



**Regular City Council Meeting
October 3, 2023
Council Chambers
31 Wakefield Street
6:00 PM**

Agenda

- 1. Call to Order**
- 2. Opening Prayer**
- 3. Pledge of Allegiance**
- 4. Roll Call**
- 5. Acceptance of Minutes**
 - 5.1 Regular City Council Meeting: September 5, 2023
consideration for approval P. 9**
 - 5.2 Special City Council Meeting: September 19, 2023
consideration for approval P. 25**
- 6. Communications from the City Manager**
 - 6.1 City Manager's Report P. 29**
- 7. Communications from the Mayor**
 - 7.1. *Proclamation*: Extra Mile Day – November 1, 2023 P. 55**
 - 7.2. Public Hearing on 10/17 for ballot question – Shall the city of Rochester allow the operation of Sports book retail locations?**
- 8. Presentation of Petitions and Council Correspondence**
- 9. Nominations, Appointments, Resignations, and Elections**
 - 9.1. *Resignation*: Steve Beaudoin - Joint Building Committee
*consideration for approval***

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9.2. **Resignation: Matthew Winders – Historic District Commission, Seat F** *consideration for approval* P. 57

9.3. **Resignation: Taylor Poro – Ward 2 Selectman** *consideration for approval* P. 59

10. Reports of Committees

10.1 **Appointments Review Committee – No September meeting**

10.2 **Codes & Ordinances Committee P. 61**

10.2.1 **Committee Recommendation:** To add roll call attendance to the agenda for all subcommittee meetings per the City Council Rules of Order *consideration for approval* P. 64

10.3 **Community Development Committee P. 65**

10.4 **Finance Committee P. 69**

10.4.1 **Resolution Authorizing Transfer of \$250,000 from the General Fund Unassigned Fund Balance to the Trustees of the Trust Fund for the Public Works Large Vehicle Capital Reserve Fund (CRF)** *first reading and refer to public hearing October 17, 2023* P. 95

10.4.2 **Resolution Authorizing Transfer of \$250,000 from the General Fund Unassigned Fund Balance to the Trustees of the Trust Fund for the Fire Department Apparatus Capital Reserve Fund (CRF)** *first reading and refer to public hearing October 17, 2023* P. 97

10.4.3 **Resolution Authorizing Transfer of \$250,000 from the General Fund Unassigned Fund Balance to the Trustees of the Trust Fund for the Public Buildings Capital Reserve Fund (CRF)** *first reading and refer to public hearing October 17, 2023* P. 99

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City Clerk's Office

10.4.4 Resolution for Supplemental Appropriation to FY24 School General Fund Capital Improvement Plan (CIP) in the amount of \$34,000,000 for the construction of a new school *first reading and refer to public hearing October 17, 2023* P. 103

10.4.5 *Committee Recommendation:* To approve the creation, description, and classification of the Deputy Chief Administrative Officer position *consideration for approval* P. 119

10.4.6 *Committee Recommendation:* To approve the creation, description, and classification of the Chief Community Development Officer, Battalion Chief, and Training Officer positions *consideration for approval* P. 121

10.5 Planning Board P. 123

10.6 Public Safety P. 135

10.6.1 *Committee Recommendation:* To add a 30-mph speed limit sign on Bernard Road *consideration for approval* P. 136

10.7 Public Works P. 139 *report added 9/29

11. Unfinished Business

11.1. Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Commercial Bingo Halls *second reading and consideration for adoption* P. 189

11.2. Resolution Authorizing Donation to the Veterans of Foreign Wars (VFW) Concord in the amount of \$49,640.57 *first reading and refer to public hearing October 17, 2023* P. 195

12. Consent Calendar

13. New Business

13.1. Resolution Authorizing the Acceptance of a Juvenile

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City Clerk's Office

Alcohol Grant from the State of New Hampshire in the amount of \$4,240.00 *first reading and consideration for adoption* P. 199

- 13.2. Resolution Authorizing the Acceptance of a JAG Grant from the State of New Hampshire in the amount of \$27,065.00 *first reading and consideration for adoption*** P. 205
 - 13.3. Resolution Amending the Adopted FY 2024 Rochester CDBG "Action Plan for the City of Rochester, N.H." for Community Action Partners and Strafford Nutrition Meals on Wheels *first reading and consideration for adoption*** P. 211
 - 13.4. Resolution Establishing Polling Places and Times for the November 7, 2023 Municipal Election *first reading and consideration for adoption*** P. 215
- 14. Non-Meeting/Non-Public Session**
- 14.1 Non-Public Session, RSA 91-A:3,II(d) Land**
- 15. Adjournment**

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City Clerk's Office

**Regular City Council Meeting
September 5, 2023
Council Chambers
6:00 PM**

COUNCILORS PRESENT

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

OTHERS PRESENT

Katie Ambrose, City Manager
Peter Nourse, Director of City Services
Terrence O'Rourke, City Attorney
Mark Sullivan, Deputy Finance Director
Michael Scala, Director of Economic Dev.
Norman Vetter, Resident/Developer

COUNCILORS EXCUSED/ ABSENT

Minutes

1. Call to Order

Mayor Callaghan called the meeting to order at 6:00 PM and immediately recessed the meeting to enter a Non-Public Session.

Councilor Lachapelle **MOVED** to enter into a Non-Public Session for Land under RSA 91-A:3 I (d) at 6:01 PM. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote as follows: Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Hainey, Larochelle, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

Mayor Callaghan reconvened the Regular City Council meeting at 6:44 PM. Councilor Lachapelle **MOVED** to exit the Non-Public Session at 6:44 PM. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle **MOVED** to seal the minutes of the Non-Public Session because disclosure would render the proposed action ineffective. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Hainey, Gray, Malone, Gilman, Fontneau, Larochelle, de Geofroy, Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voted in favor of the motion.

2. Opening Prayer

Mayor Callaghan asked everyone to stand for a moment of silence for the victims of the recent natural disasters.

3. Pledge of Allegiance

Councilor Desrochers led the Pledge of Allegiance.

4. Roll Call

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

5. Acceptance of Minutes

5.1 Regular City Council Meeting: August 1, 2023 *consideration for approval*

Councilor Lachapelle **MOVED** to **ACCEPT** the August 1, 2023, Regular City Council meeting minutes. 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

The City Manager Report is as follows:

Contracts and documents executed since last month:

- **Department of Public Works**
 - Scope of Service, City Hall Roof Drain Remediation – Weston & Sampson
 - ARPA Grant application – Water Treatment cyber security
 - Environmental Wetlands Monitoring Agreement – GZA Geo

Environmental Services

- Scope of Service, SSMP Building Inspection – Weston & Sampson.
 - Change Order, Woodman St Area Reconstruction – S.U.R.
 - Change Order, Biosolids/Dewater facility – Apex Construction
 - Notice to Proceed, Concrete & Bituminous sidewalks – S.U.R.
 - Task Order, WWTP NPDES Permit Technical assistance – Brown & Caldwell
 - Task Order, WWTP technical assistance & Steam Gage project – Wight-Pierce
 - Task Order, Pavement Conditions Index Update – Hoyle Tanner
- **Economic Development**
 - FY23-24 CAP Weatherization – Mavis Ave
 - FY23-24 CAP Weatherization – Brownstone Ln.
 - FY24 CDBG Funding Approval/Agreements
 - CDBG - Exempt and categorically excluded activities
 - FY23-24 CAP Weatherization – Cherokee Way
 - Scope of Work, Water St Improvements – Fuss & O’neill
 - FY23-24 CAP Weatherization – Melrose Dr.
 - FY23-24 CAP Weatherization – Colby St.
 - Audit Certification for EMPG Grant
 - FY23-24 CAP Weatherization – Strafford Rd.
 - Gafney Home Project form updates
 - CDBG Public Facilities – Environmental Reviews
 - Gafney Home Project Amendment
 - **HR**
 - Document Scanning - ViaTron

The following Standard Report has been enclosed:

- Personnel Action Report Summary

City Manager Ambrose announced that September 16, 2023 is National Thank a Police Officer Day. She gave details about the “paint the City blue” initiative to honor the Rochester Police Department during the month of September.

City Manager Ambrose announced that Elizabeth Green, IT Services, has been promoted to the position of Deputy Chief Information Officer.

7. Communications from the Mayor

Mayor Callaghan announced that the November Regular City Council meeting would be delayed by one day due to the Municipal Election being held on November 7, 2023. The Regular City Council meeting shall be held on November 8, 2023, at 6:00 PM, at which time the City Council will canvas the Municipal Election Results.

Mayor Callaghan said the Rochester Office of Economic Development, in collaboration with the Greater Rochester Chamber of Commerce and the NH Small Business Association, held a Small Business Resource Workshop – “Small Businesses Thriving in Rochester” on August 29, 2023. He said the event was well attended.

Mayor Callaghan briefly spoke about the successful reading event held over the summer at the Rochester Public Library.

Mayor Callaghan said the Moonlight Madness event was successful.

Mayor Callaghan said the State of the City Event shall be held on September 15, 2023 at 7:30 AM. He said this Chamber of Commerce hosted event shall be held at the Frisbie Memorial Hospital/Conference Room.

7.1. Filing Period for November 7, 2023 Municipal Election: Friday, September 8th at 9:00 AM through Monday, September 25th at 5:00 PM

Mayor Callaghan announced that the Filing Period begins this Friday as stated above.

7.2. Supervisors of the Checklist will meet Thursday, September 7th at 6:00 PM

Mayor Callaghan announced that the Supervisors of the Checklist will be in Session this Thursday as stated above.

8. Presentation of Petitions and Council Correspondence

No discussion.

9. Nominations, Appointments, Resignations, and Elections

No discussion.

10. Reports of Committee

10.1. Appointments Review Committee - No August Meeting

No discussion.

10.2 Codes & Ordinances Committee – No August Meeting

No discussion.

10.3 Community Development Committee – No August Meeting

No discussion.

10.4 Finance Committee

10.4.1 Resolution for Supplemental Appropriation to FY24 General Fund CIP of \$546,000 for Community Center Solar Array Project and Acceptance of Anticipated \$164,000 Investment Tax Credit-Direct Payment first *reading and refer to public hearing September 19, 2023*

Mayor Callaghan read the resolution by title only and referred the matter to a Public Hearing to be held on September 19, 2023.

Resolution for Supplemental Appropriation to FY24 General Fund CIP of \$546,000 for Community Center Solar Array Project & Acceptance of Anticipated \$164,000 Investment Tax Credit-Direct Payment.

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 appropriate Five Hundred Forty Six Thousand Dollars (\$546,000.00) to the FY2024 General Fund CIP-Public Buildings for the purpose of paying costs associated with construction of a Solar Array for the Community Center. The entirety of this supplemental appropriation shall be derived from General Fund Unassigned Fund Balance.

Further, the IRS has made changes to laws related to solar Investment Tax Credits (ITC) that offers a direct payment to municipalities of Thirty

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Regular City Council Meeting
September 5, 2023

Percent (30%) of the construction costs in lieu of a tax credit. This direct payment opportunity is anticipated to be One Hundred Sixty Four Thousand Dollars (\$164,000.00).

Further, that the Mayor & City Council agree to accept the anticipated One Hundred Sixty Four Thousand Dollars (\$164,000.00) as a General Fund Miscellaneous Revenue when received.

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.

10.4.2 Resolution to Appropriate \$750,000 in ARPA Grant Funding to Affordable Housing Initiatives
first reading and consideration for adoption

Mayor Callaghan read the resolution by title only as follows:

Resolution to Appropriate \$750,000 in ARPA Grant Funding to Affordable Housing Initiatives

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 appropriate Seven Hundred Fifty Thousand Dollars (\$750,000.00) of previously accepted, but uncommitted, ARPA funding to Affordable Housing Initiatives. Affordable Housing is an eligible use of ARPA funding per US Treasury Coronavirus State & Local Fiscal Recovery Funds Final Rule under Public Health & Negative Economic Impacts category. Further, the Mayor & City Council agree that any Affordable Housing Initiative project shall be presented to City Council for final approval and authority to expend.

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 **APPROVE** the resolution. Councilor Desrochers seconded the motion. Councilor Beaudoin stated that he would be opposing the motion because the funding would impact future generations, and he referred to this proposal as "corporate welfare". He

gave examples of long-lasting projects, which the ARPA funding should be used to support. He said these developers (workforce housing) are reimbursed by the Federal Government and do not need local funds.

Councilor Desrochers supported the motion. She said there is a great need for affordable housing in the City of Rochester. She spoke about residents struggling to maintain/afford their housing, which has been amplified by the pandemic as well other factors. Councilor Fontneau agreed and said a recent news article revealed that the number one concern for residents is affordable housing. Mayor Callaghan agreed and stated that the Governor expended millions of dollars of ARPA Funds last year to support housing initiatives. He said it is an appropriate and important use of ARPA Funds.

Councilor Beaudoin stated that the City will soon have over 1,400 subsidized housing units/apartments. He questioned what percentage of the City's housing should be subsidized. He agreed there should be a certain percentage of subsidized housing in the City; however, he felt that goal has been reached. He said the city has a 9% poverty rate, yet 28% of the housing units will be subsidized by the government. He said he supports workforce housing; however, it seems the City of Rochester has done its share.

Michael Scala, Director of Economic Development, said affordable housing is a pressing issue, which has impacted the Seacoast area. He said that the Governor has mentioned affordable housing as one of the top issues for the State of NH at this time. Mr. Scala said affordable housing is also used to support local schoolteachers, firefighters, police officers, etc. Councilor Desrochers asked for clarification on how the funding would be used. Mr. Scala said this funding would be used to support workforce housing and/or affordable housing (30% of household gross income), with the specific goal to bring affordable housing to Rochester.

Mark Sullivan, Deputy Finance Director, clarified that the money would be set aside in a fund to be used for the purpose of affordable/workforce housing; however, the Director of Economic Development must bring any proposed projects back to the City Council for final approval.

Mayor Callaghan said this initiative would attract more workers to Rochester and make the Rochester businesses even stronger, which will result in bringing prosperity to our City and the State of New Hampshire. Mayor Callaghan called for a vote on the motion. The **MOTION CARRIED** by a majority voice vote.

10.4.3 Committee Recommendation: To approve the seven new positions and/or reclassifications recommended by the Personnel Advisory Board *consideration for approval*

Mayor Callaghan clarified that the funding for these positions and/or reclassifications of positions were included in the approved FY 24 budget. Councilor Lachapelle **MOVED** to **APPROVE** the seven new positions and/or reclassifications recommended by the Personnel Advisory Board. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a majority voice vote.

10.5 Planning Board

No discussion.

10.6 Public Safety

No discussion.

10.7 Public Works

No discussion.

11. Unfinished Business

No discussion.

12. Consent Calendar

No discussion.

13. New Business

13.1. Resolution Accepting NH Department of Environmental Services (NHDES) Grant, in Connection with 2023 Household Hazardous Waste Day and Authorizing City Manager to Enter into a Contract with NHDES not to exceed \$12,759.00 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Accepting

**NH Department of Environmental Services (NHDES) Grant,
in Connection with 2023 Household Hazardous Waste Day
and Authorizing City Manager to Enter Into a
Contract with NHDES not to exceed \$12,759.00**

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

That a NHDES Grant, in the amount not to exceed Twelve Thousand Seven Hundred Fifty Nine Dollars (\$112,759.00) to the City of Rochester, for the purpose of hosting hazard mitigation, is hereby accepted by the City of Rochester. The associated revenue and expenses accounts have previously been approved by the Council in the Department of Public Works 2024 operating budget of the City of Rochester.

Additionally, the City Manager of the City of Rochester, be, and hereby is authorized to enter into a contract with the NHDES with respect to such grant and the conduct of the aforementioned 2023 Household Hazardous Waste Day.

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

Councilor Lachapelle **MOVED** to **ADOPT** the resolution. Councilor Desrochers seconded the motion. Councilor de Geofroy **MOVED** to **AMEND** the resolution by correcting the dollar figure (~~\$112,759.00~~) in the resolution, which should be **(\$12,759.00)** and to correct some of the verbiage in the Resolution as follows: for the purpose of hosting ~~hazard mitigation~~ **the Household Hazardous Waste Day**. Councilor Lachapelle seconded the motion. The **MOTION CARRIED** to **AMEND** the motion by a unanimous voice vote. The main **MOTION CARRIED** as **AMENDED** by a unanimous voice vote.

The resolution as **AMENDED** is as follows:

**Resolution Accepting NH Department of Environmental
Services (NHDES) Grant, in Connection with 2023 Household
Hazardous Waste Day and Authorizing City Manager to Enter
Into a Contract with NHDES not to exceed \$12,759.00**

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

That a NHDES Grant, in the amount not to exceed Twelve Thousand Seven Hundred Fifty Nine Dollars (\$12,759.00) to the City of Rochester, for the purpose of hosting the Household Hazardous Waste Day, is hereby accepted by the City of Rochester. The associated revenue and expenses accounts have previously been approved by the Council in the Department of Public Works 2024 operating budget of the City of Rochester.

Additionally, the City Manager of the City of Rochester, be, and hereby is authorized to enter into a contract with the NHDES with respect to such grant and the conduct of the aforementioned 2023 Household Hazardous Waste Day.

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

13.2. RSA 79-E Extension for property located at 22 South Main Street *motion to approve*

Councilor Lachapelle **MOVED** to **APPROVE** the RSA 79-E Extension for property located at 22 South Main Street. Councilor Desrochers seconded the motion.

Councilor Beaudoin asked if staff from the Assessing Department has conducted a walk-through of the building and submitted the memorandum of findings. Mayor Callaghan confirmed that this statement is correct. Councilor Beaudoin questioned the findings of the Assessing Department because it did not seem to him that 50% of the project had been completed as indicated in the memorandum. He questioned if the anticipated completion date is truly to be six more months. Several Councilors mentioned that a new city council is to be elected soon and in six months' time there will be a new Council to contend with in regard to any further extensions of this specific project.

Councilor de Geofroy stated that the Assessing Department has submitted its memorandum indicating that the developer has met the requirements, which were set by this City Council. He said extension should be granted; otherwise, the City Council would be acting in bad faith.

Councilor Berlin gave the opinion that by granting this request for the six-month extension it should eliminate the need for another extension in six-months' time. He stated that he is not against another extension; however, guaranteeing another extension is beyond what this City Council could approve.

Michael Scala, Director of Economic Development, addressed the City Council. He explained the differences between the two separate buildings. His assessment of complying with the 50% completion goal included the amount of demolition needed for each building. He said the South Main Street property had to deal with a significant amount of demolition, which was much more than the other property. He said that fact was taken into consideration for calculating the 50% mark.

Norman Vetter, resident and owner of 22 South Main Street, addressed the City Council. He explained that there are still delays receiving materials and equipment and it would not be possible for him to guarantee the project could be completed by the six-month extension period. He said that it will take at least seven months to receive the "switch gear" for the building, and that this delay, must be considered. He wished to clarify the City Council's expectations on the potential for a request on any future extensions, or he would find it necessary to stop the 2-million-dollar project and go elsewhere. Councilor Berlin gave reasons why he understood that Council was told that the project would be completed within a certain time range, and he reiterated that this City Council cannot answer for what the next City Council will or will not do in regards to approving another extension. Mr. Vetter understood Councilor Berlin's concerns; however, he stated the only way this project will work is by being supported by the 79-E program. He reiterated that he could not guarantee a completion date at this time.

Councilor Fontneau said he served on the Planning Board for over twenty years. He was fortunate enough to work with Mr. Vetter and witnessed the completion of many of his (Mr. Vetter) City projects during that time. He shared a recent experience about the length of time it took to gather electrical and other related construction supplies. Councilor Malone reiterated the positive reputation that Mr. Vetter has with the City. She confirmed that the construction market is greatly impacted with delays in obtaining workers and materials.

Councilor Larochelle said there is little to no cost in delaying the project and cannot be compared to the benefit of seeing the project completed.

The City Council continued to discuss the matter in detail. Councilor Hainey **MOVED** to extend the requested 6-month extension to twelve months. Councilor Fontneau seconded the motion. The **MOTION CARRIED** by a unanimous voice vote. Mayor Callaghan called for a vote on the motion as amended. The **MOTION CARRIED** by a unanimous voice vote.

13.3. RSA 79-E Extension for property located at 73-77 North Main Street *motion to approve*

Councilor Lachapelle **MOVED** to **APPROVE** the RSA 79-E Extension for property located at 79-77 North Main Street. Councilor Desrochers seconded the motion. Councilor Beaudoin asked if the prior vote was supposed to be for both properties. City Attorney O'Rourke clarified that there are two separate agenda items to be voted upon. The **MOTION CARRIED** by a unanimous voice vote.

13.4. Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Commercial Bingo Halls *first reading and refer to public hearing September 19, 2023*

Mayor Callaghan read the resolution by title only and referred the matter to a Public Hearing to be held on September 19, 2023.

Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Commercial Bingo Halls

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 of the General Ordinances of the City of Rochester and currently before the Rochester City Council, be amended as follows (deletions ~~struckout~~ additions in RED):

Chapter 275, Table 18, Use Table

ADD: Commercial Bingo Hall – Permitted in Highway Commercial and Granite Ridge Zones

275-2.1 - Definitions

ADD: Collocation: Facilities, equipment, or uses located within the same structure or parcel, often sharing the same driveway and parking facilities.

Commercial Bingo Hall: Any hall owned or leased by an individual, corporation, realty trust, partnership, association, or any other person who rents or leases the hall to a charitable organization for the operation of bingo games or Lucky 7, excluding halls owned by any charitable organization or governmental subdivision as defined by RSA 287-E:1.

275-20.2 Conditions for Particular Use

ADD: Commercial Bingo Hall. Commercial Bingo Halls are permitted only when collocated with Charitable Gaming Facilities or by Special Exception.

1. Facilities and buildings are subject to Parking, Landscaping, and Architectural standards set by Charitable Gaming Facilities as per Zoning Ordinance Regulations 275-20.2
2. The facility is required to submit a safety and security plan subject to approval by the Rochester Fire and Police Departments. The plan shall outline all aspects of life safety to include emergency egress, access, site security, and occupancy limitations.

Amendments take effect upon passage.

13.5. Resolution Authorizing Acceptance of a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of \$8,200.00 *first reading and consideration for adoption*

Mayor Callaghan read the resolution by title only as follows:

Resolution Authorizing Acceptance of a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of \$8,200.00

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

That the City of Rochester hereby accepts a State of New Hampshire Highway Safety Traffic Enforcement Grant in the amount of Eight

Thousand Two Hundred Dollars (\$8,200.00) to pay for costs overtime enforcement patrols. The City is required to make a Twenty Five Percent (25%) in kind match of Two Thousand Fifty Dollars (\$2,050.00) which will be derived, in whole, from the existing Police Department Operating Budget.

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 **APPROVE** the resolution. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

13.6. Non-Public Minutes of November 15, 2022 *motion to unseal*

Councilor Lachapelle **MOVED** to **UNSEAL** the minutes of November 15, 2022. Councilor Malone seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

14. Non-Meeting/Non-Public Session

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

Councilor Lachapelle **MOVED** to enter into a Non-Public Session for Land under RSA 91-A:3 I (d) AT 7:21 PM. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote as follows: Councilors de Geofroy, Beaudoin, Hamann, Desrochers, Lachapelle, Malone, Berlin, Hainey, Laroche, Gray, Gilman, Fontneau, and Mayor Callaghan voted in favor of the motion.

Councilor Lachapelle **MOVED** to exit the Non-Public Session at 7:51 PM. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Councilor Lachapelle **MOVED** to seal the minutes of the Non-Public Session because disclosure would render the proposed action ineffective. Councilor Desrochers seconded the motion. The **MOTION CARRIED** by a unanimous roll call vote as follows: Councilors Gilman, de Geofroy, Gray, Hainey, Laroche, Berlin, Lachapelle, Fontneau, Hamann, Beaudoin, Desrochers, Malone, and Mayor Callaghan voted in favor of the motion.

15. Adjournment

Mayor Callaghan Adjourned the Regular City Council Meeting at 7:52 PM.

Respectfully Submitted,

Kelly Walters, CMC
City Clerk

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City Clerk's Office

**City Council Special Meeting
September 19, 2023
Council Chambers
6:18 PM**

COUNCILORS PRESENT

Councilor Beaudoin
Councilor Berlin
Councilor de Geofroy
Councilor Desrochers
Councilor Fontneau
Councilor Gilman
Councilor Gray
Councilor Hamann
Councilor Malone (remote)
Councilor Larochelle
Deputy Mayor Lachapelle
Mayor Callaghan

OTHERS PRESENT

Katie Ambrose, City Manager
Mark Sullivan, Deputy Finance Director
Peter Nourse, Director of City Services

COUNCILORS EXCUSED

Councilor Hainey

Minutes

1. Call to Order

Mayor Callaghan called the City Council Special meeting to order at 6:18 PM.

2. Roll Call

Deputy City Clerk Cassie Givara had taken the roll call attendance prior to the City Council Public Hearing immediately preceding the Special Meeting. All Councilors were present except for Council Hainey, who was excused.

Prior to the public hearing, Mayor Callaghan announced that Councilor Malone was attending the meeting remotely. He asked Councilor Malone if it was reasonably impractical for her to attend the meeting in person and to state the reason for the record. Councilor Malone stated that

it was impractical for her to attend due to medical reasons. She stated she was alone in the location from which she was connecting.

3. Resolution for Supplemental Appropriation to FY24 General Fund CIP of \$546,000 for Community Center Solar Array Project and Acceptance of Anticipated \$164,000 Investment Tax Credit-Direct Payment *second reading and consideration for adoption*

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

Resolution for Supplemental Appropriation to FY24 General Fund CIP of \$546,000 for Community Center Solar Array Project & Acceptance of Anticipated \$164,000 Investment Tax Credit-Direct Payment.

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 appropriate Five Hundred Forty Six Thousand Dollars (\$546,000.00) to the FY2024 General Fund CIP-Public Buildings for the purpose of paying costs associated with construction of a Solar Array for the Community Center. The entirety of this supplemental appropriation shall be derived from General Fund Unassigned Fund Balance.

Further, the IRS has made changes to laws related to solar Investment Tax Credits (ITC) that offers a direct payment to municipalities of Thirty Percent (30%) of the construction costs in lieu of a tax credit. This direct payment opportunity is anticipated to be One Hundred Sixty Four Thousand Dollars (\$164,000.00).

Further, that the Mayor & City Council agree to accept the anticipated One Hundred Sixty Four Thousand Dollars (\$164,000.00) as a General Fund Miscellaneous Revenue when received.

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. The **MOTION CARRIED** by an 11 – 1 roll call vote with Councilors Gray, Malone, Fontneau, Laroche, de Geofroy,

City of Rochester
Draft

City Council Special Meeting
September 19, 2023

Desrochers, Berlin, Beaudoin, Hamann, Lachapelle, and Mayor Callaghan voting in favor and Councilor Gilman voting opposed

4. Adjournment

Mayor Callaghan **ADJOURNED** the City Council Special Meeting at 6:19 PM.

Respectfully Submitted,

Cassie Givara,
Deputy City Clerk

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City Clerk's Office



City of Rochester, New Hampshire

OFFICE OF THE CITY MANAGER
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**CITY MANAGER'S REPORT
 September 2023**

Contracts and documents executed since last month:

- **Department of Public Works**
 - Estimate, Angela Lane Drainage Improvements – S.U.R. **P. 31**
 - Estimate, 125 Milton Rd Demolition – S.U.R. **P. 32**
 - Change Order, Opera House egress/remediation – Careno **P. 33**
 - Homeowner Option Lien, 129 Franklin Street **P. 34**
 - Final project change order, Carbon storage facility – Apex Construction **P. 35**
 - Easements, quit claim, & Authorization docs, Round Pond augmentation **P. 36**
 - Warranty agreement, Community Center roof restoration **P. 37**
 - Addendum to Honeywell contract, removing 45 Old Dover Rd **P. 38**
 - Task order, Rt 11 Capacity & safety improvement project **P. 39**
 - Scope of Service, Highland St Sidewalk restoration – S.U.R. **P. 40**
 - Purchasing waiver, Library roof repair – Industrial Roof Co. **P. 41**
 - Installation, operations, and maintenance contracts, Community Center Solar **P. 42**
 - 2017 NH NPDES MS4 General Permit 5-year report **P. 43**
 - Change Order, Sidewalk construction – S.U.R. **P. 44**
- **Economic Development**
 - CDFA Account Access **P. 45**
 - HUD Certificate of Consistency with consolidated plan. **P. 46**
 - Release of HUD CDBG Funds **P. 49**
 - FY23-34 CAP Weatherization – Old Milton Road **P. 50**
 - Gafney Home Project Status Reports **P. 51**
- **Finance**
 - Contract for software purchase – Debt Books **P. 52**

The following standard report has been enclosed:

- Personnel Action Report Summary **P.53**

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City Clerk's Office



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
MARK SULLIVAN, DEPUTY FINANCE DIRECTOR

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: August 30, 2023

SUBJECT: SUR Construction
Angela Lane Drainage Improvements
Amount: \$23,528.75

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. This work is to correct the existing drainage issues on Angela Lane. This scope includes a mill and overlay and grading of the area of roadway and slopes to direct water to the existing catch basin. Both the repair and drainage work are beyond the scope of City resources.

The pricing for equipment and labor is per City of Rochester Bid # 23-26 for Equipment Rental and “On-call Construction Services and Related equipment Rentals”.

Funding is available in the Corrective Drainage Account as follows:

15013010-771000-22569 Available Balance = \$23,469.47 This scope \$23,469.47
15013010-771000-24529 Available Balance = \$116,687.36 This scope \$59.28

If you have any questions, please let us know



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
MARK SULLIVAN, DEPUTY FINANCE DIRECTOR

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: August 30, 2023

SUBJECT: SUR Construction
Demolition – City Building 125 Milton Rd
Amount: \$61,350

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. The work quoted is for the demolition of the now City owned building at 125 Milton Road Tax Map 205 lot 246 (Trinkets & Treasures).

The pricing for equipment and labor is per City of Rochester Bid # 23-26 for Equipment Rental and “On-call Construction Services and Related equipment Rentals”.

Funding is available in the General Fund CIP Project Account as follows:

15013010-771000-23526 Available Balance = \$250,000.00 This scope \$61,350.00

If you have any questions, please let us know, if none please return executed scope.



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: September 5, 2023

SUBJECT: Careno Construction Co.
City Hall / Opera House Egress/Remediation Project
Construction Contract Change #1 Amount: \$11,254.32

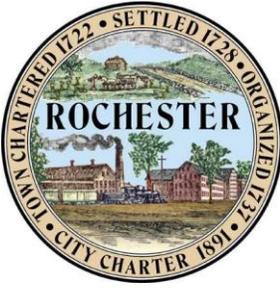
CC: Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the Careno Construction Company Construction Contract Change Order #1. This is for the supply of devices, install, and electrical work associated with the additional fire alarm devices requested by the City of Rochester.

Funding is available in the General Fund CIP Project Account as follows:

15013010-772000-23586 Available Balance = \$24,070.16. This scope \$11,254.32

If you have any questions, please let us know, if none please return executed scope.



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager

CC: Lisa Clark, DPW Deputy Director Operations & Administration

FROM: Ronda Boisvert, Administrative Assistant II

DATE: September 7, 2023

SUBJECT: 129 Franklin Street Homeowner Agreement

Attached please find 1 copy of a Homeowner Option Lien document. We are entering into an agreement for 0% financing due to a failed septic service.



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: September 7, 2023

SUBJECT: Apex Construction – Carbon Storage Facility.
Final Project Change - #4
Amount \$9,322.68

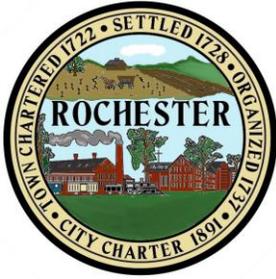
CC: Peter C. Nourse, PE, Director of City Services
David Green, Wastewater Superintendent

Attached please find (1) one copy of the Apex Construction Company final project change order #4. This change will close out all outstanding project work invoicing for the Carbon Storage Facility. The work is completed and included equipment modifications & installation, sign installations and site restoration.

Funding is available in the General Fund CIP Project Account as follows:

55026020-772000-23557 Available Balance = \$706,296.086. This Change \$9,322.68

If you have any questions, please let us know, if none please return executed scope.



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: September 12, 2023

SUBJECT: Easements, quit claim & authorization documents.
Round Pond Augmentation
(8) Properties Total Amount \$116,642.00

CC: Peter C. Nourse, PE, Director of City Services
Terence O'Rourke, City Attorney

Attached please find (8) eight easement packages for City Manager Signatures. The documents are for the purchase of easements from abutters of the Round Pond Augmentation Project. The package also includes property owner authorization and commitment for assistance and signatures as required during the permitting process as the project moves forward.

The following Round Pond Project Funds were used for processing payments to property owners.
55026020-771000-20541

If you have any questions, please let us know, if none please return executed scope.



City of Rochester, Hampshire

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09/28/2023



INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LAURA MCDORMAND, ADMIN. SERVICES & UTILTIY BILLING SUPERVISOR

DATE: September 14, 2023

SUBJECT: James Foley Memorial Community Center– Silicone Roof Coating Restoration
Watertight Labor & Material Warranty.

CC: Lisa J. Clark, DPW Deputy Director Operations & Administration
Peter C. Nourse, PE, Director of City Services
Michael Riley, Municipal Services Supervisor

Attached please find (1) one copy of the Progressive Materials Silicone Roofing Systems 20 year warranty agreement. Industrial Roofing Co. as completed the James Foley Memorial Community Center roof project, and the work is under warranty for 20 years per signed warranty.

If you have any question, please call, if not please sign and return documents to me at the DPW for Distribution



City of Rochester, New Hampshire
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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LAURA MCDORMAND, ADMIN. SERVICES & UTILTY BILLING SUPERVISOR

DATE: September 12, 2023

SUBJECT: Honeywell – Addendum to Honeywell Contract
Reduction of \$10,521

CC: Lisa J. Clark, DPW Deputy Director Operations & Administration
Peter C. Nourse, PE, Director of City Services

Attached please find (1) one copy of the Honeywell Addendum to remove the Old Public Works Garage from the Honeywell Contract effective 7/1/2023. The Honeywell Contract is to provide mechanical & electrical Service to the City Buildings for HVAC systems. The Current contract is for 3 years and expires on 6/30/2024. The attached spreadsheet shows that this addendum reduces the contract by the FY2023 amount that would have been charged for the Old DPW Building.

If you have any question, please call, if not please sign and return documents to me at the DPW for Distribution



City of Rochester, New Hampshire

PUBLIC WORKS DEPARTMENT

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INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager

FROM: Lisa J. Clark, DPW Deputy Director Operations & Admin.

DATE: September 21, 2023

SUBJECT: RT11 Capacity & Safety Improvement Project
HTA –NHDOT Project Preliminary Design Scope of Services
Amount \$627,635.00

CC: Peter Nourse, PE, Director of City Services

Attached for City Manager signature on page #14 is the Hoyle Tanner & Associates (HTA) task order for the Rt11 Capacity & Safety Improvement Project. This task order is for the Engineering Design Services on the NHDOT co-sponsored RT11 Improvement Project. The funding split for this project will be 80% federal funding through NHDOT and 20% City of Rochester local funding.

HTA was selected through the qualifications-based solicitation for on-call engineering services per RFQ 21-19 and has been approved by NHDOT for this project

Funds are available for this task order in the following TIF District CIP Project Account:

61083010-771000-23584 Available Balance = \$3,939,563.00 this Request \$627,635.00

Please let us know if there are any questions. If none, please sign and return to DPW for distribution.



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER
MARK SULLIVAN, DEPUTY FINANCE DIRECTOR

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: September 21, 2023

SUBJECT: SUR – Highland Street
Highland St – Sidewalk & Site Restoration
Amount \$16,327.50

CC: Peter C. Nourse, PE, Director of City Services
Mark Sullivan, Deputy Finance Director

Attached please find (1) one copy of the SUR Scope of Service for sidewalk reconstruction required for the Water Main Install on Highland Avenue. This work is to remove and replace the existing sidewalks that will be disturbed as part of the water project. This is outside the original scope of the project. The purchase order for the water project is in place.

The pricing for equipment and labor is per City of Rochester Bid # 23-26 for Equipment Rental and “On-call Construction Services and Related equipment Rentals”.

UR

The funding is available in the following City Sidewalk Replacements CIP account line.
15013010-771000-22537 Available balance is \$145,815.77 this request is \$16,327.50.

If you have any questions, please let us know, if none please return executed scope.

09/28/2023



City of Rochester, New Hampshire
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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE – CITY MANAGER

FROM: LAURA MCDORMAND, ADMIN. SERVICES & UTILTIY BILLING SUPERVISOR

DATE: September 21, 2023

**SUBJECT: Purchasing Waiver for Industrial Roof Co.-
Library Roof Repairs Project
Quote Amount \$36,563.00**

CC: Lisa J. Clark, DPW

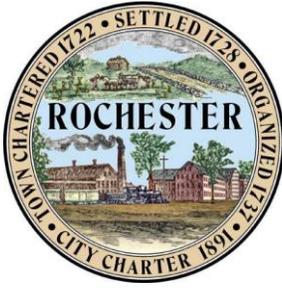
Attached please the email approval for purchasing waiver for the Library Roof Repair Project and one (1) copy of the quote/service agreement for your signature.

The Industrial Roof Company quote is to pressure wash and clean EPDM membrane roof sections, apply 3 course material to all seams and base flashing details, apply PM HS3200 coating to the EPDM membrane roof sections including walls, seams, penetrations, curbs per manufacturer's specifications, apply coated walking paths in specific areas to help eliminate slip hazards, clean premises upon completion and will have a15 year manufacturer's warranty.

The funds for this work are available in the B&G CIP Project Account as follows:

15011090-772000-24515 Available Budget = \$45,000 this request \$36,563.00

If you have any questions, please call, if not please sign, per and return documents to me at the DPW.



City of Rochester, New Hampshire

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INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager

FROM: Peter C. Nourse, Director of City Services

DATE: 25 September 2023

SUBJECT: Community Center Solar Array: – Installation and Operations and Maintenance Contracts with Revision Energy, Inc.

CC: Mark Sullivan, Deputy Finance Director, Lisa Clark, Deputy Director City Services,
Terence O'Rourke, City Attorney

Please see attached three documents: Renewable Energy System Installation Contract, Operation and Maintenance Service Agreement, and NH Department of Energy Step 1 Incentive Pre-approval Application.

The first document covers Revision's and City's responsibilities for installation of the 160 KW array. The cost of Revision's services is \$536,723 for full installation. This array is projected to provide approximately ¼ of the Community Center's energy needs. The Community Center roof renewal project was completed this summer by a contractor licensed for such work by Revision and has been warranted for the array installation. See signatures required on p. 19 and p. 29.

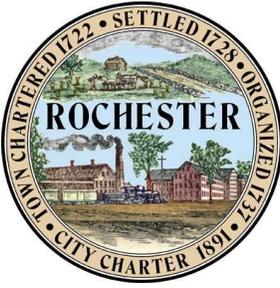
The second document is for the operation and maintenance work to be completed by Revision. We recommend the premium service package. Signature p. 1.

The third document allows the City to receive a \$0.20/watt rebate totaling \$10,000. Signature is on p. 8.

This agreement has been reviewed by myself and Deputy Finance Director and the City Attorney.

Funding was made available by the City Council on September 19th in the amount of \$546,000. Funding is available under:

6070572-543000 Community Center Repair and Maintenance



City of Rochester, New Hampshire
PUBLIC WORKS DEPARTMENT
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INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager
FROM: Peter Nourse, Director of City Services
DATE: September 25, 2023
SUBJECT: **2017 NH NPDES Small MS4 General Permit -
Year 5 Annual Report (July 1, 2022 – June 30, 2023)**
CC: Jarrod Norris, Assistant City Engineer

Attached please find one (1) original of the City's Year 5 Annual Report for the 2017 NH NPDES Small MS4 General Permit for stormwater discharges (reporting period July 1, 2022 – June 30, 2023).

Please sign the original document and return the Annual Report to me at Public Works.

This Annual Report will be submitted to both the NHDES and EPA (due date: September 28, 2023).

Please contact me with any questions. Thank you.



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INTEROFFICE MEMORANDUM

TO: KATIE AMBROSE, CITY MANAGER

FROM: LISA J. CLARK, DPW DEPUTY DIRECTOR OPERATIONS & ADMINISTRATION

DATE: September 27, 2023

SUBJECT: SUR Construction
Bid# 24-03 Concrete & Bituminous Concrete Sidewalk Construction
Contract Change #1 for City Manager Signature
Original Contract \$327,559.00 Change #1 \$261,955.00
Total Amount \$589,514.00

CC: Peter C. Nourse, PE, Director of City Services
Timothy Goldthwaite, Assistant City Engineer

Attached please find (1) one copy of the SUR Construction Contract Change Order #1 for the Concrete & Bituminous Concrete Sidewalk Construction Contract for City Manager Signature. I have also attached the SUR Notice of Award and original Agreement for reference.

The original scope of work included finishing the sidewalk replacement on Oak Street, new sidewalks on Innovation Drive and replacement of sidewalks on Walnut Street. The bid opened on 7/2/2023 and the Contract was awarded in the amount of \$327,559.00. The Purchase Order was not created due to anticipated changes in the scope pending City Council decision.

At the PWC Meeting held 6/15/2023 the Committee recommended that the full City Council rescind the approval of Walnut Street sidewalk rehabilitation and approve Railroad Avenue sidewalks for rehabilitation. The full City Council approved this recommendation at the 7/11/2023 Regular City Council Meeting (Item 10.7.1).

The funding for this total contract amount is available in the following accounts:

Innovation Drive Sidewalks & Lighting 60963010-771000-23552 Available = \$150,000 Request **\$85,182.00**
Gen Fund Sidewalk Rehab 15013010-771000-22537 Available & Requested = **\$129,488.27**
Gen Fund Sidewalk Rehab 15013010-771000-23531 Available & Requested = **\$200,000.00**
Gen Fund Sidewalk Rehab 15013010-771000-24539 Available = \$250,000 Request **\$174,843.73**
Total \$589,514.00

If you have any questions, please let us know, if none please return executed Change Order.

Community Development Finance Authority 09/28/2023 Grants Management System (GMS) Account Access Form

GMS User Information <small>Grant Writer/ Administrator, Auditor, Representative</small>		Applicant Organization Information <small>CDBG- Municipality or County Name Clean Energy Fund- Business Name Tax Credit- Tax Credit Org. Name Other – Org Name</small>	
Name:	<u>Kathryn Ambrose</u>	Name:	_____
Address:	<u>31 Wakefield St</u>	Address:	_____
City/State/Zip:	<u>Rochester NH 03867</u>	City/State/Zip:	_____
Phone:	<u>603-335-7506</u>	Phone:	_____
E-mail	<u>kathryn.ambrose@rochesternh.gov</u>	E-mail	_____

GMS Access Roles Requested (Please check all that apply.)			
Is this request for a change to an existing account or for the creation of a new account?		Existing <input checked="" type="checkbox"/>	New <input type="checkbox"/>
Administrator <input checked="" type="checkbox"/>	Grant Writer <input type="checkbox"/>	Viewer <input type="checkbox"/>	

The GMS User must have permission from the Applicant Organization to be associated with that organization within CDFA's Grants Management System. Permission is indicated by signature of the Authorized Official (AO) or CEO of the Organization.

Applicant Organization Signature (The applicant's signature is required.)	
By signing this document, I give permission for the above listed GMS User to be associated with my organization for the roles checked above.	
AO/CEO Signature: _____	Date: _____
Title: <u>City Manager</u>	Date: <u>9/1/2023</u>

Please return this form to CDFA
Email completed form to: mquinn@nhcdfa.org or nolson@nhcdfa.org.
 Once created, all account information will be sent to the applicant. Please allow three business days for account creation. Direct any questions regarding your application for computer access to Maureen Quinn at (603) 717-9124 or Nate Olson at (603) 717-9110

For CDFA Information Technology Use Only			
Accounts created by: _____	Date: _____	Time: _____	
Notification given by: _____	Date: _____	Time: _____	

Certification of Consistency with the Consolidated Plan

U.S. Department of Housing
and Urban Development

09/28/2023

I certify that the proposed activities/projects in the application are consistent with the jurisdiction's current, approved Consolidated Plan.
(Type or clearly print the following information:)

Applicant Name: _____

Project Name: _____

Location of the Project: _____

Name of the Federal
Program to which the
applicant is applying: _____

Name of
Certifying Jurisdiction: _____

Certifying Official
of the Jurisdiction
Name: _____

Title: _____

Signature: _____

Date: _____

**U.S. Department of Housing
and Urban Development**

**Certification of Consistency Plan
with the Consolidated Plan
for the Continuum of Care
Program Competition**

I certify the proposed activities included in the Continuum of Care (CoC) project application(s) is consistent with the jurisdiction's currently approved Consolidated Plan.

Applicant Name: _____

Project Name: _____

Location of the Project: _____

Name of
Certifying Jurisdiction: _____

Certifying Official
of the Jurisdiction Name: _____

Title: _____

Signature: _____

Date: _____

Public reporting burden for this collection of information is estimated to average 3.0 hours per response, including the time for reviewing instructions, completing the form, attaching a list of projects if submitting one form per jurisdiction, obtaining local jurisdiction's signature, and uploading to the electronic e-snaps CoC Consolidated Application. This agency may not conduct or sponsor, and a person is not required to respond to, a collection information unless that collection displays a valid OMB control number.

Privacy Act Statement. This form does not collect SSN information. The Department of Housing and Urban Development (HUD) is authorized to collect all the information required by this form under 24 CFR part 91, 24 CFR Part 578, and is authorized by the McKinney-Vento Act, as amended by S. 896 The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 (42 U.S.C. 11371 et seq.). HUD considers the completion of this form, including the local jurisdiction(s) authorizing official's signature, as confirmation the project application(s) proposed activities submitted to HUD in the CoC Program Competition are consistent with the jurisdiction's Consolidated Plan and, if the project applicant is a state or unit of local government, that the jurisdiction is following its Consolidated Plan per the requirement of 24 CFR part 91. Failure to either submit one form per project or one form with a listing of project information for each field (i.e., name of applicant, name of project, location of project) will result in a technical deficiency notification that must be corrected within the number of days designated by HUD, and further failure to provide missing or incomplete information will result in project application removal from the review process and rejection in the competitive process.

OMB Approval No. 2506-0112 (Expires 12/31/2024)

Instructions for completing the HUD-2991, Certification of Consistency with the Consolidated Plan

The following information must be completed by the Continuum of Care's designated Collaborative Applicant. If the CoC has multiple projects, it may complete a single HUD-2991 for the jurisdiction provided the Collaborative Applicant includes a list of all projects with applicant names, project names, and locations that will be submitted to HUD with the form when forwarding to the jurisdiction for signature. If there are multiple jurisdictions located within a CoC's geographic area, it must obtain a signed HUD-2991 for each jurisdiction where projects are located.

Completed by the CoC's Collaborative Applicant:

Applicant Name. Enter the name of the project applicant's organization.

Project Name. Enter the name of the project application that will be submitted to HUD in the Continuum of Care Program Competition.

Location of the Project. Enter the physical address of the project; however, if the project is designated as a domestic violence project, enter a P.O. Box or address of the main administrative office provided it is not the same address as the project.

Name of Certifying Jurisdiction. Enter the name of jurisdiction that will review the project information and certify consistency with the Consolidated Plan (e.g., City of..., County, State).

Must be completed by the certifying jurisdiction.

Certifying Official of the Jurisdiction. Enter the name of the official who will sign the form.

Title. Enter the official title of the certifying official (e.g., mayor, county judge, state official).

Signature. The certifying official is to sign the form.

Date. Enter the date the certifying official signs the form.



09/28/2023

City of Rochester, New Hampshire
Economic Development Department
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.RochesterEDC.com

INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants
Manager

DATE: September 14, 2023

SUBJECT: Signature Request- Release of Funds Request for HUD CDBG Funds

CC: Cassie Givara, City Clerk

Attached you will find the HUD form for Request for Release of Funds and Certification in order to release the CDBG funds for the FY24 CAP Weatherization program. Please sign and date under Part 2 "Environmental Certification" Where it asks for the Signature of Certifying Office of the Responsible Entity.

If you have any questions, please reach out to Kiersten.



09/28/2023

City of Rochester, New Hampshire
Economic Development Department
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.RochesterEDC.com

INTEROFFICE MEMORANDUM

TO: Kathryn Ambrose, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants Manager

DATE: September 27, 2023

SUBJECT: FY 23- 24 CAP Weatherization Assistance Program- Old Milton Rd

CC: Cassie Givara, Deputy City Clerk

Please see attached the environmental review statement for the Community Action Partnership of Strafford County's planned repair and maintenance activities for FY 2023-2024. As per 24 CFR 58, the City of Rochester is the responsible entity for conducting environmental reviews for the Community Action Partnership Strafford County's Weatherization Project. The environmental review statement requires the signature of the City Manager as the City of Rochester authority.

The environmental review statement was prepared by the Community Development Coordinator with assistance from Community Action Partnership.

Thank you very much. Please contact Kiersten with any questions or concerns.



09/28/2023

City of Rochester, New Hampshire
Economic Development Department
33 Wakefield Street, Rochester, NH 03867
(603) 335-7522, www.RochesterEDC.com

INTEROFFICE MEMORANDUM

TO: Katie Ambrose, City Manager

FROM: Kiersten Wright, Community Development Coordinator/Grants
Manager

DATE: September 13, 2023

SUBJECT: Gafney Home Project Status Reports-Signature Request

CC: Cassie Givara, Deputy City Clerk

Blair Haney from Strafford Regional Planning has notified us that there are currently 2 status reports in the Grant Management System for the Gafney Home Grant that are in need of approval. As the City Manager you are the signing authority for these reports. Attached is a step by step guideline on how to access this to approve.

If you have any questions, please reach out to Kiersten Wright directly and she can assist.



City of Rochester, New Hampshire

Finance Office

31 Wakefield Street • Rochester, NH 03867-1917
(603)-509-1908

September 25, 2023

To: Katie Ambrose-City Manager

Fm: Mark Sullivan Deputy Finance Director

Re: Debt Books Software \$21,500

Several months ago the City's audit firm, Marcum, highly recommended that the City implement Debt Books software to track our long term debt schedules as well as all City leases. GSAB rules 87 & 96 are now requiring municipalities to better track all lease activity, including leases related to cloud base services. Currently, the Finance Department utilizes complex and cumbersome manual spreadsheets to track both long term debt schedules and leases. Debt Books is a cloud based application that simplifies the management of the debt tracking and leases. The product demonstration confirmed the advantages of this software application. The initial software pricing is \$21,500, which includes a \$4,000 implementation fee. The initial contract period is for three automatically renewing twelve month terms (thirty-six months total), with a 30 day cancellation notice. Annual licensing fee shall be \$17,500 with the annual price escalator capped at 5%. City Attorney reviewed the contract terms and CIO Watkins reviewed the cloud based application details, neither have any concerns with this product. Recommendation is to enter into the agreement and work to get software implemented for the FYE23 audit. The funding source for FY24 shall be a transfer from General Overhead Contingency 11080050-584000 of \$21,500 to Finance Department Software Maintenance 11060050-534003. Subsequent fiscal years funding will be budgeted in the Finance Department Software Maintenance line.

DEPARTMENT	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		ARENA ATTENDANT	3			X		X										
ARENA		SUPPORT STAFF 1	3			X		X										
ASSESSING	LAUREN FORTE	ASSESSOR I	1	X			X											
ASSESSING	HOLLIS MCMULLEN	ASSESSOR I	1	X						X								
BLS	MICHAEL MUNDY	COMPLIANCE OFFICER	1		X		X											
COMMUNICATIONS	MICHELLE KOCHANOWICZ	PER DIEM DSPATCHER	1			X				X								
DPW	CALEB SCHAG	WTP OPERATOR	1	X							X							
DPW	JOSHUA ROSEBERRY	MEDIUM EQUIPMENT OPERATOR	1	X			X			X								
DPW	RICHARD CARR	ASSISTANT CITY ENGINEER	1	X			X											
DPW	CORY ALLARD	WWTP MAINTENANCE MECHANIC	1	X							X							
DPW	BRANDON DROUIN	GROUND LABORER	1	X												X		PT TO FT CHANGE
DPW	RICHARD WENTWORTH	LIGHT EQUIPMENT OPERATOR	1	X			X											
ECONOMIC DEVELOPMENT	CAROLE GLENN	ADMINISTRATIVE ASSISTANT II	1	X							X							
FIRE	RYE MORRILL	FIREFIGHTER	1	X							X							
FIRE	JOSEPH BURNS	FIRE CAPTAIN	1	X					X									
FIRE	KELLY GAGNE	SENIOR EXECUTIVE ASSISTANT	1	X													X	TITLE CHANGE EXECUTIVE SECRETARY TO SENIOR EXECUTIVE ASSISTANT
HUMAN RESOURCES	ANDREA METZDORF	HUMAN RESOURCES GENERALIST	1	X													X	TITLE CHANGE ACCOUNTANT I TO HUMAN RESOURCES GENERALIST
HUMAN RESOURCES	KAY SNYDER	PR/HR SPECIALIST	1	X										X				
IT	MATTHEW JOHNSON	SYSTEMS ADMINISTRATOR	1	X			X											
LEGAL	JENNIFER MUTOLO	PARALEGAL EXECUTIVE ASSISTANT	1	X											X			JOB DESCRIPTION UPDATE / CNON GRADE CHANGE
POLICE	REBECCA WARBURTON	SENIOR EXECUTIVE ASSISTANT	1	X													X	TITLE CHANGE EXECUTIVE SECRETARY TO SENIOR EXECUTIVE ASSISTANT
POLICE	CARL ROOT	PATROL OFFICER	1	X													X	TRANSFER BACK TO PATROL
POLICE	ALENA CURTIS	INTERN	1			X												
POLICE	CHANDLER SUTTON	INTERN	1			X												
POLICE	JEFFREY SLANKARD	PATROL OFFICER	1	X						X								
POLICE	MANOLIN TERRERO	PATROL OFFICER	1	X						X								
RECREATION		LIFEGUARD	1			X				X								
RECREATION	SARAH WARD	BUSINESS COORDINATOR	1	X													X	JOB CHANGE RMEA ADMIN ASSISTANT II TO CNU BUSINESS COORDINATOR
RECREATION		SUPPORT STAFF 1	1	X		X											X	LIFEGUARD TO SUPPORT STAFF 1
RECREATION		LIFEGUARD	1	X		X				X								
TAX	RACHEL LAUGHNER	DEPUTY TAX COLLECTOR	1	X							X							
TAX	JAPHET FEKAY	ADMINISTRATIVE TECHNICIAN II	1	X							X							
WELFARE	ERIN NASINO	COMMUNITY OUTREACH FACILITAOR	1	X										X				

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City Clerk's Office



City of Rochester, New Hampshire

OFFICE OF THE MAYOR

31 Wakefield Street • Rochester, NH 03867

(603) 332-1167

www.RochesterNH.net

09/28/2023



**EXTRA MILE DAY
PROCLAMATION**

WHEREAS, Rochester, NH, is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively “go the extra mile” in personal effort, volunteerism, and service; and

WHEREAS, Rochester, NH, is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Rochester, NH, is a community which chooses to shine a light on and celebrate individuals and organizations within its community who “go the extra mile” in order to make a difference and lift up fellow members of their community; and

WHEREAS, Rochester, NH, acknowledges the mission of Extra Mile America to create 550 Extra Mile cities in America and is proud to support “Extra Mile Day” on November 1, 2023.

NOW THEREFORE, I, Paul Callaghan, Mayor of Rochester, NH, do hereby proclaim November 1, 2023, to be Extra Mile Day. I urge each individual in the community to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the great seal of the City of Rochester to be affixed this 3rd day of October, in the year of our Lord, Two Thousand Twenty Three.

Paul Callaghan
Mayor

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City Clerk's Office

September 27, 2023

To who it may Concern,

It is with a heavy heart that I compose this letter to formally tender my resignation from the Rochester Historic District Commission, effective immediately. My decision has been the result of careful consideration and reflection.

I would like to express my sincere gratitude for the privilege of serving on the Rochester Historic District Commission. My time working alongside the committed individuals within this commission has been both rewarding and enlightening. I hold the utmost respect for the invaluable work carried out by this commission in preserving the rich heritage of our community.

I hope to be able to explore the possibility of rejoining the commission in the coming years. My dedication to the cause of historical preservation in our community remains unwavering, and I eagerly anticipate the opportunity to serve more effectively in the future.

I appreciate your understanding and support in this matter and look forward to reconnecting with the commission in the not-so-distant future.

Warm regards,
Winders

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City Clerk's Office

Dear Council,

I am writing this as a formal resignation from my position of Selectman in ward two, as I will no longer be a resident of Rochester come the November election. Thank you for the opportunity to serve the people of Rochester in this capacity.

Thank you for your time.

Taylor Poro

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City Clerk's Office

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

Mike Scala, Director of Economic Development

CODES AND ORDINANCES COMMITTEE
Of the Rochester City Council
Thursday, September 7, 2023
Council Chambers
6:00 PM

Minutes

1. Call to Order

Chair Lachapelle called the Codes and Ordinances meeting to order at 6:00 PM.

Deputy City Clerk Cassie Givara took a silent roll call attendance. All Councilors were present except for Councilor Desrochers, who was excused.

Chair Lachapelle explained that it had been several months since the Codes and Ordinances Committee had met due to lack of pressing items needing action, and on one occasion due to lack of quorum which caused a cancellation.

2. Public Input

Susan Rice, resident, spoke in favor of adding “other” back to City Council agendas (agenda item 6).

3. Acceptance of the Minutes

3.1 April 6, 2023 *motion to approve*

Councilor Beaudoin **MOVED** to **ACCEPT** the minutes of the April 6, 2023 Codes and Ordinances Committee meeting. Councilor Gilman seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

4. Amendment to Chapter 7-35 of the General Ordinances of the City of Rochester

Regarding the Economic Development Commission

Chair Lachapelle explained that items 4 and 5 on the agenda were housekeeping items resultant from actions previously taken by Council. The Economic Development Capital Reserve Fund had been approved in July 2022, but there is further action needed to complete the process and include the fund in the City's ordinances.

Mike Scala, Director of Economic Development, confirmed that this action would memorialize the previously passed resolution previously as an ordinance and give it a place to "live" and be referenced.

Councilor Fontneau stated that historically, the Economic Development Commission (REDC) has not been involved in residential development. Director Scala agreed and explained that when the REDC was established in the 90s, the focus had been on businesses and commercial interests. However, as Rochester has changed over the decades, it was determined that adding residential to the charge of the REDC would be in keeping with the mission of the Economic Development department. Councilor Fontneau acknowledged the importance and the shift towards housing in Rochester, and stated that he supports these initiatives; however, he questioned whether the REDC should have the promotion of residential housing as part of their mission. Chair Lachapelle referenced the mixed-use developments in the downtown area with commercial on the first floor and residential units above. He felt that the proposed amendments would allow for more of these types of developments. Director Scala agreed that residential in the context of this amendment is not referring to single family housing; it would be mixed-use and workforce type housing that would be connected to commercial development.

Councilor Beaudoin indicated he had several questions for the City Attorney on the legality of the amendments, which would have to wait until a future meeting to be answered. He said that in his interpretation of NH RSA 34:1 regarding Economic Development Capital Reserve Funds, the law does not allow for residential development. Councilor Beaudoin asked if there was funding appropriated to the Economic Development Department separate from this funding to be held by the Trustees of the Trust Fund. Director Scala answered that the entirety of the appropriated funding is held in this Capital Reserve fund.

Councilor Beaudoin **MOVED** that action on both items 4 and 5 be postponed until the next meeting when they could be further discussed and clarified with the City Attorney; particularly clarification on the amendments to Chapter 7-63. Councilor Gilman seconded the motion. Chair Lachapelle asked for confirmation from Director Scala that these items were not of an urgent nature and action could be postponed. Director Scala reported that the City Attorney had already reviewed these items and did not find anything objectionable; however, he confirmed it would not cause a problem to postpone the recommendation for Chapter 7-35.

Councilor Fontneau indicated he would suggest changing verbiage to specify mixed-use as opposed to specifically residential development. Chair Lachapelle clarified that the motion was to postpone the two agenda items to a time certain (the next Codes & Ordinances Committee meeting). Councilor Beaudoin confirmed that was the correct motion. The **MOTION CARRIED** by a unanimous voice vote.

5. Amendment to Chapter 7-63 of the General Ordinances of the City of Rochester Regarding the Economic Development Reserve Fund

Director Scala questioned if the Committee would take action on this item, which was a recommendation to Council to codify this amendment into the City Ordinances per RSA 34:1-A. Councilor Beaudoin stated his intention was to postpone both items to get clarification from the City Attorney on the legality of these proposals and how they would work with the stipulations of the stated RSA. Director Scala reiterated that the amendment to Chapter 7-63 does not include anything regarding residential development; Council had already approved this resolution and the action requested is a recommendation to Council to codify the amendment into the City Ordinances. Councilor Beaudoin confirmed his motion had been to postpone both items 4 and 5.

6. Discussion: Amendment to Rules of Order Section 1.6 “Order of Business” to add “14. Other”

Chair Lachapelle explained that this item had been proposed by Councilor Beaudoin. Chair Lachapelle stated that he opposed the re-addition of “Other” to Council agendas and felt there was already a process in place to add discussions for items that previously would have fallen under this category.

Councilor Beaudoin referenced a circumstance several months prior in which Councilor Berlin had requested a 2/3 vote at a Council meeting in order to add an item to the agenda. The vote had failed and Councilor Berlin was not allowed to introduce his topic. Councilor Beaudoin questioned the required 11-day timeline to which Councilors are subject for getting items on the agenda, which can be difficult to achieve. Additionally, Councilor Beaudoin referenced situations in which Councilor Gray had introduced discussions during meetings that would likely have fallen under “Other” because they are not on the posted agenda. These discussions had been allowed by the Mayor at Council meetings without this 2/3 vote.

Chair Lachapelle asserted that in the circumstance referenced involving Councilor Berlin, he likely would have received a 2/3 vote had he been more forthcoming with the topic he wanted to discuss; however, he did not explain why he was requesting the vote or the context of the discussion.

Councilor Fontneau asked when “Other” had been removed. Councilor Beaudoin and Chair Lachapelle answered that it had been approximately two years prior after the start of the new Council’s term. Councilor Fontneau acknowledged that he had voted in opposition of Councilor Berlin’s referenced item due to lack of definition on what was to be discussed. Additionally, Councilor Fontneau felt that bringing items to a meeting under “other” did not allow Councilors to properly review or research the topic.

Councilor Beaudoin stated that currently the rules of order allow any Councilor to add any item to the agenda within the normal agenda schedule. The requirement for a 2/3 vote to add an item to the agenda during a meeting seems to conflict with the rules of order allowing this open channel for Councilors to add agenda items. Chair Lachapelle reiterated that he felt the crux of the issue was in keeping things open and transparent. Councilor Beaudoin acknowledged he did not currently have an alternate approach while keeping in mind Robert’s Rules and the agenda

building process. Councilor Fontneau inquired where the requirement for a 2/3 vote to add an item to the agenda had originated, and if it was related to the 2/3 vote required to amend an agenda. He reiterated that he would be open to adding items to the agenda as long as the topic is properly defined to avoid being blindsided. Councilor Beaudoin confirmed that the 2/3 vote requirement originated from Robert's Rules. He agreed that it was not ideal to have an item presented for action without any time for Councilors to properly review. Councilor Beaudoin stated that after hearing the positions and opinions of the other Councilors, he is not adverse to leaving the agenda as it currently exists and not adding back "Other."

No action was taken on this item.

7. **Discussion: Roll call at subcommittee meetings**

Chair Lachapelle explained that he had received communications from a constituent regarding roll call attendance at subcommittee meetings. He said that "roll call" is currently included in the City Council Rules of Order, and subcommittees typically follow the same rules of order structure as Council. Councilor Gilman **MOVED** to recommend to City Council that a roll call attendance be taken at all subcommittee meetings per the City Council Rules of Order. Councilor Beaudoin seconded the motion. Councilor Fontneau asked if this was a roll call for attendance or for voting purposes. Chair Lachapelle clarified that the issue was regarding roll call attendance. There were instances where televised committees did not display nameplates, or in which the plates could not be read. A roll call would allow viewers to know which members were on the committee and which were present, absent, or excused.

Councilor Beaudoin read an excerpt from the prior Codes and Ordinances Committee meeting minutes, which indicated that the clerk had taken a silent roll call attendance and all councilors were present. He pointed out that a reader would not necessarily know who these councilors were unless they scrolled back to the beginning and looked at the roster listed for the committee. He felt a roll call would be helpful to constituents to understand who was present at the meetings. The **MOTION CARRIED** by a unanimous voice vote.

8. **Other**

Councilor Beaudoin referenced complaints received regarding Styrofoam in the streets of Rochester's downtown resulting from a local construction project. He indicated that City Manager Ambrose was doing a good job handling the issue and praised her for her ongoing communication and attention to the matter.

9. **Adjournment**

Chair Lachapelle **ADJOURNED** the Codes and Ordinances Committee meeting at 6:21 PM.

Respectfully Submitted,

Cassie Givara
Deputy City Clerk



Rochester City Council

Community Development Committee

MEETING MINUTES

Laura Hainey, Chair
Harlan "Skip" Gilman
Tim Fontneau
Amy Malone
John Larochele

Meeting Date:	Monday, September 18, 2023	
Members Present:	Amy Malone John LaRochele Tim Fontneau	Members Absent: Laura Hainey Harlan "Skip" Gilman
Staff Members Present	Kiersten Wright , Community Development Coordinator	

Councilor Hainey and Councilor Gilman were absent for the meeting. Three members were present for a quorum.

Councilor Malone called meeting to order at 6:04pm

PUBLIC INPUT	Councilor Malone stated that she received an email about the Adult Drop in Center supporting the idea of a Center, as Waypoint currently only is able to assist up to the age of 25.
Approval of Minutes- June 19, 2023	Councilor Fontneau moved to approve, approved by all present.
Additional Funds available- CAP Weatherization and Fair Housing	<p>Ms. Wright informed the committee of some additional funds that had not been expended from FY22. \$4,175.02 in funds from CAP's weatherization program from FY22 originally thought to have been used, has not been used. Ms. Wright verified with HUD that they can move the funds to the same project if they would like for a new year. Councilor Malone moved to approve the funds being moved from Fy22 to FY24 for CAP upping to \$79,175.02 from \$75,000 for FY24.</p> <p>Ms Wright informed the committee that the Fair Housing training for \$200 was not expended and that the group the funding was for stated that they would not be offering fair housing training that the funds had been set aside for.</p> <p>Fontneau motioned to give \$200 in fair housing to Meals on Wheels, seconded by LaRochele and carried by all present.</p>

	<p>Ms. Wright stated she would reach out to Finance to verify if this needs City Council approval and if so, they will see it on the agenda of the city council meeting set for October 3, 2023.</p>
<p>FY23 CAPER- Consolidated Annual Performance Evaluation Report</p>	<p>Ms. Wright informed the committee that she is working on the CAPER (Consolidated Annual Performance Evaluation Report) for Fy23 (PY22) for HUD that is due at the end of this month. She will provide a copy of the report once completed via email but will also have this report on the City's site for review.</p> <p>This report is to discuss what was completed during FY23. Most activities were completed with the exception of the Rec Department's Hanson Pines Projects. The committee requested that the Rec Department provide a letter detailing why there have been so many delays and how they plan to proceed to see if this project needs to be tabled for next year. Ms. Wright informed the Committee that she will reach out to the Rec Department for that information.</p>
<p>Drop in Center for Unhoused Adults in Rochester-Discussion</p>	<p>Councilor Malone discussed the need for a Drop In Center for Adults (25 and older) in Rochester. She stated that there had previously been a Drop In Center in Dover, but that they do not keep consistent hour. Councilor Malone stated that this need for a Drop In Center came out of a discussion at the Opioid Abatement Committee. She informed the committee that SOS Recovery has had a large number of homeless residents who have a hard time staying sober due to not having housing or the resources to find housing.</p> <p>Ms. Wright stated that CDBG Funds can be used by a group to purchase a building for a drop in center (similar to Waypoint). Currently there is not a group that is able to run the center, but Councilor Malone stated that SOS may be willing to run a center, but that they would need to look into this further to see if they could support it. Councilor Malone stated that its possible to get some funding from an Opioid Abatement Grant to help fund a drop in center but would want to be discussed further.</p> <p>The Warming Center from last year was brought up during this discussion and it was asked if it would be open again this year. Councilor Malone stated that she believes SOS and Community Action Partnership will be running the Warming Center again at Willand Pond for Dover, Rochester and Somersworth but it is not agreed upon just yet. Councilor Malone, Fontneau and Larochelle brought up several concerns that have been brought to their attention regarding the need for a Drop In Center for Adults in Rochester. The consensus is that this would benefit the residents of Rochester, and that talks should be continued as well as looking into possible grants to help fund it.</p>

Other Business

Ms. Wright stated that she will be meeting with the Vice President and President of The Homeless Center for Strafford County to meet and inform them of the CDBG Grant to see if they would like to apply for FY25. They have had some turn over at the center the last few years so their current knowledge of how CDBG can help them is low.

Councilor LaRochelle asked about the Community Heart and Soul Program and if there have been any updates about that. Councilor Malone and Fontneau agreed that it was something that they were interested in. Councilor Malone stated she was going to reach out Ms. Saunders and City Manager Ambrose to see if they have an update.

Ms. Wright informed the committee applications will open the first week of October for FY25.

Councilor Malone adjourned the meeting at 7:18pm

Next Meeting – Monday, October 16, 2023, at 6:00 p.m., Cocheco Conference Room, City Hall Annex, 33 Wakefield St.

Topics: Applications for FY25, Hanson Pines Project updates

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City Clerk's Office

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Finance Committee

Meeting Minutes

Meeting Information

Date: September 12, 2023

Time: 6:00 P.M.

Location: 31 Wakefield Street

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

City staff present: City Manager Katie Ambrose. Deputy Finance Director Mark Sullivan. Chief Assessor Darcy Freer. Director of Human Resources Kimberly Conley.

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

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

Councilor Beaudoin lead the Committee in the Pledge of Allegiance.

Deputy City Clerk Cassie Givara took the roll call attendance. All Councilors were present.

2. Acceptance of Minutes: August 2023

Councilor Lachapelle **MOVED** to **ACCEPT** the minutes of the August 8, 2023 Finance Committee meeting, Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

3. Public Input

There was no one present for public input.

4. Unfinished Business:

4.1.1 None

5. New Business:

5.1.1 Assessing-Elderly & Disabled Exemptions, Veterans Credits- Update

DRAFT

Chief Assessor Darcy Freer gave an update on the status of the Elderly and disabled tax credits for the 2023 tax period. These exemptions had been expanded the prior fiscal year, and the introduction of the “All veterans” credit was established at the same time. Ms. Freer indicated that the numbers for these exemptions and credits so far have been consistent with what was projected; however, it will take at least one more year to do a proper analysis on the numbers and identify trends. Chief Assessor Freer explained that in the projection for the All Veterans credit, there was an analysis for a 4-year forecast. She estimated that by the end of that period in tax year 2027, there would be between 110-120 qualified applicants, or an increase of 8%.

5.1.2 FYE23 General Fund Unassigned Fund Balance Estimate (*addendum A*)

Deputy Finance Director Mark Sullivan directed the Committee to a summary showing the General Fund Unassigned Fund balance at the close of Fiscal Year 23 and stated there would be a substantial increase to this balance in the current fiscal year, bringing it to just under \$38 million; or 33% of General Fund expenditures. The policy threshold range is between 8% - 17% of expenditures, putting the fund approximately \$18 million over the policy threshold.

5.1.3 Recommended Use of General Fund Unassigned Fund Balance-City

Deputy Director Sullivan gave an overview of the three Capital Reserve Funds that were created the prior year for Public Works, Fire Apparatus, and Public Buildings. Mr. Sullivan directed the Committee to a summary of the current balance of these accounts and explained the request to transfer \$250,000 from General Fund Unassigned Fund Balance to each of these Capital Reserve funds. If this additional \$750,000 in funding is approved by Council, the cash will then be transferred to the Trustees of the Trust Fund to be added into each capital reserve fund. Councilor Lachapelle **MOVED** to recommend to full Council the approval of \$750,000 of General Fund Unassigned Fund Balance for the aforementioned Capital Reserve Funds. Councilor Hamann seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

5.1.4 Recommended Use of General Fund Unassigned Fund Balance-School

Deputy Director Sullivan spoke about the ongoing discussions with the School Department in trying to determine funding sources for the entirety of the new school project cost and how this total would be reached, as well as strategizing a threshold for debt service that would be manageable for the school department in order to avoid a large increase. Such a spike in debt service could cause problems when calculating the tax cap in future years amongst other considerations.

The estimated project cost for the new school is \$34 million. There is approximately \$15.7 million coming from State of NH Building Aid funding, approximately \$1.3 million from the local school building aid capital reserve fund, and \$1.4 million in State of NH Adequacy funding. There was an analysis completed of several different bonding scenarios, and it was determined that to keep the school debt service in the \$2.5 million annual range, \$8 million could be bonded for this project. Mr. Sullivan presented a chart illustrating the school’s projected 20-year debt service, as it exists currently, as well as with the inclusion of authorized and unissued debt, and the effect of the additional \$8 million in bonding. With this model, the debt service would reach a peak of just over \$2.5 million in FY27, and then gradually decrease over the subsequent years. He then presented the 20-year projection in the scenario of the School Department bonding the entire \$15 million in remaining funds required for the project. With this model, the debt service would spike to over \$3 million and would take much longer to decrease. Based on these projections, he stated that the recommendation is to authorize \$7,540,420 of Unassigned Fund Balance for the new school project. This would save annual debt service payments of \$600,000 as well as saving approximately \$3 million of interest

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over this 20-year period, depending on interest rates.

Councilor Lachapelle **MOVED** to recommend to full Council the use of \$7,540,420 in General Fund Unassigned Fund Balance for the School building project. Councilor Larochelle seconded the motion. Councilor Gray expressed concerns that, at the time of Council approval for the new school project, the School Board had been comfortable bonding the entire \$15 million and that they were aware at that time of the implications. He questioned if the school board may come back in the future and ask for additional funding beyond the \$7.5 million currently being requested. Councilor Gray also referenced other City projects that have been delayed in order to reduce costs, such as street paving in multiple areas. He speculated that there would be many other projects that would also be a good use of unassigned fund balance. Councilor Hamann reiterated that \$3 million of interest would be saved over 20-years with the reduced bonding amount. He asked what the remainder of the unassigned fund balance would be if Council were to approve the two recommendations being discussed. Deputy Director Sullivan directed the Committee to the chart in the packet showing the outcome of approval of these recommendations, which would leave the unassigned fund balance at \$23,769,314, or 20.85% of expenditures, which still exceeds the upper threshold of the policy. Councilor Hamann pointed out that this would still leave adequate money in the unassigned fund balance in order for Council to approve projects such as the paving referenced earlier. He stated that he would be in support of the proposals due to the substantial savings on interest.

Councilor Beaudoin asked if this vote was to assign the funding to the school project and clarified that it does not include any bonding. Deputy Director Sullivan explained that the Committee would make a recommendation to Council, at which point the recommendation would be drafted into a resolution detailing the funding sources. Councilor Beaudoin clarified that there would still be an additional \$8 million needed for the school project, and the action being taken does not include that \$8 million. Deputy Director Sullivan confirmed that the action being taken is a recommendation to approve the use of unassigned fund balance. The forthcoming resolution will itemize the bonding aspect as well as the other funding sources, subject to Council approval.

Councilor Beaudoin spoke about several other considerations related to the new school build, including turning lanes, sidewalks, and sewer extensions, some of which would require drainage work likely to be covered through the City side of the budget. He surmised that the potential costs were still unknown and the full scope should be understood before moving forward with funding recommendations.

Mayor Callaghan spoke about the large portion of the unassigned fund balance that is resultant from the School Department returning funds at the close of each fiscal year. He felt it made sense to allow the schools to utilize some of these funds that have been returned. Additionally, Mayor Callaghan reported that the required maintenance and repairs on the two Rochester schools currently pending closure would equal over \$600,000. He gave multiple examples of schools throughout the State in busy locations where there are not pedestrian sidewalks. He acknowledged it was the Council's discretion on whether or not to require sidewalks, but stated there is precedence within the state in similarly trafficked school locations without sidewalks.

The **MOTION CARRIED** to recommend to full Council the use of \$7,540,420 of Unassigned Fund Balance by a majority roll call vote with Councilors Hainey, Lachapelle, Hamann, Larochelle, and Mayor Callaghan voting favor and Councilors Beaudoin and Gray voting opposed.

Councilor Gray stated that some of his concerns with the proposal would be alleviated if there were a maximum limit on the Schools' debt service.

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5.1.5 City Manager Reorganization Plan-Presentation (*addendum B*)

City Manager Katie Ambrose gave a presentation with a proposed reorganization and restructuring of Finance and Administration as well as the Economic Development, Planning, and Building departments. She explained that her former position of Deputy City Manager and Finance Director was currently vacant, and rather than filling the position, she opted to conduct a needs analysis of the City departments to potentially restructure to fit the needs of these departments as well as allowing for new positions within the organization. City Manager Ambrose clarified that there was not a request to move forward with all phases of the reorganization currently, but she would be presenting the proposal in its entirety.

Ms. Ambrose first gave an overview of the proposed structure of what is currently the Building and Licensing, Planning, and Community/Economic Development departments. She explained that the reorganization includes the creation of a "Chief Community Development Officer" to oversee all of these departments, creating a Community Development Department. She explained that the request this evening is for a recommendation to create the job description and classification for the Chief Community Development Officer, although the position will not be filled or funded until FY25. There would also be the creation of a new position in the current fiscal year for a separate Plumbing/Mechanical Inspector, moving these functions out of the existing inspector positions due to demand. There are no budgetary impacts with this position in the current fiscal year because the functions are all currently within existing staff positions. City Manager Ambrose detailed the phases of the proposed changes within the Community Development Department, including the transition of the Animal Control Officer and Traffic Enforcement officer from the police department over to the Community Development in FY25, and the relocation of the Community Development Coordinator to the Finance Department.

City Manager Ambrose outlined the proposed structure of the Business and Finance department reorganization, as well as the Administrative Office and the phases of these plans. She summarized the creation of a Deputy Chief Administrative Officer position to oversee HR, IT, City Clerk, and Welfare. This position would be funded and filled in the current fiscal year. The position of Finance Director will be left funded on the books, but will not be filled.

City Manager Ambrose reiterated that there are no funding requests being made. The funding for the reorganization is currently in the FY24 budget through vacant positions, or it will be requested in the FY25 budget. The requests to the Committee are to approve the creation of the Chief Community Development Officer position as well as the Deputy Chief Administrative Officer position.

5.1.6 Job Classifications & Descriptions Changes-Human Resources-PAB

City Manager Ambrose explained the recommendations from the Personnel Advisory Board, which include the two position creations discussed this evening as well as two positions that had been approved as Issues & Options in the FY24 budget.

Kimberly Conley, Director of Human Resources, made a correction to the Description in the packet for the Training Officer position, which had been listed as a Grade 13 in the Middle Management Union; however, this position should be listed as non-union Grade 14. Ms. Ambrose said that action items being requested tonight are the approval of the job classifications for the Training Officer at grade 14, Battalion Chief at Grade 14, Chief Community Development Officer at grade 17, and Deputy Chief Administrative Officer at Grade 18.

DRAFT

Councilor Lachapelle **MOVED** to recommend to full Council the approval of the positions as listed above. Councilor Hamann seconded the motion. Councilor Beaudoin **MOVED** to divide the question. Councilor Gray seconded the motion. Councilor Beaudoin clarified that he wanted to separate the vote on the Deputy Chief Administrative Officer position from the remaining positions being recommended. Mayor Callaghan called for a vote on the motion to recommend the approval of the positions minus the Deputy Chief Administrative Officer position. The **MOTION CARRIED** by a unanimous roll call vote with Councilors Lachapelle, Gray, Beaudoin, Larochelle, Hamann, Hainey and Mayor Callaghan all voting in favor.

Mayor Callaghan called for a vote on the motion to recommend to full Council the approval of the Deputy Chief Administrative Officer. Councilor Beaudoin stated that he felt there had to be a line drawn on new staff positions at some point. He spoke about the need for staff in the Building and Licensing department, specifically the area of code compliance, in order to keep up with the demands of the City. He stated that the position being discussed would need to be budgeted moving forward, when some of these funds could potentially be used for an additional code compliance officer as opposed to another administrative position. City Manager Ambrose clarified that the current motion is to approve the Deputy Chief Administrative Officer position, which is already budgeted for in the current fiscal year and for which there are no additional funding requests. This position would provide the functions that are currently not being handled through the vacancy in the Deputy City Manager position. The **MOTION CARRIED** by a 6 to 1 roll call vote with Councilors Gray, Hainey, Larochelle, Lachapelle, Hamann, and Mayor Callaghan voting in favor and Councilor Beaudoin voting opposed.

Reports from Finance & Administration

5.2.1 Monthly Financial Report Summary-August 31, 2023.

Deputy Finance Director Sullivan reported that revenues are trending to budget. There had been an inquiry at the prior Finance Committee meeting in regards to building permits and whether or not there was concern with the below budget percentage collected after the first month of the fiscal year. Deputy Director Sullivan stated that at the close of the second month of FY24, the building permits are now at 17%, which is trending to budget. He stated there are currently no concerns with the non-property tax revenues.

Councilor Lachapelle inquired about the “Public Works Winter Maintenance” line, which is at 4%. Deputy Finance Director Sullivan stated that this expense was likely for supplies and preparation in anticipation of the upcoming winter.

Councilor Beaudoin inquired about the Cablevision franchise fees. Deputy Finance Director Sullivan stated that these are franchise fees collected on each user’s cable bill, which are then remitted to the City on a quarterly basis from both XFINITY and Breezeline. Councilor Beaudoin posited that, as streaming video services gain in popularity, these franchise fees would likely be reduced. Deputy Finance Director Sullivan agreed that this scenarios was likely.

Mayor Callaghan asked for more information on the following month’s report regarding the reasoning behind the increase in the police overtime budget.

6. Other

No Discussion.

DRAFT

7. Adjournment

Mayor Callaghan **ADJOURNED** the Finance Committee meeting at 6:57 PM.

Respectfully Submitted,

Cassie Givara, Deputy City Clerk

**FY23 General Fund Unassigned Fund Balance Activity
6/30/2023-Activity & Estimate**

Descriptions	GF Expenditures	Amount	Percentage	Notes
FYE22 (MS-535 06/30/2022)-FINAL	\$115,473,598	\$29,873,654	25.87%	Unaudited-Estimate
Unassigned Fund Balance Policy Threshold 8%-17%				
Low 8%		\$9,237,888	8.00%	
High 17%		\$19,630,512	17.00%	
Over (Under) Fund Balance Policy- 17% Threshold		\$10,243,142	52.18%	

FY23 Activity Summary	Amounts
FY23 Adopted Budget City & School	\$3,293,250
FY23 Additional Activites	\$932,000
FY23 Totals	\$4,225,250

Estimated Balance	\$25,648,404
Percentage	22.21%

FY23 Additional Activity	Date	City	School	Water-Sewer	Econ Dev Fund	Subtotal	Notes
Land Purchase 181 Highland Ave	07/05/2022	\$299,000	\$0	\$0	\$0	\$299,000	Council Approved
Recreation-Lilac Family Fun Festival	12/06/2022	\$43,000				\$43,000	Council Approved
City Hall & Opera House Renovations	06/06/2023	\$590,000				\$590,000	Council Approved
						\$0	
						\$0	
FY23 Totals		\$932,000	\$0	\$0	\$0	\$932,000	

FYE23 ESTIMATED ACTUALS	
FYE23 ESTIMATED NET INCREASE (REDUCTION)	\$8,000,000
FYE22 MS535	\$29,873,654
FYE23 ESTIMATED UNASSIGNED FUND BALANCE	\$37,873,654

FYE23 SUMMARY	
FYE23 ESTIMATED GENERAL FUND EXPENDITURES	\$114,000,000
UNASSIGNED FUND BALANCE PERCENTAGE	33.22%
FYE23 LOW ESTIMATE 8%	\$9,120,000.00
FYE23 HIGH ESTIMATE 17%	\$19,380,000.00
OVER (UNDER) POLICY THRESHOLD-17%	\$18,493,654.00

FY24 O&M ADOPTED BUDGET USE	\$5,814,100
FY24 SUPPLEMTAL RECOMMENDATION- NEW SCHOOL	\$7,540,240
FY24 SUPPLEMTAL RECOMMENDATION- CITY CRF	\$750,000
FY24 SUPPLEMENTAL RECOMMENDATION-FUNDING SOURCE CHANGE	\$0 PENDING
RECOMMENDATIONS	\$14,104,340

BALANCE	\$23,769,314
PERCENTAGE	20.85%

City Manager Reorganization

Finance Committee
September 12, 2023



City of Rochester - 4 Pillars of Strength

- City & Regional Economics
- Financial Health
- Investment in Infrastructure & Economic Development
- Expertise & Initiative of City Staff



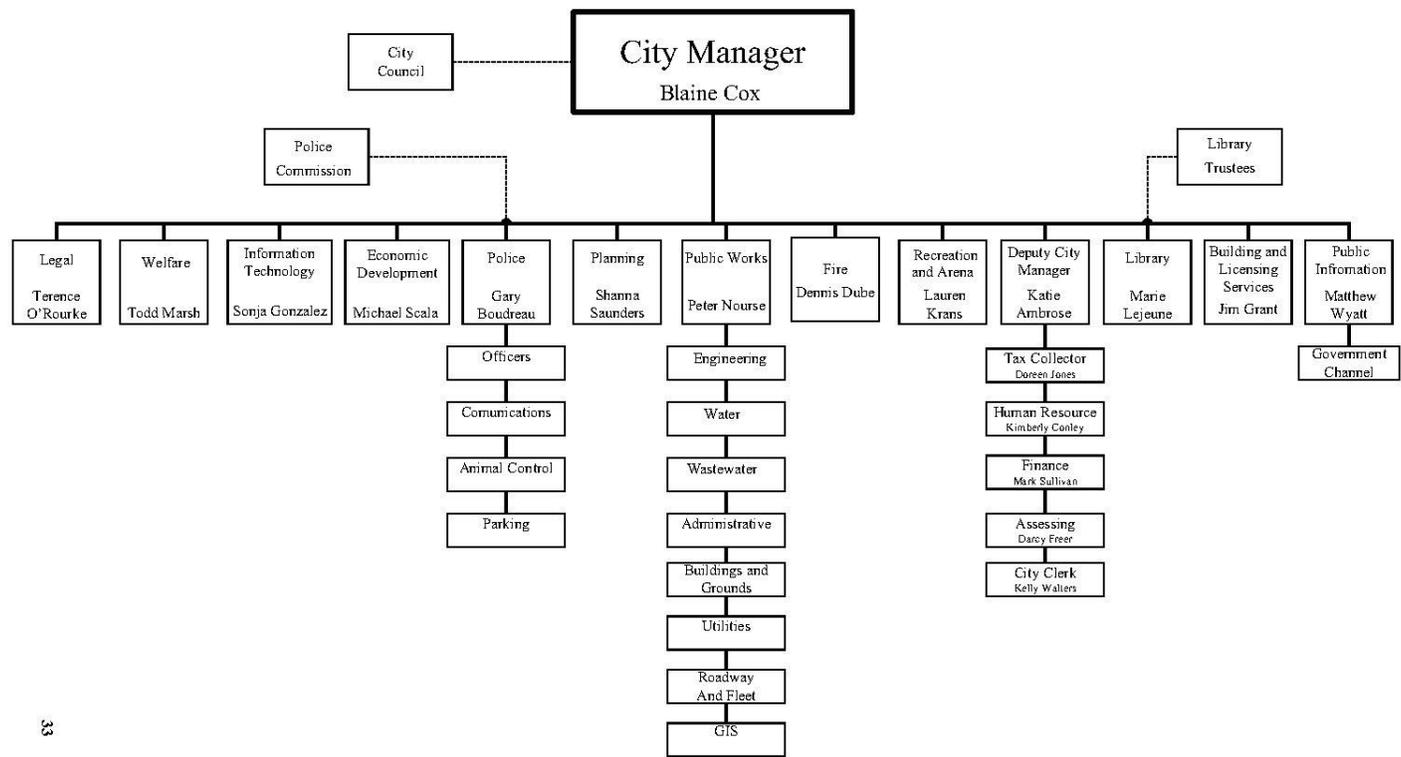
Reinforcement & Expansion

Integration of:

- Supporting Growth & Services
- Fiscal Strength
- Public Engagement
- Retaining Employees



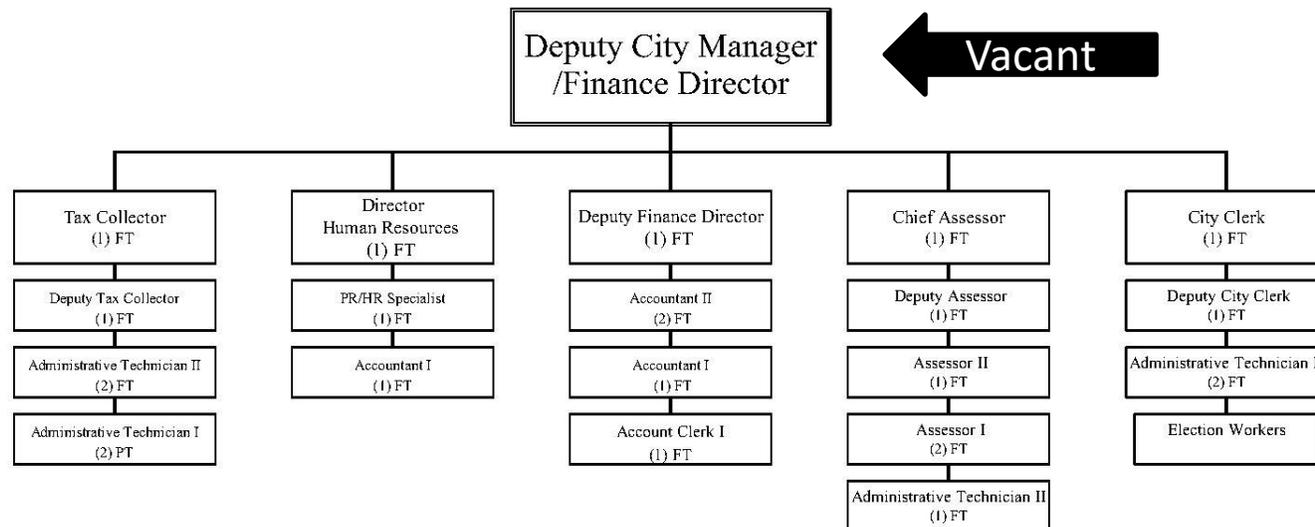
City Manager



33



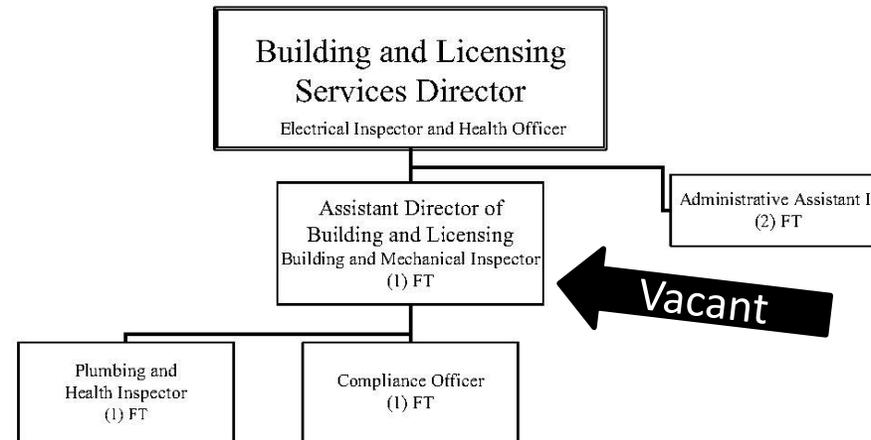
Finance-Business Operations



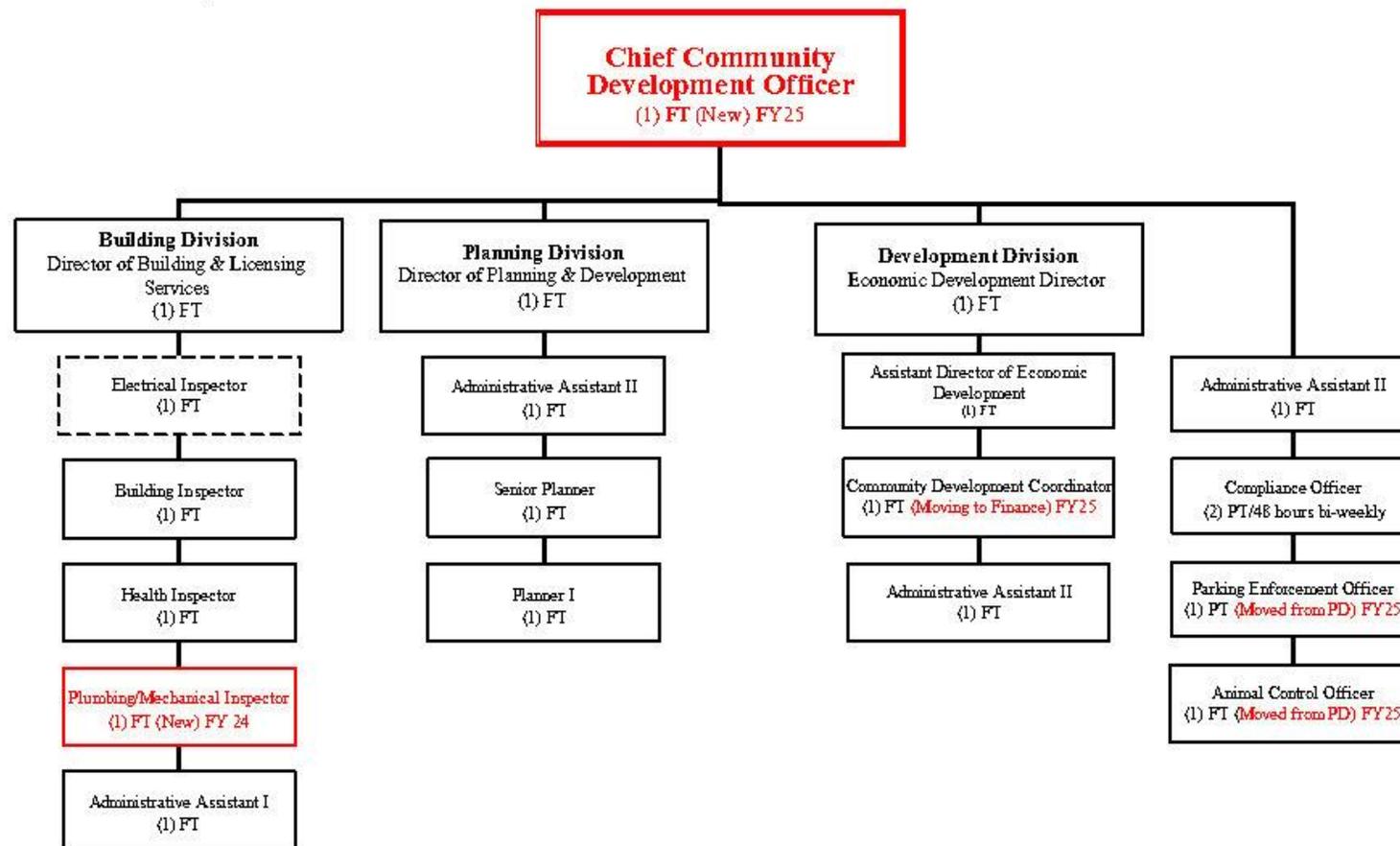
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Building and Licensing Services



Community Development Department



Community Development Department

The Community Development Department consists of: Building & Inspection Division, Planning Division, Economic Development Division, Code Enforcement: Parking, Compliance, and Animal Control.

The Mission

Our Community Development Department is dedicated to improving the quality of life in the City of Rochester for its residents and visitors alike. The Community Development Department works closely & efficiently with other departments throughout the city, as well as local and state partners. The department collaborates with stakeholders within the City of Rochester-to ensure proper noticing, education and problem solving in order to create a welcoming, healthy, and safe environment.



Chief Community Development Officer:

Responsible for: leading, overseeing, and administering the programs, budgets, functions, and activities of the Community Development Department, which include ensuring compliance with local, state and federal requirements, regulations and policies, attending appeals and court hearings and representing the department on code enforcement-related matters to the media, county agencies, community organizations and the public. Works in conjunction with Police and Fire Chiefs.



Community Development Phases

- Now

1. Create Chief Position
2. Post Inspector positions

- FY25 Budget Process

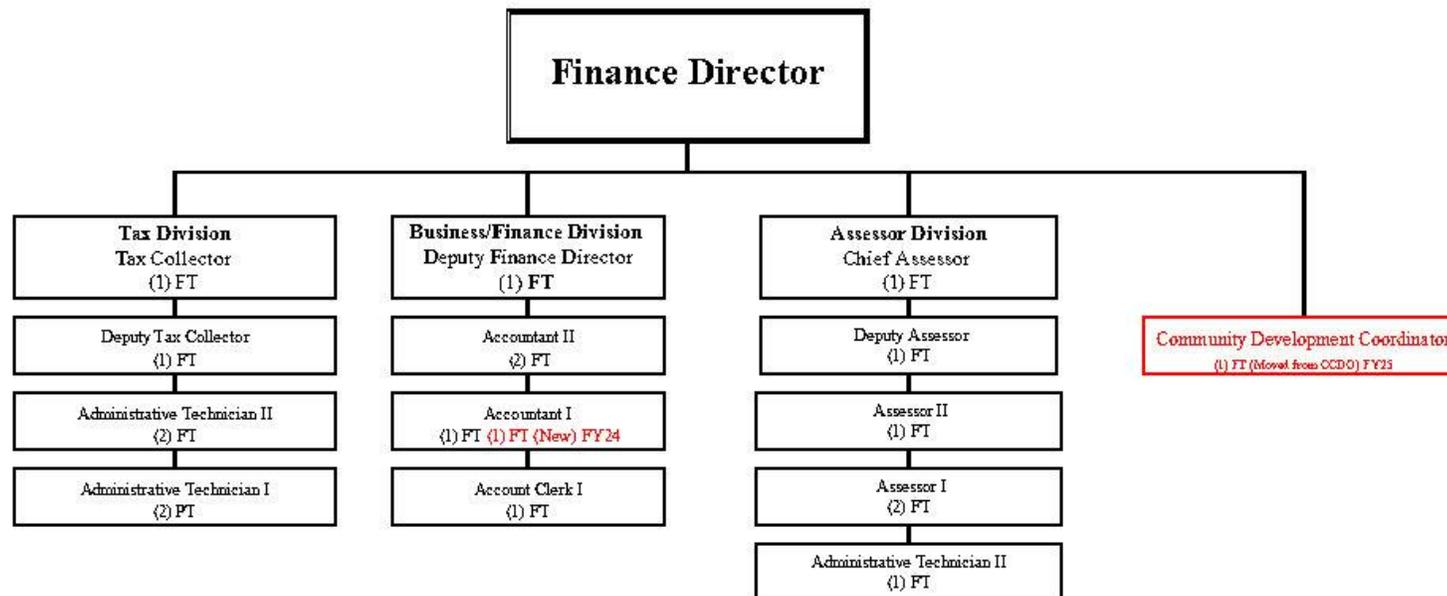
1. Relocate Parking Enforcement Officer & Animal Control Officer
2. Fund Chief Position
3. Relocate Community Development Coordinator to Finance

- Future

1. Create FT Electrical Inspector position



Business/Finance Office



Finance Director:

- Supervision of Budget/Procurement, Treasury, Tax & Assessing
- Maintain the cycles of annual financial activities
- Financial process improvements
- New initiatives such as replacement of CIP database
- Analysis into bond cycles & cash investments. Increase review and analysis of financial risk exposures and develop strategies to mitigate.
- Collaboration with Department heads on operational improvements.
- Assure each department has the necessary tools and training to achieve operational success.



Finance Department Phases

- Now

1. Post Finance Director position
2. Post Accountant I position

- FY25 Budget Process

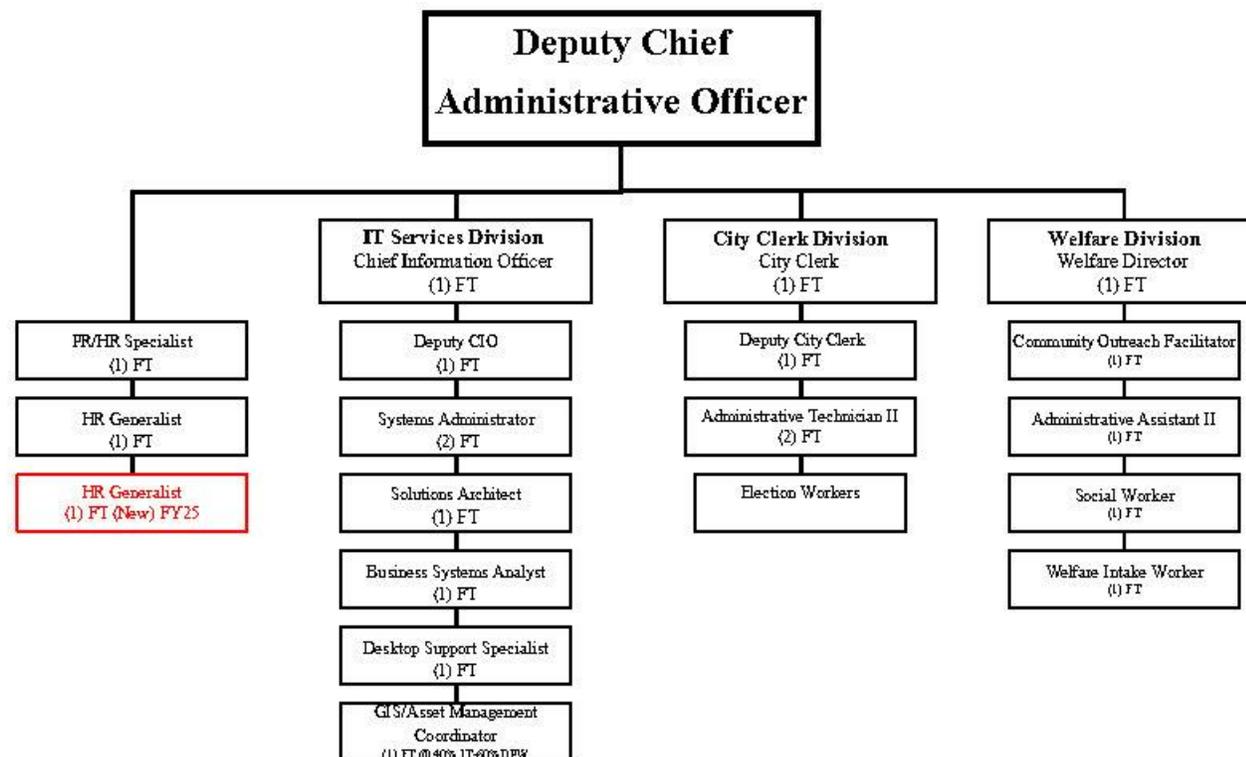
1. Relocate Community Development Coordinator to Finance
2. Funding to convert (1) Accountant I to Accountant II

- Future

1. Fund Deputy Finance Director position



Administration Office



Deputy Chief Administrative Officer:

- Supervision of Human Resources, IT, City Clerk & Welfare
- Organization-wide strategy, policy & risk management

Including: safety program, staff development, community engagement, legal services, process improvement.

- Centralization

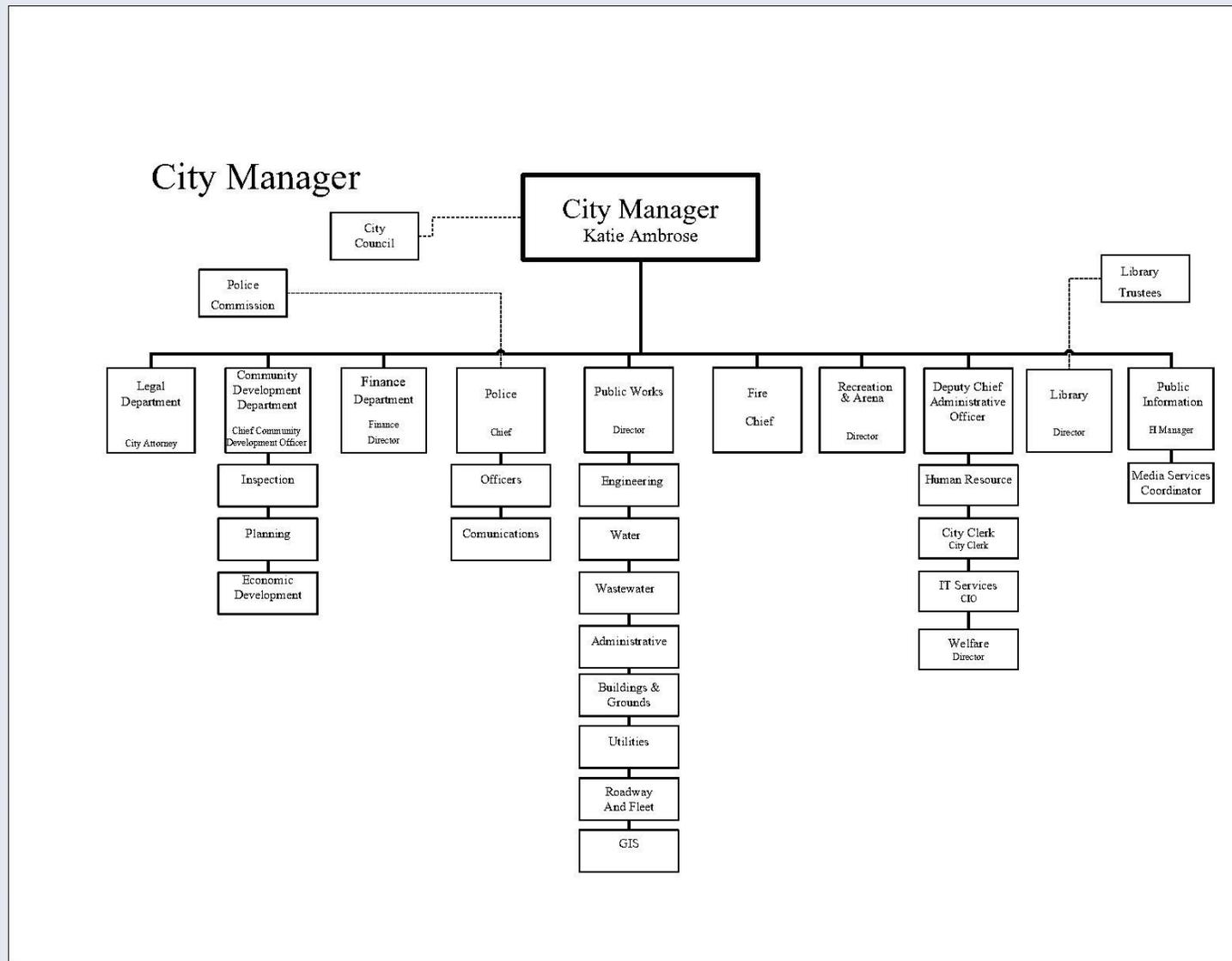


Administration Office Phases

- Now
 1. Create & post Deputy CAO position

- FY25 Budget Process
 1. Fund 2nd FT HR Generalist





Council Action Items to Move Forward

- Approve creation of Chief Community Development Officer position
- Approve creation of Deputy Chief Administrative Officer position

No funding requested



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City Clerk's Office

Resolution Authorizing Transfer of \$250,000 from the General Fund Unassigned Fund Balance to the Trustees of Trust Funds for the Public Works Large Vehicle Capital Reserve Fund (CRF)

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 transfer Two Hundred Fifty Thousand Dollars (\$250,000) to the Trustees of the Trust Funds for the purpose of funding the Public Works Large Vehicles CRF. The source of funding shall be the General Fund Unassigned Fund balance.

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

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City Clerk's Office

Resolution Authorizing Transfer of \$250,000 from the General Fund Unassigned Fund Balance to the Trustees of Trust Funds for the Fire Department Apparatus Capital Reserve Fund (CRF)

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 transfer Two Hundred Fifty Thousand Dollars (\$250,000) to the Trustees of the Trust Funds for the purpose of funding the Fire Department Apparatus CRF. The source of funding shall be the General Fund Unassigned Fund balance.

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

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City Clerk's Office

Resolution Authorizing Transfer of \$250,000 from the General Fund Unassigned Fund Balance to the Trustees of Trust Funds for the Public Buildings Capital Reserve Fund (CRF)

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 transfer Two Hundred Fifty Thousand Dollars (\$250,000) to the Trustees of the Trust Funds for the purpose of funding the Public Buildings CRF. The source of funding shall be the General Fund Unassigned Fund balance.

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

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City Clerk's Office



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	City Capital Reserve Funds- FY24 Funding
----------------	-------------------------------------------------

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

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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AGENDA DATE	10-3-23		
DEPT. HEAD SIGNATURE	Submitted by: Mark Sullivan Deputy Finance Director		
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 endorsed 9-12-23
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Unassigned Fund Balance
ACCOUNT NUMBER	
AMOUNT	\$750,000
	Three separate \$250,000 Resolution
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

City Council	
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SUMMARY STATEMENT

09/28/2023

The annual recommendation to the City's three Capital Reserve Funds (CRF) was not presented during the FY24 Budget sessions. The recommended plan is to continue funding the CRF's on an annual basis and get the funds in position for draw requests in the FY26 budget. Below are the CRF's balances as of 8-31-23. Interest earnings are trending at 3%.

Public Works Large Vehicles: \$513,695

Fire Apparatus: \$513,695

Public Buildings: \$513,695

Recommend funding each CRF with \$250,000, grand total Use of General Fund Unassigned Fund Balance \$750,000.

Finance Committee endorsed the request of \$750,000 for the three CRF's on September 12, 2023. There will be (3) separate resolutions, one for each CRF.

RECOMMENDED ACTION

Council Approval Recommended

**Resolution for Supplemental Appropriation and Authorizing Borrowing Authority
Pursuant to RSA 33:9 to the FY24 School General Fund Capital Improvements Plan (CIP)
Fund in an amount not to exceed \$34,000,000.00 for the New School Construction 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 appropriate Thirty Four Million Dollars (\$34,000,000) to the FY2024 School General Fund Capital Improvement Plan (CIP) for the purpose of paying costs associated with construction of a new 68,000 square foot elementary school. The new school shall reduce crowding, and will consolidate the Nancy Loud school, and School Street school, and close the modular sections at the William Allen and Chamberlain schools. The new School shall have a capacity of approximately four hundred and twenty (420) students. The funding sources for this supplemental appropriation shall be derived from the following;

1. **State of New Hampshire Building Aid Grant:** Fifteen Million Seven Hundred Sixty Nine Thousand Five Hundred Eighty Dollars, (\$ 15,769,580).
2. **Local School Capital Reserve Fund (CRF):** One Million Two Hundred Ninety Thousand Dollars, (\$1,290,000).
3. **State of NH Adequacy Grant-Additional Funding:** One Million Four Hundred Thousand Dollars, (\$1,400,000).
4. **General Obligation Bond Funding:** Eight Million Dollars, (\$ 8,000,000).
5. **General Fund Unassigned Fund Balance:** Seven Million Five Hundred Forty Thousand Four Hundred Twenty Dollars. (\$7,540,420)

Further, in accordance with the provisions of RSA 33:9, the City Treasurer, with the approval of the City Manager, is hereby authorized to borrow the sum of Eight Million Dollars (\$8,000,000.00) 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 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



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	School Department-Construction of new Elementary School
----------------	----------------------------------------------------------------

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

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

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

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

AGENDA DATE	10-3-23		
DEPT. HEAD SIGNATURE	Submitted by: Mark Sullivan Deputy Finance Director		
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	16	

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS Multiple	State Building Aid Grant, School Capital Reserve, State Adequacy Grant, Bonding, Unassigned FB.
ACCOUNT NUMBER	
AMOUNT \$34,000,000	
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

09/28/2023

The School Department is preparing to construct a new elementary school. The new school will be approximately 68,000 square feet. The new school shall reduce crowding, and will consolidate the Nancy Loud school and School Street school, and close the modular sections at the William Allen and Chamberlain schools. The new school shall have a capacity of approximately four hundred and twenty (420) students. The proposed budget is \$34MM. The project has multiple funding sources as follows; 1.State of New Hampshire Building Aid Grant: \$ 15,769,580, 2.Local School Capital Reserve Fund (CRF): \$1,290,000. 3.State of NH Adequacy Grant-Additional Funding: \$1,400,000, 4.General Obligation Bond Funding: \$ 8,000,000. 5.General Fund Unassigned Fund Balance: \$7,540,420.

Moreover, the Finance Committee endorsed the use of the \$7,540,420 from General Fund Unassigned Fund Balance at the 9-12-23 meeting. Use of unassigned fund balance will assist the School Dept in maintaining a more stable debt burden. The use of General Fund Unassigned Fund balance will avoid additional annual debt payments of over \$600,000. Moreover, \$3,000,000 of interest expenses, assuming 20 year bond at 4% interest, will also be avoided. Enclosed are two debt service projections. Projection A demonstrates the School debt burden with the unassigned fund balance, Projection B demonstrates impact if bonding is increased to \$15.5MM. Projection A maintains annual debt service in the \$2.5MM range until 2030. The debt burden begins decreasing 2031, and reaches the \$2MM threshold in 2033. Projection B indicates annual debt service will exceed \$3MM annually through 2030, and will not retreat to the \$2.5MM threshold until 2035. In addition, the DOE Intent to Fund and award letter are also attached.

RECOMMENDED ACTION

Council Approval Recommended

SCHOOL BUILDING AID NOTICE OF INTENT TO FUND

Date: January 10, 2023

To: Superintendent Kyle Repucci, SAU 54, Rochester School District

From: Amy C. Clark, Administrator, Bureau of School Safety and Facility Management

Subject: Building Aid Application Signed October 14, 2022 for a New Elementary School

This memo is not a guarantee of funding for the above referenced project, referred to hereafter as the “Project”. State school building aid awards will be based upon approved ranking, the total State appropriation available, vote of the legislative body of the district approving the Project and appropriating the funds necessary to complete the project, and the Project’s eligible costs. The purpose of this memo is to notify you of the intent to fund the Project and notify you of the terms, should building aid be awarded. Should funding be available, the Project will be subject to the items listed below.

1. Funding subject to sufficient State building aid appropriation in the next biennium (FY24/FY25).
2. Projects shall be funded in descending rank order, as approved by the State Board of Education on November 10, 2022. This project is ranked **Project #1** for FY24 and FY25 construction (July 1, 2023 – June 30, 2025).
3. The maximum project costs *eligible* for building aid shall not exceed **\$26,282,634**. All costs that exceed this amount will be deemed ineligible.
4. The building aid rate for this project is **60%**.
5. The maximum school building aid grant shall not exceed **\$15,769,580**. This amount represents the *maximum* amount of building aid this Project is eligible for. The *actual* amount of building aid will be calculated upon completion of the Project and review of the [Request for Final Building Aid Payment form](#) submitted by the district. Reductions may be made per RSA 198:15 and Ed 321, including but not limited to, maximum allowable space further exceeded, maximum allowable construction costs exceeded, maximum site size exceeded, ineligible funds applied, and ineligible use of space.
6. Proof of approval from the district’s legislative body to construct the Project shall be submitted to the department no later than **May 1, 2023** to be eligible for FY24 building aid. If proof of approval is not submitted by the deadline, funding will be offered to the next highest ranked project. This process will be repeated in FY25, subject to the availability of funds, starting with the highest ranked project.
7. If the Project is funded, the department shall disburse 80% of the maximum school building aid grant, upon receipt of items 1 through 7 listed in attachment A. Items 1 through 7 listed in

SCHOOL BUILDING AID NOTICE OF INTENT TO FUND

attachment A must be complete prior to **June 30, 2024** to continue to be eligible for FY24 building aid.

8. Per Ed 321.24 (a) School building aid grants shall be subject to the maximum allowable construction cost under RSA 198:15-b,IV(a).
9. Based on your application, you have estimated construction costs at \$300 per square foot. The maximum cost standards in effect at the time general contract work begins shall be used for the purposes of determining school building aid grants, per RSA 198:15-b, IV (c). The construction cost standard for an elementary school located in Strafford County was **\$225 per square foot** as of October 2022. This amount will be indexed to the month construction begins. These cost limits apply to the gross building size of newly constructed areas and do not include planning, design, furniture, fixtures, equipment, and site work. For more details see the Maximum Allowable Costs for School Construction online here: <https://www.education.nh.gov/who-we-are/division-educator-and-analytic-resources/school-safety-and-facility-management-bureau>.
10. In accordance with RSA 198:15-b, IV (d) and Ed 321.24(d), the district may request a waiver under Ed 321.28 for the maximum construction cost allowed under Ed 321.24.
11. Eligible project costs are limited to the construction or reconstruction of spaces used for K-12 educational purposes. For example, preschool space is not eligible for building aid. If any space is constructed or renovated for preschool, it will be prorated out based on the total cost per square foot reported on the Request for Final Building Aid Payment form.
12. Educational Capacity for this project is **422** designed with a **95%** utilization rate. This is based on a calculated design capacity of 400 students. This project includes the consolidation of two elementary schools, Nancy Loud School and School Street School, and the closing of the modular buildings at William Allen School and Chamberlin Street School. The student enrollment shifted to the new elementary school will be at a minimum of 303 students based on the closing of these two schools and the above-mentioned modular buildings. In addition, Rochester School District's goal is to reduce overcrowding at other district elementary schools by shifting more students to the new school. The redistricting to this new school is not known at this time. For these reasons, the Department calculated the design capacity as follows: total number of classrooms proposed (20) times average number of students per classroom (20) for a total of 400 students. The district average classroom size is currently 18 students. This design capacity may be reduced based on final plans, number of students per classroom, and eligibility (e.g., preschool classrooms are not eligible for building aid and would reduce the K-12 design capacity calculation for the new school).
13. Based on your application, you have proposed to construct a 68,000 square foot building. The maximum gross square footage is set at **120 square feet per pupil**, per RSA 198:15-b, IV (b)(1) and Ed 321.06. Based on an educational capacity of 422, the maximum gross square footage eligible for building aid is **50,640 square feet**. Excess space will be prorated out based on the total cost per square foot reported on the Request for Final Building Aid Payment form.

SCHOOL BUILDING AID NOTICE OF INTENT TO FUND

14. At this time no waivers have been approved by the department.
15. Prior to construction, the [School Building Aid Application Site Addendum](#) must be submitted to NHED for review and approval. The selected site must meet Ed 321.03, Ed 321.04, and Ed 321.12(j).
16. Final approval shall be granted after the project is complete and the remaining items listed in attachment A have been reviewed and approved by the department. The department shall disperse the remaining 20% of the maximum school building aid grant less any items deemed ineligible for school building aid. In the event that the total eligible project costs times the building aid rate results in a lower grant amount than the initial disbursement, the school district shall be required to repay the State the grant amount received in excess.
17. A school district that discontinues the use of the facility within 20 years shall be required to repay the state 100 percent of the building aid grant received, per RSA 198:15-a, III. Upon showing good cause, the department may waive this penalty.
18. Facilities constructed using school building aid grants shall only be used as instructional spaces for kindergarten through grade 12, per RSA 198:15-a, III.
19. Funds received from charitable trusts, bequests, gifts, insurance policies, federal grants, or grants from other state programs shall be subtracted from total project costs when computing the eligible amount for a building aid grant, per RSA 198:15-b I(a)(2)(E).
20. This project is subject to all of RSA 198:15, School Building Aid, and may be affected by legislative changes.
21. Per RSA 198:15-c IV, a school district that accepts school building aid for construction shall engage the services of a project manager for construction or reconstruction projects of \$1,000,000 or more.
22. Per Ed 321.17 (e), construction documents shall require the HVAC contractor to provide the school maintenance personnel with record drawings, appropriate training, operating and maintenance manuals, and any other relevant information concerning the HVAC systems and components thereof.
23. Per Ed 321.17 (f), construction documents shall require a formal commissioning process for HVAC systems start-up and initial operation. At a minimum, the construction documents shall identify the requirement for the development of a written commissioning plan specific to the project. The commissioning plan shall identify a process of ensuring that prior to completion of a construction project, new and/or modified HVAC systems perform in accordance with the design intent and the construction documents. The commissioning process shall include, but shall not be limited to, verification and functional performance testing on all HVAC equipment and controls, in all operating modes.

**SCHOOL BUILDING AID
NOTICE OF INTENT TO FUND**

- 24. Per RSA 485:17-a, schools are required to test for lead in drinking water at all locations where water is available for consumption by children. New facilities must be tested prior to student occupancy. Action must be taken when results show lead levels at or above 5 parts per billion (ppb).
- 25. Prior to occupancy facility, the district must provide updated floor plans to local emergency personnel and update the Emergency Operations Plan on file with Homeland Security and Emergency Management.
- 26. Per Ed 321.22, school districts shall submit quarterly project status reports to the department until completion of the project. The department will reach out with the report to be completed shortly before the end of each quarter.
- 27. The above items do not include all pertinent restrictions of building aid grants and it is the responsibility of the applicant to understand and follow all regulations, including but not limited to RSA 198 and Ed 321.

If you have any questions, please do not hesitate to contact me at (603) 271- 2037 or amy.c.clark@doe.nh.gov. Thank you.

Signature: *Amy C. Clark* Date: Mar 14, 2023
 Amy C. Clark, Administrator
 Bureau of School Safety and Facility Management

Signature: *[Handwritten Signature]* Date: 3-13-23
 Superintendent

SCHOOL BUILDING AID NOTICE OF INTENT TO FUND

How your maximum eligible building aid was calculated:

A	\$33,618,000	Total Cost of Project (reported in Building Aid Application section I)
B	\$4,885,000	Total Cost of Site Acquisition & Dev (reported in Building Aid Application section I)
C	\$28,733,000	Total Cost of Project, Less Total Cost of Site Acquisition & Development; A-B
D	\$20,400,000	Const. Costs for New Space (reported in Building Aid Application section I)
E	400	Design Capacity (reported in Building Aid Application section B)
F	0.95	Utilization Rate (Ed 321.09 - 0.95 for Elementary Schools)
G	422	Educational Capacity; E/F
H	120	Maximum Allowable Square Footage per Pupil - See Ed 321.06 for proper selection.
I	68,000	Total Prop. Area in SF Feet to be Constructed (reported in B.A. Application section H)
J	50,640	Max. Area in SF Allowed to be Const. in the Past 35 Years; H*G (per Ed 321.06 (f))
K	-	Area in SF that was Constructed in the Past 35 Years using School Building Aid
L	50,640	Remaining Area Eligible for Building Aid in Square Feet; J-K
M	17,360	Area in Square Feet that is Ineligible for Building Aid; I-L
N	-	Total Proposed Renovated Area in SF (reported in Building Aid Application section H)
O	TBD	ESTIMATED Maximum Allowable Construction Costs per Square Foot (see Ed 321.24)
P	\$300	Cost of Construction for New Space (\$/sf); D/I
Q	\$0	Overage - Construction Cost for New Space per SF not Eligible for Building Aid; P-O
R	\$423	Total Project Cost per SF, Less Total Cost of Site Acquisition & Development; C/I
S	TBD	Total Anticipated Funding Sources Ineligible (see section J in Building Aid application)
T	\$33,618,000	Total Cost of Project; A
U	-\$7,335,366	Eligibility reduction – Max. SF Exceeded (applied to area beyond max allowable); (I-J)*R
V	\$0	Eligibility reduction – Max. SF Exceeded (applied to area built in past 35 years); K*R
W	Unknown	Eligibility reduction - Maximum Construction Costs Exceeded (applied to eligible area); L*Q
X	Unknown	Eligibility reduction - Maximum Site Size Exceeded; (see Ed 321.03 and Ed 321.04)
Y	Unknown	Eligibility reduction - Ineligible Funding Sources;
Z	Unknown	Other reductions.
AA	\$26,282,634	Total Project Costs Eligible for Building Aid (sum of T-Z)
AB	60%	District Building Aid Rate

\$15,769,580	Maximum Building Aid award; AA*Rate
--------------	--------------------------------------------

The actual amount of building aid will be calculated upon completion of the Project and review of the [Request for Final Building Aid Payment form](#) submitted by the district. The total building aid award shall be the building aid rate times the total eligible project costs, or the maximum building aid award, whichever is lower.

SCHOOL BUILDING AID NOTICE OF INTENT TO FUND

ATTACHMENT A

Items required prior to receiving first building aid payment – must submit prior to June 30, 2024 for FY24 aid

- 1a. Complete building aid application
- 1b. Complete Site Addendum
- 1c. NHDHR Project Review results
- 2 Minutes from town meeting or city council approving expenditure
- 3 Proof of successful town vote
- 4 Proof of funding (bond schedule, capital revenue expenditures, operating budget, etc.)
- 5 Detailed drawings and technical specifications
- 6 Letter from the State Fire Marshal's Office approving construction (Ed 321.13)
- 7 Signed contract for work to be done

Items required prior to receiving final building aid payment

- 8 Final building aid application. The application can be downloaded from [here](#).
- 9 Invoices
- 10 Invoices listed in the Cost Summary Spreadsheet. The spreadsheet can be downloaded from [here](#).
- 11 Final plans, bearing the stamp of a registered architect or engineer
- 12 Updated educational specifications, if applicable (electronic copy only)
- 13 Maintenance Plan meeting RSA 198:15-b I-a.
- 14 Commissioning plan, if applicable
- 15 Application for energy efficiency reimbursement programs (RSA 198:15-c I)
- 16 Copy of the food service license, if applicable (RSA 143-A)
- 17 A copy of the septic system approval by DES, if applicable (Env-Wq 1000)
- 18 A copy of the water system design approval by Drinking Water & Groundwater Bureau at DES (Env-Dw 406)
- 19 A statement that the drinking water has been tested for lead in accordance with RSA 485:17-a.
- 20 A statement that an updated Emergency Operations Plan (EOP) has been submitted to Homeland Security and Emergency Management, and updated floor plans have been submitted to local emergency personnel.

Submit a letter signed by a licensed architect or engineer stating that the design meets the following:

- 21 No asbestos containing material was used in construction (15 U.S.C. § 2641-2656)
- 22 Project meets the state building code (RSA 155A)
- 23 Project meets the definition of the state building energy code (RSA 155-A:1, IV)
- 24 Project meets the barrier free access regulations (Abfd 303)
- 25 Project meets the acoustical standards (Ed 321.20)
- 26 Project meets the school building construction standards (Ed 321)

updated signed intent to fund memo_KMR (002)

Final Audit Report

2023-03-14

Created:	2023-03-14
By:	CARRIE GORMAN (carrie.gorman@doe.nh.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAA9L8uGKPmNWX9vsO9C0NtGxU38AQ07uh2

"updated signed intent to fund memo_KMR (002)" History

-  Document created by CARRIE GORMAN (carrie.gorman@doe.nh.gov)
2023-03-14 - 11:40:58 AM GMT
-  Document emailed to Amy C. Clark (amy.c.clark@doe.nh.gov) for signature
2023-03-14 - 11:42:26 AM GMT
-  Email viewed by Amy C. Clark (amy.c.clark@doe.nh.gov)
2023-03-14 - 12:28:24 PM GMT
-  Document e-signed by Amy C. Clark (amy.c.clark@doe.nh.gov)
Signature Date: 2023-03-14 - 12:28:32 PM GMT - Time Source: server
-  Agreement completed.
2023-03-14 - 12:28:32 PM GMT



Frank Edelblut
Commissioner

Christine M. Brennan
Deputy Commissioner

STATE OF NEW HAMPSHIRE
DEPARTMENT OF EDUCATION
25 Hall Street
Concord, NH 03301
TEL. (603) 271-3495

July 1, 2023

Kyle Repucci, Superintendent
SAU 54
Rochester School Department
150 Wakefield St, Suite #8
Rochester, NH 03867

Subject: Building Aid Notice of Approval

Dear Superintendent Repucci,

Congratulations! The State budget for fiscal years 2024 and 2025 have building aid funds for Rochester School District's building aid project, as identified in the building aid application submitted by the district and signed on October 14, 2022.

As detailed in the Intent to Fund letter sent on January 10, 2023, the maximum building aid award for this project is \$15,769,580. Eighty percent of this award shall be paid after receipt and verification of documents 1a through 7 listed in the attached copy of the Intent to Fund Letter (see Attachment A). To continue to be eligible for state building aid, these documents must be submitted to our office by **June 30, 2024**.

The remaining award balance shall be paid upon completion of the project. Below is the approved application project payment summary:

Approved allowable project cost:	\$26,282,634.00
Building aid rate:	60%
Maximum building aid award (approved project cost x building aid rate):	\$15,769,580.40
Anticipated first payment (FY24):	\$12,615,664.32
Estimated balance due after completion of project ¹ :	\$3,153,916.08

1. The department shall disperse the remaining 20% of the maximum award less any items deemed ineligible for building aid. See Intent to Fund letter for more details.

Please feel free to reach out with any questions. And again, congratulations on this exciting project!

Regards,

Amy C. Clark

Amy C. Clark

FINANCE COMMITTEE

Agenda Item

09/28/2023

Agenda Item Name: General Fund Unassigned Fund Balance-School New Building

Name of Person Submitting Item Mark Sullivan, Deputy Finance Director

E-mail Address: mark.sullivan @rochesternh.gov

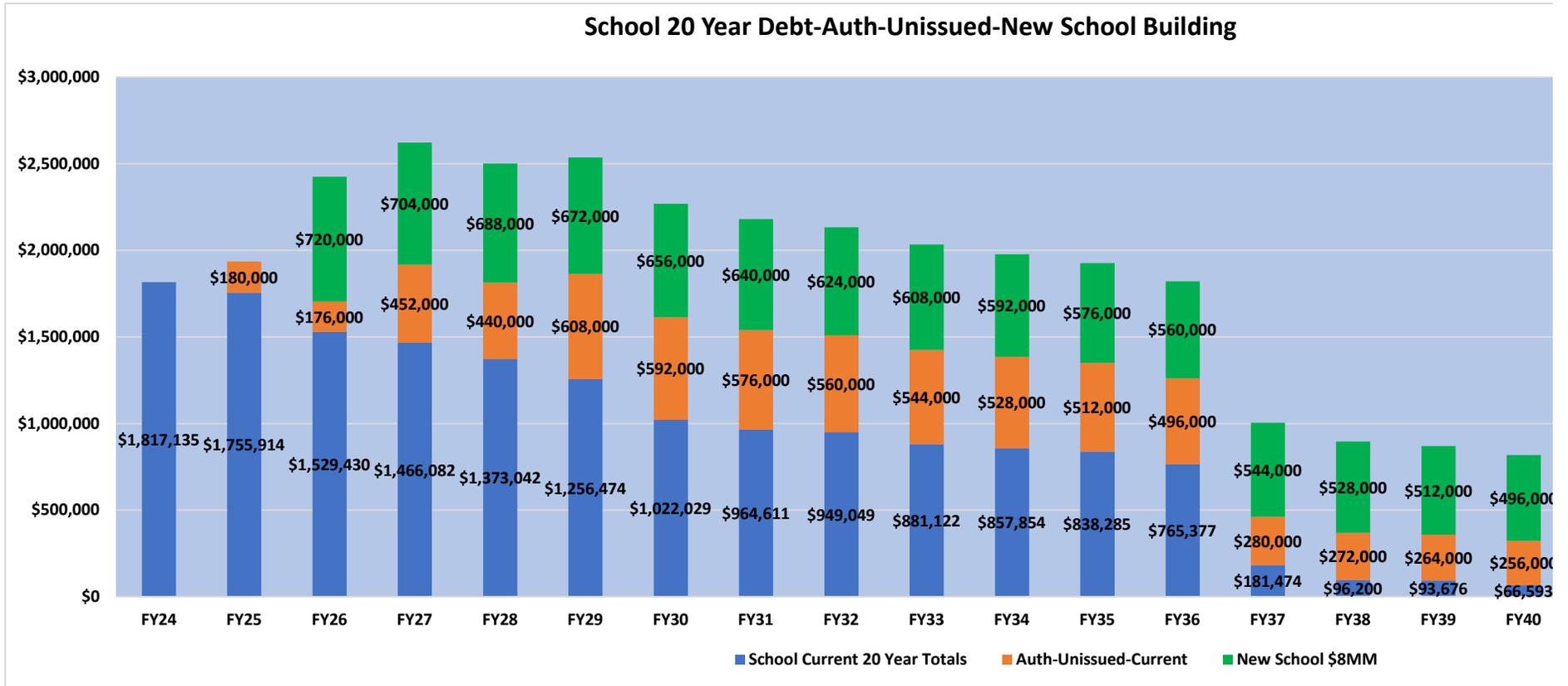
Meeting Date Requested: 9-12-23

Issue Summary: The School Department is preparing for the new school build. The estimated budget is \$34MM. The FYE23 estimated General Fund Unassigned Fund balance is \$37,873,654, or 33% of General Fund expenditures. The General Fund Unassigned Fund balance policy range is 8% to 17% of expenditures. It is recommended that General Fund Unassigned Fund Balance of \$7,540,420 be approved as a funding source for this project. This will assist the School Dept in maintaining a more stable debt burden. Below is summary of the project revenue sources.

Estimated New School Project Cost	\$34,000,000
State of NH Building Aid-Funding	-\$15,769,580
Local School Building Aid CRF Funding	-\$1,290,000
State of NH Adequacy-Additional Funding	-\$1,400,000
Bond Funding	-\$8,000,000
Unassigned Fund Balance-Funding	-\$7,540,420

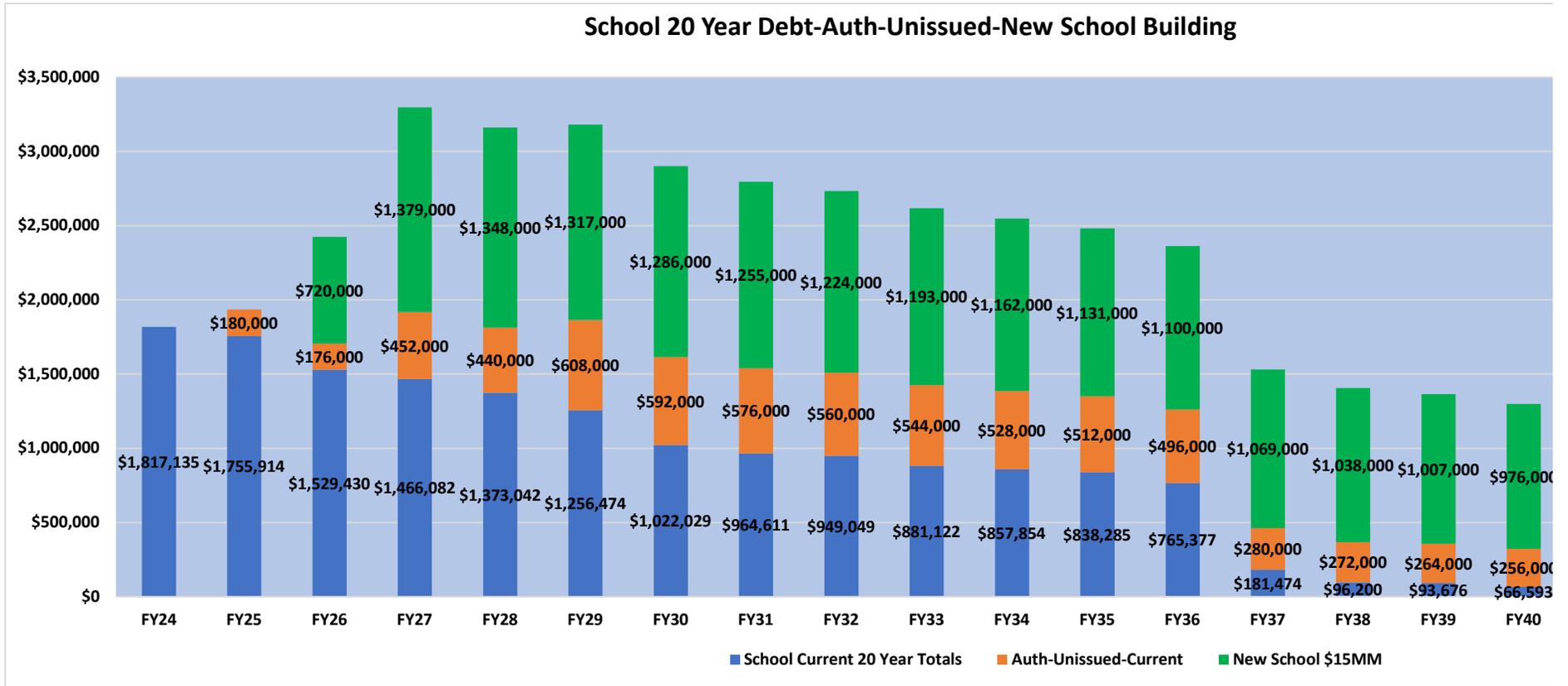
The use of General Fund Unassigned Fund balance will avoid additional annual debt payments of over \$600,000. Moreover, \$3,000,000 of interest expenses, assuming 20 year bond at 4% interest, will also be avoided. Enclosed are two debt service projections. Projection A demonstrates the School debt burden with the unassigned fund balance, Projection B demonstrates impact if bonding is increased to \$15.5MM. Projection A maintains annual debt service in the \$2.5MM range until 2030. The debt burden begins decreasing 2031, and reaches the \$2MM threshold in 2033. Projection B indicates annual debt service will exceed \$3MM annually through 2030, and will not retreat to the \$2.5MM threshold until 2035.

Recommended Action: Motion to Recommend to Full Council for Approval



PROJECTION B-\$15MM BONDING

09/28/2023





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 Approval of the Deputy Chief Administrative Officer Position

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

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

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

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

AGENDA DATE	October 3, 2023		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	Finance Committee
CHAIR PERSON	Mayor Callaghan

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	Kathryn Ambrose

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

City Charter

SUMMARY STATEMENT

Finance Committee voted at their September 12th meeting to recommend to full Council to approve the Deputy Chief Administrative Officer classification and job description.

This position would be filled in FY24 and funded within the current budget.

RECOMMENDED ACTION

Approve the creation, job description and classification for the Deputy Chief Administrative Officer position.



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 Approval of the Battalion Chief, Training Officer & Chief Community Development Officer Positions

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

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

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

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

AGENDA DATE	October 3, 2023		
DEPT. HEAD SIGNATURE			
DATE SUBMITTED			
ATTACHMENTS	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED	

COMMITTEE SIGN-OFF

COMMITTEE	Finance Committee
CHAIR PERSON	Mayor Callaghan

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	Kathryn Ambrose

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

City Charter

SUMMARY STATEMENT

Finance Committee voted at their September 12th meeting to recommend to full Council to approve the Battalion Chief, Training Officer and Chief Community Development Officer classifications and job descriptions.

The Battalion Chief and Training Officer positions were “included” Issues and Options in the FY4 budget, and the next step in the process is for the classifications and job descriptions to be approved before posting the positions.

The Chief Community Development Officer position is not currently funded and would be brought forward for funding in order to fill the position during the FY25 budget process. Approving the classification & job description now would enable the position to be posted immediately in the fiscal year that it is funded.

RECOMMENDED ACTION

Approve the job descriptions and classifications for the Battalion Chief, Training Officer and Chief Community Development Officer positions.

City of Rochester Planning Board
Monday, September 11, 2023
City Hall Council Chambers
31 Wakefield Street, Rochester, NH 03867
*(These minutes were approved on ***, 2023)*

Members Present

Mark Collopy, *Chair*
Alan Dews
Matthew Richardson
Dave Walker
Peter Bruckner
Don Hamann
Keith Fitts

Members Absent

Robert May, *Vice Chair, excused*
James Hayden, *excused*
Rick Healey, *excused*

Alternate Members Present

Alexander de Geofroy
Michael McQuade

Staff: Shanna B. Saunders, *Director of Planning & Development*

(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. They may be copied for a fee.)

I. Call to Order

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

II. Roll Call

Planning Department Director, Shanna B. Saunders, conducted roll call.

III. Seating of Alternates

Mr. Collopy asked Mr. McQuade to vote in place of Mr. Hayden.

IV. Communications from the Chair

Mr. Collopy asked for a moment of silence in observance of September 11, 2001.

V. Approval of Minutes for

A. August 21, 2023

A motion was made by Mr. Walker to approve August 21, 2023, meeting minutes and seconded by Mr. Bruckner. The motion carried unanimously.

VI. Opening Discussion/Comments

A. Public Comment

Ray Wayman, 55 Ida Circle, expressed his appreciation to Ms. Saunders, the Mayor, and all others involved for their assistance in their parts to remedy concerns with developer and contractors for the Ida Circle development. Mr. Wayman stated that there are additional concerns for the development and requests a meeting with the Planning Department and the Department of Public Works to get answers to residents' questions.

Ms. Saunders stated that a meeting request was received by the City Mayor for the meeting that Mr. Wayman is requesting and that the meeting will be scheduled and take place soon.

B. Discussion of general planning issues

There were no general planning issues to discuss.

VII. New Applications

A. [Robert Erickson and Robert Fickett, 40 & 50 Evans Road](#) (by Prospect Mountain Survey) Lot Line Revision between 40 & 50 Evans Road. Case# 235 – 60&61 – A – 23 **Public Hearing ACCEPTANCE/FINAL DECISION***

Robert Erickson, 40 Evans Road, presented the proposed Lot-Line Revision between 40 and 50 Evans Road. Mr. Erickson stated that the purpose is to preserve wetlands.

Mr. Collopy opened the Public Hearing. There were no comments from the public.

Ms. Saunders explained the proposed Lot-Line Revision and stated the requested Plan Modifications and Conditions recommended by staff. Ms. Saunders stated that staff recommends the project be accepted as complete and approved by the Planning Board.

Mr. Walker asked for further verification on the reshaping of the lots. Ms. Saunders stated that the application was not to combine lots, but rather to move the lot line between the lots to change the shape of each lot.

A motion was made by Mr. Walker to approve the project with the conditions as stated and seconded by Mr. Richardson. The motion carried unanimously.

B. [Mann Family Trust/Stuart & Kathi Mann, 149 & 153 Rochester Hill Road](#) (by Norway Plains/Randy Tetreault) Lot-Line Revision between 149 & 153 Rochester Hill Road. Cas# 243 – 63&64 – OC – 23

Mr. Glenn Griswold, Norway Plains, presented the Lot-Line Revision application. Mr. Griswold stated that both lots are owned by the Mann Family Trust and that the plan calls for a change to make one of the lots smaller.

Mr. Collopy opened the Public Hearing. There were no comments from the public.

Ms. Saunders stated that there are no plan modifications requested for this project. Ms. Saunders stated that the recommended Condition for Lot Monumentation will be added to the Precedent Conditions on the Notice of Decision. Ms. Saunders stated that the staff recommended the application to be accepted as complete and approved by the Planning Board.

Mr. Dews asked if the shed on the lot would be removed. Mr. Griswold stated that that structure is not a shed, but a canvas structure and can be moved easily.

A motion was made by Mr. Walker to approve the project with the conditions as stated and seconded by Mr. Hamann. The motion carried unanimously.

C. [R. Bruce Wotton, 83 Eastern Avenue](#) (by Norway Plains/Joel Runnals) 2-Lot Subdivision. Case# 117 – 49 – R2 – 23 **Public Hearing ACCEPTANCE/FINAL DECISION***

Mr. Glenn Griswold, Norway Plains, presented the Lot-Line Revision application. Mr. Griswold stated that the purpose of the Lot-Line Revision is to create a single-family lot and that existing water and sewer is available. Mr. Griswold stated that wetlands setbacks are not affected due to the small lot size.

Mr. Collopy opened the Public Hearing. There were no comments from the public.

Ms. Saunders listed the recommended conditions of approval, including the requirement for any new development to be connected to city water and sewer because the lot falls within connection requirements. Ms. Saunders stated that the wetland behind the lot is small and would not have a buffer, but that the wetland itself should be marked with tags to signify the property is a wetland for the property owner to prevent more cutting of the wetlands.

A motion was made by Mr. Walker to approve the project with the conditions as stated and seconded by Mr. Hamann. The motion carried unanimously.

D. [CEM3 Holdings II, LLC/Doug Morton, 146 Old Dover Road](#) (by Berry Surveying & Engineering/Chris Berry & Kenneth Berry) Preliminary Design Review for 11-Lot Subdivision, roadway, and Open Space. Case# 140 – 72 – R1 – 23 **Public Hearing Only**

Mr. Chris Berry, Berry Surveying and Engineering, presented the Preliminary Design Review for an 11-Lot Subdivision with an open space. Mr. Berry explained that the property has been reviewed by the Planning Board before for a previous subdivision. Mr. Berry stated that the development would consist of 10 residential lots and an open space area, as well as new road construction. Mr. Berry stated that city water and sewer is not available on this lot, so lots will have their own wells and septic systems. Mr. Berry stated that the lot has been investigated for traffic and visibility concerns and road has been proposed to include requirements stated by the Rochester Police Department. Mr. Berry explained the proposed drainage plan for the new development. Mr. Berry stated that a

trail is proposed as an amenity for the development as amenities were requested by the Planning Department.

Mr. Collopy opened the Public Hearing.

Ms. Michael Case, 4 Rockledge Road, stated that she was not an abutter, but is close to the proposed development. Ms. Case asked for the size of the proposed lots, what covenants will be in place, and what structures will be built on the lots.

Mr. Kenneth Lehman, 28 Quarry Drive, stated his concern with the size of the lots, as well as the proposed septic and well systems. Mr. Lehman listed proposed lots that he felt had the proposed well and septic too close to each other. Mr. Lehman stated his concern for the newly proposed septic to leach into the current wetlands nearby.

Ms. Saunders stated that there is no vote required of the Planning Board due to the application being a Preliminary Design Review.

Mr. Berry stated that the lots are a larger than the City's required 10,000 sqft. Mr. Berry stated that the homes that are proposed to be built on the lots range between 1,500 sqft and 2,000 sqft.

Mr. Collopy asked what the rough acreage was for each lot. Mr. Berry responded that the space is around $\frac{1}{4}$ of an acre.

Mr. Berry explained that the well and septic separation must be kept at 75 feet per the Effluent Disposable Area requirement and the plans meet the space requirement. Mr. Berry also stated that the well and septic plans would be reviewed and require approval by the New Hampshire Department of Environmental Services (NHDES). Mr. Berry stated that septic systems are required to be 50 feet from wetlands areas and that future plans would include meeting this requirement.

Mr. Dews asked why there is no sidewalk proposed. Mr. Berry responded that there is no sidewalk on Lowell Street or within any of the abutting neighbors and the development is located within the sidewalk zone.

Mr. Dews asked is the new road would be designed as a city road. Mr. Berry stated that the road would be designed as a city road.

E. [Tuck Realty Corporation/EWST, LLC, 0 Autumn Street](#) (by Jones & Beach Engineers, Inc./Ian MacKinnon) 23-Lot Major Subdivision Case# 104 – 10 – R1 – 22 **Public Hearing/ ACCEPTANCE/FINAL DECISION***

Mr. Ian MacKinnon of Jones and Beach Engineers presented the Major Subdivision application. Mr. MacKinnon stated that Mike Garrepy, the Project Manager for the applicant is also present to explain and answer questions. Mr. MacKinnon explained that the road development will have 2 access/exit points and contain a 5-foot sidewalk throughout. Mr. MacKinnon explained how the lots will receive city water and sewer. Mr. MacKinnon stated that the development will require an upgrade to the size of the watermain provided by the developer. Mr. MacKinnon explained the landscape plan of the proposed development. Mr. MacKinnon explained that the driveway for lot 9 would need to be re-designed. Mr. MacKinnon explained wetlands and drainage plans, as well as approvals that have been received and application applied for through NH Department of Environmental Services. Mr. MacKinnon explained the Conditional Use Permit application applied for and the Waiver Requests that have been submitted to the Planning Board for review.

Mr. Collopy asked for further explanation on the Conditional Use Permits and Waiver Request. Mr. McKinnon explained the Conditional Use Permit that was presented and supported by the Conservation Commission. Mr. McKinnon explained the Waiver Requests including one for the sidewalk planter strip, 2 waivers regarding the Stormwater Chapter 218 regulations: the first for the groundwater recharge requirement and the second for pipe velocities. Mr. McKinnon explained why the proposed plans would require the requested waivers. Mr. McKinnon explained the third-party reviews that have been conducted and those that are to come in the near future.

Mr. Collopy opened the Public Hearing.

Mr. Fred Leonard, 10 Sandina Drive, stated his concerns with the plans not being listed on the City's website for public to review. Mr. Leonard requested for the project to be postponed for review by the Planning Board, due to files not being made public. Mr. Leonard stated that he has many concerns with the project as an abutter but wishes to see the plans and corresponding information. Mr. Leonard stated his concerns for water build up and flooding on his property caused by the development. Mr. Leonard stated his concerns with the access to the development regarding car and foot traffic. Mr. Leonard stated his concerns on a previous plan to have sewage storage tanks placed in the new development. Mr. Leonard requested that Sandina drive be added to the sewage pump, rather than the current storage tanks that are placed, if a sewage pump is in the proposed plan of the new development. Mr. Leonard stated his concerned with the number of homes on the property.

Ms. Saunders stated that she was unsure about the plans being removed from the City Website but will investigate the concern.

Ms. Saunders reviewed the Staff Recommendation and explained the recommended conditions of approval. Ms. Saunders stated that the project has been reviewed by a third-party sewer capacity, water capacity, and stormwater engineer company. The Planning Department has received the Water and Sewer Capacity reviews but is still waiting for the Stormwater Review. Ms. Saunders stated that there is a listed condition to include future recommendations listed in the Stormwater review, once received. Ms. Saunders explained the request for applicants who request stormwater waivers, stating that staff requires that engineers go above and beyond in drainage reports in an effort to show they have prevented impacts to surrounding areas and residents. Ms. Saunders stated that the applicant has received support by the Conservation Commission for their Conditional Use Permit. Ms. Saunders read the recommended precedent and subsequent Conditions of Approval for the proposed project.

Mr. Collopy asked for clarification and regarding the Condition of Approval for a Homeowner's Association to take over drainage maintenance and how maintenance is funded. Ms. Saunders responded that funding was not required, but that the Homeowner's Association is required to be formed for the express purpose of maintaining the ponds and other drainage aspects of the development and that yearly reports must be sent to the Department of Public Works to monitor maintenance.

Mr. Walker asked for clarification regarding the traffic flow and barriers of the development. Ms. Saunders explained that traffic is expected to use the new roadway and not Sandina Drive. Ms. Saunders stated that a connecting passage between the development on Sandina Drive and the proposed development is recommending for neighbors to visit without having to use Autumn Street.

A motion was made by Mr. Walker to accept the application as complete and seconded by Mr. Hamann. The motion carried unanimously.

Ms. Saunders reviewed the Conditional Use Permit.

A motion was made by Mr. Walker to accept both Conditional Use Permits requested by the applicant and seconded by Mr. Hamann.

Mr. Dews asked for further clarification on each of the Conditional Use Permits. Ms. Saunders responded that the Conditional Use Permit for the Conservation Subdivision requires that the applicant provide yield plan to show how many lots can fit on the property and that the applicant is not able to exceed the lots, but that the lots can be made smaller and closer together to allow for more open space.

The motion carried unanimously.

Ms. Saunders reviewed the three Stormwater Waiver Requests: one for Post-Development Volume, one for Groundwater recharge, and one for minimum pipe velocity. Ms. Saunders also reviewed the Waiver Request for the sidewalk planter strip.

Mr. Dews asked why the sidewalks do not come out on either side at the road to ease future sidewalk connection. Mr. McKinnon stated that the applicant limited the sidewalk within the property that is controlled by the development. Mr. McKinnon explained concerns for pedestrian traffic encouragement to an unsafe area. Mr. Dews stated that he felt that a landing at the end of the sidewalk would provide a space for students to stand while waiting for bus pickup. Mr. McKinnon stated that the development on Sandina Drive has a similar setup of sidewalks as the proposed development.

Mr. Dews asked if there was a reason for wires to be brought over and across Autumn Street, rather than buried underground. Mr. McKinnon stated that the plan calls for the line to be brought over and across Autumn Street, then buried when brought through the development. Mr. Dews asked if possibility of wires being brought under Autumn Street has been investigated by the applicant. Mr. McKinnon stated that underground wires would require a greater impact to Autumn Drive.

Mr. McQuade asked how many Public Hearings have been opened for this project. Mr. Saunders stated that this is the first time that the project has been brought before the Planning Board.

Mr. McKinnon responded to concerns stated by Mr. Leonard. Mr. McKinnon explained the drainage plan for the proposed development regarding the brook, drainage swales, and collection ponds. Mr. McKinnon explained that the previous plan called for a sewer pump station, but the current proposed plan calls for individual pump systems and homeowners will be responsible for their individual sewer pump. Mr. McKinnon stated that the proposed open space size exceeds requirements.

Mr. Collopy asked if there were plans for home designs. Mr. McKinnon stated that the homes will have smaller footprints on the lots and that there is a standard house layout for utilities.

Mr. Collopy stated his concerns about buyer retention systems in place for this development due to drainage and flooding concerns.

Mr. Dews asked if there was a storage plan for power-outage emergencies for the personal sewer pump stations and if other products for blackouts have been reviewed by the developer. Mr. McKinnon responded that there are other similar products, but they differ in size. Mr. McKinnon stated the concerns of the developer were to regulate the rate of the sewer pumps burning out in the event of a blackout.

Mr. Dews stated his concerns of administering a waiver request before receiving the Third-Party Stormwater Review. Ms. Saunders stated that the review has not yet been received and that, given the concern of the plans not being posted publicly, though not a requirement, public plans hold a benefit. Ms. Saunders stated that if the Planning Board continued the application to the next

meeting, that the Stormwater review will be received by the meeting. Mr. Dews stated his support in postponing until the review is received due to increasing stormwater issues.

Mr. McKinnon stated that the Stormwater review is being performed to create a flood map and study and that the Salmon Falls River has been surveyed and shown to not have reached peak rates. Mr. McKinnon stated that based on the cubic feet per second of waterflow per event, the developer is 0.01% of the flow entering the river. Mr. McKinnon continued to explain the proposed development's expected water contribution to the river by the developer's engineer's report.

A motion was made by Mr. Dews to continue the application to the October 2, 2023 Planning Board Meeting to give time for the receipt of the Third-Party Stormwater Review and seconded by Mr. Bruckner. The motion carried unanimously.

F. New England Gaming and Consulting LLC, 7 Milton Road (by Altus Engineering/Norway Plains/DMAC Architecture) Site Plan to construct Charitable Gaming Facility Case# 222 – 94 – HC – 23 **Public Hearing ACCEPTANCE/FINAL DECISION***

Mr. John Bosen, Attorney for New England Gaming and Consulting, LLC, introduced other representatives, engineers, and architects of the proposed project, including Greg Carlin, Principal of New England Gaming Consulting, Mr. Dwayne MacEwen of DMAC Architecture, Mr. Eric Saari of Altus Engineering, and Ms. Vicky Martel of Woodburn & Company Landscape Architecture. Mr. Bosen explained Mr. Carlin's experience regarding operating Charitable Gaming Facilities. Mr. Bosen shared information on statistical benefits of the proposed project. Mr. Bosen thanked City of Rochester staff for their efforts in reviewing the plans for the proposed facility.

Mr. Eric Saari, Altus Engineering, introduced himself and gave an overview of the project. Mr. Saari explained the current status and concerns of the location of the proposed facility. Mr. Saari explained the plans and proposed upgrades regarding the renovation of the parking lot and pedestrian areas to the proposed facility. Mr. Saari explained the placement of landscape and lighting within the proposed parking lot, as well as plans for traffic flows.

Ms. Vicky Martel, Woodburn & Company Landscape Architecture, gave an overview of the Landscape Plan of the proposed project in the parking lots and entryway.

Mr. Dwayne MacEwen, DMAC Architecture gave an overview of the interior plan of the proposed project. Mr. MacEwen explained current design concerns and the upgrades of the external and interior designs. Mr. MacEwen explained interior layout plans.

Mr. Bosen stated that he felt that the project would bring great benefit to the City of Rochester and welcomed questions and comments from the public and the Planning Board members.

Mr. Collopy opened the Public Comment.

Mr. Derek Peters, President of Roger Allen Park Association, stated his support of the Charitable Gaming Facility and gave statistical information regarding the number of people that use the Roger Allen Park and how much maintenance and activities costs for the property. Mr. Peters gave an overview of planning upgrades with the park and again stated his support of the proposed Charitable Gaming Facility.

Mr. Danny Woodman, President of the Farmington 500 Organization, gave an overview of his organization and offered his personal history of the City of Rochester. Mr. Woodman stated his

support in the construction of the proposed Charitable Gaming Facility to help organizations that are within and support the City of Rochester.

Mr. Jerry Rainville, Chairman of the Sharefund, gave an overview of what the Sharefund does and stated his support of the proposed Charitable Gaming Facility and their support of Non-Profit organizations, such as the Sharefund.

Ms. Lisa Gibson, representative of the Rochester Opera House and RPAC (Rochester Performing Arts Center), stated her duties of fundraising in the City of Rochester and offered her personal history and experiences. Ms. Gibson stated her support for the proposed Charitable Gaming Facility.

Mr. Bill LeDuc, current and long-time resident of Rochester and Board Member of Rochester Youth Hockey, stated his support for the proposed Charitable Gaming Facility and the funds that will be contributed from the facility to benefit Rochester Organizations, such as youth sports.

Mr. Scott Marrow, Executive Director of Pope Memorial Humane Society, gave an overview of the statistical data of the Pope Memorial Humane Society and stated his support for the proposed Charitable Gaming Facility and the funds that are derived from these types of organizations to help non-profits organizations, such as the Pope Memorial Humane Society.

Ms. Pat Rainboth, Executive Director of Victims, Inc., gave a history of Victims, Inc. and what services and assistance they provide. Ms. Rainboth gave examples of cases that they have been apart of. Ms. Rainboth explained that the funds from the Bingo Hall will continue to help and support Victims, Inc. and stated her support of the proposed Charitable Gaming Facility.

Chris Dooley, 10 Daivs Blvd, Vice President of Rochester Boys Youth Basketball Association, expressed his support for the proposed Charitable Gaming Facility and the funds that will be contributed from the facility to benefit Rochester Organizations, such as youth sports. Mr. Dooley explained the importance of youth sports and that there is a steady decrease in players due to financial strain to families.

Mr. Peter Bloomfield, representing several Non-Profit Organizations, explained the benefits of Charitable Gaming Facilities and their funds shared with Non-Profit Organizations. Mr. Bloomfield stated his support the construction of the proposed Charitable Gaming Facility.

Ms. Stacy Corris, Board member of the Home for Now Homeless Shelter, recommended that Rochester-based organizations charities have the benefit of 10 days of funds from the Charitable Gaming Facility. Ms. Corris is in support of the proposed Charitable Gaming Facility.

Ms. Saunders stated that there were multiple letters received from businesses and organizations in support of the proposed Charitable Gaming Facility including Cornerstone VNA, The Lions Club International, a representative of Nursing Home in the area, Epping American Legion Post 51, and Vouchers for Veterans.

Ms. Saunders also listed the individual senders of letters in support of the Charitable Gaming Facility including Joyce Pagnotta, P. Sukduang, Jason Taylor, Suzanne Langlais, Natasha Galarneau, and Wanda Pelkey.

Mr. MacEwen showed a short video clip to the Planning Board as a visual representation of the exterior plans to the proposed facility.

Mr. Collopy thanked all of the presenters and public members that represented their organizations in support of the proposed Charitable Gaming Facility.

Ms. Saunders reviewed the staff report by the Planning Department. Ms. Saunders stated that a waiver request has been submitted for Chapter 218, but that the project does not fall under the jurisdiction of requiring the waiver, so there will be no vote on the waiver request. Ms. Saunders reviewed the required Plan Modifications and Conditions of Approval for the proposed Charitable Gaming Facility. Ms. Saunders explained the recommended traffic upgrades recommended by the Third-Party Traffic Engineer. Ms. Saunders explained that at least 50% of the interior and exterior work must be started within 24 months and completed within 5 years in order for the project to vest in perpetuity. Ms. Saunders explained that future Public Art will be reviewed by the Planning Board. Ms. Saunders stated that staff recommend the application to be accepted as complete and approved by the Planning Board.

A motion was made by Mr. Walker to accept the application as complete and seconded by Mr. Hamann. The motion carried unanimously.

Mr. Dews asked for clarification on what part of the mall will be occupied by the Charitable Gaming facility. Mr. Greg Carlin explained that the applicant is leasing a portion of the building, but an affiliate of the applicant owns the mall.

Mr. Dews stated his support of the new façade and asked if the visual would be continued throughout the building. Mr. Carlin stated that there would be exterior improvements made to make the front of the building look consistent.

Mr. Collopy asked for clarification on the first, smaller entrance into the Lilac Mall. Mr. Saari explained the upgrades that are proposed, such as a stop sign and stop bar. Mr. Saari stated that there are possible future changes to that area with more development. Mr. Saari stated that long-term plans called for the movement of the dumpster enclosure.

Mr. Collopy stated his concerns with the current sidewalks in the area and recommended the continuance of sidewalks from the railroad tracks to the facility. Mr. Saari stated that the concern may affect the current stormwater drainage, and that the sidewalks will be investigated, but may be outside the scope of this current project.

Mr. Collopy asked if the Arts & Culture Commission has been involved with the plans for Public Art. Mr. Carlin stated that the Arts & Culture Commission has been involved and that they will be further engaged as the project requires placement of Public Art.

Mr. Collopy asked for further explanation of the signage for the facility and lumens that are shown. Mr. Saari explained that the existing sign will stay, but parts will be replaced.

Mr. Collopy stated his concern that there is no gate at the railroad crossing. Mr. Saari stated that a barrier is not within the scope of the project and that the railroad company would be responsible for the installation of a gate at the location.

Mr. Dews asked for the hours of operation of the facility. Mr. Carlin stated that the hours have not been finalized.

Mr. Dews expressed his concerns for the emptying of the parking lot at later hours.

Mr. de Geofroy asked for elaboration on items that are not being addressed in the traffic study. Ms. Saunders explained that the remainder of the conditions that came back, were regarding the roadway and the Chestnut Hill Road and Wakefield intersection. Ms. Saunders stated that there was not a good delineation of how the traffic would be impacted at that intersection. Ms. Saunders reviewed the cost of the road upgrades and stated that there are future planned upgrades for the lot and that it was not correct to burden the applicant with the extreme upgrade expenditure. Ms.

Saunders stated that the Department of Public Works have already been looking to upgrade the signals in the area. Ms. Saunders stated that the full traffic report can be provided. Mr. de Geofroy asked for a copy of the full report.

Mr. de Geofroy asked about the requirement of electric vehicle parking stations required for this project. Ms. Saunders stated that the developer is over-supplying the requirement at 4 EV charging stations. Ms. Saunders reported the total of parking spaces with the numbers of EV charging stations. Mr. Saari stated that there should be one additional EV space, which will be added to the plans.

Mr. Hamann stated that there is a dedicated space for police for any issues that may arise. Mr. Carlin stated that the plan shows the space available in the back-of-house office area.

Mr. Collopy asked for clarification of security for the proposed facility. Mr. Carlin stated that there will be on-site security and surveillance indoors and into the parking lot. Mr. Carlin also stated that there will be AED emergency devices throughout the facility. Ms. Saunders explained that the applicant was required to submit a security plan, the applicant has submitted, and the plan has been reviewed and approved by the Police and Fire Departments.

Mr. de Geofroy asked if Seacoast Gymnastics would be staying at the Lilac Mall and how access will be for the gymnastics studio. Mr. Saari explained that the studio will still be entered from the rear of the building and that the Charitable Gaming Facility and its patrons will not have access to the studio from any other entrances.

Mr. de Geofroy verified that there will be future plans of lighting at the rear of the facility. Ms. Saunders answered yes. Mr. Saari stated that there is lighting now, but fixtures are broken and will be prepared.

A motion was made by Mr. Dews to approve the proposed Charitable Gaming Facility with all conditions stated and added by Planning Board discussion and seconded by Mr. Hamann. The motion carried unanimously.

G. [Sig Sauer, 7 Amarosa Drive](#) (by Allen & Major Assoc./Brian Jones) Phase II Site plan to add multiple building additions, update utility connections, enhance stormwater design & treatment, and tie into the municipal sewer system for the existing Sig Sauer facility
Public Hearing Only

Ms. Saunders explained that the purpose of the meeting is to only allow for Public Hearing and Planning Board discussion, there will not be a vote for the facility at this time due to third party review. Ms. Saunders stated that continuance to 9/18/2023 Planning Board Workshop Session is recommended.

Mr. Brian Jones, Allen & Major Associates, Inc., gave an overview of the proposed Phase II of Sig Sauer upgrades and construction. Mr. Jones briefly explained the Phase I submittal and plans that were approved by the Planning Board. Mr. Jones stated that the Phase II plan calls for reconstruct existing pavement areas to expand to expand parking in the front of the facility, to add landscaping that was previously presented, and to allow lighting, fencing, and stormwater improvements to be completed. Mr. Jones explained the current buildings that are remaining in Phase II. Mr. Jones stated that the Stormwater review is ongoing, and the Planning Department is awaiting receipt.

Mr. Collopy opened the Public Hearing.

Mr. George Homes, 4 Cross Road, stated that he is an abutter to the Sig Sauer facility and stated his concerns of an 8-foot chain-link fence with barbed-wire at the top along his property line. Mr. Holmes stated his concerns for mitigation of noise coming from the facility and stated that he filed a complaint with the City of Rochester Code Enforcement department because of a vacuum system that is loud. Mr. Holmes stated that the noise varies through the day and that the noise is continuous. Mr. Holmes stated his frustration of the noise and stated concerns for screening parking and lighting of the facility. Mr. Holmes explained the history of the lot pertaining to a previous purchases and requirements for a buffer between zones. Mr. Holmes also stated his concern of a planned snow dump area between building 125 and the rear of his property. Mr. Holmes read information from the proposed plans stating "clear and grub" the buffer and stated his concern. Mr. Holmes stated his frustration with the noise and that he felt as if abutters are not considered. Mr. Holmes stated that abutters received offers of selling their homes by Sig Sauer.

Mr. Collopy reiterated that the Third-Party review has not yet been received and that the Planning Board will not be voting on the proposed Sig Sauer plan tonight.

Ms. Saunders stated that the Stormwater Report and Staff Recommendation will be available by the upcoming workshop meeting on September 18, 2023.

Mr. Dews asked if the buffer concern could be reviewed. Ms. Saunders stated that the buffer concern would be investigated further.

A motion was made by Mr. Walker to continue the application to September 18, 2023, and seconded by Mr. Dews. The motion carried unanimously.

VIII. Continued Applications

A. [42 Front Street, LLC, 42 Front Street](#) (by Norway Plains Assoc./Ashley Rowe) 2-Lot subdivision. Case# 102 – 41 – R2 – 23 **CONTINUANCE to October 2, 2023 Meeting**

Ms. Saunders stated that the application has been continued 4 times and the Planning Department reached out to the applicant to let them know that unless there was a submittal of funding for third-party review, she was going to recommend the continuance be denied. Ms. Saunders stated that the funds have been received and recommended that only one more continuance be approved for the review to be received.

A motion was made by Mr. Hamann to continue the project to the October 2, 2023, Planning Board meeting and seconded by Mr. Walker. The motion carried unanimously.

IX. Other Business

A. Planning Update

Ms. Saunders explained that there has been a change in the DPW memo that was provided to the Planning Board members in their packets and that further information will be presented at a future meeting. There will be no presentation tonight.

B. Other

There was no other business to be discussed.

X. Adjournment

A motion was made by Mr. Walker and seconded by Mr. Hamann to adjourn the meeting at 9:04pm. The motion carried unanimously.

Respectfully submitted,

Jaclyn Millard,
Administrative Assistant II

and

Shanna B. Saunders,
Director of Planning & Development

DRAFT

**Public Safety Committee
Draft Meeting Minutes
September 20, 2023
6:00 PM
Council Chambers**

Members Present

Councilor Peter Lachapelle, Chair
Councilor Skip Gilman
Councilor Dana Berlin
Councilor Alexander de Geofroy

Members Absent

Councilor Amy Malone

Others Present

Jarrold Norris, P.E. Assistant City Engineer
Gina Golden-Silvestro, GIS/AM Technician
Deputy Chief Andrew Swanberry, PD
Chief Dennis Dube, FD
David Smith, 588 Salmon Falls Road

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

1. Approve Minutes from August 16, 2023 Public Safety Meeting

Councilor Lachapelle requested to amend item #12 change Councilor Larochelle to Councilor Lachapelle. Councilor de Geofroy MOVED to approve the amended minutes from August 16, 2023. Councilor Gilman seconded the motion. MOTION CARRIED by unanimous voice vote.

2. Public Input

David Smith of 588 Salmon Falls Road was present to discuss having the flashing sign removed from in front of his home. He is concerned that the item was taken out of committee, the sign will not be moved and the sign effects his and his neighbors property in a negative way. Councilor Lachapelle asked for the item be put back on the agenda and add the list of areas that were suggested for the sign.

3. Flashing Lights and Raised Table Policy Discussion

Councilor Lachapelle thanked Councilor Berlin for drafting the guidelines and sending to the committee. Chief Dube has a few recommendations on the guideline draft. First to include more traffic calming measures into the future ordinance, such as speed bumps, traffic cushions, and roundabouts. These all have the same effect on delaying emergency service vehicles. Second recommendation is to get the policy in front of a technical group he recommends the Technical Review Group. They could take the document and balance it with codes and regulations and everything that is required in general. Third recommendation is to have every request that has gone through the Technical Review Group to come back to the Public Safety Committee

for approval or denial. Councilor Berlin stated that having a public hearing he thinks would be necessary to hear what the public have to say before making a decision. Councilor de Geofroy suggested that the committee votes to send it to the Technical Review Group, then they would send it back with their recommendations. Councilor Lachapelle said this should go to codes and they could draft something based on the guidelines. Councilor Berlin said he would like to rework the guideline document with the new information and send it out to be discussed at a future committee meeting. **(kept in committee)**

4. Chestnut Street Speed Control

Councilor Lachapelle stated this is a speed table concern that is being discussed with item #3. **(kept in committee)**

5. Highland Street / Eastern Avenue

Councilor Lachapelle summarized the issue. Mr. Norris contacted the NHDOT they looked at the traffic counts and currently do not have a planned action for that location. Councilor Lachapelle asked when the last traffic study was completed for the location. Mr. Norris was unsure when the last traffic study was completed. Mr. Norris will follow up to ask the NHDOT if they could do an updated traffic study for that area. **(kept in committee)**

6. Rangeway Drive

Councilor Lachapelle stated this is a speed table concern that is being discussed with item #3. **(kept in committee)**

7. Benard Road

Councilor Lachapelle summarized the issue and asked Mr. Norris if there are any 30 mph speed limit signs in stock. Mr. Norris said this is a common sign and we should have them in stock. ***Councilor Berlin MOVED to add the 30-mph speed limit sign to Bernard Road. Councilor Gilman seconded the motion. MOTION CARRIED by unanimous voice vote.***

8. Pickering Road/ Railroad Ave

Councilor Lachapelle summarized the issue requesting a push button flasher. Mr. Norris stated he thinks there maybe future funding for this location. Mr. Norris said Public Works is in the process of replacing the sidewalk along Railroad Avenue this will extend up to the bridge and around the curve at Pickering Road. Ramps will be added at the crosswalks. Mr. Norris did speak with the Deputy Chief Swanberry and there is future funding available for adding a flasher at that location. Councilor Berlin stated that this is where children are walking and asked if this could be expedited. Councilor Lachapelle asked if Mr. Norris can look into getting this moved up as a priority. Mr. Norris said he would look into getting this raised as a priority. **(kept in committee)**

9. Pickering Road/ Brickyard

Councilor Lachapelle summarized the issue for a crosswalk by Brickyard. Mr. Norris is still looking at what the best practices are. **(kept in committee)**

10. Franklin St/ Wentworth St

Councilor Lachapelle summarized the issue and asked Deputy Chief Swanberry if the speed trailer was placed at that location. Chief Swanberry stated that the trailer was put out for two weeks. One week in each direction. The average speed was 30 mph and 32 mph in each direction. The 85 percentile was 37 mph in each direction. Of the 26,000 cars there were 36 cars that exceeded greater than 20 mph over the speed limit. Councilor de Geofrey stated the data doesn't warrant any action and suggests taking it out of committee.

11. Other

Councilor Lachapelle asked if anyone had any others. Mr. Norris stated he had two items. Mr. Norris stated that there is an opportunity to volunteer for the Downtown Rochester Accessibility Audit. The volunteers will survey the sidewalks for accessibility concerns in the downtown area. This opportunity to volunteer will be on September 25, 2023 at 3pm and 5pm. Angie Cleveland from Strafford Regional Planning is the contact person. There will be recommendations generated from the survey that will hopefully translate into community development grant funding and most likely show up in the master planning.

Mr. Norris stated he had the results from a discussion from Oct 2022 for Public Works to provide cost estimates for emergency call boxes for the Union Street parking lot. Three vendors provided cost estimates which vary from \$11,000 to \$26,000 per box. Councilor Berlin stated he would like to see what others think about this idea. Maybe wait until next month to see if anyone comes in for public input. He asked Deputy Chief Swanberry what his thoughts are on these. Deputy Chief Swanberry said his concern is if they are necessary since everyone has cell phones. He cannot think of a situation where people have had an issue getting in contact with the department. These would be treated as emergency lines so if someone was to falsely activate it, they would be sending at least one officer, probably two officers. Councilor de Geofroy stated he doesn't see the cost being reasonable for what it provides. He would need to see compelling evidence that this is doing a lot he would not be in favor of spending the money on this. Councilor Gilman agreed with Councilor de Geofroy and said with everyone having cell phones. Councilor Berlin asked to wait until next month to see if anyone comes in to discuss. **(kept in committee)**

Councilor Lachapelle ADJOURNED the meeting at 6:38 PM.

The minutes were respectfully submitted by Ronda Boisvert, Administrative Assistant II

Public Works and Buildings Committee
City Hall Council Chambers
Meeting Minutes
September 21, 2023

MEMBERS PRESENT

Councilor Donald Hamann, Chairman
Councilor Jim Gray, Vice Chairman
Councilor John Larochelle
Councilor Alexander de Geofroy
Councilor Steve Beaudoin

OTHERS PRESENT

Peter C. Nourse PE, Director of City Service
Lisa Clark, DPW Deputy Director
Dan Camara, Coordinator GIS & Asset Mgmt.

MINUTES

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

1. Approval of July 27, 2023, Meeting Minutes

Councilor de Geofroy made a motion to accept the minutes of the June 15, 2023, meeting as presented. Councilor Beaudoin seconded the motion. The motion passed unanimously.

2. Public Input

There was no public input.

3. NH Memorial to Public Works Employees Who Have Died in Service (attached brochure)

Mr. Nourse stated that on Tuesday, September 12, 2023, he and a few other employees from Rochester Public Works were present for the second reading of the dedication of names. He noted the first reading was in 2019. Mr. Nourse gave history on the memorial. Fourteen years ago, he mentioned Governor John Lynch signed into law an act establishing a committee to design, construct and maintain a memorial honoring public works employees who died while performing their public works duties. The committee was made up of 13 members and they selected the site, invited high school seniors and college students to submit designs and then selected the design. The design is a reflection garden. Mr. Nourse stated there are 24 shovels marking the 24 hours in a day that a public works employee may be called to work, four large granite monuments and granite benches to sit and reflect. Mr. Nourse mentioned there is a large black granite monument in the shape of New Hampshire that welcomes visitors. He stated the memorial was completed in June of 2019 and was then dedicated and presented to Governor Sununu as a gift to the State of New Hampshire. Mr. Nourse further explained that in June of 2019 there were thirty-seven names that were read aloud at the September 12, 2023 dedication and fifteen additional names, including Kenneth Guild of Rochester Public Works. Mr. Nourse stated he worked

with the Committee in 2019 to get Mr. Guild added, but the process was not completed for the 2019 reading. Mr. Nourse stated this memorial serves as a permanent reminder of those who gave the ultimate sacrifice, and it demonstrates the need for on-the-job safety for all involved in public service in New Hampshire.

4. New Hampshire Public Works Mutual Aid Program

Mr. Nourse stated that with increasing storms there is an increasing number of requests for assistance from the public works community. He noted that these requests are largely from smaller communities with less resources than that of Cities. He mentioned in July there was a large storm and Alton requested several large trucks. Mr. Nourse further stated he did not have the personnel to support that request and if he did, he did not feel comfortable sending such assistance until it was discussed with the committee. Mr. Nourse stated he wanted to have the discussion for some time now to see how the City Council feels about DPW sending resources to other communities when requested. Mr. Nourse explained there are two ways to send aid-informally without membership to the Public Works Mutual Aid Program and formally as a member. He stated that the program is authorized under RSA 53-A:3 which permits municipalities to cooperate with others to reduce loss of life and damage to public property through coordination of disaster preparedness, mitigation, response and recovery. Mr. Nourse noted that he last discussed potential membership with this Committee about 10 years ago and at that time there the Committee did not have an interest in becoming a member of the program. Mr. Nourse stated his observation of the membership list is that most of our sister Cities are not members and that may be because cities in general would be most likely to be donors versus recipients. Mr. Nourse stated things to consider are; membership provides that assistance membership provides that assistance (equipment and personnel) be rendered, if a community is able to, and that such assistance will be funded by the requestor. Membership does not obligate a community to dispatch assistance, but it is expected. Mr. Nourse stated that he has checked with Primex, the City's insurance carrier, as to whether or not the City's equipment is still covered by insurance if working in another community and if personnel are covered by workman's compensation. Primex stated that wherever equipment and staff are performing work as long as they are working in the capacity of their assigned duties they are covered. Mr. Nourse stated that there are 3 options to consider. The City can become a member of the Mutual Aid Program. The City can elect not to become a member, but could continue to follow current practice to use the DPW personnel and equipment to aid another communities when requested and when available if it is not a detriment to the City of Rochester at the discretion of DPW. He noted they would not need a motion for this option, the third option is to do nothing. Mr. Nourse stated that he advocates for the second option, he has a little concern about being a member and having the resources to commit to a request. He stated that our City's highway crew is not large enough to be effective for much of its regular work to be performed. He believes that we could render aid when possible under a non-membership status giving us more flexibility. Mr. Nourse noted that this was discussed with the City Attorney and that he is in agreement. Councilor Larochelle said he is fine with helping if it makse sense. Councilor de Geofroy stated his support for the second option of no membership and the use of Department of Public Works personnel and equipment at the discretion of the Public Works Department. Councilor Beaudoin asked the question how would the City bill for mutual aid and would the distance be at the

discretion of DPW. Mr. Nourse said it would be billed from the time staff and equipment left the area by the administrative staff. He stated actual hours of work, including overtime, and the current FEMA equipment rates would be charged for vehicles and equipment. Councilor Larochelle stated that he recommends and supports option two, which includes non-membership but allows assistance to other communities at the discretion of the DPW. Councilor Beaudoin agreed and seconded the recommendation. The Committee voted and the vote was unanimous. Mr. Nourse stated that this is the current practice, and he was comfortable continuing with the same.

5. Tebbetts Road/Old Dover Road Intersection Improvements; Public Concerns Meeting at City Hall Council Chambers on 9/26/2023 at 7PM (will stream live via website www.rochesternh.gov and will be recorded for future viewing, it will also be broadcast live on channel 26 for Breezeline customers and channel 22 for Comcast customers)

Mr. Nourse stated there will be a Public Concerns Meeting at City Hall Council Chambers on September 26, 2023. He noted a Road Safety Audit was conducted in 2019 following a fatality. The project was entered into the NHDOT Highway Safety Improvement Program to improve the intersection's safety. Mr. Nourse stated that there are several options to be considered for improvements and that this forum will be a chance to show those options and receive comments from the public. (This meeting will be streamed live via website www.rochesternh.gov and will be recorded for future viewing. He noted it will also be broadcast live on channel 26 for Breezeline customers, and channel 22 for Comcast customers).

6. Strafford Square Roundabout

Mr. Nourse stated to the committee that the roundabout is now quickly taking shape. He stated that it is anticipated that the roundabout operation will be in affect as early as November. Mr. Nourse explained the contractor will be leaving the current configuration in place while they continue to finish the perimeter curbing, sidewalks, and islands. Mr. Nourse mentioned when roundabouts are constructed there is typically a period of adjustment for the public, and fender benders can be expected. Mr. Nourse stated that there is literature posted on the website regarding navigation of the roundabout and there are copies of a brochure available at City Hall in the corridor. Mr. Nourse stated that he is preparing a memo for the City Council to summarize the project from start to finish. Councilor Hamann stated he had one comment from a resident. He stated they had inquired to see if the curbing installation was the type to allow trucks to roll over without causing damage. Mr. Nourse stated the curbing being placed is designed for semi-trucks to transit and roll over if necessary. Councilor Beaudoin said a question was raised during public comment last week regarding the level installation of curbs. He inquired if engineering is on site checking this out to make sure it is being built to specifications. Mr. Nourse stated that the City has a private consulting resident engineer on site always that is doing inspections for the City, and a City inspector regularly checking in to insure that the contractor is meeting the specifications. He noted that the geometry and grades are very specific for this roundabout.

7. The Cyber Security of the Industrial Control Systems of Water and Wastewater Treatment Facilities

Mr. Nourse stated Cyber threats are on the rise globally and they don't just consist of malware or ransomware targeting individuals and financial institutions. Cyber threats are increasingly targeting public utilities including drinking and wastewater utilities. He stated that bad actors see such targets as pressure points of their enemies. Mr. Nourse further stated Water and wastewater facilities in 7 states have been hit by ransomware attacks since 2019. Attacks have been on billing software, device restarts, attempts to manipulate treatment trains, exfiltrate business, network and personal info and delete programs. Some attacks are known to originate in China and Russia and some attacks were from former employees. He noted that the Cyber Security and Infrastructure Security Agency (CISA) is the Federal advisory agency. He stated that CISA leverages the National Institute of Standards and Tech (NIST), the cyber security standards and best practices. Mr. Nourse stated that the EPA is the Water & Wastewater sector risk management enforcement agency. He explained that CISA regularly issues advisories to ongoing cyber threats to US water and wastewater systems. Mr. Nourse stated that there are many agencies involved including CISA, NSA, FBI and EPA. He stated that there is a profound amount of information available on-line from these agencies and that you could spend weeks drilling down on these resource guides and templates on best practices. Mr. Nourse explained that The Protected Critical Infrastructure Information Program encourages public and private sector owners of physical and cyber critical infrastructure to voluntarily share sensitive security and proprietary data with CISA. He stated that this program protects information from Federal, State and local disclosure laws, allowing partners to securely share their critical information. Mr. Nourse stated in March the EPA required states to evaluate cybersecurity of Public Water Systems and he noted that CISA offers Cyber Resilience Review on a voluntary, no cost basis. Mr. Nourse stated that this review evaluates the maturity of an organization's capacities and capabilities in performing, planning, managing, measuring, and defining cybersecurity across 10 domains. He stated that cybersecurity in water and wastewater facilities is mainly focused on industrial control systems (ICS) also referred to as Supervisory Control and Data Acquisition (SCADA). Mr. Nourse stated that the general term that is used is Operational Technology (OT). It is a remotely operated system that is designed to minimize externally accessible human interface. Mr. Nourse stated that OT exists in many industries such as auto manufactures or food processing. It consists of programmable logic controllers, actuators, sensors, diagnostics, switches and runs on a low-level ladder logic language. He further stated that OT is NOT IT. "Information Technology (IT) is a business application and OT existed decades before IT and as such, was not originally created with cybersecurity in mind. Unlike IT, OT has historically been proprietary systems. Mr. Nourse explained that all organizations stress that IT and OT systems should remain completely separated as most attacks are payloads through IT systems (email). Mr. Nourse stated that in June of 2022 we had CISA conduct a Cyber Resilience Review at the WWTF. He stated that this allowed us to obtain a \$50K grant of ARPA funding through NHDES to improve our security posture. Mr. Nourse stated that in June of 2023 we had a CISA review of the Drinking Water Facility and have submitted for another \$50K ARPA grant to improve our security posture. This includes funding on new PLCs at WTF, Rochester Hill tank, and mechanical interlocks so instruments/controls can by-pass affected PLCs to operate

actuators. Mr. Nourse explained that the results of the reviews is protected information and he would not be providing details. He did say that in both cases the City scored above the median level in most domains, sometimes greatly above. He noted that there are areas to improve and that we are using the grant funds to improve our security posture. He also stated that the City will take advantage of future grant funds as they become available and he will also request funds in our upcoming budgets to support the progression of security: Mr. Nourse stated that the threat is always there; however the reviews indicate Rochester is in a good place and it will get better. He noted that the reason this was on the agenda was to inform the Committee and Council that we are on top of the industry's cyber security concerns and that we understand the threat and are taking action to improve our security posture. Councilor de Geofroy asked if he could see the reports, Mr. Nourse said he would have to look into it as he was unsure of the ability to share the information and reports. He suggested a non-public meeting could be arranged. Councilor Larochelle asked if this governs control of the Reservoir system. Mr. Nourse said this is separate, but CISA did do a physical security evaluation of the drinking water system.

8. Champlin Ridge Road

Mr. Nourse updated the committee on the Champlin Ridge Road pavement concerns that were discussed at the Public Input portion of the July PWC Meeting. Mr. Nourse stated that he examined the roadway shortly after and there are a couple of issues. He noted there is only about 1.5" of pavement and the pavement is largely failing on the sides. He stated that this is because water cannot get to the ditches due to a berm along much of the road. Mr. Nourse stated this road was accepted in the mid-2000's and did not meet City standards. He stated that staff were dispatched this week to start shaving the berm down. Mr. Nourse noted that the DPW will run the annual PCI (pavement condition index) next month to see what priority the road may have for paving. He noted that it is unlikely this road will make the paving list, and he stated that staff can shim road to get it by for a while longer.

9. Other

Public Relations Event

Mr. Nourse stated that the Public Relations event for the Rt 202A Water Main Extension Project will be held October 17th 2023 at 10AM. He stated that the representatives from NHDES Drinking Water Trust Fund Bureau have been very excited about this project as it provides municipal drinking water to upwards of 160 households who have experienced poor well water quality. He noted that it is a \$13.5Million project funded in large part through grants and loans. He noted that the City Manager and Mayor are interested in this event along with other State of NH dignitaries. The rain date for the event is October 24, 2023.

NH Route 108 Complete Streets Public Information Meeting

Mr. Nourse noted that the NH Route 108 Complete Streets Public Information Meeting – Rochester Public Works Department, 209 Chestnut Hill Rd. 9/26/23 at 6:00 pm. This is not a Department of Public Works Project. This is a \$31Million project to improve multi-modal transportation along Route 108 from NH Route 9/Indian Brook Drive in Dover to

Innovation Drive in Rochester 5 miles. He stated that this project is in the 2023-2032 ten-year plan and that it is currently in design with construction scheduled for 2024-2026. He noted that this will have a public hearing date later in 2023 or early 2024. Mr. Nourse explained that the purpose of project is to improve multi-modal use, access and safety for about 5 miles of Rt 108 from Indian Brook Drive in Somersworth to Innovation Dr. in Rochester. He stated that there are three public meetings to review the proposed designs for the project.

Dover City Hall on 9/19/2023 at 6:00.

Somersworth City Hall on 9/21/2023 at 6:00

Rochester Public Works on 9/26/2023 at 6:00 pm.

Councilor Gray stated that this was discussed at the Chamber of Commerce Government Affairs meeting this morning and they would like to see it broadcasted and recorded so it could be viewed later. Ms. Clark stated this was discussed at the City Department level as well and it could be recorded, she would make the request.

GACIT Public Input September 28, 2023 4-6 Council Chambers

Mr. Nourse explained that the Government Advisory Council (GACIT) Public Input meet is to be held Thursday September 28, 2023 4-6 PM at City Hall in City Council Chambers. The purpose of these Public Hearings is to receive public comments and testimony on transportation projects and priorities included in the draft 2025-2034 Ten-Year Transportation Improvement Plan as recommended by the New Hampshire Department of Transportation. Those not able to attend the meetings can submit written testimony until November 3, 2023 at 4 PM. The New Hampshire RSA 228:99 and RSA 240 require that the New Hampshire Department of Transportation (NHDOT) propose a plan for improvements to the State's transportation system every two years. The purpose of the Ten-Year Plan is to develop and implement a plan allowing New Hampshire to fully participate in federally supported transportation improvement projects as well as to outline projects and programs funded with State transportation dollars. Selected projects would be added to the tail end 2 years of the 2025-2034 TYP or 2033/34. \$40M of Rochester projects currently in the plan in various stages but SRPC budget about \$5M/cycle.

Volunteers are being Solicited for the Rochester Accessibility Audit-Strafford Regional Planning Commission on September 25, 2023 3-7 PM

Mr. Nourse noted that this is an effort made by the Strafford Regional Planning Commission. They ask that the public join in for a walk-through downtown Rochester to help make the streets and sidewalks more accessible for all. He stated that on September 25th, the City of Rochester, along with partners from Strafford Regional Planning Commission and Strafford County Public Health Network are conducting an Accessibility Audit of Downtown Rochester. He mentioned that volunteers are needed on September 25th to observe and evaluate the accessibility of streets and sidewalks in downtown Rochester. He stated that they will meet at the Rochester Performance & Arts Center (RPAC) to begin the audits. There will be two chances to participate: the first audit is at 3pm, the second audit starts at 5pm. Refreshments will be provided. All ages and abilities are welcome! RSVP is required by September 22nd one of three ways: Complete the a Google-Form-at <https://forms.gle/HYChCTzyQGFjLGMJ9> Email-at acleland@strafford.org or Call 603-994-3500. As of yesterday, they had 8 volunteers.

Lead Update

Mr. Nourse stated and updated Councilor Laroche on the lead sampling. He explained that there are seventy (70) sites for sampling and that they alternate between sites every three years. Mr. Nourse stated that this year there are thirty-three (33) sites in the pool, and of that pool twenty-seven(2) had zero hits for lead and six of them (10%) tested at 3.1 parts per billion. He stated that this is nowhere close to the maximum contaminant level (MCL). Mr. Nourse stated that the service line inventory continues to evolve. He noted that of our approximate seventy five hundred connections there are twenty-seven connections of unknown materials, eighty-one galvanized pipe connections and one thousand brass connections. Councilor Beaudoin asked how long has the City been using copper for connections. Mr. Nourse said starting in the 1950's it started to get used a lot. Mr. Nourse said they had a choice back then to use lead or copper. Mr. Nourse said that this fall that they should be able to see what the scope of the problem is when EPA comes out with it new restrictions.

Woodman Street Project

Councilor Beaudoin made a comment that this project is going very well and making great progress. He asked if the project was on schedule and Mr. Nourse said yes, but the project will go through 2024.

Paving on Rt 202A and Fiddlehead

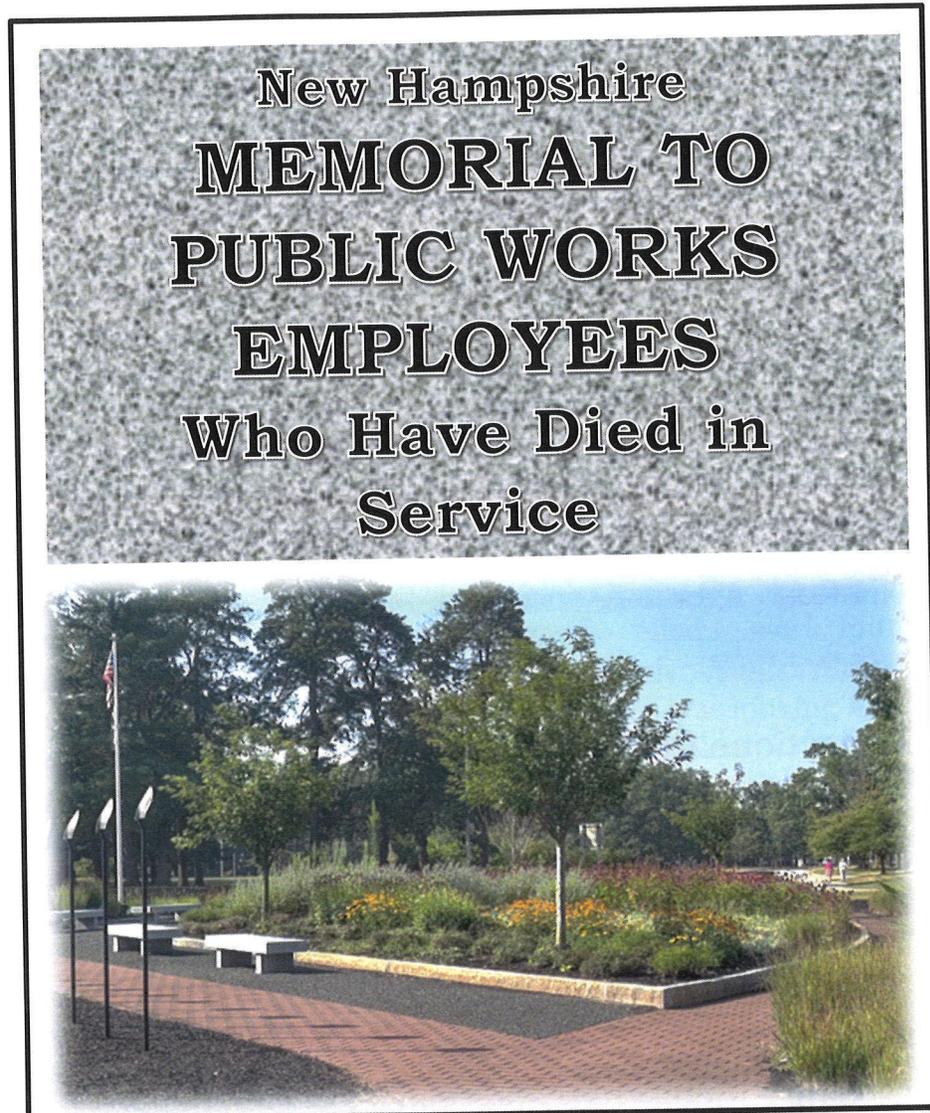
Councilor Hamann asked if the paving was completed on 202A Project including Fiddlehead Lane? Mr. Nourse said it is not completed as it has not received the wear course of pavement. He stated it will likely be next spring.

Circle for Sig Saur Status

Councilor Hamann asked the status of the Sig Sau intersection improvements. Mr. Nourse stated that it is still in the preliminary design stages and DPW is working with the Sig Sau campus engineering on drainage. Mr. Nourse stated that he had met with all the business abutters and is making some accommodation for them and he noted that there is a purchase order out to demolish the old Trinket and Treasure building. Mr. Nourse stated that this will be designed next year and per agreement with Sig need to finish construction June 2025.

Councilor Hamman made a motion for adjournment at 7:51 PM

Minutes respectfully submitted by Laura McDormand, Admin, Services & Utility Billing Supervisor



DEDICATION of NAMES

Tuesday, September 12, 2023

9:00 a.m. – 10:30 a.m.

7 Hazen Drive, Concord, NH

Dedication Ceremony

Welcome – Richard Arcand, Master of Ceremonies
NHDOT Public Information Officer

Prayer Offering & Blessing – Pastor Jason Rose
One Church Outpost Pastor and
Concord Police Department Chaplain

Governor – The Honorable
Governor John Lynch 2005-2013

NHDOT Commissioner – William Cass

NH Road Agents Association, President – Brian Barden

NH Public Works Association, President – Dan Hudson

Reflections from a Family Member - Meg Perez
Granddaughter to Ernest J. Cliche,
Died March 9, 1938, in Dalton, working for the State of NH
Public Works & Highways (*Now NHDOT District 1*)

Reading of Names – Jim Rivers, Family Member
Assigned to the Committee by the Governor
..... (*Turn the Page for the Names*)

Closing – Richard Arcand, Master of Ceremonies



Welcome to our second Dedication of Names.

Fourteen years ago, Governor John Lynch signed into law an act establishing a committee to design, construct and maintain a memorial honoring public works employees who died while performing their public works duties on behalf of the State of New Hampshire, a city, town, or county. Republicans and Democrats alike sponsored this bipartisan legislation that took effect on August 14, 2009.

The 13-member Committee selected the site, invited high school seniors and college students to submit designs and then selected the design of Kelsie Lee, a senior at Colby Sawyer College. Her design of a reflection garden, 24 shovels marking the 24 hours in a day that a public works employee may be called to work, four large granite monuments and granite benches to sit and reflect, all captured the essence of what the committee was looking for. A large black granite monument in the shape of New Hampshire welcomes visitors. Through the generosity of many private monetary donations and in-kind donations of heavy equipment, labor, time and materials, the memorial was completed in June of 2019, then dedicated and presented to Governor Sununu as a gift to the State of New Hampshire.

May it serve as a permanent reminder of those who gave the ultimate sacrifice and the need for on-the-job safety for all involved in public works service in New Hampshire.

Public Works Employee Memorial
c/o Commissioner's Office
NHDOT, PO Box 483
Concord, NH 03302-0483
E-mail: highwaymaintenance@dot.nh.gov - Memorial Phone: (603) 271-2693

New Hampshire Public Works Employees

Who Have Died In Service

1. Daniel Carswell, NHDOT Turnpikes (1997)
2. Ryan Haynes, New London Public Works (2005)
3. Rudolph Demurs, Dover Dept. Public Works (1971)
4. Alphonse "Al" Napolitano, NHDOT Bridge Maintenance (2004)
5. Jim "Richard" Hayes, NHDOT Bridge Maintenance (2012)
6. William Jennings, Manchester Water Works (1977)
7. Jeffrey Robinson, Manchester Water Works (2012)
8. Robbie Gonyer, NHDOT Highway Maintenance (2004)
9. Carl Richardson, NH Public Works & Highways (1973)
10. Archie Page, Loudon Public Works (1973)
11. Ephriam J. "Steve" Rivers, NH Public Works & Highways (1959)
12. Stephen Blood, Antrim Highway Dept. (2009)
13. Bruce Harting, Wolfeboro Transfer Station (2002)
14. Albert Pinard, Manchester Highway Dept. (1977)
15. George Prive, Manchester Public Works (1994)
16. Raymond LeBlanc, Manchester Highway Dept. (1971)
17. Irene Boissoneault, Manchester Highway Dept. (1969)
18. Luchien Sarette, Manchester Highway Dept. (1965)
19. David Kemmeur, Manchester Highway Dept. (1956)
20. Patrick Griffin, Manchester Highway Dept. (1950)
21. Arthur Coleman, Manchester City Street Commission (1910)
22. John Conroy, Manchester City Street Commission (1898)
23. Timothy Sheehan, Manchester City Street Commission (1896)
24. Fortuant Allaire, Manchester City Street Commission (1897)
25. Etienne Duval, Manchester City Street Commission (1893)
26. David Nelson, Charlestown Public Works (1950)
27. Stephen McKinley, NHDOT Highway Maintenance (2005)
28. Milton Reed, NHDOT Highway Maintenance (2011)
29. Leo Scannell, NH Public Works & Highways (1965)
30. Richard D. Milliken, NH Public Works & Highways (1956)
31. Frederick Scroggins, NH Public Works & Highways (1971)
32. Thomas E. Wooten, Northfield Dept. of Public Works (2016)
33. Charles E. Damour, Henniker Wastewater Plant (1985)
34. Paul H. Paradis, Sr., Rye Public Works Dept. (1982)
35. Emery D. Eaves, NH Public Works & Highways (1973)
36. James Costello, Manchester City Street Commission (1898)
37. Wilfrid Brisson, Manchester Highway Dept. (1944)

Names Dedicated on September 12, 2023

38. Carrol F. Blair, NHDOT Highway Maintenance (1992)
39. Francis Hoganson, Lancaster Transfer Station (1995)
40. Brent W. Jackson, NHDOT Bureau of Traffic (2006)
41. Walter T. Box, NHDOT Highway Maintenance (2005)
42. William G. Archie, Hampton Public Works Dept. (1969)
43. Kenneth Guild, Rochester Public Works Dept. (1981)
44. Alfred H. Lehan, NH Public Works & Highways (1952)
45. Kenneth R. Ekmarck, Nashua Board of Public Works (1956)
46. Meade Edwin Baldwin, Hillsborough Highway Dept. (1981)
47. Craig S. Belyea, NHDOT Highway Maintenance (2019)
48. Richard C. Glynn, NH Public Works & Highways (1980)
49. John H. Tucker, NH Public Works & Highways (1964)
50. Ernest J. Cliche, State Highway Dept. (1938)
51. Patrick M. Gagnon, Manchester Public Works Dept. (2021)
52. Joseph H. Germain, NH Public Works & Highways (1975)

Memorial to Public Works Employees – Committee Members

Voting Members - as determined by Legislation:

Michael Servetas, Chairperson & Commissioner’s Designee, NHDOT
James Major, NH Public Works Association
Brian Barden, NH Road Agents Association
Bruce Tatro, NH Municipal Association
Jim Rivers, Governor’s Appointee
Gary Morrison, State Employees Association

Non-Voting Members:

Chris Bonoli, Administrative Assistant, NHDOT Highway Maintenance
Peter Goodwin, Tata & Howard Inc., and Past President, NH Water
Pollution Control Association
Alan G. Hanscom, State Maint. Engineer, NHDOT Highway Maintenance
Kevin King, Maintenance Supervisor, NHDOT Highway Maintenance
Susan Klasen, Assistant Director of Operations, NHDOT
Brian Mitchell, Co-Director, NH Coalition for Occupational Health & Safety
Kevin Sheppard, Retired Director, Manchester Public Works

New Hampshire Laws of 2009 Chaptered Law 0109 (Now RSA 4:9)

**Title: establishing a committee to oversee the design
and construction of a public works employee
memorial for public works employees who died in
the course of performing public duties.**

Original Sponsors of House Bill 608

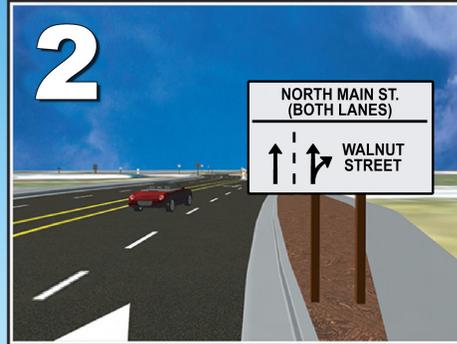
Representative Lerandean, Cheshire, District 6
Representative Campbell, Hillsborough, District 24
Representative Cloutier, Sullivan, District 4
Representative Chandler, Carroll, District 1
Representative Graham, Hillsborough, District 18
Senator Kelly, District 10
Senator Gallus, District 1
Senator Letourneau, District 19
Senator DeVries, District 18



*A Gracious Thank you to:
Steven Dross for Donating Equipment and Running Sound
United Site Rentals for Donating the Porta-Potties*



1
Roundabout Ahead
Slow Down.



2
Get In Your Lane
(Multilane Only).



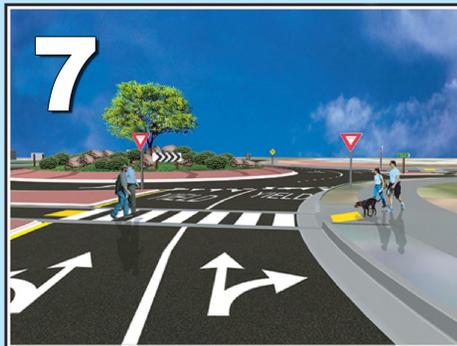
3
Yield to Pedestrians
and Cyclists.



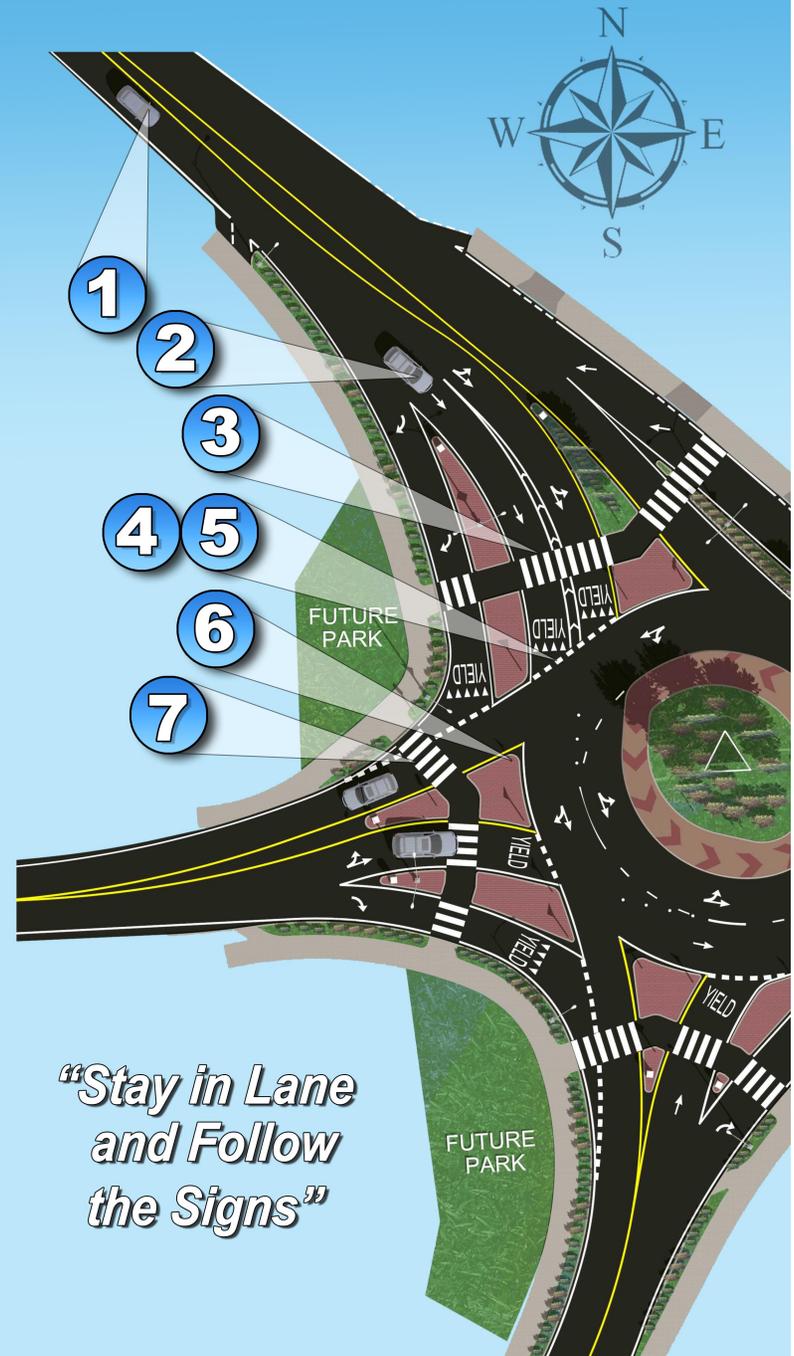
4,5
Yield to Existing Traffic(4).
Keep to the Right(5).



6
Exit at your Destination.



7
Yield to Pedestrians
and Cyclists.



*“Stay in Lane
and Follow
the Signs”*

SIGN DESIGNATIONS



DRIVING

ROCHESTER'S ROUNDABOUTS



Roundabout Ahead Signs Indicate a Roundabout Intersecting Ahead. **SLOW DOWN.**



Lane Assignment Signs Tell Drivers Which Lane to Travel in. **GET IN YOUR LANE.**



All Vehicles Must **YIELD** to Pedestrians and Bicycles at Roundabouts.



Vehicles Must Yield to Traffic in the Roundabout.



All Vehicles Must Turn **RIGHT** and Circulate in a Counter Clockwise Direction.



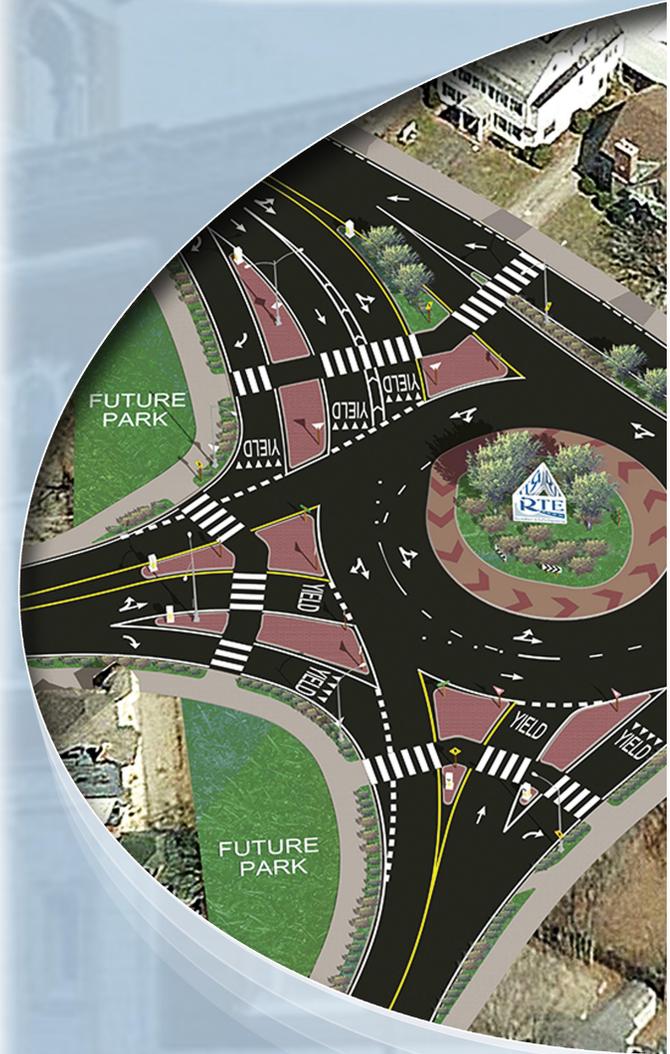
Street Signs Will Indicate Your Exit Destination.



HEAR SIRENS?
If You Have Not Yet Entered the Roundabout Pull Over to the Right. If you are Inside the Roundabout Continue to Your Exit Then Pull Over to the Right.

For more information about modern roundabouts and informational materials contact the City of Rochester at <http://www.rochesternh.net/>

Additional information may be obtained by contacting the Insurance Institute for Highway Safety at www.iihs.org or The Federal Highway Administration at www.fhwa.dot.gov and Roundabouts & Traffic Engineering at www.roundabouts.us



Provided by:



Roundabouts & Traffic Engineering
www.roundabouts.us



A HOW TO GUIDE

The Modern Roundabout *SOLUTION*

- Fewer Accidents, Injuries and Fatalities
- Fewer Pedestrian & Cyclist Accidents
- Less Traffic Congestion & Delays
- Reduced Noise and Air Pollution
- Faster Commute Travel Times
- Less Driver Frustration
- No Red Light Running
- Slower Speeds



**Your Community
Deserves**

Safer Intersections

**The Right System...
at the Right Time...
at the Right Cost...**

A Modern Roundabout...

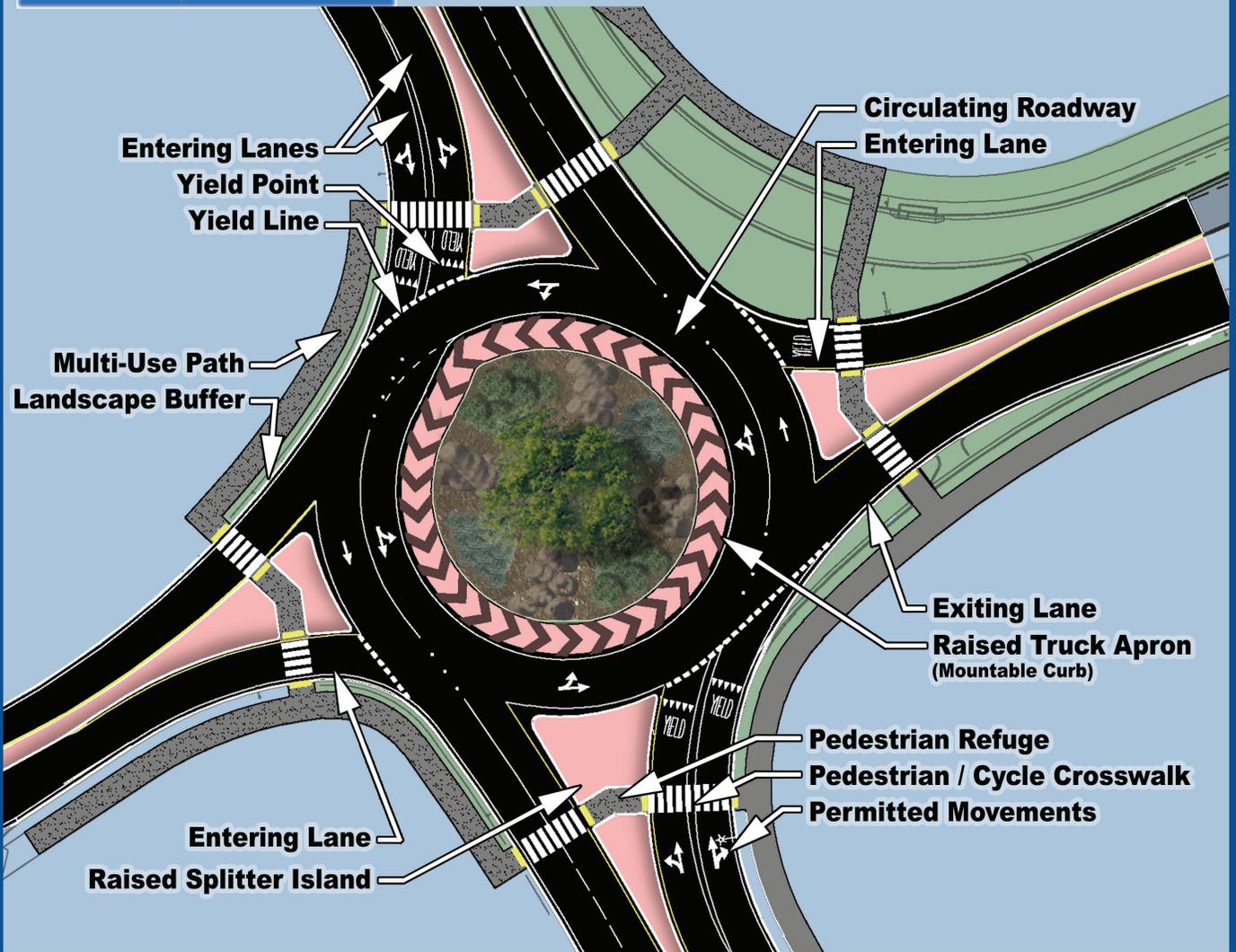
Slower, more consistently paced traffic increases safety and results in faster overall travel times.

is a one-way circular intersection without a traffic signal or stop signs. Traffic flows in one direction around a center island.

Modern Roundabouts are a relatively new type of intersection traffic control device in the United States and differ significantly from traffic circles used primarily for “traffic calming” in residential areas or older rotaries or traffic circles frequently found on the east coast. The basic difference between a Modern Roundabout and a signalized intersection is lower intersection speed, reduced accident and injury rate and control of intersection entry and exit.

“Modern Roundabouts, in place across the country, effectively and safely accommodate high volume traffic situations in major roadway intersections and freeway interchanges”

Increasing traffic volumes, stop signs and traffic lights hinder quick and efficient traffic flow. Stop... go... slow-down... speed-up traffic motion during peak rush hour commutes causes driver frustration congestion and travel delay. Stopping for a red light during early morning or later evening off peak travel times, when no cars are in sight, also causes unnecessary and delays. A Modern Roundabout eliminates these enforced traffic pauses and provides safe, efficient and continuous traffic flow.



Modern Roundabouts are a circular intersection design with traffic control features that control driver behavior. These features include entering traffic yield signs, channeled approaches and design that helps to insure relatively low and safe travel speeds.

Modern Roundabout design controls speeds through intersections and provides a traffic calming effect that significantly reduces the number and severity of accidents.

A 22 m.p.h. average roundabout speed allows drivers more time to react to potential conflicts. A lower speed differential between vehicles, pedestrians and cyclists means all road users are traveling at similar rates of speed and accident severity is significantly less.

The Modern Roundabout is a self regulating traffic control device using intersecting roadway widths and curves, medians, signing and landscaping to regulate speeds. The layout of a Modern Roundabout is typically compact with a raised central island fit into a circle of generally 100 to 300-feet in diameter. Design is very flexible and allows several variations depending on traffic flow and public right-of-way constraints. On approach, roundabouts may flare from one lane to two lanes in a very short distance. This feature greatly increases intersection capacity without widening the corridor along its entire length.

Modern Roundabouts are unique from other intersections in that they use “splitter islands” (curved medians) and raised concrete curbs to control traffic entering and traveling through the roundabout. Splitter islands increase intersection safety by slowing vehicle

speeds, deterring “wrong-way” drivers and by providing safe refuge for pedestrian crossings. Entering and exiting traffic streams are physically separated.

Modern Roundabouts convert all traffic movement into right-turns only

Approaching drivers slow down and yield to the counterclockwise flow of circulation traffic in the roundabout. Drivers travel around rather than through the intersection and exit by making a slight right-turn towards the desired destination.

Modern Roundabouts are designed and sized to ensure specific travel speeds and accommodate traffic flows, large trucks and vehicles. The raised center island and right-turn conversion of all traffic flow through the intersection substantially reduces vehicle-to-vehicle conflicts.

Modern Roundabout Benefits

- ◆ **Lives Saved - Major Reduction in Injury and Fatal Accidents**
- ◆ **Reduced Travel Delays and Congestion**
- ◆ **Enhanced Pedestrian Safety**
- ◆ **Reduced Intersection Speeds**
- ◆ **Reduced Environmental Impact Noise Levels**
- ◆ **Reduced Vehicle Emissions**
- ◆ **Reduced Fuel Consumption**
- ◆ **Provides Traffic Calming**
- ◆ **Red-light Running Incidence Eliminated**
- ◆ **Increased Intersection Capacity**
- ◆ **Faster Overall Roadway Travel Times**
- ◆ **Less Right-of-Way Needs Construction and Maintenance Costs**
- ◆ **Opportunity for Community Aesthetic Enhancement**

Traffic Calming

“Crashes that do occur tend to be minor because speeds are slower”

The radius of the circular road and the angle of entry points of a Modern Roundabout can be designed to slow vehicle speeds. Lower speeds allow drivers more time to judge and react to other vehicles and pedestrians.

- ◆ **Reduced Speed**
- ◆ **Controlled Entry Angle**

Pedestrian and Bicyclist Safety

By reducing speed and eliminating through and left-turn traffic movement at an intersection, pedestrian safety rises considerably and pedestrian / vehicle conflict points are decreased by 50 percent. The traditional signalized intersection has up to 16 potential pedestrian / vehicle points of conflict and a Modern Roundabout has only eight

pedestrian / vehicle points of conflict. Fewer conflict points and lower rates of speed also reduce the likelihood of driver and pedestrian perception error and correspondingly the number of vehicle / pedestrian crashes.

Bicyclists have the option of traveling through the Modern Roundabout either by riding in the travel lane as a vehicle, or by exiting the roadway and using the shared-use path and pedestrian crosswalks. Most Modern Roundabouts typically provide a multi-use path at the perimeter of the roundabout to accommodate pedestrians, wheelchairs, strollers and bicyclists with highly visible roadway crossings set back behind the traffic yield line.



Modern Roundabouts = Safety and Capacity

Public Safety is About Saving Lives

“The most serious kinds of crashes at conventional intersections are virtually eliminated with modern roundabouts”

“Slower traffic movement at roundabout intersections significantly reduce accident severity and eliminates the potential threat associated with fast moving vehicles”

Modern Roundabouts Save Lives

38% to 40% Reduction in All Crash Types

74% to 78% Decrease in injury Accidents

90% Decrease in Fatalities or Incapacitating Injuries

30% to 40% Decrease in Pedestrian Accidents

Source: Insurance Institute for Highway Safety (IIHS) and Federal Highway Administration (FHWA) 2003

User Guidelines

Motorists

1. Slow down prior to roundabout approach.
2. Select desired destination from map sign.
3. Select desired destination lane (multi-lane approaches only).
4. Yield to pedestrian crossings and cyclists in roadway or waiting to cross.
5. Yield to traffic already circulating around or in the roundabout.
6. Stay in lane and keep to the right when entering the roundabout.
7. Stay in lane while circulating inside the roundabout and exit at your desired destination.

“Remember to obey roadway signs at all times”

Pedestrians

Always use caution and use crosswalks.

Bicyclists

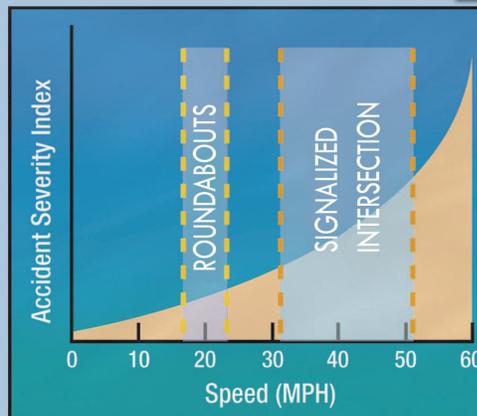
Follow the rules of the road or walk your bike in crosswalks.

Large Trucks, RVs and Boat and Horse Trailers

This Modern Roundabout is designed to accommodate nearly all large trucks and wheel bases while staying in lane (either left or right lane). All trucks and trailers using the left lane should use the truck apron and stay in lane.

Emergency Vehicles

Motorists yield to emergency vehicles and pull over when safe after exiting the roundabout.



Accident Severity & Speeds²

Slower average vehicle speeds and lower differential speeds between the vehicles, cyclists and pedestrians significantly reduce the accident severity of collisions at Modern Roundabouts.

Public safety is the driving force and highest-ranking priority in all intersection designs. Accident injury and fatality rates are the traffic engineer's most compelling indicator of the operational and safety performance of an intersection. While speed, traffic volume, congestion and capacity demands are factoring design components, the constant challenge and primary objective of traffic engineering is to reduce and minimize incident rates at existing intersections and incorporate all possible public safety elements into every new intersection design.

Federal Modern Roundabout guidelines state that accident frequency and severity is less for a roundabout intersection than a traffic signal. Roundabouts have fewer conflict points for vehicles, pedestrians and bicyclists and the potential for many hazardous incidents, such as right-angle “T-bone”, conflicting left-turn or head on crashes are eliminated with Modern Roundabouts.

Safety study findings worldwide provide and support quantitative evidence that in most circumstances the selection of a Modern Roundabout intersection design, over the more conventional intersection traffic control options, can have significantly positive traffic safety implications.

In 2002 more than 1.8 million intersection crashes occurred in the United States. 219,000 of the crashes were the result of red light running and the cause of nearly 1,000 deaths and 181,000 injuries. Federal Highway Administration (FHWA) 2002, American Trauma Society.

One in three Americans knows someone who has been injured or killed in a red light running crash.



- ◆ **Continuous Traffic Flow**
- ◆ **Reduced Congestion and Delay**
- ◆ **Less Driver Frustration**



Travel Benefits

A Modern Roundabout's continuous traffic flow means decreased traveler delays. All roundabout lanes and legs operate simultaneously. Both the Modern Roundabout and traffic signal intersection are capable of relieving traffic congestion, but in many circumstances, Modern Roundabouts can offer higher traffic flow volumes and overall operational performance, meaning vehicles can more easily, efficiently and safely navigate through an intersection. In certain circumstances, a Modern Roundabout also has a higher potential for meeting the increasing traffic demands of a growing community and relieving congestion caused by future traffic growth because of its unique capacity capabilities. In some situations, as much as a 75 percent reduction in travel delay time has been realized where Modern Roundabouts replaced existing traffic signal intersections.

Community Benefits

Landscaped buffers separating pedestrian and traffic encourage pedestrians to cross only at designated crossings and provide the city of Prescott the opportunity to enhance the aesthetics of an intersection.

By design, a Modern Roundabout is itself a traffic calming measure slowing vehicle speed and reducing noise as well. With slower speeds and shorter congestion-related delays business access is safer, easier and more flexible. Municipalities benefit from the economic savings associated with a roundabout intersection. The "life" or longevity of a Modern Roundabout is generally two times longer than a signalized intersection. Construction costs and right-of-way requirements are typically less with fewer lanes required than traditional signalized intersections.

- ◆ **Slower Speed Equals Reduced Fatalities**
- ◆ **Reduced Pedestrian and Vehicle Conflict Points**
- ◆ **Shorter Crosswalk Distance**
- ◆ **Predictable One-Way Vehicular Direction**
- ◆ **Protective Splitter Islands**



- ◆ **Attractive Community Entrance**
- ◆ **Traffic Calming**
- ◆ **Enhanced Business Access**
- ◆ **Enhanced Pedestrian Safety**
- ◆ **Lower Construction and Maintenance Costs**
- ◆ **Less Public Right of Way Required**

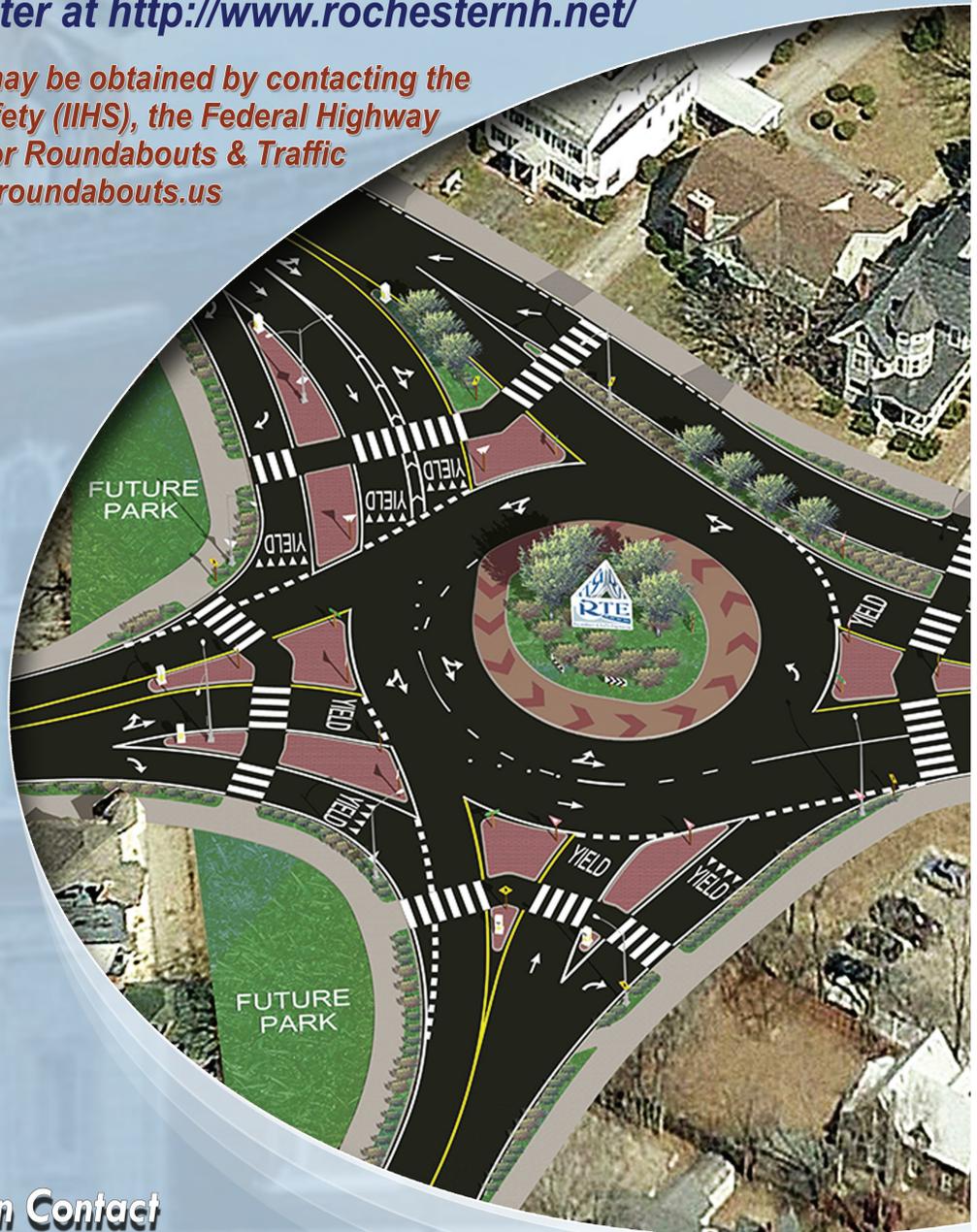
Environmental Benefits

Modern Roundabouts reduce the number and duration of vehicle stops and eliminate red-light sitting engine idle time (auto emissions are often worse than that of a moving vehicle). These combined benefits results in reduced noise, air pollution and reduced fuel consumption.

- ◆ **Reduced Fuel Consumption**
- ◆ **Reduced Auto Emissions**
- ◆ **Reduced Noise Pollution**

For more information about Modern Roundabouts and informational materials please contact the City of Rochester at <http://www.rochesternh.net/>

Additional information may be obtained by contacting the institute for Highway Safety (IHS), the Federal Highway Administration (FHWA) or Roundabouts & Traffic Engineering (RTE) www.roundabouts.us



For More Information Contact the City of Rochester

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Roundabouts & Traffic Engineering

and threats to ICS and highlight the growing number of attack vectors available to threat actors.

Table 2 below lists the incidents covered in this paper temporally.

Table 2. ICS Incidents Covered in this Paper.

YEAR	ATTACK TYPE	VICTIM(S)	SUMMARY
2018	Third-party / supply chain	Energy Services Group	Attack on billing software company disrupts a natural gas company
2019	Insider Threat	Unidentified Power Plant	Employee installed ransomware via infected peripheral device
2019	Remote Exploit	sPower	Remote exploit caused Denial-of-Service (DoS) and device restarts
2019	Insider threat	Post Rock Water District, Ellsworth County (KS)	Ex-employee attempted to alter water disinfectant levels using still-valid user credentials
2019	Brute Force	Energy Companies Across Europe and U.S.	APT actors use Kubernetes cluster in brute force attacks
2020	Remote Exploit	Camrosa Water District (CA)	Cyber actors encrypt files, exfiltrate personal information
2020	Word Press vulnerability / watering hole	Florida Water Infrastructure Construction Company	Cyber actors turn legitimate water sector site into a watering hole attack page
2021	Unauthorized Remote Access	San Francisco Bay-area Water Treatment Plant (CA)	Cyber actors use TeamViewer to delete programs used to treat water
2021	Ransomware in the IT environment	Eletrobras & Copel Electric Power Utilities	Ransomware affects operations at two plants; cyber actors exfiltrate sensitive business and network data
2021	Unauthorized Remote Access	Oldsmar (FL) Water Treatment Plant (WTP)	Cyber actors use remote access in attempt to change water chemistry
2021	Unknown ransomware in the OT environment	Nevada-based WWS	Ransomware affects the ICS/ SCADA environment
2021	Supply chain	Metropolitan Water District of Southern California (MWD)	China-based APT cyber actors compromise MWD device using Pulse Secure exploit

Evolution and Trends of Industrial Control System Cyber Incidents since 2017

2021	Ransomware in the IT environment	City of Tulsa (OK)	Ransomware affects city services and customer-facing website
2021	Ryuk ransomware in the IT environment	Volue ASA (Norway)	Ransomware disrupts operations; company lauded for transparency and accountability in public response
2021	Ransomware in the IT environment	Colonial Pipeline	Ransomware disrupts operations on US' largest pipeline
2021	ZuCaNo ransomware in OT environment	Maine-based WWS	Treatment center needed to be run manually until operations returned to normal
2021	Ghost variant ransomware in the OT environment	California-based WWS	Ransomware sat on several SCADA servers for a month until detected

Chronological List of ICS Incidents***Energy Services Group LLC***

In March 2018, unidentified cyber actors compromised a software platform developed by Energy Services Group LLC that is used for billing and customer transactions (Lyngaas 2018). The attack on the billing software impacted the Texas-based Energy Transfer Partners LP, a natural gas and propane pipeline company, with more than 71,000 miles of pipelines across 38 states and Canada (Energy Transfer 2018). The attack specifically targeted an Electronic Data Interchange (EDI) for the Eastern Panhandle pipeline serviced by Energy Services Group LLC and caused the system to be taken offline. Taking the system offline did not disrupt the flow of natural gas in the pipeline (Ciscomag 2020).

This incident demonstrates the reliance OT systems have on IT infrastructure for many critical infrastructure operations. Even though OT systems may still function correctly, if the owner/operator cannot properly determine usage or billing rates, they may choose to take a service offline. This incident also highlights the supply chain and third-party concerns inherent to OT environments as more of their control systems are regulated by IT systems. While the ICS owner/operator may be secure, their IT partners that manage their data can be compromised which can still lead to service interruptions.

Unidentified Power Plant

Sometime in early 2019 cyber actors convinced a trusted visitor of an unidentified power plant outside of the United States to plug a universal serial bus (USB) mouse



Ongoing Cyber Threats to U.S. Water and Wastewater Systems

SUMMARY

Note: This Alert uses the MITRE Adversarial Tactics, Techniques, and Common Knowledge (ATT&CK®) framework, version 9. See the [ATT&CK for Enterprise](#).

This joint advisory is the result of analytic efforts between the Federal Bureau of Investigation (FBI), the Cybersecurity and Infrastructure Security Agency (CISA), the Environmental Protection Agency (EPA), and the National Security Agency (NSA) to highlight ongoing malicious cyber activity—by both known and unknown actors—targeting the information technology (IT) and operational technology (OT) networks, systems, and devices of [U.S. Water and Wastewater Systems \(WWS\) Sector facilities](#). This activity—which includes attempts to compromise system integrity via unauthorized access—threatens the ability of WWS facilities to provide clean, potable water to, and effectively manage the wastewater of, their communities. **Note:** although cyber threats across [critical infrastructure sectors](#) are increasing, this advisory does not intend to indicate specific targeting of the WWS Sector versus others.

To secure WWS facilities—including Department of Defense (DoD) water treatment facilities in the United States and abroad—against the TTPs listed below, CISA, FBI, EPA, and NSA strongly urge organizations to implement the measures described in the Recommended Mitigations section of this advisory.

Immediate Actions WWS Facilities Can Take Now to Protect Against Malicious Cyber Activity

- Do not click on [suspicious links](#).
- If you use [RDP](#), secure and monitor it.
- [Update](#) your OS and software.
- Use [strong passwords](#).
- Use [multi-factor authentication](#).

To report suspicious or criminal activity related to information found in this Joint Cybersecurity Advisory, contact your local FBI field office at www.fbi.gov/contact-us/field-offices, or the FBI's 24/7 Cyber Watch (CyWatch) at (855) 292-3937 or by e-mail at CyWatch@fbi.gov. When available, please include the following information regarding the incident: date, time, and location of the incident; type of activity; number of people affected; type of equipment used for the activity; the name of the submitting company or organization; and a designated point of contact. To request incident response resources or technical assistance related to these threats, contact CISA at CISAServiceDesk@cisa.dhs.gov.

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THREAT OVERVIEW

Tactics, Techniques, and Procedures

WWS facilities may be vulnerable to the following common tactics, techniques, and procedures (TTPs) used by threat actors to compromise IT and OT networks, systems, and devices.

- Spearphishing personnel to deliver malicious payloads, including ransomware [\[T1566\]](#).
 - Spearphishing is one of the most prevalent techniques used for initial access to IT networks. Personnel and their potential lack of cyber awareness are a vulnerability within an organization. Personnel may open malicious attachments or links to execute malicious payloads contained in emails from threat actors that have successfully bypassed email filtering controls.
 - When organizations integrate IT with OT systems, attackers can gain access—either purposefully or inadvertently—to OT assets after the IT network has been compromised through spearphishing and other techniques.
 - Exploitation of internet-connected services and applications that enable remote access to WWS networks [\[T1210\]](#).
 - For example, threat actors can exploit a Remote Desktop Protocol (RDP) that is insecurely connected to the internet to infect a network with ransomware. If the RDP is used for process control equipment, the attacker could also compromise WWS operations. **Note:** the increased use of remote operations due to the COVID-19 pandemic has likely increased the prevalence of weaknesses associated with remote access.
- Exploitation of unsupported or outdated operating systems and software.
 - Threat actors likely seek to take advantage of perceived weaknesses among organizations that either do not have—or choose not to prioritize—resources for IT/OT infrastructure modernization. WWS facilities tend to allocate resources to physical infrastructure in need of replacement or repair (e.g., pipes) rather than IT/OT infrastructure.
 - The fact that WWS facilities are inconsistently resourced municipal systems—not all of which have the resources to employ consistently high cybersecurity standards—may contribute to the use of unsupported or outdated operating systems and software.
- Exploitation of control system devices with vulnerable firmware versions.
 - WWS systems commonly use outdated control system devices or firmware versions, which expose WWS networks to publicly accessible and remotely executable vulnerabilities. Successful compromise of these devices may lead to loss of system control, denial of service, or loss of sensitive data [\[T0827\]](#).

WWS Sector Cyber Intrusions

Cyber intrusions targeting U.S. WWS facilities highlight vulnerabilities associated with the following threats:

- Insider threats from current or former employees who maintain improperly active credentials
- Ransomware attacks

WWS Sector cyber intrusions from 2019 to early 2021 include:

- In August 2021, malicious cyber actors used Ghost variant ransomware against a California-based WWS facility. The ransomware variant had been in the system for about a month and was discovered when three supervisory control and data acquisition (SCADA) servers displayed a ransomware message.
- In July 2021, cyber actors used remote access to introduce ZuCaNo ransomware onto a Maine-based WWS facility's wastewater SCADA computer. The treatment system was run manually until the SCADA computer was restored using local control and more frequent operator rounds.
- In March 2021, cyber actors used an unknown ransomware variant against a Nevada-based WWS facility. The ransomware affected the victim's SCADA system and backup systems. The SCADA system provides visibility and monitoring but is not a full industrial control system (ICS).
- In September 2020, personnel at a New Jersey-based WWS facility discovered—what they believed to be—Makop ransomware had compromised files within their system.
- In March 2019, a former employee at Kansas-based WWS facility unsuccessfully attempted to threaten drinking water safety by using his user credentials, which had not been revoked at the time of his resignation, to remotely access a facility computer.

RECOMMENDED MITIGATIONS

The FBI, CISA, EPA, and NSA recommend WWS facilities—including DoD water treatment facilities in the United States and abroad—use a risk-informed analysis to determine the applicability of a range of technical and non-technical mitigations to prevent, detect, and respond to cyber threats.

WWS Monitoring

Personnel responsible for monitoring WWS should check for the following suspicious activities and indicators, which may be indicative of threat actor activity:

- Inability of WWS facility personnel to access SCADA system controls at any time, either entirely or in part;
- Unfamiliar data windows or system alerts appearing on SCADA system controls and facility data screens that could indicate a ransomware attack;
- Detection by SCADA system controls, or by water treatment personnel, of abnormal operating parameters—such as unusually high chemical addition rates—used in the safe and proper treatment of drinking water;
- Access of SCADA systems by unauthorized individuals or groups, e.g., former employees and current employees not authorized/assigned to operate SCADA systems and controls.
- Access of SCADA systems at unusual times, which may indicate that a legitimate user's credentials have been compromised.
- Unexplained SCADA system restarts.
- Unchanging parameter values that normally fluctuate.

Remote Access Mitigations

Note: The increased use of remote operations due to the COVID-19 pandemic increases the necessity for asset owner-operators to assess the risk associated with enhanced remote access to ensure it falls within acceptable levels.

- Require multi-factor authentication for all remote access to the OT network, including from the IT network and external networks.
- Utilize [blocklisting and allowlisting](#) to limit remote access to users with a verified business and/or operational need.
- Ensure that all remote access technologies have logging enabled and regularly audit these logs to identify instances of unauthorized access.
- Utilize manual start and stop features in place of always activated unattended access to reduce the time remote access services are running.
- Audit networks for systems using remote access services.
 - Close unneeded network ports associated with remote access services (e.g., RDP – Transmission Control Protocol [TCP] Port 3389).
- When configuring [access control for a host](#), utilize custom settings to limit the access a remote party can attempt to acquire.

Network Mitigations

- Implement and ensure robust network segmentation between IT and OT networks to limit the ability of malicious cyber actors to pivot to the OT network after compromising the IT network.
 - Implement demilitarized zones (DMZs), firewalls, jump servers, and one-way communication diodes to prevent unregulated communication between the IT and OT networks.
- Develop/update network maps to ensure a full accounting of all equipment that is connected to the network.
 - Remove any equipment from networks that is not required to conduct operations to reduce the attack surface malicious actors can exploit.

Planning and Operational Mitigations

- Ensure the organization's emergency response plan considers the full range of potential impacts that cyberattacks pose to operations, including loss or manipulation of view, loss or manipulation of control, and threats to safety.
 - The plan should also consider third parties with legitimate need for OT network access, including engineers and vendors.
 - Review, test, and update the emergency response plan on an annual basis to ensure accuracy.
- Exercise the ability to fail over to alternate control systems, including manual operation while assuming degraded electronic communications.
- Allow employees to gain decision-making experience via [tabletop exercises](#) that incorporate loss of visibility and control scenarios. Utilize resources such as the Environment Protection

Agency's (EPA) [Cybersecurity Incident Action Checklist](#) as well as the Ransomware Response Checklist on p. 11 of the [CISA-Multi-State Information Sharing and Analysis Center \(MS-ISAC\) Joint Ransomware Guide](#).

Safety System Mitigations

- Install independent cyber-physical safety systems. These are systems that physically prevent dangerous conditions from occurring if the control system is compromised by a threat actor.
 - Examples of cyber-physical safety system controls include:
 - Size of the chemical feed pump
 - Gearing on valves
 - Pressure switches, etc.
 - These types of controls benefit WWS Sector facilities—especially smaller facilities with limited cybersecurity capability—because they enable facility staff to assess systems from a worst-case scenario and determine protective solutions. Enabling cyber-physical safety systems allows operators to take physical steps to limit the damage, for example, by preventing cyber actors, who have gained control of a sodium hydroxide pump, from raising the pH to dangerous levels.

Additional Mitigations

- Foster an organizational culture of cyber readiness. See the [CISA Cyber Essentials](#) along with the items listed in the Resources section below for guidance.
- Update software, including operating systems, applications, and firmware on IT network assets. Use a risk-based assessment strategy to determine which OT network assets and zones should participate in the patch management program. Consider using a centralized patch management system.
- Set antivirus/antimalware programs to conduct regular scans of IT network assets using up-to-date signatures. Use a risk-based asset inventory strategy to determine how OT network assets are identified and evaluated for the presence of malware.
- Implement regular data backup procedures on both the IT and OT networks.
 - Regularly test backups.
 - Ensure backups are not connected to the network to prevent the potential spread of ransomware to the backups.
- When possible, enable OT device authentication, utilize the encrypted version of OT protocols, and encrypt all wireless communications to ensure the confidentiality and authenticity of process control data in transit.
- Employ user account management to:
 - Remove, disable, or rename any default system accounts wherever possible.
 - Implement account lockout policies to reduce risk from brute-force attacks.
 - Monitor the creation of administrator-level accounts by third-party vendors with robust and privileged account management policies and procedures.
 - Implement a user account policy that includes set durations for deactivation and removal of accounts after employees leave the organization or after accounts reach a defined period of inactivity.

TLP:WHITE

- Implement data execution prevention controls, such as application allowlisting and software restriction policies that prevent programs from executing from common ransomware locations, such as temporary folders supporting popular internet browsers.
- Train users through awareness and simulations to recognize and report phishing and social engineering attempts. Identify and suspend access of users exhibiting unusual activity.

FBI, CISA, EPA, and NSA would like to thank Dragos as well as the WaterISAC for their contributions to this advisory.

RESOURCES

Cyber Hygiene Services

CISA offers a range of no-cost [cyber hygiene services](#)—including vulnerability scanning and ransomware readiness assessments—to help critical infrastructure organizations assess, identify, and reduce their exposure to cyber threats. By taking advantage of these services, organizations of any size will receive recommendations on ways to reduce their risk and mitigate attack vectors.

Rewards for Justice Reporting

The U.S. Department of State's Rewards for Justice (RFJ) program offers a reward of up to \$10 million for reports of foreign government malicious activity against U.S. critical infrastructure. See the [RFJ website](#) for more information and how to report information securely.

StopRansomware.gov

The [StopRansomware.gov](#) webpage is an interagency resource that provides guidance on ransomware protection, detection, and response. This includes ransomware alerts, reports, and resources from CISA and other federal partners, including:

- CISA and MS-ISAC: [Joint Ransomware Guide](#)
- CISA Insights: [Ransomware Outbreak](#)
- CISA Webinar: [Combating Ransomware](#)

Additional Resources

For additional resources that can assist in preventing and mitigating this activity, see:

- FBI-CISA-EPA-MS-ISAC Joint CSA: [Compromise of U.S. Water Treatment Facility](#)
- WaterISAC: [15 Cybersecurity Fundamentals for Water and Wastewater Utilities](#)
- American Water Works Association: [Cybersecurity Guidance and Assessment Tool](#)
- EPA: [Cybersecurity Incident Action Checklist](#)
- EPA: [Cybersecurity Best Practices for the Water Sector](#)
- EPA: Supporting Cybersecurity Measures with the [Clean Water](#) and [Drinking Water](#) State Revolving Funds
- CISA: [Cyber Risks & Resources for the Water and Wastewater Systems Sector](#) infographic
- CISA: [Critical ICS Cybersecurity Performance Goals and Objectives](#)

- CISA Fact Sheet: [Rising Ransomware Threat to Operational Technology Assets](#)
- CISA-MS-ISAC: [Joint Ransomware Guide](#)
- NSA CSA: [Stop Malicious Cyber Activity Against Connected OT](#)
- CISA: [Insider Threat Mitigation Resources](#)
- NIST: [Special Publication \(SP\) 800-167, Guide to Application Whitelisting](#)
- NIST: [SP 800-82 Rev. 2, Guide to Industrial Control Systems \(ICS\) Security](#) (Section 6.2.1)

DISCLAIMER OF ENDORSEMENT

The information and opinions contained in this document are provided "as is" and without any warranties or guarantees. Reference herein to any specific commercial products, process, or service by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or favoring by the United States Government, and this guidance shall not be used for advertising or product endorsement purposes.

SAFEGUARDING OUR FUTURE

U.S. Business Risk: People's Republic of China (PRC) Laws Expand Beijing's Oversight of Foreign and Domestic Companies



OVERVIEW

Since 2015, the PRC has passed or updated comprehensive national security, cybersecurity, and data privacy laws and regulations, expanding Beijing's oversight of domestic and foreign (including U.S.) companies operating within China. Beijing views inadequate government control of information within China and its outbound flow as a national security risk. These laws provide the PRC government with expanded legal grounds for accessing and controlling data held by U.S. firms in China. U.S. companies and individuals in China could also face penalties for traditional business activities that Beijing deems acts of espionage or for actions that Beijing believes assist foreign sanctions against China. The laws may also compel locally-employed PRC nationals of U.S. firms to assist in PRC intelligence efforts.

LAWS AND THEIR IMPLICATIONS

2023 COUNTER-ESPIONAGE LAW UPDATE

INTENDED PURPOSE:

- Broadens the scope of the PRC's counterespionage law
- Expands the definition of espionage from covering state secrets and intelligence to any documents, data, materials, or items related to national security interests, without defining terms
- Comes into effect 1 July 2023

IMPLICATIONS:

- Potential to create legal risks or uncertainty for foreign companies, journalists, academics, and researchers
- Any documents, data, materials, or items could be considered relevant to PRC national security due to ambiguities in the law

2021 CYBER VULNERABILITY REPORTING LAW

INTENDED PURPOSE:

- Requires all (including U.S.) companies with China-based equities to report cyber vulnerabilities discovered in their systems or software to PRC authorities
- Vulnerabilities cannot be publicly disclosed or shared overseas until PRC authorities complete an assessment

IMPLICATIONS:

- May provide PRC authorities the opportunity to exploit system flaws before cyber vulnerabilities are publicly known

2021 PERSONAL INFORMATION PROTECTION LAW

INTENDED PURPOSE:

- Codifies the privacy rights of PRC citizens
- Requires domestic and foreign (including U.S.) companies to comply with reviews

IMPLICATIONS:

- Controls handling of personal data within and outside mainland PRC when providing products or services to persons within the PRC
- Restricts ability of companies in China to gather and retain personal data
- Authorizes the PRC government to collect personal data for actions Beijing deems to be in the public interest

2021 ANTI-FOREIGN SANCTIONS LAW

INTENDED PURPOSE:

- Provides grounds for the PRC to take countermeasures against foreign sanctions and authorizes PRC actions against foreign persons or entities that implement or assist foreign sanctions against China

IMPLICATIONS:

- Facilitates Beijing's ability to retaliate against foreign entities that it judges have "assisted" in implementing foreign sanctions
- Threshold for assisting in implementing foreign sanctions is unspecified in the law
- May compel U.S. companies to heed PRC regulations rather than U.S. requirements, or face legal consequences

LAWS AND THEIR IMPLICATIONS (CONTINUED)

2021 DATA SECURITY LAW

INTENDED PURPOSE:

- Classifies data in a tiered system according to Beijing's interpretation of the data's importance to state security
- Subjects cross-border data flows to additional regulatory requirements and prohibitions
- Positions Beijing to control or deny cross-border data transfers and refuse foreign government data transfer requests

IMPLICATIONS:

- Expands the PRC's access to, and control of, companies and data within China
- Expands the PRC's ability to control the out-bound flow of data
- Imposes stricter penalties on China-based businesses (including U.S.) for noncompliance

2017 NATIONAL INTELLIGENCE LAW

INTENDED PURPOSE:

- Stipulates that citizens or private organizations must assist the PRC's Ministries of Public Security and State Security in national intelligence efforts

IMPLICATIONS:

- Creates "affirmative" legal responsibilities for PRC and foreign (including U.S.) entities to provide access to, or collaborate with, the PRC's intelligence agencies
- May force locally employed PRC nationals of U.S. companies to assist in PRC national intelligence efforts

2017 CYBERSECURITY LAW

INTENDED PURPOSE:

- Outlines PRC's approach to cybersecurity
- Mandates that critical infrastructure companies (undefined in the law) retain their data within China's borders
- Requires data stored in the PRC to be accessible to its intelligence services

IMPLICATIONS:

- Companies must localize certain types of data held within China's borders, including the data of foreign (including U.S.) companies working in undefined critical industries

2015 NATIONAL SECURITY LAW

INTENDED PURPOSE:

- Outlines whole-of-society responsibilities for the PRC's national security posture
- Stipulates that PRC citizens and private organizations must assist the PRC government and intelligence services with security issues when ordered

IMPLICATIONS:

- Mandates that domestic companies and citizens within China provide assistance to all security agencies and assist Beijing on national security issues
- May compel locally employed PRC nationals of U.S. companies to assist in investigations that may expose operating elements of U.S. companies/citizens

This information is current as of 20 June 2023.

This document contains a general overview of certain PRC laws to facilitate discussion and should not be relied upon for legal analysis or treated as legal advice.

For additional information on NCSC awareness materials or publications, visit our website: www.ncsc.gov or contact DNI_NCSC_OUTREACH@dni.gov.

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National Counterintelligence and Security Center



09/28/2023

PROTECTED CRITICAL INFRASTRUCTURE INFORMATION PROGRAM

DEFEND TODAY, SECURE TOMORROW

PCII PROGRAM AT A GLANCE

The Protected Critical Infrastructure Information (PCII) Program was created by Congress under the Critical Infrastructure Information Act of 2002 and implemented in 6 Code of Federal Regulations part 29. The Program encourages public and private sector owner(s) and operator(s) of physical and cyber critical infrastructure to voluntarily share sensitive security and proprietary data with CISA. The PCII Program protects information from federal, state, and local disclosure laws, allowing partners to securely share their critical infrastructure information. The PCII Program supports the U.S. Government’s ability to understand and identify:

- Security risks and threats from physical and cyber-attacks
- Vulnerabilities and mitigation strategies
- Critical infrastructure security during planning and emergencies

The PCII Program Safeguards Physical and Cyber Infrastructure Information



PCII User Communities



State, Local, Tribal and Territorial Partners



Private Sector Partners

PCII PROGRAM PROVIDES LEGAL PROTECTION TO SENSITIVE INFORMATION

The PCII Program offers the following legal protections to participating private sector and state, local, tribal and territorial governments who voluntarily share CII (including the submitter’s identity):



Freedom of Information Act (FOIA) Requests



Use in Regulatory Proceedings



State, Local, Tribal and Territorial Disclosure Laws Or “Sunshine Laws”



Use in Civil Actions

QUALIFICATIONS FOR PCII PROGRAM PROTECTIONS

Information must relate to the security of critical infrastructure and the submitter attest it is:

- Voluntarily submitted
- Not customarily found in the public domain
- Not submitted in lieu of compliance with any regulatory requirements

SUBMITTING CRITICAL INFRASTRUCTURE INFORMATION SECURELY IN 4 EASY STEPS



Provide your information at pciims.dhs.gov/esubmissions



Complete Express and Certification Statements



Drag documents to upload



SUBMIT

Submit, and your data is PROTECTED!*

*The submission is protected immediately upon the federal government’s receipt and throughout the validation process. For more information on the electronic submission process, visit cisa.gov/electronic-submit-cii-pcii-protection



CYBER RESILIENCE REVIEW

The Cyber Security Evaluation program, within the Department of Homeland Security's (DHS) Office of Cybersecurity & Communications, conducts a no-cost, voluntary, non-technical assessment to evaluate operational resilience and cybersecurity capabilities within Critical Infrastructure and Key Resources sectors, as well as State, Local, Tribal, and Territorial governments through its Cyber Resilience Review (CRR) process.

OVERVIEW

The goal of the CRR is to develop an understanding of an organization's operational resilience and ability to manage cyber risk to its critical services during normal operations and times of operational stress and crisis. The CRR is based on the CERT Resilience Management Model [<http://www.cert.org/resilience/rmm.html>], a process improvement model developed by Carnegie Mellon University's Software Engineering Institute for managing operational resilience.

One of the foundational principles of the CRR is the idea that an organization deploys its assets (people, information, technology, and facilities) in support of specific operational missions (i.e., critical services). Applying this principle, the CRR seeks to understand an organization's capacities and capabilities in performing, planning, managing, measuring, and defining cybersecurity practices and behaviors in the following ten domains:

1. ASSET MANAGEMENT
2. CONTROLS MANAGEMENT
3. CONFIGURATION AND CHANGE MANAGEMENT
4. VULNERABILITY MANAGEMENT
5. INCIDENT MANAGEMENT
6. SERVICE CONTINUITY MANAGEMENT
7. RISK MANAGEMENT
8. EXTERNAL DEPENDENCY MANAGEMENT
9. TRAINING AND AWARENESS
10. SITUATIONAL AWARENESS

The CRR seeks participation from a cross-functional team consisting of representatives from business, operations, security, information technology, and maintenance areas within an organization. These representatives may include personnel with the following roles and responsibilities within the organization:

- **IT policy & procedures** (e.g., Chief Information Security Officer)
- **IT security planning & management** (e.g., Director of Information Technology)
- **IT infrastructure** (e.g., network/system administrator)
- **IT operations** (e.g., configuration/change manager)
- **Business operations** (e.g., operations manager)
- **Business continuity & disaster recovery planning** (e.g., BC/DR manager)
- **Risk analysis** (e.g., enterprise/operations risk manager)

RELATIONSHIP TO THE NIST CYBERSECURITY FRAMEWORK

While the CRR predates the establishment of the National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF), the inherent principles and recommended practices within the CRR align closely with the central tenets of the CSF. The CRR enables an organization to assess its capabilities relative to the CSF and a crosswalk document that maps the CRR to the NIST CSF is included as a component of the CRR self-assessment package. Though the CRR can be used to assess an organization's capabilities, the NIST CSF is based on a different underlying framework and as a result an organization's self-assessment of CRR practices and capabilities may fall short of or exceed corresponding practices and capabilities in the NIST CSF.



HOW TO CONDUCT A CRR

Organizations have two options in conducting a CRR: a self-assessment available free for download from www.us-cert.gov/ccubedvp/self-service-crr or an on-site facilitated session involving DHS representatives trained in the use of the CRR. Both options use the same assessment methodology and will lead to a variety of benefits, including:

- A better understanding of the organization's cybersecurity posture;
- An improved organization-wide awareness of the need for effective cybersecurity management;
- A review of capabilities most important to ensuring the continuity of critical services during times of operational stress and crises;
- A verification of management success;
- An identification of cybersecurity improvement areas; and
- A catalyst for dialog between participants from different functional areas within an organization.

The CRR, whether through the self-assessment tool or facilitated session, will generate a report as a final product.

The report contains each of the questions and answers contained within the assessment along with relevant options for consideration. These options for consideration are based on recognized standards, best practices, or references to the CERT Resilience Management Model. Additionally the final report contains an overall mapping of the relative maturity of the organizational resilience processes in each of the ten domains.

The CRR Report is for the organization's use and DHS does not share these results. The self-assessment does not collect any information; DHS uses information collected during the on-site assessment for anonymized data analytics only. This information is afforded protection under the DHS Protected Critical Infrastructure Information (PCII) Program [www.dhs.gov/pcii].

HOW DO I REQUEST A REVIEW?

To schedule a facilitated CRR or to request additional information please email the Cyber Security Evaluation program at CSE@hq.dhs.gov. To obtain the CRR self-assessment materials visit the webpage at www.us-cert.gov/ccubedvp/self-service-crr.

New Hampshire Public Works Mutual Aid Program Mutual Aid and Assistance Agreement

This Agreement is entered into by each of the entities that executes and adopts the understandings, commitments, terms, and conditions contained herein:

WHEREAS, the State of New Hampshire is geographically vulnerable to a variety of natural and technological disasters; and

WHEREAS, Chapter 53-A:3 of the New Hampshire Revised Statutes Annotated, permits municipalities to make the most efficient use of their powers by enabling them to cooperate with other municipalities on a basis of mutual cooperation and recognizing this vulnerability and providing that this Agreement's intended purposes are to:

- (1) Reduce vulnerability of people and property of this State to damage, injury, and loss of life and property;
- (2) Prepare for prompt and efficient rescue, care, and treatment of threatened or affected persons;
- (3) Provide for the rapid and orderly rehabilitation of persons and restoration of property; and
- (4) Provide for cooperation and coordination of activities relating to emergency and disaster mitigation, preparedness, response, and recovery; and

WHEREAS, in addition to the State, the Federal Emergency Management Agency (FEMA) has recognized the importance of the concept of coordination between the State and local governments; and

WHEREAS, under Chapter 53-A:3 and other chapters of the New Hampshire Revised Statutes Annotated, entities entering into mutual aid and assistance agreements may include provisions for the furnishing and exchanging of supplies, equipment, facilities, personnel, and services; and

WHEREAS, the entities which have chosen to become signatories to this Agreement wish to provide mutual aid and assistance among one another at the appropriate times.

THEREFORE, pursuant to RSA 53-A:3, these entities agree to enter into this Agreement for reciprocal emergency management aid and assistance, with this Agreement embodying the understandings, commitments, terms, and conditions for said aid and assistance, as follows:

SECTION I: DEFINITIONS

The following definitions will apply to the terms appearing in this Agreement:

Original 5/26/1998
Revised 4/18/2011 & 9/10/15

A. *"Agreement"* means this document, the New Hampshire Public Works Mutual Aid Program Mutual Aid and Assistance Agreement.

B. *"Aid and assistance"* includes personnel, equipment, facilities, services, supplies, and other resources.

C. *"Authorized Representative"* means a party's employee who has been authorized, in writing by that party, to request, to offer, or to otherwise provide assistance under the terms of this Agreement. The list of Authorized Representatives for each party executing this Agreement shall be attached to the executed copy of this Agreement. (In the event of a change in personnel, unless otherwise notified, the presumption will be that the successor to that position will be the authorized representative.)

D. *"Disaster"* means a calamitous event threatening loss of life or significant loss or damage to property, such as a flood, hurricane, tornado, dam break, or other naturally-occurring catastrophe or man-made accidental, military, or paramilitary cause.

E. *"Emergency"* means a natural or human caused event or circumstance causing, or imminently threatening to cause, loss of life, injury to person or property, human suffering or financial loss, and includes, but is not limited to, fire, explosion, flood, severe weather, drought, earthquake, volcanic activity, spills or releases of oil or hazardous material, contamination, utility or transportation emergencies, disease, blight, infestation, civil disturbance, riot, intentional acts, sabotage and war that is, or could reasonably be beyond the capability of the services, personnel, equipment, and facilities of a Mutual Aid and Assistance Program Member to fully manage and mitigate internally.

F. *"Mutual Aid Resource List"* means the list of Providers, equipment, and personnel maintained by the UNH Technology Transfer Center.

G. *"Party"* means a governmental entity which has adopted and executed this Agreement.

H. *"Program"* means the New Hampshire Public Works Mutual Aid Program.

I. *"Provider"* means the party which has received a request to furnish aid and assistance from another party (the "Recipient") in need. In the absence of any local governing body designation, the Provider shall be represented by the local agency charged with recovery and repair activities including, but not limited to, opening of public ways; removal of debris; building of protective barriers; management of physical damage to structures and terrain; transportation of persons, supplies, and equipment; and repair and operation of municipal utilities.

J. *"Recipient"* means the party setting forth a request for aid and assistance to another party (the "Provider"). In the absence of any local governing body designation, the Provider shall be represented by the local agency charged with recovery and repair activities

including, but not limited to, opening of public ways; removal of debris; building of protective barriers; management of physical damage to structures and terrain; transportation of persons, supplies, and equipment; and repair and operation of municipal utilities.

SECTION II: INITIAL RECOGNITION OF PRINCIPLE BY ALL PARTIES; AGREEMENT PROVIDES NO RIGHT OF ACTION FOR THIRD PARTIES

A. As this is a reciprocal contract, it is recognized that any party to this Agreement may be requested by another party to be a Provider. It is mutually understood that each party's foremost responsibility is to its own citizens. The provisions of this Agreement shall not be construed to impose an unconditional obligation on any party to this Agreement to provide aid and assistance pursuant to a request from another party. Accordingly, when aid and assistance have been requested, a party may in good faith withhold the resources necessary to provide reasonable and adequate protection for its own community, by deeming itself unavailable to respond and so informing the party setting forth the request.

B. Given the finite resources of any jurisdiction and the potential for each party to be unavailable for aid and assistance at a given point in time, the parties mutually encourage each other to enlist other entities in mutual aid and assistance efforts and to enter into such agreements accordingly. Concomitantly, the parties fully recognize that there is a highly meritorious reason for entering into this Agreement, and accordingly shall attempt to render assistance in accordance with the terms of this Agreement to the fullest extent possible.

C. Pursuant to RSA 53-A:3 and as elaborated upon in Section XI of this Agreement, all functions and activities performed under this Agreement are hereby declared to be governmental functions. Functions and activities performed under this Agreement are carried out for the benefit of the general public and not for the benefit of any specific individual or individuals. Accordingly, this Agreement shall not be construed as or deemed to be an agreement for the benefit of any third parties or persons and no third parties or persons shall have any right of action under this Agreement for any cause whatsoever. All immunities provided by law shall be fully applicable as elaborated upon in Section XI of this Agreement.

SECTION III: GOVERNING BOARD; POWERS

A. The Program shall be governed by a Board of Directors composed as follows:

- (1) Two (2) members who shall be members of and appointed by the New Hampshire Road Agents Association;
- (2) Three (3) members who shall be members of and appointed by the New Hampshire Public Works Association;
- (3) One (1) member who shall be members of and appointed by the Municipal Management Association of New Hampshire;

- (4) One (1) member who shall be members of and appointed by the New Hampshire Building Officials Association;
- (5) One (1) member who shall be members of and appointed by the New Hampshire Water Works Association;
- (6) One (1) member who shall be members of and appointed by the New Hampshire Water Pollution Control Association;
- (7) The Commissioner of the Department of Transportation or a designee, *ex officio*;
- (8) The Commissioner of the Department of Environmental Services or a designee, *ex officio*;
- (9) The Director of the Department of Homeland Security and Emergency Management or a designee, *ex officio*; and
- (10) The Director of the University of New Hampshire Technology Transfer Center or a designee, *ex officio*.

B. *Ex-officio* members shall be non-voting members and shall not be counted for a quorum.

C. A quorum at a duly called Board Meeting shall consist of a majority of the Directors attending the meeting, with a minimum of three (3) Directors present.

D. It is expected that all Directors shall use their best efforts to attend all Board meetings. If a vacancy is created by the removal or resignation of a Director or for any other reason, the entity identified in Section III A as being responsible for appointing the former Director shall promptly appoint a replacement Director to serve the remainder of the former Director's term.

E. All Board meetings of the Program shall comply with New Hampshire's Right-to-Know Law, RSA 91-A., as follows:

The Board of Directors will allow one or more Directors to participate in a meeting by electronic or other means of communication for the benefit of the public and the governing body, subject to the provisions of this paragraph.

- (a) A member of the Board of Directors may participate in a Board meeting other than by attendance in person at the location of the meeting only when such attendance is not reasonably practical. Any reason that such attendance is not reasonably practical shall be stated in the minutes of the meeting.
- (b) Except in an emergency, a quorum of the Board of Directors shall be physically present at the location specified in the meeting notice as the location of the Board

meeting. For purposes of this subparagraph, an "emergency" means that immediate action is imperative and the physical presence of a quorum is not reasonably practical within the period of time requiring action. The determination that an emergency exists shall be made by the chairman or presiding officer of the Board of Directors, and the facts upon which that determination is based shall be included in the minutes of the meeting.

- (c) Each part of a Board meeting required to be open to the public shall be audible or otherwise discernable to the public at the location specified in the meeting notice as the location of the meeting. Each Director participating electronically or otherwise must be able to simultaneously hear each other and speak to each other during the meeting, and shall be audible or otherwise discernable to the public in attendance at the meeting's location. Any Director participating in such fashion shall identify the persons present in the location from which the member is participating. No Board meeting shall be conducted by electronic mail or any other form of communication that does not permit the public to hear, read, or otherwise discern meeting discussion contemporaneously at the meeting location specified in the meeting notice.
- (d) Any Board meeting held pursuant to the terms of this paragraph shall comply with all of the requirements of this chapter relating to public meetings, and shall not circumvent the spirit and purpose of this chapter as expressed in RSA 91-A:1.
- (e) A Director participating in a meeting by the means described in this Section is deemed to be present at the meeting for purposes of voting. All votes taken during such a meeting shall be by roll call vote.

F. The fiscal and business year of the New Hampshire Public Works Mutual Aid Program shall be from January 1 to December 31 of each year.

G. The Board of Directors shall meet at least one time each year in June.

H. The Board of Directors shall elect a Chair and a Vice Chair. The Chair and Vice Chair shall serve in their respective positions for a period of two years, provided that either may resign or be removed by the Board of Directors with or without cause. The Chair shall preside at all meetings of the Board of Directors and shall have such other duties as the Board may assign. In the absence of the Chair, the Vice Chair shall perform the duties of and have the authority of the Chair. The Vice Chair shall also have such other duties as the Board may assign.

I. The Board of Directors shall have the authority to elect a Treasurer/Secretary. The Treasurer/Secretary shall serve in their respective position for a period of two years, provided that they may resign or be removed by the Board of Directors with or without cause. As Treasurer they shall:

- (a) have charge and custody of and be responsible for all funds and securities of the Program;

- (b) receive and give receipts for moneys due and payable to the Program from any source whatsoever, and deposit all such moneys in the name of the Program in such banks, trust companies, or other depositories as shall be selected by the Board of Directors; and
- (c) in general perform all of the duties incident to those set forth in this Section III. D. and such other duties as from time to time may be assigned to the Treasurer by the Board of Directors.

As Secretary they shall:

- (a) keep the minutes of the proceedings of the Board of Directors in one or more books provided for that purpose;
- (b) be the custodian of the records of the New Hampshire Public Works Mutual Aid Program, or make adequate provision for alternative custody arrangements;
- (c) when requested or required, authenticate any records of the New Hampshire Public Works Mutual Aid Program; and
- (d) in general perform all of the duties incident to those set forth in this Section III. D. and such other duties as from time to time may be assigned to the Secretary by the Board of Directors.

J. The term of office of voting members shall be three (3) years or until their successor is appointed and qualified.

K. In addition to any other authority provided in this Agreement, the Board of Directors shall have the authority to:

- (1) Enter into any necessary agreements on behalf of the participating units of government in furtherance of this Mutual Aid Agreement, subject to any necessary ratification by the participating units;
- (2) Adopt an annual budget and establish an annual fee for participating in the Program;
- (3) Propose modifications to the mutual aid agreement for ratification by participating units of government;
- (4) Promulgate reasonable rules to govern the Program; and
- (5) Perform any other function and undertake any other activity reasonably necessary to carry out the purpose of this agreement unless said function or activity is

subsequently disavowed by a majority vote of the governing bodies of the participating municipal government units.

SECTION IV: PROCEDURES FOR REQUESTING ASSISTANCE

Mutual aid and assistance shall not be requested unless the resources available within the stricken area are deemed inadequate by Recipient. When Recipient becomes affected by a disaster and deems its resources inadequate to rectify the given situation, it may request mutual aid and assistance by communicating the request directly to one or more Providers on the Mutual Aid Resource List, indicating the request is made pursuant to this mutual aid agreement. The request shall be followed as soon as practicable by a written confirmation of that request. All requests for mutual aid and assistance shall be transmitted as set forth below.

A. *METHOD OF REQUEST FOR MUTUAL AID AND ASSISTANCE:* Recipient shall directly contact Provider's authorized representative, setting forth the information in paragraph B of this Section (Section IV). All communications shall be conducted directly between Recipient and Provider. Recipient shall be responsible for the costs and expenses incurred by any Provider in providing aid and assistance pursuant to the provisions of this Agreement as noted in Section VIII of this Agreement.

B. *REQUIRED INFORMATION:* Each request for assistance shall be accompanied by the following information, in writing or by any other available means, to the extent known:

- (1) Stricken Area and Status: A general description summarizing the condition of the community (i.e., whether the disaster is imminent, in progress, or has already occurred) and of the damage sustained to date;
- (2) Services: Identification of the service function(s) for which assistance is needed and the particular type of assistance needed;
- (3) Infrastructure Systems: Identification of the type(s) of public infrastructure system for which assistance is needed (water/sewer, storm water systems, streets) and the type of work assistance needed;
- (4) Aid and Assistance: The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed;
- (5) Facilities: The need for sites, structures, or buildings outside Recipient's geographical limits to serve as relief centers or staging areas for incoming emergency goods and services; and
- (6) Meeting Time and Place: An estimated time and a specific place for a representative of Recipient to meet the personnel and resources of any Provider.

C. *STATE AND FEDERAL ASSISTANCE:* If the severity of the emergency is expected to exhaust the reasonably available resources on the Mutual Aid Resource List, then the

Recipient shall be responsible for notifying the appropriate state agencies or coordinating requests for state and/or federal assistance.

SECTION V: PROVIDER'S ASSESSMENT OF AVAILABILITY OF RESOURCES AND ABILITY TO RENDER ASSISTANCE

When contacted by a Recipient in need, Provider's authorized representative shall assess Provider's own local situation in order to determine available personnel, equipment, and other resources. If Provider's authorized representative determines that Provider has available resources, Provider's authorized representative shall so notify the Recipient. Provider shall complete a written acknowledgment regarding the assistance to be rendered (or a rejection of the request) and shall transmit it by the most efficient practical means to the Recipient for a final response. Provider's acknowledgment shall contain the following information:

- (1) In response to the items contained in the request, an acknowledgment of the personnel, equipment, and other resources to be sent;
- (2) The projected length of time such personnel, equipment, and other resources will be available to serve Recipient, particularly if the period is projected to be shorter than one week (as provided in the "Length of Time for Aid and Assistance" section Section VII of this Agreement.)
- (3) The estimated time when the assistance provided will arrive at the location designated by the Authorized Representative of the Recipient; and
- (4) The name of the person(s) to be designated as Provider's supervisory personnel (pursuant to the "Supervision and Control" section Section VI of this Agreement).

SECTION VI: SUPERVISION AND CONTROL

Provider shall designate supervisory personnel among any employees sent to render aid and assistance to Recipient. As soon as practicable, Recipient shall assign work tasks to Provider's supervisory personnel, and unless specifically instructed otherwise, Recipient shall have the responsibility for coordinating communications between Provider's supervisory personnel and Recipient.

Based upon such assignments set forth by Recipient, Provider's supervisory personnel shall:

- (1) have the authority to assign work and establish work schedules for Provider's personnel. Further, direct supervision and control of Provider's personnel, equipment, and other resources shall remain with Provider's supervisory personnel. Provider should be prepared to furnish communications equipment sufficient to maintain communications among its respective operating units, and if this is not possible, Provider shall notify Recipient accordingly;

- (2) maintain daily personnel time records, material records, a log of equipment hours, and other expenses; and
- (3) shall report work progress to Recipient at mutually agreed upon intervals.

SECTION VII: LENGTH OF TIME FOR AID AND ASSISTANCE; RENEWABILITY; RECALL

A. Unless otherwise provided, the duration of Provider's assistance shall be presumed to be for an initial period of twenty-four (24) hours, starting from the time of arrival. Thereafter, assistance may be extended as the situation warrants for periods agreed upon by the authorized representatives of Provider and Recipient.

B. As noted in Section II of this Agreement, Provider's personnel, equipment, and other resources shall remain subject to recall by Provider to provide for its own citizens if circumstances so warrant. Provider shall make a good faith effort to provide at least twenty-four (24) hours advance notification to Recipient of its (Provider's) intent to terminate portions or all assistance, unless such notice is not practicable, in which case as much notice as is reasonable under the circumstances shall be provided.

SECTION VIII: COST DOCUMENTATION AND REIMBURSEMENT

A. *Personnel:* Provider shall continue to pay its employees according to its then prevailing ordinances, rules, regulations, and collective bargaining agreements. At the conclusion of the period of assistance, the Provider shall document all direct and indirect payroll costs plus any taxes and employee benefits which are measured as a function of payroll (i.e.; FICA, unemployment, retirement, etc.).

B. *Provider's Traveling Employee Needs:* - Provider shall document the basic needs of Provider's traveling employees, such as reasonable out-of-pocket costs and expenses of Provider's personnel, including without limitation to transportation expenses for travel to and from the stricken area, shelter, and subsistence.

C. *Equipment:* - Provider shall document the use of its equipment during the period of assistance including all repairs to its equipment as determined necessary by its on-site supervisor(s) to maintain such equipment in safe and operational condition, fuels, miscellaneous supplies, and repairs directly caused by provision of the assistance.

D. *Materials And Supplies:* Provider shall document all materials and supplies furnished by it and used or damaged during the period of assistance.

E. *Reimbursement:* The Recipient shall reimburse the Provider for each of the following categories of costs incurred during the specified Period of Assistance as agreed in whole or in part by both parties; provided, that any Provider may assume in whole or in part such loss, damage, expense, or other cost, or may loan such equipment or donate such services to the Recipient without charge or cost.

Personnel – The Provider shall be reimbursed by the Recipient for personnel costs incurred for work performed during the specified Period of Assistance. Provider personnel costs shall be calculated according to the terms provided in their employment contracts or other conditions of employment. The Provider’s designated supervisor(s) must keep accurate records of work performed by personnel during the specified Period of Assistance. Recipient reimbursement to the Provider could consider all personnel costs, including salaries or hourly wages, costs for fringe benefits, and indirect costs.

Equipment – The Recipient shall reimburse the Provider for the use of equipment during the specified Period of Assistance, including, but not limited to, reasonable rental rates, all fuel, lubrication, maintenance, transportation, and loading/unloading of loaned equipment. All equipment shall be returned to the Provider in good working order as soon as is practicable and reasonable under the circumstances. As a minimum, rates for equipment use must be based on the Federal Emergency Management Agency’s (FEMA) Schedule of Equipment Rates. If a Provider uses rates different from those in the FEMA Schedule of Equipment Rates, the Provider must provide such rates orally or in writing to the Recipient prior to supplying the equipment. Mutual agreement on which rates are used must be reached in writing prior to dispatch of the equipment. Reimbursement for equipment not referenced on the FEMA Schedule of Equipment Rates must be developed based on actual recovery of costs. If Provider must lease a piece of equipment while its equipment is being repaired, Recipient shall reimburse Provider for such rental costs.

Materials and Supplies – The Recipient must reimburse the Provider in kind or at actual replacement cost, plus handling charges, for use of expendable or non-returnable supplies. The Provider must not charge direct fees or rental charges to the Recipient for other supplies and reusable items that are returned to the Provider in a clean, damage-free condition. Reusable supplies that are returned to the Provider with damage must be treated as expendable supplies for purposes of cost reimbursement.

Payment Period – The Provider must provide an itemized bill to the Recipient for all expenses incurred by the Provider while providing assistance under this Agreement. The Provider must send the itemized bill not later than (90) ninety days following the end of the Period of Assistance. The Provider may request additional periods of time within which to submit the itemized bill, and Recipient shall not unreasonably withhold consent to such request. The Recipient must pay the bill in full on or before the forty-fifth (45th) day following the billing date. The Recipient may request additional periods of time within which to pay the itemized bill, and Provider shall not unreasonably withhold consent to such request, provided, however, that all payment shall occur not later than one-year after the date a final itemized bill is submitted to the Recipient.

Records - Each Provider and their duly authorized representatives shall have access to a Recipient’s books, documents, notes, reports, papers and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance or regulatory audit. Each Recipient and their duly authorized representatives shall have access to a Provider’s books, documents, notes,

reports, papers and records which are directly pertinent to this Agreement for the purposes of reviewing the accuracy of a cost bill or making a financial, maintenance or regulatory audit. Such records shall be maintained for at least three (3) years or longer where required by law.

SECTION IX: RIGHTS AND PRIVILEGES OF PROVIDER'S EMPLOYEES

Whenever Provider's employees are rendering aid and assistance pursuant to this Agreement, such employees shall retain the same powers, duties, immunities, and privileges they would ordinarily possess if performing their duties within the geographical limits of Provider.

SECTION X: PROVIDER'S EMPLOYEES COVERED AT ALL TIMES BY PROVIDER'S WORKERS' COMPENSATION POLICY

Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees due to personal injury or death occurring during the period of time such employees are engaged in the rendering of aid and assistance under this Agreement. It is mutually understood that Recipient and Provider shall be responsible for payment of such workers' compensation benefits only to their own respective employees. Further, it is mutually understood that Provider will be entirely responsible for the payment of workers' compensation benefits to its own respective employees.

SECTION XI: IMMUNITY

Pursuant to RSA 53-A:3, all activities performed under this Agreement are hereby declared to be governmental functions and the liability of both Provider and Recipient shall be governed by NH Statutes, RSA 107-C:10.

SECTION XII: PARTIES MUTUALLY AGREE TO HOLD EACH OTHER HARMLESS

Each party (as indemnitor) agrees to protect, defend, indemnify, and hold the other party (as indemnitee), and its officers, employees, and agents, free and harmless from and against any and all losses, penalties, damages, assessments, costs, charges, professional fees, and other expenses or liabilities of every kind and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind in connection with or arising out of indemnitor's negligent acts, errors and/or omissions. Indemnitor further agrees to investigate, handle, respond to, provide defense for, and defend any such claims, etc. at indemnitor's sole expense and agrees to bear all other costs and expenses related thereto. To the extent that immunity does not apply, each party shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what kinds of insurance, and in what amounts, it should carry. Each party understands and agrees that any insurance protection obtained shall in no way limit the responsibility to indemnify, keep, and save harmless the other parties to this Agreement.

SECTION XIII: ROLE OF THE UNIVERSITY OF NH TECHNOLOGY TRANSFER CENTER & MANAGEMENT COMPANY

A. Under this Agreement, the responsibilities of the University of New Hampshire Technology Transfer Center (UNH T2) are:

- (1) to maintain the Mutual Aid Resource List and website, and to provide this listing to each of the entities on an annual basis; and
- (2) to train public works personnel and other local officials in the implementation of the Program.

B. Under this Agreement, the responsibilities of the Management Company, to be designated by the Board of Directors, are:

- (1) to serve as the fiscal agent of the Program for the invoicing and collection of any dues or fees, recipient for special grants or awards, and for the processing of all accounts receivable and payable;
- (2) to serve as the central depository for executed agreements; and
- (3) to provide administrative support to the Board of Directors.

SECTION XIV: AMENDMENTS; ADDITIONAL MEMBERS

A. *Manner:* This agreement may be modified at any time by (1) a proposal of the Board of Directors and upon the consent of a majority of the participating government units who cast ballots within sixty (60) days following a special meeting, which the Board Chair duly warns, to present the proposed changes, or (2) upon the mutual written consent of the Recipient and the Provider.

B. *Addition of Other Entities:* Additional entities may become parties to this Agreement upon:

- (1) acceptance and execution of this Agreement;
- (2) sending said executed copy of the Agreement to the Management Company with payment of any dues or fees; and
- (3) completing and returning the Mutual Aid Resource List.

SECTION XV: INITIAL DURATION OF AGREEMENT; RENEWAL; TERMINATION

This Agreement shall be binding for not less than one (1) year from its effective date, unless terminated upon at least sixty (60) days advance written notice by a party as set forth below. Thereafter, this Agreement shall continue to be binding upon the parties in subsequent

Original 5/26/1998

Revised 4/18/2011 & 9/10/15

years, unless canceled by written notification served personally or by registered mail upon the Management Company, which shall provide notice to all other parties. The withdrawal shall not be effective until sixty (60) days after notice thereof has been sent to all other parties. A party's withdrawal from this Agreement shall not affect a party's liability or obligation under the terms of this Agreement incurred hereunder. Once the withdrawal is effective, the withdrawing entity shall no longer be a party to this Agreement, but this Agreement shall continue to exist among the remaining parties.

SECTION XVI: HEADINGS

The headings of various sections and subsections of this Agreement have been inserted for convenient reference only and shall not be construed as modifying, amending, or affecting in any way the express terms and provisions of this Agreement.

SECTION XVII: SEVERABILITY - EFFECT ON OTHER AGREEMENTS

Should any clause, sentence, provision, paragraph, or other part of this Agreement be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Agreement. Each of the parties declares that it would have entered into this Agreement irrespective of the fact that any one or more of this Agreement's clauses, sentences, provisions, paragraphs, or other parts have been so declared invalid. Accordingly, it is the intention of the parties that the remaining portions of this Agreement shall remain in full force and effect without regard to the clause(s), sentence(s), provision(s), paragraph(s), or other part(s) invalidated.

SECTION XVIII: EFFECTIVE DATE

This Agreement shall take effect upon its approval by the entity seeking to become a signatory to this Agreement and upon proper execution hereof.

IN WITNESS WHEREOF, each of the parties have caused this New Hampshire Public Works Mutual Aid Program Agreement to be duly executed in its name and behalf by its chief executive officer, who has signed accordingly with seals affixed and attested with concurrence of a majority of its governing board, as of the date set forth in this Agreement.

BY (*signature*): _____

Printed Name: _____

Title: _____

Municipal Government Unit: _____

Date: _____

DULY AUTHORIZED REPRESENTATIVE

(the emergency contact for the mutual aid program)

Name: _____

Title: _____

Organization: _____

Address: _____

City/State/Zip: _____

Work Phone: _____

Cell/Emergency Phone: _____

Email: _____

Fax: _____

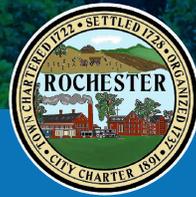
Pager: _____

Radio Frequency: _____



The Route 202A Water Main Extension and Water Storage Tank project involves the construction of over 20,000 feet of new water main, the tallest glass fused to steel elevated water storage tank in New Hampshire at 156 feet, and the addition of 103 users to the City's public water system. This work showcases the City and the New Hampshire Department of Environmental Service's commitment to providing New Hampshire residents with a clean reliable supply of drinking water.

The hardboiled eggs above were prepared using tap water from the kitchen faucet of a home in the project area before public water was available. Water testing in private wells showed manganese levels at 15 times greater and iron levels at 60 times greater than recommended levels. Replacement of hot water heaters, septic systems, internal plumbing, and household appliances due to corrosion, clogging, and staining was common for private well owners. 11 homes in the area were previously identified as having MtBE, a gasoline related contaminant, in their water supplies. These homes relied on expensive, sometimes state provided and maintained, treatment systems to purify their water. Now they have access to a clean, reliable supply of public drinking water.



City of Rochester

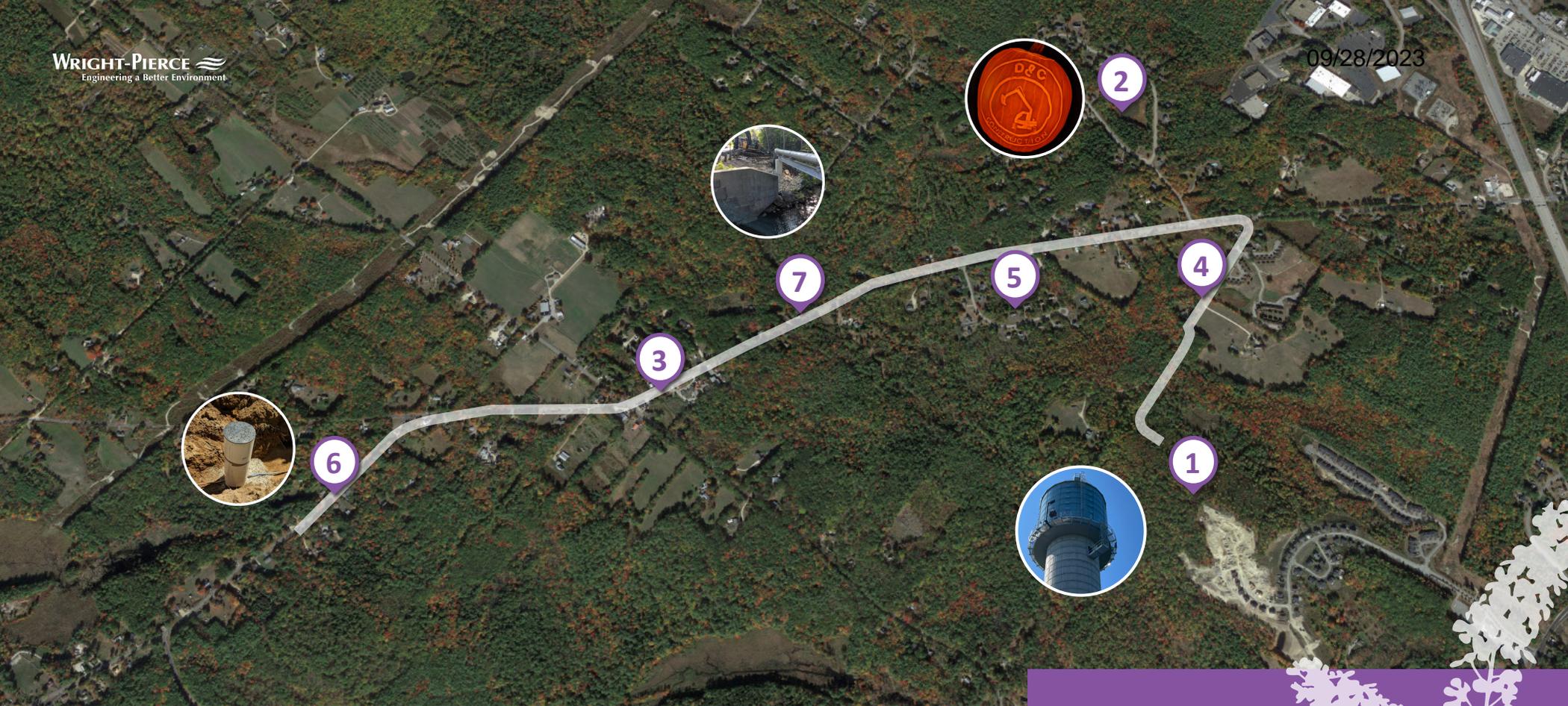
Route 202A Water Main
Extension & Water Storage Tank

209 Chestnut Hill Road
Rochester, NH 03867
www.rochesternh.gov/public-works

ROCHESTER NEW HAMPSHIRE

Route 202A Water Main
Extension & Water Storage Tank





1. Elevated Storage Tank

- 247,000 gallons of water storage
- 156 feet tall
- The tallest elevated glass fused to steel tank in New Hampshire
- Provides passive fire protection in zone

2. Winkley Farm Drive

- 21 new users to public water
- 5,200 feet of new water main and newly paved roads
- Provides relief from water quality and drought issues

3. NHDOT Route 202A

- 11 services funded by MtBE settlement funds
- 14 new connections to public water
- 10,300 feet of new water main

4. Bickford Road

- 3,300 feet of new water main installed from storage tank
- 62 new users to public water
- Dustin Homestead Condo complex converted to public water supply

5. Fiddlehead Lane

- 1,500 feet of new water main and newly paved roads
- 6 new users to public water

6. Autoflushing Hydrant

- The autoflushing hydrant is used to manage water age and maintain water quality while reducing operations costs

7. Ricker's Brook Crossing

- An above ground, self supported, 40 foot insulated water main crossing was installed to cross Ricker's Brook and avoid water main damage due to seasonal flows

The cost of this project is estimated to be \$13.5 million. \$3.5 million in City Contributions.

Funding sources included \$3.3 million in grant from the MtBE Settlement Fund, \$5.4 million in grant and \$1.3 million in low interest loans from the State of New Hampshire Drinking Water Groundwater Trust Fund,

Over 64% of the project will be paid for using grants. The City offered homeowners the opportunity to pay their service installation costs over 10 years as part of their water bill.

Amendment to Chapter 275 of the General Ordinances of the City of Rochester Regarding Charitable Gaming and Commercial Bingo Halls

THE CITY OF ROCHESTER ORDAINS:

That Chapter 275 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**):

Chapter 275, Table 18, Use Table

ADD: Commercial Bingo Hall – Permitted in Highway Commercial and Granite Ridge Zones

275-2.1 - Definitions

ADD: Collocation: Facilities, equipment, or uses located within the same structure or parcel, often sharing the same driveway and parking facilities.

Commercial Bingo Hall: Any hall owned or leased by an individual, corporation, realty trust, partnership, association, or any other person who rents or leases the hall to a charitable organization for the operation of bingo games or Lucky 7, excluding halls owned by any charitable organization or governmental subdivision as defined by RSA 287-E:1.

275-20.2 Conditions for Particular Use

ADD: Commercial Bingo Hall. Commercial Bingo Halls are permitted only when collocated with Charitable Gaming Facilities or by Special Exception.

1. Facilities and buildings are subject to Parking, Landscaping, and Architectural standards set by Charitable Gaming Facilities as per Zoning Ordinance Regulations 275-20.2
2. The facility is required to submit a safety and security plan subject to approval by the Rochester Fire and Police Departments. The plan shall outline all aspects of life safety to include emergency egress, access, site security, and occupancy limitations.

Amendments take effect upon passage.

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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

COUNCIL ACTION ITEM <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>
INFORMATION ONLY <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

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

LEGAL AUTHORITY

SUMMARY STATEMENT

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]

Excerpt from June 19, 2023 Planning Board minutes**X. Zoning and Plan Amendments****A. Charitable Gaming Ordinance–Bingo Inclusion; recommendation to the City Council**

Mrs. Saunders stated that the Planning Board previously passed the Charitable Gaming Ordinance and since new information has become public, there have been many questions on definitions within the Ordinance. Mrs. Saunders stated that Bingo has been found to be an additional piece of Charitable Gaming and holds its own State Statute. Mrs. Saunders stated that Bingo should be included in the Charitable Gaming Ordinance and that the inclusion would not include any other changes to the Ordinance and that this inclusion would make the application process more efficient.

Mr. O'Connor stated that Bingo Halls can still stand as a single unit with an approved Special Exception from the Zoning Board of Adjustment. Mr. O'Connor described the different Bingo operations and how they relate to State Statutes.

Mr. May asked if there would be any impacts to Bingo played in places like churches. Mr. O'Connor responded that no, bingo at churches and other specific facilities would fall under a different category.

Mrs. Saunders stated that this new ordinance would not affect current facilities that are running Bingo operations.

Mr. Walker recommended a word change to Section 275-20.2 of the Charitable Gaming Ordinance.

Mr. Richardson asked for verification of the inclusion of Bingo in the Charitable Gaming Ordinance would apply to commercial operations only. Mrs. Saunders responded yes, that is correct.

A motion was made by Mr. Hamann and seconded by Mr. Dews to approve the draft ordinance. The motion carried with 8 votes, Mr. Walker opposed.

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City Clerk's Office

**Resolution Authorizing Donation to the Veterans of Foreign Wars (VFW) Concord
in the amount of \$49,640.57**

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

That the City of Rochester hereby makes a donation to the Veterans of Foreign Wars (VFW)-Concord in the amount of Forty Nine Thousand Six Hundred Forty Dollars and Fifty Seven Cents (\$49,640.47). The source of funds shall be derived from General Fund Unassigned Fund Balance.

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

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City Clerk's Office



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	Veterans of Foreign Wars (VFW) Donation
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COUNCIL ACTION ITEM <input checked="" type="checkbox"/>	FUNDING REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
INFORMATION ONLY <input type="checkbox"/>	* IF YES ATTACH A FUNDING RESOLUTION FORM

RESOLUTION REQUIRED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	FUNDING RESOLUTION FORM? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
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AGENDA DATE	10-3-23		
DEPT. HEAD SIGNATURE	Submitted by: Mark Sullivan Deputy Finance Director		
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	Council endorsed 12-20-22
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS General Fund Unassigned Fund Balance	
ACCOUNT NUMBER	
AMOUNT \$49,640.57	
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

City Council

SUMMARY STATEMENT

09/28/2023

At the December 20, 2022 Council meeting the issue of the VFW unpaid property taxes at the 43 Highland St location was discussed. The location had be closed for many years. Mayor Callaghan explained that there are specific criteria that need to be considered when discussing the VFW tax issue. The City Council does not have the authority to waive interest on tax liens; only the Tax Collector has the ability to issue such a waiver. If the Council does wish to pursue action, the process would be as follows: The VFW would sell the property at 43 Highland Street and pay the City the back taxes. The City Council could then vote to appropriate a donation to the VFW in the amount of the back taxes, which are currently at \$43,650.53, and there would be a check issued to the VFW. On September 6, 2023 theTax Collector received funds of \$49,640.57 from VFW for Tax Liens Years 2020-2023.

RECOMMENDED ACTION

Council Approval Recommended

Resolution Authorizing the Acceptance of a Juvenile Alcohol Grant from the State of New Hampshire in the amount of \$4,240.00

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

The City hereby accepts a Juvenile Alcohol Grant of Four Thousand Two Hundred Forty Dollars (\$4,240.00.00) from the State of New Hampshire to be used by the Rochester Police Department as part of its New Hampshire Juvenile Court Diversion Network SBIRT Program.

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



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 \$4,240.00 from the Governor's Commission Alcohol Fund Grant for SBIRT program.

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

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

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

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

AGENDA DATE	Next October 2023 meeting		
DEPT. HEAD SIGNATURE	<i>C. R. J.</i>		
DATE SUBMITTED	9/15/23		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	State Funds
ACCOUNT NUMBER	Fund 6128 Proj. 24XXX
AMOUNT	\$4,240.00
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 \$4,240.00 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 \$4,240.00.

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	24XXX	-	\$4,240.00	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	6128002	402148	24XXX	-	\$4,240.00	-
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 the Acceptance of a JAG Grant from the State of New Hampshire
in the amount of \$27,065.00**

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

The City hereby accepts a JAG Grant of Twenty Seven Thousand Sixty Five Dollars (\$27,065.00) from the State of New Hampshire to be used by the Rochester Police Department for the purchase of law enforcement equipment.

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



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 JAG grant funds in the amount of \$27,065.00.

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

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

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

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

AGENDA DATE	October 2023		
DEPT. HEAD SIGNATURE	<i>C. R. J.</i>		
DATE SUBMITTED	09/26/23		
ATTACHMENTS YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	* IF YES, ENTER THE TOTAL NUMBER OF PAGES ATTACHED		

COMMITTEE SIGN-OFF

COMMITTEE	
CHAIR PERSON	

DEPARTMENT APPROVALS

DEPUTY CITY MANAGER	
CITY MANAGER	

FINANCE & BUDGET INFORMATION

FINANCE OFFICE APPROVAL	
SOURCE OF FUNDS	Federal
ACCOUNT NUMBER	Fund TBD
AMOUNT	\$27,065.00
APPROPRIATION REQUIRED YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	

LEGAL AUTHORITY

Council action required.

SUMMARY STATEMENT

Seeking permission from council to accept JAG funding in the amount of \$27,065.00 to purchase equipment for department/officers. See list below.

57 Individual First Aid Kits = \$5,844.00

1 Updated Polygraph Equipment = \$7,505.00

1 Faraday Tower (Blocker Locker) = \$4,999.00

2 Wireless Mic's/Headsets for the motorcycles = \$3,599.00

1 Commercial Grade Bicycle Racks = \$2,213.00

4 Multi-shift heavy duty office chairs/ergonomic chairs with sit stand desks = \$2,905.00

Total = \$27,065.00

No match funding required.

RECOMMENDED ACTION

Accept JAG grant funds in the amount of \$27,065.00.

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	TBD	TBD	TBD	\$27,065.00	-	-
2				-	-	-
3				-	-	-
4				-	-	-

Revenue

	Org #	Object #	Project #	Fed Amount \$	State Amount \$	Local Amount \$
1	TBD	TBD	TBD	\$27,065.00	-	-
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 AMENDING THE ADOPTED FY 2024 ROCHESTER CDBG
“ACTION PLAN FOR THE CITY OF ROCHESTER, N.H.” FOR COMMUNITY ACTION
PARTNERS AND STRAFFORD NUTRITION MEALS ON WHEELS**

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

That the FY 2024 Rochester CDBG “Action Plan for the City of Rochester, N.H.” be and hereby is amended to allocate an additional Four Thousand One Hundred Seventy Five and 02/100 Dollars (\$4,175.02) to Community Action Partners for its Weatherization Program and to allocate an additional Two Hundred Dollars (\$200.00) to Strafford Nutrition Meals on Wheels.

This Resolution 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

COUNCIL ACTION ITEM <input type="checkbox"/>	FUNDING REQUIRED? YES <input type="checkbox"/> NO <input type="checkbox"/>
INFORMATION ONLY <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

[Empty box for Summary Statement]

RECOMMENDED ACTION

[Empty box for Recommended Action]

**Resolution Establishing Polling Places and Times for the
November 7, 2023 Municipal Election**

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

That the following polling places are hereby established for the City of Rochester for the upcoming November 7, 2023 State General Election.

- WARD 1: East Rochester Elementary School**
773 Portland Street, East Rochester

- WARD 2: Chamberlain Street School**
65 Chamberlain Street, Rochester

- WARD 3: Gonic Elementary School**
10 Railroad Avenue, Gonic

- WARD 4: McClelland Elementary School**
59 Brock Street, Rochester

- WARD 5: James W. Foley Memorial Community Center a/k/a
Rochester Community Center**
150 Wakefield Street/Community Way, Rochester

- WARD 6: Elks Lodge #1393**
295 Columbus Avenue, Rochester

Further, that in accordance with RSA 659:4, and Section 47 of the City Charter – All polling places shall be open from 8:00 A.M. to 7:00 P.M., on said Election Day. *The Processing of Absentee Ballots shall begin at 10:00 AM on Election Day.*