



**LEBANON CITY COUNCIL
NOVEMBER 2, 2022 - 6:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

1. Call to Order

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 640 403 905#). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The November 2, 2022 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Boards and Committees Reports (3rd Quarter 2022)

4. Public Forum Announcement by the Mayor

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

5. Open to the Public

6. Recognitions

A.

- Years of Service to the City Resolution in honor of Marc Morgan, Solid Waste Manager
- Retirement Resolution in honor of Chris Christopoulos, Fire Chief/Emergency Management Director
- Promotion of Captain James Wheatley to Fire Chief/Emergency Management Director

7. Approval of Minutes

A. MOTION TO approve the minutes as presented in the November 2, 2022 agenda packet.

8. Appointments

A.

- Diversity, Equity & Inclusion Commission, Richard Ford Burley (Reappointment as Regular Member)
- Downtown Lebanon TIF Advisory Board, Barry Schuster (Reappointment as property owner/ occupant)

- Board of Cemetery Trustees, David Muzzy (Reappointment Ward 2 Representative)

9. Public Hearing Items: None

10. Old Business: None

11. New Business

- A. Review and Action on Properties Qualified for Tax Deeding
- B. Discussion of 2022 Property Revaluation Process and Results
- C. Presentation & Discussion of Proposed Amendment to City Council Rules: §A191-15, Council Appointments to City Boards, Committees, Commissions
- D. Discussion & Set Public Hearing for November 16, 2022: Proposed City Charter Amendments relative to changing gender-based pronouns to gender-neutral pronouns

12. City Manager Report

13. Council Representatives to Other Bodies Report

- A. Diversity, Equity & Inclusion Commission – Statement on Housing and Equity in Lebanon

14. Future Agenda Items

15. Non-Public Session

- A. RSA 91-A:3.II(a) “The dismissal, promotion, or compensation of any public employee or the disciplining of such employee,”

16. Adjournment

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

FUTURE BOARD/COMMITTEE/COMMISSION APPOINTMENTS

Board/Committee: Board of Cemetery Trustees
Position: Regular Member
Applicant: T. Palazzo
Re-Assigned Councilor: K. Zook
Re-Assigned Date: 09/28/2022

Board/Committee: Diversity, Equity & Inclusion Commission
Position: Regular Member
Applicant: K. Montas
Assigned Councilor: E. Heistad
Assigned Date: 10/24/2022

Board/Committee: Conservation Commission
Position: Regular Member
Applicant: B. James
Assigned Councilor: K. Hill

Lebanon City Council Agenda
November 2, 2022

Assigned Date: 08/09/2022

Board/Committee: Library Board of Trustees (Library Board makes recommendations to Council)

Position: Alternate Member

Applicant: J. Damren

Assigned Councilor: C. Simon

Assigned Date: 10/20/2022

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.

NOVEMBER 9, 2022 – Budget Work Session

A. Public Works Department

1. Administration (Engineering, Energy & Facilities, Operations & Maintenance)
2. Solid Waste Disposal
3. Water Treatment & Distribution
4. Sewage Collection & Disposal

NOVEMBER 10, 2022 – Budget Work Session

A. Human Services

1. Outside Human Service Agencies

B. Police

C. Human Resources

D. Cyber Services

NOVEMBER 14, 2022 – Budget Work Session

A. Fire

B. Airport

C. City Clerk

D. Library

NOVEMBER 16, 2022

PUBLIC HEARING:

A. CITY CHARTER AMENDMENTS - A public hearing for the purpose of receiving public input and taking action to amend City Charter relative to changing gender-based pronouns to gender-neutral pronouns

OLD BUSINESS:

A. Action to adopt amendments to Council Rules as presented on November 2, 2022

NEW BUSINESS:

A. Presentation of First Reading & Set Public Hearing for December 14, 2022: Amendments to Ordinance #18, Salary Plan as follows:

1. Article II, Non-Affiliated and LPASE Employees to implement a 3% General Wage Increase for 2023, to increase the wage and stipend pay scales for election positions, and to include the position of Substitute Custodian within the Temporary/Seasonal & Stipend Employees Pay Scale.

2. Article III, Bargaining Unit Employees, Section A AFSCME LOCAL #1348/COUNCIL 93 AFL-CIO to implement a 3% General Wage Increase for 2023.

3. Article III, Bargaining Unit Employees, Section C, Lebanon Police Benevolent Association (LPBA)/New England Police Benevolent Association (NEPBA) to implement a 3% General Wage Increase for 2023.

B. Presentation of Urban3 Phase 2 analysis of cost of services for Lebanon

C. Discussion & Set Public Hearing for December 7, 2022: Ordinance #2022-05 to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to authorize an increase in Ambulance Fees

D. Discussion & Set Public Hearing for December 7, 2022: Ordinance #2022-06 to amend City Code Chapter 72, Fire Prevention, by updating the current fee schedule

NOVEMBER 28, 2022 – BUDGET WORK SESSION

A. Revenues, Interfund Transfers, Debt Service

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

6. RECOGNITIONS:

- Years of Service to the City Resolution in honor of Marc Morgan, Solid Waste Manager
- Retirement Resolution in honor of Chris Christopoulos, Fire Chief / Emergency Management Director
- Promotion of Captain James Wheatley to Fire Chief / Emergency Management Director

Included in this Section:

1. Resolution Honoring Marc Morgan
2. Resolution Honoring Chris Christopoulos



RESOLUTION HONORING

Solid Waste Manager

MARC MORGAN

WHEREAS, Marc Morgan has devoted himself to a career in public service, having faithfully served the City of Lebanon in the Solid Waste Division for 12 years; and,

WHEREAS, Marc has demonstrated his dedication to providing top notch customer service and community relations, continually giving of himself freely and unselfishly; and,

WHEREAS, during his time with the City, Marc faced and overcame many challenging issues and situations. He consistently provided communication to the public, neighboring communities, elected officials, in-house staff, and helped guide the City through each situation in the best way possible; and,

WHEREAS, Marc regularly made improvements to systems and procedures at the Landfill. He built in resources to help educate residents on waste management, recycling, composting, and renewable energy. His ability as a problem solver allowed him to provide support for City staff and the public with many great outcomes; and,

WHEREAS, due to his dedication, tactful mannerism, and friendly personality, Marc has earned the respect, confidence, and friendship of his fellow coworkers, business associates, and all of the landfill "regulars" he has come in contact with; and,

WHEREAS, Marc, having served thousands of patrons during his career with the City, and being a strong advocate for best practices in waste management for years, has become a leading voice in the State and will be missed by everyone who has had the pleasure of working with him.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Marc's friends, fellow employees, and associates, express our admiration of and respect for the career of our outstanding and faithful employee, and extend to him our sincere gratitude and wish him well in his next adventure,

BE IT FURTHER RESOLVED that this Resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to Marc Morgan.

Dated this 2nd day of November, 2022.

TIMOTHY J. MCNAMARA, MAYOR
City of Lebanon



RESOLUTION HONORING

Retiring Fire Chief

Chris Christopoulos, Jr.

WHEREAS, Chris Christopoulos has devoted himself to a lifelong career in public service, having served the residents of the City of Lebanon and the region for more than 20 years; and,

WHEREAS, Chris began his service with the City in 2002 as a Deputy Fire Chief of operations and training and upon recognition of his skills and leadership traits was promoted to Fire Chief and Emergency Management Director in 2007; and,

WHEREAS, Chris served as Interim Airport Manager from December 2018 to February 2020; and,

WHEREAS, during his time with the City, Chris faced and overcame many challenging issues and situations. He consistently took charge and provided leadership to the department and community with clear and effective communication to city administration and elected officials; and,

WHEREAS, during his time as Fire Chief, Chris regularly made improvements to emergency planning and response throughout the city and region. Chris was the Regional Coordinator for response to the H1N1 Pandemic. Chris Successfully managed resources and personnel to provide a regional response to the H1N1 Pandemic in 2009-2010. Chris served as lead planner in the development of the City of Lebanon Emergency Operations Plan, the Lebanon Airport Emergency Operations Plan, and as Chair of the Hanover-Lebanon Emergency Planning Committee and the development of the Hanover-Lebanon Hazardous Materials Emergency Operations Plan; and,

WHEREAS, Chris was an exemplary city employee with decades of experience, institutional knowledge, a knack for creative thinking, a willingness to be open to new ideas and to try new approaches. He routinely sought to implement more streamlined, efficient methods for the daily operations of the city; and,

WHEREAS, Chris's leadership through actively listening, making intelligent and logical decisions, and instilling confidence in employees to ask questions and use their skills and knowledge to work together and solve issues, made him someone who always had the utmost respect from his peers, coworkers, and the public.

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Chris's friends, and his fellow employees, express our admiration of and respect for the career of our outstanding and faithful employee, and extend to him our sincere gratitude and wish him well in his retirement.

BE IT FURTHER RESOLVED that this Resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to Chris Christopoulos Jr.

Dated this 2nd day of November, 2022.

TIMOTHY J. MCNAMARA, MAYOR
City of Lebanon

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

7. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- October 19, 2022 (Regular Meeting and CIP Work Session)

MOVED, to approve the minutes as presented in the November 2, 2022 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
MINUTES**

Wednesday, October 19, 2022, 5:30 p.m.

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

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

MEMBERS ABSENT: Karen Liot Hill

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, Director of Planning & Development Nathan Reichert, Senior Planner Tim Corwin, Assistant Director Public Works Everett Hammond, Assistant Director Public Works Jay Cairelli, City Engineer Rod Finley, Assistant Engineer Erica Douglas, Civil Engineer Brian Vincent, Planning Board Chair Bruce Garland, Public Works Operations & Maintenance Jesse Dumayne, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, Fire Chief Chris Christopoulos, Fire Captain Jim Wheatley, Deputy Fire Chief Jeff Libbey, Airport Director Carl Gross, Solid Waste Manager Marc Morgan, DPW Administrative Services Manager Kelly Crate

1. CALL TO ORDER: Mayor McNamara called the meeting to order at 5:30 p.m.

2. PLEDGE OF ALLEGIANCE: Councilor Simon 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: No one came forth.

5. RECOGNITIONS: NONE

6. ACCEPTANCE OF MINUTES: October 5, 2022 (Regular Meeting)

Councilor Heistad MOVED to approve the October 5, 2022 minutes as written and presented in the October 19, 2022 City Council agenda packet.

Seconded by Councilor Wilkie.

**The Vote on the Motion was approved (6-0).*

- Councilor Sykes abstained because he was not present at the last meeting.
- Assistant Mayor Below was not present at the time vote was taken.
- Councilor Liot Hill was absent.

7. APPOINTMENTS:

- Arts & Culture Commission, Brian Cook (Arts Organization Representative)

Assistant Mayor Below put forth the Nomination of Brian Cook to Arts & Culture Commission (Arts Organization Representative. One-Year Term: (10/22-10/23)

**The Vote on the NOMINATION was approved (8-0)*

- Arts & Culture Commission, Linda Copp (Alternate Member)

Councilor Simon put forth the Nomination of Linda Copp to Arts & Culture Commission (Alternate Member). Three-year Term: (10/22-10/25)

**The Vote on the NOMINATION was approved (8-0)*

- Downtown Lebanon TIF Advisory Board, Chris Haidari (Citizen Representative)

Councilor Wilkie put forth the Nomination of Chris Haidari to the Downtown Lebanon TIF Advisory Board (Citizens Representative). Three-year Term: (10/22-10/25)

**The Vote on the NOMINATION was approved (8-0)*

8. PUBLIC HEARING ITEMS: NONE

9. OLD BUSINESS: NONE

10. NEW BUSINESS

A. Review and Discussion of 2022 3rd Quarter Budget Report and Release of Collected Public Schools Impact Fees. (Pages: 38-53, Council agenda packet)

1. Included in the agenda packet: October 19, 2022 memo from Finance, RE: 3rd Quarter Financial Report (September 30, 2022)
2. Impact Fee Report as of 09/30/2022
3. November 22, 2021 Memorandum of Understanding between the City of Lebanon and The Lebanon School District, SAU#88

Ms. Vicki Lee, Finance Director, noted there were no significant changes from the last quarter except for the number of building permits

ACTION

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

RELEASE OF COLLECTED PUBLIC SCHOOL IMPACT FEES

Finance Director Vicki Lee reviewed and discussed the release of collected Public School Impact Fees, noting a Memorandum of Understanding (MOU) was developed in 2010 between the City and the School District for the quarterly transfer of collected Public School Impact Fees to the Lebanon School District for application toward the payment of debt on the (then) new middle school.

On October 12, 2021, the Planning Board authorized a broader use of Public School Impact Fees to include construction, renovation, improvement, or expansion of K-12 school buildings and related building systems, equipment, and furnishings. A revised MOU was developed and signed on November 22, 2021.

To date \$554,917.17 has been disbursed to the Lebanon School District.

7/17/2013	\$83,690.78	7/15/2015	\$1,627.50	2/7/2018	\$41,262.70
11/6/2013	\$14,651.99	11/4/2015	\$936.00	9/5/2018	\$12,564.45
5/21/2014	\$19,407.00	3/2/2016	\$3,156.00	2/6/2019	\$1,833.10

8/6/2014	\$2,122.75	5/18/2016	\$864.00	8/7/2019	\$8,822.20
2/18/2015	\$723.00	5/17/2017	\$5,230.00	4/15/2020	\$40,432.02
5/20/2015	\$2,819.00	12/6/2017	\$6,140.75	7/15/2020	\$123,709.65
12/2/2020	\$57,567.42	1/21/2021	\$102,409.40	8/4/2021	\$12,695.86
1/19/2022	\$9,035.45	4/20/2022	\$3,216.15		

The Council was requested to authorize disbursement of \$261,738.35 in collected Public School Impact Fees (through 09/22/2022) to the Lebanon School District.

ACTION:

Councilor Wilkie MOVED, that in accordance with Section 213.10 (Administration of Impact Fees) of the Lebanon Zoning Ordinance, and the November 22, 2021 Memorandum of Understanding between the City of Lebanon and the Lebanon School District, SAU 88, the City Council hereby authorizes the disbursement of \$261,738.35 in collected Public School Impact Fees to the Lebanon School District to be applied toward the construction, renovation, improvement or expansion of K-12 school buildings and related building systems, equipment, and furnishings.

Seconded by Assistant Mayor Below.

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

B. Work Session: Overview and Presentations of the 2023 Capital Improvements Program (CIP) and Capital Budget. (Presented by City Manager Shaun Mulholland)

Included in the agenda packet: *(The complete 141 page report can be found on pages 55-194, City Council agenda packet)*

1. 2023 Capital Improvements Plan Budget Presentation *(Pages 54-87, Council agenda packet)*
2. 2023-2028 Capital Improvement Program *(Pages 88-194, Council agenda packet)*

BACKGROUND:

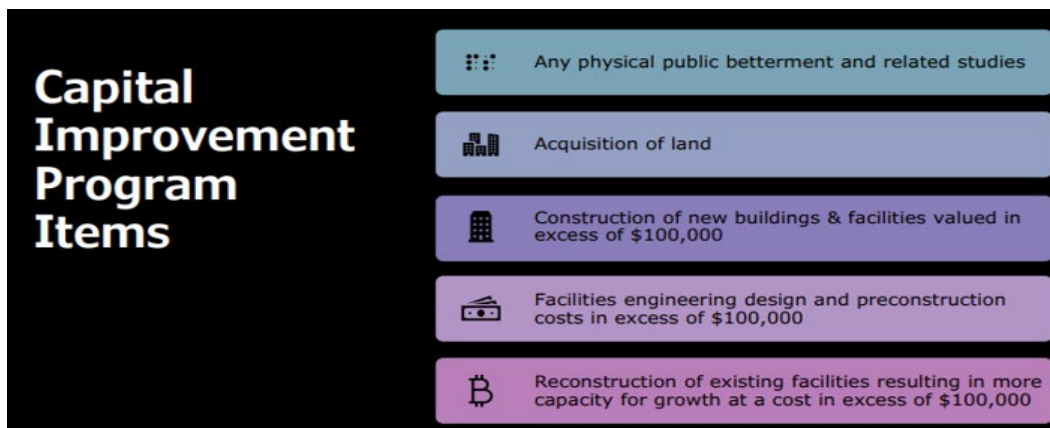
At its meeting on August 22, 2022, the Planning Board reviewed the proposed Capital Improvement Program (CIP) for the six-year period, 2023-2028, including the recommendations of the Planning Board Capital Improvement Program (PBCIP) Subcommittee. At the conclusion of the discussion, the Planning Board voted unanimously to approve the Capital Improvement Program for 2023-2028, and to submit Year 1 (2023) of the CIP as the Board's recommendation to the City Council for capital budget funding for 2023. As part of the preparation and review of the annual budget, the City Manager, Planning & Development Department, and other City departments presented the 2023-2028 CIP proposed 2023 Capital Improvements Budget Plan and answered questions from the City Council.

City Manager Mulholland noted that cuts/additions have been made where necessary.

Mr. Tim Corwin (Senior Planner, Planning & Development Department) gave a brief overview of the Capital Improvement Program (CIP) process and plan as highlighted in the following screen shots:



Mr. Corwin noted there is still a very real possibility that we will be bringing forth amendments up through the budget process until the hearing in December (2022). Adjustments may have to be made in funding amounts. As part of its role, the Planning Board has developed a Policies and Procedures document that they updated this past April. This document lays out and describes the entire process which sets forth what the Planning Board considers to be Capital Improvement Program items (listed below).



Mr. Bruce Garland (Planning Board Chair) came forth to review the Planning Board's role in this process and the importance of the CIP. As done in prior years, he urged his Board members to participate in the two evenings of the CIP Review. Their task was to compare each of the different projects that were presented and to rate them, with the knowledge this process is very limited and questionable because the same project(s) come up year after year (i.e., combined sewer project and the debt that the City has taken on where there is no funding). This year, that frustration was exacerbated by the fact that the School Board received the public's approval to spend \$14M. In theory, this should figure into the CIP process, but we still do not have that cooperation. As a consequence, all four of the Planning Board (PB) members did their duty but felt frustrated in the process. The fact that the PB members felt frustrated was no one's fault as this process is required by law and ultimately this comes down to the Council to decide how much money is available to spend.

(Please note: All the referenced pages below can be found on the City of Lebanon's website under agenda/meetings then clicking on the October 19, 2022 City Council budget and downloading the packet.)

City Manager Mulholland reviewed and explained the PowerPoint slides as presented on [pages 58-92](#), October 19, 2022, City Council agenda packet and included the following: CIP funding sources (does not include PFAS funding); 2023-2028 CIP breakdown by fund ([page 59](#)); 2022 & 2023 Budget Comparisons ([page 60](#)), which is a significant increase due to certain projects that will be covered by grants; General Fund Debt Limitations ([page 61](#)); Total Debt by Fund based on the increase in the CPI for the New England regions ([page 62](#)); Rolling 6-year debt projection ([page 63](#)); Graph of Debt Management Plan with a special note ([page 64](#)); Long-Term Plan-General Fund ([page 65](#)); General Fund CIP functional areas ([page 66](#)); 2023 General Fund CIP Funding Sources ([page 67](#)); Graph of General Fund Debt Service by budget years 2022-2027 ([page 68](#)); 2022-2027 General Fund Debt Retirement budget years 2022-2027 ([page 69](#)); Long-Term Plan – Sewer Fund ([page 70](#)); 2023 Sewer CIP Funding Sources ([page 71](#)); Graph of 2022-2027 Sewer Fund Debt Service ([page 72](#)); Long-Term Plan – Water Fund ([page 74](#)); Projected Rate Increases (water rates for 2023). ([Page 75](#)); Water Fund Debt Management Plan starting in 2024 ([page 76](#)); 2023 Water CIP Funding Sources, Debt Service ([pages 77-78](#)); Long-Term Airport Funds (90% funded by Federal Government, and 5% for both City and State ([pages 79-82](#)); Long-term Plan – Solid Waste Fund ([Pages 83-87](#)); Capital Improvement Program and other Priority Capital Projects for 2023-2028 ([Pages 88-92](#)).

2023-2028 CAPITAL IMPROVEMENT PROPOSED PROJECTS

AIRPORT

Presented by Mr. Carl Gross (City of Lebanon Airport Director)

PROJECT #1: 2023 Runway Safety Improvements Project ([pages 93-95, agenda packet](#))

Project funding is expected to be as follows:

TOTAL COST:	\$7,040,000
CITY'S Share	\$352,000 (5%)
FAA	\$6,336,000 (90%)
NHDOT	\$352,000 (5%)

PURPOSE: Bring airport into compliance with current FAA design standards and remove existing 'Hot Spots'.

PROJECT DESCRIPTION/JUSTIFICATION: The project will provide design and construction services for the partial extension on taxiway A and the localizer relocation related to the airport safety project. The project will also relocate the localizer and support building, and provide an access road to service the localizer.

PROJECT #2 – Related to the 2023 Runway Safety Improvements Projects ([pages 96-98, agenda packet](#))

Project funding is expected to be as follows:

TOTAL COST:	\$200,000
CITY SHARE	\$10,000 (5%)
FAA	\$180,000 (90%)
NHDOT	\$10,000 (5%)

1 **PROJECT #3 – 2023 Bipartisan Infrastructure Law: Rehabilitate North Air Carrier Apron**

2 (Note – This apron has not had any work done except for cracked sealing and general maintenance for the
3 past 30 years. It is starting to show some signs of stress and our proposal is to rehabilitate the pavement on
4 the north end of apron.)

5
6 Project funding is expected to be as follows:

7 APPROXIMATE TOTAL COST:	\$1,100,000
8 CITY's SHARE	\$55,000 (5%)
9 FAA	\$990,000 (90%)
10 NHDOT	\$55,000 (5%)

11
12 **PURPOSE:** Bring airport into compliance with current FAA design standards and remove existing 'Hot
13 Spots'.

14
15 **PROJECT DESCRIPTION:** The project will provide design, construction management, rehabilitate the
16 pavement on the north end of the apron and does encompass a portion of the apron that is currently used
17 by Cape Air and encompasses another portion of the apron that is used for overflow aircraft visiting the
18 terminal.

19
20 Council Comments:

21 Councilor Sykes requested more detail regarding the repairs needed for the apron and Mr. Gross explained
22 they would be milling the existing asphalt down to its full depth. Right now, their plan is to recycle that
23 asphalt back into base material, to compact the base material, and then overlay the apron with 4 inches of
24 asphalt. Standard design for the airport is to take care of a 60K lb. airplane.

25
26 In response to Assistant Mayor Below's question regarding what a localizer is, Mr. Gross stated it is an
27 antenna array that stands up about 6-7 feet tall, is approximately 30 feet wide and projects a signal down
28 the center line of the runway. It is used to provide the horizontal guidance to the center line of the runway.
29 The instrument that we have at the airport is currently located on the west side of the runway, so the
30 approach is somewhat diagonal so when the aircraft is on the runway it has to make a slight turn to align
31 itself to the center line of the runway. With the newer technology of this equipment, we would have the
32 ability to move it to the end of the runway.

33
34 **LEBANON FIRE DEPARTMENT**

35
36 *The following (4) fours were presented by Fire Captain Jim Wheatley and Fire Chief Chris*
37 *Christopoulos.*

38
39 The Fire Department is looking for land to possibly relocate the fire stations. We have been working on
40 some heat mapping using the GIS technology to locate the best plots of land that are available so we can
41 continue our service and response times to the community as we do now. Currently, no sites have been
42 identified at this point.

43
44 **LEBANON FIRE DEPARTMENT PROJECT #1: PUBLIC SAFETY FACILITIES 2**

45 **Total Estimated Cost: \$40,000.00**

46 Engineering – estimated at \$30,000

47 Appraisal/Market Analysis - \$10,000

PURPOSE: The purpose of this project is to fund costs associated with site selection and appraisals for Fire Station locations.

PROJECT DESCRIPTION/JUSTIFICATION: In 2019, the City commissioned Lavallee-Brensinger Architects to begin an assessment of current Public Safety Facilities and an Operational Assessment of the Fire Department based on the current site limitations and conditions.

This capital request will fund engineering costs for site test fitting, test bores, and site survey. Additionally, this request will fund market appraisals for potential land purchases for station siting.

FIRE DEPARTMENT PROJECT #2: Ambulance Replacement

Estimated Cost = \$450,000.00

DESCRIPTION - The Lebanon Fire Department, through our long- term planning, has developed a comprehensive vehicle replacement program. This program will allow all fire department vehicles and apparatus to remain current with industry standards, reduce maintenance costs and maintain reliable emergency vehicles. In addition to fire apparatus, the replacement schedule also addresses other vehicles, such as the staff vehicles, fire alarm bucket truck and ambulances.

There are no industry standards that outline a typical replacement cycle for ambulances. Ambulances must be ready to run at a moment's notice and are a vital piece of equipment for emergency medical response. Historically, we have experienced a significant increase in maintenance costs and availability of replacement parts with ambulances over 8 years old or at 100,000 miles or greater. Estimated life cycle is 8 years.

Our replacement schedule is based on several factors:

1. Our trade-in value for used ambulances decreases significantly after 7-8 years.
2. After 100,000 miles we have experienced a high level of maintenance costs in relation to the estimated value of the ambulance.
3. We must ensure that this equipment is reliable and readily available.

Further it should be noted that our ambulance billing revenues cover some of the amortized replacement costs. The cost estimate includes the following: ambulance, new power load stretcher, new stair chair, and new mobile radio.

The vehicle manufacturer has indicated that a lead time of more than 730 days is currently required for delivery. As a result, the Council is requested to authorize the appropriation in 2023 so that the vehicle can be ordered for anticipated delivery in 2025. There is a clause in the contract that if, for some reason, the funding was not approved in 2025 we could walk away with no penalty. The only caveat is that we may see some increases.

Usually, when we trade these vehicles, we are looking at 100K miles on the chassis and do not want to go beyond this point due to the increase in labor cost.

LEBANON FIRE DEPARTMENT PROJECT #3: Replacement of Ford Explorer Staff Vehicle.

Estimated Replacement Cost = \$60,000.00

DESCRIPTION – The Lebanon Fire Department, through our long-term planning, has developed a comprehensive vehicle replacement program. This program will allow all fire department vehicles and apparatus to remain current with industry standards, reduces maintenance costs and maintains reliable emergency vehicles. In addition to fire apparatus, the replacement schedule also addresses other vehicles, such as the staff vehicles, fire alarm bucket truck and ambulances.

Staff vehicles are used by Fire Prevention and Chief Officers for day to day duties and emergency response. Additionally, these vehicles are utilized by department personnel to attend training sessions, meetings and other department related functions. This vehicle has a life cycle of 8 years.

LEBANON FIRE DEPARTMENT PROJECT #4: Replacement of Ladder Truck per the LFD Apparatus Replacement Schedule

Estimated Replacement Cost = \$1,700,000.00

DESCRIPTION/ JUSTIFICATION- The Lebanon Fire Department, through our long- term planning, has developed a comprehensive vehicle replacement program. This program allows all fire department vehicles and apparatus to remain current with industry standards, reduce maintenance costs, and maintain reliable emergency vehicles. In addition to fire apparatus, the replacement schedule also addresses other vehicles, such as the staff vehicles, fire alarm bucket truck, and ambulances.

Ladder 1 was originally due for replacement in 2011 but was totally refurbished in 2009 at a cost of \$400,000. Hydraulic parts and the ladder become difficult to repair/replace as this vehicle ages. The refurbishment increased this vehicle's life cycle by 10 years. The estimated life cycle of the new ladder truck will be 35 years.

The vehicle manufacturer has indicated that a lead time of more than 740 (*now up to over 920*) days is currently required for delivery of a new ladder truck. As a result, the Council is requested to authorize the appropriation in 2023 so that the vehicle can be ordered for anticipated delivery in 2025.

Mr. Wheatley noted that after speaking with one of the LFD's frequently used vendors they offered to lock us in at the price we signed in the contract with the expectation that we would not pay until we take delivery in 2025. This would seem to be a significant cost savings that we would take care of now because who knows what prices will be elevated to in 2025.

The ladder truck we hope to replace has the original motor and transmission and it is getting very difficult to find parts and people to work on it; the hydraulic system for the ladder is becoming outdated; some of the emergency scene lighting does not meet NFPA standards anymore; and, some of the safety features like a governed engine and backup camera do not exist in this apparatus like they do in the newer trucks.

Council Discussions:

Assistant Mayor Below asked if there was a potential for an electric option for the Ford Explorer (staff vehicle). Mr. Wheatley said no, because the Fire Department does not have a charging station, and that vehicle is expected to be on scenes and operate for long durations if there is an emergency incident. It has a lot of radios and electrical equipment that would draw that down very quickly. This would not be the best option right now until we can come up with something that would last a longer duration.

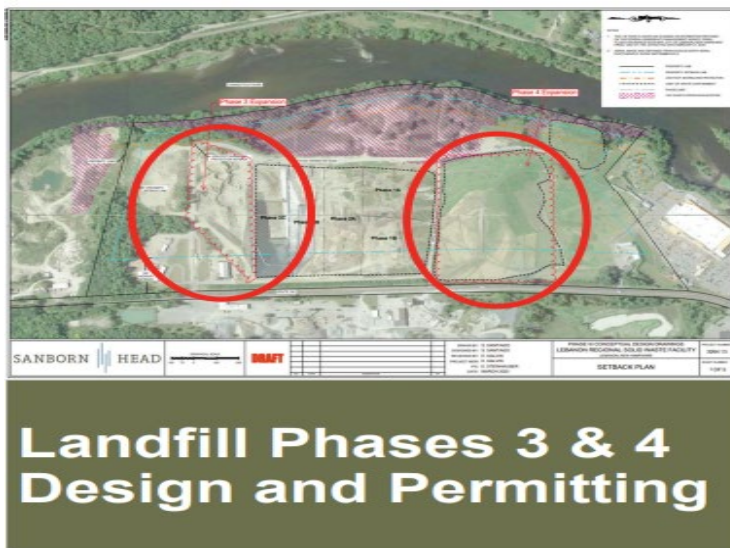
Councilor Whittlesey questioned if additional service/maintenance on the existing fleet was figured in to

breach the gap between order and delivery time. Mr. Wheatley said they will plan for that, specifically for the ambulances. Once we reach the 100K mile mark, we really see an increase in maintenance costs, so this has to be projected. The ladder truck runs frequently enough that we are finding more and more issues with it. We have had a truck out of service for two weeks because we were unable to get parts.

PUBLIC WORKS/SOLID WASTE DIVISION

Introductions and accolades were given to the following DPW personnel for their part in putting the following projects together: Nik Coates (Deputy City Manager, Public Works), Marc Morgan (Solid Waste Manager), Erica Douglas (Assistant City Engineer), Brian Vincent (City Engineer), Rod Finley (City Engineer), Jay Cairelli (Assistant Director, DPW), Everett Hammond (Assistant Director, DPW), and Kelly Crate (DPW Administrative Services Manager).

PUBLIC WORKS/SOLID WASTE DIVISION: PROJECT #1: – Landfill Expansion Phase 3 and 4 Design and Permitting. Presented by Marc Morgan (Solid Waste Manager)



- Design work for future disposal capacity at the Lebanon Landfill
- Meets disposal needs until 2080
- Hydrogeological work in 2023
- Phase 3 Project work plan 2024
- Permit submittal 2025
- Construction 2027/2028
- 2023 CIP Request \$500,000

PROJECTED COST ESTIMATES:

- **2023 CIP Request is \$500,000:** Feasibility Study, Hydrogeological Report and Final Feasibility Report and Final Design.
 - **\$100,000:** Hydrogeological Work Plan Preparation and Feasibility Study Work Plan Preparation;
 - **\$400,000:** Hydrogeological Data Acquisition;

This project will meet the needs of the service area (22 communities) until 2080 and was presented as a package, although it is two parts because Phase 4 is the unlined landfill and is to be excavated, etc.

PURPOSE: Prepare to extend life expectancy of landfill and evaluate additional disposal capacity at the Lebanon Landfill.

DESCRIPTION/JUSTIFICATION: Based on recent Landfill waste capacity reports, a conservative estimate of the airspace remaining at the Landfill is approximately 9-12 years. Because the Landfill is

only permitted through Phase II-C, the City will need to go through the NHDES permitting process to permit additional capacity (Phase III and IV) to meet its long-term solid waste management goals. Phase III is expected to be located south of Phase II-C and Phase IV is expected to be located to the north of Phases I-A and I-B; the location of the existing unlined landfill. The unlined landfill was identified as an environmental burden to the City and the proposed redevelopment is expected to address environmental concerns. The comprehensive permitting process can take years, and, to provide a buffer between the next phase of construction and airspace depletion, the City started the data gathering portion of the permitting process in 2020.

Based on recent Landfill waste capacity reports, a conservative estimate of the airspace remaining at the Landfill is approximately 9-12 years. Because the Landfill is only permitted through Phase II-C, the City will need to go through the NHDES permitting process to permit additional capacity (Phase III and IV) to meet its long-term solid waste management goals. Phase III is expected to be located south of Phase II-C and Phase IV is expected to be located to the north of Phases I-A and I-B; the location of the existing unlined landfill. The unlined landfill was identified as an environmental burden to the City and the proposed redevelopment is expected to address environmental concerns. The comprehensive permitting process can take years, and, to provide a buffer between the next phase of construction and airspace depletion, the City started the data gathering portion of the permitting process in 2020.

In 2020 the first step was initiated to start the permitting process. This step continued into 2021 and involved a hydrogeological work plan. In 2024, a study to characterize site geologic and hydrogeologic conditions of the new development areas will be performed. For the Phase III and IV areas, the hydrogeological study will: (i) evaluate the suitability of the area for landfill development; (ii) provide data for landfill design; and (iii) serve as the basis for recommendations regarding the locations for groundwater monitoring wells. In 2026, the final permitting and design of both Phases III and IV will be completed. All this work needs to be done prior to starting construction of the next landfill expansion. This work also represents the development of all necessary permits for landfill expansion and disposal capacity to 2080.

Env-Sw 808 of the Rules also requires the City to prepare a feasibility study as part of the landfill reclamation process. This feasibility study is similar in nature to a hydrogeological study but will be used to characterize the existing landfill conditions and assess its viability for reclamation. A report will need to be prepared that summarizes the feasibility study and makes the determination of whether or not it is feasible to reclaim the landfill. Assuming that the reclamation project is feasible, a reclamation work plan will then be prepared and submitted to NHDES prior to proceeding with reclamation activities.

Based on recent hydrogeological work performed in the State of New Hampshire at other landfill sites, and the similarities between what we anticipate being required by the NHDES, the following tasks will be required as part of the design and permitting of Phases 3 and 4 of the landfill:

- Hydrogeological Work Plan Preparation and Feasibility Study Work Plan Preparation; \$100,000
- Hydrogeological Data Acquisition; \$400,000
- Feasibility Study, Hydrogeological Report and Final Feasibility Report and Final Design. \$500,000

Council Discussions:

Mr. Morgan explained to the Mayor that this represents 60 years of capacity (could be 100 years). If you look back 60 years on how we managed waste and how we manage it today, it's very different. The

1 technology for waste management is changing rapidly (i.e., how we manufacture packaging,
2 decomposition, waste conversion, etc.) so in 60 years we might be laughing at a meeting like this.

3
4 **PUBLIC WORKS/SOLID WASTE DIVISION PROJECT #2: Landfill Gas Collection and Control**
5 **System (GCCS). Presented by Marc Morgan (Solid Waste Manager)**

- Collect and Control decomposition gases from landfill site – required by NHDES rules
- Ongoing project to improve gas collection
- 2023 CIP Request: \$144,700

6
7
8 **2023 CI Request: \$144,700 (for a continuation of collection maintenance)**

9
10 **PURPOSE:** Improvements to landfill gas collection system to improve gas output.

11
12 **PROJECT DESCRIPTION:** NHDES Env-Sw 806.07 Rules requires the City to control decomposition
13 gases from the Landfill to prevent hazards to health, safety, and property. The City installed an active
14 landfill gas (LFG) extraction system in 2013 to comply with this regulation. Since 2013, the City has
15 continued operations within Landfill Phase II-C and needs to expand the existing GCCS infrastructure
16 into areas that do not currently have LFG extraction components. The project will consist of installing a
17 series of LFG extraction wells and LFG collection trenches that will be tied into the existing GCCS
18 infrastructure that is under a vacuum system. The project was designed by a professional engineer
19 licensed in the State of New Hampshire in 2020 and permitted through the NHDES Solid Waste Bureau.

20
21 This is a multi-year project with the initial design performed in 2020 and with the GCCS installed by a
22 contractor in years 2020 through 2028 and construction coordination by DPW-Solid Waste staff.

23
24 **PUBLIC WORKS PROJECT #3: Trues Brook Road (NHDOT#24221) Bridge# (066/059).**
25 **Presented by Rod Finley (DPW City Engineer)**



26
27 **Trues Brook Road**
28 **Bridge**

- Complete replacement of the Trues Brook Road Bridge including abutments, wingwalls, substructure, superstructure, deck, curb, and rails.
- Total Project Cost: \$5,303,000.
- 2023 CIP Request: \$920,000 (\$874,000 NHDOT State Aid Bridge, \$46,000 City)
- Construction 2024
- Project includes a temporary bypass bridge to keep road open during construction

29 **THE 2023 CIP TOTAL REQUEST: \$920,000**

30 **The 2023-2028 CIP costs include:**

- 31
 - \$200K for additional Design/Engineering,

- \$690K for Construction costs, and
 - \$30K for additional Property/Equipment Acquisition.
- Bridge reconstruction is programmed for construction in 2024.

PROJECT DESCRIPTION: This Bridge was built in 1952 and rebuilt in 1986; it is showing signs of deterioration.

This bridge has been placed on the NHDOT's Red-list. The construction of the bridge is eligible for up to 100% NHDOT funding through the Municipally Owned Bipartisan Infrastructure Law (MOBIL) program. Additionally, the Design/Engineering and Property/Equipment Acquisition portion of the project is eligible for up to 80% NHDOT funding with the balance of 20% being City funding. The City Master Plan in Chapter 9 discusses the importance of maintenance of the City's bridges and infrastructure.

The 2023-2028 CIP request is to fund the additional costs required by the MOBIL program, which will need to adhere to LPA guidelines. The City Council previously appropriated \$4.383M for the project, consisting of \$263K for Design/Engineering, \$4,10M for Construction, and \$20K for Property/Equipment Acquisition.

The 2023-2028 CIP costs include \$200K for additional Design/Engineering, \$690K for Construction costs, and \$30K for additional Property/Equipment Acquisition. Bridge reconstruction is programmed for construction in 2024.

City Engineer Finley noted that after discussions the City Manager had with the residents of Plainfield, NH, it was decided to put in a temporary bridge as a bypass to maintain traffic during construction. This is also 100% paid for by the MOBIL funding.

The State has already approved the preliminary design, the NIPPA document is being completed, and he needs a new scope and feed for the additional permitting from the consultant.

PUBLIC WORKS PROJECT #4: Infrastructure Improvements – Kimball Street and Forest Avenue Reconstruction - Road/ Sidewalks/ Curbing/ Drainage/ Sewer/ Water. Presented by Rod Finley (DPW City Engineer)

Kimball Street & Forest Avenue



- Infrastructure improvements to Kimball Street and Forest Avenue including roadway materials, sidewalks, curbing, drainage, water, and sewer.
- Total Project Cost: \$6,257,900.
- 2023 CIP Request: \$2,600,000 (\$441,000 ARPA Grant, \$2,159,000 City)
- Construction 2023, Final Paving 2024
- Pre-purchased Pipe and Fittings, \$414,000.

1 **2023-2028 CIP request: \$2,600,000.**

- 2 • Previous appropriations for Kimball Street and Forest Avenue: \$3,657,900.
3 • Total Project Cost: \$6,257,900.
4

5 **PURPOSE:** Infrastructure Improvements
6

7 **PROJECT DESCRIPTION:** The various roadway projects that are planned around the City include
8 the repair and reconstruction of the infrastructure to include roadway materials, sidewalks, curbing,
9 drainage, water and sewer lines as required. Environmental concerns and impacts are considered and
10 minimized along with impacts to the City and the residents. All projects are designed and constructed to
11 provide the citizens a higher level of service by replacing older utility lines and repairing roadways. Most
12 of the construction activity will take place within the City's Right-of-Way or within existing easements;
13 however, at times when this is not the case, the City will work with the homeowner to receive a license
14 for working on their utility services.
15

16 The various street projects that are planned around the City are to repair and replace old, falling, or
17 undersized infrastructure. Chapter 9: C-2b of the Master Plan states that "Roadway improvement projects,
18 zoning district boundaries, and individual subdivision, zoning, site plan, driveway permit and building
19 permit applications, should be undertaken so that roads remain appropriate to the abutting properties and
20 compatible with adjacent land uses."
21

22 Kimball Street and Forest Avenue were identified as separate projects in the 2022-2027 CIP. The two
23 roadways have been combined into a single project for the 2023-2028 CIP. Kimball Street and Forest
24 Avenue reconstruction is programmed for construction in 2023. The City Council appropriated \$3.405M
25 for Kimball Street in 2022, consisting of \$100K for Design/Engineering, \$3.30M for Construction, and
26 \$5K for Property/Equipment Acquisition. The City Council appropriated \$150K for Design/Engineering
27 for Forest Avenue in 2022. 2023-2028 CIP costs include \$2.60M for Construction, consisting of
28 \$2.35M for Forest Avenue construction and \$250K for additional construction costs for Kimball Street
29 to account for inflation. The project will replace undersized, pre-1931, un-lined cast iron water pipe,
30 undersized drainage pipes, and old deteriorated sewer lines showing high infiltration. The project is
31 currently under final design and will be ready to advertise for construction in the winter of 2023.
32

33 **PUBLIC WORKS PROJECT #5: US4/ Mechanic/Mascoma/High Street Roundabout**
34 **Reconstruction Project – Phase 1 (NHDOT Project#40794). Presented by Rod Finley (DPW City**
35 **Engineer)**
36



- Construction of a roundabout to improve safety, increase capacity, and address operational deficiencies at "Dysfunction Junction."
- Pedestrian connections to sidewalks and the Mascoma River Greenway.
- Total Project Cost: \$4,666,748.
- 2023 CIP Request: \$336,000 (\$336,000 City)
- Construction 2024

PURPOSE: Modification/continuation of an ongoing project to improve safety, increase capacity and address operational deficiencies at the intersection.

2023 TOTAL CIP REQUEST: \$336,000 (up about 9% due to inflation costs) Right now this expense is up to the City out of its General Fund Account and includes:

- \$36K for additional Design/Engineering,
- \$250K for Construction costs, and
- \$50K for additional Property & Equipment Acquisition

TOTAL PROJECT COST: \$4.7 Million

PROJECT DESCRIPTION: The project consists of a roundabout at the High St/Mechanic St/Mascoma St. intersection. The project is municipally managed and is eligible for up to 80% Federal Funding. The 2023-2028 CIP request is to fund the additional costs of the project due to inflation. The City Council previously appropriated \$4.33M for the project, consisting of \$570K for Design/Engineering, \$2.81M for Construction, and \$950K for Property/Equipment Acquisition. 2023-2028 CIP costs include \$36K for additional Design/Engineering, \$250K for Construction costs, and \$50K for additional Property & Equipment Acquisition. The estimated schedule for the roundabout project is to advertise for construction bids in September 2023 for construction in 2024.

City Engineer Finley noted he wrote a letter to the State a few weeks ago requesting additional funds and is going through that process. We have some increased costs mostly due to the right of way, property acquisition and other inflationary items.

Council Comments:

Councilor Heistad noted that the Pedestrian/Bicyclist Committee was quite concerned about safety for pedestrians and bicyclists going around the circle. He was glad to see the island in the middle and he assumed the dotted line on the graph (in agenda packet) was going to be the crosswalk. Mr. Finley said that was correct, noting the idea was to slow down traffic to 25 MPH.

PUBLIC WORKS #6: West Lebanon Main Street Streetscape Improvements to improve efficiency Presented by Rod Finley (DPW City Engineer)

West Lebanon Main Street Streetscape Improvements

- Streetscape improvements including traffic calming, access management, parking improvements, pedestrian improvements, sidewalks, landscape buffers, street trees, decorative street lighting, and benches to enhance the vitality and economic viability of the West Lebanon Central Business District. Construction of a roundabout at the Bridge Street/Dana Street intersection to improve safety, increase capacity, and address operational deficiencies. Drainage improvements to address flooding at Tracy Street.
- Total Project Cost: \$4,311,000.
- 2023 CIP Request: \$3,646,000 (\$2,300,000 Congressionally Directed Community Project Funding (pending), \$1,346,000 City)
- Construction 2024

PROJECT DESCRIPTION: This is a request to modify the existing capital project titled “West Lebanon Capital Improvements” to focus specifically on Main Street Streetscape Improvements. Other capital projects previously encompassed within the generic West Lebanon Capital Improvements line will be submitted as separate CIP proposals.

In 2018, the City Council approved funding of \$165,000 for miscellaneous West Lebanon Capital Improvements in lieu of funding a comprehensive visioning effort at that time. Subsequently, in 2019, the Council approved an additional \$300,000 to fund the rehabilitation of property at 3 Seminary Hill in anticipation of relocating the Recreation and Parks Department to that location. However, the structure at 3 Seminary Hill was too dilapidated to allow for reasonable rehabilitation and the structure was ultimately demolished instead. In 2020, the City Council authorized the use of approximately \$110,000 of the available West Lebanon Capital Improvement funds for the installation of a playground on Maple Street.

In December 2021, the City Council appropriated an additional \$200,000 for implementation of various improvements resulting from the 2019 West Lebanon Visioning Charrette effort, including components of the ongoing West Lebanon Streetscape Study, the ongoing West Lebanon River Trail Feasibility Study, or other improvements identified by the West Lebanon Revitalization Advisory Committee.

At this time, the available balance in the West Lebanon Capital Improvements account is approximately \$450,000. The Planning & Development Department recommends using all of these available funds toward the completion of the West Lebanon Main Street Streetscape Improvements project.

The need and support for streetscape improvements along Main Street dates back several decades. In a West Lebanon Main Street - Market Perspectives Report prepared in 2008, retailers commented on the need for streetscape improvements and traffic quieting among other observations for the area. The West Lebanon CBD chapter (Ch. 4) of the 2012 Master Plan includes several references to the need and desire to improve Main Street:

- Redevelopment of single-use sites, along with traffic calming, access management, streetscape and pedestrian improvements, and related amenities, would enhance the vitality and economic viability of the West Lebanon Central Business District. [4 | B-1]
- Invest in the downtown by constructing and upgrading the infrastructure, such as including centrally located public parking, sidewalks, decorative street lighting, benches, public transit shelters, and parks, street trees, and other streetscape amenities. [4.1.S3]
- Consider separating sidewalks from the roadway with landscape buffers and ensure that the sidewalk network and streetscape improvements are well maintained and interconnected. [4.1.S19]

1
2 During the 2019 West Lebanon Village Visioning Charrette, a “better streetscape” was the most cited
3 suggestion for what would make downtown West Lebanon better. In addition, as part of the pre-charrette
4 survey, more than 71% of respondents expressed support for relocating some of the on-street parking on
5 Main Street to another nearby location if doing so enabled safety and streetscape improvements, such as
6 street trees, sitting areas, wider sidewalks, and accessibility improvements. Survey respondents also
7 commented that improving the condition of Main Street could help people take more pride in their
8 community and enjoy spending more time there.
9

10 In 2020, the Planning & Development Department engaged VHB to expand on the conceptual streetscape
11 improvements developed during the Visioning Charrette to ensure that the project components were
12 feasible and publicly supported. The West Lebanon Revitalization Advisory Committee (WLRAC)
13 reviewed and commented on expanded conceptual streetscape designs during several meetings in 2021. In
14 its Priorities and Recommendations report to the City Council in January 2022, WLRAC included the
15 execution of overdue Main Street improvements among its top three highest priorities for completion as
16 soon as possible.
17

18 In March 2022, the City submitted the West Lebanon Main Street Improvements project to
19 Congresswoman Kuster’s Office for possible funding through the Congressionally Directed Community
20 Project Funding program. The Main Street Improvements project is currently pending before the Senate
21 Appropriations Committee for grant funding of up to \$2.3 million toward project costs. The \$2.3M
22 represents 80% of the estimated project cost based on the conceptual plans for the corridor and intersection
23 improvements prepared as of September 2021 and cost estimates as of November 2021. Whether
24 infrastructure funding is ultimately available may not be known before Spring 2023.
25

26 In April 2022, the Planning Department held a Community Conversation to review the conceptual
27 streetscape plans. The event included a Neighborhood Walk of the Main Street corridor to review the
28 proposed improvements in greater detail with adjacent property owners and other affected stakeholders.
29 The Planning Department subsequently presented the revised conceptual plans to the City Council on June
30 1, 2022 and received support to move the project to final design and permitting stages in preparation for
31 construction, potentially in 2023.
32

33 The current preliminary cost estimate for the project is approximately \$4.096M, including the proposed
34 roundabout at the intersection of Main Street and Bridge Street, and a substantial amount of stormwater
35 improvements to address drainage issues from the hillside to the east of Main Street. Construction is
36 estimated at \$2.996M. The total cost estimate includes 20% contingency (\$600k), as well as design,
37 permitting, and construction inspection costs. It is expected that the cost of design and permitting will be
38 covered with previously appropriated funds.
39

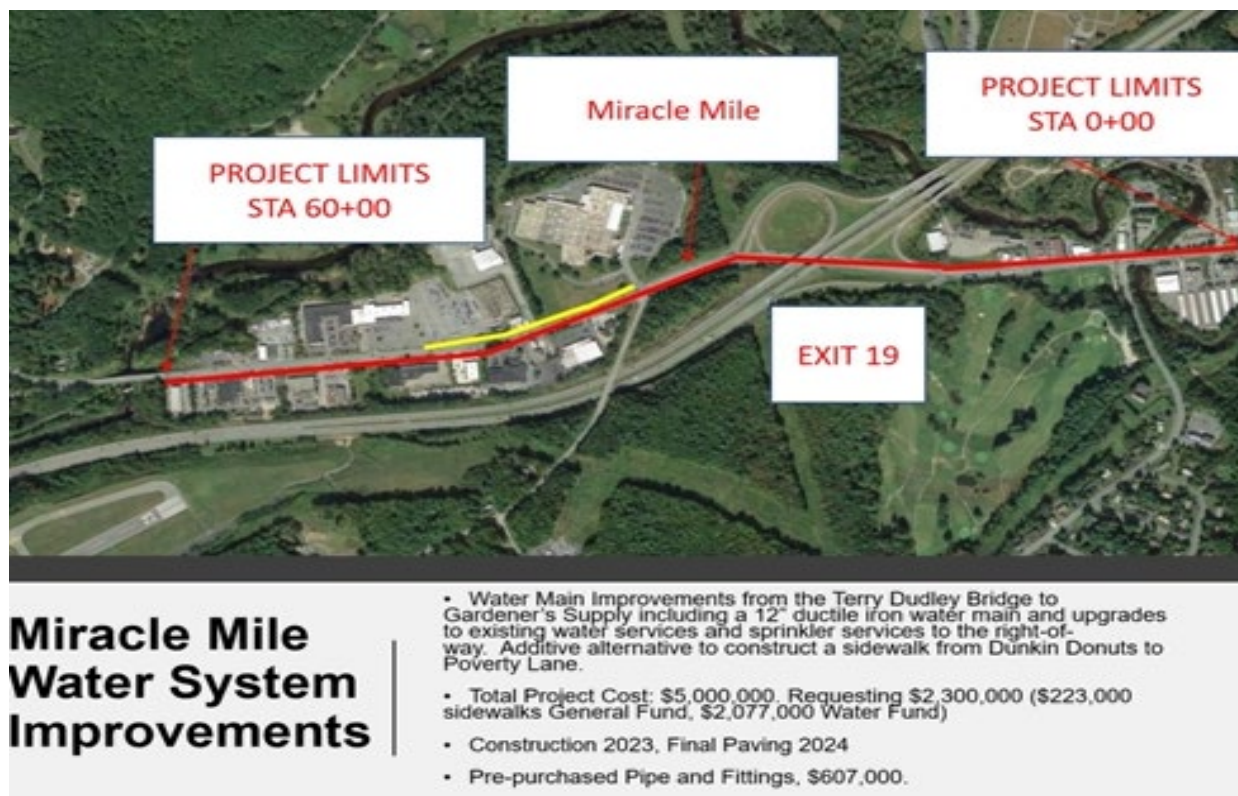
40 **Council Discussions:**

41 City Manager Mulholland added we should hear about this funding by the end of December. If it does go
42 through, the City will have \$2.3 million to put towards this project. If it does not go through, then we will
43 have to decide what to do. This is not planned in the City’s debt ceiling. He also noting this project will
44 not be a Federal highway project, it will be a HUD project.
45

Mayor McNamara requested that if this project does go forward it be coordinated with the Dry Bridge Project.

Mayor McNamara also questioned if there was a need for property acquisition (on this property). City Engineer Finley noted there is a minor property acquisition at the roundabout and is built into the budget. The acquisition is just property and does not involve buildings. Mr. Finley also stated he did not know if more property acquisition would be required if more lanes were added to this area instead of the roundabout.

PUBLIC WORKS PROJECT #7: Miracle Mile Water Main Improvements Presented by Rod Finley (DPW City Engineer)



NOTE: The yellow line in picture above is Phase III of the Miracle Mile sidewalk, which, once completed, will complete the Miracle Mile Sidewalk Project.

The 2023-2028 CIP includes \$2,300,000 of additional funding to cover the increase in project costs due to inflation. Due to supply chain issues, pipe and fittings were pre-purchased for the project (\$607,000) so construction can commence in May 2023. If funding is available, Phase 3 of the Miracle Mile sidewalk will be constructed. The project will be constructed in 2023 with final paving in the spring of 2024.

PURPOSE: An asset management study was completed in 2020 identifying water main and appurtenances that need replacement and/or are undersized and have the highest risk of failure. A list of proposed water main infrastructure improvements has been developed based on their risk of failure and the impacts that it would have on businesses and the community. The Miracle Mile water main is ranked high on the risk of failure. To ensure distribution and delivery of water throughout the water system, it is

necessary to perform these upgrades to the water mains, gate valves, fire hydrants, and services.

This project includes water main replacement with associated roadway improvements including full-width bituminous concrete mill, shim, and overlay.

The project also includes an additive alternative to construct Phase 3 of the Miracle Mile sidewalk from Dunkin Donuts to Poverty Lane.

PROJECT DESCRIPTION: The project is intended to upgrade the water main on Miracle Mile. The project has risen to the top of City water system infrastructure needs requiring replacement based on its risk of failure and the impacts that it would have on businesses and the community. It consists of 5,500 linear of main that connects to two sides of water mains that have been replaced over the last 12 years. This is a major corridor connecting Lebanon and West Lebanon where there are restaurants, retail stores, grocery stores, doctor's offices, urgent care centers, auto dealerships, service stations, and an entertainment area along with many more businesses. This water main has experienced multiple breaks over the past decade where it has impacted those businesses. It's possible this project could be done in 3 phases if funding doesn't allow for the full project.

The City Council appropriated \$2,700,000 in 2022 for the project. The project was bid in the spring of 2022 and one bid was received for \$4,400,000. The project was redesigned to eliminate the need for temporary water during construction to reduce costs and is the project is scheduled to be re-bid in December 2022. *The 2023-2028 CIP includes \$2,300,000 of additional funding to cover the increase in project costs due to inflation. Due to supply chain issues, pipe and fittings were pre-purchased for the project (\$607,000) so construction can commence in May 2023. If funding is available, Phase 3 of the Miracle Mile sidewalk will be constructed. The project will be constructed in 2023 with final paving in the spring of 2024.*

PUBLIC WORKS PROJECT #8: South Main Street Dry Bridge # 062/117 Presented by Brian Vincent (City Engineer)

South Main Street Bridge

- The project includes complete bridge replacement including pedestrian sidewalk, extensive improvements to the access road to Westboro Railway, intersection improvements at Seminary Hill, improvements to the bridge approach along South Main Street to the south, and water and sewer main improvements. The project temporary traffic control maintains two-way traffic over the bridge during construction.
- Total Project Cost: \$16,923,151 (\$11,522,700 State, \$5,400,500 City).
- 2023 CIP Request: \$11,033,846 (\$7,512,874 State, \$3,520,972 City)
- Schedule: Construction is currently scheduled for 2024-2026

PROJECT DESCRIPTION: Replace / widen the South Main Street Dry Bridge (Rt. 12A) over the railroad right-way. It is a NHDOT Red listed Bridge.

The South Main Street Bridge was constructed in 1949. This bridge is narrow and does not meet current capacity needs. In 2002, NHDOT initially "Red-Listed" the bridge. NHDOT last inspected this bridge in 2021. Their report reiterated these significant deficiencies and again noted the deterioration of the concrete and metal fatigue of the bridge. It is on the NHDOT Red list - South Main Street "Dry Bridge" NHDOT#13558A, Bridge #062/117 (See DPW for the most recent NH DOT Bridge Report). The bridge

1 rail has been temporarily repaired to help with the immediate needs of protecting pedestrian and vehicular
2 traffic. This will stay in place until such time that a new bridge is constructed.

3
4 The replacement of this bridge is eligible for up to 80% bridge aid from NHDOT and Federal Aid
5 funds. The current cost (September 2022) estimate to replace the bridge is \$16,992,500. This cost is
6 broken down as follows: “participating” indicates that NHDOT will pay for a percentage of the total
7 cost listed as “participating”, “non- participating” indicates 100 percent City costs. (NOTE: A
8 complete breakdown of costs can be found on [pages 144-145, agenda packet.](#))

9
10 Note that \$2.024M of the total cost is attributable to the access road improvements. The improved access
11 road will service the future development of the northern rail property. In addition, \$553,740 of the
12 construction cost is attributable to required plan review and construction monitoring by New England
13 Central Railroad. The project and project costs include limited watermain replacement, right-of-way
14 acquisition, and building demolition.

15
16 The City has requested final design and bidding phase (PS&E Phase) approval from NHDOT as of
17 February 2022. NEPA approval is pending NHDOT review. NHDOT cannot approve final design phase
18 until the NEPA permit is approved/obtained. The programmed years for construction are currently 2024
19 and 2025. The City previously allocated \$5,889,306 with a balance of \$4,072,209 as of December 2021.
20 An additional allocation of \$11,033,846 in total funds is requested for year 2023.

21
22 *In 2020, the City signed an agreement with NHDOT, where NHDOT committed to funding*
23 *\$6,805,985 of the total project costs. The updated total estimated project costs are \$16,923,151. A*
24 *project agreement amendment is currently being sought by the City to increase the NHDOT funding*
25 *to \$11,522,700.*

26
27 **PUBLIC WORKS PROJECT #9: - Mt Support-LaHaye Street Intersection Improvements to**
28 **maintain the City’s infrastructure and Intersection traffic control improvements. Presented by**
29 ***Brian Vincent (City Engineer)***
30

Mt. Support Road – Lahaye Drive Intersection Project



- The project consists of construction of a two-lane roundabout, replacing the current signalized intersection. The purpose of the project is to improve traffic movement efficiency for current year conditions and projected traffic volumes into and beyond 2031. Temporary traffic control measures will be in-place during intersection reconstruction.
- Total Project Cost: \$4,600,000.
- 2023 CIP request: \$4,350,000 (Special Assessment District share: \$4,033,360, City Share: \$316,640).
- Schedule: Construction is currently scheduled for 2024-2025.

PROJECT DESCRIPTION: The intersection of Mt. Support and LaHaye is presently a signalized intersection located near Dartmouth Hitchcock Medical Center. In addition to a significant hospital expansion project, there are at least three major multi-family development projects proposed near this intersection. The developers include Dartmouth College housing, Saxon Properties and Braverman Company.

During the course of Planning Board review for several large development projects in the Mt. Support Road corridor, traffic studies prepared on behalf of the applicants have highlighted that the intersection of Lahaye Drive and Mt. Support Road is operating at near capacity overall and that certain turning movements are already over capacity and failing. These additional developments will result in traffic impacts that will place this intersection into a decreased low level of service.

The Planning and Public Works Departments are working jointly with the development applicants and the Planning Board to determine what improvements are required as of today (with no projects constructed), what improvements will be required if all of the various projects are approved and constructed, and how to apportion the cost of necessary improvements among the various parties.

There is currently \$250,000 appropriated in the CIP2021 to proceed with preliminary/final design plans of this intersection. To cover additional final design costs and construction engineering costs, it is estimated that an additional \$500,000 will be needed. A Special Assessment District (SAD) has been created to share the overall intersection improvement costs.

Proposed improvements will include additional turning lanes and the possibility of a round-about to alleviate traffic congestion. The updated preliminary cost estimate for these improvements is \$3,850,00

Council Discussions:

Mayor McNamara noted that Deputy City Manager David Brooks gave an extensive presentation on this about a year ago. This is a Special Assessment District and our share of this is relatively small (<10%). The remaining 90% will be paid by the properties in the Special Assessment District.

Mr. Brooks concurred, noting the Special Assessment will be coming back to the Council again because the funding allocated so far is only for the design and permitting work.

Councilor Whittlesey asked if there has been any discussion with the hospital (DHMC) about mitigating any disruptions to emergency vehicles. City Engineer Vincent noted the intent is to maintain regular traffic control during construction, including large vehicles, ambulances, fire trucks, or whatever is necessary.

Assistant Mayor Below asked about the prospects for coordination, or what might be the timing, of the extension of the path near Centerra. Mr. Vincent noted this is a 12K foot-long multi-use path extension, extending up the east side of Mt. Support Road toward the hospital. It is coordinated with TAP Project, which goes along LaHaye Drive on the north side and goes up to Rte. 120. This is being coordinated with this project. We looked at the west side and it had more utility impacts, natural resource impacts so preferred alternative was the east side.

PUBLIC WORKS PROJECT #10: Estabrook Circle and Maple Street Stormwater Project for Infrastructure Improvements- Drainage. Presented by Everett Hammond (Assistant Public Work Director)

NOTE: Complete details regarding the Estabrook Circle and Maple Street Stormwater Project is detailed on [pages 156-158, agenda packet](#).



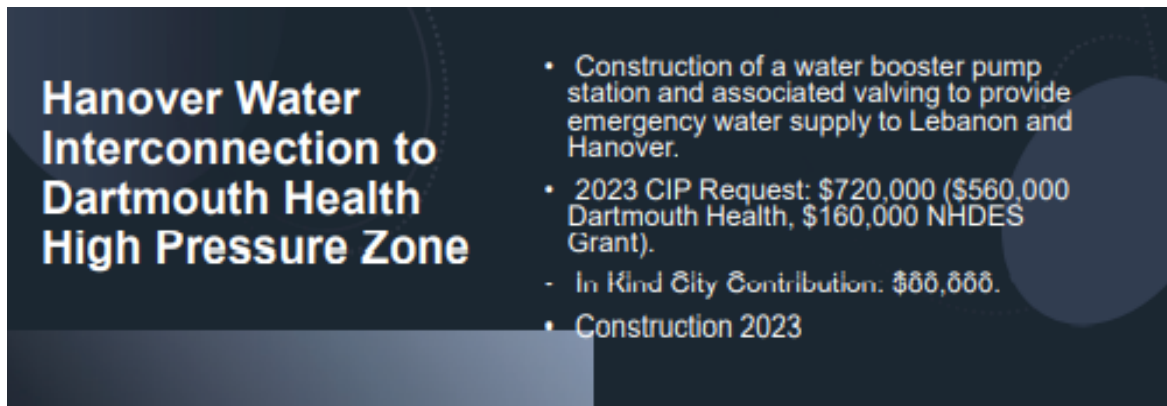
- An existing 15" Vitrified Clay Pipe storm drain experiences surcharging with flooding during heavy rain events.
- Previous surcharging has flooded Route 10 and a resident's yard up to the foundation
- Funding is to finish up the design and easements.
- 2023 CIP Request: \$155,000 (\$85,250 General Fund, \$46,500 Water Fund, \$23,250 Sewer Fund)
- Construction 2024

PROJECT DESCRIPTION: An existing 15" Vitrified Clay Pipe storm drain experiences surcharging with flooding during heavy rain events. Previous surcharging has flooded Route 10 and a resident's yard up to the foundation. The exact location of sections of the piping for the stormwater system has not been located and attempts to televise and track the pipe have not been successful. Two catch basins connected to

the sewer were disconnected during CSO 10 and connected into the drain line. Upstream flows include a stream that is picked up at Maple Street and pipes cross country over the bank and through neighboring lots on Estabrook Circle. During large storm events this section has had wash outs. Funding is to finish up the design and for easements needed since it has been determined that the paper streets to the west of Craft Ave are not owned by the City. Water and Sewer work will be completed as needed for aging infrastructure.

Council Discussion: None

PUBLIC WORKS/WATER DIVISION #11: Hanover Water Interconnection To Replace The Interconnection Vault On Medical Center Drive With A Booster Pump Station. *Presented by Everett Hammond (Assistant Public Work Director)*



PROJECT DESCRIPTION: The current Lebanon/Hanover drinking water interconnection on Medical Center Drive can feed water from Lebanon to Hanover. To feed water from Hanover to Lebanon a fire truck needs to be used to pump the water between two fire hydrants. Using this method there is not enough pressure to provide water to the top floors of the hospital. Replacement of the interconnection vault with a booster pump station would allow Hanover to supply water to Lebanon. The booster pump station would have enough pressure to fill the water tank that normally supplies water to the area and the water system would function as it normally does supplying water at its normal pressure to the hospital.

This is partially being funded by Dartmouth Health (\$560,000) and a grant from DES (\$160K).

Council Discussions:

Mayor McNamara noted that while we have the ability to interconnect with Hanover (who has a tank nearby) this project is needed. This has been very tenuous over the years because of the potential need to bring a fire truck in that is not meant for portable water, etc. We also have an agreement with the Town of Hanover so that if they have a problem, we will provide them with water and vice versa.

Councilor Sykes asked about providing water to top 4 (floors) of the hospital's tower. Assistant Public Works Director Hammond explained that right now with the connection between two hydrants, you are limited by the pump capacity of the fire truck itself. When you look at that pump curve, it was not able to provide enough pressure to get to the top floor of the hospital, on the portable water side.

PUBLIC WORKS/WASTEWATER #12: Baker's Crossing Sewer Rehabilitation Project (New) to Replace The Sewer Pressure Main At Bakers Crossing (Out of the Sewer Fund). *Presented by Jay Cairelli (Assistant DPW Director)*

Baker's Crossing Pressure Sewer Rehabilitation

- Relocation of the sewer pressure main to the Packard Hill Covered bridge
- Total Project Cost: \$890,000.
- 2023 CIP Request: \$890,000 (\$890,000 City)
- Construction 2023



2023 CIP Request: \$890,000

PROJECT DESCRIPTION: In the summer of 2021, the pressure main at Bakers Crossing failed. The Department of Public Works along with Nott's Excavating repaired the sewer pressure main. Further investigation revealed poor soils had eaten through the pressure main in the area. A full investigation of the pressure main from Enfield to Bank Street Ext was completed and this section of sewer pressure main was determined to have a high rate of failure. The project plan is to replace the existing sewer pressure main from Riverside Drive to Bank Street Ext (See map in agenda packet). The current pressure main goes under the river, in the proposed project the pressure main would hang from the bottom of the bridge.

Council Discussions:

In response to Councilor Heistad's question regarding what Enfield, NH pays for their sewer, City Manager Mulholland noted they pay all their sewer charges and all the other costs, along with the costs to maintain their system.

PUBLIC WORKS/WATER DISTRIBUTION #13: New Source Water Supply Study Investigation Phase 2. Presented by Jay Cairelli (Assistant DPW Director)

New Source Water Supply Investigation: Phase 2

- Installation of a full production well and nearby monitoring wells, long term pump testing, water quality analysis and NHDES permitting for use of the well as an alternative water source.
- 2023 CIP Request: \$175,000 for production well (\$175,000 City)
- Construction 2023

2023 CIP Request: \$175,000 (for production well)

PURPOSE: The purpose of this project is to study, design and build a secondary drinking water source for the city. The single source of water supply for the city is from the Mascoma River.

PROJECT DESCRIPTION: A second water source will provide a backup water supply or a potential new treatment plant site. Having a single source places the city in a potentially vulnerable situation. It is

noted that there are emergency interconnections available with the Cities of Hanover and Hartford if a water shortage were to occur.

This project began in 2001 when a source water study was performed identifying a number of potential hi-yield alternative water sources.

More recently, during phase 1 of this project, three locations along the Connecticut River were studied as potential alternative water supply sites with small diameter test wells and short-term pump tests. Of these three sites one site shows potential yields that could serve all the city's drinking water needs.

Requested for phase 2 of this project is \$175,000 to be paid out of the Water Investment Fee Fund.

This will include installation of a full production well and nearby monitoring wells, long term pump testing, water quality analysis and NHDES permitting for use of the well as an alternative water source. The water quality analysis will allow NHDES to mandate treatment required as part of the permitting process.

Once phase 2 is completed and the well is permitted, phase 3 will include engineering design of a pump house, water treatment facility and piping to tie the water source into the existing water distribution system can occur. Engineering is expected to occur beginning in 2024 and will be completed in-house by DPW staff.

\$8M is included in the "parking lot" years of the CIP. This is based on a cost estimate of \$6.8M in 2023 dollars with a cost escalator of 3% per year. This estimate will be refined as needed depending on the engineering design and water treatment required.

Council Discussions:

Mayor McNamara noted we can look at the costs of treatment and distribution later.

At the request of City Manager Mulholland, Assistant Public Works Director Cairelli spoke about the reasons why the City needs a backup service. Right now, like most communities, the City of Lebanon is just relying on the Water Treatment Plant. There are a lot of potential for problems that could threaten our existing water supply (i.e., cyanobacterium blooms this year threatened our water supply; other contaminants that could seep into the river, etc.). The idea here is to have this be a backup supply (of drinking water) and maintain the current drinking water treatment plant for as long as we can so we truly have a redundant system in case one fails we can turn the other one on and life in the City can continue as it does normally.

Mr. Cairelli also noted that for the last two years we have been in a moderate drought all summer long and just south of here other communities were in a significant drought. We expect this to continue, and as that happens, the Mascoma River, where we draw from now, is fed by a dam controlled by DES (Department of Environmental Services) who releases water from the river for us to use as drinking water. He also explained why the DES wanted to shut us down completely due to our use of the Mascoma Lake. We told them they could not do that because this is where we get our drinking water, so they did not shut us off. However, the threat (of our water source being shut down by the DES) and the need to run the dam at some capacity to provide Lebanon drinking water is why we need a second source of water.

Councilor Discussions: None

PUBLIC WORKS PROJECT #14: Maintenance Services, Solid Waste Facilities, Sewer and Water Fund, and Fleet Replacement. *Fleet Replacement was presented by Jesse Dumayne (DPW)*

1 ***Operations and Maintenance)***
2

3 **PURPOSE:** Maintain a reliable Public Works Fleet that meets current mission requirements.
4

5 **PROJECT DESCRIPTION:** The Fleet Replacement Plan that had been utilized is a continuation of a
6 Fleet Replacement Plan that evaluates equipment assigned to the fleet in comparison to the current
7 mission. Life cycle time and other factors such as cost of operations and reliability are used as the
8 primary basis for the replacement plan.

9 The fleet replacement plan includes the entire DPW fleet including Highway & Operations, Water,
10 Sewer and Solid Waste. The entire fleet list for Operations & Highway, Water, Sewer and Solid Waste
11 and the recommended 5-year replacement plan is provided in an attachment.
12

13 The CIP 2023 proposes \$420,000 (220,000 10 wheeler, 200,000 sidewalk tractor) for DPW-Operations
14 and Highway fleet replacement, \$220,000 for Sewer Fund fleet (new backhoe) and \$0 for
15 Water/Utilities and \$254,978 for Solid Waste fund fleet (Excavator) replacement for a total of
16 \$894,978.
17

18 These pieces of equipment are critical to the daily operations and snow removal operations of DPW.
19

20 ***DPW: 2023 Fleet Replacement Operations and Highway***
21

22 **The CIP 2023 proposes \$420,000**

23 \$220,000 to replace a twenty-year-old plow truck with a new 10-wheeler plow truck and \$200,000
24 to replace the 10-year-old MB sidewalk tractor. The MB sidewalk tractor manufacturer went out of
25 business, and we are unable to get replacement parts for the tractor making it very difficult to keep in
26 service. Sidewalk tractors are used in the worst elements and take a great amount of maintenance
27 all winter.

28 DPW: 2023 Fleet Replacement Solid waste

29 **The CIP 2023 proposes \$255,000** to replace a twenty-year-old excavator.
30

31 DPW: 2023 Fleet Replacement Water/Utilities

32 **The CIP 2023 proposes \$220,000** to replace a twenty-year-old Backhoe
33

34 **ACTION:**

35 ***The agenda items are for informational purposes only. No action is required by the Council.***
36

37 **11. City Manager Report: NO REPORT**
38

39 **12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE**
40

41 **13. FUTURE AGENDA ITEMS: NONE**
42

43 **14. NON-PUBLIC SESSION: NONE**
44

1 **15. ADJOURNMENT:**

2 *Mayor McNamara MOVED for adjournment.*

3 *Seconded by Councilor Whittlesey.*

4

5 **The Vote on the MOTION was unanimously approved (8-0)*

6

7 **The meeting was adjourned at 7:31 PM.**

8

9 Respectfully submitted,

10 Dona E. Gibson

11 Recording Secretary

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

8. APPOINTMENTS:

APPOINTMENTS

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Diversity, Equity & Inclusion Commission, Richard Ford Burley (Reappointment as Regular Member)
- Downtown Lebanon TIF Advisory Board, Barry Schuster (Reappointment as property owner/ occupant)
- Board of Cemetery Trustees, David Muzzy (Reappointment Ward 2 Representative)

Included in this Section:

1. Memo from City Clerk Kristin Kenniston dated October 24, 2022

OFFICE OF THE CITY CLERK

MEMORANDUM

DATE: October 24, 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.*

Diversity, Equity & Inclusion

- **Richard Ford Burley** – Reappointment as a regular member for a two-year term.
Term: (10/22-10/24)
Interviewed by: Councilor Wilkie

Downtown Lebanon TIF Advisory Board

- **Barry Schuster** – Reappointment as property owner/occupant for a three-year term.
Term: (10/22-10/25)
Interviewed by: Councilor Whittlesey

Board of Cemetery Trustees

- **David Muzzy** – Reappointment as a Ward 2 Representative for another two-year term.
Term: (10/22-10/24)
Interviewed by: Councilor Sykes

From: [cityclerk](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL] Online Form Submission #6697 for Board Member Application
Date: Monday, October 17, 2022 9:45:15 AM

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, October 17, 2022 9:35 AM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: [EXTERNAL] Online Form Submission #6697 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

Application Process

After submitting this application, you will be contacted and interviewed by one of our City Councilors. Your application will then go before the full Council at one of their regular meetings for consideration of appointment. If you have questions, please contact City Clerk Kristin Kenniston at 603-448-3054 or cityclerk@lebanonnh.gov.

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	Richard
------------	---------

Last Name	Ford Burley
-----------	-------------

Physical Address	140 Bank St. Ext
City	Lebanon
State	NH
Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	6036670194
Work Number	<i>Field not completed.</i>
Email Address	richardfordburley@gmail.com
How long have you resided in Lebanon?	3 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?	Diversity, Equity, and Inclusion Commission
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	The last year serving on the DEI Commission has shown me both Lebanon's many achievements and its promise for the future. As I continue to make a home for myself and my family here, I would like, on the one hand, to continue to help ensure that others—especially those from marginalized communities—feel the same level of welcome that I have since I arrived, and on the other, to also help continue the hard work of equity and justice for those already here.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	Having served as the DEI Commission's secretary for the last year, I have helped in our efforts to help make Lebanon a more diverse, equitable, and inclusive city, writing the minutes for our meetings, drafting and workshopping new workflows for policy changes and newly-presented DEI concerns, reviewing the City Code and Charter for gender-inclusive language, and contributing to statements on important issues affecting Lebanon's diverse communities. I would like to be reappointed to the DEI Commission so that I may continue this important

work for the City into the future.

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: 21 October 2022

Applicant Name: Richard Ford Burley

Board(s) to Which Applied: DEI Commission (Reappointment)

☒ Regular Seat

☐ Alternate Seat

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

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

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments: Richard has been a valuable member of the commission, as well as the secretary, for the past year since the commission's formation. I am confident in his ability and the value he provides to the commission and to the City, and I am happy to recommend his reappointment.

(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?

OK – current member

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?

Yes – current member & secretary

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?

Transgender inclusion – using example of the volleyball player, something small can be blown out of proportion – unanticipated backlash in, for instance, the updating of gendered language

How do we do good without upsetting the people who won't be affected by it but may be angry?

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

Once we have more data, e.g. from the discrimination survey, we'll be able to hone in on topics where we can provide value – housing and energy, especially, are key areas for improvement

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

Long term goal: better understanding of public safety that is less reliant on armed response

Gender neutral language in both code and charter

Continued application of our current efforts: events, policy, etc.

Community-oriented programs for conflict resolution, de-escalation, etc.

From: noreply@civicplus.com
To: [cityclerk](#); [webmaster](#)
Subject: Online Form Submittal: Board Member Application
Date: Friday, February 01, 2019 9:04:10 AM

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	Barry
Last Name	Schuster
How long have you resided in Lebanon?	35 years
Current Address	PO Box 447, 5 Elm St
City	Lebanon
State	NH
Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	448-5937
Work Number	448-4780
Email Address	barry@ivylegal.com

(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?	Downtown Lebanon TIF Advisory Board
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I served on the preliminary committee for determining whether to create the TIF district and am familiar with land use in the City and am a property owner in the district.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	My commitment to the City, my experience with land use issues, and my desire to see policies and programs that benefit the City.
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: Doug Whittlesey

Date of Interview: 10/21/22

Applicant Name: Barry Schuster

Board(s) to Which Applied: Lebanon Downtown TIF District

☒ Regular Seat ☐ Alternate Seat

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

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

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments: Mr. Schuster has a tremendous knowledge of the development activities going on in Lebanon, as well as the issues, challenges, and opportunities within the City. He strikes an important balance between the need for ongoing development in the City with the need to preserve our natural assets, which he brings to the TIF Board and the issues the Board looks to address.

(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?

Board that oversees the downtown TIF district and related items, provides recommendations, advice, and discussion around projects, use of funds, etc

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, this is a reappointment; Mr. Schuster has served as Chair and on this Board for many years

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, this has never come up to date

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

Weighing in/providing advice on use for the back parking lot, especially as it relates to the use of the City's riverfront access. How can the City develop back there while increasing availability and access to the river, how to ensure the City can redevelop while meeting future needs

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

The new downtown development that could drive substantial TIF funds flows to invest in development projects, the downtown back parking lot redevelopment and river access/availability

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

Most important goal is to be aware of planning for downtown, what options are available, the potential for revenue to come into the TIF account, continued education from the Manager's office & planning department



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: Board of Cemetery Trustees

☒ Check if for re-appointment

Name: David A. Muzzy
(Please print)

Address: 11 Mechanic St Lebanon 03766
(street) (Town) (Zip)

Mailing Address, if different from above: _____

Home Phone 448-4286 Work Phone: _____ Cell Phone: 306-7239

Email Address: DAM1051@comcast.net

Continued on reverse side.....

How long have you resided in Lebanon? Born in Lebanon 1959
(This will not necessarily reflect on your possible appointment.)

Why would you like to serve? To continue on the board projects.

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

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

David A. Muzzey
Applicant Signature

7/31/2020
Date

Official Use Only

Interview Committee Review

Date Received by City Clerk 7/31/20 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: [Kristin Kenniston](#)
To: [Kristin Kenniston](#)
Subject: FW: Councilor Interview Report Form
Date: Monday, October 24, 2022 8:59:10 AM

-----Original Message-----

From: Sykes, George <George.Sykes@lebanonnh.gov>
Sent: Monday, October 24, 2022 8:56 AM
To: Kristin Kenniston <Kristin.Kenniston@lebanonnh.gov>
Subject: Councilor Interview Report Form

Councilor Interview Report Form

Councilor Name: George Sykes Date of Interview: 9/19/2022 Applicant Name: David Muzzy
Board(s) to Which Applied: Board of Cemetery Trustees X Regular Seat ____ Alternate Seat Has Applicant
Attended Meeting of Board to Which Applying? ____ Yes X No (If yes, indicate date of meeting.) Date:
____ Recommend Appointment: X Yes ____ No X Regular Seat ____ Alternate Seat (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?

This is a regular re-appointment for Mr. Muzzy. He is anxious to continue working on the projects which have come before the Trustees.

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, I have served as a volunteer on the Board.

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? She would be willing to attend this type of meeting etc.

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?

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?

Implement some of the previous Board's recommendations.

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

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

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

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

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

Planning Board:

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

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

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

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

Conservation Commission:

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

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

George Sykes
City Councilor
Ward 2
City of Lebanon

3 Avon Avenue
Lebanon, NH 03766

(H)603-448-0319 / (C)603-667-1834

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

11. NEW BUSINESS:

**11.A – CITY COUNCIL REVIEW OF PROPERTIES QUALIFIED
FOR TAX DEEDING AND VOTE TO WAIVE TAX DEEDING**

BACKGROUND

Tax bills are mailed on or around June 1 and November 1 each year. Interest accrues at a rate of 8% per annum on bills outstanding for more than 30 days. Within 18 months of the date assessed (April 1), the Tax Collector places a lien on properties for all uncollected property taxes. The lien on these properties has priority over other liens and accrues interest at 12% per annum.

According to State law, if property is not redeemed (including taxes, penalties and interest) within the 2-year redemption period, the Tax Collector is required to tax deed the property as a normal matter of course unless notified by the City's governing body (City Council) not to take a deed.

When the City Council instructs the Tax Collector that it shall not accept a tax deed the tax lien remains in effect indefinitely. The taxpayer's right of redemption (to pay what is outstanding including taxes, penalties and interest) is likewise extended indefinitely with interest at the rate of 12% per annum continuing to accrue. At any time, if in the judgment of the City Council, the reasons for refusing the tax deed no longer apply, and the tax lien has not been satisfied, the City Council may instruct the Tax Collector to commence the statutory deeding process.

WAIVER OF TAX DEEDING:

There are three properties recommended to waive tax deeding on totaling \$48,985.85. These three properties have active payment plans in place.

AUTHORIZATION FOR TAX DEEDING:

There are no properties recommended for tax deeding.

ACTION

RESOLUTION

FOR THE PURPOSE, of complying with NH RSA 80:76.

NOW THEREFORE BE IT RESOLVED that the Lebanon City Council, in accordance with NH RSA 80:76, has reviewed the following compilation prepared by the Tax Collector of tax liens outstanding for tax years 2019-2022.

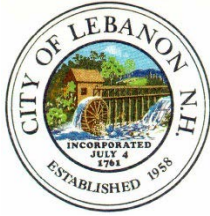
NOW THEREFORE BE IT FURTHER RESOLVED that the Lebanon City Council, hereby serves notice upon the Tax Collector to waive taking deeds on the immediate

following properties because of an existing payment plan between the owner and the City of Lebanon:

Billed Owner/Location	Map/Lot	Type	Total Due
Maville, Sandra 19 Mason Street	91/59	Residence	Total: \$13,478.19 (2019: \$4,637.70)
Morley, David & Nancy 37 Lily Lane	8/2/905	Residence	Total: \$32,242.95 (2019: \$9,081.01)
Jalbert, Patricia 63 Bomhower St Ext	90-42-6300	Residence	Total: \$3,264.71 (2019: \$402.34)

Included in this Section:

1. 10/24/2022 Memo from Kristin Kenniston, City Clerk/Tax Collector, RE: Tax Deeding



MEMORANDUM

TO: Mayor and Members of the City Council

FROM: Kristin M. Kenniston, City Clerk/Tax Collector

DATE: October 24, 2022

RE: Tax Deeding

In accordance with NH RSA 80:76, I am required to pass Tax Collector's Deeds to the holder of the lien (City of Lebanon) two years and one day after the recording the oldest tax lien. The liens for the 2019 tax year were recorded on May 21, 2020, by my predecessor, Susan McBain.

On July 18, 2022, the tax deeding process began with certified letters to the owners. Certified notices were mailed to mortgage holders on September 29, 2022. In addition to notices, efforts were made to contact owners who were not already entered into payment agreements to attempt to clear up their balances. Two of those owners paid their 2019 taxes and one of the owners accepted a payment agreement.

There are currently three parcels eligible for tax deeding due to non-payment of the 2019 property tax. All three of the properties, which are the owner's primary residences, are not recommended for tax deeding at this time, as payment plan have been established with the owners. Should the owners fail to make payments, the properties may be brought before a future City Council meeting for consideration of tax deed.

Included with this memo are property assessment cards and statements of all taxes due.

Summary

Parcel ID 91-59
 Account # 2572
 Property ID 1753
 2020 Tax Rate
 Location Address 19 MASON ST
 LEBANON
 Acres/Lots 0
 Zoning R3 : Residential 3
 Neighborhood RES GOOD
 Property Usage SINGLE FAMILY (101)



Owners

MAVILLE, SANDRA
 19 MASON ST
 LEBANON NH 03766

Valuation

	2021	2020	2019
Assessed Land Value	\$70,000	\$70,000	\$70,000
+ Assessed Improvement Value	\$53,900	\$53,900	\$41,300
+ Assessed Misc Value	\$0	\$0	\$0
= Total Assessed Value	\$123,900	\$123,900	\$111,300

Land

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
ONE FAM (101)	5,227.20	SQUARE FEET	SITE	0	0	\$0

Buildings

Building ID 1891
 Style CONVENT'NL / 22
 Gross Sq Ft 2,224
 Finished Sq Ft 1,249
 Stories
 Condition Good
 Interior Walls
 Exterior Walls CLAPBOARD
 Year Built 1910
 Garage
 Porch
 Effective Year Built 1910
 Foundation
 Roof Type
 Roof Coverage
 Flooring Type LAMINATE with 50% CARPET
 Heating Type
 Full Bathrooms 2
 Half Bathrooms 0
 3/4 Bathrooms 0
 Grade C
 Grade Description
 Number of Fire Pl 0
 Unit Description

Rooms	Bedrooms
5	3

Code	Description	Sketch Area	Finished Area	Perimeter
FFL	1ST FLOOR	884	884	210
BMT	BASEMENT	520	0	92
HST	HALFSTORY	730	365	150
OFP	OPEN PORCH	90	0	46
TOTAL		2,224	1,249	498

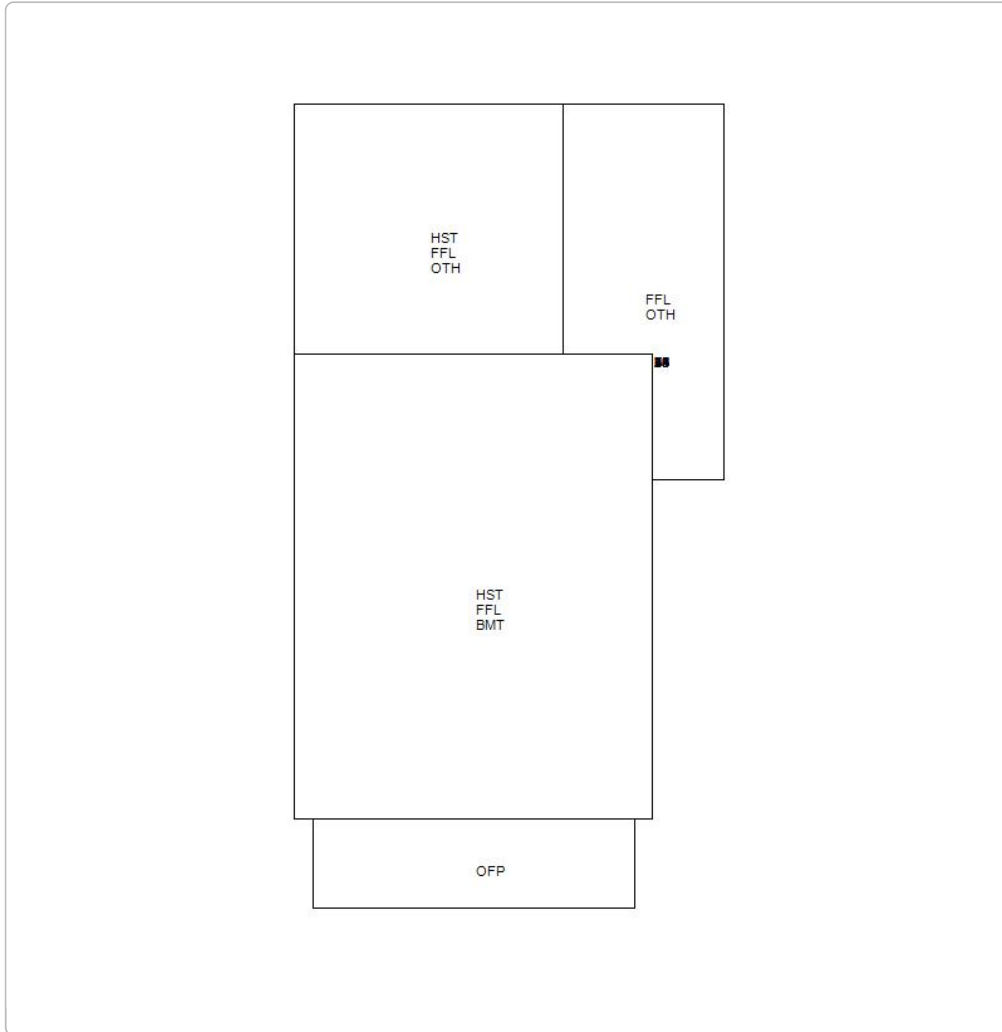
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Vacant or Improved	Grantee
10/15/2017	\$0			0	0	Improved	
12/8/1978	\$0			1361	0918	Improved	

Photos



Sketches





City of Lebanon
Clerk and Tax Collector Office
Lebanon, NH 03766
PH:603-448-3054

MAVILLE, SANDRA
19 MASON ST
LEBANON, NH 03766

Owner Statement

Interest Calculated as of: 11/2/2022

Map Lot: 91-59		Property Location: 19 MASON		Exemptions: 66,000.00	Tax Credits: 0.00
Assessed Values:		Land 70,000.00	Building 53,900.00	Current Use 0.00	Total Taxable Value: 123,900.00
Tax Year 2022					
Invoice	Date	Due Date	Description	Billed	Due
2022-1-226344	06/13/2022	07/13/2022	2022-1-0-2022 Property Tax	\$781.00	\$800.17
				Total Due For Tax Year 2022: \$800.17	
Tax Year 2021					
Invoice	Date	Due Date	Description	Billed	Due
202740	06/08/2021	07/12/2021	2021 JULY PROPERTY TAX BILL	\$1,679.00	\$0.00
211680	11/02/2021	12/06/2021	2021 DECEMBER PROPERTY TAX	\$1,663.00	\$0.00
2021-233783	07/18/2022	07/18/2022	2021 Tax Lien 91-59	\$3,599.41	\$3,747.13
				Total Due For Tax Year 2021: \$3,747.13	
Tax Year 2020					
Invoice	Date	Due Date	Description	Billed	Due
208056	06/10/2021	06/10/2021	Automatic -- 2020 TAX LIEN	\$3,590.77	\$4,293.19
				Total Due For Tax Year 2020: \$4,293.19	
Tax Year 2019					
Invoice	Date	Due Date	Description	Billed	Due
191556	05/21/2020	05/21/2020	Automatic -- 2019 TAX LIEN	\$3,599.78	\$4,637.70
				Total Due For Tax Year 2019: \$4,637.70	
Tax Year 2018					
Invoice	Date	Due Date	Description	Billed	Due
180693	05/02/2019	05/02/2019	Automatic -- 2018 LIEN	\$1,810.14	\$0.00
				Total Due For Tax Year 2018: \$0.00	

STATEMENT SUMMARY	
Total Principal:	\$11,570.96
Total Costs:	\$88.00
Total Interest as of 11/2/2022:	\$1,819.23
Total Currently Due:	\$13,478.19

Summary

Parcel ID 8-2-905
 Account # 102381
 Property ID 5438
 2020 Tax Rate
 Location Address 37 LILY LN J1
 WEST LEBANON
 Acres/Lots 0
 Zoning R1 : Residential 1
 Neighborhood QUAIL COTTAGES
 Property Usage CONDOMINIUM (102)



Owners

MORLEY, DAVID P & NANCY T
 37 LILY LN
 WEST LEBANON NH 03784

Valuation

	2021	2020	2019
Assessed Land Value	\$0	\$0	\$0
+ Assessed Improvement Value	\$296,000	\$296,000	\$239,600
+ Assessed Misc Value	\$0	\$0	\$0
= Total Assessed Value	\$296,000	\$296,000	\$239,600

Buildings

Building ID 5730
 Style CONDO-TNHS / 08
 Gross Sq Ft 2,794
 Finished Sq Ft 1,729
 Stories
 Condition Average
 Interior Walls
 Exterior Walls VINYL
 Year Built 2007
 Garage
 Porch
 Effective Year Built 2007
 Foundation
 Roof Type
 Roof Coverage
 Flooring Type HARDWOOD with 50% CARPET
 Heating Type
 Full Bathrooms 3
 Half Bathrooms 0
 3/4 Bathrooms 0
 Grade B-
 Grade Description
 Number of Fire Pl 1
 Unit Description

Rooms 6
 Bedrooms 3

Code	Description	Sketch Area	Finished Area	Perimeter
FFL	1ST FLOOR	1,364	1,364	322
SFL	2ND FLOOR	260	260	72
CFL	CATH CEIL	300	0	70
GAR	GARAGE	312	0	112
HST	HALFSTORY	210	105	96
OFP	OPEN PORCH	84	0	40
PAT	PATIO	152	0	62
OSP	SCRN PORCH	88	0	38
STG	STORAGE	24	0	22
TOTAL		2,794	1,729	834

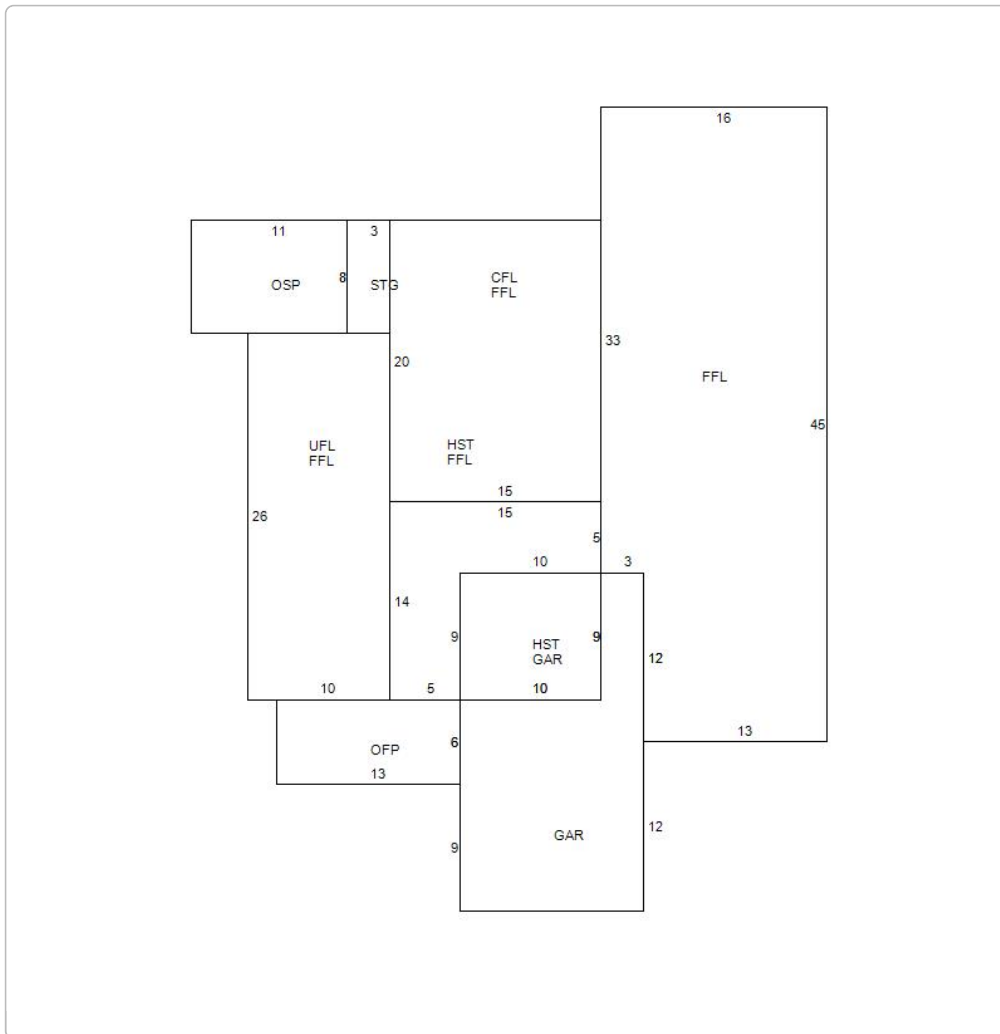
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Vacant or Improved	Grantee
12/12/2017	\$257,533	WARRANTY		4334	0260	Improved	
3/1/2015	\$0			0	0	Improved	
1/21/2015	\$299,467	WARRANTY		4108	0237	Improved	
5/21/2007	\$348,733			3409	0726	Improved	
8/31/2001	\$0			2576	0449	Vacant	

Photos



Sketches



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

The information on this website is provided as a service to the citizens of Lebanon, New Hampshire. It is based on the best information available at the time of posting. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The information is believed to be correct, but is subject to change, is not guaranteed and may not reflect the most recent law, records or procedures.

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**City of Lebanon**

Clerk and Tax Collector Office
Lebanon, NH 03766
PH:603-448-3054

Owner Statement

Interest Calculated as of: 11/2/2022

MORLEY, DAVID P & NANCY T
37 LILY LN
WEST LEBANON, NH 03784

Map Lot: 8-2-905 **Property Location:** 37 LILY J1 **Exemptions:** 0.00 **Tax Credits:** 0.00
Assessed Values: Land 0.00 Building 296,000.00 Current Use 0.00 **Total Taxable Value:** 296,000.00

Tax Year 2022

Invoice	Date	Due Date	Description	Billed	Due
2022-1-225313	06/13/2022	07/13/2022	2022-1-0-2022 Property Tax	\$3,993.00	\$4,091.02

Total Due For Tax Year 2022: \$4,091.02

Tax Year 2021

Invoice	Date	Due Date	Description	Billed	Due
202799	06/08/2021	07/12/2021	2021 JULY PROPERTY TAX BILL	\$4,010.00	\$0.00
212753	11/02/2021	12/06/2021	2021 DECEMBER PROPERTY TAX	\$3,976.00	\$0.00
2021-233799	07/18/2022	07/18/2022	2021 Tax Lien 8-2-905	\$8,547.54	\$8,898.34

Total Due For Tax Year 2021: \$8,898.34

Tax Year 2020

Invoice	Date	Due Date	Description	Billed	Due
208057	06/10/2021	06/10/2021	Automatic -- 2020 TAX LIEN	\$8,508.25	\$10,172.58

Total Due For Tax Year 2020: \$10,172.58

Tax Year 2019

Invoice	Date	Due Date	Description	Billed	Due
191557	05/21/2020	05/21/2020	Automatic -- 2019 TAX LIEN	\$7,706.46	\$9,081.01

Total Due For Tax Year 2019: \$9,081.01

STATEMENT SUMMARY

Total Principal:	\$28,755.25
Total Costs:	\$71.00
Total Interest as of 11/2/2022:	\$3,416.70
Total Currently Due:	\$32,242.95

Summary

Parcel ID 90-42-6300
 Account # 2479
 Property ID 1661
 2020 Tax Rate
 Location Address 63 BOMHOWER ST EXT
 LEBANON
 Acres/Lots 0
 Zoning R1 : Residential 1
 Neighborhood JENSEN MHP
 Property Usage MOBIL HOME (103)



Owners

JALBERT, PATRICIA M
 63 BOMHOWER ST EXT
 LEBANON NH 03766

Valuation

	2021	2020	2019
Assessed Land Value	\$0	\$0	\$0
+ Assessed Improvement Value	\$43,500	\$43,500	\$33,200
+ Assessed Misc Value	\$600	\$600	\$600
= Total Assessed Value	\$44,100	\$44,100	\$33,800

Land

Land Use	Number of Units	Unit Type	Land Type	Frontage	Depth	AgUse Value
MOBIL HM (103)	0.01	SQUARE FEET	SITE	0	0	\$0

Buildings

Building ID 1793
 Style MOBILE HM / 11
 Gross Sq Ft 1,124
 Finished Sq Ft 924
 Stories
 Condition Good
 Interior Walls
 Exterior Walls ALUMINUM
 Year Built 1977
 Garage
 Porch
 Effective Year Built 1977
 Foundation
 Roof Type
 Roof Coverage
 Flooring Type CARPET
 Heating Type
 Full Bathrooms 0
 Half Bathrooms 0
 3/4 Bathrooms 1
 Grade C
 Grade Description
 Number of Fire Pl 0
 Unit Description

Rooms	Bedrooms
5	3

Code	Description	Sketch Area	Finished Area	Perimeter
FFL	1ST FLOOR	924	924	160
EFP	ENCL PORCH	200	0	60
TOTAL		1,124	924	220

Yard Items

Description	Year Built	Out Building Type	Size	Quantity	Units	Grade
SHED/FR	1996	SHED/FR (02)	0 x 0	1	80 SF	

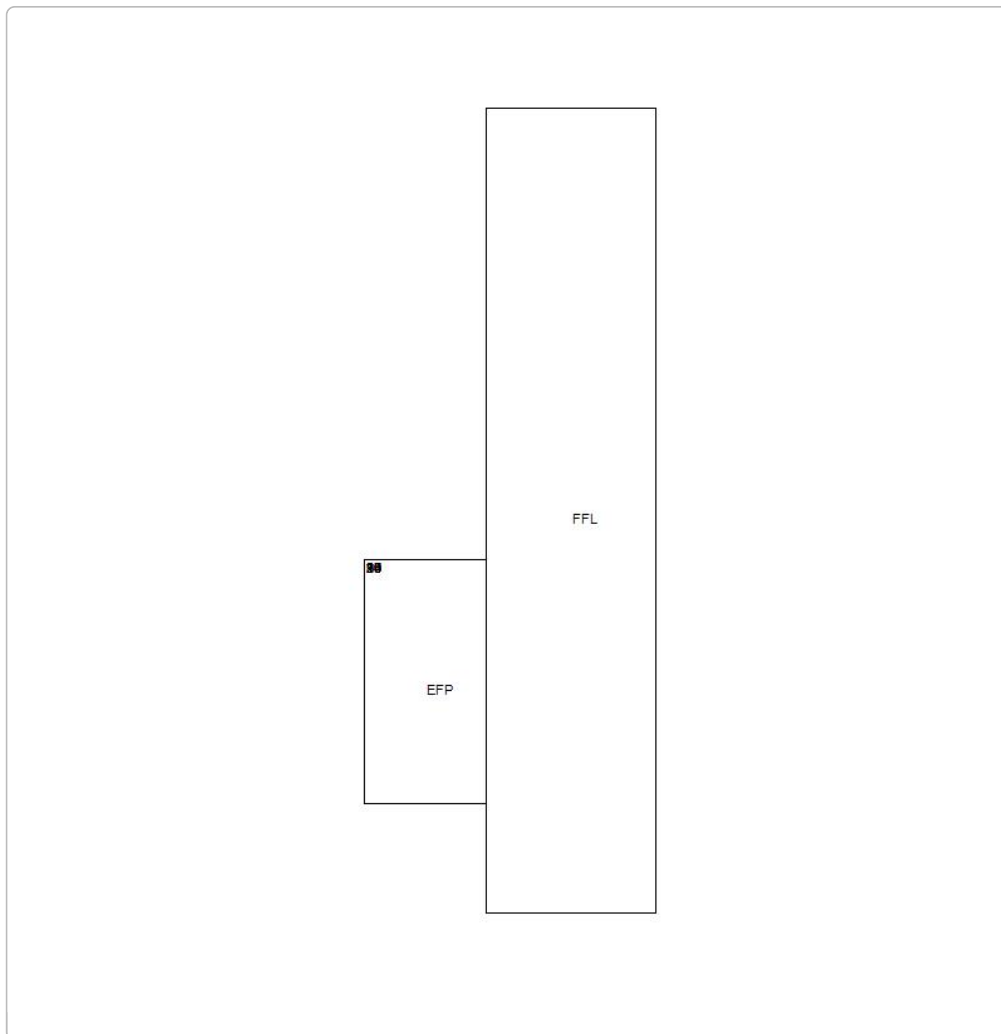
Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Vacant or Improved	Grantee
4/30/2013	\$32,533	MANUF HSING		3975	0055	Improved	JALBERT, PATRICIA M
4/30/2013	\$0	PROBATE		3975	0054	Improved	FRYE, MELISSA
6/10/2011	\$37,533	MANUF HSING		3799	0033	Improved	KATHY A FRYE
11/17/2008	\$45,000			3565	0508	Improved	
5/13/1993	\$29,900			2028	0572	Improved	
3/25/1991	\$0			1902	0888	Improved	

Photos



Sketches



No data available for the following modules: Commercial Buildings.

**City of Lebanon**

Clerk and Tax Collector Office
Lebanon, NH 03766
PH:603-448-3054

JALBERT, PATRICIA M
63 BOMHOWER ST EXT
LEBANON, NH 03766

Owner Statement

Interest Calculated as of: 11/2/2022

Map Lot: 90-42-6300	Property Location: 63 BOMHOWER ST	Exemptions: 0.00	Tax Credits: 0.00
Assessed Values: Land 0.00	Building 44,100.00	Current Use 0.00	Total Taxable Value: 44,100.00

Tax Year 2022

Invoice	Date	Due Date	Description	Billed	Due
2022-1-226049	06/13/2022	07/13/2022	2022-1-0-2022 Property Tax	\$595.00	\$609.60

Total Due For Tax Year 2022: \$609.60

Tax Year 2021

Invoice	Date	Due Date	Description	Billed	Due
202738	06/08/2021	07/12/2021	2021 JULY PROPERTY TAX BILL	\$598.00	\$0.00
211772	11/02/2021	12/06/2021	2021 DECEMBER PROPERTY TAX	\$592.00	\$0.00
2021-233792	07/18/2022	07/18/2022	2021 Tax Lien 90-42-6300	\$1,306.47	\$1,360.09

Total Due For Tax Year 2021: \$1,360.09

Tax Year 2020

Invoice	Date	Due Date	Description	Billed	Due
208045	06/10/2021	06/10/2021	Automatic -- 2020 TAX LIEN	\$746.62	\$892.68

Total Due For Tax Year 2020: \$892.68

Tax Year 2019

Invoice	Date	Due Date	Description	Billed	Due
191548	05/21/2020	05/21/2020	Automatic -- 2019 TAX LIEN	\$1,120.22	\$402.34

Total Due For Tax Year 2019: \$402.34

STATEMENT SUMMARY

Total Principal:	\$3,048.43
Total Costs:	\$0.00
Total Interest as of 11/2/2022:	\$216.28
Total Currently Due:	\$3,264.71

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

11. NEW BUSINESS:

**11.B – PRESENTATION AND DISCUSSION REGARDING THE
2022 PROPERTY REVALUATION**

BACKGROUND

The rate of inflation of property values, especially residential property values, has resulted in an equalization rate outside the parameters established by the NH Department of Revenue Administration. The equalization rate is the ratio between the market value of a property compared to the assessed value the City uses to levy property taxes. To ensure fair taxation of property, the equalization rate should be in the range of 90% to 110% with the goal of being as close as possible to 100%. In late 2021, the equalization rate for residential properties was estimated to be approximately 66%.

As a result, the City contracted with Vision Government Solutions to conduct a 2022 Revaluation of Property. The revaluation process is detailed in the PowerPoint presentation in this packet. The City also has a contract with Municipal Resources Inc. to conduct cyclical evaluations of property. This involves the inspection by field personnel of 20% of the City's properties on an annual basis. In the past, the City has planned to conduct revaluations of property every five years. However, that assumes the market rates for property have remained within the equalization parameters discussed above. The recent volatility of the market has required more frequent revaluations of property. Depending upon the changes in the market for properties, we anticipate the need for another revaluation of properties as early as 2024.

The changes in the market, especially for residential properties, has changed the proportional amount of the tax levy between residential, commercial, and utility properties as articulated in the enclosed presentation. The shift in the proportion of total property valuation toward the residential sector and away from the commercial and utility sectors means that the residential sector will assume a larger percentage of the total tax levy. This shift will result in significant increases to the amount of taxes owed by some residential property owners compared to commercial property owners. The actual impact to individual property owners will not be known until the tax rate is set by the NH Department of Revenue Administration which should be within the next week.

ACTION

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

Included in this Section:

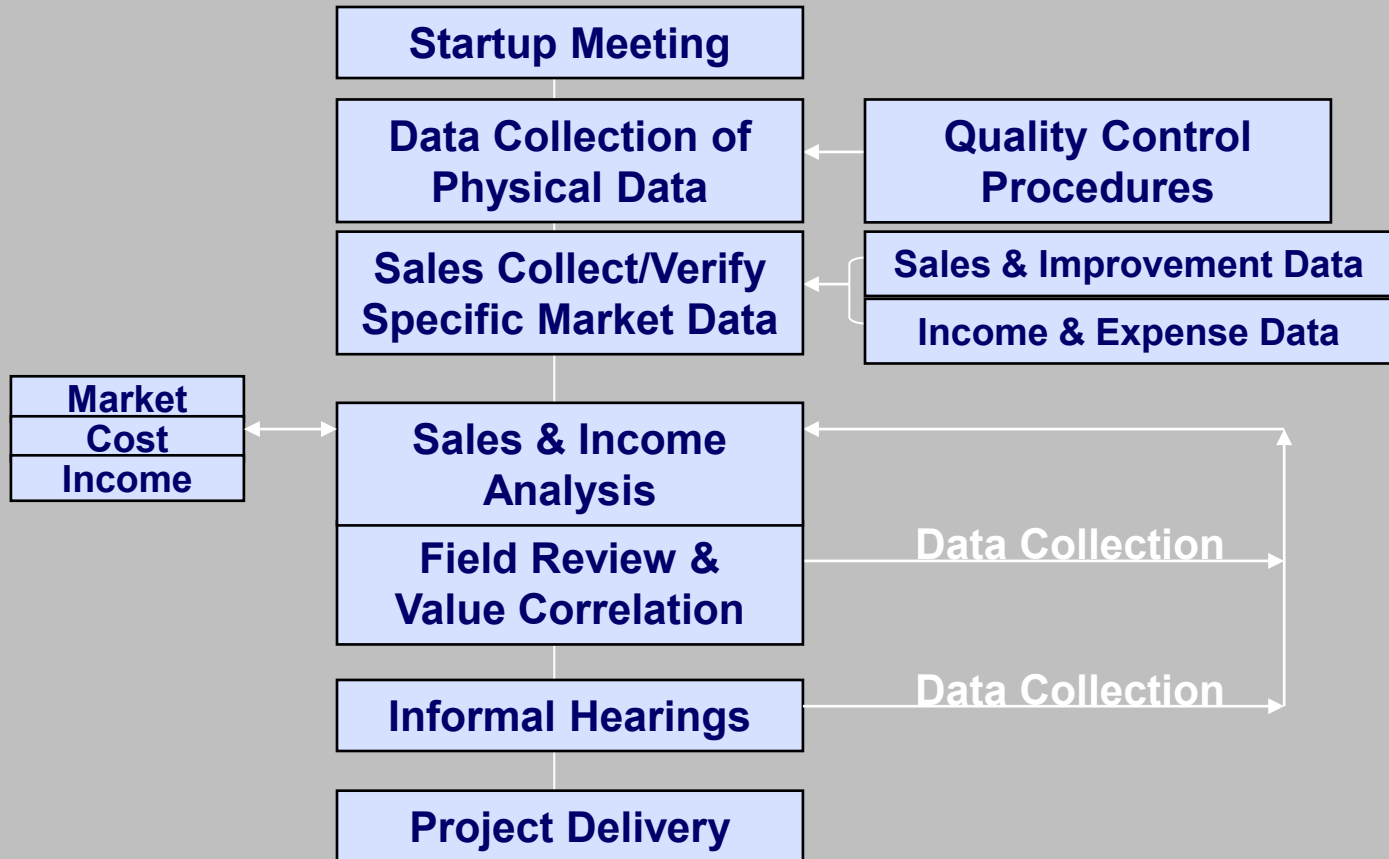
1. Lebanon, New Hampshire 2022, Revaluation Process Presentation, prepared by Vision Government Solutions
2. 2022 Revaluation of Property Presentation

Lebanon, New Hampshire 2022

***REVALUATION
PROCESS***

Steve Whalen

Revaluation Flowchart



Benefits of a Revaluation

- Corrects disproportionate taxation
- Adjusts values for market shifts
- Captures properties as they exist today
- Provides public process and transparency

Field Review

- Staff
 - VGSI managers with a supervisor's level from the DRA
- Process
 - Followed CDC Guidelines and took precautions during time of pandemic
 - Complete exterior field review of all residential and commercial properties.

Income & Expense Information

- Mailed questionnaires out to all commercial property owners requesting property related income and expense information
- Requested two years of information
- Research publically available sources and commercial listing services
- Research vacancy rates & capitalization rates
- Enter I&E's received into the database

Market Analysis

- In-Depth Study of Town Sales: April 2021 to April 2022
- Income/Expense Information from past two years
- Current construction costs
- Determine Land Prices
- Determine Building Value and Depreciation
- Delineate Neighborhoods (location adjustments)
- Set Market Rents and Capitalization Rates
- Develop Computer Models Based On Market
- Statistically Test for Accuracy

Valuation

- Three Approaches to Value
 - Sales Approach
 - Income Approach
 - Cost Approach
- Set Market Values as of 4/1/2022
- Review of All Values and data in the Field checking for Accuracy, Consistency and Equity

Preliminary Old to New Values Percent of Change for FY2022

- Single Family Average = + 27%
- Ranch = + 29%
- Cape Cod = + 24%
- Colonial = + 36%
- Manufactured Housing = + 18%
- Apartments = + 55% (incl new growth)
- Commercial = + 8%
- Industrial = +10% (no utilities)

How will this effect Property Taxes?

- City does not take in more or less taxes as a result of a revaluation
- Do not calculate new values with existing tax rate
 - New Tax Rate will be set by the municipality this fall.
- Tax Rate =
$$\frac{\text{Budgets} - \text{Income from other sources}}{\text{Total Assessed Value of Town}}$$

Informal Hearing Process

- Notification to Taxpayers of New Proposed Assessment
- Information will be available on the VGSI Website
- Informal Hearings Begin
- Discuss property data and value with the Taxpayer
- Valuation Review, inspection if necessary
- Change Notice sent out as a result of Hearings

Project Finalization and Delivery

- Final Values are Set
- Valuation Reports finalized
- All final work products delivered to town
- Appraisal Report and Manual is completed and given to the municipality and DRA

2022 Revaluation of Property

CITY OF LEBANON, NH





New Property Inventory

- The new additions to the property valuation of the City due to construction of new buildings is approximately **\$40 million**.
- This results in a **1.75%** increase in new property valuation
- We were projecting a **.50%** increase to determine the tax rate
- Change from **\$2,280,148,240** to **\$2,740,434,670 = 20.18%** increase

Equalization Rate



Comparison of market rate to
property valuation for tax purposes.



The range acceptable to NH DRA is
90% to 110%

Market to Tax Value Ratio Overall

Current- ratio
is 90.2% after
revaluation

Prior-ratio
was 66.5%

Market to Tax Value Ratio **Residential**

Current- ratio
is 90.8% after
revaluation

Prior-ratio
was 68.2%

Market to
Tax Value
Ratio
Commercial

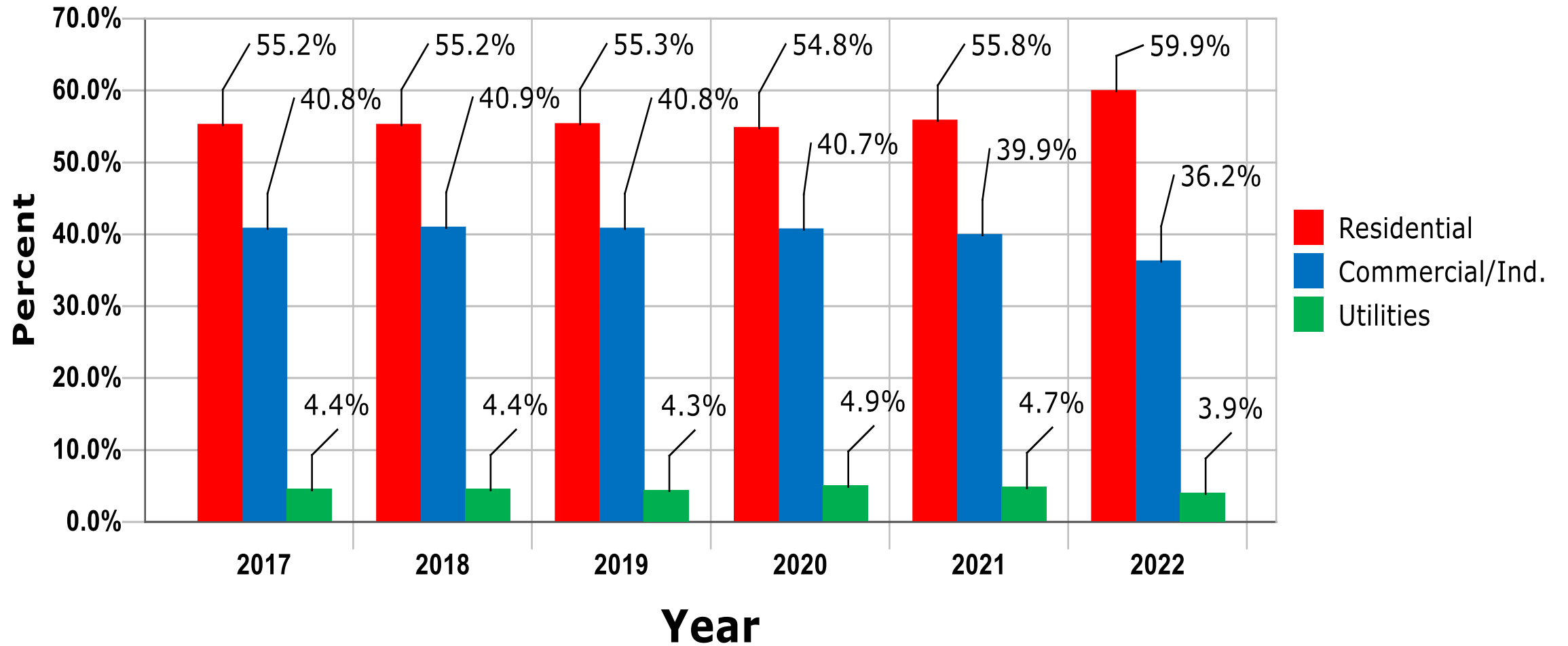
Current- ratio is
97.1% after
revaluation

Prior-ratio was
72.5%

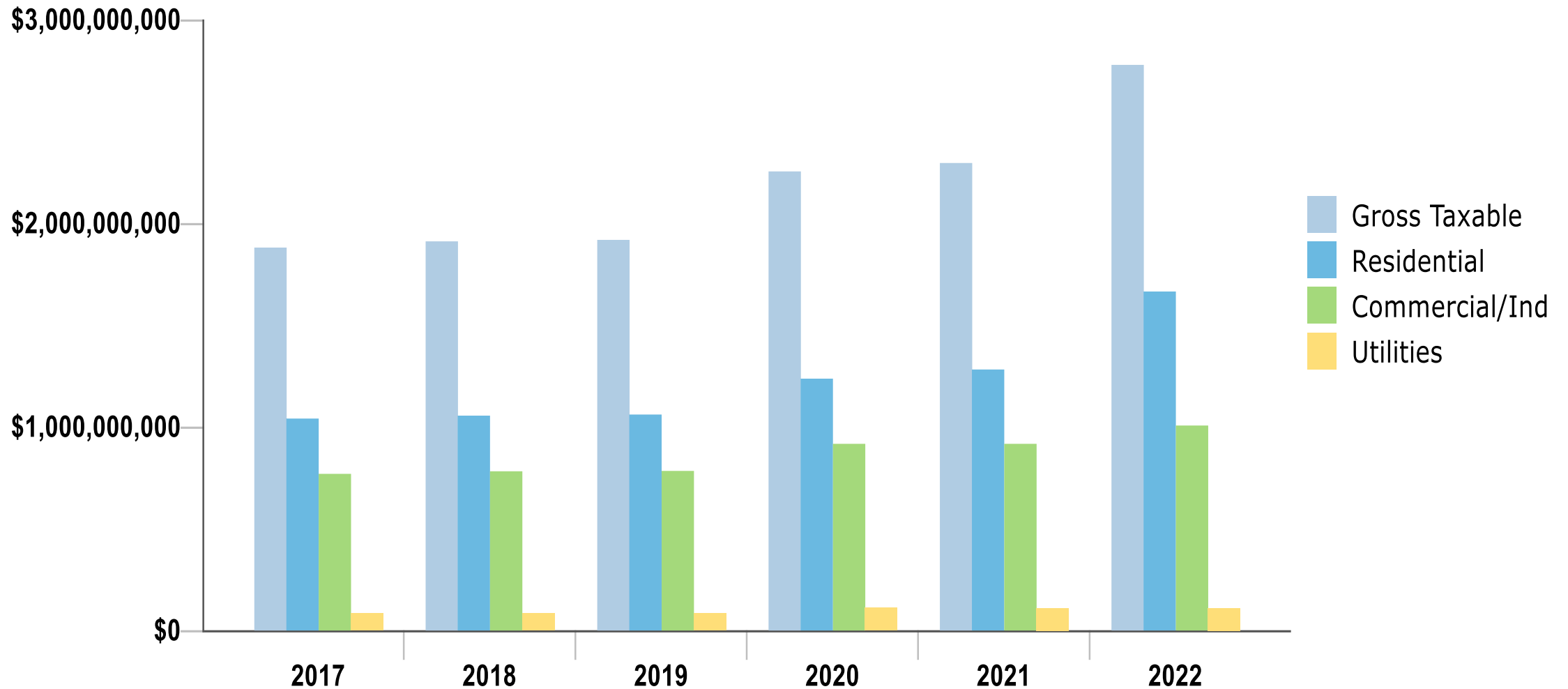
Residential Property Changes by Style

- OVERALL Residential 27%
- Old Style 48%
- Colonial 36%
- Conventional 35%
- Split Level 31%
- Ranch 29%
- Cape 24%
- Raised Ranch 19%
- Bungalow 19%
- Mobile Home 18%
- Camp Seasonal 16%

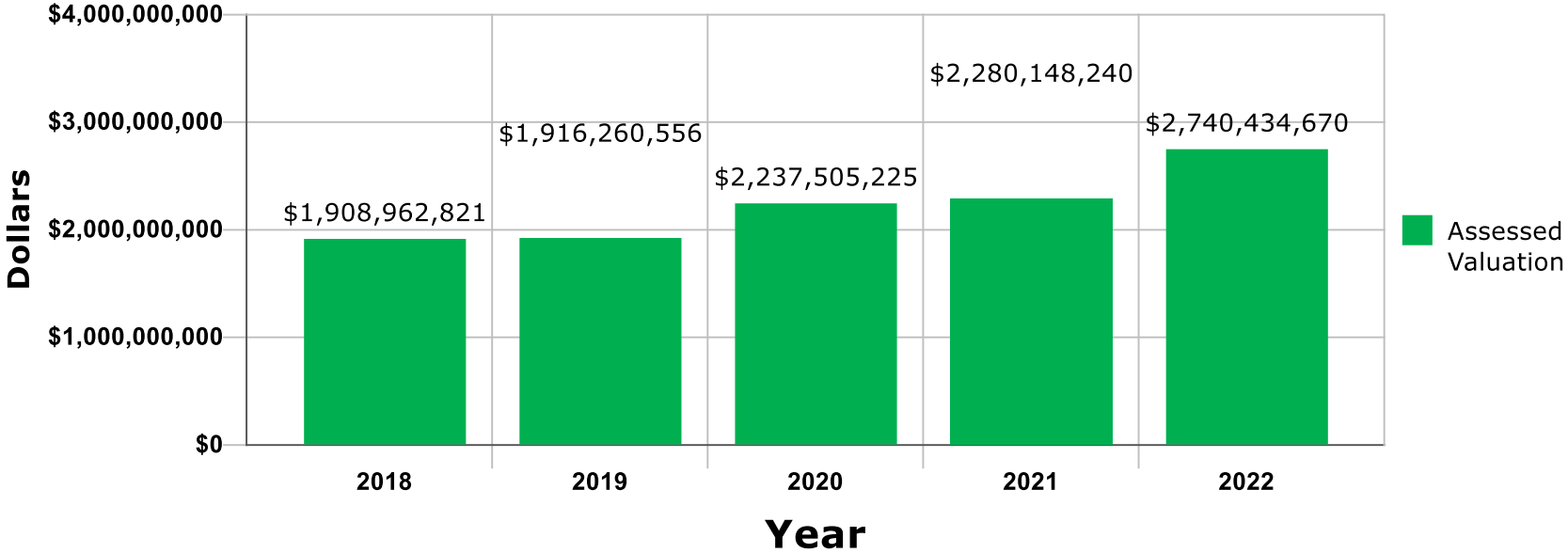
Tax Share by Sector



Assessed Valuation of Property



Assessed Valuation of Taxable Property



Projected Impacts Examples

Properties	2021 Value	2021 City Tax Rate \$10.06	2022 Value	2022 City Tax Rate \$8.62	Difference	% Increase in Value
House #1	\$238,800	\$2,402	\$325,000	\$2,802	\$399	36%
House #2	\$442,900	\$4,456	\$593,800	\$5,119	\$663	34%
Commercial #1	\$1,057,600	\$10,639	\$1,259,500	\$10,857	\$217	19%
Commercial #2	\$322,700	\$3,246	\$357,500	\$3,082	(\$165)	11%

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

11. NEW BUSINESS:

**11.C – PRESENTATION AND DISCUSSION OF PROPOSED
AMENDMENT TO CHAPTER A191, CITY COUNCIL RULES**

BACKGROUND

Attached is a proposed amendment to the City Council Rules, Chapter §A191-15, to amend the process for reappointment of members to City boards, committees, and commissions. Currently, the Council's process for both new appointments and reappointments requires that one member of the City Council shall interview the applicant within 30 days of receiving the application from the City Clerk and report to the full Council prior to any nomination for appointment or reappointment.

A proposal has been made to remove the requirement for a member of the City Council to interview applicants for reappointment to the same board, committee, or commission on which they currently serve. Council interviews would still be required for initial appointments of applicants to boards, committees, or commissions.

In accordance with §A191-13 of the Rules, amendments must be presented in writing at the preceding regular meeting, prior to adoption. As such, this amendment will be presented for adoption at the November 16th meeting. Adoption requires a 2/3 vote of all members of the Council.

ACTION

No action is required at this time. Action on the amendment will be scheduled for November 16, 2022.

Included in this Section:

1. Chapter §A191-15 Council Rules (as amended and presented on 11/02/2022)

Chapter A191 Council Rules

§ A191-15 Council appointments to City boards, committees, commissions.

[Amended 11-7-1979; 8-2-1995; 9-18-1996; 5-21-2003; 4-2-2008; 5-16-2012; 12-2-2015; 6-5-2019]

- A.** When vacancies occur on City boards, committees, commissions, either by resignation, removal or lapse of term, applications received by the City Clerk will be forwarded to the City Council in a timely manner in order for vacancies to be filled as quickly as possible.
- B.** All appointments shall be acted upon by the City Council as authorized by the City Code, the City Charter and New Hampshire law.
- C.** The following procedure will be followed for board, commission and committee appointments and reappointments:
 - (1)** For initial appointment, the applicant shall fill out the standard application form.
 - (2)** For reappointment, the applicant can update the current form on file or complete a new updated application form.
 - (3)** One member of the City Council shall interview ~~the~~ applicants for initial appointment within 30 days of receiving the application from the City Clerk and report to the full Council prior to any nomination for appointment ~~or reappointment~~. Applicants for reappointment to the same board, committee, or commission may be nominated for reappointment without completion of an interview with a City Councilor.
 - (4)** While one City Councilor is officially assigned to interview each applicant, any City Councilor may interview any applicant for any position to better inform their decision.

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

11. NEW BUSINESS:

11.D – PROPOSED CHARTER AMENDMENTS

BACKGROUND

As part of its overall mission, the Diversity, Equity, and Inclusion Commission (DEI) has recommended that the City update its Charter with the intention of making the language of the Charter gender neutral. DEI members have reviewed the Lebanon Charter and provided a detailed and precise list of suggested changes in language to various sections as reflected in the attached redline document. DEI has taken care not to suggest changes that would alter the meaning of the Charter in any other way.

In order to change the Lebanon Charter, the City Council must first schedule a public hearing to determine that the proposed amendments are necessary. Following a public hearing, a resolution must be adopted by the Council to place the question of the proposed charter amendment on the March 14, 2023 ballot. It is requested that the City Council schedule the public hearing for November 16, 2022, at which time the Council will be asked to consider adoption of this proposed resolution:

RESOLUTION

BE IT RESOLVED that the Lebanon City Council hereby requests that the following proposed City Charter amendments be placed upon the ballot of the March 14, 2023 Municipal Election:

Proposed City Charter Changes: Amend the City Charter as follows:

Amend Section II, Elections, §C419:8-10 by deleting gender-based pronouns and terms and replacing them with gender-neutral pronouns and terms.

Amend Section III, Administration, §C419:16-18, §C419:26-33, §C419:38-40, §C419:44-45, and §C419:48 by deleting gender-based pronouns and terms and replacing them with gender-neutral pronouns and terms.

Amend Section IV, Merit Plan, §C419:54 by deleting gender-based pronouns and terms and replacing them with gender-neutral pronouns and terms.

Amend Section VI, Miscellaneous Provisions, §C419:59-60, §C419:62, §C419:70 by deleting gender-based pronouns and terms and replacing them with gender-neutral pronouns and terms.

Explanation: The purpose of these amendments is to replace the existing use of gender pronouns and terms to gender neutral pronouns and terms.

This change will be effective July 1, 2023, if passed by voters at the March 14, 2023 Municipal Election.

Please note: After the public hearing is conducted, passage of the resolution requires 2/3 majority of the City Council.

ACTION

If the City Council wishes to move forward with the proposed amendments, the following motion is offered for the Council's consideration.

MOVED, that the Lebanon City Council hereby schedules a public hearing beginning at 7:00 pm on November 16, 2022 for the purpose of receiving public input and taking action on a resolution to place proposed amendments to Section II, Elections, §C419:8-10; Section III, Administration, §C419:16-18, §C419:26-33, §C419:38-40, §C419:44-45, and §C419:48; Section IV, Merit Plan, §C419:54; and Section VI, Miscellaneous Provisions, §C419:59-60, §C419:62, §C419:70, of the City Charter on the ballot of the March 14, 2023 Municipal Election.

Included in this Section:

1. Memorandum of Recommendations from the Diversity, Equity, and Inclusion Commission
2. Draft Proposed Charter Amendment Language

Lebanon Charter Gender Neutral Language Recommendations

The following is a detailed and precise list of suggested changes to be made to the Charter of the City of Lebanon, with the intention of making the language of the Charter gender neutral. Care has been taken not to suggest any changes that would alter the meaning of the Charter in any other way.

§ C419:8. Ward Officials.

Replace all instances of “selectmen” with “selectpersons” as indicated below.

Said supervisors shall perform all the duties required by law of ~~selectmen~~selectpersons of wards in cities and of supervisors of checklists in towns, and for all purposes requiring such officers shall be considered and be the ~~selectmen~~selectpersons of their wards. No other ~~selectmen~~selectpersons shall be chosen.

§ C419:9. Ward Checklists.

Replace all instances of “selectmen” with “selectpersons” as indicated below.

The ~~selectmen~~selectpersons of the town of Lebanon shall within fourteen days from the date of adoption of this act appoint a moderator, clerk and three supervisors of the checklist and four inspectors of election for each ward, which officers shall be residents of their respective wards. Said supervisors shall act as and be ~~selectmen~~selectpersons of their respective wards for the purpose of calling the first ward meeting, and shall call said meeting according to law.

§ C419:10. Preparation of Ballots.

Replace “himself” with “personally” as indicated below.

No name shall be printed on the ballot by reason of such petition unless consent thereto is endorsed on the petition by the candidate ~~himself~~personally at the time that the petition is filed.

§ C419:16. The Council.

Replace “he/she” with “said member” and “he was” with “they were”, as indicated below.

The office of any ward council member shall be deemed vacant if ~~he/she~~said member takes up residence in any ward other than the one from which ~~he was~~they were elected.

§ C419:17. Mayor.

Delete “he or she” and “from” as indicated below, and replace instances of “his or her” with “the manager’s, also as indicated below.

Each year the council shall elect one of its members mayor at its first meeting after the terms of office of the newly elected members begin. A majority vote of all members of the council is necessary for election of the mayor. The mayor shall preside at council meetings and ~~he or she~~ may speak and vote at those meetings. [...] Nothing in this section shall be construed to take away ~~from~~ the manager’s ~~his or her~~ power to appoint all administrative officers listed in Section 32 of this chapter, or ~~his or her the manager’s~~ power to appoint a member of the personnel advisory board under Section 53 of this chapter, or ~~his or her the manager’s~~ power to appoint an administrative official of the city to the Planning Board, or ~~his or her the manager’s~~ general power to appoint any administrative officers authorized under any ordinance. Each year the council shall elect from its members an assistant mayor who shall act as mayor during the absence or disability of the mayor, and if a vacancy occurs, shall become mayor for the completion of the unexpired term.

§ C419:18. Qualifications.

Replace “he or she” with “said person” as indicated below.

Any person may be a candidate for election as councilor provided ~~he or she~~ said person is a duly qualified voter in the city and has been a resident of the city for at least two years immediately preceding the election. No person in default to the city shall be eligible for election to the council.

§ C419:26. Manager.

Replace “He” with “The city manager” as indicated below.

The city council shall appoint an officer of the City of Lebanon who shall have the title of city manager and who shall have the powers and duties hereinafter provided. ~~He~~ The City Manager shall be appointed for an indefinite term by the votes of two-thirds of the members of the council.

§ C419:27. Qualifications.

Replace “his” with “the candidate for manager’s”, “he” with “the candidate for manager”, “his” with “their”, and “his” with “the city manager’s” as indicated below.

The manager shall be chosen solely on the basis of ~~his~~the candidate for manager's executive and administrative qualifications but ~~he~~the candidate for manager need not be a resident of the city or state at the time of ~~his~~their appointment. During ~~his~~the city manager's tenure of office ~~he~~the city manager shall reside within the city. No person who has within three years held elective or appointive office in the City of Lebanon shall be chosen manager.

§ C419:28. Removal.

Replace two instances of "him" with "the manager", three instances of "his" with "the manager's", "of his own volition" with "voluntarily", and "he" with "the city manager" as indicated below.

The manager may be removed by a two-thirds vote of the members of the council as herein provided. At least 90 days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove ~~him~~the manager and the reasons therefor, a copy of which shall be served forthwith on the manager who may, within ten days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon or after passage of such resolution, the council may suspend ~~him~~the manager from duty, but ~~his~~the manager's pay shall continue until ~~his~~the manager's removal. In case of such a suspension, the council may appoint an acting manager to serve at the pleasure of the council for not more than 90 days. If the manager chooses to leave the city's employ~~of his own volition voluntarily~~, ~~he~~the city manager shall notify the council at least 90 days before ~~his~~the manager's planned departure. The action of the council in removing the manager shall be final.

§ C419:29. Non-interference By The Council.

Replace "his" with "the" as indicated below.

Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or ~~his~~the removal therefrom by the manager or any of the administrative officers except that the council shall have the power to appoint and remove the board of adjustment. In addition to appointing a council representative to the planning board, the council shall, by majority vote, appoint members of the planning board upon nomination by the city manager. However, members of the council may state objections to the appointment of any person proposed by the manager as provided in Section 31 of this Charter. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilor shall be a misdemeanor, a conviction of which shall constitute immediate forfeiture of office.

§ C419:30. Powers And Duties Of Manager.

Replace four instances of “he” with “the city manager”, one instance of “him” with “the manager”, and a second instance of him with “the city manager” as indicated below.

The city manager shall be the chief executive and administrative officer of the city government, and shall carry out the policies laid down by the city council. ~~He~~The city manager shall be responsible to the city council for the proper administration of all affairs of the city, except the school department, but including the preservation of the public health, the public safety of all citizens and their property and management of all municipally owned utilities and be in responsible charge of the maintenance, care, construction or otherwise of all streets, highways, bridges, sewers, parks, playgrounds, buildings and all other municipally owned structures. ~~He~~The city manager shall keep the council informed of the condition and needs of the city and shall make such reports as may be required by law, this charter or ordinance, or may be requested by the council, and such other reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter, or required of ~~him~~the manager by ordinance or resolution of the council not inconsistent with this charter. ~~He~~The city manager shall have and perform such other powers and duties not inconsistent with the provisions of this charter as are or hereafter may be conferred or imposed upon ~~him~~the city manager by municipal ordinance or upon mayors of cities by general law. ~~He~~The city manager shall have the right to take part in the discussion of all matters coming before the council but not the right to vote.

§ C419:31. Power To Appoint And Remove.

Replace “him” with “the manager” and “he” with “the manager” as indicated below.

The manager shall have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a certain department or office responsible to ~~him~~the manager to appoint and remove subordinates in such department or office. It shall be the duty of the manager to furnish the council in writing with the identity of any person whom ~~he~~the manager proposes to appoint as the head of any department or office at least ten days prior to the date on which the appointment is to be made. If the council has any objection to the person proposed by the manager for appointment, it shall certify its objections to the manager in writing within said ten day period. All appointments shall be without definite term unless for provisional, temporary or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

§ C419:32. Certain Officers.

Replace “he” with “the manager” as indicated below.

The manager shall appoint a city clerk, fiscal account clerk for the department of finance assessor or assessors, treasurer, tax collector, fire chief, police chief, health officer, civil defense director, and such other officers as ~~he~~the manager deems necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards and commissions, except as herein specifically accepted. [...]

§ C419:33. Administrative Departments.

Replace “his” with “their own” as indicated below.

[...] Each officer shall have supervision and control of ~~his~~their own department and the employees therein and shall have power to prescribe rules and regulations, not inconsistent with general law, this charter, the administrative code and the rules and regulations of the merit plan.

§ C419:38. False Certification, Penalty.

Replace “he” with “the person(s) responsible” as indicated below.

If the Department of Finance or any member thereof provided for under Section 37 above, shall knowingly make a false certification in any case provided for in Section 37 or approve any bill when the appropriation, as provided for in Sections 42 and 43 of this chapter, for which the same should be paid is exhausted, such false certification shall constitute a misdemeanor, and ~~he~~the person(s) responsible shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months or both.

§ C419:39. Unauthorized Payment, Penalty.

Replace “he” with “the person(s) responsible” as indicated below.

If the disbursing officer of the city shall pay out any money from the city treasury except on order of the city manager after approval by the department of finance, such unauthorized payment shall constitute a misdemeanor and ~~he~~the person(s) responsible shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both, and shall be personally bound to refund to the city any sum so paid.

§ C419:40. Budget Procedure.

Replace “his” with “their” as indicated below.

At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of expenditures for the next fiscal year for the departments or activities under ~~his~~their control. The manager shall submit the proposed budget to the council no later than October 31, annually.

§ C419:44. Budget Control.

Replace “he” with “the manager” as indicated below.

[...] The manager may provide for monthly or quarterly allotments of appropriations to departments, funds or agencies under such rules as ~~he~~the manager shall prescribe.

§ C419:45. Transfer Of Appropriations.

Replace two instances of “his” with “their” as indicated below.

[...] The head of any department with the written approval of the manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within ~~his~~their department to another fund or agency within ~~his~~their department. [...]

§ C419:48. Official Bonds.

Replace “his” with “their” as indicated below.

Any city officer elected or appointed by authority of this charter may be required by the council to give a bond to be approved by the city solicitor for the faithful performance of the duties of ~~his~~their office but the manager and all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds and the premiums thereon shall be paid by the city. Such bonds shall be filed with the city clerk.

§ C419:54. Certification Of Compensation.

Replace “he” with “the manager” and “he and his” with “the officer and the officer’s” as indicated below.

No compensation shall be paid without Certification by the manager, or such officer as ~~he~~the manager may direct, that the recipients are employed by the city and that their rates of compensation comply with the pay schedule provided for in Section 52. If such officer approves payments not in conformity therewith, ~~he~~the officer and ~~his~~the officer’s surety shall be liable for the amount of such payments.

§ C419:59. Oath Of Office.

Replace “his” with “said” as indicated below.

Every person elected or appointed to any city office or city board, before entering upon the duties of ~~his-said~~ office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the city clerk.

§ C419:60. Notice Of Election Or Appointment.

Replace “him” with “said officer” and “his” with “the officer’s” as indicated below.

Written notice of election or by appointment of any city officer shall be mailed to ~~him-said officer~~ at ~~his-the officer’s~~ address by the city clerk within forty-eight hours after the appointment is made or the vote canvassed. If within ten days from the date of the notice, such officer has not filed with the city clerk a written notice of acceptance of such election or appointment and shall not take, subscribe to, and file with the city clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify.

§ C419:62. Disqualification of Councilor, Board Member or Employee.

Replace “himself/herself” with “themselves” as indicated below.

A person who has, or within twelve months preceding had, a direct personal and pecuniary interest in a matter pending before the Council, any Board or department of the City shall be disqualified from participation, voting or acting on such matter, as a councilor, board member, or employee. Such person must at all times physically remove ~~himself/herself-themselves~~ from any and all consideration of that matter. Any person who is disqualified as provided herein and demands to participate, vote or act on such matter may be removed only by order of the Superior Court on petition by any person.

§ C419:70. Saving Clause Municipal Legislation.

Replace “selectmen” with “selectpersons” as indicated below.

All ordinances and by-laws of the town of Lebanon or its ~~selectmen-selectpersons~~ shall continue in force until altered or repealed, except where a contrary intent herein appears.

Chapter C

CHARTER

CITY OF LEBANON, NEW HAMPSHIRE

CHAPTER 419

AN ACT TO ESTABLISH THE CITY OF LEBANON

Be it enacted by the Senate and House of Representatives in General Court convened:

I
THE CITY ESTABLISHED

§ C419:1. Establishment.

The inhabitants of the town of Lebanon, in the county of Grafton, shall continue to be a body corporate and politic, under the name of the "City of Lebanon."

§ C419:2. Transfer of Property, Special Districts Abolished.

All existing property and assets now of said town of Lebanon and all precincts and districts within said town including Lebanon Center Fire precinct, Lebanon Water Works, and West Lebanon Village Fire District shall be vested in said city under the provisions of this chapter. Lebanon Center Fire Precinct, Lebanon Water Works and West Lebanon Village Fire District are hereby abolished. All bonded indebtedness of the Lebanon Center Fire Precinct existing at the time of the adoption of this charter shall be reassessed upon residents living within the bounds of said former precinct until at which time all indebtedness shall be removed. Method and duration of assessment shall be determined by the city council. All bonded indebtedness of the Lebanon Water Works existing at the time of adoption of this charter shall be reassessed upon residents living within the bounds of said former Lebanon Water Works until at which time all indebtedness shall be removed. Method and duration of assessment shall be determined by the city council. All bonded indebtedness of the West Lebanon Fire and Water District at the time of the adoption of this charter shall be reassessed upon the residents living within the bounds of said former district until at which time all indebtedness shall be removed. Method and duration of assessment shall be determined by the city council.

§ C419:3. School District. [Amended 12-3-1968]

The school district of the town of Lebanon as presently constituted shall be a body corporate and politic and shall have all the powers and shall be subject to the same obligations and duties as are conferred or imposed upon town school districts by the statutes of the state of New Hampshire, in such case made and provided. However, the school district and the city manager provided for under this charter are hereby authorized to enter into such voluntary agreements for cooperative purchasing and the maintenance of buildings as may be desirable to effect economies and promote efficiency.

II ELECTIONS

§ C419:4. Wards Defined. [Amended 3-8-1977; 6-17-1992; 3-8-2005; 3-13-2012¹]

The City of Lebanon shall consist of three wards. All wards shall be composed of contiguous and compact territory, as nearly equal in population as possible, and such ward lines are to follow easily identifiable physical features such as streets, railroad tracks, surface waters or power lines.

At least as often as each recurring federal census, the City Council shall review the ward boundaries and, if necessary to comply with a Constitutional requirement to equalize populations, shall, by ordinance, make adjustments to the City's ward boundaries. A public hearing on the proposed ward boundaries shall be held not more than 30 days before adoption by the City Council, at such time and place as the City Council shall determine. Notice of the public hearing shall be published at least 10 days in advance of the hearing by the City Clerk.

Until passage of an ordinance for future realignment of the City's ward boundaries, ward lines shall remain as approved by the voters of Lebanon on March 13, 2012. Notwithstanding any changes in the ward boundaries, the City and Ward officers serving in office, or elected to office, at the time of passage of this amendment shall continue in said offices until the end of the terms for which they were elected.

The three wards shall be divided as follows:

WARD 1 shall consist of all that land in said City of Lebanon beginning at the southwest corner of the Lebanon-Plainfield line; thence easterly along said boundary to Hibbard Brook; thence northerly along said brook until its western tributary meets Poverty Lane; thence northerly along said road to the intersection of Slayton Hill Road, thence northeasterly along Slayton Hill Road to the intersection of Farnum Hill Road; thence westerly along said road until it meets Old Kings Highway; thence northwesterly along said road until it intersects with power transmission lines; thence northwesterly along said power lines until it intersects another set of power lines; thence turning ninety (90) degrees and continuing northeasterly along the latter power lines until it meets the Hanover/Lebanon boundary; thence westerly along the Lebanon-Hanover line until it meets the New Hampshire-Vermont boundary; thence southerly along said boundary to the point of beginning.

WARD 2 shall consist of all that land in said City of Lebanon north of the Lebanon-Plainfield town line beginning at the Lebanon-Enfield line at the intersection of Interstate 89; thence northwesterly along I-89 until it meets Dartmouth College Highway; thence westerly along Dartmouth College Highway until it intersects with Laplante Road; thence southerly along Laplante Road until intersects with Meriden Road (Rt 120); thence northerly along said center line until it merges with School Street; thence continuing along the center line of School Street; to the center line of Prospect Street; thence easterly along said center line to the center line of Elm Street; thence northerly along said center line to the center line of Bank Street; thence westerly along said center line to the center line of East Park Street; thence northerly along said center

1. Editor's Note: This amendment was adopted by voters on the 3-13-2012, to become effective 5-1-2012.

line to the center line of North Park Street; thence westerly along said center line; and through the Lebanon Mall until it merges with Hanover Street; thence northerly along the center line of Hanover Street to the center line of I-89; thence continuing northerly along Hanover Street Extension to the intersection of Heater Road, thence northerly along Mt. Support Road until the intersection of Rt 120; thence northerly to the Lebanon-Hanover boundary; thence westerly along said boundary to where it meets eastern boundary of Ward 1; thence easterly along the boundary of Ward 1 to the point of beginning.

WARD 3 shall consist of all that land in said City of Lebanon north of the Lebanon-Enfield town line beginning at the center line of Interstate 89; thence northerly along said Lebanon-Enfield boundary to the Lebanon-Hanover town line; thence westerly along said line until it meets the northeast boundary of Ward 2; thence southerly along the easterly boundary of Ward 2 to the point of beginning.

(Ward lines changed by Lebanon City Council on September 15, 1982, June 17, 1992, and March 8, 2005 and March 13, 2012)

§ C419:5. Representatives to General Court. [Amended 11-2-1971, effective 4-1-1972]

Representatives to the general court from the city of Lebanon shall be elected at large.

§ C419:6. City Election. [Amended 3-14-1978; 3-11-1997]

The city election shall be held annually on the same date as may be required by statute for the annual election of Lebanon School District Officers, or, if none, on the second Tuesday of March. The polls shall be open not earlier than six o'clock in the forenoon of the day of the election nor later than eight o'clock in the evening, and shall be open not less than four hours on a schedule as the City Council shall determine at least thirty days prior to said election.

§ C419:7. Members of the Council. [Amended 11-6-1973]

The council consists of nine members, each with a two year term. One member shall be elected annually from each ward by the voters in the ward. One member shall be elected from the city at large in odd numbered years and two members shall be elected from the city at large in even numbered years. The term of office begins on the third Wednesday after the city election at which the member is elected, and ends two years from the date the term begins.

§ C419:8. Ward Officials. [Amended 3-14-1978]

Each ward shall at municipal elections choose by ballot a moderator, clerk and three supervisors of the checklist who shall hold office for two years and until their successors are elected and qualified. Said supervisors shall perform all the duties required by law of ~~selectmen~~ selectpersons of wards in cities and of supervisors of checklists in towns, and for all purposes requiring such officers shall be considered and be the ~~selectmen~~ selectpersons of their wards. No other ~~selectmen~~ selectpersons shall be chosen. No person shall continue to perform as a ward official whose name appears on the ballot for an office other than that of a ward official.

§ C419:9. Ward Checklists.

The ~~selectmen~~ selectpersons of the town of Lebanon shall within fourteen days from the date of adoption of this act appoint a moderator, clerk and three supervisors of the checklist and four inspectors of election for each ward, which officers shall be residents of their respective wards. Said supervisors shall act as and be ~~selectmen~~ selectpersons of their respective wards for the purpose of calling the first ward meeting, and shall call said meeting according to law. They shall seasonably prepare checklists for their respective wards and perform all duties respecting the same required by law. The supervisors of the checklist in each ward shall fix the polling place therein and give notice thereof.

§ C419:10. Preparation of Ballots. [Amended 3-4-1976]

The city clerk shall prepare the ballots to be used at the municipal elections in form as nearly like the ones used in state biennial elections as the requirements of this charter permit. The ballot shall contain the names in alphabetical order without party designation of all who file with the city clerk as candidates for councilor. Such filing shall take place not before nine o'clock in the morning of the forty-second day before the election nor later than five o'clock in the afternoon of the twenty-eighth day before the election. Candidates shall pay the city clerk a fee of one dollar except those on whose behalf a petition shall have been filed by at least fifty qualified voters. No name shall be printed on the ballot by reason of such petition unless consent thereto is endorsed on the petition by the candidate himself personally at the time that the petition is filed. Below the list of names of candidates for councilor there shall be as many blank spaces as there are councilors to be elected. The city clerk shall have the same powers and duties with preference to municipal elections as has the secretary of state with preference to general elections so far as such powers and duties are not inconsistent herewith. In the first instance, the town clerk shall have the same duties and powers as are given under this charter to the city clerk.

§ C419:11. Qualifications of Voters. [Amended 3-4-1976]

Persons who would be qualified voters in a biennial election if held on the day of such municipal election shall be qualified voters therein. Municipal elections thereunder shall be deemed elections within the meaning of all general statutes, penal and otherwise, and said statutes shall apply to municipal elections so far as consistent with this chapter.

§ C419:11a. Absentee Voting. [Amended 3-8-1977]

Any legal voter of the city of Lebanon who is absent from the city on the day of any regular or special municipal election, or who, by reason of physical disability, is unable to vote in person at said election, may vote at said election by so-called absentee ballot. The provisions of state law, so far as applicable hereto and not inconsistent herewith, shall apply to such absentee voting in the city, provided that the city clerk shall prepare the forms and ballots for such voting and said clerk shall also prepare the required instructions.

§ C419:12. Procedure.

The qualified voters in each ward, at said election, shall give in to the moderator their

votes which shall be received, sorted, counted and declared, and the ward clerk shall make a true and certified copy of the record of the votes and said record, certified also by a majority of the supervisors and the moderator, shall be delivered by the ward clerk to the city clerk within twenty-four hours after the meeting.

§ C419:13. Ballots Preservation.

All the ballots cast at a municipal election shall be kept by the city clerk sealed for two months, and may be opened during said two months after a request for a recount by any candidate voted for at the election at which they were cast, upon order of any court or the city council.

§ C419:14. Canvass. [Amended 3-4-1976]

The city council shall meet on the Thursday following the election to canvass the votes. The city clerk shall lay before the council the record of votes received in each ward for each person voted for on the ballots. The council shall examine the record of votes, and it shall declare the persons having the largest number of votes to be elected as councilors and shall cause them to be notified of their election.

§ C419:15. Recounts and Contested Elections. [Amended 3-14-1978]

Upon request of any candidate for an elective office made within seven days after the canvass, the council shall recount the ballots cast in the election and hear and determine any contest on the ground of fraud or misconduct therein. Decisions of the council in cases of contested elections shall be final. Tie votes for any elective office shall be resolved by lot in the manner that the council may determine. In cases arising under this section the council shall have the power to subpoena witnesses and compel the production of all pertinent books, records and papers. Any amendment to the Charter which is carried or lost by 1% or less of the vote shall be subject to an automatic recount.

III Administration

§ C419:16. The Council. [Amended 3-4-1976; 3-8-1977]

The entire administration of all fiscal, prudential and municipal affairs of the City of Lebanon shall, except as otherwise provided, be vested in a City Council of nine Councilors, elected as provided in Section 7. Vacancies occurring in the office of councilor at any time after the election of a candidate thereto, and from a failure to elect thereto, shall be filled by the remaining councilors, who, by majority vote and within thirty days, shall appoint some qualified person to fill the vacant seat until the next municipal election, at which time a councilor shall be elected to fill the unexpired term. The office of any ward council member shall be deemed vacant if ~~he/she~~ said member takes up residence in any ward other than the one from which ~~he was~~ they were elected. The city clerk shall act as clerk of council.

§ C419:17. Mayor. [Amended 11-6-1973]

Each year the council shall elect one of its members mayor at its first meeting after the terms of office of the newly elected members begin. A majority vote of all members of the council is necessary for election of the mayor. The mayor shall preside at council meetings and ~~he or she~~ may speak and vote at those meetings. The mayor shall be head of the city for all ceremonial purposes. The mayor and council voting as a unit, neither with a veto over the other, shall make appointments of members of the Lebanon Housing Authority and the Zoning Board of Adjustment. All other administrative duties prescribed by the general statutes shall be exercised by the manager. Nothing in this section shall be construed to take away ~~from the manager's his or her~~ power to appoint all administrative officers listed in Section 32 of this chapter, or his or her power to appoint a member of the personnel advisory board under Section 53 of this chapter, or ~~his or her~~ the manager's power to appoint an administrative official of the city to the Planning Board, or ~~his or her~~ the manager's general power to appoint any administrative officers authorized under any ordinance. Each year the council shall elect from its members an assistant mayor who shall act as mayor during the absence or disability of the mayor, and if a vacancy occurs, shall become mayor for the completion of the unexpired term.

§ C419:18. Qualifications. [Amended 3-4-1976]

Any person may be a candidate for election as councilor provided ~~he or she~~ said person is a duly qualified voter in the city and has been a resident of the city for at least two years immediately preceding the election. No person in default to the city shall be eligible for election to the council.

§ C419:19. Compensation. [Amended 3-4-1976]

No councilor, shall, while in office, receive any pay or compensation of any sort, either as councilor or for any other personal services rendered for the benefit of the city, or be employed by the city, or any department or branch thereof, for any compensation, excepting that this provision shall not apply to compensation of call members of the fire department.

§ C419:20. Dealings Of Council With City. [Amended 3-4-1976]

No councilor, or other official of the city, shall sell to or buy from the city any goods or commodities while in office other than by open competitive public bid.

§ C419:21. Meetings. [Amended 3-14-1978 and 3-10-1998]

All meetings of the council shall be public and in compliance with the New Hampshire Right-to-Know Law, RSA Chapter 91:A. Nonpublic sessions may be held only as permitted under RSA Chapter 91:A. Regular meetings shall be held on such day of each month at such time as the council shall, from time to time, by ordinance or resolutions direct, and at such other times as are required by this charter. Special meetings may be had upon notice delivered to each councilor by the city clerk at the request of the mayor, the manager or a majority of the councilors. The council shall establish its own rules. A majority of the council shall constitute a quorum for the transaction of business.

§ C419:22. Ordinances. [Amended 3-8-1977]

Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause shall be "The City of Lebanon ordains" and the effective date of each ordinance shall be specified in it. All ordinances shall be recorded in full uniformly and permanently by the city clerk and each ordinance so recorded shall be authenticated by the signature of the mayor and the city clerk. Each ordinance shall be reviewed by the city council every five years, and revised where determined necessary. Ordinances shall be published and compiled in such manner and at such time as the council shall determine.

§ C419:23. General Powers.

The city council created by this act shall, except as here in otherwise provided, have all the powers and do and perform in reference to each other or otherwise, all the duties which mayors, boards of aldermen and common councils of cities and selectmen of towns are by law authorized or required to do and perform, either separately or otherwise, except insofar as such powers or duties are inconsistent with other provisions of this charter or with powers or duties specifically transferred to the manager, and all provisions of statutes pertaining to the duties or powers of aldermen or common councils, separately or otherwise, shall be construed to apply to said city council, except insofar as a contrary intention appears in this act or insofar as they may be inconsistent with other provisions of this charter or with powers or duties specifically transferred to the manager.

§ C419:23a. Citizens Binding Initiative. [Adopted 11-2-1982, effective 1-1-1983]

Citizens may propose a measure with an initiative petition signed by qualified voters equal in number to ten percent of the votes cast in the last gubernatorial election. When said petition is complete, as certified by the city clerk to have met the above requirements, said proposed measure, shall be submitted to the city council requesting the city council to pass proposed measure without alteration; if said proposed measure be not passed without alteration within twenty days after the date of the Clerk's certification, then such proposed measure without alteration shall be submitted by the city council to the vote of qualified voters at the next municipal election. If a majority of the qualified

voters voting on any proposed measure, and which falls within the lawful rights and powers of the city, shall vote in favor thereof, same shall thereafter go into effect on the first day of the next succeeding municipal year.

§ C419:23b. Citizens Non-binding Initiative. [Amended 3-13-1984, effective 9:1984]

In lieu of proposing a binding initiative, citizens may propose a non-binding measure providing they file a petition signed by qualified voters equal in number to 10 percent of the votes cast in the last gubernatorial election. If a majority of the qualified voters voting on any non-binding measure shall vote in favor thereof, then such vote shall constitute an advisory opinion to the city council. The provision of any ordinance passed by the city council dealing with binding initiative petitions shall also apply to non-binding initiative petitions.

§ C419:24. Salaries.

The city council of the City of Lebanon is hereby empowered to fix a scale of salaries to be paid to all officials and agents of the City of Lebanon in accordance with the provisions of Section 52 in this Charter.

§ C419:25. Procedure To Fix Salaries. [Amended 3-14-1978]

No ordinance of said city council relating to a scale of salaries as above set forth shall be valid until it has had three separate presentations in said council, only one presentation at any meeting of said council, and shall have received the votes of at least two-thirds of all members elected to said council upon its final passage.

§ C419:26. Manager. [Amended 3-8-1977]

The city council shall appoint an officer of the City of Lebanon who shall have the title of city manager and who shall have the powers and duties hereinafter provided. ~~He~~ The city manager shall be appointed for an indefinite term by the votes of two-thirds of the members of the council.

§ C419:27. Qualifications. [Amended 3-8-1977]

The manager shall be chosen solely on the basis of ~~his~~ the candidate for manager's executive and administrative qualifications but ~~he~~ the candidate for manager need not be a resident of the city or state at the time of ~~his~~ their appointment. During ~~his~~ the city manager's tenure of office, ~~he~~ the city manager shall reside within the city. No person who has within three years held elective or appointive office in the City of Lebanon shall be chosen manager.

§ C419:28. Removal. [Amended 3-14-1978]

The manager may be removed by a two-thirds vote of the members of the council as herein provided. At least 90 days before the proposed removal of the manager, the council shall adopt a resolution stating its intention to remove ~~him~~ the manager and the reasons therefor, a copy of which shall be served forthwith on the manager who may, within ten days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Upon or after passage of such resolution, the Council may suspend

~~him-the manager~~ from duty, but ~~his-the manager's~~ pay shall continue until ~~his-the manager's~~ removal. In case of such a suspension, the council may appoint an acting manager to serve at the pleasure of the council for not more than 90 days. If the manager chooses to leave the city's employ of ~~his-own volition voluntarily~~, ~~he-the city manager~~ shall notify the council at least 90 days before ~~his-the manager's~~ planned departure. The action of the council in removing the manager shall be final.

§ C419:29. Non-interference By The Council. [Amended 11-4-1986, effective 1-1-1987]

Neither the council nor any of its members shall direct or request the appointment of any person to office or employment, or ~~his-the~~ removal therefrom by the manager or any of the administrative officers except that the council shall have the power to appoint and remove the board of adjustment. In addition to appointing a council representative to the planning board, the council shall, by majority vote, appoint members of the planning board upon nomination by the city manager. However, members of the council may state objections to the appointment of any person proposed by the manager as provided in Section 31 of this Charter. Neither the council nor any member thereof shall give orders to any of the administrative officers either publicly or privately. Any violation of the provisions of this section by a councilor shall be a misdemeanor, a conviction of which shall constitute immediate forfeiture of office.

§ C419:30. Powers And Duties Of Manager. [Amended 3-14-1978]

The city manager shall be the chief executive and administrative officer of the city government, and shall carry out the policies laid down by the city council. ~~He-The city manager~~ shall be responsible to the city council for the proper administration of all affairs of the city, except the school department, but including the preservation of the public health, the public safety of all citizens and their property and management of all municipally owned utilities and be in responsible charge of the maintenance, care, construction or otherwise of all streets, highways, bridges, sewers, parks, playgrounds, buildings and all other municipally owned structures. ~~He-The city manager~~ shall keep the council informed of the condition and needs of the city and shall make such reports as may be required by law, this charter or ordinance, or may be requested by the council, and such other reports and recommendations as he may deem advisable, and perform such other duties as may be prescribed by this charter, or required of ~~him-the manager~~ by ordinance or resolution of the council not inconsistent with this charter. ~~He-The city manager~~ shall have and perform such other powers and duties not inconsistent with the provisions of this charter as are or here after may be conferred or imposed upon ~~him-the city manager~~ by municipal ordinance or upon mayors of cities by general law. ~~He-The city manager~~ shall have the right to take part in the discussion of all matters coming before the council but not the right to vote.

§ C419:31. Power To Appoint And Remove.

The manager shall have the power to appoint and remove, subject to the provisions of this charter, all officers and employees in the administrative service of the city; but the manager may authorize the head of a certain department or office responsible to ~~him~~ ~~the city manager~~ to appoint and remove subordinates in such department or office. It shall be the duty of the manager to furnish the council in writing with the identity of any person whom ~~he-the manager~~ proposes to appoint as the head of any

department or office at least ten days prior to the date on which the appointment is to be made. If the council has any objection to the person proposed by the manager for appointment, it shall certify its objections to the manager in writing within said ten day period. All appointments shall be without definite term unless for provisional, temporary or emergency service not to exceed the maximum periods which may be prescribed by the rules and regulations of the merit plan.

§ C419:32. Certain Officers. [Amended 3-8-1977 and 11-14-1986, effective 1-1-1987]

The manager shall appoint a city clerk, fiscal account clerk for the department of finance assessor or assessors, treasurer, tax collector, fire chief, police chief, health officer, civil defense director, and such other officers as ~~he~~the city manager deems necessary to administer all departments which the council shall establish, which departments shall replace all existing departments, boards and commissions, except as herein specifically accepted. The duties of any two or more such officers may be combined in one officer except that the office of fiscal account clerk for the department of finance shall not be combined with the office of the treasurer. The powers and duties of these officers and heads of departments so appointed shall include those prescribed by state law, by this charter or by ordinance.

§ C419:33. Administrative Departments. [Amended 3-8-1977]

The first manager under this charter shall draft and submit to the council within six months after assuming office an ordinance dividing the administrative service of the city into departments, divisions and bureaus and defining the functions and duties of each. After the adoption of the ordinance, upon recommendation of the manager, the council by ordinance may create, consolidate, or abolish departments, divisions and bureaus of the city and define or alter their functions and duties. Such ordinance shall be known as the "Administrative Code." Each officer shall have supervision and control of ~~his~~their own department and the employees therein and shall have power to prescribe rules and regulations, not inconsistent with general law, this charter, the administrative code and the rules and regulations of the merit plan.

§ C419:34. Commissions.

All commissions as constituted and existing at the time of the adoption of this charter shall continue to exist hereunder until such time as they may be consolidated or abolished pursuant to Section 33 above, but their authority as previously prescribed by law or ordinance is hereby repealed and hereafter they shall serve only in an advisory capacity to the council in matters of policy affecting their respective jurisdiction and to the manager in matters of administration relating thereto.

§ C419:35. Purchasing Procedure.

The administrative code shall establish purchasing and contract procedure including the assignment of all responsibility for purchases to a single person, the combination of purchasing of similar articles for different departments and purchasing by competitive bids whenever practical.

§ C419:36. Municipal Year.

The fiscal and budget year of the city shall begin on the first day of January unless another date shall be fixed by ordinance.

§ C419:37. Financial Control. [Amended 3-8-1977]

The department of finances shall maintain accounting control over the finances of the city, make financial reports and perform such other duties as may be required by the administrative code. No bill against the city shall be approved by the city manager until the department of finance has audited and approved the same and certified that said bill was lawfully contracted, that the prices charged for all goods and materials are reasonable, that the goods or materials were actually received by the city and that it is in favor of a person legally entitled to receive payment for the same.

§ C419:38. False Certification, Penalty. [Amended 3-8-1977]

If the Department of Finance or any member thereof provided for under Section 37 above, shall knowingly make a false certification in any case provided for in Section 37 or approve any bill when the appropriation, as provided for in Sections 42 and 43 of this chapter, for which the same should be paid is exhausted, such false certification shall constitute a misdemeanor, and ~~he~~ the person(s) responsible shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months or both.

§ C419:39. Unauthorized Payment, Penalty. [Amended 3-8-1977]

If the disbursing officer of the city shall pay out any money from the city treasury except on order of the city manager after approval by the department of finance, such unauthorized payment shall constitute a misdemeanor and ~~he~~ the person(s) responsible shall be fined not exceeding two hundred dollars or imprisoned not exceeding six months, or both, and shall be personally bound to refund to the city any sum so paid.

§ C419:40. Budget Procedure. [Amended 3-14-1978]

At such time as may be requested by the manager or specified by the administrative code, each officer or director of a department shall submit an itemized estimate of expenditures for the next fiscal year for the departments or activities under ~~his~~ their control. The manager shall submit the proposed budget to the council no later than October 31, annually.

§ C419:41. Budget Hearing.

A public hearing on the budget shall be held before its final adoption by the council, at such time and place as the council shall direct, and notice of such public hearing together with a summary of the budget as submitted shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days, including the day of publication, before the public hearing.

§ C419:42. Date Of Final Adoption. [Amended 3-14-1978]

The budget shall be finally adopted no later than December 31, annually. Should the council take no final action on or prior to such day, the budget as submitted by the city manager shall be deemed to have been finally adopted by the council.

§ C419:43. Appropriations After Budget Is Adopted.

No appropriations shall be made for any purpose not included in the annual budget as adopted unless voted by two-thirds majority of the council after a public hearing held to discuss said appropriation, and notice of such public hearing shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing. The council shall by resolution designate the source of any money so appropriated.

§ C419:44. Budget Control.

At the beginning of each quarterly period during the fiscal year and more often if required by the council, the manager shall submit to the council data showing the relation between the estimated and actual income and expenses to date, together with outstanding indebtedness and estimated future expenses and if it shall appear that the income is less than anticipated, the council or manager may reduce the appropriation, for any item or items, except amounts required for debt and interest charges, to such a degree as may be necessary to keep expenditures within the cash income. The manager may provide for monthly or quarterly allotments of appropriations to departments, funds or agencies under such rules as ~~he~~the manager shall prescribe.

§ C419:45. Transfer Of Appropriations. [Amended 3-14-1978]

After the budget has been adopted, no money shall be drawn from the treasury of the city, nor shall any obligation for the expenditure of money be incurred, except pursuant to a budget appropriation unless there shall be a specific additional appropriation therefor. The head of any department with the written approval of the manager, may transfer any unencumbered balance or any portion thereof from one fund or agency within ~~his~~their department to another fund or agency within ~~his~~their department. The manager, with the approval of the council, may transfer any unencumbered appropriation balance or any portion thereof from one department to another.

§ C419:46. Depository. [Amended 3-14-1978]

The council shall designate the depository or depositories for the city funds. The council may provide for such security for the city deposits as it may deem necessary except that personal surety bonds shall not be deemed proper security.

§ C419:47. Independent Audit. [Amended 3-14-1978]

An independent audit shall be made of all accounts of the city government at least annually and more frequently if deemed necessary by the council. Such audit shall be made by certified public accountants experienced in municipal accounting or a public accountant licensed by the state of New Hampshire under RSA 309:A:8² to conduct its annual audit. An abstract of the results of such an audit shall be made public. An independent audit shall also be made by an independent auditing firm as required above to make an annual audit of all trust funds established within the city. An annual report of the city's business shall be made available.

2. Editor's Note: Repealed. See now RSA 309:B.

§ C419:48. Official Bonds.

Any city officer elected or appointed by authority of this charter may be required by the council to give a bond to be approved by the city solicitor for the faithful performance of the duties of ~~his~~^{their} office but the manager and all officers receiving or disbursing city funds shall be so bonded. All official bonds shall be corporate surety bonds and the premiums thereon shall be paid by the city. Such bonds shall be filed with the city clerk.

§ C419:49. Borrowing Procedure.

Subject to the applicable provisions of state law and the rules and regulations provided by ordinance in the administrative code, the council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the city and the issuance of bonds of the city or other evidence of indebtedness therefor, and may pledge the full faith, credit and resources of the city for the payment of the obligations created thereby. Except in the case of borrowing in anticipation of taxes, borrowing for a term exceeding one year or in an amount of twenty thousand dollars or more shall be authorized by the council only after a public hearing held to discuss such borrowing, and notice of such public hearing shall be printed in a newspaper published or circulated locally, once a week in two successive calendar weeks, the last publication being at least seven days including the day of publication before the public hearing. In no event shall the term of such bonds exceed the limitations imposed by state law.

IV MERIT PLAN

§ C419:50. Merit Plan – Appointments.

Appointments and promotions to all positions in the service of the city shall be made solely on the basis of merit and only after examination of the applicant's fitness so far as practicable examination shall be competitive.

§ C419:51. Rules and Regulations. [Amended 3-8-1977]

The first manager under this charter shall draft and submit to the council within three months after assuming office a set of rules and regulations, which shall become effective one month after its submission unless vetoed by the council within that period, providing for the establishment of a merit system personnel administration and for the implementation of such portions of that system as are prescribed by this charter. The rules and regulations shall include provisions with regard to classification, compensation, selection, training, promotion, discipline, vacations and any other matters necessary to the maintenance of efficient service and the improvement of working conditions. The rules and regulations shall continue in force subject to amendments submitted from time to time by the manager which shall become effective one month after their submission unless vetoed by the council within that period.

§ C419:52. Compensation.

The compensation of all officers and employees not fixed by this charter shall be fixed in the rules and regulations of the merit plan by a schedule of pay which include a minimum and maximum and such intermediate rates as may be deemed desirable for each class of position provided for in said rules and regulations and which shall be enacted in the form of an ordinance as provided for in said rules and regulations and which shall be enacted in the form of an ordinance as provided in Sections 24 and 25. In increasing or decreasing items in the city budget, the council shall not increase or decrease any individual salary item but shall act solely with respect to total salaries in the various departments of the city.

§ C419:53. Personnel Advisory Board. [Amended 3-8-1977]

There is hereby established a personnel advisory board of three citizens holding no other political office and appointed, one member by the manager, one by the council, and the third by these two appointees. In the first instance only, the member appointed by the manager shall serve for one year, the member appointed by the council for two years and the third member for three years, in each case beginning on the date of appointment; the term of all succeeding members shall be for three years beginning on the expiration of the term each succeeds. It shall be the duty of the personnel advisory board to study the broad problems of personnel policy and administration, to advise the council concerning the personnel policies of the city and the manager regarding the administration of the merit plan.

§ C419:53a. The Grievance Board. [Amended 3-8-1977]

There is also hereby established the Grievance Board of the City of Lebanon whose duty

shall be to hear appeals of any employees aggrieved as to their status or condition of their employment. The Grievance Board shall consist of three members: one member shall be appointed by the city council, one member shall be appointed by the employee association, group or union from which the aggrieved employee may come, and the third member shall be appointed by the first two appointees. The member appointed by the city council shall serve for a two year term. The other two members will be appointed at the time of a request for a specific grievance hearing. In case of an unavailability to serve by any member during any grievance procedure, a replacement will be chosen for the term of that procedure in the same manner as the original holder of the appointment.

§ C419:54. Certification Of Compensation.

No compensation shall be paid without Certification by the manager, or such officer as ~~he-the manager~~ may direct, that the recipients are employed by the city and that their rates of compensation comply with the pay schedule provided for in Section 52. If such officer approves payments not in conformity therewith, ~~he-the officer~~ and ~~his-the officer's~~ surety shall be liable for the amount of such payments.

§ C419:55. Taxpayers Remedy.

A taxpayer may maintain a civil action to restrain payment of compensation to persons unlawfully appointed or employed or to recover for the city any sums paid contrary to the provisions of this charter.

V

SPECIAL ASSESSMENTS**§ C419:57. Special Assessments – Council Resolutions.**

The council shall have power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the property especially benefited and shall so declare by resolution. Such resolution shall state the estimated cost of the improvement, what proportion of the cost thereof shall be paid by special assessments, and what part, if any, shall be a general obligation of the city, the number of installments in which special assessments may be paid, and shall designate the districts or land and premises upon which special assessments shall be levied.

§ C419:58. Procedure Fixed By Ordinance.

The council shall prescribe by general ordinance complete special assessment procedure concerning plans and the specifications, estimate of costs, notice and hearing, the making of the special assessment roll and correction of errors, the collection of special assessments, and any other matters concerning the making of improvements by the special assessment method.

VI
MISCELLANEOUS PROVISIONS

§ C419:59. Oath Of Office. [Amended 3-14-1978]

Every person elected or appointed to any city office or city board, before entering upon the duties of ~~his-said~~ office shall take and subscribe to an oath of office as provided by law which shall be filed and kept in the office of the city clerk.

§ C419:60. Notice Of Election Or Appointment.

Written notice of election or by appointment of any city officer shall be mailed to ~~him~~ said officer at ~~his-the officer's~~ address by the city clerk within forty-eight hours after the appointment is made or the vote canvassed. If within ten days from the date of the notice, such officer has not filed with the city clerk a written notice of acceptance of such election or appointment and shall not take, subscribe to, and file with the city clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall thereupon be deemed vacant, unless the council shall extend the time in which such officer may qualify.

§ C419:61. Vacancy Defined.

In addition to other provisions of this charter, a vacancy shall be deemed to exist in any office when an officer dies, resigns, is removed from office, is convicted of a felony, is physically incapacitated, or is judicially declared to be mentally incompetent.

§ C419:62. Disqualification of Councilor, Board Member or Employee. [Amended 3-18-1988, effective 1-1-1989]

A person who has, or within twelve months preceding had, a direct personal and pecuniary interest in a matter pending before the Council, any Board or department of the City shall be disqualified from participation, voting or acting on such matter, as a councilor, board member, or employee. Such person must at all times physically remove ~~himself/herself themselves~~ from any and all consideration of that matter. Any person who is disqualified as provided herein and demands to participate, vote or act on such matter may be removed only by order of the Superior Court on petition by any person.

§ C419:63. Private Use Of Public Property.

No officer or employee shall devote any city property or labor to private use except as may be provided by law or ordinance.

§ C419:64. Use Of Streets By Public Utilities.

Every public utility shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges, and public places as shall arise from its use thereof, and shall protect and save the city harmless from all damages arising from said use.

§ C419:65. Liability For Discharge.

The removal in accordance with this charter with or without cause of a person elected or

appointed or otherwise chosen for a fixed term shall give no right of action for breach of contract, or otherwise.

§ C419:67. Public Records. [Amended 3-10-1998]

All books of account, in relation to the receipt holding or disbursement of money of the city kept by any official of the city, shall be paid for by the city, shall remain the property of the city, and shall be turned over to the city clerk whenever the keeper of the books of account retires from the office. All books pertaining to city affairs kept by the city manager, city clerk, or any other elective or appointive officer of the city shall be kept in the city buildings in their proper places and shall not be removed therefrom without an order of court or a vote of the city council first had and obtained. All books and accounts of any official of the city and all records of the city council and any committee thereof shall at all times in business hours be open to the inspection of any citizen of the city, except that the council may vote to withhold minutes of proceedings of a nonpublic session only in accordance with the New Hampshire Right-to Know Law, RSA Chapter 91-A.

§ C419:68. Trust Funds.

Trust funds of the City of Lebanon, except where otherwise provided by the instrument creating such trust, shall continue to be kept separate and apart from all other funds and shall remain in the hands of the trustees of trust funds, one of whom shall be appointed by the mayor each year for a term of three years. Said trustees shall invest such funds in securities legal for investment by savings banks of this state.

§ C419:69. Saving Clause.

All special legislation pertaining to water precincts, fire precincts and fire districts shall be hereby repealed, including the following acts of the general court: 1943, Chapter 298; 1941 Chapter 306; 1907, Chapters 191 and 247; 1887, Chapter 223; 1873, Volume 65, Page 155; 1868, Volume 60, Page 95. All ordinances and by-laws of the town of Lebanon pertaining to fire or water districts shall be repealed. All special legislation now in force relating to sewers, registration and elections, borrowing money, issuing bonds or refunding same, is hereby continued in force insofar as it is not inconsistent with the provisions of this charter, the powers thereby given to the town of Lebanon or any board or commission thereof being vested in the City of Lebanon, subject, however, to all the provisions of this charter. All special legislation relative to the government of cities shall remain in force in the city so far as the same can be applied consistently with the interests and purposes of this charter, but shall be deemed superseded as to this city so far as inconsistent herewith.

§ C419:70. Saving Clause Municipal Legislation.

All ordinances and by-laws of the town of Lebanon or its ~~selectmen~~ selectpersons shall continue in force until altered or repealed, except where a contrary intent herein appears.

§ C419:73. Repeal Or Amendment.

No section or provision of this charter may be repealed or amended unless the act making such repeal or amendment refers specifically to this charter and to the sections

§ C419:73 CHARTER § C419:74

or provisions so repealed.

§ C419:73a. Violations. [Adopted 11-7-1967]

Any person who violates any provision of this charter, unless otherwise provided, shall be fined not exceeding five hundred dollars or imprisoned not exceeding ninety days, or both. The council may provide in any city ordinance that any person who violates that ordinance shall be fined not exceeding five hundred dollars or imprisoned not exceeding ninety days, or both.

§ C419:74. Separability Clause.

The sections of this charter and the parts thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

Adopted: July 17, 1957

Amended:

November 7, 1967

December 3, 1968

November 2, 1971

November 6, 1973

March 4, 1976

March 8, 1977

March 14, 1978

March 10, 1981

November 2, 1982

March 13, 1984

November 4, 1986

March 8, 1988

June 17, 1992

March 11, 1997

March 10, 1998

March 8, 2005

March 13, 2012

November 16, 2022

**AGENDA
LEBANON CITY COUNCIL
NOVEMBER 2, 2022**

13. COUNCIL REPRESENTATIVES TO OTHER BODIES REPORT:

**13.A – DIVERSITY, EQUITY & INCLUSION COMMISSION –
STATEMENT ON HOUSING AND EQUITY IN LEBANON**

BACKGROUND

The Diversity, Equity & Inclusion (DEI) Commission was established in July of 2021 to enhance the City's support for a welcoming environment by encouraging cooperation, tolerance, and respect among those living, working, and visiting the City; to provide information, education, and communication that facilitates understanding and celebrates our differences; and to advise City government in ways that unite the community and ensure all are equally respected, valued, needed, and cherished.

The DEI Commission serves as an advisory body to the City Council and the City Administration. The DEI Commission has asked the Council to consider several steps that would enhance equity in housing.

ACTION

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

Included in this Section:

1. DEI Statement on Housing and Equity in Lebanon

DEI Statement on Housing and Equity in Lebanon

On July 19, 2022, a member of the public attended the DEI Commission meeting to voice concerns over housing affordability in Lebanon and wondered about measures that could potentially be taken to mitigate the shortage. Across the United States, rental and homeownership prices have risen substantially in the last year. This has priced lower-income individuals and families out of the purchasing market and squeezed household budgets for the most vulnerable members of the population. Even before the surge in housing prices, the growing population in Lebanon had exceeded the housing supply, pushing the workforce farther and farther afield and making transportation a challenge. The lack of affordable housing presents an equity issue for the people who live and work in Lebanon.¹

The DEI Commission recognizes that the City Council understands the extent of the housing crisis and is taking steps to address the issue. We would like to highlight the resolution passed by the Council on 21 April 2022, to empower the City Manager to take steps to enable, incentivize, and partner in the development of solutions to unmet housing needs, particularly the plans to develop regulation and guidance to aid in the creation of Housing Opportunity Zones and Residential Property Revitalization Zones, and the suggested move to partner with the Lebanon Housing Authority to use city-owned property to help overcome barriers to affordability. Removing barriers to the construction of Accessory Dwelling Units, also proposed for study in the Council's resolution, would also help ease the shortage and allow the community's older residents more opportunities to "age in place," and the DEI Commission encourages the study of creative incentives for employers and landlords to this end.²

In addition, the DEI Commission strongly advocates inclusionary housing requirements for any new growth areas in the City. We are encouraged to hear that there will be workforce housing units in the new development on Spencer Street and that the City is aiming for workforce housing units in forthcoming RFIs as well. A combination of zoning requirements and incentives for developers is important in the drive to construct below-market-rate units on the same sites as market-rate units. This last point is important, because the inclusion of working- and middle-class families side-by-side in the same developments ensures equal access to new-growth areas with high-quality schools, shopping, and other services. The DEI Commission is strongly in favor of these kinds of actions, which will hopefully address the shortfalls of the present market over time.

The DEI Commission also recognizes that housing insecurity is an immediate crisis for many members of the Upper Valley community. Annual Point-in-Time (PIT) surveys conducted each year by HUD, with participation by local organizations like the Upper Valley Haven, suggest a present need for more local solutions for unhoused individuals. We believe that a solution that would address this immediate need should be a high priority for the City.

¹ <https://www.vnews.com/The-carbon-personal-footprint-of-commuting-45365411>

² For example, <https://vtdigger.org/2022/08/12/woodstock-aims-to-house-local-workers-with-subsidies-to-landlords/>

The DEI Commission recognizes that actions taken in the direction of housing justice are not always easy, nor are they always popular. Constraints from higher levels of government, like regionally-calculated Area Median Income formulas, can create a “squeezed middle” of residents who need assistance but are too “well off” to qualify for it. Local constraints, too, like concerns often phrased as being about the “character” of the City, can stand in the way of helping our most at-risk populations. We appreciate these challenges and encourage the Council to press on in the name of equity and justice.

The DEI Commission would like to take this opportunity to both congratulate the City Council on the steps it has already taken and encourage the Council to continue to make further inroads on this pressing equity issue as the process continues.