

FINAL

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, October 18, 2023, 5:30 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

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

MEMBERS ABSENT:

STAFF PRESENT: City Manager Shaun Mulholland, City Clerk/Tax Collector Jaseya Ewing, Deputy Director of Planning & Development Tim Corwin, Director of Planning & Development Nathan Reichert, Assistant Director Public Works Jay Cairelli, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, Solid Waste Manager Erica Douglas, Deputy City Manager – Public Services Nik Coates, Fire Chief Jim Wheatley, Assistant Fire Chief Jeff Libbey, Recreation, Arts & Parks Director Paul Coats, Energy & Facilities Manager Tad Montgomery, GIS Coordinator Mark Goodwin, Fire Inspector Duane Egner

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

- At the request of Mayor McNamara, Item 10.A's Work Session was taken out of order from what was presented in the agenda packet and will be presented first, noting that the Regular Session of the City Council meeting would start after the CIP and Capital Budget items were reviewed.
- City Manager Shaun Mulholland announced the meeting criteria for the public.

10. NEW BUSINESS

A. Work Session: Overview and Presentations of the 2024 Capital Improvements Program (CIP) and Capital Budget

Included in the agenda packet: *(All supportive documents, detailed information, financial plans and project schedules, photos and site maps can be found on Pages 35-149, Council agenda packet)*

1. 2024 Capital Improvements Plan Presentation

1.2024-2029 Capital Improvements Program and Other Capital Projects

BACKGROUND

At its meeting on July 24, 2023, the Planning Board reviewed the proposed Capital Improvement Program (CIP) for the six-year period, 2024-2029, 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 2024-2029, and to submit Year 1 (2024) of the CIP as the Board's recommendation to the City Council for capital budget funding for 2024.

As part of the preparation and review of the annual budget, the City Manager, Planning & Development Department, and other City departments were present at the meeting to review the 2024-2029 CIP and other Capital Projects

Mr. Tim Corwin, Deputy Planning & Development Director, presented an overview of the Capital Improvement Plan process. The Capital Improvement Program is developed and updated annually to assist the Council in reviewing budget expenditures. It is based on statutory requirements and is intended to support the goals of the City's Master Plan. The Statute requires that a Capital Improvement Plan cover at least 6-years, which in this case is 2024-2029, but in years past ours looks just beyond the 6-year timeframe in order to enhance the CIP's purpose of both the fiscal planning tool and the community planning tool. As a reminder, the annual budget is the Council's responsibility whereas the preparation of the 6-year CIP is the Planning Board's responsibility and was delegated to the Planning Board back in 1986. The CIP is a planning document and adoption of the CIP is also statutorily required to adopt the Ordinances, which the City has. The Planning Board has developed a Policies & Procedures document, which was updated this past April (2024) and the principal change was to streamline the review process by eliminating the Planning Board's CIP Subcommittee and instead having the full Planning Board review the proposed 6-year CIP, rather than having it first sent to the CIP Subcommittee to develop recommendations to the Planning Board. The Planning Board adopted the CIP on July 24 (2023) and a copy of this is included in the agenda packet for this meeting.

The Planning Board's Policies and Procedures establishes what the Board considers the Capital Improvement Program items as listed below:

CAPITAL IMPROVEMENT PROGRAM ITEMS

For the purpose of the Planning Board's Capital Improvements Program, Capital Improvement Program Items (CIP Items) will be those items that pertain to planning and land use within the City only. CIP Items include:

- a) Any Physical Public Betterment and studies relative thereto with an estimated cost or value in excess of \$100,000;
- b) Acquisition of land, regardless of estimated cost;
- c) Construction of new buildings and facilities with an estimated value in excess of \$100,000;
- d) Facilities engineering design and other preconstruction costs in excess of \$100,000, unless such costs are part of a project that does not result in more capacity for growth;
- e) Reconstruction of existing facilities resulting in more capacity for City growth with an estimated cost or value in excess of \$100,000.

Capital items that are operational in scope, vehicles for example, are not considered to be CIP Items.

Excluded from the CIP definitions are operational maintenance and improvements accruing a benefit to the community, which do not increase capacity for growth (i.e., vehicles, vehicle replacement, resurfacing a road, fixing a sidewalk, and other in-kind repairs). By contrast, improvements that increase capacity such as the widening of a roadway/bridge/construction or a new sidewalk would be counted in the CIP program items.

The development of the CIP begins in January. City Departments and the School District are provided direction in late March and have until mid-May to prepare their CIP proposals. The Planning Department and City Manager's office reviews these proposals in June. In late July, the Planning Board reviews that list and adopts the 6-year CIP Plan.

Capital Improvement Projects include physical public betterments and those are improvements which increase the capacity for growth. Secondly, acquisition of land for constructing new buildings and facilities in excess of \$100K.

Before discussing the proposed CIP projects, City Manager Mulholland reviewed and explained the details of the proposed 2024 Capital Budget. The focus of his presentation included the following:

2024 CIP Budget Comparison

2023

- General Fund- **\$26,194,090**
- Sewer Fund- **\$2,048,250**
- Water Fund- **\$3,998,500**
- Solid Waste Fund- **\$899,700**
- Airport Fund- **\$8,340,000**
- **TOTAL- \$41,480,540**

2024

- General Fund- **\$48,092,610**
- Sewer Fund- **\$300,000**
- Water Fund- **\$150,000**
- Solid Waste Fund- **\$916,000**
- Airport Fund- **\$3,878,340**
- **TOTAL- \$53,336,950**

CIP Funding Sources



Long Term Plan- General Fund

- 6 Year Capital Improvements Plan
- Debt Load Stabilization Plan
 - Leveling of the General Fund Debt.
 - Limit new debt to the amount of debt being retired over the 6 Year period + CPI growth factor
- Facilities
- Streets and Bridges
- Vehicles and Equipment

Rolling 6 -year period



The debt ceiling is calculated on a rolling six-year period based upon the CIP.

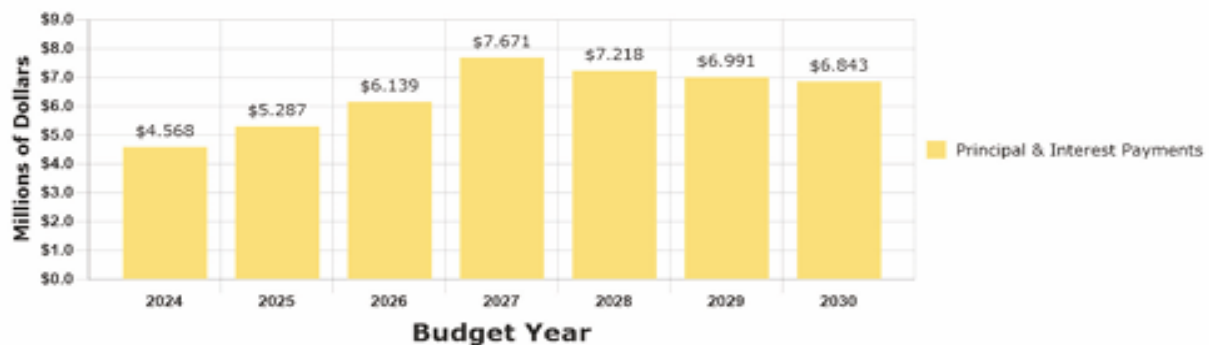


Debt attributable and paid by Tax Increment Finance Districts or Special Assessment Districts is not included in the debt ceiling.



Large projects that cause exceedance of the debt ceiling would freeze incurring debt until the amount owed is below the ceiling.

General Fund Debt Service



GENERAL FUND DEBT LIMITATIONS

Statutory Debt Ceiling - \$98 Million

City Policy Debt Ceiling - \$48.5 Million

Debt Retirement

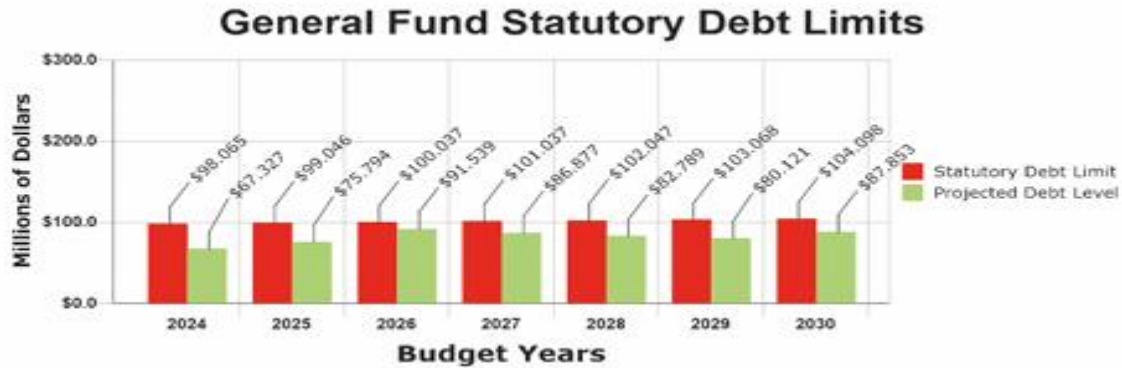
- 2023 \$3.4 Million
- 2024 \$3.7 Million

Councilor Whittlesey asked if, assuming the CIP follows this trend, we are still going to spike well above it in 2027. City Manager Mulholland noted he cannot know what will happen in 2027 and explained his reasons. It is difficult to predict what the future is going to be. All he can do is look at the past. We have taken a stab in the dark at 1.5% but have no idea what it's going to be. It could be considerably higher than that, but nobody thought it would be 7.9% last year.

Councilor Simon questioned why the Daycare Facility is counted against us when it will be built solely by donations. City Manager Mulholland explained that we raise the taxes only on those amounts that we need to actually raise taxes for, so for that project we do not raise taxes because we are anticipating another revenue source: donations. He further explained the process for the Daycare Facility, noting that if those monies are not received, that project will not proceed.

General Fund Debt: [See page 45, agenda packet.](#)

Please refer to [Debt Ceiling Calculation on page 46, agenda packet.](#)



This shows that by 2026 we will, on present projections, go over our debt ceiling and we will not borrow any more money in the General Fund and further explained his reasons. He suggested that when we look at that policy, we modify it to say that we will only enter into projects that have grant funding involved.

Long Term Plan- Sewer Fund



Projected Rate Increase 2023



7.2% Rate Increase for 2024



Rate Increases for 2022 and 2023 were 8% each year to meet the existing debt service requirements.

Projected Rate Increase

- 5.2% increase in sewer rates for 2024
- Previous increases were 7.2%

City Manager Mulholland explained that a 7.2% increase is incorrect. It is a 5.2% increase in the sewer rates for 2024. While it has been an increase in 7.2%, we think we can do it with a 5.2% increase.

Secondary Water Supply	Distribution System Improvements
• New Water Source Well • New Water Distribution System from the new well to the storage tanks	• Mack Ave. Project • Kimball St./Forest Ave Project • Mechanic St. water line rehabilitation • Gate Valves and Fire Hydrants

Long Term Plan-Water Fund

As you know, we are looking at a water distribution system (see above) to back up what we have from the lake right now, along with the improvements that are still in either the development stage or are in the unfunded list. This project is significantly under budget due to some of the value City Engineering has done. The gate valves and fire hydrants will be our tough areas because the Sewer Fund does not have a lot of reserves built into it.

Councilor Simon noted that he was just made aware of what sounds like an ongoing issue with the sewer lines on Mack Avenue. He noticed the City is doing water lines and questioned if that was also part of the plan to do both. City Manager Mulholland noted that on Tuesday (October 24, 2023) there will be a full presentation on this, but it is on the unfunded project list right now and is not even on the 6-year plan.

Projected Rate Increase 2023



7.2% Rate Increase for 2024



Rate Increases for 2022 and 2023 were 8% each year to meet the existing debt service requirements.

Councilor Sykes asked last year if we are going to be able to meet our debt ceiling for water and City Manager Mulholland said no, because this new well and the distribution system will cause additional rate increases to be to put that system in place and further explained his reasons.

Water fund Debt Management Plan starting in 2024

The recently approved debt management structure includes a fixed component annual increase of 5% and a variable component added to that based upon the % increase of the CPI (starting in January of 2024)

The development of the secondary water source well will require additional distribution system upgrades which have not been determined yet. This will exceed the debt limits when these projects begin.

Long-Term Plan – Airport

Planned Improvements

- Runway Safety Improvements
- Localizer Relocation Project
- North Air Carrier Apron Rehabilitation

Airport CIP Funding Sources

Federal portion 90%

State portion 5%

City portion 5%

ARPA funds will be used for the City portion until exhausted

Long Term Plan – Solid Waste Fund

Priority Projects

- Landfill Phase 3 & 4 Design and Construction
- Gas Collection & Control System
- Replacement of Vehicles & Equipment

PFAS & Emerging Contaminants



PRESENT DETECTABLE LEVELS OF PFAS WILL LIKELY EXCEED FEDERAL & STATE REGULATIONS IN THE FUTURE.



DISPOSAL AND DESTRUCTION TECHNOLOGIES HAVE NOT BEEN FULLY TESTED AT THIS TIME.



PROJECTED TO BE VERY EXPENSIVE TO REMEDIATE AND DISPOSE OF.

City Manager Mulholland noted we will not have a cost for PFAS clean-up yet as the Federal Government has not determined the standards for this. They have just been developing drinking water standards for PFAS. The Solid Waste Fund is an enterprise fund, and it is not paid for with tax dollars, it is paid for by users and actually pays the City \$500K a year, which offsets taxes. He noted that we have to do more to reduce the materials that are being thrown into the landfill. Things are being thrown into the landfill that could be recycled or reused.

Solid Waste Fund



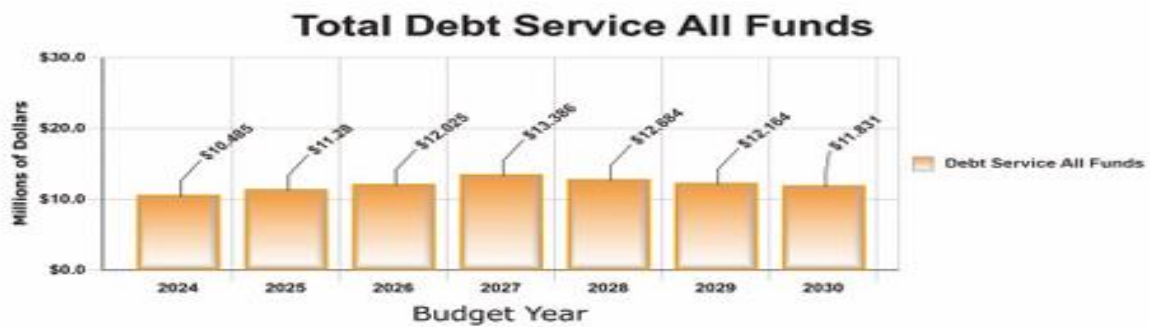
Debt limits are based upon the present and future capacity of the Solid Waste Facility to accept waste and generate the revenue from that waste to pay for operating expenses and debt service payments for the ensuing year and beyond.



The period by which indebtedness may occur for any given project is limited to the useful life of the infrastructure asset.



Situations where the state or federal government mandate by administrative or court order that action must be taken by the City that requires long term debt may require borrowing funds for periods beyond the useful life of the asset.



Draft Proposed 2024 Capital Budget (Year 1 (2024) Capital Improvements Items of the Capital Improvement Program for 2024-2029 are listed in red.)

NOTE: Complete details and financial information of the projects discussed by the Council can be found on page 65-198, Council agenda packet.

ALSO NOTE: The graph below, which lists all the proposed CIP items the Council discussed is not the complete graph, **Please refer to page 68, agenda packet for the graph in its entirety.**

Department	Project Name	Total Appropriated	Prior to 2024	2024-2029
AIRPORT FUND				
AIR	Runway Safety Area Improvements_2024	\$12,693,340	\$8,815,000	\$3,878,340
	TOTAL AIRPORT	\$12,693,340	\$8,815,000	\$3,878,340
GENERAL FUND				
FACILITIES				
FIRE	Station 1 Replacement	\$22,669,940	\$0	\$22,669,940
DPW	City Hall Renovations (Phase 4)	\$6,998,600	\$6,848,600	\$150,000
DPW	City Owned Electric Vehicle Service Equipment	\$251,000	\$0	\$251,000
CM	Childcare Facility Project	\$21,977,670	\$0	\$21,977,670
CM	Main Street Building Demolition	\$250,000	\$0	\$250,000
FLEET & EQUIPMENT				
FIRE	Personal Protective Equipment Replacement	\$420,000	\$0	\$420,000
FIRE	Self-Contained Breathing Apparatus (SCBA) Replacement	\$485,000	\$0	\$485,000
FIRE	Engine #2 Replacement	\$1,200,000	\$0	\$1,200,000
ROADS & BRIDGES				
DPW	Route 120-Etna Rd-Old Etna Rd Ped/Bike Improvements	\$250,000	\$0	\$250,000
DPW	Lahaye Drive Ped&Bike Improvements		\$800,000	\$540,000
OTHER				
REC	Mascoma River Greenway Extension	\$2,400,000	\$0	\$2,400,000
REC	Westboro Park	\$1,801,200	\$0	\$1,801,200
	TOTAL GENERAL FUND	\$58,703,410	\$7,648,600	\$52,394,810
WATER FUND				
DPW-WATER	New Source Water Supply Study Investigation Phase 2	\$8,470,000	\$320,000	\$8,150,000
	TOTAL WATER FUND	\$8,470,000	\$320,000	\$8,150,000
SEWER FUND				
DPW-SEWER	Septage Receiving Upgrade	\$300,000	\$0	\$300,000
	TOTAL SEWER FUND	\$300,000	\$0	\$300,000
SOLID WASTE FUND				
DPW-SOLID	Landfill Phase 3-4 Design, Permitting, and Construction	\$17,270,000	\$600,000	\$16,670,000
DPW-SOLID	Landfill Site Improvements	\$546,000	\$0	\$546,000
	TOTAL SOLID WASTE FUND	\$17,816,000	\$600,000	\$17,216,000
	TOTAL CITY CAPITAL IMPROVEMENTS PROGRAM	\$97,982,750	\$17,383,600	\$81,939,150

DEPARTMENT**PROJECT DESCRIPTION****Airport****Runway Safety Area Improvements: 2024****Requesting (2024): \$3,490,500****2024**

FAA = \$3,490,500

NHDOT = \$193,920

CITY = \$193,920

TOTAL: \$3,878,340

Airport Director Carl Gross reviewed the Runway Safety Area Improvement for 2024

Fire Station 1 Replacement
Requesting (2024): \$22,669,940.

Fire Chief Wheatley reviewed the Fire Station 1 Replacement and associated costs related to this project. In response to Councilor Liot Hill’s question regarding the use of ARPA Funds, City Manager Mulholland noted these funds will only get us through 2024 and for this particular project, the 5% city match is being covered by the Federal Government.

Councilor Simon noted the conceptual plan is expected to start construction in 2024.

Public Works City Hall Renovations & Future Phases
Requesting (20224): \$150,000.

1. Front and East side entrance renovation 2024: Replacement of six front entrance doors and transom windows, insulation of south exterior wall, repair and repainting for arched entryway woodwork. Replacement of East entrance electric doors.	\$ 150,000
TOTAL 2024-2029	\$150,000

Energy & Facilities Manager Tad Montgomery reviewed and explained the Phase 4 and subsequent phases of the City Hall Renovations. City Manager Mulholland further explained the work that was going to be done in City Hall.

Councilor Simon noted that if the doors are being removed, he hoped they would reach out to someone from a recycling company.

Public Works City Owned Electric Vehicle Service Equipment
Requesting (2024): \$251,000

Parkhurst St. – two Level 2 two-port chargers (4 ports total):	\$136,135
Taylor St. – two Solar four-port Level 1 chargers:	<u>\$114,879</u>
TOTAL:	\$251,014
City Match @ 20%:	\$50,203

Cash Match is \$4,236.00

Energy & Facilities Manager Tad Montgomery reviewed and explained the City owned Electric Vehicle (EV) Service Equipment request. It is assumed that there will be a user fee for the EV Chargers. All proposed EV Chargers will be level 2. **See agenda packet for detailed information, photos, proposed EV Charging Station location maps and financial information.**

City Manager Childcare Facility Project
Requesting (2024): \$21,977,670. Total Cost Yet To Be Determined

City Manager Shaun Mulholland noted this was discussed on October 4th so he did not review his request in detail.

City Manager **Main Street Building Demolition**
Requesting (2024): \$250,000.

City Manager Shaun Mulholland reviewed the Main Street Building demolition.

In anticipation of eventual demolition, the City has obtained cost estimates for demolition of each building individually and for all buildings together. Excess funds within the established revolving fund may be used toward the cost of demolition. The remainder of the demolition costs will come from operating funds or short-term borrowing associated with the proposed redevelopment of the properties.

Fire **Personal Protective Equipment**
Requesting (2024): \$210,000.

3. Personal Protective Clothing cost is estimated to be \$5,500 per set. This figure includes protective coats, pants hoods, gloves, and boots.

Total Cost of PPE Project: \$210,000

Fire Chief Wheatley reviewed and explained the next three (3) 2024 Budget Item requests. For Personal Protective Equipment he noted this is a PFAS Free estimate. He estimated that by 2029 all the Lebanon Fire Department (LFD)'s Personal Protective Equipment will be PFAS-Free.

Fire **2024 Self Contained Breathing Apparatus**
Requesting (2024): \$485,000.00

Fire **2026 Fire Engine Replacement**
Requesting (2024): \$1,200,000. This is an estimated replacement cost

If ordered in 2024, it is estimated that the delivery of this fire truck can be expected by 2026. This Fire truck will fit in either of the LFD locations and is designed for use at the Airport as well. They will trade in an old engine.

Public Works **Route 120-Etna Rd-Old Etna Rd Ped/Bike Improvements**
Requesting (2024): \$250,000.
Please refer to complete details and maps included in agenda packet. Financial Plan is on page 108.

Director of Planning & Development Nathan Reichert and Deputy Director Tim Corwin reviewed and explained the Ped/Bike Improvement plans for Route 120- Old Etna Road,

Mayor McNamara noted he did not see a lot of pedestrian activity in this area.

Councilor Heistad stated this request came directly from pedestrians who brought this issue before the Ped/Bike Committee.

Councilor Sykes also commented that he has heard from constituents about how sidewalks would allow them to get across the highway and hoped the State would provide a crossing signal to get folks across the road safely.

Public Works **Lahaye Drive Ped & Bike Improvements**
Requesting (2024): \$540,000.

Mr. Tim Corwin, Deputy Director of Planning & Development, reviewed and explained the Ped/Bike Improvement plans for Lahaye Drive. **Please refer to the agenda packet for complete details, maps, and financial plans.**

Recreation, Arts, & Parks
Requesting (2024): \$32,000.

Mascoma River Greenway Extension



Mr. Paul Coats, Recreation, Arts and Parks Director, gave an extensive review and explained his request/plans for the Mascoma River Greenway Extension. **Please refer to the agenda packet for complete details, maps, and financial plans.**

Recreation, Arts, & Parks
Requesting (2024): \$77,000.

Westboro Park

Mr. Paul Coats, Recreation, Arts, and Parks Director, gave an extensive review and explained his request/plans for the Westboro Park. **Please refer to the agenda packet for complete details, maps, and financial plans.**

Public Works
Requesting (2024): \$150,000.

New Source Water Supply Study Investigation Phase 2

1. **DEPARTMENT:** Public Works - Water Distribution
2. **PROJECT TITLE & NUMBER:** New Source Water Supply Study Investigation Phase 2
3. **PURPOSE OF PROJECT REQUEST FORM:** : 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.
4. **DEPARTMENT PRIORITY:** High-Continuity of water supply in an emergency or potentially as a new treatment plant site.
5. **LOCATION:** Connecticut River/ Mascoma River Confluence
6. **PROJECT DESCRIPTION/JUSTIFICATION:** 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 a source water study was performed identifying a number of potential hi-yield alternative water sources.

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.

An additional \$100,000 was requested and approved for 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

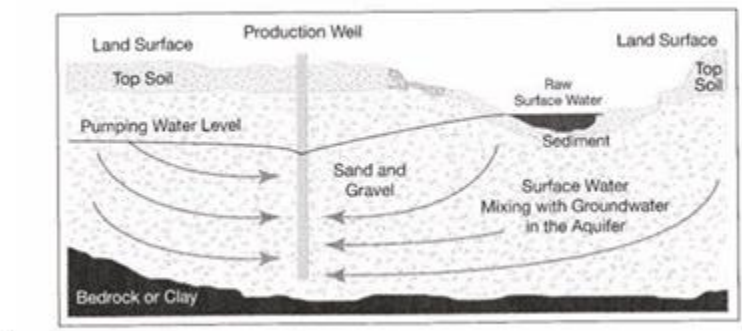
for 2023. The water quality analysis will allow NHDES to mandate treatment required as part of the permitting process.

Some of the money requested during phase 2 needed to be spent on a study due to the proposed well location being located in a floodway. The study cost \$150,000 which is being requested to cover the money spent to allow the production well to be installed, tested and permitted.

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 for construction in 2026. This estimate will be refined as needed depending on the engineering design and water treatment required.

Figure 1-1 Generalized schematic of an RBF system. Source: Ray et al., 2002.



New Source Water Supply Investigation Phase 2

- Last year money was requested for the 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. Due to the proposed well's location in the floodway a hydraulic analysis will likely need to be completed and is expected to cost \$150,000.
- Requesting \$150,000 (\$150,000 Water Fund)
- Construction 2024-2025

Mr. Jay Cairelli, Assistant Director of Public Works, reviewed and explained the “New Source Water Supply Investigation: Phase 2”, as listed above, noting what is needed now is a No Rise Certificate from the NH DES because of the well’s proximity to the river. We will need to build it (well) up higher than flood waters can reach so it doesn’t impact the well. That space that we are taking up needs to be taken out somewhere else so that if flooding occurs the actual flooding height does not go higher than the well.

Mayor McNamara questioned at what point in time we will know what level of treatment is going to or not going to be required. Mr. Cairelli stated that once the well is permitted, we will know that information.

Councilor Liot Hill noted that what we are experiencing now is more significant flooding than what was expected and asked what projections he was using (i.e., 100-year flood, 500-year flood) and how Mr. Cairelli is determining what the appropriate height is. Mr. Cairelli noted they are using 3 feet above the 100-year flood level, noting this is above what the City received from the Irene flood level.

Mayor McNamara spoke about how the Federal Government is talking about changing the 100 flood year maps.

In response to Assistant Mayor Below's question regarding the access road, Mr. Cairelli noted that the access road does not need to be changed. There is an ongoing conversation that this site may need to be a full well head protection area and we will need to finalize this discussion with NH DES.

Public Works

Sewer Rehabilitation Project #2

Requesting (2024): \$300,000.



Mr. Jay Cairelli, Assistant Director of Public Works, reviewed and explained the Septic Receiving Facility Expansion as provided in the Council agenda packet, noting that rates were decreased a few years ago. We began taking on a lot more septage since that time. This year we are projecting to do over 3 million gallons of septage. The revenue and the burden to the plant is increasing dramatically. We are proposing to put in a redundant tank and provide an extra truck hookup because right now people are literally lining up. This year our income will be closer to \$400K and it is a one-year payback to do this project.

City Manager Mulholland noted that since we have sufficient funds in our Sewer Fund, we will not have to borrow money to do this.

Public Works

Landfill Phase 3-4 Design, Permitting, and Construction

Requesting (2024): \$800,000.

Ms. Erica Douglas, Solid Waste Manager, explained and reviewed the Landfill Phase 3-4 Design, Permitting, and Construction plans, noting the purpose of this project request is to extend the life expectancy of the landfill and evaluate additional disposal capacity the Lebanon landfill has present. The design capacity for these two projects is expected to reach its capacity in 2080. Our current landfill capacity is approximately 7 years longer. We are working on a design proposal for the State, which takes a couple of years to go through the process with NH DES. We are proposing construction for Phase III to begin at the end of 2027 which will give us approximately a 2-year timeframe from when our current phase fills up and

this one is completed. In 2024, we will be finishing up hydrological work and submitting our permit to NH DES.

In response to Mayor McNamara's question regarding if more recycling could extend those dates out, Ms. Douglas's answer was yes, noting that as technology gets better, and we start recycling more it would increase capacity.

Mayor McNamara also questioned if re-excavation of the previous landfill to remove recyclables and recompact was part of the program. Ms. Douglas confirmed and explained the work to be done on the Phase 4 Expansion.

Councilor Simon questioned if we are restricted to height limit. Ms. Douglas stated the restriction for Phase I was the sightline from the Home Depot parking lot. Our biggest factor for constraints on the height is actually the workability for the other phases.

City Manager Mulholland reiterated again that we are not recycling materials as we should. Once Erica gets this project done, our next part is to start looking at requiring people to recycle materials. We are filling up valuable space with things that could be reused. We need to get people to think differently.

Councilor Liot Hill questioned how much time can we buy with Phase III? Ms. Douglas noted that when we do Phase IV, the trash from Phase IV will go into Phase III along with the current trash while Phase IV is under construction. We will see rate increases coming.

Public Works

Landfill Site Improvements

Requesting (2024): \$116,000.

Solid Waste Manager Erica Douglas explained and reviewed the CIP request for the Landfill Site Improvements, which will assist in the operations and long-term functionality of the landfill facility, noting the facility is in need of repairs to the current infrastructure (i.e., paving in front of the compactor bay, scales and scrap metal areas; work on perimeter road; litter fence; correct drainage issues; new scale rail) **(See photos and detailed information on pages 137-138, agenda packet.)**

SEE PAGES 140-141 FOR THE LEBANON SCHOOL DISTRICT PROPOSED FACILITIES IMPROVEMENT PLAN (2024-2028)

REGULAR SESSION PORTION OF MEETING:

Mayor McNamara called the City Council Regular Session to order at 7:29 pm.

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

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

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

4. OPEN TO PUBLIC: NO ONE CAME FORTH

5. RECOGNITIONS: NONE

6. ACCEPTANCE OF MINUTES:

- September 27, 2023 (Special Meeting)
- October 4, 2023

Amendments: For clarity purposes, Pages 13, Lines 42-47 and Page 14, Lines 1-2 in agenda packet should be amended as follows:

REMOVE: “Councilor Simon spoke about his concerns regarding the cost of construction being solely raised by 42 donations. He questioned if there was a timeframe goal to reach the funds needed to start construction, 43 noting that if we are looking to start construction in five years then we are looking at an increase in 44 building costs, etc. City Manager Mulholland noted the next step is the final design. The donations we 45 receive initially will go toward that final design. Hopefully, we will receive what is before the State 46 Legislature (\$1M). There are also State Tax Credits, but donations will be the vast majority of funding 47 Page 13 of 201 for covering this expense, noting the remaining funds will be needed before construction can be started. There are also other options, such as phasing the project, as we move forward.” Should be replaced with the following statement:

REPLACE WITH: “Councilor Simon questioned the City Manager regarding the building construction costs of the Childcare Facility and asked if there were benchmarks that would (need to) be met, in regard to the dollar amounts, that would trigger construction starting, and if construction was completed and there was a shortfall in donations would Lebanon citizens be on the hook for that amount. City Manager Mulholland’s answer was no, and reiterated what he said earlier tonight that the Childcare Facility will not be built unless there is 100% funding through the donations.”

Councilor Heistad MOVED to approve the September 27, 2023 (Special Meeting) and the October 4, 2023 Regular Session minutes as amended and presented in the October 18, 2023 City Council agenda packet.

Seconded by Councilor Whittlesey.

****The Vote on the Motion was approved (9-0)***

7. APPOINTMENTS:

- Lebanon Energy Advisory Committee, Woody Rothe (Reappointment Citizen Representative)
Councilor Liot Hill MOVED to NOMINATE Woody Rothe for Reappointment as a Citizen Representative to the Lebanon Energy Advisory Committee.

****The Vote on the NOMINATION was approved (9-0)***

- Arts & Culture Commission, Brian Cook (Reappointment Arts Organization Representative)
Councilor Wilkie MOVED to NOMINATE Brian Cook for Reappointment as an Arts Representative to the Arts & Culture Commission.

****The Vote on the NOMINATION was approved (9-0)***

8. PUBLIC HEARING ITEMS: NONE

9. OLD BUSINESS: NONE

10. NEW BUSINESS (continued)

- B. Review Recommendation by the Tree Advisory Board Regarding Matching Funds for a USDA Urban Forestry Grant**

Included in the agenda packet: **(All supportive documents and information can be found on Pages 150-154, Council agenda packet)**

1. Tree Advisory Board Budget Narrative, Lebanon NH Green Streets Initiative ira-92564

Chair Andrew Garthwaite reviewed the background and explained the Tree Advisory Board Regarding Matching Funds for a USDA Urban Forestry Grant

BACKGROUND

The members of the Tree Advisory Board (TAB) developed and submitted a grant application to the USDA for an Urban Forestry Program in the City. The USDA approved two grants in the State, one of which was awarded to the City of Lebanon. The grant covers a period of five years with a total project cost of \$488,550. The cost share of the grant is 50% USDA funding with a matching amount of 50% by the City.

In order to accept and effectuate the grant, the City Manager will need to sign a grant agreement certifying the City's commitment to the matching portion of the grant over the five- year grant period. The 50% City match will a combination of in-kind contributions (volunteer time and force account labor from City staff time) and a cash commitment in the amount of **\$107,563**.

In consultation with the City Manager, the Tree Advisory Board reviewed several possible options to fund the cash portion of the match. Based on these discussions, the City Manager recommends the establishment of a trust fund under the provisions of RSA 31:19-a to place the matching portion of the City's funding requirement. A fund created under this RSA would also allow for the acceptance of donations.

The full cash amount would need to be transferred from the Unassigned Fund Balance to the trust fund which would allow the City Manager to certify that the City has committed the funds needed to meet the grant requirements. The Tree Advisory Board has committed to seeking donations necessary to help offset the transfer of funds from the Unassigned Fund Balance. The present projections of the use of Unassigned Fund Balance indicate that beginning in 2027, the City will fall below the range of the minimum balances to meet the City's requirements for emergency reserves and cash flow needs. As donations are made and deposited into the trust fund, the equivalent donation amount will be withdrawn from the original transfer and returned to the Unassigned Fund Balance.

Council Discussions:

City Manager Mulholland noted it was important to recognize the fact that the work that has been done on this grant was done by volunteers of the Tree Advisory Board. The issue is that at some point he will be getting a grant agreement that he will need to sign (or not), and he will be committing the City for the next 5 years to raise \$107, 563.00. The Balance of the match (+/- \$244K) is a combination of volunteer time and the use of City Staff time, which counts toward this grant. This is a really important project, and he suggested the Council not turn this down. He is proposing to create a Trust Fund for this grant and that \$107, 563.00 be moved into this account. In order for him to sign the grant, he will need to schedule a Council meeting to establish this Trust Fund and move the \$107, 563.00 into this fund.

Mayor McNamara talked about the options the Council could take as follows:

1. Raising cash donations, or
2. Using future income from the Lost Fund and use that to offset the Unassigned Fund Balance and explained his reasoning.

ACTION:

Councilor Liot Hill MOVED that the City Council directs the City Manager to prepare an agenda item for the next meeting to create a trust fund under the provisions of RSA 31:19-a or take other action under RSA 31:19-a.

Seconded by Council Whittlesey.

Councilor Liot Hill was not enthusiastic about using the Lebanon Open Space Transfer Fund (LOST) to fund this.

Councilor Heistad heard that the Conservation Commission and the Tree Board should work together.

***The Vote on the MOTION was approved (9-0).**

C. Acceptance of River Park Drive as a City-owned and Maintained Public Street

Included in the agenda packet: (All supportive documents and information can be found on Pages 155- 158, Council agenda packet)

1. Proposed Form of Quitclaim Deed to be used and recorded for the acceptance of River Park Drive, or any portion thereof.

Additional information available but not included herein:

1. July 5, 2023, City Council Agenda Packet - Request by Lyme Properties, LLC for City Council to Reconsider Acceptance of River Park Drive and Lyman Street

City Manager Mulholland noted this is very similar to the Resolution that was drafted back in 2011, with some changes.

BACKGROUND

Following up on the discussion with the City Council at its July 5, 2023 meeting, Lyme Properties on behalf of XYZ Dairy, LLC is formally requesting the City Council accept River Park Drive as a public street. XYZ Dairy is not requesting the acceptance of Lyman Street as part of this request.

City administration is in support of the acceptance of River Park Drive and has worked with legal counsel to finalize a resolution for the acceptance of the street.

ACTION:

Councilor Whittlesey MOVED, to accept the RESOLUTION, as presented on pages 155-156 in the October 18, 2023 City Council agenda packet. (Note: The RESOLUTION was not read into the record.)

Seconded by Councilor Simon.

***The Vote on the Motion was approved (9-0)**

D. Request for Zoning Amendments: Cicotte Properties, LLC – Route 120, Evans Drive and Little Heater Road, Lebanon

Included in the agenda packet: **(All supportive documents and information can be found on Pages 159-172 , Council agenda packet)**

1. September 28, 2023 Letter from Daniel Nash of Advanced Geomatics & Design
2. October 10, 2023 Memo from Planning & Development Department, including 2023-2024 Proposed Zoning Amendments
3. September 29, 2023 Petition for Zoning Changes Vicinity of Exit 18

Mr. Dan Nash briefly reviewed his request to restore the following properties zoning back to where they were.

BACKGROUND

Cicotte Properties, LLC is requesting zoning amendments to properties located in the Route 120 Corridor to include the following:

- Tax Map 78, Lot 40, Plot 200 - Located along Evans Drive, currently zoned Residential- Office-1 (R-O-1) requesting parcel be rezoned to General Commercial (GC)
- Tax Map 78, Lot 40, Plot 100 - Located along Evans Drive, currently zoned Residential- Office-1 (R-O-1) requesting parcel be rezoned to General Commercial (GC)
- Tax Map 63, Lot 4 - Located along Evans Drive, currently zoned Rural Lands Three (RL- 3) requesting parcel be rezoned to General Commercial (GC); or alternatively to Residential-Office-1
- Tax Map 78, Lot 61 - Located along Little Heater Road, currently zoned Light Industrial (IND-L) requesting parcel be rezoned to General Commercial (GC)
- Tax Map 664, Lot 30 - Located along Little Heater Road, currently zoned Light Industrial (IND-L) requesting parcel be rezoned to General Commercial (GC)

Details of the request(s) along with a memorandum from Planning & Development Department Staff regarding the relationship of the request to the current Master Plan and the process to amend the Zoning Ordinance are attached for your review.

ACTION:

Assistant Mayor Below MOVED, that the Lebanon City Council in accordance with the City of Lebanon Zoning Ordinance, Article X, Section 1000.3, Amendment Procedures, submits the Zoning Ordinance and Zoning Map amendments as described in the September 28, 2023, letter by Daniel Nash of Advanced Geomatics & Design to the Planning Board, Conservation Commission, and Zoning Board of Adjustment for their review and comment. The City Council hereby sets the following tentative review schedule:

Zoning Board of Adjustment - November 6, 2023

Conservation Commission - November 9, 2023

Planning Board - November 27, 2023

City Council Public Hearing-January 17, 2024

Seconded by Councilor Liot Hill.

****The Vote on the Motion was approved (9-0)***

E. SAFER Grant for Additional Firefighters Presentation by Fire Chief Wheatley

Included in the agenda packet: **(All supportive documents, information and LFD Chief Wheatley's presentation can be found on Pages 173-198, Council agenda packet)**

1. October 11, 2023 Memo from Fire Chief Jim Wheatley re: Staffing for Adequate Fire and Emergency Response (SAFER) Grant
2. Staffing for Adequate Fire and Emergency Response (SAFER) Fire Department Presentation

BACKGROUND

Fire Chief Wheatley is requesting that the City Council consider adding personnel to the Fire Department through the acceptance of a SAFER Program Grant (should it be awarded to us).

The SAFER program is a federal grant program with a goal to “assist local fire departments with staffing and deployment capabilities in order to respond to emergencies and assure that communities have adequate protection from fire and fire-related hazards”. The program provides grant awardees funding for a 36-month period as follows:

- Year 1 100% of the cost of a firefighter (wages and benefits);
- Year 2 100% of the cost of a firefighter (wages and benefits).
- Year 3 100% of the cost of a firefighter (wages and benefits).

As a condition of acceptance of the grant funding the positions must be maintained for 36 months. At the end of the 36-month period the City would have two options: 1) retain and fully fund the position(s) or 2) eliminate the position(s).

The estimated program costs (wages and benefits) for four (4) Firefighters for the total 36-month commitment are Federal = \$1,691,200.00 and City of Lebanon share = \$149,752.00.

Fire Chief Wheatley noted the LFD has been trying to find creative ways for years to supplement their staffing and explained the ways they have done this. The Fire Prevention Division is becoming very busy with the growth that is going on in the City and he is being forced to use those employees to supplement emergency calls almost on a daily basis. He came before the Council tonight to discuss the opportunity of applying for a SAFER Grant, noting that in 2017 they received a SAFER Grant, which allowed them to receive three positions.

The purpose for the Federal SAFER Grant is to provide the LFD with additional staffing to meet their service demands and National Response Standards. He has spoken to the Council before about the Response Standards and some inability we have to meet those standards, more so when we were having the Station discussions regarding locations, but he also indicated that some of that was due to the availability of resources that we have. Last year when he gave his budget presentation, one of the things he mentioned is the need for help. He wears a lot of hats being the Fire Chief and this has consumed a lot of his time because they have a severe problem in their Department right now.

The current grants that are out cover 100% of salary and benefits for these full-time positions for 3-years. Essentially, we would be asking the City to pay for the turnout year, equipment, and uniforms. When we talk about service delivery, it is the availability to which the resources are ready and available to respond. Right now, we have shifts of 6 people on duty and will drop to a minimum of 5 on duty. What this means is that when he has one ambulance call, he has three (3) people left in the City to provide fire and EMS protection. We will try to call back coverage, but our ability to get off duty members back has become very difficult. When he has two ambulance calls, he is down to one member covering the station. The repetitiveness of two/three/four ambulance/fire calls are continuing to add up. Last Friday, after a series

of calls, he noted that he and his administrative assistant were the only ones covering the City of Lebanon for Fire/EMS protection.

MEASURING SERVICE DELIVERY

Availability—The degree to which the resources are ready and available to respond.

Capability—The abilities of deployed resources to manage an incident.

Operational Effectiveness—A product of availability and capability. It is the outcome achieved by the deployed resources or the ability to match resources deployed to the risks to which they are responding.

Fire Chief Wheatley spoke about incident(s) where a fire truck with one firefighter arrived on scene to a building on fire by himself. The recommendation is that the department arrive on scene with four firefighters in less than 4 minutes, 90% of the time.

RE ENGINE RESPONSE CRITERIA (NFPA 1710)

Fire engine arrival with 4 firefighters in less than 6 minutes from the time of initial call not less than 90% of the time.

Call processing = 60 Seconds (1 Minute)

Turn out time = 60 Seconds (1 Minute)

Travel time = 240 Seconds (4 Minutes)



RESPONSE CRITERIA

S RESPONSE CRITERIA (NFPA 1710)

Ambulance arrival in less than 6 minutes from the time of initial call not less than 90% of the time.

Call processing = 60 Seconds (1 Minute)

Turn out time = 60 Seconds (1 Minute)

Travel time = 240 Seconds (4 Minutes)



For high hazard buildings (apartment buildings; high-rise buildings; commercial buildings), the standards require that we arrive with six firefighters on an engine and also recommends that we are arriving with a minimum of 28 firefighters in less than 20 minutes.

Fire Chief Wheatley spoke about the Massachusetts Municipal Association Study Statement and Recommendations for 2008 (page 180, agenda packet), noting the LFD has 41 square miles they are

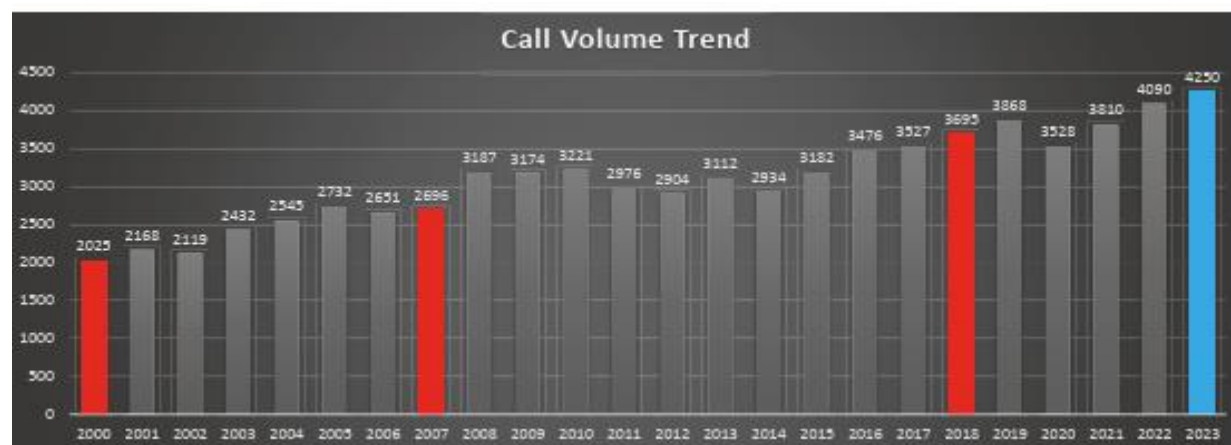
trying to cover with 2 fire stations. We have a pocket in Lebanon that is seeing incredible growth that he cannot achieve response times in right now.



SERVICE DEMANDS:

Between 2007 and 2023

- 55.7% increase in call volume
- Staffing increased by 4% (1 Position)
- Department is currently working with deficit of 15 positions; Four positions are being requested with the application of a safer grant.



Fire Chief Wheatley also spoke about the following graphs, which are included in the Council agenda packet:

- Simultaneous Incidents (page 184-185);
- Number of Firefighter on First Due Engine (page 186);
- Number of calls per member broken down by similar NH Cities (page 187);
- Annual call volume breakdown for Lebanon and other similar cities (page 189):

Councilor Simon noted that these numbers are representative across the State and are typically population based upon that population's need. His point is that he has maintained for many years that the recorded census population in the City of Lebanon is wrong. We need to figure out a way to commission some sort of strategy regarding how many people we have living here.

Mayor McNamara did not know how many calls for service are folks who are Lebanon residents. Chief Wheatley noted he has tried to narrow down the spike in population during the day in Lebanon, but in 2020-2023 we have seen a 42% increase in our residential housing units and a 17% increase in our population. He also spoke about the 5K housing unit shortage in the City, so the population growth does not match with the housing growth and the housing needs: somewhere there is a gap.

Councilor Whittlesey noted that our census data and our resident data do not accurately reflect our true population. This is where we start getting that daytime population and further explained his reasons. He would not look at our population at all as we start looking at our capacity and should instead focus more on the annual call volume and how we respond to that in a safe way.

Councilor Wilkie spoke about the calls per member and felt the LFD probably needs four times as many (firefighters).

In response to Council Heistad's question regarding calls during working hours, Chief Wheatley noted a spike in calls (5-years ago) was between 9 am and 4 pm. Today a rise in calls is between 6 am to 10 pm., noting that 86-87% of our calls originate in the City of Lebanon, and we have 2,500 EMS transports and 86% of those are Lebanon residents.

Councilor Sykes questioned the City Manager and asked if federal grants was another way our city payer dollars are actually coming back to the community. City Manager Mulholland answered by saying we send a lot more back to Washington and get very little back here in the City of Lebanon.

In response to Councilor Sykes' question, Chief Wheatley said that this SAFER grant covers all costs in wages/benefits/ uniforms/equipment/personal protective clothing and gave examples.

Councilor Sykes spoke about his reasons why he felt the motion (in agenda packet) was inadequate. Here we have real, hard data and suggested that the number (of firefighters) be changed to at least 7.

Councilor Whittlesey calculated the number of members that would be needed to bring down the day average of individual members. In order to reach the day average, we would need 40 total FTE's or 15 new hires.

Assistant Mayor Below noted that in the 2020 census 21.4% of Lebanon's population was 65-years or older hypothesizing that we are a very attractive area for retirees.

- Mutual Aid requests (page 188);
- Call Volume (page 189);
- Fire Prevention Staff Emergency Call Responses (page 190);
- Time Spent in Emergency Mode (page 191);
- Response Criteria: EMS (page 192);
- Response Criteria: Fire Engine (page 193);
- How LFD Currently Offsets Annual Budget (page 194);

- Lost Revenues because of Resource Gaps (page 195)
- 2024 Potential Revenue Increase with Additional Staffing (page 196);

3 YEAR COST COMPARISON FOR THE CITY OF LEBANON (4 Fulltime Positions)

ANNUAL BUDGET CYCLE	COL COST WITHOUT SAFER GRANT	COL COST WITH SAFER GRANT
2024 Operating Budget	\$ 377,203.98	\$ 57,229.20
2025 Operating Budget	\$ 554,721.44	\$ 44,033.00
2026 Operating Budget	\$ 546,275.18	\$ 24,038.00
2027 Operating Budget (First 6 Months)	\$ 362,753.30	\$ 24,452.00
TOTAL over Grant Duration (36 Months)	\$ 1,840,953.82	\$ 149,752.00

- Estimated SAFER Grant Timeline (page 198);

Council Discussions:

Mayor McNamara thought this illustrated something that is really important. Over the next few weeks, as we look at the budget, we are looking at a potential tax increase of 4.5%, which is significant. As he looks through the Capital Budget, it reaffirms that we have some very, very, very difficult decisions to make and there are essential services that we have to identify and support. Clearly the Fire Department is one of these. We have made strategic investments and maybe these had money we didn't have to spend but were investments we wanted to make in the long term. He was afraid as we go forward for the next several years, we are going to have to find a way to shrink that middle in order to fund essential services adequately and be able to make strategic investments while trying to mitigate the increase in taxes, or we are going to start to drive people out of the City. We simply cannot afford the continuous increases in property taxes. We also need to realize that at the end of this 3-year SAFER Grant, we will not let these people go, and this will increase the budget by +/- \$600K/year.

The Council had lengthy discussions regarding:

- The concern that these 4 positions were not adequate.
- What the risk was to the City/LFD if the staffing levels were not increased? Chief Wheatley gave examples and spoke about why the risk is high.
- How adding 4 positions to the LFD would just be putting a band aid on this problem.
- If the grant did not work out, how the LFD would need to find funding through the Operational Budget.
- How there would be a cost savings if there were no overtime and how the cost of not doing this may be worse.
- Whether or not there has been a rise in sick time/injuries. (Chief Wheatley noted that over the last 5 years they have seen a 15% increase in sick time.)
- Whether or not to change the motion to replace 4 hires to 8 to reduce the number of calls per firefighter and to increase the safety of the citizens of Lebanon.

- Whether or not the timing of SAFER Grants can be done yearly. (Chief Wheatly noted you cannot apply for a SAFER Grant while one is still active.)
- Whether or not adding 8 new hires instead of 4 would hurt the SAFER Grant. (Chief Wheatley spoke about his reason why adding 8 new hires would actually make our argument better.)
- Whether or not the Council should add a certain amount (of funding) to the budget immediately for 2024 to potentially mitigate some of the concerning scenarios they heard about.
- Concerns about rising taxes in the City.
- Establishing a Safety Committee to look after our Public Safety Services and public safety in the City.
- Concerns about the accuracy of the City's census.

ACTION:

Councilor Sykes MOVED, that the Lebanon City Council directs the City Manager to apply for a SAFER grant application for “8” full time firefighter positions. If the grant is awarded, it is understood that the eight positions funded under the SAFER Program will be maintained for the performance period of 36-months, and no staffing reductions can occur within the Fire Department during the grant performance period. The City would be responsible for fully funding the eight positions after the 36-month period.

Seconded by Councilor Simon.

The Council held further deliberations on whether or not to support the change in the motion as listed above.

Mayor McNamara spoke about his reasons in support of having four (4) full-time firefighters, as originally stated in the Motion.

Councilors Whittlesey and Wilkie spoke about their reasons why they supported adding eight (8) firefighters.

Councilor Heistad spoke about his reason why he supported keeping four (4) full-time firefighters.

City Manager Mulholland highly suggested the Council wait until the meeting on November 7, 2023 before making a decision on this item so they can see the final budget picture, especially since eight (8) new firefighters are being proposed.

Assistant Mayor Below spoke about his reasons why he felt it made sense to table this item for the moment noting that in 3 years from now there could be a bump of \$1M in potential Debt Service. He also spoke about the Fire Station costs that the City desperately needs.

In response to Councilor Liot Hill's question regarding what the Chief's priority would be (Staffing or Fire Station), Chief Wheatley said that he cannot prioritize one over the other. If there was a phased approach it would be staffing, noting the new Fire Station will be built to house 9 firefighters.

City Manager Mulholland noted that the Fire Station needs to be done. If we postpone this, the cost will only grow higher. We are also looking at \$3M in Fire Equipment. There is no question that additional staff is needed, but the Council has not looked at the additional budget items yet. Unless you are willing

to make dramatic cuts throughout the rest of the budgets in the City, the tax rates will go up dramatically. He also addressed the School District proposed budget and all the other proposed CIP project requests.

Councilor Liot Hill gave her reasons why she was not in favor of tabling this tonight.

Councilor Heistad spoke about his reasons why he felt the Council needs to get all the information (on the budget) before we commit ourselves (to the SAFER Grant).

Councilor Sykes was not in favor of tabling this item, noting we are very aware of the concerns raised, but it does not change the fact we have a real problem right now.

Assistant Mayor Below MOVED to table the Motion.

Seconded by Councilor Heistad.

****The Vote on the MOTION FAILED (2-7).***

Assistant Mayor Below noted that in the presentations we saw tonight, the General Fund Debt Service (what we pay out every year) is projected to spike by over \$2.5M in 2027. What would that mean if there was a \$1.5M increase in General Fund Expenditures in a single year and then add to that the cost of eight (8) more firefighters on top of that? He questioned what we could potentially be looking at in terms of a tax rate increase in 2027. Mayor McNamara said it would probably be another \$1.2 M to \$1.3M. Assistant Mayor Below wanted everyone to understand that what we are saying is 3-years out in the future, we may be looking at having to raise roughly \$3M more in taxes from Lebanon's tax payers.

The Council held more discussions regarding the tax rate implications of approving the SAFER Grant and took the following Action:

The Original Motion was already moved by Councilor Sykes and seconded by Councilor Simon.

****The Vote on the Original Motion was approved (7-2) Mayor McNamara and Council Heistad voted Nay.***

F. Review and Action on Properties Qualified for Tax Deeding

Included in the agenda packet: ***(All supportive documents and information can be found on Pages 199-201, Council agenda packet)***

1. October 18, 2023 Memorandum from City Clerk/Tax Collector Jaseya Ewing, RE: Tax Deeding

City Clerk Jaseya Ewing reviewed the background and explained the properties that are listed for 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 property tax bills that are outstanding for more than 30 days. Within 18 months of the date assessed, the Tax Collector places a lien on properties for all uncollected property taxes. These liens have priority over other liens and accrues interest at 14% per annum.

In accordance with RSA 80:76, if a property owner has not redeemed their property taxes, penalties, and

interest within the 2-year redemption period, the Tax Collector is required to deed the property unless notified by the City Council to not deed.

If the City Council instructs the Tax Collector that it shall not accept a deed, the tax lien shall remain in effect indefinitely. The taxpayer's right of redemption as provided by RSA 80:69 shall likewise be extended indefinitely, with interest continuing to accrue until taxes, penalties, and interest have been satisfied.

Should the City Council decide that the reasons for refusing the tax deed no longer apply, and the tax lien has not been satisfied, they may instruct the Tax Collector to commence the statutory deeding process.

The taxpayers and their respective mortgagors were notified of the City's intent to lien in 2021. The deeding process began August 31, 2023, when certified notices were mailed to the property owners. Certified notices were mailed to mortgagors on September 7, 2023, in addition to multiple attempts to establish payment agreements with the property owners.

Waiver Of Tax Deeding

We are recommending that the City Council waive tax deeding on four properties, totaling \$11,934.34. The property owners have an existing payment plan in process with one of these properties set to be paid in full by the end of the year.

Authorization For Tax Deeding

The properties recommended to commence the deeding process on the total of \$1,893.03.

Council Discussions:

Councilor Liot Hill spoke about her reasons why she felt that inhabited properties should not be on the Tax Deed list, especially since there is such a shortage of housing in Lebanon.

Councilor Sykes spoke about a couple of State programs and questioned if the people on the Tax Deeded list have been offered counseling. The City Clerk answered this has not been done through her office, and City Manager Mulholland noted this is done through the Human Services Department.

ACTION:

Councilor Whittlesey *MOVED the following RESOLUTION:*

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 year 2020.

NOW THEREFORE BE IT FURTHER RESOLVED that the Lebanon City Council, hereby serves notice upon the Tax Collector to waive taking deeds on the immediately following properties because of an existing payment plan between the owner and the City of Lebanon:

Billed Owner/Location	Map/Lot	Type	2020 Lien	Total Due
Maville, Sandra 19 Mason St	91-59	Residence	\$3,672.43	\$10,487.28
Parker, Robin D ET AL+ 55 Eastman Hill Rd	125-20	Residence	\$598.03	\$11,106.58
Maville, Muriel 20 West St	91-71	Apartment Building	\$4,844.42	\$25,920.00
Maville, Muriel 24 Granite St	91-81	Apartment Building	\$2,819.46	\$23,432.79

NOW THEREFORE BE IT FURTHER RESOLVED that the Lebanon City Council, hereby serves notice upon the Tax Collector to commence the statutory tax deeding process on the immediately following properties:

Billed Owner/Location	Map/Lot	Type	2020 Lien	Total Due
Griffin, Heather 0 Pumping Station	93-103	Land	\$188.06	\$392.58
Jalbert, Patricia M. 68 Bomhower St	90-42-6300	Mobile Home	\$907.08	\$4,526.37
Thibodeau, Brandon & Tarrah 29T Andrew St	90-42-2900	Mobile Home	\$797.89	\$4,380.34

Seconded by Councilor Wilkie.

****The Vote on the Motion was approved (9-0)***

11. City Manager Report:

City Manager Shaun Mulholland updated the Council as follows:

- Access to City Hall and restrooms during renovations.

12. COUNCIL REPRESENTATIVES TO OTHER BODIES: NONE

13. FUTURE AGENDA ITEMS:

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

14. NON-PUBLIC SESSION: The Council chose not to hold this session due to the lateness of this meeting.

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

15. ADJOURNMENT:

Councilor Whittlesey MOVED for adjournment.

Seconded by councilor Wilkie.

****The Vote on the MOTION was unanimously approved (9-0)***

The meeting was adjourned at 9:50 PM.

Respectfully submitted,
Dona E. Gibson
Recording Secretary