



**LEBANON CITY COUNCIL
AUGUST 3, 2022 - 7:00 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: 507 792 781#). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The August 3, 2022 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. 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.)**

4. Open to the Public

5. Recognitions: None

6. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the August 3, 2022 agenda packet.

7. Appointments: None

8. Public Hearing Items

- A. 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) for transfer from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project.
- i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions & Comments by the Public:
 - iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:
- B. APPROPRIATION FOR LANDFILL GAS PROJECT AND WOOD GRINDING – A public hearing for the purpose of receiving public input and taking action on a request for 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.

- i. Presentation:
- ii. Opening of the Public Hearing:
- iii. Questions & Comments by the Public:
- iv. Closing of the Public Hearing:
- v. Council Deliberation & Action:

- C. 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, 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

- i. Presentation:
- ii. Opening of the Public Hearing:
- iii. Questions & Comments by the Public:
- iv. Closing of the Public Hearing:
- v. Council Deliberation & Action:

9. Old Business: None

10. New Business

- A. Removal of a development restriction contained in a Quitclaim Deed for a former City-owned parcel of land identified as Tax Map 90, Lot 12, located on Freeman Avenue, Lebanon.
- B. Annual review and re-adoption of City Council Policy CC-100, Cash Management & Investment
- C. Annual review of City Council Policy CC-101, Fund Balance
- D. Annual review of City Council Policy CC-106, Capital Reserve Fund
- E. Review and Discussion of 2022 2nd Quarter Budget Reports
- F. Presentation and discussion of Draft Request for Expressions of Interest for Downtown Redevelopment Opportunities

11. City Manager Report

12. Council Representatives to Other Bodies Report

13. Future Agenda Items

14. Non-Public Session

15. 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](https://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

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 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

Lebanon City Council Agenda
August 3, 2022

SEPTEMBER 7, 2022

PUBLIC HEARING ITEM:

A. ORDINANCE 2022-03 – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 124, Use of Public Stormwater Systems

NEW BUSINESS:

A. Discussion and action to place the question of adoption of provisions of NH RSA 287-E (Bingo and Lucky 7) on the March 2023 Municipal Ballot

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

6. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- July 20, 2022 (Regular Meeting)

MOVED, to approve the minutes as presented in the August 3, 2022 agenda packet.

DRAFT

LEBANON CITY COUNCIL
MINUTES

Wednesday, July 20, 2022, 6:00 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, George Sykes, Douglas Whittlesey, and Devin Wilkie

MEMBERS ABSENT: Karen Zook

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Kristin Kenniston, Deputy City Manager – Public Services Nik Coates, Public Works Assistant Director Jay Cairelli, Wastewater Superintendent Daniel Knox. Shane Smith/Solid Waste, Water/Sewer Clerk Peggy Leva, Deputy Finance Director Alesia Williams, Solid Waste Manager Marc Morgan, Public Works Administrative Services Manager Kelly Crate, Chief Innovation Officer Melanie McDonough

1
2 **1. CALL TO ORDER:** Mayor McNamara called the meeting to order at 6:03 p.m.

3
4 City Manager Shaun Mulholland **announced the meeting criteria for the public.**

5
6 **2. PLEDGE OF ALLEGIANCE:** Councilor Whittlesey led the Council in the Pledge.

7
8 **3. BOARDS and COMMITTEES REPORTS (2nd Quarter 2022)**

9
10 **LEAC (Lebanon Energy Advisory Board): Greg Ames, Chair**

11 Chair Ames updated the Council on the following LEAC activities over the 2nd quarter:

- 12 • Lebanon Community Power and the Lebanon Community Power Coalition of New Hampshire:
- 13 Portsmouth, NH has joined the Coalition bringing this up to 19 municipalities plus Cheshire County
- 14 (covers approximately 20% of the State's population).
- 15 • The PUC (Public Utilities Commission): Expected to adopt final rules this month.
- 16 • RFP's issued by the CNH for a number of services. Responses are being reviewed.
- 17 • Assistant Mayor Below has continued to intervene on behalf of the City on a number of cases at the
- 18 State level that included SB 321, SB 262, and SB 265.
- 19 • The bulk of the work for LEAC this last quarter hand been updating the Master Plan. This is
- 20 ongoing.
- 21 • For next quarter, LEAC will be discussing Equity in their Chapter of the Master Plan.
- 22

23 **LEAC-EV(Electric Vehicle (Subcommittee): Greg Ames, Chair**

24 Chair Ames updated the Council on the following LEAC-EV activities over the 2nd quarter:

- 25 • The City's electric Ford F150 has entered production.
- 26 • Worked with the Towns of Hanover, NH and Hartford, VT to issue an RFI (Request for
- 27 Information) for publicly available EV chargers that would cover all three municipalities. They
- 28 received a response from the City of Green Belt, Maryland that documented their process on how
- 29 they went about installing public charging at businesses and explained how they came up with the
- 30 number of chargers needed. This information will be put forth to the Lebanon Planning Board.
- 31 • Charging Stations placed at Emerson Place for use by residents.

- DES (Department of Environment Services): Data on the number of EVs registered in Lebanon and outreach possibilities.
- School bus funding opportunities: There was a conversation about possible charging of buses at the Lebanon Landfill using landfill gas to energy output.
- Conversations took place with the Lebanon Police Department because Ford informed them they would no longer be producing gas fueled police vehicles after 2023. Liberty Utilities and the city electrician met and determined there is sufficient capacity at the utility to power fast charging stations and installed a conduit in the LPD parking lot, under the pavement, to get the power out to the proposed charging locations.
- Norwich EV Solar Technologies did a report for the CIP plan.
- Price Chopper is expanding their EV stations to 16. Work is being done on this now.
- Tri-County CAP: Structuring a pilot program for weatherization and heat pump conversions at rental properties.
- TRC Energy Consultants: Presented the possibility of how to stand up a small section of microgrids powered by the Lebanon Landfill Gas to Energy project in order to keep the City (Emergency Services) running in case of a long running electrical adverse event in the City.

Economic Development Committee (EDC): William “Bill” Dunn, Chair

- Worked on redevelopment opportunities for lower parking lots.
- Worked jointly with the Downtown TIF Advisory Board and put out a request for interest (RFI). In the hands of the Planning Department now.
- Held business retention, expansion work sessions with the Upper Valley Business Alliance and other sources to gather data about topics they should further explore. Next Roundtable will be on August 10, 2022 at Molly’s in Hanover, NH, from 7:30-9:30 a.m.

Conservation Commission: Sarah Riley, Chair

- Reviewed and commented on one Zoning Board Special Exception Application regarding a high value wetland buffer.
- Reviewed and discussed the Mt. Support Road and Lahaye Drive Special Assessment District design alternatives.
- Vicki Lee, Finance Director reviewed the current Use Penalty Process and the status of the Lebanon Open Space Trust Fund.
- They had a joint meeting with Planning Board to discuss how they can better work together in using the Master Plan to guide Zoning & Planning Regulations.
- Had a site visit to Farnum Hill to inform their discussion about an unofficial trail there.
- Currently discussing and updating Chapter 5 of the Master Plan.
- In April, they held two successful Vernal Pool Workshops.
- Held a joint cleanup session at the Two Rivers Conservation area with the Upper Valley Young Professionals.
- Worked with the Society for the Protection of New Hampshire Forests regarding the East Wilder Conservation area due to concerns over incursions at those properties.
- Trail Coordinator and Mark Goodwin succeeded in getting a grant application into the State of NH Recreational Trail Program to hopefully fund a bridge over Great Brook.
- New Conservation Ranger is John Techam, who has been working on keeping Lebanon’s trails clear.
- Wild About Lebanon Program is continuing.
- A Hike on Indian Ridge took place.
- An Airport Environmental Assessment will be done in the near future regarding proposed safety

improvements that have significant environmental impacts affecting about 2.9 acres of wetland impact. Unsure of the impact on acres regarding tree removal due to the FAA navigational hazards/obstructions regulations.

Tree Advisory Board, Sarah Riley-member

- Have been working on a Tree Ordinance.
- Have been working on urban heat islands.
- Have been working on/doing research on native vegetation planting to revegetate the shore south of the Lyman Bridge.

Diversity, Equity and Inclusion Commission: Councilors Devin Wilkie and Karen Liot Hill-members.

- Held the City's first Juneteenth Celebration, which was very successful.
- The first Listening Session took place to gather information from people on what they think could be improved and what they would like to see in Lebanon (i.e., gender neutral/single cell bathrooms). Two more Listening Sessions will be taking place.
- Developing a survey for residents of the Upper Valley on what their experiences are regarding discrimination
- Have been reviewing City Policies regarding equity to remove gendered language. This is an ongoing process.
- Working with City Manager on Strategic Plan updates.
- They are preparing for the City's first ever Multicultural Festival in Lebanon, which the Lebanon Opera House has very graciously incorporated into the NEXUS Festival on August 14th and 15th. The Council was informed about the activities that would be taking place.
- Recommendations will be coming to City Council in the future.
- Would like the Council to reaffirm the Inclusiveness Resolution that the Council passed in 2017.

Heritage Commission: Devine Wilkie – member

- They have been working on and discussing what the future use of the Dana House will be.
- A CLG Grant Application for Historic Districts has been submitted to help with the rehabilitation of sculptures at the Soldiers Memorial Building. Unsure of status.

Pedestrian/Bicyclist Advisory Board: Erling Heistad-member- No Report

TIF Advisory Boards: City Manager Shaun Mulholland

The Boards have met to put their budgets together. They have also been working on Strategic Planning and reports should be ready soon.

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

5. OPEN TO PUBLIC: The following people came forth to speak:

- **Mr. Harrison Wood (Ward-1):** Spoke about his concerns regarding the non-public publication of the Airport's Environment Assessment review meeting and the FAA's safety requirements.
- Both Councilors Liot Hill and Sykes spoke about reinstituting the Airport Advisory Committee to keep on top of issues that arise at the Airport. They would like this as a discussion point at a future Council meeting. Mayor McNamara would like this put on a future agenda.

- **Mr. Nick Mouzourakis (Ward-3):** He asked where political signs could be placed. City Manager Mulholland told him he could contact the Department of Public Works for this information. He requested that Mr. Mouzourakis also contact him via email and he would advise.
- Councilor Liot Hill spoke about a constituent's request to have more crosswalks added on Mechanic Street.

6. RECOGNITIONS:

- Purple Heart Community Proclamation

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 (Pedestrian & Bicyclist Advisory Committee Member)

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

1 implications for community risks, as well as opportunities for improvement, such as speed limit
2 reductions; and

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

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

8 **WHEREAS**, Alan's efforts were greatly appreciated by his peers, residents, and City officials;
9 **NOW THEREFORE**, I, Timothy McNamara, Mayor of the City of Lebanon, New Hampshire, on behalf
10 of the Lebanon City Council and community at large, extend sincere appreciation to Alan Schnur for his
11 time, diligence, and application of technical analysis to foster public safety during his service as a
12 committee member.

13
14

Timothy J. McNamara Mayor,
15 City of Lebanon
16

17 **7. ACCEPTANCE OF MINUTES:** July 6, 2022 (Regular Meeting)

18 *Councilor Liot Hill MOVED to approve the July 6, 2022 minutes as written and presented in the*
19 *July 15, 2021 City Council agenda packet.*

20 *Seconded by Councilor Heistad.*

21 ** The Vote on the MOTION was approved by those present (7-0-1). Councilor Sykes abstain because*
22 *he was not present at this meeting.*
23

24 **8. APPOINTMENTS:**

25 • Zoning Board of Adjustment, Catheryn Hembree (Alternate Member)
26 *Councilor Wilkie put forth the NOMINATION of Catheryn Hembree as an Alternate Member to the*
27 *Zoning Board of Adjustment for a three-year term: (7/22-7/25)*

28 ** The Vote on the NOMINATION was approved by those present (8-0).*
29

30 • Pedestrian & Bicyclist Advisory Committee, Adams Carroll (Regular Member)
31 *Councilor Simon put forth the NOMINATION of Adams Carroll as a Regular Member to the*
32 *Pedestrian & Bicyclist Advisory Committee for a three-year term: (7/22-7/25)*

33 ** The Vote on the NOMINATION was approved by those present (8-0).*
34

35 **9. PUBLIC HEARING ITEMS: NONE**

36
37 **10. OLD BUSINESS**

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

- 40 1. Reclassify, retitle, and remove positions within the Cyber Services Department;
41 2. Reclassify, add, and remove positions within the Library; and
42 3. Add seasonal positions for Summer Camp and Pool programs and increase salary range
43 for seasonal Summer Camp Director
44

Included in City Council agenda packet:

1. **Amendments to Ordinance #18, Salary Plan** (*Pages 43- 47, agenda packet*)

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

1 **ADD SEASONAL POSITIONS FOR SUMMER CAMP AND POOL PROGRAMS AND**
2 **INCREASE SALARY RANGE FOR SEASONAL SUMMER CAMP DIRECTOR**
3

4 Operational changes have been made to both the Pool and Summer Camp Programs necessitating the
5 addition of two seasonal positions – a Pool Operations Manager and an Assistant Camp Director. The
6 changes to these programs are needed to address staffing challenges and improve efficiency of future
7 operations. Changes will not impact the Recreation, Arts & Parks approved 2022 budget as the two
8 positions will remain vacant this year.
9

10 Additionally, due to the current market and staffing challenges, we are recommending an increase in the
11 pay range for the Summer Camp Director.
12

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

- 14 – Add Pool Operations Manager – salary range \$15.69 to \$21.63.
 - 15 – Add Assistant Summer Camp Director - salary range \$15.69 to \$21.63
 - 16 – Increase salary range for Summer Camp Director to \$16.73 to \$24.72.
- 17

18 ***Process to Amend Ordinance No. 18***
19

20 Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections
21 419:22, 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3)
22 of all members of the City Council – six (6) members - to adopt.
23

24 The Council was asked to recognize the second of three presentations on July 20 and to schedule a
25 public hearing for August 3, 2022, to amend the Ordinance. The third presentation will follow on
26 August 3, 2022.
27

28 **ACTION**

29 ***Councilor Liot Hill MOVED, that the Lebanon City Council acknowledges the second of three***
30 ***presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated and LPASE***
31 ***Employees, as follows:***
32

33 ***SECTION A –***

34 **FOR THE CYBER SERVICES DEPARTMENT:**

- 35 *Add System Administrator - Grade 11*
- 36 *Add Systems and Operations Administrator – Grade 13*
- 37 *Add Cyber Security Analyst - Grade 13*
- 38 *Delete Systems and Information Technology Administrator – Grade 13*
- 39 *Add Lead Network Infrastructure Engineer – Grade 14*
- 40 *Reclassify Cyber Services Director from a Grade 15 to Grade 16*
41

42 **FOR THE LIBRARY:**

- 43 *Add part-time Custodial Supervisor – Grade 4*
- 44 *Reclassify Children’s Librarian from a Grade 9 to a Grade 8*
- 45 *Eliminate Young Adult Librarian – Grade 9*
- 46 *Add Youth Services Librarian – Grade 10*
47

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

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

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

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

5

6 *Changes to the compensation and classification schedules are shown in ~~red-italics~~ for deleted*

7 *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>				
	Young Adult Librarian	-	-	-	-
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>	-	-	-
	Systems and Information Technology Administrator	-	-	-
14	Assistant Director/Public Works		\$1647.76	\$2,224.49
	Chief Assessor	-	-	-
	Library Director	-	-	-
	Deputy Police Chief	-	-	-
	<i>Lead Network Infrastructure Engineer</i>		-	-
15	Cyber Services Director		\$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>	\$15.69	\$21.63
Asst. Pool Director	\$15.69	\$21.63
<i>Assistant Camp Director</i>	\$15.69	\$21.63
Pool Director	\$16.73	\$24.72
<i>Camp Director</i>	\$16.73	\$24.72

Seconded by Councilor Sykes.

**The Vote on MOTION was approved by those present (8-0).*

At the request of Mayor McNamara, the following items were taken out of order as presented in the City Council agenda packet and are presented in the order as discussed by the Council.

11. NEW BUSINESS

A. Presentation of Alternative Payment System for Disposal of Residential Waste at the Landfill (Results of LEAN Event)

Included in the agenda packet:

1. PowerPoint Presentation – Alternative Landfill Payment System (Presentation of Results of LEAN Event) (*Pages 62-72 agenda packet*)

Solid Waste Manager Marc Morgan and Deputy City Manager Paula Maville presented and reviewed the results of the LEAN Event to establish a proposed alternative to the Landfill Payment System. Their detailed presentation can be located on the pages listed below.

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. LEAN is a way to create efficiency and process.

Mr. Morgan noted there are currently 22 towns that utilize Lebanon's landfill and focused his comments on the Future State Slide, which a number of other communities use and is focused primarily for residential traffic.

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.

1 Ms. Maville noted that permit being proposed is a sticker on a vehicle, it will no longer be a QR code that
2 someone needs to stop and scan.

3
4 Mr. Morgan spoke about the quality of the proposed trash bags, which was a critical question presented to
5 him by a consumer. He noted that combustible bags actually do not break down in the landfill and,
6 unfortunately, a lot of the bags placed in landfills do not typically degrade.

7
8 The Council and Mr. Morgan discussed: concerns about the increased cost of purchasing specific (pink)
9 bags for the consumer; the balance between the quality of the bag being purchased vs. the inexpensive
10 bags that you can purchase at BJ's; how this system would reduce the hard waste that is coming out of
11 homes; the size of bags to be made available (15 gal. and 30 gal.); unbagged/uncontained waste (i.e.,
12 mattresses, refrigerators, propane tanks, etc.) – will be proposing a unit-based cost but the details still
13 need to be worked out; the potential costs to the consumer for the new (pink) bags and the need to be
14 sensitive about these costs; concerns about the people who may be excluded (i.e., the transient
15 population, part-time residents, renters, etc.) and how these consumers can be informed about the landfill
16 regulations if adopted; looking at other methods/alternatives in order to reduce adding more plastic to the
17 landfill; the amount of staff time involved with this process and whether or not it is really a time-saver;
18 concerns about vendors who will most likely be selling these bags and whether or not they will be able to
19 meet the demand (i.e., what happens next if vendors cannot keep up with the demand); concerns about
20 making this significant change; consider taking more time to review the process before it is adopted;
21 what the plan may be for people who cannot manage the online system (i.e., no computer, lack of
22 knowledge, etc.) and the impact this may have on staff at the Lebanon Public Libraries and the landfill;
23 whether or not there is an option for the Council to just adopt the EB2GOV payment/prepayment for
24 irregular types of waste and then consider the bag system at a later date due to negative feedback from
25 residents; the consumer emotions surrounding this change; and, the need for the Council to understand
26 the different aspects of the proposal before adoption..
27

1 Ms. Maville felt it was important to point out that we are not asking to increase the costs and were
2 looking at ways to reduce. No one at the table said I take a barrel of trash without it being bagged when
3 we were talking about this. It was not even an idea that was put on the table. Does it deserve further
4 consideration? Maybe. We are not looking to add plastic or use something that they would already be
5 doing in terms of having a plastic bag to have their trash in, so this was not looked at as an increase in the
6 use of plastic. We were also asked to look at what the possibilities would be if we phased out the current
7 charges. The purpose of the LEAN event was do just that, so this is what we came up with. We do
8 understand there is a concern. Her hope was that if those people who were interested in providing
9 comments were listening, that this might help clarify things because the public's concerns were an
10 instantaneous reaction based on an article in the newspaper.

11
12 Mr. Morgan reviewed and explained the cost implications and the proposed implementations plans as
13 listed below.
14

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

PROPOSED:

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)

18
19
20 In response to Mayor McNamara's question regarding when they expect to bring this back to the Council for
21 approval, City Manager Mulholland stated it would more likely be in January 2023, noting that there is the
22 Code 97 provision that needs to be changed and there are public hearings, etc. that need to take place.

23
24 Mr. Morgan explained there are a number of otherwise commercial entities using the residential stream and it
25 is not designed for commercial use. When those customers are identified, we will hand them an application for
26 a commercial account to try and get them out of the residential stream. These are conversations that are
27 ongoing and will continue. He further explained there will be an item on the EB2GOV site for the residential
28 truck waste fee.

29
30 Mayor McNamara recognized the following people who came forth to speak on this topic.

31
32 **Ms. Diane Doe (Ward-1):** She spoke about her reasons in favor of the proposed plan and gave examples of
33 how to get the word out to the public.
34

1 **Mr. Nick Mouzourakis (Ward-3):** He suggested using accessibility sticker posters that would show what is
2 necessary to dispose of items (i.e., Mattresses (3 stickers, etc.) that may get around some of the extra internet
3 stuff.
4

5 The Council continued to discuss: whether or not the bags would be branded for Lebanon (yes); were larger
6 bag sizes considered (no because bags are not distributed on an as needed basis due to supply chain issues,
7 etc.); the problem of the landfill running out of space in the future and if it would be possible for the LEAN
8 process to consider/explore ways to address both the administrative issues of how to make things more
9 efficient while also addressing the bigger picture of how we can encourage reduction of waste.
10

11 Councilor Wilkie wanted to make sure that two things are stated clearly and that some consideration be given
12 to these:

- 13 1. Since this is a big change, he wanted to make sure this would be done as sustainably as possible and
14 would not be increasing plastic in the landfill.
- 15 2. Make sure that the small minority of people are not left out of this process.
16

17 Mr. Morgan explained the compositing pilot program and how it fits within this discussion to Councilor Sykes.
18

19 Mr. Morgan explained the disposal of C&D materials to Councilor Heistad, noting that shingles/mattresses are
20 being looked at for diversion in the future.
21

22 Mayor McNamara is looking for this discussion to take place again in the fall/early winter with some
23 additional information.
24

25 **ACTION**

26 *No action is required by the Council. Item was for informational purposes only.*
27

28 **B. Presentation of PFAS Management Study for City of Lebanon**

29

30 Included in the agenda packet:

- 31 1. PowerPoint Presentation – PFAS Management Study, City of Lebanon dated July 20, 2022,
32 prepared by CEC Civil & Environmental Consultants, Inc. (*Pages 74-87, agenda packet*)
33

34 Mr. Jonathan D. Kitchen, PG, LSP, Civil & Environmental Consultants, Inc. reviewed and discussed the
35 PFAS Management Study presentation for the City of Lebanon.
36

37 **BACKGROUND**

38

39 The City has been conducting water quality testing at the City's landfill located off of Route 12A in
40 accordance with our NH Department of Environmental Services landfill permit. There are several test wells
41 on the site. Some of those wells have test results which indicate there are some PFAS compounds in the
42 water. One of the cells at the landfill is lined. This cell collects water in the form of leachate which is sent
43 through the City's sewer system to the wastewater treatment plant a short distance away. Testing of the
44 leachate shows levels of four PFAS compounds. There are over 12,000 known PFAS compounds.
45

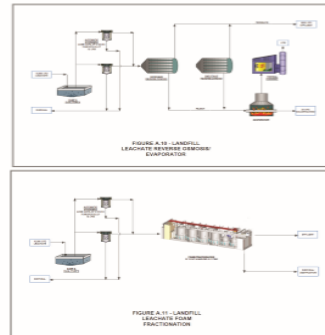
46 At the present time the State of New Hampshire regulates four compounds in drinking water only. There
47 are no regulatory standards for PFAS in wastewater effluent, surface water, soil, or sludge. The US EPA
48 does not regulate PFAS compounds at the present time. The US EPA does have guidelines for drinking
49 water.
50

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.

The Summary of the presentation is listed below.

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.



CEC

What was Learned

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.

CEC

Mayor McNamara noted that Lebanon is going to be responsible for what the State and Federal Government ultimately sets up regarding the discharge from the Wastewater Treatment Plant/Landfill.

Mr. Morgan noted the regulations (PFAS) are not clear and while we have drinking water standards, the

1 items the City is looking at are not drinking water. He emphasized Lebanon's drinking water is safe, but
2 at some point there will be surface water standards and noted that currently there is legislation to
3 adopt/create soil standards for PFAS.

4
5 In response to Assistant Mayor Below's question regarding whether or not food packaging materials are
6 being regulated/tested, Mr. Morgan stated they were not being tested.

7
8 Councilor Liot Hill and Mr. Morgan and Mr. Kitchen discussed drinking water contamination
9 downstream from Lebanon on the Connecticut River.

10
11 Informational Regulations will be coming in the future.

12
13 **ACTION**

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

15
16 **10. Old Business (continued.)**

17 **B. NHMA 2023-2024 Legislative Policy Recommendations (Taken out of order from agenda**
18 **packet)**

19
20 Included in City Council agenda packet: *(Pages 48-61, agenda packet)*

- 21 1. 2023-2024 NHMA Proposed Policy Positions document
22 2. NHMA Proposed Legislative Principles

23
24 **BACKGROUND**

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

32
33 Each municipality may send a delegate to the policy conference in the fall. This year's Policy Conference
34 is being held on Friday, September 23, 2022 at the Local Government Center in Concord. The Conference
35 provides a venue for voting by individual municipalities on NHMA's proposed 2023-2024 Legislative
36 Policy Platform. One member of each municipality has voting privileges at the Conference, and the Council
37 is asked to delegate a member for such voting purposes.

38
39 Mayor McNamara noted that at the last meeting, the Council was asked to read through the materials and
40 let he and City Manager Shaun Mulholland know if there was anything in particular that the Council
41 wanted them to speak on at the conference, or, if there were any items that they disagreed with.

42
43 Councilor Whittlesey gave his reasons for emphasizing (page 49, under Legislative Policy
44 Positions/Local Authority and Efficiency) why the Council should support the NHMA support in
45 maintaining local government authority without infringement by the state, and supports measures that
46 enable municipalities to exercise existing authority more efficiently and with greater discretion along
47 with the other bullet points listed under this item. He felt it was important for towns and municipalities
48 to be able to self-govern.

1
2 Councilor Liot Hill supported local control. When it comes to housing, she struggled with the fact that
3 Lebanon has been carrying the load on building new housing units in the Upper Valley. Part of this is
4 due to local control, and questioned if there was a possibility for proposing a housing bank. She
5 suggested that the Council and NHMA advocate for an increase in the property transfer taxes (currently
6 at 1.5%) that would be directed towards affordable housing. She further spoke about her reasons why she
7 felt there were inequities in housing.

8
9 Councilor Heistad concurred with Councilor Liot Hill noting Lebanon has borne the brunt of building
10 needs for the entire region. He was hoping there could be a pilot project that we could promote for
11 getting other towns to participate.

12
13 Councilor Sykes questioned if there was any current legislation that makes it possible for the
14 regionalization of efforts (i.e., housing). Mr. Mulholland stated there was a chapter that allows a very
15 board statutory provision for municipalities, counties, and other types of governments entities to actually
16 work together to create districts and do different things.

17
18 Councilor Whittlesey spoke about his concerns regarding having the State come in to fix inequities. He
19 felt the NHMA policy positions, and the legislation they are supporting, is much more than official for us
20 to be pushing for vs. the legislative agenda that is being put forward.

21
22 More discussion was held regarding how to solve the inequities in housing for our region and State.

23
24 Councilor Sykes suggested adopting a policy where someone registering their vehicle could also register
25 to vote at the same time, either in person or online. This would encourage greater participation in the
26 voting process.

27
28 Councilor Simon spoke about his reasons for not supporting any of the items under the Labor and
29 Employment section. He felt it was aimed at municipal workers and more specifically unionization and
30 the rights to collective bargaining.

31
32 Councilor Wilkie concurred with Councilor Simon, noting this is the section that looks the ugliest. He
33 supports labor and felt a lot of these items were very anti-labor positions, or in opposition to pro-labor.

34
35 Councilor Simon noted he would be happy with just “no comment” on the Labor and Employment
36 Section.

37
38 Councilor Wilkie noted that on page 49, under Legislative Policy Positions/Local Authority and
39 Efficiency, the NHMA supports “Legislation that is supportive of state collaboration with municipalities
40 in addressing homelessness,” seemed vague to him and caused him to wonder if addressing homelessness
41 was helping people or whether it was simply referring to removing those who are unhoused.

42
43 City Manager Shaun Mulholland explained the NHMA’s position is not the law but this is an NHMA
44 supportive policy. He further spoke about the troubles other areas are having with this issue and this
45 would help the State collaborate with us (NHMA). Further discussions took place regarding this issue.

46
47 Mayor McNamara spoke to this issue and noted the rationale for Lebanon’s approval for this item should
48 be to address the root causes of homelessness and to provide housing for the unhoused.

49
50 Councilor Sykes spoke about his reasons to make sure Lebanon’s delegation strongly supports the “NH

1 Retirement System Restoration of up to 35% of the state's share of employer costs for police, teachers,
2 and firefighters in the current defined benefit plan and any successor plan, with the goal being a 35% re-
3 instatement of the state contribution.".

4 **ACTION**

5 **MOTION #1 -Legislative Policy Positions**

6
7
8
9 ***Councilor Liot Hill MOVED***, that the Lebanon City Council endorses and authorizes the Mayor to
10 support the NH Municipal Association Legislative Policy recommendations for the 2023-2024
11 Legislative Session with the exception of and with the understand that regarding the provision on
12 homelessness, that that support is conditioned on the support for people experiencing homelessness
13 and that the Lebanon City Council opposes the section on Labor and Employment and asks the
14 Mayor to convey our opposition to the Labor and Employment Section at the NH Municipal
15 Association conference for that purpose.

16
17 ***Seconded by Councilor Simon.***

18 ****The Vote on MOTION was approved by those present (8-0)***

19 **MOTION #2 -Legislative Principals**

20
21
22 ***Councilor Liot Hill further MOVED***, that the Lebanon City Council supports and endorses the NH
23 Municipal Association's proposed Legislative Principles for the 2023-2024 Legislative Session and
24 authorizes the Mayor to convey that support at the Annual NHMA Conference.

25 ***Seconded by Councilor Whittlesey.***

26 ****The Vote on MOTION was approved by those present (8-0)***

27 28 **12. City Manager Report:**

29 City Manager Shaun Mulholland updated the Council on the following:

- 30 • Algae blooms on Mascoma Lake
- 31 • Strategic Plan Updates
- 32 • Tax bills: Were due on July 13th. Very high collection rate, and includes the taxes owed by Alice
- 33 Peck Day.
- 34 • 365 Employee Evaluation Program.
- 35 • Mechanic St. Sidewalk: Grant was received and it will be an 80/20 split. Build will take place
- 36 maybe in 2025.

37 38 **13. COUNCIL REPRESENTATIVES TO OTHER BODIES:**

39 40 **14. FUTURE AGENDA ITEMS:**

- 41 • Discussion regarding reinstituting the Airport Advisory Committee.

42 43 **15. NON-PUBLIC SESSION:**

44 ***Councilor Whittlesey MOVED to go into a Non-Public Session to discuss:***

45
46 **RSA 91-A:3.II(a)** "The dismissal, promotion, or compensation of any public employee or the
47 disciplining of such employee, or the investigation of any charges against him or her, unless the
48 employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which
49 case the request shall be granted."

1
2 *Seconded by Councilor Liot Hill.*

3
4 **Roll Call Vote:**

5 Councilors Voting Yea: Assistant Mayor Clifton Below, Heistad, Liot Hill, Simon, Sykes, Whittlesey,
6 Wilkie, and Mayor McNamara

7 Councilors Voting Nay: NONE

8 Councilor(s) abstaining: NONE

9 Absent from this session: Karen Zook

10 **The Vote on the Motion was approved by those present (8-0)*

11
12 **The Council went into Non-Public Session at 9:40 PM.**

13
14 *Councilor Wilkie MOVED to go out of Non-Public Session.*

15 *Seconded by Councilor Heistad*

16
17 **Roll Call Vote:**

18 Councilors Voting Yea: Assistant Mayor Clifton Below, Heistad, Liot Hill, Simon, Sykes, Whittlesey,
19 Wilkie, and Mayor McNamara

20 Councilors Voting Nay: NONE

21 Councilor(s) abstaining: NONE

22 Absent from this session: Karen Zook

23 **The Vote on the Motion was approved by those present (8-0)*

24
25 **Non-Public Session was adjourned at 9:58 PM**

26
27 *Councilor Wilkie MOVED to seal the minutes of the July 20, 2022 non-public session because it is*
28 *determined that divulgence of this information likely would affect adversely the reputation of any*
29 *person other than a member of this board.*

30 *Seconded by Councilor Hill.*

31
32 **Roll Call Vote:**

33 Councilors Voting Yea: Assistant Mayor Clifton Below, Heistad, Liot Hill, Simon, Sykes, Whittlesey,
34 Wilkie, and Mayor McNamara

35 Councilors Voting Nay: NONE

36 Councilor(s) abstaining: NONE

37 Absent from this session: Karen Zook

38 **The Vote on the Motion was approved by those present (8-0)*

39
40 **16. ADJOURNMENT:**

41
42 *Councilor Wilkie MOVED for adjournment.*

43 *Seconded by Councilor Whittlesey.*

44
45 **The Vote on the MOTION was unanimously approved by those present (8-0)*

46
47 **The meeting was adjourned at 10:00 PM.**

1
2 Respectfully submitted,
3 Dona E. Gibson
4 Recording Secretary

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

8. PUBLIC HEARING ITEMS:

**8.A – REQUEST FOR SUPPLEMENTAL APPROPRIATION FOR
20 SPENCER STREET CLEANUP PROJECT**

A public hearing for the purpose of receiving public input and taking action to appropriate One Hundred Forty Thousand Dollars (\$140,000) for transfer from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project.

The City Council scheduled this public hearing at their July 6, 2022 regular meeting. The public hearing was properly noticed in the *Valley News* on July 23 and July 26, 2022 in accordance with City Code and State Law.

BACKGROUND

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

Funding for the request for a supplemental appropriation in the amount of \$140,000 to cover the cost overrun will be paid for through the use of Unassigned Fund Balance so there will be no adverse impact on the tax rate.

Please see attached June 8, 2022 memo from Jay Cairelli, Interim Public Works Director for additional information.

ACTION

If the Council decides to move forward, the following is offered for consideration:

FOR THE PURPOSE OF appropriating funds for removal and disposal of contaminated soils at 20 Spencer Street, Lebanon.

NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that funds, in the amount of \$140,000 be appropriated for expenditure from unassigned fund balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project, as presented in the July 6, 2022 City Council Agenda Packet.

This Resolution shall be effective upon passage.

Included in this Section:

1. June 8, 2022 Memo from Interim Public Works Director Jay Cairelli – Supplemental Appropriation Request

2. Notice of Public Hearing as Published in the July 23 and July 26, 2022 Editions of the *Valley News*

MEMO

TO: Honorable Mayor and City Council
CC: Shaun Mulholland, City Manager
FROM: Jay Cairelli, Interim DPW Director
DATE: June 8, 2022
RE: Supplemental Appropriation Request

INTRODUCTION:

Request for supplemental Appropriation in the amount of \$140,000. for the 20 Spencer Street Site Cleanup project.

BACKGROUND

In 2020 the City contracted with a local contractor, Casella Construction, to perform the demolition of the old DPW garage building and shed and removal of old storage tanks at 20 Spencer Street. As part of the storage tank closure process and the NHDES requirements, soils in the immediate vicinity of the old tanks were required to be tested for petroleum-contaminated soils. These soil samples and tests were coordinated by Credere Associates, LLC. of Westbrook, ME. Test results came back and the City was surprised to find out that the soils indicated low concentrations containing PCB's.

PCP contaminated soils are required by US EPA and NH DES to be disposed of in a hazardous waste landfill. The City has proceeded to excavate the soils around the immediate area of the tanks and dispose of the soil in a permitted facility.

Subsequent soil tests around the perimeter of the contaminated soil location have been performed to identify/delineate the area and depths of the extent of the contaminated soils as well as to quantify the volume that will need to be disposed of.

In 2021 after field investigations, it was estimated the volume of soils that would require to be removed was 550 Cubic yards (835 tons) with a unit price contract with NRC East Environmental Services Inc.

In 2022 During the soil removal process there was a unit price modification for NRC reflecting a increase due to the continuously increasing fuel costs and disposal rates. Also during the removal process, it was identified that there was an additional 180 tons of PCB soil and 47 tons of Benzene soil removed and disposed of that that was not in the original tonnage estimate along with additional excavation and dewatering required to finish the site, which resulted in an additional cost of \$140,000,that was not in the previous appropriation request.

RECOMMENDATION / RATIONALE:

As you are aware failure to clean up the site would prohibit the housing development that Ken Braverman is proposing for this site. Credere Associates is in the process of completing the PCB remediation report.

July 26, 2022



**LEBANON CITY COUNCIL
NOTICE OF
PUBLIC HEARINGS
Wednesday, August 3, 2022 -
7:00pm
Council Chambers, City Hall or
REMOTE VIA
VIRTUAL PLATFORM
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on August 3, 2022, beginning at 7:00pm for the following:

- A. 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) for transfer from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project.
- B. APPROPRIATION FOR LANDFILL GAS PROJECT AND WOOD GRINDING** – A public hearing for the purpose of receiving public input and taking action on a request for 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.
- C. 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, 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

The August 3, 2022 City Council agenda packet and documents pertaining to the above-described public hearings will be available on the City's website beginning July 29, 2022: LebanonNH.gov/Agendas

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.

ME-390114

The foregoing notice was published in the *Valley News*, a newspaper of general circulation in the City of Lebanon, in accordance with the Code of the City of Lebanon on Saturday, July 23, 2022 and Tuesday, July 26, 2022.

Kristin M. Kenniston, City Clerk

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

8. PUBLIC HEARING ITEMS:

**8.B – REQUEST FOR SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF
\$160,000.00 FOR SOLID WASTE DIVISION PROJECTS**

A public hearing for the purpose of receiving public input and taking action to appropriate One Hundred Sixty Thousand Dollars (\$160,000) for transfer 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 Solid Waste Operations Budget for contracted wood gridding services.

The City Council scheduled this public hearing at their July 6, 2022 regular meeting. The public hearing was properly noticed in the *Valley News* on July 23 and July 26, 2022 in accordance with City Code and State Law.

BACKGROUND

Landfill Gas Collection and Control System

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

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

Grinding Wood Waste

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

Unfortunately, the City is not immune to the increases in costs for materials and labor. The requested \$100,000 supplemental appropriation for the Gas Collection and Control System will be transferred from the Unassigned Fund Balance in the Solid Waste Fund to the Capital Improvements Fund; and the \$60,000 requested for the wood grinding service will be transferred from the Unassigned Fund Balance to the operational budget for the Solid Waste Division.

ACTION

The following resolution is offered for consideration:

FOR THE PURPOSE OF appropriating funds for the construction of the Landfill Gas Collection and Control System Expansion and for the grinding of wood waste.

NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that funds, in the amount of:

- 1. One Hundred Thousand Dollars (\$100,000) be appropriated for expenditure from the unassigned fund balance of the Solid Waste Management Fund and transferred to the Capital Improvement Fund for the Landfill Gas Collection and Control System Expansion Project; and***
- 2. Sixty Thousand Dollars (\$60,000) be appropriated for expenditure from the unassigned fund balance of the Solid Waste Management Fund and transferred to the Solid Waste Operations Budget for contracted wood grinding services.***

This Resolution shall be effective upon passage.

Included in this Section:

- 1. Notice of Public Hearing as Published in the July 23 and July 26, 2022 Editions of the Valley News**

July 26, 2022



**LEBANON CITY COUNCIL
NOTICE OF
PUBLIC HEARINGS
Wednesday, August 3, 2022 -
7:00pm
Council Chambers, City Hall or
REMOTE VIA
VIRTUAL PLATFORM
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on August 3, 2022, beginning at 7:00pm for the following:

- A. 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) for transfer from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project.
- B. APPROPRIATION FOR LANDFILL GAS PROJECT AND WOOD GRINDING** – A public hearing for the purpose of receiving public input and taking action on a request for 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.
- C. 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, 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

The August 3, 2022 City Council agenda packet and documents pertaining to the above-described public hearings will be available on the City's website beginning July 29, 2022: LebanonNH.gov/Agendas

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.

ME-390114

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Kristin M. Kenniston, City Clerk

**AGENDA
LEBANON CITY COUNCIL
AUGUST 4, 2022**

8. PUBLIC HEARING ITEMS:

**8.C AMEND 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 first presentation was July 6; the second was July 20. The Council is asked to finalize the process by acknowledging the third presentation and acting to amend the Salary Plan at the close of the public hearing.

ACTION

The City Council is asked to take the following actions:

1. PRESENTATION:

MOVED, that the Lebanon City Council acknowledges the third 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>	Hourly		Weekly	
		<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>				
	Young Adult Librarian	-	-	-	-
9	Code Health Inspector**	\$28.56	\$38.55	-	-
	Executive Assistant	-	-	-	-
	Digital Media Officer	-	-	-	-
	Deputy Assessor	-	-	-	-
	Cyber Services Technical Specialist	-	-	-	-
	Real Estate Appraiser II**	-	-	-	-
	Children's Librarian			\$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>

2. RESOLUTION:

FOR THE PURPOSE OF amending Ordinance No. 18, Salary Plan.

NOW THEREFORE BE IT RESOLVED, that the Lebanon City Council amends Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & 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

Included in this Section

1. Notice of Public Hearing as Published in the July 23, 2022 Edition of the *Valley News*

July 26, 2022



**LEBANON CITY COUNCIL
NOTICE OF
PUBLIC HEARINGS
Wednesday, August 3, 2022 -
7:00pm
Council Chambers, City Hall or
REMOTE VIA
VIRTUAL PLATFORM
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on August 3, 2022, beginning at 7:00pm for the following:

- A. 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) for transfer from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer Street Cleanup Project.
- B. APPROPRIATION FOR LANDFILL GAS PROJECT AND WOOD GRINDING** – A public hearing for the purpose of receiving public input and taking action on a request for 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.
- C. 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, 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

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ME-390114

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Kristin M. Kenniston, City Clerk

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

10. NEW BUSINESS:

10.A – REQUEST FOR RELEASE OF REAL ESTATE RESTRICTIVE COVENANT

2 FREEMAN AVENUE – LOTS 90-12 AND 90-13

BACKGROUND

Shawn Griffin is the current owner of two adjacent parcels of land on Freeman Avenue, Lot 90-13 and Lot 90-12. Mr. Griffin's home is built upon Lot 90-13. Lot 90-12, a 50'x100' (5,000 sq. ft.) rectangular parcel, is vacant. Mr. Griffin wishes to voluntarily merge the two lots pursuant to RSA 674:39-a and construct a garage upon Lot 90-12. (Mr. Griffin's signed voluntary merger application is included in the Council's agenda packet.)

The City acquired Lot 90-12 by a tax sale in 1935 and re-sold it to Ira Herrin and Gail Herrin in 1989. The City's quitclaim deed to the Herrins included the following restrictive covenant that runs with the land:

"No building or other structure shall be built on the premises conveyed herein regardless if such premises remains as a separate individual lot or combined with another lot."

In 1988, when the City was considering the sale of Lot 90-12 (f/k/a Map 24, Lot 36), the minimum lot size in the R3 zoning district was 10,000 sq. ft. and width of 75 feet, but the Zoning Ordinance allowed non-conforming lots created prior to September 22, 1966, such as Lot 90-12, to be built upon.

The City's assessor recommended the deed restriction in a June 21, 1988 memo "[i]f upon consideration by the appropriate City Boards, it was determined that it was undesirable to sell the property as a building lot..." The Planning Board adopted this recommendation at its August 2, 1988 meeting. The City Council voted at its August 17, 1988 meeting to "offer Lot 36 on Freeman Avenue to the abutters as an unbuildable lot for fair market value."

The City Manager's office supports the release of the restriction on the condition that Lots 90-12 and 90-13 are voluntarily merged and that new construction on the merged lot would comply with all City ordinances and regulations, including property line setbacks.

ACTION

Should the Council wish to grant Mr. Griffin's request, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby authorizes the City Manager to execute the "Release of Deeded Restriction" included in the August 3, 2022 City Council Agenda Packet for the property Freeman Avenue located at Map 90-12.

Included in this Section:

1. June 21, 1988 Memorandum from City Assessor re: Map 24, Lot 36
2. Excerpt from Minutes of August 2, 1988 Planning Board meeting
3. August 3, 1988 Memorandum from Planning Board Chairman to City Council
4. Excerpt from Minutes of August 17, 1988 City Council meeting
5. 1989 Tax Collector's Deed for 1934 Tax Sale
6. 1989 Quitclaim Deed from City of Lebanon to Ira and Gail Herrin (B1904, P599)
7. 1995 Fiduciary Deed from Herrin Executrix to Shawn and Heather Griffin (B2135, P141)
8. 2019 Warranty Deed from Shawn R. Griffin to Shawn R. Griffin, Trustee of the Shawn R. Griffin Revocable Trust dated January 22, 2019 (B4413, P866)
9. 1924 Plan for Mascoma Park
10. GIS Map – Freeman Avenue
11. Tax Card for Lot 90-13
12. Tax Card for Lot 90-12
13. Voluntary Merger Application by Shawn R. Griffin for Lots 90-12 and 90-13
14. DRAFT Release of Deeded Restriction

CITY OF LEBANON, NEW HAMPSHIRE

MEMORANDUM

TO: Don Vittum, Interim City Manager
FROM: David Johnson, City Assessor
DATE: June 21, 1988

SUBJECT: City Owned Lot Shown as Parcel 36 on Map 24 on the City of Lebanon Assessor's Map

At your request I have inspected the above referenced property with Jack Cervenka, the abutter (Map 24 Lot 35) who is interested in purchasing the property.

PROPERTY/LEGAL DESCRIPTION: The property is a vacant parcel of land with 50 feet of frontage on Freeman Ave. and a depth of 100 feet. It is part of a subdivision of land recorded at the Grafton County Registry of Deeds Plan Book 530 Page 171 and is shown thereon as lots 50 and 51. The property was originally conveyed on July 10, 1924 from the original developers to William N. Mosher (Book 580 Page 591). Registry records indicate that the property was taken for taxes by the Town of Lebanon on January 30, 1935 (Book 648 Page 114).

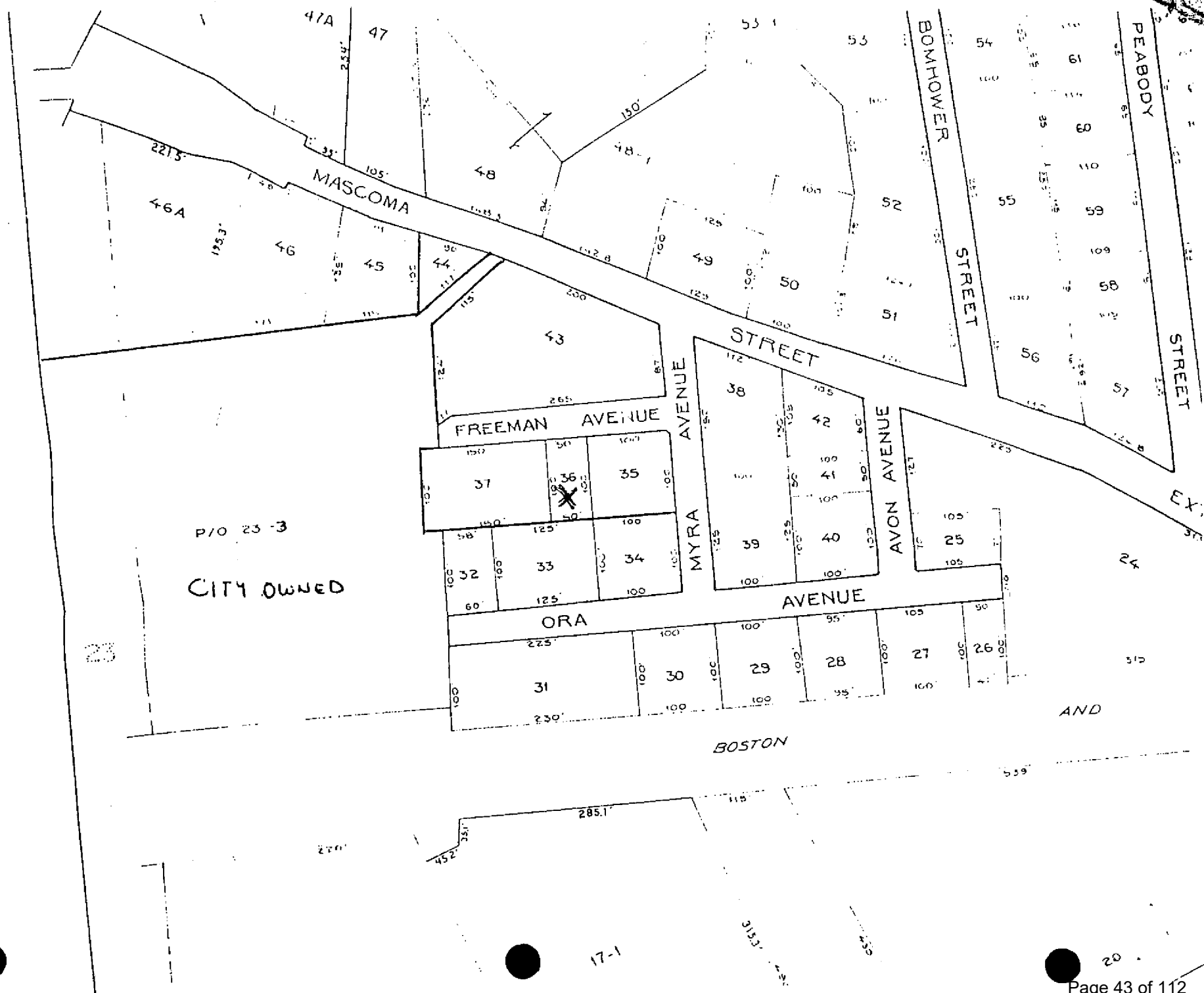
HIGHEST AND BEST USE: The property in question is located in an R3 Zoning District which currently requires a minimum lot area of 10,000 square feet and width of 75 feet, within a Class I District. Section 207 of the Zoning Ordinance allows for lots predating September 22, 1966 to be built upon, which on the surface would render this a buildable lot. The highest and best use, therefore, was determined to be for construction of a single family residence.

Three options are available to the City:

OPTION I: Buildable Lot - Under this option the City could sell off the lot with no restrictions. City water and sewer are available on Freeman Ave. A value range of between \$18,000 and \$24,000 would be considered fair market value, with the lower range setting a minimum bid price. Adjacent Lot 35 was purchased September 24, 1986 for \$17,000.

OPTION II: If upon consideration by the appropriate City Boards, it was determined that it was undesirable to sell the property as a building lot and that it should be restricted by deed to render it unbuildable, a value of \$6,000 would be considered fair market.

OPTION III: Retain by the City for use such as a playground. The City does not own any abutting parcels to the subject property but does own Lot 3 on Map 23 (see map attached).



MOTION BY FENO TRUAX: Move that the Planning Board recommend to the City Council that approximately 1,000 sq. ft. of land contained in the parcel conveyed to the City as properties for recreation be used to construct a pumping station for the Dartmouth-Hitchcock Medical Center project. The motion was seconded by Mr. Bailey.

Mr. Baker stepped down from the Board for this discussion.

Mr. Arnold asked if there was a way for it not to look like a pumping station. Mr. Dobson said he is not sure whether this is an above ground or below ground pumping station. Mr. Darer thought it was above ground but was not sure.

ON THE MOTION: Passed unanimously 8-0.

Mr. Baker stated the reason he stepped down from discussion on this issue was that his relatives abut the property. Everyone knows that this land is to be used for recreational purposes and he questioned whether the Board should consider a pumping station. Mr. Dobson responded that it is a small section of land and everyone would benefit from a water pumping station in the area. The Planning Board is not voting on this, but only advising the City Council. Abutters will be notified when it comes before the City Council for public hearing.

DISCUSSION RE PURCHASE OF CITY OWNED LAND ON FREEMAN AVENUE BY JACK CERVENKA.

Mr. Dobson explained that this requires an advisory opinion from the Planning Board. Mr. Jack Cervenka was present and he said it is a 50' strip of land that abuts his property. He owns Lot 35 on the plan and wants to buy Lot 36. He has talked to the City Assessor, who told him this was a buildable lot, but it could be sold with the provision that it never be built upon. This is what they are looking for. Putting a house on a 50' lot would really affect the neighborhood adversely.

Mr. Dobson referred the Board to comments from David Johnson on this. Option 2 is apparently what they are looking for. The City would declare the lot unbuildable and the City would sell it to the applicant for whatever the price the City decides on.

MOTION BY ANN SCHNEIDER: Move to advise the City Council that the Planning Board recommends that the City transfer ownership through an annexation following Option 2 on the memorandum from David Johnson, City Assessor, for the lot shown as Parcel 36 on Map 24. The motion was seconded by Ms. Schonberger and passed unanimously.

Mr. Dobson said the Planning Board will submit a letter to the City Council and they will make the final decision.

DISCUSSION FOR THE CITY TO QUITCLAIM THEIR INTEREST IN A PARCEL OF LAND ON TENLEY DRIVE, WEST LEBANON.

This is a request made by Mr. and Mrs. Ronald Stebbins. Parcel A on the plan is apparently owned by the City of Lebanon.

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Norman Dobson, Planning Board Chairman ND, PL
DATE: August 3, 1938
SUBJECT: Freeman Avenue
C:\WS2000\NDFREEAV

On August 2, the Lebanon Planning Board voted to recommend that the City of Lebanon sell a parcel of land on Freeman Avenue (lot 36) to Jack Cervenka but declaring the lot unbuildable. If approved, Cervenka must return to the Planning Board for annexation.

cc: Planning Board Members
John Aubin, Interim City Manager
George Gline, Public Works Director

August 17, 1988 - City Council Meeting Minutes - Page 9

Motion of Councilor Mastro, seconded by Councilor Mans, that the New England Telephone Company be granted permission to locate one pole on Worthen Street at the junction of Young Street (License #873), subject to conditions outlined by the Public Works Director in a memo dated August 3, 1988. Motion voted for and adopted by unanimous vote. (Councilor Esquivel was not present at the time the vote was taken.)

SALE OF FREEMAN AVENUE LOT AUTHORIZED

See attached memo dated August 3, 1988 from Planning Board Chairman Norman Dobson, and a memo dated June 21, 1988 as submitted by City Assessor David Johnson.

The Council reviewed the Planning Board's recommendation that Lot 36 on Freeman Avenue be sold as an unbuildable lot, as a result of the City receiving a request from Jack Cervenka, an abutting property owner, to purchase the lot. The possibility of annexing Cervenka's lot with Lot #36, making it buildable, was discussed. Mayor Farnham felt that that possibility should be discouraged because it would mean one more new house that would cost the City more to provide services than what would be generated in property taxes. Other Councilors, however, could see no problem with creating another house lot. The matter of whether the property should be offered for bid as a buildable or unbuildable lot was discussed.

Motion of Councilor Mastro, seconded by Councilor Shedd, that the City Administration offer Lot 36 on Freeman Avenue to the abutters as an unbuildable lot for fair market value.

It was understood that the Manager would have the right to reject any and all bids and to negotiate with the highest bidder. No action was taken on a suggestion offered by Councilor Mastro that if the abutters should show no interest that the property be offered to the general public.

Voting results: Five voted for the Motion. Mans voted against. Motion declared adopted by the Mayor.

UVLSC EXECUTIVE COMMITTEE APPOINTMENT

See attached letter dated August 10, 1988 from the Upper Valley Lake Sunapee Council requesting that the Council recommend a replacement for Norman Dobson, who resigned as a Lebanon representative of the Executive Committee.

Know all Men by these Presents

That I, Susan J. McGonis Tax Collector for the City/~~XXXXXX~~ Lebanon
in the County of Grafton and State of New Hampshire, for the year 19 89 by the authority in me vested by
the laws of the State, and in consideration of one dollar and other valuable consideration

to me paid by the City of Lebanon, NH, a municipal corporation duly established in said
Do hereby sell and convey to the said County of Grafton City of Lebanon, NH successors/heirs and
assigns, a certain tract or parcel of land situated in the City/~~XXXXXX~~ Lebanon N.H.
aforesaid, Taxed by the ~~XXXXXX~~ Assessors in 19 34 to William M. Mosher
and described in the Invoice Books as

a certain lot of land situated in Lebanon, in the
County of Grafton, in the State of New Hampshire, being Lots #50 & 51
listed on the Pland of Mascoma Park submitted by SH Stevens, CE
dated June 1924 and recorded in Book 530, Plan 171.

005199

This deed is the result of the tax sale/~~XXXXXX~~ execution held at Town Hall
in the ~~XXXX~~ Town of Lebanon New Hampshire, on the
Thirtieth day of January 1935

To have and to hold the said Premises, with the appurtenances, to the said City of Lebanon, NH
successors/ heirs and assigns forever. And I hereby covenant with the said City of Lebanon, NH

that in making this conveyance I have
in all things complied with the law, and that I have good right, so far as that right may depend upon the regularity of
my own proceedings, to sell and convey the same in the manner aforesaid.

BK 1795 PG 0897

In Witness Whereof, I have hereunto set my hand and seal, the Twenty-Fourth
day of March, in the year of our Lord one thousand nine hundred and eighty-nine.
Signed, Sealed, and Delivered in the presence of:

Barbara J. Valentine
Dorothy J. Noel
E. Ferrie Brongtall

RECEIVED
69 MAR 28 AM 8:07
GRAFTON COUNTY
REGISTER OF DEEDS

Susan J. McGonis
Collector
Grafton, ss. March 24, 19 89
above named.

State of New Hampshire

Personally appearing Susan J. McGonis
and acknowledged the foregoing instrument to be her voluntary act and deed. Before me

EXAMINED, ATTEST Cecil A. Elliott
GRAFTON COUNTY REGISTRY OF DEEDS

STATE OF NEW HAMPSHIRE

DEPARTMENT OF REVENUE ADMINISTRATION		
REAL ESTATE		TRANSFER TAX
MO	DAY	YR
04	10	91
		\$ 21.00

QUITCLAIM DE
(Statutory Fo

-----THOUSAND-----HUNDRED AND 21 DOLLARS

CONTROL NUMBER 08877

VOID IF ALTERED

KNOW ALL MEN BY THESE PRESENTS that the CITY OF LEBANON, a New Hampshire municipal corporation, having its principal place of business in Lebanon, County of Grafton, and State of New Hampshire, for consideration paid, grants to IRA and GAIL HERRIN, husband and wife, as joint tenants with right of survivorship, not as tenants in common, whose mailing address is 21 Ora Avenue, Lebanon, New Hampshire 03766, with QUITCLAIM COVENANTS, the following:

A certain lot of land situated in Lebanon, in the County of Grafton, and State of New Hampshire, being lots number 50 and 51 on the plan entitled "Mascoma Park, Lebanon, New Hampshire" prepared by S. H. Stevens, CE, dated June 1924, and recorded in the Grafton County Registry of Deeds, Book of Plans 530, Plan 171, to which reference may be had for more particular description of said lots.

The grantees, for themselves, their heirs, successors and assigns, by the acceptance of this deed, hereby covenant as follows:

The above described premises is hereby conveyed subject to the following restrictions, which shall run with the land being conveyed and be binding on the grantees, their heirs successors and assigns:

No building or other structure shall be built on the premises conveyed herein regardless if such premises remains as a separate individual lot or combined with another lot.

Meaning and intending hereby to describe and convey the same land and premises as conveyed to the City of Lebanon by deed from Susan J. McGonis, Tax Collector, dated March 24, 1989 and recorded in the Grafton County Registry of Deeds at Book 1795, Page 897.

Further meaning and intending to convey the same parcel of land conveyed by Napoleon P. Brissette, Harry W. Stigney, and Alexander Williamson to William N. Moser, which is recorded in the Grafton County Registry of Deeds, Book 580, Page 591.

In some of the recorded documents William N. Moser is

004416

BK1904 PG0599

Page 2

referred to as William M. Moser, the same person.

Dated this 24th day of April, 1989.

CITY OF LEBANON

By St. L. Smith
Steven L. Smith,
City Manager
Duly Authorized by Vote of
the City Council Taken on
October 21, 1988

STATE OF NEW HAMPSHIRE
GRAFTON, ss.

Dated: April 24, 1989

Personally appeared Steven L. Smith, who acknowledged himself to be the City Manager of the CITY OF LEBANON, a municipal corporation, and that he, as City Manager, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the CITY OF LEBANON, by himself, the City Manager.

Before me,

[Signature]
Notary Public
My commission expires: 4/2/90

RECEIVED
91 APR 10 AM 11:15
GRAFTON COUNTY
REGISTRY OF DEEDS

EXAMINED, ATTEST Carol A. Elliott
GRAFTON COUNTY REGISTRY OF DEEDS

BK1904 Pg0600

F I D U C I A R Y D E E D

I, Louise H. Krajewski, of Vernon, Tolland County, State of Connecticut, as Executrix of the Estate of Beulah B. Herrin, duly appointed by the Probate Court of Grafton County, New Hampshire, Docket Number 1994-0204, by the power confessed by the will and every other power, for consideration paid, grant to Shawn Griffin and Heather Griffin, of Lebanon, Grafton County, New Hampshire, husband and wife, as joint tenants with right of survivorship and not as tenants in common, whose mail address is 2 Freeman Avenue, Lebanon, New Hampshire, 03766, the following:

A certain tract or parcel of land with the buildings thereon, situate in Lebanon, County of Grafton and State of New Hampshire, bounded and described as follows;

Lots numbered 45, 46, 47, 48 and 49 as shown on "Plan of Mascoma Park" made by S.H. Stevens in June, 1924 and recorded in Grafton County Registry of Deeds at Book 530, Page 171, and also in the files of the office of the City Clerk of said Lebanon.

Said tract being more particularly described as shown on said Plan as lying southerly of and adjoining Freeman Avenue a distance of 130.3 feet;

Thence westerly by land now or formerly owned by Thomas Manly a distance of 100.9 feet;

Thence southerly by lots numbered 54, 55, 56, 57 and 58 a distance of 135.5 feet;

And easterly by lot number 50, 100 feet to the point of beginning.

All four corners of said tract are marked with iron pipes, and all distances to be more or less.

Containing an area of 13.290 square feet as shown on said Plan.

Meaning and intending to convey all and the same premises as conveyed to Chauncey B. Herrin and Beulah B. Herrin, as joint tenants, by deed of Frank D. Wallace dated April 15, 1952, recorded in Grafton County Registry of Deeds and being all and the same premises conveyed to Chauncey B. Herrin and Beulah B. Herrin, as joint tenants by deed of Louis J. St. Hilaire, dated July 24, 1953, recorded in said registry at Book 838, Page 240. Chauncey B. Herrin died at Hanover, New Hampshire, on March 1, 1975. Beulah B. Herrin died at Hanover, New Hampshire, on April 4, 1994.

The within conveyed premises are not homestead premises for any beneficiary of the Estate of Beulah Herrin. This conveyance is made in accordance with a Consent Affidavit as filed with the said Probate Court, in the records of the Estate of Beulah B. Herrin as referenced above.

The consideration paid is seventy thousand dollars (\$70,000.00)

Nancy Papademas
Witness

Louise H. Krajewski
Louise H. Krajewski, Executrix of the Estate of Beulah B. Herrin

STATE OF NEW HAMPSHIRE
COUNTY OF GRAFTON

Then personally appeared Louise H. Krajewski, known to me or proven to me to be the person who subscribed the above instrument, and acknowledged that she executed same as her free and voluntary act and deed.

Dated this 31st day of March, 1995.

Before me.

Nancy Papademas
Notary Public
My commission expires 10-30-99

NANCY A. PAPADEMAS
ATTORNEY AT LAW
57 SCHOOL STREET
LEBANON, N.H. 03766

STATE OF NEW HAMPSHIRE	
DEPARTMENT OF REVENUE ADMINISTRATION	REAL ESTATE TRANSFER TAX
**** THOUSAND 7 HUNDRED AND 00 DOLLARS	
170742	\$ ****700.00
04/03/1995	EXAMINED, ATTEST
VOID IF ALTERED	

GRAFTON COUNTY REGISTRY OF DEEDS

Carol A. Elliott

8 4 1 9 9 4 4
Tx:4378008

4413-0866

01/28/2019 12:29 PM Pages: 2
REGISTER OF DEEDS, GRAFTON COUNTYWARRANTY DEED

163

KNOW ALL PERSONS BY THESE PRESENTS, That I, **Shawn R. Griffin**, single, of the City of Lebanon, County of Grafton and State of New Hampshire, for consideration paid, grant to **Shawn R. Griffin, Trustee of the Shawn R. Griffin Revocable Trust dated January 22, 2019**, of the City of Lebanon, Grafton County, New Hampshire, with a mailing address of 2 Freeman Avenue, Lebanon, NH, 03766, with WARRANTY covenants:

Two certain tracts of land with the improvements thereon situated on Freeman Avenue in the City of Lebanon, Grafton County, New Hampshire, and being all and the same premises described in a quitclaim deed from the Shawn R. and Heather Griffin Revocable Trust dated October 17, 2008 to Shawn R. Griffin which deed is dated December 13, 2018 and recorded in the Grafton County Registry of Deeds at Book 4407, Page 692.

The property is conveyed subject to and with the benefit of all matters set forth in the foregoing deed and all other conveyances, easements, restrictive covenants, rights-of-way, mortgages, encumbrances and other matters of record which may affect the subject property.

This deed is exempt from transfer tax pursuant to RSA 78-B:2, XXII.

EXECUTED this 22nd day of January, 2019.

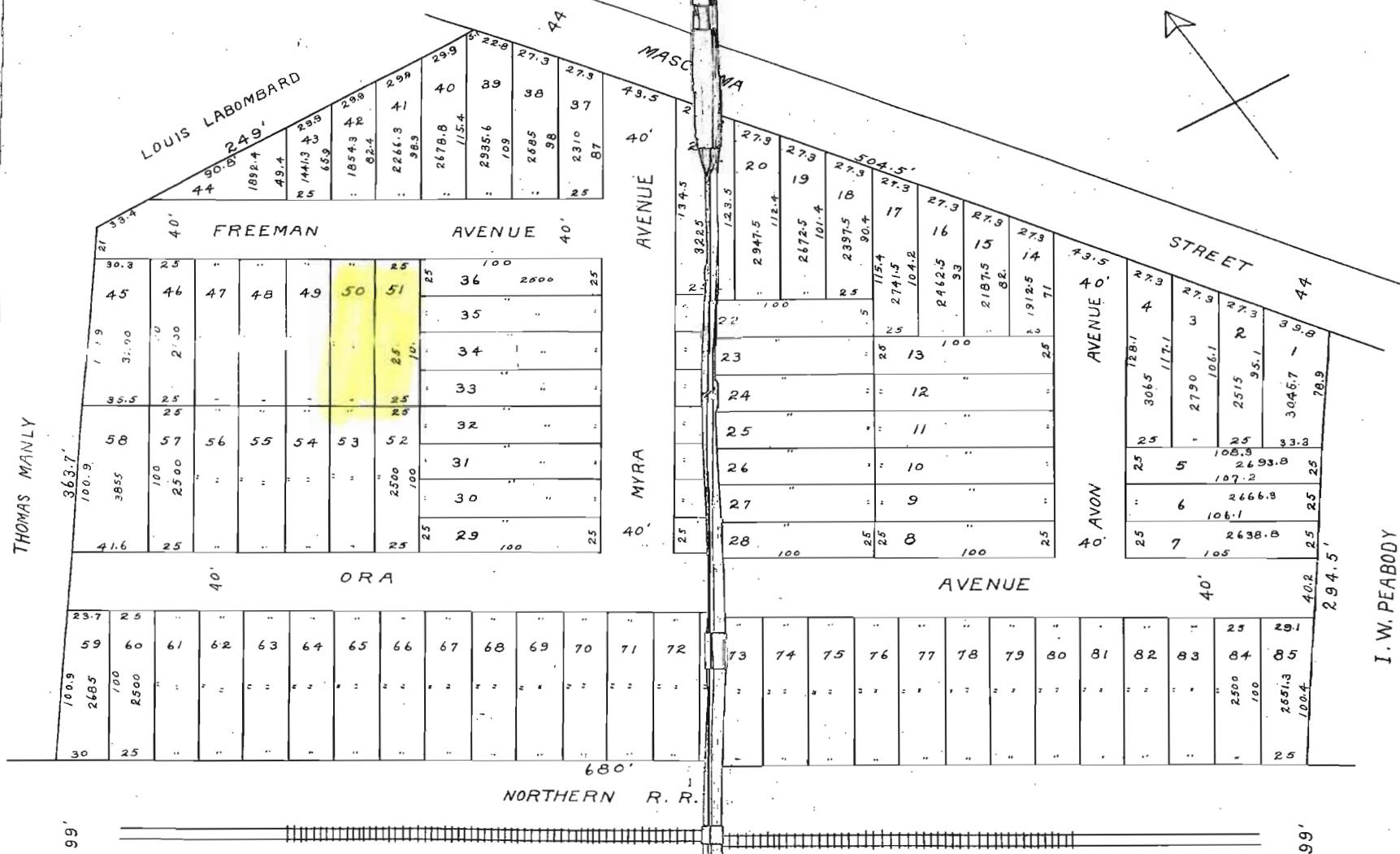
Shawn Griffin
Shawn R. Griffin

STATE OF NEW HAMPSHIRE
COUNTY OF GRAFTON

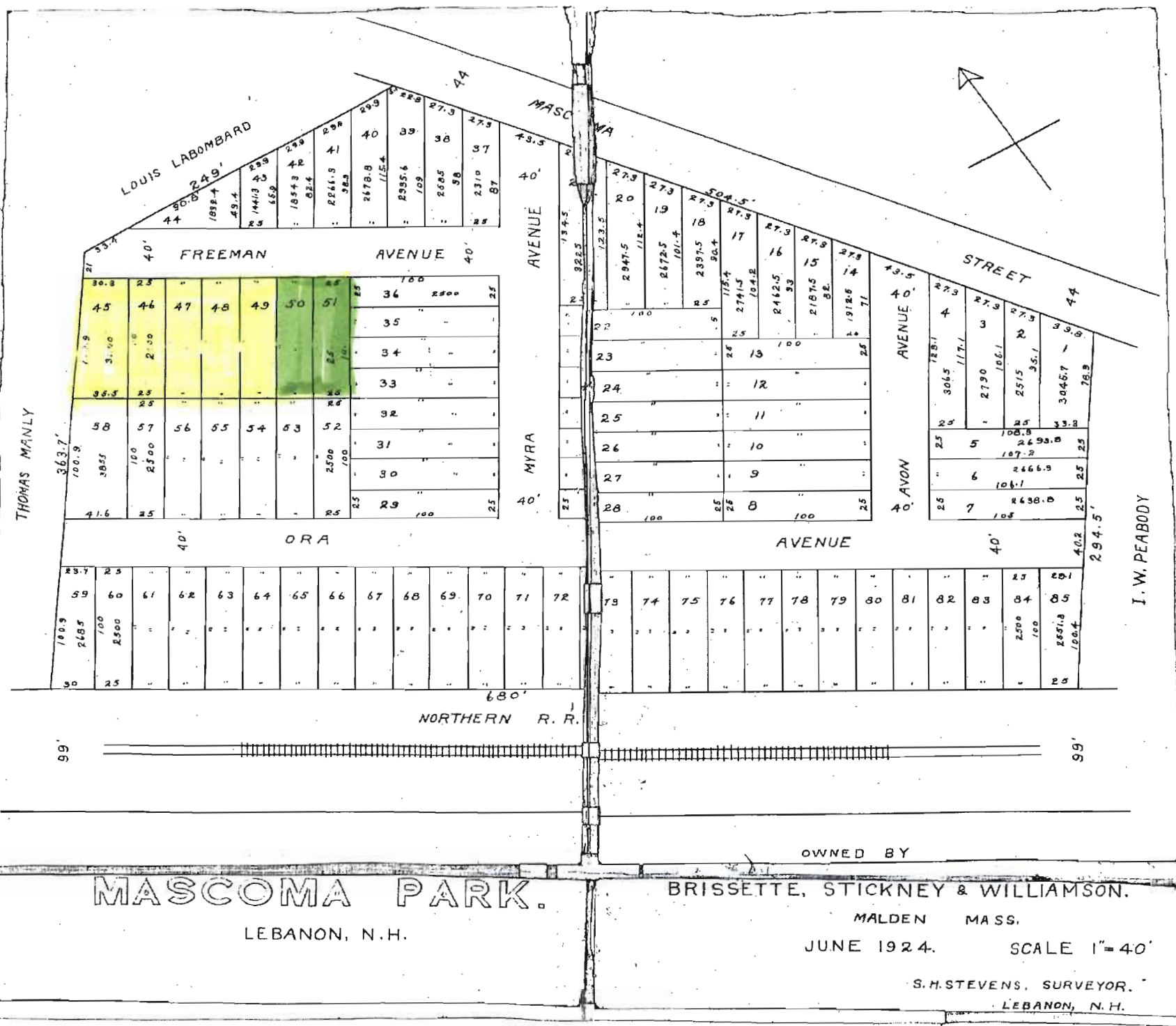
On this 22nd day of January, 2019, before me, the undersigned officer, personally appeared Shawn R. Griffin known to me, or satisfactorily proven, to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same in the capacity therein stated and for the purposes therein contained.

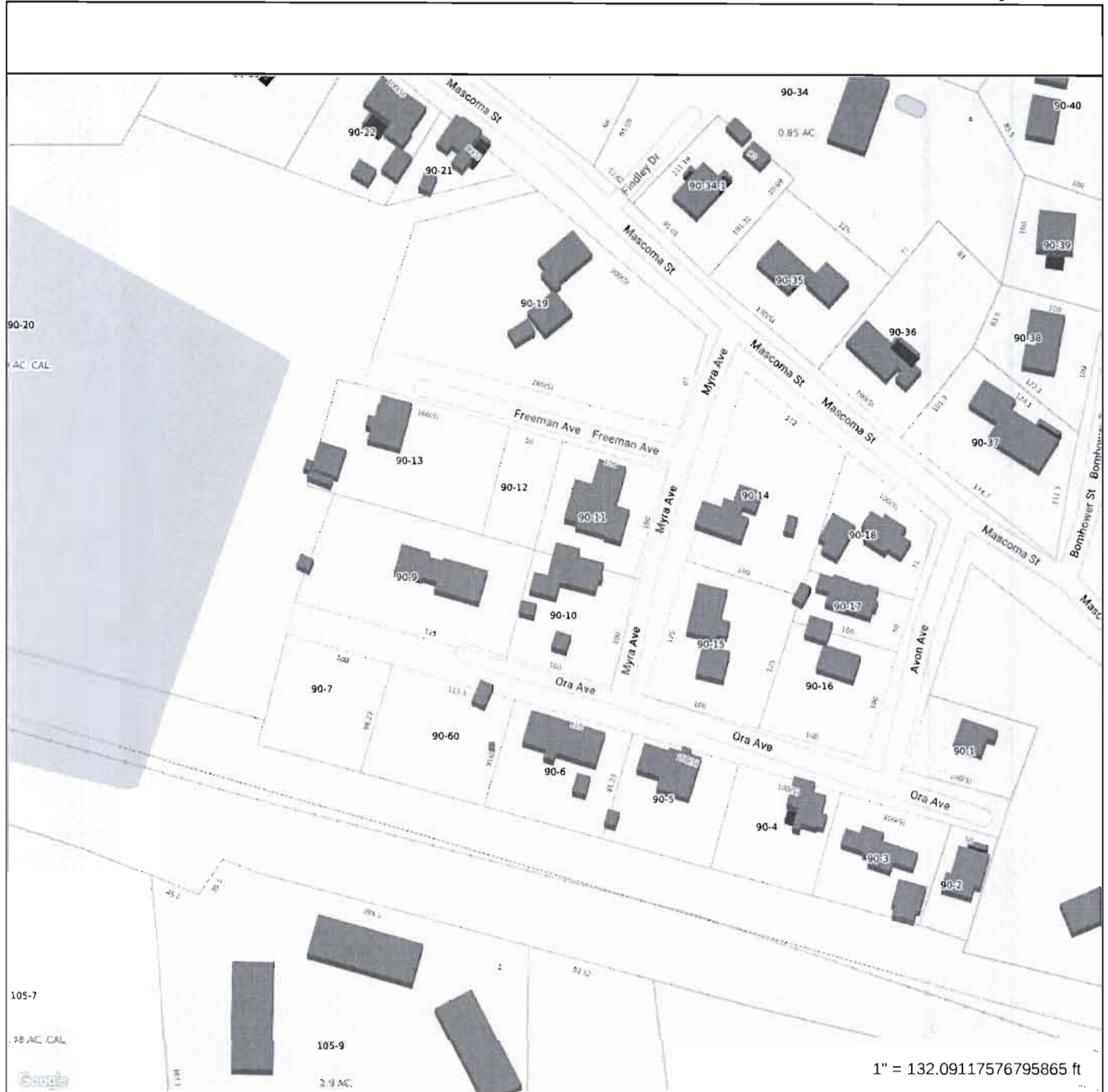
Eric W. Janson
Eric W. Janson, Notary Public
My commission expires: 03/09/2021





I.W. PEABODY





	 MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT City of Lebanon, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map. Geometry updated 12/29/2021 Data updated 11/18/2018	Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.
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 City Of Lebanon, NH

Summary

Parcel ID 90-13
 Account # 2385
 Property ID 1567
 2020 Tax Rate
 Location Address 2 FREEMAN AVE
 LEBANON
 Acres/Lots 0
 Zoning R3: Residential 3
 Neighborhood RES AVGERAGE
 Property Usage SINGLE FAMILY (101)



Owners

GRIFFIN, SHAWN R TTEE
 2 FREEMAN AVE
 LEBANON NH 03766

GRIFFIN, SHAWN R REV TRST
 2 FREEMAN AVE
 LEBANON NH 03766

Valuation

	2021	2020	2019
Assessed Land Value	\$56,900	\$56,900	\$54,500
+ Assessed Improvement Value	\$139,300	\$139,300	\$112,600
+ Assessed Misc Value	\$14,600	\$14,600	\$9,300
= Total Assessed Value	\$210,800	\$210,800	\$176,400

Land

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
ONE FAM (101)	16,552.80	SQUARE FEET	SITE	0	0	\$0

Buildings

Building ID 1699
 Style BUNGALOW / 02
 Gross Sq Ft 2,758
 Finished Sq Ft 0
 Stories
 Condition Average
 Interior Walls
 Exterior Walls VINYL
 Year Built 1950
 Garage
 Porch
 Effective Year Built 1950
 Foundation
 Roof Type
 Roof Coverage
 Flooring Type HARDWOOD
 Heating Type
 Full Bathrooms 1
 Half Bathrooms 0
 3/4 Bathrooms 0
 Grade C
 Grade Description
 Number of Fire Pl 0
 Unit Description

Rooms 7
 Bedrooms 3

Code	Description	Sketch Area	Finished Area	Perimeter
FFL	1ST FLOOR	832	0	116
ATC	ATTIC	832	0	116
BMT	BASEMENT	832	0	116
EFP	ENCL PORCH	208	0	68
OPF	OPEN PORCH	54	0	30
TOTAL		2,758	0	446



Summary

Parcel ID 90-12
 Account # 2384
 Property ID 1566
 2020 Tax Rate
 Location Address FREEMAN AVE
 LEBANON
 Acres/Lots 0
 Zoning R3: Residential 3
 Neighborhood RES AVGERAGE
 Property Usage UNDEVELOPABLE LAND (132)

Owners

GRIFFIN, SHAWN R TTEE
 2 FREEMAN AVE
 LEBANON NH 03766

GRIFFIN, SHAWN R REV TRST
 2 FREEMAN AVE
 LEBANON NH 03766

Valuation

	2021	2020	2019
Assessed Land Value	\$2,500	\$2,500	\$2,400
+ Assessed Improvement Value	\$0	\$0	\$0
+ Assessed Misc Value	\$0	\$0	\$0
= Total Assessed Value	\$2,500	\$2,500	\$2,400

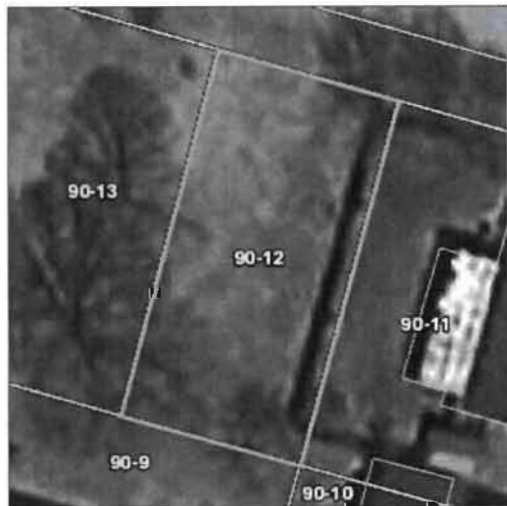
Land

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
UNDEV (132)	4,791.60	SQUARE FEET	SITE	0	0	\$0

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Vacant or Improved	Grantee
1/22/2019	\$0	WARRANTY		4413	0866	Improved	
12/13/2018	\$0	QUIT CLAIM		4407	0692	Improved	
10/17/2008	\$0			3559	0851	Vacant	
9/18/2008	\$7,733			3557	0731	Vacant	
12/26/1996	\$0			2236	0285	Vacant	
4/24/1989	\$6,500			1904	0599	Improved	

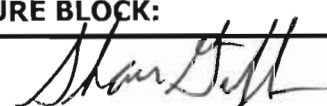
Map



No data available for the following modules: Buildings, Commercial Buildings, Yard Items, Photos, Sketches.

CITY OF LEBANON

VOLUNTARY MERGER APPLICATION

PROPERTY OWNER (APPLICANT):		
NAME: Shawn R Griffin, Trustee	TEL.#: 802-369-6407	
MAILING ADDRESS: 2 Freeman Avenue, Lebanon, NH 03766		
E-MAIL ADDRESS: shawn@uppervalleystove.com		
PROJECT LOCATION:		
TAX MAP #: 90	LOT #'s: 12 & 13 /	PLOT #: ZONE:
STREET ADDRESS OF PROJECT:		
IS THIS PROPERTY LOCATED IN THE: WETLANDS ☐ YES ☒ NO HISTORIC DISTRICT ☐ YES ☒ NO		
FLOOD PLAIN ☐ YES ☒ NO		
Lots or Parcels to be Merged:		
Tax Map and Lot #	Recorded Deed Book & Page # identifying parcels to be merged	Recorded Plan # (if applicable)
90-12	4413/866 and 1904/599	Bk 530, Pg 171
90-13	4413/866 and 2135/141	Bk 530, Pg 171
-I am the legal owner of the Lebanon land parcels listed above. These lots are my deeded preexisting, contiguous lots that I wish to merge for municipal regulations and taxation purposes (note RSA 674:39-a). I understand upon approval of this merger, none of the parcels that have been merged shall thereafter be transferred as separate lots or parcels without first receiving subdivision approval for the City of Lebanon Planning Board. - Per RSA674:39-a(II) If there is any mortgage on any of the lots, the applicant shall give written notice to each mortgage holder at the time of the submission of the application. The written consent of each mortgage holder shall be required as a condition of approval of the merger, and shall be recorded with the notice of the merger pursuant to paragraph I. Upon recordation of the notice and each consent, the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The municipality shall not be liable for any deficiency in the notice to mortgage holders.		
TYPE OF OCCUPANCY:		
EXISTING ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL PROPOSED ☐ VACANT ☒ ONE FAMILY ☐ TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ INDUSTRIAL IF USE IS COMMERCIAL OR INDUSTRIAL , PLEASE NOTE SPECIFIC USE: _____		
SIGNATURE BLOCK:		
PROPERTY OWNER: 		DATE: <u>July 14, 2022</u>
NOTE: IF, AS OWNER, YOU WISH TO DESIGNATE AN AGENT TO ACT ON YOUR BEHALF, PLEASE READ THE FOLLOWING AND SIGN BELOW: I hereby designate the person listed above as my agent for the purpose of procuring the necessary local permits for the proposed work as described herein. Representations made by my agent may be accepted as though made by me personally, and I understand that I am bound by any official decision made on the basis of such representation.		
PROPERTY OWNER: _____		DATE: _____

DATE RECEIVED	FILE # (MAP/LOT)	APPLICATION #

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

10. NEW BUSINESS:

**10.B – REVIEW AND READOPTION OF CITY COUNCIL POLICY CC-100
CASH MANAGEMENT AND INVESTMENT**

BACKGROUND

The purpose of the City's Cash Management and Investment Policy is to ensure that the administration of the City's cash management system is handled at its highest public trust. Finance Director Vicki Lee is charged with oversight of the City's cash management system.

The Policy applies to all cash, cash equivalents (assets that are readily convertible into cash), and investments in the custody of the City Treasurer in accordance with State law. This Policy does not apply to cash, cash equivalents, and investments in the custody of the Trustees of Trust Funds and the Board of Trustees of the Library who must formally adopt their own Investment Policies that are reviewed and confirmed at least annually for all investments made by them (or by their agents) for trust funds in their custody (NH RSA 31:25 and 202-A:23).

The custody and investment of City funds are to be made in a manner that provides maximum security of principal invested, meets the cash flow needs of the City and conforms to applicable State law. Funds in the custody of the Trustees of the Trust Funds are with Citizens Bank; City funds in the custody of the City Treasurer are with Mascoma Bank.

New Hampshire RSA 47:6 requires the City Council to at least annually review and adopt an investment policy. The Council last reviewed and re-adopted the Cash Management and Investment Policy August 4, 2021. No changes are proposed to the Policy.

ACTION

The Council is requested to consider the following motion:

MOVED, that the Lebanon City Council adopts City Council Policy CC-100, Cash Management and Investment, as presented in the August 3, 2022, City Council Agenda packet, to be effective upon passage.

Included in this Section:

1. August 2, 2022 Memo from Vicki Lee, Finance Director, re: Review and Adoption of the 2022 Cash Management and Investment Policy
2. City Council Policy CC-100, Cash Management and Investment Policy



Finance Department
51 North Park Street
Lebanon, NH 03766
603-448-0682

MEMO FROM THE FINANCE DIRECTOR

TO: City Council
City Manager Shaun Mulholland
Deputy City Manager Paula Maville

FROM: Vicki Lee

DATE: August 2, 2022

RE: Review and Adoption of the 2022 Cash Management and Investment Policy

New Hampshire RSA 47:6 requires the City Council to review and adopt an Investment Policy at least annually. Vicki Lee, Finance Director, and Alesia Williams, Deputy Finance Director, are the City Treasurer and Deputy City Treasurer, respectively.

Three changes have been made to the accompanying Cash Management and Investment Policy from the Policy adopted July 15, 2020, by the City Council. The Tax Increment Fund District and the Cemetery Maintenance Fund accounts have been added and passenger facility charges removed in Section 2.0: Scope, Section 3) *Pooling of Funds*.

The City's treasury activities consist of accounts receivable or payment processing; accounts payable/disbursements; and investing – that is, cash mobilization: get the cash in as fast as possible; controlled disbursement: release the cash at the last possible moment; and investment program: do something worthwhile with the cash in the meantime.

The Policy applies to all cash, cash equivalents (assets that are readily convertible into cash), and investments in the custody of the City Treasurer in accordance with State law. This Policy does not apply to cash, cash equivalents, and investments in the custody of the Trustees of Trust Funds and the Board of Trustees of the Library who must formally adopt their own Investment Policies that are reviewed and confirmed at least annually for all investments made by them (or by their agents) for trust funds in their custody (NH RSA 31:25 and 202-A:23).

City funds in the custody of the City Treasurer are with Mascoma Bank; funds in the custody of the Trustees of the Trust Funds are with Citizens Bank.

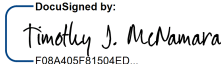
The purpose of the City's Cash Management and Investment Policy is to ensure that the administration of the City's cash management system shall be handled as its highest public trust. The custody and investment of City funds are to be made in a manner that provides maximum

security of principal invested, meets the cash flow needs of the City and conforms to applicable State law.

It is the policy that City funds be managed and invested with three primary objectives in order of priority: safety, liquidity, and yield. Effective cash management is recognized as essential to good fiscal management. The City shall maintain a cash management system that includes collection of accounts receivable, prudent investment of available cash, management of banking services and disbursement of payments in accordance with invoice terms, the City's Purchasing Policy (City Council) and Purchase Agreements Policy (administrative), and City Charter.



City of Lebanon
New Hampshire

COUNCIL POLICY Cash Management and Investment Policy			
<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-100	06/20/2018	08/04/2021	Page 1 of 8
<i>Approved by:</i>	City Council DocuSigned by:  F08A405F81504ED...		

Section 1.0: Purpose

To ensure the administration of the City's cash management system shall be handled as its highest public trust. The custody and investment of City funds shall be made in a manner that will provide the highest investment return with the maximum security of principal invested while meeting the cash flow needs of the City while conforming to State law.

Section 2.0: Scope

- 1) *General* – This Policy applies to all cash, cash equivalents (assets that are readily convertible into cash) and investments in the custody of the City Treasurer (NH RSA 48:16).
- 2) *Exceptions* – This Policy does not apply to cash, cash equivalents and investments in the custody of the Trustees of the Trust Funds and the Board of Trustees of the Library who must formally adopt an investment policy that is reviewed and confirmed at least annually for all investments made by them or by their agents for any trust funds in their custody (NH RSA 31:25 and NH RSA 202-A:23).
- 3) *Pooling of Funds* – The City will consolidate cash for management purposes to achieve efficiency, effective management and maximum investment opportunity unless effective administration requires otherwise such as in the instance of accounting for bond proceeds associated with capital improvements. Ownership of cash, cash equivalents and investments shall be identified and accounted for by fund. Interest earnings shall be allocated annually on a proportional basis to ten funds: general, solid waste disposal, water treatment and distribution, sewage collection and disposal, municipal airport, capital improvements, Lebanon open space, water investment fee funds, public facilities impact fees, and tax increment fund district and cemetery maintenance fund.



City of Lebanon
New Hampshire

COUNCIL POLICY Cash Management and Investment Policy			
<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-100	06/20/2018	08/04/2021	Page 2 of 8
<i>Approved by:</i>	City Council		

Section 3.0: Definitions

- 1) *Cash Flow* – is a measure of cash inflow and outflow from the City. Positive cash flow means more money is coming into the City than is leaving; negative cash flow is the converse.
- 2) *Banking Services* -- consist of, but are not limited to: account maintenance services (account analysis; reconciliation services; and daily collected funds reports), cash concentration services (lock-box; concentration account; sweep accounts), investment services (overnight repurchase facilities) and credit facilities.
- 3) *Rate of Return* – is the amount of income received from an investment expressed as a percentage. Market rate of return is the yield that an investor can expect to receive in the current interest-rate environment utilizing a buy-and-hold to maturity investment strategy.
- 4) *Fund* -- segregates resources (revenue) and requirements (expenditures) that are legally restricted to specific uses. A fund is analogous to a filing cabinet with each drawer a separate fund. Within each drawer, or fund, there are many file folders, or municipal functions which, in turn contain programs, services and activities managed by City departments aimed at accomplishing a function for which the City is responsible.

Section 4.0: Policy Detail

- 1) Investment Objective:
 - a. It is the policy that City funds be managed and invested with three primary objectives in order of priority: safety, liquidity and yield. Effective cash management is recognized as essential to good fiscal management. The City shall maintain a cash management system that includes collection of accounts receivable, prudent investment of available cash, management of banking services and disbursement of payments in accordance with invoice terms, the City's Purchasing Policy, Purchase Agreements Policy and City Charter.



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2) Selected Objectives:

- a. *Safety of Principal* – is the foremost objective of this Policy. Each investment and/or depository transaction shall be undertaken in a manner that seeks first to ensure the preservation of capital in the overall portfolio.
- b. *Liquidity* – The investment and/or depository portfolios shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.
- c. *Yield* – The investment and/or depository portfolios shall be designed with the objective of attaining a market rate of return considering investment risk constraints and liquidity needs. Return on investment is of least importance as an objective as compared to the safety and liquidity objectives.

3) Authority and Responsibilities:

- a. *Authorized Representative of the City* – The City Treasurer (NH RSA 48:16) is authorized to act on behalf of the City, to execute, for the purpose of purchasing cash management products and services offered by a banking services provider, such applications, agreements, schedules, service requests and related documents and amendments to such applications, agreements, schedules, service requests and related documents in such forms as may be provided and/or required by the banking services provider and in so doing shall bind the City to the terms and conditions of the cash management document(s) so executed.
- b. *Authority to Issue Tax Anticipation Notes* – On December 17, 1996, the City Council authorized the City Treasurer (Municipal Finance Act, NH RSA 33:7), with approval of the City Manager, to borrow in increments as the need arises, a sum or sums of money from time to time during the current financial year, to issue and sell with interest at maturity, temporary notes of the City in an amount sufficient to cover expenses and to refund such note expenses.
- c. *Electronic Payment* – The payment of local taxes, charges generated by the sale of utility services, or other fees or charges by use of a credit card, debit card, or such other means of electronic transaction is



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authorized in accordance with NH RSA 80:52-c or any other applicable State law. A service charge for the acceptance of such payments may be added to the amount due at the time of billing in addition to any penalties and interest payable; at the time of billing the amount of the service charge shall be disclosed.

- d. *Depository Designation* – The City Council is responsible for designating the depository or depositories for City funds (419:46). Important considerations in the selection and retention of a banking services provider include credit-worthiness, credit characteristics, financial history, institutional capabilities, resources and relevant experience in managing the operational aspects of municipal cash management and investment needs and requirements. The City Treasurer is responsible for investment and depository management decisions and activities including, but not limited to, the selection of acceptable depository and investment instruments in accordance with this Policy and State law.
- e. *Custody of City Funds* – The City Treasurer, appointed by the City Manager in accordance with City Charter Section 419:32, shall have custody of all City funds (NH RSA 48:16).
- f. *Investment of Excess City Funds* – Whenever the City Treasurer has in custody an excess of funds which are not immediately needed for expenditure, the City Treasurer shall invest same in authorized investments in accordance with this Policy and State law.
- g. *Recording and Reporting* – The City Treasurer shall keep in suitable books provided for the purpose a fair and correct account of all sums received into and paid from the City treasury, and of all notes given by the City, with the particulars thereof.
- h. *Independent Audit* – At the close of each fiscal year, a reporting shall be made to the City by the City Treasurer giving an account of all financial transactions during the year which shall be independently audited.



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4) Standards of Care:

- a. *Prudence* -- The standard of prudence to be used by the City Treasurer shall be the "prudent person" standard and shall be applied in the context of managing an overall portfolio. The City Treasurer, acting in accordance with established procedures and this Policy, and exercising due diligence, shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided that deviations from expectations are reported in a timely fashion, that appropriate action is taken to control adverse developments, and that the liquidity and sale of securities are carried out in accordance with the terms of this Policy. Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.
- b. *Ethics and Conflicts of Interest* -- City employees, officials, and representatives and agents of the City involved in the cash management process shall refrain from personal business activity that could conflict (or appear to conflict) with the proper execution of the investment program, or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material financial interests in financial institutions with which they conduct business. They shall further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio.
- c. *Position Bonding* -- The City Treasurer and others as prescribed by State law shall be bonded by position under a blanket bond from a surety company authorized to do business in the State of New Hampshire (NH RSA 41:6). The bond shall indemnify against losses through the failure of City employees covered to faithfully perform their duties or to account properly for all moneys or property received by virtue of their positions, or fraudulent or dishonest acts committed by the covered employees.



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5) Internal Controls:

- a. *Internal Control System* – The City Treasurer shall establish and maintain a system of internal controls that shall be reviewed annually with the independent auditors. The controls shall be designed to prevent loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees of the City.
- b. *Cash Flow Forecasting* – The City Treasurer shall maintain a cash flow forecasting process designed to monitor and forecast cash positions for cash management and investment purposes.
- c. *Written Confirmation of Telephone and Electronic Transactions for Investments and Wire Transfers* – Due to the potential for error and improprieties arising from telephone transactions, all telephone and electronic transactions shall be supported by written communications and approved by the appropriate person.
- d. *Documentation of Transactions* – All transactions undertaken through this Policy shall be appropriately documented to facilitate review of the transactions by the independent auditors.
- e. *Remittance of School District and County Tax Assessments* – Property taxes billed and collected by the City include taxes levied for the Lebanon School District and Grafton County, which are remitted to those governmental units as required by law. The former is paid over the course of the year in accordance (NH RSA 198:5) based on a cash requirements schedule provided by the district; the latter is paid in December (NH RSA 29:11). Ultimate responsibility for the collection of taxes rests with the City.

6) Authorized Investments:

- a. *General* – City Treasurer may invest in participation units in the public deposit investment pool established (NH RSA 383:22), or in deposits, including money market accounts, or certificates of deposit, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the State, or in obligations fully guaranteed as to principal and interest by the



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United States government. The obligations may be held directly or in the form of securities of or other interests in any open-end or closed-end management-type investment company or investment trust registered under 15 U.S.C. section 80a-1 et seq., if the portfolio of the investment company or investment trust is limited to such obligations and repurchase agreements fully collateralized by such obligations. As additional types of securities are approved for investment by State law they will be eligible for investment by the City Treasurer.

- b. *Maturities* – Investment maturities shall be scheduled to coincide with projected cash-flow needs, taking into account anticipated revenue inflows, routine expenditures and large non-routine expenditures.

7) Safekeeping and Collateralization:

- a. *City funds shall be secured in accordance with NH RS 48:16.*
- b. *Interest-bearing Deposits Meeting Certain Conditions* -- Excess funds held by the City may be invested in interest-bearing deposits which meet all of the following conditions: (a) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the treasurer. (b) The selected bank arranges for the redeposit of funds which exceed the federal deposit insurance limitation of the selected bank in deposits in one or more federally insured financial institutions located in the United States, for the account of the treasurer. (c) The full amount of principal and any accrued interest of each such deposit is covered by federal deposit insurance. (d) The selected bank acts as custodian with respect to each such deposit for the account of the treasurer. (e) On the same date that the funds are redeposited by the selected bank, the selected bank receives an amount of deposits from customers of other federally insured financial institutions equal to or greater than the amount of the funds initially invested through the selected bank by the treasurer.
- c. *Collateralization* -- Excess funds held by the City may for deposit or investment, including repurchase agreements, may be secured by collateral having a value at least equal to the amount of such funds. Such collateral shall be segregated for the exclusive use of the City.



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Only securities defined by the bank commission as provided by rules adopted pursuant to RSA 383-B:3-301(e) shall be eligible to be pledged as collateral.

- 8) This Policy, in accordance with NH RSA 47:6, shall be reviewed and readopted annually by the City Council with revisions as warranted.

Section 5.0: References (Charter/Code/State Statues)

- 1) *City Charter Section 419:46 Depository.*
- 2) *NH 29:11 Tax Warrants and Extents.*
- 3) *NH 31:25 Custody; Investment.*
- 4) *NH RSA 41:6 Surety Bond Required.*
- 5) *NH RSA 47.6 Financial Supervision.*
- 6) *NH RSA 48:16 City Treasurer; Duties.*
- 7) *NH RSA 80:52-c Electronic Payment.*
- 8) *NH RSA 198:5 Assessment.*
- 9) *NH RSA 202-A:23 Exceptions.*
- 10) *NH RSA 383:22 Public Deposit Investment Pool.*
- 11) *NH RSA 383-B:3-301(e) Banking Business.*

Section 6.0: Policy & Procedure Revision History

	Section	Revisions	Date
Original Adoption			6/20/18
Re-Adoption			6/19/19
Re-Adoption			7/15/20
Amendment	2.0.3	Amended Section	8/04/21

AGENDA LEBANON CITY COUNCIL AUGUST 3, 2022

10. NEW BUSINESS:

10.C – ANNUAL REVIEW OF CITY COUNCIL POLICY CC-101, FUND BALANCE

BACKGROUND

A fund segregates resources (revenues) and requirements (expenditures) that are legally restricted to specific uses. Budgets are adopted by the City Council on a fund basis. Funds other than the General Fund exist primarily to ensure and demonstrate compliance with limitations on the use of existing resources or as enterprises. The General Fund, as the chief operating fund of the City, has a broader mandate, which may include accumulating sufficient financial resources for contingencies. Accordingly, the Fund Balance Policy is limited to the General Fund.

The purpose of the Policy is to provide adequate financial resources to ensure the continued orderly operation of government and the provision of services to residents and the continued stability of the tax or rate structure that can be threatened by uncertainty emanating from a number of areas including economic uncertainty, unanticipated changes in federal and state policies, imposition of federal and state mandates, unanticipated expenditures resulting from natural disasters or other unforeseen circumstances, errors in estimating expenditures and revenues, potential drain on resources from funds facing financial difficulties, and disparities in timing between revenue collections and expenditures.

The current Fund Balance Policy suggests a range of 19.0% to 24.0% of gross current General Fund budgeted expenditures. The result is consistent with how the New Hampshire Department of Revenue Administration (DRA) calculates its fund balance retention guidelines (middle ranges) minus the uncertainty of factoring in Net Required County, Local Education and State Education Tax Efforts which are not known until the annual tax rate setting process in October.

The Fund Balance Policy is reviewed annually by the City Council, but unlike the Cash Management and Investment Policy it is not required to be readopted. The current Fund Balance Policy was adopted by the City Council June 20, 2018 and reviewed on June 19, 2019, July 15, 2020 and August 3, 2021.

ACTION

No action is required at this time, as this is an annual review of the Fund Balance Policy which has not been amended since changes were last incorporated and adopted on June 20, 2018.

Included in this Section:

1. City Council Policy #CC-101, Fund Balance Policy



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Section 1.0: Purpose

To provide adequate financial resources to ensure the continued orderly operation of government and the provision of services to residents and the continued stability of the tax or rate structure that can be threatened by uncertainty emanating from a number of areas including economic uncertainty, unanticipated changes in federal and state policies, imposition of federal and state mandates, unanticipated expenditures resulting from natural disasters or other unforeseen circumstances, errors in estimating expenditures and revenues, potential drain on resources from funds facing financial difficulties, and disparities in timing between revenue collections and expenditures.

Section 2.0: Scope

Funds other than the General Fund exist primarily to ensure and demonstrate compliance with limitations on the use of existing resources or as enterprises. The General Fund, as the chief operating fund of the City, has a broader mandate which may include accumulating sufficient financial resources for contingencies. Accordingly, this Policy is limited to the General Fund. Fund balance is a measurement of available financial resources and is the difference between total assets and total liabilities in each fund. Governmental Accounting Standards Board (GASB) Statement No. 54 distinguishes fund balance classified based on the relative strength of the constraints that control the purposes for which specified amounts can be spent.

Section 3.0: Definitions

- 1) *Appropriate* – is a policy decision to set apart from the public revenue a certain sum for a specified public purpose and to authorize the expenditure of that sum for that purpose. The most important policy tool is the annual budget. Policy is *what* is going to be done. The budget is the means of determining *what* will get done because that is where money is allocated to programs, services, projects and facilities.



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Appropriations can be made only by vote of the legislative body. Legislative power is the power to set overall policy, the power to raise and appropriate money (tax and spend) and set the purposes for expenditures. The City Council is the City's legislative body; the county convention, which consists of the state representatives comprising Grafton County, is the county's legislative body (NH RSA 24), acting on budgetary recommendations compiled by the county commissioners; the annual meeting of the Lebanon School District is that entity's legislative body.

- 2) *Assigned Fund Balance* – includes amounts the City intends to be *used for specific purposes but are neither restricted or committed*. In accordance with GASB Statement No. 54, funds that are intended to be used for specific purpose, but have not received the formal approval action at the governing body level (City Council), may be recorded as assigned fund balance. Likewise, redeploying assigned resources to an alternative use does not require formal action by the City Council. GASB Statement No. 54 states that resources can be assigned by the governing body or by another internal body or person whom the governing body gives the authority to do so. Therefore, having considered the requirements to assign fund balance, the City Manager, or the City Manager's designee, shall have the authority to assign fund balance.

Encumbrances (purchase orders), or other contractual commitments, the provision of contingency for assessment abatements and bankruptcy proceedings, special revenue funds and capital project funds are examples of assigned fund balance.

- 3) *Committed Fund Balance* – includes amounts that can be *used only for the specific purposes determined by a vote of the City Council*. Commitments may be rescinded, changed or lifted only by a subsequent vote of the City Council. Included are expendable trust funds (capital reserve funds).
- 4) *Current General Fund Budgeted Expenditures* – are related to the appropriated budget of the current year and not prior year expenditures carried over to the current year as encumbrances or non-budgeted current year expenditure adjustments.
- 5) *Encumbrance* – is a purchase order, a contractual (outstanding) commitment. The process of encumbering budgeted funds is meant to



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ensure budgetary compliance both to prevent overspending appropriations for the year and to detect violations of budgetary authority.

- 6) *Fund* – segregates resources (revenues) and requirements (expenditures) that are legally restricted to specific uses.
- 7) *Non-spendable Fund Balance* – includes amounts *not in spendable form*, such as inventory, or amounts required to be maintained intact legally or contractually such as for inventory, prepaid items, and the nonexpendable portion of permanent trust funds.
- 8) *Restricted Fund Balance* – includes *amounts that are subject to externally enforceable legal restrictions* and can be spent only for the specific purposes stipulated by law, ordinance or regulation, external resource providers or through enabling legislation. Restrictions applicable to this fund balance may not be changed or lifted by the City without the consent of the resource providers or enabling legislation. Included are library funds, the income balance of permanent funds (trust funds), grant funds and unspent bond proceeds.
- 9) *Unassigned Fund Balance* – is the *residual classification for the City's General Fund* and includes all amounts not contained in other fund balance component classifications and therefore not subject to any constraints. Appropriation from Unassigned Fund Balance requires approval of the City Council.
- 10) *Unassigned Fund Balance Maintenance Range* – an amount of money, in dollars or as a percentage of a defined base, that is considered a prudent level at which to maintain the unassigned fund balance.
- 11) *Unrestricted Fund Balance* – is total fund balance less nonspendable fund balance and restricted fund balance, which is the total of committed fund balance, assigned fund balance and Unassigned Fund Balance.

Section 4.0: Policy Detail

- 1) Spending Prioritization:
 - a. When both restricted and unrestricted funds (committed, assigned and unassigned) are available for expenditure, restricted funds should be spent first unless legal requirements disallow it.



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- b. When committed, assigned and unassigned funds are available for expenditure, committed funds should be spent first, assigned funds second, and unassigned funds last.
- 2) Unassigned Fund Balance Maintenance Range:
 - a. It is the objective of the City to maintain an Unassigned Fund Balance of 19.0% to 24.0% of gross current General Fund budgeted expenditures.
 - b. The City considers a balance of less than 19.0% to be a cause for concern and, considering factors or circumstances that may require a higher than normal maximum level of Unassigned Fund Balance, a balance of more than 24.0% as excessive.
 - c. In the event Unassigned Fund Balance is less than 19.0%, restorative steps shall be taken in the immediate subsequent fiscal years.
 - d. In the event Unassigned Fund Balance is more than 24.0%, steps should be taken to reduce the excess balance in the immediate subsequent fiscal years, or a plan for doing so over a reasonable period should be prepared, including an explanation of how the excess fund balance will be reduced to an acceptable level. An amount more than 24.0% may be considered to reduce tax levy requirements determined in conjunction with the annual budget process, as a capital improvement funding component, for reservation to accumulate funding for future capital improvements, or for any legal purpose deemed appropriate and desirable by the City Council.
 - e. This Policy is not intended to preclude the administrative application of Unassigned Fund Balance as a companion to the budgeted application of Unassigned Fund Balance as a mitigating utility in setting the annual Municipal Tax Rate.
- 3) This Policy shall be reviewed annually by the City Council and revised as warranted.

Section 5.0: References (Charter/Code/State Statues)

- 1) *Governmental Accounting Standards Board (GASB) Statement No. 54, Fund Balance Reporting and Governmental Fund Type Definitions.*



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Section 6.0: Policy & Procedure Revision History

	Section	Revisions	Date
Original Adoption			6/20/18
Reviewed			6/19/19
Reviewed			7/15/20
Reviewed			8/04/21

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

10. NEW BUSINESS:

**10.D– ANNUAL REVIEW OF CITY COUNCIL POLICY CC-106,
CAPITAL RESERVE FUND**

BACKGROUND

To ensure a strong foundation for the financing and completion of capital projects, long-term financial planning (saving-up), where “pay-go” financing is to be used, is crucial. Pay-go financing is a method of using current revenues to pay for future capital projects in place of, or in addition to, traditional debt financing. Capital Reserve Funds, which are in the custody of the Trustees of the Trust Funds, are a statutory means to set aside resources to finance the cost of future capital improvements. Annual contributions into capital reserve funds, are an example of how the City saves for projects identified and planned in connection with the annually adopted six-year Capital Improvement Program.

Pay-use financing, inflated by interest expense, affects rates (tax or service rates) over an extended period in debt service payments; pay-go has an immediate rate impact. The policy choice between the two alternatives requires an analysis of the relevant benefits and costs associated with each.

The following table summarizes the City’s Capital Reserve Funds.

		Market Value
Capital Reserve Fund	Contributing Fund	30-Jun-22
Fire Department Equipment/Vehicles	General	\$635,467.90
DPW Equipment/Vehicles	General	\$223,497.50
Recreation & Parks Improvements/Equipment	General	\$120,125.70
Parking Facilities Repairs/Maintenance	General	\$28,182.26
Police Equipment, Vehicles and Improvements	General	\$91,690.75
Library Facilities	General	\$50,845.27
Accrued Benefits Liability-General Fund	General	\$287,905.46
Dana House Restoration/Maintenance	General	\$25,034.90
Self-Insurance Trust	General	\$15,289.92
Landfill Extended Long-Term Monitoring & Maintenance Entire Facility	Solid Waste Disposal	\$770,697.55
Landfill Closeout/Long-Term Monitoring & Maintenance Secured (Lined) Facility	Solid Waste Disposal	\$8,613,914.37
Landfill Equipment	Solid Waste Disposal	\$497,941.46
Landfill Improvements	Solid Waste Disposal	\$316,669.00
Landfill Accrued Benefits Liability	Solid Waste Disposal	\$52,914.23
Water Treatment/Distribution Improvements & Equipment	Water Treatment/Distribution	\$1,056,983.90
Water Accrued Benefits Liability	Water Treatment/Distribution	\$42,510.17
Sewage Collection & Disposal Improvements & Equipment	Sewage Collection/Disposal	\$742,114.88
Sewage Accrued Benefits Liability	Sewage Collection/Disposal	\$59,848.82
Airport Accrued Benefits Liability	Airport	\$20,568.95
Trust Funds	Scholarships, Library, Cemetery	\$3,322,682.77
		Market Value
Capital Reserve Fund	Contributing Fund	30-Jun-22
Capital Reserve Fund-School District	Building	\$2,184,022.10
	Computer & Tech	\$208,154.45
	Emergency Management Crisis	\$51,429.16
	Special Education	\$1,446,918.79

ACTION

The Council is requested to consider the following motion:

MOVED, that the Lebanon City Council adopts City Council Policy CC-106, Capital Reserve Fund Policy, as presented in the August 3, 2022, City Council Agenda packet, to be effective upon passage.

Included in this Section:

1. August 3, 2022 Memo from Finance Director Vicki Lee, re: Review of the Capital Reserve Fund Policy
2. City Council Policy #CC-106, Capital Reserve Fund Policy



Finance Department
51 North Park Street
Lebanon, NH 03766
603-448-0682

MEMO FROM THE FINANCE DIRECTOR

TO: City Council
City Manager Shaun Mulholland
Deputy City Manager Paula Maville

FROM: Finance Director Vicki Lee

DATE: August 3, 2022

RE: Review of the Capital Reserve Fund Policy

To ensure a strong foundation for the financing and completion of capital projects, an important component of capital improvement planning is long-term financial planning for future infrastructure improvements and acquisitions including saving-up for projects where pay-go financing will be used. Annual contributions into capital reserves funds sufficient for infrastructure and equipment needs, as identified and planned in connection with the annually adopted six-year Capital Improvement Program, are an integral in this.

Pay-go financing is a method of using current revenues to pay for capital projects in place of, or in addition to, traditional debt financing. Resources are generally pooled to finance large projects. Capital Reserve Funds are an example of pooled funds; financing projects having a more contemporaneous immediacy through operating fund transfers are another example.

Pay-use financing, inflated by interest expense, affects rates (tax or service rates) over an extended period in debt service payments; pay-go has an immediate rate impact. The policy choice between the two alternatives requires an analysis of the relevant benefits and costs associated with each.

Capital Reserve Funds, which are in the custody of the Trustees of the Trust Funds, are a statutory means to set aside resources to finance the cost of capital improvements.

Advantages of Pay-Go Financing:

- Minimizes premature commitment of funds that should be reserved for operating expenditures or other purposes.
- Savings in interest and other issuance costs. Paying for capital assets with cash rather than financing with debt means that no interest cost is incurred along with the avoidance of various fees and expenses associated with issuing debt.
- Preservation of financial flexibility. Because this method of financing does not create a long-term obligation, greater flexibility is afforded in deciding how much revenues to commit each year to funding capital improvements.
- Protection of borrowing capacity. Relying on cash, in whole or part, to pay for capital improvements helps retain capacity to issue debt in future years.

Disadvantages of Pay-Go Financing:

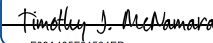
- Insufficient funding for capital needs. Relying only on available cash may result in deferring necessary improvements resulting in higher-than-budgeted maintenance costs, interruptions in services and higher costs once the project is undertaken.
- Discourages intergenerational equity. An important principle in public finance is the equity principle -- that is, those benefitting from a project should pay for it. Capital projects tend to have long useful lives, benefitting taxpayers over many years. Therefore, it is reasonable that the cost of these projects should be spread over the life of the assets and not borne by any one group of taxpayers.
- Unevenness in capital expenditures. Capital projects typically require large expenditure outlays over a particular time period. Paying for these assets with cash often produces unevenness in capital expenditures from year to year, depending on the magnitude of the project that must be acquired. Such variations could lead to substantial yearly variations in tax and other rates if complete pay-go financing is applied.

The following table summarizes the City's Capital Reserve Funds:

Capital Reserve Fund	Contributing Fund	Market Value 30-Jun-22
Fire Department Equipment/Vehicles	General	\$635,467.90
DPW Equipment/Vehicles	General	\$223,497.50
Recreation & Parks Improvements/Equipment	General	\$120,125.70
Parking Facilities Repairs/Maintenance	General	\$28,182.26
Police Equipment, Vehicles and Improvements	General	\$91,690.75
Library Facilities	General	\$50,845.27
Accrued Benefits Liability-General Fund	General	\$287,905.46
Dana House Restoration/Maintenance	General	\$25,034.90
Self-Insurance Trust	General	\$15,289.92
Landfill Extended Long-Term Monitoring & Maintenance Entire Facility	Solid Waste Disposal	\$770,697.55
Landfill Closeout/Long-Term Monitoring & Maintenance Secured (Lined) Facility	Solid Waste Disposal	\$8,613,914.37
Landfill Equipment	Solid Waste Disposal	\$497,941.46
Landfill Improvements	Solid Waste Disposal	\$316,669.00
Landfill Accrued Benefits Liability	Solid Waste Disposal	\$52,914.23
Water Treatment/Distribution Improvements & Equipment	Water Treatment/Distribution	\$1,056,983.90
Water Accrued Benefits Liability	Water Treatment/Distribution	\$42,510.17
Sewage Collection & Disposal Improvements & Equipment	Sewage Collection/Disposal	\$742,114.88
Sewage Accrued Benefits Liability	Sewage Collection/Disposal	\$59,848.82
Airport Accrued Benefits Liability	Airport	\$20,568.95
Trust Funds	Scholarships, Library, Cemetery	\$3,322,682.77
Capital Reserve Fund	Contributing Fund	Market Value 30-Jun-22
Capital Reserve Fund-School District	Building	\$2,184,022.10
	Computer & Tech	\$208,154.45
	Emergency Management Crisis	\$51,429.16
	Special Education	\$1,446,918.79



City of Lebanon
New Hampshire

COUNCIL POLICY Capital Reserve Fund Policy			
<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
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<i>Approved by:</i>	City Council DocuSigned by:  F08A405F81504ED...		

Section 1.0: Purpose

To achieve and maintain capital reserve fund capacity and capability as a pay-go financing supplement or alternative to debt issuance.

Section 2.0: Scope

This Policy applies to all major operating funds of the City.

Section 3.0: Definitions

- 1) *Major Operating Funds* – General Fund, Solid Waste Disposal Fund, Water Treatment and Distribution Fund, Sewage Collection and Disposal Fund and Municipal Airport Fund.
- 2) *Pay-go Financing* – is a method of using current revenues to pay for capital projects in place of or in addition to traditional debt financing. Resources are generally pooled to finance large projects. Capital reserve funds are an example of pooled funds.
- 3) *Pay-use Financing* – is debt financing.

Section 4.0: Policy Detail

To ensure a strong foundation for the financing and completion of capital projects, an important component of capital improvement planning is long-term financial planning for future infrastructure improvements and acquisitions including saving-up for projects where pay-go financing will be used.

- 1) It is the Policy of the City that annual contributions be made into capital reserves funds sufficient for infrastructure and equipment needs as identified and planned in connection with the annually adopted six-year Capital Improvement Program.
- 2) Capital Reserve Funds Associated with the City's Major Operating Funds:
 - a. General Fund (Tax Rate Supported):
 - *Fire Department Equipment and Vehicles Capital Reserve Fund* – established to aggregate resources for the acquisition of, and effecting capital repairs and maintenance to, Fire Department related equipment and



City of Lebanon
New Hampshire

COUNCIL POLICY Capital Reserve Fund Policy			
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vehicles. The City Manager is named agent of the City to carry out the purpose of the Fund.

- *DPW Equipment and Vehicles Capital Reserve Fund – (December 15, 2010)* established to aggregate resources for future capital needs related to Department of Public Works equipment and vehicle acquisition. The City Manager is named agent of the City to carry out the purpose of the Fund.
- *Recreation and Parks Improvements and Equipment Capital Reserve Fund – (December 17, 2014)* established to aggregate resources to acquire, effect major repairs, maintenance and/or upgrades of related equipment and vehicles. (December 16, 2015) Purpose expanded to include related infrastructure and facility improvements; fund renamed Recreation and Parks Improvements and Equipment Capital Reserve Fund; the City Manager is named agent of the City to carry out the purpose of the fund.
- *Self Insurance Trust* – established unknown.
- *Parking Facilities Repairs and Maintenance Capital Reserve Fund --* Contributions made contingent on source of financing (lease payment) continuing. (December 16, 2015) established to aggregate resources to effect repairs, maintenance and/or upgrades of infrastructure and facilities including the acquisition, installation and maintenance of related appurtenances. The City Manager is named agent of the City to carry out the purpose of the Fund.

Background: Maintenance and repairs to be made from the Capital Reserve Fund. There is no budget. At some point establishing a Parking Fund (a special revenue fund where resources -- that is, revenues – and requirements – that is, expenditures – are segregated) may be warranted. That point seems to be in the future when other revenue sources are developed.

- *Police Department Equipment, Vehicles and Improvements Capital Reserve Fund – (December 20, 2017)* established to aggregate resources to effect acquisitions, and capital repairs, maintenance and/or upgrades of Police Department related equipment, vehicles and facilities. The City Manager is named agent of the City to carry out the purpose of the fund.
- *Library Facilities Capital Reserve Fund* – renamed from Property Acquisition Capital Reserve Fund (December 18, 2019). The purpose of the fund is to



City of Lebanon
New Hampshire

COUNCIL POLICY Capital Reserve Fund Policy			
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“acquire property, construct new facilities, or renovate existing library facilities.” The City Manager is named agent of the City to carry out the purpose of the fund.

- *Dana House Capital Reserve Fund* – (December 18, 2019) established to provide for the improvements needed to restore and maintain the historical integrity of the Dana House; and that the City Manager be named agent of the City to carry out the purpose of the fund.
- *Accrued Benefits Liability Expendable Trust Fund* – (December 18, 2019) established to provide for the payment of accrued time owed to employees upon separation or retirement; and that the City Manager be named agent of the City to carry out the purpose of the fund.
- *Cemetery Maintenance & Preservation Trust Fund* – (September 2, 2020) established for maintenance & preservation efforts (mostly related to monument maintenance & preservation). The fund is funded through the interest income derived from the Perpetual Care Trust Fund as well as fees for monument foundations and any private donations received. This fund is overseen by the City’s Trustee of Trust Funds with authority to expend granted to the Board of Cemetery Trustees.

b. Solid Waste Disposal Fund (User Fee Supported):

- *Landfill Extended Long-Term Monitoring and Maintenance Entire Facility Capital Reserve Fund* – established to aggregate resources to ensure that additions are made as needed for anticipated long-term monitoring and maintenance encompassing the entire landfill site including the unsecured (unlined), construction and demolition debris and secured (lined) landfills. Established as a City initiative, the expenditure of these funds does not require the knowledge and consent of the New Hampshire Department of Environmental Services. The City Manager is named agent of the City to carry out the purpose of the fund.
- *Landfill Closeout/Long-Term Monitoring and Maintenance Secured (Lined) Facility Capital Reserve Fund* – Owners of municipal solid-waste landfills are required to provide financial assurance that they will meet their legal obligation to close, monitor, and properly maintain (30-year period) landfill sites once no longer in active use. This fund was mandated by the State and established to aggregate resources on an annual basis sufficient to



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ensure that monthly additions are made with payments based on a per ton rate – determined annually by the City's engineers – applied to processed tonnage. Moneys set aside contemporaneously and cumulatively shall be used only for the purpose for which the Capital Reserve Fund was established which shall not be changed without the knowledge and consent of the New Hampshire Department of Environmental Services.

- *Landfill Equipment Capital Reserve Fund* – established to aggregate resources for future capital needs related to landfill equipment and vehicle acquisition, repairs and maintenance. The City Manager is named agent of the City to carry out the purpose of the fund.
 - *Landfill Improvements Capital Reserve Fund* – established to aggregate resources for future capital needs related to landfill infrastructure and facilities improvements, repairs and maintenance. The City Manager is named agent of the City to carry out the purpose of the fund.
 - *Accrued Benefits Liability Expendable Trust Fund* – (December 18, 2019) established to provide for the payment of accrued time owed to employees upon separation or retirement; and that the City Manager be named agent of the City to carry out the purpose of the fund.
- c. Water Treatment and Distribution Fund (User Fee Supported):
- *Water Treatment and Distribution Improvements and Equipment Capital Reserve Fund* – established to aggregate resources for future capital needs related to water treatment and distribution facilities, equipment (including vehicles) and infrastructure development, improvement and acquisition (including maintenance and repairs). The City Manager is named agent of the City to carry out the purpose of the fund.
 - *Accrued Benefits Liability Expendable Trust Fund* – (December 18, 2019) established to provide for the payment of accrued time owed to employees upon separation or retirement; and that the City Manager be named agent of the City to carry out the purpose of the fund.
- d. Sewage Collection and Disposal Fund (User Fee Supported)
- *Sewage Collection and Disposal Improvements and Equipment Capital Reserve Fund* -- (December 18, 2007) established to aggregate resources for future capital needs related to sewage collection and disposal facilities, equipment and infrastructure development, improvement and acquisition.



City of Lebanon
New Hampshire

COUNCIL POLICY Capital Reserve Fund Policy			
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City Manager named agent of the City to carry out the purpose of the fund. This Policy shall be reviewed annually by the City Council and revised as warranted.

- *Accrued Benefits Liability Expendable Trust Fund* – (December 18, 2019) established to provide for the payment of accrued time owed to employees upon separation or retirement; and that the City Manager be named agent of the City to carry out the purpose of the fund.

e. Airport

- *Accrued Benefits Liability Expendable Trust Fund* – (December 18, 2019) established to provide for the payment of accrued time owed to employees upon separation or retirement; and that the City Manager be named agent of the City to carry out the purpose of the fund.

3) This policy shall be reviewed annually by the City Council and revised as warranted.

Section 5.0: References (Charter/Code/State Statues)

- 1) *NH RSA 34:1 Establishment of Reserves Authorized.*
- 2) *NH RSA 34:1-a Establishment of Non-Capital Reserves Authorized.*

Section 6.0: Policy & Procedure Revision History

	Section	Revisions	Date
Original Adoption			6/20/18
Amendment	4.0 (2.a)	Reviewed by Council; adoption not required	7/10/19
Amendment		Reviewed by Council; adoption not required	7/15/20
Amendment	Header	Re-numbered policy to CC-106	4/30/21
Amendment	4.0 (2.a, b, c, d)	Reviewed by Council; adoption required	8/04/21

**AGENDA
LEBANON CITY COUNCIL
AUGUST 3, 2022**

10. NEW BUSINESS:

10.E – REVIEW AND DISCUSSION OF 2022 2nd QUARTER BUDGET REPORT

BACKGROUND

The 2nd quarter budget report presents in summary form year-to-date expenditures and revenues activity through June 30. Item is for informational purposes only and does not require action by the Council. Finance Director Vicki Lee will be present at the meeting to answer any questions the Council may have.

ACTION

The agenda item is for informational purposes only. No action is required by Council.

Included in this Section:

1. August 3, 2022 Memo from Vicki Lee, Finance Director, re: 2nd Quarter Financial Report (June 30, 2022)
2. Exhibit A – 2nd Quarter Budget Report



CITY OF LEBANON

FINANCE DEPARTMENT

51 North Park Street
Lebanon, NH 03766

Phone: (603) 448-0682
email: Finance@LebanonNH.gov

To: Mayor and City Council

From: Finance

Date: August 3, 2022

Re: 2nd Quarter Financial Report (June 30, 2022)

The following report highlights key points for the City's General Fund operating budget, Solid Waste Disposal Fund, Water Treatment and Distribution Fund, Sewage Collection and Disposal Fund and Municipal Airport Fund. Please don't hesitate to contact us if you have any questions.

GENERAL FUND

Expenditures

The following chart summarizes appropriations, expenditures and amounts encumbered as of June 30th (50% of the fiscal year) by department. For FY 2022, 57.7% of appropriations have been expended or encumbered (obligated for future expenditure) during the quarter.

Not all operating costs are absorbed equally over the course of each year. For example, most debt service payments are due in the 3rd or 4th quarter, and support for local non-profit organizations is typically disbursed in the first month of the fiscal year.

The 57.7% expended and encumbered to date is close to each of the past two fiscal years, which had percentages of 52.7% (2021) and 54.2% (2020), respectively, so it is historically at the level expected.

QUARTLERY REPORT FOR CITY OF LEBANON					
AS OF JUNE 30, 2022					
GENERAL FUND	2022 BUDGET	AS OF 6/30/2022	ENCUMBRANCES	YTD AVAILABLE BALANCE	% OF BUDGET USED
CITY CLERK	\$ 721,630	\$ 334,203	\$ -	\$ 387,427	46.3%
CITY MANAGER	\$ 1,284,480	\$ 605,947	\$ -	\$ 678,533	47.2%
CYBER SERVICES	\$ 1,705,560	\$ 741,598	\$ 41,792	\$ 922,170	45.9%
FINANCE	\$ 5,391,890	\$ 2,822,422	\$ 183,495	\$ 2,385,973	55.7%
FIRE	\$ 4,775,030	\$ 2,487,637	\$ 13,193	\$ 2,274,200	52.4%
HUMAN RESOURCES	\$ 350,060	\$ 147,981	\$ 10,500	\$ 191,579	45.3%
HUMAN SERVICES	\$ 554,900	\$ 380,564	\$ -	\$ 174,336	68.6%
LIBRARY	\$ 1,383,440	\$ 678,643	\$ 10,434	\$ 694,363	49.8%
PLANNING	\$ 1,142,110	\$ 525,262	\$ 32,550	\$ 584,298	48.8%
POLICE	\$ 6,893,010	\$ 3,069,953	\$ 38,664	\$ 3,784,393	45.1%
PUBLIC WORKS	\$ 4,904,010	\$ 1,841,298	\$ 512,669	\$ 2,550,043	48.0%
RECREATION ARTS & PARKS	\$ 1,116,720	\$ 432,667	\$ 19,928	\$ 664,125	40.5%
DEBT SERVICE	\$ 4,837,990	\$ 4,641,400	\$ -	\$ 196,590	95.9%
INTERFUND TRANSFER	\$ 1,555,540	\$ 1,555,540	\$ -	\$ -	100.0%
TOTALS	\$ 36,616,370	\$ 20,265,115	\$ 863,225	\$ 15,488,030	57.7%

Revenues

The following chart summaries amounts budgeted and collected year-to-date by general revenue category. Revenues collected throughout the course of a given fiscal year total approximately 56.7% of the amount budgeted for FY 2022, which compares to 49.8% (2021) and 54.2% (2020) in the previous two fiscal years. See Exhibit A for more detail. Highlights for the quarter include:

- Tax bills were due July 13th.
- Motor vehicle registrations are just below the quarterly benchmark at 48.5% collected compared to 2021 at 53.9%.
- Building permits are trending well above the quarterly benchmark at 216.3% collected.
- Ambulance Service revenue is collected just above the quarterly benchmark at 48.3% collected compared to 2021 at 53.2%%.

CATEGORY/DESCRIPTION	AMENDED BUDGET	YTD REVENUE	PERCENT COLLECTED
TOTAL TAXES	24,406,630	13,892,365	56.9%
TOTAL INTEREST & PENALTY ON DELINQUENT TAXES	100,000	33,286	33.3%
TOTAL MOTOR VEHICLE PERMIT FEES	2,600,000	1,261,812	48.5%
TOTAL BUILDING PERMITS	340,000	735,563	216.3%
TOTAL OTHER LICENSES PERMITS & FEES	297,400	235,650	79.2%
TOTAL MEALS & ROOMS TAX DISTRIBUTION	957,790	-	0.0%
TOTAL HIGHWAY BLOCK GRANT	318,420	126,104	39.6%
TOTAL WATER POLLUTION GRANTS	45,160	16,555	36.7%
TOTAL OTHER STATE GRANTS & REIMBURSEMENTS	64,000	16,235	25.4%
TOTAL INTER-GOVERNMENTAL REVENUES	61,480	-	0.0%
TOTAL DEPARTMENTAL INCOME	1,502,690	703,784	46.8%
TOTAL OTHER CHARGES	1,289,590	1,177,880	91.3%
TOTAL SPECIAL ASSESSMENTS	23,130	-	0.0%
TOTAL SALE OF MUNICIPAL PROPERTY	-	7,460	
TOTAL INTEREST ON INVESTMENTS	90,000	26,148	29.1%
TOTAL RENTS OF PROPERTY	16,500	19,352	117.3%
TOTAL FINES & FORFEITS	47,000	10,250	21.8%
TOTAL MISCELLANEOUS INCOME	1,152,880	620,601	53.8%
	33,312,670	18,883,045	56.7%

Other Funds –

- Solid Waste Disposal Fund is responsible for the operation and maintenance of the landfill, recycling facilities and hazardous waste processing.

QUARTLERY REPORT FOR CITY OF LEBANON					
AS OF JUNE 30, 2022					
SOLID WASTE DISPOSAL FUND	2022 BUDGET	AS OF 6/30/2022	ENCUMBRANCES	YTD AVAILABLE BALANCE	% OF BUDGET USED
REVENUE	\$ 4,127,230	\$ 2,122,971		\$ 2,004,259	51.4%
EXPENDITURES	\$ 4,046,450	\$ 1,948,067	\$ 142,295	\$ 1,956,088	51.7%

- Water Treatment and Distribution Fund is responsible for the provision and distribution of clean and safe drinking water, the planning, maintenance and replacement of water treatment facilities, pump stations, water tanks, and the water distribution system.

QUARTLERY REPORT FOR CITY OF LEBANON						
AS OF JUNE 30, 2022						
WATER FUND	2022 BUDGET	AS OF 6/30/2022	ENCUMBRANCES	YTD AVAILABLE BALANCE	% OF BUDGET USED	
REVENUE	\$ 4,210,810	\$ 2,124,279		\$ 2,086,531	50.4%	
EXPENDITURES	\$ 4,141,290	\$ 2,673,483	\$ 274,619	\$ 1,193,188	71.2%	

- Sewage Collection and Disposal Fund is responsible for the safe and hygienic collection and treatment of wastewater, and the planning, maintenance and replacement of the wastewater collection system, pump stations and wastewater treatment plant.

QUARTLERY REPORT FOR CITY OF LEBANON						
AS OF JUNE 30, 2022						
SEWER FUND	2022 BUDGET	AS OF 6/30/2022	ENCUMBRANCES	YTD AVAILABLE BALANCE	% OF BUDGET USED	
REVENUE	\$ 7,277,230	\$ 3,731,469		\$ 3,545,761	51.3%	
EXPENDITURES	\$ 7,264,330	\$ 4,681,024	\$ 189,034	\$ 2,394,273	67.0%	

- Municipal Airport Fund is responsible for the operation and maintenance of the Lebanon Municipal Airport.

QUARTLERY REPORT FOR CITY OF LEBANON						
AS OF JUNE 30, 2022						
MUNICIPAL AIRPORT FUND	2022 BUDGET	AS OF 6/30/2022	ENCUMBRANCES	YTD AVAILABLE BALANCE	% OF BUDGET USED	
REVENUE	\$ 929,040	\$ 671,771		\$ 257,269	72.3%	
EXPENDITURES	\$ 1,479,310	\$ 809,418	\$ 21,684	\$ 648,208	56.2%	

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
TAXES			
PROPERTY TAXES REVENUE	22,524,540.00	11,988,756	53.23%
PROPERTY TAXES OVERLAY	-	73,587	
YIELD TAXES	5,000.00	-	0.00%
LEBANON HOUSING AUTHORITY	35,000.00	-	0.00%
MASCOMA HYDRO	3,000.00	2,988	99.58%
RIVERMILL HYDRO	1,400.00	1,718	122.68%
DHMC	1,821,020.00	1,821,012	100.00%
PARKHURST	7,670.00	-	0.00%
EXCAVATION TAX	5,000.00	-	0.00%
SKYHIGH LLC SOLAR	4,000.00	4,305	107.63%
TOTAL TAXES	24,406,630.00	13,892,365	56.92%
INTEREST & PENALTY ON DELINQUENT TAXES			
LATE TAX PAYMENTS	100,000.00	33,286	33.29%
TOTAL INTEREST & PENALTY ON DELINQUENT TAXES	100,000.00	33,286	33.29%
MOTOR VEHICLE PERMIT FEES			
MOTOR VEHICLE REGISTRATIONS	2,600,000.00	1,261,812	48.53%
TOTAL MOTOR VEHICLE PERMIT FEES	2,600,000.00	1,261,812	48.53%
BUILDING PERMITS			
BUILDING PERMITS	340,000.00	735,563	216.34%
TOTAL BUILDING PERMITS	340,000.00	735,563	216.34%
OTHER LICENSES PERMITS & FEES			
TAXI PERMITS	-	280	100.00%
DOG LICENSES	13,500.00	8,349	61.84%
BOAT REGISTRATIONS	1,800.00	1,679	93.28%
MISCELLANEOUS CITY CLERK	44,500.00	17,252	38.77%
MOTOR VEHICLE TRANSACTION FEES	60,900.00	29,512	48.46%
TRANS MANAGEMENT FUND ADMIN FEE	6,800.00	3,295	48.45%
LANDFILL PERMIT APPLICATION ADMIN	500.00	970	194.00%
ROADWAY DEGRADATION FEE	10,000.00	7,940	79.40%
PISTOL PERMITS	400.00	80	20.00%
ANNUAL ALARM FEES-POLICE	80,000.00	82,750	103.44%
ANNUAL ALARM FEES-FIRE	79,000.00	82,750	104.75%
DRIVEWAY PERMITS	-	525	100.00%
FLOODPLAIN PERMITS	-	250	100.00%
POLE & CONDUIT LICENSE	-	20	100.00%
TOTAL OTHER LICENSES PERMITS & FEES	297,400.00	235,650	79.24%

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
MEALS & ROOMS TAX DISTRIBUTION			
MEALS & ROOMS TAX	957,790.00	-	0.00%
TOTAL MEALS & ROOMS TAX DISTRIBUTION	957,790.00	-	0.00%
HIGHWAY BLOCK GRANT			
HIGHWAY BLOCK GRANT	318,420.00	126,104	39.60%
TOTAL HIGHWAY BLOCK GRANT	318,420.00	126,104	39.60%
WATER POLLUTION GRANTS			
#C-844 CSO WSTWTR/SAG	14,300.00	-	0.00%
#C-903 CSO DANA&CRAFT AVE/SAG	16,560.00	16,555	99.97%
#C-924 CSO11-PHASE 1/SAG	14,300.00	-	0.00%
TOTAL WATER POLLUTION GRANTS	45,160.00	16,555	36.66%
OTHER STATE GRANTS & REIMBURSEMENTS			
RAILROAD TAX	4,000.00	1,235	30.87%
DRUG TASK FORCE OFFICER NHDOJ	60,000.00	15,000	25.00%
TOTAL OTHER STATE GRANTS & REIMBURSEMENTS	64,000.00	16,235	25.37%
INTER-GOVERNMENTAL REVENUES			
LEBANON SCHOOL DIST RESOURCE OFFICER	60,000.00	-	0.0%
SCHOOL DISTRICT CROSSING GUARDS	1,480.00	-	0.0%
TOTAL INTER-GOVERNMENTAL REVENUES	61,480.00	-	0.0%
DEPARTMENTAL INCOME			
PLANNING FEES	25,000.00	15,650	62.6%
ZONING FEES	7,500.00	5,044	67.3%
CEMETERY INCOME	30,000.00	25,965	86.55%
POLICE RECORDS	5,000.00	2,275	45.50%
AMUBLANCE SERVICES: PLAINFIELD	26,000.00	-	0.00%
AMUBLANCE SERVICES: ENFIELD	69,000.00	-	0.00%
AMBULANCE SERVICES	900,000.00	434,959	48.33%
AMBULANCE INTERCEPTS	10,000.00	14,950	149.50%
AMBULANCE SERVICES: GRANTHAM	51,750.00	59,784	115.52%
FIRE RECORDS	200.00	90	45.00%
FIRE CODE ENFORCEMENT	12,000.00	7,555	62.96%
FIRE: MISC REVENUE	1,000.00	1,436	143.58%
EXCAVATION PERMITS	3,000.00	1,800	60.00%
ENGINEERING SITE PLAN REVIEWS	5,000.00	960	19.20%
MAINTENANCE BILLABLES	2,000.00	1,832	91.59%

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
RECREATION PROGRAMS	53,000.00	30,813	58.14%
RECREATION DAY CAMP	71,000.00	73,018	102.84%
RECREATION POOL	27,500.00	17,794	64.70%
RECREATION SKI PROGRAM	1,200.00	325	27.08%
MISCELLANEOUS RECREATION	1,200.00	363	30.21%
FARMERS' MARKET	11,500.00	9,173	79.77%
DHMC MIH PROGRAM	189,840.00	-	0.00%
TOTAL DEPARTMENTAL INCOME	1,502,690.00	703,784	46.83%
OTHER CHARGES			
COMPUTER SERVICES	111,470.00	-	0.00%
ADMINISTRATIVE OVERHEAD	1,178,120.00	1,177,880	99.98%
TOTAL OTHER CHARGES	1,289,590.00	1,177,880	91.34%
SPECIAL ASSESSMENTS			
MT SUPPORT RD SPECIAL ASSESSMENT	23,130.00	-	0.00%
TOTAL SPECIAL ASSESSMENTS	23,130.00	-	0.00%
SALE OF MUNICIPAL PROPERTY			
CITY PROPERTY EX: EQUIPMENT, LAND	-	7,460	-
TOTAL SALE OF MUNICIPAL PROPERTY	-	7,460	
INTEREST ON INVESTMENTS			
INVESTMENT INCOME/INTEREST	90,000.00	26,148	29.05%
TOTAL INTEREST ON INVESTMENTS	90,000.00	26,148	29.05%
RENTS OF PROPERTY			
MASCOMA HYDRO	15,000.00	15,000	100.00%
NH DEPT CORRECTIONS	1,500.00	694	46.25%
226 MASCOMA STREET	-	3,658	
TOTAL RENTS OF PROPERTY	16,500.00	19,352	117.28%
FINES & FORFEITS			
CITY CODE/ORDINANCE VIOLATIONS-POLICE	21,000.00	2,240	10.67%
PARKING TICKETS	10,000.00	2,110	21.10%
FALSE ALARM FINES	16,000.00	5,900	36.9%
TOTAL FINES & FOREITS	47,000.00	10,250	21.81%

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
OTHER MISCELLANEOUS INCOME			
CABLE TV FRANCHISE FEE	150,000.00	37,574	25.0%
MISCELLANEOUS REVENUE	100,000.00	35,871	35.9%
MISCELLANEOUS COPY CHARGES	-	35	
LANDFILL FUND HOST COMMUNITY FEE	550,000.00	225,691	41.0%
TRANSFER FROM SEWER FUND	3,460.00	3,460	100.0%
MV TRANSPORTATION IMPROVEMENT FUND	61,100.00	29,651	48.5%
DOWNTOWN TIFD FUND	288,320.00	288,320	100.0%
TOTAL MISCELLANEOUS INCOME	1,152,880.00	620,601	53.83%
GENERAL FUND TOTALS	33,312,670.00	18,883,045	56.7%
GENERAL FUND TOTALS EXCLUDING PROP TAXES	10,788,130.00	6,820,703	63.2%

BUDGET VS. ACTUAL REVENUE REPORT-LANDFILL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
PERMIT APPLICATION FEE	-	1,250	-
C&D CLOSURE GRANT #L-136/145	11,230	-	0.0%
TIPPING FEES/LANDFILL SALES	3,500,000	1,790,226	51.1%
RECYCLABLE SALES	125,000	118,582	94.9%
INVESTMENT INCOME/INTEREST	16,000	-	0.0%
FORE-U GOLF CENTER	15,000	6,947	46.3%
MISCELLANEOUS REVENUE	5,000	-	0.0%
COUPON SALES-ORANGE TICKETS (CITY HALL)	75,000	34,965	46.6%
COUPON SALES-OUTSIDE SALES	380,000	171,000	45.0%
	4,127,230	2,122,971	51.4%

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
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BUDGET VS. ACTUAL REVENUE REPORT-WATER FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
WATER DEVELOPMENT FEE	13,670	84,323	617%
WATER APP FEE	6,350	2,698	42%
#C-844 CSO WSTWTR/SAG	10,730	-	0%
#C-903 CSO DANA&CRAFT AVE/SAG	12,420	12,420	100%
#C-924 CSO 11-PHASE1 SAG	10,730	-	0%
WATER USER CHARGES	3,451,740	1,518,320	44%
SPRINKLER CHARGES	204,470	99,647	49%
HYDRANT CHARGES	94,000	47,002	50%
BACKFLOW CHARGES	86,840	47,896	55%
WATER SERVICE FEES	-	5,600	
INVESTMENT INCOME/INTEREST	15,000	-	0%
MISCELLANEOUS REVENUE	9,000	10,785	120%
WATER BILL INTEREST	2,500	2,229	89%
HYDRANTS	268,440	268,440	100%
RADIO READ CONVERSION	22,320	22,320	100%
USE OF BOND PROCEEDS CSO	2,600	2,600	100%
	<u>4,210,810</u>	<u>2,124,279</u>	<u>50.4%</u>

BUDGET VS. ACTUAL REVENUE REPORT-SEWER FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
SEWER APPLICATION FEE	25,950	14,450	55.7%
SEWER DEVELOPMENT FEE	111,000	557,475	502.2%
#C-844 CSO WSTWTR/SAG	10,730	-	0.0%
#C-769 WWTP UPGRADE	23,400	-	0.0%
#C-903 CSO DANA&CRAFT AVE/SAG	12,420	12,420	100.0%
#C-924 CSO 11-PHASE1 SAG	10,730	-	0.0%
#C-874 WSTWR/SAG	173,680	-	0.0%
#C-899 WSTWTR/SAG	28,350	28,344	100.0%
#C-928 ETNA RD/NH120/SAG	40,450	-	0.0%

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
SEWER USER CHARGES	6,047,600	2,738,676	45.3%
ENFIELD CONNECTOR	533,120	265,212	49.7%
SEPTAGE	177,300	73,723	41.6%
LEACHATE	60,000	32,381	54.0%
INVESTMENT INCOME/INTEREST	8,500	2	0.0%
MISCELLANEOUS REVENUE	10,000	5,995	59.9%
SEWER BILL INTEREST	4,000	2,791	69.8%
	7,277,230	3,731,469	51.3%

EXHIBIT A
CITY OF LEBANON
FINANCE DEPARTMENT
BUDGET VS. ACTUAL REVENUE REPORT-GENERAL FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
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BUDGET VS. ACTUAL REVENUE REPORT-AIRPORT FUND
PERIOD ENDED: JUNE 30, 2022

CATEGORY/DESCRIPTION	2022 AMENDED BUDGET	YTD REVENUE 6/30/2022	PERCENT COLLECTED
			-
ACRGP (CARES ACT) - CRRSA	-	107,214	-
TSA COVID-19 CLEANING	-	3,950	-
AIP69 ARPA	-	15,459	-
NHAC AID	-	7,153	-
AIR CARRIER LANDING FEES	198,770	80,898	40.7%
GENERAL AVIATION LANDING FEES	170,000	86,208	50.7%
RENT-A-CAR FEES	57,490	55,712	96.9%
AIR CARRIER FUEL FLOWAGE	6,000	3,252	54.2%
GEN AVIATION FUEL FLOWAGE	50,000	20,129	40.3%
INVESTMENT INCOME/INTEREST	(1,600)	-	0.0%
TERMINAL BUILDING RENT	112,690	71,992	63.9%
LAND RENT	164,530	99,221	60.3%
LAND RENT: POLICE FACILITY	43,200	43,200	100.0%
PARKING LOT RENTAL	5,310	5,097	96.0%
HANGAR RENTALS	119,850	67,290	56.1%
MISCELLANEOUS REVENUE	2,800	4,996	178.4%
	929,040	671,771	72.3%

AGENDA

LEBANON CITY COUNCIL

AUGUST 3, 2022

10. NEW BUSINESS ITEMS:

10.F – PRESENTATION AND DISCUSSION OF DRAFT REQUEST FOR EXPRESSIONS OF INTEREST FOR DOWNTOWN REDEVELOPMENT OPPORTUNITIES

Since the start of the year, the Economic Development Commission and the Downtown TIF Advisory Board have been working jointly to review and discuss potential opportunities for downtown redevelopment as highlighted in the 2016 Downtown Vision Plan. After numerous meetings, the committees agreed to recommend that the City Council consider the issuance of a Request for Expressions of Interest to solicit interest and additional design ideas before considering a more formal Request for Proposals for any project.

BACKGROUND

The opportunity to redevelop the surface parking lots in downtown Lebanon was most recently highlighted in the [2016 Downtown Vision Plan and Tunnel Assessment](#) report. Chapter 5 of the Vision Plan outlines several Key Concepts that were developed from public input during the visioning process, including “seek[ing] mixed use and infill development that enhances the vibrancy of downtown” (see p.80 of the online .pdf report linked above). The Plan highlights possible opportunities that exist and offers a summary of the infill potential in various parts of downtown, which is further supported by the Market Analysis (Chapter 3, p.55 of the online .pdf) that was prepared as part of the Vision Plan.

During a joint meeting in September 2021, members of the Economic Development Commission and the Downtown TIF Advisory Board agreed to work together to evaluate the potential redevelopment of the surface parking lots behind City Hall. The Planning Department and City Manager coordinated with the respective committee chairs to prepare a process and schedule for reviewing relevant information and data to assist the committees in the effort. The information reviewed with the committees included the 2016 Downtown Visioning Plan, various chapters of the 2012 Master Plan, an overview of smart growth principles, a summary of prior downtown parking utilization studies, an overview of floodplain and shoreland protection requirements, and recent data concerning housing availability and affordability. The committees also invited the chairpersons of the Conservation Commission and the Pedestrian & Bicyclist Advisory Committee to attend and provide input about the community’s goals.

Following the review of pertinent information and discussion of goals, the committees agreed to consider a Request for Interest (RFI; also known as a Request for Expressions of Interest, RFEI) as an interim step to better understand potential private-sector interest and design needs relative to market conditions and the potential relationship between the City and a development partner. An RFEI has the potential to generate additional development ideas and concepts for the City to review and evaluate based on core planning principles and community goals. Depending on the responses, the RFEI may be used to inform and clarify a subsequent Request for Proposals process to achieve specific desired outcomes.

The attached Request for Expressions of Interest was developed and reviewed by the EDC and Downtown TIF committees over the course of several meetings between January and May. On

May 25th, the committee members present voted unanimously to forward the RFEI to the City Council for review and further consideration.

In addition, during the course of the joint meetings, several individual members took the initiative to study the benefits of enhancing riverfront access and amenities and developed a brief report summarizing their findings, which was presented to the committees in April.

ACTION

Should the City Council wish to proceed with issuance of a Request for Expressions of Interest, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby authorizes the City Manager to issue a "Request for Expressions of Interest" relative to the Downtown Redevelopment Opportunities as presented in the August 3, 2022 City Council Agenda Packet.

Included in this Section:

1. Draft Request for Expressions of Interest dated August 3, 2022
2. Summary report titled "Benefits of enhancing riverfront access and amenities" dated April 1, 2022.

DOWNTOWN DEVELOPMENT OPPORTUNITY CITY OF LEBANON, NH

REQUEST FOR EXPRESSIONS OF INTEREST August 3, 2022

INTRODUCTION

The City of Lebanon, New Hampshire is issuing this Request for Expressions of Interest (“RFEI”) to solicit interest from qualified parties in the redevelopment of city-owned property (the “Development Site”) totaling approximately 2.9-acres along the southerly side of the Mascoma River within Downtown Lebanon. The purpose of this RFEI is to solicit interest and redevelopment strategies for the Development Site that will advance the city’s goals and objectives, including those documented in the 2016 Lebanon Downtown Vision Plan and Tunnel Assessment report.

This project represents a significant development opportunity for the city. It presents a unique opportunity to rediscover the Mascoma River with enhanced access and the restoration of the river frontage through downtown in order to protect natural resources and create new open space as a significant public amenity. The project will allow for critical pedestrian and bicyclist connections between the Northern Rail Trail and the Mascoma River Greenway via the recently renovated downtown tunnel. The project also provides for economic development opportunities to further enhance vitality in the downtown core. All development concepts must be consistent with the Key Concepts and planning principles developed through significant public input during the Downtown Vision Plan process including Reconnection to the Mascoma River, Placemaking, Pedestrian/Bicycle Connectivity, and Economic Development.



Aerial photo of Downtown Lebanon and the Development Site (looking south)

The City of Lebanon may utilize responses generated by this RFEI process to inform a subsequent Request for Proposals (“RFP”) process. Respondents to this RFEI will be given

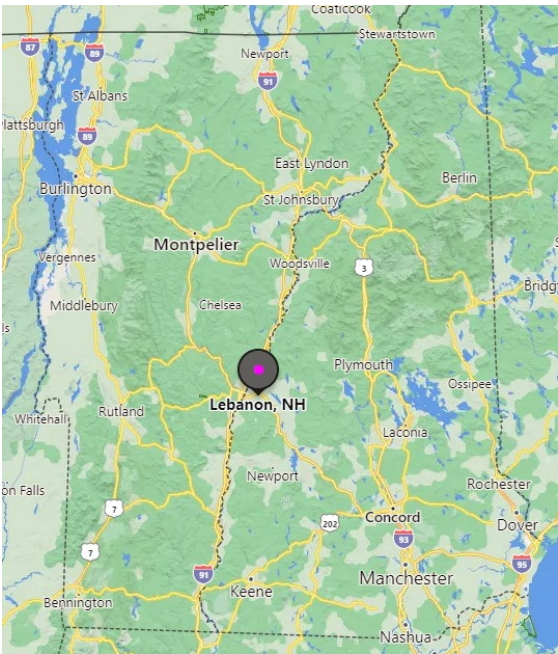
additional consideration during any subsequent RFP process. It is the city’s intent and desire to identify a development team through this RFEI/RFP process to redevelop the property in a manner that achieves the city’s goals and objectives formulated through the community-driven Downtown Vision Plan process.

TIMELINE

RFEI Issuance Date:Date
Date to Submit Questions:.....Date + 30 days
Answers to Questions Posted:.....Date + 40 days
Deadline to Submit Expressions of Interest:Date + 90 days

SITE CONTEXT AND DOWNTOWN VISION PLAN

Located between Concord, NH, and Burlington, VT, the City of Lebanon is the employment, commercial, and civic hub of the Upper Connecticut River Valley and is at the core of the largest micropolitan statistical area in the country. Situated near the junction of Interstates 89 and 91, Lebanon itself is a small city with a resident population of just over 14,200 people, but its daytime population is estimated around 40,000 as a result of the city’s role as a major regional destination for employment, shopping, and services. The City of Lebanon is experiencing a development surge with nearly 1,300 new single-family and multi-family residential units as well as substantial commercial, manufacturing, and institutional projects approved for construction or in the development pipeline. The city’s support of these projects demonstrates its commitment to new development that will serve as a catalyst for economic growth, private investment, and job creation in the city.



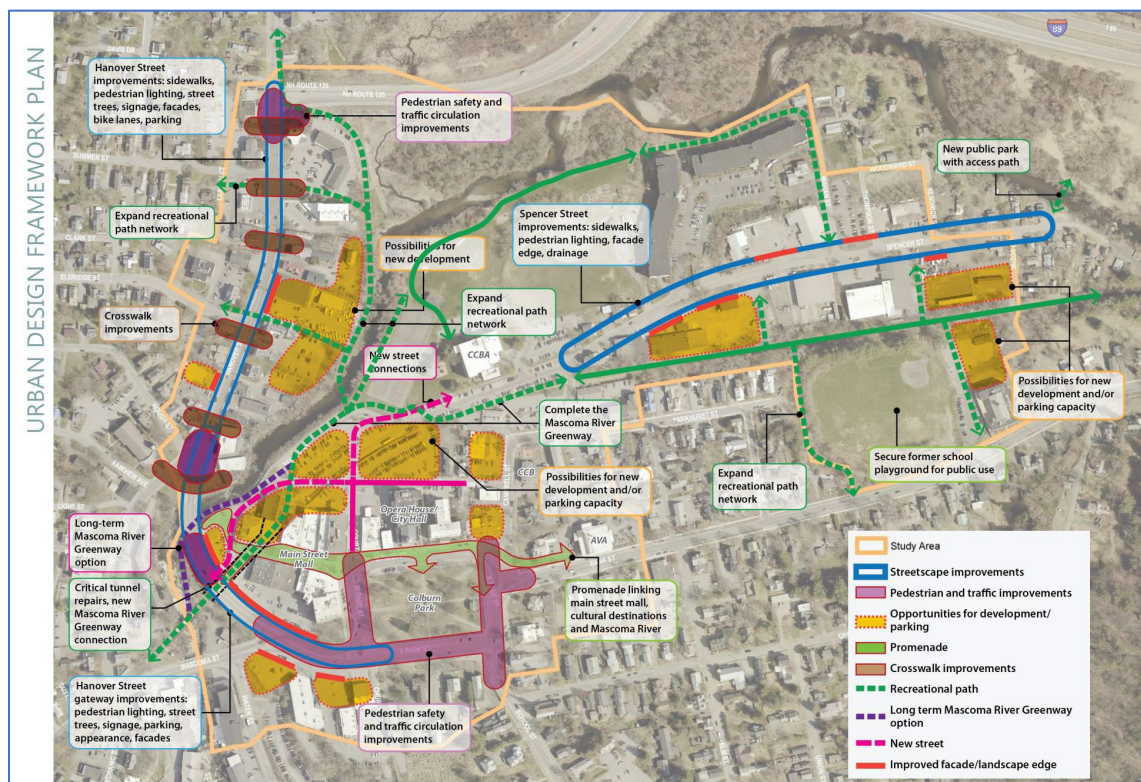
Located near the junction of Interstates 89 and 91; approximately 60 miles northwest of Concord, NH and 90 miles southeast of Burlington, VT

LEBANON DOWNTOWN VISION PLAN

In November 2016, the city completed the Downtown Vision Plan and Tunnel Assessment report for the core area of Downtown Lebanon, including Colburn Park and the major approaches to it as well as sections of the Mascoma River that are part of the historic downtown pattern of development. The purpose of the Downtown Vision Plan was to identify and assess, through citizen engagement and professional analysis, the range of alternatives and feasibility for revising the downtown and to enhance the physical appearance and functionality of the area. The Plan identified opportunities and established alternatives for building (re)development, traffic circulation, bicycle and pedestrian connections, streetscape amenities, and the opportunity to emphasize the city's performing and visual arts institutions as a focal point for downtown.

The Plan was formulated using extensive feedback received through a comprehensive and robust 15-month community engagement process, which resulted in the collection of nearly 1,300 public comments compiled during multiple public engagement meetings, city events, surveys, and web-based comments. The final Downtown Vision Plan, appendices, background studies, presentations, and public comments are available for download from the city's website: (<https://lebanonnh.gov/474/Downtown-Visioning-Study-Tunnel-Project>).

Since the release of the Plan, the city has completed a number of the near-term recommendations, including the rehabilitation of the former rail tunnel passing beneath the Hanover Street pedestrian mall for pedestrian and bicyclist connectivity, which received a 2022 Merit Award of Excellence from PlanNH as an outstanding project. In addition, the city has completed the substantial reconstruction of Spencer Street, creation of a Downtown Tax Increment Finance (TIF) District, and approved updates to the zoning and development regulations applicable within the downtown area.



Framework Plan from the 2016 Downtown Vision Plan and Tunnel Assessment report

Now, the city is poised to continue implementing other near-term strategic investments and potential long-term development scenarios to invigorate and further enliven its downtown area. Such investment will bring vitality to the downtown while strengthening the existing connection to the Mascoma River itself. The Downtown Vision Plan is meant to become a resource for the city and an investment roadmap for future developers and property owners as the initiatives and strategies highlighted in the report move forward.

DEVELOPMENT SITE

The Development Site is located along the southerly side of the Mascoma River and is situated north of City Hall and north of the buildings along the Hanover Street pedestrian mall. The +/-2.9-acre parcel is owned by the City of Lebanon and is currently improved with all-day and time-limited surface parking lots. The “upper” and “lower” parking lots are separated by a retaining wall that delineated the southerly side of a former railroad right-of-way, but is now owned by the City of Lebanon. The existing retaining wall need not be maintained depending upon the development strategy proposed.

The Development Site holds great potential for downtown redevelopment, including opportunities to reconnect to the Mascoma River, visually and physically, and to restore and enhance the riverfront area to protect natural resources and create new open space as a significant downtown amenity. Improved connectivity between the Northern Rail Trail and the Mascoma River Greenway is also desired. Any redevelopment of this area must be consistent with the Key Concepts outlined in the Downtown Vision Plan and should carefully consider potential impacts and enhancement opportunities for the surrounding natural and recreational resources and neighborhoods, including pedestrian and bicycle connections, traffic, parking, and infrastructure.



Aerial image of Downtown Lebanon and the Development Site

SITE: 0 HANOVER STREET and 0 FLYNN STREET; TAX MAP 91, LOT 245; TAX MAP 92, LOT 17; and p/o TAX MAP 91, LOTS 230;

Location: Roughly bounded to the north by the Mascoma River and the CCBA Recreation Fields; to the south by Flynn Street and existing buildings along the Hanover Street pedestrian mall; to the east by the edge of the existing parking lot; and to the west by the Mascoma River and Ledyard Charter School building (Tax Map 91, Lot 239).

Ownership: City of Lebanon

Approximate Lot Size: ~2.9 Acres or ~126,000 Square Feet

Current Use: All-day and time-limited surface parking lots.

Downtown Vision Plan: Development concepts must include the restoration and enhancement of the Mascoma River and the riverfront area along with appropriate connections to the adjacent recreation and green spaces and the downtown core. There is also the opportunity to incorporate connections between the Northern Rail Trail and the Mascoma River Greenway via the recently renovated downtown tunnel. The relocation of Taylor Street and the relocation, incorporation, or replacement of existing parking spaces should be considered. Closer to the downtown core, additional mixed-use development is contemplated to activate and enliven the downtown area.





Aerial photo of Downtown Lebanon with the Development Site highlighted (looking south)

PLANNING PRINCIPLES

The city seeks to develop an implementation strategy for an enhanced downtown experience that rediscovers and restores the Mascoma River and the riverfront area, provides attractive multi-modal connections to and within the downtown area, and maximizes economic development potential, resulting in increased community and economic vitality. The development of this site presents unique challenges and opportunities that will require a thoughtful approach to balance existing uses with new development. Responses to this RFEI must consider the following Key Concepts and planning principles that were developed through the Downtown Vision Plan process:

Reconnect to the Mascoma River: Create an improved and engaging green space along the Mascoma River to act as an attractive amenity for existing and future residents and visitors and provide opportunities for river access and for active and passive recreation.

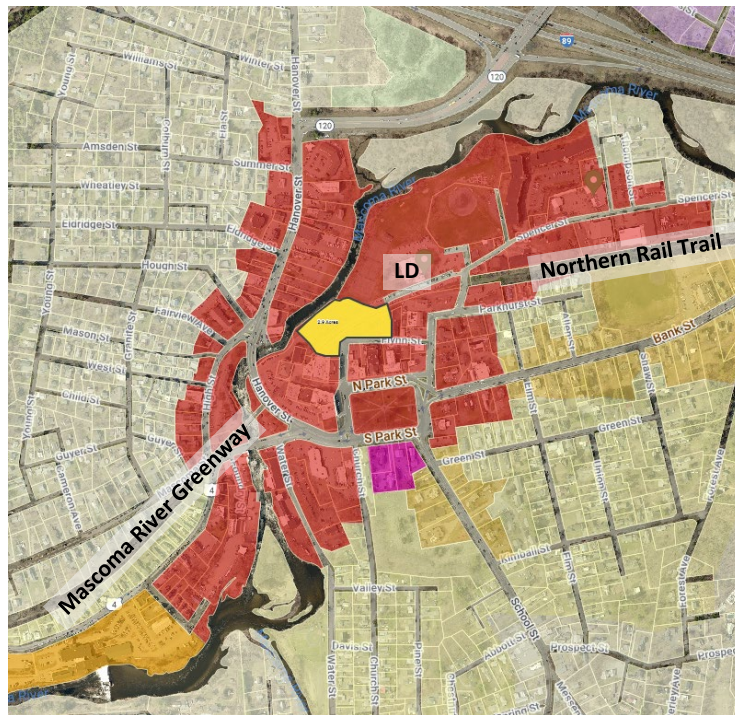
Placemaking: Create a vibrant destination by enhancing the riverfront and building on the civic role of downtown Lebanon and by introducing a mix of complementary land uses focused on improving the pedestrian experience.

Bike/Pedestrian Connectivity: Incorporate pedestrian and bicycle infrastructure and connections to enhance non-motorized access to and along the Mascoma River with appropriate connections to the existing Northern Rail Trail and the Mascoma River Greenway as well as to adjacent neighborhoods and the downtown core.

Economic Development: Develop a financially feasible plan that creates value and introduces a variety of active and engaging uses while balancing neighborhood impacts.

EXISTING ZONING, UTILITIES, AND INFRASTRUCTURE

The Development Site lies within the Lebanon Downtown (LD) zone – a high-density, mixed-use district encompassing much of the city's downtown area. The LD district regulations are intended to promote an active pedestrian environment consistent with the mixed-use character of the area. The LD district permits a combination of retail, office, restaurant, government, business, service, cultural and entertainment uses, and high-density residential units, as well as other uses that will contribute positively to the vibrancy of downtown Lebanon. (<https://lebanonnh.gov/570/Zoning-Ordinance-Map>).



As an outcome of the Downtown Vision Plan, the city has already modified the zoning and development regulations applicable to the downtown area, including the Development Site, to increase allowed building height, incorporate design requirements, and to adjust the permitted uses of the street level story. However, modified zoning district concepts that clearly advance the stated goals and objectives of the Downtown Vision Plan may be considered. Modifications to existing zoning regulations needed to accommodate an appropriate development concept must:

1. Enhance the form and function for new development with particular attention to ground floor uses and the public realm, and;
2. Include standards for building height and mass that would define a clear transition between the Development Site and surrounding neighborhoods as indicated in the Vision Plan.

Existing Utilities and Infrastructure

The existing sanitary sewer line that services the Development Site is a 36" diameter reinforced concrete pipe that leads directly to the city's main interceptor line. Existing potable water and stormwater infrastructure capacity appears sufficient to accommodate new development under existing zoning regulations. The "lower parking lot" is considered to be part of Taylor Street and existing roadway connections to the east and west for general vehicular circulation should be

accommodated into the project design. The existing retaining wall separating the upper and lower parking lots need not be maintained depending upon the development strategy proposed.

SUBMISSION REQUIREMENTS

Respondents to this RFEI will be given additional consideration during any subsequent RFP process. Respondents must submit the following information:

A. Respondent Information

Contact information for primary and secondary contacts including name, address, telephone number, and e-mail of the individual(s) who will be authorized to act on behalf of the Respondent to answer questions or requests for additional information.

B. Development Concept Plan

A conceptual development plan must consist of the following elements:

1. A brief narrative identifying how the conceptual development plan will advance the objectives set forth in this RFEI and the Downtown Vision Plan.
2. Identification of the approximate location, size, and intended use of a park or open space along the Mascoma River on the Development Site consistent with the goals and objectives of this RFEI and the Downtown Vision Plan.
3. A brief narrative articulating how the conceptual development plan will enhance existing and future vehicular, pedestrian, and bicycle access from Hanover Street, Spencer Street and the Park Streets, and specifically enhance pedestrian/bicycle access between the Mascoma River Greenway and the Northern Rail Trail.
4. A schematic site plan depicting each land use proposed and how they relate to the entire downtown, the downtown tunnel, the Mascoma River, and Taylor, Flynn and Court Streets.
5. Delineation of the bulk and size of each component of the conceptual development program relative to existing LD zoning regulations and/or discussion of any zoning modifications required to facilitate the conceptual development plan and further advance the goals and objectives of the Downtown Vision Plan.
6. A preliminary plan to maintain and maximize existing parking capacity utilizing district-wide solutions.
7. A description of sustainable building practices and energy efficiency improvements that could be incorporated into the project.
8. An estimate of the economic impact of the conceptual development project, including but not limited to temporary and permanent job creation, increased municipal tax revenue, economic development multipliers, etc.
9. Visual photo simulations or renderings of the conceptual development plan from various public vantage points as viewed from approximately eye level.

SUBMISSION INSTRUCTIONS

A. Submission of Expressions of Interest

One (1) hard copy and one (1) electronic copy in the form of a flash drive/CD or electronic transmittal (Dropbox or similar) of the submission titled “City of Lebanon Downtown Development Opportunity RFEI Response” must be received by the City of Lebanon by **Month Date, Year at x:xx pm** EST at the following address:

City of Lebanon
Planning & Development Department
51 North Park Street
Lebanon, NH 03766
Attn: David Brooks
Planning & Development Director
Re: Lebanon Downtown District Development Opportunity RFEI

B. RFEI Inquiries

The City of Lebanon will accept written questions, via email only, from prospective Respondents no later than **Month Date, Year**. Please submit questions to: Planning@LebanonNH.gov

Written questions must include the requestor’s name, e-mail address, and the Respondent represented. Responses to all timely and appropriate questions will be posted on the City’s website (<https://lebanonnh.gov/682/Bids-RFPs-RFQs-and-RFIs>) by **Month Date, Year**.

The City of Lebanon reserves the right to conduct interviews with or pose questions in writing to Respondents in order to clarify the content and to ensure a full and complete understanding of each submission.

The City of Lebanon reserves the right to modify the RFEI schedule at its discretion. Notification of changes in connection with this RFEI will be made available via the City’s website (<https://lebanonnh.gov/682/Bids-RFPs-RFQs-and-RFIs>).

TERMS OF THIS RFEI

This RFEI is not a request for competitive proposals, and in no way obligates the City of Lebanon to enter into a relationship with any entity that responds to this RFEI or limits or restricts the city’s right to enter into a relationship with an entity that does not respond to this RFEI. In its sole discretion, the city may pursue discussions with one or more entities responding to this RFEI or none at all. The City of Lebanon further reserves the right, in its sole discretion, to cancel this RFEI at any time for any reason. To the extent that the city elects to enter into a relationship with an entity regarding a development proposal, such entity shall be required to comply with the City of Lebanon’s policies.

Information provided in response to this RFEI will become the property of the City of Lebanon and will be subject to public disclosure. If an entity responding to this RFEI believes that a specific portion of its response is exempt from disclosure, the entity must clearly identify that specific information as a “confidential trade secret.” Identification of information as a “confidential trade secret” does not necessarily mean that the information will be exempt from disclosure. The City of Lebanon will make that determination based on the nature of the information and the requirements of New Hampshire Law.

The City of Lebanon is self-represented for this transaction and will not be paying any third-party brokerage fees.

April 1, 2022

TO: Lebanon Economic Development Commission and
Downtown Lebanon TIF Advisory Board

FROM: Kevin Purcell, EDC; Victoria Smith, TIF; Sarah Riley, Conservation
Commission; Chet Clem, EDC

RE: Benefits of enhancing riverfront access and amenities:

Tasked with considering development of the lower parking lots behind city Hall, at our March 16, 2022, meeting, EDC Chair Bill Dunn observed that the only issue on which we have consensus, so far, is the need to improve access and amenities along the Mascoma River, starting next to the lower parking lot. To ensure that direction is in fact warranted, Bill asked that we pull together verifiable supporting information. The quantity of available research and data is extensive but we managed to condense a representative cross section into the following report covering what we felt were the three most important benefits.

The City's Master Plan, adopted in 2012, should remain a primary guide when considering any kind of improvement or development in town. The Plan states "All actions and policies of the government of the City of Lebanon shall be intended first and foremost to benefit the current residents of Lebanon," and recommends the following actions:

- Improvement of bikeways, walkways, and public transit systems (recreational-commuter corridors).
- Stewardship of natural and recreational areas.

Further justification for our discussions can be found in countless case studies and community reports. There is compelling evidence that economic and quality of life benefits can be realized by:

- enhancing access to the Mascoma riverfront
- making improvements to the Mascoma riverfront next to the lower parking lot and
- connecting the MRG to the Tunnel, and through to rail trail

Public access, recreation & education opportunities

The City's Master Plan recognizes "the important role recreational activities play in creating social ties, fostering civic pride, attracting new businesses and residents to the City, while promoting healthy lifestyles and teaching positive values."

New Hampshire has over 10,000 miles of river which historically were used from industrial and sewage waste disposal. We join many towns with rivers who, following years of cleanup efforts,

are now embracing the potential economic and recreational benefits their riverfronts can offer. Berlin was one of the earliest, initiating a Riverfire Festival in 2003 which was so successful that they have steadily continued to find funding to gradually expand the access to the Androscoggin River. Currently Dover and Nashua are in the process of creating large commercial mixed use and recreational developments along their riverfronts while Wilton is enjoying success of their more modest efforts. Franklin and Littleton have both already achieved noticeable success but continue to find opportunities for expansion.

Turning to our rail trail efforts, a 2020 UNH Extension survey found many trail users

- use the trails for multiple activities
- come with their families
- use the trail in more than one season.
- 34.5 % of respondents came to the area primarily for the trails
- 5.7% of respondents moved to the area because of our trail system

Economic impact/Return on Investment

Outdoor recreation is a proven stimulus for community revitalization. In 2021 SOBAN, State Outdoor Business Alliance, reported outdoor recreation added \$459.8 billion to the US Economy, creating 5.2 million jobs and \$226 millions in earnings.

In 2019, NH confirmed that our largest industry is tourism, contributing \$5.6 billion to the state economy but in the summer of 2021, all previous records were broken:

- 21% increase in visitors
- \$2.1 billion spent in the summer months alone
- Total fiscal year 2021 ROI generated \$197 in visitor spending for each \$1 invested and
- \$12.08 in tax revenue for each \$1 invested.

According to another UNH report, 228,000 people spent 4.37 million days fishing in New Hampshire freshwater lakes and rivers, spending \$208.5 million on trip and equipment related expenditures.

As stated in the SOBAN report, following the recession of 2008, rural communities without recreation lost population but those rural communities with recreation actually grew.

Benefits for existing businesses

A robust trail system and access to the river will bring people to area who will need goods and services, restaurants, recreation/outdoor equipment. That same 2020 UNH Extension survey found “respondents reported spending an average of \$141.92 each trip to an area of trails which included the following industries:

- food/drink(restaurants)
- food/drink(groceries)

- overnight lodging
- gifts/souvenirs
- equipment
- park/trail fees”

Connecting the Rail Trail to the MRG, and ultimately, to the West Lebanon Greenway will move the city one step closer to an attractive, end-to-end multi-use path.

Sources cited :

http://soban.org/wp-content/uploads/2021/06/2021HE-SOBAN-Report-FINAL-DOWNLOAD_2-2.pdf

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