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# State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Capitol Street

Concord, New Hampshire 03301

(603) 271-3201 | [Office@das.nh.gov](mailto:Office@das.nh.gov)

Charles M. Arlinghaus  
Commissioner

Catherine A. Keane  
Deputy Commissioner

Sheri L. Rockburn  
Assistant Commissioner

January 8, 2025

Her Excellency, Governor Kelly A. Ayotte  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

## REQUESTED ACTION

Accept on behalf of the State of New Hampshire, pursuant to RSA 4:29 and 2023 N.H. Laws 79:454, the gift of a parcel of land situated on the northerly side of Rochester Hill Road (New Hampshire Route 108) in the City of Rochester, New Hampshire, having an area of approximately 5.93 acres, together with all easement rights and any other rights appurtenant thereto, from the City of Rochester, for the purpose of constructing and operating a new circuit court facility thereon.

## EXPLANATION

In 2023, members of the New Hampshire legislature and the City of Rochester reached a mutual understanding that the City of Rochester would “sell” the subject parcel of land adjacent to Skyhaven Airport in Rochester to the State of New Hampshire for One Dollar (\$1), and the State would then construct, occupy, and operate a new circuit courthouse on that parcel. Apparently in exchange, the State legislature also indicated the State’s intention to “sell” the land and building comprising the existing Rochester District Court facility on North Main Street in Rochester to the City of Rochester for One Dollar (\$1), but only after construction of the new circuit courthouse is complete and the new facility is fully occupied and operating. The foregoing understandings of the legislature are memorialized in 2023 N.H. Laws 79:454-455. Given the permissive, non-mandatory language used in the referenced chapter laws and the traditionally symbolic nature of the negligible appropriated consideration amount of one dollar, the Department is treating the proposed acquisition as a gift of land by the City of Rochester that can only be accepted by the State upon authorization by the Governor and Executive Council pursuant to RSA 4:29. The State further must pay all title transfer expenses and any closing costs. The sum total of such costs and expenses is expected to be less than \$4,000, while the current market value of the subject parcel of mostly unimproved land is roughly estimated to exceed \$127,000. The eventually contemplated gift of the existing Rochester District Court facility to the City of Rochester will be subject to separate future authorization by the Governor and Executive Council pursuant to RSA 4:40.

The subject parcel of land was recently re-subdivided as a new tax parcel by the City of Rochester as part of the coordinated redevelopment of the surrounding neighborhood adjacent to Skyhaven Airport into a business/industrial park, following the City’s consolidation of certain previously existing parcels in the neighborhood. The subject parcel is now known as City of Rochester Tax Map 255, Lot 21-1. For further location reference, the previous tax parcel at this site (including most, but not all, of the same land

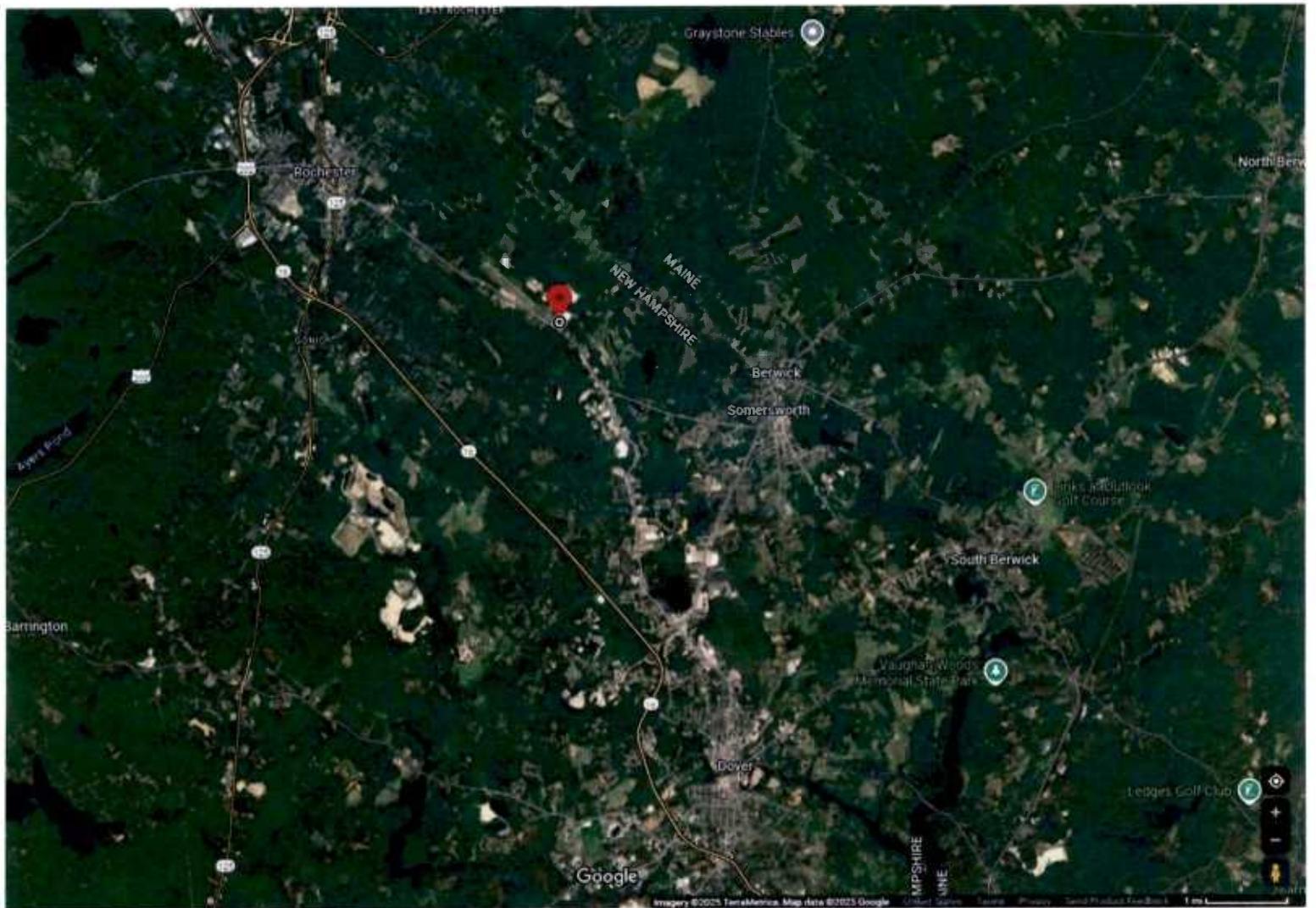
area as the current re-subdivided parcel) had a street address of 296 Rochester Hill Road. The subject parcel is situated near the southeasterly end of the Skyhaven Airport runway and directly beneath the existing airspace avigation easement area accommodating the takeoff and approach of aircraft in flight from and to the runway. However, the preliminary courthouse building design contemplates a maximum building elevation well below that permitted by the avigation easement.

Based on the foregoing, I hereby request authorization to accept on behalf of the State of New Hampshire the proposed gift of land from the City of Rochester.

Respectfully submitted,

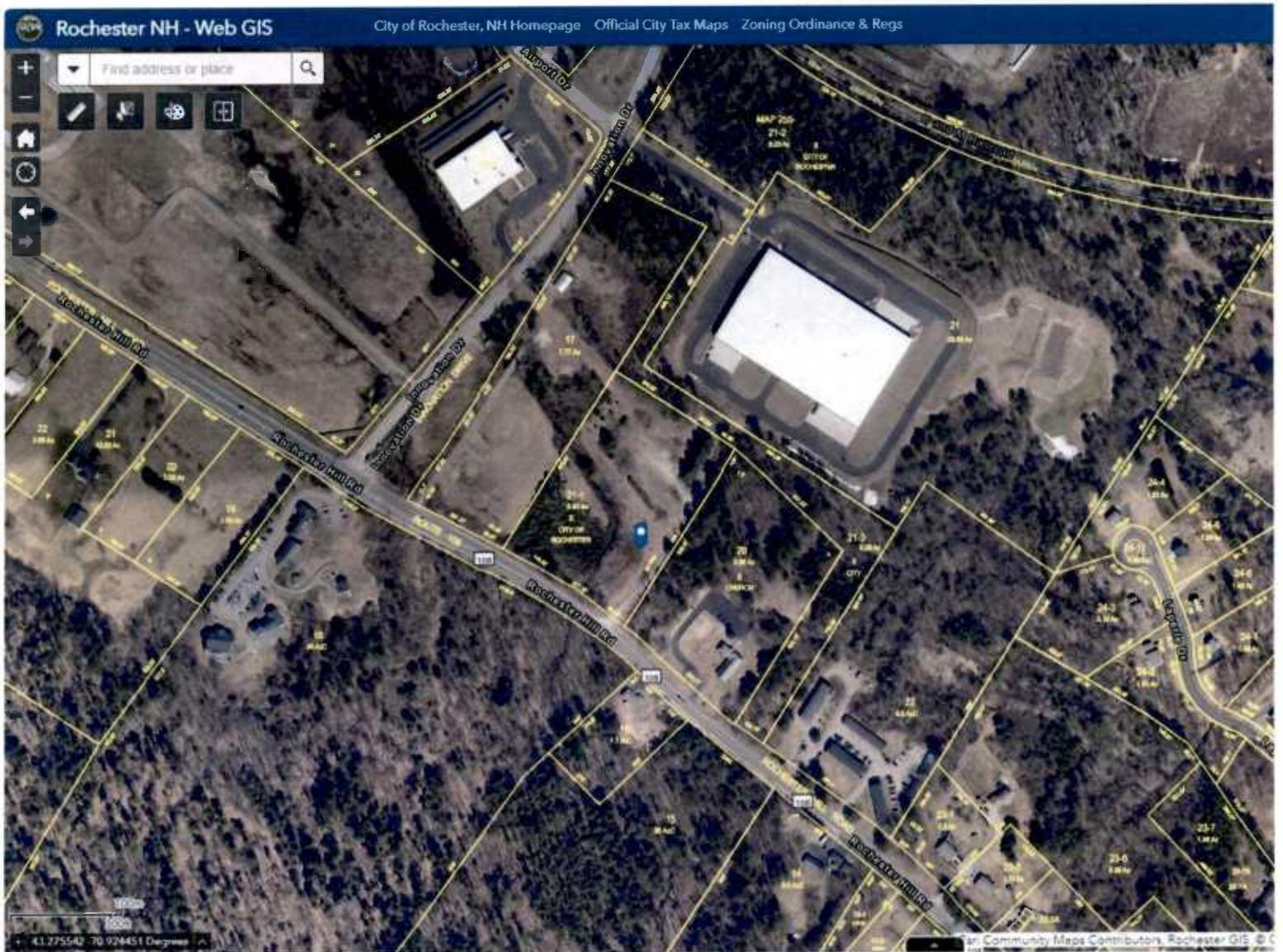


Charles M. Arlinghaus  
Commissioner



Rochester Tax Map 255, Lot 21-1  
Rochester Hill Road (NH Route 108)  
Rochester, New Hampshire  
Google Maps

(subject parcel location is marked above with a red pin)



Rochester Tax Map 255, Lot 21-1  
Rochester Hill Road (NH Route 108)  
Rochester, New Hampshire  
City of Rochester GIS Tax Parcel Map

(subject parcel at center above is marked with a blue pin)



Rochester Tax Map 255, Lot 21-1  
Rochester Hill Road (NH Route 108)  
Rochester, New Hampshire  
City of Rochester GIS Aerial Imagery Map

(subject parcel at center above is marked with a blue pin)

**Return to:**

Jared J. Nylund, Real Property Asset Manager  
New Hampshire Department of Administrative Services  
25 Capitol Street  
Concord, New Hampshire 03301

Transfer Tax: EXEMPT per RSA 78-B:2, I (transfer to State)  
LCHIP Surcharge: EXEMPT per RSA 478:17-g, II(a) (transfer to State)

**WARRANTY DEED**  
(296 Rochester Hill Road, Rochester, NH)

KNOW ALL MEN BY THESE PRESENTS, that the **CITY OF ROCHESTER**, a municipal corporation existing under the laws of the State of New Hampshire, having an address of 31 Wakefield Street, Rochester, New Hampshire 03867 ("Grantor"), FOR CONSIDERATION PAID, GRANTS TO the **STATE OF NEW HAMPSHIRE**, acting by and through its Department of Administrative Services pursuant to RSA 4:29 and 2023 N.H. Laws 79:454, as authorized by the Governor and Executive Council on \_\_\_\_\_, 2025 (Meeting Agenda Item # \_\_\_\_\_), having an address of 25 Capitol Street, Concord, New Hampshire 03301 ("Grantee"), with **WARRANTY COVENANTS**, the following described premises:

A certain parcel of land, with the improvements thereto, situated in the City of Rochester, County of Strafford, State of New Hampshire, on the northeasterly side of Rochester Hill Road and shown as "Map 255 - Lot 21-1" on a plan entitled "Subdivision Plan, Route 108, Rochester Hill Road, Innovation Drive, Rochester, Strafford County, NH For: City of Rochester", Scale 1" = 100'; Date: April 2020 (revised to May 11, 2020) prepared by Norway Plains Associates, Inc. and recorded in the Strafford County Registry of Deeds as Plan # 12161, being more particularly described as set forth on Exhibit A, annexed hereto and made a part hereof.

**SUBJECT TO:**

1. An Avigation Easement and Flight Clearance Easement in favor of the State of New Hampshire dated April 24, 1985, recorded in the Strafford County Registry of Deeds at Book 1166, Page 633, which airspace easement rights are appurtenant to nearby Skyhaven Airport; and
2. Utility Easement granted by Madeline M. Dupont to New England Telephone and Telegraph Company and Public Service Company of New Hampshire, dated May 29, 1997, and recorded in the Strafford County Registry of Deeds at Book 1928, Page 499.

The property is conveyed together with all appurtenant easements.

MEANING AND INTENDING to describe a portion of the premises conveyed to the City of Rochester by Warranty Deed of David Dupont, Trustee of the Ann J. Furina Revocable Living Trust August 10, 2010, dated January 31, 2017, recorded in the Strafford County Registry of Deeds at Book 4457, Page 457.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 2025.

**GRANTOR:**  
CITY OF ROCHESTER

By: \_\_\_\_\_  
Kathryn Ambrose, City Manager

STATE OF NEW HAMPSHIRE  
COUNTY OF STRAFFORD

On this \_\_\_\_\_ day of \_\_\_\_\_, 2025, before me personally appeared the above named Kathryn Ambrose, City Manager of Rochester, New Hampshire, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged the same to be her free act and deed for the purposes contained therein on behalf of the City of Rochester.

\_\_\_\_\_  
Notary Public / Justice of the Peace  
My Commission Expires:

DRAFT

EXHIBIT A

Property Description

(296 Rochester Hill Road, Rochester, NH)

A certain parcel of land, with the improvements thereto, situated in the City of Rochester, County of Strafford, State of New Hampshire, on the northeasterly side of Rochester Hill Road and shown as Map 255, Lot 21-1 on a plan entitled "Subdivision Plan, Route 108, Rochester Hill Road, Innovation Drive, Rochester, Strafford County, NH, For: City of Rochester", Scale 1" = 100'; Date: April 2020 (revised to May 11, 2020) prepared by Norway Plains Associates, Inc. and recorded in the Strafford County Registry of Deeds as Plan # 12161, being more particularly bounded and described as follows:

Beginning at a drill hole found in a junction of old stone walls on the northeasterly side of said Rochester Hill Road (New Hampshire Route 108), at land now or formerly of Presbytery of Northern New England Trustees, said point being the southerly corner of the within described premises;

Thence along the northeasterly sideline of said Rochester Hill Road North  $51^{\circ}59'06''$  West a distance of approximately 66.08 feet to a point in the end of an old stone wall;

Thence continuing along said Rochester Hill Road North  $56^{\circ}55'53''$  West a distance of approximately 217.16 feet to a point in an old stone wall;

Thence continuing along said Rochester Hill Road North  $61^{\circ}06'44''$  West a distance of approximately 145.92 feet to a rebar with ID cap set in an old stone wall by Norway Plains Associates, being the westerly corner of the within described premises;

Thence turning North  $32^{\circ}07'23''$  East along land now or formerly of Pease Development Authority a distance of approximately 605.66 feet to an unspecified monument in an old stone wall, being the northerly corner of the within described premises;

Thence turning South  $58^{\circ}49'06''$  East along land now or formerly of the City of Rochester a distance of approximately 263.32 feet to a drill hole found in the end of an old stone wall;

Thence continuing along said land of the City of Rochester South  $55^{\circ}44'39''$  East a distance of approximately 97.99 feet to a steel stake found;

Thence continuing along said land of the City of Rochester South  $57^{\circ}15'50''$  East a distance of approximately 59.96 feet to a steel stake set by Grant L. Davis Associates found in the end of an old stone wall, being the easterly corner of the within described premises;

Thence turning South  $29^{\circ}46'34''$  West along land now or formerly of Presbytery of Northern New England Trustees a distance of approximately 74.87 feet to a steel stake found in an old stone wall;

Thence continuing along said land of Presbytery of Northern New England Trustees South  $18^{\circ}39'24''$  East a distance of approximately 7.50 feet to a steel stake found in an old stone wall;

Thence continuing along said land of Presbytery of Northern New England Trustees South  $32^{\circ}17'06''$  West a distance of approximately 528.30 feet to the point of beginning.

CHAPTER 79  
HB 2-FN-A-LOCAL - FINAL VERSION

6Apr2023... 1247h  
6Apr2023... 1336h  
6Apr2023... 1299h  
6Apr2023... 1292h  
6Apr2023... 1272h  
6Apr2023... 1295h  
6Apr2023... 1328h  
6Apr2023... 1288h  
06/07/2023 2076s  
06/07/2023 2092s  
06/07/2023 2139s  
06/07/2023 2140s  
06/07/2023 2171s  
8Jun2023... 2179EBA

2023 SESSION

23-1064  
10/05

HOUSE BILL

***2-FN-A-LOCAL***

AN ACT relative to state fees, funds, revenues, and expenditures.

SPONSORS: Rep. Weyler, Rock. 14

COMMITTEE: Finance

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AMENDED ANALYSIS

This bill:

1. Names the divisions of the department of information technology.
2. Authorizes the department of information technology to fill unfunded positions for the biennium ending June 30, 2025.
3. Broadens the community college system of New Hampshire's dual and concurrent enrollment program and makes an appropriation therefor.
4. Provides for optional retirement system membership for employees of the community college system of New Hampshire hired on or after July 1, 2023.
5. Makes an appropriation to the university system of New Hampshire for the renovation of the Whittemore Center Arena.
6. Authorizes the liquor commission to transfer funds for its employee incentive program.
7. Establishes new, unclassified positions within the department of corrections.

CHAPTER 79  
HB 2-FN-A-LOCAL - FINAL VERSION  
- Page 117 -

1 address deferred maintenance for state-owned buildings. The governor is authorized to draw a warrant  
2 for said sum out of any money in the treasury not otherwise appropriated.

3 79:449 Effective Date. Section 448 of this act shall take effect June 30, 2023.

4 79:450 Appropriation; Department of Administrative Services. The sum of \$1,200,000 for the fiscal  
5 year ending June 30, 2023, is hereby appropriated to the department of administrative services for the  
6 purpose of moving and fit up costs for state agencies. Such funds shall not lapse until June 30, 2025.  
7 The governor is authorized to draw a warrant for said sum out of any money in the treasury not otherwise  
8 appropriated.

9 79:451 Effective Date. Section 450 of this act shall take effect June 30, 2023.

10 79:452 Appropriation; Building Maintenance Fund. The sum of \$4,600,000 for the fiscal year ending  
11 June 30, 2023, is hereby appropriated to the building maintenance fund established in RSA 21-l:11-d for  
12 the state house annex renovations. The governor is authorized to draw a warrant for said sum out of any  
13 money in the treasury not otherwise appropriated.

14 79:453 Effective Date. Section 452 of this act shall take effect June 30, 2023.

15 79:454 Appropriation; Department of Administrative Services; Circuit Court Facility; Purchase of  
16 Land. The location for siting of the new seventh circuit court facility shall be in the city of Rochester, New  
17 Hampshire identified on map 0255, lot 0021-0001 on November 1, 2022. Notwithstanding any other  
18 provision of law the state, through the department of administrative services, shall be permitted to enter  
19 into an agreement to acquire the property from Rochester for the sum of \$1.00 and the sum of \$1.00 is  
20 hereby appropriated to the department of administrative services for the biennium ending June 30, 2025  
21 for the purpose of purchasing the land from the city of Rochester identified on map 0255, lot 0021-0001 on  
22 November 1, 2022. The governor is authorized to draw a warrant for said sum out of any money in the  
23 treasury not otherwise appropriated.

24 79:455 Sale of Land; Department of Administrative Services; Circuit Court Facility. Notwithstanding  
25 any other provision of law, the state, through the department of administrative services, shall be permitted  
26 to enter into an agreement to sell property and facility to the city of Rochester where the current seventh  
27 circuit court facility is located on map 0121, lot 0016-0000 on October 1, 2022 for the sum of \$1.00. The  
28 sale of the current courthouse and land shall not occur until the new seventh circuit court facility is  
29 constructed, furnished, and operating.

30 79:456 Public Officers and Employees; Compensation of Certain State Officers; Health and Human  
31 Services Review; Certain Unclassified Employees. Amend RSA 94:1-f, II to read as follows:

32 II. The commissioner of the department of administrative services shall submit the information to  
33 an outside consultant retained for the purpose of assessing the appropriate letter grade of unclassified  
34 state officers for those positions where the position title does not accurately reflect the job responsibilities.  
35 The consultant shall assess the recommended allocation, recommend an alternate allocation, if  
36 necessary, and include the reasoning for such allocation in its report. The commissioner shall submit the  
37 consultant's report to the joint committee established in RSA 14:14-c, for its review and temporary letter  
38 grade allocation. The department of health and human services shall make a contribution from [salary

**CITY COUNCIL  
ROCHESTER, NEW HAMPSHIRE  
Nonpublic Session Minutes**

**Date:** June 6, 2023

**Motion to enter Nonpublic Session**

Made by: Lachapelle

Seconded by: de Geofroy

**Specific Statutory Reason** cited as foundation for the nonpublic session:

RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

RSA 91-A:3, II(b) *The hiring of any person as a public employee.*

RSA 91-A:3, II(c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

RSA 91-A:3, II(d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.*

RSA 91-A:3, II(e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against this board or any subdivision thereof, or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

RSA 91-A:3, II(i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

**Roll Call vote to enter nonpublic session:**

(circle replies below)

Mayor Callaghan

Yes

No

Not Present

Deputy Mayor Lachapelle

Yes

No

Not Present

Councilor Fontneau

Yes

No

Not Present

Councilor Gilman	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Beaudoin	<input type="radio"/> Yes	<input checked="" type="radio"/> No	Not Present
Councilor Hamann	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Malone	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Larochelle	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Desrochers	<input type="radio"/> Yes	<input type="radio"/> No	<input checked="" type="radio"/> Not Present
Councilor Hainey	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Gray	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor Berlin	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present
Councilor de Geofroy	<input checked="" type="radio"/> Yes	<input type="radio"/> No	Not Present

**Entered nonpublic session**

Time: 7:49 pm

**Other persons present during nonpublic session:**

Cit Manager Blaine Cox, Deputy City Manager Katie Ambrose, Economic Development Director Michael Scala, and City Attorney Terence O'Rourke

**Description of matters discussed, and final decisions made:**

Courthouse Swap with the State of New Hampshire

Scala stated that HB 2 is before the Legislature for the State to the sell the City the Courthouse for \$1 and for the City to sell the land to the State for \$1. Gray stated that this will save the City at least \$200k from not having to go through the normal State sale process.

**Council Action:** Motion to Agree with HB 2 arrangement made by Hamann, Seconded by

Lachapelle

**Yea: Unanimous**

**Nay:**

**Motion to leave nonpublic session and return to public session**

Made by: Lachapelle

Seconded by: de Geofroy

Motion: PASSED / DID NOT PASS (circle one)

**Public session reconvened**

Time: 8:21 pm

Motion made to seal these minutes? Yes No (circle one)

Indefinitely? Yes No (circle one)

If yes, motion made by: Lachapelle

Seconded by: de Geofroy

because it is determined that divulgence of this information likely would:

     Affect adversely the reputation of any person other than a member of this board.

  X   Render a proposed action ineffective.

     Pertains to preparation or carrying out of actions regarding terrorism.

**Roll Call Vote to seal minutes:**

(2/3's vote of members present required)

Mayor Callaghan	<u>Yes</u>	No	Not Present
Deputy Mayor Lachapelle	<u>Yes</u>	No	Not Present
Councilor Fontneau	<u>Yes</u>	No	Not Present
Councilor Gilman	<u>Yes</u>	No	Not Present
Councilor Beaudoin	<u>Yes</u>	No	Not Present
Councilor Hamann	<u>Yes</u>	No	Not Present
Councilor Malone	<u>Yes</u>	No	Not Present

Councilor Larochele	<input checked="" type="radio"/> Yes	No	Not Present
Councilor Desrochers	Yes	No	<input checked="" type="radio"/> Not Present
Councilor Hailey	<input checked="" type="radio"/> Yes	No	Not Present
Councilor Gray	<input checked="" type="radio"/> Yes	No	Not Present
Councilor Berlin	<input checked="" type="radio"/> Yes	No	Not Present
Councilor de Geofroy	<input checked="" type="radio"/> Yes	No	Not Present

Motion:  PASSED /  DID NOT PASS (circle one)

Time: 8:22 pm

These minutes recorded by: Terence O'Rourke, City Attorney



City Clerk's Office  
City Hall - First Floor  
31 Wakefield Street, Room 105  
ROCHESTER, NEW HAMPSHIRE 03867-1917  
(603) 332-2130 - Fax (603) 509-1915  
Web Site: <http://www.rochesternh.gov>

**MINUTES**  
**December 3, 2024**

I, Kelly Walters City Clerk for Rochester, NH hereby attest that the City Clerk's office posted the meeting minutes for the December 3, 2024, City Council Regular Meeting in accordance with RSA 91-A.

I, Kelly Walters City Clerk for the City of Rochester, NH hereby attest that the attached set of minutes is true and accurate.

City Clerk's Office  
Rochester, New Hampshire

By: Kelly Walters Date: 12/10/2024  
Kelly Walters, City Clerk

State of New Hampshire  
Strafford County

On this 10<sup>th</sup> of December, 2024, Kelly Walters, personally appeared before me: Joelle Boumel  
and acknowledged the above statement to be true and accurate.

Joelle Boumel  
Notary Public

Joelle Boumel  
Notary Public  
Expiration date: 10/16/2029



**Regular City Council Meeting  
December 3, 2024  
Council Chambers  
6:00 PM**

**COUNCILORS PRESENT**

Councilor Creteau  
Councilor de Geofroy  
Councilor Horne  
Councilor Fitzpatrick  
Councilor Fontneau  
Councilor Herman  
Councilor Karolian  
Councilor Richardson  
Councilor Turner  
Councilor Walker  
Deputy Mayor Hamann  
Mayor Callaghan

**OTHERS PRESENT**

Katie Ambrose Cox, City Manager  
Mark Sullivan, Finance Director  
Terence O'Rourke, City Attorney  
Mike Skala, Director of Economic  
Development

**MEMBERS EXCUSED**

Councilor Sullivan

**Minutes**

**1. Call to Order**

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

**2. Opening Prayer**

Mayor Callaghan called for a moment of silence.

**3. Pledge of Allegiance**

Mayor Callaghan asked Councilor Karolian to lead the Council and all those present in the Pledge of Allegiance.

**4. Roll Call**

Kelly Walters, City Clerk, took the roll call attendance. All Councilors were

Councilor de Geofroy asked if there is an expected end date in site for the temporary permits and how the residents would be notified. Director Skala said the application gives the ability to collect the applicant's contact information and it will be useful for other notifications relative to the parking lot notifications and once there is an expiration date in place, the residents can be easily notified through text and/or email. 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.

**13.5. Resolution Authorizing City Manager to Execute the Deed for 296 Rochester Hill Road in favor of the State of New Hampshire *first reading and consideration for adoption***

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

**Resolution Authorizing City Manager to Execute the Deed for 296 Rochester Hill Road in favor of the State of New Hampshire**

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

That the City Manager is authorized to execute the deed and any other related documents to finalize the sale of 296 Rochester Hill Road to the State of New Hampshire as part of the new courthouse project.

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

Councilor Hamann **MOVED** to **ADOPT** the resolution. Councilor Walker seconded the motion. City Attorney O'Rourke briefed the City Council on the new courthouse project and reasons why the State is seeking to specifically name the City Manager as the person with the authority to execute the deed and any other related documentation to finalize the sale of 296 Rochester Hill Road to the State of New Hampshire. He said once the courthouse project is complete the State will then, in exchange, deed the existing courthouse to the City of Rochester. The **MOTION CARRIED** by a unanimous voice vote.

**14. Non-Meeting/Non-Public Session**

No discussion.

**15. Adjournment**

Mayor Callaghan **ADJOURNED** the Regular City Council meeting at 6:39 PM.

Respectfully Submitted,



Kelly Walters, CMC  
City Clerk