II. Roll Call

The recording secretary, Ashley Greene, conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Matt Richardson to vote for Terry Dwyer.

IV. Approval of Minutes for April 4th, and 18th, 2022

Dave Walker made a motion to approve the minutes from April 4th and April 18th. Don Hamann seconded the motion. The motion carried by a unanimous voice vote.

V. Communications from the Chair

There were no communications from the Chair.

VI. Opening Discussion/Comments (up to 30 minutes)

A. Public comment

There was no one present from the Public for comment.

B. Discussion of general planning issues

There was no discussion of general planning issues.

VII. New Applications

A. The City of Rochester, Dept of Public Works, 0 Cross Rd (by Greenman-Pedersen, Inc.) Lot Line Revision Case# 203 – 29-4 – A – 22 **Public Hearing** **ACCEPTANCE/FINAL ACTION***

Ryan O'Connor presented the Lot Line Revision on behalf of the City. Mr. O'Connor discussed the lot line adjustment is occurring to aid in improving safety at the intersection of Betts and Cross Rd. Mr. O'Connor explained that a portion of City owned land will be shifted into the right of way. The plan is to remove the island where Betts Road splits at Cross Road and to realign Betts Road directly across from Cross Road to make a four way intersection rather than the offset that it is now. Mr. O'Connor stated that City Staff supports the project and recommends it be accepted as complete.

Mr. Walker made a motion to accept the application as complete. Mr. Bruckner seconded the motion. The motion carried by a unanimous voice vote.

Mr. Walker made a motion to approve the lot line revision. Mr. Bruckner seconded the motion. The motion carried by a unanimous voice vote.

B. Farmington Associates, LLC, Ridgeside Development Phase II, 120 Marketplace Blvd (by Jones & Beach) Extension to meet precedent conditions to an approved Site Plan. Case# 216 – 8,9,10 – GRD – 15 **EXTENSION to 3/31/2023**

Wayne Morrill from Jones & Beach Engineers spoke regarding the need for the extension. Mr. Morrill explained that COVID has changed a lot of things on the market regarding commercial development. Mr. Morrill discussed the applicant looking forward to the Zoning change and being able to add some mixed use property onto Phase II.

Mr. Walker asked how many extensions have been granted on Phase II. Mr. O'Connor stated this will be number seven.

Mr. Bruckner made a motion to approve the extension request to 3/31/2023. Mr. Giuliano seconded the motion. Mr. Walker opposed; the motion carried.

C. Waterstone Rochester, LLC, The Ridge, 120 Marketplace Blvd (by Jones & Beach)
 Site plan to construct a 5,460 sf restaurant and a 7,178 sf of retail space. Case# 216- 11
 – GRD – 22 **Public Hearing ACCEPTANCE/FINAL ACTION***

Wayne Morrill with Jones & Beach Engineers explained they are the new engineers for The Ridge. Mr. Morrill explained that this proposed project is located on the last pad site on Phase I of The Ridge. It is located right next to Starbucks. Mr. Morrill explained that this pad site has a paved surface all the way around, landscaping is complete from Route 11, and the pad itself is a gravel pad with utilities. Mr. Morrill discussed the proposed mixed use building with an Italian restaurant, Evviva, and a retail space next to that. There will be 61 parking spaces within the existing paved area. Dumpsters will be located out back of the restaurant. Drainage has already been installed and majority of the drainage flows into the drainage system. An overflow invert was changed in the front pond. Mr. Morrill explained that the roof drain has to be changed in order to pick up on all the roof runoff on the building. Mr. Morrill discussed a contractor will verify the size of the fire line to make sure it is adequate, if not then a new one will be put in. Mr. Morrill explained that a grease trap will be put in behind the building that goes into an existing manhole on Marketplace Blvd. Mr. Morrill discussed the lighting, landscaping, floor layout, and the architectural renderings submitted.

Mr. Collopy opened the public hearing. None seen, brought it back to the board.

Mr. O'Connor explained that staff supports the project and recommends that it be accepted as complete with all the utility changes as recommended by Department of Public Works.

Mr. Walker made a motion to accept the application as complete. Mr. Giuliano seconded the motion. The motion carried by a unanimous voice vote.

Mr. Walker asked about the signage that will be going on the building. Mr. Morrill explained that each unit will have a sign panel and it will meet the codes for signs.

Mr. Collopy asked about vinyl covering on the windows of the vacant units? Mr. Morrill explained that there will be vinyl covering the windows and he believes it will say Waterstone on the paper.

Mr. Walker asked if all TRG Recommendations have been incorporated into the plan? Mr. Morrill explained everything has been added that was recommended.

Mr. Sullivan asked if during the TRG Meetings if there was any concern about water or sewer capacity or the amount of discharge or consumption that a restaurant may have within the district? Mr. Morrill explained that there is 800 gallons per day going back into the system and there was an increase of about 6,000 gallons per day with the restaurant.

Mr. Bruckner discussed that he likes the patio on the south side and suggested considering a trellises instead of the columns. Mr. Morrill explained that it is supposed to make you feel like you're in an Italian setting. Mr. Morrill discussed bringing the consideration back to the architect.

Mr. Walker made a motion to approve the application. Mr. Hamann seconded the motion. The motion carried by a unanimous voice vote.

VIII. Surety Release Request for Northern Utilities, Inc. 770 Columbus Ave in the amount of \$2,522.75+ interest.

Mr. O'Connor stated that staff recommends release of surety and that the project is complete. Mr. O'Connor explained that this was not a typical project, therefore there is not a traditional breakdown of costs attached to the release request.

Mr. Giuliano asked if this was the project located off Exit 12. Mr. O'Connor confirmed that is the location.

Mr. Walker made a motion to release the surety for Northern Utilities, Inc. in the amount of \$2,522.75+ interest. Mr. Hamann seconded the motion. The motion carried by a unanimous voice vote.

IX. Surety Release Request for Pella Windows & Doors, 109 Airport Drive in the amount of \$136,345.05

Mr. O'Connor stated this project is complete and staff recommends release of the surety.

Mr. Walker made a motion to release the surety for Pella Windows & Doors in the amount of \$136,345.05. Mr. Bruckner seconded the motion. The motion carried by a unanimous voice vote.

X. Review of inspections and surety for April 2022

Mr. O'Connor discussed the most recent updates of the surety spreadsheet. The Ridge submitted a check today for surety so they are up to date. Lydall is complete and just waiting on final building permits to be closed out. Village at Clark Brook's request for surety release has been received and will likely be on the June agenda.

Mr. May asked about cell towers and the surety that is held for them. Mr. O'Connor explained that there are bonds that are held on several cell towers, but those bonds were taken before the ordinance was put into place and they will continue to be held. Mr. O'Connor explained that surety for any new cell towers are on an as needed basis.

No questions or discussion on the April 2022 inspections.

XI. Other Business

A. Planning Update

No Planning update.

B. Other

Mr. O'Connor discussed where the Granite Ridge Rezoning ordinance currently stands. Mr. O'Connor asked if the Planning Board had anything that they want Ms. Saunders to bring to the Council's attention at the Public Hearing on May 17, 2022.

Michael Scala, Director of Economic Development, discussed the process of the Rezoning Ordinance. Mr. Scala stated that everything that was discussed at the last PB meeting was added in the version to go to full Council. Mr. Scala explained that because it was started at Planning Board level the Public Hearing is being held at City Council.

Mr. Walker asked what the plan was with the loop road. Mr. Scala explained that it would be addressed during the Phase II planning due to not knowing where the connection is. Mr. Scala discussed that it is not seen as a major impediment. Mr. Walker explained that when the residential is put in traffic should not be going through the commercial area. Mr. Scala stated that he would have to see an analysis of where the traffic should or should not be going.

Mr. Collopy asked to clarify if it is getting voted on or if it is just a public hearing. Mr. Scala explained that there will be no vote on the ordinance tomorrow.

Mr. Sullivan discussed the loop road and stated that Marketplace Blvd is not completed and that it will have to come with time with additional phases.

The board had no concerns for Ms. Saunders to bring to Council.

Mr. Collopy asked if Mr. Scala has any other Economic Development updates. Mr. Scala discussed the possibility of expanding the Downtown Commercial District. There will be Lot Line Revisions coming to the Planning Board for redevelopment of the Water Street area.

Mr. Walker asked if the expansion of the Downtown Commercial is going to expand past River Street or stopping at Saint Elizabeth School? Mr. Scala stated that it would stop at Saint Elizabeth School. Mr. Scala explained that the expansion of Downtown Commercial wouldn't effect what is already there, but rather give options for the future.

XII. Adjournment

Mr. Walker made a motion to adjourn the meeting at 6:57 p.m. Mr. Giuliano seconded the motion. The motion carried by a unanimous voice vote.

Respectfully submitted,

Ashley Greene
Administrative Assistant II

and

Shanna B. Saunders
Director of Planning & Development

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City Clerk's Office

**Public Safety Committee
Draft Meeting Minutes
May 18, 2022
6:00 PM
Council Chambers**

Members Present

Councilor Peter Lachapelle, Chair
Councilor Dana Berlin
Councilor Skip Gilman
Councilor Amy Malone

Others Present

Councilor Steve Beaudoin
Michael Bezanson, PE, City Engineer
Deputy Chief Jason Thomas, PD
Assistant Chief Tim Wilder, FD
Dan Camara, GIS Asset Mgmt. Technician
Bob Mayrand, 514 Salmons Falls Road
Jeffrey Olson, 508 Salmon Falls Road
Florence Alley, 534 Salmon Falls Road
Bryan Cuddihee, 99 Estes Road
Kevin Ryan, State Farm, 197 Columbus Ave.

Minutes

Councilor Lachapelle brought the meeting to order at 6:00 PM.

1. Approve Minutes from April 20, 2022 Public Safety Meeting.

Councilor Berlin MOVED to approve the minutes from April 20, 2022. Councilor Malone seconded the motion. MOTION CARRIED by a unanimous voice vote.

2. Public Input

There were members of Salmon Falls Road present to discuss Item # 5, so it was moved up on the agenda. Bob Mayrand of 514 Salmon Falls Road discussed the ongoing issues with traffic and noise on the road. He said that he contacted Kennebunkport, Maine Police Department about their “please ride quietly” signs installed around the town. A twenty year veteran of the department gave Mr. Mayrand some history on the signs. In 2008, the signs were installed due to issues with loud motorcycles; and, for the first two years the signs were aggressively enforced. The signs are still in place and require much less enforcement now. Mr. Mayrand also addressed speed limits in the area; there are some City and highway roads around that have the speed limit reduced to 25 mph as you approach a “stop” sign. He stated as you go from Salmon Falls Road into Berwick Maine the speed limit is reduced to 25 mph as you approach a stop sign. He also said that jake brakes use by truck drivers is an issue. Although there are not a lot of signs addressing jake brake use as examples, Portsmouth is very proactive with noise restrictions and they have signs installed. He also discussed electronic radar speed limit signs and camera surveillance being used more these days. Councilor Gilman asked Deputy Chief Thomas the results of the speed trailer being

placed on Salmon Falls Road. Deputy Chief Thomas said the speed trailer was placed out on April 28 through May 5, 2022; there were 5,251 vehicles that passed through. Out of that total number of vehicles, 1,676 were compliant, 2,962 were low risk, 584 were medium risk, and 29 were high risk. Average speed was 34.5 mph. Councilor Berlin asked if anyone knew the cost of a speed limit sign with radar that shows motorists their speed. Deputy Chief Thomas mentioned that the Police Department had received 2 of the portable pole-mounted signs and are assembling them now; the total cost for the pair was between \$5,000 and \$6,000. He said they would be used as portable signs in various locations around the City; not for one fixed location. Councilor Berlin made a motion to purchase 2 of the speed limit signs with radar and place one on Salmon Falls Road. Councilor Gilman seconded the motion. Deputy Chief Thomas suspected that there are different models that do not collect data that may be less expensive, which may be desired for a permanent installation. Councilor Berlin withdrew his motion and Councilor Gilman withdrew his second to the motion. ***Councilor Berlin MOVED to purchase 2 lesser expensive radar signs for fixed installation that do not collect data and to place one permanently on Salmon Falls Road. Councilor Gilman seconded the motion. MOTION CARRIED by a unanimous voice vote.*** Florence Alley of Salmon Falls Road wanted to know where the City would install these signs; she lives 7 houses away from the “stop” sign at Portland Street. She said the speed trailer was located too close to the “stop” sign and that these proposed signs really need to be installed farther down. Councilor Lachapelle said that the signs would be placed at the discretion of DPW. ***Councilor Gilman MOVED to reduce the speed limit to 25 mph 2,000 feet prior to the “stop” sign on Salmon Falls Road. Councilor Malone seconded the motion. MOTION CARRIED by a unanimous voice vote.*** Jeffrey Olson of 508 Salmon Falls Road stated that the speed trailer did not capture the true picture of traffic speed in the corridor due to where it was placed. Councilor Lachapelle said that when the speed trailer was available again they could place it again in a different location on Salmon Falls Road. Councilor Gilman asked that the Committee look into motorcycle signs.

3. Estes Road Cost of Guardrail (kept in committee)

Councilor Lachapelle summarized the issue. Mr. Bezanson reported that the delineators had been installed on Estes Road (a photo was shown to the Committee), and that roadway paving will be scheduled in the coming months. He also reported that the average cost of a guardrail is between \$45 and \$70 per linear foot for installation. The cost range varies depending on the length of guardrail needed; usually the shorter the length, the more it will cost per foot. Councilor Berlin said that if guardrail were installed each time a car went off the roadway, a lot of guardrail would be put up. Brian Cuddihee of 99 Estes Road was present to discuss his guardrail request. He stated that the request was not as a result of one accident, but numerous accidents; he tried to get the crash reports, but due to privacy reasons they could not be released to him. Deputy Chief Thomas said he looked up the accidents for the last 3 years on Estes Road between Washington Street and Howard Brook Drive. There were 5 accidents including the one in March

of this year, which involved a DWI; November 2019 at 98 Estes Road, a vehicle versus a deer; 2020 at 85 Estes Road, a single car into a snow bank; 2020 a single car off the road into a rock; 2021 at 95 Estes Road, a two vehicle crash of which one was summonsed for going over the yellow line. Councilor Berlin said that the City should give the delineators some time to evaluate and this issue can be revisited after it is repaved. Councilor Lachapelle stated that the City Council also lowered the posted speed limit along that portion of Estes Road; Mr. Bezanson confirmed that the new 30 mph speed limit signs had been installed. Mr. Cuddihee did say that addressing the crown in the road during paving may provide a benefit as motorists negotiate the curve.

4. Flat Bridge Road/Salmon Falls Road Intersection Safety Concerns

Councilor Lachapelle summarized the issue. Mr. Bezanson discussed the 2011 Salmon Falls Road Improvement Study; he shared a figure from that Study which shows a conceptual intersection layout that DPW is considering. DPW still plans to engage a surveyor in the new fiscal year and would incorporate any changes into future repaving efforts on Flat Rock Bridge Road. **(kept in committee)**

5. Safety Issue Crosswalk Columbus Avenue near KFC (Route 125) (kept in committee)

Councilor Lachapelle summarized the issue. Mr. Bezanson said DPW has contacted a vendor regarding solar-powered street lights; prices vary by location because each location has different solar panel and battery needs depending hours of sunlight anticipated. Along with a cost for solar-powered street lights, a price will be sought for wired street lights. Councilor Berlin discussed how close power lines were to the crosswalk area. Councilor Berlin said now that the pedestrian warning sign is installed closer to the crosswalk, we may only need to have the area lit up rather than install RRFB's. Kept in committee to wait for the price of the solar-powered street lights.

6. Magic Street Crosswalk Request

Councilor Lachapelle summarized the issue. Nina Doyle of 12 Hickey Street has requested a crosswalk across Portland Street at the end of Magic Avenue. Mr. Bezanson said this request seems to be about school age children and reminded the Committee about previous discussions regarding school routes. When the Committee discussed the East Rochester School, it was mentioned that a crosswalk would be installed in the future coinciding with the development of Carole Court. Since that discussion, in recent months, the City Council approved painting a crosswalk across Portland Street at Carole Court that would serve school children and other pedestrian walking to/from the school from the northeast direction. The crosswalk has been painted (a photo was shown to the Committee); and, school crossing signs are on order. Mr. Bezanson said that he would not recommend another mid-block crosswalk across Portland Street at Magic Avenue. Councilor Beaudoin said there really isn't a proper location for a curb ramp for a midblock crosswalk, as it would be in someone's driveway. No action was taken.

7. 197 Columbus Avenue Request to Remove “2 Hour Parking Limit” Sign

Councilor Lachapelle summarized the issue. Kevin Ryan of State Farm Insurance who has a place of business at 197 Columbus Avenue is requesting the removal of the “2 hour parking” sign restricting on-street parking in front of the building. Mr. Bezanson said that the sale of the municipal parking lot on Columbus Avenue will result in the loss of 20 parking spaces, including 1 handicap space. In response to that sale, the City Council has removed the restrictions on half of the Hanson Street on-street parking, which results in unrestricted parking for 19 spaces, including 3 handicap spaces. Mr. Bezanson also pointed out the unrestricted parking at the municipal parking lot on the corner of Portland and Columbus. Mr. Ryan was present to discuss his request for removal of the posted “2 hour parking” restriction for the people that work in the building at 197 Columbus Avenue. Councilor Lachapelle asked about the parking lot close to the building; Mr. Ryan said they leave that for the customers of the building and it is extremely limited. Councilor Beaudoin said he attended a recent Parking Review Group meeting last month. One of the recommendations that came out of the recent Parking Study was to restrict parking closer downtown and remove restrictions on parking further away from downtown. He believes that seemed to be the direction that the Parking Review Group may go in, which would result in removal of restrictions in this area. ***Councilor Berlin MOVED to remove the “2 Hour Parking” sign at 197 Columbus Avenue. Councilor Malone seconded the motion. MOTION CARRIED by a unanimous voice vote.***

8. E911 Update

No update

9. Emergency Management Update

No update

10. Other**Columbus Avenue Pedestrian Sign**

Councilor Berlin wanted to say thank you to staff for moving the pedestrian warning sign out of the trees, so people can know to stop for people in the crosswalk on Columbus Avenue.

3 Tuttle Court Requesting a “Dead End” Sign

Donna Watson of 3 Tuttle Court has requested a “dead end” sign or something similar to be put up at the beginning of the road. She said that there are many vehicles going by at night and believes they do not realize it is a dead end. ***Councilor Berlin MOVED to place a “dead end” sign on Tuttle Court. Councilor Malone seconded the motion. MOTION CARRIED by a unanimous voice vote.***

85 Stillwater Circle Removal of Handicap Sign

Mr. Pinierio of 85 Stillwater Circle called DPW regarding removal of the handicap

sign located on Stillwater Circle. He said the handicap person moved out of the neighborhood a few years ago. Mr. Bezanson said that the person that requested the sign back in 2015 lived at 1 Stillwater Circle, and the property has changed owners at least once and is on the market now for sale. ***Councilor Berlin MOVED to remove the handicap sign on Stillwater Circle. Councilor Malone seconded the motion. MOTION CARRIED by a unanimous voice vote.***

Common Street

An email came in with concerns at 24-26 Common Street. There is traffic noise pollution that is becoming intolerable, traffic speed is dangerous. They have suggested an additional crosswalk, speed monitoring, active signage (lights etc.), speed tables (at both ends of the Common Street parking area) and a reduced speed limit. Councilor Lachapelle said he wanted to bring this up and talk about it at next month's meeting. **(kept in committee)**

Strafford Square Roundabout

Mr. Bezanson wanted to share a couple of project updates with the Committee; the first was regarding Strafford Square Roundabout. He said the project has been advertised for bids; this is the second phase of the project, which is the actual construction of the roundabout. The first phase is scheduled to be completed by the end of June; that phase includes construction of the infrastructure for relocating aerial utilities underground.

Betts Road/Cross Road Intersection

Mr. Bezanson stated that the second project update was regarding the Betts Road/Cross Road Intersection. This project will make safety improvements to the intersection, including realignment of Betts Road. At some point during the construction it is likely that traffic will need to be detoured from Betts Road to Route 125 and Cross Road. This project is scheduled to be advertised for bids within the next week.

Pickering Road

Councilor Lachapelle asked Deputy Chief Thomas about the speed trailer on Pickering Road and asked if he could bring the data with him next month.

Councilor Lachapelle ADJOURNED the meeting at 7:10 PM.

The minutes were respectfully submitted by Laura J. McDormand, Admin. Assistant II.

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City Clerk's Office

Public Works and Buildings Committee
City Hall Council Chambers
Meeting Minutes
May 19, 2022

MEMBERS PRESENT

Councilor Donald Hamann, Chairman
Councilor Jim Gray, Vice Chairman
Councilor John LaRochelle

MEMBERS ABSENT

Councilor Steve Beaudoin

OTHERS PRESENT

Peter C. Nourse PE, Director of City Service
Lisa J. Clark, Administrative Supervisor
Dan Camara, DPW GIS
Mark Allenwood, PE, Brown& Caldwell Engineer Via MSTeams
Nicolas Dulac, 19 Lambert Court

MINUTES

Councilor Hamann called the Public Works and Building Committee to order at 7PM

1. Approval of April 21 2022 Meeting Minutes

Councilor Hamann made a motion to accept the minutes as presented. Councilor Gray seconded the motion. The motion passed unanimously.

2. Public Input

No Public Input.

3. 536 Columbus Avenue – Parking Lot Fence

Mr. Dulac spoke to the Committee. He stated that his property on Lambert Court abuts the parking lot on Columbus. He stated that the white vinyl fence most of the length of the property separating and giving privacy to his three (3) unit apartment building and about half of his parking lot. Mr. Dulac stated that the remaining length of the property that abuts the parking area has a wood fence that is easily stepped through and over by pedestrians going through his property. He explained that further down the road there is a walking path for pedestrians on City property that give access to Lambert Court. Mr. Dulac stated that pedestrians are trespassing on his property and walking through his parking area, around the tenants and his own cars and stepping through the wood fence to get to Columbus Avenue. Mr. Dulac asked if the City would consider extending the fence to the end of his property line to give his property privacy and security from the people passing through. Mr. Nourse had the area displayed on the monitor. He stated it is 50 feet from the existing vinyl fence to the end of Mr. Dulacs property and 80 feet to the opening for pedestrian access to Lambert Court which would seem like the right place to end the fence. Councilor Hamann asked Mr. Dulac if extending the fence to the

walkway would be suitable. Mr. Dulac stated it would be. Councilor Gray suggest that the fence was done in this way for a reason. He suggested that the fence was placed to give privacy to the homes and consideration of the private parking lot was not considered. Councilor Hamann stated that it appeared that the vinyl fence stopped at the previously built parking area prior to the extension. Mr. Nourse stated that could be the case. The Committee discussed the issue and asked Mr. Nourse to research the history of the parking lot and fence, and they asked that Mr. Nourse provide pricing for next month's Public Works Committee Meeting.

4. Evans Road

Mr. Nourse stated that the surveys for paving preference or comments on road maintenance were send out. He stated that they were sent to nineteen abutting properties. Mr. Nourse explained that the letters were sent to the fifteen properties on Evans Road and the other four went to properties that abut Evans Road on each end, but have addresses on the other roads. Mr. Nourse stated that of the nineteen sent, we received back thirteen. He stated that ten were in favor of paving; the other three were not. He also mentioned that of the comments made, there was concern for speeding if the road was paved, and requests that if not paved if the Department of Public Works could do a better job controlling the dust. Mr. Nourse stated that if the Committee was in favor of paving the road, he could obtain budgetary pricing for the FY24 Budget as a standalone project. Councilor Gray suggested that pricing be obtained to correct all drainage issues prior to paving. The Committee discussed the costs for paving, the tax ramifications to property owners, how these funds could be used to address other areas that would impact a greater number of residents and commuters, and they discussed the many types of improvements that could be made. The Committee asked Mr. Nourse to obtain separate pricing for the various improvements discussed and to bring that back to Committee.

5. Bridge to Potters House Bakery

This issue was struck from this meeting for discussion, but left in Committee to obtain additional information

6. Wastewater Treatment Plant Biosolids

Mr. Nourse stated the original scope of this project was to construct both the Carbon Storage Facility and the Biosolids Dewatering Facility. He stated that the City Council has been briefed and kept informed about the legal issues associated with the termination of the contractor for this project. Mr. Nourse explained that the Carbon Storage Facility is required to meet the general permit requirements for nitrogen at our Wastewater Treatment Plant and the Biosolids Facility is necessary to process the waste activated sludge in the treatment train and to de-sludge the lagoons. Mr. Nourse stated that in order to comply with the Administrative Order from the EPA we started first with the Carbon Storage Facility. Per this order this facility must be up and running by October of 2022. The City entered in to a contract to complete this facility with the only other bidder for the project, Apex Construction. He stated that this portion of the project is going well and is approximately 53% complete. Mr Nourse stated that we now have a draft contract with Apex Construction to complete the Biosolids Facility that was left at approximately 70% completed by the terminated contractor. He stated there is current funding

remaining for this portion of the contract to get the project started back up, but not enough to complete the project in its entirety. Mr. Nourse explained that the current contract is in the amount of two million, eight hundred and seventeen thousand, nine hundred and forty-nine dollars (\$2,817,949.00). He stated that this contract includes mechanical piping of equipment, plumbing, heating, ventilation, AC and the existing punch list items left uncompleted by the original contractor. He stated that the contract does not include the electrical work nor site work to complete the project. He stated that this work would be added at a later date as a change order. Mr. Nourse stated that the existing available funds are two million, nine hundred and ninety-seven thousand, and sixty-three dollars (\$2,997,063.00). He stated that this is enough for the current negotiated scope but a supplemental appropriation was anticipated and is necessary. Mr. Nourse stated that he has discussed this with finance and was given the approval to proceed to this Committee. He stated the balance of the project for the electrical, the site work and the engineering is estimated at two million three hundred and eighty thousand dollars (\$2,380,000.00) and he is requesting a motion for the recommendation of a supplemental appropriation in the amount of two million five hundred thousand dollars (\$2,500,000.00). He stated that this would leave some contingency should any additional problems arise. Mr. Nourse explained to the Committee that he is sensitive to the issue and he is tracking the additional cost to the City due to the termination of the previous contractor. He stated that he believes the additional cost to be approximately 18-20% and this does not include the legal fees. Councilor Hamann stated that when the issue of termination was discussed the City Council was informed of this financial concern. Mr. Nourse stated that if requested he could have the full City Council formally updated on the legal process to date. Mr. Nourse stated his request is to have the funds in place at the July City Council meeting as it will take an additional 15 months to complete the project. There was discussion of the City Council meeting process to expedite the funding. There was also discussion of PFAS and new and future environmental restrictions. Councilor Hamann suggested that Mr. Nourse review HB15-97 as it may pertain to the treatment of the sludge.

Councilor Hamann made a motion for the Committee to recommend that the Full City Council approve a supplemental appropriation in the amount of two million five hundred thousand dollars (\$2,500,000.00). The motion was seconded by Councilor Gray. The motion passed unanimously.

7. RT 202A Water line Extension Project Update

Mr. Nourse stated that work is progressing well. He stated all infrastructure has been installed on Winkley Farm Lane, including water mains, service stubs, valves and hydrants. The next work includes taking the main across 202A on to Bickford Road. Mr. Nourse stated that the estimates for the private service work are ready for distribution and the residents will be given some time to make the final decision regarding tie in. Mr. Nourse said that the main is going in from the tank down to Bickford Road and the tank site is being prepared for Aquastore to put in the tank pedestal. He stated that the tank completion is anticipated for November and we should be supplying Winkley Farms with water by December and Fiddlehead Lane in August of 2023. Mr. Nourse stated that there are asphalt escalation and diesel escalation clauses in the construction contract, and most other City contracts. He explained that these clauses allows for the actual increases to the

cost for asphalt and/or diesel. He stated that there was contingency set up for this in the 202A contract, but he notes it may not be sufficient for the increases we are currently experiencing. Mr. Nourse stated that he believes the overall budgeted contingency will be sufficient. Mr. Nourse states he mentions this now so that he can keep this committee informed as it may have significant impacts in the City projects and the City's Pavement Rehabilitation contract. Councilor Gray asked if the FY2023 funds budgeted for Paving will be sufficient. Mr. Nourse stated this will impact how many streets we will be able to pave. Councilor Gray suggested that the Committee discuss this during the final budget meetings.

8. Other

Waste Water Effluent to the Rochester Wastewater Facility – Mr. Nourse stated that last month Councilor Gray has asked for information regarding Waste Management's discharge to the City regarding any impacts to our permit and phosphorus reduction. Mr. Nourse stated that phosphorus enters our system from many sources including human waste, detergents and corrosion inhibitors. He stated that currently the City is not regulated for phosphorus, but we do regulate our industrial users. Our limit per ordinance is 15.7 milligrams per liter. He states our anticipated limit per pending permit for phosphorus is .12 milligrams per liter. Mr. Nourse stated that our current effluent number is about twenty-five times that number on average and may go as high as sixty times that amount. Mr. Nourse states that the industrial users are required to test quarterly and we are independently testing quarterly as well. So that is eight tests per year. He stated that Waste Management sends us as much as 0.1 milligrams per liter or typically half of that amount. He stated that other industrial users send us phosphorus as well, but they are all sending less than our City regulated limit. Mr. Nourse stated that our new permit will state that we are required to update our Industrial Pretreatment Program as necessary for our facility to meet permit requirement of 0.12 milligrams per liter. Councilor Larochelle stated that if he understand this correctly, it means that the industrial users are at where they need to be and our phosphorus issue is coming from some other source. Mr. Nourse stated that Councilor Larochelle is correct. He stated we suspect that some of the phosphorus may be coming from our lagoons into our treatment process as it is run through the treatment process. He suggested the excessive sludge could be a major contributing factor and the new dewatering facility may help with this. Mr. Nourse moved on to the new nitrogen limits per the permit and the impact of industrial pretreatment users. He stated that Waste Management and all other industrial users meet our ordinance regulated limits. He state that Waste Management sends 125 to 300 milligrams per liter of total nitrogen. He stated that prior to their three million dollar investment into a reverse osmosis system they were sending us four times that amount. Mr. Nourse stated that he believes we will need to modify our industrial user ordinance to accommodate our new nitrogen permit limits.

Household Hazardous Waste Day – Mr. Nourse announced that Household Hazardous Waste Day is this upcoming weekend. He stated HHWD will be at the Waste Management Facility at the residential drop off facility on Saturday May 21, 2022 from 8:30am to 12:30pm and the residential drop off will be close for the entire day.

FY2023 Budget Excluded Issues and Options:

Mr. Nourse stated that the Committee has been informed of the conditions in the NPDES

Permit in regards staffing the Wastewater System and he hopes that they have had a chance to read the Jacobs Engineering report on the work force. Mr. Nourse stated that excluded from the City Managers budget in the Issues and Options Book is the Lead Collection System and Pump Station maintenance position. He stated this position was the starting point of implementing some of the Jacobs recommendations. He stated it was specifically related to working toward a split water & sewer maintenance system. He stated putting this off a year, pushes the implementation out another year and will increase the requests for next year as we attempt to bring this division up to industry standards. Councilor Gray suggested that the Chairman of the Public Works Committee may want to include this position for a ½ year position.

Councilor Hamann adjourned the meeting at 8:10

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

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City Clerk's Office

Resolution Authorizing Supplemental Appropriation to the FY 2022 Sewer Fund Capital Improvement Plan (CIP) Project Fund in Connection with Wastewater Treatment Plant (WWTP) Biosolids Dewatering Facility Project in the Amount of \$2,500,000.00 and Borrowing Authority pursuant to RSA 33:9

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

That the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) is hereby appropriated as a supplemental appropriation to the Department of Public Works FY2022 Sewer CIP fund for the purpose of paying costs associated with the WWTP Dewatering Facility Project.

In accordance with the provisions of RSA 33:9 and in conjunction with this supplemental appropriation, the City Treasurer, with the approval of the City Manager, be, and hereby are authorized to borrow the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) through the issuance of bonds and/or notes, and/or through other legal form(s), 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.

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

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City Clerk's Office



06/02/2022

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.

| |
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| AGENDA SUBJECT |
|----------------|

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

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

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

COMMITTEE SIGN-OFF

| | |
|--------------|--|
| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

| | |
|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

| |
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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Authorizing Supplemental Appropriation to the Fiscal Year 2022 General Fund Capital Improvements Plan (CIP) Fund in the amount of \$500,000 for Paving Rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

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

That the Mayor and City Council of the City of Rochester hereby authorized a supplemental appropriation to the fiscal year 2022 General Fund Capital Improvements Plan Fund in the amount of Five Hundred Thousand Dollars (\$500,000) for the paving rehabilitation of Winkley Farm Lane, Fiddlehead Lane and Bickford Road.

Further, for the purposes of funding the expenditures for these paving rehabilitation efforts the Mayor and City Council of the City of Rochester hereby resolve that the funding source shall be General Fund Unassigned Fund Balance. Further, if final expenditures for the rehabilitation of Winkley Farm Lane, Fiddlehead Lane, and Bickford Road result in a surplus of funds said surplus may be allowed to carry forward into the annual pavement rehabilitation Capital Improvements program and be applied to additional pavement rehabilitation efforts.

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

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City Clerk's Office

Resolution Pursuant to RSA 34:11-a Discontinuing the History of Rochester Capital Reserve Fund

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

By adoption of this Resolution, the City Council hereby discontinues the History of Rochester Capital Reserve Fund. The Trustees of the Trust Funds shall pay all monies remaining in said Fund to the City treasury.

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.

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City Clerk's Office



06/02/2022

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

Discontinuing the History of Rochester Fund

COUNCIL ACTION ITEM ☒

INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☐ NO ☒

* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☐ NO ☐

| | | | |
|----------------------|---|--|---|
| AGENDA DATE | May 3, 2022 | | |
| DEPT. HEAD SIGNATURE | Katie Ambrose, on file | | |
| DATE SUBMITTED | | | |
| ATTACHMENTS | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | * IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED | 2 |

COMMITTEE SIGN-OFF

| | |
|--------------|-------------------|
| COMMITTEE | Finance Committee |
| CHAIR PERSON | Mayor Callaghan |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

| | |
|------------------------------|---|
| DIRECTOR OF FINANCE APPROVAL | |
| SOURCE OF FUNDS | History of Rochester Fund |
| ACCOUNT NUMBER | |
| AMOUNT | |
| APPROPRIATION REQUIRED | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> |

LEGAL AUTHORITY

NH RSA 34:11-a

SUMMARY STATEMENT

Finance Committee voted at their April 12th meeting to discontinue the History of Rochester Capital Reserve Fund.

The Trustees of the Trust Funds have recommended that this capital reserve fund be closed since the Trustees have fulfilled the obligations related to managing the funds. The balance in the fund as of 10/31/21 was \$25,301.21. If discontinued, the Trustees of the Trust Funds would transfer all monies in the fund to the general fund via the city treasury per RSA 34:11-a.

RECOMMENDED ACTION

Discontinue the History of Rochester Capital Reserve Fund.

Councilor Keans moved to suspend the Rules of the Council to allow for the second reading of the Resolution at this meeting. That motion was seconded by Councilor Grassie and was unanimously passed.

Mayor Green then read the Resolution for the second time, by title only, with no objections to the title-reading expressed by the Council.

Councilor Keans moved that the Resolution be approved as read. That motion was seconded by Councilor Creteau.

Councilor McManus asked if funds had been included in the budget for this purchase. The Mayor responded in the affirmative, noting that the present capital budget included a "Purchase of Property" line-item.

Councilor McManus expressed support for the Resolution, noting that it was important to protect the City's water supply.

Councilor Callaghan asked if a fence would be erected along the 300' buffer zone. The Mayor stated that no plans had been made to erect a fence but that the Council could authorize such action if it so desired. Councilor Callaghan expressed his belief that the Council should consider installing a fence "to protect the City's interests." Mayor Green pointed out that the heavily-wooded areas of the parcel may not be suitable for fence installation.

Councilor Keans' motion was then passed by a unanimous voice vote in favor.

9. History of Rochester Project: Trust Fund

Mayor Green then read the following Resolution for the first time, noting that copies had been distributed at this meeting and that two readings would be required prior to final Council action:

RESOLUTION ESTABLISHING THE HISTORY OF ROCHESTER TRUST FUND

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

That the sum of \$60,000.00 presently appropriated as a non-lapsing account (Account 01-417-962) for the History of Rochester in the 1987-88 operating budget for the City of Rochester is hereby transferred to the Trustees of the Trust Funds for the City of Rochester for the purpose of establishing the History of Rochester Trust Fund. Such trust shall be established and used as follows:

- a. Such principal sum shall be invested by the Trustees and the principal and interest therefrom shall be utilized by said Trustees to support scholarly research, writing, printing, publishing and other related activities, as determined by the Trustees, necessary for the creation of a History of the City of Rochester after 1890 as a continuation of the existing History of the Town of Rochester, New Hampshire 1722-1890, by Franklin McDuffee.
- b. Prior to the publication of any manuscript resulting from the expenditure of the trust funds, such manuscript shall be submitted to the Rochester Historical Society for review and comment.

06/02/2022

- c. The Trustees of the Trust Funds are hereby authorized to enter into any contracts or other agreements necessary to effectuate the purposes of the trust.

The Mayor reported that the Finance Committee had unanimously recommended that the Resolution be approved as submitted.

Councilor Grassie moved that the Rules of the Council be suspended to allow for the second reading of the Resolution at this meeting. That motion was seconded by Councilor Creteau and was unanimously passed.

Mayor Green then read the Resolution for the second time, by title only, with no objections to the title-reading expressed by the Council.

Councilor Grassie moved that the Resolution be approved as read. That motion was seconded by Councilor Hussey and was passed by a majority voice vote in favor, with one member opposed, namely Councilor Germon.

10. Resolution Relative to Acceptance of Donations from Private Sources and Appropriations Relative Thereto

The Mayor then read the following Resolution for the first time, noting that copies had been distributed at this meeting and that two readings would be required prior to final Council action:

RESOLUTION AUTHORIZING SUPPLEMENTAL APPROPRIATION

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

That the sum of Nine Thousand Five Hundred Ninety Dollars (\$9,590.00) is hereby appropriated as a supplemental appropriation to the 1989-90 fiscal year capital funds to the School Department for capital projects specified in the following itemization and in the amounts set forth therein, and that the funds for said appropriation be and hereby are allocated from the sources set forth in the following itemization:

1989-90 CAPITAL BUDGET

1989-90 Misc. Capital Projects

| <u>Source of Funds</u> | <u>Amount</u> | <u>Proposed Use of Funds</u> |
|-----------------------------------|---------------|--|
| Nash Family Investment Properties | \$2,590 | School Dept: Maple Street School Recreational Capital Improvements |
| Nash Family Investment Properties | \$7,000 | School Dept: School Capital Improvements |

The Chair reported that the Finance Committee had unanimously recommended that the Resolution be approved as submitted.

Councilor Grassie moved to suspend the Rules of the Council to allow for the second reading of the Resolution at this meeting. That motion was seconded by Councilor Creteau and was unanimously passed.

Mayor Green then read the Resolution for the second time, by title only, with no objections to the title-reading expressed by the Council.

Councilor Grassie moved that the Resolution be approved as read. That motion was seconded by Councilor Hussey and was passed by a unanimous voice vote in favor.

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Article 8

Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding the Granite Ridge Development Zone

§ 275-8.1 Purpose.

Well-planned commercial ~~Zones districts~~ provide many benefits. For the community, tax revenue is maximized, infrastructure burden is reduced, and traffic impacts are minimized. For landowners and developers good planning allows for a process that is coherent, flexible and easy to navigate. ~~The Granite Ridge Development Zone (GRD) is intended to:~~

The Granite Ridge Development Zone (GRD) is intended to:

- Provide landowners and Developers with flexible yet clearly defined requirements.
- Minimize infrastructure cost to the City through good planning for the Zone as a whole rather than based on individual lots.
- Maximize the developable areas on the parcels within the Zone through the development of both commercial and residential projects.
- Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.

~~A. Provide landowners and developers with flexible yet clearly defined requirements.~~

~~B. Minimize infrastructure cost to the City through good planning for the district as a whole rather than based upon individual lots.~~

~~C. Maximize the developable areas on the parcels within the district through creation of flexible dimensional requirements.~~

~~D. Minimize traffic impacts to Route 11 through implementation of a service road and shared intersections with Route 11.~~

A. Purpose and Intent

1. Nonresidential Commercial development remains the primary goal of the GRD, but the addition of Multifamily, and Mixed-Use is designed to allow a mixture of residential and commercial uses on one parcel. Developers will be required to receive Conditional Use approval from the Planning Board prior to project construction. The Zone includes options that enable and encourage greater flexibility in the design of mixed-use projects. Developers will provide a Development Plan outlining the project and how it conforms to the regulations and design standards outlined in this document.
2. Developments are intended to be complementary of one another and to create a sense of community between the mixed uses. Housing and commercial uses can be developed to provide the appropriate use of land, facilitate the economical and efficient provision of public services, promote open space conservation, protect the natural and scenic attributes of the land, and expand opportunities for the development of, outside the traditional residential developments.

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B. Conditional Use Permit

1. Conditional Use approval may be granted by the Planning Board after proper public notice and public hearing provided that the proposed project complies with the following standards:
 - (a) The Applicant demonstrates that the development complies with the design guidelines outlined in the Design Standards portion of this document, as well as, applicable Site Review Regulations and requirements of §275.21.4. These guidelines encourage components that act as one project and not as two adjacent projects.
 - (b) The Applicant demonstrates that the development poses no detrimental effects on surrounding properties. Potential areas of impact that need to be analyzed include, but are not limited to, vehicular traffic, noise, visual blight, light pollution, offensive emissions such as dust, odor, or smoke.

§ 275-8.2 Delineation of Granite Ridge Development Zone.

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A. The Granite Ridge Development Zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning, Zoning, and Development and the Director of Building and Licensing Services. The GRD includes parcels of land located on both the easterly and westerly sides of New Hampshire State Route 11/Farmington Road.

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- ~~A. The zone includes those parcels of land so identified on the Zoning Map of the City of Rochester, New Hampshire, which accompanies this chapter and is on file in the offices of the Director of Planning and Development and the Director of Building, Zoning, and Licensing Services.~~
- ~~B. The Granite Ridge Development Zone includes parcels of land located on both the easterly and westerly sides of Route 11/Farmington Road. These parcels will benefit from any improvements to be made to Route 11/Farmington Road. Parcels located on the westerly side of Route 11/Farmington Road may have direct contact with, and benefit from, the service road planned to be built on the westerly side of Route 11/Farmington Road and intersections connecting to this service road, if and when opportunities for construction of this service road and these intersections develop.~~

§275 – 8.3. Permitted Uses

A. Principal Uses

1. Nonresidential uses are allowed as follows:
 - [1] Any use as allowed within Tables 18B-18E of §275, Attachments 2-5.
2. Housing: (Conditional Use)
 - [1] Dwelling, mixed-use
 - [2] Dwelling, development multifamily

[3] Dwelling, multifamily

B. Accessory Uses

(a) Recreational facilities

(b) Community center

(c) Maintenance Buildings

(d) Rental and Sales Offices

(e) Laundry facilities

(f) Co-working Space – A space where multiple tenants rent working space and have the use of communal facilities.

§275-8.4. Site Plan Process

A. The Developer shall prepare a Site Plan, which locates the proposed types of nonresidential and residential development, accessory uses, utilities, access roads, open space, and public ways. The parcels comprising the development may be under separate ownership, but shall be treated as one development and shall be bound by the approval granted for the entire Site Plan. If approval is granted, individual lots must be developed as part of the larger Development Plan and phasing outlined below, and not separately. A long term Maintenance Plan may also be required.

- (1) Commercial is the primary use within the GRD, with residential being considered a secondary use. As such, a minimum of fifty-five percent (55%) of total footprint of the project will be reserved for commercial/non-residential use. The remaining forty-five percent (45%) of the total project footprint may be utilized for residential development. By a majority vote, the Planning Board may adjust the final commercial / residential percent allocations subject to Conditional Use details in §275.21.4.
- (2) Dwelling, Mixed-Use (MU) providing that one-hundred percent (100%) of the square footage of the first floor is reserved for a commercial use. Accessory and support uses (e.g. mechanical, storage, etc.) are permitted on the first floor of a mixed-use building, and will be recognized as commercial use. Buildings classified as MU will be exempt from requirements outlined in §275-8.4.A.1 and §275-8.4.A.6.
- (3) A minimum of fifteen percent (15%) of the square-footage of the original parcel shall be reserved as open space and identified as such on the Development Plan. Fifty percent (50%) of the required open space must be usable uplands and reasonably accessible to all property owners/tenants in the project. Any open space provided above fifteen percent (15%) may be mixed wetlands and upland. Amenities constructed for use by the tenants (clubhouse, gym, ball courts, etc.) may be considered part of the “open space” calculation as determined by the Planning Board. The Planning Board shall have the flexibility to negotiate with the Developer when determining the final open space requirement.
- (4) Residential uses require the submission of a plan outlining the number of proposed units achievable under current zoning allowances. This plan should be based upon maps that include plans for open space, parking, roadways, and all nonresidential and accessory buildings associated with the project. The final number of approved units will be subject to Planning Board review, and in some cases may require an analysis of the project’s impact on existing city infrastructure prior to approval.

(5) The minimum size of a residential unit shall be 500 square feet.

(6) No more than fifty percent (50%) of the residential development may be occupied prior to the completion of between twenty-five to fifty percent (25%-50%) of the non-residential structures. By a majority vote, the Planning Board may adjust these percent allocations subject to Conditional Use details in §275.21.4.

(7) The Development Plan may be phased for a term of up to five years (5).

For purposes of this section, development shall include:

- (a) construction of structures – to include proposed timeline, phasing, and ratio of commercial/residential construction;
- (b) schedule for proposed occupancy and leasing of commercial and residential uses;
- (c) environmental remediation;
- (d) site preparation or demolition;
- (e) roadway utility or recreation and common area design and construction; and
- (f) bonding or other security for site development

(8) Providing the Developer is making reasonable efforts to develop the site, the Planning Board may extend the initial five (5) year phasing period provided a request for extension is submitted before the expiration of the initial five-year (5) phasing term.

(9) Residential Development Plan Guidelines.

(a) Dwelling layouts shall be so designed that parking is screened from external roadways by landscaping, building locations, grading, or screening. Major topographical changes or removal of existing trees shall be avoided wherever possible, and water, wetlands, and other scenic views from the external streets shall be preserved as much as possible.

(b) Where possible, it is desirable and encouraged to mix residential and nonresidential uses. This may be achieved through situating the buildings close to each other, or through allowing structures to house residential – preferably on the second or above floor, and nonresidential on the first floor. Creativity and flexibility is encouraged and the development plan may offer another option for mixed-use.

(c) All residential development must adhere to the architectural design guidelines outlined in section §275-8.5 of this ordinance.

(10) Nonresidential Development Plan Guidelines

(a) The general character of the nonresidential structures within the development lot is intended to be a pedestrian friendly setting, with emphasis on the natural characteristics of the site. The site design should create a sense of character and cohesiveness through landscaping, façade treatment, and signage.

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§ 275-8.5 Architectural and Design standards.

A. Architecture:

The purpose of these Standards is to promote flexibility in large-scale mixed-use developments by considering project proposals based upon a comprehensive, integrated, and detailed plan rather than the specific constraints applicable to piecemeal, lot-by-lot development under conventional zoning requirements. A mixed-use development should improve the quality of new development by encouraging attractive features and promoting quality site design.

B. Non-residential Site Layout

Planning for mixed-use development on a site encompasses items such as its relationship to surrounding uses, building orientation on the site, pedestrian and vehicular circulation, and efficiency of parking areas, screening of loading and utility areas, and the design of landscaping, signage, and lighting.

(1) Trash and Loading:

- (a) Trash and loading areas should be integrated into building design, and possibly inset and/or screened with architectural features. Orient support uses such as trash enclosures, compactors, truck loading areas, and outdoor storage away from residential uses to the extent practical.
- (b) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off a shared access driveway between sites. The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.
- (c) Trash, delivery, and loading areas shall be well screened from Route 11. The lots situated between Market Place Boulevard and Route 11 call for special treatment because they have double frontages.

(2) Building Design:

- (a) Facade treatment. Building facades fronting on a service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.
- (b) Outdoor seating. If applicable, restaurant proprietors are encouraged to include seasonal outdoor seating in their initial site plan. Seating should be screened from parking and roadways.
- (c) Signage. All provisions of Article 29, Signage, herein shall apply.
- (d) When practical, locate some parking and service functions behind the building. For multi-building projects, organize the site layout to provide functional pedestrian spaces and landscaping amenities.
- (e) All facades, including back and side elevations of a building generally visible from public view or adjacent to residential areas, should be architecturally treated.
- (f) Design multi-building projects to include architecturally sensitive design elements.

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throughout the project.

(g) Building elevations should incorporate architectural features and patterns that consider a pedestrian scale.

(h) Building roofs shall be uncluttered and when flat roofs are visible from public roads, pitched roofs or parapets are required.

(i) Rooftop and ground- mounted mechanical units and ventilating fans are to either be integrated into the design of the building, or screened from view.

(j) At least two of these elements should repeat horizontally. Buildings with facades greater than 150 feet in length should include several of the elements listed below, repeated at appropriate intervals, either horizontally or vertically:

- Color change. Recognizable, but not strongly contrasting.
- Texture change.
- Material change.
- Architectural variety and interest through a change in plane such as offsets, reveals, archways or projecting ribs.
- Wall plane projections or recesses.

(k) Service and exit doors should be integrated into the architecture of publicly visible elevations.

(l) Where practical, variations in rooflines or parapets should be used to reduce the scale of non-residential buildings. Roof size, shape, material, color and slope should be coordinated with the scale and theme of the building.

(m) All exterior building walls and structures shall be constructed with attractive, durable materials such as textured concrete, masonry, stone, brick, clapboard, finishing wood, stucco or glass.

(n) The exterior walls of buildings should not predominantly utilize the following materials, except as accents:

- Pre-fabricated steel panels.
- Corrugated metal.
- Asphalt shingle roofs, except for period architecture.
- Highly reflective glass.

(o) Buildings should have clearly defined customer entrance(s) incorporating appropriate architectural elements

(3) Pedestrian Amenities:

- (a) Wherever practical, design attractive, safe, and convenient pedestrian and bicycle connectivity to streets, to include access to residential, commercial, and open space areas.
- (b) Design sites to minimize pedestrian and vehicular conflicts. Where pedestrian circulation paths cross vehicular routes, provide a change in paving materials, textures or colors to emphasize the conflict point. Where applicable, and to encourage outdoor seating, dining, and other amenities, sidewalks should be constructed of concrete and at least 10 feet wide.

(4) Vehicular Circulation and Parking:

- (a) To promote safe pedestrian access, create wide and well-lit sidewalks (concrete) and pathways.
- (b) Strive to minimize driveway cuts on arterial streets by providing vehicular cross-access easements and shared access driveways between adjacent commercial projects.
- (c) Traffic calming devices are encouraged in the interior of a site to enhance safety.
- (d) Landscaped parking areas shall be consistent with Section 5 of the Site Plan Regulations in order to break up the mass of large parking lots.

(5) Outdoor Display Areas:

- (a) On final site plans, identify the location of all proposed outdoor display and sales areas, including what type of items would be sold. Their location should not displace required parking, pedestrian, or landscaped areas.

(6) Signage:

- (a) Signage should refer to Article 29 of the City's Zoning Ordinance.

(7) Landscaping and Grading:

- (a) All landscaping and grading shall be consistent with Section 5 of the City's Site Plan Regulations, while complementing and enhancing project architecture.

(8) Lighting:

- (a) Design lighting to follow all site plan regulations and requirements, and where applicable, include pedestrian scale lighting

(9) Building Design/Architectural

- (a) Where practical, building mass should be broken into smaller elements, consistent with the proportions of the architectural style selected and surrounding uses.
- (b) Reduction of building mass may be achieved by using a combination of the following techniques:

- Variation in the rooflines and form.
- Use of ground level arcades and covered areas.
- Use of protected and recessed entries.
- Use of vertical elements on or in front of expansive blank walls.
- Use of pronounced wall plane offsets and projections.
- Use of focal points and vertical accents.
- Inclusion of windows on elevations facing streets and pedestrian areas.
- Retaining a clear distinction between roof, body and base of a building.
- The City supports the construction of “Solar Ready” structures designed for rooftop solar arrays.

(10) Dimensional Requirements:

(a) Non-residential / Mixed-use Buildings

- (1) Minimum structure setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Minimum structure setback from external ROW 300 feet
- (3) Maximum non-residential building height 100 feet.
- (4) Structures over 55 feet shall be placed as close to the center of the lot as practical.

(b) Residential Structures:

- (1) Minimum structure and parking setback from external lot line
Side: 50 feet
Rear: 100 feet
- (2) Maximum residential building height 100 feet.
- (3) Structures over 55 feet will be placed as close to the center of the lot as practical.
- (4) Minimum setback from Route 11: 300 feet

(11) Parking:

- (a) All dwelling units shall require two independently accessible parking spaces per unit, or as determined by Planning Board, and be consistent with Section 10.C of the Site Plan Regulations
- (b) Non-residential uses shall comply with parking requirements defined by Site Plan Regulations.

(12) Utility Standards

- a) All utilities shall be underground.
- b) Utilities into individual sites shall be run from the common utility lines to be placed in the service road right-of-way.
- c) Service connections for utilities for pad sites, if any are created, shall be provided within the service road right-of-way.
- d) Transformer boxes shall be screened and utilize proper landscaping features.

§ 275-8.63 Pavement dimensional regulations.

The setbacks shown in the table below shall apply to pavement used for parking and interior access ways. Driveways into the site from the service road are exempt from these setbacks. These setbacks guarantee a minimum ten-foot-wide area for landscaping around the perimeter of the site (five feet plus five feet for adjoining lots along the side lot lines). This section shall supersede perimeter landscaping buffer requirements (15 feet along the front and 10 feet along the side lot lines) established in the Site Plan Regulations.

| | Minimum Property Line Setbacks (in feet) | | |
|----------|--|------|------|
| | Front | Side | Rear |
| Pavement | 10 | 5 | 10 |

§ 275-8.74 Granite Ridge Development Study.

This article was created pursuant to the March 2009 "Granite Ridge Development Study, Farmington Road, Rochester, New Hampshire," prepared by CLD Consulting Engineers. This study should be referred to for reference in designing, reviewing, and approving proposed site plans and subdivision plans.

§ 275-8.85 Service road regulations.

The following requirements apply to those lots situated on the westerly side of Route 11/Farmington Road, on which the planned service road and access roads leading to or from the service road are to be situated.

- A. Rights-of-way. To the extent practical and appropriate, as determined by the Planning Board, as part of any proposed site plan or subdivision plan, each landowner/developer shall incorporate into his/her plan, on the subject land, a sixty-foot-wide right-of-way for the construction of the service road and/or access road(s). The right-of-way shall traverse the subject lot from the southerly lot line to the northerly lot line, as appropriate, and in the case of any access road, from the easterly to the westerly lot line, as appropriate, in accordance with the layout of the planned service road and access road(s).
- B. Temporary termination. Where the service road has not been built on the lot adjacent to the subject property, a temporary cul-de-sac shall be built on the subject property to provide for an appropriate turnaround and future connection to the service road on that adjacent lot. Appropriate provisions may be established by the Planning Board to facilitate seamless connection of that cul-de-sac in the future to a service road on the adjacent lot, when that road may be constructed. The temporary cul-de-sac shall conform to the City of Rochester Subdivision Regulations.

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- C. Route 11 intersections. As part of any site plan or subdivision plan, the landowner/developer shall incorporate predetermined Route 11 access points into his/her plan.
- D. NHDOT. Developers shall coordinate with the New Hampshire Department of Transportation (NHDOT) regarding the design of the access roads and any intersections with Route 11.

§ 275-8.96 Road design standards.
[Amended 3-5-2019]

- A. Service and access roads shall comply with the following standards:
 - (1) Right-of-way: 60 feet.
 - (2) Lane width (each): 12 feet.
 - (3) Paved shoulder (each): four feet.
 - (4) Sidewalk (bituminous): five feet.
 - (5) Grass strip: five feet (between road and sidewalk).
 - (6) Curb: granite.
 - (a) Sloped: side without sidewalk.
 - (b) Vertical: side with sidewalk.
 - (7) Cross-sectional requirements:
 - (a) Wearing course (minimum): one inch (NHDOT Item 403.11).
 - (b) Bearing course: two inches (NHDOT Item 403.11).
 - (c) Crushed gravel: six inches (NHDOT Item 304.3).
 - (d) Bank-run gravel: 12 inches (NHDOT Item 304.2).
- B. All materials shall be installed in compliance with NHDOT specifications and the City of Rochester Subdivision Regulations.

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§ 275-8.107 Stormwater management requirements.

- A. Stormwater controls for each individual site plan shall be designed in compliance with the New Hampshire ~~Stormwater City Ordinance 218: Stormwater Management and Erosion Control Manual~~ ~~Volume 2~~, in order to ensure adequate stormwater control given the more flexible dimensional regulations, these design guidelines shall be followed regardless of any requirement imposed as part of the New Hampshire Department of Environmental Services alteration of terrain permitting (for 100,000 square feet +/- of disturbed surface).
- B. The Planning Board shall consider proposals for use of innovative stormwater control structures, such as

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porous pavement, bio-retention areas, gravel wetlands, etc. If the Board concludes that use of these structures is in order, then:

- (1) It may be appropriate to allow for interior landscaped islands within parking lots to be constructed without perimeter curbing if the curbing would interfere with the routing of the storm water.
- (2) The Planning Board is hereby empowered to adjust parking requirements specified in Article 26, Roads and Parking, herein.

§ 275-8.118 Utility standards.

- A. All utilities shall be underground.
- B. Utilities into individual sites shall be run from the common utility lines to be placed in the service road right-of-way.
- C. Service connections for utilities for pad sites, if any are created, shall be provided within the service road right-of-way.

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§ 275-8.129 Parking lot interconnections.

- A. Where practical, and not impeded by wetlands or other physical constraints, parking lots shall be interconnected between sites.
- B. Appropriate cross easements shall be developed between properties to accommodate parking lot interconnections.

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§ 275-8.130 Design standards.

- A. Trash and delivery areas. The lots situated between the service road and Route 11 call for special treatment because they have double frontages.
 - (1) Whenever practical, and not impeded by wetlands or other physical constraints, trash and delivery areas shall be located off of a shared access driveway between sites.
 - (2) The access driveway may be located at/along the side lot line(s), with each lot having its own trash and delivery area located off this access driveway.
 - (3) Trash, delivery, and loading areas shall be well screened from Route 11.
- B. Facade treatment. Building facades fronting on the service road and Route 11 shall both be treated as front facades, both thereby meriting attractive treatment, under the architectural standards included in the City of Rochester Site Plan Regulations.
- C. Outdoor seating. Restaurant proprietors are encouraged to include seasonal outdoor seating.
- D. Signage. All provisions of Article 29, Signage, herein shall apply.

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§ 275-8.141 Adjustments in requirements.

Since a number of the requirements specified in this Article 8, herein, are design oriented, the Planning Board may adjust any requirements of § 275-8.63, Pavement dimensional regulations, § 275-8.85, Service

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road regulations, § 275-8.96, Road design standards, § 275-8.107, Stormwater management requirements, § 275-8.118, Utility standards, and § 275-8.1340, Design standards, on a case-by-case basis, where it reasonably determines that strict application of any requirement is impracticable due to particular conditions on a given site.

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| Primary Area of Granite Ridge Development | | | |
|---|---------------------|---------------|----------------------------------|
| PID | Address | Acres | Owner |
| 0208-0001-0000 | 126 Farmington Road | 82.50 | Adamian Construction & Dev. |
| 0208-0001-0001 | 116 Farmington Road | 34.18 | Infinity Properties Rochester |
| 0208-0002-0000 | 0 Farmington Road | 32.00 | The Kane Co. Inc. |
| 0208-0004-0000 | 148 Farmington Road | 1.30 | John & Carolyn Meader |
| 0208-0005-0000 | 150 Farmington Road | 0.63 | Roslyn Stone & Carolyn Meader |
| 0208-0006-0000 | 154 Farmington Road | 1.05 | Alkurabli LLC |
| 0208-0006-0001 | 152 Farmington Road | 0.94 | Richard Ottino |
| 0208-0007-0000 | 160 Farmington Road | 1.33 | 160 Farmington Road Realty Trust |
| 0216-0001-0000 | 20 Farmington Road | 15.00 | Robert Beranger |
| 0216-0002-0000 | 22 Farmington Road | 2.60 | Robert Beranger |
| 0216-0003-0000 | 0 Farmington Road | 2.90 | Robert Beranger |
| 0216-0004-0000 | 36 Farmington Road | 17.10 | Northgate Investment Properties |
| 0216-0005-0000 | 46 Farmington Road | 1.24 | Gene V. Roe |
| 0216-0006-0000 | 48 Farmington Road | 5.62 | Casaccio Real Estate Holdings |
| 0216-0007-0000 | 58 Farmington Road | 7.60 | Casaccio Real Estate Holdings |
| 0216-0008-0000 | 60 Farmington Road | 6.30 | Packy's Investment Properties |
| 0216-0009-0000 | 68 Farmington Road | 20.00 | Stratham Industrial Properties |
| 0216-0010-0000 | 76 Farmington Road | 21.00 | PSNH |
| 0216-0011-0000 | 92 Farmington Road | 85.00 | Stratham Industrial Properties |
| 0216-0017-0000 | 5 Lydall Way | 12.00 | State of New Hampshire DOT |
| 0216-0019-0000 | 0 Farmington Road | 4.50 | PSNH |
| 0216-0020-0000 | 8 Crane Drive | 6.09 | Newport Partners LLC |
| 0216-0021-0000 | 33 Crane Drive | 4.80 | Spinelli Realty Trust |
| 0216-0022-0000 | 27 Crane Drive | 6.35 | Black Marble Realty Trust |
| 0216-0023-0000 | 21 Crane Drive | 3.16 | Black Marble Realty Trust |
| 0216-0024-0000 | 7 Crane Drive | 4.01 | Four Hidden Road Trust |
| 0216-0025-0000 | 47 Farmington Road | 2.80 | Poulin Realty Acquisition |
| | | 382.00 | |

| Secondary Area of Granite Ridge Development | | | |
|---|---------------------|-------|----------------------------|
| PID | Address | Acres | Owner |
| 0208-0008-0000 | 174 Farmington Road | 60.00 | Diane Smith |
| 0208-0008-0001 | 176 Farmington Road | 11.61 | Robidas Properties LLC |
| 0208-0009-0000 | 178 Farmington Road | 4.30 | Rochester/Rural District |
| 0208-0010-0000 | 180 Farmington Road | 1.02 | WAH Realty Corporation |
| 0208-0011-0000 | 184 Farmington Road | 4.00 | Bonnie J. O'Shea |
| 0208-0015-0000 | 0 Farmington Road | 0.29 | City of Rochester |
| 0208-0016-0000 | 0 Farmington Road | 1.66 | Robert Rowe |
| 0208-0017-0000 | 127 Farmington Road | 8.90 | Robert Rowe |
| 0208-0018-0000 | 17 Sterling Drive | 2.02 | Raven Realty |
| 0208-0018-0001 | 18 Sterling Drive | 2.85 | Raven Realty |
| 0208-0018-0002 | 27 Sterling Drive | 5.04 | Axis Property Holdings LLC |
| 0208-0018-0003 | 23 Sterling Drive | 1.55 | Raven Realty |
| 0208-0018-0004 | 0 Sterling Drive | 0.64 | Raven Realty |
| 0208-0019-0000 | 123 Farmington Road | 1.16 | Black Dog Car Wash LLC |
| 0208-0019-0001 | 115 Farmington Road | 1.25 | Hermitage Place LP |
| 0208-0019-0002 | 131 Farmington Road | 0.57 | JMB Automotive Group LLC |

| Primary Area of Granite Ridge Development | | | |
|---|----------------------------|---------------|-----------------------------------|
| PID | Address | Acres | Owner |
| 0209-0001-0000 | 105 Farmington Road | 1.70 | Rudolph Tetreault |
| 0216-0012-0000 | 4 Little Falls Bridge Road | 1.89 | Ralph Torr Rev. Trust |
| 0216-0013-0000 | 0 Little Falls Bridge Road | 11.80 | State of New Hampshire DOT |
| 0216-0018-0000 | 95 Farmington Road | 3.50 | Motiva Enterprises LLC |
| 0216-0018-0001 | 83 Farmington Road | 2.25 | Joseph Blanchette |
| 0216-0018-0002 | 77 Farmington Road | 3.60 | Rochester Hospitality LLC |
| 0216-0019-0000 | 0 Farmington Road | 4.50 | PSNH |
| 0216-0020-0000 | 8 Crane Drive | 6.09 | Newport Partners LLC |
| 0216-0021-0000 | 33 Crane Drive | 4.80 | Rose Realty LLC |
| 0216-0022-0000 | 27 Crane Drive | 5.30 | Black Marble Realty Trust LLC |
| 0216-0023-0000 | 21 Crane Drive | 3.16 | Black Marble Realty Trust LLC |
| 0216-0024-0000 | 7 Crane Drive | 4.01 | Four Hidden Rod Road Realty Trust |
| 0216-0025-0000 | 47 Farmington Road | 2.60 | Poulin Realty Acquisitions LLC |
| 0216-0026-0000 | 0 Farmington Road | 68.00 | Donald & Bonnie Toy |
| 0216-0028-0000 | 23 Farmington Road | 1.70 | Miles Cook III |
| 0216-0028-0001 | 25 Farmington Road | 0.10 | City of Rochester |
| 0216-0029-0000 | 21 Farmington Road | 2.41 | Cardinals Seafarer Restaurant |
| 0221-0154-0000 | 2 Farmington Road | 20.80 | Jean Edgerly Trust |
| 0221-0156-0000 | 14 Farmington Road | 1.20 | Renee & Louanne Cardinal |
| 0221-0157-0000 | 0 Farmington Road | 1.20 | Wayne Cardinal |
| 0221-0158-0000 | 14 Farmington Road | 1.30 | Rene & Luanne Cardinal |
| 0221-0159-0000 | 10 Farmington Road | 2.45 | Lawrence Shapiro Trust |
| 0221-0160-0000 | 18 Farmington Road | 1.32 | Michael & Jean Garzillo |
| 0221-0162-0000 | 18A Farmington Road | 6.40 | Richard & Phyllis Glidden |
| 0221-0163-0000 | 20 Farmington Road | 3.20 | Robert & Karen Beranger |
| 0221-0164-0000 | 17 Farmington Road | 0.91 | Rene G Cardinal & Cardinal Way |
| 0221-0165-0000 | 11 Farmington Road | 1.70 | Seckendorf Real Estate |
| 0221-0166-0000 | 9 Farmington Road | 1.10 | MIB LLC Greenwood Inn |
| 0221-0167-0000 | 7 Farmington Road | 0.30 | Basel Alkurabi |
| 0221-0168-0000 | 3 Farmington Road | 14.00 | Charles Karacas |
| | | 290.15 | |

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City Clerk's Office



06/02/2022

City of Rochester Formal Council Meeting

AGENDA BILL

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

| |
|----------------|
| AGENDA SUBJECT |
|----------------|

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

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

COMMITTEE SIGN-OFF

| | |
|--------------|--|
| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

| | |
|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

| |
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SUMMARY STATEMENT

RECOMMENDED ACTION

Resolution Approving Fiscal Year 2022-2023 Operating Budget for the City of Rochester

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

That a twelve (12) month operating budget for the City of Rochester be, and hereby is, approved and appropriated for the period beginning July 1, 2022 and ending June 30, 2023 in the amounts and for the purposes more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto by attached **Exhibit A**.

This budget may be reconsidered before the tax rate is set if City, School and/or County revenues are changed by the State of New Hampshire or by the Federal Government. The budget appropriations contained in this Resolution are predicated upon projected revenues as more particularly set forth in the City of Rochester, Proposed Budget, Fiscal Year 2023 (July 1, 2022 - June 30, 2023), as amended, the provisions of which are incorporated herein by reference thereto.

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City Clerk's Office

PROPOSED 2022-2023 OPERATING BUDGET-EXHIBIT A**OPERATING BUDGET SUMMARY**

| Appropriations: | | Proposed |
|-------------------------------------|-----------|--------------------|
| City | \$ | 38,838,989 |
| County Tax | \$ | 7,254,738 |
| Overlay | \$ | 350,000 |
| Estimated Veteran's Credits | \$ | 694,625 |
| School | \$ | 72,246,585 |
| School Federal Grants | \$ | 4,415,000 |
| School Lunch | \$ | 1,900,000 |
| School State Property Tax | \$ | 3,699,292 |
| City Grants & Special Revenues | \$ | 297,641 |
| Tax Incremental Financing Districts | \$ | 1,335,630 |
| Water Fund | \$ | 7,686,468 |
| Sewer Fund | \$ | 9,620,843 |
| Arena Special Revenue Fund | \$ | 431,661 |
| Community Center | \$ | 941,071 |
| Sub Total | \$ | 149,712,543 |
| Revenues: | | |
| City | \$ | 13,330,106 |
| Use of Fund Balance | \$ | 3,293,250 |
| School | \$ | 33,245,449 |
| School Federal Grants | \$ | 4,415,000 |
| School Lunch | \$ | 1,900,000 |
| City Grants and Donations | \$ | 297,641 |
| Tax Incremental Financing Districts | \$ | 1,335,630 |
| Water Fund | \$ | 7,686,468 |
| Sewer Fund | \$ | 9,620,843 |
| Arena Special Revenue Fund | \$ | 431,661 |
| Community Center | \$ | 941,071 |
| Amount to be Raised by Taxes * | \$ | 73,215,424 |
| Sub Total | \$ | 149,712,543 |

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City Clerk's Office

Resolution Authorizing and Approving Fiscal Year 2022-2023 Capital Budget for the City of Rochester and Authorizing Borrowing in connection therewith

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

That the capital budget for the City of Rochester for fiscal year 2022-2023 (July 1, 2022 to June 30, 2023) in the total amount specified in **Exhibit A** annexed hereto, be, and hereby is, authorized and appropriated, and, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to arrange borrowing to finance a portion of said capital budget appropriation as identified on **Exhibit A** annexed hereto.

The aforementioned borrowing is authorized subject to compliance with the provisions of RSA 33:9 and Section 45 of the Rochester City Charter. The useful lives of the capital projects for which borrowing is authorized by this resolution shall be more particularly set forth in the "City of Rochester, New Hampshire, Proposed CIP Budget, Fiscal Year 2023 (July 1, 2022 – June 30, 2023), as amended.

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City Clerk's Office

PROPOSED 2022-2023 CAPITAL BUDGETS-EXHIBIT A**CAPITAL BUDGET SUMMARY****Proposed Capital Appropriations:**

| | |
|-------------------------------------|----------------------|
| City | \$ 8,724,250 |
| School | \$ 1,775,000 |
| Water Fund | \$ 6,817,500 |
| Sewer Fund | \$ 2,467,500 |
| Community Center | \$ 766,000 |
| Tax Incremental Financing Districts | \$ 704,400 |
| Total Appropriations | \$ 21,254,650 |

Source of Revenues**General Fund**

| | |
|---------------------------------------|----------------------|
| Bonding and/or other Borrowing | \$ 5,780,000 |
| Operating Budget | \$ 3,918,250 |
| Grants | \$ 1,317,000 |
| Other Sources | \$ 250,000 |
| Subtotal General Fund Revenues | \$ 11,265,250 |

Enterprise Funds & Tax Incremental Financing Districts

| | |
|---|---------------------|
| Bonding and/or other Borrowing | \$ 6,475,000 |
| Operating Budget | \$ 835,000 |
| Grants | \$ 2,679,400 |
| Subtotal Enterprise Funds & Tax Incremental Financing Revenues | \$ 9,989,400 |

| | |
|-----------------------|----------------------|
| Total Revenues | \$ 21,254,650 |
|-----------------------|----------------------|

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City Clerk's Office

Resolution Deauthorizing Various Rochester Police Department Grants

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

That the following funds previously appropriated to the Rochester Police Department as part of the named grants are hereby deauthorized:

| <u>Name of Grant</u> | <u>Amount</u> |
|---|----------------------|
| Highway Safety Distracted Driving Grant | \$1,833.62 |
| Highway Safety Drive Sober or Get Pulled Over Grant | \$425.75 |
| Highway Safety Join the Clique Grant | \$15.87 |
| Highway Safety Speed Grant | \$588.39 |
| Highway Safety U-Drive, U-Text, U-Pay Grant | \$55.59 |

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.

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City Clerk's Office



06/02/2022

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

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

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

COMMITTEE SIGN-OFF

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|--------------|--|
| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office



06/02/2022

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.

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

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

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

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office



06/02/2022

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.

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

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

COMMITTEE SIGN-OFF

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|--------------|--|
| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office



06/02/2022

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.

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

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

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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left blank...*

City Clerk's Office



06/02/2022

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.

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

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

COMMITTEE SIGN-OFF

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|--------------|--|
| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

| | |
|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

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SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

**Resolution Authorizing Acceptance of New Hampshire Department of Justice (NHDOJ)
Forfeiture Funds and Appropriation in Connection Therewith in the amount of \$434.25**

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

WHEREAS, that NHDOJ Forfeiture Funds in the amount of Four Hundred Thirty Four and 25/100 Dollars (\$434.25) awarded to the City of Rochester is hereby accepted by the City of Rochester;

FURTHER, that the sum of Four Hundred Thirty Four and 25/100 Dollars (\$434.25) be, and hereby is, appropriated to the Established Forfeiture Fund(s) Account:

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

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City Clerk's Office



06/02/2022

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

Seeking permission from Council to accept State forfeiture funds in the amount of \$434.25

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 | Next May 2022 meeting | | |
| DEPT. HEAD SIGNATURE |  | | |
| DATE SUBMITTED | 5/20/22 | | |
| ATTACHMENTS | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | * IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED | |

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

| | |
|-------------------------|---|
| FINANCE OFFICE APPROVAL | |
| SOURCE OF FUNDS | State of NH |
| ACCOUNT NUMBER | 61032010-561032-225XX |
| AMOUNT | \$434.25 |
| APPROPRIATION REQUIRED | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from Council to accept forfeiture funds in the amount of \$434.25. These funds were seized from a drug arrest and awarded to us from the State.

RECOMMENDED ACTION

Accept funds in the amount of \$434.25.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

| | Org # | Object # | Project # | Fed Amount \$ | State Amount \$ | Local Amount \$ |
|---|----------|----------|-----------|---------------|-----------------|-----------------|
| 1 | 61032010 | 561032 | 225XX | - | \$434.25 | - |
| 2 | | | | - | - | - |
| 3 | | | | - | - | - |
| 4 | | | | - | - | - |

Revenue

| | Org # | Object # | Project # | Fed Amount \$ | State Amount \$ | Local Amount \$ |
|---|---------|----------|-----------|---------------|-----------------|-----------------|
| 1 | 6103002 | 402148 | 225XX | - | \$434.25 | - |
| 2 | | | | - | - | - |
| 3 | | | | - | - | - |
| 4 | | | | - | - | - |

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

**Resolution Authorizing the Acceptance of a \$750.00 Juvenile Court Diversion Network
Program Grant by the Rochester Police Department (RPD) and Supplemental
Appropriation in Connection Therewith**

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

That a Seven Hundred Fifty Dollar (\$750.00) Juvenile Court Diversion Network Program Grant is hereby accepted by the City on behalf of the RPD.

Further, the City Council authorizes a supplemental appropriation to the RPD Juvenile Alcohol Grant fund 6128 in the amount of Seven Hundred Fifty Dollars (\$750.00) with the entirety of the supplemental appropriation being derived from said Grant.

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

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City Clerk's Office



06/02/2022

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

Seeking permission from Council to accept funds in the amount of \$750.00 for the NH Juvenile Court Diversion Network Program.

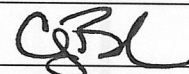
COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

FUNDING REQUIRED? YES ☒ NO ☐

* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☒ NO ☐

| | | |
|----------------------|---|--|
| AGENDA DATE | Next May 2022 meeting | |
| DEPT. HEAD SIGNATURE |  | |
| DATE SUBMITTED | 4/28/22 | |
| ATTACHMENTS | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | * IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED |

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

| | |
|-------------------------|---|
| FINANCE OFFICE APPROVAL | |
| SOURCE OF FUNDS | State Governor's Commission Alcohol Fund |
| ACCOUNT NUMBER | Fund 6128 Project 22565 |
| AMOUNT | \$750.00 |
| APPROPRIATION REQUIRED | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from Council to accept funds in the amount of \$750.00 for the NH Juvenile Court Diversion Network Program. These funds are for the Juvenile Alcohol Grant the State Governor has allotted us. This funding is used for prevention programming during the Summer Teen Travel Camp; an extension of the Rochester Teen Night Program. These funds help strengthen existing Teen Programming and allow for our Juvenile Diversion program to participate in data collection that is already being done at the State level, such data to be used in national conversations on the use of SBIRT (Screening Brief Intervention and Referral to Treatment) in juvenile justice. NH is one of the first States to participate in this level of screening and intervention.

RECOMMENDED ACTION

Accept funds in the amount of \$750.00.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name:

Date:

Fiscal Year:

Fund (select):

GF Water Sewer Arena
 CIP Water CIP Sewer CIP Arena CIP
 Special Revenue

Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

| | Org # | Object # | Project # | Fed Amount \$ | State Amount \$ | Local Amount \$ |
|---|----------|----------|-----------|---------------|-----------------|-----------------|
| 1 | 61282010 | 589007 | 22565 | - | 750.00 | - |
| 2 | | | | - | - | - |
| 3 | | | | - | - | - |
| 4 | | | | - | - | - |

Revenue

| | Org # | Object # | Project # | Fed Amount \$ | State Amount \$ | Local Amount \$ |
|---|---------|----------|-----------|---------------|-----------------|-----------------|
| 1 | 6128002 | 402148 | 22565 | - | \$750.00 | - |
| 2 | | | | - | - | - |
| 3 | | | | - | - | - |
| 4 | | | | - | - | - |

DUNS #

CFDA #

Grant #

Grant Period: From
To

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

Reimbursement Request will be reduced

Funds will be returned

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left blank...*

City Clerk's Office

06/02/2022

Amendment to Chapter 218 of the General Ordinances of the City of Rochester Regarding
Stormwater Management and Erosion Control

THE CITY OF ROCHESTER ORDAINS:

That Chapter 218 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struck out~~ additions in **RED**):

§ 218-11 **Maintenance and inspection.**

- C. Installation, Construction, Maintenance and Inspection Requirements and responsibilities/Post Construction Inspection and Maintenance. All applicants requiring a Stormwater Management and Erosion Control Plan shall submit relevant pollutant accounting information to the Planning Department as required by the Department of Public Works. Required information shall be submitted at the time of as-builts.

Amendment is effective upon adoption.

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City Clerk's Office



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

Implementation of Stormwater Pollution Accounting Requirements for Private Development and inclusion of such language in Chapter 218 Stormwater Management

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

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

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☐ NO ☒

| | | | |
|----------------------|---|--|--|
| AGENDA DATE | June 7, 2022 | | |
| DEPT. HEAD SIGNATURE | Peter C. Nourse, Director of City Services | | |
| DATE SUBMITTED | May 23, 2022 | | |
| ATTACHMENTS | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | * IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED | |

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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|---------------------|--|
| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

City Charter, Section 4: Except as herein provided otherwise, the City Council shall have all powers conferred by law upon City Councils, Boards of Mayor and Aldermen, and the Selectmen of Towns so far as applicable to cities.

SUMMARY STATEMENT

Requested is a change to Chapter 218 of the City ordinances, Stormwater Management and Erosion Control.

Rochester is required to implement a stormwater pollution accounting system for private development. This program is a requirement of the settlement agreement between the Cities of Rochester, Dover and Portsmouth and the Conservation Law Foundation of 3/26/21. It is also a tool that can be used for Rochester to comply with the Great Bay General Permit for Nitrogen. The tool is called Pollution Tracking, Accounting Program (PTAP).

This program is an on-line tool developed by the UNH Stormwater Center and is maintained by the Department of Environmental Services. It is widely used by communities to account for pollution loading due to private development.

The program will be used by developers and their engineers to account for nitrogen loading and reductions for private development using Chapter 218, Stormwater Management and Erosion Control, of the City's ordinances. Developers and their engineers will interface with the web program. City staff will monitor compliance. The value to the City is that as land is developed, stormwater management practices will be constructed and their contribution to limiting nitrogen loading will be recorded and indicate achievement of nitrogen reduction goals.

Recommended language for Chapter 218 is generic, not specifically indicating use of the PTAP tool proper, as there may be improved tools for this use in the future.

As a member of the Municipal Alliance for Adaptive Management (MAAM), Rochester has provided funding towards this program, along with other community members.

See attached recommended language for Chapter 218.

RECOMMENDED ACTION

Recommend City Council adopt the recommended language to be included in Chapter 218

PTAP Draft Regulation Language and Placement

Chapter 218 document amendment location –

Section 218-11.C Installation, Construction, Maintenance, and inspection requirements and responsibilities/Post Construction Inspection and Maintenance

All applicants requiring a Stormwater Management and Erosion Control Plan shall submit relevant pollutant accounting information to the Planning Department as required by the Department of Public Works. Required information shall be submitted at the time of as-builts.

PLANNING BOARD 4/18/22

V. Opening Discussion/Comments (up to 30 minutes)

A. Public comment

No public comment for general Planning issues.

B. Discussion of general planning issues

No discussion of general planning issues.

VI. Manufactured Housing Park Presentation – Packy Campbell

Business owner and developer Packy Campbell said he wishes to have the Planning Board recommend an amendment to the Mobile Home Ordinance Chapter 135 to the City Council. He said the language he is suggesting gets rid of a prohibition against all mobile home parks in the city. Mr. Campbell said when the ordinance was adopted there hadn't been any new mobile home parks within the city in ten years.

Mr. Campbell said there are currently three mobile homes for sale in Rochester, the average price for them is \$215,000 in a park. He said there are five existing houses for sale in Rochester. He said when he started in real estate there were 250 houses on average for sale in Rochester.

Mr. Campbell said he asks the Board to change the ordinance in order to help developers because it is the right thing to do and it is desperately needed in the community.

Mr. Sullivan said he is not prepared to vote on anything because the Board is just getting the information, but he said he will continue to listen. Ms. Saunders clarified the difference between a mobile home subdivision and a mobile home park is density.

Mr. Collopy said Mr. Campbell is here at the workshop meeting to discuss the mobile home park issue and and get a dialog started with a land use board.

Mr. Sullivan said it would be helpful for the Board to have all the information on mobile home subdivisions, mobile home parks, and an opinion from the City Attorney speaking to the allegations the city is acting illegally, and have one presentation so the Board can figure out what the next best step is.

Mr. McQuade said being new to the Board he is unfamiliar with the ordinance change in 2014 and asked why the change was originally made. Mr. Walker said it was the density factor that precipitated the change. Ms. Dwyer said she would like to have a packet put together so the Board has time to read through it and bring back to the workshop meeting in June for further discussion.

Mr. Giuliano asked for the City Attorney to weigh in on the testimony from Mr. Campbell before a lot of effort is put in by Planning Staff.

VII. Pollution Tracking: PTAP and 202A water Tank Update – Peter Nourse

Director of Public Works Peter Nourse said the EPA general permit for nitrogen was released in November of 2020 which was issued to twelve communities including Rochester. He said it's a point source permit which means it regulates the level of nitrogen in the effluent in the wastewater treatment facilities. Mr. Nourse said it's widely accepted that two thirds of the nitrogen entering Great Bay comes from nonpoint sources and a large component of that is stormwater runoff.

Mr. Nourse said permittee's collaborate in the reduction of nitrogen through efforts through pollution monitoring, tracking, and reduction planning. Mr. Nourse said part three initiatives are lead by Municipal Alliance Management (MAM) which consists of representatives of the majority of the permitted communities as well as a stakeholder component.

Mr. Nourse explained Part B of the joint adaptive management plan is guiding documents has endorsed a

tracking system called PTAPP which is pollution tracking accounting program. He further explained the use of the system for private development is a point of discussion for tonight's meeting. He said the system is online tools and was developed by UNH Stormwater Center and is administered by NHDES.

Mr. Nourse said funding is paid my MAM which Rochester has paid it's component for it's share to keep it going. He said several member communities require it's use for private development and in some cases it's spelled out in their ordinance. In addition to the Great Bay general permit voluntary effort there is a settlement agreement between Conservation Law Foundation and the cities of Portsmouth, Dover, and Rochester. Part of the agreement is that all three cities will adopt and maintain a pollution tracking and reduction system. Mr. Nourse explained the city needs to start using PTAPP because it is very important that it is accounted for in Chapter 218 and the MS 4 Permit.

Renee Bourdeau is a Water Resources Engineer with Geosyntec Consultants and has been working with the City of Rochester for the past ten years assisting with the Stormwater MS4 permit, total nitrogen general permit, and other water and stormwater issues. Ms. Bourdeau explained the amendments that are proposed for chapter 218. Section 11 will require all applicants disturbing more than 20,000 square feet will have to submit a sedimentation and erosion control plan to the Planning Department as required by Public Works. Changes to the Site Plan Regulations Section 4(D) in regard to as-built plans, the applicant must certify pollutant accounting information is consistent with the original calculations. Changes to the Planning Board notice of decision would include specifying the reporting tool to be used, referencing PTAPP; as-built section will reference the post construction pollutant accounting required to ensure calculations align with initial submission; and certification of the calculations will be required as a general and subsequent condition.

Mr. Walker asked for an example of what information a developer would enter into the system. Ms. Bourdeau explained the developer would enter the parcel information along with soil and land use information for the site and structural BMP's.

Mr. Sullivan asked if this is mandatory for the developer. Ms. Bourdeau said it is mandatory under the settlement agreement. Mr. Sullivan asked if Public Works is recommending making this a condition on the notice of decision to the developers. Ms. Bourdeau said yes.

Mr. Collopy said he would like the Board to receive a report whether it be annually or monthly, so they know if action needs to be taken.

A motion was made by Mr. Hamann and seconded by Mr. Fitts to recommend the amendment to Chapter 218 to the City Council. The motion carried unanimously.

Mr. Nourse gave an update on the Route 202 water extension project. He said the project will make water available to approximately 165 households may who have private wells with contaminates such as MBTE. Rick Davy of Wright-Pierce explained where the water tank will be located and explained how it will be constructed.

Mr. Giuliano asked how long construction of the tank will take. Mr. Nourse said construction is scheduled to start this month and completed by November.

Ms. Dwyer asked if there will be safeguards in place for construction of the tank within a neighborhood. Mr. Nourse said the truckers that will be working the site know to go slow and they will have flaggers. He said they will also have an access gate at the end of Eisenhower Drive. Mr. Nourse said they have sent out letters to the all the residents of Fillmore Boulevard, Eisenhower Drive, and Hussey Hill Road to advise them of the construction schedule.

VIII. Surety Release Request for Prep Partners Group, LLC, Warehouse and Distribution Facility in the amount of \$8,043.88

A motion was made by Mr. Giuliano and seconded by Ms. Dwyer to approve the surety release in the amount of \$8,043.88. The motion carried unanimously.

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City Clerk's Office

Resolution Authorizing the Acceptance of a \$4,000.00 Governor's Commission Alcohol Fund Grant by the Rochester Police Department (RPD) and Supplemental Appropriation in Connection Therewith

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

That a Four Thousand Dollar (\$4,000.00) Governor's Commission Alcohol Fund Grant is hereby accepted by the City on behalf of the RPD.

Further, the City Council authorizes a supplemental appropriation to the RPD Juvenile Alcohol Grant fund 6128 in the amount of Four Thousand Dollars (\$4,000.00) with the entirety of the supplemental appropriation being derived from said Grant.

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

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City Clerk's Office



06/02/2022

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


Seeking permission from Council to accept maximum funding in the amount of \$4,000.00 from the Governor's Commission Alcohol Fund Grant for the SBIRT program.

COUNCIL ACTION ITEM ☒
INFORMATION ONLY ☐

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

RESOLUTION REQUIRED? YES ☒ NO ☐

FUNDING RESOLUTION FORM? YES ☒ NO ☐

| | | | |
|----------------------|---|--|--|
| AGENDA DATE | Next June 2022 meeting | | |
| DEPT. HEAD SIGNATURE |  | | |
| DATE SUBMITTED | 5/31/22 | | |
| ATTACHMENTS | YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> | * IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED | |

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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|-------------------------|---|
| FINANCE OFFICE APPROVAL | |
| SOURCE OF FUNDS | State Governor's Commission Alcohol Fund |
| ACCOUNT NUMBER | Fund 6128 Project 23XXX |
| AMOUNT | \$4,000.00 |
| APPROPRIATION REQUIRED | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from Council to accept maximum funding in the amount of \$4,000.00 for the NH Juvenile Court Diversion Network SBIRT Program. These funds are for the Juvenile Alcohol Grant the State Governor has allotted us. This funding is used for prevention programming during the Summer Teen Travel Camp; an extension of the Rochester Teen Night Program. These funds help strengthen existing Teen Programming and allow for our Juvenile Diversion program to participate in data collection that is already being done at the State level, such data to be used in national conversations on the use of SBIRT (Screening Brief Intervention and Referral to Treatment) in juvenile justice. NH is one of the first States to participate in this level of screening and intervention.

RECOMMENDED ACTION

Accept funds in the amount of \$4,000.00.

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena

CIP Water CIP Sewer CIP Arena CIP

Special Revenue ☒

Fund Type: Lapsing Non-Lapsing ☒

Deauthorization

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

Appropriation

| | Org # | Object # | Project # | Fed Amount \$ | State Amount \$ | Local Amount \$ |
|---|----------|----------|-----------|---------------|-----------------|-----------------|
| 1 | 61282010 | 589007 | 23XXX | - | 4,000.00 | - |
| 2 | | | | - | - | - |
| 3 | | | | - | - | - |
| 4 | | | | - | - | - |

Revenue

| | Org # | Object # | Project # | Fed Amount \$ | State Amount \$ | Local Amount \$ |
|---|---------|----------|-----------|---------------|-----------------|-----------------|
| 1 | 6128002 | 402148 | 23XXX | - | \$4,000.00 | - |
| 2 | | | | - | - | - |
| 3 | | | | - | - | - |
| 4 | | | | - | - | - |

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned

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City Clerk's Office

Resolution Authorizing City Manager to Execute a State of New Hampshire ARPA Grant Agreement for the Ledgeview Drive Pump Station Upgrade Project

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

That the Mayor and City Council of the City of Rochester hereby authorize the City Manager to execute a State of New Hampshire ARPA Grant Agreement for the Ledgeview Drive Pump Station Upgrade Project in the amount of Three Hundred Seventy Nine Thousand Five Hundred Dollars (\$379,500.00). The Mayor and City Council previously accepted said Grant by a vote on April 5, 2022.

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

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City Clerk's Office



06/02/2022

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.

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|----------------|
| AGENDA SUBJECT |
|----------------|

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

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

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

COMMITTEE SIGN-OFF

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| COMMITTEE | |
| CHAIR PERSON | |

DEPARTMENT APPROVALS

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| DEPUTY CITY MANAGER | |
| CITY MANAGER | |

FINANCE & BUDGET INFORMATION

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

LEGAL AUTHORITY

| |
|--|
| |
|--|

SUMMARY STATEMENT

RECOMMENDED ACTION

AGENDA BILL - FUNDING RESOLUTION

EXHIBIT

Project Name: Date: Fiscal Year:

Fund (select):

GF Water Sewer Arena CIP Water CIP Sewer CIP Arena CIP Special Revenue Fund Type: Lapsing Non-Lapsing

Deauthorization

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

Appropriation

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

Revenue

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

DUNS # CFDA # Grant # Grant Period: From
To

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

Reimbursement Request will be reduced Funds will be returned