



**LEBANON CITY COUNCIL  
JUNE 2, 2021 - 7:00 PM  
REMOTE VIA WEBEX  
LEBANONNH.GOV/LIVE**

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**1. Call to Order**

To participate in this meeting, [please join live via WebEx](#) or call 415-655-0001 (access code: 1322 01 3620). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The June 2, 2021 Lebanon City Council Meeting is hereby called to order.

**2. Pledge of Allegiance**

**3. Public Forum Announcement by the Mayor**

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

**4. Open to the Public**

**5. Recognitions: None**

**6. Approval of Minutes**

- A. MOTION TO approve the minutes as presented in the June 2, 2021 agenda packet

**7. Appointments**

- A. Economic Development Commission, Johanna Cicotte (Citizen Representative)

**8. Public Hearing Items**

- A. SPECIAL ASSESSMENT DISTRICT MOUNT SUPPORT ROAD/LAHAYE DRIVE – A public hearing for the purpose of receiving public input and taking action to establish a special assessment district to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.
- 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. SUPPLEMENTAL APPROPRIATION LEBANON RUSTY BERRINGS SKATEPARK - A public hearing for the purpose of receiving public input

and taking action to appropriate \$15,000 for final phase improvements at Lebanon Rusty Berrings Skatepark; and to authorize disbursement of \$15,000 in Recreation Arts & Parks Impact Fees as the means to pay for the work.

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

- C. ACCEPTANCE OF DEDICATION OF SEGMENT OF AIRPARK ROAD – A public hearing for the purpose of receiving public input and taking action to accept a dedication of a segment of Airpark Road originally dedicated in 1983 and constructed in approximately 2007.

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

- D. POTENTIAL RESCISSION OF OR AMENDMENT TO EMERGENCY ORDINANCE 2020-11, FACE MASKS – A public hearing for the purpose of receiving public input and taking action on the potential rescission of or amendment to Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

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

**9. Old Business: None**

**10. New Business**

- A. Discussion with Kathy Urffer of Connecticut River Conservancy re: Federal Energy Regulatory Commission (FERC) Relicensing of Great River Hydro Dam (Connecticut River – Route 10).
- B. Set Public Hearing for June 16, 2021: Mid-Grant Update on Housing and Public Facilities Community Development Block Grant for Headrest for the rehabilitation of their facility at 14 Church Street, Lebanon.
- C. Discussion & Set Public Hearing for June 16, 2021: Housing and Public Facilities grant application amendment in the amount of \$63,677 for the rehabilitation of the Headrest facility at 14 Church Street, Lebanon.
- D. Presentation of First Reading and Set Public Hearing for July 7, 2021: Amend Ordinance #18, Salary Plan as follows:
  - 1. Amend Article II, Non-Affiliated & LPASE Employees, Section A - Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and

to add the position of Deputy Assessor (Grade 9).

2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers.

- E. Discussion and direction to the City Manager: Proposal to partner with the Lebanon School District regarding the acquisition, renovation, and use of the former Seminary Hill School Building.

**11. City Manager Report**

**12. Council Representatives to Other Bodies Report**

**13. Future Agenda Items**

**14. Non-Public Session**

**15. Adjournment**

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams and WebEx. Members of the public are encouraged to attend by going to [LebanonNH.gov/Live](https://LebanonNH.gov/Live) where you will find instructions on how to enter the meeting.

THE AGENDA, IN ITS ENTIRETY, IS AVAILABLE ON THE CITY'S WEBSITE AT [LEBANONNH.GOV/AGENDAS](https://LEBANONNH.GOV/AGENDAS)

**PROPOSED FUTURE AGENDA ITEMS:** Dates may be tentative and this list not considered all-inclusive.

**JUNE 16, 2021**

**PUBLIC HEARINGS:**

- A. Mid-Grant Update on Housing and Public Facilities Community Development Block Grant for Headrest for the rehabilitation of their facility at 14 Church Street, Lebanon.
- B. Housing and Public Facilities grant application amendment in the amount of \$63,677 for the rehabilitation of the Headrest facility at 14 Church Street, Lebanon

**OLD BUSINESS:**

- A. Presentation of Second Reading to Amend Ordinance #18, Salary Plan as follows:
  - 1. Amend Article II, Non-Affiliated & LPASE Employees, Section A - Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor (Grade 9).
  - 2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers.
- B. Recission of Prior Funding Authorization & Appropriation for 2017 WWTP Underground Fuel Storage Tank in the amount of \$6,440
- C. Action to Rescind Emergency Ordinance #2020-11, Face Masks (TENTATIVE)

**NEW BUSINESS:**

- A. Warrant for Civil Forfeiture Notice
- B. Approval of "Juniper Circle" as the street name for the roadway to serve a 309 unit residential development at 401 Mount Support Road, Lebanon.
- C. Request by Rock Ridge Lebanon, LLC for an abatement of Sewer Development Charges pursuant to City Code Chapter 136, Sewer Service, §136-124
- D. Discussion & Direction to City Administration: Preparation of Regulations to Permit Natural Burials in Old Pine Tree Cemetery

**JULY 7, 2021**

**PUBLIC HEARINGS:**

A. Amend Ordinance #18, Salary Plan as follows:

1. Amend Article II, Non-Affiliated & LPASE Employees, Section A - Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor (Grade 9).
2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers.

**NEW BUSINESS:**

- A. Review and discussion of Proposed Open Space Plan.
- B. Review and Adoption of City Council Policy CC-105, Community Revitalization Tax Relief Incentive Program Guidelines.
- C. Presentation & Discussion of Proposed Amendment to City Council Rules, Section A191-5, Robert's Rules of Order

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**6. ACCEPTANCE OF MINUTES:**

**MINUTES TO BE ACCEPTED**

- May 5, 2021 (Non-Public Session)
- May 19, 2021 (Special Meeting)
- May 19, 2021 (Regular Session)

***MOVED, to approve the minutes as presented in the June 2, 2021 agenda packet.***

DRAFT

**LEBANON CITY COUNCIL  
MINUTES, NON-PUBLIC SESSION  
Wednesday, May 5, 2021, During Regular City Council Meeting**

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** City Manager Shaun Mulholland

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- 1 **1. MOTION BY:** Councilor Hill to enter into non-public session pursuant to NH RSA 91-A:3,II(a).  
2 Seconded by Councilor Heistad. *A roll call vote was taken. The vote on the MOTION was unanimously*  
3 *approved, and the Council entered into non-public session at 10:15pm.*  
4  
5 **2. DISCUSSION:** The City Council was briefed on a personnel matter.  
6  
7 **3. ADJOURNMENT:**  
8  
9 **MOTION BY:** Councilor Hill to go out of non-public session. Seconded by Councilor Heistad. *A roll*  
10 *call vote was taken. The vote on the MOTION was unanimously approved, and the Council went out of*  
11 *non-public session at 10:37pm.*

DRAFT

**LEBANON CITY COUNCIL  
MINUTES, SPECIAL MEETING  
AIRPARK ROAD/ COMMERCE AVENUE INTERSECTION  
WEST LEBANON, NH  
Wednesday, May 19, 2021, 5:30 PM**

**MEMBERS PRESENT:** Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, Douglas Whittlesey, Devin Wilkie, Jim Winny and Karen Zook

**MEMBERS ABSENT:** Karen Liot Hill, George Sykes

**STAFF PRESENT:** City Manager Shaun Mulholland, Planning & Development Director David Brooks

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**1. CALL TO ORDER:** The May 19, 2021 Special Meeting of the Lebanon City Council was called to order at 5:30pm.

**2. NEW BUSINESS**

**A. Layout of Extension of Airpark Road**

Planning & Development Director Brooks and the Council members walked along the cleared section of the property where the roadway is being constructed. He explained the process and answered questions of the Councilors.

**3. ADJOURNMENT:**

*Councilor Winny MOVED for adjournment.*

*Seconded by Councilor Wilkie*

*\*The Vote on the MOTION was unanimously approved by those present (7-0).*

**The meeting was adjourned at 5:45 PM.**

DRAFT

**LEBANON CITY COUNCIL  
MINUTES, REGULAR SESSION  
Wednesday, May 19, 2021, 7:00 p.m.  
Remote Via Webex: [LebanonNH.gov/Live](https://lebanonnh.gov/Live)**

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Kristin Kenniston, Planning & Development Director David Brooks, Deputy Finance Director Tina Stearns

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

This meeting took place virtually due to the COVID-19 Pandemic and was conducted in accordance with the Emergency Orders issued by the New Hampshire Governor according to NH RSA 91-A "Right-to-Know Law."

All Councilors attending the meeting remotely are listed above.

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

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

**4. OPEN TO PUBLIC:** The following people came forth:

- **Mr. Thomas Blake (Ward 2):** He spoke about his reasons for creating an alternative first response team in crises situations. It is essential that we shift our perspective from one that is focused on punishment/policing to care and support in the budget process.
- **Ms. Rendi Rogers (Ward 1):** She works with Upper Valley DSA and spoke about her objections to the processes by which the police contracts and the City budget are developed. UVDSA feels transparency should be top priority going forward.
- **Mr. Luke Howard:** He spoke about the budget process and his reasons for reducing the LPD's role in the budget and giving more aid to Human Services.
- **Ms. Kristina Huber (Ward 2):** She spoke about her reasons for reducing the LPD's budget by 10% and investing more funds to Human Services.

**5. RECOGNITIONS: NONE**

**6. ACCEPTANCE OF MINUTES:**

- April 27, 2021 (Work Session)
- April 29, 2021 (Work Session)
- May 5, 2021 (Regular Session)

**Councilor Heistad MOVED to approve the April 27, 2021 (Work Session) minutes, the April 29, 2021 (Work Session) minutes, and the May 5, 2021 (Regular Session) minutes as written and presented in the May 19 City Council agenda packet.**

***Seconded by Assistant Mayor Below***

**Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**7. APPOINTMENTS:**

- Guardian of the Soldiers Memorial Building, Bob Therrien (Reappointment)

***Assistant Mayor Below put forth the NOMINATION of Bob Therrien for Reappointment as Guardian of the Soldiers Memorial Building. Term (5/21 – 5/24)***

**Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**8. PUBLIC HEARING ITEMS:**

- A. LAYOUT OF EXTENSION OF AIRPARK ROAD:** A public hearing for the purpose of receiving public input and taking action on the proposed Layout of an Extension of Airpark Road as a Class V Public City Road pursuant to a Layout Petition received by the City Council on March 30, 2021.

Included in the agenda packet:

1. March 31, 2021 Memorandum from Planning & Development Director David Brooks, RE: Acceptance and Layout of Extension of Airpark Road for Airport TIF District . (Pages 43-47, agenda packet)
2. May 12, 2021 Memorandum from Planning & Development Director David Brooks, RE: Layout of Extension of Airpark Road for Airport TIF District. (page 48-55)
3. Return of Highway Layout – Extension of Airpark Road

Planning & Development Director David Brooks presented the history of the layout extension of Airpark Road, and shared a map, along with a description of the proposed layout, noting the Council visited the site earlier today.

On November 6, 2019, the City Council established the Lebanon Airport-Tech Park Tax Increment Finance (TIF) District on lands adjacent to the airport. On December 18, 2019, as part of the 2020 Capital Improvements Program, the Council approved funding for the initial design and permitting for a roadway and utility infrastructure to serve the TIF District.

To formally enable construction of the new roadway, as it has not previously been shown on the City's official street map and does not appear on any subdivision plan previously approved by the Planning Board, the City Council must, in accordance with RSA 231:8, receive and act upon a petition to "lay out" a new road. A petition was filed on March 30th and is attached hereto for review and consideration. Pursuant to NH RSA 674:40, III, before the City Council can locate and construct the roadway, the proposed layout must first be submitted to the Planning Board for review. Review by the Planning Board was held on April 12th where they voted unanimously to approve the creation of the roadway.

In addition to Planning Board review, RSA 231:11 requires the City Council to make a "personal examination" of the proposed new road layout. A site meeting was scheduled beginning at 5:30pm on May 19, 2021.

Please see the memo from Planning & Development Director David Brooks and the proposed "Return of Highway Layout" as provided in the agenda packet for more detailed information.

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

**ACTION:**

**Councilor Winny *MOVED*, that the Lebanon City Council hereby approves the layout of an extension of Airpark Road, upon receipt of a petition for such layout dated March 30, 2021, to serve the development of an industrial subdivision on City-owned land identified as Tax Map 159, Lot 4, West Lebanon, NH, and in support of the approval makes the following findings relative to the occasion to layout a highway:**

- 1. Public good, convenience, and necessity require the layout and establishment of the proposed highway as a Class V public highway extending southerly from the northerly boundary of City of Lebanon Tax Map 159, Lot 4 approximately 1,715 feet to a proposed cul-de-sac, all as delineated on a plan titled "Road Layout Plan of Land of City of Lebanon, Airpark Road Extension, Airpark Road, Grafton County, Lebanon, New Hampshire," dated April 15, 2021, created by Paton Land Surveying, LLC (the "Layout Plan").**
- 2. The layout and establishment of this Class V City highway will not create an undue financial burden on the City.**
- 3. The owners of the land over which the highway will pass, namely the City of Lebanon and Upper Valley Tech Park, LLC, have agreed to waive any and all rights to damages that they may have and for that reason it will be unnecessary to assess the payment of any damages to owners of land taken for the highway.**

***Seconded by Assistant Mayor Below.***

**Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**B. Rescission of Prior Funding Authorizations and Appropriations for Nine (9) Capital Projects Totaling \$1,602,723.62.** A public hearing for the purpose of receiving public input and taking action to rescind prior authorizations and appropriations for nine (9) capital projects totaling \$1,602,723.62.

City Manager Shaun Mulholland noted the purpose of this agenda item is to request the City Council to rescind prior authorizations and appropriations for unissued bonds or notes that are no longer required, and therefore will not be issued. Total amount to be rescinded is \$1,602,723.62 and includes prior funding authorization for the following projects:

|                                                     | <b>APPROPRIATION</b>    |
|-----------------------------------------------------|-------------------------|
| 2018 Landfill Compactor                             | (\$290,085.00)          |
| 2011 School St/120s Pedestrian Facility             | (\$229,483.97)          |
| 2015 Packard Hill Bridge #154-113                   | (\$ 27,773.34)          |
| 2019 10 Wheel Truck #88 Replacement                 | (\$ 24,915.00)          |
| 2019 Miracle Mile Pedestrian & Transit Improvements | (\$800,000.00)          |
| 2019 LPD Communications Console Upgrade             | (\$ 54,313.94)          |
| 2018 Water Line Capital Improvements                | (\$157,137.24)          |
| 2017 WWTP Underground Fuel Storage Tank             | (\$ 6,440.00)           |
| 2019 Sewer System                                   | <u>(\$ 12,575.13)</u>   |
|                                                     | <b>(\$1,602,723.62)</b> |

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

**ACTION:**

**Assistant Mayor Below MOVED the following Resolution:**

**RESOLUTION**

**WHEREAS**, the Lebanon City Council, on December 18, 2013, authorized the issuance of bonds or notes in the amount of \$10,247,000, including \$54,313.94 to finance the 2019 Lebanon Police Department Communications Console Upgrade project; and

**WHEREAS**, the Lebanon City Council, on December 16, 2015, authorized the issuance of bonds or notes in the amount of \$5,749,410 including \$229,483.97 to finance the 2011 School Street/Route 120 South Pedestrian Facility project; and

**WHEREAS**, the Lebanon City Council on December 16, 2015, authorized the issuance of bonds or notes in the amount of \$8,030,000 including \$6,440 to finance the 2017 Wastewater Treatment Plant Underground Fuel Storage Tank project; and

**WHEREAS**, the Lebanon City Council on December 20, 2017, authorized the issuance of bonds or notes in the amount of \$11,455,000 including \$290,085.00 to finance the 2018 Landfill Compactor project; and

**WHEREAS**, the Lebanon City Council on December 19, 2018, authorized the issuance of bonds or notes in the amount of \$19,925,000 including \$27,773.34 to finance the 2015 Packard Hill Covered Bridge

project, \$24,915 to finance the 2019 replacement of 10-Wheel Truck #88, and to finance \$800,000 for the 2019 Miracle Mile Pedestrian & Transit Improvements project: and

**WHEREAS**, the Lebanon City Council on December 19, 2019, authorized the issuance of bonds or notes in the amount of \$8,360,270 including \$12,575.13 to finance the 2019 Sewer System Rehabilitation project: and

**WHEREAS**, the Lebanon City Council on October 13, 2018, authorized the transfer of \$157,137.24 from Water Investment Fees to the 2018 Water Line Capital Improvements project.

**NOW, THEREFORE BE IT RESOLVED**, by the Lebanon City Council, that unissued bonds or notes in the amount of \$54,313.94, authorized on December 18, 2013, in connection with the 2019 Lebanon Police Department Communications Console Upgrade project is hereby rescinded.

**BE IT FURTHER RESOLVED**, by the Lebanon City Council, that unissued bonds or notes in the amount of \$229,483.97, authorized on December 16, 2015, to finance the 2011 School Street/Route 120 South Pedestrian Facility project is hereby rescinded.

**BE IT FURTHER RESOLVED**, by the Lebanon City Council, that unissued bonds or notes in the amount of \$290,085, authorized on December 20, 2017, to finance the 2018 Landfill Compactor project is hereby rescinded.

**BE IT FURTHER RESOLVED**, by the Lebanon City Council, that unissued bonds or notes in the amount of \$27,773.34, authorized on December 19, 2018, to finance the 2015 Packard Hill Bridge project; \$24,915 to finance the 2019 replacement of 10-Wheel Truck #88; and \$800,000 to finance the 2019 Miracle Mile Pedestrian & Transit Improvements project is hereby rescinded.

**BE IT FURTHER RESOLVED**, by the Lebanon City Council, that unissued bonds or notes in the amount of \$12,575.13, authorized on December 19, 2019, to finance the 2019 Sewer System Rehabilitation project is hereby rescinded.

**BE IT FURTHER RESOLVED**, by the Lebanon City Council, that monies transferred from the Water Investment Fee Account in the amount of \$157,137.24 be returned to the Water Investment Fee Account.

This resolution shall take effect upon its passage.

| <u>Date Authorized</u> | <u>Total Authorization</u> | <u>Project Authorization</u> | <u>Balance of Amount Authorized by City to be rescinded</u> | <u>Project</u>                          |
|------------------------|----------------------------|------------------------------|-------------------------------------------------------------|-----------------------------------------|
| 12/18/2013             | \$ 10,247,000.00           | \$ 270,000.00                | \$ 54,313.94                                                | 2019 LPD Communications Console Upgrade |
| 12/16/2015             | \$ 5,749,410.00            | \$ 275,000.00                | \$ 229,483.97                                               | 2011 School St/120S Pedestrian Facility |
| 12/16/2016             | \$ 8,030,000.00            | \$ 90,000.00                 | \$ 6,440.00                                                 | 2017 WWTP Underground Fuel Storage Tank |
| 12/20/2017             | \$ 11,455,000.00           | \$ 1,300,000.00              | \$ 290,085.00                                               | 2018 Landfill Compactor                 |
| 12/19/2018             | \$ 19,925,000.00           | \$ 120,000.00                | \$ 27,773.34                                                | 2015 Packard Hill Bridge #154-113       |
| 12/19/2018             | \$ 19,925,000.00           | \$ 165,000.00                | \$ 24,915.00                                                | 2019 10 Wheel Truck #88 Replacement     |

|            |                   |                 |                 |                                                     |
|------------|-------------------|-----------------|-----------------|-----------------------------------------------------|
| 12/19/2018 | \$ 19,925,000.00  | \$ 1,000,000.00 | \$ 800,000.00   | 2019 Miracle Mile Pedestrian & Transit Improvements |
| 12/19/2012 | \$ 6,890,000.00   | \$ 510,000.00   | \$ 12,575.13    | 2013 Route 4/4A Sewer                               |
| 10/13/2018 | \$ 350,000.00     | \$ 350,000.00   | \$ 157,137.24   | 2018 Water Line Capital Improvements                |
|            | \$ 102,496,410.00 | \$ 4,080,000.00 | \$ 1,602,723.62 |                                                     |

| Supporting Fund |                 |                                  |                                |               |                 |
|-----------------|-----------------|----------------------------------|--------------------------------|---------------|-----------------|
| Budget          | General         | Water Treatment and Distribution | Sewage Collection and Disposal | Solid Waste   | Total           |
| 2021            | \$ 1,111,571.25 | \$ 157,137.24                    | \$ 19,015.13                   | \$ 315,000.00 | \$ 1,602,723.62 |

*Seconded by Councilor Whittlesey.*

Assistant Mayor Below noted that the following was missing from the Resolution: ***“Be It Further Resolved***, the Lebanon City Council on December 16, 2015, authorized the issuance of bonds or notes in the amount of \$8,030,000 including \$6,440 to finance the 2017 Wastewater Treatment Plant Underground Fuel Storage Tank project; and”. Also amended in the above paragraph: the date was corrected from December 16, 2016 to read December 16, 2015. **This missing paragraph will be addressed and corrected at a later date.**

#### **Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**C. Amend AFSCME Wage Schedule in Ordinance No. 18 To Implement Changes Proposed as Part of the 2020 Wage & Classification Study Completed by Municipal Resources, Inc.:** A public hearing for the purpose of receiving public input and taking action to amend Ordinance #18, Salary Plan, Article III, Bargaining Unit Employees, AFSCME Local #1348/Council 93 AFLCIO, to implement changes proposed as part of the 2020 Wage & Classification Study completed by Municipal Resources, Inc.

Included in agenda packet: Ordinance # 18, Salary Plan.

City Manager Shawn Mulholland gave a broad overview of the proposed amendment to the AFSCME Wage Schedule in Ordinance No. 18.

While negotiating with AFSCME Local #1348/Council 93 AFL-CIO in 2019, the City agreed to provide an independent wage and classification study to review all full-time AFSCME positions. Municipal Resources Incorporated (MRI), was contracted to perform the study which included a thorough market analysis and comprehensive review of each position within the bargaining unit.

The market analysis compared average, minimum, and maximum salaries with the towns of Bedford, Dover, Durham, Hampton, Hanover, and Hooksett, and the cities of Claremont, Concord, and Keene.

The comprehensive review of job positions was a collaboration between employees, department heads and MRI staff. Each employee was charged with reviewing their individual job descriptions and

1 completing a position analysis questionnaire. Department Heads met with employees and finalized job  
 2 descriptions based on department needs and operations. MRI then analyzed, measured, and compared  
 3 against a common set of criteria in a systematic and objective manner utilizing a point-factor evaluation to  
 4 arrive at an assigned salary grade.

5  
 6 The proposed Wage & Classification Plan includes grades that combines the point-factor system, market  
 7 data, and other unique qualities that pertain to the City of Lebanon.

#### 8 9 **Process to Amend Ordinance No. 18**

10  
 11 Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22,  
 12 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all  
 13 members of the City Council – six (6) members - to adopt.

14  
 15 The first presentation was April 21, 2021; the second was May 5, 2021. The Council is asked to finalize the  
 16 process by acknowledging the third presentation and acting to amend the Salary Plan at the close of the  
 17 public hearing.

18  
 19 **Mayor McNamara opened he Public Hearing. Hearing no comments from the public, the Public**  
 20 **Hearing was closed.**

21  
 22 City Manager Mulholland said one of the primary goals was to make sure we are paying a competitive  
 23 wage so the City can attract people to fill these positions. Another goal was to make sure that similar  
 24 positions doing the same levels of work receive the same commensurate salary in order to correct gender  
 25 disparities in the work force and make sure employees are paid equally for the work they do based on  
 26 their levels of experience, training, responsibilities, and supervisory functions. We will be doing the same  
 27 type of reviews throughout all City departments.

#### 28 29 **ACTION:**

#### 30 **1. ACKNOWLEDGE FIRST PRESENTATION:**

31  
 32 ***Councilor Wilkie MOVED, that the Lebanon City Council acknowledges the first of three***  
 33 ***presentations to amend Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees,***  
 34 ***Section A, AFSCME Local #1348/Council AFL-CIO, to implement the results of the 2020 Wage &***  
 35 ***Classification Study completed by Municipal Resources, Inc.***

36  
 37 *Changes to the compensation and classification schedules are shown **red italics** to delete the position*  
 38 *from the current grade, and in **blue italics** type to reclassify the position in the new grade. **No wage rate***  
 39 *adjustments are proposed as a result of this study (as referenced on page 68 of the agenda packet).*

| AFSCME POSITIONS |                                                                                                                                                                                                                          |
|------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| GRADE            | POSITION(s)                                                                                                                                                                                                              |
| 1                | Laborer                                                                                                                                                                                                                  |
| 2                | Utility Operator Trainee                                                                                                                                                                                                 |
| 3                | Operator; <del>Maintainer</del> ; Recycling Attendant; Construction Utility Operator I; Meter/Backflow Technician; Scale Technician                                                                                      |
| 4                | Light Equipment Operator; Airport Maintenance Technician; <del>Utilities Plant Operator</del>                                                                                                                            |
| 5                | Heavy Equipment Operator; Utilities Operator I; Airport Maintenance Specialist; <del>Water Plant Operator;</del><br><del>Wastewater Plant Operator</del> <i>Maintainer (Cemetery Crew Leader); Utilities Operator I;</i> |

|   |                                                                                                                                                                                              |
|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6 | <del>Parks &amp; Grounds Crew Foreman</del> ; Mechanic; Water Treatment Plant Operator; Wastewater Treatment Plant Operator;                                                                 |
| 7 | <del>Electrician</del> ; Laboratory Technician/ Utilities Plant Operator; Airport Maintenance Foreman; Parks & Grounds Crew Foreman; Utilities Maintenance Mechanic; Engineering Technician; |
| 8 | Electrician; Foreman;                                                                                                                                                                        |
| 9 | Chief of Quality Assurance                                                                                                                                                                   |

**AFSCME LOCAL 1348 - 2021 SALARY GRADES 1.5% GWI**

|              | <u>Minimum</u> |               |               |               |               |               | <u>Maximum</u> |
|--------------|----------------|---------------|---------------|---------------|---------------|---------------|----------------|
| <u>Grade</u> | <u>Step 1</u>  | <u>Step 2</u> | <u>Step 3</u> | <u>Step 4</u> | <u>Step 5</u> | <u>Step 6</u> | <u>Step 7</u>  |
| 1            | 17.31          | 17.84         | 18.39         | 18.91         | 19.46         | 20.01         | 20.52          |
| 2            | 18.66          | 19.24         | 19.84         | 20.42         | 21.01         | 21.58         | 22.15          |
| 3            | 20.12          | 20.77         | 21.42         | 22.06         | 22.71         | 23.33         | 23.99          |
| 4            | 21.74          | 22.45         | 23.14         | 23.85         | 24.54         | 25.25         | 25.98          |
| 5            | 23.52          | 24.31         | 25.07         | 25.83         | 26.59         | 27.36         | 28.16          |
| 6            | 25.51          | 26.32         | 27.15         | 27.96         | 28.81         | 29.63         | 30.49          |
| 7            | 27.61          | 28.51         | 29.41         | 30.33         | 31.23         | 32.13         | 33.05          |
| 8            | 29.89          | 30.89         | 31.87         | 32.87         | 33.83         | 34.84         | 35.87          |
| 9            | 31.43          | 32.48         | 33.54         | 34.59         | 35.66         | 36.70         | 37.79          |

**2. RESOLUTION:**

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

**NOW THEREFORE BE IT RESOLVED** that the Lebanon City Council amends Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees, Section A, AFSCME Local #1348/Council AFL-CIO, to implement the results of the 2020 Wage & Classification Study completed by Municipal Resources, Inc.

*Seconded by Councilor Whittlesey.*

**Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**9. OLD BUSINESS:**

**A. Reschedule Public Hearing to June 2, 2021: Acceptance of Dedication of Existing Segment of Airpark Road.**

At the April 7, 2021 City Council meeting, public hearings were scheduled for May 19 for the Layout of an extension of Airpark Road and for the acceptance of a dedication of an existing segment of Airpark

1 Road. While complete back-up information was provided as part of the Notice of Public Hearing, the  
2 description for the hearing only addressed the Layout of the Extension, omitting the acceptance of the  
3 dedication.

4  
5 To comply with noticing requirements, Administration requested the Council act to reschedule the public  
6 hearing on the acceptance of the roadway dedication to June 2, 2021.

7  
8 Deputy City Manager Paula Maville stated she inadvertently omitted some information when this was  
9 published and was requesting this postponement so it can be advertised correctly.

10  
11 **ACTION:**

12 ***Councilor Liot Hill MOVED, that the Lebanon City Council hereby reschedules the public hearing***  
13 ***for the purpose of receiving public input and taking action on the acceptance of a dedication of a***  
14 ***segment of Airpark Road, constructed in approximately 2007, and shown on a plan titled***  
15 ***“Subdivision Plan of Land in Lebanon, New Hampshire,” prepared by Hoyle, Tanner & Associates,***  
16 ***Inc., dated June 1978, and recorded in the Grafton County Registry of Deeds on September 30,***  
17 ***1983 as Plan #2039 to Wednesday, June 2, 2021, beginning at 7:00pm, Remote via Webex.***  
18 ***Seconded by Councilor Heistad.***

19  
20 **Roll Call Vote:**

21 Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and  
22 Mayor McNamara all voting Yea.

23 None voted Nay.

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

25  
26 **10. NEW BUSINESS**

27 **A. Request for Exception from City Code Chapter 110, Noise from Sound Amplification**  
28 **Systems – Lebanon Opera House, Nexus Music and Arts Festival**

29  
30 Included in agenda packet: Lebanon Police Department Issued Sound Permit and City Code Chapter 110.  
31 Noise from Sound Amplification Systems.

32  
33 City Manager Shaun Mulholland spoke about the events that would be taking place at the Lebanon Opera  
34 House during the Nexus Music and Arts Festival which will involve different parts of the downtown area  
35 including Colburn Park, the pedestrian mall, and behind City Hall. There will be live music.

36  
37 **ACTION:**

38 ***Councilor Whittlesey MOVED, that the Lebanon City Council, in accordance with City Code***  
39 ***Chapter 110, Noise from Sound Amplification Systems, §110-2, hereby authorizes the Lebanon***  
40 ***Opera House to utilize amplification equipment until 9:30pm on Friday, August 13; Saturday,***  
41 ***August 14; and Sunday, August 15, 2021.***

42 ***Seconded by Councilor Wilkie.***

43  
44 **Roll Call Vote:**

45 Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and  
46 Mayor McNamara all voting Yea.

47 None voted Nay.

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

**B. Authorization for Transfer of Unspent Bond Proceeds totaling \$55,000 from The Streetlight Conversion Project to The Valley Cemetery Maintenance Building Project.**

The purpose of this agenda item is to request the City Council to approve transferring unspent bond proceeds in the amount of \$55,000 from the Streetlight Conversion Project to the Valley Cemetery Maintenance Building Project to cover the cost necessary to install solar panels to this building.

*Assistant Mayor Below MOVED the following:*

**RESOLUTION**

**FOR THE PURPOSE OF** authorizing the transfer of unspent bond proceeds from the Streetlight Conversion Project to the Valley Cemetery Maintenance Building Project.

**NOW THEREFORE BE IT RESOLVED**, by the City of Lebanon, that New Hampshire RSA 33:3-A of the Municipal Finance Act provides that if after notes or bonds have been issued and no expenditure of the proceeds has been made for the purpose or purposes for which the debt was incurred, or if a balance remains after the completion of the project or projects for which the debt was authorized, a city by a vote of 2/3 of the city council may authorize the expenditure of the sum or sums on hand, including any premiums received, for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time at any time which said sum or any portion thereof remains available; provided, however, that if the sum obtained by issuance of bonds or notes, as aforesaid, or any balance thereof, including any premium, is not appropriated as aforesaid, then the same shall be used to pay the principal of the loan as it matures.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the City of Lebanon, that appropriation authority, and associated funding derived from the issuance of bonds, is authorized to be transferred as follows and referenced on p. 78, agenda packet:

| Project                                 | Bond Issue/Dated  | Unspent Bond<br>Proceeds<br>BEFORE<br>Transfer as of<br>5/8/2021 | Appropriation<br>& Funded<br>Transfer | Unspent Bond<br>Proceeds<br>AFTER<br>Transfer | Project<br>Useful Life |
|-----------------------------------------|-------------------|------------------------------------------------------------------|---------------------------------------|-----------------------------------------------|------------------------|
| FROM                                    |                   |                                                                  |                                       |                                               |                        |
| Streetlight Conversion                  | NHMBB20A/01/09/20 | \$563,245.19                                                     | (\$55,000.00)                         | \$508,245.19                                  | 15 years               |
| TO                                      |                   |                                                                  |                                       |                                               |                        |
| Valley Cemetery<br>Maintenance Building | Unissued          | \$ -                                                             | \$ 55,000.00                          | \$ 55,000.00                                  | 20 years               |

*Seconded by Councilor Heistad.*

**Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**C. Authorization for Transfer of Unspent Bond Proceeds totaling \$140,000 from The Streetlight Conversion Project to The Parks & Recreation Storage Maintenance Building Project.**

The purpose of this agenda item is to request the City Council approve transferring unspent bond proceeds in the amount of \$140,000 from the Streetlight Conversion Project to the Parks & Recreation Storage Maintenance Building Project which will be used to install solar panels, and other energy related items such as insulation, windows, and cost of construction materials.

*Councilor Liot Hill MOVED the following:*

**RESOLUTION**

**FOR THE PURPOSE OF** authorizing the transfer of unspent bond proceeds from the Streetlight Conversion Project to the Parks & Recreation Storage Maintenance Building Project.

**NOW THEREFORE BE IT RESOLVED**, by the City of Lebanon, that New Hampshire RSA 33:3-A of the Municipal Finance Act provides that if after notes or bonds have been issued and no expenditure of the proceeds has been made for the purpose or purposes for which the debt was incurred, or if a balance remains after the completion of the project or projects for which the debt was authorized, a city by a vote of 2/3 of the city council may authorize the expenditure of the sum or sums on hand, including any premiums received, for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time at any time which said sum or any portion thereof remains available; provided, however, that if the sum obtained by issuance of bonds or notes, as aforesaid, or any balance thereof, including any premium, is not appropriated as aforesaid, then the same shall be used to pay the principal of the loan as it matures.

**NOW THEREFORE BE IT FURTHER RESOLVED**, by the City of Lebanon, that appropriation authority, and associated funding derived from the issuance of bonds, is authorized to be transferred as follows:

| Project                                                     | Bond Issue/Dated      | Unspent Bond<br>Proceeds<br>BEFORE<br>Transfer as of<br>5/8/2021 | Appropriation<br>& Funded<br>Transfer | Unspent Bond<br>Proceeds<br>AFTER<br>Transfer | Project<br>Useful<br>Life |
|-------------------------------------------------------------|-----------------------|------------------------------------------------------------------|---------------------------------------|-----------------------------------------------|---------------------------|
| FROM<br>Streetlight<br>Conversion                           | NHMBB20A/01/09/<br>20 | \$508,245.19                                                     | (\$140,000.00)                        | \$368,245.19                                  | 15 years                  |
| TO<br>Parks & Recreation<br>Storage Maintenance<br>Building | Unissued              | \$ -                                                             | \$140,000.00                          | \$140,000.00                                  | 20 years                  |

*Seconded by Councilor Wilkie.*

**Roll Call Vote:**

Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor McNamara all voting Yea.

None voted Nay.

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

**D. Discussion of Evaluation Criteria to be Utilized When Considering a possible Rescission of Emergency Ordinance 2020-11, Face Masks**

Included in agenda packet:

1. Emergency Ordinance #2020-11, Face Masks

Information received after the posting of the agenda and included in the minutes for May 19, 2021:

1. Updated DHMC Mask Guidance.
2. Updated NH DPHS Guidance for fully vaccinated persons.

Information available **but not included in this section:**

1. May 5, 2021 City Council Regular Session Agenda
2. State of NH COVID-19 Response Website <https://www.covid19.nh.gov/dashboard/map> (page 87, agenda packet)
3. For the public record, the following residents sent in letters, emails or posted comments online giving their reasons to either keep or rescind the Mask Ordinance. Councilors have reviewed these comments, but they were not read during the meeting: Aaron Argyros, Helen Pembricks, Karla Walker, Elaina Driscoll, Morgan Swan, Faye Gillespie, Kristin Swan, Stephen Loughman, Cheryl Pouliot, Amy Chan, John Sherman

On August 12, 2020, the City Council adopted Emergency Ordinance 2020-11 relative to requirements of wearing face masks under certain circumstances. The City Manager, in cooperation with the Health Officer and Emergency Management Director, made recommendations to the Council to implement the provisions of 2020-11 due to the impacts of the COVID-19 virus. The ordinance itself details the reasons for implementation of the face mask requirements.

At the May 5, 2021 City Council meeting, the Council was presented with recommendations from the City Manager to:

1. Schedule a public hearing to rescind Emergency Ordinance 2020-11, but not effectuate the rescission until June 30, 2021; and
2. Determine whether the public health situation requires the wearing of face masks through an Emergency Order under the policing powers of the City or whether public health warnings and recommendations are adequate to mitigate the impacts of COVID-19.

After review and discussion, the Council opted not to schedule a public hearing, in favor of continuing review to discuss the creation and adoption of criteria to be utilized when considering the rescission of the emergency ordinance.

As part of the May 5 meeting (not available for inclusion in the agenda packet), the Council was presented with a document released by the New Hampshire Medical Society outlining Objective Goals in

- 1 New Hampshire for Continued COVID-19 Mask Wearing. A letter was also received from DHMC giving
- 2 their guidance. This information has been included below for the public's reference.



**Dartmouth-Hitchcock Medical Center**

One Medical Center Drive

Lebanon, NH 03756-0001

Phone (603) 650-5000

Dartmouth-Hitchcock.org

May 19, 2021

Mr. Mulholland,

In response to your inquiry regarding Dartmouth-Hitchcock's position on masking, please see the following and attached from Michael Calderwood, MD, MPH, Chief Quality Officer at DHMC.

As you are no doubt aware, on May 13, 2021, the Centers for Disease Control and Prevention (CDC) updated its guidance on mask use for individuals who are fully vaccinated<sup>1</sup> ([Interim Public Health Recommendations for Fully Vaccinated People | CDC](#)). Based on this new guidance, "fully vaccinated people no longer need to wear a mask or physically distance in any setting, **except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.**"

This recommendation - that those who are fully vaccinated no longer need to wear a mask - is based on data showing that these individuals have a lower likelihood of both active infection and transmission of the virus to others. The challenge is that this policy relies on those who are not vaccinated continuing to wear masks until community spread is further reduced and/or vaccination rates cross at least 70% of the eligible U.S. population. It is important that we get all who are in higher risk professions vaccinated. This will serve to protect individuals like grocery workers and restaurant staff who are not be able to tell if someone is vaccinated or not.

On May 17, 2021, the NH Division of Public Health Services released clarifying "recommendations for people who are fully vaccinated when around others from outside the household ([fully-vaccinated-guidance.pdf \(nh.gov\)](#))." This highlights that those who are vaccinated no longer need to wear a mask outdoors but should wear a mask indoors when the vaccination status of others is unknown.

**TABLE:** NH recommendations for physical distancing and face mask use for fully vaccinated people in settings where there is potential for close contact with others.

| Should I Wear a Face Mask & Physically Distance in Settings Around Other People? |          | Other Peoples' Vaccination Status                                                        |                                                                                            |
|----------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|                                                                                  |          | All fully vaccinated                                                                     | Vaccination status unknown or not all are fully vaccinated                                 |
| Location                                                                         | Indoors  | NO*<br> | YES<br> |
|                                                                                  | Outdoors | NO*<br> | NO*<br> |

\*Unless required to by a business or organization, or a person desires maximal protection

*Note: Please note that if you are significantly immune compromised, then the recommendations above may not apply to you; please discuss your risk and protective measures with a trusted healthcare provider.*

It should be noted that these recommendations apply to non-healthcare settings, with no changes at the present time to recommendations for healthcare settings ([Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination | CDC](#) and [Infection Control: Severe acute respiratory syndrome coronavirus 2 \(SARS-CoV-2\) | CDC](#)). This includes an ongoing recommendation for universal source control measures, such as face masks, in healthcare settings, regardless of vaccination. As such, D-H has written a memo to staff recently (attached) with these changes:

1. We ended the requirement that masks must be worn walking to and from parking lots when outside the building.
2. Masks may be removed when walking outside the building for exercise. It is still recommended that those who are not fully vaccinated wear a mask when walking with others from outside their household.
3. One-on-one meetings: Two fully vaccinated employees in an office or private location may remove masks if both individuals agree. If an individual does not agree, that decision should be respected and the individual should not be questioned about why they do not agree.
4. Shared offices: Two or more fully vaccinated employees who share an office may remove masks if all individuals agree. If an individual does not agree, that decision should be respected and the individual should not be questioned about why they do not agree.

**Again, Dartmouth-Hitchcock will continue to require mask use inside all facilities, without regard to vaccination status, with the exception of private offices. Our policy will continue to apply to all D-H staff, patients, visitors, and any others entering our facilities.**

## DHMC Continued:

For Lebanon, based on recent CDC guidance, it seems reasonable that the requirement for mask wearing outside, except in crowded environments such as outdoor concerts/farmer's market on the green, be removed. Masks are not needed while exercising outside and passing someone briefly, such as on the rail trail. Until community spread is further reduced and vaccination reaches a higher level, however, I still recommend mask wearing in indoor businesses, unless spaced from others such as while eating at a table in a restaurant. Those who are vaccinated are safe, but it is hard to know who is and is not vaccinated. In addition, those who are not vaccinated risk having more viral replication and mutations leading to novel variants that get around the immune protection from the vaccines. The choice to not get vaccinated, if eligible, puts others in the community at risk, if unvaccinated individuals choose to be out in crowded environments without a mask.

<sup>1</sup> Fully vaccinated means 14 days beyond the SECOND dose of Moderna/Pfizer vaccine or 14 days beyond the SINGLE dose of J&J vaccine.



## Bureau of Infectious Disease Control

### NH Public Health Recommendations for People Who Are Fully Vaccinated When Around Others From Outside the Household May 17, 2021

On May 13, 2021, CDC released updated [Public Health Recommendations for Fully Vaccinated People](#). The NH Division of Public Health Services (DPHS) continues to recommend that businesses and organizations implement the mitigation measures outlined in the NH [Universal Best Practices](#), including face mask use and social/physical distancing for all persons (irrespective of vaccination status) as a pandemic control measure, to protect vulnerable individuals who may not be able to be vaccinated or who might only have partial immunity from vaccination, and to protect business operations from introduction and spread of COVID-19. In settings highlighted in the chart below where small groups of fully vaccinated people are gathering, then strict social distancing and face mask use may not be necessary.

Additionally, NH DPHS (similar to CDC), continues to recommend that everybody wear face masks and physically distance in certain settings, including on public transportation, schools, healthcare settings like hospitals and long-term care facilities, correctional facilities, homeless shelters, and other settings that may be high-risk for spread of COVID-19 or where a high proportion of people may not be fully vaccinated.

**TABLE:** NH recommendations for physical distancing and face mask use for fully vaccinated people in settings where there is potential for close contact with others.

| Should I Wear a Face Mask & Physically Distance in Settings Around Other People? |          | Other Peoples' Vaccination Status                                                          |                                                                                              |
|----------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
|                                                                                  |          | All fully vaccinated                                                                       | Vaccination status unknown or not all are fully vaccinated                                   |
| Location                                                                         | Indoors  | NO*<br> | YES<br> |
|                                                                                  | Outdoors | NO*<br> | NO*<br> |

\*Unless required to by a business or organization, or a person desires maximal protection

Note: Please note that if you are significantly immune compromised, then the recommendations above may not apply to you; please discuss your risk and protective measures with a trusted healthcare provider.

People who are unvaccinated or only partially vaccinated against COVID-19 should continue to wear face masks and physically distance when around other people indoors, and outdoors if unable to consistently maintain 6 feet of physical separation from others.

**Rationale:** A fully vaccinated person is at low risk for acquiring infection and spreading to others. However, because vaccines are not 100% effective and there is still a large number of unvaccinated people, mitigation measures like physical distancing and masking still have an important role to control this pandemic. Compared with vaccination alone, [modeling studies](#) from the CDC and academic partners have shown that a combination of high vaccination rates with continued use of population-level mitigation measures (face mask use, physical distancing, etc.) will be more effective at limiting COVID-19 infections, hospitalizations, and deaths, and decrease community transmission more quickly. NH and most other states around the country continue to have a “substantial” [level of community transmission](#) of COVID-19, and a large proportion of the NH population is not yet fully vaccinated. Therefore, the next several weeks are an important time of transition to drive COVID-19 numbers lower. While we know that vaccination is highly effective at preventing COVID-19 (both asymptomatic and symptomatic disease) and limiting transmission to others, [population-level](#) mitigation measures will end the pandemic more quickly, protect the vulnerable and people unable to be vaccinated, and enable return to more normal societal functioning. Additionally, current CDC guidance is difficult for businesses and organizations to implement without developing a process to identify which people are fully vaccinated vs. not fully vaccinated. All of these considerations factored into our updated and clarified NH guidance outlined above.

NH DPHS will closely monitor COVID-19 infection rates and vaccination uptake, and will re-evaluate face mask use recommendations in the next 3-4 weeks. As vaccination rates increase and community transmission decreases, NH DPHS expects to fully implement CDC guidance by the end of June. **Therefore, it is important for people who have not yet scheduled themselves to be fully vaccinated against COVID-19 to do so now as we transition from relying on community mitigation measures to vaccination to control and end this pandemic.**

Other benefits and recommendations for people fully vaccinated outlined in the CDC guidance are consistent with current NH recommendations, including recommendations that fully vaccinated people:

- Do not need to quarantine after international travel (no persons, vaccinated or unvaccinated, are required to quarantine after domestic travel)
- Do not need to quarantine after a known exposure to another person with COVID-19
- Can be exempted from asymptomatic screening testing programs
- Can be exempted from testing after a known exposure, or after domestic travel (if they remain asymptomatic)

Fully vaccinated persons still should:

- Self-isolate and be evaluated for testing if experiencing any new or unexplained symptoms of COVID-19
- Be tested 3-5 days after international travel

---

NH Department of Health and Human Services  
Division of Public Health Services  
Bureau of Infectious Disease Control

-2-

Use of Face Masks by Fully Vaccinated Persons  
May 17, 2021

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- 1
- 2 Mayor McNamara noted this was not a Public Hearing, nor was the Council planning on taking any
- 3 action at this meeting regarding a rescission of the Mask Ordinance. The purpose of this meeting was to
- 4 initiate a Council discussion. The Council received letters from the New Hampshire Medical Society and
- 5 affiliated Medical Societies, Dartmouth Hitchcock Medical Center, and resident input (20+ email
- 6 comments) with regard to this topic. His goal was to set a Public Hearing for some time in June and then
- 7 to hopefully take some action on this topic, preferably at the Council’s meeting on June 16, 2021.
- 8
- 9 Masking has become a rather heated issue, particularly in the last couple of months on a National, State,
- 10 and local level. Mayor McNamara did not want the issue of face masks to be decided in the court of

1 public opinion and felt it needs to be decided by the Council, as policy makers, based on following the  
2 science. Opinions will differ and even some of the scientific information will differ. Conditions are  
3 changing daily and for those who follow the NH COVID Dashboard, you will see that on a State-wide,  
4 County, and local level, infection rates go up and down. Vaccination rates will hopefully go up and  
5 continue to go up. Positivity test rates tend to fluctuate as well. In closing, the Council has a lot of  
6 directions we can move in such as:

- 7 1. Do nothing and leave our Mask Ordinance in place as is.
- 8 2. A complete rescission at some point in time.
- 9 3. Modification of the existing Ordinance.
- 10 4. When the Council would take these actions. and
- 11 5. What we could do in the interim if we see another surge (in infection rates).

12  
13 Councilor Liot Hill requested the City Manager, for the record, to provide input given by DHMC and the  
14 NH Medical Society, along with the positivity rates for the City and other data that he thought would be  
15 helpful to the Council.

16  
17 In response, City Manager Shaun Mulholland noted that updated information was received from  
18 Dartmouth-Hitchcock Medical Center and NH Medical Society after the agenda packet was published.  
19 (Note: This information is provided above.)

20  
21 There is agreement that people who are not vaccinated should be wearing a mask. The CDC put out the  
22 information that those who have been vaccinated do not need to wear a mask outside or when they are  
23 inside when they are not around people who have not been fully vaccinated, with the exception of certain  
24 circumstances such as public transportation (planes, trains, buses). For the City of Lebanon, this applies  
25 to our Airport and Upper Valley Transit. The State's guidance is similar, and Dr. Chan (NH State  
26 Epidemiologist) talked about the State changing their guidance within the next 3-4 weeks, but his  
27 recommendation is for people to continue wearing masks if they have not been vaccinated. For Grafton  
28 County, the latest information put out by the NH Medical Society is that 40% of our county has been  
29 "fully" vaccinated. We do not have data specifically about the immunizations for people within the City.  
30 The Public Health Services is not providing this data at this time, so we cannot find out how many of our  
31 residents in the City have actually been vaccinated. The NH Medical Society has a standard regarding  
32 how many persons per <100K have COVID-19. Lebanon's numbers are above their requirements at the  
33 present time and have been increasing recently for unclear reasons. We do not know what the status of  
34 vaccination is for those who travel in and out of the City each day. What we do know is that the State of  
35 Vermont has revised their provisions in terms of masking, and almost all communities in the State of  
36 Vermont are relying on that state provision. Norwich and Hartford Vermont will be reviewing their  
37 provisions for masking. Enfield/Hanover will also be reviewing their Mask Ordinances. Mayor  
38 McNamara noted Keene, NH and their Council will be taking this issue up on May 20, 2021.

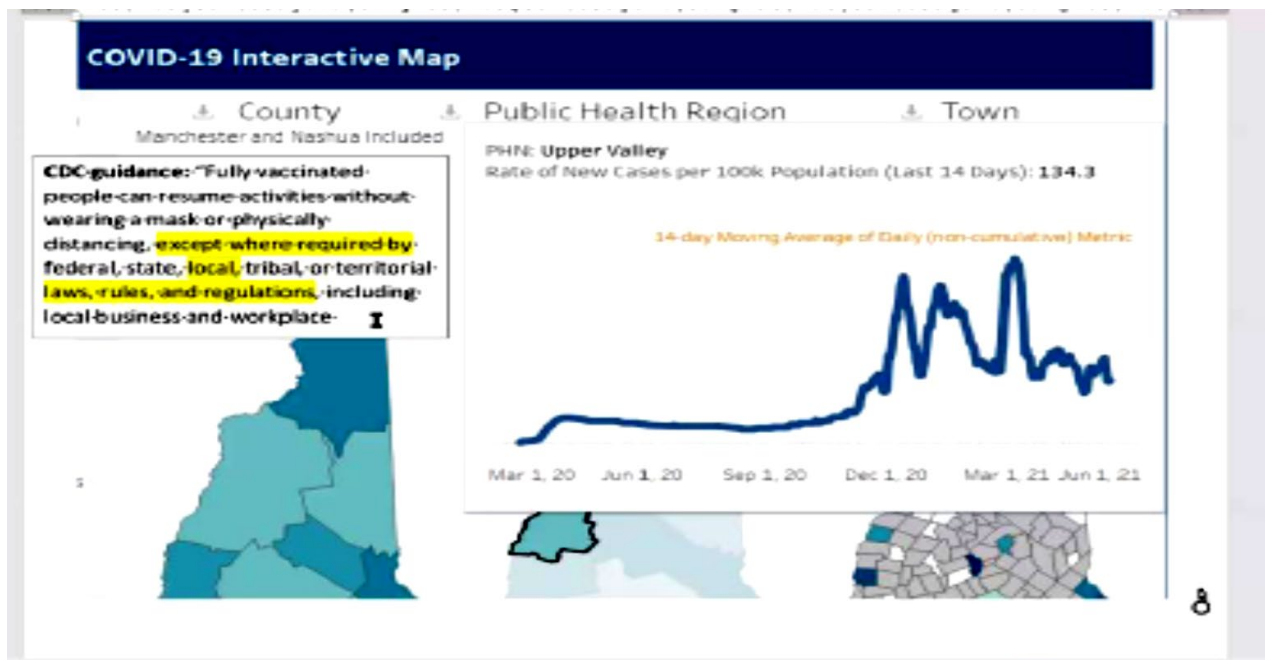
39  
40 In preparation for this discussion, Assistant Mayor Below spoke with Ms. Alice Ellie, who is the  
41 Executive Director of the Public Health Council of the Upper Valley. She felt the CDC's guidance and  
42 recommendations were appropriate in terms of *individual and personal health*, noting that two weeks  
43 after you are fully vaccinated it is pretty safe to be around other people who are fully vaccinated without  
44 wearing a mask, both indoors and outdoors. However, she did not feel the CDC's guidance spoke to the  
45 question of what is appropriate from a *Community Health* point of view and suggested what the Council

needs to ask is: What is needed to keep the overall community safe. Dr. Chan has also included a similar comment from a press conference, noting that at the end of the day, local health agencies need to make a decision based on the best interests of their population.

The NH Medical Society has proposed three (3) criteria for rescinding mask mandates as follows:

1. Once 70% of the population is vaccinated: and,
2. Once the 14 day rolling average transmission rate (new case rate) is <50 per 100K; and,
3. That the positivity rate of testing drops below 5%. The City has gone from 5.5% to a 4.5% a day or two ago, but today were down to 3.7%. However, Enfield's rate has been going up for the past few days to 11.4%.

Assistant Mayor Below felt the Public Health Regional Dashboard of the Upper Valley is more meaningful than the Grafton County data. He cannot find specific data for Lebanon over time, but what the COVID-19 Interactive Map does show is the Upper Valley's data since the start of the pandemic as depicted in the graph he shared below.



This graph shows that the Upper Valley, over the last 14 days is at 134.3 cases per 100K population. As a Region, this is still quite a bit higher than we were when we enacted the Mask Ordinance and even higher than we were going back through most of the fall. As of May 19, 2021 we went back over 200 per 100K. What it shows is that we are at a very high risk for community transmission for unvaccinated people. Since about half of our population remains unvaccinated, or not fully vaccinated, it is a concern.

Vermont's data today shows that 68% of the entire eligible population 12-years and older has had at least one shot. New Hampshire's data is pretty much the same.

1 Assistant Mayor Below felt the three criteria listed above should be kept in mind and supported as the  
2 Council moves ahead with having a Public Hearing in June. He suggested keeping the Ordinance in place  
3 for a month or more to protect the portion of the community that is not vaccinated. We will reach a point  
4 where community transmission is not a big risk and at that point we can rescind the Ordinance.

5  
6 Mayor McNamara noted that State-wide vaccination rates for those 65+ was just over 80%, but none of  
7 the other age categories (starting at 12 years) was above 45/46%. It is in these age groups where the State  
8 is not close to achieving the recommended 70% vaccination rate.

9  
10 **Council Comments:**

11  
12 Councilor Whittlesey: Currently only the Pfizer vaccine is approved for children 12 years old and up. No  
13 vaccine is approved for children under the age of 12, which is a significant portion of Lebanon's  
14 population. Given the potential for asymptomatic carriers we cannot ignore this piece. When you look at  
15 the State's dashboards, you see an uptick from December through mid-April where people are getting  
16 vaccinated, but this curve is leveling off. It is worth noting we will be running up against potential  
17 headwinds for getting people vaccinated and we have to be cognizant of the public safety element of what  
18 we are doing. He also spoke about the infection rate around holiday travel, spring break events, etc.,  
19 noting we are starting to begin one of the biggest travel breaks – Summer break. It is hard to predict, but  
20 we run a risk that this (infection rates) will spike back up.

21  
22 Councilor Sykes: Almost all of the emails he received, both for/against the Mask Ordinance, suggested  
23 that we should follow the science. He supported having the Public Hearing sometime in June, but it does  
24 not mean we have to rescind the Ordinance then, but at least we will have another month's worth of data.

25  
26 Mayor McNamara: He saw in some of the emails he received that rescinding the Mask Ordinance will  
27 actually incentivize additional vaccinations. He was unsure if there was data that demonstrates if this is  
28 true, but it certainly comes up frequently as an argument.

29  
30 Councilor Heistad: He was skeptical about the view of how rescinding the Mask Ordinance will  
31 incentivize additional vaccinations and was uncertain if those who do not want to wear masks are going to  
32 be responsible. It will be very difficult for people to know if somebody has been vaccinated or not and  
33 felt this would be a difficult situation for those of us who are home thinking about where can go, noting  
34 there are children who do not have access to vaccinations. He is very cautious about not listening to the  
35 NH Medical community and supported following their requirements, noting the Council's responsibility  
36 is to the community and to each other.

37  
38 Mayor McNamara: One thing that makes Lebanon unique and challenging is that we are not a tiny  
39 community in the north country where there is no significant population turnover during the day. We  
40 have a nighttime resident population of just over 13K, but this swells to 30K+ during the day. This  
41 (CDC's guidance) will be confusing to some who come to shop or do business in Lebanon if some  
42 stores/businesses have no mask requirements while others do.

1 Councilor Heistad: Lebanon should look at itself as a regional center and as such look at what the region  
2 is doing. When Enfield has spikes (in infection rates), we need to be aware of this spike and that we are  
3 not as safe as what we think we are.  
4

5 Councilor Wilkie: Agreed the Council should follow the science and not public opinion. It is very clear  
6 that the science does not support full rescission of the mask ordinance, but felt we may have strong support  
7 for at least revising some level of the mask requirements for now such as:

- 8 1. Reconsidering the use of masks in outside spaces.
- 9 2. Many people are less concerned with total rescission than with some rescission of a mask ordinance for  
10 those who are fully vaccinated. While it is uncertain if there is a clear and unobtrusive way of  
11 allowing those who are fully vaccinated to go without masks, while not losing this requirement for  
12 those who are still unvaccinated, he felt it was worth considering this possibility for those businesses  
13 who may not have involvement with members of the public.
- 14 3. Even those people who support removing the Mask Ordinance still recognize the importance of  
15 individuals who are not vaccinated wearing masks and felt we should retain at least some element of  
16 the ordinance for that purpose.  
17

18 He supported having a Public Hearing at the June 16, 2021 City Council meeting.  
19

20 Councilor Winny: Supported a Public Hearing in June and supported Assistant Mayor Below's criteria.  
21 It is important to keep in mind that we are a regional hub and regional data may actually be a better metric  
22 for us to follow rather than using local data.  
23

24 Councilor Zook: Agreed that science seems to support that letting people congregate without masks  
25 would be reasonable but felt it would be very difficult to gain any kind of functional perspective on this as  
26 a municipality, noting the large events coming up within the City. All of these events were conceived  
27 with the Mask Ordinance in mind. For businesses, she concurred with Councilor Wilkie, but for large  
28 businesses those decisions have been made on a corporate level for the benefit of the business and not for  
29 the safety of individuals. The individuals, who will be potentially exposing themselves, are the people the  
30 Council is responsible for and they may, or may not, be able to get vaccines for various reasons to protect  
31 themselves. This may put them in a position, in order for them to stay employed, to be exposed to  
32 COVID. She supported having a Public Hearing.  
33

34 Councilor Liot Hill: Agreed that a Public Hearing should be scheduled for June 16, 2021, and thought  
35 adopting the criteria laid out by the NH Medical Society made sense. Lebanon is meeting one (1) of the  
36 three (3) criteria laid out (by the NH Medical Society). Her concern was the vaccination rates and  
37 thought the City should engage in a regional public campaign to encourage more people to get vaccinated.  
38 At present, it would not be prudent to rescind the Mask Ordinance. The CDC's recommendations are  
39 really about individual health and our concern, as public policy makers, has to be about public health.  
40 She was skeptical that leaving the Mask Ordinance in place would disincentivize people to get people  
41 vaccinated. Also, how would we, as a community, police the CDC's recommendations of who has been  
42 fully vaccinated and who has not. The data presented tonight shows we are not out of the danger zone.  
43 The fact that there is a surge going on in Enfield, which she understands is specifically related to an  
44 unmasked large event, suggests that we really need to be cautious because the stakes are high. She

1 supported having a Public Hearing and use the data to decide when the right time would be to rescind the  
2 Mask Ordinance.

3  
4 *Mr. Alan Schnur (Ward 3). Member of the Public.* He worked for the World Health Organization  
5 (WHO) in the Smallpox Eradication Program. He found disease surveillance data to be the key in  
6 planning a response. As was mentioned, the high vaccination rates can hide some pockets of low  
7 coverage. One needs to pay very close attention to the disease data as we still have transmission in the  
8 City of Lebanon.

9  
10 Councilor Whittlesey: We should follow the science and concurred with Councilor Liot Hill's  
11 summarization. Holding hearings are important but we are not providing the residents of Lebanon  
12 enough direction on what we are really trying to hold a Public Hearing on. What he sees now is as an  
13 incentive for people who are vaccinated, noting there is peer pressure to not single oneself out as being  
14 unvaccinated. We cannot ignore the social dynamics of this, or the fact that in many ways the CDC's  
15 guidance is creating a 2nd class of citizen. Their guidance does not include how we can make everyone  
16 feel safe, welcome, and able to participate in everything Lebanon offers.

17  
18 Mayor McNamara: He spoke about the term "vaccine passports" and felt this was difficult and  
19 challenging, at best, to have a different set of rules for someone who is vaccinated vs. those who are not.  
20 He understands what the CDC's recommendations are based on, but it is really self-policing and he  
21 cannot imagine asking people to wear their vaccination badge on their lapel and then have the City try to  
22 monitor this. This is not a viable way to go. Creating two classes of citizens has a lot of downsides and is  
23 almost impossible to actually police and would not like to see the Council to move in that direction. He  
24 also suggested that if there is widespread agreement on setting a Public Hearing for June it might be a  
25 better idea to set it for June 2, 2021, to allow us to take possible action on June 16, 2021.

26  
27 **ACTION:**

28 ***Assistant Mayor Below MOVED, that the Lebanon City Council hereby schedules a public hearing***  
29 ***for Wednesday, June 2, 2021, for the purpose of receiving public input and taking action on the***  
30 ***potential rescission or amendment of Emergency Ordinance #2020-11, Face Masks, originally***  
31 ***adopted by the City Council on August 12, 2020.***

32  
33 ***Seconded by Councilor Liot Hill.***

34  
35 Assistant Mayor Below noted he add the phrase "potential rescission or amendment." He agreed that  
36 trying to differentiate between people who have/have not been vaccinated is problematic on many levels.  
37 However, if we are still seeing a problem with community transmission we might want to go ahead and  
38 amend the Ordinance to make it clear that workplaces would have the discretion, where employees are  
39 not having interactions with the public and everyone is vaccinated, to manage that situation on their own.  
40 He was uncertain if criteria should adopt at this point, but the recommendations of the NH Medical  
41 Society should be included as part of the Council's packet in June.

42  
43 Mayor McNamara thanked the Council for their very thoughtful discussion, and if our constituents take  
44 anything away from our discussion, it is that we do not take this lightly. We have thought about this  
45 deeply; we have thought about and will consider alternatives; and, ultimately, as public leaders, we will

1 make the decision that we consider to be the best for the public, which may not be the one that is  
2 necessarily the most popular.

3  
4 Deputy City Manager Paula Maville requested that the motion should include “via Webex.”

5  
6 Assistant Mayor Below amended the Motion to include the reference to include “via Webex.”

7  
8 **The MOTION was amended to read as follows:**

9  
10 ***Assistant Mayor Below MOVED, that the Lebanon City Council hereby schedules a public hearing***  
11 ***for Wednesday, June 2, 2021, via Webex, for the purpose of receiving public input and taking***  
12 ***action on the potential rescission or amendment of Emergency Ordinance #2020-11, Face Masks,***  
13 ***originally adopted by the City Council on August 12, 2020.***

14  
15 ***Seconded by Councilor Liot Hill.***

16  
17 Councilor Sykes noted he had some anxiety that we may not have any significant change in the data by  
18 June 2, 2021, but will support Assistant Mayor Below’s motion because he felt the discussion was  
19 necessary. However, it does not necessarily mean that we will make any absolute final decisions that  
20 night. He supports the scientific data and does not want anyone to accept the premise that we are being  
21 pressured into doing this based on public opinion.

22  
23 Councilor Liot Hill concurred with Councilor Sykes. It would be her preference to have the Public  
24 Hearing later in June, but will support this motion. She is not prepared to vote to rescind the Mask  
25 Ordinance on June 2, 2021. She also wanted the Council to consider a motion for the City to engage in a  
26 public campaign to encourage vaccinations in the City of Lebanon and potentially work in partnership  
27 with other communities in the region as well as non-profit and for-profit organizations.

28  
29 Councilor Whittlesey concurred with both Councilor Sykes and Liot Hill but asked that a data table  
30 listing relevant key metrics added to the Council’s agenda packet for June 2, 2021, so we have all the  
31 information in one place. This should include metrics on vaccination rates, positivity rates, caseloads per  
32 100K, etc.

33  
34 Councilor Heistad thanked all those who took their time to write and call their Councilors. Please  
35 continue to be involved with your government and contact us so we can represent you.

36  
37 City Manager Shaun Mulholland wanted the Council to keep in mind that the agenda is posted the  
38 Thursday before the meeting so any data included in the agenda packet will be over a week old, and data  
39 changes daily.

40  
41 **Roll Call Vote:**

42 Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and  
43 Mayor McNamara all voting Yea.

44 None voted Nay.

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

**E. Input from City Council: 2022 Budget Process**

Information available **but not included** in agenda Packet:

1. April 27, 2021 City Council Work Session Agenda Packet
2. April 29, 2021 City Council Work Session Agenda Packet
3. May 5, 2021 City Council Regular Session Agenda Packet

As in years past, the City Council kicked off the 2022 Budget review process on April 27 and April 29 with a staff presentation of the 2021-2023 Outcomes and Work Plan. At these two work sessions, City Administration presented the Council with accomplishments from the prior year, plans for the current year, and projected plans for future years. Review continued with a presentation on May 5 by the City Manager regarding the City's Financial Outlook and long-term Financial Plan for managing current and future operational and capital needs and debt service obligations.

At the close of discussions on May 5th, 2021 it was decided that more time should be allotted for each Councilor to discuss three of their priorities/goals for the 2022 Budget.

**Councilor Priorities/Goals:**Councilor Liot Hill:

1. Use of the Seminary Hill School: This is a true community asset that is being under-utilized.
2. Housing: This has been a persistent problem, and, as we have seen over the past year with the Pandemic, there is even more pressure on our housing market where more people are being priced out of our City. She would like to have regional engagement from other communities to help lower the cost of housing.
3. Increasing citizen engagement and provide greater information/education to the public on how government works; what the current state of affairs are; and, what some of our limitations are.

Mayor McNamara:

1. Revitalization of the West Lebanon Downtown area and the Seminary Hill School.
2. Regionalization of Housing: As a regional hub, a lot has been pushed onto Lebanon, which has and will continue to have an undo impact on Lebanon's property tax payors. We have over 1300 new units of housing that are either under construction or approved, most of which is multi-family housing. This is way more housing than any other town in the region. He would like to continue to work on regionalization as a solution to regional problems.
3. Property Taxes: How do we balance quality of life vs. property taxes in the City.

Councilor Winny:

1. Revitalization of West Lebanon: Part of this includes the Seminary Hill School, Westboro Yard, and extending the Greenway along the river. In speaking with some of the local business in W. Lebanon he was surprised to hear about the distrust some have for the City, noting there is an opportunity to work on this.
2. Funding/Property Tax issues: Look for alternate funding sources and more efficiencies to ease the burden on tax payors.
3. Increase more resources to Human Services: We have heard a lot from a number of people, and he thought the COVID pandemic has highlighted this issue. He is a social worker by trade and is seeing

the resources for Human Services stretched very thin. Every resource he knows of is basically maxed out (i.e., drug & alcohol treatment, the community nurse program, homelessness, etc.).

Councilor Sykes:

1. Human Services: Increase more resources to Human Services.
2. Public Health: Hire a full-time dedicated Public Health Officer to improve public health. There are housing situations where people are forced to live in housing that does not meet good public health standards.
3. Property Taxes: More public education on what the State/County/School District/City are doing.

Councilor Heistad:

1. Health of the City: Includes housing for those who do not have it; having the Rec. Department provide for the health of both the seniors/kids; and instituting a Community Nursing Program.
2. Seminary Hill School: Would like to see this facility function better.
3. Regionalize Affordable Housing: We have talked about this over the last 10-years but it has not been addressed by other towns, nor have we seen much cooperation from the other municipalities. How can we effectively encourage other communities outside of Lebanon to participate in this issue.

Councilor Whittlesey:

1. Investment in Downtowns in West Lebanon/Lebanon, especially through an Arts & Culture, Recreation Department, and libraries perspective.
2. Housing: How do we incentivize single or duplex housing to be built that will help maintain the residential feel in the City.
3. Human Services: Find ways to help support our community and expand this work.

Councilor Wilkie:

1. Affordable Workforce Housing: While we are seeing new developments, many of them do not support the jobs and wages currently available from businesses and other positions in Lebanon. We need to be cognizant of the fact that there are many people who we need to make our community the vibrant community that it is but have trouble living here due to the cost of housing.
2. Support and expand public infrastructure and resources, including public spaces, support systems, transportation, community cohesiveness, public health, and Human Services.
3. Shifting priorities to Health & Human Services and other support systems. One way of doing this would be to shift those priorities toward Human Services and away from punitive incarcerable systems. We have heard about the Care Not Cops Campaign from our constituents and believes we should consider some of the points/proposals/ideas being made, even if we are not fully implementing everything.

Councilor Zook:

1. Human Services: Echoed what other Councilors have said, particularly as it relates to this past year. They could use more resources/support from the City as a whole.
2. Cultural Outreach/Activities: These are quality of life additions.
3. City Energy Initiatives: Continue making those improvements throughout the City.

1 Assistant Mayor Below:

- 2 1. Sustainability/Climate Action Goals/Developing a City Climate Action Plan. There is a regional  
3 aspect to this as well.  
4 2. Civic Engagement, which has to do with Lebanon being welcoming by supporting diversity, economic  
5 Diversity, and connecting long-term residents with new residents that will help with the feeling of  
6 being part of a community.  
7 3. Lebanon's Infrastructure: Working to put the City on sound financial ground with regard to the pace  
8 of our reinvestment in sustaining not only our physical infrastructure but also developing our human  
9 infrastructure, which relates back to the support networks the City has in the community.

10  
11 **ACTION:**

12 **No action is required at this time. Item is for informational purposes only.**  
13

14 **11. City Manager Report:**

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

- 16 • Public Education Events: First one will be taking place on July 19, 2021.  
17 • On July 1, 2021, the general public will be allowed to come to public meetings being held at City  
18 Hall.  
19 • SB 95: Making its way through the House and looks like this will pass. If it does, it will allow  
20 the continuation of virtual meetings where the body (City Council) will not need to be physically  
21 present until it sunsets next year. It will be up to the City's other Boards, Commissions &  
22 Committees to decide if they want a physical presence at their meetings or want to continue with  
23 their virtual meetings. City Administration is not putting a mandate on what they should do.  
24 • SAU building: Possible partnership with the School District to allow the City to utilize that  
25 building.  
26 • Westboro Yard update: We are being told that the timeline to complete the demolition will be  
27 November 2021.  
28 • West Lebanon Street Scape Improvements: Will be meeting with VHB to discuss work on Main  
29 Street.  
30 • 20 Spencer Street update: Still has some areas where PCBs are in the ground.  
31 • Education Funding Coalition: The School Board will be discussing whether or not they should  
32 join the Conval Coalition. The Conval School District and other communities have filed  
33 litigation against the State regarding education funding that they have not been entirely funding.  
34 • Welcoming Lebanon Ordinance: All agencies of the City have signed the required agreements to  
35 receive City funding with the exception of Tri-County Cap (felt this would jeopardize their  
36 Federal Funding) and Twin Pines Housing (felt this would jeopardize their Federal Funding). For  
37 both Tri-County CAP and Twin Pines Housing this could be a problem, particularly when it  
38 comes to block grants they may want to apply for in the City, which they will not be able to do  
39 because they would have to agree to the provisions of the Welcoming Lebanon Ordinance.  
40

41 **12. Council Representatives to Other Bodies Reports:**

42 Assistant Mayor Below updated the Council, from a LEAC perspective. Last week the Nashua Board of  
43 Alderman and the Town of Exeter Board of Selectman both voted unanimously to join the Community  
44 Power Coalition of New Hampshire. Just tonight the Dover Energy Committee unanimously voted to  
45 join the effort.

1  
2       **13. Future Agenda Items: None**

3  
4       **14. Non-Public Session: None**

5  
6       **15. Adjournment:**

7  
8       *Assistant Mayor Below MOVED for adjournment.*

9       *Seconded by Councilor Heistad.*

10  
11       **Roll Call Vote:**

12       Assistant Mayor Below, and Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Winny, Zook and  
13       Mayor McNamara all voting Yea.

14       None voted Nay.

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

16  
17       **The meeting was adjourned at 9:44 PM.**

18  
19       Respectfully submitted,

20       Dona E. Gibson

21       Recording Secretary

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**7. APPOINTMENTS:**

**APPOINTMENTS**

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Economic Development Commission, Johanna Cicotte (Citizen Representative)

**Included in this Section:**

1. Memo from City Clerk Kristin Kenniston dated May 19, 2021

# OFFICE OF THE CITY CLERK

## MEMORANDUM

**DATE:** May 19, 2021

**TO:** The Honorable Mayor & City Council

**FROM:** Kristin M. Kenniston, City Clerk

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

---

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

### **Economic Development Commission**

- **Johanna Cicotte-** Appointment as Citizen Representative to the Economic Development Commission for a two-year term.  
Interviewed by: Councilor Whittlesey  
Term (6/21 – 6/23)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [cityclerk](#); [webmaster](#)  
**Subject:** [EXTERNAL]Online Form Submission #4927 for Board Member Application  
**Date:** Monday, April 26, 2021 1:29:53 PM

---

## Board Member Application

Board Member Application

*City of Lebanon board / committee member application.*

---

### Basic Requirements

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

(Section Break)

---

|                                       |                        |
|---------------------------------------|------------------------|
| First Name                            | Johanna                |
| Last Name                             | Cicotte                |
| Physical Address                      | 47 Apple Blossom Drive |
| City                                  | West Lebanon           |
| State                                 | New Hampshire          |
| Zip Code                              | 03766                  |
| Is this your mailing address?         | Yes                    |
| Home Phone Number                     | 6033069644             |
| Work Number                           | 6034486363             |
| Email Address                         | Jcicotte1@aol.com      |
| How long have you resided in Lebanon? | 15 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?                                                     | Economic Development Commission                                                                             |
| Other Committee                                                                                                 | <i>Field not completed.</i>                                                                                 |
| Why would you like to serve?                                                                                    | I have an interest in positive economic development.                                                        |
| State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee. | I'm a local business owner with more than 40 employees and I've been involved in many development projects. |
| Certification                                                                                                   | I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.            |

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

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

## Councilor Interview Report Form

Councilor Name: Doug Whittlesey

Date of Interview: May 7, 2021

Applicant Name: Johanna Ciccote

Board(s) to Which Applied: Economic Development Commission

     Regular Seat

     Alternate Seat

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

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

Recommend Appointment:   X   Yes      No

  X   Regular Seat      Alternate Seat

General Comments: Johanna is well connect within the Upper Valley business community and has long standing business experience. I think Johanna would make a strong addition to EDC.

(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?

Listen to ideas, the changes people would like to see within the city economically and from businesses to further growth. Been in business in Lebanon for a number of years, and can use that to look at other business situations that may arise and provide a constructive point of view

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 – flexible schedule so available for any meetings, additional meetings, etc

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?

Owned businesses in Lebanon for over twenty years, over thirty years in business, overseeing large employee base over multiple locations

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, if this was needed and available

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, but would do so if needed depending on the situation

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

There are a lot of challenges; continued development of Lebanon's businesses, vacancies at our malls, what can we do differently to stimulate businesses and grow it

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

Continued growth and enhancement of the local economy, figuring out ways and recommendations to facilitate, growing housing in Lebanon, bringing in or developing more business to soften the tax impact on residents

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

More friendly business climate, some great opportunity with needed housing projects in Lebanon and vacancies

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**8. PUBLIC HEARING ITEMS:**

**8.A – ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT TO PAY FOR  
TRAFFIC IMPROVEMENTS AT THE INTERSECTION OF MOUNT SUPPORT ROAD  
AND LAHAYE DRIVE, LEBANON**

A public hearing for the purpose of receiving public input and taking action on the establishment of a Special Assessment District to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.

The City Council scheduled this public hearing at their May 5, 2021 regular meeting. The public hearing was properly noticed in the *Valley News* on May 22, 2021 in accordance with City Code and State Law. Certified Notices were mailed to all property owners within the proposed district on Thursday, May 20, 2021.

**BACKGROUND**

During the course of Planning Board review for several large development projects along Mt. Support Road in the last 12-18 months, traffic studies prepared on behalf of the applicants have highlighted that the intersection of Mt. Support Road and Lahaye Drive is approaching its operational capacity overall and that certain turning movements are already over capacity and failing from a transportation standpoint. In response, the Planning and Public Works Departments worked jointly to prepare a capital improvement project proposal to determine the improvements required to address the existing deficiencies and future operating needs at the intersection.

In December 2020, the City Council approved a capital project for the initial design and permitting phase for traffic and transportation improvements at the intersection. The source of funding for the project was to come from a Special Assessment District to be created, which would be comprised of properties that would be specially benefitted by the proposed improvements.

Pursuant to NH RSA 52-A, Special Assessment Districts are districts in which public facilities and services are to be provided and in which special assessments and charges may be levied and collected to pay for those public facilities and services. Pursuant to Chapter C419:57 of the City of Lebanon Charter, the City Council has the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the properties especially benefitted and shall so declare by resolution.

On March 30th, the Planning and Development Department hosted a Community Conversation with potentially affected property owners and provided an overview presentation of the reasons for proposing the District, the methodology for calculating each property's proportionate share, the anticipated capital improvements needed for the intersection, and the additional steps necessary to create and implement the proposed District. On May 5th, the Planning and Development Department provided a similar presentation to the City Council.

## **ACTION**

*Should the Council decide to establish the Special Assessment District as proposed, the following three (3) resolutions are offered for consideration:*

### **RESOLUTIONS:**

#### **1. INITIATION OF SPECIAL ASSESSMENT DISTRICT PROCESS**

***FOR THE PURPOSE OF initiating the process to create a Special Assessment District under Chapter 147 of the City Code to propose that the expense of design and permitting of traffic and transportation improvements in and near the intersection of Mt. Support Road and Lahaye Drive in the Mount Support Road Special Assessment District shall be paid in whole by a special assessment levied upon the properties which shall receive such special benefit.***

***NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that on May 5, 2021, the City Manager and the Planning and Development Department presented plans, specifications, and estimated costs for the proposed public improvements, and prepared a special assessment list containing all properties on which the special assessment is to be levied, and informed the City Council as to the completion of such actions, for the purpose of enabling the Council to schedule a public hearing on the proposal.***

#### **2. ESTABLISHMENT OF MOUNT SUPPORT ROAD SPECIAL ASSESSMENT DISTRICT**

***FOR THE PURPOSE OF declaring that the expense of design and permitting of traffic and transportation improvements in and near the intersection of Mt. Support Road and Lahaye Drive in the Mount Support Road Special Assessment District shall be paid in whole by a special assessment levied upon the properties which shall receive such special benefit.***

***WHEREAS, plans, specifications and estimated costs of the proposed public improvement have been obtained or estimated and such documents and information have been made available for public inspection; and***

***WHEREAS, a public hearing upon the proposal was held on June 2, 2021, following proper notice to the public and to all owners of property to be part of the Special Assessment District.***

***NOW THEREFORE BE IT RESOLVED, that a Special Assessment District to be known as the "Mount Support Road Special Assessment District" is herewith established for the purpose of funding the design and permitting of traffic and transportation improvements in and near the intersection of Mt. Support Road and Lahaye Drive, such District to be comprised of the following properties upon which a special assessment will be levied:***

|                                         |                                                  |
|-----------------------------------------|--------------------------------------------------|
| <b><i>Map 10, Lot 8</i></b>             | <b><i>Dartmouth Hitchcock Medical Center</i></b> |
| <b><i>Map 10, Lot 8, Plot 100</i></b>   | <b><i>Dartmouth Hitchcock Medical Center</i></b> |
| <b><i>Map 10, Lot 8, Plot 300</i></b>   | <b><i>Dartmouth Hitchcock Medical Center</i></b> |
| <b><i>Map 10, Lot 8, Plot 200</i></b>   | <b><i>Mary Hitchcock Memorial Hospital</i></b>   |
| <b><i>Map 10, Lot 8, Plot 70100</i></b> | <b><i>Mary Hitchcock Memorial Hospital</i></b>   |
| <b><i>Map 10, Lot 21</i></b>            | <b><i>Mary Hitchcock Memorial Hospital</i></b>   |
| <b><i>Map 10, Lot 22</i></b>            | <b><i>Mary Hitchcock Memorial Hospital</i></b>   |
| <b><i>Map 10, Lot 23</i></b>            | <b><i>Mary Hitchcock Memorial Hospital</i></b>   |

|                                  |                                             |
|----------------------------------|---------------------------------------------|
| <b>Map 10, Lot 25</b>            | <b>Mary Hitchcock Memorial Hospital</b>     |
| <b>Map 24, Lot 6</b>             | <b>Mary Hitchcock Memorial Hospital</b>     |
| <b>Map 10, Lot 8, Plot 70200</b> | <b>Dartmouth College Trustees</b>           |
| <b>Map 10, Lot 24, Plot 100</b>  | <b>Dartmouth College Trustees</b>           |
| <b>Map 10, Lot 24, Plot 200</b>  | <b>Dartmouth College Trustees</b>           |
| <b>Map 24, Lot 2</b>             | <b>Dartmouth College Trustees</b>           |
| <b>Map 24, Lot 3</b>             | <b>Dartmouth College Trustees</b>           |
| <b>Map 24, Lot 4</b>             | <b>Dartmouth College Trustees</b>           |
| <b>Map 24, Lot 8</b>             | <b>Dartmouth College Trustees</b>           |
| <b>Map 24, Lot 1</b>             | <b>Alfred P. &amp; Lorelee S. West, Jr.</b> |
| <b>Map 24, Lot 11</b>            | <b>Audubon Timberwood, LLC</b>              |
| <b>Map 10, Lot 6, Plot 200</b>   | <b>David's House, Inc.</b>                  |
| <b>Map 10, Lot 6, Plot 100</b>   | <b>Northern NE Tele Oper, LLC</b>           |
| <b>Map 24, Lot 10</b>            | <b>Pat Lumber Jack, Inc.</b>                |
| <b>Map 24, Lot 9</b>             | <b>Sylvia D. Lahaye Estate</b>              |
| <b>Map 24, Lot 7</b>             | <b>Upper Valley Supportive</b>              |

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the basis for the assessment among the properties within the District shall be the proportionate share of traffic passing through the Mt. Support Road/Lahaye Drive intersection generated from each property within the District as determined by traffic studies, including the Traffic Impact and Access Study submitted for the Dartmouth Hitchcock Medical Center Expansion, prepared by VHB, dated November 2019; the Traffic Impact Assessment for the Dartmouth College/Michael's Student Living residential development, prepared by VHB, dated February 7, 2020; the Traffic Impact Assessment for Saxon Partners (The Marek at Lebanon, NH) residential development, prepared by VHB, dated February 28, 2020; and the Traffic Impact Study for Ivy Commons (now known as Timberwood Commons), prepared by RSG, dated July 2007; as well as trip generation information published by the Institute of Transportation Engineers (ITE). The methodology and calculations for each property's proportionate share shall be consistent with the plan that was presented to the Lebanon City Council on May 5, 2021 by the Planning and Development Department, including the proportionate share attributable to the City of Lebanon. Such calculations shall be adjusted to reflect the prior contribution of Dartmouth-Hitchcock Medical Center in the amount of \$10,011.00 for conceptual design work for the intersection of Mt. Support Road and Lahaye Drive, which has been provided to the City to advance the proposed public improvements.

**NOW THEREFORE BE IT FURTHER RESOLVED**, that each time the Lebanon Planning Board grants final approval for new development of property within the Mount Support Road Special Assessment District, subsequent to the establishment of the District and prior to the actual expense of the proposed public improvements being fully repaid to the City, the proportionate share of traffic through the Mt. Support Road/Lahaye Drive intersection shall be recalculated using the same methodology consistent with the plan presented to the Lebanon City Council on May 5, 2021 and incorporating the projected traffic generated from such new development. The new proportionate share calculations shall be reflected in the next installment of special assessments to each property in the District and shall apply to the remaining balance of appropriated funds.

**3. TO TRANSFER THE SUM OF \$250,000 FOR DESIGN AND PERMITTING OF TRAFFIC AND TRANSPORTATION IMPROVEMENTS IN AND NEAR THE INTERSECTION OF MT. SUPPORT ROAD AND LAHAYE DRIVE IN ANTICIPATION OF FUTURE CONSTRUCTION TO BENEFIT PROPERTIES COMPRISING THE MOUNT SUPPORT ROAD SPECIAL ASSESSMENT DISTRICT; AND TO IMPOSE A SPECIAL ASSESSMENT FOR THE PROPOSED PUBLIC IMPROVEMENTS**

**FOR THE PURPOSE OF authorizing expenditures for costs in connection with the design and permitting of traffic and transportation improvements in and near the intersection of Mt. Support Road and Lahaye Drive benefiting those properties comprising the Mount Support Road Special Assessment District, with such costs consisting of, but not limited to, engineering design, permitting fees, and all other related costs; and**

**FOR THE FURTHER PURPOSE of imposing a special assessment for the proposed public improvements.**

**NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that funds be transferred in the amount of \$250,000.00 (TWO HUNDRED FIFTY THOUSAND DOLLARS), from the City's unassigned fund balance to the Mt. Support Road/Lahaye Drive Intersection capital improvement fund, supported in its entirety through a special assessment apportioned among the properties comprising the Mount Support Road Special Assessment District, including the proportionate share attributable to the City of Lebanon, with said special assessment not exceeding the actual cost of the design and permitting work voted to be paid by the special assessment.**

**NOW THEREFORE BE IT FURTHER RESOLVED that the City Manager, after completion of the design and permitting of traffic and transportation improvements in and near the intersection of Mt. Support Road and Lahaye Drive, is authorized to apportion the total actual cost including, but not limited to, engineering design, permitting fees, and all other related costs, among the properties comprising the Mount Support Road Special Assessment District, including the proportionate share attributable to the City of Lebanon, with said special assessment to be paid in 10 equal payments over a period not to exceed 5 years. Such special assessments shall be included as part of each property's semi-annual tax bill beginning with the July 2021 tax bill.**

**NOW THEREFORE BE IT FURTHER RESOLVED, that Mount Support Road Special Assessment District property owners shall have the right to pay the balance due of the special assessment (principal) in full at any time, but such payment shall not be reduced in any way for a discount or adjustment and that the special assessment shall be collected by the Tax Collector in the same manner as real estate taxes pursuant to the provisions of RSA Chapter 80.**

Included in this Section:

1. April 12, 2021 Memorandum from David Brooks, Planning & Development Director, re: Proposed Mount Support Road Special Assessment District
2. Map of Mount Support Road – Special Assessment District, dated May 19, 2021
3. Property Owner Spreadsheet for Mount Support Road – Special Assessment District, dated May 19, 2021
4. City Code Chapter 147 – Special Assessment Procedure
5. Notice of Public Hearing as Published in the May 22, 2021 Edition of the Valley News

Information available but not included in this Section:

1. [City of Lebanon Charter, Section C419:57 - Special Assessments - Council Resolutions](#)
2. [NH RSA 52-A – Special Assessment Districts](#)



## CITY OF LEBANON ~ PLANNING & DEVELOPMENT

### MEMORANDUM

**TO:** Honorable Mayor and City Councilors

**CC:** Shaun Mulholland, City Manager

**FROM:** David Brooks, Planning & Development Director

**RE:** Proposed Mt. Support Road Special Assessment District

**DATE:** April 12, 2021

---

#### **INTRODUCTION:**

During the course of Planning Board review for several large development projects along Mt. Support Road in the last 12-18 months, traffic studies prepared on behalf of the applicants have highlighted that the intersection of Mt. Support Road and Lahaye Drive is approaching its operational capacity overall and that certain turning movements are already over capacity and failing from a transportation standpoint. In response, the Planning and Public Works Departments worked jointly to prepare a capital improvement project proposal to determine what improvements are required to address the existing deficiencies and future operating needs at the intersection.

In December 2020, the City Council approved a capital project for the initial design and permitting phase for traffic and transportation improvements at the intersection. The source of funding for the project was to come from a Special Assessment District to be created, which would be comprised of properties that would be specially benefitted by the proposed improvements.

Pursuant to NH RSA 52-A, Special Assessment Districts are districts in which public facilities and services are to be provided and in which special assessments and charges may be levied and collected to pay for those public facilities and services. Pursuant to Chapter C419:57 of the City of Lebanon Charter, the City Council has the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the properties especially benefitted and shall so declare by resolution.

The Planning Department has prepared a draft map of the proposed Special Assessment District as well as a spreadsheet identifying each of the properties that would be benefitted by the infrastructure improvements and included within the proposed District.

For any such District, the City is required to calculate the proportionate share of benefits attributable to each property within the District as the basis for the special assessments. In addition, Special Assessment Districts are required to be updated as new development occurs or additional improvement plans are proposed in order to ensure that assessments remain proportionate and equitable over time.

To determine each property's initial relative share of the anticipated project costs, the Planning Department used the traffic studies prepared for the three large developments approved near and along Mt. Support Road (including the Dartmouth-Hitchcock Patient Tower Expansion, the Dartmouth College-Michael's Student Living residential development, and the Saxon Partners

residential development) as well as existing traffic counts and standard traffic projection data. The calculated percentage of all trips through the Mt. Support Road/Lahaye Drive intersection and the relative share of the anticipated project costs for the properties in the proposed district are shown on the attached spreadsheet.

On March 30th, the Planning & Development Department hosted a Community Conversation to discuss the proposed Special Assessment District for a portion of the Mt Support Road corridor. All property owners within the proposed District were notified and invited to attend the Community Conversation, during which the Planning staff provided an overview of the reasons for proposing the District, the methodology for calculating each property's proportionate share, the anticipated capital improvements needed for the intersection, and the additional steps necessary to create and implement the proposed District. The Community Conversation was conducted remotely via Microsoft Teams and a recording of the presentation and subsequent discussion is available for viewing on the City's website.

On May 5th, the Planning & Development Department will provide a similar presentation for the City Council to give an overview of the proposed Special Assessment District and request that the City Council schedule a public hearing to receive additional public input on the proposal before taking action.

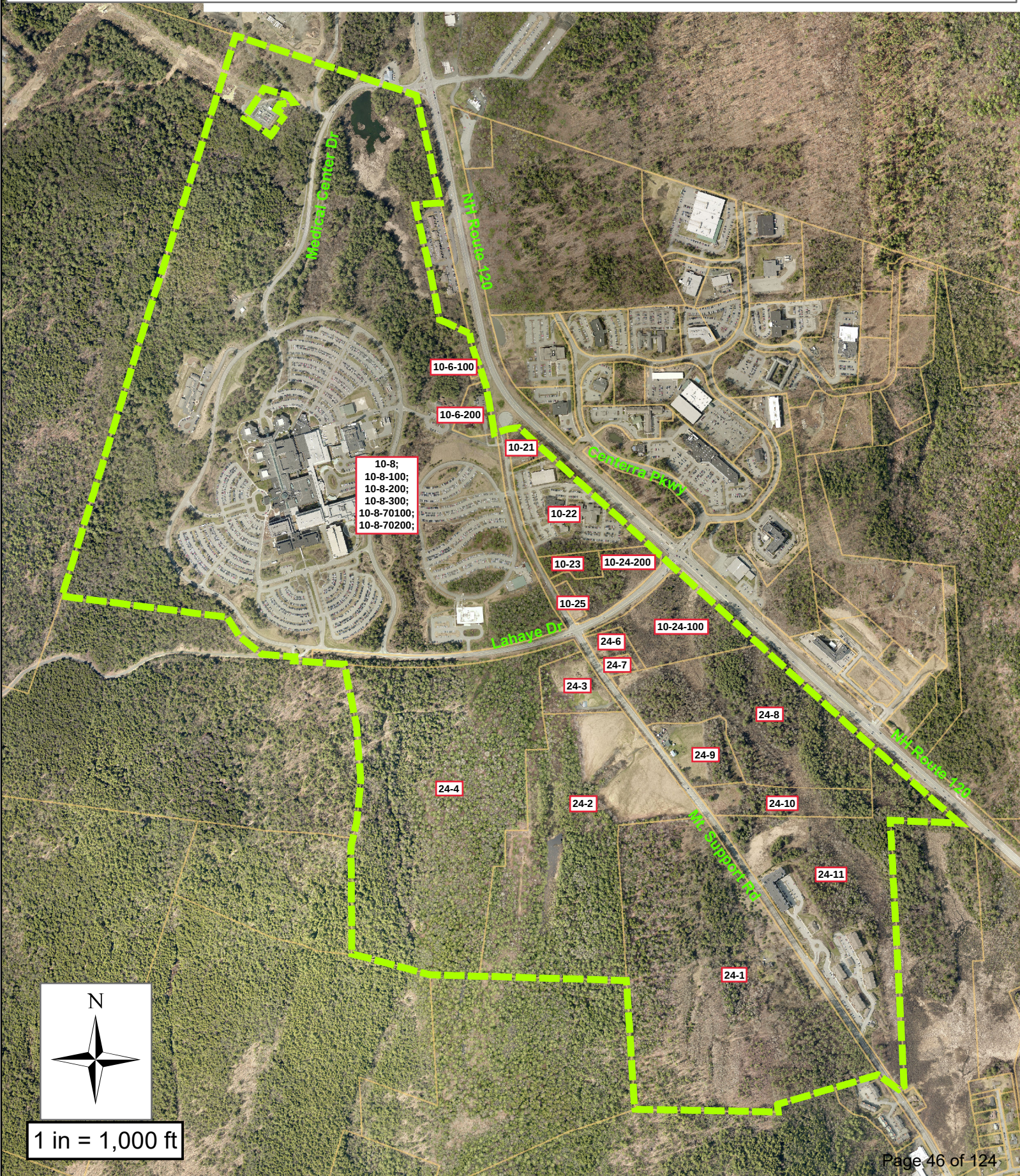
**RECOMMENDATION:**

Staff recommends that the City Council schedule and hold a public hearing to receive public input on the proposed creation of a Special Assessment District to fund necessary capital improvements at and near the intersection of Mt. Support Road and Lahaye Drive.

Following the public hearing, the City Council will make a determination as to whether to establish the proposed Special Assessment District.

# Mount Support Road - Special Assessment District

May 19, 2021



| ID         | Owner Name                     | Owner Address               | Owner City      | Owner State | Owner Zip  | Existing Land Use                | % All Trips   | Design Phase of Intersection Improvements (\$250,000) | Spec. Assessment amount for Design Phase Costs (5 year payback @ 2 bills/yr) |
|------------|--------------------------------|-----------------------------|-----------------|-------------|------------|----------------------------------|---------------|-------------------------------------------------------|------------------------------------------------------------------------------|
| 10-8-200   | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Medical Center/Hospital          | 83.593%       | \$208,982.62                                          | \$20,898.26                                                                  |
| 10-8-100   | DARTMOUTH HITCHCOCK MEDICAL CE | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Medical Center/Undev. Land Area  | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-8-300   | DARTMOUTH HITCHCOCK MEDICAL CE | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Medical Center/Dev.Land Area     | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-8-70200 | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Medical Center/Geisel School     | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-8       | DARTMOUTH HITCHCOCK MEDICAL CE | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Medical Center/Food Court        | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-8-70100 | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Medical Center/Childcare Ctr     | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-22      | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Medical Center/Office            | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 24-2       | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Multi-Family (under const.)      | 3.803%        | \$9,506.39                                            | \$950.64                                                                     |
| 24-1       | WEST JR, ALFRED P & LORALEE S  | 12 GREENBRIAR LN            | PAOLI           | PA          | 19301      | Multi-Family (approved)          | 3.002%        | \$7,505.11                                            | \$750.51                                                                     |
| 24-11      | AUDUBON TIMBERWOOD, LLC        | 715 BOYLSTON ST, FL 4       | BOSTON          | MA          | 02116      | Multi-Family                     | 1.486%        | \$3,715.31                                            | \$371.53                                                                     |
| 10-6-200   | DAVIDS HOUSE INC               | 461 MOUNT SUPPORT RD        | LEBANON         | NH          | 03766      | Hospice / Inn                    | 0.482%        | \$1,204.56                                            | \$120.46                                                                     |
| 24-7       | UPPER VALLEY SUPPORTIVE        | 226 HOLIDAY DR, STE 20      | WHITE RIVER JCT | VT          | 05001      | Multi-Family (4 units)           | 0.091%        | \$228.54                                              | \$22.85                                                                      |
| 24-3       | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Single Family                    | 0.046%        | \$114.27                                              | \$11.43                                                                      |
| 24-9       | LAHAYE EST, SYLVIA D TTEE      | 402 MOUNT SUPPORT RD        | LEBANON         | NH          | 03766      | Single Family                    | 0.046%        | \$114.27                                              | \$11.43                                                                      |
| 10-6-100   | NORTHERN NE TELE OPER LLC      | 770 ELM ST, TAX DEPT 2ND FL | MANCHESTER      | NH          | 03101      | Unstaffed Telephone Bldg         | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-24-100  | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-24-200  | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 24-4       | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 24-8       | DARTMOUTH COLLEGE TRUSTEES     | PO BOX 5188                 | HANOVER         | NH          | 03755      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-21      | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-23      | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 10-25      | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 24-6       | MARY HITCHCOCK MEM HOSPITAL    | ONE MEDICAL CENTER DR       | LEBANON         | NH          | 03756      | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
| 24-10      | PAT LUMBER JACK, INC           | 109 CARRIAGE LN             | CONTOOCOOK      | NH          | 03229-3302 | Vacant                           | 0.0%          | \$0.00                                                | \$0.00                                                                       |
|            | CITY OF LEBANON SHARE          |                             |                 |             |            | Background Growth / Other Dev'ts | 7.452%        | \$18,628.93                                           | \$1,862.89                                                                   |
|            |                                |                             |                 |             |            |                                  | <b>100.0%</b> | <b>\$250,000.00</b>                                   | <b>\$25,000.00</b>                                                           |

## **Chapter 147**

### **SPECIAL ASSESSMENT PROCEDURE**

#### **GENERAL REFERENCES**

**Sanitary sewerage construction costs — See    Water investment fee — See Ch. 68, Art. I.  
Ch. 123, Art. XVII, § 123-108.**

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#### **§ 147-1. Purpose.**

The Council is required by § C419:58 of the City Charter to prescribe by general ordinance the complete special assessment procedure. The purpose of this chapter is to comply with that requirement.

#### **§ 147-2. Procedure in chapter to be followed.**

Whenever a special assessment is proposed to pay the expense, in whole or in part, of any public improvement pursuant to § C419:57 of the Charter, the procedure as set forth in this chapter shall be followed.

#### **§ 147-3. Resolution of Council.**

The City Council shall, by resolution, declare that the expense of a specifically described public improvement shall be paid in whole or in part by a special assessment upon the properties which receive special benefit. The resolution shall direct the Manager to obtain the plans, specifications and estimated costs of such public improvement for the purpose of scheduling of a public hearing and acting thereon. The resolution shall also direct the Manager to complete a special assessment roll containing all properties on which the special assessment is to be levied.

#### **§ 147-4. Certification of Manager; scheduling of public hearing.**

Upon certification from the Manager to the Council that the plans, specifications, estimate of costs and special assessment roll have been completed, the Council shall schedule a public hearing upon the proposed special assessment.

#### **§ 147-5. Notice of public hearing.**

Upon scheduling the public hearing for the proposed special assessment, the Council shall cause notice to be served as follows: The notice shall be set forth the day, date, time and place of the public hearing and shall contain a description of the specific public improvement for which the special assessment is proposed. The notice shall also state where, and during what hours, a copy of the plans, specifications, estimates of costs and special assessment roll may be reviewed and examined by any person. At least 10 clear days prior to the public hearing, such notice shall be sent by certified

mail to each property owner on the special assessment roll and published in a daily newspaper of general circulation in the city. For the purpose of this chapter, the term "10 clear days" shall not include the day the notice is mailed and published nor the day of the public hearing.

**§ 147-6. Public hearing and Council action.**

- A. At the public hearing before the Council, the Manager or his/her designee shall present the plans, specifications and estimate of costs of the specific public improvement, together with the list of properties on the special assessment roll. A recommendation shall be made to the Council as to the amount and terms of the special assessment and the basis for the special assessment for the properties on the assessment roll. The Council shall receive such information and comments from the public as it deems necessary and appropriate.
- B. After the close of the public hearing, the Council shall, by resolution, take appropriate action upon the requested special assessment, including the estimated costs, the specific plans and specifications, the property owners included on the special assessment roll and the amount and allocation of the special assessment.

**§ 147-7. Lien.**

All special assessments made pursuant to this chapter shall create a lien upon the properties listed on the special assessment roll in the same manner and to the same extent as real estate taxes.

**§ 147-8. Collection of special assessments and execution of liens.**

Special assessments made in accordance with this chapter shall be collected by the Tax Collector in the same manner as real estate taxes pursuant to the provisions of RSA Chapter 80. The Tax Collector shall have all the rights and remedies and be subject to the liabilities provided in RSA Chapter 80 relative to the collection of real estate taxes. All liens for special assessments made under this chapter shall be executed according to the provisions of RSA 80:85 - 80:86.

**§ 147-9. Payment of special assessment.**

All persons owning land subject to a special assessment made pursuant to this chapter shall be liable to pay the amount of the assessment to the city in the same manner as real estate taxes.

**§ 147-10. Failure to pay assessment; tax lien.**

The real estate of any person liable for a special assessment who does not pay such assessment on or before December 1 shall be subject to the tax lien procedure.

**§ 147-11. Abatement procedure.**

The City Council may abate any assessment upon receipt of an application for abatement from the owner of the land subject to such assessment. The following procedure shall apply to such abatement:

- A. The Mayor shall appoint a committee consisting of two members of the Council, the City Manager and the Tax Assessor, who will review the application for the abatement. The committee shall make a written report to the Council, together with recommendations. If the payment of the special assessment constitutes a financial hardship, the committee may consider establishing an installment payment schedule so long as the lien for the special assessment is not adversely affected.
- B. Any person aggrieved by a decision of the City Council as to an application for an abatement may appeal to the Superior Court as provided by law.

May 25, 2021



**LEBANON CITY COUNCIL  
NOTICE OF PUBLIC HEARINGS  
Wednesday, June 2, 2021 - 7:00pm  
REMOTE VIA WEBEX  
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on June 2, 2021, beginning at 7:00pm for the following:

- A. SPECIAL ASSESSMENT DISTRICT MOUNT SUPPORT ROAD/LAHAYE DRIVE – A public hearing for the purpose of receiving public input and taking action to establish a special assessment district to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.
- B. SUPPLEMENTAL APPROPRIATION LEBANON RUSTY BERRINGS SKATEPARK - A public hearing for the purpose of receiving public input and taking action to appropriate \$15,000 for final phase improvements at Lebanon Rusty Berrings Skatepark; and to authorize disbursement of \$15,000 in Recreation Arts & Parks Impact Fees as the means to pay for the work.
- C. ACCEPTANCE OF DEDICATION OF SEGMENT OF AIRPARK ROAD – A public hearing for the purpose of receiving public input and taking action to accept a dedication of a segment of Airpark Road originally dedicated in 1983 and constructed in approximately 2007.
- D. POTENTIAL RESCISSION OF OR AMENDMENT TO EMERGENCY ORDINANCE 2020-11, FACE MASKS – A public hearing for the purpose of receiving public input and taking action on the potential rescission of or amendment to Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

The June 2, 2021 City Council agenda package will be available on the City's website beginning May 28, 2021 and documents pertaining to the above-described public hearings can be reviewed online at [LebanonNH.gov/Agendas](http://LebanonNH.gov/Agendas)

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Webex. Members of the public are encouraged to attend by going to [LebanonNH.gov/Live](http://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 Webex software or by phone. Please visit [LebanonNH.gov/Live](http://LebanonNH.gov/Live) for full details.

NE-360361

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, May 22, 2021.

Kristin M. Kenniston, City Clerk

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**8. PUBLIC HEARING ITEMS:**

**8.B – SUPPLEMENTAL APPROPRIATION FOR FINAL PHASE IMPROVEMENTS  
AT LEBANON RUSTY BERRINGS SKATEPARK**

A public hearing for the purpose of receiving public input and taking action to appropriate \$15,000 for final phase improvements to Lebanon Rusty Berrings Skatepark; and to authorize disbursement of \$15,000 in Recreation Arts & Parks Impact Fees as the means to pay for the work.

The City Council scheduled this public hearing at their May 5, 2021 regular meeting. The public hearing was properly noticed in the *Valley News* on May 22, 2021 in accordance with City Code and State Law.

**BACKGROUND**

Phased improvements to the Lebanon Rusty Berrings Skatepark have been ongoing since 2017 as part of the Skatepark Redevelopment Capital Improvement Project. Final phases of the planned improvements are underway and include adding a transition into the park from the parking lot, removing prefabricated concrete retaining wall blocks and replacing them with a skateable retaining wall, adding some retaining walls around some Phase II features (currently experiencing erosion), and landscaping around new features. The total cost for the final phase improvements is \$70,000.

Friends of Lebanon Recreation are financing \$55,000 of the total cost, leaving a balance of \$15,000 to complete the project. Ample funds exist in the Recreation Arts & Parks Impact Fee account which Administration is requesting be utilized to fund the \$15,000 balance.

As this is an appropriation after the adoption of the 2021 Municipal Budget, Council action is required. Transfer of existing funds from the Recreation Arts & Parks Impact Fee account to the Skatepark Redevelopment Capital Improvement Project will have no adverse impacts on the tax rate.

**ACTION**

*The following resolution is offered for consideration:*

***RESOLVED, by the City of Lebanon, that funds, in the amount of \$15,000 (Fifteen Thousand Dollars), be appropriated for expenditure from the Capital Improvements Fund for final phase improvements at Lebanon Rusty Berrings Skatepark to be paid for by Recreation Arts & Parks Impact Fees.***

***BE IT FURTHER RESOLVED, by the City of Lebanon, that funds, in an amount not to exceed \$15,000 (Fifteen Thousand Dollars), be disbursed from the Recreation Arts & Parks Impact Fees Fund to the Skatepark Redevelopment Capital Improvement Project for the purpose of financing final phase improvements at Lebanon Rusty Berrings Skatepark.***

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

Included in this Section:

1. April 26, 2021 memo from Paul Coats, Recreation Arts & Parks Director re: Authorization for disbursement of impact fee funds for Skatepark Final Phase Improvements
2. Notice of Public Hearing as Published in the May 22, 2021 Edition of the *Valley News*

May 25, 2021



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- C. ACCEPTANCE OF DEDICATION OF SEGMENT OF AIRPARK ROAD – A public hearing for the purpose of receiving public input and taking action to accept a dedication of a segment of Airpark Road originally dedicated in 1983 and constructed in approximately 2007.
- D. POTENTIAL RESCISSION OF OR AMENDMENT TO EMERGENCY ORDINANCE 2020-11, FACE MASKS – A public hearing for the purpose of receiving public input and taking action on the potential rescission of or amendment to Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

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NE-360361

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Kristin M. Kenniston, City Clerk

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**8. PUBLIC HEARING ITEMS:**

**8.C – ACCEPTANCE OF DEDICATION OF EXISTING SEGMENT OF**

**AIRPARK ROAD**

A public hearing for the purpose of receiving public input and taking action to accept a dedication of a segment of Airpark Road originally dedicated in 1983 and constructed in approximately 2007.

The City Council scheduled this public hearing at their May 19, 2021 regular meeting. The public hearing was properly noticed in the *Valley News* on May 22, 2021, in accordance with City Code and State Law.

**BACKGROUND**

The City Council is requested to accept the dedication of an existing segment of Airpark Road, originally dedicated in 1983 and constructed in approximately 2007 to provide access to the Magic Bird facility (now Big Green Aviation). This segment of right-of-way extends from the intersection of Commerce Avenue to the northern boundary of the Airport TIF parcel and is shown on a plan approved by the Planning Board and recorded in the Grafton County Registry of Deeds as Plan #2039 (attached). While the dedication occurred in 1983, there is no indication that the Council ever accepted the dedication.

Please see attached memo from Planning & Development Director David Brooks for more information.

**ACTION**

*The following motion is offered for consideration:*

***MOVED, that the Lebanon City Council hereby accepts dedication of a segment of Airpark Road, constructed in approximately 2007, and shown on a plan titled "Subdivision Plan of Land in Lebanon, New Hampshire," prepared by Hoyle, Tanner & Associates, Inc., dated June 1978, and recorded in the Grafton County Registry of Deeds on September 30, 1983 as Plan #2039.***

**Included in this Section:**

1. March 31, 2021 Memorandum from Planning & Development Director David Brooks
2. Notice of Public Hearing as Published in the May 22, 2021 Edition of the *Valley News*



## CITY OF LEBANON ~ PLANNING & DEVELOPMENT

### MEMORANDUM

**TO:** Lebanon City Council

**CC:** Shaun Mulholland, City Manager  
Jim Donison, Public Works Director  
Carl Gross, Airport Manager

**FROM:** David Brooks, Planning & Development Director

**RE:** Acceptance and Layout of Extension of Airpark Road for Airport TIF District

**DATE:** March 31, 2021

---

Honorable Mayor and City Councilors,

On November 6, 2019, the City Council voted unanimously to establish the Lebanon Airport-Tech Park Tax Increment Finance (TIF) District on lands adjacent to the airport. The Council subsequently approved funding for the initial design and permitting for a roadway and utility infrastructure to serve the TIF District. The design phase is complete and applicable permits have been or are being obtained.

The infrastructure improvements have been designed for construction in two phases to allow the City to make the minimum upfront investment necessary to provide access to the property and to enable development of the first 2 building sites on the City's Airport TIF District property (Map/Lot 159-4). The first phase of construction will also provide access to developable land on the east side of the Upper Valley Tech Park, LLC property (Map/Lot 131-3), which is also part of the TIF District. After development begins to occur and a tax increment is generated, the City could elect to construct the remainder of the roadway and utilities to open up 2-3 additional building sites on the City property.

For Fiscal Year 2021, the Council approved a capital project to construct the first phase of improvements, including approximately 850 linear feet of roadway and utilities. The Department of Public Works has assumed project management for the construction phase of the effort. The project has been advertised and construction bids were received on March 18, 2021. Construction is anticipated to commence this Summer and be complete by Fall 2021.

To formally enable construction of the new roadway (see the purple shaded area on Figure 1 below), the City Council must first receive and act upon a petition, in accordance with RSA 231:8, to "lay out" a road, which has not previously been shown on the City's official street map and does not appear on any subdivision plat previously-approved by the Planning Board. The City received a petition to layout the road on March 31, 2020. Pursuant to RSA 674:40, III, before the City Council can vote to locate and construct the roadway, the proposed road layout must first be submitted to the Planning Board for review, which will occur on April 12th. If the Planning Board approves the road layout, the City Council may then approve the location and construction of the roadway by simple majority. If the Planning Board disapproves of the road layout, then a two-thirds majority of the City Council is required to approve the location and construction.



Fig. 1 – Extension of Airpark Road

In addition to laying out the new road segment on the Airport TIF property, the City Council must also accept the dedication of an existing segment of Airpark Road from the intersection of Commerce Avenue to the northern boundary of the Airport TIF parcel (see the green shaded area on Figure 1 above). This segment of right-of-way is shown on a plan approved by the Planning Board and recorded in the Grafton County Registry of Deeds on September 30, 1983 as Plan #2039. However, there is no indication that the City Council ever previously accepted the dedication of Airpark Road south of Commerce Ave since that segment of roadway was not initially constructed in the 1980s with the remaining roads in the Airport Phase 1 Business Park.

This segment of Airpark Road was constructed in approximately 2007 to provide access to the Big Green Aviation facility (formerly Magic Bird on Map/Lot 131-1-100) and in conjunction with the City's project to construct the Executive Ramp and "T" hangars at the Lebanon Airport. Since this segment of roadway is already shown on a plan approved by the Planning Board and recorded in the Registry of Deeds, the City Council only needs to accept the dedication that occurred with the recording of the plat in 1983.

On April 7th, the City Council will discuss the extension of Airpark Road and will be asked to schedule a public hearing for the acceptance of the existing road segment and the layout of the new road segment to serve the Airport TIF District. In addition, in accordance with the statutory

layout process, RSA 231:11 requires the City Council to make a “personal examination” of the proposed new road layout. Staff recommends that the Council hold a public meeting at the Airport site prior to the public hearing (on the same day, if possible) to view the proposed road location, which would allow the Council to proceed directly to a final vote at the end of the public hearing if so desired.

Planning staff will be on hand on April 7th to provide an overview and answer any questions.

enc. Road Layout Plan  
excerpt of design plans



May 25, 2021



**LEBANON CITY COUNCIL  
NOTICE OF PUBLIC HEARINGS  
Wednesday, June 2, 2021 - 7:00pm  
REMOTE VIA WEBEX  
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on June 2, 2021, beginning at 7:00pm for the following:

- A. **SPECIAL ASSESSMENT DISTRICT MOUNT SUPPORT ROAD/LAHAYE DRIVE** – A public hearing for the purpose of receiving public input and taking action to establish a special assessment district to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.
- B. **SUPPLEMENTAL APPROPRIATION LEBANON RUSTY BERRINGS SKATEPARK** - A public hearing for the purpose of receiving public input and taking action to appropriate \$15,000 for final phase improvements at Lebanon Rusty Berrings Skatepark; and to authorize disbursement of \$15,000 in Recreation Arts & Parks Impact Fees as the means to pay for the work.
- C. **ACCEPTANCE OF DEDICATION OF SEGMENT OF AIRPARK ROAD** – A public hearing for the purpose of receiving public input and taking action to accept a dedication of a segment of Airpark Road originally dedicated in 1983 and constructed in approximately 2007.
- D. **POTENTIAL RESCISSION OF OR AMENDMENT TO EMERGENCY ORDINANCE 2020-11, FACE MASKS** – A public hearing for the purpose of receiving public input and taking action on the potential rescission of or amendment to Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

The June 2, 2021 City Council agenda package will be available on the City's website beginning May 28, 2021 and documents pertaining to the above-described public hearings can be reviewed online at [LebanonNH.gov/Agendas](http://LebanonNH.gov/Agendas)

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Webex. Members of the public are encouraged to attend by going to [LebanonNH.gov/Live](http://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 Webex software or by phone. Please visit [LebanonNH.gov/Live](http://LebanonNH.gov/Live) for full details.

NE-360361

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, May 22, 2021.

A handwritten signature in black ink, appearing to read "Kristin M. Kenniston".

Kristin M. Kenniston, City Clerk

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**8. PUBLIC HEARING ITEMS:**

**8.D – RESCISSION OF OR AMENDMENT TO  
EMERGENCY ORDINANCE 2020-11 - FACE MASKS**

A public hearing for the purpose of receiving public input and taking action on the potential rescission of or amendment to Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

The City Council scheduled this public hearing at their May 19, 2021 regular meeting. The public hearing was properly noticed in the *Valley News* on May 22, 2021, in accordance with City Code and State Law.

**BACKGROUND**

On August 12, 2020, the City Council adopted Emergency Ordinance 2020-11 relative to requirements of wearing face masks under certain circumstances. The City Manager, in cooperation with the Health Officer and Emergency Management Director, made recommendations to the Council to implement the provisions of 2020-11 due to the impacts of the COVID-19 virus. The ordinance itself details the reasons for implementation of the face mask requirements.

At the May 5, 2021 City Council meeting, the Council was presented with recommendations from the City Manager to:

1. Schedule a public hearing to rescind Emergency Ordinance 2020-11, but not effectuate the rescission until June 30, 2021; and
2. Determine whether the public health situation requires the wearing of face masks through an Emergency Order under the policing powers of the City or whether public health warnings and recommendations are adequate to mitigate the impacts of COVID-19.

At the May 19, 2021 City Council meeting, the Council discussed potential evaluation criteria to be utilized when considering rescission of or amendment to Ordinance 2020-11 and scheduled this public hearing to gather public input in advance of making a decision.

For purposes of discussion, the following data was retrieved from the COVID-19 NH.gov Dashboard (<https://www.covid19.nh.gov/dashboard>). Data is current as of Tuesday, May 25, 2021:

## RATES OF INFECTION: (As of 5/26/2021)

PHN: **Upper Valley**

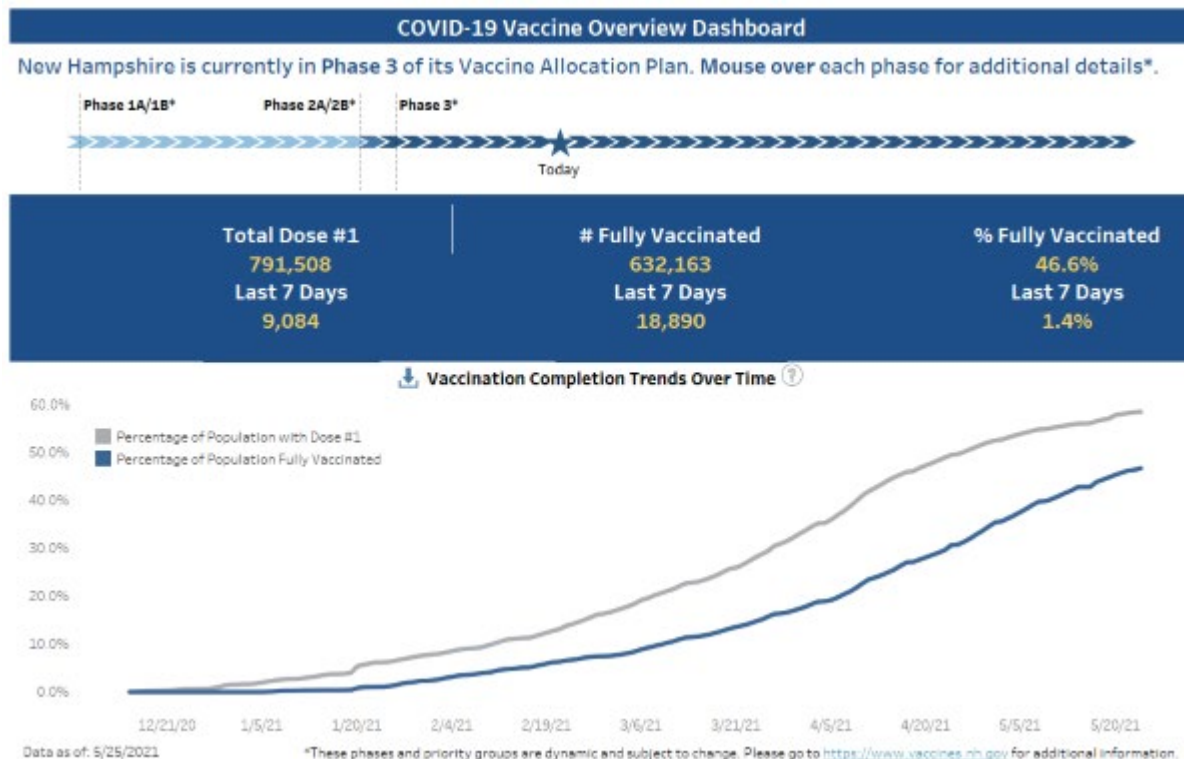
Rate of New Cases per 100k Population (Last 14 Days): **89.5**



New Cases in the Upper Valley (Last 14 Days): **40**

New Cases in Lebanon (Last 14 Days): **15**

## STATEWIDE RATE OF VACCINATIONS: (As of 5/25/2021)



## ACTION

*Action by the Council, if any, will be determined at the close of the public hearing.*

Included in this Section:

1. Emergency Ordinance 2020-11, Face Masks
2. Objective Goals in New Hampshire for Continued COVID-19 Mask Wearing (Released by the NH Medical Society April 21, 2021)
3. May 17, 2021 NH Division of Public Health Services Recommendations for People Who Are Fully Vaccinated When Around Others from Outside the Household
4. May 18, 2021 Email from James Potter, Executive Vice President/CEO, NH Medical Society re: NHMS Mask Goal
5. May 19, 2021 Information from Michael Calderwood, DHMC Chief Quality Officer re: Masking at DHMC
6. Notice of Public Hearing as Published in the May 22, 2021 Edition of the *Valley News*

Information available but not included in this section:

1. [May 5, 2021 City Council Regular Session Agenda](#)
2. State of NH COVID-19 Response Website <https://www.covid19.nh.gov/dashboard>

## **EMERGENCY ORDINANCE 2020-11 FACE MASKS**

**FOR THE PURPOSE OF** reducing the risk of the spread of the COVID-19 virus; reducing the potential shutdown of the local economy and the negative impacts associated with such a shutdown; and potentially reducing the need for hospitalization and the number of fatalities, the City of Lebanon ordains as follows:

**WHEREAS**, a primary function of municipal government is the health and safety of those persons residing within or entering into it; and

**WHEREAS**, infectious diseases are caused by germs, such as viruses, bacteria, and parasites. COVID-19 is a viral illness that has the ability to be spread from person to person very easily through respiratory droplets. Public Health Officials have determined that it is well established that an individual infected with COVID-19 can transmit the disease whether or not they are exhibiting any symptoms; and

**WHEREAS**, on January 23, 2020, the World Health Organization declared a Public Health Emergency of International Concern and the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and

**WHEREAS**, on March 11, 2020 the World Health Organization declared COVID-19 a pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a National Emergency under the federal Stafford Act due to the spread of COVID-19; and

**WHEREAS**, on March 13, 2020, the Governor of the State of New Hampshire declared a state of emergency exists due to the impacts of the COVID-19 pandemic; and

**WHEREAS**, the top officials of the World Health Organization, the Centers for Disease Control, the National Institute of Health and the New Hampshire Department of Health and Human Services (NH DHHS) Division of Public Health have all determined that COVID-19 is most commonly spread from an infected person to others through the dispersion of respiratory droplets, including:

1. Through the air by coughing or sneezing;
2. Close personal contact, such as touching or shaking hands;
3. Touching an object or surface with the virus on it, then touching mouth, nose, or eyes before washing of hands.

And,

**WHEREAS**, the CDC has determined that COVID-19 may also be spread before an infected person shows symptoms of the virus and are therefore, unaware they are infected; and

**WHEREAS**, it is clinically established that the best means of slowing the spread of a virus is through minimizing close personal contact with individuals in a public environment, social/physical distancing, covering one's mouth and nose by wearing a face covering, and utilizing frequent and proper hand washing. For optimal protection, the following key factors should be considered while wearing a face covering. The safe use of face coverings requires the wearer to maintain proper hand hygiene by hand washing frequently with either soap and water or hand sanitizer for at least 20 seconds. The wearer should prevent the spread of disease by avoiding touching their face, nose, or eyes and not touching the outside of the face coverings at all times; and

**WHEREAS**, cloth face coverings are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings as they reduce the spray of respiratory droplets, particularly when combined with social/physical distancing and other sanitary measures such as washing hands or utilizing hand sanitizer; and

**WHEREAS**, the NH DHHS Division of Public Health has found that community-based transmission of COVID-19 has been identified in all counties of the State; and

**WHEREAS**, as of August 5, 2020 there have been 696,147 deaths worldwide related to COVID-19, 156,311 in the United States, and 418 in the State of New Hampshire. As of this date worldwide there have been 18,354,342 persons infected with COVID-19, 4,748,806 in the United States, 6,693 in the State of New Hampshire and 20 in the City of Lebanon. As of this date there have been 130.1 persons hospitalized per 100,000 people due to COVID-19 in the United States, and 698 persons in the State of New Hampshire; and

**WHEREAS**, the provisions of RSA 47:17, XV provide authority to city councils to adopt By-Laws and Ordinances for the well-being of the cities. Further, RSA 147:1 allows towns to make regulations for the public health and safety of the people and RSA 47:12 vests the authority of towns to make such public health regulations to city councils; and

**WHEREAS**, the City's goal is to reduce the risk of the spread of the COVID-19 virus, and reduce the potential for additional impacts to the local economy, while also acknowledging that community mitigation measures reduce the number of fatalities and those needing hospital care.

**WHEREAS**, it has been determined that the virus which causes COVID-19 spreads very easily and sustainably between people, particularly within indoor environments with limited fresh air exchange but also amongst persons in close physical proximity who cannot adequately social distance; and

**WHEREAS**, Lebanon serves as a regional hub, visited by thousands on a daily basis traveling from other areas of the State, Nation and Internationally; and

**WHEREAS**, in September 2020, more than 2,000 college students are expected to return to the Upper Valley to resume classes, traveling to the region from across the United States and

countries around the world; and

**WHEREAS**, the CDC, NIH, the Surgeon General of the United States and NH DHHS Division of Public Health have all recommended that persons wear a face covering to reduce the risk of spreading COVID-19 when within 6 feet of other persons (along with other mitigation measures); and

**WHEREAS**, the City's Emergency Management Director and Health Officer have discussed this matter in detail and recommend the following emergency ordinance measures to the City Council for adoption; and

**WHEREAS**, COVID-19 presents a clear and present danger to the general population of Lebanon and it behooves the community for the Council to take this emergency measure requiring the wearing of face coverings in certain situations to protect the public health.

**NOW, THEREFORE** the Lebanon City Council adopts the following Emergency Public Health regulations:

1. Employees of all businesses shall wear a face covering over their mouth and nose when interacting with the public and whenever they are within six feet of a customer or any co-worker who is not a member of the same household.
2. Members of the public entering or queued to enter; remaining in or exiting from, any business, governmental or non-profit owned premises including without limitation any outdoor area where business of any sort is conducted, work site, work place, or government building, must wear a face covering, such as a fabric mask, scarf, or bandana over their nose and mouth. This requirement shall also apply to persons traveling on public transportation such as Advance Transit buses. Policies regarding face coverings in governmental buildings within the geographical boundaries of the City of Lebanon adopted by the governmental entity having jurisdiction over such buildings are hereby recognized by this ordinance and shall control in such buildings. Property owners shall have the authority to regulate the requirement to wear masks by any person, while on the premises of their property, by allowing persons to temporarily remove their masks while remaining on the premises when it is practical or becomes necessary to do so based upon the requirements of the services provided.
3. Members of the public entering or queued to enter; remaining in or exiting from a restaurant or an establishment serving alcoholic beverages for the purpose of picking up food for take-out or any other purpose must wear a face covering over their mouth and nose. Members of the public dining indoors or outdoors at a restaurant may remove face covering while seated at their table. Members of the public must wear a mask when entering, using or leaving the restroom of a restaurant.

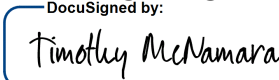
4. Residents, visitors, and members of the public entering or present at a residential or commercial building complex of greater than two (2) units must wear a face covering over their nose and mouth while in common areas and communal spaces when social distancing of at least six feet from non-household members is not practiced.
5. Members of the public utilizing the Mascoma Greenway, the Northern Rail Trail, sidewalks and other pedestrian public ways, or public recreational lands, are strongly encouraged but not required to wear a face covering to the fullest extent practicable and especially when there is a high likelihood of coming into contact with others and social distancing of at least six feet may not be possible.
6. As used herein “face covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes or exhalation air valves, that covers the nose, mouth, and surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household materials.
7. Notwithstanding the above this order does not require children under 10 years of age to wear face covering (parents should make their own judgment). Face covering is not recommended for children less than 2 years of age.
8. A face covering is also not required to be worn by any person if said person can show a medical professional has advised that wearing a face covering may pose a risk to said person for health-related reasons.
9. Any person who violates this ordinance shall be subject to a fine for the first offense in the amount of \$100, for a second offense or subsequent offense the fine shall be \$250.
10. A person may temporarily remove their mask when in a business if obtaining a service or product that requires verification of the person’s identity or age.

This ordinance shall be effective immediately upon passage and shall continue in effect until rescinded by action of the Council. Effective date August 12, 2020 at 9:00 PM.

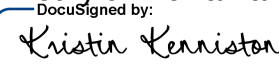
The ordinance shall be effective immediately upon passage and shall continue in effect until rescinded by action of the Council.

This Emergency Ordinance was adopted by the City Council on August 12, 2020 and is hereby authenticated by the undersigned as required by Section C419:22 of the City Charter.

CITY OF LEBANON

By:  DocuSigned by:  
E08A405E81504ED...

Timothy J. McNamara, Mayor

By:  DocuSigned by:  
73ADE3C8F5594A7...

Kristin M. Kenniston, City Clerk

Effective Date: August 12, 2020

Date of Publication of Notice of Public Hearing: July 3, 2020

Date of Public Hearing: August 12, 2020

Date of Adoption: August 12, 2020

Date of Notice of Adoption: August 22, 2020

Date of Recording of the Ordinance by the City Clerk: August 22, 2020

FOR IMMEDIATE RELEASE  
April 21, 2021

Contact: James G. Potter  
Executive Vice President/CEO  
[james.potter@nhms.org](mailto:james.potter@nhms.org) 603-224-1909

## **Objective Goals in NH for Continued COVID-19 Mask Wearing**

The New Hampshire medical community urges individuals, communities, schools and businesses to continue to follow the Centers for Disease Control and NH Division of Public Health Services guidelines that highlight the efficacy of wearing masks in slowing the community transmission of COVID-19 in New Hampshire, in conjunction with other prevention measures, until:

- 1) COVID-19 vaccination levels reach a community-wide immunity of at least 70%; and
- 2) Community spread of COVID-19 continues at a "minimal" community transmission level as displayed by county on the [NH COVID-19 data dashboards](#) – less than 50 new infections per 100,000 population over prior 14 days, along with 7-Day PCR test positivity levels below 5%.  
[NH DPHS Level of Community COVID-19 Transmission Definition](#)

These objective goals for vaccinations and community spread are intended to allow communities and businesses to make more informed, science-based decisions on masking and other policies to bring the pandemic to a close. However, there may be situations where individuals should continue to wear masks (such as large gatherings) and businesses should continue to require face masks.

In addition to getting the COVID-19 vaccine and continued wearing masks in public areas, these prevention measures also include avoiding large crowds, staying 6 feet apart from anyone outside your household who is not vaccinated, and practicing frequent hand washing.

These common-sense prevention measures are proven to reduce the risk of community transmission and are the most effective tools in the fight to end the COVID-19 pandemic, so that we can get back to doing the things we love in the Granite State.

For more information on tools and strategies to support ending the COVID-19 pandemic, visit the #MaskUpNewHampshire and #SleeveUpNH campaigns at <https://www.maskupnewhampshire.com/>, NH COVID-19 Response at <https://www.covid19.nh.gov/> and the COVID-19 Community Corps at <https://wecandothis.hhs.gov/>.

New Hampshire Medical Society  
NH Academy of Family Physicians  
NH American College of Physicians  
NH American College of Emergency Physicians  
NH American College of Obstetricians and Gynecologists  
NH Chapter of the American Academy of Pediatrics  
NH Osteopathic Association  
NH Psychiatric Society  
NH Radiology Society  
NH Society of Anesthesiologists  
NH Society of Eye Physicians and Surgeons  
NH Society of Pathologists  
NH Society of Physician Assistants

## NH Public Health Recommendations for People Who Are Fully Vaccinated When Around Others From Outside the Household

May 17, 2021

On May 13, 2021, CDC released updated [Public Health Recommendations for Fully Vaccinated People](#). The NH Division of Public Health Services (DPHS) continues to recommend that businesses and organizations implement the mitigation measures outlined in the NH [Universal Best Practices](#), including face mask use and social/physical distancing for all persons (irrespective of vaccination status) as a pandemic control measure, to protect vulnerable individuals who may not be able to be vaccinated or who might only have partial immunity from vaccination, and to protect business operations from introduction and spread of COVID-19. In settings highlighted in the chart below where small groups of fully vaccinated people are gathering, then strict social distancing and face mask use may not be necessary.

Additionally, NH DPHS (similar to CDC), continues to recommend that everybody wear face masks and physically distance in certain settings, including on public transportation, schools, healthcare settings like hospitals and long-term care facilities, correctional facilities, homeless shelters, and other settings that may be high-risk for spread of COVID-19 or where a high proportion of people may not be fully vaccinated.

**TABLE:** NH recommendations for physical distancing and face mask use for fully vaccinated people in settings where there is potential for close contact with others.

| Should I Wear a Face Mask & Physically Distance in Settings Around Other People? |          | Other Peoples' Vaccination Status                                                          |                                                                                              |
|----------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
|                                                                                  |          | All fully vaccinated                                                                       | Vaccination status unknown or not all are fully vaccinated                                   |
| Location                                                                         | Indoors  | NO*<br> | YES<br> |
|                                                                                  | Outdoors | NO*<br> | NO*<br> |

\*Unless required to by a business or organization, or a person desires maximal protection

*Note: Please note that if you are significantly immune compromised, then the recommendations above may not apply to you; please discuss your risk and protective measures with a trusted healthcare provider.*

People who are unvaccinated or only partially vaccinated against COVID-19 should continue to wear face masks and physically distance when around other people indoors, and outdoors if unable to consistently maintain 6 feet of physical separation from others.

Rationale: A fully vaccinated person is at low risk for acquiring infection and spreading to others. However, because vaccines are not 100% effective and there is still a large number of unvaccinated people, mitigation measures like physical distancing and masking still have an important role to control this pandemic. Compared with vaccination alone, [modeling studies](#) from the CDC and academic partners have shown that a combination of high vaccination rates with continued use of population-level mitigation measures (face mask use, physical distancing, etc.) will be more effective at limiting COVID-19 infections, hospitalizations, and deaths, and decrease community transmission more quickly. NH and most other states around the country continue to have a “substantial” [level of community transmission](#) of COVID-19, and a large proportion of the NH population is not yet fully vaccinated. Therefore, the next several weeks are an important time of transition to drive COVID-19 numbers lower. While we know that vaccination is highly effective at preventing COVID-19 (both asymptomatic and symptomatic disease) and limiting transmission to others, [population-level](#) mitigation measures will end the pandemic more quickly, protect the vulnerable and people unable to be vaccinated, and enable return to more normal societal functioning. Additionally, current CDC guidance is difficult for businesses and organizations to implement without developing a process to identify which people are fully vaccinated vs. not fully vaccinated. All of these considerations factored into our updated and clarified NH guidance outlined above.

NH DPHS will closely monitor COVID-19 infection rates and vaccination uptake, and will re-evaluate face mask use recommendations in the next 3-4 weeks. As vaccination rates increase and community transmission decreases, NH DPHS expects to fully implement CDC guidance by the end of June. **Therefore, it is important for people who have not yet scheduled themselves to be fully vaccinated against COVID-19 to do so now as we transition from relying on community mitigation measures to vaccination to control and end this pandemic.**

Other benefits and recommendations for people fully vaccinated outlined in the CDC guidance are consistent with current NH recommendations, including recommendations that fully vaccinated people:

- Do not need to quarantine after international travel (no persons, vaccinated or unvaccinated, are required to quarantine after domestic travel)
- Do not need to quarantine after a known exposure to another person with COVID-19
- Can be exempted from asymptomatic screening testing programs
- Can be exempted from testing after a known exposure, or after domestic travel (if they remain asymptomatic)

Fully vaccinated persons still should:

- Self-isolate and be evaluated for testing if experiencing any new or unexplained symptoms of COVID-19
- Be tested 3-5 days after international travel

**From:** James Potter <[James.Potter@nhms.org](mailto:James.Potter@nhms.org)>  
**Sent:** Tuesday, May 18, 2021 3:38 PM  
**To:** Shaun Mulholland <[Shaun.Mulholland@lebanonnh.gov](mailto:Shaun.Mulholland@lebanonnh.gov)>  
**Subject:** [EXTERNAL]RE: NHMS Mask Goal

Hi Shaun,

Given the confusion stemming from the recent CDC masking announcement for fully-vaccinated individuals, please find attached (and link below) the just-released updated fully-vaccinated guidance from the NH Division of Public Health Services which **continues to recommend that businesses and organizations implement the mitigation measures outlined in the [NH Universal Best Practices](#), including face mask use and social/physical distancing for all persons (irrespective of vaccination status)** as a pandemic control measure, to protect vulnerable individuals who may not be able to be vaccinated or who might only have partial immunity from vaccination, and to protect business operations from introduction and spread of COVID-19.

<https://www.dhhs.nh.gov/dphs/cdcs/covid19/documents/fully-vaccinated-guidance.pdf>.

As far as meeting the criteria we recommended before ending mask mandates and other preventive measures for Lebanon:

- 1) COVID-19 vaccination levels reach a community-wide immunity of at least 70%; and  
**No, State-wide full vaccination rate as of 5/16/21 at 47%, 56% with first dose administered.  
Grafton County 5/17/21 (Fully Vaccinated): 40.3% (total pop.); 44.8% (12 yo +); 47.8 (18 yo +); 81.6% (65 yo +)**
- 2) Community spread of COVID-19 continues at a "minimal" community transmission level as displayed by county on the NH COVID-19 data dashboards –
  - a) less than 50 new infections per 100,000 population over prior 14 days,  
**No, Lebanon's rate of new cases per 100K population/last 14 days = 191 (still very high, substantial community transmission)**
  - b) *along with 7-Day PCR test positivity levels below 5%*  
**No, Lebanon's rate of 7-day PCR test positivity level = 5.5%**

My recommendation would be to hold the mask mandate in place for now and revisit a month from now when vaccination rates of 12-15 year olds likely to be higher and new cases may continue to trend downward. The 65 year-old population has done well with its vaccination rate, but there is still substantial community transmission in the community that could still make this population vulnerable for break-through infections without prevention strategies in place. This is consistent with the new NH-DPHS recommendations.

The city may want to consider embarking on a local vaccination campaign in the interim and over the summer. We would be happy to assist in planning of such an effort with other stakeholders such as the Upper Valley Regional Public Health Network, DHMC and local primary care practices, and the City's public health resources.

If you need me to testify, let me know. We may be able to coordinate with NH-DPHS on more specific vaccine information for vaccination targeting efforts.

I hope this information is helpful for the Council's deliberation. Easiest way to reach me is via my mobile phone at 202-520-5809.

Jim

**James G. Potter**

Executive Vice President/CEO

*New Hampshire*  
**MEDICAL SOCIETY**

ADVOCATING FOR PHYSICIANS & PUBLIC HEALTH SINCE 1793

7 North State Street

Concord, NH 03301

(o) 603.224.1909, ext. 103

(m) 202.520.5809

(f) 603.226.2432

[www.nhms.org](http://www.nhms.org)

**Mask Up, Wash Up, Sleeve Up to Keep NH Safe & Healthy!**

**NH COVID-19 Vaccine Alliance – Tuesdays 12-1 pm**



**From:** Shaun Mulholland [<mailto:Shaun.Mulholland@lebanonnh.gov>]

**Sent:** Monday, May 17, 2021 4:41 PM

**To:** James Potter

**Subject:** NHMS Mask Goal

James

This information was sent to members of our City Council. Has this position from the NHMS changed in light of CDC and NH DPHS guidance changes that have occurred? Our City Council will be meeting on 5/19 to determine whether the City's mask ordinance should be rescinded at the end of June. Some are relying on the document from your organization which now seems to be dramatically different than federal and state guidance.

Shaun Mulholland

City Manager

City of Lebanon

51 North Park St.

Lebanon, N.H. 03766

<https://lebanonnh.gov>

May 19, 2021

Mr. Mulholland,

In response to your inquiry regarding Dartmouth-Hitchcock's position on masking, please see the following and attached from Michael Calderwood, MD, MPH, Chief Quality Officer at DHMC.

As you are no doubt aware, on May 13, 2021, the Centers for Disease Control and Prevention (CDC) updated its guidance on mask use for individuals who are fully vaccinated<sup>1</sup> ([Interim Public Health Recommendations for Fully Vaccinated People | CDC](#)). Based on this new guidance, “fully vaccinated people no longer need to wear a mask or physically distance in any setting, **except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.**”

This recommendation - that those who are fully vaccinated no longer need to wear a mask - is based on data showing that these individuals have a lower likelihood of both active infection and transmission of the virus to others. The challenge is that this policy relies on those who are not vaccinated continuing to wear masks until community spread is further reduced and/or vaccination rates cross at least 70% of the eligible U.S. population. It is important that we get all who are in higher risk professions vaccinated. This will serve to protect individuals like grocery workers and restaurant staff who are not be able to tell if someone is vaccinated or not.

On May 17, 2021, the NH Division of Public Health Services released clarifying “recommendations for people who are fully vaccinated when around others from outside the household ([fully-vaccinated-guidance.pdf \(nh.gov\)](#)).” This highlights that those who are vaccinated no longer need to wear a mask outdoors but should wear a mask indoors when the vaccination status of others is unknown.

**TABLE:** NH recommendations for physical distancing and face mask use for fully vaccinated people in settings where there is potential for close contact with others.

| Should I Wear a Face Mask & Physically Distance in Settings Around Other People? |          | Other Peoples' Vaccination Status                                                        |                                                                                            |
|----------------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
|                                                                                  |          | All fully vaccinated                                                                     | Vaccination status unknown or not all are fully vaccinated                                 |
| Location                                                                         | Indoors  | NO*<br> | YES<br> |
|                                                                                  | Outdoors | NO*<br> | NO*<br> |

\*Unless required to by a business or organization, or a person desires maximal protection

*Note: Please note that if you are significantly immune compromised, then the recommendations above may not apply to you; please discuss your risk and protective measures with a trusted healthcare provider.*

It should be noted that these recommendations apply to non-healthcare settings, with no changes at the present time to recommendations for healthcare settings ([Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination | CDC](#) and [Infection Control: Severe acute respiratory syndrome coronavirus 2 \(SARS-CoV-2\) | CDC](#)). This includes an ongoing recommendation for universal source control measures, such as face masks, in healthcare settings, regardless of vaccination. As such, D-H has written a memo to staff recently (attached) with these changes:

1. We ended the requirement that masks must be worn walking to and from parking lots when outside the building.
2. Masks may be removed when walking outside the building for exercise. It is still recommended that those who are not fully vaccinated wear a mask when walking with others from outside their household.
3. One-on-one meetings: Two fully vaccinated employees in an office or private location may remove masks if both individuals agree. If an individual does not agree, that decision should be respected and the individual should not be questioned about why they do not agree.
4. Shared offices: Two or more fully vaccinated employees who share an office may remove masks if all individuals agree. If an individual does not agree, that decision should be respected and the individual should not be questioned about why they do not agree.

**Again, Dartmouth-Hitchcock will continue to require mask use inside all facilities, without regard to vaccination status, with the exception of private offices. Our policy will continue to apply to all D-H staff, patients, visitors, and any others entering our facilities.**

For Lebanon, based on recent CDC guidance, it seems reasonable that the requirement for mask wearing outside, except in crowded environments such as outdoor concerts/farmer's market on the green, be removed. Masks are not needed while exercising outside and passing someone briefly, such as on the rail trail. Until community spread is further reduced and vaccination reaches a higher level, however, I still recommend mask wearing in indoor businesses, unless spaced from others such as while eating at a table in a restaurant. Those who are vaccinated are safe, but it is hard to know who is and is not vaccinated. In addition, those who are not vaccinated risk having more viral replication and mutations leading to novel variants that get around the immune protection from the vaccines. The choice to not get vaccinated, if eligible, puts others in the community at risk, if unvaccinated individuals choose to be out in crowded environments without a mask.

<sup>1</sup> Fully vaccinated means 14 days beyond the SECOND dose of Moderna/Pfizer vaccine or 14 days beyond the SINGLE dose of J&J vaccine.

May 25, 2021



**LEBANON CITY COUNCIL  
NOTICE OF PUBLIC HEARINGS  
Wednesday, June 2, 2021 - 7:00pm  
REMOTE VIA WEBEX  
LebanonNH.gov/LIVE**

The Lebanon City Council will hold public hearings on June 2, 2021, beginning at 7:00pm for the following:

- A. **SPECIAL ASSESSMENT DISTRICT MOUNT SUPPORT ROAD/LAHAYE DRIVE** – A public hearing for the purpose of receiving public input and taking action to establish a special assessment district to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.
- B. **SUPPLEMENTAL APPROPRIATION LEBANON RUSTY BERRINGS SKATEPARK** - A public hearing for the purpose of receiving public input and taking action to appropriate \$15,000 for final phase improvements at Lebanon Rusty Berrings Skatepark; and to authorize disbursement of \$15,000 in Recreation Arts & Parks Impact Fees as the means to pay for the work.
- C. **ACCEPTANCE OF DEDICATION OF SEGMENT OF AIRPARK ROAD** – A public hearing for the purpose of receiving public input and taking action to accept a dedication of a segment of Airpark Road originally dedicated in 1983 and constructed in approximately 2007.
- D. **POTENTIAL RESCISSION OF OR AMENDMENT TO EMERGENCY ORDINANCE 2020-11, FACE MASKS** – A public hearing for the purpose of receiving public input and taking action on the potential rescission of or amendment to Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

The June 2, 2021 City Council agenda package will be available on the City's website beginning May 28, 2021 and documents pertaining to the above-described public hearings can be reviewed online at [LebanonNH.gov/Agendas](http://LebanonNH.gov/Agendas)

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Webex. Members of the public are encouraged to attend by going to [LebanonNH.gov/Live](http://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 Webex software or by phone. Please visit [LebanonNH.gov/Live](http://LebanonNH.gov/Live) for full details.

NE-360361

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, May 22, 2021.

A handwritten signature in black ink, appearing to read "Kristin M. Kenniston".

Kristin M. Kenniston, City Clerk

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**10. NEW BUSINESS:**

**10.A – DISCUSSION WITH CONNECTICUT RIVER CONSERVANCY ABOUT  
FEDERAL ENERGY REGULATORY COMMISSION (FERC) RELICENSING  
GREAT RIVER HYDRO DAM**

**BACKGROUND**

Connecticut River Conservancy River Steward Kathy Urffer will discuss the Federal Energy Regulatory Commission (FERC) relicensing of the Great River Hydro Dam (Connecticut River – Route 10).

**ACTION**

*No action is required. Item is for informational purposes only.*

**Included in this Section:**

1. PowerPoint Presentation: Connecticut River Conservancy – Hydropower in NH & VT: Three dams, two states, one better deal for rivers!
2. May 23, 2021 Article by Li Shen “Will Relicensing of Three Hydroelectricity Dams Help With River Bank Collapse and Fish Passage?”

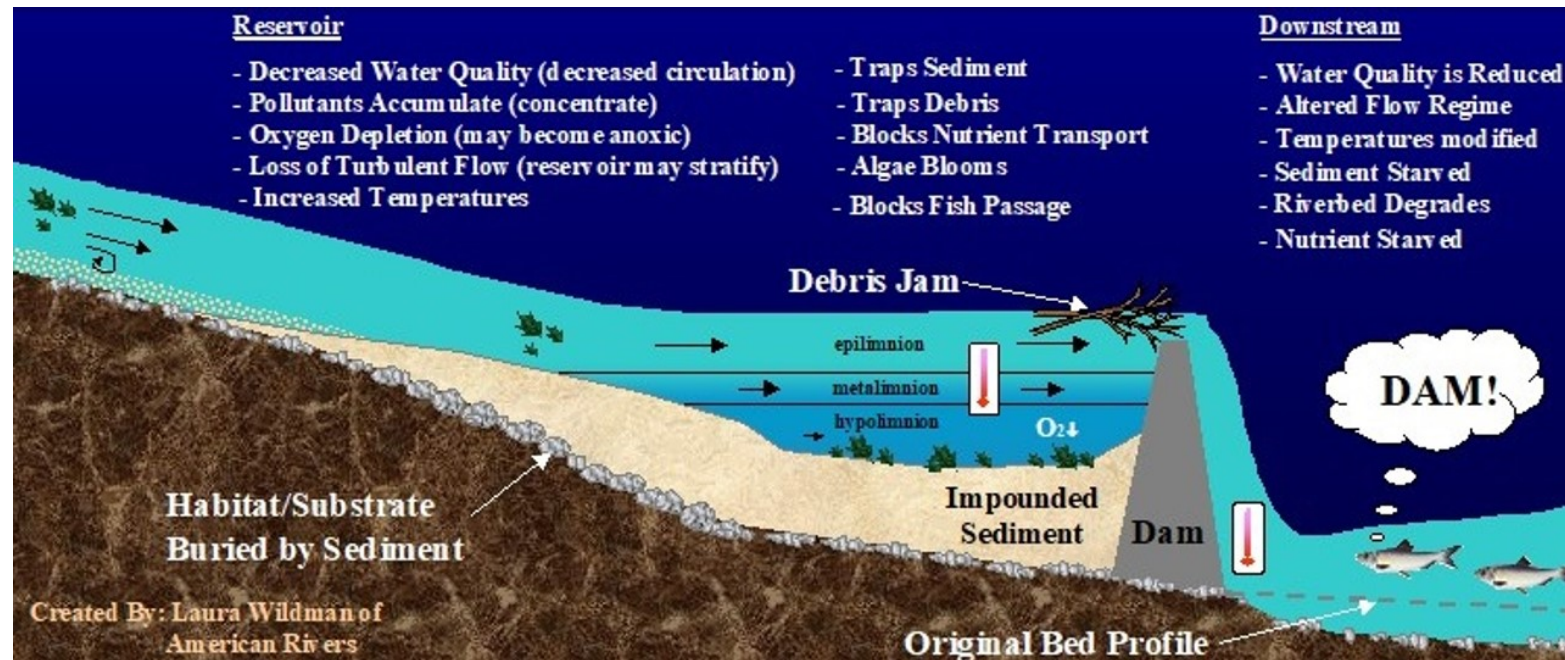


*Clean water. Healthy habitat. Thriving communities.*

# Connecticut River Conservancy

**Hydropower in NH & VT:  
Three dams, two states, one better  
deal for rivers!**

# Ecological Impacts of Dams



Created By: Laura Wildman of American Rivers

A large, multi-story red brick dam with numerous arched windows. Water is flowing over the spillway at the base of the dam. The sky is clear and blue.

## Federal Energy Regulatory Commission

- FERC
- Issues licenses for all non-federal hydropower projects
- License terms are 30-50 y

**The Wilder, Bellows and  
Vernon Dam licenses were  
last updated in 1979**

***How old were you!***

Photo: Vernon Dam; © TNC/Eric Aldrich



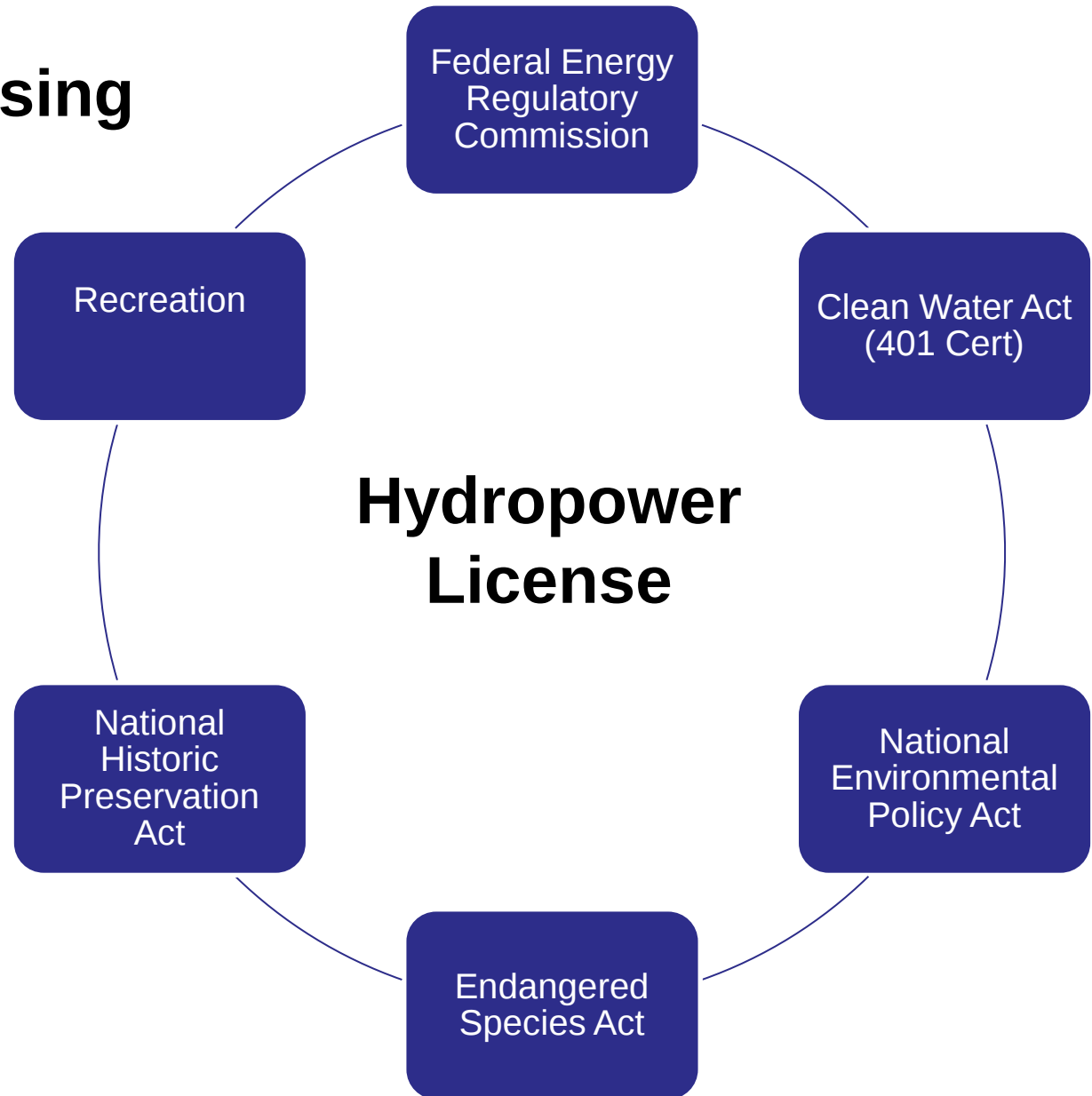
# Federal Power Act

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- Created FERC and associated regulatory statutes
- In 1986 the “***equal consideration***” ***clause*** was added; FERC is required to give "equal consideration" to:
  - power and development;
  - energy conservation;
  - protection of fish and wildlife and their habitat;
  - recreational opportunities, and
  - preservation of other aspects of environmental quality, e.g., water quality and historic preservation

# FERC Hydropower (Re)Licensing

- Takes into account multiple stakeholder values (“equal consideration”)
- Is a complex process integrating many different laws and regulations



# Great River Hydro



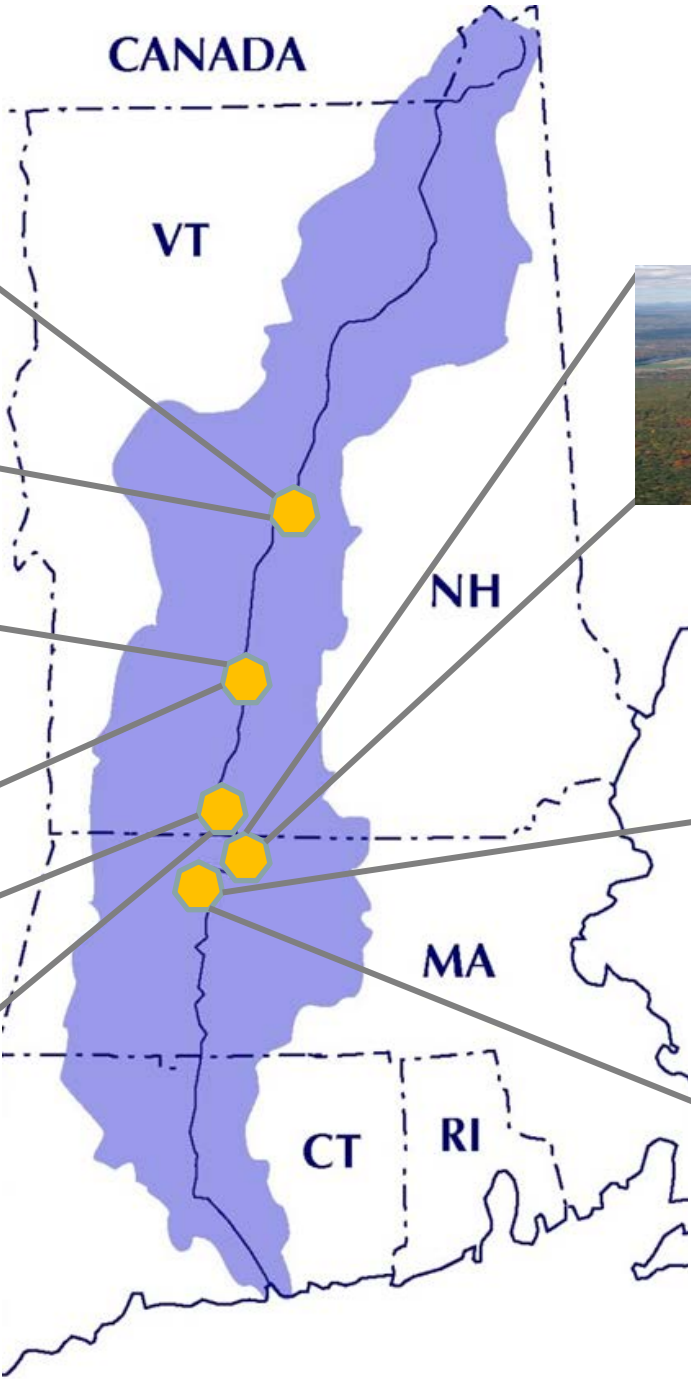
Wilder Dam



Bellows Falls Dam



Vernon Dam



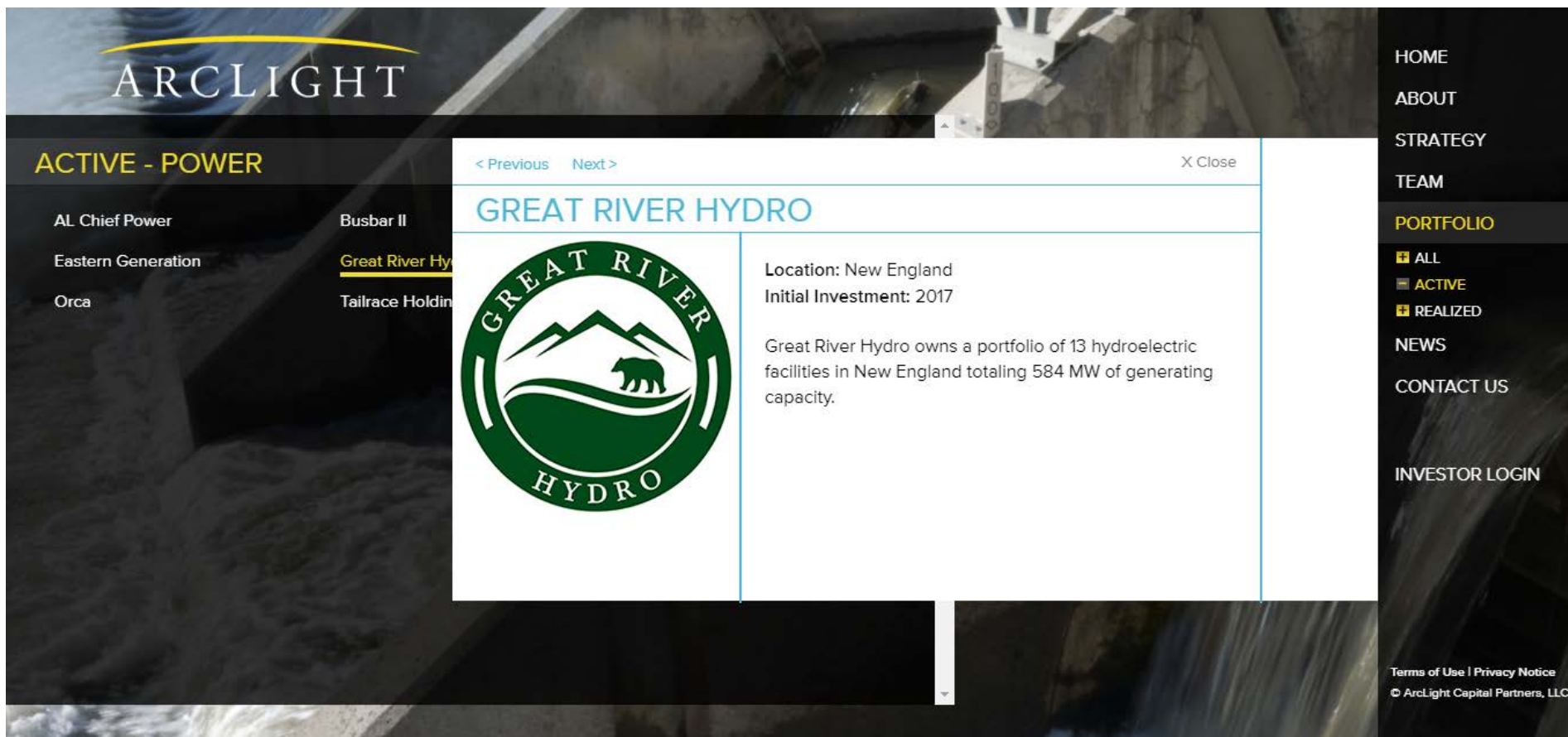
# FirstLight



Northfield Mtn  
Pumped Storage



Turners Falls Dam

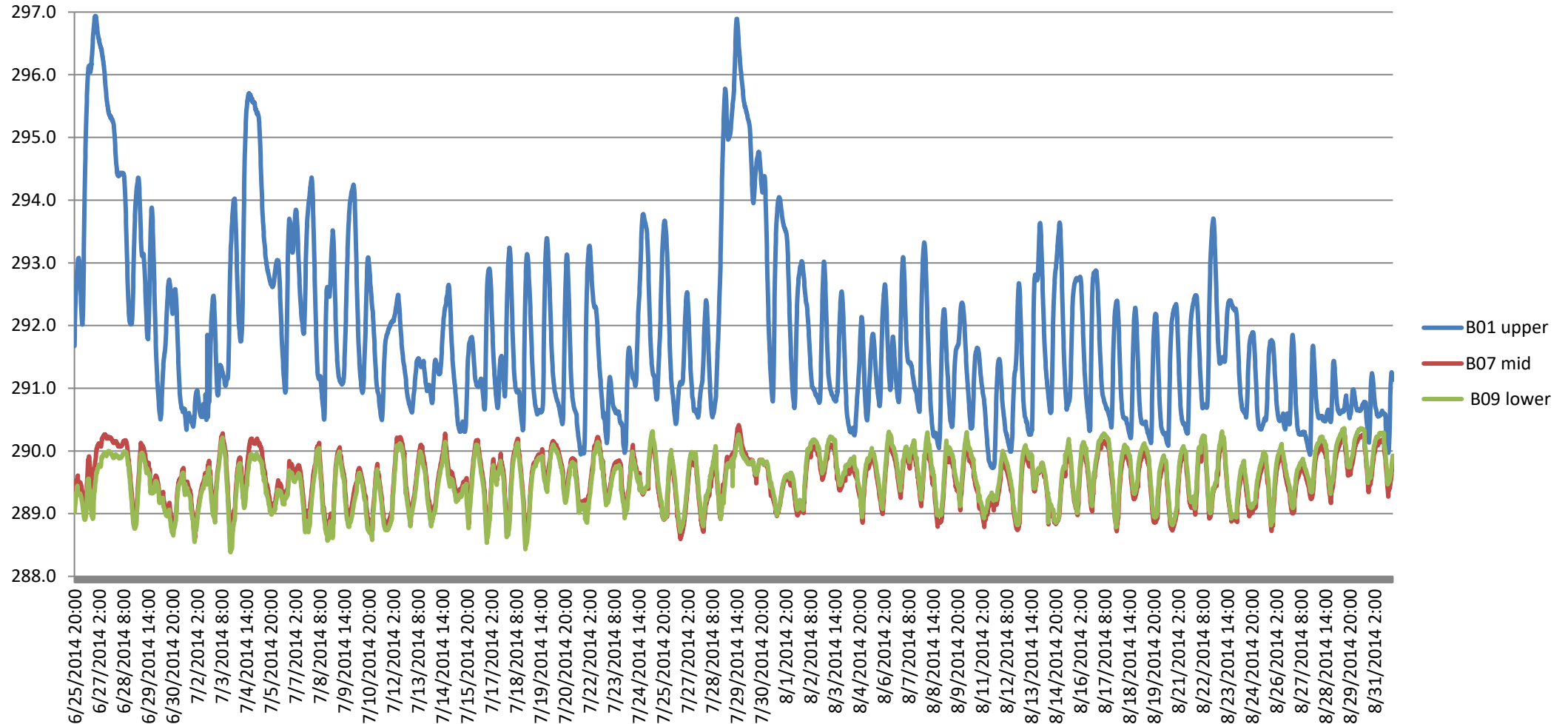


## Great River Hydro is owned by ArcLight Capital Partners, LLC

“Founded in 2001, we helped pioneer an asset-based private equity approach to investing in the dynamic energy sector. We have invested approximately \$23 billion in 110 transactions since inception, generating strong realized returns for our limited partners from 69 exits across diverse market cycles.” (emphasis added)

# Hydro-peaking and water fluctuations

WSE loggers - Bellows Falls Impoundment June 25-Aug 31, 2014

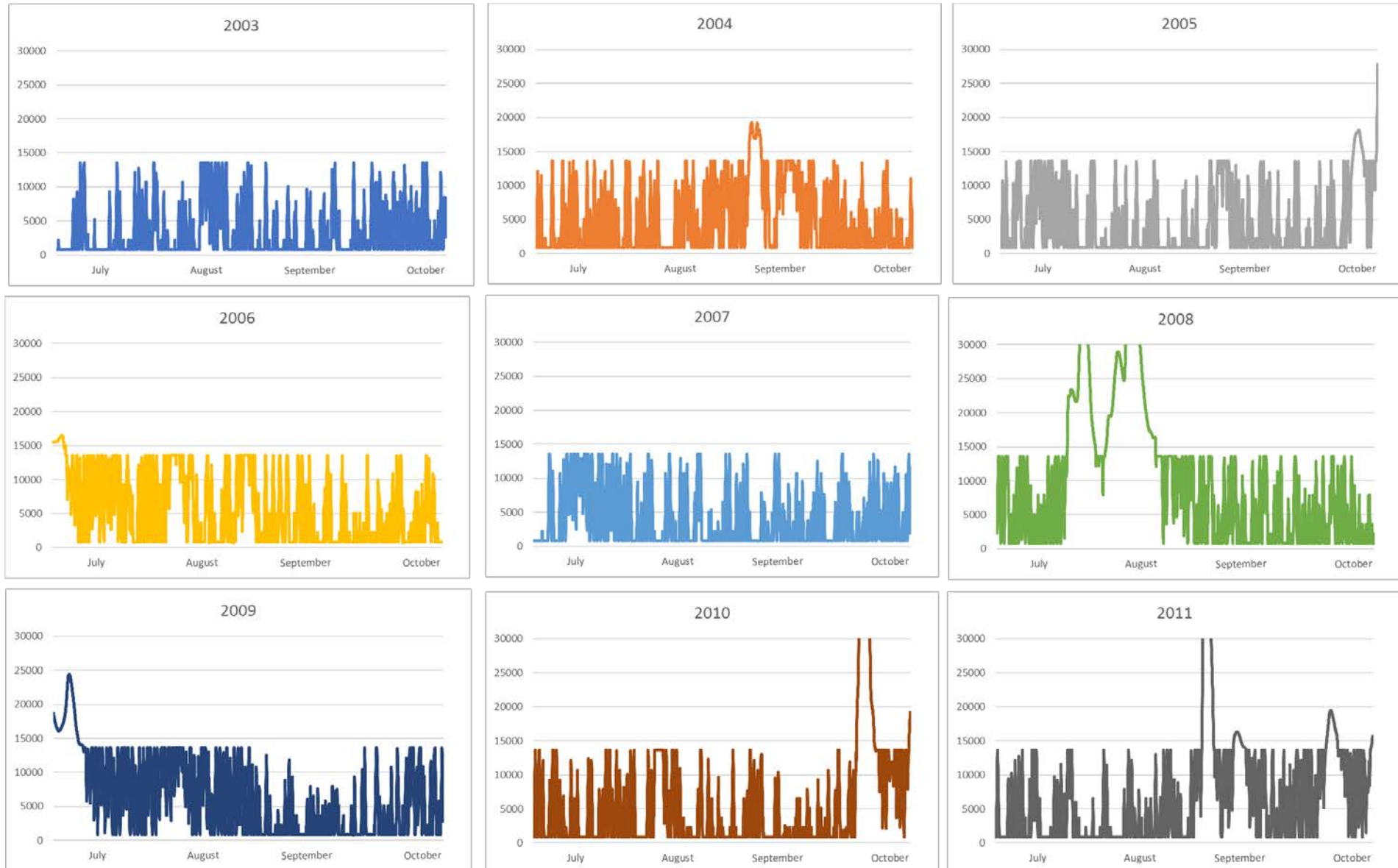


# Connecticut River Hydro Relicensing History

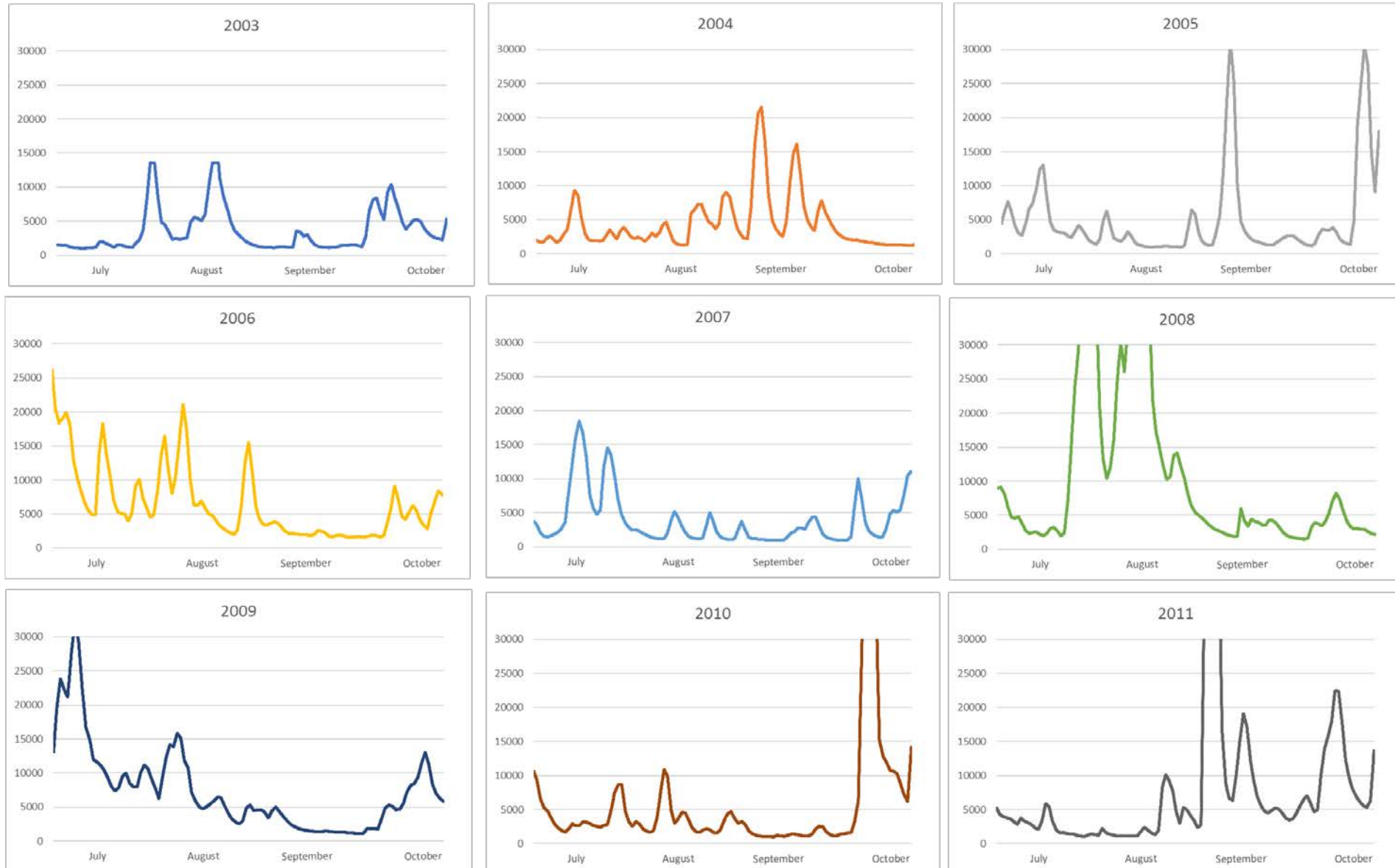
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- FERC relicensing process began October 2012:
  - *Scoping*
  - *Studies (requests, approval, implementation, reporting)*
- Several delays – VT Yankee closure, 2 Gov't shut-downs, study re-dos, etc.
- Studies conducted between 2014 and 2019
- “Final” Application submitted in May 2017
- Stakeholder instream flow discussions between May and November 2020 – resulted in significant proposed operational change
- Amended Final License Application (AFLA) submitted in December 2020

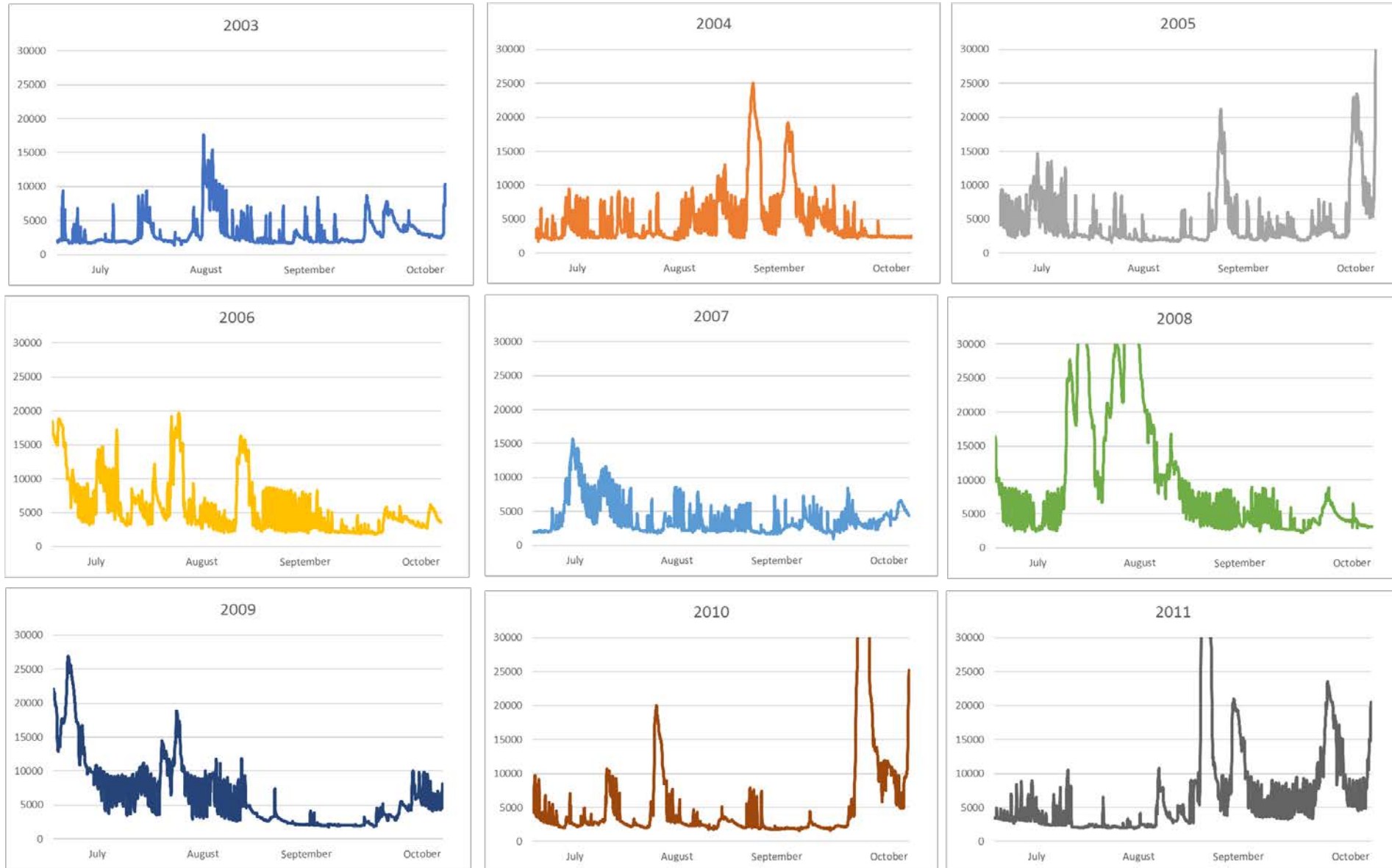
# Modeled Current Ops, Wilder Dam, 2003-2011



# Estimated Natural, Wilder Dam, 2003-2011



# Modeled Inflow = Outflow, Wilder Dam, 2003-2011

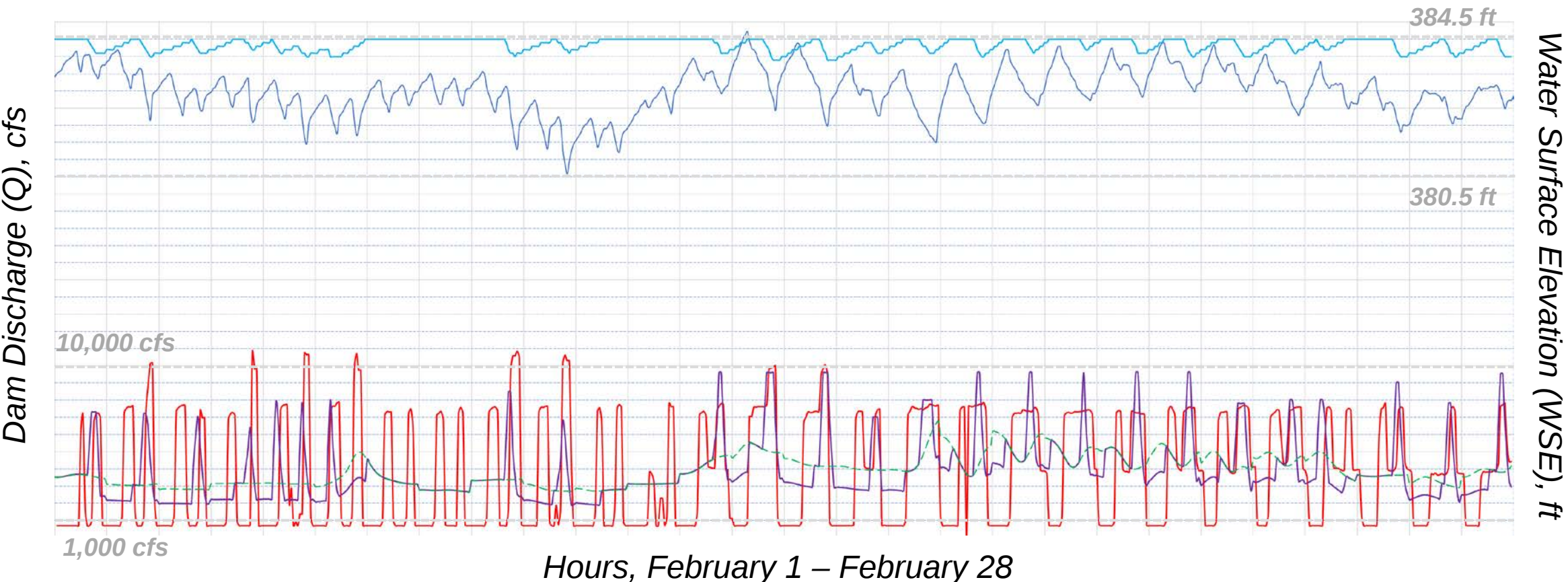


# GRH Proposed Operation Change

## *Outcomes*

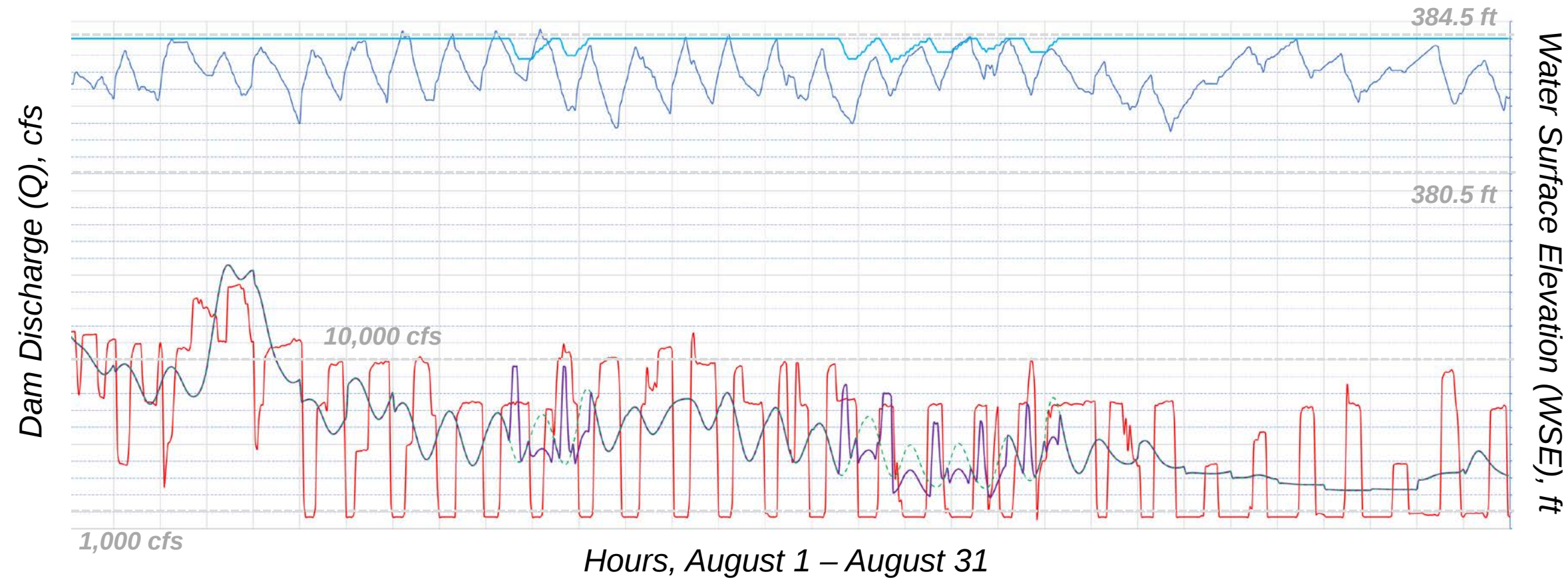
- Base operations are inflow = outflow
- Target WSE with 1-ft bandwidth
- Flexible hours of operation:
  - December-March: 65 hours
  - April-June: 10 hours
  - July-October: 20 hours
  - November: 42 hours
- Ramping:
  - Up-ramping: Gradual in *most* cases
  - Down-ramping: Gradual in *all* cases
- Refill impoundment w/in 48 hours after flex

Simulations for illustration under new operation -  
Wilder February 2009 example



- Q, Current Ops
- Q, Proposed Ops
- - - Q, Inflow = Outflow
- WSE, Current Ops
- WSE, Proposed Ops

Simulations for illustration under new operation -  
Wilder August 2009 example



- Q, Current Ops
- Q, Proposed Ops
- - Q, Inflow = Outflow
- WSE, Current Ops
- WSE, Proposed Ops

# Critters!

- Fowlers Toad
- Dragonflies and damselflies
- Tiger Beetles (two kinds!)
- Freshwater mussels/ Tesselated darters



*Etheostoma olmstedii*

Courtesy of:

<https://www.wildlife.state.nh.us/>



*Alasmidonta heterodon*

Courtesy of USFWS:

<https://ecos.fws.gov/ecp0/profile/speciesProfile?spcode=F029>



*Anaxyrus fowleri*

courtesy VT Herp Atlas. 4/9/21



*Ellipsoptera puritana*

By Mike Ostrowski - Flickr: Puritan Tiger Beetle, CC BY-SA 2.0,

<https://commons.wikimedia.org/w/index.php?curid=1967637>



*Gomphus vastus*

courtesy <http://val.vtecostudies.org>. 4/9/21



*Cicindela marginipennis*

courtesy Great River Hydro and Normandeau Associates

# GRH operations proposal is a win for the river...

- **Improves flows to benefit the ecosystem:**
  - Inflow = outflow as base ops
  - Stabilized reservoir
  - Increased baseflows
  - Reduced fluctuations upstream and downstream
  - Reduced rates of change
- **Improves aquatic habitat:**
  - Increased protection of shoreline habitat
  - Likely reduced erosion on upstream properties and shorelands
  - Increased availability and persistence of downstream habitat
- **Maintains energy & economic value:**
  - Dams maintain ability to support and respond to regional energy needs and emergencies
  - Maintains company's flexibility and responsiveness to energy markets

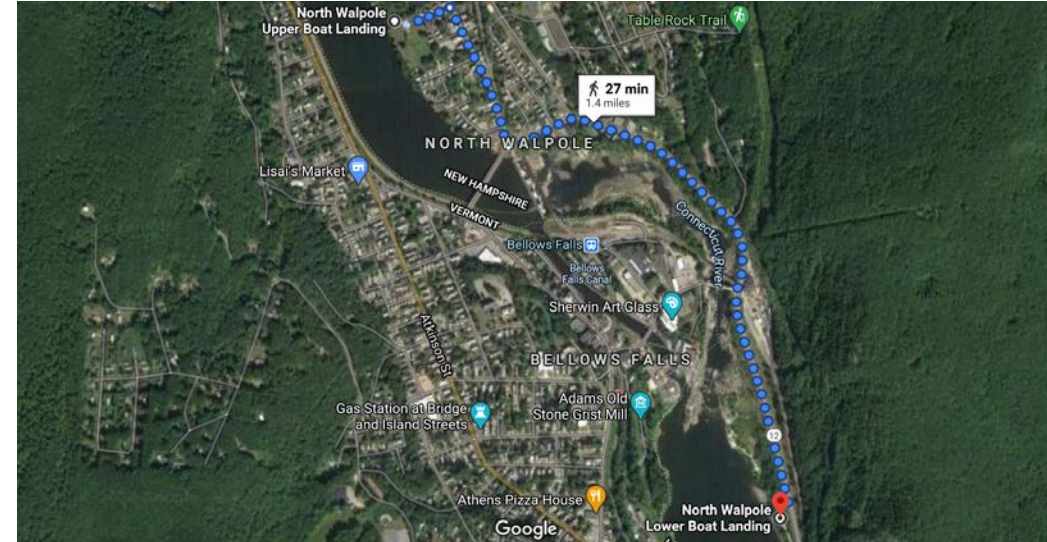
# GRH Mitigation Discussions

*Resource Concerns  
NOT Covered*

- Recreation
- Fish Passage
- Erosion
- Cultural Resources

# Recreation Recommendations

- ❖ Annual investments in recreation facilities and programs benchmarked to annual revenue.
- ❖ ADA accessible facilities.
- ❖ Improvements to all portage locations.
- ❖ Fund the Connecticut River Paddlers' Trail.
- ❖ Fund a marketing plan for the Connecticut River valley.
- ❖ Maintain, add, and improve hiking, climbing, cross-country skiing, and mountain bike trails.
- ❖ Maintain recreational facilities in optimal condition throughout the license term.



- ❖ Improve fish viewing facilities and educational programs.
- ❖ Create new historical and archeological interpretive programs.
- ❖ Improve condition notification systems for river users.

# GRH Financial/Recreation Response to AIR

Table D-1. Cost of Proposed Environmental Measures – as of 3/30/21

**BUT... NO RECREATION PLAN?**

| Post License Incremental Operating and Capital Expense                   | Total 2020 Dollars  | Yr'ly Average<br>over<br>40 years | YEAR UNDER NEW LICENSE |      |           |           |           | 2024   | 2025 |
|--------------------------------------------------------------------------|---------------------|-----------------------------------|------------------------|------|-----------|-----------|-----------|--------|------|
|                                                                          |                     |                                   | 2020                   | 2021 | 1<br>2022 | 2<br>2023 | 3<br>2024 |        |      |
| Wilder                                                                   |                     |                                   | Costs in 2020 \$'s     |      |           |           |           |        |      |
| <b>Cultural - Historic Resources Enhancement Measures</b>                | <b>\$ 600,000</b>   |                                   |                        |      |           |           |           |        |      |
| Cultural Resources - Phase 1B complete surveys                           | CapEx               | \$ 150,000                        | \$ 3,750               | \$ - | \$ -      | \$ -      | 50,000    | 50,000 |      |
| HPMP requirements                                                        | CapEx               | \$ 300,000                        | \$ 7,500               | \$ - | \$ -      | \$ -      | 25,000    | 50,000 |      |
| Cultural and Historic fund                                               | CapEx               | \$ 150,000                        | \$ 3,750               | \$ - | \$ -      | \$ -      | 50,000    | 50,000 | \$   |
| <b>Fishery and Aquatic Resource Enhancement Measures</b>                 | <b>\$ 6,960,000</b> |                                   |                        |      |           |           |           |        |      |
| Monitor Fishlader use by Eel and Sea Lamprey                             | CapEx               | \$ 120,000                        | \$ 3,000               | \$ - | \$ -      | \$ -      | -         | -      |      |
| Upstream Eel/Sea Lamprey Passage studies (Pit-tag fishladder, below dam) | CapEx               | \$ 120,000                        | \$ 3,000               | \$ - | \$ -      | \$ -      | -         | -      |      |
| Upstream Fishladder Hydraulic Study if appropriate)                      | CapEx               | \$ 250,000                        | \$ 6,250               | \$ - | \$ -      | \$ -      | -         | -      |      |
| Existing Upstream Fish Ladder Modifications (consult, design,install)    | CapEx               | \$ 550,000                        | \$ 13,750              | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| Upstream eel passage (ramps?) outside of ladder operation                | CapEx               | \$ 150,000                        | \$ 3,750               | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| Upstream Fish passage improvement/effectiveness monitoring               | CapEx               | \$ 160,000                        | \$ 4,000               | \$ - | \$ -      | \$ -      | -         | -      |      |
| Fishladder Operation additional O&M                                      | OpEx                | \$ 390,000                        | \$ 9,750               | \$ - | \$ -      | \$ -      | 10,000    | 10,000 |      |
| Eel Ramp O&M and fish handling                                           | OpEx                | \$ 1,400,000                      | \$ 35,000              | \$ - | \$ -      | \$ -      | -         | -      |      |
| Resident Impoundment Eel Survey                                          | CapEx               | \$ 70,000                         | \$ 1,750               | \$ - | \$ -      | \$ -      | -         | -      |      |
| Hydraulic Study above the dam for downstream passage design/options      | CapEx               | \$ 200,000                        | \$ 5,000               | \$ - | \$ -      | \$ -      | -         | -      |      |
| Downstream Fish Passage Modifications Eels(med prob)                     | CapEx               | \$ 3,250,000                      | \$ 81,250              | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| Eel Downstream Passage improvement effectiveness evaluations             | CapEx               | \$ 300,000                        | \$ 7,500               | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| Other (Placeholder)                                                      |                     | \$ -                              | \$ -                   | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| <b>Recreation Resource Enhancement Measures</b>                          | <b>\$ 737,000</b>   |                                   |                        |      |           |           |           |        |      |
| Existing Recreation Improvements Design and Permitting                   | CapEx               | \$ 25,000                         | \$ 625                 |      |           |           | 25,000    |        |      |
| Upstream Portage - new floating dock, stairs and boat slide              | CapEx               | \$ 25,000                         | \$ 625                 | \$ - | \$ -      | \$ -      | -         | 5,000  | \$   |
| Downstream Portage - Trail improvement, new stairs and boat slide        | CapEx               | \$ 40,000                         | \$ 1,000               | \$ - | \$ -      | \$ -      | -         | 5,000  | \$   |
| Fishing platform and/or trail and stairs to water                        | CapEx               | \$ 27,500                         | \$ 688                 | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| Elevated birding platform                                                | CapEx               | \$ 17,500                         | \$ 438                 | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| Expanded Gilman Island Canoe Campsite                                    | CapEx               | \$ 17,000                         | \$ 425                 | \$ - | \$ -      | \$ -      | -         | -      | \$   |
| ADA picnic sites (Lebanon, Hartford, Olcott?)                            | CapEx               | \$ 30,000                         | \$ 750                 | \$ - | \$ -      | \$ -      | -         | 5,000  | \$   |
| Additional Recreation Maintenance for Enhancements)                      | OpEx                | \$ 555,000                        | \$ 13,875              | \$ - | \$ -      | \$ -      | -         | -      |      |

# Migratory Critters!

- Sea lamprey
- American eel
- American shad and shad eggs
- Shortnose sturgeon
- River herring



*Petromyzon marinus*  
Courtesy Allison Bell



*Anguilla rostrata*  
Courtesy USFWS



*Alosa pseudoharengus*  
Photo by David J. Stang



*Acipenser brevirostrum*  
Courtesy of USFWS



*Alosa sapidissima*  
Courtesy MassWildlife and USFWS

# Safe and Effective Fish Passage

- Improvements at Vernon Fish ladder
- Safe and effective upstream fish passage (American Eel, American Shad, Sea Lamprey)
- Protecting downstream migrants from turbine mortality
- Expansion of the season for resident species who migrate (white sucker and walleye)
- Appropriate passage for American Eel



Photo courtesy USFWS

# Hydropeaking and water level fluctuations



# Monitoring of River Changes

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# You Are Powerful

Elected officials work for you.  
Business wants your mighty dollar.  
Friends & family look up to you.

## Use Your Power For Good For Our Rivers



## Get involved and speak up for your rivers!

- Sign up for the FERC docket
- Sign up for CRC email updates – **HydroPower Coffee Hours**
- Comment to FERC on the license application – after July
- Comment to VT and NH on the 401 Water Quality Certificate
- Comment on the Final Environmental Impact Statement

## Contact us and we will help you!

**Contact us:**

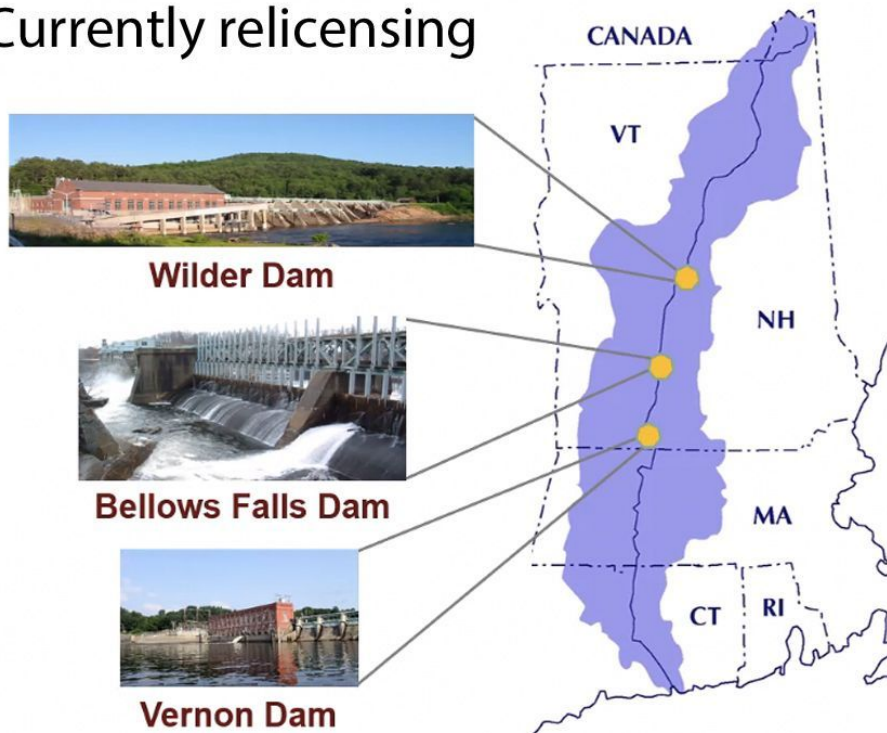
Kathy Urffer  
River Steward, NH/VT  
[kurffer@ctriver.org](mailto:kurffer@ctriver.org)  
802-258-0413

Andrea Donlon  
River Steward, MA  
[adonlon@ctriver.org](mailto:adonlon@ctriver.org)  
(413) 772-2020 ext. 205



**Connecticut River  
Conservancy**

Currently relicensing



Connecticut River Conservancy

## Will Relicensing of Three Hydroelectricity Dams Help With River Bank Collapse and Fish Passage?



•  
**Li Shen**

May 23, 2021

Farmers up and down the Connecticut River benefit from some of the finest agricultural soils in the whole of North America. These soils, known as prime agricultural soils, were laid down by millennia of alluvial deposition in the valley bottom. Approximately 221,000 acres of prime soils are currently farmed throughout the watershed. These farms are

valuable, both to the region's identity and for their bountiful supply of vegetables and grains that can only thrive on productive soils.

But all is not well along the river. The construction of hydroelectric dams has raised the water level to the edges of farm fields.

The raised water level “erodes” river banks, or more correctly, causes *river bank collapse*. Farmers like the Howards of Thetford and Steve Stocking in Fairlee have watched helplessly as acres of precious agricultural soil are whittled away year after year. In 2018, according to an NHPR interview, Stocking estimated he had lost 85 feet of valuable land over the course of 50 years. The Howards have a similar experience. That amounts to a significant reduction in crops and income. The joke among river scientists is that topsoil is the Upper Valley's biggest export.



Effects of Bank Collapse; Connecticut River Conservancy

Hydro companies assert that their dams do not cause bank “erosion”, which they blame on natural fluctuations in river level. However bank collapse is not the same as bank erosion. To understand how bank collapse happens, we must look at how hydro dams are usually operated. Power companies use “hydropeaking” to take advantage of variations in electricity prices throughout the day. Water is stockpiled behind the dam till about 4:00 pm, when electric rates go up. Water is then released to turn the generator turbines. Flow rates can skyrocket from a trickle to 8,000 cubic feet per second in a matter of minutes, causing a rapid drop in water level. The water release continues, usually till 10:00 pm when

electric rates go down Then the flow is shut off and water levels rise again till the next release. Thus the power company maximizes the monetary value of the electricity generated. The water level behind the dam fluctuates on a daily basis by three to five feet.

Bank collapse during times of rapid drawdown is a well documented phenomenon. When the water level is high the river bank soaks up water and becomes waterlogged. However the soggy soil is kept in place by water pressure against it. But when the water level drops suddenly, the soil has no time to drain. The pressure of water moving outwards through the soil is no longer supported, pushing the soil towards the river. The soil structure weakens and eventually cannot hold together and collapses. Rick Howard, whose farm includes a long stretch flanking the Connecticut River in Thetford, commented that over time even trees topple into the river as their roots become destabilized.

Dams also have many negative impacts on the life inhabiting rivers. Blocking a river with a dam simply stops fish from migrating. Former Connecticut River steward David Deen wrote in 2013 that dams in Massachusetts dating back to 1700 caused the extinction of migratory shad and salmon in the Upper Valley. These fish hatch as tiny larvae in rivers and swim downstream to the ocean where they grow and mature. They migrate up to 12,000 miles before returning to their river of origin to spawn. Shad don't necessarily die after spawning. Up to 60% of northern shad in the Connecticut River have potential to live and return to spawn several times in their lifetime.

Free-flowing rivers are turbulent and well-oxygenated and sediment does not settle. Dams however, slow down water flow in rivers. Slow-moving water heats up resulting in low oxygen, stagnation, algal blooms and serious decline of the river ecosystem. Sediment drops to the bottom where it clogs the gravel where fish spawn and alters the habitat of species like freshwater mussels. Seventy percent of these mussel species have become extinct over the last 200 years in the US. The impounded lakes behind dams are disorienting to migratory fish because they lack water flow by which fish navigate. Downstream of dams, the abrupt interruptions of water flow leave aquatic species high and dry.

In 2017 a company called Great River Hydro purchased all the dams on the Connecticut River from then owner TransCanada (well-known for the Keystone XL tar sands oil

pipeline.) Selling this lucrative asset helped TransCanada finance a \$13 billion purchase of Columbia Pipeline Group, making it one of the largest natural gas transmission corporations in North America.

The announcement to sell its hydro assets was made in the middle of negotiations started in 2012 with the Federal Energy Regulatory Commission on the re-licensing of three dams on the Connecticut River: the Wilder, Bellows Falls and Vernon dams.

But who is the owner of the river? The real owner of the nation's waterways is the public and a river is a Public Trust Resource. The license for a power company to dam a river is a contract between the public and a private business, granting the business the privilege to use a public waterway to generate electricity to sell - usually for profit. According to the Federal Power Act, dam owners are required to mitigate the effects of dams and give equal consideration to power generation, energy conservation, fish, wildlife and recreation.

Dam relicensing is an involved process. And it only occurs every 30 to 50 years. Thus it is a *once-in-a-lifetime* opportunity for the public to exert pressure on how they want the river to be treated. The relicensing process generally takes five years but in the case of Wilder, Bellows Falls and Vernon it is taking twice as long - ten years. There were significant delays, due for instance to the closing of the Vermont Yankee nuclear plant and two government shutdowns.

One of the participants in the relicensing process is the Aquatic Resources Working Group that includes the Connecticut River Conservancy and The Nature Conservancy. They advocated for reducing the dams' impacts on the river's ecology and aquatic species. Great River Hydro's priority was maintaining economic viability and regulatory compliance. During discussions, a strong emphasis on the detrimental effects of water level fluctuations on the habitat of several endangered species reduced attention to other issues like fish passage, bank erosion, historic and cultural resources and recreation.

Regarding fish passage, many dams, including Vernon and Wilder, are equipped with fish "ladders." However a study by the Yale School of Environment in 2013 found fish ladders to be largely ineffective. Only 5 percent of shad made it past the first two dams on the Connecticut in Massachusetts. On the river main stem alone there are 16 dams, 12 of which are hydroelectric, and there are many more dams on the tributaries. Target numbers for

fish restoration were already set at 10 to 100 times lower than the fish numbers that existed prior to dams. However the numbers of fish observed in the Yale study were commonly 2 percent or less of the target restoration number.



Fish Ladder, Vernon dam

Connecticut River Steward Cathy Urffer told VT Digger in March that “for decades, hundreds of thousands of shad have been successfully lifted via a fish elevator over the Holyoke dam (first dam on the river, in MA), only to be stymied by the next obstacle upstream — the Turners Falls dam in MA. On average, only 5 percent of those migratory shad are able to pass the fish ladder at the Turners Falls dam and move up the river to Vernon. A 5% passage rate is unacceptable. At the Vernon dam fish ladder, about 43% pass in any given year, but that is too low, and the shad are exhausted. On average they spawn only once or twice when they should be able to spawn for three years in a row.”



American shad

Eels are one species that moves *down* river. They mature in rivers and return to the Sargasso sea in the Atlantic Ocean to breed. One study found that 60% of seaward-migrating eels were killed by hydroelectric turbines and many of the surviving fish were injured. Due to declining numbers the eel has been considered for listing as an Endangered Species.

That's not to say that the river is devoid of fish by any means. We have lost fish that thrive in cool, fast-running waters, but they have been replaced by warmwater species like walleye, perch and bass. Vermont introduced walleyes by the million between 1912 and 1932. The Connecticut is still a fishing destination.

In 2021 the relicensing process is finally nearing its end stages. The new license proposes that continuous water flow will be allowed and the turbines will run all the time. Changes in water level will be kept within a one to one-and-a-half foot band. To allow Great River Hydro to take advantage of periods of higher electricity prices there is an agreed-upon flexibility in water release so the levels can fluctuate outside of this band. Thus, in the

months of December through March 65 hours of flexible releases will be allowed. In April through June, when sensitive species are spawning, flexible releases will be limited to 10 hours, but they will increase to 20 hours in July through October and to 42 hours in November. When the water flow is increased there will be a more gradual up-ramping so it takes one hour to go from 800 cubic feet per second to 8,000 cubic feet per second. The down-ramping will be even more gradual over several hours.

These changes do not significantly impact Great River Hydro but the benefits to the river are enormous.

However, Great River Hydro made no significant improvements in their license application regarding fish passage, bank “erosion”, cultural resources or recreation. They propose to maintain three existing primitive camp sites and to operate existing fish ladders from April 1st through July 15th. Additional fish passage requirements will be discussed and they will work on developing a program for managing historic sites.

And what of bank collapse? It would certainly seem that keeping changes in water level within one and a half feet at the Wilder dam could reduce the problem.

Cathy Urffer, in a recent presentation to the Thetford Conservation Commission, cautioned that the Fifteen Mile Falls dams, upriver from the Upper Valley, were relicensed in 2001 and have permission to use hydropeaking for the next several decades. Two of these dams are massive compared to the Wilder dam. The closest, McIndoes, is comparable to Wilder at 25 ft high, however Comerford is 170 ft high and Moore is 178 feet high. Whether the surges of water from their hydropeaking will affect our region cannot be measured till hydropeaking stops at Wilder.

And relicensing is not over yet. There is still a Public Comment Period, perhaps opening as early as the end of May, or as late as July.

It is important for the public and towns to submit their comments so that local concerns and desires may be considered in the new license. The Federal Energy Regulatory Commission needs to hear from the public, not just Great River Hydro, in order to manage historic and cultural sites and balance ecology and access, for the benefit of the public and of the river.

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**10. NEW BUSINESS:**

**10.B – SET PUBLIC HEARING FOR JUNE 16, 2021:**

**MID-GRANT UPDATE ON CDBG FOR HEADREST REHABILITATION PROJECT**

**BACKGROUND**

In 2019, the City of Lebanon was awarded \$496,500 in Housing and Public Facility CDBG funds to support the rehabilitation of the HEADREST facility located at 14 Church Street, Lebanon. The funds, less administrative costs, were sub-granted to HEADREST to complete the needed renovations which included both structural and energy upgrades. The project is behind schedule but expected to be completed by the end of the year. Unfortunately, COVID 19 hit just as the project went out to bid. After multiple bid attempts resulting in few bids and much higher than anticipated costs, the project applied to CDFA to Sole Source and has been working with subcontractors to develop a plan. COVID also impacted the project financially with the increased cost of materials currently estimated at \$60,645. The project is applying to CDFA for GAP funding to offset the materials costs and to increase the administration budget by \$3,032.

A public hearing is required by CFR 570.486 and RSA 162:L:14 in order to receive public input and apprise Lebanon residents on the progress of the project.

**ACTION**

*The Council is requested to consider the following motion:*

***MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 16, 2021, beginning at 7:00pm, Remote via WebEx, for the purpose of receiving public input and apprising Lebanon residents on the progress of the rehabilitation project of the Headrest facility at 14 Church Street, Lebanon.***

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**10. NEW BUSINESS:**

**10.C – DISCUSSION & SET PUBLIC HEARING FOR JUNE 16, 2021:  
SUPPLEMENTAL FUNDING FOR HEADREST REHABILITATION PROJECT**

**BACKGROUND**

The HEADREST project has experienced delays primarily due to the COVID 19 pandemic. The cost of materials and lack of contractor interest in the project has resulted in being months behind schedule. This issue is consistent with projects throughout the state. The City, on behalf of HEADREST, is requesting an amendment to the project's CDBG grant award to add \$63,677 to address both the COVID 19 related increases in materials cost as well as a small increase in administration fees. The original cost estimates were developed under the 2018 Headrest Feasibility Study which estimated the total construction budget as \$447,019. Once the current CDBG implementation grant was in place, Headrest advertised for sealed bids in a newspaper of general circulation and the construction trade publications in June, August, September, and November 2020. Extensions were published to obtain more bids. Few bids were received at any bid openings, and ones received were well in excess of available funds.

The total rehabilitation budget has also increased due to additional work determined necessary during building reassessment in the amount of \$146,156. This will be covered by secured funds from Liberty Utilities in the amount of \$15,000 and Headrest will be contributing \$70,511. The HEADREST team is working closely with their architect and construction manager. Hurdles to completion are expected to be remedied and the project should be done by year end. However, an application can be made for an extension, if required.

**ACTION**

*The Council is requested to consider the following motion:*

***MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 16, 2021, beginning at 7:00pm, Remote via WebEx, for the purpose of receiving public input and taking action on a proposed Housing and Public Facilities grant application amendment for up to \$63,677 in CDBG funds (to be sub-granted to Headrest); and to authorize the City Manager to sign, submit, and execute any documents which may be necessary to effectuate the CDBG application amendment.***

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**10. NEW BUSINESS:**

**10.D – PRESENTATION OF FIRST READING AND SET PUBLIC HEARING FOR  
JULY 7, 2021: AMEND ORDINANCE NO. 18 TO RECLASSIFY THE POSITION OF  
HUMAN SERVICES DIRECTOR TO GRADE 12; INCLUDE THE POSITION OF  
DEPUTY ASSESSOR, GRADE 9; AND TO AMEND THE PAY PLAN FOR  
SEASONAL/TEMPORARY& STIPEND EMPLOYEES**

**BACKGROUND**

**RECLASSIFY THE POSITION OF HUMAN SERVICES DIRECTOR**

The Human Services Director supervises the Assistant Human Services Director and works closely with staff of outside Human Services Agencies to create and maintain a wrap-around set of services, referred to as a “safety net” for the betterment of jointly served clients. This position coordinates partnerships to comprehensively address issues that may adversely affect/impact the ability to serve clients (i.e., homelessness, lack of affordable housing, access to medical services, etc.)

Over the past few years, the Human Services Director’s responsibilities have expanded in several different directions caused by configurations of geographical circumstances. These configurations included the lack of affordable housing, homelessness, economics, and the effects of COVID 19. This position has assumed additional duties and responsibilities due to the changing demographics of the Upper Valley and the effects placed on the changes in the housing market, and the global pandemic.

Additionally, the Human Services Director represents the City Manager and acts as the representative of the City on statewide and regional coalitions, committees and working groups focusing on human services issues.

Due to the evolution of the position and supervisory duties not previously considered, a review of the job description was conducted, and revisions were made to accurately reflect the additional duties and responsibilities. This resulted in the reclassification of the position from a Grade 10 to a Grade 12.

**ADD DEPUTY ASSESSOR**

Due to the reorganization of the Finance Department - encapsulating the Assessing Department and contracting with Municipal Resources, Inc., to oversee the physical assessment changes to residential and commercial property values, we have discovered a need for elevated assessing functions in the day-to-day administration of the department. For this reason, we are recommending the position of Deputy Assessor be added to the department. A job description has been created and is classified as a Grade 9 position.

We are fortunate to have an experienced Assessing Clerk with the knowledge and credentials needed to fill the position. Therefore, we are proposing that our existing Assessing Clerk be promoted to Deputy Assessor and the position of Assessing Clerk be vacated. While the role of the Assessing Clerk is needed, the Deputy Assessor would be charged with those duties while taking on the more elevated tasks required to manage the upper-level needs of the department

adequately and efficiently. For example, incorporating a Deputy position will enable the department to communicate effectively and more timely with the State Department of Revenue and other State or outside agencies; process the necessary tax, property, and exemption changes more efficiently, and better manage difficult tax situations posed by members of the public.

### **SEASONAL/TEMPORARY & STIPEND EMPLOYEES**

Due to the nationwide shortage and difficulties hiring and attracting seasonal, temporary and stipend staff; the City is recommending increasing the hourly wages and/or stipends of seasonal CDL drivers and seasonal laborer positions identified in red below.

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

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

The Council is asked to recognize the first of three presentations on June 2, and to schedule a public hearing for July 7, 2021 to amend the Ordinance. The second and third presentations will follow on June 16, and July 7, respectively.

### **ACTION**

*The City Council is asked to take the following actions:*

#### **1. ACKNOWLEDGE FIRST PRESENTATION:**

***MOVED, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance No. 18, Salary Plan, as follows:***

- 1. Amend Article II, Non-Affiliated & LPASE Employees, Section A – Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor, (Grade 9); and**
- 2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers**

Changes in the table below shown in **red**.

#### **REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES – 2021 SALARY & GRADES**

| <b><u>Grade</u></b> | <b><u>Position Title</u></b> | <b>Hourly</b>         |                       | <b>Weekly</b>         |                       |
|---------------------|------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
|                     |                              | <b><u>Minimum</u></b> | <b><u>Maximum</u></b> | <b><u>Minimum</u></b> | <b><u>Maximum</u></b> |
| 1                   | General Intern II            | \$16.77               | \$22.64               | -                     | -                     |
| 2                   | Custodian                    | \$17.78               | \$23.99               | -                     | -                     |
|                     | Department Secretary         | -                     | -                     | -                     | -                     |
| 3                   | Airport Maintenance Worker   | \$18.84               | \$25.44               | -                     | -                     |
|                     | Custodian I                  | -                     | -                     | -                     | -                     |
|                     | Accounting Clerk             |                       |                       |                       |                       |
| 4                   | Library Assistant            | \$19.98               | \$26.97               | -                     | -                     |

|    |                                            |         |         |            |            |
|----|--------------------------------------------|---------|---------|------------|------------|
| 5  |                                            | \$21.17 | \$28.57 | -          | -          |
| 6  | -                                          | \$22.44 | \$30.29 | -          | -          |
| 7  | Administrative Assistant                   | \$23.78 | \$32.45 |            |            |
|    | Administrative Secretary                   |         |         | -          | -          |
|    | Assessing Clerk                            | -       | -       | -          | -          |
|    | Assistant City Clerk                       | -       | -       | -          | -          |
|    | Assistant Human Services Director          | -       | -       | -          | -          |
|    | Communications Specialist                  | -       | -       | -          | -          |
|    | Library Administrative/Technical Assistant | -       | -       | -          | -          |
| 8  | Administrative Assistant                   | \$25.21 | \$34.04 | -          | -          |
|    | Benefits Coordinator/Payroll Specialist    | -       | -       | -          | -          |
|    | Deputy City Clerk                          | -       | -       | -          | -          |
|    | Deputy Tax Collector                       | -       | -       | -          | -          |
|    | Field Inspector**                          | -       | -       | -          | -          |
|    | Electrical Inspector**                     | -       | -       | -          | -          |
|    | Utility Billing Clerk                      | -       | -       | -          | -          |
|    | Outreach Librarian                         | -       | -       | \$1,008.55 | \$1,361.65 |
|    | Young Adult Librarian                      | -       | -       | -          | -          |
| 9  | Code Health Inspector**                    | \$27.73 | \$37.43 | -          | -          |
|    | Executive Assistant                        | -       | -       | -          | -          |
|    | Deputy Assessor                            | -       | -       | -          | -          |
|    | Digital Media Officer                      | -       | -       | -          | -          |
|    | Cyber Services Technical Specialist        | -       | -       | -          | -          |
|    | Real Estate Appraiser II**                 | -       | -       | -          | -          |
|    | Children's Librarian                       |         |         | \$1,109.20 | \$1,497.36 |
|    | Associate Planner**                        | -       | -       | -          | -          |
|    | Systems Librarian                          | -       | -       | -          | -          |
|    | Information Technology Librarian           | -       | -       | -          | -          |
| 10 | Assistant City Engineer**                  | \$30.50 | \$41.18 | -          | -          |
|    | Cemetery Sexton**                          | -       | -       | -          | -          |
|    | Financial Analyst                          | -       | -       | -          | -          |
|    | Fleet Maintenance Supervisor**             | -       | -       | -          | -          |
|    | Maintenance Superintendent**               | -       | -       | -          | -          |
|    | Utilities Maintenance Superintendent**     |         |         |            |            |
|    | Police Communications Supervisor**         | -       | -       | -          | -          |
|    | Human Services Director                    | -       | -       | \$1,220.15 | \$1,647.20 |
|    | Recreation Program Coordinator**           | -       | -       |            |            |
| 11 | Technical Advisor I                        | \$33.59 | \$45.34 | -          | -          |
|    | Administrative Services Manager**          | -       | -       | \$1,343.60 | \$1,813.60 |
|    | Airport Operations Supervisor**            | -       | -       | -          | -          |
|    | Assistant Recreation Director**            | -       | -       | -          | -          |
|    | Code Enforcement Director**                | -       | -       | -          | -          |
|    | Deputy Library Director                    | -       | -       | -          | -          |
|    | Fire Marshal**                             | -       | -       | -          | -          |
|    | Planner/GIS Coordinator**                  | -       | -       | -          | -          |
|    | Senior Planner**                           | -       | -       | -          | -          |
| 12 | Wastewater Treatment Superintendent**      | \$35.60 | \$48.05 | -          | -          |
|    | Water Treatment Superintendent**           | -       | -       | -          | -          |
|    | City Assessor**                            | -       | -       | \$1,424.00 | \$1,922.00 |
|    | City Clerk/Tax Collector                   | -       | -       | -          | -          |
|    | City Engineer**                            | -       | -       | -          | -          |

|    |                                                  |         |         |            |            |
|----|--------------------------------------------------|---------|---------|------------|------------|
|    | City Planner**                                   | -       | -       | -          | -          |
|    | Deputy Finance Director                          | -       | -       | -          | -          |
|    | Energy & Facilities Manager**                    | -       | -       | -          | -          |
|    | Human Services Director                          | -       | -       | -          | -          |
|    | Police Lieutenant**                              | -       | -       | -          | -          |
|    | Prosecuting Attorney                             | -       | -       | -          | -          |
|    | Solid Waste Manager**                            | -       | -       | -          | -          |
| 13 | Airport Manager                                  | -       | -       | \$1,509.21 | \$2,037.39 |
|    | Assistant Fire Chief                             | -       | -       | -          | -          |
|    | Deputy Fire Chief                                | -       | -       | -          | -          |
|    | Deputy Police Chief                              | -       | -       | -          | -          |
|    | Human Resources Director                         | -       | -       | -          | -          |
|    | Information Systems Manager**                    | -       | -       | -          | -          |
|    | Maintenance Manager**                            | -       | -       | -          | -          |
|    | Recreation Director                              | -       | -       | -          | -          |
|    | Police Captain**                                 | -       | -       | -          | -          |
|    | Systems and Information Technology Administrator |         |         |            |            |
| 14 | Assistant Director/Public Works                  | -       | -       | \$1599.77  | \$2,159.70 |
|    | Chief Assessor                                   | -       | -       | -          | -          |
|    | Library Director                                 | -       | -       | -          | -          |
| 15 | Cyber Services Director                          | -       | -       | \$1,695.84 | \$2,289.20 |
| 16 | Technical Advisor II                             | \$44.93 | \$60.66 |            |            |
|    | Chief of Police                                  | -       | -       | \$1,797.42 | \$2,426.40 |
|    | Director of Planning and Zoning                  | -       | -       | -          | -          |
|    | Director of Public Works                         | -       | -       | -          | -          |
|    | Finance Director                                 | -       | -       | -          | -          |
|    | Fire Chief                                       | -       | -       | -          | -          |
|    | Deputy City Manager                              | -       | -       | -          | -          |

\*\*denotes LPASE Positions.

*Changes to the compensation and classification schedules are shown in red below. Strikeout text represents a deletion of the position due to consolidation or to remove duplicates.*

| POSITION TITLE                   | HOURLY  |         |
|----------------------------------|---------|---------|
| ELECTION POSITIONS (HOURLY)      |         |         |
| Ballot Clerk                     |         | \$10.15 |
| Election Assistant               |         | \$10.15 |
| Supervisors of the Checklist     |         | \$10.15 |
| Moderator                        |         | \$12.69 |
| Ward Clerk                       |         | \$12.69 |
| FIRE DEPARTMENT POSITIONS        |         |         |
| Call Firefighter                 | \$11.25 | \$28.54 |
| PARK AND RECREATION POSITIONS    |         |         |
| Front Desk Attendants – Pool     | \$10.15 | \$15.25 |
| Lifeguards                       | \$10.15 | \$17.50 |
| Head/Lead Counselors             | \$13.20 | \$16.24 |
| Head & WSI Lifeguards            | \$12.18 | \$18.25 |
| Head Front Desk Attendant - Pool | \$12.18 | \$15.50 |
| Outdoor Adventurer - Educator    | \$12.69 | \$16.24 |
| Softball Coordinator             | \$12.69 | \$16.24 |
| Camp Director                    | \$13.20 | \$20.00 |
| Day Camp Counselors              | \$10.15 | \$15.25 |

|                                                                                                                                             |                |                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------|-----------------------------------|
| Arts & Craft Director                                                                                                                       | \$13.20        | \$17.00                           |
| Farmers Market Coordinator                                                                                                                  | \$14.21        | \$18.27                           |
| Market Assistant                                                                                                                            | \$12.18        | \$15.23                           |
| Tennis Instructor                                                                                                                           | \$15.23        | \$19.29                           |
| Stomp & Romp                                                                                                                                | \$15.23        | \$19.29                           |
| Asst. Pool Director                                                                                                                         | \$15.23        | \$21.00                           |
| Pool Director                                                                                                                               | \$16.24        | \$24.00                           |
| <b>LIBRARY POSITIONS</b>                                                                                                                    |                |                                   |
| Circulation Substitutes                                                                                                                     |                | \$13.41                           |
| Reference Librarian Substitutes                                                                                                             |                | \$22.65                           |
| <b>PUBLIC WORK POSITIONS</b>                                                                                                                |                |                                   |
| Engineering Clerk                                                                                                                           | \$11.17        | \$14.21                           |
| GIS Clerk - (or Intern) These are the landfill interns                                                                                      | \$15.23        | \$17.26                           |
| Seasonal Laborers – Summer & Fall DPW, Parks & Rec. & Airport                                                                               | \$16.24        | <del>\$19.29</del> <b>\$20.52</b> |
| CDL Seasonal Drivers                                                                                                                        | <b>\$22.81</b> | <del>\$27.30</del> <b>\$50.00</b> |
| <b>PLANNING POSITIONS</b>                                                                                                                   |                |                                   |
| Park Ranger                                                                                                                                 | \$15.23        | \$17.26                           |
| <b>POLICE DEPARTMENT POSITIONS</b>                                                                                                          |                |                                   |
| Crossing Guard                                                                                                                              |                | \$16.53                           |
| Communications Specialist                                                                                                                   | \$23.78        | \$32.45                           |
| Police Administrative Aide                                                                                                                  | \$20.30        | \$23.35                           |
| Parking Control Officer                                                                                                                     | \$20.30        | \$23.35                           |
| Police Officers                                                                                                                             | \$26.86        | \$32.39                           |
| <b>CITY CLERK POSITIONS</b>                                                                                                                 |                |                                   |
| Assistant City Clerks (Part-Time/Temp. <20)                                                                                                 | \$23.41        | \$31.61                           |
| Recording Secretary                                                                                                                         | \$21.82        | \$23.85                           |
| Recording Secretary Coordinator                                                                                                             | \$22.82        | \$24.36                           |
| <b>SHARED POSITION</b>                                                                                                                      |                |                                   |
| General Intern I                                                                                                                            | \$13.20        | \$16.75                           |
| <b>STIPEND POSITIONS</b>                                                                                                                    |                |                                   |
| Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs) | \$205          | \$715                             |
| (Chair) Supervisors of the Check List                                                                                                       | \$155          | \$255                             |
| Supervisor of the Voter Checklist                                                                                                           | \$155          | \$255                             |

## 2. SCHEDULE PUBLIC HEARING:

***MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, July 7, beginning at 7:00 pm, Council Chambers, City Hall, Lebanon, and Remote via City's Virtual Platform, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, as follows:***

- 1. Amend Article II, Non-Affiliated & LPASE Employees, Section A – Regular Full-time and Part-time Benefit Eligible Positions to reclassify the position of Human Services Director from a Grade 10 to a Grade 12; and to add the position of Deputy Assessor, (Grade 9); and**
- 2. Amend Article II, Non-Affiliated & LPASE Employees, Section B – Seasonal/Temporary & Stipend Employees to increase the wage ranges for Seasonal Laborers and CDL Seasonal Drivers**

**AGENDA  
LEBANON CITY COUNCIL  
JUNE 2, 2021**

**10. NEW BUSINESS:**

**10.E – PARTNERSHIP WITH THE SCHOOL DISTRICT: ACQUISITION,  
RENOVATION, AND USE OF THE FORMER SEMINARY HILL SCHOOL BUILDING**

**BACKGROUND**

The Seminary Hill School building is owned and operated by the Lebanon School District. The building serves as the offices of the Lebanon School Administrative Unit. The building also has a gymnasium and auditorium.

The structure is old and in need of renovation. The heating system is at the point of failure and needs replacement at an estimated cost of \$500,000. The building is not adequately insulated, the windows are in need of replacement, and the building is not fully accessible to persons with disabilities.

The City is reviewing options to construct a community center. The City presently rents office space for the Human Services Department and the Recreation, Arts and Parks Department. City Administration is planning to rent space for the Cyber Services Department starting in the middle of 2022. This will be as a result of moving the Cyber Services Department from City Hall to allow the Lebanon Opera House to fully utilize the third floor of City Hall.

The City formed a working group last year that explored the needs for a community center. The City has looked at different locations including the exploration of a partnership with the CCBA. The CCBA has chosen a different path and has decided this is not in their best interest at this time. The West Lebanon Revitalization Advisory Committee has expressed an interest in renovating the Seminary Hill School building to serve as a community center.

The Joint School/City Task Force met on 5/20/21 to discuss the level of interest in potential partnership between the City and the School District regarding the building. Both School Board Chairperson Richard Milius and Mayor Timothy McNamara agreed that although there are many issues that would have to be resolved, there is an interest in exploring possibilities further. Chairman Milius would be interested in a formal proposal from the City. Mayor McNamara proposed a possible concept such that the School District would turn the building over to the City. The City would pay for the cost of renovating the building by exploring several possible revenue sources. The City would then lease back to the School District space for the SAU administrative offices at a reasonable cost. The City would move the Human Services Department, Recreation Arts and Parks Department, and the Cyber Services Department into the building which would offset the City's cost to lease space elsewhere for these functions. The renovated space would house a community center and fully utilize the auditorium and gymnasium for public use.

Further, the building is located adjacent to the Civic Memorial field complex, the Dana House and the City property located at 3 Seminary Hill Road. Efforts to demolish and clean up the Westboro Yard continue to move forward. This proposal would aid in the redevelopment of the West Lebanon downtown area and provide a facility for the public to more readily utilize.

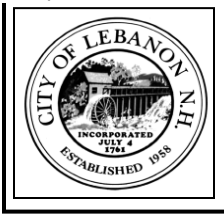
## **ACTION**

*Should the Council wish to authorize the City Manager to explore a partnership with the School District on the future use of the former Seminary Hill School Building, the following motion is offered for consideration:*

***MOVED, that the Lebanon City Council hereby proposes the exploration of a partnership with the Lebanon School District regarding the acquisition, renovation and use of the former Seminary Hill School Building and directs the City Manager to make a formal written proposal to the School Board for that purpose. Further, the City Manager is authorized to take actions necessary to formalize a plan with the School District that could be acted upon by the City Council regarding the acquisition, renovation, and use of the building.***

### **Included in this Section:**

1. May 11, 2021 Letter of Support by the West Lebanon Revitalization Advisory Committee
2. May 18, 2021 Letter of Support by the Friends of Recreation and Parks
3. May 18, 2021 Letter of Support by the Lebanon Housing Authority



## CITY OF LEBANON ~ PLANNING & DEVELOPMENT

Date: May 11, 2021

From: The West Lebanon Revitalization Advisory Committee

**Re: Letter of Support for repurposing the Seminary Hill School as a Cultural & Recreational Center in West Lebanon**

The West Lebanon Revitalization Advisory Committee (WLRAC) is tasked with envisioning and enacting a strategy that will inject new energy into our historic downtown village. Comprehensive planning efforts date back to 2004, culminating in the 2019 Visioning Charrette. The 2012 Lebanon Master Plan clearly states the mission:

*“Downtown West Lebanon shall be a vibrant village - a crossroads where residents and visitors work, meet, shop, and share in a good quality of life and a firm sense of community and belonging. The City of Lebanon seeks to promote and enhance downtown West Lebanon as a historic center offering a “small-town” atmosphere, serving the commercial, service and recreational needs of residents in surrounding neighborhoods, and providing opportunities for professional and similar businesses seeking the benefits of a downtown location.”*

To that end, the WLRAC has sought opportunities to improve civic life in downtown West Lebanon. Whereas downtown Lebanon is anchored by substantial public buildings and institutions (City Hall, Opera House, Library, Post Office, AVA Gallery) surrounding Colburn Park, West Lebanon’s public realm buildings are currently limited to the highly successful and well-utilized Kilton Public Library, and the out-of-date and soon-to-be-replaced West Lebanon Fire Station.

A third publicly-owned building has the potential to be a transformative resource for downtown West Lebanon: the former Seminary Hill School, which is owned by the Lebanon School District and currently occupied by SAU 88 as administrative offices.

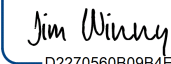
The current use represents inefficient utilization of community assets, which are in finite supply. The WLRAC believes this is not the highest and best use of this historic property, which is improved with an ADA accessible gymnasium and performance space, and adjacent outdoor recreation opportunities.

This building has the opportunity to meet a much needed and oft-discussed community need, in alignment with the City’s ongoing search for a Community Center. That effort has received sufficient interest from the City Council to receive funding, and the reexamination of the Seminary Hill School building could align with those efforts in a more cost-effective manner than securing– or constructing– a new facility.

This is in keeping with Chapter 8 (Community Facilities and Services), Outcome 2, Action 2 [8.2.A2] of the 2012 Lebanon Master Plan: “review City and school district buildings no longer used for their original purpose for potential future uses or disposal.”

The WLRAC believes this building should be an iconic part of the future of downtown West Lebanon, and we urge the Lebanon City Council to work with the Lebanon School Board and School District to seek a use for it that responds to the many years of planning for West Lebanon's downtown, the Master Plan, and the recent Visioning Charrette -- a use that contributes to *a good quality of life and a firm sense of community and belonging*.

Sincerely,

DocuSigned by:  
  
D2270560B09B4E4...  
City Councilor Jim Winny, *Chair*  
West Lebanon Revitalization Advisory Committee



# Friends of Lebanon Recreation & Parks

Where **community**, **friends** & **action** meet

## Board of Directors

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Recreation Director

## Letter of Support

### Seminary Hill School Conversion to Lebanon Community Center

May 18, 2021

The Friends of Lebanon Recreation and Parks (FOLRP) are committed to raising funds in order to support and enhance recreational activities and parks in Lebanon NH. Our support for the City of Lebanon's efforts towards the enrichment of Lebanon's quality of life has been recognized through the City's annual Work Plan and throughout the Recreation Chapter of the Master Plan.

The FOLRP has successfully lead initiatives in both Lebanon and West Lebanon, ranging from bricks and mortar campaigns like the playground, ice rinks and warming hut projects, to rehabilitation projects like the Rusty Berrings Skatepark.

With only two substantial parks in West Lebanon, we believe it is vital for the whole of Lebanon, and in particular for West Lebanon, that the City convert the former Seminary Hill school building into an operational Lebanon Community Center. Lebanon lacks an indoor community center where our teenage population can congregate, relax, recreate, feel welcomed and appreciated. A repurposed Seminary Hill building could function as that space while also providing an opportunity for multi-generational gatherings, athletic activities, performing arts, recovery meetings, and special events.

The Friends of Lebanon Recreation and Parks believe this initiative falls directly in-line with our mission, and we would support this project.

Sincerely,

Nathan Gile, President  
Friends of Lebanon Recreation and Parks

# LEBANON HOUSING AUTHORITY

Ditha Alonso  
Executive Director

James Moretti, Chairman  
Shelly Moses, Vice Chairman  
Matthew Brown, Treasurer  
Juliette King, Assistant Treasurer  
Cliff Saunders, Commissioner  
Ian Girdwood, Commissioner

May 18, 2021

## Letter of Support for Repurposing the Seminary Hill School Building as a Lebanon Community Center

The Lebanon Housing Authority seeks to support durable, sustainable, all-inclusive communities by providing equal housing opportunities within its portfolio of quality affordable housing that is decent, safe and sanitary within a suitable living environment. An associated major component of our mission is to support and assist with the welfare and social needs of residents so as to promote residents' engagement within their housing community, and to foster a sense of accountability and awareness to their surroundings. In alignment with these objectives, we view the proposal to convert the former Seminary Hill School building into a Community Center that will benefit all of Lebanon's residents.

There is nationwide evidence that the most desirable recreational facilities are located within the more affluent neighborhoods while communities of need lack similar levels of service. Locating the Community Center in the old Seminary Hill School building would be particularly beneficial to many of our housing authority residents because of its close proximity to Romano Circle (our family housing complex in West Lebanon) and because the free local transit buses serve the immediate area. These factors help address the transportation need many lower income families face while trying to access services.

Building a sense of community within the Lebanon Housing Authority's residents, and integrating that sense of belonging into the broader community is an objective that the Lebanon Community Center can help achieve, and the Lebanon Housing Authority supports this effort.

Sincerely,



Beth McShinsky  
Public Housing Program Support Coordinator



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