



**LEBANON CITY COUNCIL
JUNE 18, 2025 - 7:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 957 717 044#). If you have trouble accessing this meeting, please [email David Brooks](#).

1. Call to Order

The June 18, 2025 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Public Forum Announcement by the Mayor

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

4. Open Council Discussion

5. Open to the Public

6. Recognitions: None

7. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the June 18, 2025 agenda packet.

8. Appointments

- A.
- West Lebanon Revitalization Advisory Committee, Corinne Alfeld (Alternate Ward 1 Resident)
 - West Lebanon Revitalization Advisory Committee, Susan Pagan-Hilton (Alternate Ward 1 Resident)

9. Public Hearing Items

A. Ordinance #2025-06

A public hearing for the purpose of receiving public input and taking action to adopt a new City Code Chapter 85, Housing Standards, Minimum

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

B. Ordinance #2025-07

A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 97, Landfill Regulations, Appendix A, Fee Schedule.

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

10. Old Business: None

11. New Business

- A. Discussion of Changes to SAFER Grant Application and Program Parameters
- B. Presentation of Emergency Winter Shelter operational statistics for Winter 2024-25
- C. Discussion & Set Public Hearing for July 2, 2025: Readoption of the Housing and Community Development Plan
- D. Extension of Existing Lease Agreement for Glen Road Hydroelectric Facility
Authorization for City Manager to Execute Extension of Existing Lease Agreement with Green Mountain Power Corporation for Glen Road Hydroelectric Facility

12. City Manager Report

13. Non-Public Session: None

14. Adjournment

Meetings are open for in-person and remote attendance. Members of the public who 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 disrupt virtual or phone connection(s), the meeting will continue without remote access capabilities.

Any person with a disability who wishes to attend this public meeting and needs additional accommodation, please contact the ADA coordinator at City Hall by calling 603-448-4220 at least 72 hours in advance so that the City can make any necessary arrangements.

Future Board/Committee/Commission Appointments

Board/Committee: Heritage Commission

Position: Alternate Member

Applicant: B. Ware

City Councilor: N. Ford Burley

Assigned Date: 06/05/2025

Board/Committee: West Lebanon Revitalization Advisory Committee

Position: Alternate Member

Applicant: S. Roberts

City Councilor: D. Wilkie

Assigned Date: 5/29/2025

Proposed Future Agenda Items: Dates may be tentative, and this list is not considered all-inclusive.

July 2, 2025

Public Hearing Items:

- A. Readoption of the City's Housing & Community Development Plan – Public hearing for the purpose of receiving public input and taking action to readopt the Housing & Community Development Plan.

New Business:

Lebanon City Council Agenda
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- A. Discussion & Set Public Hearing for Approval of Comcast Franchise Renewal Agreement
- B. Authorization for City Manager to Execute Airport Lease Agreement with Hyannis Air Service, Inc. (d.b.a. Cape Air), Tenant
- C. Discussion and Set Public Hearing for July 2, 2025: Proposed Amendments to the Lebanon Zoning Ordinance as follows:
 - 1. GC-1
 - 2. Hatch Amendment
 - 3. Northern Lebanon Environmental Overlay District
 - 4. Adding Hotels as Permitted Use in GC-1 District
- D. Discussion & Set Public Hearing for July 2, 2025: Review of DEI Commission's Recommendations Concerning Welcoming Lebanon Ordinance

July 16, 2025 (6:00pm start)

New Business:

- A. Release of Collected Public School Impact Fees (2nd Quarter 2025)
- B. Review and Discuss Proposed Amendments to City Code Chapter 185, Welcoming Lebanon, in Light of Passage HB511

**Agenda
Lebanon City Council
June 18, 2025**

7. Acceptance Of Minutes:

Minutes To Be Accepted

- May 14, 2025 (Special Meeting)
- May 21, 2025 (Regular Meeting)
- June 4, 2025 (Regular Meeting)

MOVED, to approve the minutes as presented in the June 18, 2025 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
WORK SESSION MINUTES
Wednesday, May 14, 2025, 5:30PM
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Douglas Whittlesey, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, Christian Simon, George Sykes, and Karen Zook

MEMBERS ABSENT: Assistant Mayor Devin Wilkie & Erling Heistad

STAFF PRESENT: City Manager Shaun Mulholland, Interim City Manager Jack Wozmak, Deputy City Manager David Brooks, City Clerk Jaseya Ewing, DPW Administrative Services Manager Kelly Crate, Cyber Services Director Perry Eaton, Libraries Director Sean Fleming, Human Services Director Lynne Goodwin, Airport Director Carl Gross, Finance Director Vicki Lee, Deputy Finance Director Alesia Williams, Fire Chief/Emergency Management Director Jim Wheatley

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

- City Manager Mulholland reviewed the meeting criteria for attendees.
- Councilor Ford Burley led the Council in the Pledge.

2. SPECIAL MEETING

Mayor Whittlesey noted this is really the kick-off of the budget season, which is why we have the budget guidance to City Administration on the agenda. Tonight, we are really looking for input on the Strategic Plan.

a. Receive Public Input and Vote to Approve the Strategic Plan

Included in Agenda Packet: **(All supportive detailed documents and financial information can be found on Pages 2-97, Council agenda packet)**

1. DRAFT 2026-2029 Strategic Plan (PDF)
2. [Link to the 2026-2029 Strategic Plan](#) (Replit)

BACKGROUND:

The City of Lebanon has been actively developing and refining its Strategic Plan to guide municipal operations and address key community issues. This plan complements the City's [Master Plan](#), which focuses on land use, by concentrating on operational aspects of city governance and other matters beyond the Master Plan's scope.

Strategic Plan Development Timeline

Each year, the City of Lebanon engages in a formal review of the Strategic Plan. The annual calendar of events typically unfolds as follows:

- **January** - City departments work with applicable City Boards/Committees/Commissions to update strategic objectives, task items, current state, and outcomes.

- **March** - City departments finalize the Strategic Plan updates.
- **April** - Strategic Plan Presentations at City Council Work Sessions.
- **May** - Final review and approval by the City Council.

Key Aspects of the Strategic Plan:

- **Annual Development:** City staff, with input from community partners, boards, committees, and the public, develop the Strategic Plan each year. This collaborative approach ensures the plan reflects the community's needs and aspirations.
- **Three-Year Outlook:** The plan provides a forward-looking perspective, outlining objectives and initiatives for the upcoming three years. This timeframe allows for both immediate action and long-term planning.
- **Integration with Budgeting:** The Strategic Plan informs the city's budgeting process, ensuring that financial resources are allocated in alignment with strategic objectives. For instance, the 2025 Proposed City Budget was developed in concert with the Master Plan and the annual Strategic Plan.
- **Monitoring and Accountability:** To track progress and maintain accountability, the city as an interactive Strategic Plan Dashboard. This tool allows residents to monitor the implementation of strategic objectives in real-time.

Mayor Whittlesey opened up discussion to the public and the following came forth to give their testimony:

Ms. Lori Key (Ward-3): She spoke about her reasons why she felt the Strategic Plan (SP) should be modified as follows: The SP was unclear about what direction the City should go; A lot of content had already been completed; Under the Financial Stability & Ability Efficiency section managing to meet some financial stability goals that would translate into affordable property taxes; needs to have a revenue strategy; needs clarity in what the strategy is for the City using the SP in 2025 to inform the 2026 budget; There are too many acronyms; In the CPI through 2030-what is the strategy to reduce tax increases that more reflect the CPI; Something has to happen with spending vs. revenue; Store owners should manage retail crime (i.e., shoplifting) and retail security on their own without the City paying for police foot patrols; She did not see the strategy or necessity of the Cyber Crime Unit and AI (Artificial Intelligence); Questioned whether a Tree Warden was needed.

Mr. Michael Long (Ward-2): He spoke about the following document he submitted to the Council.

Testimony on City of Lebanon Strategic Plan

General Comment: Should the Strategic Plan have a component that addresses the needs of the individual taxpayers in Lebanon N.H.? There is no narrative in the strategic plan that identifies individual residents and property owners as a constituent and "customer". How will the strategic plan impact individual residents and property owners? Are residential property owners expected to absorb the 10% plus property tax rate increases projected in the next 4-5 years? Will there be a financial feasibility study completed to assess viability?

Strategic Objective 3.1 Maintain the City's Debt Management Plan

- ✓ Key performance Indicators ensure the City's debt load stays within the policy established by the City Council for the General, Solid Waste, Water and Sewer Funds

Rationale for limiting projects to debt limit:

- a. A city's fiscal sustainability is determined by its ability to provide essential services - such as roads, water and public safety - without needing to continuously raise taxes or take on more debt.
- b. Purpose of the Debt Limit: To prevent the City from incurring debt beyond an amount that would put the City at risk of default on existing debt or prevent debt financing needed for future essential projects. Exceeding debt capacity sends a signal that overall financial viability for the city could be at risk,
- c. If the debt limit policy says the debt limit is the amount by which you should not incur any more debt, why should there be any exclusions? Does this language render the debt limit meaningless?
- d. Under the debt management language, a project with minor grant funding could be approved even if the project results in exceeding the policy debt limit.
- e. What about the cumulative effect of several projects all exceeding the debt limit but exempted due to some grant funding?

I was pleased to see a discussion of challenges and opportunities related to financing included in pages 102 through 110. This section of the strategic plan calls for an implementation plan to be developed to address the challenges. The plan states that the city will need to use fund balances and tax rate increases to offset debt service. In 2025, a \$1 million draw down of fund balance will be used to help meet the increased debt service and stabilize the tax rate. Near term projects must be evaluated for their impact on the overall Lebanon financial position.

He also spoke about his reasons why he felt the City should do a financial feasibility study that shows the impact on the tax rate and the debt limit.

Mr. Fran Casale (Ward-2): He spoke about how the City is trying to fit a 13 year-old Master Plan into the SP; How the City is trying to accommodate the housing crisis in Lebanon and in the region by themselves, noting the City is under no obligation to do this; before we enter into another section of Lebanon (Lebanon North) for more development, they should consider more focus on a West Lebanon Strategic Plan; How the City needs to have a careful analysis done on what the financial ramifications are for the City before taking on projects.

He heard from the outgoing City Manager that what is put in the Strategic Plan is there to happen. We (the City) have to be flexible in a plan to accommodate the current environment, which has changed dramatically in the past 13 years.

Ms. Jennifer Mercer (Ward-3): She noted the SP was hard to evaluate without understanding how it would impact the City's budget without listing the City's priorities and how much items will cost. She suggested taking the annual plan (aka the SP) and prioritizing it into the categories of Life/Safety, the City's needs (i.e., roads, etc.) nice to have and include budgetary estimates. The SP had too many acronyms that were not explained in the SP. She felt that the box stores should be taking care of their own security rather than having the City pay for police patrols. She also spoke about her reasons why she felt DPW should do all the grounds maintenance and the Storrs Hill funding from the Byrne Foundation, which she thought was used to make skiing free to everyone, including out-of-towners and out-of-staters. Fees and costs should be higher for non-residents and the City should make sure other towns are paying their fair share for some things (i.e., the homeless shelter).

Ms. Mary Davis (Ward-2): She echoed what Ms. Mercer said and suggested the Council not vote on this tonight but go back and redo it where there are numbers and priorities in the SP that the public can see. She expressed her concerns about the Emergency Shelter (i.e., loitering/shoplifting/drug overdoses/fights, etc.)

1
2 **Ms. Joan Townsend (Ward-2):** She spoke about her concerns about West Lebanon and felt it should
3 have a better Downtown area; how DHMC (Dartmouth Hitchcock Medical Center) should fix their own
4 housing issues; her suggestions for the homeless shelter; questioned why the City has two (2) libraries;
5 questioned why the City has two (2) Deputy City Managers who could have helped out with procuring a
6 new City Manager rather than hiring this out (to a third party); how housekeeping needs to be done with
7 the City's payroll (i.e., pay grades); and, charging more taxes for people who do not live in Lebanon.
8

9 **Ms. Sarah Riley (Ward-2):** She spoke about her concerns regarding a second water source for the City
10 and its cost effect on the residents (i.e., water/sewer costs and ecological/recreational costs), noting this
11 second water source) was not documented in the Strategic Plan. There should be more attention paid to
12 this project and hoped the Council would also speak up for Lebanon's unhoused and the City's
13 responsibility to care for the unhoused.
14

15 **Hearing no further testimony from the public, the discussions were closed.**
16

17 **Council Discussions:**

18 Mayor Whittlesey noted the City would work on the acronyms in the Strategic Plan. The City has been in the
19 process of migrating information from the Miro Board to Replit software. He noted City Staff have tried to
20 incorporate fees very broadly because there are other fee reviews that need to be done. A full comprehensive
21 review of fees will be discussed in more depth in September 2025 and will be part of the annual process to
22 adjust fees as needed moving forward.
23

24 Councilor McNamara questioned if it was possible to enunciate the 10-12 things (separate from the Replit) that
25 have changed significantly from the last Strategic Plan and thought a simple summary that folks could read
26 would be helpful. Mayor Whittlesey noted this is something the City can improve on starting in 2026 in terms
27 of communications and how this can be communicated to the public.
28

29 Councilor Stavis questioned if there was a spreadsheet on contemplated projects and what the anticipated
30 return on those project investments might be. Mayor Whittlesey noted that the funding amounts listed in the
31 CIP are the best estimates because the CIP sometimes goes out six (6) years. While we do have a list of
32 projects, there are projects that are ready to go if grant funding is made available to pay for them. However, if
33 some projects are not ready to go, the City will not receive the grants.
34

35 Councilor Stavis stated that what she was hearing from the public was their concerns about housing projects or
36 other kinds of developments that are being proposed to the City by developers that will cost the City money for
37 infrastructure, funding for city staff support, and their unknowingness' about what the cost benefit ratio to
38 those projects might be.
39

40 Mayor Whittlesey spoke about the complicated process that projects need to go through with the Planning
41 Board and Zoning Board and the waivers/variances on projects that can/cannot be done, noting these are not in
42 the purview/control of the City Council.
43

44 Councilor Stavis questioned if a cost/benefit analysis could be developed for projects so that members of the
45 public can see whether or not the project will create revenue that will alleviate some of the costs (of a project)
46 for taxpayers. This is a communications issue. In short, is there something that can be developed that will
47 make things clearer to the public.
48

49 Mayor Whittlesey felt it was important for the City to be clear on what the City Council can and cannot do and
50 further explained his reasoning.
51

1 Councilor Ford Burley noted this comes down to a property owner rights issue in a lot of cases. To Councilor
2 Stavis' point, this is a communication issue and suggested creating a City Webpage talking about what is
3 happening in Lebanon and felt Section 1.6 in the SP might be helpful and appropriate to add under the
4 Enhancing Community Engagement section.

5
6 The Council continued discussions on what should be included on the City's website and in the Strategic Plan
7 within 60-90 days (i.e., costs of staff time/planning time/list of expenses, and how to provide that information
8 to the public through fiscal notes).

9
10 City Manager Mulholland noted that the City had layoffs in 2025, and we will see more. This is not the time
11 to be adding taxes. The costs of staff time/planning time/list of expenses, etc. would need to be added in the
12 fiscal notes and further explained why adding fiscal notes would cost the taxpayers more money.

13
14 Councilor Stavis said she brought this up, so the public knows just how complex this is across many different
15 levels of the City, so it is difficult to get a handle on the kinds of information that the people are seeking in a
16 way that is succinct and does not cost additional staff time, therefore raising taxes.

17
18 Mayor Whittlesey reiterated again that the Council tends to focus on the direct City impacts. The Council does
19 not control what private developers do with their space beyond ensuring that it conforms with Zoning/Planning
20 Ordinances, etc.

21
22 In response to Councilor Sykes' question about a Lebanon North development, Councilor McNamara thought
23 this might be the presentation given by Mr. Champion at the Council meeting on May 7, 2025. Councilor
24 Sykes requested to see some fiscal notes in the SP and requested data relative to the numbers of police/fire
25 calls, both to the box stores and the low barrier shelter. City Manager Mulholland noted data is available on
26 specific locations and sectors of the City, etc. and requested that Councilor Sykes send him an email and
27 include the specific data he is looking for.

28
29 Mayor Whittlesey noted he views the Strategic Plan as organizational. What we are trying to accomplish this
30 year should be operating within the scope of the SP to develop the budget. He did not feel the City could
31 complete everything in the SP and read what his vision for the SP should be as follows:

32
33 "Recognizing the impact of tax increases on residences the City strives to balance the need for services,
34 infrastructure, and capital against the resulting tax impacts to the City's residence. The City shall, when
35 necessary, prioritize funding for the Strategic Objective to mitigate the impact on the tax rate."

36
37 Mayor Whittlesey noted the Council will need to prioritize (the funding for the Strategic Objectives) and what
38 the City can accomplish.

39
40 City Manager Mulholland noted that the purpose of the Strategic Plan is to provide guidance to the City. We
41 know these things have a cost and if we realistically know things are not going to be done, and if the Council
42 does not intend to fund things they should not be included in the Strategic Plan. The Council should prioritize
43 the things they are actually going to do in the next year.

44
45 Councilor Ford Burley noted there are a lot of things in the (SP) that are dependent upon (future) funding and
46 felt these should not be removed, even if the funding does not materialize. She spoke about the items she felt
47 should be removed: Much of Section 1.7 regarding AI Technology such as Action Item 1.7.1; Action Item
48 1.7.2; Action Item 1.7.3; Action Item 1.7.4; Action Item 1.7.5; Action Item 1.7.6 and Action Item 1.7.7. These
49 are things that cost staff time and felt AI is very problematic, it is not very efficient or correct (85% of the
50 time). If we are removing things that we do not necessarily need to do, this is one of them.

1 Mayor Whittlesey noted he added Action 1.7.7 and explained his reason. He felt this represented a language
2 model that would better capture the City's minutes and would reduce the amount of time necessary to produce
3 minutes as a cost savings measure. He was opposed to removing some of AI (artificial intelligence) pieces,
4 noting that AI is here to stay and the City should leverage its capabilities. City Manager Mulholland also spoke
5 about how the use of AI is already being used in the City to save time and costs.

7 In response to Councilor Ford Burley's comments about how (in Action Item 1.7.7) AI will know what the key
8 takeaways are in a meeting because it is largely relying on large language learning, Mayor Whittlesey
9 explained how this would be done. His thought process was that this would reduce the burden on recording
10 secretaries and staff time, especially given the number of Boards and Committees in the City.

12 Councilor McNamara spoke about the seasonal homeless shelter (Action 2.2.3: Partner with community
13 providers to provide low-barrier shelter options), noting the goal is reducing the unsheltered population. He
14 suggested this data be amplified because while it may be a small increase in the unique individuals, he
15 guessed the actual number of beds occupied on any given night was much greater this winter than last
16 winter. He felt the text below should be updated to include the following:

- 17 • **Updates:** The Lebanon Emergency Winter Shelter served 53 unique individuals during the
18 winter of 2023-2024. The Lebanon Emergency Winter Shelter served more than 70 unique
19 individuals during the winter of 2024-2025

21 Ms. Lynne Goodwin, Human Services Director, came forth to address Councilor McNamara's comment,
22 noting that a number of individuals alone does not speak to the full picture. They are now in the process
23 of finalizing data from this past winter season and hope to have this information by the end of next week.
24 That data will include not only the actual number of unique individuals, but the percentage of occupancy
25 +/-99.5% occupancy throughout the season); the number of different towns where folks came from; and,
26 based on that data the strategy to contact some of those municipalities and ask them if they can contribute
27 to the cost of operating the shelter for some of their residents. We also have scoured a lot of the EMS call
28 data, and will be happy to give a report on that because there is a lot of misinformation in the community
29 about the number of EMS calls and what those were for. There were NO drug overdoses all winter long
30 at 160 Mechanic Street. There were a lot of EMS health-related calls. She emphasized the need for the
31 seasonal shelter for 1 more winter because the Haven's new shelter will not be completed until the spring
32 of 2026. If Lebanon does not operate their winter shelter next winter there will be no place for anybody
33 in the Upper Valley to go to. Lebanon has a statutory obligation to take care of their residents, so we
34 would have to go back to a motel model in order to keep Lebanon's residents from being unsheltered
35 during the upcoming winter. This shelter has also provided shelter to many more than just Lebanon
36 residents, as evidenced by the State of Vermont kicking in over \$60K this past winter for shelter
37 operations. There is a real need that Lebanon prioritizing funding/support for the shelter for one more
38 season until we have something else take its place.

40 Councilor McNamara requested that when the data comes in, the Council should roll it into the Strategic Plan.

42 Director Goodwin noted the Haven picked up the expenses of Vermonters and the they received \$10K from
43 Dartmouth Health to help cover New Hampshire people, the bulk of which were Lebanon residents.

45 Councilor McNamara would like to put into the record that:

- 46 1) This is a three season shelter that goes from 2024, 2025 to 2026 and then closes when the Haven opens
47 their new facility in White River unction, VT.
- 48 2) Lebanon's shelter is a temporary shelter, and it will cease operations once the Haven Shelter opens.
- 49 3) For the upcoming winter (2026), finding a way to invoice towns for sheltering their residents.

1 The Council continued their discussions regarding the language that should be included for the above seasonal
2 shelter.

3
4 Director Goodwin noted that Action Item 2.2.4 (a) has been completed and should be closed out.

5
6 The Council and City Manager Mulholland discussed what would happen to the budget process if a vote on
7 the Strategic Plan were delayed for some period of time. City Manager Mulholland explained the budget
8 process to the Council and impact it would have if the vote were delayed.

9
10 Councilor Simon echoed what some members of the public mentioned (i.e., attaching fiscal numbers to some
11 of the items in the Strategic Plan) and further explained his reasoning. He also requested that it would be
12 helpful to redline/highlight anything that has been completed or mostly completed.

13
14 **ACTION:**

15 ***Councilor Sykes MOVED, that the Lebanon City Council hereby adopts the 2026-2029 Strategic Plan***
16 ***and directs the City Manager to take the necessary steps to implement the plan.***
17 ***Seconded by Councilor N. Ford Burley.***

18
19 Deputy City Manager Brooks ran through the notes he had taken for the Strategic Plan:

- 20 • Spell out acronyms
- 21 • Increasing community communication about active development projects. (Will not be included
22 in the Strategic Plan this year.)
- 23 • Removing the AI: (Will not be included in the Strategic Plan this year.)
- 24 • Definitive statement that the temporary shelter will close on April 26, 2026 subject to the
25 completion of the Haven project – New KPI under Action Item 2.2.3
- 26 • Statement about seeking reimbursement from surrounding towns when we shelter their residents
27 in accordance with New Hampshire Law (New KPI under Action Item 2.2.3)

28
29 ****The Vote on the Motion was approved by members present (7-0).***

30
31 **b. Presentation of 2026 Financial Outlook**

32
33 Included in Agenda Packet: ***(All supportive detailed documents and financial information, including***
34 ***the presentation from City Manager Mulholland, can be found on Pages 98- 132, Council agenda***
35 ***packet)***

36 **1. 2026 Financial Outlook PowerPoint presentation**

37
38 City Manager Mulholland reviewed the 2026 Financial Outlook for the City of Lebanon, NH. The below
39 is based on projection that we have today and noted here is a lot of uncertainty (in the financial outlook)
40 in today's society, the economy; at the federal/State/local levels, more so now than in the past several
41 years.

42
43 **BACKGROUND:**

44 The City's budget process begins with the development of the Strategic Plan which begins in January of
45 each year and is approved in May. The City Manager working with city staff develops financial projections
46 for the next budget year and is looking into the next several years beyond that. The projections are based on
47 the information that is available at the time the document is published. There are multiple variables that
48 can, and frequently do, impact actual rates, expenditures, and revenues. The Financial Outlook is a
49 document that aids staff and the City Council in planning for the next year's budget and what the future
50 may look like.

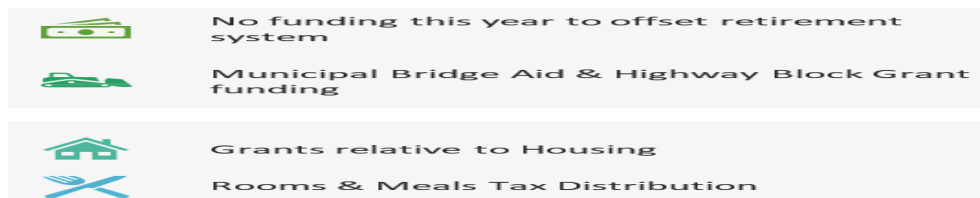
Below are highlights of the presentation. (Please note that graphs were not included in these minutes but are available in the Council agenda packet.)

2026 Financial Outlook City of Lebanon NH

City Revenue Impacts Vary by Source



STATE REVENUE IMPACTS



For grant relative to housing – Looks like there will be no more grants for this moving forward in the near future.

CHALLENGES



Unassigned Fund Balance Ratios



POLICY REQUIRES FUND BALANCE TO BE BETWEEN 15% AND 19% OF REVENUES OR EXPENDITURES FOR ANY BUDGET YEAR



PRESENT FUND BALANCE IS 27.8% (2024 UNAUDITED)

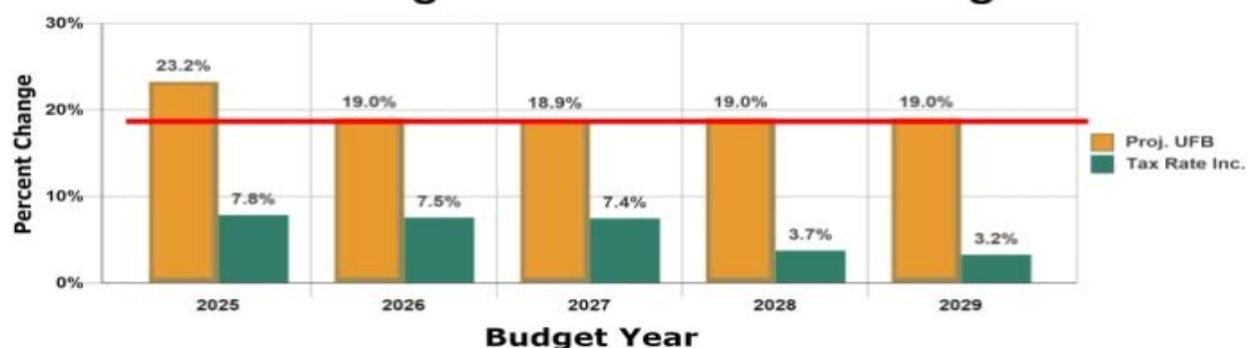


USE FUND BALANCE AT \$1 MILLION FOR 2025 TAX RATE STABILIZATION (PROJECTED)



UTILIZE EXCESS FUND BALANCE AFTER DEBT SMOOTHING TO FUND CAPITAL RESERVE FUNDS

Unassigned Fund Balance Change



NOTE: Assumes 3-4% increase in expenditures year over year and a \$50,000 increase in revenues other than property taxes Other caveats such as Overlay projections which change at different rates and new property tax inventory growth estimated .25% year over year. This assumes no unassigned fund balance will be used to offset taxes starting in 2027.

Use of Unassigned Fund Balance Assumptions

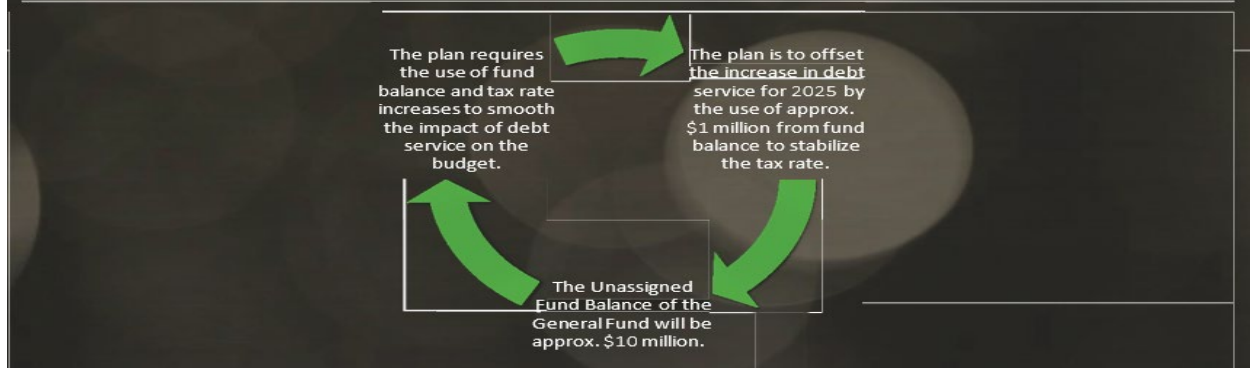
The projections assume operating expenditures increase at a rate of 3-4% per year. This will likely require budget reductions including potential layoffs and service reductions.

The debt service projections are based on projected future rates, the actual interest rates on new debt will be determined at the time of bond sale.

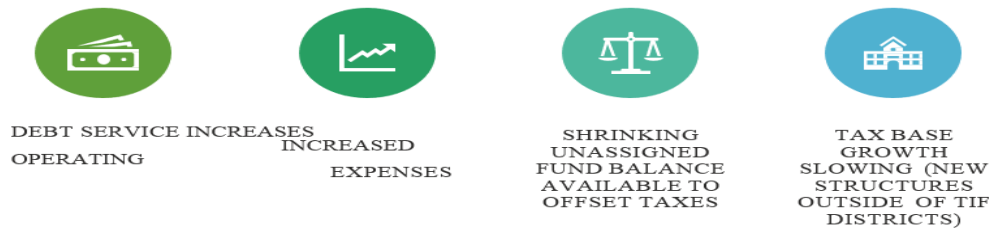
The projections assume projects will be completed on the projected schedule and when we actually sell the bonds. This timeline shifts when projects are delayed which can create spikes and troughs in debt service payments.

The projections assume the planned transition to Pay-As-You Go strategy continues by funding Capital Reserve Funds with UFB for vehicles and equipment which removes those expenditures from the general fund operating budget.

Fund Balance Use to Offset Debt. Service



TAX RATE INCREASES - CAUSATION



STRATEGIES FOR TAX RATE IMPACTS

STRATEGIES	POTENTIAL IMPACTS
► Maintain debt ceiling policy ► Reduce operational spending ► Limit tax credits & exemptions ► Limit growth of TIF Districts ► Utilize PAYGO & Capital Reserve Funds	❖ Adds to CIP list & fails to address issues ❖ Reductions in <u>service delivery</u> ❖ Short term impact vs. long term benefit ❖ Short term impact vs. long term benefit ❖ Negatively impacts UFB & increases budget costs in the short term

LONG TERM FINANCIAL PLAN



Reduce or eliminate

Reduce or eliminate the use of fund balance to offset the tax rate on schedule starting in 2027.



Utilize

Utilize the Unassigned Fund Balance to offset the cost of Capital Projects

- Pay as you go- using cash to pay for projects/equipment
- Capital Reserve Funds



Eliminate

Eliminate the use of the UFB to subsidize the cost of operating expenses

GENERAL FUND

Debt Ceiling Circuit Breaker Provision

- ▶ The "Circuit Breaker" provision in the Debt Management Policy took effect in 2025 as we have reached the debt ceiling established in our policy.
- ▶ Limits debt spending in the General Fund to the exceptions listed in the policy.
- ▶ The City is still below the statutory borrowing limits set by state law.

Impacts on CIP

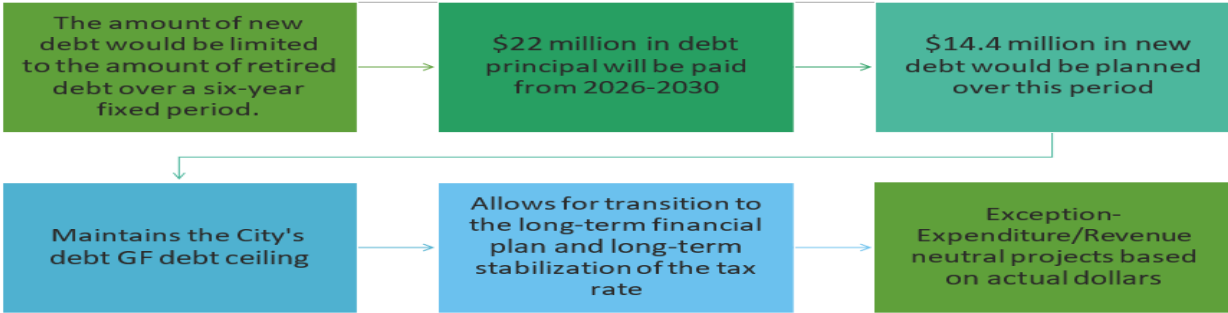
Projects have been backed up due to the impact of the CSO Failure to

address known issues may result in cascading impacts

- 0 Facilities
- 0 Transportation Infrastructure 0
- Equipment and Vehicles

Could result in higher long-term costs and negative service delivery impacts

Limitation of Future Capital Projects General Fund



SEWER FUND

Sewer Fund-Future



Replacement/Repairing of the sewer collection system that was not replaced in the areas of the CSO projects.



PFAS mitigation and treatment requirements. Presently US EPA and NH DES have not set regulations for the release of PFAS in treated wastewater or for PFAS in sludge. We are presently releasing PFAS at small levels into the Connecticut River with much larger levels remaining in the sludge.

There are no standards set yet for PFAS.

WATER FUND

Water Fund-Future



New water source well and distribution system will add significant costs to the Water Fund debt levels and annual debt service expenditures.



US EPA and NH DES are requiring a robust lead & copper detection and removal program that will have unknown costs. We believe our system has very limited amounts of lead mostly in service connections.



Ongoing need to replace and repair the aged water distribution system not replaced during the CSO project areas.

Councilor McNamara felt it was important to understand that the new water source well is a progressive process which includes: 1) Identify a potential well-site; 2) doing testing on the well; 3) drilling to see what the well can actually produce. No one has said that the City will spend a dollar, at this point, to completely redo the distribution system. This will be a future discussion.

Councilor Sykes felt it was also important for the general public to realize that the City has one (1) water source. It is not a quantity issue as much as it is a quality issue that we have to be very concerned about. There have been increasing numbers of cyanobacteria blooms in Lake Mascoma that has the potential to affect the quality of water that Lebanon is able to get for the city's residents. To not be mindful of that has the potential to be incredibly short sighted. We are trying to see if there are other options available and it is wise to have more than one (1) water source, particularly where one is becoming increasingly compromised. This is an important point to illustrate because we can see there is a pattern of increasing environmental degradation in terms of cyanobacterial blooms. City Manager Mulholland added that another issue is drought, noting the City is very close to running out of water (during droughts).

SOLIDWASTE FUND

Solid Waste Fund-Future



EXPANSION OF LANDFILL TO INCLUDE PHASE 3&4 WILL ADD TO CAPITAL COSTS



PFAS MITIGATION COSTS ARE STILL LARGELY UNKNOWN. FURTHER STUDY AND PILOT TREATMENT PROJECT TO BE INITIATED IN 2025. US EPA AND NH DES HAVE NOT SET STANDARDS FOR PFAS LEVELS IN LEACHATE, SOIL OR AIR.



INCREASED RECYCLING LEVELS CAN EXTEND THE LIFESPAN OF THE LANDFILL IF NEW REQUIREMENTS ARE IMPLEMENTED.

AIRPORT

General Fund Subsidy to Airport Fund

- ❖ General Fund Subsidy of the Airport Fund ended in 2021. COVID Relief Funds helped to offset airport operating and capital expenses.
- ❖ The Lebanon Airport-Tech Park TIF District debt which is charged to the Airport Fund has new development producing increment that was added to the 2024 tax assessment offsetting some of the cost of the debt service.
- ❖ Increases in airport revenue have further offset the need to provide subsidy from the General Fund.
- ❖ At present projections we do not anticipate General Fund subsidy.

City Manager Mulholland noted there is a threat to air service. The federal administration is talking about eliminating the Covid Relief Funds. This would have a major impact on what is done at the airport.

ACTION: NO ACTION REQUIRED. This item was for the City Council's information.

c. Receive Guidance from the City Council regarding the 2026 Budget

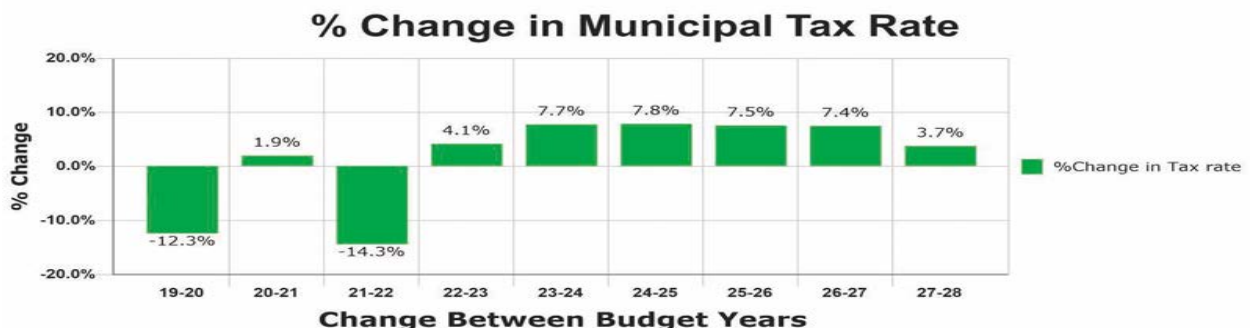
Included in Agenda Packet: *(No supportive documents were included in the agenda packet)*

BACKGROUND:

City Charter Article VI, Section 6.05 requires the City Manager to submit a budget proposal to the City Council no later than October 31 each year. The City Council approves a budget for the ensuing year before the last day of December. If the City Council fails to approve a budget by this time the budget submitted by the City Manager becomes the ensuing year's budget.

The City Council may choose to provide guidance to the City Manager related to the budget. Such guidance is discretionary and not binding on the City Manager.

Council Discussions:



NOTE: The 2025-2026 and through 2028 are projections based upon a set of variable assumptions. The reductions between 2019-2020 and 2021-2022 are a result of the revaluation of properties. Without the revaluations the actual percentage of increase would have been approximately 2.5% each year. A revaluation of properties is scheduled for 2025 which will skew the rate.

Mayor Whittlesey noted that, especially for this year, the Council needs to provide clear guidance to the City in terms of how we would like the 2025-2026 budget prepared and what we are targeting. At the

1 Councils last meeting on May 7, 2025, he proposed the following budget suggestions to look at:

- 2
- 3 1. High End: Current level of services budget (currently at 7.5%)
- 4 2. Middle End: A percentage between the CPI Index and the current level of services.
- 5 3. Low End: CPI index
- 6

7 Councilor McNamara felt 3% is necessary, but we will see what the CPI ends up being. His guess is that it
8 will be in the 3% range and felt something in the +3%, 5% to 7.2-7.5% would be reasonable ranges to look
9 at.

10
11 Mayor Whittlesey clarified (for simplicity) we would be looking at somewhere between the 5%-5.5%
12 midrange as an option.

13
14 Councilor Sykes wanted clarification and requested that these three ranges (3.5%, 5.5% and 7.5%) be
15 prepared to reflect what needs to happen in order to make each of these budget's work (i.e., the impact of
16 cuts in the budget and the impact to the City/taxpayers because of these budgets).

17
18 City Manager Mulholland noted that for April it (CPI) was 3.1%. The guidance for Department Heads will
19 be: Do not increase the budget and do not add anything to the level of service budget. For the level of
20 services budget, it does not mean there will not be any layoffs due to cuts. The Department Heads will then
21 work on their departmental budgets. After the CPI numbers are available (middle of July) that information
22 will then be used by the City Manager to see how much more needs to be cut out of the budget he will
23 inform the Department Heads about how much more they need to cut their budgets (i.e., if positions need to
24 be eliminated; if cuts needs to done in the services they provide, etc.). This will be done for all the high,
25 middle and low ranges.

26
27 Councilor Sykes spoke about his concerns regarding layoffs and questioned how the City was going to
28 maintain the level of service the City expects if layoffs occurred.

29
30 City Manager Mulholland stated that when you have to cut budgets, you have to find out the best way to get
31 things done. That is what we are going to have to do, so that may still result in layoffs of personnel and a
32 shift in priorities.

33
34 Mayor Whittlesey stated the Council would like to see what the budget would look like with these budget
35 rates with no increases, no new FTEs (full time employees) but no layoffs.

36
37 The Council continued their discussions regarding what a level of services budget would look like; what a
38 level funded budget is; the implications of the motion as written (in agenda packet); keeping a level staffing
39 budget; the impacts to the City if they need to cut positions; and, keeping the expectations City residents
40 demand.

41
42 For the record, Councilor Sykes wanted it noted that he had great anxiety about where the City is headed
43 (with layoffs) and the implications of those actions.

44
45 Councilor Stavis was also confused with the wording in the motion because options 2 & 3 include the words
46 tax rate impact, but option 1 does not. She thought this was a source of confusion and further explained her
47 reasoning. She felt adding into option 1 after 2025 Budget "and has a tax impact of" would make the whole
48 sequence clearer. City Manager Mulholland explained why this was not possible because this would be a
49 projection which will be changing between now and the next several month due to budget increases that are
50 unknown now (i.e., employee health insurance, the landfill, etc.). He explained that right now, the Council
51 only has a projection of the budget. Councilor Stavis then request (in option 1 after 2025 Budget) if the

1 language could read: “as determined by future changes on how that might impact the tax rate.” She thought
2 having the term “tax rate” in all 3 options makes it clearer, if it cannot be projected. City Manager
3 Mulholland once again explained why this wording was not possible, noting he has to give directions to
4 staff now, so they know what needs to be done on their end for the budget and further explained his reasons.

5
6 Further discussions ensued about the wording of the motion.

7
8 Councilor Zook asked if, instead of taking this to the departments, to ask them to take a look at whether
9 there are options for them to cut working hours during the week (i.e., landfill on Tuesdays; City programs
10 where attendance is low; etc.). She would like to see week-based data from departments to see if this may
11 be a place where the City can cut some staffing (hours), rather than cutting staff. Mayor Whittelsey also
12 asked if the lives of useful non-capital equipment could be extended from 3 years to 5 years.

13
14 Councilor Simon question if it would be easier to say (after the first line in the motion): A 3% or CPI,
15 whichever is lower, a 5% or 7% increase, and further explained his reasons why this would keep things
16 simple. If we have to add to the budget, then we can add.

17
18 After more debate from the Council about what the tax rate should be in the motion, the Council took the
19 following Action:

20
21 **ACTION:**

22 *Councilor McNamara MOVED, that the Lebanon City Council issues guidance to the City Manager*
23 *requesting the following budget alternatives, (1) a level services budget that would provide the same or*
24 *similar services provided in the 2025 Budget, (2) a budget with a tax rate impact of 3.5%, (3) a budget*
25 *with a tax rate impact that is approximately midway between alternatives (1) and (2) above.*
26 *Seconded by Councilor Stavis.*

27
28 **The Vote on the MOTION was approved by members present (7-0).*

29
30 **3. ADJOURNMENT**

31 *Councilor McNamara MOVED for adjournment.*
32 *Seconded by Councilor Sykes.*

33
34 **The Vote on the Motion was approved (7-0).*

35
36 The meeting was adjourned at 8:20 PM

37
38 Respectfully submitted,

39 Dona E. Gibson

40 Recording Secretary

DRAFT

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, May 21, 2025, 7:00 p.m.
Council Chambers**

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

MEMBERS PRESENT: Mayor Douglas Whittlesey, Assistant Mayor Devin Wilkie, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, and Karen Zook

MEMBERS ABSENT: Christian Simon, George Sykes, Erling Heistad

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager David Brooks, Interim City Manager Jack Wozmak

- 1
- 2 **1. CALL TO ORDER:** Mayor Whittlesey called the meeting to order at 7:00 p.m.
- 3 • **City Manager Shaun Mulholland announced the meeting criteria for the public**
- 4

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

6

7 **3. PUBLIC FORUM:** Mayor Whittlesey made the Public Forum announcement.

8

9 **4. OPEN COUNCIL DISCUSSION: None at this time.**

10

11 **5. OPEN TO THE PUBLIC:**

12

13 Eric Stacy, Ward 3, explained that the budget cuts seem to have impacted the Building Inspection
14 Department. There are three positions on the organization chart, but one was not funded and therefore
15 there are only two people working, each of which has a backlog of 70 applications to work through. He is
16 not allowed to start work until a permit is approved. He applied for his first permit to replace a propane
17 boiler on April 20th and is still waiting. He urged the Council to find that the work being held up all over
18 the City constitutes an emergency and dip into any rainy day fund or reallocate from some other source to
19 solve this problem quickly. Even then, it will take time to recruit and hire a new inspector. As a stopgap,
20 the Council could speed this up by facilitating the approval of permits online or over the counter for any
21 permit with a licensed technician's information on it.

22

23 **6. RECOGNITIONS:**

24 - **RESOLUTION HONORING SHAUN MULHOLLAND**

25

26 **WHEREAS**, Shaun W. Mulholland has served as City Manager for the City of Lebanon since January 22,
27 2018, becoming the longest serving City Manager, providing steadfast leadership and dedicated service to
28 the community; and

29 **WHEREAS**, during his time as City Manager, Mr. Mulholland has been instrumental in strategic and
30 capital planning, emergency management, and community-based advocacy at regional, state, and federal
31 levels; and

32

33 **WHEREAS**, during the COVID-19 pandemic, Mr. Mulholland provided steady leadership and effective
34 coordination of city operations, ensuring the continuity of essential services, supporting public health
35 efforts, and keeping the community informed through clear and consistent communication; and

1
2 **WHEREAS**, during his tenure, Mr. Mulholland championed innovative approaches to some of the City's
3 most pressing challenges, leading efforts to expand access to childcare, improve the availability and
4 affordability of housing, and modernize local government systems through the thoughtful use of technology,
5 with a focus on strengthening the quality of life for residents and fostering long-term community resilience;
6 and

7 **WHEREAS**, in recognition of his exemplary leadership and service as a veteran in public administration,
8 Mr. Mulholland received the 2024 International City/County Management Association Veterans Recognition
9 Award, honoring his ethical conduct, commitment to mentoring future leaders, and proactive efforts to solve
10 complex municipal issues through collaboration, innovation, and advocacy within the profession; and
11

12 **WHEREAS**, he has accepted the position of Town Manager in Londonderry, New Hampshire, with an
13 effective start date of June 1, 2025; and

14 **WHEREAS**, the Lebanon City Council wishes to acknowledge and express appreciation for Mr.
15 Mulholland's years of service, leadership, and commitment to the City of Lebanon and its residents.
16

17 **NOW THEREFORE BE IT RESOLVED**, that the Lebanon City Council, on behalf of the City of Lebanon,
18 extends its sincere appreciation to Shaun Mulholland for his dedicated service and contributions to the
19 community.

20 Dated this 21st day of May 2025 at Lebanon, New Hampshire.
21

22
23

Douglas Whittlesey, Mayor
24 On Behalf of the Lebanon City Council

25 **7. ACCEPTANCE OF MINUTES:**

- 26 - April 22, 2025 (Work Session)
27 - April 24, 2025 (Work Session)
28 - May 7, 2025 (Regular Meeting)
29

30 ***Councilor McNamara MOVED to approve the April 22, 2025 (Work Session), the April 24 (Work***
31 ***Session) and the May 7, 2025 (Regular Session) minutes as written and presented in the May 21,***
32 ***2025 City Council agenda packet.***

33 ***Seconded by Councilor Ford Burley.***
34

35 ****The Vote on the Motion was approved (6-0)***
36

37 **8. APPOINTMENTS:**

38 - Library Board of Trustees, Leonee Derr (Reappointment as Alternate Library Trustee)
39 ***Assistant Mayor Wilkie MOVED to NOMINATE Leonee Derr for Reappointment as Alternate to the***
40 ***Library Board of Trustees. Term: 5/2025-5/2026***

41 ****The Vote on the NOMINATION was approved (6-0)***
42

- 43 - Economic Development Commission, Brendan Callahan (Appointment as Regular
44 Member)

45 ***Mayor Whittlesey MOVED to NOMINATE Brendan Callahan as a Regular Member of the***
46 ***Economic Development Commission. Term: 5/2025-5/2027***

1 **The Vote on the NOMINATION was approved (6-0)*

2
3 - Economic Development Commission, Eric Stacy (Appointment as Regular Member)
4 ***Councilor Ford Burley MOVED to NOMINATE Eric Stacy for Appointment as Regular***
5 ***Member to the Economic Development Commission. Term: 5/2025-5/2027***

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

7
8 - Pedestrian & Bicyclist Advisory Committee, Sean Dittrich (Reappointment as Regular
9 Member)
10 ***Mayor McNamara MOVED to NOMINATE Sean Dittrich for Reappointment as a Regular Member***
11 ***Pedestrian & Bicyclist Advisory Committee. Term: 5/2025-5/2028***

12 **The Vote on the NOMINATION was approved (6-0)*

13
14 - Arts & Culture Commission, Stevens Blanchard (Reappointment as Regular Member)
15 ***Mayor Whittlesey MOVED to NOMINATE Stevens Blanchard for Reappointment as Regular Member***
16 ***of the Arts & Culture Commission. Term: 5/2025-5/2027***

17 **The Vote on the NOMINATION was approved (6-0)*

18
19 - Lebanon Energy Advisory Committee, Clifton Below (Appointment as City Council
20 Representative)
21 ***Mayor Whittlesey MOVED to NOMINATE Clifton Below as a City Council Representative***
22 ***to the Lebanon Energy Advisory Committee. Term: 5/2025-5/2027***

23 **The Vote on the NOMINATION was approved (6-0)*

24 25 **9. PUBLIC HEARING ITEMS:**

26 **A. Proposed Amendments to the Lebanon Zoning Ordinance:** A public hearing for the purpose
27 of receiving public input and taking action to amend the Lebanon Zoning Ordinance to add “Care
28 and Treatment of Animals” as a Use Allowed by Conditional Use Permit in the Residential-Office
29 One (RO-1) District.

30
31 Included in the agenda packet: **(All supportive documents and information can be found on pages 76**
32 **– 93, Council agenda packet)**

33 1. April 22, 2025 Memorandum from Planning & Development Department RE: Proposed Zoning
34 Amendment: Care & Treatment of Animals

35
36 Nate Reichert, Planning & Development Director, reviewed the proposed Zoning Amendment. He
37 explained that Treatment of Animals includes three different pieces: one for veterinary use, one for equine
38 use, and one for kennels. The only recommendation from the Planning Board is that the Council limit this
39 proposed amendment to the veterinary use instead of all three.

40 41 **BACKGROUND**

42 On March 19, 2025, the City Council initiated the zoning amendment process at the request of Dan Nash
43 on behalf of one of his clients. The amendment, submitted on behalf of Evans Drive SPE, LLC/Johanna
44 Cicotte, requested that "Care and Treatment of Animals" be added to Section 311A.2, Table of Uses, as a
45 use allowed by Conditional Use Permit in the Residential- Office One (RO-1) zoning district.

46
47 The review of the proposed amendment by legal counsel and the land use boards is complete and
48 summarized in the Planning Department memorandum in the Council agenda packet.

49
50 **Mayor Whittlesey opened the Public Hearing.**

1 **Hearing no comments from the public, the Public Hearing was closed.**

2
3 **Council/Staff Comments:**

4
5 The Council spoke in favor of the amendment and noted that the likelihood of a kennel or riding school
6 being established was minimal and would be subject to the Conditional Use Permit process.

7
8 **ACTION:**

9 *Assistant Mayor Wilkie MOVED, that the Lebanon City Council hereby approves an amendment to the*
10 *Lebanon Zoning Ordinance to add "Care and Treatment of Animals" as a use allowed by Conditional*
11 *Use Permit in the Residential-Office One (RO-1) zoning district, as presented in the May 21, 2025 City*
12 *Council Agenda Packet.*

13 *Seconded by Councilor Stavis.*

14
15 **The Vote on the Motion was approved (6-0)*

16
17 **10. OLD BUSINESS**

18 **A. Presentation and Discussion Regarding the Proposed Methodology for Calculating Sewer**
19 **Rates for the Town of Enfield**

20
21 Included in the agenda packet: **(All supportive documents and detailed information, including the**
22 **presentation, can be found on pages 94-106, Council agenda packet)**

23 1. 2026 Enfield Sewer Rate Structure presentation prepared by the Department of Public Works

24
25 Jay Cairelli, Public Works Director, reviewed the proposed rate structure.

26
27 **BACKGROUND**

28 Last fall, during the rate setting hearing with the City Council, the sewer rate for the Town of Enfield, set
29 forth in City Code Chapter 68-15.B(10), was a point of discussion. At that time, no adjustments to the
30 Enfield sewer rate were made as it was noted that Enfield's current sewer rate was higher than that of
31 Lebanon, prompting a need for further evaluation. The City Council agreed that the rate should be reviewed
32 in detail before any adjustments were made.

33
34 In March 2025, the Department of Public Works presented the results of a comprehensive evaluation of the
35 sewer rate charged to Enfield, including modeled sewer flows, debt service obligations, the transfer to
36 capital reserves, and administrative overhead. Following the presentation and discussion, the Council asked
37 the administration to further review and refine the rate structure methodology, which has now been
38 completed.

39 When the issue was discussed in March, it was proposed that the City Council move forward with amending
40 City Code Chapter 68, Fees, to reflect a revised sewer rate for Enfield even though the revised rate would
41 not go into effect until January 2026 and would most likely be changed again before taking effect. Now,
42 the City Manager is recommending that the Council simply agree to the methodology that will be used to
43 calculate the Enfield sewer rate but not take action at this time to amend Chapter 68 with the understanding
44 that rate will be recalculated during the Fall based on updated data and information, and the applicable fee
45 schedule in Chapter 68 will be updated at that time.



Council/Staff Comments:

Councilor McNamara asked if Enfield is in favor of the proposed methodology. Ed Morris, Town Manager of Enfield, stated that the proposal is a good step forward and a good, fair methodology.

Jay Cairelli, Public Works Director, reviewed the fiscal impact of the proposal. The difference in the overall revenue expected if this were implemented for 2025 would be \$357,000. Applying that strictly to the volumetric rate that Lebanon residents are paying, would lead to a \$0.65 change in the sewer rate. This would change the Lebanon volumetric rate from \$13.36 to \$14.01. Staff is seeking ways to mitigate that difference. The increase in rate per quarter for treatment of wastewater, which would be paid by Enfield residents and Lebanon residents, for a typical three bedroom, single family home in Lebanon, would be approximately 4.7%.

ACTION:

Councilor McNamara MOVED, that the Lebanon City Council hereby acknowledges and accepts the proposed methodology to be used to calculate the sewer rate charged to the Town of Enfield, as set forth in City Code Chapter 68-15.B(10), and presented in the May 21, 2025 City Council Agenda Packet.

Seconded by Councilor Stavis.

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

11. NEW BUSINESS

- A.** Request from Black Magic Mexican for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property.

Included in the agenda packet: **(All supportive documents and information can be found on pages 107-109, Council agenda packet)**

1. May 12, 2025 Request from Heath Gosselin, Black Magic Mexican
2. Map depicting outdoor seating area for Black Magic Mexican

City Manager Mulholland reviewed the proposed request.

BACKGROUND

Black Magic Mexican restaurant is requesting an exemption to serve alcohol on City-owned property. City Administration has approved an outdoor seating area for Black Magic Mexican within the Lebanon

1 Pedestrian Mall. As the restaurant serves alcoholic beverages as part of their dining menu, they would like
2 to serve alcohol as part of their outdoor dining service.

3
4 City Code Chapter 14, Alcoholic Beverages, §14-5, Exemption, states that, “Any person, publicly
5 recognized organization, organized group, family group or business may be exempted from the provisions
6 of this article for a short period of time not exceeding 12 hours, upon first obtaining permission from the
7 City Manager after consultation with and approval by the Chief of Police. For a period of time exceeding 12
8 hours but not exceeding one year, permission must first be obtained from the Lebanon City Council and
9 reviewed on an annual basis.” Whereas the current request is for the alcohol exemption/permit to cover the
10 entire year period from January through December, Council approval is required pursuant to §14-5 above.

11
12 **Council/Staff Comments: None at this time.**

13
14 **ACTION:**

15 *Assistant Mayor Wilkie MOVED, that the Lebanon City Council hereby grants an exemption to Black*
16 *Magic Mexican restaurant pursuant to §14-5 of City Code Chapter 14, Alcoholic Beverages, to serve*
17 *alcoholic beverages on the Lebanon Pedestrian Mall within the area shown on the maps included in*
18 *the May 21, 2025 City Council Agenda Packet. The exemption shall be valid beginning May 22, 2025,*
19 *and shall expire on December 31, 2025.*

20 *Seconded by Councilor Ford Burley.*

21
22 **The Vote on the Motion was approved (6-0)*

23
24 **B.** Designation of Jack Wozmak as Interim City Manager, Effective June 1, 2025 (page 110, Agenda
25 Packet)

26
27 **BACKGROUND**

28 City Manager Shaun Mulholland will step down from his position as of May 31, 2025. Jack Wozmak, a
29 senior consultant with Municipal Resources, Inc. (MRI), has been retained to serve as Interim City Manager
30 pending the successful conclusion of the recruitment of Lebanon’s next permanent City Manager.

31
32 **Council/Staff Comments: None at this time.**

33
34 **ACTION:**

35 *Councilor McNamara MOVED, that the Lebanon City Council hereby appoints Jack Wozmak to serve*
36 *as Interim Lebanon City Manager, effective June 1, 2025.*

37 *Seconded by Councilor Stavis.*

38
39 **The Vote on the Motion was approved (6-0)*

40
41 **C.** Public Health Needs Assessment presentation from the Public Health Council of the Upper
42 Valley.

43
44 Included in the agenda packet: (All supportive documents and detailed information, including
45 presentation, can be found on pages 111-175, Council agenda packet)

- 46 1. “Lebanon Region Public Health Needs Assessment: 2025”, prepared by Public Health Council of the
47 Upper Valley.

1 Alice Ely, Director of Public Health Council of the Upper Valley, reviewed the presentation. She
2 recommended that the Council start with existing staff and build an interdepartmental public health team
3 with unified leadership. This team would be cross trained to understand how public health functions serve
4 a common goal for the City. Once assembled, the City could consider revising or enhancing the roles that
5 they play. She also recommended that the City maximize its ability to use local ordinances and
6 regulations to address current vulnerabilities and prepare for changing futures. The City could take the
7 lead on building a momentum for more regional public health initiatives, such as piloting a Regional
8 Health Officer role. She also recommended continuing to support outside social service agencies which
9 help fulfill some of the priority functions and advocating for State support for a unified vision of public
10 health.

11 **BACKGROUND**

12 In March 2024, the City engaged the Public Health Council of the Upper Valley to conduct a public health
13 needs assessment that would identify the public health needs and functional areas for the City of Lebanon.
14 The purposes of the assessment were:

- 15 1) to determine what programs need to be created, enhanced or eliminated to improve the public
16 health of those who reside, travel through, work in or conduct business in the City;
- 17 2) to determine what programs and policies will be put in place as well as what resources should be
18 allocated to reach objectives; and
- 19 3) to form the basis of a Health Chapter in the next Lebanon Strategic Plan.

20
21 The public health needs assessment report addresses Strategic Plan Objective #10.6, which calls for the City
22 to “conduct a needs assessment and determine the feasibility for a more comprehensive Public Health Plan
23 at the City or regional level.” Action items #10.6.1 and 10.6.2 call for a public health workgroup to be
24 established to examine local level and regional level models of organizational structure and resources
25 necessary to meet the identified needs.
26

27 **Council/Staff Comments:**

28 Councilor Stavis asked if there are any plans for the dental services van to visit West Lebanon. City
29 Manager Mulholland explained that there are not currently plans to do so but this is based on the power
30 needed for the service. Ms. Ely stated that if this program can demonstrate success through people signing
31 up, there may be an opportunity later to advocate for a location in West Lebanon.
32

33 **ACTION:** *No action was required by the City Council. This item is for informational purposes only.*
34

35 **D. Review and Discussion of Proposed Fiscal Note Policy, CC-110**

36 Included in the agenda packet: **(The proposed Council Policy #CC-110, Fiscal Note Policy, can be
37 found on pages 176-180, Council agenda packet).**

- 38 1. Draft Council Policy #CC-110, Fiscal Notes

39 City Manager Mulholland reviewed the draft Policy.
40

41 **BACKGROUND**

42 As part of the Strategic Plan community engagement process, suggestions were made by members of the
43 public for the City to consider implementing what is commonly referred to as a Fiscal Note Policy. State
44 legislatures have fiscal notes on non-budgetary bills that have a financial impact on state and local
45 governments. The New Hampshire Legislature has a fiscal note policy for this purpose. Research was
46

1 conducted to determine if any municipalities had fiscal note policies. We were unable to locate any other
2 municipalities that have a fiscal note policy. However, we located fiscal note policies similar to that of New
3 Hampshire's from the states of Alaska, Washington and Colorado that were used to develop this draft
4 policy.

5 The purpose of this policy is to establish a formal procedure for the preparation and inclusion of fiscal notes
6 on City Council legislative actions that may impact revenues, expenditures, or financial liabilities of the
7 City of Lebanon outside of the annual budget process. This policy would ensure transparency,
8 accountability, and informed decision-making by providing objective estimates of fiscal impacts before
9 legislative actions are taken.

10 **Council/Staff Comments:**

11
12 Councilor Ford Burley suggested that the language regarding the estimate of anticipated revenues and
13 expenditures include the implementation costs for continuing the activity over years and the cumulative
14 costs over time. City Manager Mulholland agreed that this could be included.

15 16 **ACTION:**

17 *Councilor McNamara MOVED, that the Lebanon City Council hereby adopts Council Policy #CC-110,*
18 *Fiscal Note Policy, as presented in the May 21, 2025 City Council agenda packet and amended this*
19 *evening by Councilor Ford Burley, effective upon passage by the City Council.*
20 *Seconded by Councilor Ford Burley.*

21
22 **The Vote on the Motion was approved (6-0)*
23

24 **12. City Manager Report:**

25 Interim City Manager Wozmak updated the Council on the following:

- 26 • Regarding the City Manager search, 15 applications were received and vetted. Four of the
27 applicants will be coming before the Council on June 10, 2025 at a non-public meeting. The
28 Council discussed the interview process.

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

- 31 • The rules on the SAFER Grant have been changed to require matching funds, which was not part
32 of the agreement when the Council originally approved this to move forward. This will need to
33 come back before the Council.
- 34 • There was damage to one of the HVAC units and Fire System of this building due to recent
35 lightening strikes.
- 36 • He spoke of the pleasure it has been to work with the City Council over the years.

37 38 **13. NON-PUBLIC SESSION: NONE**

39 40 **14. ADJOURNMENT:**

41 *Councilor McNamara MOVED for adjournment.*
42 *Seconded by Councilor Stavis.*

43
44 **The Vote on the MOTION was unanimously approved (6-0)*
45

1 **The meeting was adjourned at 8:43PM.**

2

3 Respectfully submitted,

4 Kristan Patenaude

5 Recording Secretary

DRAFT

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, June 4, 2025, 7:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

MEMBERS PRESENT: Mayor Douglas Whittlesey, Assistant Mayor Devin Wilkie, Erling Heistad, Nicole Ford Burley, Timothy McNamara, Laurel Stavis, Christian Simon, George Sykes, and Karen Zook

MEMBERS ABSENT:

STAFF PRESENT: Interim City Manager Jack Wozmak, Deputy City Manager David Brooks, DPW Administrative Services Manager Kelly Crate, Finance Director Alesia Williams, Deputy Finance Director Victoria Paquin, Public Works Assistant Director Christopher Kilmer, Planning Administrative Assistant Crystal Taplin

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

- Interim City Manager Wozmak reviewed the meeting criteria for meeting attendees.

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

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

4. OPEN COUNCIL DISCUSSION:

Assistant Mayor Wilkie spoke about: 1) Having Council members join him in future Community Engagements. 2) The DEI Commission has been following the NH HB 511, which addresses so called Sanctuary Cities and some of the provisions in Lebanon's Welcoming Ordinance. While this does not go into effect until January 2026, the DEI Commission will be discussing this at its June 17th meeting so they can bring their recommendations back to the Council. 3) Suggested Lebanon resident concerns about adding a second water source be discussed at an upcoming meeting to get a status update to consider whether this is really something the City needs to urgently move forward with, since this is such a critical time for the City's budget and it is very expensive.

Interim City Manager Wozmak noted he had a meeting with the engineers who did the study, noting he personally had some questions about the options they presented. We need to scope out what the alternatives are and how much they cost; what the City needs from a second well; and, how we are going to get there. He will be meeting with this group again on June 17, 2025 and will charge them to go back and work up some additional details for the Council to consider.

Councilor Stavis noted there was some confusion by City residents about the new (water/sewer) rates for Enfield and Lebanon and felt the Council should consider a fuller communications scheme about this. Mr. Brooks read the newspaper article and felt it did not accurately capture what the Council discussed in March/May 2025. He conveyed that information to the Public Works Director and they felt they should put out a statement of their own, which accurately describes what happened in May, noting the methodology used for these rates was reviewed and agreed upon by the Council.

1 **5. OPEN TO PUBLIC:**

- 2 • **Mr. Donald Hemenway (West Lebanon, NH):** He questioned what the status is on the West
3 Lebanon properties/ Revitalization Project. Mayor Whittlesey explained what the Council's
4 intentions were, noting they had put out an RFP (Request for Proposal) and did not get any
5 responses, so the City did go back and directly solicit developers. Deputy City Manager Brooks
6 added they had reached out to several development firms they thought were capable of taking on
7 a project of this scale. For some, they had too many projects and for others the project site was
8 too small. They are still in communication with one potential developer and have recently asked
9 them for a more complete proposal that could be presented to the public and the Council. So far,
10 we have only received the process by which they would approach this project, but they have not
11 presented any plans yet. Once this is received, the City will see what the next steps are.

12
13 In response to Interim City Manager Wozmak's question regarding if the City wants to become a
14 landlord, Mayor Whittlesey noted the buildings the City purchased would need substantial
15 renovation to bring them up to code. Since the City had planned to sell them to a developer, it did
16 not make sense to invest money in the buildings. If there is not a positive outcome, the City will
17 have to re-evaluate.

18
19 Mr. Brooks also pointed out that when properties are governmentally owned and/or are used by
20 the government, they are tax exempt and do not generate any taxes. If the City puts a private
21 property owner or resident in the building, it makes those properties taxable, which then would be
22 paid by the City as the owner of the property. He also explained the other expenses the City was
23 paying for (water, sewer, electricity, etc.) noting that when the City took over those buildings, it
24 was a net loss because it costs more to operate the buildings and make them available for tenancy
25 than it does in generating revenue.

26
27 Councilor Simon suggested that Mr. Hemenway attend the West Lebanon Revitalization
28 Advisory Committee (WLRAC) meeting. They meet every 3rd Monday of the month at 5:30PM
29 in the Kilton Library.

30
31 Councilor Stavis asked if it would be useful to form a subcommittee of the Council to work
32 specifically on this project and explained her reasons why this might be useful. Mayor Whittlesey
33 noted that he would be open to this if the Council needs to re-evaluate.

- 34
35 • **Mr. Fran Casale (Ward-2):** He spoke about his reasons why the Council should think about
36 putting this property up for sale with a real estate professional.

37
38 **6. RECOGNITIONS:**

- 39 • **RESOLUTION HONORING VICKI LEE**

40
41 **WHEREAS,** Vicki Lee has faithfully served the City of Lebanon for more than 18 years, beginning her
42 tenure on October 16, 2006, as Deputy Finance Director; and

43
44 **WHEREAS,** during times of transition, Vicki stepped forward to provide steady leadership as Interim
45 Finance Director from December 29, 2018, to May 6, 2019, and again beginning August 11, 2019, before
46 being officially appointed as Finance Director on December 30, 2019; and
47

1 **WHEREAS**, in each role she held, Vicki demonstrated professionalism, dedication to public service,
2 and care for those around her—often extending kindness through thoughtful gestures, including her
3 much-enjoyed homemade baked treats that added a personal touch to the workplace; and
4

5 **WHEREAS**, under her leadership, the Finance Department has maintained strong financial controls,
6 streamlined reporting processes, supported the development of the annual City Budget, and facilitated
7 audits that reflect the City's commitment to sound financial stewardship; and
8

9 **WHEREAS**, Vicki's professionalism, attention to detail, and dedication to public service have
10 positively impacted City staff, elected officials, and Lebanon residents alike, and her contributions have
11 laid the groundwork for continued excellence in the City's financial management.
12

13 **NOW THEREFORE BE IT RESOLVED**, that the Lebanon City Council, on behalf of Lebanon's
14 residents, employees, visitors, and civil servants, extends its sincere appreciation to Vicki Lee in honor of
15 her exemplary service to the City of Lebanon and wishes her a fulfilling and well-deserved retirement.
16

17 Dated this 4th day of June 2025 at Lebanon, New Hampshire.
18

19 _____
20 Douglas Whittlesey, Mayor
21 On Behalf of the Lebanon City Council

22 Ms. Lee spoke about her history as Lebanon's Finance Director and announced that Alesia Williams will
23 be the new Finance Director and Victoria Paquin will be the new Deputy Finance Director.
24

25 • **Top Dog Contest Winners Chosen by Mayor Whittlesey**

26 Ms. Jaseya Ewing (City Clerk/Tax Collector) spoke about the history, the requirements of this contest, and
27 the reasons why dog licensure is so important before Mayor Whittlesey named the Top Dog Contestant
28 Winners, as follows:

- 29 ➤ 1. #477: Emmie, Dog Owner Catherine Shae
30 ➤ 2. #262: Poppy, Dog Owner Clementine Winney
31 ➤ 3. #1161: Bandit, Dog Owner Michael Bennett
32

33 **7. ACCEPTANCE OF MINUTES:**

- 34 • May 14, 2025 (Special Meeting)
35 • May 21, 2025 (Regular Meeting)
36

37 **ACTION:** *No Action taken. The minutes above were not included in the Council agenda packet but*
38 *will be reviewed at the Councils next meeting.*
39

40 **8. APPOINTMENTS:**

- 41 • **Pedestrian & Bicyclist Advisory Committee, Alan Schnur, Alternate**
42 **Citizen Representative**
43

44 *Councilor Stavis MOVED to Nominate Alan Schnur as an Alternate Citizen Representative to*
45 *Pedestrian & Bicyclist Advisory Committee.*

46 **The Vote on the NOMINATION was approved (8-0). Councilor Zook was not present at the time this*
47 *vote was taken.*
48

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

2
3 **10. OLD BUSINESS**

4 **A. Discussion and Set Public Hearing for June 18, 2025: Ordinance #2025-06, to Adopt New**
5 **City Code Chapter 85, Housing Standards, Minimum**

6
7 Included in the agenda packet: **(All supportive documents and detailed information, including**
8 **Ordinance #2025-06 with proposed changes highlighted in RED, can be found on pages 11-28,**
9 **Council agenda packet)**

- 10 1. Proposed Ordinance 2025-06, revised following May 7, 2025 public hearing.
11 2. NH RSA 48-A, Housing Standards

12
13 Chief Building Official & Health Officer Leigh Hays provided the background and an overview of the
14 proposal to the City Council.

15
16 **BACKGROUND**

17 Over the course of the past year, the City has received numerous complaints concerning housing. Through
18 the course of investigating, verifying, and working with the property owners to bring their properties into
19 compliance with the State's minimum housing standards, as set forth in NH RSA 48-A, it has become
20 apparent that relying solely on the State RSA for enforcement is difficult and labor intensive. For example,
21 in order to enforce the statutory provisions, the Planning and Development Department has to involve the
22 City's Prosecutor and charge the property owner criminally for violations of the statute.

23 However, NH RSA 48-A grants local municipalities the power to adopt their own minimum housing
24 standards ordinance. The enforcement of a local ordinance is less involved and labor intensive and allows
25 the use of a local citation process to achieve compliance, instead of criminal prosecution.

26
27 The proposed City Code Chapter 85 is a replica of the state minimum housing standards and enforcement
28 procedure, with a few additions under Section 85-5.J, General Occupancy Standards, to help ensure safe
29 residences for all of Lebanon's citizens. The proposed ordinance has been reviewed by the City's legal
30 counsel to ensure compliance with all relevant state laws.

31 During a public hearing on May 7, 2025, questions were raised about parts of Section 85-5.J, General
32 Occupancy Standards. Although the intent of the proposed City Code chapter is that it would apply solely
33 to rented or leased dwellings, the introductory paragraph of Section 85-5.J made a reference to owner
34 occupancy. Further, the confusion caused by the introductory paragraph raised concerns about the
35 requirement of 85-5.J(6) potentially applying to owner-occupied dwelling units. As a result of the questions
36 raised, the City Council declined to take action on the proposed Ordinance after the public hearing.

37
38 Following the public hearing, Chief Building Official & Health Officer Leigh Hays modified the proposed
39 language to remove the reference to owner occupancy in the introductory paragraph of Section 85-5.J and
40 also removed Section 85-5.J(6), which is based on a Fire Code requirement. Another modification added
41 to Section 85-1 clarifies that the intent of the proposed City Code chapter is to govern the minimum
42 acceptable housing standards of "dwellings let for rent" within the City.

43
44 **Council/Staff Comments:**

45 Assistant Public Works Director Kilmer answered Councilor McNamara's question regarding definitions
46 on 85-3 ("Camping" Trailer/mobile home), and a spelling error on Page 14, Section 85.5. He also noted
47 that the State Fire Code will still be enforced by the Lebanon Fire Department.
48

Councilor McNamara spoke about his reasons why he felt Ordinance #2025-06 would make the overall situation for the health and safety of renters better.

ACTION:

Councilor N. Ford Burley MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 18, 2025, beginning at 7:00pm in Council Chambers, City Hall, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2025-06, to enact a new City Code Chapter 85, Housing Standards, Minimum. Seconded by Councilor McNamara.

****The Vote on the Motion was approved (8-0). Councilor Zook was not present at the time this vote was taken.***

11. NEW BUSINESS

A. Review and Discussion of 2024 4th Quarter Budget Report

Included in the agenda packet: **(All supportive documents and detailed information, including graphs and a breakdown of line item #'s, can be found on pages 29-60, Council agenda packet)**

1. May 27, 2025 Memo and 4th Quarter 2024 Revenue and Expenditure Reports from Finance

Finance Director Alesia Williams reviewed the highlights and key points for the City's General Fund operating budget, Solid Waste Disposal Fund, Water Treatment and Distribution Fund, Sewage Collection and Disposal Fund and Municipal Airport Fund.

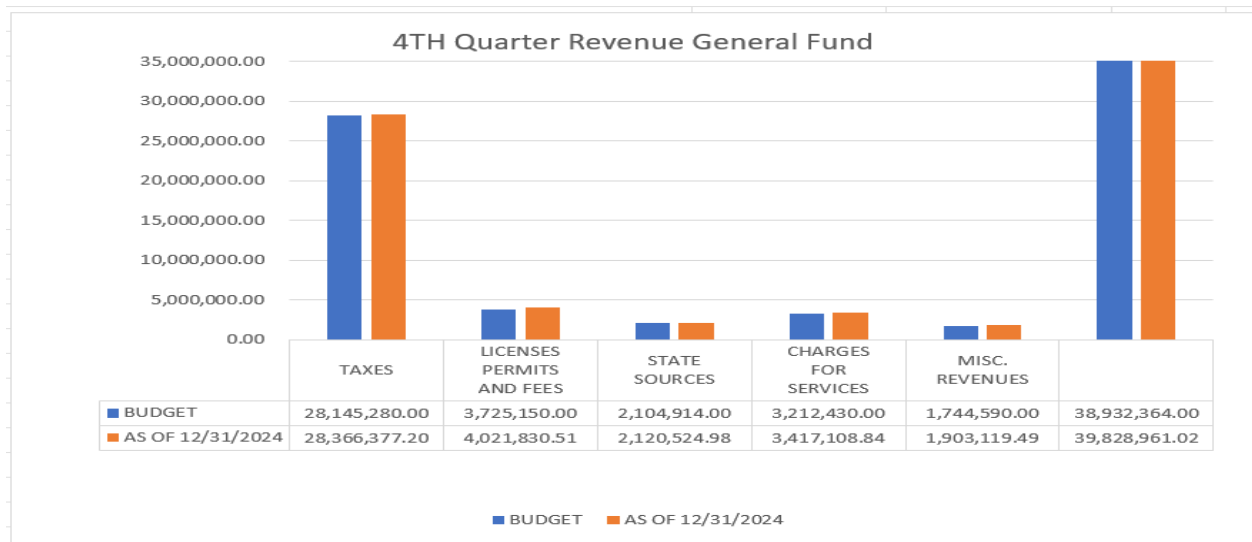
QUARTERLY REPORT FOR CITY OF LEBANON					
AS OF DECEMBER 31, 2024					
GENERAL FUND	2024 BUDGET	AS OF 12/31/2024	ENCUMBRANCES	YTD AVAILABLE BALANCE	% OF BUDGET USED
CITY CLERK	\$ 915,310	\$ 815,645	\$ 89,098	\$ 10,566	98.8%
CITY MANAGER	\$ 1,443,230	\$ 1,606,093	\$ 9,457	\$ (172,320)	111.9%
CYBER SERVICES	\$ 2,201,310	\$ 1,706,834	\$ 418,344	\$ 76,133	96.5%
FINANCE	\$ 6,015,600	\$ 5,180,684	\$ 10,662	\$ 824,254	86.3%
FIRE	\$ 5,278,300	\$ 5,023,401	\$ 147,137	\$ 107,761	98.0%
HUMAN RESOURCES	\$ 501,330	\$ 471,226	\$ -	\$ 30,104	94.0%
HUMAN SERVICES	\$ 1,008,400	\$ 870,131	\$ -	\$ 138,269	86.3%
LIBRARY	\$ 1,669,740	\$ 1,650,599	\$ 122,836	\$ (103,695)	106.2%
PLANNING	\$ 1,395,180	\$ 1,378,880	\$ -	\$ 16,300	98.8%
POLICE	\$ 7,398,430	\$ 6,875,868	\$ 205,649	\$ 316,913	95.7%
PUBLIC WORKS	\$ 6,396,520	\$ 5,630,654	\$ 686,864	\$ 79,003	98.8%
RECREATION ARTS & PARKS	\$ 1,281,850	\$ 1,253,639	\$ 19,539	\$ 8,672	99.3%
DEBT SERVICE	\$ 4,568,970	\$ 4,560,968	\$ -	\$ 8,002	99.8%
INTERFUND TRANSFER	\$ 856,220	\$ 1,011,486	\$ -	\$ (155,266)	118.1%
TOTALS	\$ 40,930,390	\$ 38,036,107	\$ 1,709,585	\$ 1,184,697	97.11%

Revenues

The following chart summarizes amounts budgeted and collected year-to-date by general revenue category. Revenues collected through December 31, 2024, not finalized, total 102.5% of the amount budgeted for FY 2024. Highlights for the quarter include:

- Motor vehicle registrations were on target at 105.35% collected.
- Building permits are trending well above the benchmark at 122.81% collected.
- Ambulance Service revenue is collected above the benchmark at 114.5%.
- Interest Income was above prior years at 134.77% collected.

1



2

3

Other Funds – (NOTE: The Expenditures and Revenues graphs as of December 31, 2024, for the following are included in the Council agenda packet.)

4

5

6

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

7

8

9

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

10

11

12

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

13

14

15

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

16

17

18

Council/Staff Comments:

19

In response to Councilor McNamara's questions, Ms. Williams noted the reason why the City Manager's office was over budget was due to legal expenses and the Library was over due to a heat pump replacement.

20

21

ACTION: *No action was required. This item is for informational purposes only.*

22

23

24

B. Review and Discussion of 2025 1st Quarter Budget Report

25

26

Included in the agenda packet: (All supportive documents and information, including detailed line items, can be found on pages 61-95, Council agenda packet)

27

28

1. May 27, 2025 Memo and 1st Quarter 2025 Revenue and Expenditure Reports from Finance

29

30

Finance Director Alesia Williams reviewed the highlights and key points for the City's General Fund operating budget, Solid Waste Disposal Fund, Water Treatment and Distribution Fund, Sewage Collection and Disposal Fund and Municipal Airport Fund.

31

32

33

34

GENERAL FUND

Expenditures

The following chart summarizes appropriations, expenditures and amounts encumbered as of March 31st (25% of the fiscal year) by department. For FY 2025 29.16% of appropriations have been expended or encumbered (obligated for future expenditure) during the quarter.

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

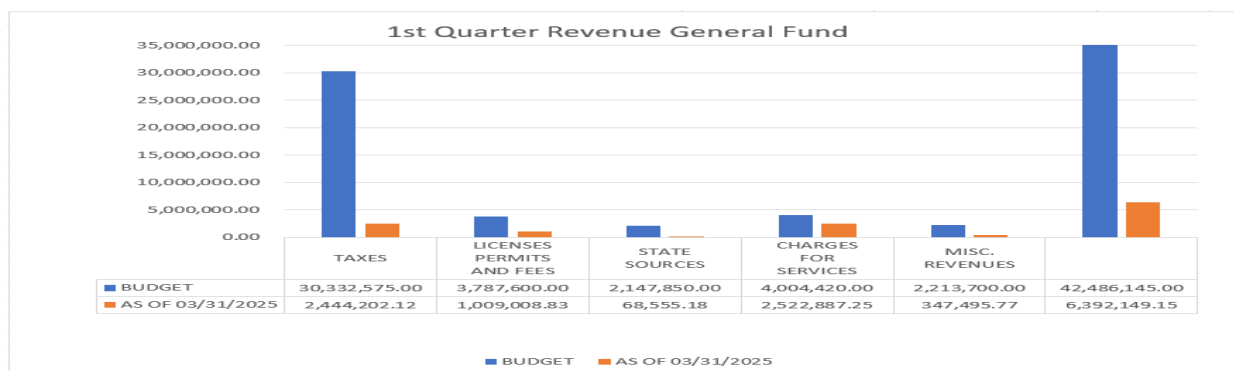
The 29.16% expended and encumbered to date is similar to prior years.

QUARTERLY REPORT FOR CITY OF LEBANON						
AS OF MARCH 31, 2025						
GENERAL FUND	2025 BUDGET	AS OF 03/31/2025	ENCUMBRANCES	AVAILABLE BALANCE	% OF BUDGET USED	
CITY CLERK	\$ 887,330	\$ 197,128	\$ -	\$ 690,202	22.2%	
CITY MANAGER	\$ 1,388,890	\$ 335,993	\$ 99,200	\$ 953,697	31.3%	
CYBER SERVICES	\$ 2,225,940	\$ 477,400	\$ 12,079	\$ 1,736,461	22.0%	
FINANCE	\$ 6,903,620	\$ 1,959,251	\$ 239,858	\$ 4,704,510	31.9%	
FIRE	\$ 5,819,070	\$ 1,231,151	\$ 23,617	\$ 4,564,302	21.6%	
HUMAN RESOURCES	\$ 529,450	\$ 126,060	\$ -	\$ 403,390	23.8%	
HUMAN SERVICES	\$ 968,090	\$ 474,330	\$ -	\$ 493,760	49.0%	
LIBRARY	\$ 1,642,330	\$ 389,293	\$ -	\$ 1,253,037	23.7%	
PLANNING	\$ 1,441,160	\$ 322,206	\$ 16,000	\$ 1,102,954	23.5%	
POLICE	\$ 7,728,920	\$ 1,496,875	\$ 40,519	\$ 6,191,526	19.9%	
PUBLIC WORKS	\$ 6,254,920	\$ 1,288,659	\$ 553,319	\$ 4,412,942	29.4%	
RECREATION ARTS & PARKS	\$ 1,329,715	\$ 246,675	\$ 82,927	\$ 1,000,113	24.8%	
DEBT SERVICE	\$ 5,970,360	\$ 1,768,536	\$ -	\$ 4,201,824	29.6%	
INTERFUND TRANSFER	\$ 1,671,350	\$ 1,671,350	\$ -	\$ -	100.0%	
TOTALS	\$ 44,761,145	\$ 11,984,908	\$ 1,067,519	\$ 31,708,718	29.16%	

Revenues

The following chart summarizes amounts budgeted and collected year-to-date by general revenue category. Revenues collected through March 31, 2025, total 15.05% of the amount budgeted for FY 2025, which compares to 16.93% (2024) and 16.7% (2023) in the previous two fiscal years. Highlights for the quarter include:

- Motor vehicle registrations are on target at 25.04% collected.
- Building permits are trending slightly below the quarterly benchmark at 13.61% collected.
- Ambulance Service revenue is collected just below the quarterly benchmark at 21.40%.
- Tax bills have been sent



Other Funds – (NOTE: The Expenditures and Revenues graphs for the following are included in the Council agenda packet.)

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

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

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

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

Council/Staff Comments:

The Council and Ms. Williams discussed the rising cost of Human Services; the increase in the Health Savings Account; the transfer of funds to Capital Reserves (quarterly basis); and correcting the Airport Landing Fees (page 94, agenda packet); Building permit issues (i.e., how many permits are seasonal and how many are backlogged due to staff time); What the plan might be for addressing the issue of not having adequate inspection services (personnel); the potential need to evaluate restoring and paying for the position that was eliminated in DPW; the reasons why the Planning Board has been asked to keep track of the impact statistics for the budget season; whether or not the reserved funds for 3rd party outside service consultations is cheaper than hiring a new FTE for inspection services; potential NH State Legislation regarding building inspections (more follow up will be needed to see where this legislation stands); using funds appropriately so there is not a need to take someone on as a new FTE; doing an analysis on the changes in the budget with/without eliminating the FTE and/or outside services; and, whether or not there should be a supplemental appropriation option that should be part of the funding for a FTE this year.

Ms. Williams will provide information to the Council on the waste disposal/collection data.

Interim City Manager Wozmak will work with staff to see where the funding stands, what their options are, and will bring this data back to the Council.

ACTION: No action was required. This item is for informational purposes only.

C. Warrant for Civil Forfeiture Notice

Included in the agenda packet: (All supportive documents and information, including the Warrant for Unlicensed Dogs and Chapter 466: Dogs and Cats Licensing, can be found on pages 96-99, Council agenda packet)

1. Warrant for Civil Forfeiture Notice
2. Excerpts of NH RSA 466

City Clerk/Tax Collector Jaseya Ewing reviewed the background and her memo to the Council for the Licensing of Dogs within the City of Lebanon, NH. This year (2025) there are 376 unlicensed dogs to date.

BACKGROUND

In accordance with RSA 466:1, all dogs must be licensed annually by April 30. To obtain a license, the City Clerk's Office must have a current rabies vaccination certificate on file. A grace period is provided during the month of May to allow dog owners time to update expired rabies vaccinations and complete the licensing process. Beginning June 1, any dog that remains unlicensed is assessed with a \$25.00 Civil Forfeiture fine and \$1.00 late fees, which accrue each month that the dog remains unlicensed

ACTION:

Assistant Mayor Wilkie MOVED, that the Lebanon City Council hereby issues a warrant to City Clerk, Jaseya Ewing, authorizing the issuance of a civil forfeiture for each dog that remains unlicensed at the close of business on June 5, 2025.

Seconded by Councilor Simon.

**The Vote on the Motion was approved (8-0). Councilor Zook was not present at the time this vote was taken.*

D. Discussion and Set Public Hearing for June 18, 2025: Ordinance #2025-07, to Amend Chapter 97, Landfill Regulations, Appendix A, Fee Schedule

Included in the agenda packet: [\(All supportive documents and information can be found on pages 100-102, Council agenda packet\)](#)

1. Proposed Ordinance #2025-07

Mr. Christopher Kilmer (Assistant Public Works Director) reviewed Ordinance #2025-07 and the proposed Landfill Fee Schedule as listed below.

BACKGROUND

Item	Fee
MSW – Commercial	\$120.75/ton
MSW – Residential	\$4.00/household bag \$8.00/contractor bag \$40.00 per punch card \$2.00/15 Gallon PAYT household bag \$4.00/30-Gallon PAYT household bag
Minimum Load – Scale Use	\$40.00
Construction and demolition debris – NOTE: This does not include mixed aggregates	\$ 258.75/ton
Contaminated or mixed load recycling	\$300/ton
Mattresses -Box spring is under bulky	\$37.50
Bulky-Furniture, cabinets, sofa, chairs, box spring; excluding Mattresses	\$7.50 Small (10-35lbs) \$14.50 Medium (36lbs to 80lbs) \$22.50 Large (81lbs and up) \$150.00/ton Sectionals charged by the piece
Tires	\$10.00/tire - Maximum of 10 tires per load.

Yard trimmings and brush	\$15.00/ton for all commercial loads and non-Lebanon residents up to 4 inches \$75.00/ton over 4 inches in diameter \$110 Stumps Lebanon Residents only are free for loads less than 2 Cubic yards NON Commercial drop off Leaves, wood chips and grass clipping free- 4 inches or less in diameter Scale minimum ½ a ton.
Bulk loads of asphalt, brick and concrete and mixed aggregate	\$75.00/ton
Electronic waste – monitors and TVs	\$22.50/item
Electronic waste – solar panels	\$42.50/panel
Electronic devices – DVD, VCR, stereo, etc.	\$12.50/item

1

Freon-containing devices	\$22.50/unit
Fluorescent bulbs	\$2.50 Base + \$0.15/ft (Up to 4 bulbs or CFLs accepted per day)
Compact fluorescent lamps (CFLs)	\$2.50 Base + \$0.60/ea. (Up to 4 bulbs or CFLs accepted per day)
Cover materials	\$15.00/ton
Food waste	\$50.00/ton
Food scraps – household	No charge for food scrap composting-Residential
Glass-Bulk Load	\$40.00/ton
In Person permit fee	\$15.00 (including the cost of the permit)
Equipment Assist	\$75.00
Scale Use Fee	\$10.00
Propane tanks 20lb	\$14.50
Propane tanks 1lb	\$4.50
Change of scale ticket fee, next day	\$30.00 (day of is free)
Lost card Fee-commercial	\$25.00
Account reactivation Fee	\$50.00
Found in Load Fee	Additional \$20.00 on top of cost of item
Drive off Fee	\$250 first offense, \$500 second offense, 6-month suspension 3 rd offense
Mixed Loads	Charged at the highest Rate of items contained in load
Oil	\$5 for up to a gallon. \$5 a gallon after that.

2

3 **Council/Staff Comments:**

4 Assistant Mayor Wilkie spoke about his reasons why he felt the decrease in the tire collection fees was
5 viable.

6

7 Mayor Whittlesey requested that DPW track the changes in tire pickups. Mr. Kilmer noted this all is
8 tracked in a monthly report and will provide this data to the Council.

9

1 **ACTION:**

2 *Councilor McNamara MOVED, that the Lebanon City Council hereby schedules a public hearing for*
3 *Wednesday, June 18, 2025, beginning at 7:00pm, in Council Chambers, City Hall, and Remote via the*
4 *City's Virtual Platform, for the purpose of receiving public input and taking action on proposed*
5 *Ordinance #2025-07, to amend Lebanon City Code Chapter 97, Landfill Regulations, Appendix A, Fee*
6 *Schedule.*

7 *Seconded by Councilor N. Ford Burley.*

8
9 **The Vote on the Motion was approved (8-0). Councilor Zook was not present at the time this vote was*
10 *taken.*

11
12 **E. Discussion of Potential Establishment of City Finance Committee**

13
14 Included in the agenda packet: [\(All supportive documents and detailed information can be found on](#)
15 [pages 103-112, Council agenda packet\)](#)

16 1. Draft City of Lebanon Finance Advisory Committee Charter

17
18 Ms. Lori Key, Ms. Jen Mercer and Mr. Jay Simms (Ward-2) reviewed the background behind their
19 proposal for establishing a Lebanon Finance Advisory Committee. Ms. Key stated that their role is to
20 introduce more robust financial data, benchmarking, analysis, alternatives, and forecasting into the City
21 Council's decision-making process. They also wanted to make it clear that this proposal is not an attempt
22 to interfere in, or control, any decisions made by the City Council for budget spending or financial
23 planning.

24
25 **BACKGROUND**

26 An agenda request was submitted by City Councilor Tim McNamara to discuss the potential of establishing
27 a City Finance Committee. The request was submitted on behalf of a group of interested citizens. A charter
28 draft for a Finance Advisory Committee has been prepared (below) by the citizens group as a potential
29 starting point for Council discussions.

30
31 **"PROPOSED" City of Lebanon Finance Advisory Committee - Charter**

32
33 **Purpose**

34 The Lebanon Finance Advisory Committee (the Committee) is established by the Lebanon City Council
35 for the purpose of providing recommendations related to financial policies, strategies, and budgets that
36 support the City's Strategic Plan and aligns with the Lebanon City Council Guiding Principles and the
37 Lebanon Principles for Sustainability. The Committee's sole purpose is to support the Lebanon City
38 Council in its fiduciary responsibility to meet the needs and Strategic Objectives of the City.
39 The Committee is chartered, on behalf of and as directed by the City Council, to accomplish the following
40 objectives:

- 41 • Provide assessments and recommendations related to potential actions and decisions by
42 the City Council with financial implications, or as requested by the City Council, to
43 ensure informed, evidence-based, data-driven decisions (Guiding Principle #6)
- 44 • Offering expertise and recommendations on short- and long-term financial planning to help
45 ensure that financial and strategic objectives of the City are met and supports the prudent
46 long-term stewardship of City resources while meeting the needs of the City. (Guiding
47 Principle #8)
- 48 • Review, on a quarterly basis, the City's internal budget-to-actual summary to review

significant variances that may warrant further review by City Council

- Provide a review of the annual budget by performing a financial assessment of the budget to ensure municipal finances meet the needs of the City, the City's Strategic Plan, and aligns with the Guiding Principles and Principles for Sustainability. The Financial Committee shall also prepare a recommended summary of the budget that highlights key information of importance to residents.
- Provide a review of the annual Audit and highlight any items of importance for the City Council to review.
- Review pending State legislation and provide the City Council with a summary of potential financial impacts if said legislation becomes State law

Structure and Composition of the Committee

The Committee will be comprised of seven members, with three being City Councilors appointed by the Lebanon Mayor and four public members who are residents of the City. The Committee shall annually appoint the Chair and Vice Chair of the Committee by majority vote. All committee members shall be appointed by the City Council to serve two-year staggered terms. The initial appointments shall be 1 year for 2 public members and 2 years for two members, then at intervals of two years.

Functions and Responsibilities

A. Annual operating and capital budgets

- Committee will provide a review of the City's annual operating and capital budgets and make recommendations to the City Council for their consideration.
- During the year, the Committee will monitor the city budgets in comparison to actual expenditures and revenues on a quarterly basis and identify any significant variances or concerns for the City Council to review.
- Any supplemental appropriations, along with the corresponding Fiscal Notes, requested by the City Manager during the year that increases the City's total authorized budget shall be reviewed by the Committee, who shall make a recommendation to the City Council regarding the supplemental appropriations

B. Long-term financial planning

- Committee will provide advice to the Council on long-term financial planning, including the financial implications of new programs and services, significant changes to the City's operating budget, capital expenses, and other financial obligations that fall outside of the annual operating budget.
- Committee will monitor and review the financial performance of the city against the City's approved budget with respect to the Strategic Plan, Master Plan, and Guiding Principles as well as reviewing against the City's long-term trends and applicable benchmarks.
- Committee will review the status of the current year Debt Capacity metric and provide comments and advice on the forecasted debt capacity as included in the Strategic Plan.

C. Financial statements

- Committee will review, on a quarterly basis, the budget-to-actuals, including relevant liabilities such as the City's debt.
- Committee will review the City's audited financial statements and highlight to the City Council items of importance.

Meetings

In order to meet the objectives stated, the Committee shall meet at least quarterly or more frequently should time-sensitive issues arise and as arranged by the Committee's chair.

Below is the presentation as presented on behalf of the Lebanon Finance Advisory Committee.

Ms. Key reviewed her history of involvement with this coalition, how the coalition came into fruition, and the following points in the presentation:

Key Points

"Securing the support, buy-in, and trust of all stakeholders helps municipal leaders successfully implement their plans. Because budgets are complex and detailed, achieving understanding and trust requires effectively translating large amounts of data and complex policy into simple, clear information."

Best Practice Series, NHMA

Lebanon Resident Coalition
Engaging with the Public

Common Concerns

- What are the implications for constituents' tax bills?
- Can we lower or control tax increases so we can afford to live here?
- What is the impact on high-priority (often capital) projects?
- Can we afford improvements or new programs?
- Are our current services and obligations affordable into the future?
- Where is the transparency? Show us the facts

Ms. Jen Mercer reviewed and elaborated on the following talking points with the Council.

Why we are proposing a Finance Advisory Committee

Need

1. Higher level of financial scrutiny desired by citizens
2. Expertise to manage complexity of municipal finance
3. Packed agendas don't allow sufficient time for complete study of financial impacts

Goal

1. Acknowledge citizen concerns by taking action to address those concerns
2. Improve decision making by utilizing a variety of data sources
3. Additional resource to provide useful supplemental information and vetting projects to assist the Council in understanding financial impacts to the City.

Who we

Why we are proposing a Finance Advisory

Why

Value

Proposal overview and

Value Proposition

1. Creates access to citizen volunteer professionals offering time and experience
2. Supports Councilors' access to vital financial data
3. Provides access to a resource to translate financial complexity into plain language

Timing

1. Positive step forward on work by the Council to improve financial reporting, budget development, and transparency
2. Adds credibility to budget process in eyes of the community
3. Demonstrates a constructive response to financial uncertainty
4. New City Manager...good time to reflect on opportunity to improve Council operations
5. Interested citizens with the right experience willing to step forward
6. The majority of the 13 cities and some towns in NH have adopted some form of a Finance Committee. Regardless of the name, the functions focus on oversight and assistance in financial/budgeting operations

Key Highlights of the Finance Advisory Committee Proposal

The Committee's purpose is to support the Lebanon City Council in its fiduciary responsibility to meet the needs and Strategic Objectives of the City, consistent with the Council Guiding Principles and Principles of Sustainability:

- Offers a mechanism to ensure informed, evidence-based, and timely data-driven decisions.
- Offers expertise and recommendations on short- and long-term financial planning to support the stewardship of City resources while meeting the needs of the City, which must be aligned with the socioeconomic realities of residents.
- Offers unbiased budget recommendations and financial reporting that highlight key information of importance to residents in a language that residents can understand.
- Provides assessment of potential financial impacts imposed at the State level
- To meet the objectives of the Committee, the makeup will include 4 public representatives (Lebanon residents) with professional experience in finance and 3 Councilors with staggered terms

Mr. Jay Simms noted he has been a practicing CPA/Auditor for over 40 years and spoke about his, and his firms background of working experiences. While he understands the 1st year would be a work in progress, he expects the City would reap the following benefits: Enhanced financial oversight; assistance in aligning financial resources with long-term strategic goals; the Finance Committee would be able to review the CIP and projected funding for the projects by asking questions about the (financial) impacts it may have on the taxpayer and if these projects are a need or a want; would be able to enhance the Council's decision making with specialized knowledge and analysis; would support the Council by reducing the burden by handling detailed financial reviews which would help to improve transparency and accountability; would assist in risk management by potentially identifying financial risks, including debt levels, revenue shortfalls, and recommending contingency plans for corrective action; would work with the City Manager to review the draft budget and submissions prior to submission to the Council for approval; would provide questions and spread sheets to the City Manager that would then be provided to Departmental Managers; would provide benchmarking from Lebanon's peer groups; would provide the Council with a budget vetted for consideration and answers to potential questions, which would minimize potential budget proposals resulting in more efficient and effective time for the Council; would provide recommendations to improve budget reporting, including transparency, historical trends and benchmarking (by departments); could work with Planning in reviewing CIP projects (i.e., is the project a wish, a necessity, a mandate, and other analyses); would help to review deferred maintenance projects by priority; would redo the payment mechanisms for debt by the State and/or Federal and consider contingencies that may impact the cost of a project, including acquisition of right-a-ways; and, could review proposals of projects that have a financial

1 impact on the City's residents and assist the Council in understanding the projects full financial impact.

2
3 Mr. Simms also spoke about financial policies, fraud, audits, etc. In conclusion, they look to help the
4 Council in making decisions so Lebanon can responsibly grow and reinvest in its future.

5
6 **Councilor Zook arrived at approximately 8:30 PM.**

7
8 **Council/Staff Comments:**

9 Councilor McNamara and Mayor Whittlesey both spoke about how discussions with this group was one of
10 cooperation, noting a lot of hard work went into this report.

11
12 The Council and Ms. Key, Ms. Mercer and Mr. Simms had lengthy discussions regarding the Council's
13 concerns and questions such as: Adding another layer to City's budget process; recruitment of volunteers
14 on this committee; meetings of the Committee (quarterly and more when needed); trust in the City's budget
15 process by its residents; the differences between Hanover, NH's Financial Committee Budget reports (i.e.,
16 written in a way their residents can understand) vs. Lebanon's Financial Budget Reports (i.e., how Lebanon
17 should have a taxpayer-friendly synopsis of the budget that would invite more trust/honesty/credibility in the
18 Council); the differences between Hanover and Lebanon and how they both have different governance
19 requirements under State Law; the need to understand the complexities and processes of how Lebanon's
20 budget process works; the misunderstanding of the City's Debt Limit by residents; the training/educational
21 time needed by volunteers to understand how State/Federal Laws and municipal budgets work and how that
22 could be done (i.e., reaching out to the NHMA (New Hampshire Municipal Association) to see what they
23 have for continuing education and reaching out to Portsmouth, NH to see how their reporting is generated);
24 the expenditures the proposed Finance Committee would require (i.e., recording secretary and the potential
25 burden on City Staff); the groundwork that needs to be done on an Ordinance and the implications from NH
26 State Law; the urgency and/or need to implement this committee now; and, what would happen with the
27 trust from Lebanon residents if the Council did not accept the recommendations from the Lebanon Finance
28 Advisory Committee.

29
30 Mayor Whittlesey and Assistant Mayor Wilkie spoke about the processes that would be needed in order to
31 implement the Lebanon Finance Advisory Committee, which is the same processes that have taken place by
32 other Boards/Committees/Commissions.

33
34 Interim City Manager Wozmak spoke about his reasons why he felt the City's administration has an
35 obligation to make the delivery and presentation of budget materials more understandable and succinct to
36 residents.

37
38 Councilor Simon noted that a yes/no vote could not take place at this meeting because there was not a
39 properly noticed Public Hearing. He suggested the Council start the process by laying out a roadmap for the
40 City Manager to follow before a Public Hearing is scheduled (i.e., the amount of timing it takes to get
41 applications out, the legalities of bringing this Committee onboard, and review what they can and cannot
42 do). Let's get all these questions answered before we (the Council) formulate any further decision.

43
44 Mayor Whittlesey concurred with Councilor Simon.

45
46 City Manager Wozmak will work on this charge to make the budget process as clear; simple; concise; and
47 informative as possible, this would also include the messaging to residents.

48
49 **ACTION: *No Action Taken By the Council at this time.***

50 **F. Discussion Regarding Future of Downtown Lebanon Tax Increment Finance (TIF) District**

Included in the agenda packet: **(All supportive documents and detailed information, including maps can be found on pages 113-185, Council agenda packet)**

1. 2018-07-11 TIF District Documents
2. 2018-07-11 City Council Minutes
3. Downtown Tunnel Bond Payment Schedules
4. 2022-07-25 City Council Agenda Cover Page RFEI
5. 2025-05-14 DRAFT VHB Retaining Wall Report
6. 2025-05-14 VHB Site Assessment

Information available but not included in this section:

1. [2016 Downtown Visioning Study & Tunnel Project – Executive Summary](#) and [Full Report](#)
2. **2025 Downtown Parking Lot Redevelopment Study – Final Report**

Deputy City Manager David Brooks reviewed the background and history of the Lebanon Downtown TIF District. We have had a couple of discussions recently about the back parking lot project. We are still working with the consultant to get cost estimates and more information about what the priorities are with respect to the infrastructure (i.e., retaining wall; the guardrails; sidewalks, etc.). He also noted that the Lebanon Downtown TIF District is a very large district and was uncertain if all the potential projects that could occur within that district have been fully evaluated, since we have been focused on the back parking lot for many years now.

BACKGROUND

On July 11, 2018, the City Council voted to establish a municipal economic development and revitalization district pursuant to NH RSA 162-K, which was named the Downtown Lebanon Tax Increment Finance (TIF) District, along with the supporting Development Program, Financing Plan, and Administration Plan. The Development Plan was based on the 2016 Downtown Vision Plan and Tunnel Assessment study. The City reconstructed the downtown tunnel and TIF funds have been used to pay for the annual debt service on the bonds issued to pay for the reconstruction.

The creation of the Downtown TIF District established a baseline of the assessed valuation of the properties within the TIF District at the time of approval. The taxes raised on that “baseline” assessed valuation within the TIF District are distributed as normal to the City, the Lebanon School District, the Statewide Education Property Tax, and Grafton County. Any new or increased assessed valuation after the creation of the TIF District is referred to as incremental assessed valuation due to new development or a change in valuation due to reassessment or appreciation of property valuations. The taxes (City, School District, SWEPT, County) generated from that new, incremental assessed valuation are deposited in the Downtown TIF Fund.

On August 3, 2022, the City issued a request for expressions of interest (RFEI) for the development of the surface parking lots behind City Hall. Three proposals were received in November of 2022. Those proposals were reviewed by the Downtown TIF Advisory Board and the Economic Development Commission.

The City subsequently entered into a contract with Placework on April 23, 2024 to conduct the Downtown Parking Lot Redevelopment Study. Placework conducted several community engagement sessions and received input from the Downtown TIF Advisory Board and the Economic Development Commission. The Downtown TIF Advisory Board voted on April 29, 2025 as follows:

Motion by Barry Schuster that the concept of the river should be a focal point for any redevelopment of the Downtown Parking Lot site, but none of the four options can be recommended at this time due to the economics. This should be revisited within the short-term, 3-5 years. Seconded by Victoria Smith.

** The Vote on the MOTION was approved (3-0).*

The four options from the Downtown Parking Lot Redevelopment Study were presented to the City Council on May 7, 2025. No action was taken by the Council at that meeting.

On May 14, 2025, the City received a report from VHB regarding their engineering assessment of the downtown parking lot. The report details the condition of the guardrails, retaining wall, stormwater outfalls, and the pavement and sidewalks.

On August 3, 2022, the City issued a request for expressions of interest (RFEI) for the development of the surface parking lots behind City Hall. Three proposals were received in November of 2022. Those proposals were reviewed by the Downtown TIF Advisory Board and the Economic Development Commission.

On May 14, 2025, the City received a report from VHB regarding their engineering assessment of the downtown parking lot. The report details the condition of the guardrails, retaining wall, stormwater outfalls, and the pavement and sidewalks.

The City Council on December 18, 2024, transferred **\$300,000** in anticipated revenue from the Downtown TIF District fund to the General Fund to offset the cost of general municipal purposes in the 2025 Budget as authorized by NH RSA 162-K:9. This amount represents most of the funds that would have been realized by the City in the current fiscal year if the TIF District did not exist. Additionally, the City transfers funds from the TIF District to the General Fund on an annual basis to pay the cost of the debt service for the downtown tunnel reconstruction project that was completed in 2023. The debt service cost for 2025 is **\$262,310**. The bond will be paid off completely in 2040. The unassigned fund balance in the Downtown TIF Fund is approximately **\$1.8 million** at the end of 2024. The Downtown TIF District is projected to raise **\$915,000** in tax increment in 2025 to be placed in the TIF fund.

The Downtown TIF Advisory Board will meet later in June to discuss the long-term plans for the TIF District and the various options that are available.

The City Council has several options regarding the future of the Downtown TIF District.

1. **Maintain the District** as is when initially established in 2018. This would allow incremental revenues to continue to accumulate for potential projects in the future to achieve economic development and revitalization within the geographical confines of the existing district.

a. This allows for funds to accumulate from year to year that are not otherwise expended for the district until economic development and revitalization projects can be implemented.

b. Tax revenues that would otherwise be used to offset property taxes for the City's General Fund, the Lebanon School District, the Statewide Education Property Tax, and Grafton County will continue to be sequestered in the TIF fund.

c. The City transferred most of its anticipated apportionment of the property tax revenue to provide revenue to the General Fund in the 2025 Budget. The 2026 Budget projections assume that a similar transfer of what would be the City's apportionment would again be transferred to the City's General Fund. If a future

project(s) within the TIF District occurs and these revenues are needed to offset the cost of debt service or operations, there would be a shortfall in the City's General Fund. Any such shortfall could be offset by the revenues generated by new development within the district that produces tax revenues.

2. **Rescind the District** by act of the City Council. This would allow for property tax revenues to flow to the Lebanon School District, the Statewide Education Property Tax, and Grafton County.
 - a. This would allow for funds that are presently sequestered for the TIF District to be distributed to offset the local and statewide education property taxes. This would also allow for tax revenue to be transferred to Grafton County; however, this would not result in lower property taxes in the City of Lebanon. It would simply raise the amount of assessed valuation used to calculate the county tax assessment and the City's portion of the total county tax levy.
 - b. The City, as of 2025, is already transferring what would be the City's amount of the additional tax revenue to the City's General Fund. However, this would create a shortfall in the City's budget due to the debt service for the tunnel project which will have to be paid annually until the bonds are paid off in 2040. The City could maintain the unassigned fund balance of the TIF Fund to pay the annual debt service payments until the fund is exhausted.
 - c. If the City chose to re-implement the Downtown TIF District in the future it would start with a new baseline at the time of re-implementation with no increment producing revenue until new development occurred or new assessed valuation was determined based on a revaluation of properties.
3. **Redesignate portions of the captured assessed valuation** for general taxation purposes pursuant to NH RSA 162-K:10, II. The RSA allows municipalities to determine the amount of new assessed valuation that will be committed to the TIF District and how much will be apportioned for general taxation (City, School, SWEPT and County). When the TIF District was established in 2018, the City elected to capture 100% of the incremental revenues generated within the District. However, the City Council could decide to allow for any or some percentage of existing or new assessed valuation in the TIF District to be used for general taxation purposes.
 - a. This would allow for some property tax relief as discussed in option 2 above while maintaining the TIF District.
 - b. However, this does limit the availability of TIF funds for economic development and revitalization projects as well as operational expenses.
4. **Transfer TIF Revenues** or a portion thereof to the City's General Fund pursuant to NH RSA 162-K:9.
 - a. This would continue the action by the City Council in the 2025 Budget and would provide offsetting revenue from the TIF District to the City's General Fund that would otherwise be revenue for the City if the district did not exist.
 - b. This does not provide any offsetting revenue for the Lebanon School District or to Grafton County.

Council/Staff Comments:

Interim City Manager Wozmak noted it was not a bad idea to look at the TIF and where it might go. It has raised a lot of money. He was concerned that, given the size of this TIF District, potential projects have not been fully looked at. It would be unwise to simply shut it down and distribute the funds before knowing the full scope of projects that may need funding in the future, and he wanted the Council to make sure to take a good look at this before making any decisions, noting the City is in a big transition now (i.e., updating the Master Plan; a new City Manager will be coming in who will need time to settle in). In this management

1 pause, to make a dramatic decision to change it could hamper you down the road when you have a new,
2 stable, permanent leadership with a new direction that is reflective of where the community/Council wants
3 to go.
4

5 Mayor Whittlesey spoke about the bond payments due on the tunnel through February 2040. If we were to
6 dissolve the TIF District, in order to mitigate any tax impacts of those remaining funds, we would be best
7 served by moving the TIF District Unassigned Fund Balance into a Capital Reserve Fund specifically to
8 offset the cost of the tunnel payments. We would need to be very careful because there are a lot of nuances
9 to TIF Districts and how these funds are used to offset the City's tax rate.

10
11 Councilor Sykes noted the reason why the Council just looked at the back parking lot was because this was
12 the direction given to the TIF District by the City Council. He noted this direction (to the TIF District)
13 could change and gave examples.
14

15 Councilor McNamara was encouraged by the preliminary results of the Engineering Study regarding the
16 condition of the back parking lot noting it had been presented to the Council as a failing situation, and it
17 clearly is not. The retaining walls are not failing. The pavement could use some temporary repairs. It is time
18 to replace the guardrails. Work around the draining structure is needed. He requested information on what
19 the costs would be for repairs and if the repairs could be done inhouse. He also spoke about the options and
20 presentations from various contractors, noting he felt the Council was not very enthralled with the costs
21 involved with their redevelopment options. He would not advocate, at this point in time, dissolving the TIF
22 District. He also questioned if we could utilize the TIF District, over time, to pay off the bond on the Fire
23 Station and further spoke about his reasonings, noting he would like that question answered before a
24 decision is made (on the TIF District).
25

26 Councilor Stavis questioned what has been accomplished in the Lebanon Downtown TIF District over the
27 last 7 years. Mayor Whittlesey noted that in terms of what they been paying for, it has been the tunnel. In
28 response to Councilor Stavis' question regarding if the Airport TIF District was the last TIF District in the
29 City, Mayor Whittlesey noted discussions have been happening around a potential TIF District in Signal
30 Hill. Councilor Stavis asked what the impact of this particular TIF District (Downtown) might be having on
31 other parts of the City that do not have a TIF Districts that might be in need of revitalization and
32 development and could benefit from some change in this (Lebanon Downtown District) or adding another
33 one (TIF District).
34

35 Mayor Whittlesey spoke about his reasons why the Lebanon Downtown District was unsuccessful. He also
36 spoke about the reason why the Airport TIF District was a success. These TIF Districts allocate all the
37 revenue to the TIF District. If we were to dissolve any TIF District, that will then lead to additional tax
38 revenue inflows into the School District and County to offset any potential increase they may have to
39 implement for their own budgets.
40

41 Councilor Stavis noted the point of her question (above) is: In the process of seeking more data/input on
42 this existing (Downtown) TIF District, can we do that in the context of how it does/does not impact other
43 parts of Lebanon that may be in need of the things that a TIF District can bring to bear but are not being
44 pursued at the moment.
45

46 ***Councilor McNamara MOVED to extend the meeting to 10:15PM.***

47 ***Seconded by Assistant Mayor Wilkie.***

48 ****The Vote on the MOTION was approved (9-0)***
49

50 The Council continued discussions regarding the pros/cons on whether or not to dissolve the Lebanon
51 Downtown TIF District and the impacts of how their decision might affect the taxpayer base.

Mayor Whittlesey's stance was to rescind the TIF District and reallocate the existing balance of \$1.8M into a Special Capital Reserve Fund to pay off the tunnel in order to minimize the tax impact for our residents. He supported evaluating the options before this is done and further explained his reasoning.

Councilor McNamara was not in favor of making a motion on this, noting that more data is needed.

At the request of Deputy City Manager Brooks, the Council requested that the Downtown Lebanon TIF Advisory Board investigate the following and bring their findings back to the Council for their review:

- Fire Station and appropriate use TIF District Funds: What would this look like financially (existing payments; the increment (funds) expected to come in and what that would like)?
- Are there other infrastructure projects that the City is paying a debt on that are within the TIF District that they could be paying (i.e., Spencer Street or future projects related to Spencer St.)?
- What would the process look like, in terms of dissolving the TIF District, and moving the remaining balance to a (Special) Capital Reserve Fund, and what would it look like for the TIF District if it were reinstituted?
- Whether an existing TIF District impedes or stops other development in other parts of the City that are in desperate need of development. (Councilor Stavis was uncertain if this question was for this Committee or needed further global review.)

Interim City Manager Wozmak noted the importance for the Council and the TIF Advisory Board to get a clear understanding of the extent to which TIF Funds can be used for something other than economic development. There are a lot of legitimate questions. He and Mr. Brooks will do a 360 analysis and bring this back to the Council for their review.

ACTION: No Council Action taken at this time.

G. Discussion & Potential Action to Reduce Speed Limit on Oak Ridge Road, West Lebanon

Included in the agenda packet: **(All supportive documents and detailed information, including the results from a traffic study done by the Lebanon Police Department, can be found on pages 186-193, Council agenda packet)**

1. May 22, 2025 memorandum from Police Chief Phillip Roberts re: Oak Ridge Road Speed Limit, including Extended Speed Summary report
2. Excerpts of New Hampshire statutes governing speed limitations

Deputy City Manager Brooks briefly reviewed the background on this item.

BACKGROUND

In May 2025, a resident contacted the City expressing concern about vehicle speeds on Oak Ridge Road and Wildwood Road in West Lebanon. The resident suggested that existing speeds are too fast considering the number of children, walkers, and dogs in the neighborhood, and questioned why the streets are currently posted at 30 miles per hour (mph) when other residential areas are set at 25 mph.

According to NH RSA 265:60, the default speed limit for Urban Residence Districts is 30 mph. However, NH RSA 265:63, I provides that "whenever local authorities ... determine on the basis of an engineering or traffic investigation that the prima facie speed permitted under this chapter is greater or less than is reasonable and safe under the conditions found to exist upon a way or part of a way, the local authority

1 may determine and declare a reasonable and safe prima facie limit thereon which decreases the limit within
2 any business or urban residence district but not to less than 25 miles per hour.”

3 In March 2020, the City Council approved Ordinance #2020-04 to amend City Code Chapter 168, Vehicles
4 and Traffic, by adding a new Section 168-10, Speed Limit. Section 168-10 states that “the prima facie
5 speed limit on all City streets and roads shall be 25 miles per hour unless otherwise posted.” Since Oak
6 Ridge Road is posted at 30 mph, it is not subject to the default speed limit authorized by Chapter 168-10.
7 It does not appear that Wildwood Road is currently posted.

8 Following receipt of the resident’s concerns, the Lebanon Police Department conducted a traffic study
9 along Oak Ridge Road, which is summarized in the agenda packet. Based on the study results, Police Chief
10 Phillip Roberts, on behalf of the Public Safety Committee, is recommending reducing the posted speed
11 limit on Oak Ridge Road from 30 mph to 25 mph. New speed limit signage would be installed along Oak
12 Ridge Road and the change would be communicated clearly to residents and motorists in advance of any
13 enforcement efforts.

14
15 **ACTION:**

16 ***Councilor McNamara MOVED, that the Lebanon City Council hereby approves the recommendation***
17 ***of the Public Safety Committee to reduce the posted speed limit on Oak Ridge Road and Wildwood***
18 ***Road, West Lebanon, from 30mph to 25mph.***
19 ***Seconded by Councilor Stavis.***

20
21 ****The Vote on the Motion was approved (9-0)***
22

23 **12. City Manager Report:**

24 Interim City Manager Wozmak updated the Council on the following:

- 25 • Audit Status by Alesia Williams: Still being worked on.
- 26 • Main Street Project in West Lebanon.
- 27 • Council meeting on August 6, 2025 needs to be canceled or moved to another date.

28
29 ***Councilor McNamara MOVED to extend the meeting to 10:45PM***
30 ***Seconded by Councilor Wilkie.***

31 ****The Vote on the Motion was approved (9-0)***
32

33 **13. NON-PUBLIC SESSION:**

- 34 A. RSA 91-A:3, II(b) – The hiring of any person as a public employee.

35
36 ***Councilor McNamara MOVED to go into Non-Public Session for the purpose of discussing RSA 91-***
37 ***A:3, II(b) – The hiring of any person as a public employee.***
38 ***Seconded by Councilor Stavis.***
39

40 **ROLL CALL VOTE:**

41 ***Voting Yea: Assistant Mayor Wilkie and Councilors Heistad, N. Ford Burley, McNamara, Stavis,***
42 ***Simon, Sykes, Zook and Mayor Whittlesey***
43 ***Voting Nay: None***
44

45 ****The Vote on the Motion was approved (9-0)***
46

1 **The Council entered into the Non-Public Session at 10:13 PM.**

2
3 *Councilor McNamara MOVED to come out of Non-Public Session.*
4 *Seconded by Councilor Stavis*

5
6 **ROLL CALL VOTE:**

7 *Voting Yea: Assistant Mayor Wilkie and Councilors Heistad, N. Ford Burley, McNamara, Stavis,*
8 *Simon, Sykes, Zook and Mayor Whittlesey*
9 *Voting Nay: None*

10
11 **The Vote on the Motion was approved (9-0)*

12
13 **The Council came out of Non-Public Session at 10:32 PM**

14
15 **The Council was back in the Public Session.**

16
17 **14. ADJOURNMENT:**

18 *Councilor Simon MOVED for adjournment.*
19 *Seconded by Councilor McNamara.*

20
21 **The Vote on the MOTION was unanimously approved (9-0).*

22
23 **The meeting was adjourned at 10:33 PM.**

24
25 Respectfully submitted,
26 Dona E. Gibson
27 Recording Secretary

Agenda
Lebanon City Council
June 18, 2025

8. Appointments:

Appointments

Board/Committee Appointments as presented by City Clerk/Tax Collector Jaseya Ewing

- West Lebanon Revitalization Advisory Committee, Corinne Alfeld (Alternate Ward 1 Resident)
- West Lebanon Revitalization Advisory Committee, Susan Pagan-Hilton (Alternate Ward 1 Resident)

Included in this Section:

1. Memo from City Clerk/Tax Collector Jaseya Ewing dated June 18, 2025



Office of the City Clerk & Tax Collector
51 N. Park Street
Lebanon, NH 03766

MEMORANDUM

DATE: June 18, 2025
TO: The Honorable Mayor & City Council
FROM: Jaseya Ewing, City Clerk & Tax Collector
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.

West Lebanon Revitalization Advisory Committee

- **Corinne Alfeld** – Appointment as an Alternate Ward 1 Resident of the City for a two-year term.
Term: 6/2025-6/2027
Interviewed By: Councilor Nicole Ford Burley
- **Susan Pagan-Hilton** – Appointment as an Alternate Ward 1 Resident of the City for a two-year term.
Term: 6/2025-6/2027
Interviewed By: Councilor Devin Wilkie



CLBD-25-7

Board Member

Application

Status: Active

Submitted On: 5/23/2025

Primary Location

No location

Owner

No owner information

Applicant

 Corinne Alfeld



Applicant Information

First Name*

Corinne

Last Name*

Alfeld

Contact Phone Number*



Contact Email*



Mailing Street Address*



Mailing City, State, Zip*

W. Lebanon, NH 03784

How long have you resided in Lebanon?

0-1 Year

☐

2-5 years

☒

6-15 years

☐

15 or more years

☐

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

☐

No, this is not for a reappointment.

☒

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

Please note that City Council positions are elected positions. **Those interested in serving on the City Council must file with the City Clerk's office during the designated filing period prior to the March election of each year.** The filing period information will be listed on the Elected Position Filing Information page.

Arts & Culture Commission

☐

Board of Cemetery Trustees

☐

Class VI Roads Advisory Committee

☐

Conservation Commission

☐

Diversity, Equity, and Inclusion Commission

☐

Economic Development Commission

☐

Downtown Lebanon TIF Advisory Board

☐

Heritage Commission

☐

Lebanon Airport-Tech Park TIF Advisory Board

☐

Lebanon Energy Advisory Committee

☐

Library Board of Trustees

☐

Pedestrian & Bicyclist Advisory Committee

☐

Planning Board

☐

Tree Advisory Board

☐

West Lebanon Revitalization Advisory Committee



Zoning Board of Adjustment



Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission*

I live in West Leb. My husband and I participated in the Citizen's Academy last year and a tree planting in the park near the bridge to WRJ. Parts of Main Street are an eyesore. We would like to improve the look and feel of W. Leb. [I have not observed a committee meeting yet, but I am unable to submit this without saying I have. I'd be happy to if provided the meeting information.]

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials. *



Corinne Alfeld

May 23, 2025

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.*



Corinne Alfeld

May 23, 2025

Councilor Interview Report Form

Councilor Name: Nicole Ford Burley Date of Interview: 6/4/2025

Applicant Name: Corinne Alfeld

Board(s) to Which Applied: West Lebanon Revitalization Advisory Committee

☒ Regular Seat ☐ Alternate Seat

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

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

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat ☐ Alternate Seat

General Comments:

Corinne is a West Lebanon resident who is already invested and engaged in the community and would like to further that engagement.

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

Standard Questions for All Applicants:

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

To promote citizen engagement in West Lebanon, to beautify the community and Main Street, and to address issues like safety in the neighborhood.

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?

She participated in the Lebanon Citizens Academy last year. She served on an HOA in a previous community for 5 years, and has participated in Lebanon civic activities like the Bridge St tree planting.

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?

The biggest challenges seem to be lack of community engagement, availability of funding, and fundraising hurdles. Other challenges may be differing visions and perspectives.

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

There's been a lot of turnover in the neighborhood, creating the opportunity for new voices and the potential for increased engagement and renewed interest in West Lebanon.

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

She is willing to support existing committee priorities or to help create a list of priorities for the next year. She'd like to see a more formalized division of labor and responsibilities, with commitment to specific projects and goals. She would like to see more beautification projects in WL, potentially modeled on what other communities are doing.

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?

From: [Kara Tracy](#)
To: [Kara Tracy](#)
Subject: FW: [EXTERNAL] Online Form Submission #11663 for Board Member Application
Date: Monday, March 31, 2025 1:16:34 PM

[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 the City Clerk's Office 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	Susan
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Last Name	Pagan-Hilton
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Physical Address	
------------------	--

City	West Lebanon
------	--------------

	NH
--	----

State	
Zip Code	03784
Is this your mailing address?	Yes
Home Phone Number	
Work Number	Field not completed.
Email Address	
How long have you resided in Lebanon?	2 years
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	West Lebanon Revitalization Advisory Committee
Other Committee	Field not completed.
Why would you like to serve?	I'd like to serve because I care deeply about building strong, connected, and forward-thinking communities. Since moving to West Lebanon, I've been inspired by the town's potential and charm—and I see this as an opportunity to give back in a meaningful way. I've always believed in showing up, getting involved, and lending my experience to help move things forward. Serving on this committee would allow me to contribute to the kind of revitalization that honors the town's history while embracing thoughtful progress for the future.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I'm interested in joining the West Lebanon Revitalization Advisory Committee because I believe in the power of thoughtful, community-driven change—and I want to be a part of shaping the future of this town I now call home. I bring a background in business strategy and relationship management, along with years of active service on a variety of committees and boards, including roles with the Oviedo Citizens Advisory Board, Orange County Community Action Board, and the Hispanic Chamber of

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: June 3, 2025

Applicant Name: Susan Pagan-Hilton

Board(s) to Which Applied: West Lebanon Revitalization Advisory Committee

☐ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: Reviewed meetings virtually

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat ☐ Alternate Seat

General Comments: Susan is a recent addition to the West Lebanon community and is enthusiastic to get involved and support the community. She brings a wealth of experience in this regard and I am happy to recommend her for appointment.

(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?

Bring the community together, provide opportunity for growth and identity development. Make walkable spaces, support local organizations and revitalize the area.

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?

Generally yes. May be away occasionally in the fall.

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?

Variety of committees, Hispanic Chamber of Commerce, Red Cross, other community advancement issues. Dartmouth networks for Latinx & Hispanic heritage.

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?

Absolutely. Happy to learn more about City government.

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?

Financial limitations, many layers involved in making decisions; timeliness of projects amid slow-moving government. Nowhere to gather as a community.

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

Creating opportunities for people to gather, making it more welcoming for people to come to businesses and spaces. Even small things like better sidewalks can be a big help. Being an extra voice to support the community.

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

Continue the work, advocacy, and community-building already underway. Be involved in revitalization projects. Make space for people to congregate.

Agenda

Lebanon City Council

June 18, 2025

9. Public Hearing Items:

9.A – Ordinance #2025-06, to Adopt a New City Code Chapter 85, Housing Standards, Minimum

A public hearing for the purpose of receiving public input and taking action on proposed Ordinance #2025-06, to enact a new City Code Chapter 85, Housing Standards, Minimum.

The City Council scheduled this public hearing at its June 4, 2025 regular meeting. The public hearing was properly noticed in the *Valley News* on June 7, 2025 in accordance with City Code and State Law.

Background

Over the past year, the City has received numerous complaints concerning housing. Through the course of investigating, verifying, and working with the property owners to bring their properties into compliance with the State's minimum housing standards, as set forth in NH RSA 48-A, it has become apparent that relying solely on the State RSA for enforcement is difficult and labor intensive. For example, in order to enforce the statutory provisions, the Planning and Development Department has to involve the City's Prosecutor and charge the property owner criminally for violations of the statute.

However, NH RSA 48-A grants local municipalities the power to adopt their own minimum housing standards ordinance. The enforcement of a local ordinance is less involved and labor intensive and allows the use of a local citation process to achieve compliance, instead of criminal prosecution.

The proposed City Code Chapter 85 is a replica of the state minimum housing standards and enforcement procedure, with a few additions under Section 85-5.J, General Occupancy Standards, to help ensure safe housing for all Lebanon residents. The proposed ordinance has been reviewed by the City's legal counsel to ensure compliance with all relevant state laws.

During a public hearing on May 7, 2025, questions were raised about parts of Section 85-5.J, General Occupancy Standards. Although the intent of the proposed City Code chapter is that it would apply solely to rented or leased dwellings, the introductory paragraph of Section 85-5.J made a reference to owner occupancy. Further, the confusion caused by the introductory paragraph raised concerns about the requirement of 85-5.J(6) potentially applying to owner-occupied dwelling units. As a result of the questions raised, the City Council declined to take action on the proposed Ordinance after the May 7th public hearing.

Following the public hearing, Chief Building Official & Health Officer Leigh Hays modified the proposed language to remove the reference to owner occupancy in the introductory paragraph of Section 85-5.J and also removed Section 85-5.J(6), which is based on a Fire Code requirement. Another modification added to Section 85-1 clarifies that the intent of the proposed City Code chapter is to govern the minimum acceptable housing standards of "dwellings let for rent" within the City.

On June 4, 2025, Chief Building Official and Health Officer Leigh Hays reviewed the amendments, and the City Council scheduled a new public hearing for the Ordinance.

Action:

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

MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-06, to enact a new City Code Chapter 85, Housing Standards, Minimum, as presented in the June 18, 2025 City Council Agenda Packet.

Included in this Section:

1. Proposed Ordinance #2025-06
2. April 9, 2025 Legal Opinion from Attorney Michael J. Malaguti
3. NH RSA 48-A, Housing Standards
4. Notice of Public Hearing as Published in the June 7, 2025 edition of the *Valley News*

ORDINANCE 2025-06

AN ORDINANCE TO AMEND the Code of the City of Lebanon, to add Chapter 85, Housing Standards, Minimum, to establish a local ordinance for the regulation and enforcement of minimum housing standards to ensure the health, safety, and general welfare of the community.

Be it ordained by the Council of the City of Lebanon as follows:

Section 1.

The Code of the City of Lebanon is hereby amended by adding Chapter 85, Housing Standards, Minimum.

§ 85-1. Authority

Pursuant to the provisions of New Hampshire RSA 48-A, and every other of its applicable powers, the City of Lebanon (the "City") hereby adopts the following City Code chapter to govern the minimum acceptable housing standards [of dwellings let for rent](#) within the city.

§ 85-2. Purpose

This chapter is adopted for the purposes set forth in RSA 48-A:2, and for the health, safety, and general welfare of the residents, to the end that any dwelling within the City which is unfit for human habitation due to dilapidation, dangerous defects which are likely to result in fire, accidents or other calamities, unhealthful lack of ventilation or sanitary facilities, or due to other unhealthy or dilapidated or hazardous conditions, may be caused to be repaired, closed, demolished, or removed from the City, or, if injurious to the public health, safety and welfare, the use and occupancy of the same may be prevented.

§ 85-3. Definitions

Health Officer: An official appointed by the City Manager pursuant to Section 5.01 of the City Charter who enforces the state and local health laws, codes, and ordinances.

Deputy Health Officer: An official who performs the duties of the health officer when the latter is unavailable or in cooperation with such officer.

Housing Board of Appeals: For purposes of this chapter, the Housing Board of Appeals shall mean the City Council.

Dwelling: Any building, structure, trailer, mobile home, camp, or part thereof, used and occupied for human habitation or intended to be so used, including any appurtenances belonging thereto or usually enjoyed therewith.

Owner: Any person holding any legal or equitable title to any dwelling that is subject to the provisions of this chapter.

Landlord: An owner, lessor, or agent thereof who rents or leases residential premises including manufactured housing or space in a manufactured housing park to another person.

§ 85-4. Establishment of Public Agency

- A. A Public Agency is hereby established under RSA 48-A:3, I, which for purposes of this chapter shall mean the Health Officer and Deputy Health Officer, or any one of them acting singly.
- B. The Public Agency may not also serve as an elected officeholder, the City Manager, or a member of the City Council.
- C. The Public Agency and its delegated officers shall have and may exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, provided that such powers shall not be used to impose any additional restrictions on dwellings used as a vacation rental or short-term rental as defined in RSA 48-A:1, V, including the power:
 - 1. To investigate the dwelling conditions in the City in order to determine which dwellings are unfit for human habitation;
 - 2. To administer affirmations, examine witnesses and receive evidence;
 - 3. To enter upon premises for the purpose of making examinations under a duly issued administrative inspection warrant if entry is first denied or resisted;
 - 4. To appoint and fix the duties of such officers, agents, and employees as deemed necessary to carry out the purposes and provisions of this chapter; and
 - 5. To delegate any of its functions under this chapter to such officers as it may designate.

§ 85-5. Housing Standards and Enforcement

- A. Standards for Public Agency: The Public Agency may determine that a dwelling is unfit for human habitation if conditions are found to exist in such dwelling which are unusually, abnormally, or unreasonably dangerous or injurious to the health or safety of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of the City. Such conditions may include, but are not limited to, the following: defects which increase beyond normal the hazards of fire, accident, or other calamities; lack of reasonable adequate ventilation, light, or sanitary facilities; dilapidation; disrepair, dangerous structural defects; uncleanness; overcrowding; inadequate ingress and egress; inadequate drainage; or any violation of other health, fire or safety regulations.
- B. Fitness for human habitation, as defined herein, and/or the standards applicable to rented or leased residential dwellings contained in RSA 48-A:14 (as may be amended), as the case may be, are declared to be minimum standards for use and occupancy as permitted under RSA 48-A:11. In addition to all of its other powers, the Public Agency is authorized to prevent the use or occupancy of any dwelling which is injurious to the public health, safety, or welfare. See RSA 48-A:11, II.
- C. Procedures for Complaints
 - 1. Whenever a petition is filed with the Public Agency by at least 10 residents of the municipality charging that any dwelling is unfit for human habitation or whenever it appears to the Public Agency by inspection that any dwelling is unfit for human habitation, it shall, if preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner, every mortgagee of record and all parties in

interest in such dwelling (including persons in possession) a complaint stating the charges in that respect. If a person to be served resides outside the state, service may be made upon by certified or registered mail; and if there are any unascertained persons having an interest in said dwelling, notice may be given to them by publication in a newspaper having general circulation in the City, such publication to be at least 10 days before the date set for the hearing. Such complaint shall contain a notice that a hearing will be held before the Public Agency at a place set forth in such notice not less than 10 days nor more than 30 days ~~aner~~after the serving of said complaint; that the owner, mortgagee and parties in the interest shall be given the right to file an answer to the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before such Public Agency.

2. After such notice and hearing, the Public Agency determines that the dwelling under consideration is unfit for human habitation it shall state in writing its findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order which, if the repair, alteration or improvement of the said dwelling can be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, requires the owner, within the time specified in the order, to repair, alter, or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation; or if the repair, alteration or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, requires the owner, within the time specified in the order, to remove or demolish such dwelling. If after notice given under this chapter an owner or interested person fails to appear for the stated hearing, the Public Agency may proceed to follow the process(es) set forth herein.
3. If an owner is aggrieved by an order of the Public Agency made under section 85-5(C)(2) of this chapter, they may appeal to the City Council which shall hold a public hearing upon said appeal, due notice of said hearing having first been given to the Public Agency and to the owner. The City Council may affirm or revoke the order of the public agency, or it may modify the same in accordance with its findings. If the City Council shall affirm or modify such order, the Public Agency shall proceed to enforce said order as affirmed or so modified, in the manner prescribed in section 85-5(E), below. If the City Council shall revoke said order, the proceedings shall be terminated.

D. Posting of notice:

1. Any structure declared as unfit for human occupancy (or found to be injurious to the public health, safety, or welfare pursuant to section 85-5(C)) pursuant to this chapter, and after following the process prescribed herein, shall be posted with a placard by the Public Agency. The placard shall include the following:
 - a. The name of the City.
 - b. The name of the authorized officer.
 - c. The chapter and section of the code under which it is issued.
 - d. An order that the structure when vacated must remain vacant until the provisions of the order are complied with and the order to vacate is withdrawn.
 - e. The date the placard is posted.
 - f. A statement of the penalty for defacing or removing the placard.

2. An order to prevent use or occupancy issued under section 85-5(C) of this chapter may be posted according to this section without prior notice and hearing, but such an order may be immediately appealed to the City Council.
- E. Enforcement Procedure. If the owner fails to comply with an order made under section 85-5(C)(2) of this chapter to repair, alter, improve or to vacate and close the dwelling, or to remove or demolish the dwelling, the Public Agency may file a petition in the Superior Court in which it shall set forth the charges issued under this chapter, as well as any other allegations bearing upon the unfitness of the dwelling for human habitation. The court shall thereupon direct notice to be given all parties having an interest in said dwelling, including mortgagees and persons in possession thereof. Such notice shall be given, where practicable, by personal service, except that if a person to be served resides outside the state, service may be made upon him by certified or registered mail; and if there are any unascertained persons having an interest in said dwelling, notice may be given to them by publication of the petition in a newspaper having general circulation in the City, such publication to be at least 10 days before the date set for the hearing. The court shall set a date for hearing such charges and additional allegations. Upon hearing, the matter shall be treated as de novo, and the court shall hear such pertinent evidence concerning the fitness of the dwelling for human habitation as may be relevant.
- F. Order of the Court. If the court finds the dwelling complained against is unfit for human habitation as defined in this chapter, it shall direct the Public Agency to repair, alter, or improve such dwelling to render it fit for human habitation if such repair, alteration or improvement can be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost; or if the repair, alteration or improvement of said dwelling cannot be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, to remove or demolish such dwelling. If the court shall find in favor of the owner, it shall award him his reasonable costs and expenses, including counsel fees, all as determined by the court, incurred by him in defense of the action in the Superior Court.
- G. Liens. Whenever the Public Agency shall incur cost for the repair, alteration, improvement, vacating or closing, or for the removal or demolition of a dwelling, pursuant to an order of the Superior Court, the amount of such costs shall be a lien against the real property as to which such cost was incurred and such lien, including as part thereof upon allowance of the Public Agency's costs and necessary attorneys' fees, may be foreclosed upon by order of the Superior Court made pursuant to a petition filed for that purpose. Such lien shall be subordinate to mortgages of record made before the institution of proceedings under this chapter. Notice of said lien shall be filed and recorded with the register of deeds. If the dwelling is demolished by the Public Agency, it shall sell the materials of such dwelling and pay the proceeds of such sale over to the Superior Court, for distribution to such persons as the court shall find entitled thereto.
- H. Fines and Penalties.
1. The Public Agency may establish a procedure for the issuance of warnings for violations of this chapter in its discretion, RSA 47:17, XVI; RSA 48-A:8, VI, but the failure of the Public Agency to issue a warning shall not preclude the Public Agency from proceeding under this chapter or under any other law or authority. The Public Agency is authorized to issue citations and to utilize all remedies and processes available under Chapter 6, Administrative Enforcement, of the City Code. The Public

Agency may also, or exclusively, follow other existing avenues for administering and enforcing this chapter. See, e.g., RSA 31:39-d.

2. It is declared to be a violation of this chapter:
 - a. For an owner keep or maintain a dwelling, including rented or leased premises, below the minimum standard established under section 85-5(B) of this chapter;
 - b. To fail to comply with an order issued by the Public Agency under this chapter;
 - c. To occupy a dwelling or structure having notice of an order not to use and occupy the same;
 - d. To destroy, disconnect, or render inoperable a smoke detector in a rental dwelling or unit;
 - e. To violate and provision or standard contained in this chapter; and
 - f. To do any of the foregoing by neglect, omission, or through an agent.
3. The civil penalty for violating this chapter is \$275 for the first offense, and \$550 for subsequent offenses, each day a violation continues constituting a separate offense.

I. Minimum Standards for Rented or Leased Dwellings.

In addition and without exclusion to the minimum standard established for dwellings under this chapter, no landlord, as defined herein, renting or leasing a residential dwelling in the City, shall maintain those rented premises in a condition in which:

1. The premises are infested by insects and rodents where the landlord is not conducting a periodic inspection and remediation program. As used in this paragraph, "remediation" means action taken by the landlord that substantially reduces the presence of bed bugs in a dwelling unit for a period of at least 60 days;
2. There is defective internal plumbing or a back-up of sewage caused by a faulty septic or sewage system;
3. There are exposed wires, improper connectors, defective switches or outlets or other conditions which create a danger of electrical shock or fire;
4. The roof or walls leak consistently;
5. The plaster is falling or has fallen from the walls or ceilings;
6. The floors, walls or ceilings contain substantial holes that seriously reduce their function or render them dangerous to inhabitants;
7. The porches, stairs or railings are not structurally sound;
8. There is an accumulation of garbage or rubbish in common areas resulting from the failure of the landlord to remove or provide a sufficient number of receptacles for storage prior to removal unless the tenant has agreed to be responsible for removal under the rental agreement and the landlord has removed all garbage at the beginning of the tenancy;

9. There is an inadequate supply of water or whatever equipment that is available to heat water is not properly operating;
10. There are leaks in any gas lines or leaks or defective pilot lights in any appliances furnished by the landlord; or
11. The premises do not have heating facilities that are properly installed, safely maintained and in good working condition, or are not capable of safely and adequately heating all habitable rooms bathrooms and toilet rooms located therein, to a temperature of at least an average of 65 degrees F; or, when the landlord supplies heat in consideration for the rent, the premises are not actually maintained at minimum average room temperature of 65 degrees F. in all habitable rooms.

J. General Occupancy Standards.

No person shall ~~occupy as owner-occupant or shall~~ let to another for occupancy any dwelling, rooming house, dwelling unit, or rooming unit which does not comply with the following minimum standards for ventilation, light and heating:

1. Glazing and repair of windows. All windows and doors containing glass panes shall be glazed according to accepted practice and kept in good repair and in easily workable condition; broken panes shall be promptly repaired.
2. Public halls. Every public hall, passageway, and vestibule in a dwelling unit shall contain at least one (1) supplied ceiling- or wall type electric light fixture. Every public hall stairway in every two-family multifamily dwelling and rooming house shall be adequately lighted by an adequate lighting system, which may be turned on when needed by conveniently located light switches or by automatic means.
3. Every dwelling and multifamily dwelling shall have heating facilities, and the owner of the heating facilities shall be required to see that they are properly installed, safely maintained and in good working condition and that they are capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a temperature of at least an average of 65 degrees Fahrenheit.
4. Gas heaters or other portable heating equipment employing a flame do not meet the standards of this chapter and are prohibited.
5. Every multi-unit dwelling and rental unit, and every single family dwelling built or substantially rehabilitated after January 1, 2020, shall be equipped with such smoke and/or carbon monoxide detectors as required by RSA 153:10-a, provided, however, that a carbon monoxide detection device shall not be required if the single family dwelling does not have an attached garage and does not contain an appliance or device that uses a combustion method of burning solid, liquid, or gas fuel. If a garage or combustion fuel appliance or device is later added to the dwelling, a carbon monoxide detection device shall be required.
- ~~6. Boiler and heater rooms shall be protected with a one-hour fire resistive assembly including a self-closing fire door, or such area shall be equipped with an automatic extinguishing system.~~

76. All operating hardware or means of egress shall be operable without any special tools or special knowledge needed.

K. General Owner Responsibilities.

1. Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining, in a clean and sanitary condition, the shared or public areas of the dwelling and premises thereof.
2. Wherever infestation is caused by failure of the owner to maintain a dwelling in a rat-proof or reasonably insect-proof condition or wherever infestation exists in two (2) or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two (2) or more dwelling units, extermination shall be the responsibility of the owner.

L. General Occupant Responsibilities.

1. Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling unit and premises thereof, which they occupy and control.
2. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises, and every occupant of a dwelling unit shall be responsible for such extermination whenever their dwelling unit is the only one infested.
3. No tenant or guest of a tenant shall destroy, disconnect, or rendering inoperable a smoke detector in a rental dwelling or unit.

M. "Fitness for human habitation" shall include compliance with the standards set forth in §85.5(J)—(L).

§ 85-6. Miscellaneous

- A. Any dwelling, building, or structure situated within an historic district established under RSA 674:46, or within such other classes of dwellings, buildings or structures as the City Council shall by Resolution determine have special significance to the public interest, which Resolution shall thereafter become codified as part of this chapter, may be approved by the City Council as a special exception, after public hearing, and the provisions of this chapter may be waived in their application to such dwelling, building, or structure, in whole or in part or otherwise so modified as the City Council may determine.
- B. If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable.

Section 2. Severability

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

Section 3. Effective Date

This Ordinance shall become effective upon passage.

April 9, 2025

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

RE: **Ordinance #2025-06, to Adopt a New City Code
Chapter 85, Housing Standards, Minimum**

Mr. Mulholland,

This is a legal opinion as required by § 115-3 of the Lebanon City Code concerning the proposed Ordinance #2025-06, to adopt a new City Code Chapter 85, which establishes a minimum housing standard ("Chapter 85").

I have reviewed the proposed new Chapter 85 in detail. The City has the authority to adopt this ordinance pursuant to, *inter alia*, RSA 48-A. In my opinion, the proposed ordinance is consistent with New Hampshire law and would be valid if adopted by the Council. I discern no legal concerns with the proposed Chapter 85.

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

Sincerely,



Michael J. Malaguti

TITLE III

TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

Chapter 48-A

HOUSING STANDARDS

Section 48-A:1

48-A:1 Definitions. –

The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context:

- I. "Municipality" shall mean any city or town in this state.
- II. "Governing body" shall mean, in a city, that governing body which is designated as such by the charter of the particular city; in a town, the town meeting.
- III. "Dwelling" shall mean any building, structure, trailer, mobil-home or camp or part thereof, used and occupied for human habitation or intended to be so used and includes any appurtenances belonging thereto or usually enjoyed therewith.
- IV. "Public agency" shall be a board, department, officer, or employee of a municipality, designated by ordinance, code or bylaw to exercise the powers and perform the duties conferred upon it by this chapter.
- V. "Vacation rental" or "short-term rental" means any individually or collectively owned single-family house or dwelling unit or any unit or group of units in a condominium, cooperative, or timeshare, or owner occupied residential home, that is offered for a fee and for less than 30 consecutive days. For purposes of this chapter, vacation rental and short-term rental are residential uses of the property and do not include a unit that is used for any nonresidential use, including retail, restaurant, banquet space, event center, or another similar use.

Source. 1959, 293:1. 1965, 341:1, eff. Aug. 7, 1965. 2017, 249:6, eff. July 1, 2017.

Section 48-A:2

48-A:2 Grant of Power. – Whenever the governing body of any municipality finds that there exists in such municipality dwellings which are unfit for human habitation due to dilapidation, dangerous defects which are likely to result in fire, accidents, or other calamities, unhealthful lack of ventilation or sanitary facilities, or due to other unhealthy or hazardous or dilapidated conditions, including those set forth in RSA 48-A:7, power is hereby conferred upon such municipality to adopt ordinances, codes, or bylaws to cause the repair, closing, or demolition or removal of such dwellings in the manner provided in this chapter. Any municipality which adopts such a code or ordinance which has provisions for appeal, pursuant to this chapter, shall be exempt from any provisions of RSA 48-A which are in conflict with the adopted ordinance. The power conferred by this section shall not be used to impose any

additional ordinances, codes, bylaws, licenses, certificates, or other restrictions on dwellings used as a vacation rental or short-term rental.

Source. 1959, 293:1. 1989, 89:1, eff. June 30, 1989. 2017, 249:7, eff. July 1, 2017.

Section 48-A:3

48-A:3 Provisions of Ordinances, Codes and Bylaws. –

Such ordinances, codes and bylaws shall include the following provisions:

I. That a public agency is established, consisting of such one of the following as the governing body, at its option; shall expressly provide in such ordinance, code, or bylaw:

(a) A board consisting of at least 3 members 2 of whom shall be the head of the municipal health department, and the head of the municipal fire department, if such offices exist, and such other incumbents of municipal offices or positions as such ordinance, code, or bylaw shall prescribe. Selectmen, and city and town managers, and members of the governing bodies of cities shall be ineligible for membership on such board. No person shall serve concurrently as a member of such board and as a member of the appointing authority.

(b) A board consisting of at least 5 members, 2 of whom shall be the head of the municipal health department and the head of the municipal fire department, if such offices exist, and such other incumbents of municipal offices or positions as such ordinance, code, or bylaw shall prescribe. A selectman who concurrently serves as the head of the municipal health department may serve on such board, however he or she must recuse himself or herself as an appointing authority and from his or her role as selectman during an appeals process.

(c) A minimum housing standards enforcement officer, under such title as the governing body shall prescribe, who shall be qualified by training or experience to interpret, administer, and enforce the provisions of such ordinance, code or bylaw, which shall be his or her principal duty and responsibility.

(d) Any other qualified department, officer, or employee of the municipality as the governing body shall designate, other than an elected officeholder, city or town manager, or member of the housing board of appeals hereinafter provided; the department, officer, or employee so designated may perform the duties of the public agency in addition to his or her other duties, with or without additional compensation, as the governing body shall determine.

II. That whenever a petition is filed with the public agency by at least 10 residents of the municipality charging that any dwelling is unfit for human habitation or whenever it appears to the public agency by inspection that any dwelling is unfit for human habitation, it shall, if preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner, every mortgagee of record and all parties in interest in such dwelling (including persons in possession) a complaint stating the charges in that respect. If the person to be served resides outside the state, service may be made upon him by registered mail; and if there are any unascertained persons having an interest in said dwelling, notice may be given them by publication in a newspaper having general circulation in the municipality, such publication to be at least 10 days before the date set for the hearing. Such complaint shall contain a notice that a hearing will be held before the public agency at a place therein fixed not less than 10 days nor more than 30 days after the serving of said complaint; that the owner, mortgagee and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of

evidence prevailing in courts of law or equity shall not be controlling in hearings before such public agency.

III. That if, after such notice and hearing, the public agency determines according to the standards of the ordinance, code or bylaw that the dwelling under consideration is unfit for human habitation it shall state in writing its findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order which, if the repair, alteration or improvement of the said dwelling can be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, requires the owner, within the time specified in the order, to repair, alter, or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation; or if the repair, alteration or improvement of the said dwelling cannot be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, requires the owner, within the time specified in the order, to remove or demolish such dwelling.

IV. If an owner is aggrieved by an order of the public agency made pursuant to paragraph III hereof, he may appeal to the city council or mayor and board of aldermen in the case of cities, or to the board of selectmen in the case of towns. Said city council or mayor and board of aldermen or board of selectmen shall hold a public hearing upon said appeal, due notice of said hearing having first been given to the public agency and to the owner. The city council or mayor and board of aldermen or board of selectmen may affirm or revoke the order of the public agency, or they may modify the same in accordance with their findings. If they shall affirm or modify such order, the public agency shall proceed to enforce said order as affirmed or so modified, in the manner prescribed in RSA 48-A:4. If the city council or mayor and board of aldermen or board of selectmen shall revoke said order, the proceedings shall be terminated.

Source. 1959, 293:1. 1965, 341:2. 1969, 175:1, eff. May 28, 1969. 2014, 20:1, eff. July 22, 2014.

Section 48-A:4

48-A:4 Procedure for Enforcement. — If the owner fails to comply with an order, made pursuant to the provisions of RSA 48-A:3, to repair, alter, improve or to vacate and close the dwelling, or to remove or demolish the dwelling, the public agency may file a petition in the superior court in which it shall set forth the charges issued pursuant to RSA 48-A:3, II, as well as any other allegations bearing upon the unfitness of the dwelling for human habitation. The court shall thereupon direct notice to be given all parties having an interest in said dwelling, including mortgagees and persons in possession thereof. Such notice shall be given, where practicable, by personal service, except that if the person to be served resides outside the state, service may be made upon him by registered mail; and if there are any unascertained persons having an interest in said dwelling, notice may be given them by publication of the petition in a newspaper having general circulation in the municipality, such publication to be at least 10 days before the date set for the hearing. The court shall set a date for hearing such charges and additional allegations. Upon hearing, the matter shall be treated as de novo, and the court shall hear such pertinent evidence concerning the fitness of the dwelling for human habitation as may be relevant.

Source. 1959, 293:1. 1969, 175:3, eff. May 28, 1969.

Section 48-A:5

48-A:5 Order of the Court. – The court shall as soon as practicable issue its order upon said petition; and if the court finds the dwelling complained against is unfit for human habitation due to any of the causes or conditions enumerated in RSA 48-A:2, such order shall direct the public agency to repair, alter, or improve such dwelling to render it fit for human habitation if such repair, alteration or improvement can be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost; or if the repair, alteration or improvement of said dwelling cannot be made at a reasonable cost in relation to the value of the dwelling and the ability of the owner to assume such cost, to remove or demolish such dwelling. If the court shall find in favor of the owner, it shall award to him his reasonable costs and expenses, including counsel fees, all as determined by the court, incurred by him in his defense of the action in the superior court.

Source. 1959, 293:1, eff. Nov. 16, 1959.

Section 48-A:6

48-A:6 Lien. – Whenever the public agency shall incur cost for the repair, alteration, improvement, vacating or closing, or for the removal or demolition of a dwelling, pursuant to an order of the superior court, the amount of such costs shall be a lien against the real property as to which such cost was incurred and such lien, including as part thereof upon allowance of his costs and necessary attorneys' fees, may be foreclosed upon order of the superior court made pursuant to a petition for that purpose filed in said court. Such lien shall be subordinate to mortgages of record made before the institution of proceedings under this chapter. Notice of said lien shall be filed with the register of deeds for the county in which the real estate is situated, and shall be recorded by him. If the dwelling is demolished by the public agency, he shall sell the materials of such dwelling and pay the proceeds of such sale over to the superior court, for distribution to such persons as the court shall find entitled thereto.

Source. 1959, 293:1 eff. Nov. 16, 1959.

Section 48-A:6-a

48-A:6-a Lien for Unpaid Fines. –

- I. Whenever a court of competent jurisdiction enters a fine against a property owner for violation of a housing code enacted pursuant to this chapter or for violation of the minimum standards set forth in RSA 48-A:14, the amount of said fine shall be a lien against the real property, and such lien, including as part thereof costs and necessary attorneys fees may be foreclosed upon order of the superior court pursuant to a petition for that purpose filed in said court. Such lien may be filed after 45 days following the entry of the fine.
- II. Notice of said lien shall be filed with the register of deeds for the county in which the real estate is situated, and shall be recorded by the registrar.
- III. Such lien shall be subordinate to any mortgage, tax lien, or encumbrance of record filed prior to the municipality's lien.
- IV. If the lien authorized by paragraph I is not satisfied within 120 days of the recording of the

judgment in the registry of deeds in which the property is located, it may be foreclosed upon in accordance with the process in RSA 48-A:6.

Source. 2010, 203:1, eff. Jan. 1, 2011.

Section 48-A:7

48-A:7 Standards for Public Agency. – An ordinance, code or bylaw adopted by a municipality pursuant hereto shall provide that the public agency may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling which are unusually, abnormally, or unreasonably dangerous or injurious to the health or safety of the occupants of such dwelling, the occupants of neighboring dwellings or other residents of such municipality. Such conditions may include the following: Defects which increase beyond normal the hazards of fire, accident, or other calamities; lack of reasonable adequate ventilation, light, or sanitary facilities; dilapidation; disrepair, dangerous structural defects; uncleanness; overcrowding; inadequate ingress and egress; inadequate drainage; or any violation of other health, fire or safety regulations.

Source. 1959, 293:1, eff. Nov. 16, 1959.

Section 48-A:8

48-A:8 Additional Provisions of Ordinances, Codes, or Bylaws. –

An ordinance, code or bylaw adopted by the governing body of the municipality may authorize the public agency and its delegated officers to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, provided that such powers shall not be used to impose any additional restrictions on dwellings used as a vacation rental or short-term rental. Such powers shall include the following powers in addition to others herein granted:

- I. To investigate the dwelling conditions in the municipality in order to determine which dwellings therein are unfit for human habitation;
- II. To administer affirmations, examine witnesses and receive evidence;
- III. To enter upon premises for the purpose of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession, and to obtain an administrative inspection warrant under RSA 595-B for this purpose from a court of competent jurisdiction in the event entry is denied or resisted;
- IV. To appoint and fix the duties of such officers, agents and employees as deemed necessary to carry out the purposes of such ordinance, code or bylaw;
- V. To delegate any of its functions under such ordinance to such officers as it may designate; and
- VI. To establish penalties for violations of such ordinance, code, or bylaw, which shall be in addition to any other remedies provided under this chapter. The penalty for any separate offense shall not exceed the maximum penalty permitted under RSA 47:17, and may be enforced pursuant to the procedure established in RSA 31:39-c, RSA 31:39-d, or both, subject to the provisions and limitations thereof, or in any other manner authorized by law. For purposes of any fines imposed hereunder, each day that a violation of the ordinance, code, or bylaw continues shall be considered a separate offense.

Source. 1959, 293:1. 1991, 231:2. 2009, 270:5, eff. Jan. 1, 2010. 2017, 249:8, eff. July 1, 2017.

Section 48-A:9

48-A:9 No Abrogation of Other Powers of Municipalities. – Nothing herein shall be construed to abrogate or impair the powers of the courts or of any governing body, city council, or department of any municipality to enforce any provisions of its charter or its ordinances or regulations nor to prevent or punish violations thereof; and the powers conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law.

Source. 1959, 293:1, eff. Nov. 16, 1959.

Section 48-A:10

48-A:10 No Abrogation of Powers of Municipalities as to Nuisances. – Nothing in this chapter shall be construed to impair or limit in any way the power of the municipality to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise.

Source. 1959, 293:1, eff. Nov. 16, 1959.

Section 48-A:11

48-A:11 Minimum Standards; Barring the Use or Occupancy; Violations and Punishment. –

Any municipality may (by ordinance adopted by its governing body):

- I. Prescribe minimum standards for the use and occupancy of dwellings throughout the municipality;
- II. Prevent the use or occupancy of any dwelling which is injurious to the public health, safety, or welfare.
- III. Enact, in the sections of their housing codes dealing with infestations of insects, provisions directed at the unique problems posed by infestations of bed bugs, provided that such provisions are no less protective of the residents of dwelling units in which bed bug infestations are found than are the provisions dealing with infestations of other kinds of insects.

Source. 1959, 293:1, eff. Nov. 16, 1959. 2013, 48:3, eff. Jan. 1, 2014.

Section 48-A:12

48-A:12 Exceptions. – An ordinance, code or bylaw adopted pursuant to the authority of this chapter may provide that any dwelling, building or structure situated within an historic district that is established under RSA 31:89-b, or within such other classes of dwellings, building or structure as the governing body shall determine to have special significance to the public interest and shall expressly define in such ordinance, code or bylaw, may be approved by the board of aldermen as a special exception, after public hearing, and the provisions of such

ordinance, code or bylaw may be waived in their application to such dwelling, building or structure, in whole or in part or otherwise so modified as the housing board of appeals may determine.

Source. 1959, 293:1. 1965, 341:3, eff. Aug. 7, 1965.

Section 48-A:13

48-A:13 Conflicting Provisions. – Whenever the regulations made under the authority hereof differ from those prescribed by any statute, ordinance or other regulation, that provision which imposes the higher standard shall govern.

Source. 1965, 341:4, eff. Aug. 7, 1965.

Section 48-A:14

48-A:14 Minimum Standards Established. –

No landlord, as defined by RSA 540-A:1, I, renting or leasing a residential dwelling in a municipality which has not adopted ordinances, codes or bylaws pursuant to this chapter shall maintain those rented premises in a condition in which:

I. The premises are infested by insects and rodents where the landlord is not conducting a periodic inspection and eradication program;

I-a. The premises are infested by bed bugs and the landlord is not conducting a periodic inspection and remediation program. In this paragraph "remediation" means action taken by the landlord that substantially reduces the presence of bed bugs in a dwelling unit for a period of at least 60 days;

II. There is defective internal plumbing or a back-up of sewage caused by a faulty septic or sewage system;

III. There are exposed wires, improper connectors, defective switches or outlets or other conditions which create a danger of electrical shock or fire;

IV. The roof or walls leak consistently;

V. The plaster is falling or has fallen from the walls or ceilings;

VI. The floors, walls or ceilings contain substantial holes that seriously reduce their function or render them dangerous to the inhabitants;

VII. The porches, stairs or railings are not structurally sound;

VIII. There is an accumulation of garbage or rubbish in common areas resulting from the failure of the landlord to remove or provide a sufficient number of receptacles for storage prior to removal unless the tenant has agreed to be responsible for removal under the rental agreement and the landlord has removed all garbage at the beginning of the tenancy;

IX. There is an inadequate supply of water or whatever equipment that is available to heat water is not properly operating;

X. There are leaks in any gas lines or leaks or defective pilot lights in any appliances furnished by the landlord; or

XI. The premises do not have heating facilities that are properly installed, safely maintained and in good working condition, or are not capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein, to a temperature of at least an average of 65

degrees F.; or, when the landlord supplies heat in consideration for the rent, the premises are not actually maintained at a minimum average room temperature of 65 degrees F. in all habitable rooms.

Source. 1979, 305:7, eff. Aug. 21, 1979. 2013, 48:2, eff. Jan. 1, 2014.

Section 48-A:15

48-A:15 Enforcement of Minimum Standards. – In municipalities which have not established a public agency as described in RSA 48-A:3, a violation of the minimum standards set forth in RSA 48-A:14 shall be a violation, and each continuing day of violation after notice shall be a separate offense.

Source. 2001, 274:4, eff. Jan. 1, 2002.



LEBANON CITY COUNCIL NOTICE OF PUBLIC HEARINGS

Wednesday, June 18, 2025 - 7:00pm
Council Chambers, City Hall or
REMOTE VIA VIRTUAL PLATFORM
LebanonNH.gov/LIVE

The Lebanon City Council will hold public hearings on June 18, 2025, beginning at 7:00pm for the following:

- A. Ordinance #2025-06: A public hearing for the purpose of receiving public input and taking action to adopt a new City Code Chapter 85, Housing Standards, Minimum
- B. Ordinance #2025-07: A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 97, Landfill Regulations, Appendix A, Fee Schedule

The June 18, 2025 City Council agenda packet and documents pertaining to the above-described public hearings will be available on the City's website beginning June 6, 2025: LebanonNH.gov/Agendas

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

The foregoing notice was published in the *Valley News*, a newspaper of general circulation in the City of Lebanon, in accordance with the Code of the City of Lebanon on Saturday, June 07, 2025.

Jaseya Ewing, City Clerk

**Agenda
Lebanon City Council
June 18, 2025**

9. Public Hearing Items:

**9.B – Ordinance #2025-07, to Amend Chapter 97,
Landfill Regulations, Appendix A, Fee Schedule**

A public hearing for the purpose of receiving public input and taking action on proposed Ordinance #2025-07, to amend Lebanon City Code Chapter 97, Landfill Regulations, Appendix A, Fee Schedule.

The City Council scheduled this public hearing at its June 4, 2025 regular meeting. The public hearing was properly noticed in the *Valley News* on June 7, 2025 in accordance with City Code and State Law.

Background

City Code Chapter 97, Landfill Regulations, was fully updated in July 2019 to incorporate the language from the former Chapter 143, Solid Waste, (which was repealed on July 24, 2019), and to include a fee schedule for disposal of refuse and recycling of certain materials. The fee schedule set forth in Appendix A, last updated in November 2024, is to be reviewed annually for possible updates based on current market rates.

Ordinance #2025-07 proposes to amend Chapter 97, Appendix A to reduce the disposal rate for passenger tires from \$15 to \$10 per tire. This reduction is made possible through the negotiation of a more affordable tire recycling agreement resulting in operational savings that can be passed on to residents and customers.

Action:

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

MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-07, to amend Lebanon City Code Chapter 97, Landfill Regulations, Appendix A, Fee Schedule, as presented in the June 18, 2025 City Council Agenda Packet.

Included in this Section:

1. Proposed Ordinance #2025-07
2. Notice of Public Hearing as Published in the June 7, 2025 edition of the *Valley News*

**CITY OF LEBANON
ORDINANCE #2025-07**

AN ORDINANCE TO AMEND the Code of the City of Lebanon Chapter 97, Landfill Regulations, Appendix A, Fee Schedule.

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

Section 1:

The Code of the City of Lebanon, Chapter 97, Landfill Regulations, Appendix A, Fee Schedule, is amended as follows:

Item	Fee
MSW – Commercial	\$120.75/ton
MSW – Residential	\$4.00/household bag \$8.00/contractor bag \$40.00 per punch card \$2.00/15 Gallon PAYT household bag \$4.00/30-Gallon PAYT household bag
Minimum Load – Scale Use	\$40.00
Construction and demolition debris – NOTE: This does not include mixed aggregates	\$ 258.75/ton
Contaminated or mixed load recycling	\$300/ton
Mattresses -Box spring is under bulky	\$37.50
Bulky-Furniture, cabinets, sofa, chairs, box spring; excluding Mattresses	\$7.50 Small (10-35lbs) \$14.50 Medium (36lbs to 80lbs) \$22.50 Large (81lbs and up) \$150.00/ton Sectionals charged by the piece
Tires	\$45 10.00/tire - Maximum of 10 tires per load.
Yard trimmings and brush	\$15.00/ton for all commercial loads and non-Lebanon residents up to 4 inches \$75.00/ton over 4 inches in diameter \$110 Stumps Lebanon Residents only are free for loads less than 2 Cubic yards NON Commercial drop off Leaves, wood chips and grass clipping free- 4 inches or less in diameter Scale minimum ½ a ton.
Bulk loads of asphalt, brick and concrete and mixed aggregate	\$75.00/ton
Electronic waste – monitors and TVs	\$22.50/item
Electronic waste – solar panels	\$42.50/panel
Electronic devices – DVD, VCR, stereo, etc.	\$12.50/item

Freon-containing devices	\$22.50/unit
Fluorescent bulbs	\$2.50 Base + \$0.15/ft (Up to 4 bulbs or CFLs accepted per day)
Compact fluorescent lamps (CFLs)	\$2.50 Base + \$0.60/ea. (Up to 4 bulbs or CFLs accepted per day)
Cover materials	\$15.00/ton
Food waste	\$50.00/ton
Food scraps – household	No charge for food scrap composting-Residential
Glass-Bulk Load	\$40.00/ton
In Person permit fee	\$15.00 (including the cost of the permit)
Equipment Assist	\$75.00
Scale Use Fee	\$10.00
Propane tanks 20lb	\$14.50
Propane tanks 1lb	\$4.50
Change of scale ticket fee, next day	\$30.00 (day of is free)
Lost card Fee-commercial	\$25.00
Account reactivation Fee	\$50.00
Found in Load Fee	Additional \$20.00 on top of cost of item
Drive off Fee	\$250 first offense, \$500 second offense, 6-month suspension 3 rd offense
Mixed Loads	Charged at the highest Rate of items contained in load
Oil	\$5 for up to a gallon. \$5 a gallon after that.

Section 2: Severability

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

Section 3: Effective Date

This ordinance shall become effective upon passage.



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Jaseya Ewing, City Clerk

Agenda

Lebanon City Council

June 18, 2025

11. New Business:

11.A – Discussion of Changes to S.A.F.E.R. Grant Application and Program Parameters

Background

In February 2025, the City Council authorized the Lebanon Fire Department to submit a S.A.F.E.R. (Staffing for Adequate Fire and Emergency Response) grant application for four (4) additional full-time firefighter positions. The authorization was approved with the understanding that, if the grant is awarded, the positions funded through the S.A.F.E.R. program would be maintained for the performance period of 36 months, and no staffing reductions would occur within the Fire Department during the grant performance period. It was further understood that the grant would pay 100% of salary and benefits for 36 months, with the City responsible for the cost of training and equipment during that period, but that the City would be responsible for fully funding the positions after the 36-month period.

As of February 2025, it was estimated that the cost of four new firefighters to the City with the S.A.F.E.R. grant would be approximately \$119,000 for the 3-year period. For comparison, the cost to the City of four new firefighters without the S.A.F.E.R. grant would be approximately \$1,900,000 for the 3 year period, or roughly \$635,000 per year.

However, since the authorization to apply was granted in February, the S.A.F.E.R. grant program parameters have changed. With the abrupt stoppage of all federal grants, including FEMA grants, the application period did not open in February as anticipated. When the S.A.F.E.R. grant program funding was reinstated, the filing period was opened on May 23rd and applications are being accepted until July 3, 2025. In addition, the revised program parameters include a cost-sharing component, which results in the City absorbing a share of salary and benefits (as well as training and equipment) for the 3-year life of the grant. Specifically, in Years 1 and 2, the City would be responsible for 25% of salaries and benefits, plus training and equipment. In Year 3, the City would be responsible for 65% of salaries and benefits, plus training and equipment. As a result, the potential cost to the City over the 3 year period could range from approximately \$211,000 for one firefighter to approximately \$844,000 for four firefighters.

Fire Chief Jim Wheatley will be present to review the changes in the S.A.F.E.R. program grant, and the City administration seeks guidance, once again, on whether to pursue grant funding in the current round, and if so, for how many firefighters.

Action

The following motion is offered for City Council consideration:

MOVED, that the Lebanon City Council directs the City Manager to submit a S.A.F.E.R. grant application for ____ full-time firefighter positions. If the grant is awarded, it is understood that the ____ positions funded through the S.A.F.E.R. 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 ____ positions after the 36-month period.

Included In This Section:

1. June 9, 2025 Memorandum from Fire Chief Jim Wheatley Re: SAFER Grant Guidance
2. Lebanon Fire Department Presentation on Staffing for Adequate Fire and Emergency Response (S.A.F.E.R.) Program
3. Excerpt of minutes from February 5, 2025 City Council meeting.

STAFFING FOR ADEQUATE FIRE
AND EMERGENCY RESPONSE
(SAFER)

LEBANON FIRE DEPARTMENT



Staffing For Adequate Fire and Emergency Response (SAFER)

Purpose

- Provide fire departments with additional staffing to better meet:
 - ✓ Service Demands
 - ✓ National Response Standards

Program Funding

- Cost Sharing Model Salary and Benefits for (36 months)



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.

MASSACHUSETTS MUNICIPAL ASSOCIATION STUDY STATEMENTS AND RECOMMENDATIONS FROM 2008

“The City’s road network and dispersed population make it difficult for the Fire Department to achieve response benchmarks. However, the Department has made progress toward meeting these benchmarks”.

“The fire department should add 4 additional firefighters”(2008)

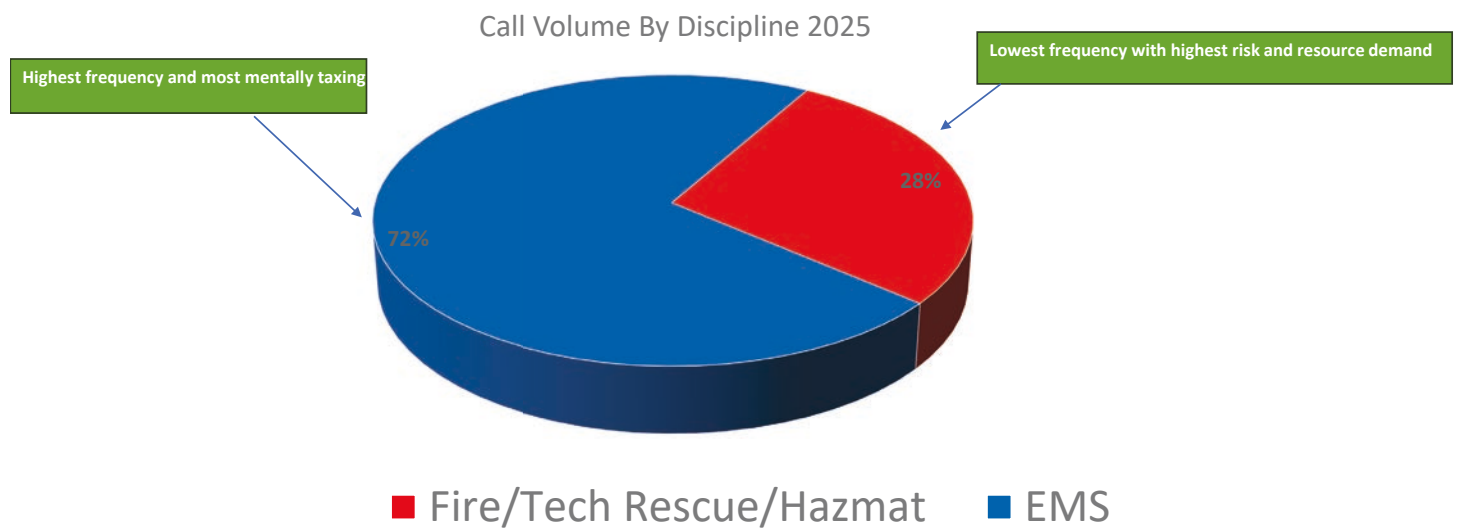
“The fire department should, in long-term add 4 additional firefighters per shift” (2008)

MASSACHUSETTS MUNICIPAL ASSOCIATION STUDY STATEMENTS AND RECOMMENDATIONS FROM 2008

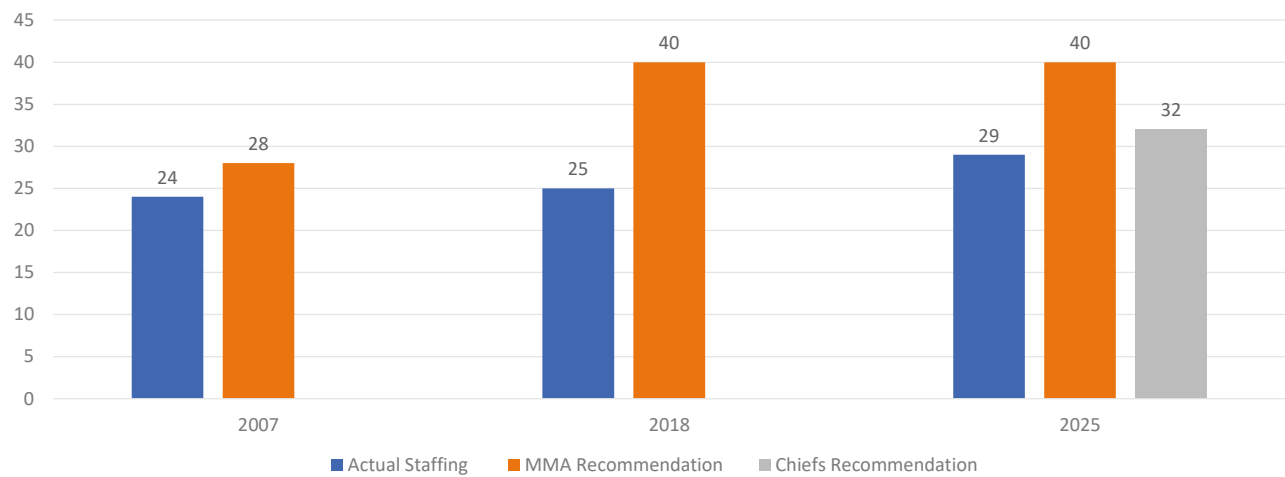
The Fire Department should continue to maintain EMS at the Advanced Life Support Level. The Fire Department should continue to deploy ambulances from both Station 1 and Station 2

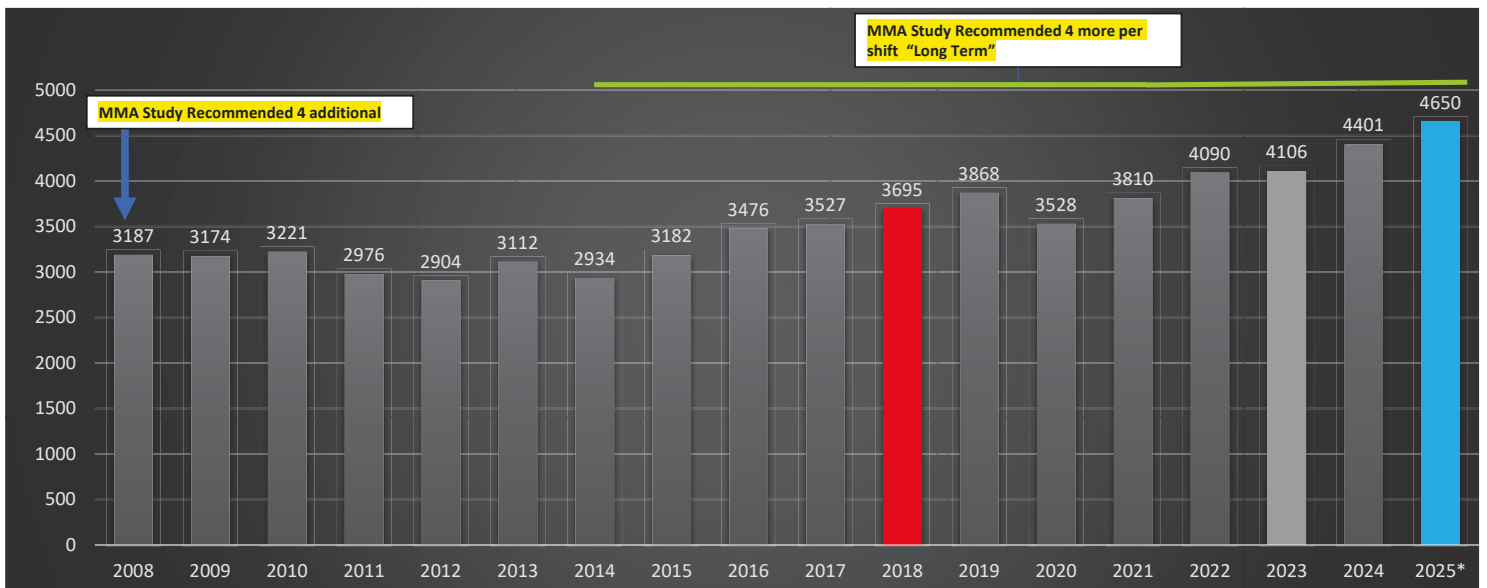
The Fire Department should formalize the current practice of having an incident commander available at a structure fire or other significant emergency response.

CALL VOLUME BY DISCIPLINE



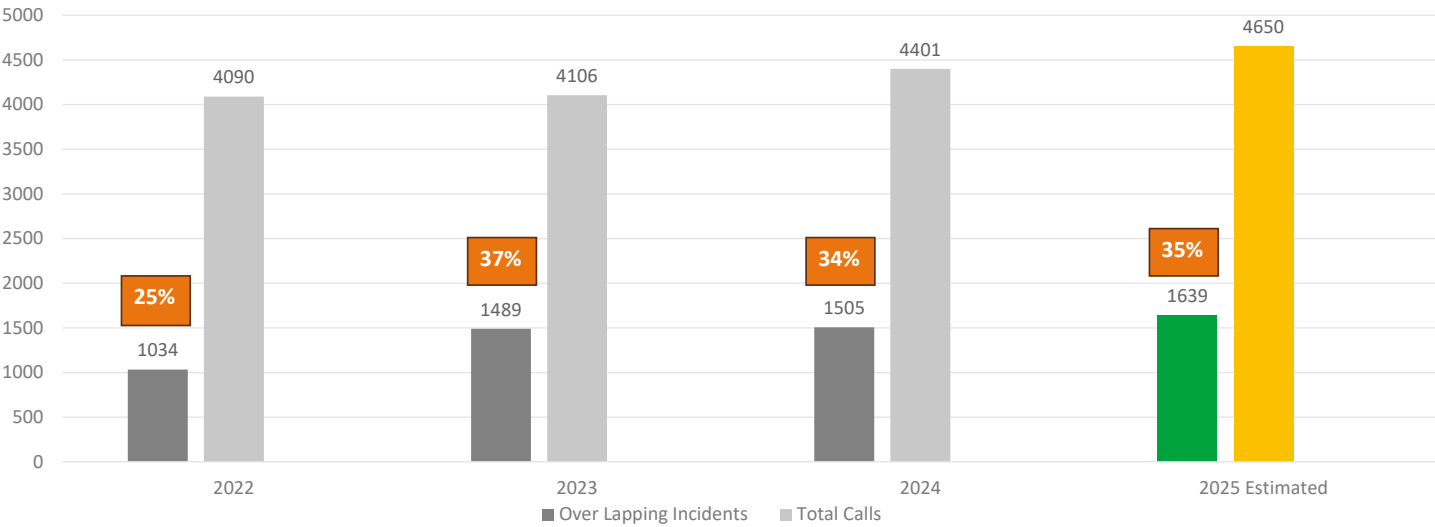
STAFFING ANALYSIS



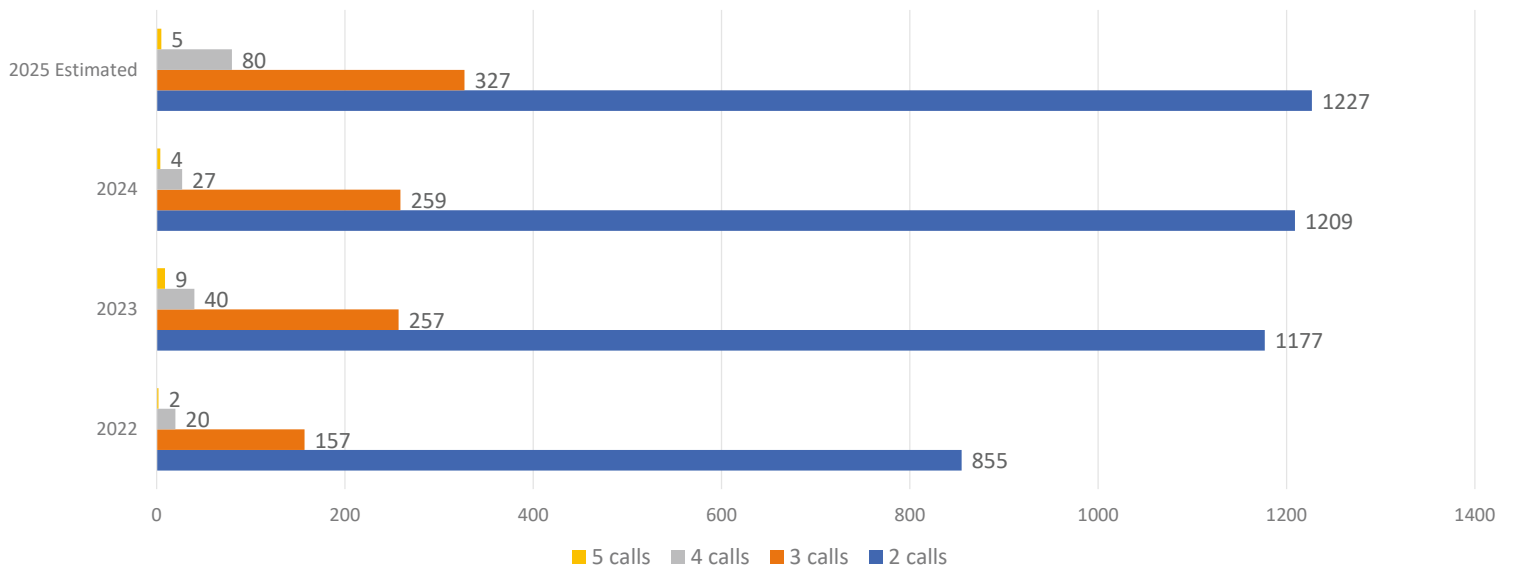


Call Volume

SIMULTANEOUS INCIDENTS



SIMULTANEOUS CALL BREAK DOWN

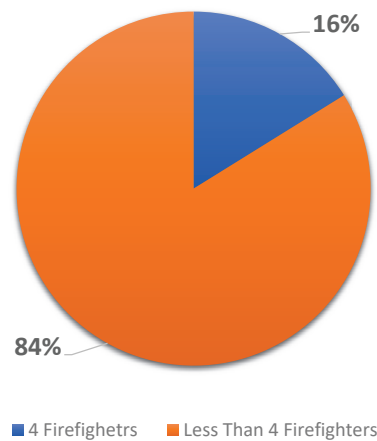


NUMBER OF FIREFIGHTERS ON FIRST DUE ENGINE

National Standard NFPA 1710
4 Firefighters no less than 90% of the time

51 occasions with only 1 Firefighter

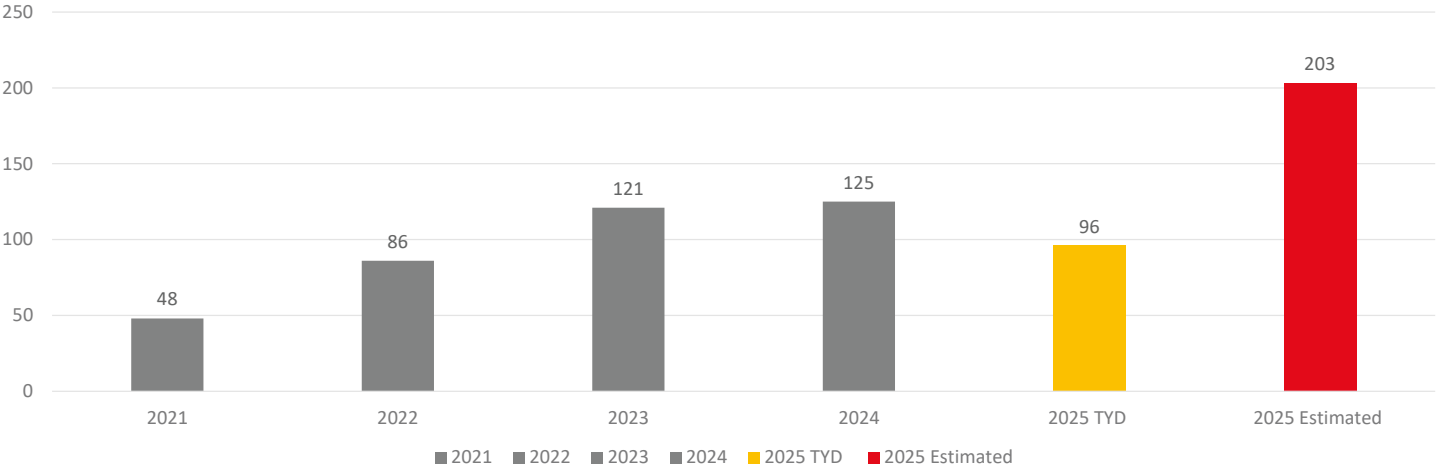
19 occasions no fire engine available



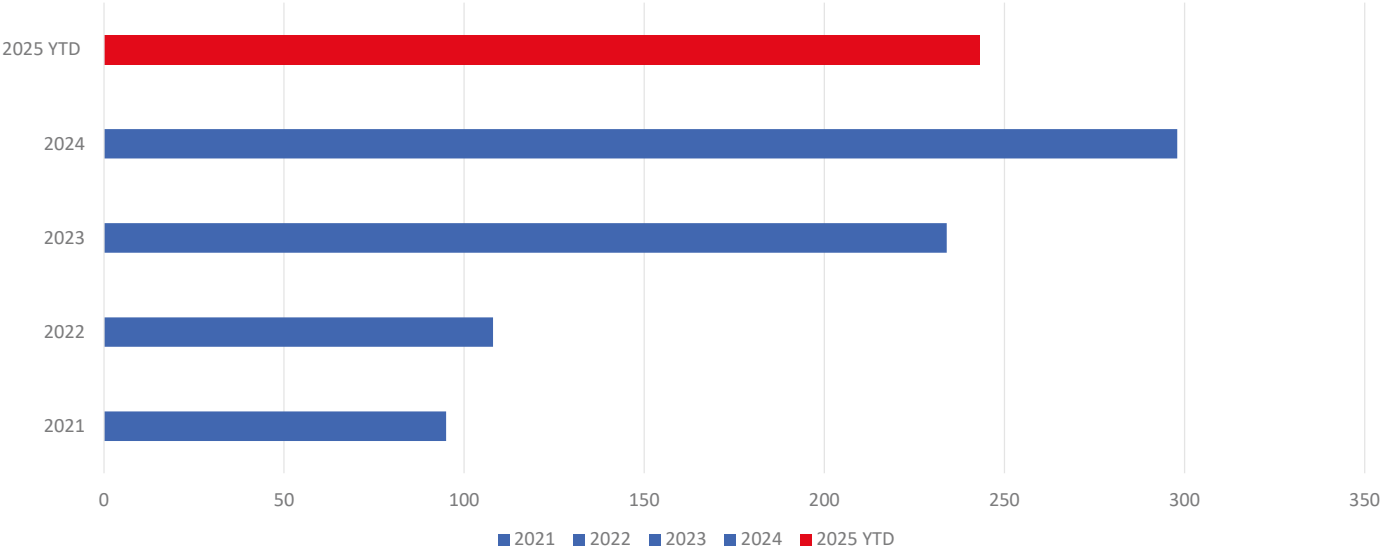
By the numbers 2024

DEPARTMENT	ANNUAL CALL VOLUME	POPULATION	TOTAL READY STAFF	CALLS PER MEMBER	SQUARE MILES	# OF STAFFED FIRE STATIONS
Hooksett	2700	13,776	30	90	37	2
Hartford VT	2641	10,367	24	110	45	2
Merrimack NH	3900	26,632	44	88	32	2
Hampton NH	3630	15,546	40	90	14	2
Bedford NH	3848	23,332	44	87	33	1**
Hudson NH	4065	24,467	44	92	29	3
Laconia NH	4342	17, 025	40	108	26	2
Lebanon NH	4401	15,342	29	176	41	2
Londonderry NH	4400	25,826	52	84	42	3
Derry NH	5308	34,000	60	88	42.1	4
Portsmouth NH	6758	21,440	60	112	15.6	3

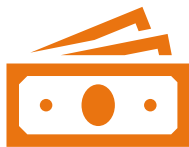
MUTUAL AID REQUESTS



FIRE PREVENTION STAFF EMERGENCY CALL RESPONSES



HOW WE TRY TO RELIEVE THE TAXPAYER COST



2024 Operating Budget

\$ 5,278,300 offset by \$1,836,140 in revenue
35% of the operating budget is offset by revenue



2024 Revenue

Alarm Monitoring Fees \$ 83,900.00
EMS \$ 1,409,595.00
Fire Prevention/Plans Review \$ 29,145.00
Mobile Integrated Health \$ 313,500

3 YEAR COST COMPARISON FOR THE CITY OF LEBANON (1- 4 Fulltime Positions)

2026	1 Firefighter	2 Firefighters	3 Firefighters	4 Firefighters
Total Salaries and Benefits	\$ 147,168.29	\$ 294,336.58	\$ 441,504.87	\$ 588,673.16
FEMA Share	\$ 110,376.22	\$ 220,752.44	\$ 331,128.65	\$ 441,504.87
City Share	\$ 36,792.07	\$ 73,584.15	\$ 110,376.22	\$ 147,168.29
Training and Equipment	\$ 14,495.00	\$ 28,990.00	\$ 43,485.00	\$ 57,980.00
Total Cost City of Lebanon	\$ 51,287.07	\$ 102,574.15	\$ 153,861.22	\$ 205,148.29
2027	1 Firefighter	2 Firefighters	3 Firefighters	4 Firefighters
Total Salaries and Benefits	\$ 155,719.00	\$ 311,438.00	\$ 467,157.00	\$ 622,876.00
FEMA Share	\$ 116,789.25	\$ 233,578.50	\$ 350,367.75	\$ 467,157.00
City Share	\$ 38,929.75	\$ 77,859.50	\$ 116,789.25	\$ 155,719.00
Training and Equipment	\$ 10,668.00	\$ 21,336.00	\$ 32,004.00	\$ 42,672.00
Total Cost City of Lebanon	\$ 49,597.75	\$ 99,195.50	\$ 148,793.25	\$ 198,391.00
2028	1 Firefighter	2 Firefighters	3 Firefighters	4 Firefighters
Total Salaries and Benefits	\$ 162,254.00	\$ 324,508.00	\$ 486,762.00	\$ 649,016.00
FEMA Share	\$ 56,788.90	\$ 113,577.80	\$ 170,366.70	\$ 227,155.60
City Share	\$ 105,465.10	\$ 210,930.20	\$ 316,395.30	\$ 421,860.40
Training and Equipment	\$ 4,619.50	\$ 9,239.00	\$ 13,858.50	\$ 18,478.00
Total Cost City of Lebanon	\$ 110,084.60	\$ 220,169.20	\$ 330,253.80	\$ 440,338.40
3 Year Cost City of Lebanon With Grant	\$ 210,969.42	\$ 421,938.85	\$ 632,908.27	\$ 843,877.69

SAFER GRANT TIMELINE (Estimated)



~~Street Hammerhead Easement upon satisfactory completion of the tasks outlined in the December 18, 2024 letter from the Director of Public Works.~~

Seconded by Assistant Mayor Below.

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

~~9. OLD BUSINESS – NONE~~

10. NEW BUSINESS

A. Presentation and Discussion of Potential S.A.F.E.R Grant

Included in the agenda packet: **(All supportive documents and detailed information, including the entire presentation, can be found on pages 53-78, Council agenda packet)**

1. January 23, 2025 Memorandum from Fire Chief Jim Wheatley to City Manager Shaun Mulholland Re: SAFER Grant Guidance
2. Lebanon Fire Department Presentation on Staffing for Adequate Fire and Emergency Response (S.A.F.E.R.) Program

Lebanon Fire Chief Wheatley and Deputy Fire Chief Libbey were present and reviewed the history and background behind the S.A.F.E.R Grant. Chief Wheatley noted that through the budget season this year and the assistance of Alice Peck Day, the LFD were able to add 4 positions, which will be starting the first part of March 2025. He also wanted to clarify that there is often a misconception that the Lebanon Fire Department is the Fire Department. We are more than just the Fire Department. We are the Fire/EMS Department. We are the same people who respond to a vehicle accident to extricate trapped people and transport them in one of our ambulances. We also respond to: people falling through the ice; people who get stranded in the rapids on the river; carbon monoxide calls; respond to water pipe breaks in homes/businesses; respond to crash/alerts at the airport; we do emergency planning for natural disasters such as floods, hurricanes, tornadoes; we are responsible for hazard mitigation plans. We are the same people who respond to all these emergencies along with all first responders. We do not just drive around in fire trucks or ambulances. We were also awarded the EMS Unit Citation for the best EMS Service in the early 2000's, and we still have a very strong reputation for being one of the best EMS/Fire Departments in the State of New Hampshire. We are an all-hazards organization.

Chief Wheatley noted that when he presented the S.A.F.E.R Grant last year (2024), prior to that he had presented a memo as part of the 2024 budget preparations stating he wanted to get to 8 personnel on a shift. Knowing that that was not going to be feasible with the burden of the tax situation in Lebanon, we came up with an alternative plan to try and seek the S.A.F.E.R Grant for 8 positions. He was notified in December 2024 that we made the funding pool but ran out of money. To him, the need is there but they are not able to obtain the funding. The Council had to make some very difficult decisions. He is looking for guidance from the City Council as to whether or not to apply again for the S.A.F.E.R Grant and spoke about how no one knows what is going on with the Grants at the Federal Government level. He is a realist and understands what the budget will look like in the future and that it will be very difficult to add positions in the Lebanon City budget moving forward and a lot of tough decisions will have to be made, but as a Fire Chief he has to tell what is happening in the community so the Council can make the best informed decisions.

BACKGROUND

In October 2023, the City Council authorized the Lebanon Fire Department to seek a S.A.F.E.R. (Staffing for Adequate Fire and Emergency Response) Program Grant for eight (8) additional firefighters to address staffing needs for the department. Fire Chief Jim Wheatley was informed in December 2024 that the City's grant application scored high enough to be added to the funding pool, but available funds had already been exhausted prior to the City being awarded. Subsequently, the City Council added funding for four (4) additional firefighters through the 2025 City Budget review and adoption process.

The next application round of the S.A.F.E.R. Grant Program opens in February 2025, and the City administration seeks guidance on whether to pursue grant funding in the upcoming round, and if so, for how many firefighters.

Highlights from the S.A.F.E.R presentation are presented below.

Staffing For Adequate Fire and Emergency Response (SAFER)

Purpose

- Provide fire departments with additional staffing to better meet:
 - ✓ Service Demands
 - ✓ National Response Standards

Program Funding

- 100% Salary and Benefits for (36 months)

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.

MASSCHUSETTS MUNICIPAL ASSOCIATION STUDY STATEMENTS AND RECOMMENDATIONS FROM 2008

"The City's road network and dispersed population make it difficult for the Fire Department to achieve response benchmarks. However, the Department has made progress toward meeting these benchmarks".

"The fire department should add 4 additional firefighters"(2008)

"The fire department should, in long-term add 4 additional firefighters per shift" (2008)

The Fire Department should continue to maintain EMS at the Advanced Life Support Level. The Fire Department should continue to deploy ambulances from both Station 1 and Station 2

The Fire Department should formalize the current practice of having an incident commander available at a structure fire or other significant emergency response.

SERVICE DEMANDS

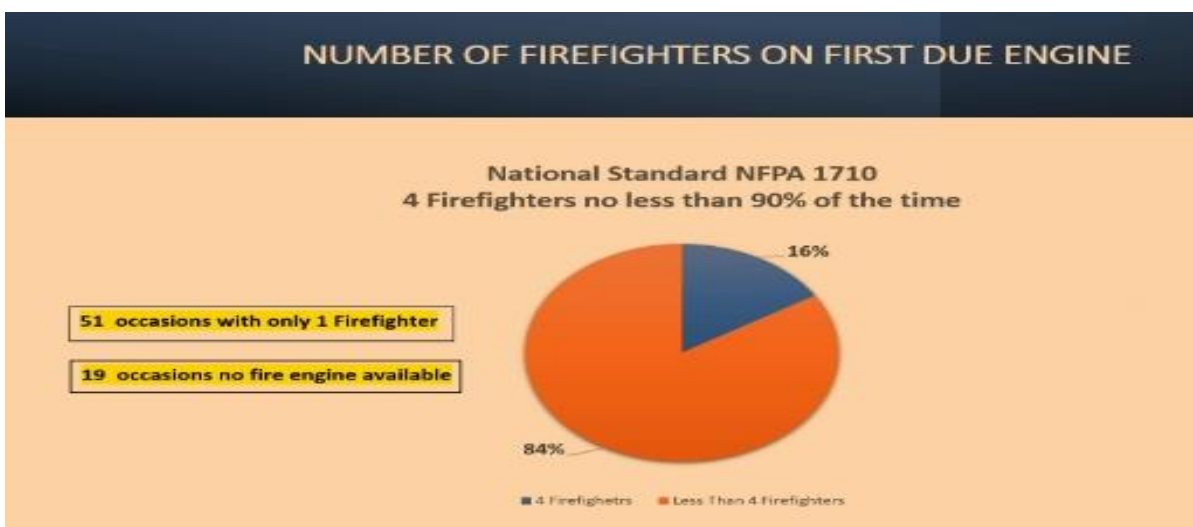
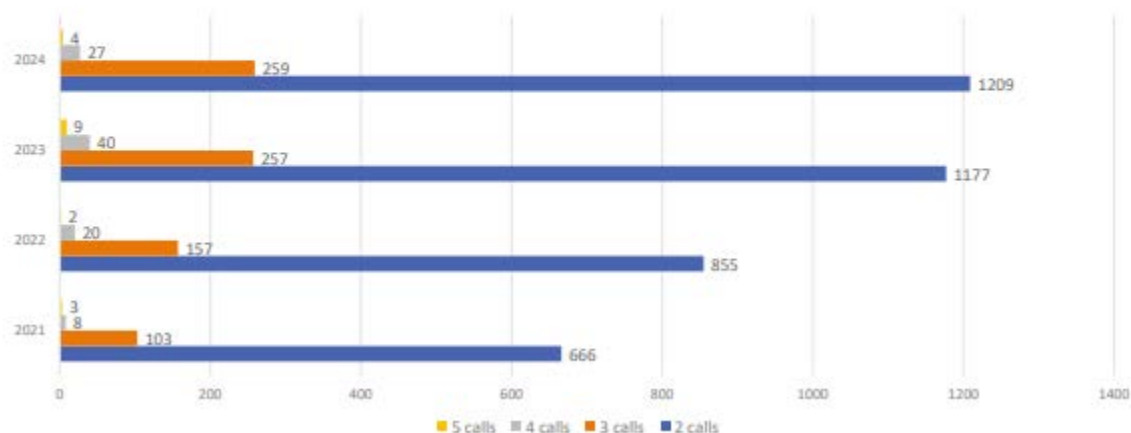
Between 2007 and 2024

- 61% increase in call volume
- Staffing increased by 4% (1 Position)

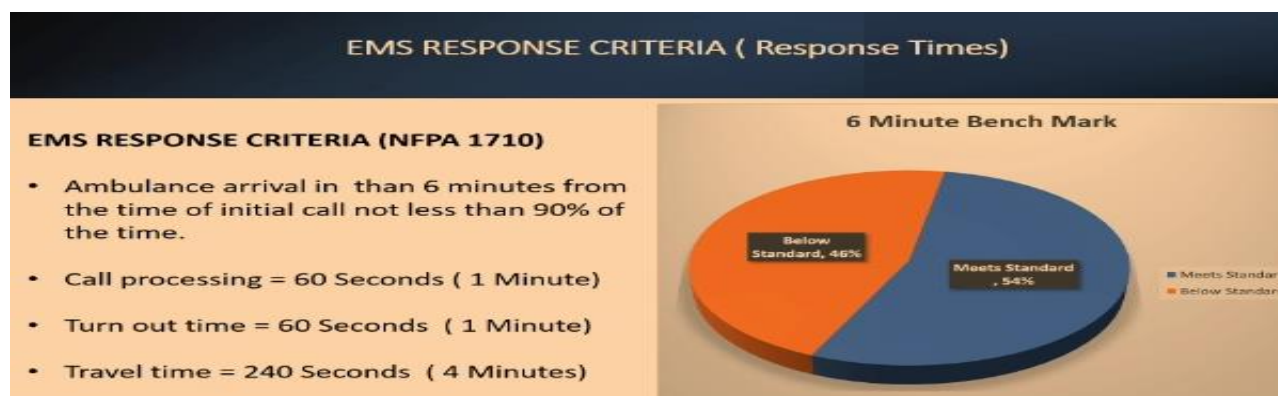
4 New positions are being added in 2025



SIMULTANEOUS CALL BREAK DOWN



This is the GOLD Standard, but Lebanon is unable to achieve this standard. These occurrences are going to continue to grow.



HOW WE TRY TO RELIEVE THE TAXPAYER COST



2024 Operating Budget

\$ 5,278,300 offset by \$1,836,140 in revenue
35% of the operating budget is offset by revenue



2024 Revenue

Alarm Monitoring Fees \$ 83,900.00
EMS \$ 1,409,595.00
Fire Prevention/Plans Review \$ 29,145.00
Mobile Integrated Health \$ 313,500

THE CONSIDERATION

What does 4 new positions do for the City of Lebanon.

- Allows us to cover 3 ambulance calls which happens approximately 300 times per year and still have 2 members available to cover a fire engine.
- Increases community and responder safety.

Why aren't we requesting 4 more per shift as indicated by the MMA Study

- Even though Data support this. Its not fiscally reasonable to expect to achieve this recommendation in the short term given the tremendous financial strains our taxpayers are experiencing. Long term staffing plans are outlined in Lebanon Strategic Plan.

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
2026 Operating Budget	\$ 629,511.00	\$ 57,980.00
2027 Operating Budget	\$ 633,564.00	\$ 42,673.00
2028 Operating Budget (12 Months)	\$ 644,829.00	\$ 18,478.00
TOTAL over Grant Duration (36 Months)	\$ 1,907,904.00	\$ 119,131.00

Grant Covers three years. At end of grant City has the option to retain the Firefighter (FF). However, for the 3 years, the City has the obligation to keep the FF or will need to repay grant funds back to the Federal Government.



Chief Wheatley noted that FEMA hosts this grant. The important thing is that the date we get the notice of award that he has 30 days to come back to the Council and the Council needs to accept the grant. All you would be doing tonight is to say yes or no to apply (for the grant) and if an award is granted, he will come back to the Council to accept or reject the award. Within 180 days he would have to get those employees onboard (if the Council accepts the grant).

Council/Staff Discussions:

In response to Councilor Heistad's question regarding getting staff in place within the timeframe, Chief Wheatley stated his reason why it would be very achievable is because we are not struggling to get candidates.

Mayor McNamara noted this is the 2nd/3rd time the Council has reviewed this presentation, and was very sympathetic to the position the department is in. He understood the call volume is tremendous but also understands that at the expiration of this grant (if we get it) the City's costs would go up another \$660K/year in the budget because, at a practical point, we are not going to lay those 4-5 firefighters off. The last budget season they got 4 firefighters but the flip side of this is that we eliminated 3 positions in other City departments and the next budget season is going to be equally tough because there are no easy choices. He was struggling with where we would go from there and was uncertain if the City would be in a better position (financially) at the end of three years. Adding an additional \$600K + annually makes him think about where else we are going to lay people off in order to keep these new positions. He knows the Fire Department needs the additional personnel but was uncertain if it is feasible for the City to do at this time, even with the S.A.F.E.R Grant.

Councilor Liot Hill spoke about the Dairy Twirl fire last week and the shortage of firefighters able to respond to this fire due to three medical calls happening at the same time. Chief Wheatley noted there were actually 2 active ambulance medical calls and a propane odor at DHMC. Hanover covered another medical call at the same time. Then there was a fire alarm that came in requiring a response and Deputy Chief Libbey responded in their regular staff vehicle.

Councilor Liot Hill noted it was not unthinkable that another call could also have come in at the same time. This is a real safety issue for the people of Lebanon and felt it concerning and important for people to understand that there were literally no more ambulances available and there was no one to get on a truck and leave the Fire Station. She understood the point Mayor McNamara made but in light of the current public safety situation in Lebanon she thought it was important to at least put in the application for the S.A.F.E.R Grant. It does not bind us in accepting the grant but does give us some options, and the public will have a chance to weigh in. It would be prudent for the Council to move forward with the S.A.F.E.R Grant by at least putting in the application.

Councilor Wilkie was inclined to agree with Councilor Liot Hill but understood Mayor McNamara's concern about the budget. However, he felt there is a very real likelihood that the cost of not taking care of our First Responders could have greater consequences (in the future) and further explained his reasoning. He sees the need for 12 more firefighters but agreed the City could not afford 12. Submitting this application for 4 more firefighters may be as close as we could come to a compromise. While all the requests the Council has received are important this one is starker. If we choose not to move forward with this grant, we would be choosing to do so on the public's behalf (without their input). If we do move forward with the application, the public has 6-months to tell us what they think. He further spoke about his reasons why the Council should start the S.A.F.E.R Grant process.

Councilor Simon shared an incident noting that he was one of those people who showed up at a building fire (when he was a firefighter) by himself. It is an incredible gut check when you have to turn to a member of the public and say, "Can you go knock on the doors of the occupied structures on either side of this (fire) to make sure that people know." This person was probably a few years his senior, but he was the only one who stepped up to give me a hand to start evacuating people. The need is there, and we know we are getting crushed financially. We know it is going to be a tough several years for the budget and further explained his reasonings why he hoped the Council would support the S.A.F.E.R Grant.

Councilor Heistad noted that Lebanon prides itself as being a place where people can come and age in place, but it does not come for free. He has had classmates move because they can no longer afford to live here. This is a major problem Lebanon is going to have to live with because it will not get any better. Are we going to try and help people stay in their homes and age in place?

Mr. James Simms (Ward 2): He spoke about how he thought Chief Wheatley should come to the Council and explain how much overtime we could save, which could possibly be budget neutral. He also spoke about how other areas in the Fire Department/EMS could cut costs and compared Lebanon's Fire Department/EMS with Portsmouth, NH. He felt there were other areas where they could tighten their belt. Chief Wheatley, after addressing Mr. Simms' comments, stated he will look into the overtime, the supplies budget, and education and training, and repeat offender false alarms.

Assistant Mayor Below suggested considering two (2) firefighters this year and two (2) firefighters next year and explained his reasoning. He spoke about the crest in Debt Service in a few years for Capital Projects and felt that in a couple of years out we may see some significant retirements. He felt the need is there and could support four (4) firefighters but two (2) might be a more certain thing in terms of being able to smooth out (the budget) when funding stops.

Mayor McNamara reiterated his concern about the \$600K+ being added to the budget when funding from S.A.F.E.R Grant runs out in three years. He did not mind the idea of 2 (firefighters).

Councilor Whittlesey noted the Council has heard from constituents who have told him they are leaving because they can no longer afford the taxes. We have to be very careful because the City cannot absorb \$600K and further explained his reasoning noting this will mean cuts if we are going to level the budget. What is going to go: the pool? Recreation Programs? Cuts to the Library or other essential services? This is the position we will be in at the \$600K. He reiterated his concern again but stated he could consider two (2) firefighters but was hesitant to do more given the fact the City cut 3 positions this year and felt something more drastic would have to be done 3 years from now.

In response to Councilor Wilkie's question about not being able to apply for another S.A.F.E.R Grant if we already have one (i.e., request 2 this year and 2 next year) Chief Wheatley stated that was the previous terms but now we can apply for 2 this year and can definitely apply for 2 in the following year as well.

The Council continued their discussions regarding the uncertainty of what will happen in the future; how the Council can maximize options; how it makes sense to submit this grant for 4 firefighters given the gravity of the public safety conditions; the importance of engaging the public in the final decision; keeping people in the City who can age in place and not leave due to unaffordability of taxes; and, applying for only 2 firefighters this year.

ACTION:

Councilor Liot Hill MOVED, that the Lebanon City Council directs the City Manager to submit a S.A.F.E.R. grant application for four (4) full time firefighter positions. If the grant is awarded, it is understood that the four (4) positions funded through the S.A.F.E.R. 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 four (4) positions after the 36-month period.

Seconded by Councilor Wilkie.

****The Vote on the Motion was approved (5-3).***

Voting Yea: Assistant Mayor Below and Councilors Liot Hill, Simon, Wilkie, and Zook.

Voting Nay: Councilor Heistad, Mayor McNamara and Councilor Whittlesey

Absent from Vote: Councilor Sykes.

~~B. Review and Discussion of Potential Expansion of Colburn Park National Register Historic District Boundary~~

Assistant Mayor Below recused himself from this discussion and vote because he owns one of the properties that would be moved into the Historic District Boundary.

Included in the agenda packet: **(NOTE: Please refer to the extensive supportive documents and detailed information, which can be found on pages 79-118, Council agenda packet)**

1. Agenda Request Form from Councilor Wilkie received October 7, 2024
2. January 23, 2025 Memorandum from Planning & Development Department Staff RE: 2025 Application to DNR to Expand the National Register District in Lebanon, including:
 - a. January 22, 2025 letter from NH Division of Historical Resources
 - b. Draft National Register of Historic Places Registration Form

Agenda
Lebanon City Council
June 18, 2025

11. New Business:

**11.B – Presentation of Emergency Winter Shelter
Operational Statistics for Winter 2024-25**

Background

On January 8, 2025, Lebanon's Emergency Winter Shelter opened for its second winter of operations at 160 Mechanic Street. The City contracted with the Upper Valley Haven to operate the shelter on a nightly basis. The shelter was open for 98 nights until April 16th, and operated at nearly 100% capacity for the season, providing shelter for 73 separate individuals for a total of 1,368 bed-nights.

Human Service Director Lynne Goodwin has coordinated with the Haven staff to summarize and present the operational statistics for the 2024-2025 winter season.

Action

No action is required. This item is for informational purposes only.

Included In This Section:

1. Presentation of Lebanon Emergency Winter Shelter, 2024-2025 Data Summary



Lebanon Emergency Winter Shelter

2024-2025 Data Summary

Point-In-Time (PIT) Counts for lower Grafton County

- January 22, 2025 **21** unsheltered individuals
(and the shelter was open!)
- January 24, 2024 **15** unsheltered individuals
- January 25, 2023 **16** unsheltered individuals

We are not busing unsheltered people to the shelter . . .
they were already members of our community.

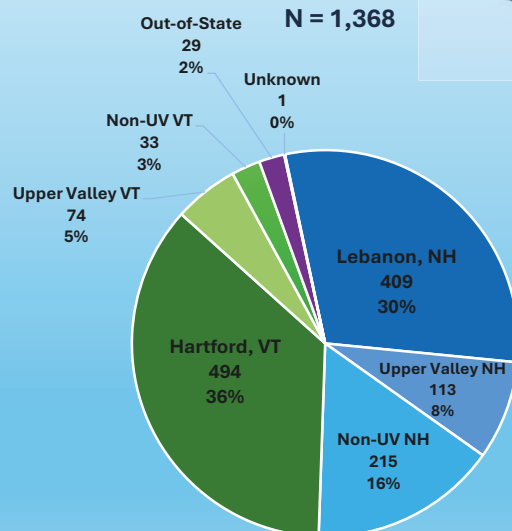
Summary of Guests/Shelter Bed Nights

	Guests	Bed Nights	% Capacity*
Overall (98 nights)	73	1,368	99.8%
January 8-31	37	340	101.5%
February	37	393	100.3%
March	43	433	99.8%
April 1-15	27	202	96.2%

*During the 2023-2024 season, “capacity” was considered 15 beds, which was a lot for 1,800 square feet. The 2024-2025 season began with an expectation that “capacity” was 13 beds. After the first night, “capacity” was increased to 14 beds.

Greater than 100% capacity implies that the Haven requested an exception for a 15th bed on certain nights. Data above reflecting % capacity does not include shelter overflow in motels (covered later).

By Bed Nights
N = 1,368



Shelter Usage by Town

New Hampshire:

- Lebanon, 409 bed nights, 30%, 18 guests
- Claremont, 99 bed nights, 7.2%, 7 guests
- Canaan, 82 bed nights, 6%, 3 guests

Vermont:

- Hartford, 494 bed nights, 36%, 16 guests
- South Royalton, 42 bed nights, 3.1%, 3 guests

Consider asking Claremont and Canaan to contribute funding for shelter operations.

Hanover has approved a grant to the Haven of \$10,000 over 3 years to help defray the costs of providing shelter in the community.

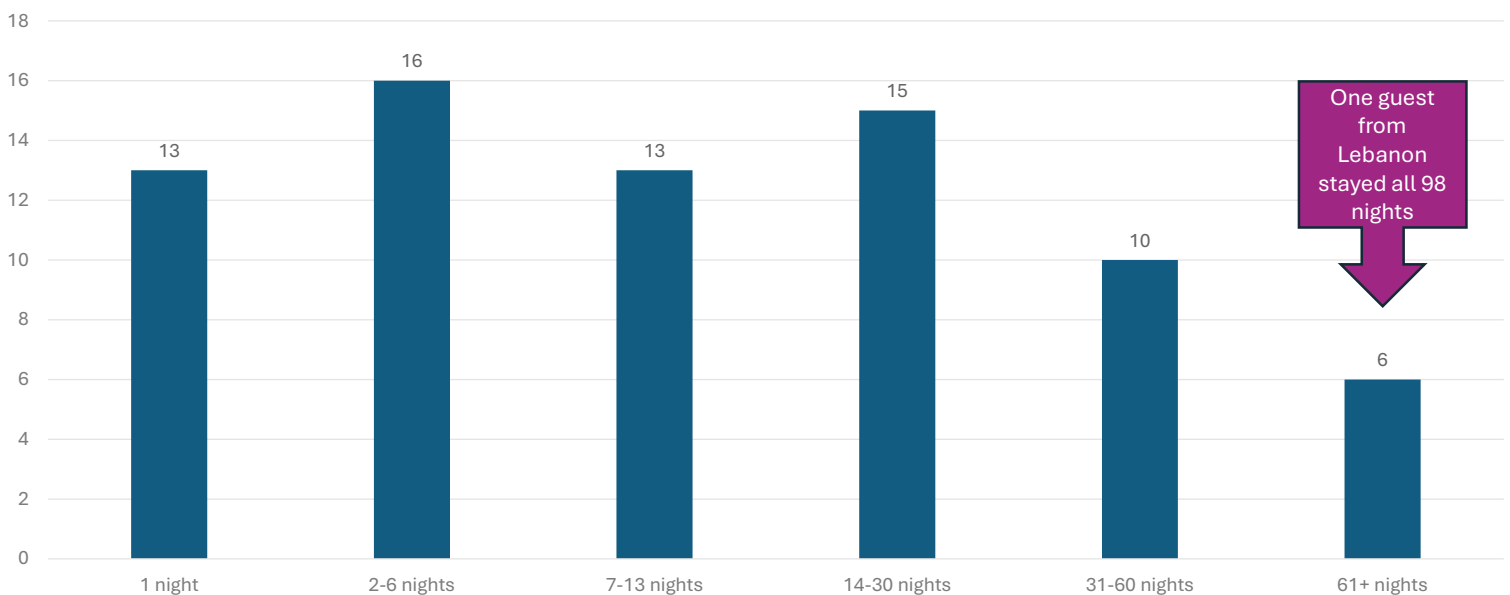
Influencing Factors

- Several Vermont residents who sought shelter were on the “Do Not Rent” lists at area motels. Shelter staff often offered overflow shelter to Lebanon residents so that everyone had shelter on a given night.
- The Vermont Motel Program had a limited number of motel rooms in the Hartford area. Rooms available in Brattleboro, Rutland, and Burlington were not accessible to some folks.
- Several shelter guests whose last place of residence was another NH community did not/do not intend to return to those communities.

Duration of Stay (N=73)

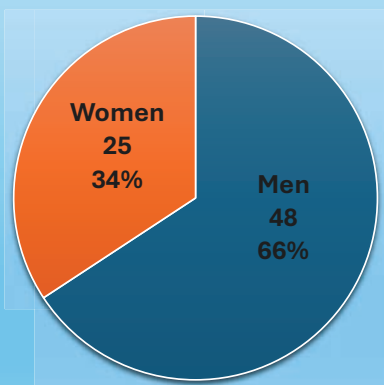
Shelter open for 98 nights

Stays not necessarily consecutive

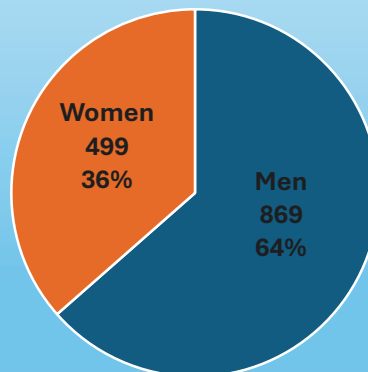


Gender by Individuals and Bed Nights

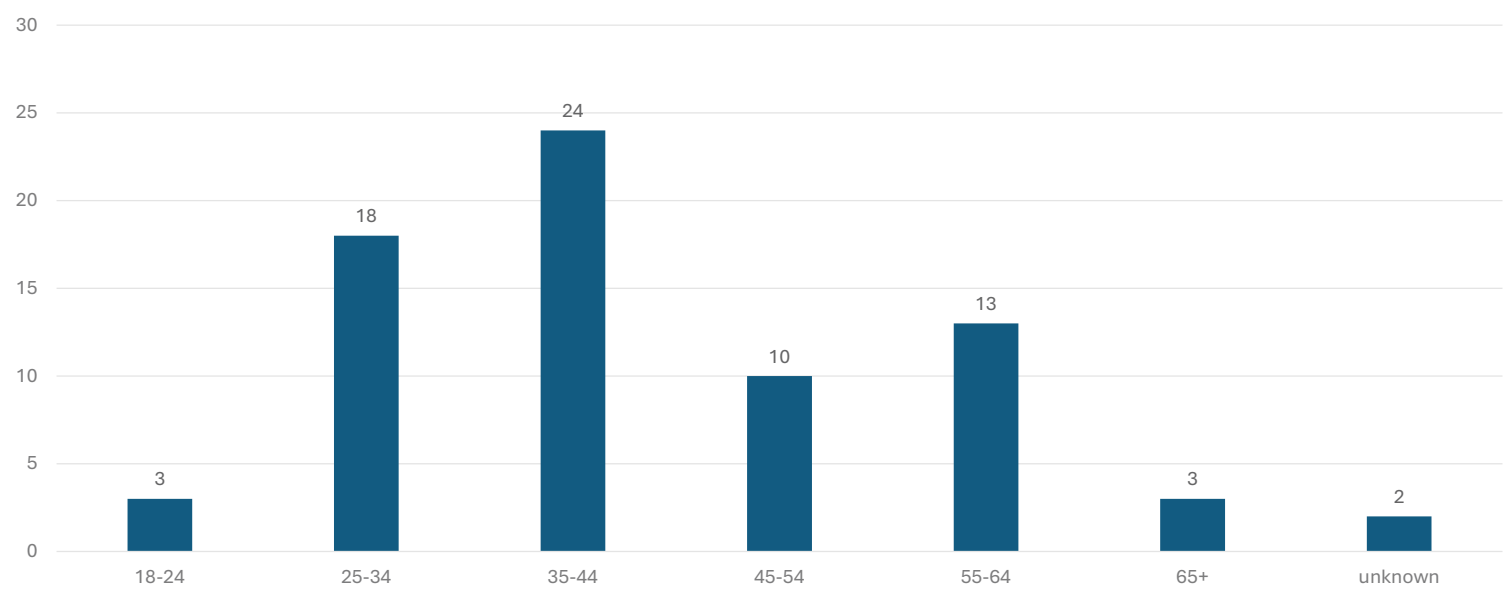
Individuals



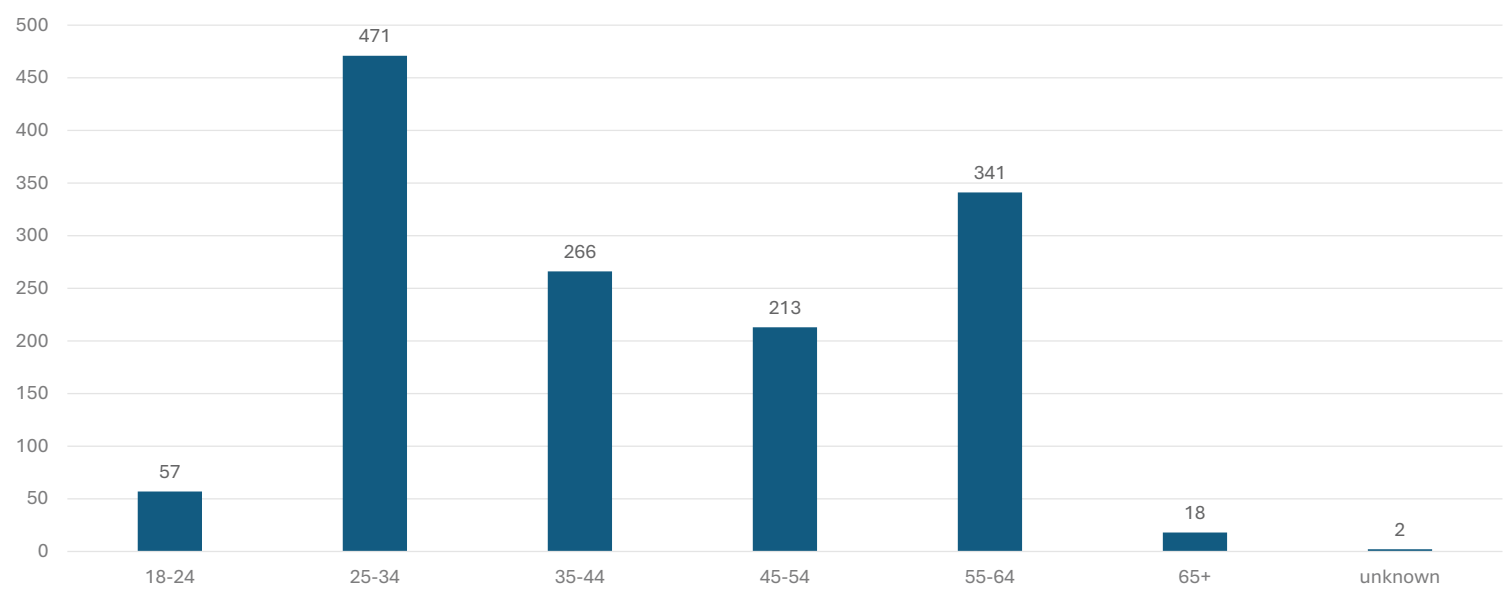
Bed Nights



Guest Age Range (N=73)



Age Range by Bed Nights (N= 1,368)

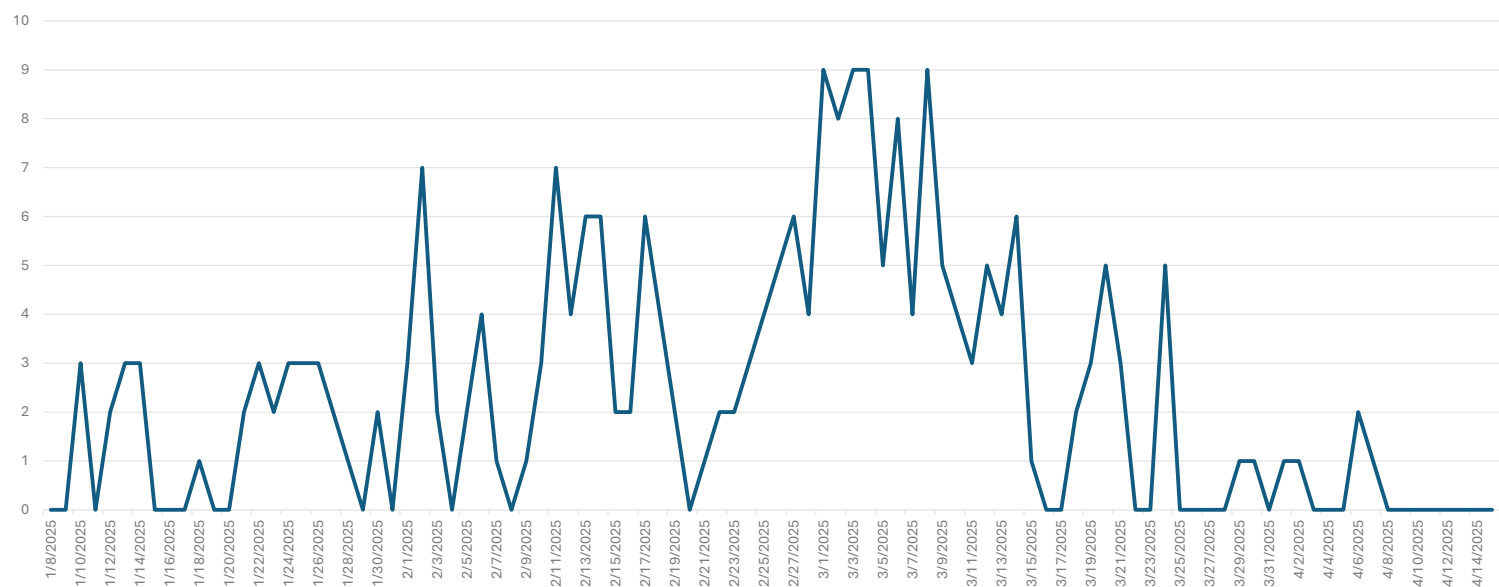


Shelter Overflow in Motels

- 170 motel rooms representing 236 additional bed nights were utilized as shelter overflow.
- In addition to the 73 unique individuals who utilized the shelter, 3 more NH individuals had a motel stay.
- With motel bed nights included, the shelter was at 117% capacity (1,604 bed nights).
- On average, 17 shelter beds would have been needed to accommodate the number of guests served by the shelter and the motels.
- On the busiest nights, 23 shelter beds would have been needed to accommodate the number of guests served by the shelter and motels.

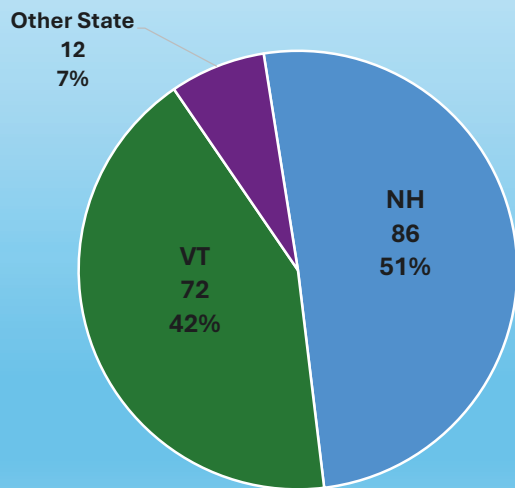


Shelter Overflow Bed Nights

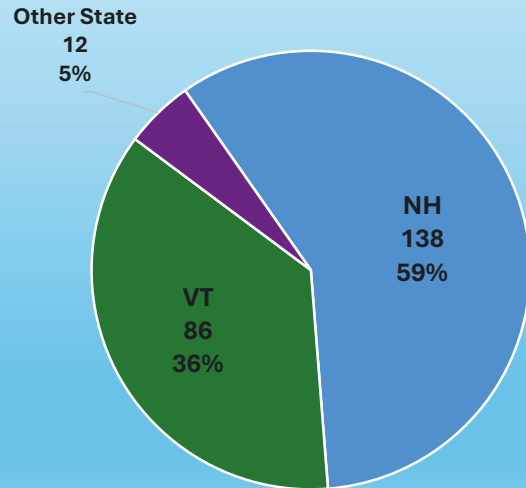


Shelter Overflow by State of Residence

Motel Rooms by State



Motel Bed Nights by State



Emergency Response

- 39% of the calls were health-related*
- Eleven (11) of the twenty-two (22) health & health/substance use calls were from a single individual (Lebanon resident)
- There were **no** drug overdoses during the 2024-2025 season



* Includes health, health/substance, and mental health

Category		
Health	16	24.24%
Community Report (e.g., suspicious behavior, animal complaint, etc.)	10	15.15%
Health/Substance Use (alcohol)	6	9.09%
Arrest	6	9.09%
Mental Health	4	6.06%
Assault	3	4.55%
Duplicate	3	4.55%
Information provided to/requested from LPD	3	4.55%
Motor Vehicle Stop	3	4.55%
Facility	2	3.03%
Fight	2	3.03%
Initiated Foot Patrol	2	3.03%
Bail violation	1	1.52%
Fire Alarm Pull/Assault on Officer	1	1.52%
Motor Vehicle Accident	1	1.52%
Paperwork Service NTO	1	1.52%
Sex Offender (unregistered)	1	1.52%
Welfare Check	1	1.52%
Total	66	100.00%

Shelter Exits: Where do shelter guests go?

Based on exit interviews and interactions with shelter guests, we know the following about shelter guests who used the shelter 30+ nights, or consistently used the shelter during the last 3 weeks of operation:

- Camping (8)
- Permanent housing (4)
- Transitional housing (1)
- Year-round shelter, e.g., the Haven's Hixon House (2)
- Jail (1)
- Substance use treatment (1)
- Vehicle (1)
- Friends/family (1)
- Working on housing with service coordinators (3)
- Unknown (3)



Shelter Operational Expenses

City of Lebanon

2025 (calendar year)

Budgeted

Jan-Apr	\$120,000 HS
Dec	\$ 30,000 HS
Jan-Dec	\$ 17,930 DPW

Actual

Jan-Apr	\$113,068
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State of Vermont

2025 (FY ends 6/30)

Budgeted

Dec'24-Apr'25	\$61,314
---------------	----------

Actual

Jan-Apr	\$51,699
---------	----------

Operational expenses include DPW expenses for water/sewer, electricity, heat, information access, and maintenance.

Shelter Overflow and Transportation

for NH Shelter Guests

Donations received:

\$10,000 from Dartmouth Health

\$1,000 from Geokon

Actual expenses:

\$9,306 for motels

\$285 for transportation



The Haven bore the financial burden of shelter overflow and transportation for VT Shelter Guests.

Cost of Shelter vs. Motel

RSA 165 – Statutory Obligation to Provide Shelter to Lebanon Residents

Month	Operational Costs (paid by Lebanon)	DPW Costs (paid by Lebanon)	Subtotal (Lebanon)	Operational Costs (paid by Vermont)	Bed Nights	Cost/ Bed Night
December-24	\$6,248.80			\$0	0	N/A
January-25	\$26,150.91			\$10,244.75	340	\$107.05
February-25	\$29,031.64			11,587.31	393	\$103.36
March-25	\$27,685.70	\$2,236.21		\$11,534.66	433	\$95.74
April-25	\$19,436.61	\$2,278.09		\$18,331.96	202	\$198.25
TOTAL	\$108,553.66	\$4,514.30	\$113,067.96	\$51,698.68	1368	\$120.44

The individual who stayed at the shelter for all 98 nights is a Lebanon resident. Had that person stayed at the Sunset Motor Inn for the same length of time, it would have cost the City of Lebanon \$14,780* for the motel room ONLY (meals and staff support not included).

*Rate of \$150.82 per night, including tax.

409 Lebanon bed nights X \$120 = \$49,080
737 NH bed nights X \$120 = \$88,440

vs.

409 Lebanon bed nights X \$151 = \$61,759
737 NH bed nights X \$151 = \$111,287

Comparison of Shelter Seasons

	2024-2025	2023-2024
Operational nights	98	82
Bed nights	1,368	658
Unique individuals (shelter only)	73	53
% Capacity*	99.8% (14 beds*)	53.5% (15 beds)
Average bed nights per guest	18.7	12.4
Mean resident age	42.4	40.8
Lebanon residents (by bed night)	30%	45%
NH/VT residents (by bed night)	54% NH/44% VT	51% NH/36% VT
Shelter overflow bed nights	236	0
NH/VT residents, shelter overflow	59% NH/36% VT	N/A

*First night's capacity was considered 13 beds

Future Shelter Beds Coming to the Upper Valley



The Haven's Shelter and Resource Center, under construction at 608 North Main Street in White River Jct., will provide a 20-bed, low-barrier emergency shelter and daytime resource center. The shelter will offer an estimated 5,000 bed nights annually, enabling over 100 individuals each year to have a safe, stable place to sleep, as well as a safe, supportive space during the day.

Completion of the project is anticipated in the spring of 2026.

**There is a critical need for emergency winter shelter beds in 2025-2026.
The Lebanon Emergency Winter Shelter can meet that critical need!**

Thank you . . .

- Alice Peck Day Hospital – 3 dinners per week
- LISTEN Community Services – 2 dinners per week
- DH Population Health – funding for pizza 2 nights per week
- Mary's Transport – transportation to shelter overflow in motels

And

the many volunteers from the Upper Valley community who helped with dinner and contributed food, clothing and other supplies for shelter guests.



**Agenda
Lebanon City Council
June 18, 2025**

11. New Business:

11.C – Readoption of Housing & Community Development Plan

Background

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

Following the last update and readoption process in 2022, the City administration recommended that the Plan be placed on the Council's calendar for review and consideration every three years regardless of whether a CDBG application is pending. Given the Council's more proactive stance concerning the development of housing in recent years, it is felt that the information in the Plan can be of use in more instances than just accompanying CDBG applications.

Action

The following motion is offered for City Council consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, July 2, 2025, beginning at 7:00pm in Council Chambers, City Hall, and remote via the City's virtual platform for the purpose of receiving public input and taking action to readopt the City of Lebanon Housing and Community Development Plan.

Included In This Section:

1. City of Lebanon Housing and Community Development Plan

City of Lebanon Housing and Community Development Plan

Introduction

Housing and economic development have respective chapters in the current (2012) Lebanon Master Plan. Each chapter establishes an action program to address issues identified through the planning process. Complementary to master planning efforts, the Lebanon City Council formally adopted “Lebanon’s Principles for a Sustainable Community” in September 2009 and revised and readopted them on March 4, 2015. Those principles relevant to the City of Lebanon Housing and Community Development Plan are discussed later in this document.

Housing Development

Lebanon Master Plan Chapter 7, “Housing,” is hereby incorporated into this document by reference. Chapter 7 begins with the following Statement of Purpose:

The City of Lebanon shall actively foster a diverse range of housing opportunities and choices for current and prospective residents, and will strive to promote the development of diverse, sustainable neighborhoods that reflect Lebanon’s “small-town” character and distinctiveness.

The City of Lebanon shall encourage a range of housing options for all segments of the population. New housing development should contribute positively to existing neighborhoods and create safe and desirable new neighborhoods consistent with the other planning goals of the City as expressed in this Master Plan.

A variety of housing options including renter and owner-occupied, multi-family, duplex, single-family, and manufactured housing units exist throughout the City in urban, suburban and rural settings. According to the US Census Bureau ACS 5-Year Estimates, 2018 and 2023, there are 7,514 housing units in Lebanon, an increase of 313 units since the last Housing and Community Development Plan (2022). The for-sale vacancy rate is 1.5% and the for-rent vacancy rate is 3.1%.¹ Of the occupied units, owner-occupancy accounts for roughly 49.8% and renter occupancy accounts for 50.2%.

In its report titled “Current Estimates and Trends in New Hampshire’s Housing Supply: Updated January 2024”, the New Hampshire Office of Planning & Development (OPD) estimated that the state will need 60,000 additional housing units by 2030 to meet current demand, which faces shortages due to factors including home ownership challenges, rental availability, affordability, and aging demographics. The report also estimated that 34.7% (2,816) of housing units in Lebanon were single-family units and 11.9% (969) were two-family units. Approximately 50.0% (4,064) of

¹ The overall vacancy rate is 13.9% which, in addition to units listed for sale and for rent, also includes units that are vacant for seasonal use, rented or sold but not yet occupied, or vacant for other reasons such as renovation, legal issues, or owner decisions.

units were multi-family units (3 units or more). The remaining 3.4% (277) of units were manufactured housing units.

Between 2010 and the end of 2019, the City of Lebanon Planning Board approved 612 Housing Units/Lots. Of those, 442 units have been constructed and occupied. The remaining approved projects from 2010-2019 have yet to file for construction permits. Since the start of 2020, the Planning Board has approved 1,761 more housing units, of which 603 units have been constructed. Construction of 678 units is underway and an additional 155 units is expected to commence before the end of 2025. If all projects that are approved are constructed, the result will be a roughly 20% increase in the number of housing units in the City above what was reported in the 2020 census.

According to the Upper Valley Lake Sunapee Regional Planning Commission's Regional Housing Needs Assessment, in 2023 Lebanon had a total of 6,620 housing units, with a homeowner vacancy rate of 0.7% and a rental vacancy rate of 1.0%, well below the 3 to 5% generally considered an indicator of a healthy rental market, while the national vacancy rate ranged between 5.5% and 7.5% between 2015-2025. According to the results of state-wide surveys by the New Hampshire Housing Finance Authority (NHHFA), the rental vacancy rate in Grafton County decreased steadily between 2014 and 2023, ranging between a peak of 4.2% in 2014 and a low of 0.3% in 2019 and 2022. As of 2023, NHHFA estimated the vacancy rate for all units in Grafton County at 2.1% with a statewide vacancy rate estimated at 0.6%. As the overall vacancy rate has decreased, the cost of rental units in Lebanon has increased dramatically. The median monthly gross rental cost for a 2-bedroom unit in Grafton County in 2024 was \$2,027, an increase of 67% between 2019-2024, and above the statewide 2024 average of \$1,833. Rental rates in Lebanon are generally higher than for Grafton County as a whole. Two-bedroom median rent in Lebanon was \$2,923 in 2024.

Lebanon has experienced steady population growth in recent years, with a greater increase experienced over the past five years. As of the latest estimates (2023), the City's population stands at approximately 14,759 residents, representing a 9% increase over the past decade. Looking ahead, projections indicate that Lebanon's population will continue to grow, reaching an estimated 15,590 by 2030.

In an effort to address the issue of affordable housing in Lebanon, on April 20, 2022, the City Council passed the following resolution:

RESOLVED, the Lebanon City Council hereby directs the City Manager to take steps to Enable, Incentivize, and Partner in the development of housing needs not currently being addressed by the market through the following actions:

1. Prepare amendments to the Zoning Ordinance to enable the creation of "cottage cluster" housing developments on appropriate parcels in the City.
2. Prepare amendments to the Zoning Ordinance to revise the regulations for Manufactured Home Parks, Manufactured Home Subdivisions, and Manufactured Home Planned Unit Residential Developments (PURDs) to better reflect the existing Manufactured Home developments within the City and manufactured homes that are in production today.
3. Prepare amendments to the Zoning Ordinance to complete the Increased Density Bonuses table set forth in Section 507.1 and to develop Criteria for the Award of Bonus set forth in Section 507.2.

4. Develop regulations and guidance for the creation of Housing Opportunity Zones (pursuant to RSA 79-E:4-c) and/or Residential Housing Revitalization Zones (pursuant to RSA 79-E:4-b) to incentivize desirable forms of development.
5. Partner with the Lebanon Housing Authority and other residential developers to utilize city-owned properties for the development of new housing units, including the possibility of a “demonstration project” on a city-owned parcel with high visibility and an opportunity for a reasonable number of units to help overcome barriers to affordability.
6. Study and evaluate the benefits and impacts of Accessory Dwelling Units (ADUs) and potential barriers to ADU development and prepare guides, fact sheets, and educational materials to help reduce potential impacts and reduce regulatory and non-regulatory barriers.
7. In each of the above actions, consider enabling, incentivizing, or demonstrating affordable net zero energy or zero energy-ready homes.

Since adoption of the affordable housing resolution in 2022, the City has achieved approval of the following zoning changes by ballot initiative:

- Pattern Zones – A comprehensive zoning approval for an overlay district permitting significant reductions in dimensional requirements in the study area of the community in exchange for using a pre-approved architecturally designed home. This change supports the creation of walkable infill housing, and efficient use of existing municipal infrastructure in particular, and more affordable housing such as ADUs and compact homes, while providing an incentive (streamlined design/lower cost design) to developers, all outcomes that align with the HC designation program.
- Recovery Housing – A zoning definition, permitting requirements and certification of a recovery houses located within the City of Lebanon. This change supports the provision of housing for a demographic in Lebanon/the Upper Valley that has not traditionally been served, helping to address related housing challenges like homelessness, and allowing for dense, affordable, supportive housing. This supports New Hampshire Housing Champions program goals around workforce support.
- Medical Center 2 – Creating a new zoning district within the Alice Peck Day Medical Campus to allow for Medical Campus uses, including staff housing. This change supports New Hampshire Housing Champions program goals by adding a new location with housing as an allowable use, next to (or as part of) one of Lebanon’s top employers, which will also support walkability and efficient use of existing municipal infrastructure.

In recognition of its progress toward meeting housing demands, in 2024, Lebanon was one of 18 NH cities and towns designated as Housing Champions by the NH Bureau of Economic Affairs (BEA). These communities qualified due to zoning and land use regulations that promote housing and offer training resources to land use board members. Additionally, they have implemented, or plan to implement, sewer and water improvements and public transportation or walkability improvements to support housing.

In addition to the City’s efforts, a number of non-profit and for-profit organizations are actively working in and around Lebanon to help address the issue of affordability.

The Lebanon Housing Authority provides rental assistance in the form of both units and subsidies to serve the City of Lebanon. The Authority owns and manages six developments in Lebanon serving approximately 225 families. Developments include Rogers House (56 units of senior housing), Maple Manor (40 units of senior housing), Lebanon Towers (40 units of senior housing), Romano Circle (30 units of family housing), Romano Place (16 units of family housing) and Heater Landing (44 units of family housing). The Authority is able to provide rental assistance under Federal Section VIII for an additional 166 families, however, it is noted that not all Housing Choice Vouchers are being utilized due to the lack of available affordable units in addition to inadequate budget authority.

In addition to those units owned and managed by the Housing Authority, 198 affordable units are owned and managed by Twin Pines Housing Trust (developments include 10 Parkhurst Street, 420 Mount Support Road, Rivermere, Spencer Street, Spencer Square, Tracy Street Community Housing, and The Village at Crafts Hill); 37 units are owned by Lebanon Housing Associates (Mascoma Village); 11 supportive housing units are owned and managed by Visions for Creative Solutions; and 232 senior living units are owned and managed by Quail Limited Partnerships (developments include the River House at Quail Hollow (phases I, II, & III) and Quail Ridge). Quail LP also has Planning Board approval for 32 additional senior housing units in the “Lake House at Quail Hollow” project, but has not yet started construction.

In order to provide safe and accessible housing for all occupants, the City has adopted within its City Code Chapter 36, the enforcement of the New Hampshire State Building Code (RSA 155-A). The State Building Code is comprised of the following individual codes: International Building Code 2021, International Existing Building Code 2021, International Residential Code 2021, International Mechanical Code 2021, International Energy Conservation Code 2018, International Plumbing Code 2021, and the International Swimming Pool and Spa Code 2021, published by the International Code Council, and the National Electric Code (2020 Edition) published by the National Fire Protection Association, all as amended by the State Building Code Review Board.

For fire protection, the City is required to enforce the State Fire Code (RSA 153), which includes the Uniform Fire Code (NFPA-1; 2021 Edition), and the Life Safety Code (NFPA-101; 2021 Edition) as published by the National Fire Protection Association. In addition to the State Fire Code, City Code Chapter 72 provides for the automatic adoption of the most recent edition of the International Fire Code and all appendices therein as published by International Code Council.

In addition to the codes mentioned above, the City has adopted a Zoning Ordinance, which includes nine different residential districts. Multi-family developments are allowed in nine districts (including five residential districts and four non-residential districts); manufactured home parks and subdivisions are allowed in three districts; group residences are allowed in four districts; elderly housing complexes are allowed in seven districts; and Planned Unit Residential Developments (PURDs) are allowed in eight districts. Single-family housing is allowed in all nine residential districts, two-family housing is allowed in six districts, and both attached and detached accessory dwelling units (ADUs) are permitted for all one- and two-family dwellings. Each of these housing types allows for the development of low- to moderate-cost housing in a range of locations throughout the City.

Community Development

Lebanon Master Plan Chapter 6, “Economic Development,” adopted by the Lebanon Planning Board on March 23, 2025, is hereby incorporated into this document by reference. Chapter 6 begins with the following Statement of Purpose:

The City of Lebanon shall promote high-quality economic development that provides safe, healthy working conditions, and rewarding careers and employment opportunities for residents of the City and region. In accordance with the “Residents-First” policy, economic development in Lebanon shall benefit our residents and enhance quality of life in the City. Our economic development strategy shall foster a vibrant and sustainable local economy by:

- *Proactively encouraging and attracting enterprises that contribute to the total welfare of the City of Lebanon, while also recognizing Lebanon’s role as an employment center for the Upper Valley.*
- *Preserving and enhancing the natural and built environment of Lebanon, and promoting a high quality of life for those who live in, work in, or visit the City.*
- *Implementing economic development and redevelopment strategies that aim to avoid placing a greater tax burden on City residents.*
- *Striving to support a diverse mix of businesses from a variety of economic sectors to better protect our local economy from sudden shifts within a single industry, and to increase our resistance to and resilience from economic downturns and unstained boom times.*
- *Adopting smart growth policies that encourage mixing synergistic uses (such as retail, residential, and office), redevelopment of existing non-residential sites, and infill development of existing lands zoned for non-residential use before extensively developing any additional lands for non-residential use.*
- *Maintaining and expanding the infrastructure needed to support economic development at high service levels, including fostering state-of-the-art communications infrastructure throughout the City.*
- *Encouraging new non-residential construction and renovation of existing non-residential structures to result in high-quality, flexible, and adaptable buildings.*
- *Supporting a full range of housing options, from affordable workforce units to market rate housing, for both rental and ownership, that will allow those working within the City at all income levels to also live in the City, while recognizing the impact on infrastructure and school budgets.*
- *Understanding that a strong economy requires a well-educated and skilled workforce and providing educational and workforce training opportunities for residents at all stages of life.*
- *Encouraging the retention and creation of adequate and affordable childcare opportunities to support employees, Lebanon residents, and employers.*

The City maintains a strong economic posture as the socio-economic hub of the Upper Valley region. A reasonably strong and diverse economy contributes to Lebanon’s economic vitality. In 1950, the largest portion of the City’s population worked in wholesale or retail-related jobs, with manufacturing being the next largest sector of employment. Since that time, the professional sector has grown to encompass the largest portion of the population, with retail and manufacturing

ranking second and third, respectively. In particular, the period since 1990 has seen a substantial rise in management, professional, and related occupations largely associated with the relocation of the Dartmouth-Hitchcock Medical Center to Lebanon. Also notable has been the rise in biotech companies and high-tech manufacturing with ties to Dartmouth-Hitchcock and/or Dartmouth College. Service occupations (particularly health care, social assistance, and education services) and retail jobs associated with the continued build-out of the Route 12-A and Route 120 corridors are also prominent employment sectors. The City wishes to maintain and build on the diversity of its current economic base, recognizing that professional and industrial development generally provide higher-paying jobs, thus contributing more actively to the greater welfare of the community.

Lebanon is the employment center for the Upper Valley boasting roughly 45.8% (3,358 jobs) of the area's share – the highest ratio of any community in the region, according to the U.S. Census Bureau OnTheMap 2022. While not untouched by the recent recessions, Lebanon and the Upper Valley area have fared better than most of the nation and New Hampshire overall. As of April 2025, the City of Lebanon's unemployment rate (not seasonally adjusted) was 1.5% and the Upper Valley's rate was 2.5%, while New Hampshire's rate was 2.9% and the nation's (seasonally adjusted) unemployment rate was 4.2%. A four- to six-percent unemployment rate is generally considered optimal: Lower rates can result in inflation due to upward pressure on salaries, whereas higher rates can decrease consumer spending.

The Lebanon Zoning Ordinance provides for eleven districts where economic activity can take place. In addition, the City's residential districts allow for home occupations, including home-based contractor's yards and home-based agricultural business. Recent efforts to update the Zoning Ordinance look toward greater flexibility in allowing mixed-use development so that people can work, shop, and live with less commuting than occasioned by the development patterns of the past.

"Lebanon's Principles for a Sustainable Community"

This formally adopted Council policy is hereby incorporated into the City's Housing and Community Development Plan by reference. Principles that specifically support the intent of this document include #2 ("Sense of Place"), #4 ("Intelligent, Coordinated Development and Transportation"), #5 ("Economic Vitality"), #6 ("Fiscal Responsibility"), and #7 ("Regional Leadership"). Please refer to the attached policy.

Accordingly, and as a matter of longstanding City policy, the involuntary displacement of households from their neighborhoods by any type of development shall be minimized. An Anti-Displacement and Relocation Plan is formally adopted by the City Council for each CDBG application and project.

Lebanon Housing Task Force & Master Plan Housing Chapter Update

The City of Lebanon Housing Task Force is currently working on updating the Housing Master Plan Chapter. The City was awarded \$100,000 in the form of a Housing Opportunity Planning (HOP) grant. This grant is being used to not only create a new Master Plan chapter that will focus on the current and expected future needs of Lebanon, but to also hire consultants to provide a fiscal

analysis of potential future housing projects and how they would impact the City's tax base. This project is expected to be completed in June of 2026. Draft information including the March 2025 Lebanon Housing Needs Assessment is available at <https://lebanonnh.gov/1863/Lebanon-Housing-Plan---Living-in-Lebanon>.

Conclusion

In accordance with the 2012 Lebanon Master Plan and the 2015 "Lebanon's Principles for a Sustainable Community," the City remains committed to benefitting its low- and moderate-income people, as well as its general population, with housing and community development initiatives. The City will continue to engage in these activities and establish reasonable policies, regulations, and programs to foster beneficial trends. The City will continue to pursue Community Development Block Grant (CDBG) funding, other state and federal funding, as well as private funding to promote the well-being of its citizenry.

Adopted by the Lebanon City Council on January 19, 2011

- Reaffirmed August 21, 2013 with no changes to document content
 - Twin Pines Housing Trust CDBG Emergency Funds Grant Application
- Reaffirmed September 18, 2013 with no changes to document content
 - Lebanon College CDBG Economic Development Funds Grant Application
- Reaffirmed October 15, 2014 with no changes to document content
 - Grafton County Economic Development Council/Fresh Air Sensor Corp. CDBG Economic Development Funds Grant Application
- Reaffirmed July 11, 2018 with no changes to document content
 - Twin Pines Housing Trust CDBG Housing & Public Facilities Funds Grant
- Updated and Readopted July 6, 2022 with updates to document content
 - Families Flourish Northeast CDBG and CDBG-CV Public Facilities Funds Grant
- Reaffirmed _____, 2025 with updates to document content

Douglas Whittlesey
Mayor
City of Lebanon, New Hampshire

**Agenda
Lebanon City Council
June 18, 2025**

11. New Business:

**11.D – Authorization for City Manager to Execute Extension of
Existing Lease Agreement with Green Mountain Power Corporation
for Glen Road Hydroelectric Facility**

Background

In September 1988, the City entered into a Lease Agreement with Mascoma Hydro Corporation for the use of certain real estate and other property for the redevelopment and operation of the Glen Road Hydroelectric Facility on the Mascoma River. The original Lease Agreement has an initial term of 40 years from its effective date of June 25, 1985, and will expire on June 25, 2025.

Green Mountain Power Corporation (GMP), as successor-in-interest to Mascoma Hydro, is currently pursuing relicensing of the Glen Road Hydro Facility from the Federal Energy Regulatory Commission (FERC) for an additional 40-year term. In January 2025, GMP contacted the City to begin negotiations for the renewal of the existing Lease Agreement to run concurrently with anticipated FERC license. However, because the original terms of the Agreement are nearly 40 years old, and applicable laws, regulations, and practices have changed in the intervening years, additional time is required for the parties to negotiate the terms and conditions of a new Lease Agreement. At this time, the GMP and the City are proposing a 6-month extension until December 31, 2025 of the existing Lease Agreement.

Action

If the Council decides to move forward with extending the lease agreement, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby authorizes the City Manager to execute the First Amendment to Lease Agreement with Green Mountain Power Corporation for the use of certain real estate and other property for the redevelopment and operation of the Glen Road Hydroelectric Facility, as presented in the June 18, 2025 City Council Agenda Packet, for the purpose of providing the parties with an additional six month period to negotiate the terms and conditions of a new Lease Agreement.

Included In This Section:

1. Proposed First Amendment to Lease Agreement

FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment to Lease Agreement ("First Amendment") is entered into as of this ____ day of _____, 2025, by and between Green Mountain Power Corporation, a Vermont corporation with a principal place of business at 163 Acorn Lane, Colchester, Vermont 05446 ("GMP"); and the City of Lebanon, New Hampshire, with an address of 51 N. Park Street, Lebanon, NH 03766 ("Lebanon"). GMP and Lebanon are hereinafter referenced as the "Parties."

WHEREAS, Lebanon and GMP (as successor in interest) are parties to that certain Lease Agreement dated September 30, 1988 (the "Agreement"), notice of which is recorded at Book 1782, Page 744 of the Grafton County Registry of Deeds, for the use of certain real estate and other property for the redevelopment and operation of the Glen Road Hydroelectric Project on the Mascoma River in Lebanon, New Hampshire (the "Project");

WHEREAS, the Agreement has an initial term of 40 years from its effective date of June 25, 1985, which will expire on June 25, 2025;

WHEREAS, the Federal Energy Regulatory Commission ("FERC") issued the Project a 40-year license (Project Number 8405) authorizing its operation, which is set to expire on March 1, 2027 (the "Initial License");

WHEREAS, GMP is seeking a subsequent license for the Project from FERC (the "Subsequent License") to allow for continued operation of the Project for another 40-year term;

WHEREAS, on January 15, 2025, GMP notified Lebanon in accordance with Section 27(h) of the Agreement of its request to renew the Agreement for another term that will cover the term of the Subsequent License;

WHEREAS, on May 25, 2025, Lebanon's appraiser and valuation consultant submitted a request for information and site inspection to GMP;

WHEREAS, GMP is preparing responses to Lebanon's information requests, but the Parties recognize that they will need additional time to finalize the terms and conditions of the renewal term before the Agreement expires on June 25, 2025; and

WHEREAS, the Parties now wish to extend the term of the Agreement until [December 31, 2025] in order to provide time to complete good faith negotiations of the renewal term in accordance with Section 27(h).

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth herein, the Parties hereby agree as follows:

1. Extension of Term. Notwithstanding anything in the Agreement to the contrary, the Parties agree to extend the term of the Agreement until December 31, 2025 (the "Extended Term").

2. Renewal Negotiations. The Parties agree during the Extended Term to negotiate in good faith to renew the Agreement in accordance with Section 27(h) of the Agreement.

3. Whole Agreement. Except as set forth herein, the Agreement remains in full force and effect. This First Amendment constitutes the whole agreement of the Parties with respect to the subject matter referenced herein.

Signatures on following page

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment, as evidenced by the signatures of their duly authorized representatives, as of the date first set forth above.

GMP

Green Mountain Power Corporation

Lebanon

City of Lebanon, New Hampshire

By: 

Name: William J. Jakubowski

Its: Authorized Agent

By: _____

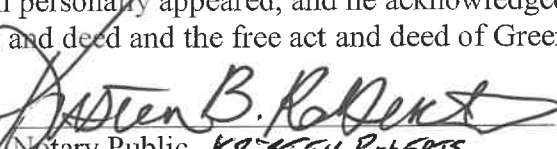
Name: _____

Its: _____

STATE OF VERMONT
COUNTY OF RUTLAND, SS.

At Rutland Town, in said County, this 10th day of JUNE, 2025, William J. Jakubowski personally appeared, and he acknowledged this instrument, by him subscribed, to be his free act and deed and the free act and deed of Green Mountain Power Corporation.

Before me:


Notary Public

KRISTEN ROBERTS

My Commission Expires: JAN. 31, 2027

Commission Number: 157.0013433

STATE OF NEW HAMPSHIRE
COUNTY OF GRAFTON, SS.

At the City of Lebanon, in said County, this ____ day of _____, 2025, _____, Duly Authorized Representative for the City of Lebanon, New Hampshire, personally appeared, and s/he acknowledged this instrument, by her/him subscribed, to be her/his free act and deed and the free act and deed of the City of Lebanon, New Hampshire.

Before me: _____

Notary Public

My Commission Expires:

Commission Number:

23263428.1

23605531.1