



**LEBANON CITY COUNCIL
JULY 20, 2022 - 6:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 684 003 494#). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The July 20, 2022, Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Board and Committee Reports (2nd Quarter 2022)

4. Public Forum Announcement by the Mayor

Any member of the public who desires to speak on any item may do so when the item is taken up by the Council and will be allowed to speak on the subject for not more than three minutes. **(Note: Speakers are asked to state their name, ward of residence, and to use the microphone provided.)**

5. Open to the Public

6. Recognitions

- Purple Heart Community Proclamation
- Resolution in Honor of Alan Schnur (Pedestrian & Bicyclist Advisory Committee Member)

7. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the July 20, 2022 agenda packet.

8. Appointments

- Zoning Board of Adjustment, Catheryn Hembree (Alternate Member)
- Pedestrian & Bicyclist Advisory Committee, Adams Carroll (Regular Member)

9. Public Hearing Items: None

10. Old Business

- A. Presentation of Second Reading: Amendments to Ordinance #18, Salary Plan Article II, Non-Affiliated & LPASE Employees as follows:

1. Reclassify, retitle, and remove positions within the Cyber Services Department;
2. Reclassify, add, and remove positions within the Library; and
3. Add seasonal positions for Summer Camp and Pool programs and increase salary range for seasonal Summer Camp Director

B. NHMA 2023-2024 Legislative Policy Recommendations

11. New Business

- A. Presentation of Alternative Payment System for Disposal of Residential Waste at the Landfill (Results of LEAN Event)
- B. Presentation of PFAS Management Study for City of Lebanon

12. City Manager Report

13. Council Representatives to Other Bodies Report

14. Future Agenda Items

15. Non-Public Session

- A. 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 meeting and (2) requests that the meeting be open, in which case the request shall be granted."

16. Adjournment

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

FUTURE BOARD/COMMITTEE/COMMISSION APPOINTMENTS

Board/Committee: Arts & Culture Commission

Position: Regular Member

Applicant: J. Giordani

Re-Assigned Councilor: D. Wilkie

Re-Assigned Date: 07/12/2022

Board/Committee: Pedestrian & Bicyclist Advisory Committee

Position: Regular Member

Applicant: C. Smith

Assigned Councilor: K. Hill

Assigned Date: 03/03/2022

Board/Committee: Pedestrian & Bicyclist Advisory Committee

Position: Regular Member

Applicant: D. Koch

Assigned Councilor: C. Below

Assigned Date: 06/28/2022

Board/Committee: Conservation Commission

Position: Alternate Member

Applicant: S. Dittrich

Lebanon City Council Agenda
July 20, 2022

Assigned Councilor: K. Zook
Assigned Date: 01/03/2022

Board/Committee: West Lebanon Revitalization Advisory Committee
Position: Resident
Applicant: J. Sherman
Assigned Councilor: D. Whittlesey
Assigned Date: 03/30/2022

Board/Committee: Diversity, Equity & Inclusion Commission
Position: Regular
Applicant: A. Robinson
Assigned Councilor: E. Heistad
Assigned Date: 06/08/2022

Board/Committee: Lebanon Housing Authority
Position: Regular
Applicant: K. Wynkoop
Assigned Councilor: K. Hill
Assigned Date: 06/28/2022

Note: While 1 City Councilor is officially assigned to interview each applicant, any City Councilor may interview any applicant for any position to better inform their decision.

PROPOSED FUTURE AGENDA ITEMS: Dates may be tentative and this list is not considered all-inclusive.

AUGUST 3, 2022

PUBLIC HEARING ITEMS:

- A. AMEND ORDINANCE NO. 18, SALARY PLAN – A public hearing for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, as follows:
- B. APPROPRIATION FOR 20 SPENCER STREET CLEANUP PROJECT – Public hearing for the purpose of receiving public input and taking action on a request for a supplemental appropriation in the amount of One Hundred Forty Thousand Dollars (\$140,000) to be transferred from Unassigned Fund Balance to the Capital Improvement Fund for the 20 Spencer Street Cleanup Project.
- C. APPROPRIATION FOR SOLID WASTE PROJECTS – Public hearing for the purpose of receiving public input and taking action on a request for a supplemental appropriation in the amount of One Hundred Sixty Thousand Dollars (\$160,000) to be transferred from Unassigned Fund Balance in the Solid Waste Management Fund for the following:
 - 1. One Hundred Thousand Dollars (\$100,000) to be transferred to the Capital Improvement Fund for the Landfill Gas Collection and Control System Expansion Project; and
 - 2. Sixty Thousand Dollars (\$60,000) to be transferred to the Operations Budget for contracted wood grinding services.

NEW BUSINESS:

- A. Annual review and re-adoption of City Council Policy CC-100, Cash Management & Investment
- B. Annual review of City Council Policy CC-101, Fund Balance
- C. Annual review of City Council Policy CC-106, Capital Reserve Fund
- D. Review and Discussion of 2022 2nd Quarter Budget Reports and Release of Public Schools Impact Fees
- E. Redevelopment of Downtown Parking Lots (TENTATIVE)

AUGUST 17, 2022

NEW BUSINESS:

- A. Discussion & Set Public Hearing for September 7, 2022: Ordinance #2022-03 to amend City Code Chapter 124, Use of Public Stormwater Systems

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

6. RECOGNITIONS:

- Purple Heart Community Proclamation
- Resolution in Honor of Alan Schnur (Pedestrian & Bicyclist Advisory Committee member)

Included in this Section:

1. Purple Heart Community Proclamation
2. Resolution in Honor of Alan Schnur



PROCLAMATION

PURPLE HEART COMMUNITY

WHEREAS, the people of The City of Lebanon, New Hampshire, have great admiration and the utmost gratitude for all the citizens of our community who have selflessly served in the Armed Forces, which has been vital in maintaining freedom and the way of life enjoyed by our citizens; and

WHEREAS, citizens of our community have been killed in action while serving in the Armed Forces and have been posthumously awarded the Purple Heart for their ultimate sacrifice; and

WHEREAS, the Purple Heart is the oldest American military decoration and was created as The Badge of Military Merit, made of purple cloth in the shape of a heart with the word "Merit" sewn upon it, on August 7, 1782 in Newburgh, New York by General George Washington; and

WHEREAS, the heritage it represents is sacred to those who know the price paid to wear the Purple Heart; and

WHEREAS, August 7th is nationally recognized as Purple Heart Day; and

THEREFORE, BE IT NOW RESOLVED, that the City of Lebanon, New Hampshire, will recognize August 7th, annually, as Purple Heart Day, and urge the people and organizations of Lebanon to display the American Flag, as well as other public expressions of recognition of our Purple Heart recipients.

Proclaimed this 20th Day of July in the year Two-Thousand-Twenty-Two.

Timothy J. McNamara
Mayor, City of Lebanon



RESOLUTION IN HONOR OF ALAN SCHNUR

WHEREAS, Alan Schnur served as a member of the Lebanon Pedestrian and Bicyclist Advisory Committee from July of 2016 to July of 2022; and

WHEREAS, during this time, Alan volunteered to be responsible for collection and analysis of pedestrian-and bicyclist-related crash data in the City; and

WHEREAS, Alan took his assumed responsibilities very seriously to highlight data issues, patterns, and implications for community risks, as well as opportunities for improvement, such as speed limit reductions; and

WHEREAS, Alan contributed to the success of many of the committee's endeavors, including its Communications Plan, the annual Bike to Work Day, the Bike Rodeo, and particularly, Lebanon's designation as a Bike Friendly Community; and

WHEREAS, at committee meetings, Alan was a consistent exemplar of conduct and participation, supporting fellow members and providing thoughtful feedback on agenda items; and

WHEREAS, Alan's efforts were greatly appreciated by his peers, residents, and City officials;

NOW THEREFORE, I, Timothy McNamara, Mayor of the City of Lebanon, New Hampshire, on behalf of the Lebanon City Council and community at large, extend sincere appreciation to Alan Schnur for his time, diligence, and application of technical analysis to foster public safety during his service as a committee member.

Dated this 20th day of July 2022.

TIMOTHY J. MCNAMARA, MAYOR
City of Lebanon

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

7. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- July 6, 2022 (Regular Meeting)

MOVED, to approve the minutes as presented in the July 20, 2022 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
MINUTES**

Wednesday, July 6, 2022, 7:00 p.m.

Remote Via Microsoft Teams: [LebanonNH.gov/Live](https://lebanonnh.gov/live)

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, Karen Liot Hill, Christian Simon, , Douglas Whittlesey, Devin Wilkie

MEMBERS ABSENT: George Sykes and Karen Zook

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager -Public Services Nik Coates, Public Works Assistant Director Jay Cairelli, City Engineer Brian Vincent, Deputy Finance Director Alesia Williams, DPW Administrative Services Manager Kelly Crate, Cyber Services Director Perry Eaton, Recreation, Arts and Parks Director Paul Coats, Utilities Maintenance Supervisor Rick Brown

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 7:00 p.m.

City Manager Shaun Mulholland announced the meeting criteria for the public.

2. PLEDGE OF ALLEGIANCE: Councilor Simon led the Council in the Pledge.

3. PUBLIC FORUM: Mayor McNamara made the Public Forum announcement.

4. OPEN TO PUBLIC:

- Mr. Jordan Cannon (Alstead, NH) spoke about his concerns and gave an update to the Council regarding secession in the State of NH (HB CACR-32). He noted he was not here to advocate for secession but felt it important for the Council to hear about.
- Councilor Liot Hill thanked the Recreation, Arts and Parks Department for their work for the fireworks display and festivities over the 4th of July.

5. RECOGNITIONS: None

6. ACCEPTANCE OF MINUTES: June 15, 2022 (Regular Meeting)

Amendments: In agenda packet: Page 13, Lines 11-12; Add sentence at end that reads: "Assistant Mayor Below also detailed four additional proposed amendments that were not in the agenda packet."

*Councilor Simon MOVED to approve the June 15, 2022 minutes as amended and presented in the July 6, 2022 City Council agenda packet.
Seconded by Councilor Heistad.*

**The Vote on the Motion was approved by those present (7-0)*

1 **7. APPOINTMENTS:**

- 2 • **West Lebanon Revitalization Advisory Committee, Kim Chewning (Ward 1 Resident**
3 **Member)**

4 ***Councilor Simon MOVED to Nominate Kim Chewning (Ward 1 Member) to the West Lebanon***
5 ***Revitalization Advisory Committee. Term: 3-years (7/22-7/25)***

6 ****The Vote on the Motion was approved by those present (7-0)***
7

- 8 • **Airport Tech Park TIF Advisory Board, Kelly Caron (Reappointment Property**
9 **Owner/Occupant Member)**

10 ***Assistant Mayor Below MOVED to Nominate Kelly Caron for Reappointment as a property***
11 ***owner/occupant member to the Airport Tech Park TIF Advisory Board. Term: 3-years (7/22-***
12 ***7/25)***

13 ****The Vote on the Motion was approved by those present (7-0)***
14

15 **8. PUBLIC HEARING ITEMS:**

- 16 **A. READOPTION OF THE HOUSING & COMMUNITY DEVELOPMENT PLAN – Public**
17 **hearing for the purpose of receiving public input and taking action to readopt the**
18 **Housing & Community Development Plan.**
19

20 **Included in the agenda packet: *(Pages 29-34, City Council Agenda Packet)***

21 **1. City of Lebanon Housing and Community Development Plan**
22

23 **City Manager Shaun Mulholland reviewed the readoption of the Housing and Community**
24 **Development Plan.**
25

26 **BACKGROUND**

27 **The City's Housing and Community Development Plan is a document required to be submitted as part of**
28 **the application packet for Community Development Block Grants (CDBG). Rules put forth by the New**
29 **Hampshire Community Development Finance Authority require that the Plan be reaffirmed or readopted**
30 **every three (3) years. This is normally done in conjunction with a CDBG application.**
31

32 **In order to better track the reaffirmation or readoption process, and in light of the Council's recent action**
33 **with regard to the development of affordable housing, administration is proposing to put the plan on the**
34 **Council's calendar for consideration every three years from this point forward regardless of an active**
35 **CDBG request. While it is required to be current for CDBG purposes, the information in the plan can be**
36 **of use in more instances than just CDBG so having it be a stand-alone document will be of benefit to**
37 **others.**
38

39 **Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public**
40 **Hearing was closed.**
41

42 **ACTION:**

43 ***Councilor Wilkie MOVED, that the Lebanon City Council hereby readopts the City of Lebanon***
44 ***Housing and Community Development Plan as presented in the July 6, 2022 City Council Agenda***
45 ***Packet.***

46 ***Seconded by Councilor Liot Hill..***

47 ****The Vote on the Motion was approved by those present (7-0)***
48

B. PUBLIC FACILITIES CDBG APPLICATION FOR FAMILIES FLOURISH NORTHEAST
Public hearings for the purpose of receiving public input and taking action on Community Development Block Grant (CDBG) and Community Development Block Grant – COVID (CDBG-CV) applications proposed by the City of Lebanon to the NH Community Development Finance Authority (CDFA). Counties and Communities can apply for up to \$500,000 annually on a competitive basis for housing and public facilities; \$500,000 for economic development; and \$500,000 for emergency activities that directly benefit low- and moderate-income persons. Up to \$12,000 is available for feasibility study grants. Public hearings are as follows:

(The following are to be three separate Public Hearing and will be discussed and voted on separately.)

1. Proposed CDBG grant application for up to \$500,000 in CDBG Public Facilities funds to be sub-granted to Families Flourish Northeast; and to authorize the City Manager to sign, submit, and execute any documents which may be needed to effectuate the CDBG Application and contract;
2. Proposed CDBG-CV grant application for up to \$750,000 in CDBG-CV Public Facilities funds to be sub-granted to Families Flourish Northeast; and to authorize the City Manager to sign, submit, and execute any documents which may be needed to effectuate the CDBG Application and contract; and
3. Adopt the City of Lebanon Anti-displacement and Relocation Plan for Families Flourish Northeast

Included in the agenda: *(Pages 39-43, City Council agenda packet)*

1. Project Description – Families Flourish Northeast – Upper Valley Facility
2. City of Lebanon Residential Anti-Displacement and Relocation Plan for Families Flourish Northeast

Ms. Vickie Davis (Regional Planning Commission, helping to write the Grant applications) came forth and reviewed the purpose, background and plans of the Families Flourish Northeast programs.

BACKGROUND

CDFA receives approximately \$9 million annually for the statewide CDBG program which includes all non-entitlement municipalities and counties. Up to \$500,000 annually is available to communities or counties on a competitive basis in each of the four categories of housing, public facilities, economic development, and emergency activities that directly benefit low- and moderate-income persons. Up to \$25,000 is available for planning grants.

Further, CDFA has approximately \$3.5 million available in CDBG-CV (Covid) funding for public facilities. The funding is focused on childcare and mental health. Applicants may apply for up to \$750,000. Note that successful applicants will be funded through either the regular CDBG OR CDBG-CV (not both).

Families Flourish Northeast requests that the Lebanon City Council support the submission of a CDBG application for Public Facilities for up to \$500,000 and a CDBG-CV Public Facilities application for up to \$750,000 to support the development of a high-intensity residential substance-use treatment center for pregnant and parenting women and their children in the Upper Valley. The proposed location for the facility is the Homestead Building on Mascoma Street which is a part of the Alice Peck Day campus. The cost of the renovation is estimated at \$4 million. The goal is to begin providing services at the new facility by mid/late 2023.

1 Please see the description and project overview provided in the agenda packet for more information.

2
3 **ACTION**

4 As part of the application process, the following language must be read into the record:

5
6 **Community Development Block Grant funds are available to municipalities for economic**
7 **development, public facility and housing rehabilitation projects and feasibility studies that**
8 **primarily benefit low and moderate-income persons. The purpose of the public hearings required**
9 **for CDBG funding is to solicit the view of the citizens on community development; furnish the**
10 **citizens with information concerning the amount of funds available and the range of community**
11 **development activities which may be undertaken under the Community Development Act.**
12

13 **For the remainder of 2022, there will be approximately \$2.5 million dollars available for housing**
14 **and \$2.5 million for public facilities projects. Approximately \$2.5 million will be available for**
15 **economic development and \$200,000 for planning grants. Economic development and planning**
16 **grant applications are submitted on a rolling basis until the funds are used up. The City of Lebanon**
17 **is eligible for up to \$500,000 per year for both public facility and housing applications and up to**
18 **\$500,000 per year for economic development projects, as well as up to \$500,000 per year in**
19 **emergency funds. Planning grants are available for up to \$25,000 per year.**
20

21 **The CDFA has identified that there is a significant need for CDBG-CV assistance for Public**
22 **Facilities to respond to COVID-19 related needs particularly facilities serving childcare and mental**
23 **health needs. CDFA has approximately \$3.5 million in CDBG-CV funds available for this round.**
24 **The City of Lebanon is eligible for up to \$750,000.**
25

26 **PUBLIC HEARING B.1:**

27 Proposed CDBG grant application for up to \$500,000 in CDBG Public Facilities funds to be sub-granted
28 to Families Flourish Northeast; and to authorize the City Manager to sign, submit, and execute any
29 documents which may be needed to effectuate the CDBG Application and contract.
30

31 **Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public**
32 **Hearing was closed.**
33

34 *Assistant Mayor Below MOVED*, that the Lebanon City Council hereby approves the submittal of
35 the CDBG application and authorizes the City Manager to sign, submit, and execute any
36 documents which may be necessary to effectuate the CDBG contract for Families Flourish
37 Northeast in the amount of up to \$500,000 and as described in the July 6, 2022 City Council Agenda
38 Packet.

39 *Seconded by Councilor Simon*

40 **The Vote on the Motion was approved by those present (7-0)*
41

42 **PUBLIC HEARING B.2:**

43 Proposed CDBG-CV grant application for up to \$750,000 in CDBG-CV Public Facilities funds to be sub-
44 granted to Families Flourish Northeast; and to authorize the City Manager to sign, submit, and execute
45 any documents which may be needed to effectuate the CDBG Application and contract.
46

1 Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public
2 Hearing was closed.

3
4 *Councilor Wilkie MOVED*, that the Lebanon City Council hereby approves the submittal of the
5 CDBG-CV application and authorizes the City Manager to sign, submit, and execute any
6 documents which may be necessary to effectuate the CDBG-CV contract for Families Flourish
7 Northeast in the amount of up to \$750,000 and as described in the July 6, 2022 City Council Agenda
8 Packet.

9 *Seconded by Councilor Heistad.*

10 **The Vote on the Motion was approved by those present (7-0)*

11
12 **PUBLIC HEARING B.3:**

13 Adopt the City of Lebanon Anti-displacement and Relocation Plan for Families Flourish Northeast

14
15 Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public
16 Hearing was closed.

17
18 *Councilor Lot Hill MOVED*, that the Lebanon City Council hereby adopts the City of Lebanon
19 Residential Anti-displacement and Relocation Plan for Families Flourish Northeast as presented in
20 the July 6, 2022 City Council Agenda Packet.

21 *Seconded by Councilor Heistad.*

22 **The Vote on the Motion was approved by those present (7-0)*

23
24 **C. ORDINANCE 2022-02 – Public hearing for the purpose of receiving public input and**
25 **taking action to amend City Code Chapter 115, Enactment of Ordinances.**

26
27 Included in the agenda: *(Pages 46-48, City Council agenda packet).*

28
29 City Manager Shaun Mulholland reviewed the purpose for amending City Code Chapter 115,
30 Enactment of Ordinances.

31
32 **BACKGROUND**

33 The onset and continuation of the COVID-19 Pandemic required the issuance of local public health
34 ordinances adopted under the provisions of City Code Chapter 115, Enactment of Ordinances.

35
36 The process as outlined in Chapter 115 requires that the Council schedule and hold a public hearing to
37 adopt and/or amend these necessary regulations. In accordance with advertising deadlines required by NH
38 RSA 91-A, the earliest a public hearing can be held is approximately 2 weeks from the date the hearing is
39 set. In times of a public health emergency, this required timeline is not practical as it does not permit
40 quick action when needed.

41
42 With an inevitable need to deal with this again in the future, administration is recommending that Chapter
43 115 be amended to permit the Council to enact emergency public health ordinances **without the need for**
44 **a public hearing**. All information would be included and posted with the respective meeting agenda,
45 providing the public with full notice of the Council's intention.

1 Presently, New Hampshire state statutes allow for a faster process for municipalities to implement
2 emergency public health measures. The proposed changes would fall in line with what state law already
3 provides and would allow the Council to act more quickly to enact/rescind provisions of Ordinance
4 2022-02 more quickly in the event of a public health emergency.

5
6 **Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public**
7 **Hearing was closed.**

8
9 **ACTION:**

10 ***Councilor Whittlesey MOVED, that the Lebanon City Council hereby adopts Ordinance #2022-02 to***
11 ***amend City Code Chapter 115, Enactment of Ordinances.***

12 ***Seconded by Councilor Liot Hill.***

13 ****The Vote on the Motion was approved by those present (7-0)***

14
15 **9. OLD BUSINESS: NONE**

16
17 **10. NEW BUSINESS:**

18 Mayor McNamara announced that the order of the New Business items would be changed,

19
20 **The following items listed below are in the order they were discussed.**

- 21
22 **1. Request for Exception from City Code Chapter 110, Noise from Sound Amplification:**
23 **Salt hill Pub, Lebanon**

24
25 **Included in the agenda packet: *(Pages 51-56, City Council agenda packet)***
26 **June 9, 2022 Request from Josh Tuohy, Salt hill Pub**

27
28 Mr. Josh Tuohy (Salt hill Pub) reviewed his variance application request above.

29
30 **BACKGROUND**

31 City Code Chapter 110, "Noise from Sound Amplification Systems," allows residents to obtain permit for
32 sound amplification between the hours of 8am – 8pm. Chapter 110-2(B) allows the City of Lebanon upon
33 its motion, or upon application and for good cause shown, to modify, suspend, repeal, or amend the
34 provisions of any rule or regulation or section therein contained.

35
36 Salt hill Pub of 2 West Park Street, Lebanon, is requesting permission to allow small amplification
37 equipment to be utilized for live music on some Fridays and/or Saturdays from July 6, 2022, until
38 September 4, 2022, at the southern corner of the tent on West Park Street in front of the Whipple Building
39 until 10:30pm. The live music will only occur when bookings are confirmed and not every Friday and
40 Saturday for the time period above.

41
42 The Council and Mr. Tuohy discussed changing the ending time for these events from 10:30pm to
43 10:00pm due to sound amplification traveling to areas of the City at time when people may be seeking to
44 sleep. Mr. Tuohy noted this would not be a problem if the Council felt 10:30pm was too late.

45
46 **ACTION:**

Councilor Liot Hill MOVED, that the Lebanon City Council, in accordance with City Code Chapter 110, Noise from Sound Amplification System, §110-2, hereby authorizes Salt hill Pub of 2 West Park Street, Lebanon, to utilize amplification equipment until 10:30pm on Fridays and Saturdays from July 6, 2022 through September 4, 2022.

Seconded by Councilor Whittlesey.

Councilor Liot Hill spoke to her motion, noting that in the last 19 years that Salt hill Pub has been in Lebanon, they have demonstrated a willingness to be a good neighbor and felt good moving forward with their request.

Councilors were in agreement to leave the ending time at 10:30pm unless there were complaints from the public.

***The Vote on the Motion was approved by those present (7-0)**

2. Presentation of plans for “Rotary Harmony Park” a musical playground to be installed on the Pedestrian Mall (Funded fully through a donation by the Rotary Club of Lebanon)

Included in the agenda packet:

PowerPoint Presentation – Rotary Harmony Park ([Pages 58-65, City Council agenda packet](#))

Recreation, Arts and Parks Director Paul Coats, Mr. David Crandall (New London, NH and works at Twin Pines Housing) and Mr. Bruce Pacht (Ward-2) introduced themselves and gave the history behind this project before reviewing their plans for the Rotary Harmony Park as a gift to the City of Lebanon.

BACKGROUND

On June 8, 2021, City Manager Mulholland conducted a walking tour of the pedestrian mall with local merchants to explore improvement possibilities. Several ideas surfaced during that meeting, one of which was to install a family friendly playground in the large open area outside of Lebanon Village Pizza and the former Shoetorium (presently Lebanon Charter School). The Rotary Club of Lebanon has championed that idea and is proposing to donate and install “Rotary Harmony Park”, a musical playground in that space, that will be provided by O’Brian & Sons and will have a 20-year Warranty.

The Rotary Club of Lebanon celebrates its 100th anniversary in 2023, and plans to celebrate their centennial by donating a project that would:

- Have a substantial impact on the Lebanon community,
- Attract the enthusiastic support and participation of the population the project is intended to serve, and
- Be clearly identified as a Rotary-inspired contribution.

Over a dozen project ideas were under consideration, several of which included input from Lebanon Recreation, Arts & Parks. The Rotary Club added the pedestrian mall play space after the idea was mentioned at the June 8th meeting with Manager Mulholland and mall merchants.

The Rotary Club of Lebanon’s 100th Anniversary Project Committee did extensive research with Lebanon Recreation, Arts & Parks, Department of Public Works, and commercial playground installation companies. Local merchants were also consulted to make sure noise factors and general agreement could be achieved.

1
2 The presentation (as presented in the City Council agenda packet on *pages 58-65*) includes a layout of
3 the proposed park. Each “instrument” would be securely fastened to the existing concrete by a
4 professional playground installer. These musical instruments do not require specialized playground
5 surfacing, an important factor for what types of features we could consider. They fit comfortably within a
6 footprint that allows for future expansion of outdoor dining and special events on the mall. Local
7 merchants have blessed the project idea, citing hopeful increased foot traffic to the location, and that it
8 complements the newly opened pedestrian and bike path through the tunnel.
9

10 Total cost for the project including installation is \$48,875, and The Rotary Club of Lebanon plans to
11 contribute 100% of this cost. The instruments will be owned by the City and maintained by Lebanon
12 Recreation, Arts & Parks.
13

14 Mr. Paul Coats noted the Recreation, Arts and Parks Department is very supportive of this project, and
15 have worked with O’Brien & Sons as a playground company many times and further explained his
16 reasons for supporting this project..
17

18 The Council was very grateful and thanked The Rotary Club of Lebanon for the new park and all of the
19 investments they have made over the last 100 years.
20

21 **ACTION:**

22 **No action is required by the Council. Item is for informational purposes only**
23

24 **The following items below were taken out of order and are presented in the order they were**
25 **discussed.**
26

27 **3. Presentation of First Reading & Set Public Hearing for August 3, 2022: Amendments to**
28 **Ordinance #18, Salary Plan Article II, Non-Affiliated & LPASE Employees as follows:**

- 29 1. **Reclassify, retitle, and remove positions within the Cyber Services Department;**
30 2. **Reclassify, add, and remove positions within the Library; and**
31 3. **Add seasonal positions for Summer Camp and Pool programs and increase salary**
32 **range for seasonal Summer Camp Director**
33

34 **Included in the agenda packet: (*Pages 70-75, agenda packet*)**
35

36 **City Manager Mulholland reviewed the proposed amendments to Ordinance #18. Salary Plan.**
37

38 **BACKGROUND**

39 **RECLASSIFY, RETITLE, AND REMOVE POSITIONS WITHIN THE CYBER SERVICES** 40 **DEPARTMENT** 41

42
43 **Technology is an evolving and never-ending cycle that changes rapidly. To improve the**
44 **functionality of the Cyber Services Department, the City Manager is recommending an**
45 **organizational change which will result in the reclassification of multiple Cyber Services positions.**
46

1 There are currently five employees who occupy three of the same titled positions within the Cyber
2 Services Department. The demands of Cyber Services requires that these employees be split into
3 different roles in order to better focus attention on the various aspects of the cyber environment
4 and continue to meet the overall needs of the City. The roles, functions, and job descriptions of the
5 employees will significantly expand to include new duties, technological responsibilities, and in
6 certain cases, expanded management functions.

7
8 Please note that no additional employees are being added, the department is being restructured
9 utilizing the current employee base. The position of Cyber Services Technical Specialist (Grade 9)
10 will remain in the pay scale but will be vacant. To achieve the restructuring, the following is
11 proposed:

- 12 • Add System Administrator - Grade 11
- 13 • Add Systems and Operations Administrator – Grade 13
- 14 • Add Cyber Security Analyst - Grade 13
- 15 • Delete Systems and Information Technology Administrator – Grade 13
- 16 • Add Lead Network Infrastructure Engineer – Grade 14
- 17 • Reclassify Cyber Services Director from a Grade 15 to Grade 16

18 19 **RECLASSIFY, ADD, AND REMOVE POSITIONS WITHIN THE LIBRARY**

20
21 Community and operational needs at the libraries are requiring adjustments to current staffing. A
22 review of the department was completed by Library Director Sean Fleming which resulted in the
23 requested addition of a part-time Custodial Supervisor, the reclassification of a Children's
24

25 Librarian, the addition of a Youth Services Librarian and the elimination of the Young Adult
26 Librarian. All recommended changes have been approved by the Library Board of Trustees.

27
28 The part time Custodial Supervisor will supervise and schedule the current part-time custodial
29 staff, oversee, and schedule all maintenance at both libraries, oversee building projects, and
30 perform and oversee needed maintenance repairs.

31
32 To summarize, the requested changes within the Library are to:

- 33 • Add part-time Custodial Supervisor – Grade 4
- 34 • Reclassify Children's Librarian from a Grade 9 to a Grade 8
- 35 • Eliminate Young Adult Librarian – Grade 9
- 36 • Add Youth Services Librarian – Grade 10

37 38 **ADD SEASONAL POSITIONS FOR SUMMER CAMP AND POOL PROGRAMS AND** 39 **INCREASE SALARY RANGE FOR SEASONAL SUMMER CAMP DIRECTOR**

40
41 Operational changes have been made to both the Pool and Summer Camp Programs necessitating
42 the addition of two seasonal positions – a Pool Operations Manager and an Assistant Camp
43 Director. The changes to these programs are needed to address staffing challenges and improve
44 efficiency of future operations. Changes will not impact the Recreation, Arts & Parks approved
45 2022 budget as the two positions will remain vacant this year.

1 Additionally, due to the current market and staffing challenges, we are recommending an increase
2 in the pay range for the Summer Camp Director.

3
4 Proposed changes to facilitate the needs for these two summer programs are:

- 5 • Add Pool Operations Manager – salary range \$15.69 to \$21.63.
- 6 • Add Assistant Summer Camp Director - salary range \$15.69 to \$21.63
- 7 • Increase salary range for Summer Camp Director to \$16.73 to \$24.72.

8
9 Process to Amend Ordinance No. 18

10
11 Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections
12 419:22, 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3)
13 of all members of the City Council – six (6) members - to adopt.

14
15 The Council was asked to recognize the first of three presentations on July 6, and to schedule a
16 public hearing for August 3, 2022, to amend the Ordinance. The second and third presentations will
17 follow on July 20, and August 3, respectively

18
19 ACTION:

20
21 1. ACKNOWLEDGE FIRST PRESENTATION:

22
23 *Councilor Liot Hill MOVED* that the Lebanon City Council acknowledges the first of three
24 presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated and LPASE
25 Employees, as follows:

26
27 **SECTION A –**

28 **FOR THE CYBER SERVICES DEPARTMENT:**

29 *Add System Administrator - Grade 11 Add Systems and Operations Administrator – Grade 13*

30 *Add Cyber Security Analyst - Grade 13*

31 *Delete Systems and Information Technology Administrator – Grade 13*

32 *Add Lead Network Infrastructure Engineer – Grade 14*

33 *Reclassify Cyber Services Director from a Grade 15 to Grade 16*

34
35 **FOR THE LIBRARY:**

36 *Add part-time Custodial Supervisor – Grade 4*

37 *Reclassify Children’s Librarian from a Grade 9 to a Grade 8*

38 *Eliminate Young Adult Librarian – Grade 9*

39 *Add Youth Services Librarian – Grade 10*

40
41 **SECTION B –**

42 **FOR RECREATION, ARTS & PARKS:**

43 *Add Pool Operations Manager – salary range \$15.69 to \$21.63*

44 *Add Assistant Summer Camp Director - salary range \$15.69 to \$21.63*

45 *Increase salary range for Summer Camp Director to \$16.73 to \$24.72*

1 Changes to the compensation and classification schedules are shown in **red italics** for deleted positions,
 2 and in **blue italics** for new and/or reclassified positions.

<u>Grade</u>	<u>Position Title</u>	<u>Hourly</u>		<u>Weekly</u>	
		<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
1	General Intern II	\$17.27	\$23.32	-	-
2	Custodian	\$18.31	24.71	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$19.41	\$26.20	-	-
	Custodian I	-	-	-	-
	Accounting Clerk	-	-	-	-
4	Library Assistant	\$20.58	\$27.78	-	-
4	<i>Custodial Supervisor</i>	<i>\$20.58</i>	<i>\$27.78</i>		
5		\$21.81	\$29.43	-	-
6	-	\$23.11	\$31.20	-	-
7	Administrative Secretary	\$24.49	\$33.42		
	Department Secretary			-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Administrative Assistant	\$25.97	35.06	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-

	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk	-	-	-	-
	Outreach Librarian	-	-	\$1,038.81	\$1,402.50
	<i>Children's Librarian</i>				
	<i>Young Adult Librarian</i>	-	-	-	-
9	Code Health Inspector**	\$28.56	\$38.55	-	-
	Executive Assistant	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	<i>Children's Librarian</i>			\$1,142.48	\$1,542.28
	Associate Planner**	-	-		
	Systems Librarian	-	-	-	-

	Information Technology Librarian	-	-	-	-
10	Assistant City Engineer**	\$31.42	\$42.42	-	-
	Cemetery Sexton**	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Community Nurse				
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**				
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,220.14	\$1,696.80
	<i>Youth Services Librarian</i>				
11	Technical Advisor I	\$34.60	\$46.70	-	-
	Administrative Services Manager**	-	-	\$1,384.00	1,868.01
	Airport Operations Supervisor**	-	-	-	-
	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Deputy Library Director	-	-	-	-
	Fire Marshall**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner**	-	-	-	-
	<i>System Administrator</i>	-	-	-	-
12	Wastewater Treatment Superintendent**	\$36.67	\$49.49	-	-
	Water Treatment Superintendent**	-	-	-	-
	Chief Innovation Officer			\$1,466.80	\$1,979.66
	City Assessor**	-	-		
	City Clerk/Tax Collector	-	-	-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Human Services Director	-	-	-	-
	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-

1

	Solid Waste Manager**	-	-	-	-
13	Airport Manager	-	-	\$1,554.49	\$2,098.51
	Assistant Fire Chief	-	-	-	-
	Deputy Fire Chief	-	-	-	-
	Human Resources Director	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager**	-	-	-	-
	Recreation Director	-	-	-	-

	Police Captain**	-	-	-	-
	<i>Cyber Security Analyst</i>	-	-	-	-
	<i>Systems and Operations Administrator</i>	-	-	-	-
	<i>Systems and Information Technology Administrator</i>	-	-	-	-
14	Assistant Director/Public Works		\$1647.76	\$2,224.49	
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
	Deputy Police Chief	-	-	-	-
	<i>Lead Network Infrastructure Engineer</i>		-	-	
15	<i>Cyber Services Director</i>		\$1,746.72	\$2,357.88	
16	Technical Advisor II	\$46.28	\$62.48		
	Chief of Police	-	-	\$1,851.34	\$2,499.20
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	<i>Cyber Services Director</i>	-	-	-	-
	Deputy City Manager	-	-	-	-

B. SEASONAL/TEMPORARY& STIPEND EMPLOYEES

PARK AND RECREATION POSITIONS			
Front Desk Attendants – Pool		\$10.45	\$15.71
Lifeguards		\$10.45	\$18.03
Head/Lead Counselors		\$13.60	\$16.73
Head & WSI Lifeguards		\$12.55	\$18.80
Head Front Desk Attendant - Pool		\$12.55	\$15.97
Outdoor Adventurer - Educator		\$13.07	\$16.73
Softball Coordinator		\$13.07	\$16.73
Day Camp Counselors		\$10.45	\$15.71
Arts & Craft Director		\$13.60	\$17.51
Farmers Market Coordinator		\$14.64	\$18.82
Market Assistant		\$12.55	\$15.69
Tennis Instructor		\$15.69	\$19.87
Stomp & Romp		\$15.69	\$19.87
<i>Pool Operations Manager</i>		<i>\$15.69</i>	<i>\$21.63</i>
Asst. Pool Director		\$15.69	\$21.63
<i>Assistant Camp Director</i>		<i>\$15.69</i>	<i>\$21.63</i>
Pool Director		\$16.73	\$24.72
<i>Camp Director</i>		<i>\$16.73</i>	<i>\$24.72</i>

2. SCHEDULE PUBLIC HEARING:

Councilor Liot Hill Further MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, August 3, 2022, beginning at 7:00pm, Lebanon City Council Chambers, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated and LPASE Employees, as follows:

1
2 **SECTION A –**

3 **FOR THE CYBER SERVICES DEPARTMENT:**

4 *Add System Administrator - Grade 11 Add Systems and Operations Administrator – Grade 13*

5 *Add Cyber Security Analyst - Grade 13*

6 *Delete Systems and Information Technology Administrator – Grade 13*

7 *Add Lead Network Infrastructure Engineer – Grade 14*

8 *Reclassify Cyber Services Director from a Grade 15 to Grade 16*

9
10 **FOR THE LIBRARY:**

11 *Add part-time Custodial Supervisor – Grade 4*

12 *Reclassify Children’s Librarian from a Grade 9 to a Grade 8*

13 *Eliminate Young Adult Librarian – Grade 9*

14 *Add Youth Services Librarian – Grade 10*

15
16 **SECTION B –**

17 **FOR RECREATION, ARTS & PARKS:**

18 *Add Pool Operations Manager – salary range \$15.69 to \$21.63*

19 *Add Assistant Summer Camp Director - salary range \$15.69 to \$21.63*

20 *Increase salary range for Summer Camp Director to \$16.73 to \$24.72*

21
22 *Seconded by Councilor Wilkie*

23 **The Vote on the Motion was approved by those present (7-0).*

24
25 **G. Discussion & Set Public Hearing for August 3, 2022: Supplemental Appropriation in the**
26 **amount of One Hundred Forty Thousand Dollars (\$140,000) for transfer from Unassigned**
27 **Fund Balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project**
28

29 **Included in the agenda packet: *(Page 267, City Council agenda packet)***

- 30 **1. June 8, 2022 Memo from Interim Public Works Director Jay Cairelli – Supplemental**
31 **Appropriation Request**
32

33 **City Manager Mulholland reviewed the background of the 20 Spencer Street Cleanup Project and**
34 **the need for the supplemental appropriation.**
35

36 **BACKGROUND**

37 20 Spencer Street is the former site of the City’s Public Works Facility. The site clean-up project was first
38 included as part of the 2020 Capital Improvements Program in order to prepare the site for sale to the
39 Braverman Company. The project has been on-going since 2020 and the extent of contaminated soil has
40 been a challenge throughout. On a positive note, the last load of contaminated soil has been removed and
41 disposed of and the soil on the perimeter of the project area has tested clean. On a not so positive note, the
42 total cost for the removal and disposal over ran the total available funding by \$140,000.
43

44 The Council was asked to schedule a public hearing on a request for a supplemental appropriation in the
45 amount of \$140,000 to cover the cost overrun. Funding for the request will be paid for through the use of
46 Unassigned Fund Balance so there will be no adverse impact on the tax rate.

1 Please see attached June 8, 2022 memo from Jay Cairelli, Interim Public Works Director for additional
2 information.
3
4
5

6 **ACTION:**

7 ***Councilor Wilkie MOVED, that the Lebanon City Council hereby schedules a public hearing for***
8 ***Wednesday, August 3, 2022, beginning at 7:00pm in Council Chambers for the purpose of receiving***
9 ***public input and taking action to appropriate One Hundred Forty Thousand Dollars (\$140,000) for***
10 ***transfer from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer***
11 ***Street Cleanup Project.***

12 ***Seconded by Councilor Heistad.***

13 ****The Vote on the Motion was approved by those present (7-0)***
14

15 **H. Discussion & Set Public Hearing for August 3, 2022: Supplemental Appropriation in the**
16 **amount of One Hundred Sixty Thousand Dollars (\$160,000) to be transferred from**
17 **Unassigned Fund Balance in the Solid Waste Management Fund for the following:**

- 18 1. **One Hundred Thousand Dollars (\$100,000) to be transferred to the Capital**
19 **Improvement Fund for the Landfill Gas Collection and Control System Expansion**
20 **Project; and**
- 21 2. **Sixty Thousand Dollars (\$60,000) to be transferred to the Operations Budget for**
22 **contracted wood grinding services.**
23

24 City Manager Mulholland reviewed the background and reasons for the supplemental appropriations for
25 the Landfill Gas Collection and Control System Expansion Project.
26

27 **BACKGROUND**

28 Landfill Gas Collection and Control System
29

30 For the past several years, the Solid Waste Division has been using contracted services to expand the Gas
31 Collection and Control System at the landfill. This system collects landfill gas from the newest portion of
32 the landfill and delivers it to the flare station for destruction. The project is anticipated to be completed
33 this year and was estimated to cost \$137,800. Annual maintenance to the system will continue.
34

35 The project was put to bid and on June 22, the project bids were opened. Two bids were received with the
36 low bid coming in at \$252,000. The current available CIP funds for the Landfill Gas Collection and
37 Control System Expansion Project is \$154,749.00. Additional funds in the amount of \$100,000 are
38 needed.
39

40 **Grinding Wood Waste**
41

42 The Solid Waste Division utilizes contracted services to grind wood waste at the Solid Waste Facility.
43 Fifty Thousand Dollars (\$50,000) was budgeted in 2022 for the service. The service was put to bid, and
44 the only bid submitted came in at \$108,200 (more than double the budgeted amount). An additional
45 \$60,000 is needed in order to execute a contract.
46

47 Unfortunately, the City is not immune to the increases in costs for materials and labor. The requested
48 \$100,000 supplemental appropriation for the Gas Collection and Control System will be transferred from

1 the Unassigned Fund Balance in the Solid Waste Fund to the Capital Improvements Fund; and the
2 \$60,000 requested for the wood grinding service will be transferred from the Unassigned Fund Balance to
3 the operational budget for the Solid Waste Division.

4
5
6 **ACTION:**

7
8 ***Councilor Whittlesey MOVED***, that the Lebanon City Council hereby schedules a public hearing for
9 Wednesday, August 3, 2022, beginning at 7:00pm in the Lebanon City Council Chambers for the
10 purpose of receiving public input and taking action to appropriate One Hundred Sixty Thousand
11 Dollars (\$160,000) for transfer from Unassigned Fund Balance in the Solid Waste Management
12 Fund for the following: 1. One Hundred Thousand Dollars (\$100,000) to be transferred to the
13 Capital Improvement Fund for the Landfill Gas Collection and Control System Expansion Project;
14 and 2. Sixty Thousand Dollars (\$60,000) to be transferred to the Solid Waste Operations Budget for
15 contracted wood griding services.

16
17 *Seconded by Councilor Simon.*

18 **The Vote on the Motion was approved by those present (7-0)*

19
20 **C. Recommendation from the Diversity, Equity, and Inclusion Commission regarding**
21 **the continuation of School Resource Officer**

22
23 **Included in the agenda packet:** *(Pages 67-69, City Council agenda packet)*

- 24 **1. Excerpt of Draft June 7, 2022 Diversity, Equity, and Inclusion Commission Meeting Minutes.**
25 **2. Statement with supporting links as written and approved by the DEI Commission on June 7,**
26 **2022, in support of their recommended resolution**

27
28 **BACKGROUND**

29 At its June 7, 2022 meeting, the Diversity, Equity, and Inclusion (DEI) Commission voted to recommend
30 to the City Council to adopt a resolution regarding the School Resource Officer position. The
31 Commission also voted to include a statement in support of that resolution.

32
33 Councilor Wilkie noted that at the June 7, 2022 DEI Commission meeting there was discussion about the
34 School Resource Officer position, which has been a discussion for a few years and has been a ballot item
35 twice on the Municipal Elections in March. Twice the residents of Lebanon voted in favor of
36 discontinuance of this position and at a recent School Board Meeting, the decision was made to retain the
37 School Resource Officer. As a result of this decision,, a few members of the DEI Commission gathered
38 information relating to the presence of police officers in schools in NH and nationally and created the
39 statement which is on page 68 of the City Council agenda packet (references that are on the next page).
40 After this was unanimously approved by members present at the DEI Commission, the DEI Commission
41 recommended the motion to the City Manager (listed on page 66 of the Council packet) but pointed out
42 there were a few points where the information may not be written accurately and suggested that we (DEI)
43 re-read through the resources that we provided.

44 Councilor Wilkie discovered that the Section beginning “**In terms of education outcomes**” the
45 information is presently slightly differently than what the study actually says and explained what the
46 difference was, noting they (DEI) was not able to get that information corrected before this was passed
47 along to the Council by the DEI Commission.

Councilor Wilkie also wanted to clarify that while the DEI Commission understands the Council does not have authority over the School Board, this is a statement recommendation based on the information presented on the vote from the public for Council's consideration.

While this was not a Public Hearing, Mayor McNamara opened this discussion up to the public. No one from the public came forth.

Mayor McNamara recognized the Lebanon School Board Chair, Dick Milius who came forth to express his comments regarding the DEI Commission's proposed Resolution. He spoke about the larger context on the SRO position, noting that this was not part of the DEI Commission meetings that he attended. His comments only concerns the proposed resolution and not the appended statement from the DEI Commission.

Chair Milius explained that after two years of deliberation, the Lebanon School Board chose to continue the School Resource Officer (SRO) position until February of 2024. A Memorandum of Understanding (MOU) between the Lebanon School District and the Lebanon Police Department (LPD) establishes the duties and responsibilities of the SRO in detail. The SRO does not play a punitive role in the schools and is expressly excluded from any disciplinary actions. The School Board recently approved their 2022-2025 Strategic Plan addressing diversity, equity, and inclusion, which is integral to every area of the plan. A District Social Worker had been hired. The position of Director of Curriculum, Instruction and Assessment has been reconfigured as the District Director of Equity Curriculum, Instruction and Assessment (ECIA) to reflect the central role that equity and inclusion should have in our curriculum and in our schools. The Social Worker and the ECIA, together with our District Leadership Team, will examine the role of the SRO as one aspect of the climate and culture in our schools. The School Board decided to extend our agreement with the LPD in order to take a broad, rational, and deliberate approach to systemic challenges of which the presence of a police officer is of one part.

In the State of NH, School Districts are distinct governmental entities, legally separate from municipal government. The elected School Board has sole responsibility for policy, budgetary and personnel decisions within the School District, and for that reason, Chair Milius respectfully recommended that the City Council *not act* on the proposed resolution by the DEI Commission.

The Council discussed how the SRO position was complicated, tricky, and many difficult conversations took place around this issue, the meaningful work done by the DEI since its creation; how the City Council has a very specific jurisdiction that is laid out by State Law and in the City's Charter, and how the School Board also has a very similar specific jurisdiction; how the proposed DEI resolution would be inappropriate for the City Council to weigh in on because the City Council's job is a municipal function of the City and should not interfere with what happens within the School District; how the SRO is acting in the capacity as an employee of the school whose job is guided by the School District (and not the City); how the DEI should bring this resolution before the School Board because they are a separate governing body from the City of Lebanon.

Councilor Wilkie noted that:

1. The DEI Commission made two votes that night. The first was for the statement, as written on page 68 in the agenda packet. The second, was the DEI Commission issuing its statement of the facts.

2. The opinion of the DEI Commission was not that this is a matter of the City trying to claim jurisdiction over the School Board but rather to issue a recommendation for the SRO position that has already been voted on twice by the public. Their concerns come from, and affects, constituents and residents of the City. The DEI Commission may have an opinion, but it also has the charge of advising the City government and it is in that role that they have provided this information.

The Council further discussed the difference between the role of the City and the role of the School Board (District) regarding the proposed resolution. It is important to note that the City and School District are separate subdivisions of the State. In NH, subdivisions of the State only have those authorities that are specifically granted to them through statutory language by the State's Legislature. This is not an area where the City has even an advisory authority and the frustration that people have should be directed at the School Board. They did, however, express their appreciation for all the work the DEI Commission has done.

After more lengthy discussions on this issue, Mayor McNamara noted he felt this was largely a jurisdictional issue and out of the City Council's jurisdiction, both legally and practically speaking. The Council would feel very odd if the School Board gave opinions on Zoning Ordinances, Planning Board Regulations, etc.

Councilor Wilkie said he would not make the motion because it is very clear there would not be second. He did point out that the jurisdiction of the DEI Commission does not include the School Board, and agreed the only avenue for this to reach the School Board is through a recommendation through City Staff or City Council.

ACTION:

No Motion was taken so no action was taken by the Council.

E. Westboro Railyard Status Update (Requested by Councilor Simon)

Included in the agenda packet: *(Detailed information can be found on pages 78-240, City Council agenda packet)*

1. July 6, 2022 Councilor Simon Agenda Request
2. April 30, 2001 Letter Westboro Yard Lease
3. July 9, 2002 Letter Lease Portion of Westboro Yard
4. March 16, 2004 Letter Requesting Transfer of portion of Westboro Yard
5. March 2004 Westboro Yard Final Report Design Study
6. December 12, 2006 GZA GeoEnvironmental, Inc – Order of Magnitude Cost Estimate
7. September 5, 2007 Letter of Interest – Westboro Yard
8. January 30, 2008 Westboro Railyard Groundwater Management Permit
9. January 31, 2008 Westboro Railyard Report and Recommendations
10. March 18, 2009 Westboro Yard Phase II Site Assessment
11. August 31, 2009 Westboro Yard Former Tidewater Oil Site Status Report
12. July 9, 2018 Letters to Governor of New Hampshire regarding Westboro Yard
13. January 18, 2019 Final Westboro Yard Asbestos and Hazardous Materials Identification Survey
14. March 24, 2021 Demolition Disposal Agreement
15. May 20, 2021 Proposed Site Plan

16. July 29, 2021 Westboro Yard Lease Request Sketch Plan
17. September 10, 2021 Conceptual Construction Cost Estimate West Lebanon River Trail
18. September 10, 2021 Westboro River Trail Concept Path Alignment
19. October 12, 2021 Westboro River Trail Rail Section Details
20. October 21, 2021 Westboro Yard Lease Land Analysis

City Manager Shaun Mulholland updated the Council on where the City stands to date regarding the Westboro Yard, reviewed the background, and briefly explained the voluminous materials regarding the progress made on the Westboro Yard over the last 20 years noting the information listed above is only a fraction of what is filed. He is expecting to hear back from the NHDOT later this week regarding the City's latest proposal.

BACKGROUND

At the request of Councilor Simon, Administration is providing this status update with regards to the City's efforts to obtain property within the Westboro Rail Yard.

The City filed a written request with the NH Department of Transportation to lease portions of the Westboro Rail Yard on August 3, 2021. This most recent request is subsequent to multiple requests dating back to at least the year 2000 from the City to the State to request to lease or purchase portions of the Westboro Rail Yard. The request made in 2000 indicated that this was not the first request by the City to acquire the property.

The City partnered with the NH DOT in the demolition and environmental cleanup of the structures in the Westboro Yard which occurred in the fall of 2021. The City provide an in-kind contribution of approximately \$287,000 by allowing the demolition debris to be disposed of at the City's landfill at no cost to the State.

The City made a request on August 3, 2021 to lease portions of the Westboro Railyard which are depicted as Areas 1,2,3,4 and 6 (2021-07-29 WestboroLeaseArea-2.pdf) for 99 years for one dollar. The City also requested to lease Area 5. The State and the railroad did not object to the City leasing Areas 1,2,3,4 and 6 however, NH DOT did object to leasing Area 5. NH DOT intends to **leave this area open for future** railroad use and/or potential expansion of the Carroll Concrete facility which is adjacent to the tracks.

The City Manager and the City's legal counsel, Christine Fillmore met with Shelley Winters who is the Administrator, Bureau of Rail & Transit and Christine Wilson, attorney for the NH Attorney General's Office on June 21, 2022. The State suggested that the City purchase the property instead of leasing it. The State is concerned about the complexity of coordinating the ongoing issues and use of the property. The City Manager expressed concern regarding the level of contamination on the property. The City proposed taking ownership of Areas 1,2,3,4 and 6 while the State would continue to have the liability for the environmental issues on the property. Christine Wilson stated there was a statutory limit of five years for leases on waterfront. The City's attorney, Christine Fillmore pointed out the waiver provisions in that particular statute. Christine Wilson stated that she would get back to the City in two weeks on the unresolved issues which include the valuation of the property.

The City has submitted several grant applications to construct a trail system, a recreational field and parking area on the property. If these grants are approved, they would coincide with the Rt. 12A bridge replacement project which includes a new access road into the railyard. The bridge project is tentatively

1 scheduled to be constructed in 2024-2025. The City would need to have ownership or a long-term lease
2 in order to accept these funds. The alternative would be for NH DOT to manage the grant which Shelley
3 Winters stated they do not have the staff to manage.
4



5
6 Mayor McNamara noted that this was discussed by the Council from 1994-1995 and remembers
7 discussions, if not a formal proposal to the State even back then so this is more than 20 years. When the
8 Governor was with us last year to knock the building down, he seemed very enthusiastic about us being
9 able to utilize the property. It was certainly clear to him at the time that we were looking for a 99-year
10 lease. He was uncertain if the NH DOT has been in contact with the Governor. At this last meeting, the
11 City Manager and Counsel for the City attended, another curve ball was thrown at the City: they have
12 known all along about the environmental liability, and the City's refusal to assume that responsibility. It
13 is unreasonable for the City (to accept any environmental liability) and is the reason why the City should
14 not take ownership of the property.
15

16 Council Discussions:

17
18 Councilor Liot Hill gave a history of the Westboro Yard and spoke about the significant pollution on the
19 2 acres of land the City owns on the north end of the park (Westboro Yard); the terms of Brown's Field
20 Grant back in 2007/2008 where the City did have to take ownership of this property; and, how the
21 Council was able to negotiate with the Attorney General regarding a covenant not to sue so that the City
22 would not be liable for any future damages related to the pollution in the ground, which allowed the land
23 transfer to take place so the City could receive the federal funding that was only available to
24 municipalities at that time. She questioned if it would be reasonable for us to consider exploring the
25 approach regarding a covenant not to sue, where the City would not be liable for any of the environmental

1 contamination or for any future damages related to the pollution in the ground. She also spoke about the
2 events which stalled the City's development of the 2 acres over the past decade.

3
4 Mayor McNamara noted that while this approach might be made by the State, it does not preclude the US
5 Environmental Protection Agency from doing so (holding the City responsible for cleanup), noting the
6 State's promise does not obligate the Federal Government. Councilor Liot Hill noted the Brown's Field
7 Grant did, and this is something the City could explore.

8
9 City Manager Mulholland described where the tank leak took place noting that at the time there was the
10 Brown's Field funds to clean that up, but the City had to take possession of the property in order to
11 receive the funding to get this cleaned up. There are no funds available to clean this up today. The
12 discussion he had with the State two weeks ago revolved around if the City agrees to take possession of
13 the property and reiterated that we will need the State to assume all the environmental liability. This is
14 the agreement they are supposed to be putting together.

15
16 Mayor McNamara noted that while he would entertain ownership of the land, he would want an iron clad
17 guarantee from the State that they assume liability and absolve the City from any liability for
18 environmental cleanup going forward.

19
20 Assistant Mayor Below suggested the area directly below lot #3 should also be included to the State's
21 liability.

22
23 City Manager Mulholland noted the City's priorities now are focused on Lots #1, #2, #3, #4, and #6.

24
25 The Council discussed the pros/cons of boat access to the CT River from the proposed pocket park; the
26 Mascoma Greenway path funding for improvements; not discounting what the City needs to do in the area
27 that we own, but if we can take ownership that would provide waterfront access we should revisit this
28 probability; holding off on designs for now to see if we can get the State's environmental liability
29 protection; and, how the citizens of West Lebanon have been waiting more than patiently for many
30 years; and, how the constituents in Ward 1 want the City to take action.

31
32 While this was not a Public Hearing, Mayor McNamara opened up the discussion to the public and the
33 following came forth to speak:

34
35 **Ms. Laurel Stavis (Represents Lebanon in the NH State Legislature):** She spoke about her reasons for
36 getting something done on this issue and if we do not hear back from the NH DOT by next week, she
37 proposed going back to the Governor.

38
39 **Lauren Groves (Ward-1):** She spoke about her reasons to make the investment in getting things done.
40 She noted she was also speaking for other members of the community.

41
42 **Mr. Chet Clem (Lyme Properties, West Lebanon):** He spoke about his reasons for the City to have
43 access to the waterfront and taking the next steps to make this happen. He also explained his reasons for
44 a call to take action/new action because it is hard to make future-looking investment decisions in West
45 Lebanon. He urged everyone to stop taking the same answers and start demanding answers.

1 **Mr. Jim Winny (Ward 1):** He spoke about building momentum and wanted to keep this project moving
2 forward. This may need mass community action and suggested the Governor become involved. Let's
3 find a way around the obstacles.
4

5 The Council continued to discuss taking a parallel track by getting this in front of the Governor and
6 members of the Executive Council and/or inviting them for a visit to West Lebanon; having the
7 community take action; what is within the City's control regarding the property we own; taking another
8 look at the 2004 plan for the north end (2 acre property) and how it relates to the current conditions with
9 the new bridge; flushing out potential ideas so the Council can add this to the City's budget; how we are
10 still working with the NH DOT on replacement of the dry bridge and its implications to the development
11 of West Lebanon and what is called the "string of pearls"; doing a public/private green up/spruce up on
12 the 2 acre site by the Lyman Bridge; holding a community day/mini charette so the public can weigh in
13 on the design of the 2 acres; superimposing the existing bridge on the old plan to see how this would
14 impact the 2004 design; using the \$10K donations that were received by the Parks Department last year
15 for signage at Bridge Street Park; how the National Park Service/Rivers-Trails/Conservation Assistance
16 Program is actively engaged now and looking to be helpful; and, getting a date on the calendar in
17 August/early September for a charette.
18

19 **ACTION:**

20 *No action required; this is an update for informational purposes only*
21

22 **F. Presentation of Quality Improvement Review for Water Metering**
23

24 **Included in the agenda packet: (Pages 242-265, City Council agenda packet)**

25 **1. PowerPoint Presentation - Water Meter Quality Improvement Review**

26 **2. Report from Technical Advisor James Alexander regarding the Quality Improvement Review.**
27 *(Pages 250-261, agenda packet)*

28 **3. Report of the internal review conducted by the Department of Public Works (Pages 262-265,**
29 *agenda packet).*
30

31 Mr. James Alexander reviewed the background before giving his PowerPoint presentation on **pages 242-**
32 **249**, City Council Agenda Packet.
33

34 **BACKGROUND**

35 The Department of Public Works discovered some errors in a small number of commercial water
36 accounts. The department conducted an internal review to determine the extent of the issues. This resulted
37 in a determination that four water meters were not providing correct water usage data relative to the
38 quantities that were actually used and the amount billed for the actual usage. These issues were corrected
39 by the department.
40

41 The City Manager requested an independent quality improvement review to validate the internal review
42 and ensure that the measures put into place were adequate to reduce the chance of these errors occurring
43 in the future.
44

45 The Council and Mr. Alexander discussed the City's internal controls and data validation; work being
46 done on an ongoing basis to validate data; the processes used for commercial/residential management;
47 quality control being used to minimize the risk of errors.

1
2 Mr. Alexander noted the next steps would be looking at the City's sewer data validation and documenting
3 protocols/procedure to find past errors.
4

5 **ACTION:**

6 **No action is required by the Council. This item is for informational purposes only.**
7

8 **11. CITY MANAGER REPORT:**

9 **City Manager Shaun Mulholland updated the Council on the following:**

- 10 • Colburn Park: Wi-Fi now available
11 • Landfill Gas to Energy Project: Delayed until the Summer of 2024 due to a National Grid
12 holdup. Assistant Mayor Below will work on this issue.
13 • The City of Lebanon's dry conditions and the need to find an alternative water source as dry
14 conditions are expected to continue in the future due to climate change.
15 • Security Threats: All City Staff, Council Members, and other Boards/Committee/Commission
16 members are to report any threats (verbal or otherwise) to Cyber Security. It is now the Law in
17 NH that threats be reported to the State of NH for analysis and data tracking. Council Members
18 can forward threats to the City Manager.
19 • NH Housing Funding: The State has now released funding for housing in NH but the
20 rules/details for applying are yet to be determined.
21 • Policy Process: The Council will be sent a list to review and select the items they each deem to be
22 priorities.
23

24 **12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE**
25

26 **13. FUTURE AGENDA ITEMS: NONE**
27

28 **14. NON-PUBLIC SESSION: NONE**
29

30 **15. ADJOURNMENT:**

31 *Assistant Mayor Below MOVED for adjournment.*

32 *Seconded by Councilor Simon.*

33 **The Vote on the MOTION was unanimously approved by those present (7-0)*
34

35 **The meeting was adjourned at 10:03 PM.**
36

37 **Respectfully submitted,**

38 **Dona E. Gibson**

39 **Recording Secretary**

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

8. APPOINTMENTS:

APPOINTMENTS

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Zoning Board of Adjustment, Catheryn Hembree (Alternate Member)
- Pedestrian & Bicyclist Advisory Committee, Adams Carroll (Regular Member)

Included in this Section:

1. Memo from City Clerk Kristin Kenniston dated July 12, 2022

OFFICE OF THE CITY CLERK

MEMORANDUM

DATE: July 12, 2022

TO: The Honorable Mayor & City Council

FROM: Kristin M. Kenniston, City Clerk

RE: **Appointments Proposed for Council Discussion/Action:**

If the Council wishes to proceed with action on the appointments below, a nomination should be made and voted on for each appointment. *Note: nominations do not need to be seconded.*

Zoning Board of Adjustment

- **Catheryn Hembree** – Appointment as an alternate member for a three-year term.
Term: (7/22-7/25)
Interviewed by: Councilor Wilkie

Pedestrian & Bicyclist Advisory Committee

- **Adams Carroll** – Appointment as a regular member for a three-year term.
Term: (7/22-7/25)
Interviewed by: Councilor Simon

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #6343 for Board Member Application
Date: Monday, June 27, 2022 7:09:55 AM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, June 23, 2022 6:01 PM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #6343 for Board Member Application

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Board Member Application

Board Member Application
City of Lebanon board / committee member application.

Basic Requirements

- *Lebanon/West Lebanon resident (except for those boards whose membership makeup includes non-resident)*
- *Willingness to learn*
- *Commitment to attend meetings*
- *Treat people fairly*
- *Consider the best interest of the community as a whole when making decisions*
- *Must have attended one meeting of the board that you wish to apply to within the last six months to observe the process and function of the board.*

(Section Break)

First Name	Catheryn
Last Name	Hembree
Physical Address	46 Church St
City	Lebanon
State	New Hampshire

Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	7705474757
Work Number	<i>Field not completed.</i>
Email Address	catheryn.hembree@gmail.com
How long have you resided in Lebanon?	2 years
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Zoning Board of Adjustment
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I've worked in planning my entire adult life and would like to be on the other side. And I love living here and want to help my community in a meaningful way.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	Masters of planning, AICP Certified, historic preservation planner for 6 years, zoning planner for 3 years.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

Email not displaying correctly? [View it in your browser.](#)

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: 7/1/2022

Applicant Name: Catheryn Hembree

Board(s) to Which Applied: Zoning Board of Adjustment

☐ Regular Seat

☐ Alternate Seat

Has Applicant Attended Meeting of Board to Which Applying? ☐ Yes ☒ No

(If yes, indicate date of meeting.) Date: _____

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat

☐ Alternate Seat

General Comments: Catheryn is clearly very knowledgeable about zoning and interested in supporting her community. I am happy to recommend her for this board.

(PLEASE NOTE: THIS FORM WILL BE INCLUDED IN THE AGENDA MATERIALS WHEN APPLICANT IS SCHEDULED TO APPEAR BEFORE THE CITY COUNCIL.)

Standard Questions for All Applicants:

1) What do you believe is the purpose of this Board/Committee?

To make unbiased decisions about the desires of others to deviate from established zoning.

2) Are you familiar with the meeting dates and time commitments of this Board/Committee? Would you be available for additional meetings, site visits, or other official events when necessary?

Yes

3) Do you have any previous experience working with this type of Board/Committee, or in a related field, in this community or any other community?

Yes – see application (masters of planning, AICP Certified, historic preservation planner for 6 years, zoning planner for 3 years); Catheryn has extensive academic and professional experience and has been involved with Hanover's planning and zoning.

4) Do you have any interest in attending educational presentations and seminars in order to further educate yourself relative to the work of this Board/Committee?

Yes (already registered!)

5) Do you anticipate that you would have to recuse yourself from more than an occasional meeting due to a conflict of interest (perceived or real) relating to your past or present employment, organizational membership, real estate holdings, family ties, or other reasons?

No

6) What do you think are the key challenges for this Board/Committee?

To remain unbiased – even if an individual has a vision for their community, they must set that aside to focus on the zoning set forth and the requests presented.

7) What do you think are the key opportunities for this Board/Committee?

Same as above.

8) What would you like to see this Board/Committee accomplish in the next year?

Continue as above, unbiased decision-making.

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

Not as an applicant, but has been involved with a zoning board.

2) Do you have any personal or professional knowledge or background in the area of zoning law?

Yes – both academic and professional.

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted Zoning Ordinance?

Yes – already does so.

4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Yes – already does so.

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #6329 for Board Member Application
Date: Monday, June 20, 2022 7:10:57 AM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Sunday, June 19, 2022 11:21 AM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #6329 for Board Member Application

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Board Member Application

Board Member Application
City of Lebanon board / committee member application.

Basic Requirements

- *Lebanon/West Lebanon resident (except for those boards whose membership makeup includes non-resident)*
- *Willingness to learn*
- *Commitment to attend meetings*
- *Treat people fairly*
- *Consider the best interest of the community as a whole when making decisions*
- *Must have attended one meeting of the board that you wish to apply to within the last six months to observe the process and function of the board.*

(Section Break)

First Name	Adams
Last Name	Carroll
Physical Address	6 South Street
City	Lebanon
State	NH

Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	4125937198
Work Number	<i>Field not completed.</i>
Email Address	apcthree@gmail.com
How long have you resided in Lebanon?	1 month
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Pedestrian and Bicycle Advisory Committee
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I can't sleep at night knowing that the Mascoma River Greenway doesn't make it all the way to West Lebanon.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I recently moved to the area, but I have a background in active mobility. I previously worked as program manager for a bike/ped advocacy group and worked as an active transportation planner for the city of Nashville. I have also managed a bikeshare program's operations in Pittsburgh. Currently I am assuming the role of Executive Director of Advance Transit as Van Chesnut retires. More about me can be found here: https://www.linkedin.com/in/adamscarroll/
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

Email not displaying correctly? [View it in your browser.](#)

Councilor Interview Report Form

Councilor Name: Chris Simon

Date of Interview: 07-01-2022

Applicant Name: Adams Carroll

Board(s) to Which Applied: Pedestrian / Bike

X: Regular Seat ____ Alternate Seat

Has Applicant Attended Meeting of Board to Which Applying? X: Yes ____ No

(If yes, indicate date of meeting.) Date: Online

Recommend Appointment: ____ Yes ____ No

____ Regular Seat ____ Alternate Seat

General Comments: Mr. Carroll is the new Executive Director for Advanced Transit. He comes with experience in transportation from Nashville, TN and Pittsburg, PA.

(PLEASE NOTE: THIS FORM WILL BE INCLUDED IN THE AGENDA MATERIALS WHEN APPLICANT IS SCHEDULED TO APPEAR BEFORE THE CITY COUNCIL.)

Standard Questions for All Applicants:

1) What do you believe is the purpose of this Board/Committee?

To provide information and council to the city council on issues of safety, policy and promoting Ped/Bike safety and utilization for recreation and transportation.

2) Are you familiar with the meeting dates and time commitments of this Board/Committee?
Would you be available for additional meetings, site visits, or other official events when necessary?

Yes.

3) Do you have any previous experience working with this type of Board/Committee, or in a related field, in this community or any other community?

Yes, worked in the past for non-profit groups promoting Ped/Bike and profession experiences in Nashville and Pittsburg.

4) Do you have any interest in attending educational presentations and seminars in order to further educate yourself relative to the work of this Board/Committee?

Yes

5) Do you anticipate that you would have to recuse yourself from more than an occasional meeting due to a conflict of interest (perceived or real) relating to your past or present employment, organizational membership, real estate holdings, family ties, or other reasons?

Very rare if any and would recuse himself if needed or directed to do so.

6) What do you think are the key challenges for this Board/Committee?

Finding funding and staff resources to attain goals and implementation of such. Working with all stake holders, staff and departments to communicate with and involve the public and keep them informed.

7) What do you think are the key opportunities for this Board/Committee?

To work on and continue the expansion and success of the greenway and to promote all its positive benefits.

8) What would you like to see this Board/Committee accomplish in the next year?

Continue to work and promote the West Lebanon Street scapes improvement plan and provide guidance as needed.

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of zoning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted Zoning Ordinance?

4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Planning Board:

1) Have you ever appeared before a planning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of planning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted site plan and subdivision regulations, as well as the Zoning Ordinance?

4) Planning Board decisions can be controversial. The Board is bound by law to work within the current site plan and subdivision regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Conservation Commission:

1) Have you ever appeared before a conservation commission, personally or through a representative?

2) The Conservation Commission's advisory role in New Hampshire environmental permitting can be controversial. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

10. OLD BUSINESS:

10.A PRESENTATION OF SECOND READING: AMENDMENT TO ORDINANCE NO. 18, ARTICLE II NON-AFFILIATED & LPASE EMPLOYEES, TO RECLASSIFY, RETITLE, AND REMOVE POSITIONS WITH THE CYBER SERVICES DEPARTMENT; RECLASSIFY, ADD, AND REMOVE POSITIONS WITHIN THE LIBRARY; ADD SEASONAL POSITIONS FOR SUMMER CAMP AND POOL PROGRAMS; AND INCREASE SALARY RANGE FOR SUMMER CAMP DIRECTOR POSITION

BACKGROUND

RECLASSIFY, RETITLE, AND REMOVE POSITIONS WITHIN THE CYBER SERVICES DEPARTMENT

Technology is an evolving and never-ending cycle that changes rapidly. To improve the functionality of the Cyber Services Department, the City Manager is recommending an organizational change which will result in the reclassification of multiple Cyber Services positions.

There are currently five employees who occupy three of the same titled positions within the Cyber Services Department. The demands of Cyber Services requires that these employees be split into different roles in order to better focus attention on the various aspects of the cyber environment and continue to meet the overall needs of the City. The roles, functions, and job descriptions of the employees will significantly expand to include new duties, technological responsibilities, and in certain cases, expanded management functions.

Please note that no additional employees are being added, the department is being restructured utilizing the current employee base. The position of Cyber Services Technical Specialist (Grade 9) will remain in the pay scale but will be vacant. To achieve the restructuring, the following is proposed:

- Add System Administrator - Grade 11
- Add Systems and Operations Administrator – Grade 13
- Add Cyber Security Analyst - Grade 13
- Delete Systems and Information Technology Administrator – Grade 13
- Add Lead Network Infrastructure Engineer – Grade 14
- Reclassify Cyber Services Director from a Grade 15 to Grade 16

RECLASSIFY, ADD, AND REMOVE POSITIONS WITHIN THE LIBRARY

Community and operational needs at the libraries are requiring adjustments to current staffing. A review of the department was completed by Library Director Sean Fleming which resulted in the requested addition of a part-time Custodial Supervisor, the reclassification of a Children's

Librarian, the addition of a Youth Services Librarian and the elimination of the Young Adult Librarian. All recommended changes have been approved by the Library Board of Trustees.

The part time Custodial Supervisor will supervise and schedule the current part-time custodial staff, oversee, and schedule all maintenance at both libraries, oversee building projects, and perform and oversee needed maintenance repairs.

To summarize, the requested changes within the Library are to:

- Add part-time Custodial Supervisor – Grade 4
- Reclassify Children’s Librarian from a Grade 9 to a Grade 8
- Eliminate Young Adult Librarian – Grade 9
- Add Youth Services Librarian – Grade 10

ADD SEASONAL POSITIONS FOR SUMMER CAMP AND POOL PROGRAMS AND INCREASE SALARY RANGE FOR SEASONAL SUMMER CAMP DIRECTOR

Operational changes have been made to both the Pool and Summer Camp Programs necessitating the addition of two seasonal positions – a Pool Operations Manager and an Assistant Camp Director. The changes to these programs are needed to address staffing challenges and improve efficiency of future operations. Changes will not impact the Recreation, Arts & Parks approved 2022 budget as the two positions will remain vacant this year.

Additionally, due to the current market and staffing challenges, we are recommending an increase in the pay range for the Summer Camp Director.

Proposed changes to facilitate the needs for these two summer programs are:

- Add Pool Operations Manager – salary range \$15.69 to \$21.63.
- Add Assistant Summer Camp Director - salary range \$15.69 to \$21.63
- Increase salary range for Summer Camp Director to \$16.73 to \$24.72.

Human Resources Director Gloria Leskiewicz will be present to discuss the proposed amendments and answer any questions the Council may have.

Process to Amend Ordinance No. 18

Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22, 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all members of the City Council – six (6) members - to adopt.

The Council is asked to recognize the first of three presentations on July 6, and to schedule a public hearing for August 3, 2022, to amend the Ordinance. The second and third presentations will follow on July 20, and August 3, respectively.

ACTION

MOVED, that the Lebanon City Council acknowledges the second of three presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated and LPASE Employees, as follows:

SECTION A –

FOR THE CYBER SERVICES DEPARTMENT:

Add System Administrator - Grade 11

Add Systems and Operations Administrator – Grade 13

Add Cyber Security Analyst - Grade 13

Delete Systems and Information Technology Administrator – Grade 13

Add Lead Network Infrastructure Engineer – Grade 14

Reclassify Cyber Services Director from a Grade 15 to Grade 16

FOR THE LIBRARY:

Add part-time Custodial Supervisor – Grade 4

Reclassify Children’s Librarian from a Grade 9 to a Grade 8

Eliminate Young Adult Librarian – Grade 9

Add Youth Services Librarian – Grade 10

SECTION B –

FOR RECREATION, ARTS & PARKS:

Add Pool Operations Manager – salary range \$15.69 to \$21.63

Add Assistant Summer Camp Director - salary range \$15.69 to \$21.63

Increase salary range for Summer Camp Director to \$16.73 to \$24.72

Changes to the compensation and classification schedules are shown in **red italics** for deleted positions, and in **blue italics** for new and/or reclassified positions.

<u>Grade</u>	<u>Position Title</u>	<u>Hourly</u>		<u>Weekly</u>	
		<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
1	General Intern II	\$17.27	\$23.32	-	-
2	Custodian	\$18.31	24.71	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$19.41	\$26.20	-	-
	Custodian I	-	-	-	-
	Accounting Clerk	-	-	-	-
4	Library Assistant	\$20.58	\$27.78	-	-
4	<i>Custodial Supervisor</i>	<i>\$20.58</i>	<i>\$27.78</i>		
5		\$21.81	\$29.43	-	-
6	-	\$23.11	\$31.20	-	-
7	Administrative Secretary	\$24.49	\$33.42		
	Department Secretary			-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-

8	Administrative Assistant	\$25.97	35.06	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk	-	-	-	-
	Outreach Librarian	-	-	\$1,038.81	\$1,402.50
	<i>Children's Librarian</i>				
	<i>Young Adult Librarian</i>	-	-	-	-
9	Code Health Inspector**	\$28.56	\$38.55	-	-
	Executive Assistant	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	<i>Children's Librarian</i>			\$1,142.48	\$1,542.28
	Associate Planner**	-	-		
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
10	Assistant City Engineer**	\$31.42	\$42.42	-	-
	Cemetery Sexton**	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Community Nurse				
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**				
	Police Communications Supervisor**	-	-	-	-
	Recreation Program Coordinator**	-	-	\$1,220.14	\$1,696.80
	<i>Youth Services Librarian</i>				
11	Technical Advisor I	\$34.60	\$46.70	-	-
	Administrative Services Manager**	-	-	\$1,384.00	1,868.01
	Airport Operations Supervisor**	-	-	-	-
	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Deputy Library Director	-	-	-	-
	Fire Marshall**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner**	-	-	-	-
	<i>System Administrator</i>	-	-	-	-
12	Wastewater Treatment Superintendent**	\$36.67	\$49.49	-	-
	Water Treatment Superintendent**	-	-	-	-
	Chief Innovation Officer			\$1,466.80	\$1,979.66
	City Assessor**	-	-		
	City Clerk/Tax Collector	-	-	-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Human Services Director	-	-	-	-

	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager**	-	-	-	-
13	Airport Manager	-	-	\$1,554.49	\$2,098.51
	Assistant Fire Chief	-	-	-	-
	Deputy Fire Chief	-	-	-	-
	Human Resources Director	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager**	-	-	-	-
	Recreation Director	-	-	-	-
	Police Captain**	-	-	-	-
	<i>Cyber Security Analyst</i>	-	-	-	-
	<i>Systems and Operations Administrator</i>	-	-	-	-
	<i>Systems and Information Technology Administrator</i>	-	-	-	-
14	Assistant Director/Public Works			\$1647.76	\$2,224.49
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
	Deputy Police Chief	-	-	-	-
	<i>Lead Network Infrastructure Engineer</i>			-	-
15	<i>Cyber Services Director</i>			\$1,746.72	\$2,357.88
16	Technical Advisor II	\$46.28	\$62.48		
	Chief of Police	-	-	\$1,851.34	\$2,499.20
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	<i>Cyber Services Director</i>	-	-	-	-
	Deputy City Manager	-	-	-	-

B. SEASONAL/TEMPORARY& STIPEND EMPLOYEES

PARK AND RECREATION POSITIONS			
Front Desk Attendants – Pool		\$10.45	\$15.71
Lifeguards		\$10.45	\$18.03
Head/Lead Counselors		\$13.60	\$16.73
Head & WSI Lifeguards		\$12.55	\$18.80
Head Front Desk Attendant - Pool		\$12.55	\$15.97
Outdoor Adventurer - Educator		\$13.07	\$16.73
Softball Coordinator		\$13.07	\$16.73
Day Camp Counselors		\$10.45	\$15.71
Arts & Craft Director		\$13.60	\$17.51
Farmers Market Coordinator		\$14.64	\$18.82
Market Assistant		\$12.55	\$15.69
Tennis Instructor		\$15.69	\$19.87
Stomp & Romp		\$15.69	\$19.87
<i>Pool Operations Manager</i>		<i>\$15.69</i>	<i>\$21.63</i>
Asst. Pool Director		\$15.69	\$21.63
<i>Assistant Camp Director</i>		<i>\$15.69</i>	<i>\$21.63</i>
Pool Director		\$16.73	\$24.72
<i>Camp Director</i>		<i>\$16.73</i>	<i>\$24.72</i>

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

10. OLD BUSINESS:

10.B – NHMA 2023-2024 LEGISLATIVE POLICY RECOMMENDATIONS

BACKGROUND

The New Hampshire Municipal Association develops/reviews policy positions every two years. Sub-committees review the existing and any new policy positions proposed by the membership. The policies can be and are in some cases amended by the sub-committees reviewing them. The existing, amended, and new policies are then sent to each of the 234 municipalities in the state for review and consideration. The policy positions inform the membership and legislators as to the position of NHMA on matters relevant to local government. The policy positions are a guide for staff regarding how NHMA will take a position or not on a piece of legislation before the NH Legislature.

Each municipality may send a delegate to the policy conference in the fall. This year's Policy Conference is being held on Friday, September 23rd at the Local Government Center in Concord. The Conference provides a venue for voting by individual municipalities on NHMA's proposed 2023-2024 Legislative Policy Platform. One member of each municipality has voting privileges at the Conference, and the Council is asked to delegate a member for such voting purposes.

Each municipality is encouraged to review the policy positions and direct their respective delegate as to how they should vote on each policy position.

ACTION

Motions for positions on policy recommendations will need to be formulated at the meeting based on the desired action of the Council.

Included in this Section:

1. 2023-2024 NHMA Proposed Policy Positions document
2. NHMA Proposed Legislative Principles



2023-2024 Proposed Legislative Policy Positions

General Administration and Governance

Local Authority and Efficiency

NHMA supports maintaining local government authority without infringement by the state, and supports measures that enable municipalities to exercise existing authority more efficiently and with greater discretion. NHMA also supports state-local partnership and coordination in addressing common issues.

NHMA supports:

- Legislation granting towns the same authority to adopt ordinances that cities have under RSA 47:17;
- Legislation clarifying that towns that have adopted RSA 49-D have the same powers and authority of municipalities that have adopted RSA 49-C.
- The authority of municipalities to regulate or limit the use of firearms on municipal property, and to regulate the carrying of firearms by municipal employees while on duty;
- Legislation allowing a town, by vote of its legislative body, to authorize appointment of the town clerk or town clerk/tax collector by the governing body, or by the chief executive officer based on a town charter;
- Legislation allowing municipalities to satisfy notice publication requirements through the use of electronic notification rather than newspaper publication, in addition to posting notice in public places.
- Legislation that is supportive of state collaboration with municipalities in addressing homelessness.
- Help ensure the availability of an adequate public sector workforce.

NHMA opposes legislation that detracts from existing local authority.

Right-to-Know Law

NHMA supports the purposes of the Right-to-Know Law: to ensure the greatest possible public access to the actions, discussions, and records of all public bodies, and to ensure government's accountability to the people. NHMA also supports measures to make the law clearer and make compliance with public access requirements easier and less burdensome for public officials and employees and less costly for taxpayers.

NHMA supports:

- Reasonable requirements to make governmental records available electronically if no additional cost is involved;



- The ability to recover reasonable labor costs and other costs for responding to voluminous or excessive record requests;
- Exemptions from disclosure that are easy to administer and that provide appropriate protection for confidential and other sensitive information;
- An expedited and inexpensive process for resolving right-to-know complaints;
- Legislation and funding that provide support for education about the Right-to-Know Law.
- Authority of municipalities to set the meeting locations, conditions, and modalities (including in-person, remote, or combined in-person/remote) for meetings of councils, boards, committees, and commissions.

Elections

NHMA believes that state and local elections should be fair and open, that voting should be simple and convenient without risking election integrity or security, and that election processes should be efficient without imposing undue burdens on local officials.

NHMA supports:

- Establishment of an independent redistricting commission to draw election districts fairly and without regard to partisan advantage;
- Local autonomy over town and city elections;
- More frequent state review and approval of electronic ballot-counting devices;
- Registration and voting processes that are not unnecessarily complex or burdensome, either to voters or to election officials;
- The use of secure technology such as electronic poll books to make election processes more efficient;
- Greater flexibility in the processing of absentee ballots;
- State assistance for the cost of accommodations for disabled voters in local elections.

Labor and Employment

NHMA recognizes the importance of municipal employees, the need for good working conditions, and the right of employees to organize if they choose. NHMA also believes municipal employers should be free to set reasonable terms and conditions of employment or negotiate the same with their employees or employee representatives, without undue state interference.

NHMA supports existing laws governing public employee labor relations, and **opposes** changes that impose greater burdens or liabilities on employers.

NHMA opposes:

- Legislation creating a mandatory “evergreen clause” for public employee collective bargaining agreements;



- Mandatory binding arbitration as a mechanism to resolve impasses in municipal employee collective bargaining;
- A right to strike for public employees;
- New mandated employee benefits, including any proposal to enhance retirement system benefits that may increase employer costs in future years;
- Unnecessary limits on municipalities' discretion in making hiring decisions;
- Restrictions on municipalities' ability to privatize or use contracted services.

Substance Use, Prevention & Response

NHMA supports:

- State funding to address substance use disorder for the following efforts:
 - Prevention
 - Treatment
 - Recovery
 - Enforcement;
- Legislation that supports prevention, treatment, recovery, and enforcement efforts.

NHMA opposes:

- Reductions in state funding for substance use disorder or recovery support programs;
- Legislation that makes it more difficult to address the substance use disorder problem in our communities.
- Legislation that authorizes the sale of cannabis unless the following requirements or conditions are included:
 - The processing, manufacture, refinement or sale of cannabis products in any municipality shall only be permitted after the legislative body of that municipality has adopted the provisions of enabling state legislation permitting such activities--“opt-in, not “opt out.”
 - Legislation that legalizes the sale of cannabis must include provisions for adequate and sustained funding to municipalities to address the costs associated with legalization because municipalities will be the governmental entities that will have to directly deal with the impacts of legalization, including local funding for items such as the following:
 - i. Substance abuse and the costs to provide care to those needing assistance.



- ii. Local police will be the first line of enforcement for underage use, impaired driving and the resultant social problems that are related to use of what is presently a controlled substance.
 - iii. Fire departments and EMS agencies are likely to see an increase in calls for overdoses of those abusing cannabis.
 - iv. The need for a significant enhancement in the DRE (Drug Recognition Expert) Program to ensure local departments can adequately enforce motor vehicle laws related to persons who choose to drive while impaired will be necessary.
- Any legislation allowing for retail establishments for the sale of cannabis or cannabis products shall include a requirement for a host community agreement with the municipality in which a marijuana establishment is located, which may include provisions such as a community impact fee; a limit on the percentage of sales of total gross receipts that are related to cannabis sales; security measures for premises; agreements to fund police details when necessary; for crowd or traffic control; and termination of business provisions.

Finance and Revenue

Property Taxes and Related Revenues

NHMA supports legislation that allows municipalities to manage property tax levies in a manner that stabilizes tax rates and ensures equity, fairness, and efficiency in the assessment and collection of property taxes.

NHMA supports:

- The continuing right of municipalities to use any recognized method of appraisal upheld by the New Hampshire judicial system;
- Legislation to ensure that:
 - property taxes are assessed to the proper owner by requiring that all owner name changes be separately filed at the registry of deeds when such an owner change is not created by a transfer of the property, and
 - all liens, whether of a private or institutional nature, be filed at the registry of deeds, and that all changes to the name of a recorded lienholder be similarly filed;
- A legislative commission to study assessment and collection of property taxes and/or municipal utility fees on manufactured housing on land of another and on transient-type properties;
- Legislation ensuring fairness and accuracy in property tax exemptions including ensuring that all household income and assets are taken into account;



- Legislation that prohibits the use of the income approach by a taxpayer in any appeal of assessed value if the taxpayer refuses to provide such information as requested by the municipality;
- A legislative commission to study reimbursement through payments in lieu of taxes (PILOTs) for municipal services provided to exempt charitable properties, including charitable non-profit housing projects;
- Legislation amending RSA 80:56 to enable municipalities to charge a fee for any financial remittance issued to the municipality that is returned as uncollectible;
- Legislation to lower the abatement interest rate that municipalities pay under RSA 76:17-a from six percent to four percent to align it better with the interest rates on delinquent taxes that were lowered by the legislature in 2019.

NHMA opposes:

- Legislation that directly or indirectly increases property taxes, including but not limited to new or expanded mandatory exemptions or credits, or changes in the process for valuing, assessing, or taxing specific classes of properties;
- Legislation that undermines the basic goals of the current use program or reduces the 10-acre minimum size requirement for qualification for current use beyond those exceptions now allowed by the rules of the Current Use Board;
- Legislation that expands the definition of “charitable” in RSA 72:23-1 unless the state reimburses municipalities for the commensurate loss of property tax base;
- An assessment methodology for big box stores that employs comparisons to “dark store” properties abandoned or encumbered with deed restrictions on subsequent use.

State Aid and Non-Property Tax Revenues

NHMA supports funding of state aid to municipalities, supports legislation authorizing local control over non-property tax revenue streams, and opposes legislation that reduces, suspends, or eliminates existing local taxes, fees, or state aid.

NHMA supports:

- Full restoration of revenue sharing under RSA 31-A;
- A state transportation policy that provides adequate and sustainable funding for state and municipal infrastructure and transportation systems and maintains at least the 12 percent share of state highway funds distributed to municipalities;
- Legislation authorizing the establishment of local option fees and providing for periodic adjustments to statutory fees to compensate for factors including, but not limited to, the effects of inflation, such as an increase in the maximum optional fee for transportation improvements;



- Legislation to ensure the collection of unpaid bills for ambulance and other emergency services;
- Reimbursement from the state for the cost of municipal services provided to state-owned properties;
- Legislation amending motor vehicle registration enforcement laws to ensure collection of all state and local registration fees owed by New Hampshire residents;
- Legislation amending RSA 36-A:5 II to allow trustees of trust funds to invest conservation funds instead of only the town treasurer, if voted by the legislative body;

NHMA opposes:

- Legislation that would repeal the dedicated fund created to share 30% of state meals and rooms tax revenue with municipalities along with any further reduction to the percentage shared, or any further reduction to the state meals and rooms tax.
- Diversion of state highway funds for state non-transportation network purposes.

New Hampshire Retirement System (NHRS)

NHMA supports the continuing existence of a retirement system for state, municipal, school, and county government employees that is secure, solvent, fiscally healthy, and financially sustainable, and that both employees and employers can rely on to provide retirement benefits for the foreseeable future.

NHMA supports:

- Restoration of up to 35% of the state's share of employer costs for police, teachers, and firefighters in the current defined benefit plan and any successor plan, with the goal being a 35% re-instatement of the state contribution;
- Inclusion of participation by a municipal official designated by NHMA on any legislative study committee or commission formed to research alternative retirement system benefits plans or designs;
- Performance of an actuarial analysis of any legislation proposing benefits changes or other plan changes that may affect employer contribution rates.

NHMA opposes:

- Legislation expanding benefits that increase current or future employer contribution costs;
- Legislation that assesses additional charges on employers beyond NHRS board-approved rate changes;
- Legislation that expands the eligibility of NHRS membership to positions not currently covered by the plan;
- Legislation further restricting a municipality's ability to employ NHRS retirees in part-time positions or the imposition of any fees or penalties associated with such employment.



Education Funding

NHMA supports a revenue structure for funding an adequate education to meet the state's responsibilities as defined by the constitution, statutes, and the common law with revenue sources that are predictable, stable, and sustainable.

NHMA supports:

- A revenue structure that is not disruptive to the long-term economic health of the state;
- A revenue structure that is efficient in its administration;
- A revenue structure that is fair to citizens.

NHMA opposes:

- Retroactive changes to the adequate education funding distribution formula after the notice of grant amounts has been provided to local governments.

Infrastructure, Development, and Land Use

Energy, Environment, and Sustainability

NHMA supports preservation and enhancement of municipal energy, climate, and sustainability planning for communities, protection of the natural environment, and implementation of clean and renewable energy, while recognizing the need for municipalities to manage their resources and the natural environment without undue cost.

NHMA supports:

- Legislation that broadens municipalities' ability to install and use renewable energy sources, including higher caps or elimination of caps on net energy metering;
- Legislation that provides financial and other assistance to municipalities for conservation techniques and installation and maintenance of renewable energy sources;
- Legislation that allows municipalities to adopt local environmental regulations that are no less stringent than those implemented by the state;
- Legislation that enables municipalities to enact measures that promote local energy and land use systems that are both economically and environmentally sustainable;
- Legislation that protects and preserves local natural resources and public infrastructure, builds community resilience, and fosters adaptation to climate change and mitigates its risks;
- Policies that support customer and community choice in energy supply and use competitive market-based mechanisms to promote innovation, cost effectiveness, and sustainability; and
- Legislation that provides state or federal assistance to municipalities to mitigate environmental inequity impacts faced by their residents, and drive early local engagement in decision processes.



NHMA opposes:

- Legislation that overrides local determinations of appropriate energy sources and regulations.

Water Resources Protection, Control, and Management

NHMA supports measures enabling municipalities to protect, control, and efficiently and safely manage water infrastructure and its resources. NHMA believes the State should support its commitments to municipalities for water infrastructure programs and that any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Legislation that provides state or federal investment in maintaining and improving the state's critical water infrastructure, including, but not limited to, dams, public drinking water systems, wastewater systems, stormwater systems, and surface and groundwater;
- Legislation that encourages regional and innovative solutions to drinking water, wastewater, stormwater, and surface and groundwater issues;
- Regulation of emerging contaminants at appropriate and feasibly achievable levels when supported by relevant scientific and technical standards that are broadly accepted by peer review and cost-benefit analyses, when coupled with appropriate state or federal funding.

NHMA opposes:

- Enactment of stricter drinking water, wastewater, stormwater, or surface water and groundwater regulations for municipalities unless any costs of compliance are funded by the state or federal government.

Solid Waste Management

NHMA recognizes the need for efficient, economical, and environmentally sensitive mechanisms for solid waste management which allow municipalities to use the most appropriate disposal systems. NHMA believes any new mandates that impose additional costs on municipalities must be funded by the state or federal government.

NHMA supports:

- Programs that support municipal, regional, and state strategies to manage solid waste through reduction, reuse, recycling, resource recovery, composting, and other measures, while maintaining local control;
- State programs that address existing and emerging contaminants at no additional cost to municipalities;
- Fees or assessments on solid waste or recycling that are used to provide direct support or enhancement of local or regional solid waste, household hazardous waste, and recycling programs.



Housing

NHMA recognizes the need for diverse and affordable housing in New Hampshire and the responsibility of each municipality to afford reasonable opportunities for the development of diverse and affordable housing. NHMA believes municipalities should have discretion in how to satisfy this responsibility and supports legislation that enables municipalities to find innovative ways to ensure an adequate supply of housing.

NHMA supports:

- Legislation that allows municipalities to require the inclusion of affordable and diverse housing opportunities as part of new housing developments;
- Financial and other incentives to municipalities to encourage development of diverse and affordable housing;
- Statewide efforts to provide housing for those recovering from substance misuse, subject to reasonable municipal regulation;
- Policies that encourage documentation and financial traceability of cash and bartered rental transactions;
- Legislation and policies that encourage creative and flexible approaches to meeting housing needs of current and future demographics in different regions.
- Legislation which promotes a collaborative approach between the state, municipalities, and other key stakeholders to address the state's housing shortage.

NHMA opposes:

- Legislation and policies that allow for or encourage housing practices that exclude people from and decrease the availability of quality, affordable housing;
- Legislation that erodes local control over land use decisions.

Land Use

NHMA supports the long-standing authority of municipalities to regulate land use matters with minimal interference from the state.

NHMA supports:

- Legislation authorizing municipalities to regulate short-term rentals of residential properties, including licensing requirements and health and safety protections;
- Legislation enabling municipalities at their discretion to adopt more recent editions of national/international building and fire codes than the current state-adopted editions.
- Legislation that supports the adoption of more recent editions of the national/international building and fire codes after review and recommendation by the Building Code Review Board and/or the State Fire Control Board.



NHMA opposes:

- Legislation that limits municipal control in implementing statewide priorities in zoning and land use regulation;
- New state mandates requiring municipalities to allow specific types of housing;
- All other statewide land use mandates.

Information Technology, Communications, and Cybersecurity

NHMA supports initiatives to make the most current information and communication technology accessible to New Hampshire communities, so long as local authority over land use regulation and safety issues is not compromised.

NHMA supports:

- Legislation that increases the ability of municipalities, especially those in rural and remote areas, to facilitate and advance access to reliable broadband technology to the premises in their communities;
- Legislation that provides flexibility for municipalities in accessing poles and pole attachments, including legislation that directs the New Hampshire Public Utilities Commission to adopt the FCC rule on access to poles called “One-Touch-Make-Ready” in order to facilitate bringing high-speed fiber optic cable to service all New Hampshire communities, homes, and businesses by internet service providers (ISPs) in an expedient and cost-effective manner;
- Legislation that provides state and federal investment, including grants, for installation of high-speed fiber optic broadband technology to serve all New Hampshire communities, homes, and businesses;
- Legislation that requires or encourages and incentivizes providers to disclose information to local government relative to access and broadband connections provided in the municipality to help municipalities better understand and address the needs of their community;
- State investment in cybersecurity assistance to municipalities to protect data and infrastructure.

NHMA opposes:

- Legislation that limits municipalities’ ability to prevent or regulate deployment of technologies that would interfere with the management of the right of way;
- Statewide mandates on cybersecurity practices unless any associated costs are funded by the state or federal government.



Transportation

NHMA supports state policies that ensure access for all users to convenient, efficient, reliable, cost effective, safe, and sustainable multi-modal transportation systems in New Hampshire.

NHMA supports:

- Appropriate funding for state and local modes of transportation, including but not limited aviation, transit, bicycle, and multi-modal facilities;
- Continued state and federal investment in public transportation systems and projects designed to support access to vital services, economic, and recreational opportunities within communities, link communities and regions, and reduce vehicle congestion on New Hampshire's roads;
- Programs and funding sources that would appropriately recover and distribute the impact of vehicles used on local and state transportation infrastructure.

NHMA opposes:

- Any action or inaction by the State that results in the downshifting of maintenance responsibilities for transportation infrastructure (road, bridge, culvert, drainage) to municipalities.

Economic Development, Recovery, and Vitality

NHMA supports allowing municipalities to implement measures to foster economic development which allows for the preservation and creation of jobs and vitality within our communities.

NHMA supports:

- Legislation that allows for local adoption of more options and more flexibility to provide incentives for economic recovery and development;
- Expansion and more flexibility of state tax credit and exemption programs to foster economic recovery, development, and vitality.

NHMA opposes:

- Legislation that makes it more burdensome to implement economic recovery, development, and vitality measures.



Proposed Legislative Principles

In addition to the established Legislative Policy positions adopted by the New Hampshire Municipal Association membership, the following principles should guide staff in setting priorities during any legislative biennium:

1. Identify and oppose mandates that violate Part 1, Article 28-a of the New Hampshire Constitution.
2. Work to maintain municipalities' share of state-level revenue sources (revenue sharing, meals and rooms tax, highway block grants, municipal bridge, state water and wastewater capital programs, and other state aid). Oppose proposals that reduce revenue unless there is a sustainable identified replacement source. Support efforts that make more sustainable sources for revenue.
3. Advocate to maintain and enhance existing local authority in all areas of local government.
4. Support legislation that provides greater authority to govern more effectively, efficiently, and flexibly at the local level, including local option legislation. If the legislature is considering adopting a program that is particularly controversial at the local level, support a requirement that a local legislative body vote is necessary before full implementation of the measure.
5. Support bills proposed by individual municipal members, except when they conflict with these principles or NHMA's Legislative Policies.
6. Oppose mandated state exemptions from local property taxes without substantial benefits back to municipalities.
7. Advocate for municipal representation on state boards, commissions, and study committees that affect municipal government and have non-legislative members.
8. Work cooperatively with other groups and associations to support efforts to improve the delivery of services at the local level.
9. Support municipal efforts toward effective regional and state cooperation and delivery of municipal and state services.
10. Advocate for local options for economic development and vitality in partnership, including public-private partnerships, with regional and state economic development goals to encourage the overall economic health and social well-being of New Hampshire.
11. Encourage clarity and the elimination of ambiguity in statutory language, especially in areas of decision-making authority.

The legislative principles are not in order of weight or priority. They each carry their own independent value and should be viewed in that fashion when used to determine NHMA's position on a bill or policy.

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

11. NEW BUSINESS:

**11.A – PRESENTATION OF ALTERNATIVE PAYMENT SYSTEM FOR DISPOSAL
OF RESIDENTIAL WASTE AT THE LANDFILL (RESULTS OF LEAN EVENT)**

BACKGROUND

A ten-member team came together for a four-day LEAN Event in late May, early June to review the current payment (punch card) system for the landfill and to consider alternative payment systems that would increase the efficiency of transactions for all stakeholders.

The LEAN process and results thereof will be presented to the Council by Solid Waste Manager Marc Morgan and Deputy City Manager Paula Maville.

ACTION

No action is required by the Council. Item is for informational purposes only.

Included in this Section:

1. PowerPoint Presentation – Alternative Landfill Payment System (Presentation of Results of LEAN Event)

ALTERNATIVE LANDFILL PAYMENT SYSTEM

Presentation of Results of
LEAN Event





WHAT IS LEAN?

A MEANS TO CREATE EFFICIENCY IN PROCESS.

**IT'S A TEAM BUILDING EXERCISE WHERE EVERYONE
LEARNS MORE ABOUT EACH OTHER'S PERSPECTIVE
ON THE PROCESS THEY ARE LOOKING TO IMPROVE.**





ROLLS & TEAM MEMBERS:

CHAMPION

(PROJECT MANAGER)

MARC MORGAN

STAFF

(INTERNAL STAKEHOLDERS)

SHANE SMITH
PEGGY LEVA
ALESIA WILLIAMS
PERRY EATON

CUSTOMERS

(EXTERNAL STAKEHOLDERS)

SARAH RILEY
DUANE EGNER

FACILITATORS

PAULA MAVILLE
BETH BERALDI
MELANIE
MCDONOUGH

DATA MANAGER

MELANIE
MCDONOUGH

SPONSOR

SHAUN MULHOLLAND

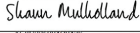


LEAN PROCESS:

- DEVELOP CHARTER
- ESTABLISH GROUND RULES
- MAP THE “CURRENT STATE” AND IDENTIFY INEFFICIENCIES
- BRAINSTORM MEANS & OPPORTUNITIES TO IMPROVE IDENTIFIED INEFFICIENCIES

- REBUILD THE PROCESS TO SHOW DESIRED “FUTURE STATE” and INCLUDE A PLAN FOR IMPLEMENTATION
- SELL TO SPONSOR
- IMPLEMENT

Landfill Alternative Payment System

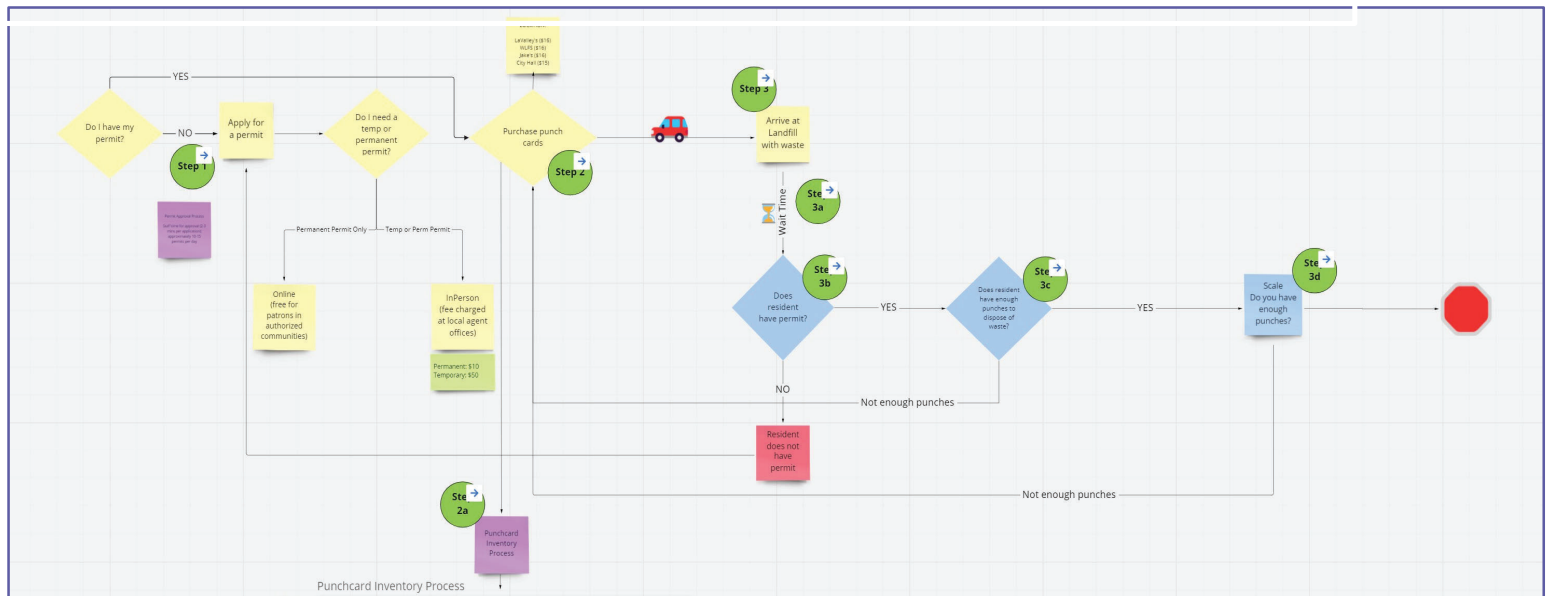
Event Name Landfill Alternative Payment System	Event dates & schedule May 24, May 25, May 31 & June 2 - 2022	
Opportunity Statement: <i>Process description & business case for the project</i>	The current system of purchasing punch cards for disposal of residential waste and other items is inefficient, time consuming, and not easily accessible. This creates frustration for residential users of the landfill. Creating a new process for an alternative payment system will simplify the customer experience by providing a flexible, convenient, streamlined, and user-friendly system.	
Problem Statement <i>In the form of a question starting with "How"</i>	How do we increase the efficiency of transactions for all stakeholders related to the recycling and disposal of residential waste items?	
Event Goals	Reduce Staff Time for performing residential transactions Improve Customer Experience with Payment System Limit disruptions during any transition or implementation of new process Balance staff time so more time is allotted to where the majority of revenue is generated	
Key Performance Indicators: <i>time, money, quality</i>	Time Savings (Staff & Users) Quality of Service Money Savings Customer Satisfaction Ease of Use	
Anticipated Barriers	Technological Solutions Stakeholder Buy-in Potential Costs Technology gap amongst various users Process hurdles Customer expectations	
Resources available	Staff Technology Money (2023 Budget)	
Customer: <i>end user</i>	Community Residents	
Stakeholders	Staff and Users	
Team Members		
Team leader: <i>Champion/project manager</i>	Marc Morgan	
Core team: <i>Name and title/role of each member in the process</i>	Facilitators - Paula Maville, Beth Beraldi, Melanie McDonough Staff Participants (Internal Stakeholders) – Shane Smith, Peggy Leva, Alesia Williams, Perry Eaton	
Data Manager	Melanie McDonough	
Customer(s) or external stakeholder(s)	Sarah Riley & Duane Egner	
Sponsor (name/title)	Shaun Mulholland, City Manager	
Charter approval	Sponsor signature: 	Date: 5/25/2022

LEAN EVENT CHARTER

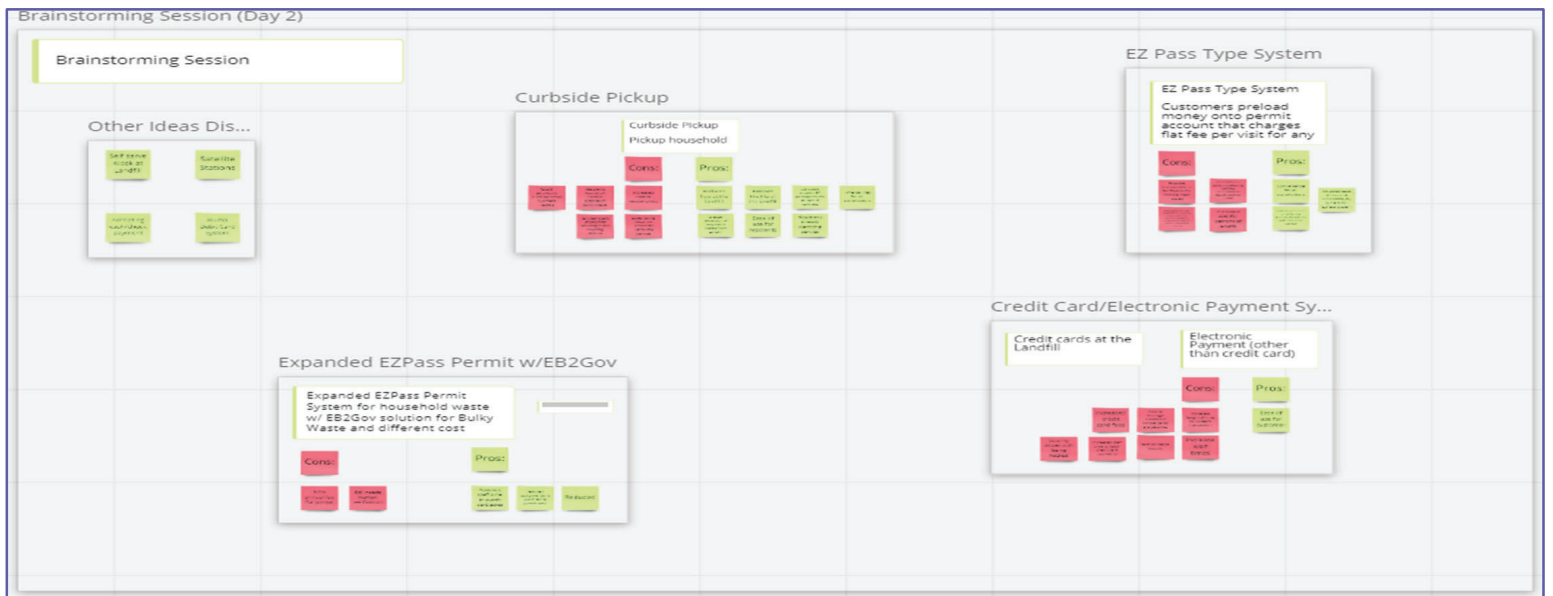
PROBLEM STATEMENT:

How do we increase the efficiency of transactions for all stakeholders related to the recycling and disposal of residential waste items?

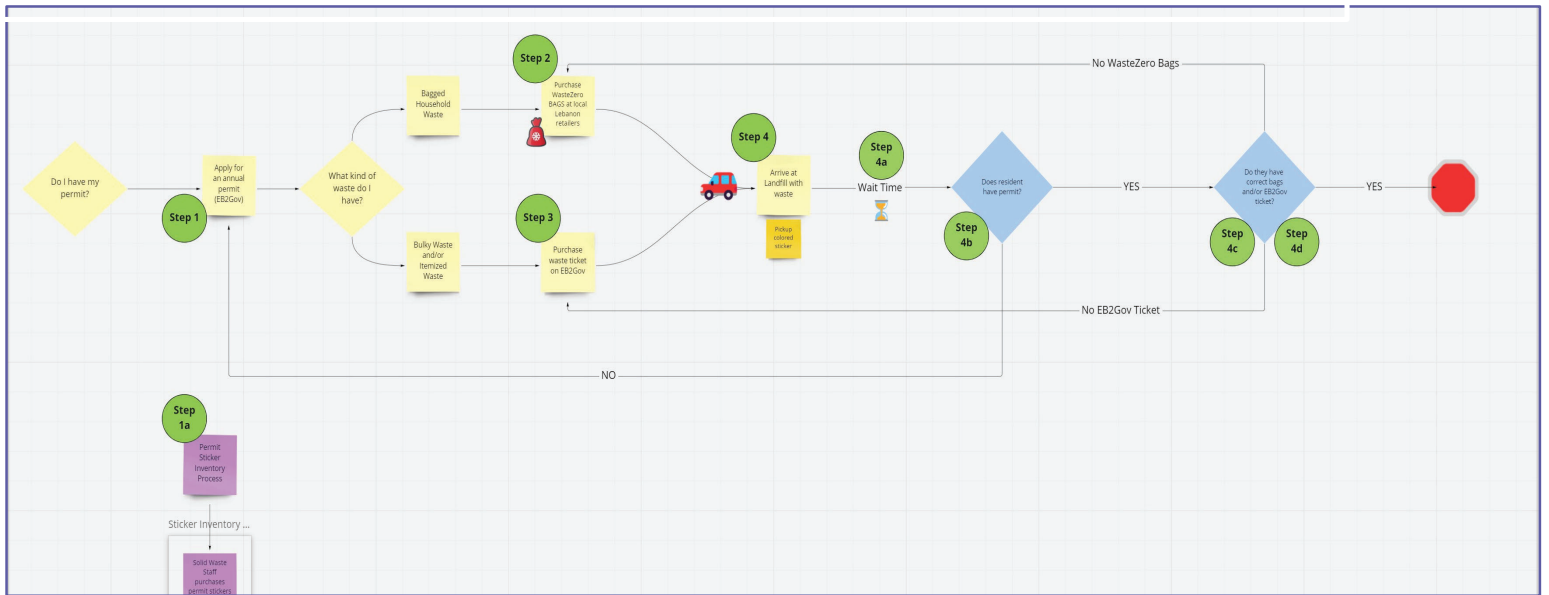
THE “CURRENT STATE”



BRAINSTORMING...



PLANNED “FUTURE STATE”



CURRENT STATE

Punch Card Currency System

- 1 punch on card provides for disposal of one 30-gallon trash bag
- Used as currency for disposal of itemized waste (mattresses, electronics, etc.) and scale loads

Permitting is every 2-3 years depending on residency.

- Permit is available in digital format that is also printable.
- Frustrating for staff and those waiting in line when customers arrive unprepared, or technology is not functioning properly

Punch Card purchasing options are limited to City Hall plus 3 local retailers

- Frustrating & time consuming for users
- Takes time to distribute and invoice weekly to retailers

FUTURE STATE

A Hybrid Approach to Waste Disposal utilizing a combination of Bags and Online "Ticket" orders

Permitting will be annual with the issuance of permit stickers (minimal cost to users)

- Visual check for Scale House Attendants
- Timesaver for all (staff and users)

Bags will replace punch cards for disposal of regular household waste

- Purchased in desired size/quantity from many local retailers (cost to be determined)

Itemized waste disposal tickets (mattresses, electronics, etc.) will be purchased in advance through 3rd Party Service and issued for one-time use

Residential waste items will no longer be weighed but will be measured and charged as units.

COST IMPLICATIONS:

Both the bagged and pre-purchased ticket options are to be developed as user pay systems

\$0.00 cost to the City

Bagged trash costs will increase to the user (cost to be determined)

Transaction fees for EB2GOV will be paid by user

IMPLEMENTATION:

BIG Change – Early messaging is critical!

Planned soft launch of bag system in July 2023

Planned soft launch of online ticket orders in September 2023

Full launch of system in January 2024 (punch cards would no longer be accepted after January 2024)

**AGENDA
LEBANON CITY COUNCIL
JULY 20, 2022**

11. NEW BUSINESS:

11.B – PRESENTATION OF PFAS MANAGEMENT STUDY

BACKGROUND

The City has been conducting water quality testing at the City's landfill located off of Route 12A in accordance with our NH Department of Environmental Services landfill permit. There are several test wells on the site. Some of those wells have test results which indicate there are some PFAS compounds in the water. One of the cells at the landfill is lined. This cell collects water in the form of leachate which is sent through the City's sewer system to the wastewater treatment plant a short distance away. Testing of the leachate shows levels of four PFAS compounds. There are over 12,000 known PFAS compounds.

At the present time the State of New Hampshire regulates four compounds in drinking water only. There are no regulatory standards for PFAS in wastewater effluent, surface water, soil, or sludge. The US EPA does not regulate PFAS compounds at the present time. The US EPA does have guidelines for drinking water.

There are some studies that report various public health concerns relative to the ingestion of PFAS by humans and animals. The purpose of this study was to develop a better understanding of the problem and to begin to explore options to address PFAS on either the landfill site and/or the wastewater treatment facility. The City needs to be in a position to respond to new regulations from the federal and state governments relative to PFAS.

ACTION

No action is required by the Council. Item is for informational purposes only.

Included in this Section:

1. PowerPoint Presentation – PFAS Management Study, City of Lebanon dated July 20, 2022, prepared by CEC Civil & Environmental Consultants, Inc.



Civil & Environmental Consultants, Inc.

PFAS Management Study

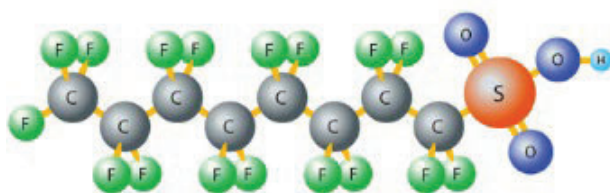
City of Lebanon, NH

Jonathan D. Kitchen, PG, LSP
Ivan Cooper, PE, BCEE

July 20, 2022

What are PFAS?

- Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that includes PFOA, PFOS, GenX, and many other chemicals.
- PFAS have been manufactured and used in a variety of industries around the globe since the 1940's.

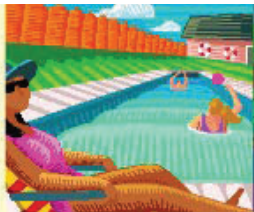
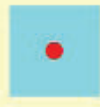
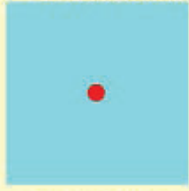


Why the Focus on PFAS?

- Commonly Found in Many Products (Fabrics, Packaging, Fire Fighting Foam)
- NH currently regulates four PFAS Compounds in Drinking Water at Part Per Trillion Levels
- Health Advisory Level – Significant reduction on Federal drinking water levels!!
- States Taking the Lead on Regulations (Inconsistent standards, enforcement, and site discovery activities)
- Legal Concerns / Uncertainty
- Multitude of Compounds that are Generally
 - Mobile in the Environment
 - Persistent
 - Bioaccumulative
 - Difficult and/or Costly to Remove/Destroy
 - Toxic / Regulated at Low Concentrations



Part Per Trillion

				
1 drop in a half cup of water = 1 part per hundred	1 drop in a quart of water = 1 part per thousand	1 drop in two tubs of water = 1 part per million	1 drop in an Olympic size swimming pool = 1 part per billion	1 drop in a lake = 1 part per trillion
$\text{pph} = 1 / 100$	$\text{ppth} = 1 / 1000$	$\text{ppm} = 1 / 1,000,000$	$\text{ppb} = 1 / 1,000,000,000$	$\text{ppt} = 1 / 1,000,000,000,000$
				
Click on each red drop of contaminant to add it to the measure of water. Observe how the concentration differs in each quantity of water.				RESET ALL

Michigan Environmental Education Curriculum 2018



The Study

- Assess Available Data
- Identify Important Data Gaps and Conduct Sampling
- Review and Explain Sources of PFAS in Municipal Solid Waste
- Evaluate “Cycling” of PFAS Between Landfill and WWTP
- Evaluate Sources of PFAS to the WWTP Other than Landfill Leachate
- Evaluate PFAS Discharges and Provide Regulatory Context
- Evaluate Potential Treatment Alternatives



Sampling and Analysis

The following additional media were sampled:

- C&D chips used for cover
- Soil currently covering the landfill
- Food waste compost pile
- Leachate - More involved analysis of leachate*
- Sediment – From stormwater ponds
- Surface Water – Standing water from stormwater ponds
- WWTP Influent and Effluent – More involved analysis*
- Wastewater from various “legs” of the collection system
- Additional biosolids samples (both Lebanon and Hartford VT)

*TOP assay



Sources of PFAS into the Landfill

See Figure 1 of Report for Details -

- The most significant contributor to PFAS in the landfill is municipal solid waste.
- In total, less than 1 pound of PFAS is expected to enter the landfill each year.
- Bulky items like carpets and upholstery have much higher concentrations of PFAS, but likely represent a much smaller proportion of the waste.



“Cycling” Between Landfill and WWTP

See Figure 2 of Report for Details -

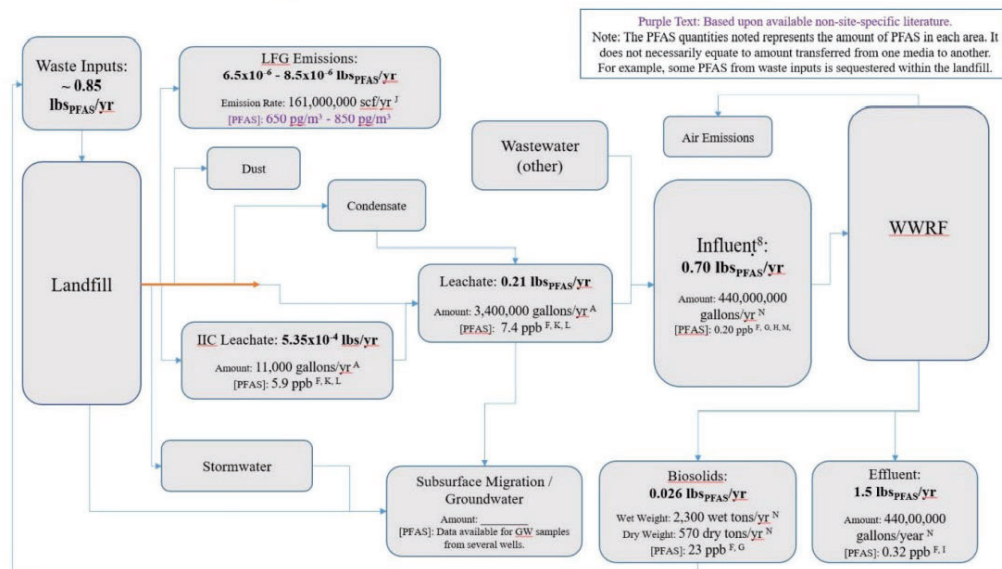
- Landfill leachate is the biggest contributor to the PFAS load at the WWTP (30%, possibly more).
- The vast majority of PFAS passes through the WWTP (~98%).
- A small amount of the PFAS is returned back into the landfill in the form of biosolids.
- Landfill sequesters significant amount of PFAS



“Cycling” Between Landfill and WWTP

Figure 2 of Report

Figure 2 – Landfill and WRRF PFAS Cycling



Sources to the WWTP Other than Leachate

- Industries tested thus far were identified as significant components to the PFAS load.
- General non-industry specific flow likely accounts for 30-40% of PFAS load.
- Some of the PFAS load is unaccounted for and more testing would be required to further understand PFAS loading.



PFAS Levels and Regulatory Context

Compound	Leachate (ppt) ¹	Landfill Groundwater (ppt) ²	WRRF Effluent (ppt) ³	NH Limits (ppt) (Drinking Water Standards)
PFOA	1,300	ND - 48	13	12
PFOS	165	ND - 7	4	15
PFNA	64	ND	1	11
PFHxS	504	ND - 29	4	18
Total NH Regulated PFAS	2,033	ND - 59	22	
Total PFAS	10,383	ND - 909	221	

1. Based upon the concentration in the sample from the landfill “main wet well” during work performed by CEC in Fall 2021.

2. Based upon historic groundwater concentrations from sampling by others from 2017 to 2020.

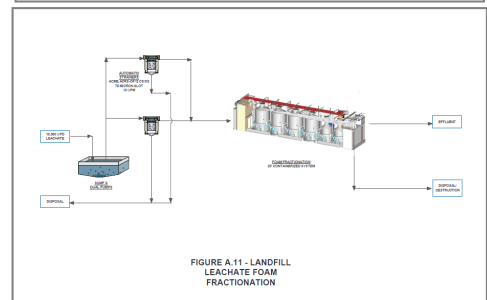
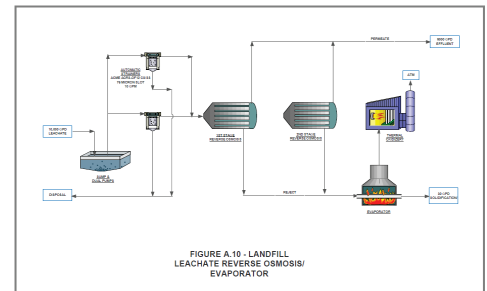
3. Based upon the concentrations in the sample from the WWTP effluent collected by the City as part of CEC’s study in Fall 2021.

ND – Not Detected



Evaluation of Potential Treatment Alternatives

- The selection of any treatment alternative will be highly dependent upon the discharge standards which are yet to be adopted.
- Numerous treatment technologies and options including multiple technologies were evaluated.
- Treatment both at the landfill and the WWTP was considered.
- Preliminary evaluations suggest capital cost for treatment of PFAS could range from \$3MM to \$17MM at the landfill to \$10MM to \$47MM at the WWTP.



Conclusions

1. Most PFAS is entering the landfill as municipal solid waste.
2. Landfill sequesters significant amount of PFAS.
3. Leachate discharge is the way most PFAS leaves the landfill.
4. Leachate is likely the most significant individual source of PFAS to the WWTP.
5. There are currently no discharge limits for PFAS in WWTP effluent. Future standards will likely influence what, if any, treatment is needed.
6. Treatment of leachate alone would have a measurable, but modest, impact on overall PFAS concentrations in WWTP effluent.
7. Recommendation for treatment should be made after discharge limits (or other goals) are established.
8. Continue sampling/monitoring of PFAS.



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