

**AGENDA  
LEBANON CITY COUNCIL  
APRIL 19, 2017**

**5. ACCEPTANCE OF MINUTES:**

**MINUTES TO BE ACCEPTED**

- March 23, 2017 (Recount)
- March 29, 2017 (Organizational Meeting)
- April 5, 2017 (Regular Meeting)

***MOVED, to approve the minutes as presented in the April 19, 2017 agenda packet.***

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6 **CITY OF LEBANON**  
7 **CITY COUNCIL**  
8 **MINUTES OF SPECIAL MEETING - RECOUNT**  
9 **MARCH 23, 2017 - CITY HALL**

10  
11 **MEMBERS PRESENT:** Mayor Georgia Tuttle, Assistant Mayor Suzanne Prentiss,  
12 Councilors Timothy McNamara, Bill Finn, Erling Heistad  
13 Clifton Below and Karen Liot Hill  
14

15 **MEMBERS ABSENT:** Councilors Bruce Bronner and Sarah Welsch.  
16

17 **RECOUNT OFFICIALS**  
18 **PRESENT:** Judith St. Hilaire (Moderator), Jayne Sykes, Chris Apel-Cram,  
19 Anne MacEwan, Kim Rheinlander, Ruth Cioffredi and  
20 Amy Motta.  
21

22 **STAFF PRESENT:** City Clerk Sandra Allard and Deputy City Clerk Kristin  
23 Kenniston  
24 =====

25  
26 At the request of councilor at-large candidate, Catherine Patch, a recount of the ballots cast for  
27 At-Large City Councilor seat during the March 14, 2017 Municipal Election was held on March  
28 23, 2017.  
29

30 Three teams consisting of two election officials per team were set up with Moderator Judith  
31 St.Hilaire presiding over the recount.  
32

33 Candidate Catherine Patch acted as an observer and appointed Louisa Spencer and Arthur Patch  
34 to observe as well.  
35

36 Candidate and incumbent Karen Liot Hill was present. Ms. Hill appointed Amy Dingley, Barbara  
37 Hirai and Barry Schuster to act as her observers.  
38

39 The meeting was called to order by Mayor Tuttle at 6:02 pm.  
40

41 City Clerk Sandra Allard explained the rules and process that would be observed during the  
42 recount. The counting process then commenced.  
43  
44  
45  
46  
47

1 The following were the results of the recount:

2

Candidate	Ward 1	Ward 2	Ward 3	Totals
Patch	188	190	145	523
Balog	22	21	18	61
Hill	146	188	197	531

3  
4 At 7:01 pm, Moderator Judith St.Hilaire announced the results and proclaimed the winner to be  
5 Karen Liot Hill, with 531 votes. Catherine Patch had 523 votes and Michael Balog had 61 votes.

6  
7 At 7:02, Mayor Tuttle repeated the results and affirmed Karen Liot Hill as the winner.

8  
9 **Motion by Councilor Heistad to adjourn the meeting at 7:05 PM.**

10  
11 **Seconded by Councilor Finn.**

12  
13 **Vote on Motion was unanimous in favor, with Councilor Hill abstaining.**

14  
15 The meeting adjourned at 7:05 pm

16  
17 Respectfully submitted,

18  
19  
20 Kristin M. Kenniston  
21 Deputy City Clerk/Recording Secretary

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2  
3 **CITY OF LEBANON**  
4 **CITY COUNCIL**  
5 **Minutes, Organizational Meeting, March 29, 2017**  
6 **City Hall—Council Chambers**  
7 **7:00 p.m.**  
8

9 **MEMBERS PRESENT:** Councilors Clifton Below, William Finn Jr. (outgoing), Erling  
10 Heistad, Karen Liot Hill, Tim McNamara, Suzanne Prentiss, Shane  
11 Smith (incoming), Georgia Tuttle (outgoing), Sarah Welsch, Jim  
12 Winny (incoming)  
13

14 **MEMBER ABSENT:** Councilor Bruce Bronner  
15

16 **STAFF PRESENT:** Interim City Manager Paula Maville, City Clerk Sandra Allard,  
17 Administrative Assistant Tina Stearns  
18

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19  
20  
21 The meeting was called to order at 7:00 p.m. by Mayor Tuttle.  
22

23 **I. PLEDGE OF ALLEGIANCE**  
24

25 Mayor Tuttle led the Council in the Pledge.  
26

27 **II. PUBLIC FORUM ANNOUNCEMENT BY THE MAYOR**  
28

29 Mayor Tuttle made the announcement.  
30

31 **III. OPEN TO PUBLIC:** No members of the public spoke at this time.  
32

33 **IV. RETIREMENT OF OUTGOING COUNCILORS**  
34

35 Mayor Tuttle read the following resolution:  
36

37 ***RESOLUTION***  
38 ***HONORING BILL FINN***  
39

40 ***WHEREAS***, Bill Finn served on the City Council from March, 2015 to March, 2017; and  
41

42 ***WHEREAS***, during his tenure on the City Council, Bill Finn served as a Council  
43 representative to the Conservation Commission and the Heritage Commission; and  
44

45 ***WHEREAS***, Bill Finn has supported the City of Lebanon through his involvement and  
46 participation on the Boards and Committees listed above, and has been diligent in his

1 commitment to ensuring that the City provides the best value of services to its residents and  
2 visitors; and

3  
4 **WHEREAS**, Bill Finn was an active participant in the development and adoption of the  
5 Downtown Visioning and Tunnel Assessment Project; and

6  
7 **WHEREAS**, the Lebanon City Council appreciates the time, effort, knowledge, and  
8 commitment provided to the community by Bill Finn during his service on the Lebanon City  
9 Council.

10  
11 **NOW THEREFORE BE IT RESOLVED**, that the Lebanon City Council, on behalf of the  
12 City of Lebanon, extends its sincere appreciation to Bill Finn for his dedicated service and  
13 for his contributions to the community.

14  
15 Dated this 29<sup>th</sup> day of March, 2017 at Lebanon, New Hampshire.

16  
17 Suzanne Prentiss, Assistant Mayor  
18 On Behalf of the Lebanon City Council

19  
20 Mayor Tuttle read a poem she composed in honor of Councilor Finn.

21  
22 Executive Councilor Joseph Kenney read the following proclamation from Gov. Christopher  
23 Sununu:

24  
25 **WHEREAS**, New Hampshire's small towns are the bedrock to the New Hampshire way of  
26 life and society; and

27  
28 **WHEREAS**, Mayor Georgia Tuttle has spent the past decade in her role as mayor helping to  
29 make the City of Lebanon one of the best places to live in America; and

30  
31 **WHEREAS**, the City of Lebanon has been named during Mayor Georgia Tuttle's tenure as  
32 the #1 Best Small Town in America, top 101 Farmers' Markets in America, and 20  
33 Healthiest Small Towns in America; and

34  
35 **WHEREAS**, because of her service to her community, Lebanon has become a much better  
36 place to live and start a business; and

37  
38 **WHEREAS**, Mayor Georgia Tuttle has proudly served the City of Lebanon through  
39 countless ribbon cutting ceremonies, Memorial Day and Labor Day parades, and presentation  
40 of proclamations to 10 young men who achieved the rank of Eagle Scout in the community;

41  
42 **NOW, THEREFORE, I, CHRISTOPHER T. SUNUNU, GOVERNOR** of the State of  
43 New Hampshire, do hereby commend **MAYOR GEORGIA TUTTLE, MD** for her  
44 dedication and service to the City of Lebanon and thank her for her many contributions to the  
45 community and the State of New Hampshire.

46

1 **IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused the Seal of the State  
2 of New Hampshire to be affixed this 29<sup>th</sup> day of March, 2017.

3  
4 Christopher T. Sununu  
5 Governor

6  
7 Executive Councilor Kenney said he has been here for the last three years, and it has been  
8 really enjoyable and educational. He said Mayor Tuttle is a true public servant.

9  
10 Mayor Tuttle thanked everyone in the city, including the City staff and the City Council. She  
11 said it is the work of every person on the City Council, all of the people who work with the  
12 City, and the citizens who participate in these achievements that has made this a pleasure and  
13 success for everyone.

14  
15 Assistant Mayor Prentiss read the following resolution:

16  
17 **RESOLUTION**  
18 **HONORING GEORGIA TUTTLE, MD**

19  
20 **WHEREAS**, Georgia Tuttle served on the City Council from March 2008 to March 2017,  
21 serving as Assistant Mayor from March 2008 to March 2009 and Mayor from March 2009 until  
22 March 2017; and

23  
24 **WHEREAS**, during her tenure on the City Council, Georgia Tuttle served as a Council  
25 representative to the Airport Advisory Committee, Soldiers Memorial Building Advisory Board,  
26 Westboro Yard Committee, Governance Committee, Licensing Board, Steering Committee for  
27 Implementation of the Master Plan (SCIMP), and Economic Vitality Exchange Committee; and

28  
29 **WHEREAS**, Georgia Tuttle has supported the City of Lebanon through her involvement and  
30 participation on the numerous Boards and Committees listed above, and has been diligent in her  
31 commitment to ensuring that the City provides the best value of services to its residents and  
32 visitors; and

33  
34 **WHEREAS**, Georgia Tuttle was an active participant in formulating Lebanon's Principles for a  
35 Sustainable Community and Lebanon's Guiding Principles, both of which provide a commitment  
36 on the behalf of the Lebanon City Council to protect the best interest of the residents of the City  
37 of Lebanon; and

38  
39 **WHEREAS**, Georgia Tuttle was an integral part of the Municipal Airport Master Plan, the  
40 Downtown Visioning and Tunnel Assessment Project, as well as many other policies and studies  
41 that were presented to the City Council; and

42  
43 **WHEREAS**, Georgia Tuttle has always worn her Mayoral hat with honor in representing the  
44 City at business ribbon cutting ceremonies, presenting commending proclamations for numerous  
45 young men achieving the rank of Eagle Scout, and participating in holiday parades; and

1 **WHEREAS**, the Lebanon City Council appreciates the time, effort, knowledge, and commitment  
2 provided to the community by Georgia Tuttle during her service on the Lebanon City Council.  
3

4 **NOW THEREFORE BE IT RESOLVED**, that the Lebanon City Council, on behalf of the City  
5 of Lebanon, extends its sincere appreciation to Georgia Tuttle for her dedicated service and for  
6 her contributions to the community.  
7

8 Dated this 29<sup>th</sup> day of March, 2017 at Lebanon, New Hampshire.  
9

10 Suzanne Prentiss, Assistant Mayor  
11 On Behalf of the Lebanon City Council  
12

13 Ms. Allard presented Dr. Tuttle with a key to the City of Lebanon, and Dr. Tuttle read a goodbye  
14 poem.  
15

16 **V. SEATING OF NEWLY ELECTED & RE-ELECTED COUNCILORS**  
17

18 The following City Councilors were officially seated: James Winny, Ward 1; Suzanne Prentiss,  
19 Ward 1; Shane Smith, Ward 2; Clifton Below, Ward 3; and Karen Liot Hill, At-Large.  
20

21 **VI. SWEARING IN OF ENTIRE COUNCIL**  
22

23 Ms. Allard conducted the swearing in of the Council.  
24

25 **VII. NOMINATION AND ELECTION OF TEMPORARY CHAIR**  
26

27 ***Suzanne Prentiss nominated Clifton Below to serve as Temporary Chair. Hearing no***  
28 ***further nominations, nominations were closed.***

29 ***\*Councilor Below was elected 8-0.***  
30

31 **VIII. NOMINATION AND ELECTION OF MAYOR AND ASSISTANT MAYOR**  
32

33 Chair Below asked for nominations for the position of Mayor.  
34

35 ***Erling Heistad nominated Suzanne Prentiss for the position of Mayor. Hearing no further***  
36 ***nominations, nominations were closed.***

37 ***\*Councilor Prentiss was elected 8-0.***  
38

39 Mayor Prentiss asked for nominations for the position of Assistant Mayor.  
40

41 ***Sarah Welsch nominated Tim McNamara for the position of Assistant Mayor. Hearing no***  
42 ***further nominations, nominations were closed.***

43 ***\*Councilor McNamara was elected 7-0. Abstaining: McNamara.***  
44  
45  
46



1 **IX. NEW BUSINESS**

2

3

4

**A. Adoption of Council Rules**

5 ***Karen Liot Hill moved that the Lebanon City Council adopt the Council Rules as presented***  
6 ***in the March 29, 2017 agenda packet. Seconded by Tim McNamara.***

7

8 Councilor Hill said this is a bit of a formality. She suggested that the Council or the Governance  
9 Committee consider possible amendments to the rules.

10

11 ***\*The motion passed 8-0.***

12

13

**X. MAYORAL APPOINTMENTS OF COUNCILORS TO BOARDS &  
14 COMMITTEES**

15

16 Mayor Prentiss said she will send out a list of board and committee positions and asked  
17 Councilors to sign up for two and to let her know what their preferences are.

18

19 She noted that the RFP for the City Manager position has been issued. There is a page regarding  
20 the search on the City website with a form enabling citizens to comment. She asked Councilors  
21 to let people know about this.

22

23

**XI. ADJOURNMENT**

24

25 ***Karen Liot Hill moved for adjournment. Seconded by Sarah Welsch.***

26 ***\*The motion passed 8-0.***

27

28 The meeting was adjourned at 8:23 p.m.

29

30 Respectfully submitted,

31

32 Charles Glazer

33 Recording Secretary

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3 **CITY OF LEBANON**  
4 **CITY COUNCIL**  
5 **Minutes, Regular Session, April 5, 2017**  
6 **City Hall—Council Chambers**  
7 **6:00 p.m.**  
8

9 **MEMBERS PRESENT:** Mayor Suzanne Prentiss, Assistant Mayor Tim McNamara,  
10 Councilors Clifton Below, Erling Heistad, Karen Liot Hill, Shane  
11 Smith, Sarah Welsch, Jim Winny  
12

13 **MEMBER ABSENT:** Councilor Bruce Bronner  
14

15 **STAFF PRESENT:** Interim City Manager Paula Maville, City Clerk Sandra Allard,  
16 Planning & Zoning Director David Brooks, Police Corporal Gerald  
17 Brown, Police Chief Richard Mello, Administrative Assistant Tina  
18 Stearns, and members of the Lebanon Police Department  
19

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20  
21  
22 The board and committee reports session began at 6:00 p.m.  
23

24 **BOARD AND COMMITTEE REPORTS**  
25

26 ***Conservation Commission***—Councilor Heistad said the Commission is finishing up the Ticknor  
27 Woods project, waiting for funds to be transferred from the State. The Hanover Conservation  
28 Commission has asked Lebanon to take over easements for Indian Ridge and the medical center  
29 pond, but the Commission does not want to do that, as the properties are already conserved, and  
30 Hanover is not offering anything toward expenses. Assistant Mayor McNamara noted that these  
31 are contiguous with easements the City holds. Councilor Heistad said Hypertherm held a trail  
32 forum, and four Commission members attended.  
33

34 ***Pedestrian & Bicyclist Advisory Committee***—Committee Chair Colin Smith said Lebanon has  
35 submitted another application to the Bicycle Friendly Community program. Last year, Lebanon  
36 received Honorable Mention. In response to previous comments, the Committee tried to make  
37 improvements. The City approved a Complete Streets policy, and they are working on a design  
38 guide to implement the policy, based on Keene’s approach, with five levels of streets. They are  
39 working on a bicycle map of the city, and staff is looking at gaps. They will lay out a Complete  
40 Streets map.  
41

42 In response to residents’ concerns, the Committee discussed issues on Eldridge Street and Bank  
43 Street. On Eldridge Street, adjacent to the former Sacred Heart School, there is a striped  
44 pedestrian path in an area where cars park and back out, and there is no sidewalk on the other  
45 side of the street. On Bank Street, near Welch’s Gun Shop, the road profile was changed as part

1 of the CSO project, and parked cars are encroaching on the sidewalk. That is an issue that should  
2 be raised when projects are designed.

3  
4 The Committee heard a presentation from Dartmouth College regarding their bike-sharing  
5 program, run by a private contractor, which Dartmouth plans to expand. They have a sharing  
6 location at Sachem Village. Councilor Heistad said for a yearly fee of \$20, members can use a  
7 bike for free for one hour at a time, with an additional charge for longer use. Councilor Hill  
8 asked when the Committee expects to hear back from Bicycle Friendly America. Mr. Smith said  
9 the process takes about three months. Mayor Prentiss asked if the Committee has representatives  
10 from the police or fire departments. Mr. Smith said they do not. Mayor Prentiss said when safety  
11 issues are involved, the Committee can bring in representatives when needed.

12  
13 **Planning Board**—Board Chair Keith Davio said they have approved no new projects recently.  
14 In April Dana Seguin will appear regarding the addition of the ell on his Park Street house. The  
15 Board approved two-year extensions for the Twin State Sand & Gravel/Iron Horse and Altaria  
16 projects. There was a lot of discussion about the Iron Horse request, and the Board split  
17 regarding granting the extension, feeling that the project is stagnant. The Board made it clear that  
18 they will not grant another extension without serious justification. The Board granted a boundary  
19 line adjustment to Cole Properties/Forrest Cole so their barn will be on their property. Lisciotti  
20 Development/Timken appeared twice requesting a change in zoning to General Commercial for a  
21 portion of the Timken property. They propose two retail spaces of 9,100 and 7,200 square feet.  
22 The Board did not change their view that there is no compelling reason to approve this change.  
23 The Board also discussed proposed zoning amendments, and they heard the annual presentation  
24 regarding legal issues.

25  
26 The wildlife corridor analysis has been completed, and the Board asked staff to alert them when  
27 developments include these areas. Regarding the Carter Country Club project, the Board is  
28 awaiting drainage and water flow data. The Board will meet regarding this application at the end  
29 of April; that may be the last full hearing, followed by deliberation. On Railroad Avenue, there is  
30 a proposal to take the old Westboro ticket office and add 2,700 square feet for a deli and  
31 restaurant with 60 seats. That should be resolved at the next meeting; parking is a key issue.

32  
33 Councilor Hill asked what the issues are regarding the Timken property. Mr. Davio said  
34 according to the developer, a marketing analysis has identified that as a good retail location. The  
35 Board was concerned that there are already a lot of vacancies in commercial areas and more  
36 commercial space may not be needed, and there is concern about traffic.

37  
38 **Heritage Commission**—Chair Robert Welsch was unable to attend the meeting and submitted a  
39 written report.

40  
41 **Economic Vitality Exchange Committee**—Ms. Maville said they have discussed business  
42 retention and affordable workforce housing. In January, they met with Chris Wellington of the  
43 Grafton County Economic Development Council. The Dartmouth Regional Technology Center  
44 has 25 start-ups, with a wait list. Some of those manufacturing and high-tech businesses may be  
45 looking to expand, but they lack available space. A big issue for the business sector is a lack of  
46 housing. In February, they met with a representative from the Buxton Company, which

1 specializes in retail recruitment and retention. They work with retailers to understand their  
2 customer base and where it is located, then they match retailers with communities. The cost  
3 starts at \$50,000 per year, depending upon what services are requested. There are other  
4 companies that do the same thing with industrial and manufacturing companies. In March, they  
5 discussed the current mission of the Committee and its goals. The goals they developed were:  
6 --Align current demands for commercial and industrial development with current regulations and  
7 available land.  
8 --Identify uses that maximize mutual economic benefit to the City and its stakeholders.  
9 --Develop an intentional approach to business recruitment and retention (with a focus and  
10 priority on retention of existing business)  
11 --Engage in revitalization efforts for downtown West Lebanon

12  
13 Councilor Welsch said the Planning Board was concerned that there is one space on Route 12A  
14 that has been vacant for too long, but people want to come in and build from the ground up. Ms.  
15 Hill said that is not necessarily the Planning Board's job. Ms. Maville said an overall review of  
16 comporting with the Master Plan is the Planning Board's job. The question is whether the  
17 Timken property is the proper location to consider commercial space and take away industrial  
18 land. Councilor Hill said it is adjacent to commercial land, and one could make a case that it is  
19 just as appropriate for commercial and not large enough for industrial development.

20  
21 Vice Chair McNamara said at the March meeting of the Economic Vitality Exchange  
22 Committee, he raised the point that the City should be sure that their regulations are in synch  
23 with what they are looking for, especially with regard to industrial development. Too often, there  
24 is divergence between the regulatory environment and what the real world needs in order for  
25 them to do what the City wants them to do. He said the Committee is a good place to have that  
26 discussion, because members have that type of experience.

27  
28 **Lebanon Energy Advisory Committee**—Councilor Below said he prepared an annual overview  
29 of what the Committee is doing. James Dean will resign, as he is moving out of Lebanon, and  
30 Lorraine Kelly's term is expiring, and she is not expected to reapply. They have done the  
31 planning process for their four major work areas. They invited members of the Plainfield,  
32 Cornish, and Plainfield energy committees to a meeting, and they held an expo regarding solar  
33 power at the Kilton Library. Those who want to take advantage of the current net metering  
34 arrangement should do so now, as the State will be transitioning to a new net metering tariff. The  
35 Committee has assessed City sites for PV and energy infrastructure. Two partial settlements have  
36 been proposed to the Public Utilities Commission (PUC), and he said the City's interest lies  
37 between the two, so he did not advocate for either one. He made recommendations as to how the  
38 PUC can resolve the issue. He said Liberty Utilities is willing to initiate a pilot program for a  
39 new tariff that would avoid transmission costs. The issue is how to develop a streetlight tariff for  
40 LED lighting. Liberty has proposed a monthly rate, but Manchester said they want to do it  
41 themselves. The question is whether it is more economical for Lebanon to own and install the  
42 lights. The grid modernization discussions have wrapped up. Next quarter, they will be looking  
43 at municipal aggregation and real-time pricing.

44  
45 Councilor Hill noted that the City has intervener status regarding the liquefied natural gas plans.  
46 Councilor Below said he is not involved with that. He said Liberty cited Lebanon's Master Plan

1 in support of their project. The Planning Office has been asked to strike the references to natural  
2 gas in the Master Plan. Councilor Hill said a lot of people are interested in that project. She asked  
3 what the City’s position is. Councilor Below said the City wants to protect its interests in the  
4 local planning and zoning process. Ms. Maville said they have not taken an official position.  
5 Councilor Hill asked if the Council should take a position. Councilor Below said this kind of  
6 project has not happened in a long time, and the Council could take a position.

7  
8 The board and committee reports session ended at 6:57 p.m.

9  
10 The regular meeting was called to order at 7:02 p.m. by Mayor Prentiss.

11  
12 **I. PLEDGE OF ALLEGIANCE**

13  
14 Councilor Winny led the Council in the Pledge.

15  
16 **II. PUBLIC FORUM ANNOUNCEMENT BY THE MAYOR**

17  
18 Mayor Prentiss made the announcement.

19  
20 **III. OPEN TO PUBLIC**

21  
22 No members of the public spoke at this time.

23  
24 ***Tim McNamara moved to suspend the rules and change the order of the agenda by***  
25 ***discussing items 9G and 9H between items 9B an 9C. Seconded by Sarah Welsh.***  
26 ***\*The motion passed 8-0.***

27  
28 **IV. RESOLUTIONS**

29  
30 Mayor Prentiss read the following resolution:

31  
32 **RESOLUTION**  
33 **Honoring Gerald E. Brown**

34  
35 **WHEREAS**, Gerald E. Brown has devoted himself to a career in public service as a Police  
36 Officer, having served in the Lebanon Police Department for over 16 years; and

37  
38 **WHEREAS**, Corporal Brown has demonstrated during employment with the City those many  
39 attributes that were essential to his position, continually giving of himself freely and unselfishly.  
40 He has served as an example of dedication to his profession.

41  
42 **WHEREAS**, Corporal Brown has served thousands of Lebanon’s and the region’s residents over  
43 the past 16 years in a courteous and helpful manner, often going above and beyond.

44  
45 **NOW, THEREFORE, BE IT RESOLVED**, that we, the members of the Lebanon City Council,  
46 on behalf of the citizenry of Lebanon, Corporal Brown’s friends, fellow employees and

1 associates, express our admiration of and respect for the career of our outstanding and faithful  
2 employee and extend to him our sincere gratitude and wish him well in retirement;

3  
4 **BE IT FURTHER RESOLVED**, that this Resolution be written upon the minutes of the  
5 Lebanon City Council meeting and a copy be presented to Gerald E. Brown.

6  
7 Dated this 5<sup>th</sup> day of April, 2017 at Lebanon, New Hampshire.

8  
9 Suzanne Prentiss, Mayor

10 *On behalf of the Lebanon City Council*

11  
12 Chief Mello said he has been impressed by Corporal Brown’s attitude and his approach to the  
13 job. He has served citizens with consistency and respect, and his departure will be a real loss. He  
14 said he appreciated the way Corporal Brown supported him when he became chief. He said he  
15 hopes Corporal Brown will continue to serve part time on a civilian basis.

16  
17 **V. ACCEPTANCE OF MINUTES**

18 March 15, 2017 (Non-Public Session); March 15, 2017 (Regular Session);

19 March 16, 20167 (Canvass of the Vote)

20  
21 Change to the minutes of March 15 (Regular Session): Page 3, line 16, replace “on” with “one”.

22  
23 **Tim McNamara moved to approve the minutes as presented in the April 5, 2017 agenda**  
24 **packet as amended. Seconded by Karen Liot Hill.**

25 *\*The motion passed 7-0. Abstaining: Winny.*

26  
27 **VI. APPOINTMENTS**

28  
29 **A. Planning Board**

30  
31 **Paula Maville nominated Gregory Schwarz for reappointment to the Lebanon Planning**  
32 **Board for a three-year term (4/17-4/20) and Karen Zook as an alternate member of the**  
33 **Lebanon Planning Board for a three-year term (4/17-4/20).**

34  
35 Councilor Welsch said Mr. Schwarz has been a dedicated board member and is a bright and  
36 capable addition.

37  
38 Georgia Tuttle, Ward 1, said a petition was submitted to the Council raising concerns about the  
39 planning process. The petition was accepted, but she said she was disturbed to see that Mr.  
40 Schwarz’ was the first signature. He said as the Planning Board is a quasi-judicial board,  
41 members should be objective. She said at the Feb. 8 Heritage Commission meeting, Mr. Schwarz  
42 stated that a developer had made a deal with someone in the City, that he brought it up at a  
43 Planning Board meeting, and that the Board and the planning staff knew nothing about it, but  
44 because he spoke, it was able to be rescinded. According to Dr. Tuttle, Mr. Schwarz said future  
45 developers would have to be asked about secret deals. She said she thought the Council should

1 be aware of these items so they are not blindsided by them. She said she knows of no behind-the-  
2 scenes deals. The Council has worked hard to have a transparent system.

3  
4 Councilor Hill asked when Mr. Schwarz' term expires. Ms. Allard said it expired at the end of  
5 February. Councilor Hill said the nomination could be tabled, as Dr. Tuttle raised some questions  
6 that may require further thought. Assistant Mayor McNamara said he agreed, and he would like  
7 to delve into this further.

8  
9 ***Tim McNamara moved to table the nomination of Gregory Schwarz. Seconded by Karen Liot***  
10 ***Hill.***

11 ***\*The motion passed 7-0. Abstaining: Welsch.***

12  
13 Ms. Maville reviewed her interview with Ms. Zook. She said she believes she will be a nice  
14 addition to the board. Councilor Hill said she has known Ms. Zook and her business partners  
15 since they came to the area, and her business has been a great addition to the Lebanon Mall. She  
16 said she highly recommends her.

17  
18 ***\*The appointment of Karen Zook was approved 8-0.***

19  
20 **VII. PUBLIC HEARING ITEMS:** None

21  
22 **VIII. OLD BUSINESS:** None

23  
24 **IX. NEW BUSINESS**

25  
26 **A. Discussion:** Overview of Upper Valley-Lake Sunapee Regional Planning  
27 Commission's Brownfields Assessment Program

28  
29 Amber Boland of the regional planning commission and Rip Patten of Credere Associates  
30 appeared. Mr. Brooks said the regional planning commission received a brownfields grant that  
31 covers a three-year period. Lebanon nominated two properties, and they were accepted. Mr.  
32 Patten said he is an environmental engineer with Credere, and he works with regional planning  
33 commissions to assess brownfields and move toward remediation. He said the brownfields  
34 program is designed for former industrial properties when private developers cannot pay for  
35 assessment and cleanup. The grant provides 100% funding for assessments, with \$200,000 for  
36 hazardous substance issues and \$200,000 for petroleum issues. The properties can be owned by  
37 private parties, municipalities, or non-profits.

38  
39 He said the process involves a Phase I environmental assessment for potential environmental  
40 issues, an environmental sampling work plan, Phase II investigations, and a remedial action plan  
41 describing how to clean up the property. This is followed by visioning, site master planning, and  
42 an evaluation of other roadblocks. They need a signed access agreement. This may take longer  
43 than the normal environmental process, as EPA and NHDES must review drafts. The final  
44 reports are in the public realm. If something bad is found, they can leverage other brownfields  
45 programs.



1 Mr. Patten provided an overview of Credere Associates, the assessment process, and examples of  
2 sites. He said the goal is a change of use for the former DPW properties to a higher and better  
3 use. A purchaser will want to know what environmental work is required. Credere will  
4 synthesize the previous work and do additional sampling if necessary. The Spencer Street site  
5 will get an updated Phase I site assessment. Mr. Brooks said a Phase I assessment has a shelf life  
6 of about one year, but Phase II assessments do not expire. There has already been a Phase I  
7 assessment, so they are starting with Phase II. When they find a prospective purchaser, they will  
8 redo the Phase I assessment so the purchaser will have some liability protection.

9  
10 Assistant Mayor McNamara asked if the \$400,000 is per year or for three years. Ms. Boland said  
11 it is for three years. Assistant Mayor McNamara asked if they are confident that they will get all  
12 of the funding. Ms. Boland said they have it. Councilor Hill asked what the time frame is. Mr.  
13 Patten said they are reviewing the information to identify data gaps, they will submit a work plan  
14 within two or three weeks, and then they allow a month for review of the plans. He expects the  
15 work to last three or four months. Councilor Hill asked about Westboro Yard. Mr. Brooks said  
16 that was on the short list of sites, but it is his understanding that there must be a willing owner,  
17 and NHDOT is not interested in having this work done. They are in full compliance with what  
18 they require. Councilor Hill said the City should reopen lines of communication with NHDOT.  
19 There was a Phase I assessment of the entire site and a Phase II assessment and cleanup of two  
20 acres. She said this is a blight on downtown West Lebanon.

21  
22 **B. Anti-Discrimination Resolution for Transgender Municipal Employees in**  
23 **Lebanon**  
24

25 Councilor Welsch said in January, a student from the University of New Hampshire and a  
26 member of the New Hampshire Freedom Coalition found an imbalance in the treatment of  
27 transgender employees from town to town. The first issue relates to City employees. A 2009  
28 resolution provided protection against harassment, but there was no mention of transgendered  
29 persons. The second issue is a resolution that is before the New Hampshire House to rectify the  
30 situation in the state. An anti-discrimination bill was tabled this year. The second action would  
31 tell Concord of Lebanon's wishes when the House considers the bill during the next term.

32  
33 Doug Marino said the first city to take action was Portsmouth in 2014, and others noticed and  
34 took action. The House bill passed a committee vote 15-2, but it was tabled under pressure from  
35 the Speaker of the House. They intend to pursue the bill. He said this is an opportunity for  
36 Lebanon to make a statement about fairness. He said Lebanon has a good history regarding civil  
37 rights, and he thought they could lead the way.

38  
39 Councilor Below said he has no problem with the resolution, but he suggested starting the third  
40 paragraph with "According to a 2011 survey." Councilor Hill said she will support the motion,  
41 but she is inclined to offer only the "Resolved" section as the motion. State Rep. Susan Almy,  
42 Ward 1, said if the Speaker had not tabled the bill, it probably would have passed. It can be  
43 brought back in January, and she is hopeful it can pass. She said support from other  
44 municipalities is helpful. Robert Riccio noted that the Pledge of Allegiance ends with "liberty  
45 and justice for all." Lori Fortini, Ward 2, said she loves her community and said it is wonderful  
46 that they are on the right side of history by putting equality for all out there. The State should get

1 the message that they are not happy the bill was tabled. Councilor Heistad said Lebanon has had  
2 a very successful time with transgendered people, and this is positive for individuals and the city.

3  
4 **Clifton Below moved passage of the following resolution:**

5  
6 **BE IT RESOLVED** that the City of Lebanon asks the City Manager to adopt a formal  
7 policy of non-discrimination regarding transgender municipal employees by forbidding  
8 discrimination based upon a person’s gender identity and/or expression and  
9 communicating that policy to its employees and within its employee policies and manuals,  
10 and

11  
12 **That the City of Lebanon supports enactment of statewide anti-discrimination protections**  
13 **and equal treatment, respect, and dignity for transgender individuals in the areas of**  
14 **employment, housing, and public accommodations.**

15  
16 **It also be provided that:**

17  
18 **A copy of this Resolution be sent to the Governor of the State of New Hampshire, the**  
19 **Speaker of the New Hampshire House of Representatives, and the President of the New**  
20 **Hampshire State Senate.**

21  
22 **Seconded by Tim McNamara.**

23  
24 Assistant Mayor McNamara suggested dividing this into two resolutions. Councilor Below said  
25 as one resolution, the leaders of the state will know that Lebanon has adopted this policy.

26 Assistant Mayor McNamara said they can supply updated documents to the State. Councilor Hill  
27 suggested bringing this to the New Hampshire Municipal Association, as they could be an ally in  
28 the lobbying process. Mayor Prentiss said they can maintain this as one resolution; one is City  
29 policy, and the other relates to the State bill.

30  
31 **\*The motion passed 8-0.**

32  
33 **G. LEAC Recommendations for CIP proposal: Landfill Gas Utilization**

34  
35 James Dean said he presented to LEAC a spreadsheet showing the benefits of landfill gas  
36 utilization. Councilor Below reviewed the history of this effort. Mr. Dean showed a diagram of  
37 the landfill property. He said there is one megawatt of power coming out of the flare, and there is  
38 a strong desire to convert that to something other than CO<sub>2</sub>. Assumptions include 7,500  
39 megawatt-hours from the flare, and City consumption of about 5,000 megawatt-hours of  
40 electricity per year. This could be funded by a revenue bond that will not affect the City’s  
41 bonding ability. The allocations are conservative. He has compared the electricity production to  
42 the electricity supply rate; all other charges remain fixed. The calculations do not include carbon  
43 offsets. He said with the bond payment in place, the savings to the City would be \$43,000 per  
44 quarter. After payback of the bond, the savings would be \$122,000 per quarter. The City’s total  
45 electricity budget is \$926,080 per year. Based on the current contents, the landfill will generate  
46 gas for about 15 years. Councilor Below said if they want to generate income from sale of

1 electricity, they have to determine the connection costs, which would probably not be high. They  
2 would be selling power to themselves and others.

3  
4 Assistant Mayor McNamara said the goal is to purchase power more cheaply and respond to  
5 instantaneous pricing. He asked if that is still a possibility. Councilor Below said it is. He said it  
6 is difficult to store and transmit the gas, as it is only half methane, and it would have to be  
7 cleaned up. The highest and best use is electricity, because it is easy to do. Mr. Dean said there  
8 are existing engines that do this. Councilor Heistad asked how long the landfill will be in use and  
9 how long afterward the gas will be generated. Mr. Dean said there is about 50 years left of gas  
10 generation.

11  
12 ***Karen Liot Hill moved that the Lebanon City Council hereby directs the Interim City***  
13 ***Manager to work with staff to develop a CIP project proposal as part of the 2018-2023***  
14 ***Capital Improvement Program that will permit the City Council to consider the***  
15 ***implementation of landfill gas utilization in fiscal year 2018. Seconded by Jim Winny.***  
16 ***\*The motion passed 8-0.***

17  
18 **H. LEAC recommendation for CIP proposal: Solar Voltaic System at the**  
19 **Landfill**

20  
21 Councilor Below said the landfill garage has a roof with good southern exposure, and at the new  
22 scale house, there is room for pedestal-mounted tracking systems. The recycling building also  
23 has good roof exposure. This would be good solar power generation and good public exposure.

24  
25 ***Karen Liot Hill moved that the Lebanon City Council hereby directs the Interim City***  
26 ***Manager to work with staff to develop a CIP project proposal as part of the 2018-2023***  
27 ***Capital Improvement Program that will permit the City Council to consider the***  
28 ***implementation of a solar photovoltaic energy generation system at the landfill in fiscal***  
29 ***year 2018. Seconded by Shane Smith.***

30  
31 Councilor Hill thanked LEAC for bringing this forward.

32  
33 ***\*The motion passed 8-0.***

34  
35 **C. Discussion and Set Public Hearing for June 21, 2017: Request by Twin Pines**  
36 **Housing Trust and Mascoma Savings Bank to rezone 16 Tracy Street, West**  
37 **Lebanon, and 70 Main Street, West Lebanon, from Residential-Three (R-3) to**  
38 **Central Business District (CBD)**

39  
40 (Assistant Mayor McNamara recused himself at this time.)

41  
42 Executive Director Andrew Winter of Twin Pines Housing Trust and project manager Jeff  
43 Yegian appeared. Mr. Winter reviewed the history of this project and showed photos of the Gile  
44 Hill development. He showed a chart comparing the approved plan with the revised plan. The  
45 new plan changes from four to three stories, from 31 to 29 units, from 39,198 square feet to  
46 27,075 square feet, and eliminates the first-floor non-profit office. He said the changes were

1 made in response to funding competitiveness and input from abutters. They are moving the  
2 project from Main Street to Tracy Street, with a dedicated parking lot. Tracy Street has other  
3 multi-family buildings. They are requesting permission to move to the Planning Board for further  
4 review.

5  
6 Mr. Brooks said the location of the zoning district has no relationship to the property line; it is  
7 based on a standard setback from the center line of the road. They have been trying to get away  
8 from this. He said the proposal makes sense and complies with the Master Plan. He said it might  
9 make sense to look at a broader piece of Main Street where parcels are in split zones. He said this  
10 proposal has not been reviewed by legal counsel; a broader look might alleviate questions of spot  
11 zoning.

12  
13 **Clifton Below moved that the Lebanon City Council hereby accepts the request by Twin**  
14 **Pines Housing Trust and Mascoma Savings Bank for a Zoning Map Amendment, and, in**  
15 **accordance with the City of Lebanon Zoning Ordinance, Article X, Section 1000.3.A,**  
16 **Amendment Procedures, submits the proposed amendment to the Planning Board and**  
17 **Conservation Commission for their review and comment. The City Council hereby sets the**  
18 **following tentative review schedule:**

- 19
- 20 **Planning Board, Regular Meeting—May 8, 2017**
- 21 **Conservation Commission, Regular Meeting—May 11, 2017**
- 22 **City Council Public Hearing—June 21, 2017**
- 23

24 **Seconded by Sarah Welsch.**

25  
26 Jocelyn Schreiber, an abutter, said this has been discussed three times. She said Mascoma  
27 Savings Bank wanted to put parking in their back yard, and there is a year-round stream there.  
28 She said this is the same plan, with parking in that area. She said she is happy that the building is  
29 smaller and the location has changed, but she is not happy about the parking lot. Mr. Winter said  
30 he looked forward to working with Ms. Schreiber. He said there may be things they can do to  
31 minimize the impact. He said some were concerned with the original plan, and one of them  
32 called to thank him for the revised plan. They are trying to approach this in a way that makes the  
33 most sense for the most people. Mr. Brooks said if this request is approved, the applicants will  
34 need a site plan amendment, which involves a public hearing by the Planning Board. Councilor  
35 Hill said she appreciates the sensitivity to the abutters.

36  
37 **\*The motion passed 7-0.**

- 38
- 39 **D. Discussion and Set Public Hearing for April 19, 2017: Community**
- 40 **Revitalization Tax Relief Application—Dana Seguin, 4 South Park Street,**
- 41 **Lebanon**
- 42

43 (Assistant Mayor McNamara returned to the Council at this time.)

44  
45 **Karen Liot Hill moved that the Lebanon City Council hereby schedules a public hearing for**  
46 **Wednesday, April 19, 2017 beginning at 7:00 p.m. in Council Chambers, City Hall, for the**

1 **purpose of receiving input and taking action on a request by Dana Seguin for a two-year**  
2 **extension on his March 16, 2016 approval for tax relief under the provisions of the**  
3 **Community Revitalization Tax Relief Incentive Program (NH RSA 79-E) as adopted by the**  
4 **City Council on February 17, 2016. *Seconded by Tim McNamara.***

5 ***\*The motion passed 8-0.***

6  
7 Mr. Brooks said there was a suggestion that every property owner in the target area be notified  
8 about this program. A postcard was mailed, and the Planning Office got a few calls asking if  
9 completed projects can count; they cannot.

10  
11 **E. Sign Task Force Re-Authorization Request**

12  
13 Mr. Brooks said they advertised for volunteers but did not get the mix that was proposed, as they  
14 received a lot more residents and a lot fewer business owners than anticipated. They decided to  
15 change the composition of the committee. They also wanted to build in alternate positions to help  
16 ensure a quorum, so they are proposing 11 regular members and five alternates. The first meeting  
17 has been scheduled for April 18, and the end date should be Oct. 18.

18  
19 ***Tim McNamara moved that the Lebanon City Council hereby authorizes the reformation of***  
20 ***the “Section 608 Sign Task Force,” a task force created to review and draft proposed***  
21 ***amendments to Section 608, Signs, of the Lebanon Zoning Ordinance. This task force is to***  
22 ***be comprised of the following:***

23  
24 **City Staff: Planning & Zoning Director; Zoning Administrator**

25  
26 **One representative from each of the following:**

27 **City Council**

28 **Planning Board**

29 **Economic Vitality Exchange Committee**

30 **Heritage Commission**

31 **Pedestrian & Bicyclist Advisory Committee**

32  
33 **Three Lebanon business owners, one to serve as a regular member and two to serve as**  
34 **alternates**

35  
36 **One representative from a Lebanon non-profit institution**

37  
38 **One representative from the Lebanon Chamber of Commerce**

39  
40 **Six residents who are not otherwise members of any of the City’s boards and committees**  
41 **and who are not business owners, three to serve as regular members and three to serve as**  
42 **alternates**

43  
44 **The sunset date for this task force shall be six months from the date of the first meeting.**

45  
46 ***Seconded by Karen Liot Hill.***

1 *\*The motion passed 8-0.*

2  
3 **F. Discussion and Action to authorize the addition of 1 regular member to the**  
4 **overall membership of the Lebanon Energy Advisory Committee (LEAC)**  
5

6 Councilor Below said the committee now has six members, including one from the Council, one  
7 from the Planning Board, and one high school representative, as well as three citizen members.  
8 They have not had a consistent high school representative, and they have often had more than  
9 three interested citizens. With a five-person committee, three would be a quorum; with seven  
10 members, the quorum would be four. With the alternates, there should be no trouble having a  
11 quorum.

12  
13 ***Karen Liot Hill moved that the Lebanon City Council hereby increases the membership of***  
14 ***the Lebanon Energy Advisory Committee by adding one regular member. The***  
15 ***membership will be comprised of four regular members, two alternate members, one***  
16 ***Planning Board representative, one Council representative, one alternate Council***  
17 ***representative, and one Lebanon High School representative. Seconded by Sarah Welsch.***

18 *\*The motion passed 8-0.*

19  
20 **X. REPORTS**

21  
22 **A. City Manager**  
23

24 Ms. Maville said the job description for the energy and facilities coordinator has been drafted  
25 and has been sent to Human Resources for evaluation and comment. Then it will be placed on  
26 the classification schedule and can be advertised.

27  
28 Mayor Prentiss asked about the information regarding pending development. Ms. Maville said it  
29 is a little complicated, as they do not have a standardized format. Mr. Brooks is working with the  
30 assessor regarding the amount of development that has occurred versus what has been approved  
31 but has not occurred. They may not have usable information without the help of a consultant.  
32 Councilor Welsch agreed and said they do not have the tools for this in-house, and going outside  
33 makes sense. Mayor Prentiss said they should have a consistent methodology to use in the future.  
34 Ms. Maville said she will arrange for that. Mr. Smith asked if they can use the data from the  
35 impact fee study. Assistant Mayor McNamara said he does not think that will be useful. Ms.  
36 Maville said that is a different calculation. Councilor Hill asked if they can expect an update and  
37 a motion at the next meeting. Ms. Maville said they can.

38  
39 Mayor Prentiss said Assistant Mayor McNamara raised the issue of the question of voter fraud in  
40 New Hampshire, and former Mayor Tuttle sent a letter to other municipalities. The *Concord*  
41 *Monitor* did a story about this, which cited Lebanon. Ms. Allard said she sent a copy of the letter  
42 to all of the municipal clerks, and several have asked to use the language.

1           **B. Council Representatives to Other Bodies**

2  
3 Mayor Prentiss said she sent the list of appointments to Ms. Allard and Ms. Maville. She and  
4 Assistant Mayor McNamara will split coverage of the Heritage Commission. Councilor Welsch  
5 said Mr. Winny will be the Planning Board alternate.

6  
7 Councilor Hill noted the invitation from the American Legion to the Memorial Day Parade and  
8 from the Alumni Association for the Alumni Parade on June 10. Assistant Mayor McNamara  
9 said he will find out about the West Lebanon Alumni Parade.

10  
11 Councilor Hill said she has heard concerns and questions about law enforcement, immigration,  
12 opioids, mental health issues, and race and gender issues. She said she is interested in a  
13 community conversation with the police chief, and she will keep the Council informed. Mayor  
14 Prentiss said if Councilors go to a community meeting, they should keep in touch in case there is  
15 a quorum of Councilors.

16  
17 Councilor Welsch said she spoke to Chief Mello, as the question of camping in the city will  
18 come back. The Housing First! Working Group will meet on April 14 at 10:00 a.m. in the West  
19 Meeting Room. Mayor Prentiss said Councilors who wish to attend should contact Ms. Maville  
20 in case there is a quorum.

21  
22 **XI. FUTURE AGENDA ITEMS:** Not discussed.

23  
24 **XII. NON-PUBLIC SESSION:** None

25  
26 **XIII. ADJOURNMENT**

27  
28 *Clifton Below moved for adjournment. Seconded by Sarah Welsch.*

29 *\*The motion passed 8-0.*

30  
31 The meeting was adjourned at 9:16 p.m.

32  
33 Respectfully submitted,

34  
35  
36 Charles Glazer  
37 Recording Secretary

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