



**LEBANON CITY COUNCIL
AUGUST 17, 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: 735 434 878#). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The August 17, 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 17, 2022 agenda packet.

7. Appointments

A.

- Arts & Culture Commission, Jessica Giordani (Reappointment Ward 3 Citizen)
- Conservation Commission, Sean Dittrich (Alternate Member)
- Lebanon Housing Authority, Karen Wynkoop (Citizen Member)
- Pedestrian & Bicyclist Advisory Committee, Colin Smith (Reappointment Regular Member)
- Pedestrian & Bicyclist Advisory Committee, David Koch (Alternate Member)
- Diversity, Equity & Inclusion Commission, Alisha Robinson (Public Representative)
- Trustees of Trust Funds, John Jay Hutchins (Reappointment)

8. Public Hearing Items: None

9. Old Business: None

10. 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

- B. Presentation by Wright-Pierce Engineers: Water Source Study

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 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: Board of Cemetery Trustees

Position: Regular Member

Applicant: D. Muzzy

Re-Assigned Councilor: G. Sykes

Re-Assigned Date: 08/09/2022

Board/Committee: Downtown Lebanon TIF Advisory Board

Position: Regular Member

Applicant: V. Smith

Assigned Councilor: E. Heistad

Assigned Date: 08/09/2022

Board/Committee: Downtown Lebanon TIF Advisory Board

Position: Regular Member

Applicant: B. Schuster

Assigned Councilor: D. Whittlesey

Assigned Date: 08/09/2022

Board/Committee: Conservation Commission

Position: Regular Member

Applicant: B. James

Assigned Councilor: K. Hill

Assigned Date: 08/09/2022

Board/Committee: West Lebanon Revitalization Advisory Committee

Position: Resident

Applicant: J. Sherman

Assigned Councilor: D. Whittlesey

Assigned Date: 03/30/2022

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.

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

Lebanon City Council Agenda
August 17, 2022

the March 2023 Municipal Ballot

B. Wright-Pierce Presentation – Sewer & Stormwater

SEPTEMBER 21, 2022

NEW BUSINESS:

A. Presentation of the 2021 Financial Audit (TENTATIVE)

B. Review and Action on Properties Qualified for Tax Deeding

**AGENDA
LEBANON CITY COUNCIL
AUGUST 17, 2022**

6. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- August 3, 2022 (Regular Meeting)

MOVED, to approve the minutes as presented in the August 17, 2022 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
MINUTES**

Wednesday, August 3, 2022, 7:00 p.m.

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

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

MEMBERS ABSENT: Karen Zook

STAFF PRESENT: City Manager Shaun Mulholland, Director of Planning & Development David Brooks, Solid Waste Manager Marc Morgan, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, DPW Administrative Services Manager Kelly Crate

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

2. PLEDGE OF ALLEGIANCE: Assistant Mayor Below led the Council in the Pledge.

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

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

4. OPEN TO PUBLIC:

- Mayor McNamara, at the request of the City Clerk, asked the Council to think about possibly changing the way appointment/re-appointment interviews are done (for Committees, Boards, Commissions) due to a backlog that has developed. He suggested perhaps these could be done by the Council instead of each Councilor doing individual interviews. This will be coming up as an agenda item in the near future.
- Councilor Liot Hill spoke about the proposed landfill regulations that came up at the last Council meeting and gave her reasons for opposing the pink garbage bag requirement. She felt more consideration was needed on this issue.
- Councilor Simon concurred with Councilor Liot Hill.

5. RECOGNITIONS: NONE

6. ACCEPTANCE OF MINUTES: July 20, 2022 (Regular Meeting)

Councilor Heistad MOVED to approve the July 20, 2022 minutes as written and presented in the August 3, 2022 City Council agenda packet.

Seconded by Councilor Wilkie.

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

7. APPOINTMENTS: NONE

1 **8. PUBLIC HEARING ITEMS:**

- 2 **A. APPROPRIATION FOR 20 SPENCER STREET CLEANUP PROJECT** – Public hearing
3 for the purpose of receiving public input and taking action on a request for a supplemental
4 appropriation in the amount of One Hundred Forty Thousand Dollars (\$140,000) for transfer
5 from Unassigned Fund Balance to the Capital Improvements Fund for the 20 Spencer Street
6 Cleanup Project.

7
8 Included in the agenda packet: *(Page 28, Council agenda packet)*

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

11
12 To clear up any misconceptions, Mayor McNamara reiterated that the purpose of this cleanup is simply to
13 facilitate the redevelopment of the site, noting the City would have needed to cleanup this site regardless
14 of whether or not it was going to be developed.

15
16 City Manager Shaun Mulholland summarized the history, background and reasons behind the requested
17 appropriation for 20 Spencer Street, noting the chemicals found on this site (i.e., petrol chemicals such as
18 benzene, and PCBs) all of which needed to be removed.

19
20 **BACKGROUND**

21 20 Spencer Street is the former site of the City's Public Works Facility. The site clean-up project was first
22 included as part of the 2020 Capital Improvements Program in order to prepare the site for sale to the
23 Braverman Company. The project has been on-going since 2020 and the extent of contaminated soil has
24 been a challenge throughout. On a positive note, the last load of contaminated soil has been removed and
25 disposed of and the soil on the perimeter of the project area has tested clean. On a not so positive note, the
26 total cost for the removal and disposal over ran the total available funding by \$140,000.

27
28 Funding for the request for a supplemental appropriation in the amount of \$140,000 to cover the cost
29 overrun will be paid for through the use of Unassigned Fund Balance so there will be no adverse impact on
30 the tax rate.

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

34
35 At the request of Councilor Liot Hill, City Manager Shaun Mulholland explained the business plan for
36 selling this property, noting that \$1.5M is what the developer will pay for the property in order to build a
37 structure that will be approximately worth \$18M in value and will contain approximately 95 residential
38 units, with 45 of those being workforce housing. The Tax dollars that will come from this development
39 will go into the Downtown TIF District.

40
41 **ACTION:**

42 *Assistant Mayor Below MOVED, that FOR THE PURPOSE OF appropriating funds for removal and*
43 *disposal of contaminated soils at 20 Spencer Street, Lebanon.*

44
45 ***NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that funds, in the amount of***
46 ***\$140,000 be appropriated for expenditure from unassigned fund balance to the Capital Improvements***

1 *Fund for the 20 Spencer Street Cleanup Project, as presented in the July 6, 2022 City Council Agenda*
2 *Packet.*

3
4 *This Resolution shall be effective upon passage.*

5
6 *Seconded by Councilor Sykes.*

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

9 **B. APPROPRIATION FOR LANDFILL GAS PROJECT AND WOOD GRINDING – A**

10 public hearing for the purpose of receiving public input and taking action on a request for One
11 Hundred Sixty Thousand Dollars (\$160,000) to be transferred from Unassigned Fund Balance
12 in the Solid Waste Management Fund for the following:

- 13 1. One Hundred Thousand Dollars (\$100,000) to be transferred to the Capital Improvement
14 Fund for the Landfill Gas Collection and Control System Expansion Project; and
- 15 2. Sixty Thousand Dollars (\$60,000) to be transferred to the Operations Budget for contracted
16 wood grinding services.
17

18 Included in the agenda: *(Pages 30-3), Council agenda packet)*
19

20 City Manager Mulholland reviewed the appropriation for the Landfill Gas Project and the need for Wood
21 Grinding.
22

23 **BACKGROUND**

24 **Landfill Gas Collection and Control System**
25

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

31 The project was put to bid and on June 22, the project bids were opened. Two bids were received with the
32 low bid coming in at \$252,000. The current available CIP funds for the Landfill Gas Collection and Control
33 System Expansion Project is \$154,749.00. Additional funds in the amount of \$100,000 are needed.
34

35 **Grinding Wood Waste**
36

37 The Solid Waste Division utilizes contracted services to grind wood waste at the Solid Waste Facility. Fifty
38 Thousand Dollars (\$50,000) was budgeted in 2022 for the service. The service was put to bid, and the only
39 bid submitted came in at \$108,200 (more than double the budgeted amount). An additional \$60,000 is
40 needed in order to execute a contract.
41

42 Unfortunately, the City is not immune to the increases in costs for materials and labor. The requested
43 \$100,000 supplemental appropriation for the Gas Collection and Control System will be transferred from
44 the Unassigned Fund Balance in the Solid Waste Fund to the Capital Improvements Fund; and the \$60,000
45 requested for the wood grinding service will be transferred from the Unassigned Fund Balance to the
46 operational budget for the Solid Waste Division.
47

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

3
4 Councilor Liot Hill questioned if the over budget costs for wood grinding will continue or should the
5 landfill be considering an increase to the C&D fee. City Manager Mulholland noted the costs for
6 everything is going up and right now we charge more than what it costs us to dispose of C&D. The issue
7 here is the increase costs were not appropriated. Marc Morgan confirmed that the city is making money
8 from the C&D charges.

9
10 At the request of Mayor McNamara, Mr. Morgan explained the volume of residential C&D was
11 approximately 30% and commercial C&D was approximately 60%, noting this can be variable.

12
13 **ACTION:**

14 ***Councilor Wilkie MOVED, the following Resolution:***

15
16 ***FOR THE PURPOSE OF appropriating funds for the construction of the Landfill Gas Collection***
17 ***and Control System Expansion and for the grinding of wood waste.***

18
19 ***NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that funds, in the amount of:***

20
21 ***1. One Hundred Thousand Dollars (\$100,000) be appropriated for expenditure from the unassigned fund***
22 ***balance of the Solid Waste Management Fund and transferred to the Capital Improvement Fund for***
23 ***the Landfill Gas Collection and Control System Expansion Project; and Sixty Thousand Dollars***
24 ***(\$60,000) be appropriated for expenditure from the unassigned fund balance of the Solid Waste***
25 ***Management Fund and transferred to the Solid Waste Operations Budget for contracted wood griding***
26 ***services.***

27
28 ***This Resolution shall be effective upon passage.***

29
30 ***Seconded by Councilor Heistad.***

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

32
33 **C. AMEND ORDINANCE NO. 18, SALARY PLAN** – A public hearing for the purpose of
34 receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II,
35 Non-Affiliated & LPASE Employees as follows:

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

40
41 Included in the agenda:

- 42 1. Ordinance No. 18, Salary Plan (*Pages 33-38, Council agenda packet*)

43
44 **BACKGROUND**

1 **RECLASSIFY, RETITLE, AND REMOVE POSITIONS WITHIN THE CYBER**
2 **SERVICES DEPARTMENT**

3
4 Technology is an evolving and never-ending cycle that changes rapidly. To improve the functionality of
5 the Cyber Services Department, the City Manager is recommending an organizational change which will
6 result in the reclassification of multiple Cyber Services positions.

7
8 There are currently five employees who occupy three of the same titled positions within the Cyber Services
9 Department. The demands of Cyber Services requires that these employees be split into different roles in
10 order to better focus attention on the various aspects of the cyber environment and continue to meet the
11 overall needs of the City. The roles, functions, and job descriptions of the employees will significantly
12 expand to include new duties, technological responsibilities, and in certain cases, expanded management
13 functions.

14
15 Please note that no additional employees are being added, the department is being restructured utilizing the
16 current employee base. The position of Cyber Services Technical Specialist (Grade 9) will remain in the
17 pay scale but will be vacant. To achieve the restructuring, the following is proposed:

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

24
25 **RECLASSIFY, ADD, AND REMOVE POSITIONS WITHIN THE LIBRARY**

26
27 Community and operational needs at the libraries are requiring adjustments to current staffing. A review
28 of the department was completed by Library Director Sean Fleming which resulted in the requested
29 addition of a part-time Custodial Supervisor, the reclassification of a Children's Librarian, the addition
30 of a Youth Services Librarian and the elimination of the Young Adult Librarian. All recommended changes
31 have been approved by the Library Board of Trustees.

32
33 The part time Custodial Supervisor will supervise and schedule the current part-time custodial staff,
34 oversee, and schedule all maintenance at both libraries, oversee building projects, and perform and oversee
35 needed maintenance repairs.

36
37 To summarize, the requested changes within the Library are to:

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

42
43 **ADD SEASONAL POSITIONS FOR SUMMER CAMP AND POOL PROGRAMS AND**
44 **INCREASE SALARY RANGE FOR SEASONAL SUMMER CAMP DIRECTOR**

45
46 Operational changes have been made to both the Pool and Summer Camp Programs necessitating the
47 addition of two seasonal positions – a Pool Operations Manager and an Assistant Camp Director. The
48 changes to these programs are needed to address staffing challenges and improve efficiency of future

1 operations. Changes will not impact the Recreation, Arts & Parks approved 2022 budget as the two
2 positions will remain vacant this year.

3
4 Additionally, due to the current market and staffing challenges, we are recommending an increase in the
5 pay range for the Summer Camp Director.

6
7 Proposed changes to facilitate the needs for these two summer programs are:

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

11
12 ***Process to Amend Ordinance No. 18***

13
14 Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22,
15 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all members
16 of the City Council – six (6) members - to adopt.

17
18 The first presentation was July 6; the second was July 20. The Council is asked to finalize the process by
19 acknowledging the third presentation and acting to amend the Salary Plan at the close of the public
20 hearing.

21
22 **Mayor McNamara opened the Public Hearing. Hearing no comments from the public, the Public**
23 **Hearing was closed.**

24
25 **ACTION:**

26
27 ***Councilor Wilkie MOVED, that the Lebanon City Council acknowledges the third of three***
28 ***presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated and LPASE***
29 ***Employees, as follows:***

30
31 ***SECTION A –***

32
33 **FOR THE CYBER SERVICES DEPARTMENT:**

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

40
41 **FOR THE LIBRARY:**

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

SECTION B -

FOR RECREATION ARTS & PARKS:

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

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

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

	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk	-	-	-	-
	Outreach Librarian	-	-	\$1,038.81	\$1,402.50
	<i>Children's Librarian</i>				
	<i>Young Adult Librarian</i>	-	-	-	-
9	Code Health Inspector**	\$28.56	\$38.55	-	-

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

	Solid Waste Manager**	-	-	-
13	Airport Manager	-	\$1,554.49	\$2,098.51
	Assistant Fire Chief	-	-	-
	Deputy Fire Chief	-	-	-
	Human Resources Director	-	-	-
	Information Systems Manager**	-	-	-
	Maintenance Manager**	-	-	-
	Recreation Director	-	-	-
	Police Captain**	-	-	-
	<i>Cyber Security Analyst</i>	-	-	-
	<i>Systems and Operations Administrator</i>	-	-	-
	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

Councilor Wilkie further MOVED the following Resolution:

1. 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

Seconded by Councilor Whittlesey.

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

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.

Included in the agenda packet: *(Pages 42-58 , Council agenda packet)*

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

Mr. Shawn Griffin (Ward-2) and Attorney Barry Schuster came before the Council to review and discuss the 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.

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."

1 The City Manager's office supports the release of the restriction on the condition that Lots 90-12 and 90-
2 13 are voluntarily merged and that new construction on the merged lot would comply with all City
3 ordinances and regulations, including property line setbacks.

4
5 This is subject to all Zoning and Planning Regulations.

6
7 **ACTION:**

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

11
12 ***Seconded by Councilor Simon.***

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

14
15 Attorney Schuster noted he would provide the release to the City Attorney, along with the Application for
16 Merger.

17
18 ***At the request of Mayor McNamara, *Item 10. F was taken out of order from the agenda packet**
19 **and is presented below.**

20
21 **F. Presentation and discussion of Draft Request for Expressions of Interest for Downtown**
22 **Redevelopment Opportunities**

23
24 Included in the agenda packet: ***(Pages 100-112, Council agenda packet)***

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

27
28 Planning & Development Director David Brooks reviewed and summarized the Draft Request for
29 Expressions of Interest (RFEI) for Downtown Redevelopment Opportunities, noting the framework Plan
30 from the 2016 Downtown Vision Plan. (His detailed report can be found on pages 100-112 as listed
31 above.)

32
33 Since the start of the year, the Economic Development Commission and the Downtown TIF Advisory
34 Board have been working jointly to review and discuss potential opportunities for downtown
35 redevelopment as highlighted in the 2016 Downtown Vision Plan. After numerous meetings, the
36 committees agreed to recommend that the City Council consider the issuance of a Request for Expressions
37 of Interest (RFEI) to solicit interest and additional design ideas before considering a more formal Request
38 for Proposals for any project.

39
40 **BACKGROUND**

41
42 The opportunity to redevelop the surface parking lots in downtown Lebanon was most recently highlighted
43 in the [2016 Downtown Vision Plan and Tunnel Assessment](#) report. Chapter 5 of the Vision Plan outlines
44 several Key Concepts that were developed from public input during the visioning process, including
45 "seek[ing] mixed use and infill development that enhances the vibrancy of downtown" (see p.80 of the
46 online .pdf report linked above). The Plan highlights possible opportunities that exist and offers a summary
47 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.

Mr. Brooks presented and summarized the following slides that were not part of the agenda packet.

Potential Downtown Redevelopment Opportunities

2012 Master Plan

- Chapter 1: Introduction
- Chapter 2: Land Use
- Chapter 3: Lebanon Central Business District
- Chapter 6: Economic Development
- Chapter 7: Housing

MASTER PLAN
City of Lebanon 2012
a comprehensive plan to implement the community vision for 2030

Adopted by the Lebanon Planning Board
March 26, 2012

City of Lebanon, N.H.
INCORPORATED JULY 4, 1781
ESTABLISHED 1958

City Hall



Potential Downtown Redevelopment Opportunities

Smart Growth – Basic Principles

1. Mix Land Uses
2. Take Advantage of Compact Design
3. Create a Range of Housing Opportunities and Choices
4. Create Walkable Neighborhoods
5. Foster Distinctive, Attractive Communities with a Strong Sense of Place
6. Preserve Open Space, Farmland, Natural Beauty, and Critical Environmental Areas
7. Direct Development Toward Existing Communities
8. Provide a Variety of Transportation Choices
9. Make Development Decisions Predictable, Fair, and Cost Effective
10. Encourage Community and Stakeholder Collaboration in Development Decisions

Smart Growth

Urban 3 Analysis sponsored by
NHHFA – Oct. 2020

- Evaluated property values on a
per-acre basis to identify locations
and types of development that are
most beneficial for a community.



Potential Downtown Redevelopment Opportunities

Request for Interest (aka Expression of Interest)

- An RFI would focus on exploring “interest” in a project, market alignment, infrastructure needs, basis of public-private interaction.
- An RFP would focus a more detailed exploration of design outcomes, costs, and integration with project surroundings.
- An RFI can enhance a community’s understanding of the level of interest from private parties prior to a more formal RFP/procurement process.

RFEI

Address Key Concepts and planning principles:

- Reconnect to the Mascoma River
- Placemaking
- Ped/Bike Connectivity
- Economic Development



RFEI

- ~2.9 acres
- Emphasizes desire for enhanced river frontage and access
- Opportunities for ped/bike connectivity between NRT&MRG
- Opportunities for new economic development
- Incorporation or relocation of parking and circulation improvements

1 Mr. Brooks stated that some of the requested deliverables have been scaled back based on feedback from
2 people in the development industry who noted the original RFEI asked quite a bit from respondents. The
3 committee acknowledged as much during its final review and suggested that respondents be given
4 additional consideration in any subsequent RFP (Request for Proposal) process. He also removed some of
5 the financial information that was originally requested because he thought we are more interested in design
6 ideas than how they would be financed, which is more appropriate for an RFP when we get to that point.

7
8 **While this was not a public hearing, Mayor McNamara recognized the following members of the**
9 **public who came forth to speak.**

10
11 Ms. Victoria Smith (Ward-3, member of the Downtown TIF Advisory Board): She emphasized the only
12 real consensus the two committees came up with was the redevelopment of the Mascoma River
13 waterfront and making that a City amenity.

14
15 Mr. Barry Schuster (Ward-3, Chair of the Downtown TIF Advisory Board): He echoed Ms. Smith's
16 comments, and spoke about his reasons for developing the Mascoma River waterfront noting we do not
17 have the design skills and are seeking concepts and ideas.

18
19 Mr. Robert Moses (Ward-3): He spoke about his reasons in favor of the redevelopment of the Mascoma
20 River waterfront.

21
22 Mr. Bill Dunn: He noted this is really an opportunity to gain expertise from outside individuals who have
23 design and development experience and can help us with a vision of what might happen along the
24 Mascoma River waterfront. He further spoke about his reasons in favor of developing the waterfront.

25
26 The Council discussed their reasons for supporting the RFEI process to see if there is any interest; how it
27 will involve less of a commitment on the part of potential developers; and, how this is a space within the
28 City that should be opened up on both sides of the Mascoma River to turn it into a City asset.

29
30 **ACTION:**

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

34
35 ***Seconded by Councilor Wilkie.***

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

37
38 **The Council continued with their regularly scheduled agenda items as presented below.**

39
40 **B. Annual review and re-adoption of City Council Policy CC-100, Cash Management & Investment**

41
42 Included in the agenda packet: ***(Pages 60-69, Council agenda packet)***

- 43 1. August 2, 2022 Memo from Vicki Lee, Finance Director, re: Review and Adoption of the 2022
44 Cash Management and Investment Policy
45 2. City Council Policy CC-100, Cash Management and Investment Policy
46

1 Finance Director Vicki Lee reviewed the City Council Policy CC-100, Cash Management & Investment
2 Policy CC-100.

3
4 **BACKGROUND**

5
6 The purpose of the City's Cash Management and Investment Policy is to ensure that the administration
7 of the City's cash management system is handled at its highest public trust. Finance Director Vicki Lee
8 is charged with oversight of the City's cash management system.

9
10 The Policy applies to all cash, cash equivalents (assets that are readily convertible into cash), and
11 investments in the custody of the City Treasurer in accordance with State law. This Policy does not apply
12 to cash, cash equivalents, and investments in the custody of the Trustees of Trust Funds and the Board
13 of Trustees of the Library who must formally adopt their own Investment Policies that are reviewed and
14 confirmed at least annually for all investments made by them (or by their agents) for trust funds in their
15 custody (NH RSA 31:25 and 202-A:23).

16
17 The custody and investment of City funds are to be made in a manner that provides maximum security
18 of principal invested, meets the cash flow needs of the City and conforms to applicable State law. Funds
19 in the custody of the Trustees of the Trust Funds are with Citizens Bank; City funds in the custody of the
20 City Treasurer are with Mascoma Bank.

21
22 New Hampshire RSA 47:6 requires the City Council to at annually review and adopt an investment
23 policy. The Council last reviewed and re-adopted the Cash Management and Investment Policy August
24 4, 2021. No changes are proposed to the Policy.

25
26 **ACTION:**

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

30
31 **Seconded by Councilor Liot Hill.**

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

34 **C. Annual review of City Council Policy CC-101, Fund Balance**

35
36 Included in the agenda packet: *(Pages 71-75, Council agenda packet)*

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

38
39 Finance Director Vicki Lee reviewed City Council Policy CC-101, Fund Balance.
40

41 **BACKGROUND**

42 A fund segregates resources (revenues) and requirements (expenditures) that are legally restricted to
43 specific uses. Budgets are adopted by the City Council on a fund basis. Funds other than the General
44 Fund exist primarily to ensure and demonstrate compliance with limitations on the use of existing
45 resources or as enterprises. The General Fund, as the chief operating fund of the City, has a broader
46 mandate, which may include accumulating sufficient financial resources for contingencies. Accordingly,
47 the Fund Balance Policy is limited to the General Fund.
48

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

8
9 **The current Fund Balance Policy suggests a range of 19.0% to 24.0% of gross current General**
10 **Fund budgeted expenditures.** The result is consistent with how the New Hampshire Department of
11 Revenue Administration (DRA) calculates its fund balance retention guidelines (middle ranges) minus
12 the uncertainty of factoring in Net Required County, Local Education and State Education Tax Efforts
13 which are not known until the annual tax rate setting process in October.

14
15 The Fund Balance Policy is reviewed annually by the City Council, but unlike the Cash Management
16 and Investment Policy it is not required to be readopted. The current Fund Balance Policy was adopted
17 by the City Council June 20, 2018 and reviewed on June 19, 2019, July 15, 2020 and August 3, 2021.

18
19 Assistant Mayor Below noted that while he does not have any issues with the policy, he noted there is a
20 standard (currently set at 24%) and question if the Council should take steps to reduce that excess balance
21 and if this policy was working closely with what we are actually doing.

22
23 City Manager Shaun Mulholland noted this policy does reflect what the City is doing and read the key
24 language in the Fund Balance Policy that addresses this issue. Those debt payments are going, and will
25 continue to go down. However, the City has fire station projects, which will cause a spike so we are
26 preparing for that in advance to minimize those tax spikes in the future. If we try to keep the Fund
27 Balance at the current 24%, we will not have sufficient funds to do those projects and will be faced with
28 future tax spikes.

29
30 **ACTION:**

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

33
34 **D. Annual review of City Council Policy CC-106, Capital Reserve Fund**

35
36 Included in the agenda packet: *(Pages 77-85, Council agenda packet)*

- 37
38 1. August 3, 2022 Memo from Finance Director Vicki Lee, re: Review of the Capital Reserve
39 Fund Policy
40 2. City Council Policy #CC-106, Capital Reserve Fund Policy

41
42 Finance Director Vicki Lee reviewed the Capital Reserve Fund Policy and the City Council Policy #CC-
43 106, Capital Reserve Fund Policy.

44
45 **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.

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

		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:

Councilor Whittlesey 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.

Seconded by Councilor Wilkie.

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

E. Review and Discussion of 2022 2nd Quarter Budget Reports

Included in the agenda packet: *(Pages 87-97, Council agenda packet)*

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

Finance Director Vicki Lee reviewed the 2nd Quarter Financial Report (June 30, 2022) and the 2nd Quarter Budget Report, as detailed on pages 87-97, City Council agenda packet.

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

ACTION:

No action is required by Council: for informational purposes only.

11. City Manager Report:

City Manager Shaun Mulholland updated the Council on the following:

- Strategic Plans: He has been working with some of the Boards/Committees and expects to be done with this by the end of September and then explained the next steps once completed. At the request of Councilor Liot Hill, he explained the difference between the City's Master Plan (note: 10 yrs.) vs. a Strategic Plan (note: to be updated annually) and who would be involved with strategic planning. There will be at least two sessions for the general public to participate in. Once the Strategic Plans have been established, they will be brought before the Council for their approval.

Assistant Mayor Below and Mr. Brooks noted that various chapters of the City's Master's Plan

Are also being reviewed and updated.

- Electric Vehicles: He has directed the Planning & Development Department to put together Zoning Regulations that will apply to electric vehicles. The City has received a number of complaints about speeding e-bikes and has asked the Ped/Bike Advisory Board to look into this issue noting there are no current NH Statutes that would allow us to put speed limits on the Greenway as e-bikes are considered bicycles under the 2019 State Statute.
- NH Housing Status: Lebanon is not able to take advantage of this funding because we do not fit within the definition requirements. We may be able to apply for some of the Planning Funds for Zoning, etc. (i.e., Zoning that would allow for Inclusionary Zoning and Pattern Zoning).
- Block Housing Funds: The City of Lebanon will be receiving an additional \$277K from the NH Highway Block Grant Funds. This will be put into road projects, etc. and has asked DPW to come up with a plan.
- Bridge Aid Funds: The City will be receiving an additional \$620K for bridges. He will be coming before the Council to ask that this be put into the Capital Reserve Fund for bridge projects.
- Water Source Project: A potential site has been found.
- Westboro Yard: Will let the Council know when the Governor is ready to meet and will send an email update to the Council.

12. COUNCIL REPRESENTATIVES TO OTHER BODIES:

Assistant Mayor Below updated the Council on the work of the Community Power Coalition, noting that the PUC has adopted a final rule proposal for Community Power Aggregation. The Board of the Coalition unanimously adopted to accept a recommendation of the Risk Management Committee with regard to two of the vendors that responded to their RFP. The Retail Service Provider, recommended by the Coalition, is Calpine Energy Solutions, which is the retail provider for 24 of the 25 California Community Aggregations, noting that one of their features is \$750K in startup funding.

Assistant Mayor Below also described the circumstances behind the rising costs of electricity.

City Manager Mulholland noted it is beyond the City's purview to make any recommendations on what people should do with their electricity. The earliest the City could have Lebanon Community Power up and running would be April of 2023, but it probably will take longer.

13. FUTURE AGENDA ITEMS: None

14. NON-PUBLIC SESSION: None

15. ADJOURNMENT:

Councilor Simon MOVED for adjournment.

Seconded by Councilor Whittlesey.

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

The meeting was adjourned at 8:49 PM.

Respectfully submitted,

Dona E. Gibson

Recording Secretary

**AGENDA
LEBANON CITY COUNCIL
AUGUST 17, 2022**

7. APPOINTMENTS:

APPOINTMENTS

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Arts & Culture Commission, Jessica Giordani (Reappointment Ward 3 Citizen)
- Conservation Commission, Sean Dittrich (Alternate Member)
- Lebanon Housing Authority, Karen Wynkoop (Citizen Member)
- Pedestrian & Bicyclist Advisory Committee, Colin Smith (Reappointment Regular Member)
- Pedestrian & Bicyclist Advisory Committee, David Koch (Alternate Member)
- Diversity, Equity & Inclusion Commission, Alisha Robinson (Public Representative)
- Trustees of Trust Funds, John Jay Hutchins (Reappointment)

Included in this Section:

1. Memo from City Clerk Kristin Kenniston dated August 9, 2022

OFFICE OF THE CITY CLERK

MEMORANDUM

DATE: August 9, 2022

TO: The Honorable Mayor & City Council

FROM: Kristin M. Kenniston, City Clerk

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

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

Arts & Culture Commission

- **Jessica Giordani** – Reappointment as a Ward 3 citizen member for a three-year term.
Term: (8/22-8/25)
Interviewed by: Councilor Wilkie

Conservation Commission

- **Sean Dittrich** – Appointment as an alternate member for a three-year term.
Term: (8/22-8/25)
Interview by: Not interviewed. Currently serves as an alternate on the Pedestrian & Bicyclist Advisory Committee.

Lebanon Housing Authority

- **Karen Wynkoop** – Appointment as a citizen member for a five-year term.
Term: (8/22-8/27)
Interviewed by: Councilor Hill

Pedestrian & Bicyclist Advisory Committee

- **Colin Smith** – Reappointment as a regular member for another three-year term.
Term: (8/22-8/25)
Interviewed by: Not interviewed. Currently serves on this Committee.
- **David Koch** – Appointment as an alternate member for a three-year term.

Term: (8/22-8/25)

Interviewed by: Assistant Mayor Below

Diversity, Equity & Inclusion

- ***Alisha Robinson*** – Appointment as a public representative for a two-year term.
Term: (8/22-8/24)
Interviewed by: Councilor Wilkie

Trustees of Trust Funds

- ***John Jay Hutchins*** – Reappointment by Mayor as a trustee for another three-year term.
Term: (8/22-8/25)
No Action Needed – For Council Information Only

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #5740 for Board Member Application
Date: Wednesday, February 9, 2022 7:19:36 AM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, February 8, 2022 6:55 PM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #5740 for Board Member Application

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

Board Member Application

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

Basic Requirements

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

(Section Break)

First Name	Jessica
Last Name	Giordani
Physical Address	274 Bank St. Ext.
City	Lebanon
State	NH

Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	860-770-1563
Work Number	<i>Field not completed.</i>
Email Address	jessica.giordani@icloud.com
How long have you resided in Lebanon?	6 years
(Section Break)	
Is this an application for re-appointment?	This application is for re-appointment.
For which board, committee, or commission are you applying?	Arts and Culture Commission
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	This application is for re-appointment.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I would like to continue serving as Chair of the Arts & Culture Commission (I was re-elected by the ACC in January of 2022). I'm committed to the growth of the arts in this city, and am enthusiastic about the impact that the ACC has made thus far.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

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

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie Date of Interview: n/a

Applicant Name: Jessica Giordani

Board(s) to Which Applied: Arts Commission

☒ Regular Seat ☐ Alternate Seat

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

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

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments: Jessica has served the community and the Commission well in her time as Chair. I am grateful that we have her promoting arts in Lebanon and recommend her reappointment enthusiastically.

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

Standard Questions for All Applicants:

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

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

Yes

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

Yes

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

Yes

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

No

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

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

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

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #5636 for Board Member Application
Date: Monday, January 3, 2022 7:09:32 AM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Friday, December 31, 2021 9:44 AM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #5636 for Board Member Application

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

Board Member Application

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

Basic Requirements

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

(Section Break)

First Name	Sean
Last Name	Dittrich
Physical Address	28 Hough St
City	Lebanon
State	NH

Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	2062097629
Work Number	<i>Field not completed.</i>
Email Address	sean.dittrich@gmail.com
How long have you resided in Lebanon?	6 months
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Conservation Commission
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I love the natural beauty around Lebanon and the upper valley, and I want to help make sure that it is properly cared for.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I am a Lebanon resident who enjoys biking, hiking, paddling around the natural areas of this region.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

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



CITY OF LEBANON BOARD/COMMITTEE APPLICATION

You must meet the basic requirements listed below to be considered for appointment to a City board/committee.

BASIC REQUIREMENTS:

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

Check all that apply:

I am an applicant for: Resident Commissioner

☐ Check if for re-appointment.

Name: Karen Wynkoop
(Please print)

Address: 39 North Park St., Lebanon, N.H.
(street) 35 (Town)
(Zip) 03766

Mailing Address, if different from above: _____

Home Phone X Work Phone: X Cell Phone: 802-595-5064

Email Address: Karwynk@yahoo.com

Continued reverse side.....

How long have you resided in Lebanon? 21 months
(This will not necessarily reflect on your possible appointment.)

Why would you like to serve?

As an aging resident at Roger's House for almost 2 years, I have an interest in the health and well-being of the residents and how living in a residential community can be improved to benefit and serve those who live there and to interact with our greater community to benefit both.

State a few of what you feel your qualifications are or why you wish to be appointed to this board/committee.

I have worked as an assistant to elderly and disabled folks for over forty years, in private duty and in residential care facilities. I also have experience with holistic health care at all stages of life, from birth to death. I have trained in hospice courses and in care for people in hospice programs. And now, I am myself aging and experiencing the challenges of housing and different kinds of needs to be met for a fulfilling life!

I hereby certify that I meet the basic requirements for applying to a Lebanon board/committee.

Karen Wyndrop
Applicant Signature

6/9/22
Date

Please return to:

Lebanon City Clerk's Office
51 North Park Street, Lebanon, NH 03766

Email: cityclerk@lebanonnh.gov



CITY OF LEBANON BOARD/COMMITTEE APPLICATION

You must meet the basic requirements listed below to be considered for appointment to a City board/committee.

BASIC REQUIREMENTS:

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

Check all that apply:

I am an applicant for: PEDESTRIAN & BICYCLIST ADVISORY COMMITTEE

☒ Check if for re-appointment

Name: COLIN SMITH
(Please print)

Address: 30 KIMBALL ST LEBANON NH 03766
(street) (Town) (Zip)

Mailing Address, if different from above: _____

Home Phone 448 1754 Work Phone: _____ Cell Phone: _____

Email Address: colin76@gmail.com

Continued on reverse side.....

How long have you resided in Lebanon? 12 years
(This will not necessarily reflect on your possible appointment.)

Why would you like to serve?

TO CONTINUE HELPING LEBANON IMPROVE ITS INFRASTRUCTURE AND OTHER PROVISIONS FOR PEDESTRIANS & CYCLISTS.

State a few of what you feel your qualifications are or why you wish to be appointed to this board/committee.

LONG EXPERIENCE ON THE COMMITTEE, INCLUDING SEVERAL YEARS AS CHAIRMAN. I NOW HAVE LOTS OF INSTITUTIONAL KNOWLEDGE, BUT I RETAIN LOTS OF ENTHUSIASM TO HELP THE CITY TO KEEP IMPROVING!

I hereby certify that I meet the basic requirements for applying to a Lebanon board/committee.


Applicant Signature

9/8/2015
Date

Official Use Only

Interview Committee Review

Date Received by City Clerk 9/14/15 (DropBox) Date of Review _____

Date of Appointment _____ Appointment Term _____

Committee/Board to which appointed _____

Please return to:

Lebanon City Clerk's Office
51 North Park Street, Lebanon, NH 03766

Fax # 442-6148

Email: Sandi.Allard@lebcity.com

From: noreply@civicplus.com
To: [cityclerk](#); [webmaster](#)
Subject: [EXTERNAL] Online Form Submission #6318 for Board Member Application
Date: Thursday, June 16, 2022 4:26:36 PM

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

Board Member Application

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

Basic Requirements

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

(Section Break)

First Name	David
Last Name	Koch
Physical Address	40 Highland Ave
City	West Lebanon
State	NH
Zip Code	03784
Is this your mailing address?	Yes
Home Phone Number	2038584118
Work Number	<i>Field not completed.</i>
Email Address	atdkoch@gmail.com

How long have you
resided in Lebanon?

9 years

(Section Break)

Is this an application
for re-appointment?

This application is not for re-appointment.

For which board,
committee, or
commission are you
applying?

Pedestrian and Bicycle Advisory Committee

Other Committee

Field not completed.

Why would you like to
serve?

I would like Lebanon to be a place where my kids could ride to school and my family could perform errands by foot/bike safely. I also commute to work by bike and would like to make my commute as safe and beautiful as possible.

State a few of what you
feel your qualifications
are or why you wish to
be appointed to this
board / committee.

Have bike commuted to work x1 year. I am very interested in the work, and I have developed a hobby of reading and watching urban planning related content.

Certification

I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

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

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #6208 for Board Member Application
Date: Thursday, May 26, 2022 2:11:10 PM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Thursday, May 26, 2022 12:22 PM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #6208 for Board Member Application

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

Board Member Application

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

Basic Requirements

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

(Section Break)

First Name	Alisha
Last Name	Robinson
Physical Address	35 Spring Street Apt 2
City	Lebanon
State	NH

Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	2069153967
Work Number	603-308-0812
Email Address	misslish2you@gmail.com
How long have you resided in Lebanon?	18months
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Diversity, Equity, and Inclusion Commission
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I am investing in creating a welcoming and inclusive environment for Lebanon and the Upper Valley
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I am a woman of color, I am involved in other DEI initiatives and committees in NH and I am on the subcommittee planning group for Juneteenth and would like to do more.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

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

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: 2 August 2022

Applicant Name: Alisha Robinson

Board(s) to Which Applied: DEI Commission

☒ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: 21 June

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments: Alisha is a strong advocate for diversity, equity, and inclusion. She has experience in this field and has some great ideas for supporting DEI efforts in Lebanon and throughout the Upper Valley. I am happy to recommend her strongly for this position.

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

Standard Questions for All Applicants:

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

To spread and celebrate diversity in the community; to connect with residents and hear their experiences, needs, and wishes.

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

Yes, yes

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

Current professional experience with DEI at Alice Peck Day

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

Yes

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

No

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

Lack of formal budget – a lot of possibilities but limited resources.

Connecting with the small pockets of residents who do not adhere to tenets of DEI.

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

Listening to the community – expanding awareness of and adherence to DEI and celebrating our existing diversity.

Established committee and now taking action on goals and ideas.

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

Continue celebrating the many diverse cultures we have in this community.

Connect with wider Upper Valley including grassroots organizations, other towns, etc.

Create and expand arts opportunities for including young people in community-building.

**AGENDA
LEBANON CITY COUNCIL
AUGUST 17, 2022**

10. NEW BUSINESS:

**10.A – DISCUSSION & SET PUBLIC HEARING FOR SEPTEMBER 7, 2022:
ORDINANCE #2022-03 TO AMEND CITY CODE CHAPTER 124,
USE OF PUBLIC STORMWATER SYSTEMS**

BACKGROUND

Ordinance #2022-03 proposes to amend City Code Chapter 124, Use of Public Stormwater Systems, to provide updated criteria that applicants must satisfy in order to determine sufficient capacity of the relevant stormwater system where they propose to connect; to require on-site stormwater management; and to provide for waivers under certain conditions.

ACTION

Should the Council decide to move forward, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, September 7, 2022, beginning at 7:00 pm, in Council Chambers, City Hall, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2022-03 to amend City Code Chapter 124, Public Stormwater Systems, Use of.

Included in this Section:

1. Proposed Ordinance 2022-03
2. August 9, 2022 Legal Opinion by Attorney Christine Fillmore re: Ordinance #2022-03 Stormwater Systems, Chapter 124

**CITY OF LEBANON
ORDINANCE #2022-03**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 124, Public Stormwater Systems, Use of, Stormwater Connections and extensions, Section 124-4.

BE IT ORDAINED, by the City Council of the City of Lebanon, as follows:

Section 1

The Code of the City of Lebanon is hereby amended to revise Chapter 124, Public Stormwater Systems, Use of, Stormwater Connections and extensions, Section 124-4.A(5) as follows:

§ 124-4 Stormwater connections and extensions.

A. Stormwater permit.....

(5) The Director of Public Works shall review the service data to determine whether it has sufficient capacity to provide stormwater drainage service to the applicant.

(a) The applicant shall have the burden of presenting sufficient information, based on such engineering data as deemed necessary by the Director of Public Works, to demonstrate **the following**:

- (i) Sufficient measures will be implemented to control the post-development peak rate runoff so that it does not exceed pre-development runoff. The drainage analysis should be practical for the site, fiscally responsible, and shall include calculations comparing pre- and post-development stormwater runoff rates (cubic feet/second) and volumes (cubic feet) for the two-, twenty-five-, fifty-year and one-hundred year twenty-four-hour storm events.
- (ii) To the extent that onsite control measures are insufficient at keeping the post-development peak flow rate at or below the existing peak flow rate, a stormwater study will be required to show that, at a minimum, all affected elements of the City's Stormwater system have sufficient capacity for such discharges. In such cases, the applicant shall be permitted to discharge a peak flowrate for the twenty-five-year storm frequency amount not to exceed 50% of the remaining capacity of the receiving stormwater system. Culverts and storm sewers shall be able to pass the one-hundred-year twenty four hour storm event without overtopping and roadway ditches shall be required to pass the twenty-five year twenty four hour storm event without overtopping. In either case the applicant shall be responsible for all costs incurred by the City in making a determination of sufficient capacity except as outlined above in § 124-3C.

(iii) Every applicant shall provide for stormwater management as required by these Regulations, unless a waiver is granted pursuant to this section. Waiver requests shall be submitted in writing to the Director of Public Works, who may waive the minimum requirements for stormwater management in whole or in part, provided that the following conditions apply:

- a) The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;
- b) The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property;
- c) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to implement a particular BMP (Best Management Practice) to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out;
- d) The granting of the waiver will not be contrary to the spirit and intent of the regulations; and,
- e) The waiver will not, in any manner, vary the provisions of the Zoning Ordinance or Master Plan.

~~The applicant shall have the burden of presenting sufficient information, based on such engineering data as deemed necessary by the Director of Public Works, to demonstrate, either: that any volume of water diverted by the proposed activity will be recharged (infiltrated as groundwater) elsewhere on the affected property so as to result in a net zero increase in stormwater leaving the property during a twenty-five year storm event, including a check for the impacts for fifty year and one-hundred year storm frequency events, and including a check on proposed roadway conveyance channels to ensure that they can accommodate one-hundred year storm events, and further including design provisions that emergency overflow structures are designed for the one-hundred year, twenty-four hour storm frequency storm discharge rate discharging to abutting properties or public roadways; or that to any extent such peak flows will not be fully recharged, all affected elements of the City's stormwater drainage system have sufficient capacity for such discharges. In such cases the applicant shall be permitted to discharge a peak flowrate for the twenty-five year storm frequency amount not to exceed 50% of the remaining capacity of the receiving stormwater system. In either case the applicant shall be responsible for all costs incurred by the City in making a determination of sufficient capacity except as outlined above in § 124-3C.~~

- (c) If the City Manager determines, based on input from the Director of Public Works that there is sufficient capacity to provide adequate service, the City Manager may approve the service. ~~and access a permit fee.~~

Section 2. Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses or part of this ordinance.

Section 3. Effective Date

This Ordinance shall become effective upon passage.



C. Christine Fillmore
Admitted in NH

603.792.7417
cfillmore@dwmlaw.com

670 N. Commercial Street, Suite 207
Manchester, NH 03101-1188
603.716.2895 Main
603.716.2899 Fax

August 9, 2022

Shaun Mulholland
City Manager
City of Lebanon, NH
51 N. Park Street
Lebanon, NH 03766

RELEASED TO THE PUBLIC
Lebanon City Manager's Office

Date: 08/11/2022

^{DS}

**RE: Ordinance #2022-03 Stormwater Systems
Ch. 124**

Mr. Mulholland:

This is a legal opinion as required by § 115-3 of the Lebanon City Code concerning the proposed Ordinance 2022-03, Stormwater Systems, Use of, Stormwater Connections and Extensions, which your office forwarded to me on July 18, 2022. The goals of the proposed ordinance as I understand them are to amend the existing Chapter 124 of the City Code regarding applications for stormwater system connections by updating the criteria each applicant is required to satisfy to demonstrate that the City's stormwater system has adequate capacity to provide stormwater drainage for the applicant, by requiring applicants to provide for stormwater management, and by setting forth the circumstances in which a waiver of stormwater management requirements may be granted.

I have reviewed the proposed ordinance in detail. In my opinion, the ordinance is consistent with New Hampshire law and I discern no legal problems.

Please do not hesitate to contact me with additional questions or comments.

Sincerely,

C. Christine Fillmore

**AGENDA
LEBANON CITY COUNCIL
AUGUST 17, 2022**

10. NEW BUSINESS:

10.B – Water Source Study Presentation

BACKGROUND

The City contracted with Wright-Pierce Engineering to conduct a water source study to determine an alternate source of water for the City's water system. The city presently relies on one water source, the Mascoma River which has an impoundment in the Mascoma Lake. The water is treated at the water treatment plant and pumped into the City's water distribution system. This source was compromised in the 1950's when a tanker truck rolled over and spilled fuel into the river. Within several days, the fuel spill was cleaned up and the system was operating again. Recently, we have had several summers in which the lake, and companion river levels, have been dangerously low due to drought. This year, algae blooms were located on the lake that tested positive for cyanobacteria.

The continued reliance on one source of water, which has known risks, has resulted in the city reviewing other options. Senior Hydrologist Greg Smith of Wright-Pierce Engineering will make a presentation to the Council regarding his findings for an alternate source of water for the City's water system. A project will be included in the City's Capital Improvements Plan which will be presented to the Council in the fall.

ACTION

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

Groundwater Exploration Discussion

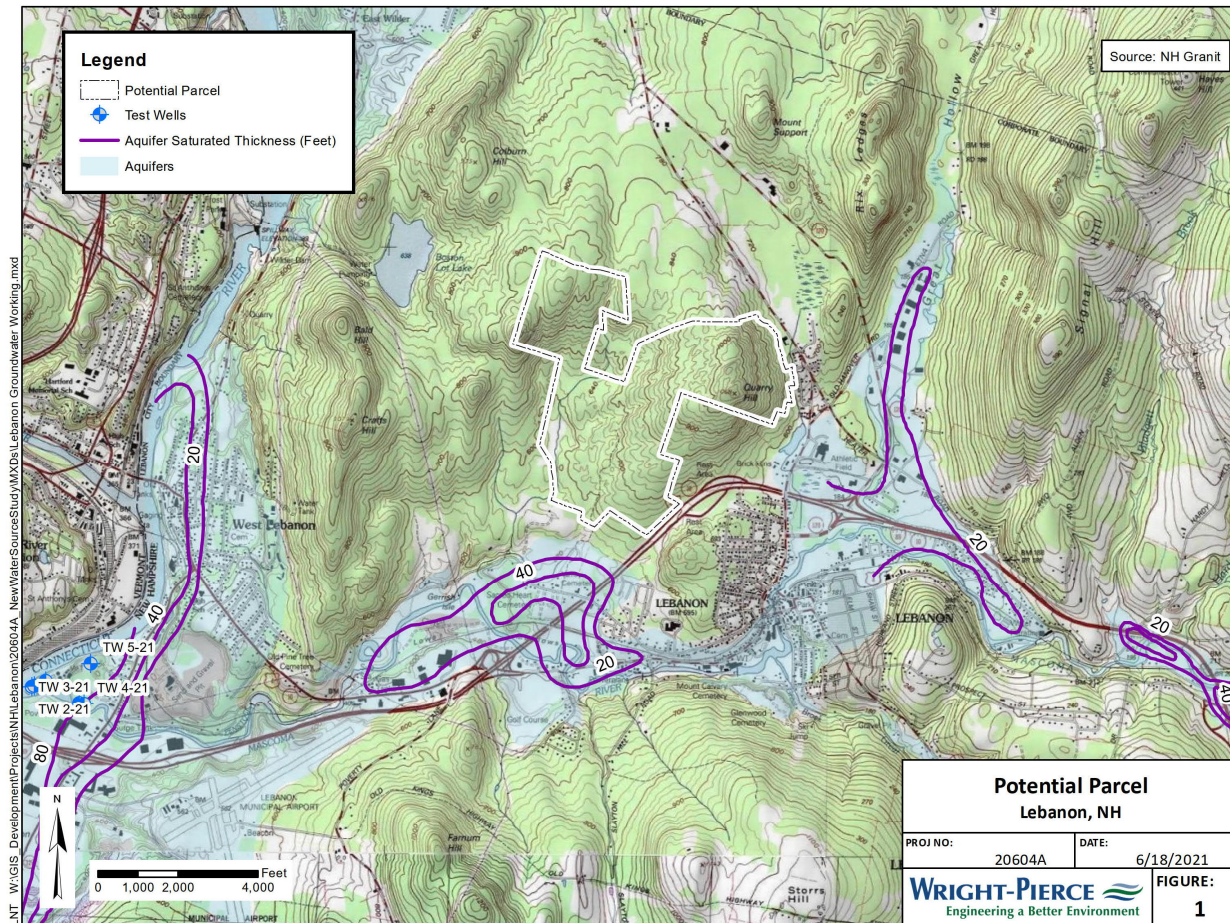
Lebanon, NH

Greg Smith, PG, CG

July 2022



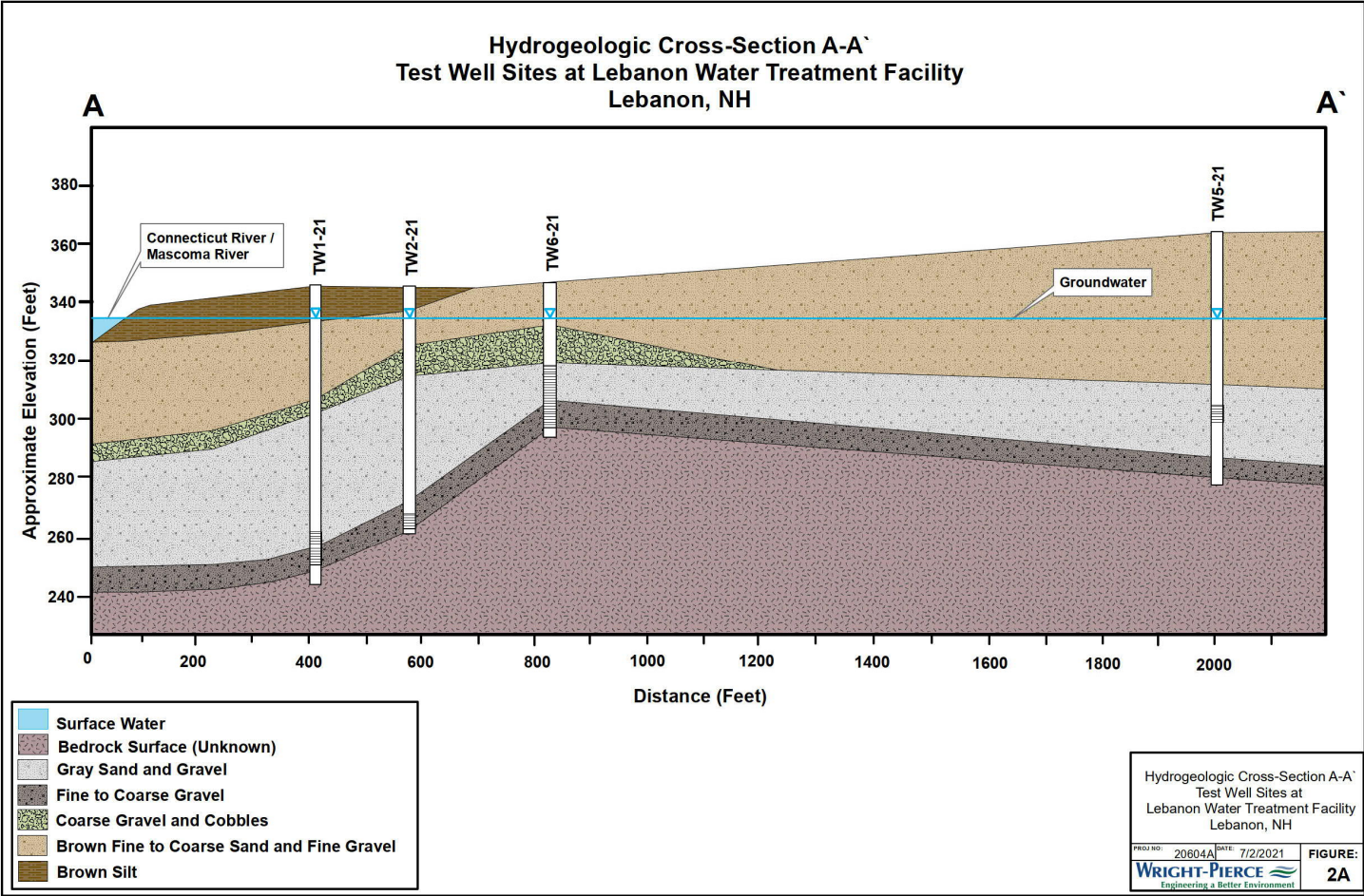
Lot 10 Site



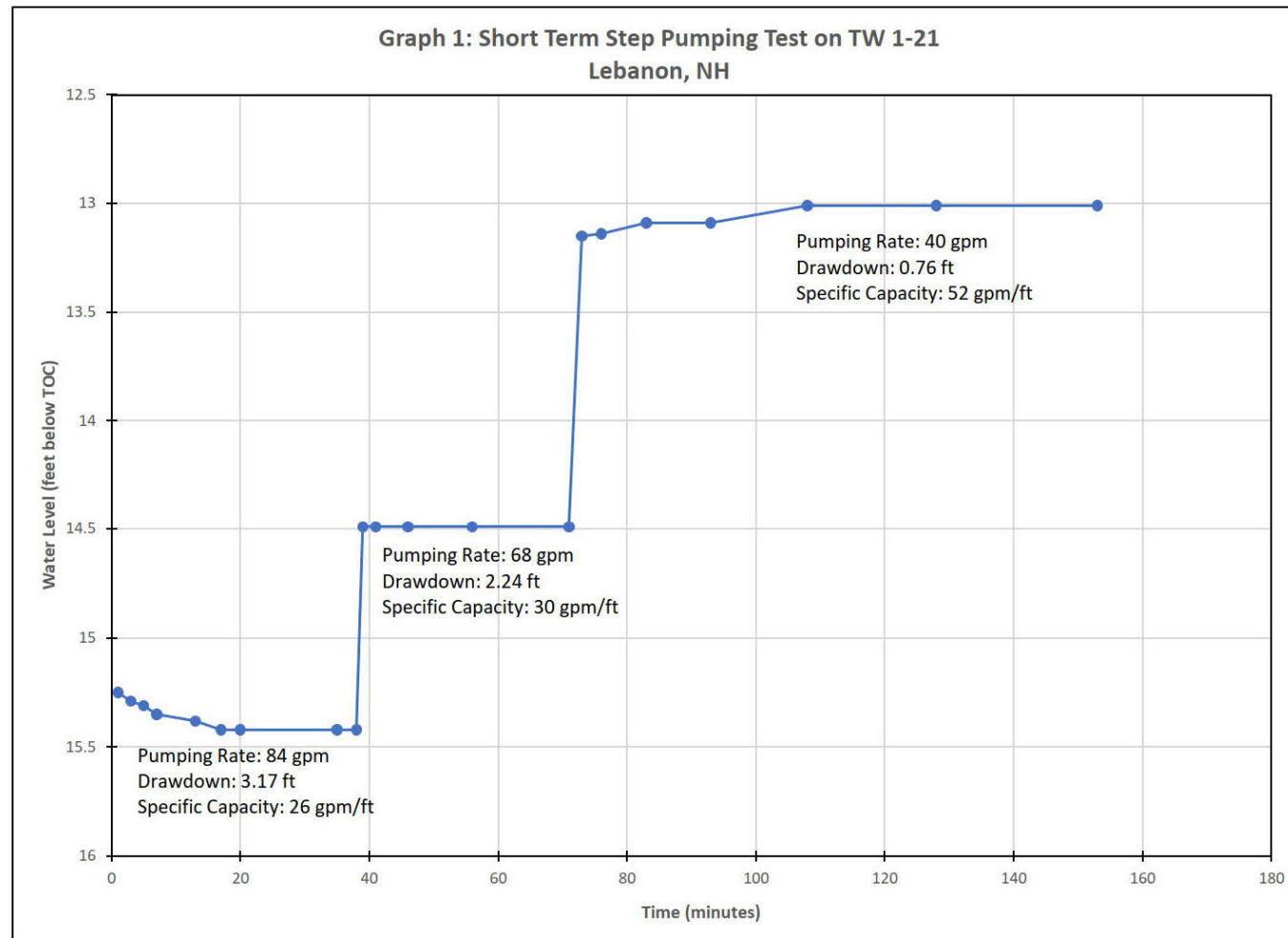
Test Well Drilling – WW Treatment Site



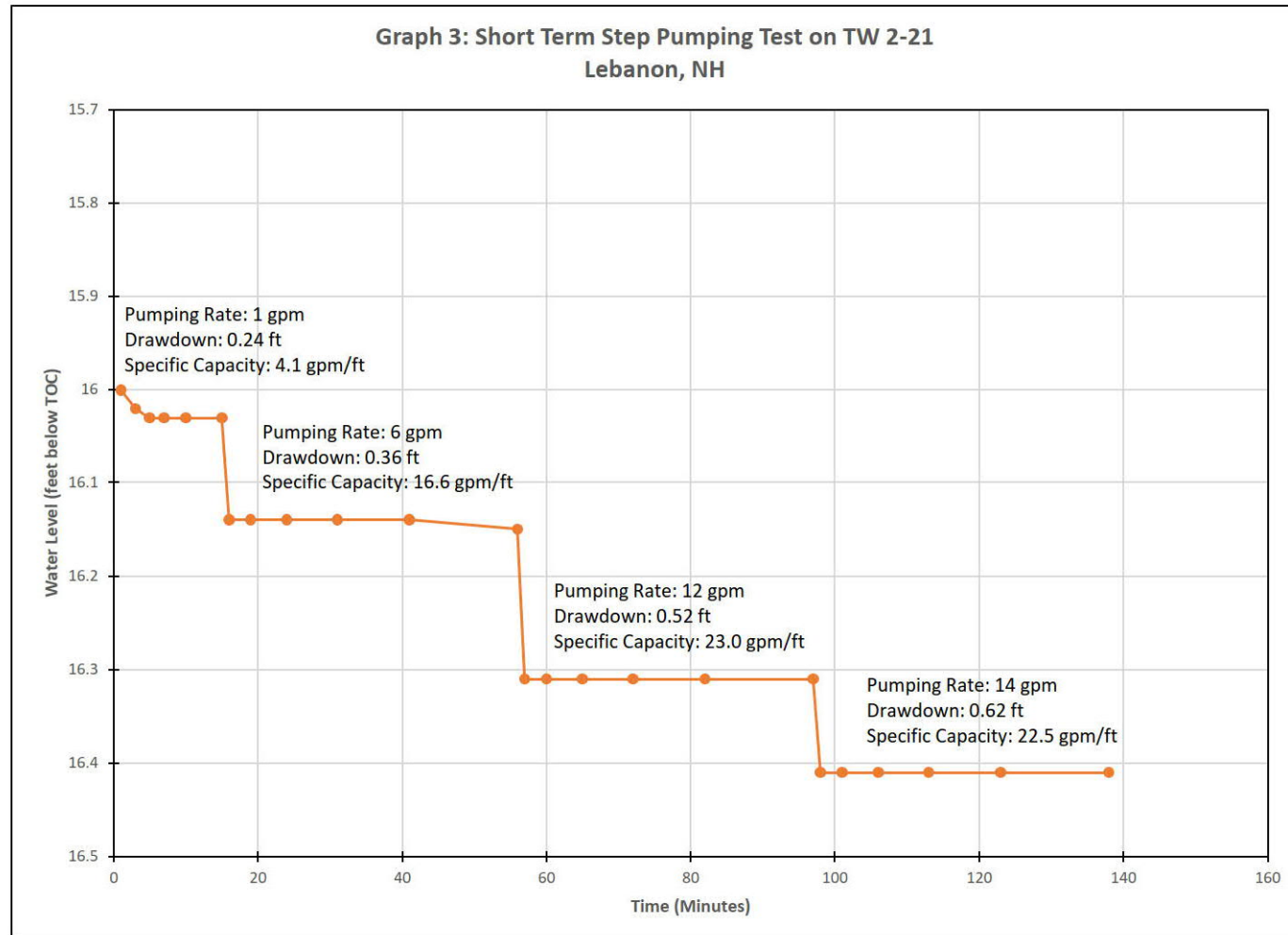
Geologic Cross Section



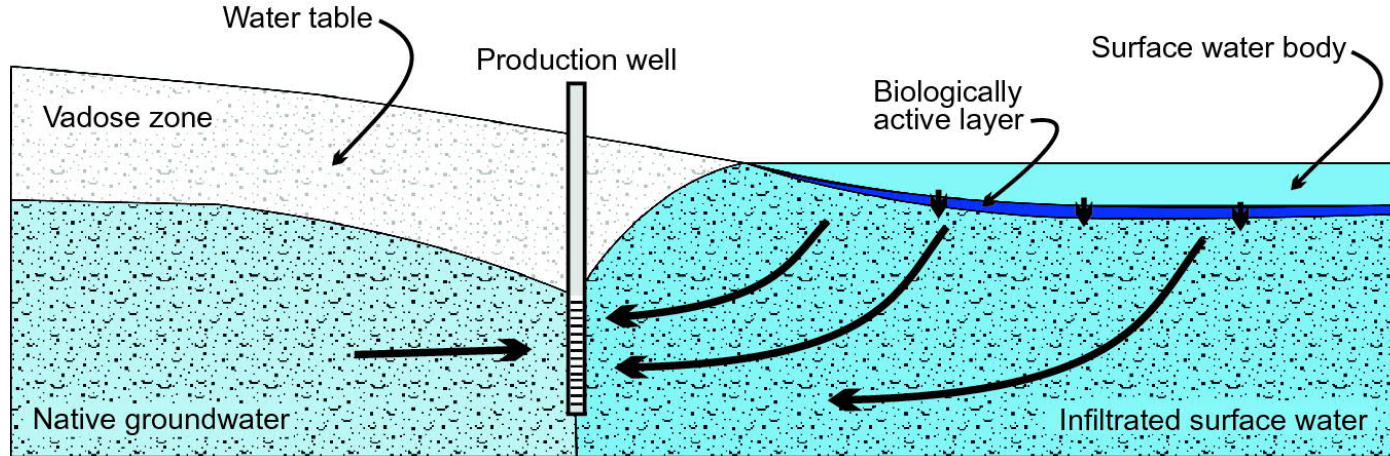
Test Well TW 1-21



Test Well TW 2-21



Well Yield

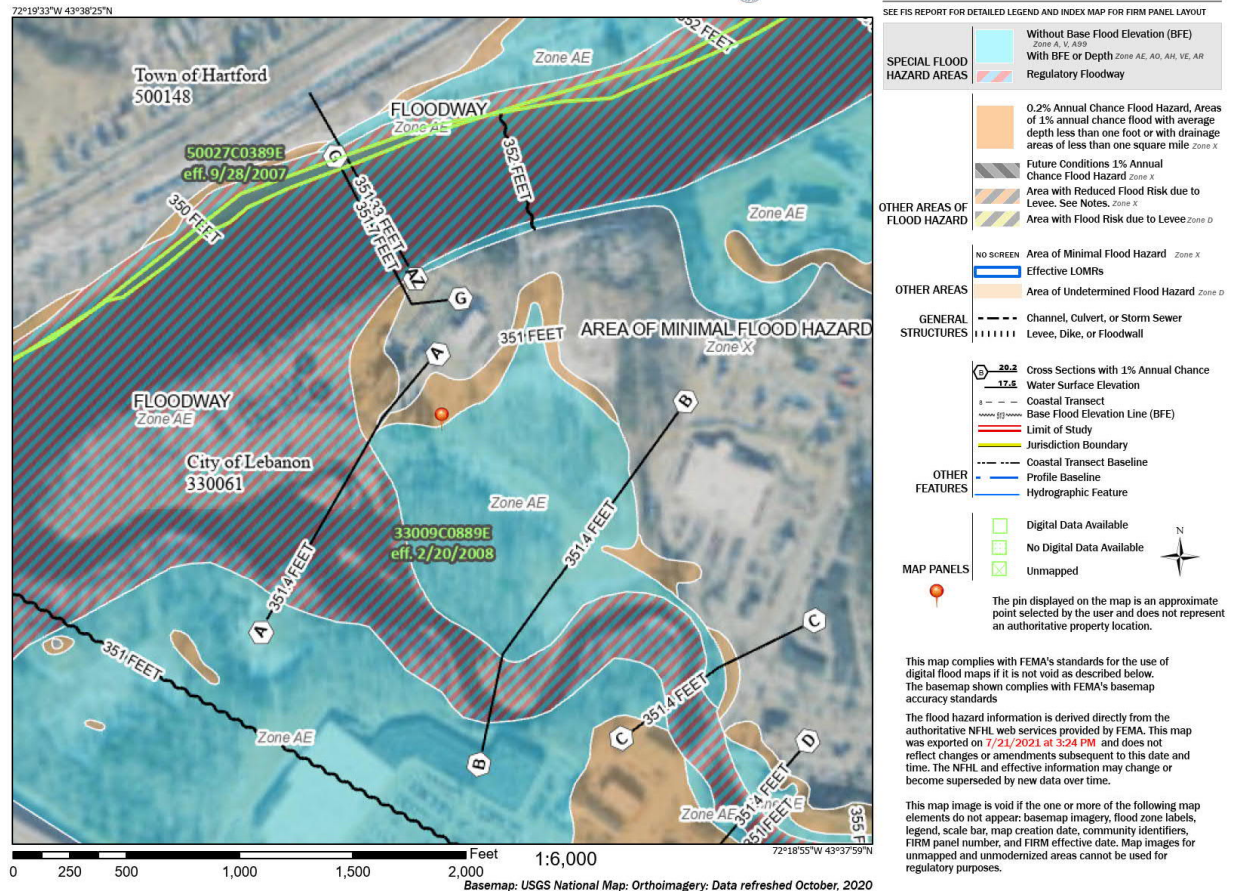


- TW 1-21: 1,600 gpm+ yield potential
- TW 2-21: 750+ (1 MGD)
- Estimates do not include positive head boundary effects (surface water)
- Yields are potentially much higher (lower drawdowns) at higher pumping rates.
- Limited zone of contribution
- Estimate nearly all of the water to well(s) would be derived from surface water recharge depending on pumping rate.

Potential Issue: Floodway (FEMA 2008)

- Treatment plant located in mapped floodway. Treatment plant age?
- Other large portions of the property and building to the south within the Floodway elevation
- FEMA flood mapping based on old low-resolution topography (20-foot contours)
- Lidar data indicates that flood mapping is highly inaccurate in this area.

National Flood Hazard Layer FIRMette Figure 5A



Water Quality

- Elevated iron and manganese
- Stagnant Aquifer
- Elevated sodium and chloride
- Assess groundwater under the influence of surface water (GWUDI).
 - Macro-Particulate Analysis (MPA)
 - Spore forming bacteria
- PFAS – detected PFHXS TW 3- at 30ug/l
 - Standard is 18 ug/l



Production Well Water Quality

- Stagnant aquifer conditions
- Surface water infiltration would result in changes in water quality
- Water quality needs to be assessed based on long-term pumping test at high rates.
- Testing options at TW 1-21:
 - Large Diameter Test Well
 - Production Well

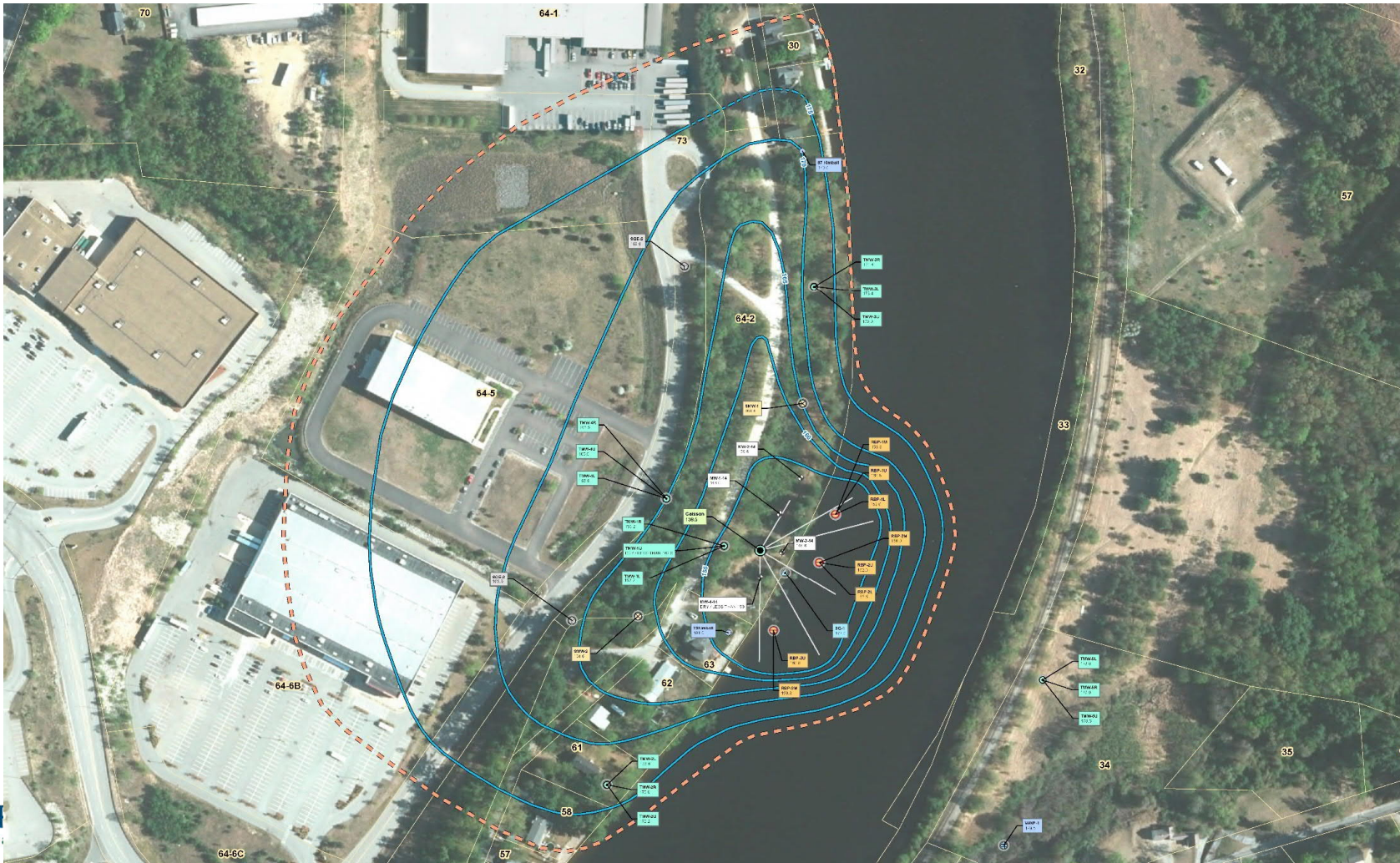


Large Diameter Test Well – Potential Flow Lines to Well

- 150-200+ feet of slow sand filter between screen and surface water.
- Surface water infiltration would result in changes in water quality
- Proposed monitoring wells to determine ZOI (approximate locations)
- Long-term pump test to evaluate yield potential, water quality and final well (field) design.



Manchester Water Works – Radial Collector Well



Radial Collector Well



Conceptual Radial Collector Well

- Potentially serve as a regional source (NHDES is pro-regionalization)
- Requires 4-log treatment – lower costs due to filtration
- Theoretical yield is the highest in New England (10 MGD+)
- Requires barge borings and significantly more work to design, permit and treat
- High capital cost



Funding

- SRF Funding – Lebanon has had limited success due to rate structure
- NH Drinking Water & Groundwater Trust Fund
- Next round of grant applications
- Complete redundancy with conventional wells
- Potential regional supply source
- Elevate funding priority by:
 1. Stressing cyanobacteria and water quality issues
 2. Lack of control of dam levels
 3. Single source is susceptible to drought
 4. Regional growth



THANK YOU

Contact Information



Greg Smith, PG, CG

greg.smith@wright-pierce.com

603.606.4420