



City Council Meeting
Agenda
May 12, 2014
City Council Chambers
7:00 p.m.

1. Call to Order.
2. Invocation by the Reverend Jerry McCann, United Church of Penacook.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the April 14, 2014 Meeting Minutes.
6. Concord Energy & Environment Committee Update Presentation.
7. Agenda overview by the Mayor.

- Consent Agenda Items -

Referral to the Parking Committee

8. Communication from Brian Byle, 79 Warren Street, requesting no parking signs be posted at the intersection of Tahanto and Warren Street.
9. Communication from Councilor Nyhan requesting consideration be made to extend the no parking zone at the intersection of South Fruit Street and Industrial Drive to a distance of approximately 200ft southerly and 200ft northerly along the east side of South Fruit Street.

Referral to the Finance Committee

10. Report from the Recreation Director regarding the Capital Improvement Plan for the Beaver Meadow Golf Course.
11. Communication from Concord 250 requesting funds in the amount of \$75,000 to assist in the planning and execution of public events in celebration of the upcoming 250th anniversary of the City of Concord.

Items Tabled for a June 5, 2014 Public Hearings

12. Resolution fixing and determining the amount of money to be appropriated by the City of Concord for the fiscal year 2015 ending June 30, 2015. *(To be distributed under separate cover)*
13. Resolution amending the amount of money to be appropriated by the City of Concord for the fiscal year 2015 ending June 30, 2015. *(To be distributed under separate cover)*
14. Resolution closing and completing certain capital projects; rescinding/de-authorizing appropriations; returning un-used fund balances to their original sources; and transferring, reappropriating or otherwise making remaining balances available for future purposes; together with report from the Senior Accountant. *(To be distributed under separate cover)*
15. Resolution for bonded projects within the Capital Budget for Fiscal Year 2015 (July 1, 2014 to June 30, 2015) hereby authorizing and approving the expenditure of funds and authorizing the issuance of bonds and notes for various capital projects; together with report from the Deputy City Manager – Finance. *(To be distributed under separate cover)*
16. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, amending Schedule I of Article 1-5, Fees, Fines and Penalties, Water Rates. *(To be distributed under separate cover)*
17. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, amending Schedule I of Article 1-5, Fees, Fines and Penalties, Sewer Rates. *(To be distributed under separate cover)*

Items Tabled for a June 9, 2014 Public Hearings

18. Resolution appropriating the sum of \$115,000 from the Economic Development Reserve Fund for completion of a Comprehensive Strategic Parking Plan; together with report from the Director of Redevelopment, Downtown Services, & Special Projects.
19. Resolution appropriating the sum of \$314,375 for the purpose of purchasing a new front end loader with attachments, including \$293,850 in grant funds from the Federal Aviation Administration (FAA), \$16,325 from the State of New Hampshire, and \$4,200 from the City of Concord; together report from the Associate Engineer.

From the City Manager

20. Positive Citizen Comments.

Consent Reports

21. Diminimus gifts and donations report from the Interim Co-Library Directors requesting authorization to accept monetary gifts totaling \$1,755.20 as provided for under the preauthorization granted by City Council.
22. Diminimus gifts and donations report from the Recreation Director requesting authorization to accept monetary gifts totaling \$5,950 as provided for under the preauthorization granted by City Council.
23. Quarterly Financial Statements and report from Deputy City Manager – Finance.
24. Quarterly Current Use Change Tax Status quarterly report from the Director of Real Estate Assessments.
25. Public Safety Advisory Committee Annual Report.
26. Semi-Annual Pay As You Throw (PAYT) Report.
27. NH Department of Environmental Services (DES) Leak Detection Survey Results report from the General Services Director.
28. Report from the Transportation Policy Advisory Committee recommending that City Council support a Statewide Complete Streets Policy under consideration with the NH Municipal Association for the 2015-2016 Legislative Policy Process.

Consent Resolutions

29. Resolution in recognition of the services of John Swope.
(For presentation in June)
30. Resolution re-adopting the Beneflex plan and authorizing the City Manager to execute Beneflex plan documents.
31. Resolution authorizing the City Manager to enter into a Grant Agreement for up to \$326,500 with the New Hampshire Department of Transportation (NHDOT), Bureau of Aeronautics, for the purpose of purchasing a new front end loader with attachments for the airport and to revise the total grant request for this purchase to a total of \$326,500; together with report from the Associate Engineer.
32. Resolution authorizing the City Manager to enter into a Memorandum of Understanding with the Friends of the Merrimack River Greenway Trail regarding the design and construction of the Phase I Section of the Merrimack River Greenway Trail; together with report from the Senior Planner and the Project Manager-Civil

Engineer.

33. Resolution authorizing the City Manager to submit an application to the United States Department of Justice – Edward Byrne Memorial Justice Assistance Grant Program for funds designated for law enforcement related programs; together with report from the Police Department.

Appointments

34. City Manager's proposed appointment to the Zoning Board of Adjustment.
James Monahan

*****End of Consent Agenda*****

35. **May 12, 2014 Public Hearings**

- A. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations; together with report from the Director of Human Resources and Labor Relations. (4-13)
- B. Resolution adopting an amended and restated Development Program and Financing Plan for the Penacook Village Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services and Special Projects. (4-14) *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*
- C. Resolution appropriating the sum of \$245,000 including the authorization for the issuance of bonds and notes in the amount of \$170,000 for environmental cleanup of city owned real estate located at 5 – 35 Canal Street known as the former Allied Leather and Amazon Realty sites (CIP #508) located within the Penacook Village Tax Increment Finance District. (4-15) *(Report from the Penacook Village Tax Increment Finance District Advisory Board submitted) (Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*
- D. Resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services & Special Projects. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*
- E. Resolution authorizing the issuance of bonds and notes in the amount of \$1,900,000 for acquisition of the New Hampshire Employment Security Property located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District. *(Due to statutory requirements action on this*

item must take place at City Council's June 9th meeting). (Report from the Sears Block Tax Increment District Advisory Committee submitted)

F. Resolution authorizing the issuance of bonds and notes in the amount of \$190,000 for weatherization of the New Hampshire Employment Security Building located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

G. Resolution authorizing the issuance of bonds and notes in the amount of \$325,000 for demolition of the New Hampshire Employment Security Building located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

May 12, 2014 Public Hearing Action

36. Resolution authorizing the Annual Appraisal of Real Estate at Market Value per RSA 75:8-b; together with report from the Director of Real Estate Assessments. (2-14) (3-35C) (4-39G) *(In accordance with RSA 75-8-b public hearings were held in March and April, Council action to take place in May)*

37. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations; together with report from the Director of Human Resources and Labor Relations. (4-13)

June 9, 2014 Public Hearing Action

38. Resolution adopting an amended and restated Development Program and Financing Plan for the Penacook Village Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services and Special Projects. (4-14) *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

39. Resolution appropriating the sum of \$245,000 including the authorization for the issuance of bonds and notes in the amount of \$170,000 for environmental cleanup of city owned real estate located at 5 – 35 Canal Street known as the former Allied Leather and Amazon Realty sites (CIP #508) located within the Penacook Village Tax Increment Finance District. (4-15) *(Report from the Penacook Village Tax Increment Finance District Advisory Board submitted) (Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

40. Resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services & Special Projects. *(Due to*

statutory requirements action on this item must take place at City Council's June 9th meeting).

41. Resolution authorizing the issuance of bonds and notes in the amount of \$1,900,000 for acquisition of the New Hampshire Employment Security Property located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting). (Report from the Sears Block Tax Increment District Advisory Committee submitted)*
42. Resolution authorizing the issuance of bonds and notes in the amount of \$190,000 for weatherization of the New Hampshire Employment Security Building located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*
43. Resolution authorizing the issuance of bonds and notes in the amount of \$325,000 for demolition of the New Hampshire Employment Security Building located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

Reports

New Business

44. Communication from Chris McKeown, 18 Primrose Lane, requesting City Council consider holding a public hearing on the 317 Line Project proposed to go through the Primrose Lane, Winterberry Lane, Millennium Way and Rosewood Drive neighborhood.

Unfinished Business

45. Resolution amending the official map so as to establish the mapped lines of a future street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue; together with report from the Assistant City Planner. (1-16) (2-33I; 2-42) (3-39) (4-37) (5-58) (6-53) (7-40) (8-65) (9-37) (10-36) (11-40) (12-37)(1-42) (2-56) (3-45) (4-18) *(Action on this item tabled following a February 2013 public hearing)*
46. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; Article 27-1, Housing Maintenance and Occupancy Code, Section 27-1-5, Amendments to the International Property Maintenance Code/2009; together with report from Code Administration. (8-14)(9-26C; 9-29) (10-37) (11-41) (12-38) (1-43) (2-57) (3-46) (4-49) *(Action on*

this item was tabled after a public hearing was held on September 9, 2013.)

47. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Section 29.2-1-2, Assessment and Collection; together with report from Acting City Planner. (1-9) (2-45A; 2-46) (3-47) (4-50) *(Action tabled on this item; item also referred to the Impact Fee Committee after a public hearing was held February 10, 2014)*
48. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance, Article 28-6, Sign Regulations, Section 28-6-7, Signs Prohibited Under this Ordinance and Glossary; together with a report from the Zoning Administrator. (2-16) (3-35E; 3-39) (4-51) *(March 10, 2014 public hearing opened and recessed at the request of the Deputy City Manager – Development until such time as the Planning Board has had to finalize their review) (check with Carlos on this one)*

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

- Request from the City Manager requesting City Council authorization to submit a letter to the State Department of Motor Vehicles asking that they produce commemorative license plates in celebration of the 250th anniversary of the City of Concord.

Consideration of Suspense Items

Adjournment

Information

- 5 Inf 1 October 7, 2013 and April 7, 2014 Public Safety Board Meeting Minutes.
- 5 Inf 2 March 27, 2014 Transportation Policy Advisory Committee Meeting Minutes.
- 5 Inf 3 April 2, 2014 Energy & Environment Advisory Committee Meeting Minutes.
- 5 Inf 4 April 7, 2014 Concord Public Library Board of Trustees Meeting Minutes.
- 5 Inf 5 April 17, 2014 Fiscal Policy Advisory Committee Meeting Minutes.
- 5 Inf 6 District Two Executive Council reports from Colin Van Ostern.
- 5 Inf 7 Invitation to Mayor, Members of City Council and the City Manager to participate in the City of Concord's Memorial Day Parade to be held on

City Council Agenda

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Monday, May 26, 2014.

- 5 Inf 8 Communication from Patrick McDermott, Northern Pass Project, regarding a new proposed design to address concerns of McKenna's Purchase property owners; together with a copy of the response to that communication from the McKenna's Purchase Manager.

- 5 Inf 9 Communication from Comcast Cable notifying City Council of upcoming changes to their MultiLatino services starting on May 20, 2014.

- 5 Inf 10 Friends of the Merrimack River Greenway Trail Second Annual Report to Council.



*Non-public session in accordance with RSA 91-A: 3, II to discuss the
City Manager's Evaluation to be held at 5:30 p.m.*

City Council Meeting
Draft Minutes
April 14, 2014
 City Council Chambers
 7:00 p.m.

*Non-public session in accordance with RSA 91-A: 3, II (d)
to discuss property acquisition to be held after the City Council meeting.*

1. The Mayor called the meeting to order at 7:00 p.m.
2. Invocation by Reverend Peter Hey, Wesley United Methodist Church.
3. Pledge of Allegiance.
4. Roll Call. Councilors Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Hershlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner were present.

5. Approval of the March 10, 2014 Meeting Minutes.

Action: Councilor St. Hilaire moved approval of the March 10, 2014 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Proclamation proclaiming April 2014 as Child Abuse Prevention and Sexual Assault Awareness month in the City of Concord. (3Sus2)

Action: Bethany Cottrell, Merrimack County Advocacy Center Executive Director, noted that a few years ago they were known as the Merrimack County Child Advocacy Center and since then have changed their protocols and missions to now support all victims of sexual abuse and sexual assault in Merrimack County. She indicated that when a child or an adult alleges a sexual assault or a child alleges a felony level physical assault or a witness to a crime, they coordinate a team of people to conduct the interview; instead of children being interviewed at school or in a police department multiple times, it is done in their office by a trained forensic interviewer while the other team members sit in another room and watch on a closed circuit television monitor.

Mayor Bouley read a proclamation proclaiming April 2014 as Child Abuse Prevention and Sexual Assault Awareness month in the City of Concord.

7. Presentation by Parks & Recreation Director and Pete Brock, President of the Patriots Alumni Club regarding joint events taking place in May between the City of Concord and the Patriots Alumni Club.

Action: Recreation Director David Gill announced that the Recreation Department will be holding two events with the Patriots; one at Beaver Meadow Golf Course and one at Memorial Field.

Pete Brock, President of the Patriots Alumni Club, explained that the club is comprised of a group of former Patriot players and their mission is to make sure that kids always have the opportunity to learn team work, leadership and achievement through hard work on lessons learned on a football field. He noted that they support football programs, youth activities and anything that promotes that mission. He indicated that six alumni are coming to Concord to put on a free clinic for middle school aged kids, 11 to 14, male and female with the goal to teach them about those life lessons and a little bit about football. He announced that this will be held at Memorial Field on May 10th and that there will be a fundraiser at the Beaver Meadow Golf Course on May 1st to help raise sufficient funds to bring this here.

Mayor Bouley thanked them for coming to Concord to provide this opportunity for a lot of kids.

Councilor Keach asked how the club is overall funded. Mr. Brock responded that they are a non-profit organization which opens up all opportunities to apply for grants. He added that they receive local sponsorships for this camp pointing out that Northeast Delta Dental stepped up in a big way to bring this program to Concord.

8. Agenda overview by the Mayor.
9. Labor Relations Committee report relative to the City Manager's evaluation, in accordance with Section 21(b) of the City Charter.

Action: Councilor St. Hilaire moved that Council issue a finding of satisfactory on the City Manager's performance evaluation. The motion was duly seconded.

Mayor Bouley explained that, in accordance with section 21 b of the City Charter, the Council is required to perform an evaluation of the City Manager every year. He indicated that the charter gives them one of two choices to pick from; either the performance is satisfactory or unsatisfactory.

Councilor St. Hilaire pointed out how much work goes into the evaluation process; every Councilor is involved with ten pages of written findings by the Council which are compiled. He added that the process includes months of discussions of Council and discussion from the City Manager's point of view towards the Council.

Mayor Bouley stated that it's been a privilege and honor to work with the City Manager and noted that it's been an outstanding year due largely in part to the effort of Mr. Aspell and his staff.

Councilor St. Hilaire's motion passed with no dissenting votes.

- Consent Agenda Items -

Note: items listed as pulled from the consent agenda will be discussed at the end of the meeting.

Action: Councilor Grady Sexton moved approval of the consent agenda with items 20, 26, and 29 being removed for discussion at the end of the agenda. The motion, as amended, was duly seconded and passed with no dissenting votes.

Referral to the Transportation Policy Advisory Committee

10. Communication from Councilor Herschlag asking that additional traffic calming methods be considered on Wildflower Drive between Abbott Road and Woodbine Avenue and on Woodbine Avenue between Mayflower Drive and Sorrell Drive.

Referral to the Parking Committee

11. Communication from Councilor Herschlag requesting consideration be given to amending the current parking committee ordinance to reflect the current membership of the committee as well as expanding membership to the committee.

Referral to the Parking Committee, Planning Board and Concord School District

12. Communication from Curtisville and South Curtisville Road residents asking the City of Concord to consider traffic/parking improvements in the vicinity of the Broken Ground and Mill Brook Schools.

Items Tabled for a May 12, 2014 Public Hearing

13. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations; together with report from the Director of Human Resources and Labor Relations.

14. Resolution adopting an amended and restated Development Program and Financing Plan for the Penacook Village Tax Increment Finance District; together with report from the Director of Redevelopment, Downtown Services and Special Projects. *(Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

15. Resolution appropriating the sum of \$245,000 including the authorization for the issuance of bonds and notes in the amount of \$170,000 for environmental cleanup of city owned real estate located at 5 - 35 Canal Street known as the former Allied Leather and Amazon Realty

sites (CIP #508) located within the Penacook Village Tax Increment Finance District. *(Report from the Penacook Village Tax Increment Finance District Advisory Board submitted) (Due to statutory requirements action on this item must take place at City Council's June 9th meeting).*

From the City Manager

16. Positive Citizen Comments.

Consent Reports

17. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,671.08 as provided for under the preauthorization granted by City Council.
18. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$2,199.60 as provided for under the preauthorization granted by City Council.
19. Diminimus gifts and donations report from the Parks & Recreation Director requesting authorization to accept monetary gifts totaling \$1,740 as provided for under the preauthorization granted by City Council.
20. Report from the Deputy City Manager – Finance recommending the FY2015 Finance Committee budget review schedule and guidelines. *(Pulled from consent by Mayor Bouley)*
Action: Item removed from the consent agenda for discussion.
21. Report from the Deputy City Manager – Finance recommending an amendment to the Concord City Auditorium Management Agreement.
22. Report from Community Development in response to a communication from Pat Harbour, Borough Road resident, asking that the City of Concord determine if contractors working in the Sandwood development are meeting all city codes to ensure no additional damage will occur to her home and property. (2 Sus2)
23. Report from the Economic Development Advisory Committee in response to a communication from Councilor Herschlag, together with communication from David Rauseo, Concord Crossing/Morrill Mill Pond LLC, providing an example of potential advertising partnerships the City of Concord could consider. (2-11)
24. Request from the Deputy City Manager—Development seeking authorization to respond to the U.S. Economic Development Administration's Comprehensive Economic Development Strategy project solicitation.

25. Report from the Traffic Operations Committee recommending that the posted speed limit signs on Old Loudon Road and the southeasterly end of Portsmouth Street be changed from 35 mph to 30 mph.
26. Report from the Engineering Services Division requesting that the City Manager be authorized to apply for and participate in the Federal Highway Administration (FHWA) Accelerated Innovation Deployment (AID) Demonstration Grant Program for adoption of innovation in highway transportation projects related to the Downtown Complete Streets Improvement Project. *(Pulled from consent by Councilor Herschlag)*

Action: Item removed from the consent agenda for discussion.

27. Concord Area Transit FY2014 Mid-year Progress Report and Performance Indicator Report (July 1, 2013-December 31, 2013) from the Transportation Policy Advisory Committee.
28. Report from the Director of Real Estate Assessments regarding an amendment to the existing Payment in Lieu of Taxes Agreement (PILOT) between the City of Concord and Fellowship Housing Opportunities, Inc. and its affiliates.
29. Report from the Parks and Recreation Director regarding July 4th festivities in the City of Concord. *(Pulled from consent by Councilor Coen)*

Action: Item removed from the consent agenda for discussion.

- 29a. Report from the Director or Redevelopment, Downtown Services & Special Projects in regards to Downtown Banner License Revisions.

Consent Resolutions

30. Resolution repurposing \$95,000 from completed and unexpended project balances for building/structural and equipment/site improvements at the Penacook Wastewater Treatment Facility, CIP #466, to support the remaining funds needed for the equipment /process improvements at the Hall Street Wastewater Treatment Facility, CIP #104; together with report from the General Services Department.

Consent Communications

31. Street closure request for the 22nd Annual New Hampshire Law Enforcement Memorial Ceremony to be held on Monday, May 19, 2014.
32. Street closure request from Concord Christian Academy for a 5K-color race to be held on Saturday, May 31, 2014.
33. Street closure request for Concord 250 and Concord Historical Society's Time Capsule Unearthing Ceremony and Kick-Off Celebration to be held on Friday, June 6, 2014.

34. Street closure request for the Arthritis Foundation's Concord Jingle Bell Run to take place on Sunday, December 30, 2014.
35. Street closure request for a Concord Family YMCA block party/barbecue to be held on Friday, May 16, 2014 from 3:00 p.m. to 9:00 p.m.

Appointments

36. City Manager's proposed appointments to the Library Board of Trustees.
Paula Miner, Mary Beth Robinson and Michael Alberici
37. Mayor Bouley's proposed appointment to the Planning Board.
Richard Woodfin
38. City Manager's proposed appointment to the Planning Board.
Teresa R. Rosenberger

****End of Consent Agenda****

39. **April 14, 2014 Public Hearings**

- A. Plan to end homelessness in the City of Concord. (3-5A) (*Public testimony submitted*)

Action: Patrick Tufts, task force co-chair, provided an overview explaining that the Mayor formed the Ten Year Plan to End Homelessness Steering Committee in January 2013 with the goal of producing a collaborative plan to guide Concord's efforts to address homelessness. He indicated that the committee included a broad representation from the community with funding provided for the plan by Granite United Way, NH Charitable Foundation, the Rotary Club of Concord and the American Friends Service Committee. He explained that the committee met a number of times between March 2013 and January 2014 to produce the document before the Council. Mr. Tufts added that the committee conducted numerous town hall style meetings and focus group conversations with not only homeless individuals but also with local businesses and not for profit providers. He stated that the committee's plan focuses on five broad goals which he highlighted within the plan. He noted that the steering committee understands that any plan has to give a little bit to everybody pointing out that there's a lot of compromise within the plan. He thanked the Council for their time and consideration and looks forward with partnering with the city on this. He added that his day job is as the President at Granite United Way and explained that he shared this plan with the United Way and they created a line item within their budget to support this plan because their investors look forward to seeing communities working together in a collaborative way to address social issues.

Mayor Bouley thanked Mr. Tufts and recognized the efforts of the United Way and what it means to the community.

Mr. Tufts thanked all the members of the committee for all the time they put into this plan.

Mayor Bouley noted that Council received two correspondences today; one from the Concord Coalition to End Homelessness and one from David Burnham. Both correspondences will be entered into the record.

Mayor Bouley opened the public hearing.

Public Testimony

Ellen Groh, Concord Coalition to End Homelessness Director, stated that the coalition gives its full support to this plan and urged Council to adopt it. She noted that while they fully support this plan, they know that it has its flaws with its biggest fault being its vagueness. She pointed out that there are no clear priorities set out among the five recommendations and that there is no action steps to get there or clear funding connected to this plan. She stated that they see this plan as a start and feels the plan's very existence is an impetus to action; it makes some greater funding opportunities available through collaboration and its broad goals create a starting point for all the stakeholders to unite. She noted that the coalition intends to be an integral part in implementing this plan along with the city and all the many stakeholders. She indicated that the coalition sees their role as a catalyst and convener of all the interested parties so that the final action plan can benefit from the wisdom and experience of all the stakeholders. The coalition is committed to helping focus all of the energy and experience that exists within Concord and to draw from successful models outside of Concord to work both towards the immediate and the long term solutions to homelessness. She urged Council to adopt the plan before them and to stay an active partner in its implementation.

Roy Schweiker, resident, encouraged Council to accept the plan. He feels that the plan to end homelessness is a very lofty goal and basically impossible. He stated that people come here specifically for the services and feels that the city needs to find some way in dealing with this because there will be perpetual homelessness. He pointed out that there is no plan to bring in jobs for the homeless within the city. He added that he feels that another item that is missing from the plan is no inexpensive level of housing.

Bill Watson, South Congregational Church member, explained that the First Church started with a program on the coldest nights of the year and the South Congregational Church also got involved to see how they could help. He stated that it was quickly recognized that the need was there and they started opening as a temporary overflow to assist with First Church. He indicated that, over the years, the program has evolved but has maintained that this has been a temporary fix to a larger state, city and regional issue. He stated that the goal of the Concord Cold Weather Shelter has always been a temporary offering of a bed for the evening. He indicated that the congregations continue to remain invested in a long term solution to homelessness in the city. Mr. Watson noted that the oversight committee supports the ten year plan to end homelessness and encourages the

City Council to pass this plan and to begin working on actions to achieve the goals put forth in the plan. (Full written testimony from the Concord Cold Weather Shelter Oversight Committee on file in the City Clerk's Office) On a personal note, Mr. Watson stated that homelessness is uncomfortable and inconvenient and asked the Council to find a way to deal with the inconvenience and deal with the discomfort that everyone has. He noted that the work on the plan is a start to where the plan can take the city to end homelessness.

Councilor Keach noted that homelessness is a complicated issue and there is not a cause effect between mental illness and being homeless or jobless and being homeless.

Councilor St. Hilaire indicated that he worked at the shelter a few weeks ago. He asked Mr. Watson if he had any personal opinions as to what he envisions, if somewhere down the road they were to do something more specific, relative to wraparound services of dealing with the issue.

Mr. Watson responded that there needs to be an emergency shelter system in place but it needs to be an emergency shelter system that is not in a church basement and is in a location that's designed for those services. He stated that he feels that the other thing that is important is the coordination of services in a centralized resource center with expanded hours. He noted that this would minimize the amount the people have to search out the services they need.

Councilor Werner asked if Mr. Watson sees any potential with the sale of churches as possible solutions.

Mr. Watson responded that he sees St. Peter's Church as the perfect site for several reasons: the opportunity for emergency shelter; opportunity for transitional housing; and the opportunity for an expanded resource center. He said that they recognize that any location in town is going to be a challenge with neighbors in regards to concerns about safety and other related issues.

Fran Phillipe, Cold Weather Shelter volunteer, spoke in support of the proposed plan. She noted that what she doesn't want to happen is to have everything in place that looks permanent; they need to have some sense that their situation can be temporary. She stated that she personally doesn't like the idea of it sounding like this is a handout for someone all the time. She likes the idea of perhaps individuals doing some public service to earn their place in the housing or the services that they are getting so that they feel like they have some value.

Liza Urena noted that she feels that the city has an emergency situation with its homeless community. She noted her concern with the Cold Weather Shelter closing while the temperatures are still cold and feels that there should be a year round shelter.

Harold Coffey noted that he hopes that the Council adopts the proposed plan before them. He indicated that he has been homeless for two years and hopes that in the future there will be a year round shelter in the city.

Mayor Bouley thanked Mr. Coffey for his input in putting together the plan and testifying several times during the meetings.

Terry Lock noted her concern with the cold weather shelter closing before the cold weather ends and stated that the resources are there but its learning where they are and utilizing them.

Mayor Bouley asked whether Ms. Lock feels that it would be helpful to have a place where all the different services would come together.

Ms. Lock responded that it would be helpful.

Cindy Caplette noted that she stayed at the cold weather shelter from December to March and indicated that she likes the plan.

Robert Caplette noted that he feels that there needs to be a year round shelter.

Liz Blanchard, Penacook resident, thanked the Mayor for addressing the problem of homelessness by appointing the task force. She thanked the members of the task force for being diligent and coming up with the plan. Referencing the plan, she pointed out the costs of homelessness to the community. She stated that in order to help end homelessness the city will have to put some money into it. She noted that what she is hoping to impress on the Council is that just voting on this plan isn't enough.

Irwin Dlubac noted that he feels that building more low budget housing may help with homelessness. He noted his support of the proposed plan and feels that it's a step in the right direction.

Jim Kinhan indicated that he feels that they need to move the cold weather shelter from a temporary location to a permanent location. He further indicated that they need something that can begin to coordinate, direct, hold accountable various kinds of stakeholders, and develop the steps to get to a place to help with homelessness. He stated that they need the Council's leadership to begin to give some direction.

Susan Cragin, South Church volunteer, stated that she feels that the plan is too broad as structured. She noted that she doesn't feel that the city is going to end homelessness because it isn't a viable goal. She stated that money is important and if the money doesn't go first for beds, it's a waste; the plan doesn't emphasize the beds enough and doesn't emphasize that you need a wet shelter and a dry shelter.

Councilor Keach pointed out that there is only a limited amount of dollars at all levels and asked if Ms. Cragin understands why the Council might think that the best dollars spent are solving a problem and not just making those that are suffering a little more comfortable.

Ms. Cragin responded that she feels that the dollars are better spent providing a bed and better spent on short term solutions.

Councilor Champlin noted that what Ms. Cragin is proposing concerns him a bit because it sounds a lot like warehousing the homeless and not providing a long term response to the problem. He asked what Ms. Cragin's plan would look like.

Ms. Cragin indicated that a wide array of services to solve the problem would be a wonderful idea but the city is not going to be able to find the money for that. She stated that if they only find a limited amount of money she feels that the money should first go so that people don't freeze or have to live in their cars so that they can be safe and accessible to other services that might make them a little bit better. She stated that she feels that temporary housing is essential as a first step; with a limited budget they should start with beds.

Councilor Herschlag indicated that he has seen a different numbers regarding the homeless, numbers up to 500, and asked if there was a more accurate number for the number of homeless people in the community.

Ms. Cragin guessed that there are approximately 200 long term and of these she feels that 100 percent of them have alcohol, behavioral, mental health and substance abuse issues that do not make them attractive candidates for a lot of public housing.

Councilor Herschlag asked how Ms. Cragin feels housing would work for this type of population.

Ms. Cragin responded that warehousing is not a bad way to describe it; a shelter should look like a shelter with several beds in a room and where people have the opportunity to store a limited amount of possessions.

Andrew Thompson spoke in support of the plan. He indicated that finances are a major issue and feels that if percentages are put away for a long term plan on top of this, there will be the back up to do things with.

Harold Coffey spoke of being homeless in another state.

There being no further public testimony, the Mayor closed the hearing.

The Mayor suggested taking action on this item before taking up public hearings on the other items. There was no Council objection to this request. (See item 42 for action)

- B. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties; together with report from the Deputy City Manager – Finance. (3-9)

Action: City Manager Tom Aspell provided a brief overview on public hearing items B and C.

Councilor McClure asked how much additional revenue is anticipated with the additional fines and fees. Brian LeBrun, Deputy City Manager-Finance, responded that staff hasn't calculated the dollar amount but it is included within each one of the budget revenue items for all the departments. He estimated it to be a total of a few thousand dollars.

Mayor Bouley opened the public hearings for items B and C. There being no public testimony, the Mayor closed the hearings.

- C. Non-ordinance fees. (3-10)

Action: Public hearing for this item taken with public hearing item B.

- D. Resolution appropriating the sum of \$10,000 from the Episcopal Church, Diocese of New Hampshire; together with report from the City Manager. (3-11)

Action: City Manager Tom Aspell provided a brief overview.

Mayor Bouley opened the public hearing. There being no public testimony, the Mayor closed the hearing.

- E. Resolution authorizing the City Manager to continue implementation of the Community Development Revolving Loan Fund Program and appropriating the sum of \$535,761; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (3-12)

Action: City Manager Tom Aspell provided a brief overview.

Mayor Bouley opened the public hearing. There being no public testimony, the Mayor closed the hearing.

- F. Resolution accepting and appropriating the sum of \$1,830,861 for the purpose of constructing Phase II of the Parallel Taxiway to Runway 12/30, including \$1,647,775 in grant funds from the Federal Aviation Administration (FAA), \$91,543 from the State of New Hampshire, and \$91,543 from the City of Concord and authorizing the issuance of bonds and notes for CIP #73; together with report from Engineering. (3-13)

Action: City Manager Tom Aspell provided a brief overview.

Mayor Bouley opened the public hearing. There being no public testimony, the Mayor closed the hearing.

- G. Resolution authorizing the Annual Appraisal of Real Estate at Market Value per RSA 75:8-b; together with report from the Director of Real Estate Assessments. (2-14) (3-35C) *(In accordance with RSA 75-8-b public hearings must be held in March and April, with Council action to take place in May)*

Action: Mayor Bouley opened the public hearing. There being no public testimony, the Mayor closed the hearing.

March 10, 2014 Public Hearing Action

40. Resolution amending and restating the Development Program and Financing Plan for the North End Opportunity Corridor Tax Increment Finance District (NEOCTIF) ; together with a report from the Director of Redevelopment, Downtown Services, & Special Projects. (1-13) (2-45E; 2-50) (3-35I) *(Supplemental report from the North End Opportunity Corridor Tax Increment Finance District Advisory Board submitted) (Public hearing held on March 10, 2014 action to be taken in April, in accordance with RSA 162-K:4)*

Action: Councilor Nyhan moved approval. The motion was duly seconded.

Councilor Nyhan noted that Cindy Flanagan could not be present this evening and asked him to pass on her sentiments of support and approval for this item.

The motion to approve passed with no dissenting votes.

41. Resolution authorizing the City Manager to enter into a Purchase and Sales Agreement with Tsunis Holdings, Inc. for real estate located on Storrs Street and appropriating the sum of \$1,050,000 including \$450,000 from NEOCTIF undesignated fund balance and the issuance of \$600,000 in NEOCTIF supported bonds and notes, to facilitate acquisition of property and related activities. (1-14) (2; 45F; 2-51) (3-35J) *(Public hearing held on March 10, 2014 action to be taken in April, in accordance with RSA 162-K:4)*

Action: Councilor St. Hilaire moved approval. The motion was duly seconded.

Councilor Herschlag asked what the downside would be to renegotiate this to get a better price on this land in light of the range of assessments. Matt Walsh, Director of Redevelopment, Downtown Services, & Special Projects, stated that, in his opinion, he didn't know if this would be a successful venture. He explained that the city has been negotiating with the Tsunis family on and off since the late 1990's. He indicated that the city understands what the issues are with the property; the Assessor's value came in between \$535,000 and \$1.25 million and the negotiated price is \$700,000. He stated that, at this point, he does not believe this would be a fruitful process. Councilor Herschlag asked what the property is currently assessed at. Mr. Walsh responded that he believes the property is

assessed at \$361,000; predicated on one acre being developable and three acres being back land. He stated that when the Assessor went back and reviewed her assessment on the property, she felt that the property could be in the range of \$535,000 to \$1.25 million assuming four acres of developable land; it all depends on the access: the \$535,000 would be access from South Commercial Street and the \$1.25 million would be access from Storrs Street. Councilor Herschlag asked whether it falls in the low end or high end of the assessment based on its current state and the access that is currently there. Mr. Walsh responded that currently the Assessor has it at \$361,000 pointing out that he explained what the assumptions were in that \$361,000. He stated that he would be reluctant to answer what the Assessor would carry it at beyond what she has already testified.

Councilor Keach stated that he feels that it's important to recognize that the city has already made an investment north of that property and feels that it's in the city's best interest to develop the whole parcel. He noted that regardless at what the Tsunis property is assessed at or what it's going to cost the city, Council needs to look at the potential not the actual assessed values of particular pieces of parcel.

Councilor St. Hilaire noted his agreement with Councilor Keach adding that one thing that needs to be factored is the access across the railway which comes with the property and is very valuable.

Councilor Herschlag indicated that he isn't contesting the value of the property for the continued development of those parcels. He stated that his concerns center on whether or not the price that the city is paying is the best price they can get for this parcel.

The motion to approve passed on a roll call vote with Councilors Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner voting yes.

April 14, 2014 Public Hearing Action

42. Plan to end homelessness in the City of Concord. (3-5A) *(Public testimony submitted)*

Action: Councilor Nyhan moved to accept the plan. The motion was duly seconded.

Councilor Herschlag noted that there are a number of items that are important but the plan is asking Council to change zoning to provide housing. He pointed out that the amount spent this year was \$2,000 per person and imagines that some of the issues that they are being asked to look at are going to cost considerably more. He stated that he doesn't feel that this should prevent them from moving forward but feels that Council needs to move forward carefully and make sure that what they do provide makes sense for the long term and not just a short term solution.

Mayor Bouley thanked all the volunteers who participate in emergency shelters, the social service agencies, the Concord Coalition to End Homelessness, the faith community,

hospitals, and educators. He pointed out that the committee worked very hard on this plan and there were a series of compromises. He stated that many of the discussions and comments heard this evening they also had as a task force and there were no easy decisions to be made. He feels that what is before the Council this evening is a very healthy start and the beginning of a conversation and urged the Council to support the adoption of the plan.

The motion to approve passed with no dissenting votes.

43. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Schedule I of Article 1-5, Fees, Fines and Penalties; together with report from the Deputy City Manager – Finance. (3-9)

Action: Councilor Coen moved approval. The motion was duly seconded and passed with one dissenting vote.

44. Non-ordinance fees. (3-10)

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed with one dissenting vote.

45. Resolution appropriating the sum of \$10,000 from the Episcopal Church, Diocese of New Hampshire; together with report from the City Manager. (3-11)

Action: Councilor Nyhan moved approval. The motion was duly seconded.

Councilor Nyhan thanked the Episcopal Diocese pointing out that they have been doing this for quite some time and this has been a tremendous benefit to the community.

The motion to approve passed with no dissenting votes.

46. Resolution authorizing the City Manager to continue implementation of the Community Development Revolving Loan Fund Program and appropriating the sum of \$535,761; together with report from the Director of Redevelopment, Downtown Services & Special Projects. (3-12)

Action: Councilor Bouchard moved approval. The motion was duly seconded.

Mayor Bouley stated that CDAC does an extraordinary job with these and feels that it's important to note that these dollars go a long way and are spent to keep people in their homes.

The motion to approve passed with no dissenting votes.

47. Resolution accepting and appropriating the sum of \$1,830,861 for the purpose of constructing Phase II of the Parallel Taxiway to Runway 12/30, including \$1,647,775 in

grant funds from the Federal Aviation Administration (FAA), \$91,543 from the State of New Hampshire, and \$91,543 from the City of Concord and authorizing the issuance of bonds and notes for CIP #73; together with report from Engineering. (3-13)

Action: Councilor Bouchard moved approval. The motion was duly seconded and passed on a roll call vote with Councilors Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner voting yes.

Appointments by the Mayor

Reports

New Business

Unfinished Business

48. Resolution amending the official map so as to establish the mapped lines of a future street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue; together with report from the Assistant City Planner. (1-16) (2-33I; 2-42) (3-39) (4-37) (5-58) (6-53) (7-40) (8-65) (9-37) (10-36) (11-40) (12-37)(1-42) (2-56) (3-45) *(Action on this item tabled following a February 2013 public hearing)*

Action: This item remains on the table.

49. Ordinance amending the Code of Ordinances, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; Article 27-1, Housing Maintenance and Occupancy Code, Section 27-1-5, Amendments to the International Property Maintenance Code/2009; together with report from Code Administration. (8-14)(9-26C; 9-29) (10-37) (11-41) (12-38) (1-43) (2-57) (3-46) *(Action on this item was tabled after a public hearing was held on September 9, 2013.)*

Action: This item remains on the table.

50. Ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Section 29.2-1-2, Assessment and Collection; together with report from Acting City Planner. (1-9) (2-45A; 2-46) (3-47) *(Action tabled on this item; item also referred to the Impact Fee Committee after a public hearing was held February 10, 2014)*

Action: This item remains on the table.

51. Ordinance amending the Code of Ordinances, Title IV, Zoning Code, Chapter 28, Zoning Ordinance, Article 28-6, Sign Regulations, Section 28-6-7, Signs Prohibited Under this Ordinance and Glossary; together with a report from the Zoning Administrator. (2-16) (3-

35E; 3-39) (March 10, 2014 public hearing opened and recessed at the request of the Deputy City Manager – Development until such time as the Planning Board has had to finalize their review)

Action: This item remains on the table.

Comments, Requests by Mayor, City Councilors

- Communication from Councilor Herschlag requesting that City Council priorities for 2014 – 2015 be amended to include heroin and prescription drug addiction as an issue that should be a focus for our community.

Councilor Coen commended General Services for taking care of the weeds in the center strips at intersections.

Councilor Herschlag indicated that he had a resident in Ward Two that was concerned with construction in the Sandwood development and wanted to recognize how pleased the resident was with the response received from Code Administration and the follow through on her concerns.

Mayor Bouley reminded residents that dog license renewals are due by the end of April.

In response to Councilor Herschlag's communication, Mayor Bouley indicated that Council had a separate meeting for Council priorities in which this item was discussed and Council chose not to include this issue. He indicated that, instead of this communication being placed on the consent agenda, he felt that it should be placed under the comment section so that Council could give Councilor Herschlag the opportunity to talk about why he wrote this, Council could have a discussion about it and decide whether this is something they want to move forward with or not.

Councilor Herschlag stated that since the priority setting session there hasn't been a day that's gone by that there hasn't been an article about heroin or prescription drug use. In light of this, he feels that this should be recognized as a serious issue for the Council.

Councilor Coen noted that he believes the Police Department has a litany of items that they are concentrating on and is not comfortable pulling it out of something that may already be in place.

Mayor Bouley pointed out that, within the budget, each department has a list of priorities each year and believes that there is reference to drugs within the Police Department's priorities. In light of what's going on statewide, he doesn't know that it's necessary to amend the Council's priorities when it's already included with the Police Department's priorities. He indicated that, during the budget process, Councilor Herschlag could inquire as to what the status is, what they are doing, how they are coordinating with the statewide task force and what's going on nationally.

Councilor Grady Sexton noted that the Public Safety Board adopted the annual police report which did highlight all the efforts that the police are currently working on in terms of curbing the heroin epidemic in the city.

Councilor Herschlag indicated that Council segregated and separated odor control at the Wastewater Treatment Plant in the Council priorities and also feels that they should separate, to stand alone, the heroin and prescription drug abuse in the community.

Councilor Shurtleff noted that he feels that Councilor Herschlag has raised a good issue but pointed out that Governor Hassan has formed a task force for members of the Department of Safety, the Attorney General's Office and Health and Human Services to look at this statewide. He feels that before the Council does anything, it would be best to wait to see what comes out of this task force and their recommendations.

Councilor St. Hilaire pointed out that that the heroin and prescription drug problem has been around for over a decade and eighty percent of the people that are arrested or commit crimes have some sort of substance abuse issue or mental health issue. He stated that the law enforcement community has been dealing with this for decades but the difference is that heroin isn't necessarily generated from Concord like the odor is at the Wastewater Treatment Plant. He explained that the odor comes from the city's facility and they can do something about that; heroin is a global and regional problem and requires a regional solution. He doesn't feel that the city has the resources to tackle this in particular but does feel that Councilor Herschlag's point is a good one and does feel that the police department needs to focus on some sort of prevention in the community.

Councilor Keach noted his agreement with Councilor St. Hilaire. He added that this is a complicated issue and law enforcement is just one piece of the whole problem.

Councilor Herschlag clarified that his communication is requesting that this problem be a priority of the Council and didn't focus that it be a priority for law enforcement or social service agencies.

Councilor Nyhan stated that he doesn't feel that it should be a Council priority primarily for the fact that making it a priority isn't going to change the way the police department addresses the issue.

Councilor Herschlag did not make a motion to include this within the priorities.

Councilor Champlin commended Councilor Herschlag for raising the issue because it's been an issue within Ward Four. He takes satisfaction in knowing that when this issue has come up in Ward Four, that the police department and city services has responded effectively and rapidly.

Comments, Requests by the City Manager

Consideration of items pulled from the consent agenda for discussion

Items 20, 26 and 29 have been pulled from the consent agenda for discussion.

20. Report from the Deputy City Manager – Finance recommending the FY2015 Finance Committee budget review schedule and guidelines. *(Pulled from consent by Mayor Bouley)*

Action: Mayor Bouley explained that over time they have tried to focus their efforts and use their time more efficiently and one of the efforts they tried last year was a Saturday morning meeting. He pointed out that the proposed budget schedule has a Saturday morning meeting scheduled with a few more departments being included this year. He stated that he wanted to separate it out and give Council the chance to comment. He stated that he personally feels that this is healthy schedule.

Councilor Nyhan noted that he likes the Saturday schedule; he indicated that it doesn't matter what Saturday is looked at because there will always be a conflict for someone including himself.

Councilor Coen indicated that what he likes about the schedule is that by meeting on Saturday it gives the residents an opportunity to participate.

Councilor Nyhan moved approval of the schedule. The motion was duly seconded and passed with no dissenting votes.

26. Report from the Engineering Services Division requesting that the City Manager be authorized to apply for and participate in the Federal Highway Administration (FHWA) Accelerated Innovation Deployment (AID) Demonstration Grant Program for adoption of innovation in highway transportation projects related to the Downtown Complete Streets Improvement Project. *(Pulled from consent by Councilor Herschlag)*

Action: Councilor Herschlag indicated that it is his understanding that this grant may be used to mitigate the cost for heated sidewalks. His concern is not in the application of the grant but he would like to see the grant application come back to Council before it is sent on.

Mayor Bouley noted that when the Council authorizes the City Manager to apply for something they don't typically ask that it come back to Council. He stated that if there is a motion which is seconded they could take this up for discussion.

Councilor Herschlag moved that the completed grant application be placed on the consent agenda before being sent off. The motion was duly seconded.

Councilor Keach noted he was concerned that there is a legal precedent to this and would feel more comfortable if the Legal Department reviewed this before moving on this.

Mayor Bouley asked what Councilor Herschlag is looking for.

Councilor Herschlag indicated that there have been grants sent in that had very specific timelines that bound the Council to the restrictions placed on the grant. He stated that before the Council is bound by additional time restrictions on another grant, particularly for

downtown, he wants to make sure that this is something that the Council would concur with as opposed to being put into a predicament where they are not given the option to move forward or not accept the grant.

Mayor Bouley stated that he doesn't necessarily have the same concerns because they are just granting the authority to apply; if the available funding is not there they are not going forward.

Councilor Champlin noted that he seconded the motion primarily to find out what Councilor Herschlag's reasoning was for making the motion.

Councilor McClure stated that she has questions about what is being applied for and wondered if Council could have a little more information about what the innovative program is.

City Engineer Ed Roberge explained that this grant is primarily looking at some new federal programs particularly under MAP 21 which is the accelerated innovation and deployment; looking at how MAP 21 and federal highways streamline the process. He stated that this is another incentive grant program that allows projects that are ready and that shows or demonstrates a unique project and a creative or innovative process. He stated that staff felt that this would align well if the Council were to pursue and approve the process. He indicated that it's targeted specifically for innovation and they feel they have innovation in their procurement process as well as innovation of the snow melt system.

Councilor McClure clarified that they are not talking about using Concord Steam waste heat and that this is a proposal to build the plant to heat the sidewalks. Mr. Roberge responded that this was indicated at the February meeting and is correct. Councilor McClure recalled the estimate for that plant being \$1.6 million. Mr. Roberge indicated that to be correct.

Councilor Werner asked what would happen if the Council decides not to pursue the snow melt system and the grant was applied for and approved. Mr. Roberge responded that they would simply rescind the request if it were not authorized.

Councilor Herschlag stated his concern is the last sentence "to address project readiness, staff will demonstrate that the project will be ready to initiate within the six months required for the AID grant program funding".

Mr. Roberge explained that a major element in the grant application and conditions is project readiness and the ability to initiate the project within six months. He noted that with their procurement process under way, staff felt confident meeting that requirement of this grant application process.

Councilor Champlin indicated that he doesn't share Councilor Herschlag's concern about the timing given the timetable they have already been presented for the project and the approval. He asked if this is tied specifically to a gas powered plant or is it tied to any innovative

proposal to provide a snow melt system. Mr. Roberge replied that it's not tied to any specific system.

Councilor Herschlag reminded the Council that they have yet to approve any construction on this project.

Councilor Nyhan understands concerns but doesn't know if bringing the application back to Council is going to change anything.

Councilor Herschlag noted that his request in having this brought back to Council was to review it for accuracy and make sure it would also fit in with any construction project that they have approved at this juncture.

Councilor Nyhan asked what the time schedule was for the application. Mr. Roberge responded that there is no specified deadline because it's a rolling application but it is first come first serve.

Councilor Matson asked if staff was trying to dovetail this along with the construction as far as timing. Mr. Roberge indicated that to be correct.

Councilor Herschlag asked if this would occur in the first or second season of construction if the snow melt system was to be approved. Mr. Roberge responded that it could potentially happen in both seasons of construction. Councilor Herschlag asked if it was possible that this grant would not be ready to be used within that six month window. Mr. Roberge replied that they would be in a better, favorable position if it could be used within that six month window; if they can demonstrate that the project would be ready.

Councilor Champlin stated that his understanding of the sentence is that they have to demonstrate that they can initiate it within six months. Mr. Roberge indicated that to be correct.

Mayor Bouley clarified the motion: authorize the City Manager to apply for this grant with the caveat that the grant application would come back to the Council for review and approval before it is submitted. Councilor Herschlag confirmed that is his motion and added that it comes back under the consent agenda.

The motion that the application comes back to the Council for review failed on a voice vote.

Councilor Shurtleff moved to accept the report authorizing the City Manager to apply for the grant. The motion was duly seconded and passed on a voice vote.

29. Report from the Parks and Recreation Director regarding July 4th festivities in the City of Concord. *(Pulled from consent by Councilor Coen)*

Action: Councilor Coen noted that he feels that so few people know and realize the history and the importance that the city had for the founding of this nation. He moved that the city itself funds the \$30,000 for fireworks to acknowledge the true minutemen that came from Concord and fought in the Revolutionary War and moved that the fireworks be moved from Memorial Field to the field across the river behind the Post Office this year. The motion was duly seconded.

Councilor Shurtleff asked if moving the fireworks to the field would interfere with the farming of that land. City Manager Tom Aspell responded yes explaining that the city would have to program it in advance.

Councilor Nyhan indicated that he supports the city funding the fireworks but is concerned with moving the fireworks downtown with a potential construction project.

Councilor Champlin commended the Parks & Recreation Director for the foresight to want to move the fireworks downtown. His concern is whether they have time, at this juncture, to shift from Memorial Field to the river location. David Gill, Parks & Recreation Director, noted that he thinks it's possible for this year but his concern is sitting down with the selective parties, advertising it, and getting the proper permits for it.

Mayor asked what permits would be required. Mr. Gill responded that they would need them from the city, the state and the landowners.

Councilor St. Hilaire inquired whether the fireworks from Midnight Merriment are launched from this proposed location. Mr. Gill responded that he is not involved with that event. Councilor St. Hilaire asked if it would make sense to do a dry run first before they have the grand celebration that is being planned for the next year. Mr. Gill responded that it could be done. He added that he just wants to make sure they have a good product.

Councilor Champlin stated that he understands Mr. Gill's reluctance noting that he feels that it's important if they are going to make a change to make sure that they create a good first impression. He stated that he feels that it's important that if they do this change that they do it right the first time.

Mr. Gill explained that two years ago they had this brief conversation when they had issues with fundraising at that time and the several downtown businesses that he talked to were very open to moving something downtown. He stated that he has not had that conversation with them recently.

Mayor Bouley asked why staff would wait until now to move the location if it has been a less than ideal location for years. Mr. Aspell explained that the idea of this memo was to let the community know that the city needs to raise some money. He stated that every year they come back to the Council letting them know that there isn't enough money and Council makes up the difference with city funds. He noted that they would come forward in future years when they are ready to do it in downtown or off a barge; he doesn't know if this could

be done the way Council wants to do it right now. He stated that if this is what Council wants to do this year, staff will get it done but he feels that there is another approach for this.

Councilor Bouchard asked whether Councilor Coen would consider dividing his motion.

Councilor Coen moved to divide his motion into two separate motions. This was motion was seconded.

Councilor St. Hilaire questioned whether the dollars would be funded the next fiscal years due to the fact that it is after July 1st. Mr. Aspell explained that the city has to enter into the contract and point to a line that has dollars that includes money collected or something that has been appropriated. He indicated that if Council appropriates money in July that would be for the following July 4th's fireworks.

A brief discussion ensued in regards to the clarification of entering into a contract and the dollars funded. Mr. Aspell stated that he doesn't have an issue with the money; his concern is doing it right and moving it. He feels that moving the fireworks location is the more difficult part this year.

Councilor Herschlag asked where the music and events would be held if the fireworks are moved from Memorial Field. He asked how the cost would be affected if the fireworks were fired from a barge as opposed to on land. Mr. Aspell responded that staff does not have any answers to these questions at this time.

Councilor McClure noted her concern with the money. She asked why the city wouldn't try to raise private funds for these when they have been fairly successful in the past. Mr. Gill indicated that he would be coming back to Council in May with an update on any additional fundraising dollars received. Councilor McClure noted her concern within the report that the event is not going to be successful at Memorial Field. Mr. Gill responded that he believes timing of the report is valid and could have been a month or two earlier for this conversation.

Councilor Champlin indicated his support of the motion to fund the fireworks based on the City Manager stating that the dollars would be found within the budget. He indicated that he would be voting no against holding the fireworks on the river this year not because he is opposed to moving it because he feels that it's a good idea, however, he is concerned about the ability of city staff to change the logistics at this late date.

Councilor Coen stated that his idea is to honor the people that fought during the Revolutionary War from Concord. He stated that it's educational for the citizens of Concord, historically, to realize how important this city had with the founding of this country. He noted that in his mind there is no question that the city and citizens should be more than happy to support this.

Councilor Werner noted he appreciated Councilor Coen bringing the history into the discussion and asked what the thoughts and plans were about publicizing and promoting this as part of the celebration.

Councilor Coen indicated that this could be done through the print media, inserts, and working with historical organizations.

Following brief Council discussion, Councilor Shurtleff indicated that he will be supporting the first part of the motion but will be voting against the second part only because he is concerned about the Bartlett family that farms that land and feels that they should be given as much notice as possible.

Mayor Bouley indicated that he will be voting no on both noting that he is disappointed that this was brought forth in April as opposed to earlier.

The motion to appropriate \$30,000 for the purpose of fireworks passed on a voice vote.

The motion to move the celebration from Memorial Field to downtown failed on a voice vote.

Consideration of Suspense Items

Councilor Nyhan moved to consider this item not previously advertised. The motion was duly seconded and passed with no dissenting votes.

4 Sus1 Resolution authorizing the City Manager by way of the Police Department to submit an application to the United States Department of Justice – Bulletproof Vest Partnership Grant Program to receive funding for the purchase of ballistic vests; together with report from the Police Department.

Action: Councilor Bouchard moved approval. The motion was duly seconded and passed with no dissenting votes.

Adjournment

The time being 10:15 p.m., Councilor Coen moved to enter into non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition. The motion was duly seconded and passed with no dissenting votes.

The time being 10:39 p.m., Councilor St. Hilaire moved to exit the non-public session. The motion was duly seconded and passed with no dissenting votes.

Councilor St. Hilaire moved to seal the minutes of the non-public session. The motion was duly seconded and passed with no dissenting votes.

Councilor Shurtleff moved to set the following items for a May public hearing: resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; resolution authorizing the issuance of bonds and notes in the amount of \$1,900,000 for acquisition of the New Hampshire Employment Security Property located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District; resolution authorizing the issuance of bonds and notes in the amount of

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\$190,000 for weatherization of the New Hampshire Employment Security Building located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District; resolution authorizing the issuance of bonds and notes in the amount of \$325,000 for demolition of the New Hampshire Employment Security Building located at 32 South Main Street and 33 South State Street within the Sears Block Tax Increment Finance District.

The motion was duly seconded and passed with no dissenting votes.

The time being 10:40 p.m., Councilor Keach moved to adjourn the meeting. The motion was duly seconded and passed with no dissenting votes.

A true copy; I attest:

*Michelle Mulholland
Deputy City Clerk*

Bonenfant, Janice

From: Walsh, Matthew
Sent: Wednesday, April 16, 2014 9:54 AM
To: Bonenfant, Janice
Cc: Mark Coen; Florence, David
Subject: FW: parking issue - Warren Street, Concord
Attachments: April_14.JPG; march_10.JPG

TJA

Hi Janice – Please add this item to the May City Council agenda for referral to the parking committee. See highlighted text which will require the referral.

Thanks
Matt

From: Brian Byle [mailto:brianbyle@gmail.com]
Sent: Monday, April 14, 2014 12:46 PM
To: Walsh, Matthew
Subject: parking issue - Warren Street, Concord

Matt,

Hello. I Googled "vehicle registration Concord NH" and after speaking to a representative at the registration office I was referred to you.

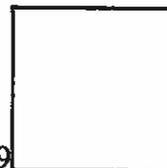
My name is Brian, and I live at 79 Warren Street and the home is owned by my fiance Lyn Vinskus. For months now a large white vehicle (Jeep) is being parked between my driveway and the driveway next door. Due to the size of this vehicle the visibility when backing out of my driveway is severely limited. On more than 1 occasion I had had a near accident.

A month ago I placed a note on the windshield of the vehicle, requesting that they do not park in the spot mentioned above. They complied for a few weeks but it appears lately that the vehicle has returned. Given that my driveway is at the intersections of Tahonto Street and Warren Street, the confluence of traffic only adds to the risk.

In the end I am just trying to keep my neighborhood safe and minimize unnecessary risk.

I am requesting that a No Parking sign be posted on the telephone pole next to this spot. Warren Street is very large and I do not believe that creating a 10ft No Parking area would hamper anyone's parking options too greatly.

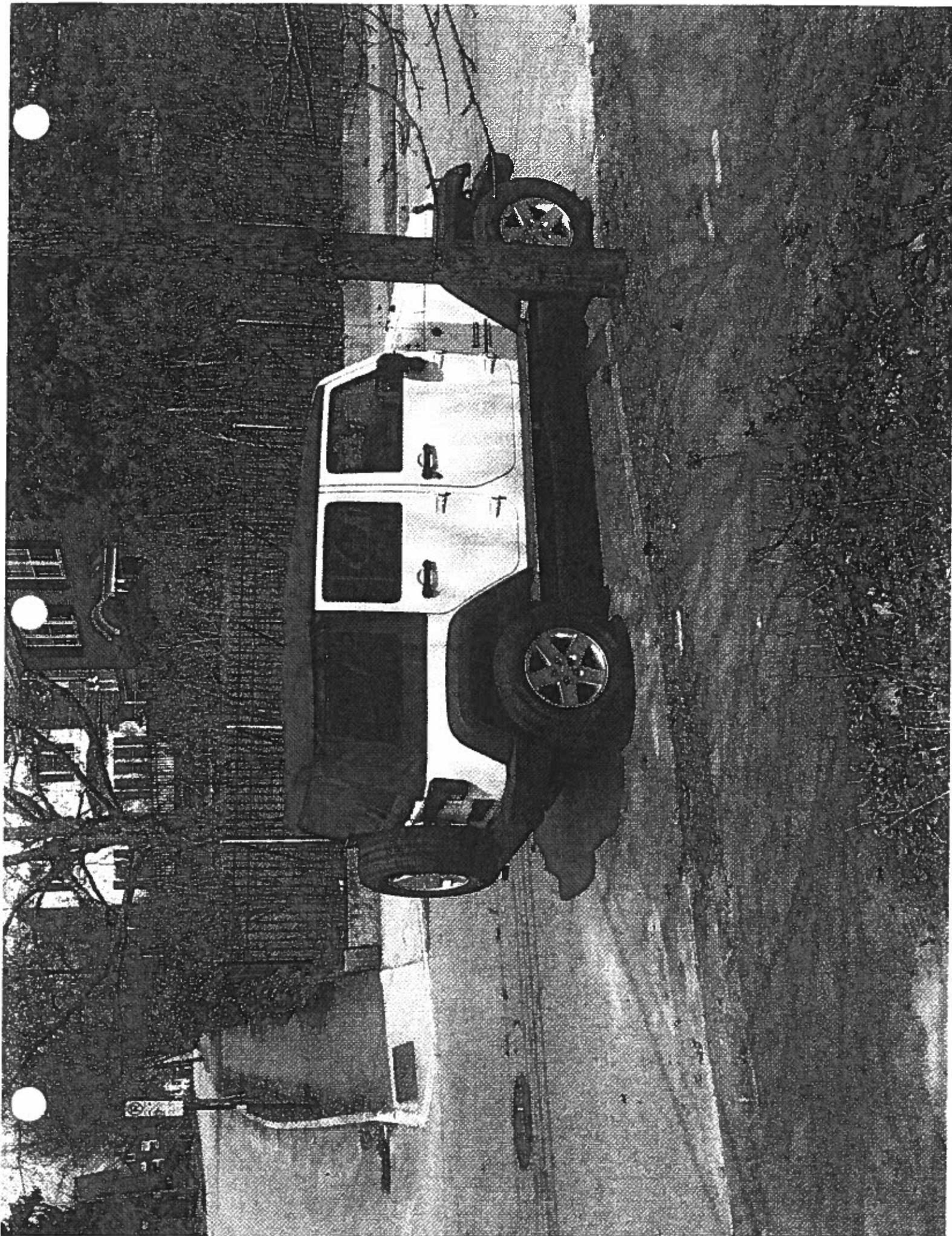
I have posted 2 pictures of the vehicle parked in the spot mentioned above.

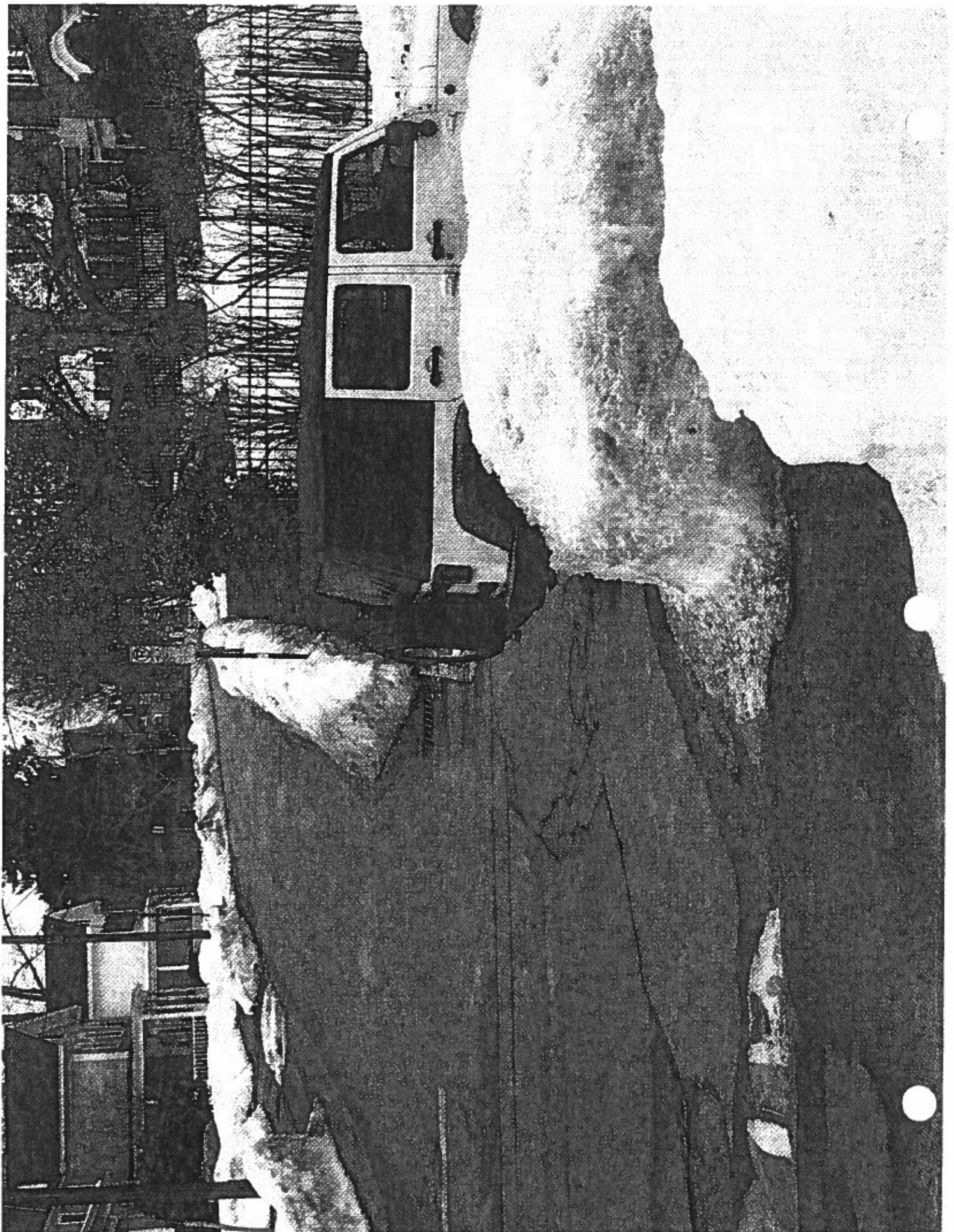


Please do not hesitate to contact me at this email address or at 603.438.9569 603.438.9569 with any questions or concerns. If I have reached you in error I apologize.

Thank you for your time,

Brian Byle
Call
Send SMS
Add to Skype
You'll need Skype CreditFree via Skype





5-9

TAA

Bonenfant, Janice

From: Nyhan, Keith <Keith.Nyhan@ins.nh.gov>
Sent: Thursday, May 01, 2014 11:44 AM
To: Bonenfant, Janice
Cc: Nyhan, Keith; Keith (ke9@comcast.net); Richardson, Barbara
Subject: Council Referral to Parking Committee: Extended No Parking Zone along S. Fruit Street
Attachments: Nyhan Referral to Parking Committee (S. Fruit Street) 001.jpg

Janice,

Recently there have been several near-accidents involving automobiles exiting the State Hospital campus at the intersection of S. Fruit Street and Industrial Drive, which is opposite the parking lot of Memorial Field. The s near-accidents are the result of poor sight lines, caused by automobiles parking near the intersection along the east side of S. Fruit Street. The problem is most evident from approximately 3:00 PM to 5:00 PM weekdays, when state employees are leaving the hospital campus at the same time an event is occurring at Memorial Field. I anticipate the problem will increase in magnitude, when an additional 300 state employees occupy the Toby Building in the coming months.

Accordingly, please accept this email and attachment as a formal request for referral to the Parking Committee. Specifically, I ask that the committee consider the facts above and recommend that the Council extend the no parking zone at the intersection of S. Fruit Street and Industrial Drive to a distance of approximately 200 ft. southerly and 200 ft. northerly along the east side of S. Fruit Street (see attached map). The no parking zone would extend from utility pole FP 213/8 to FP 213 11, which is located near the CAT bus stop.

Thanks

Keith E. Nyhan

Concord GIS

Zoom In

Zoom Out

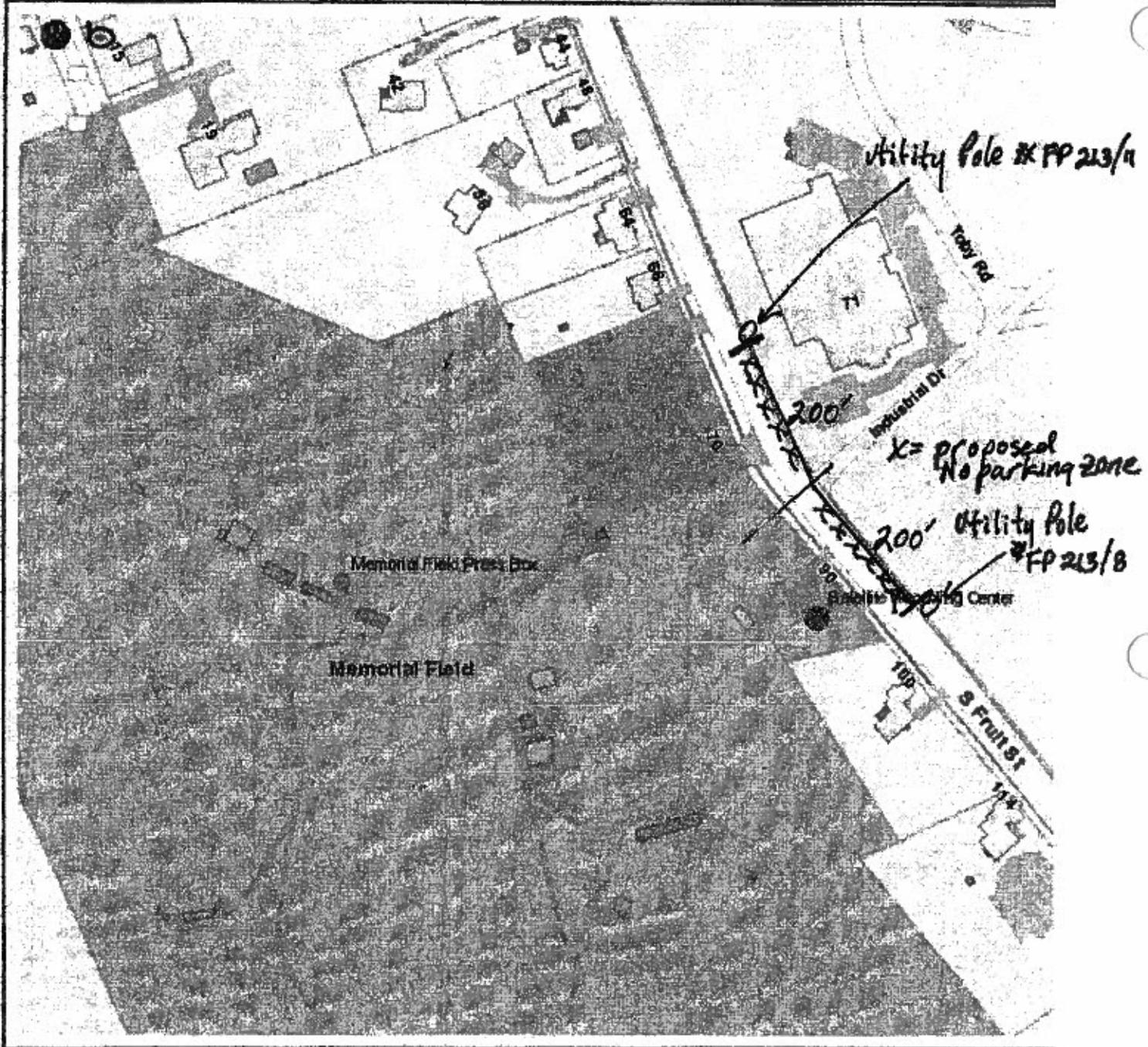
Full Extent

Prev Extent

Next Extent

Pan

Info





CITY OF CONCORD

TAA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: David Gill, Parks and Recreation Director
DATE: April 28, 2014
SUBJECT: Update Capital Improvement Plan for Beaver Meadow Golf Course

Recommendation

Review and accept report.

Background

In the fall of 2012 the Beaver Meadow Golf Course Advisory Committee formed a subcommittee chaired by Advisory Member Dick Holden to develop a Capital Improvement Plan for the Golf Course. The committee spent many meetings looking at everything from age of equipment, past condition reports and at new technologies that will help improve the operation of the course. Over the winter of 2013/14 the subcommittee continued its work.

Discussion

The Subcommittee presented their recommendations to the entire Golf Course Advisory Board at their April 2013 meeting and was unanimously approved. The committee recommends City Council tasks staff to update the CIP plan that is presented in this report.

5-11
T/A



PO Box 4233
Concord, NH 03302-4233
Concord250.org
Concord250nh@gmail.com



April 30, 2014

**Honorable Mayor Bouley
City Councilors
City Manager
City Clerk
C/o City Hall
41 Green St.
Concord, NH 03301**

RE: City funding request on behalf of Concord 250

Dear Honorable Mayor, City Councilors, City Manager, and City Clerk,

We appreciate the opportunity to present to you a request for funds to enable Concord 250 to plan and execute public events in celebration of the upcoming 250th anniversary of the creation and naming of Concord by the provincial government on June 7, 2015. In order to ensure the best events possible, and to provide for daily business functions including marketing and promotion, we are requesting the City grant \$75,000 to Concord 250. The attachments to this letter outline our estimated expenses and provide a current financial report. As noted in the attached budget, we estimate that our events and other activities will cost \$122,500. We are requesting that the City fund \$75,000 of that amount, and will seek the remaining \$47,500 from private donations.

Concord 250 was organized for the purpose of promoting and celebrating the 250th anniversary of the City for the benefit of all residents, guests and friends of the City. Concord 250 will accomplish its mission through two separate avenues. First, Concord 250 will spread awareness of the anniversary and encourage all Concord area residents, businesses, charities, schools and other organizations to incorporate the anniversary into their planned or existing activities, programs and events. In addition, Concord 250 will organize several community events. This is a unique opportunity for all of us to look back at our incredibly rich history, and think ahead to what might be.

Concord 250 is a 501(c)(3) nonprofit organization registered to do business in the State of New Hampshire. We have begun to fundraise and plan for events, the first of which will occur on June 6, 2014, involving the excavation and safe storage of the 1965 time capsule currently buried in City Hall Plaza. We estimate this project is fully funded at this time. We are relying on the

goodwill and generosity of the City's individual and corporate citizens to donate their time and money to additional upcoming celebrations. Indeed, our efforts will be measured and limited by those resources.

Concord 250 is focused on broad community buy-in, open communication and the solicitation of ideas from the general public. To that end, we have held three public forums since last November, all of which were well-attended. We also have a web page, email address, and Facebook, Twitter and Instagram accounts, all of which are generating interest and involvement. The organization has been featured on local television, radio, and in the Concord Monitor.

Concord 250 has already touched base with many individuals and organizations, including the Greater Concord Chamber of Commerce, the Concord Rotary, the Concord Historical Society, the Penacook Historical Society, the Penacook Village Association, the American Red Cross, the Interfaith Council, the McAuliffe-Shepard Discovery Center, Binnie Media, and many others. With respect to activities and events hosted by other individuals or groups, Concord 250's involvement will generally be limited to promoting and marketing activities. In addition, Concord 250 will organize events that will include the extraction and opening of the 1965 time capsule and the creation and burial of a 2065 time capsule. Such key events will take place in the summer of 2015 and may include a parade/procession and/or fireworks. Concord 250 may also produce memorial items and keepsakes for the public.

Some of our key benefactors up to this point are: Rath, Young and Pignatelli, P.C.; Mason & Rich; Jessica Fogg Social Inspirations; and Merrimack County Savings Bank. Our other Board members are: Tim Sink, Brent Todd, Steve Shurtleff, Jennifer Kretovic, Jim Bouley, Tonya Rochette, Jessica Fogg, Fred Coolbroth, Jr., Jason Tanguay and our advisory member, Van McLeod. We thank them all for their generosity.

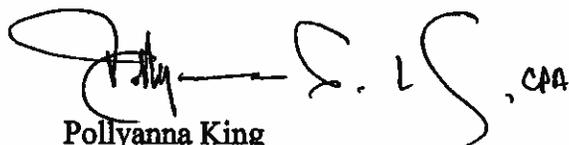
We also hope that all of you will take on the role of "250 Ambassadors" as you engage the public in your daily business. By talking about the 250th and the upcoming events, you will help to increase awareness and participation.

Thank you for your consideration of this request. We look forward to having some wonderful times in the City, from now through 2015!

Respectfully submitted,



James W. Milliken
Senior Vice President and Director



Pollyanna King
Treasurer and Director

JK

Concord 250

Treasurer's Report as of 4/30/2014

Balance Sheet:

		<u>Totals</u>
Assets	Bank balance - from contributions	\$ 1,998
	Pledged contributions - to be received	1,750
		<u>3,748</u>
Liabilities	Due to Rath, Young Pignatelli Law Office	(425)
	(Reimbursement of IRS fee for tax exempt status.)	
	Due to the band: Club Soda	(800)
	(Entertainment at June 6, 2014: Unearthing Ceremony)	
Net Assets		<u><u>\$ 2,523</u></u>

Projects & Events:

June 6, 2014: Time Capsule Unearthing Ceremony	Currently funded
December 31, 2014: The Very First Minute 2015	To be funded
June 7, 2015: Time Capsule Reveal	To be funded
August 13 - 16, 2015: City Celebration	To be funded
August 16, 2015: Time Capsule Burying	To be funded
December 31, 2015: The Very Last Minute 2015	To be funded

ASK

CONCORD 250

BUDGET PROPOSAL as of 4/30/2014 for Upcoming Events & City Celebration:

Fundraising Efforts:

Corporate Sponsorship	\$ 25,000
Commemorative License Plates sold at \$25, cost \$10, net	15,000
Commerorative coins	2,500
Program sales	2,500
Christmas decorations	1,250
Calendar sales	1,250
POTENTIAL REVENUES	<u>\$ 47,500</u>

CONCORD 250

BUDGET PROPOSAL as of 4/30/2014 for Upcoming Events & City Celebration:

EXPENSES:

EVENT MANAGEMENT CONTRACT	40,000	40,000
EVENT SERVICES		
police dept event detail	8,500	
fire dept on-site	2,000	
trash removal	2,500	
consultants	3,000	
portable toilets	1,250	
street sweeping	750	
	<u> </u>	18,000
ADVERTISING		
print: ads, posters, banners, signage	4,500	
radio	2,800	
press release/invitations	2,000	
misc - other	250	
	<u> </u>	9,550
RENTALS		
room rentals	7,500	
tents, tables, chairs (w/electric)	4,000	
golf cart for elderly & portage	500	
	<u> </u>	4,500
LICENSES & PERMITS	2,600	2,600
INSURANCE	2,200	2,200
ENTERTAINMENT		
celebrity/speakers/performers	15,000	
music / entertainment	9,000	
food & beverage	5,000	
sound & staging	5,500	
	<u> </u>	34,500
CREATIVE		
consultants	3,500	
memorabilia	3,000	
graphic design fees	1,200	
	<u> </u>	7,700
SUPPLIES		
expendables -table cloths, ice	1,500	
misc - other	250	
	<u> </u>	1,750
ADMINISTRATIVE - OFFICE		
postage	850	
po box	250	
website	300	
office supplies	250	
	<u> </u>	1,650
Rounding/unexpected items		50
TOTAL EVENT EXPENSES	<u>122,500</u>	
LESS POTENTIAL REVENUES	<u>(47,500)</u>	
ANTICIPATED SHORTFALL	<u>\$ 75,000</u>	

REQUESTED AMOUNT
\$ 75,000.00



CITY OF CONCORD

Boris
5/2/14
5-18

In the year of our Lord two thousand and fourteen

RESOLUTION APPROPRIATING THE SUM OF ONE HUNDRED FIFTEEN THOUSAND DOLLARS (\$115,000) FROM THE ECONOMIC DEVELOPMENT RESERVE FUND FOR COMPLETION OF A COMPREHENSIVE STRATEGIC PARKING PLAN (CIP #577).

The City of Concord resolves as follows:

WHEREAS, the municipal parking system is managed as a special revenue fund and, as such, the parking system is self-supported by revenues associated with garage and on-street parking, leases, fines, and penalties; and

WHEREAS, the parking system has been losing money for the past several years; and

WHEREAS, the City desires to undertake a comprehensive plan for the purpose of developing a framework to restore the parking fund to financial solvency, improve customer service, and achieve other strategic economic development goals which are associated with the parking system; and

WHEREAS, this is a purpose for which funds are not included in the adopted budget of the City, Section 37 of the City Charter provides for this appropriation to be approved by a two-thirds majority of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

1) The sum of\$115,000
be and is hereby appropriated as follows:

General Capital Project Fund
City Administration
Parking Strategic Plan CIP #577.....\$115,000

2) The sum of\$115,000
be and is hereby made available as follows:

General Capital Project Fund
Trust Transfer
Economic Development Reserve Fund.....\$115,000

3) These funds shall be available for any purpose associated with the completion of a comprehensive strategic parking plan or any other like purpose.

4) Sums as appropriated shall be expended under the direction of the City Manager.

5) This resolution shall take effect upon its passage.





CITY OF CONCORD

TA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Director of Redevelopment, Downtown Services, & Special Projects *M RW*

DATE: May 2, 2014

SUBJECT: Parking Strategic Plan

Recommendation:

1. Accept this report;
2. Set the attached resolution appropriating the sum of \$115,000 from the Economic Development Reserve Fund to engage a consultant for the completion of a comprehensive strategic parking plan for public hearing on June 9, 2014.

Background:

As part of the FY2014 budget, the City Manager implemented a reorganization of the management of the City Parking system. As a result of this change, staff within the City Manager's Office is now responsible for recommendation and implementation of parking policy, financial management, capital projects, and staff support for the Parking Committee. However, the Police Department's Parking Division remains responsible for managing daily operations and enforcement activities and maintenance responsibilities continue to be managed by the General Services Department Public Properties Division.

As previously reported to the City Council, the Parking Fund has been losing money for the past several years. Despite actions taken by the City Council in 2010, the Parking Fund is projected to become insolvent in FY2016. At the time modifications were made in 2010, the City Council recognized this circumstance would likely occur because of its decision to not fully implement all the recommendations of the Ad-hoc Parking Committee. With the parking fund at a critical crossroads, the City Administration recommended that a comprehensive parking plan be undertaken to develop a strategy to help restore the parking fund to financial solvency, as well as to address other parking related concerns.

Key elements of the strategic plan shall include the following elements. The project will be generally limited to the study area detailed on the attached map.

- Community and stakeholder input.

- An inventory of the current supply (public and private facilities).
- An inventory of land uses within the study area and review of demand for the current parking supply through utilization studies.
- Facility needs assessments, including development of a comprehensive capital improvement program, for all the City's 3 parking garages, 9 surface parking lots, as well as parking vehicles and equipment (such as meters and kiosks).
- A parking rate study which will compare the City's price structure for leases, meters, fines, and penalties with other similar communities in northern New England.
- A review of the City's current management model for the Parking System, including operations, enforcement, and maintenance.
- Summary of findings and recommendations, including an implementation plan.

The purpose of the strategic planning process to help the City achieve the following goals:

1. Restore the parking fund to financial solvency to ensure the fund remains self-sufficient;
2. Insure that an adequate supply of parking exists to support economic development goals such as expanded mercantile activity, upper story redevelopment, market rate housing, and potential future redevelopment projects;
3. Implement effective strategies to encourage appropriate turnover of on-street spaces to support mercantile activities;
4. Improve customer service through more effective signage and potential adoption of innovative technologies such as pay-in-car or pay-by-phone;
5. Craft and implement management strategies for the on-street system on a street-by-street or block-by-block basis (time zones, meters, permits, etc.);
6. Review current management strategies for all surface lots and parking garages and implement changes as warranted to the extent practical;
7. Review of the City's residential permit program and implement changes as needed to support neighborhood needs;
8. Review hours of enforcement (including evenings and weekends) and make adjustments as warranted;
9. Review current parking rates (including fines, penalties, and permits) to ensure the City stays competitive with similar communities;
10. Review the City's current organizational model for parking operations and maintenance of the parking system; and,
11. Review the historic financial and operational interrelationship between the General Fund and Parking Fund and implement refinements as appropriate.

The City Parking Committee discussed and endorsed this approach on September 16, 2013.

The Economic Development Advisory Council (EDAC) discussed and endorsed this approach on October 4, 2013.

The Fiscal Policy Advisory Committee (FPAC) discussed and endorsed this approach on November 21, 2013.

The City Council was briefed about this project via a consent report on December 9, 2013.

Discussion:

The City issued a Request for Qualifications and Experience (RFQ) for this project on January 21, 2014. Statements of qualifications were received on February 28, 2014 from four (4) consultant teams. Consultant teams were subsequently interviewed on April 4th and 21st.

Based upon this process, the City Administration plans to engage the consultant team of Nelson Nygaard / Desman Associates for this project. Nelson Nygaard specializes in land use, transportation, and parking system planning. Desman Associates specializes in design of parking facilities. Both firms have experience with parking operations and innovative parking technologies. Both firms are well known and respected in the industry. Nelson Nygaard recently completed similar projects for Portsmouth, as well as Salem, Massachusetts and Nantucket and will be the prime consultant leading the project.

Both firms are based locally in Boston; however, each firm has other offices across the country giving them added depth if needed for this project.

Assuming the appropriation of funds on June 9th, the project will commence immediately thereafter. The goal is to complete the project in time to allow for implementation of the study's recommendations simultaneously with the start of the FY2016 budget on July 1, 2015 (if not sooner).

Given the weak financial condition of the City's Parking Fund, City Administration proposes use of the Economic Development Reserve (EDR) Fund to support this project. The City Administration believes that use of the EDR Fund is appropriate given the interrelationship between the parking and economic development issues. With this appropriation (as well as other budgeted expenditures approved by the City Council to date), the EDR will have approximately \$78,000 available to support other City initiatives.

The proposed appropriation will cover the Consultant's proposed fee plus an appropriate contingency for potential changes in scope, as well as funds to support public meetings (advertising, etc.) and printing of the final report. Budget details are as follows:

Item	Budget
Consultant Fee	\$101,500
Project Contingency	\$9,500
Printing	\$2,000
Public Meetings	\$2,000
Total	\$115,000

Proposed Parking System Study Area



CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED FOURTEEN THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS (\$314,375) FOR THE PURPOSE OF PURCHASING A NEW FRONT END LOADER WITH ATTACHMENTS, INCLUDING TWO HUNDRED NINETY-THREE THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$293,850) IN GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA), SIXTEEN THOUSAND THREE HUNDRED TWENTY-FIVE DOLLARS (\$16,325) FROM THE STATE OF NEW HAMPSHIRE, AND FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200) FROM THE CITY OF CONCORD.

PAGE 1 OF 2

The City of Concord resolves as follows:

WHEREAS, the project was noted as CIP #77 in the 2014 Capital Budget; and

WHEREAS, The City appropriated \$12,125 as capital transfer from the Airport fund as part of the FY 2014 budget; and

WHEREAS, the Airport Advisory Committee recommends that the City Council approve this appropriation; and

WHEREAS, on March 10, 2014, the City Council authorized the City Manager to apply for a grant for up to \$340,000 for the purchase of a new Front End Loader for the Airport; and

WHEREAS, the total project cost is \$326,500, of which \$293,850 will be Federal funds (90%), \$16,325 will be State funds (5%), and \$16,325 will be City funds (5%); and

WHEREAS, the City's additional portion in the amount of \$4,200 will be appropriated from Airport Capital Transfer;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- 1) The sum of \$314,375
be and is hereby appropriated as follows:

Airport Capital Fund

Community Development Engineering Services Division

Purchase Snow Removal Equipment Front End Loader CIP #77 \$314,375

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION APPROPRIATING THE SUM OF THREE HUNDRED FOURTEEN THOUSAND THREE HUNDRED SEVENTY-FIVE DOLLARS (\$314,375) FOR THE PURPOSE OF PURCHASING A NEW FRONT END LOADER WITH ATTACHMENTS, INCLUDING TWO HUNDRED NINETY-THREE THOUSAND EIGHT HUNDRED FIFTY DOLLARS (\$293,850) IN GRANT FUNDS FROM THE FEDERAL AVIATION ADMINISTRATION (FAA), SIXTEEN THOUSAND THREE HUNDRED TWENTY-FIVE DOLLARS (\$16,325) FROM THE STATE OF NEW HAMPSHIRE, AND FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200) FROM THE CITY OF CONCORD.

PAGE 2 OF 2

2) Revenue is available as follows:

General Capital Fund

Federal Aviation Administration	\$293,850
New Hampshire Department of Transportation, Bureau of Aeronautics \$	16,325
City -Airport Capital transfer	<u>\$ 4,200</u>
Total	\$314,375

- 3) The useful life of the improvements is expected to be in excess of twenty (20) years.
- 4) Sums as appropriated shall be administered under the direction of the City Manager.
- 5) This resolution shall take effect upon its passage and upon grant award by the State of New Hampshire.



CITY OF CONCORD

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Martha Drukker, Associate Engineer
DATE: April 25, 2014
SUBJECT: CIP #77, Snow Removal Equipment, Front End Loader

Recommendation

Appropriate an additional \$314,375 (\$293,850 Federal share, \$16,325 State share and \$4,200 City share) in grant funds for the purpose of purchasing a new front end loader, complete with bucket, runway plows and lift, as programmed in the Capital Budget.

Authorize the City Manager to enter into an agreement with the New Hampshire Department of Transportation (NHDOT), Division of Aeronautics, for up to \$326,500 in grant funds for the purpose of purchasing a new front end loader, complete with bucket, runway plows and lift.

Background

The City applied for a grant to the NHDOT in April 2014 to purchase a front end loader. The requested funding of up to \$340,000 will be allocated as follows: 90% Federal share (\$306,000), 5% State share (\$17,000), and 5% City share (\$17,000).

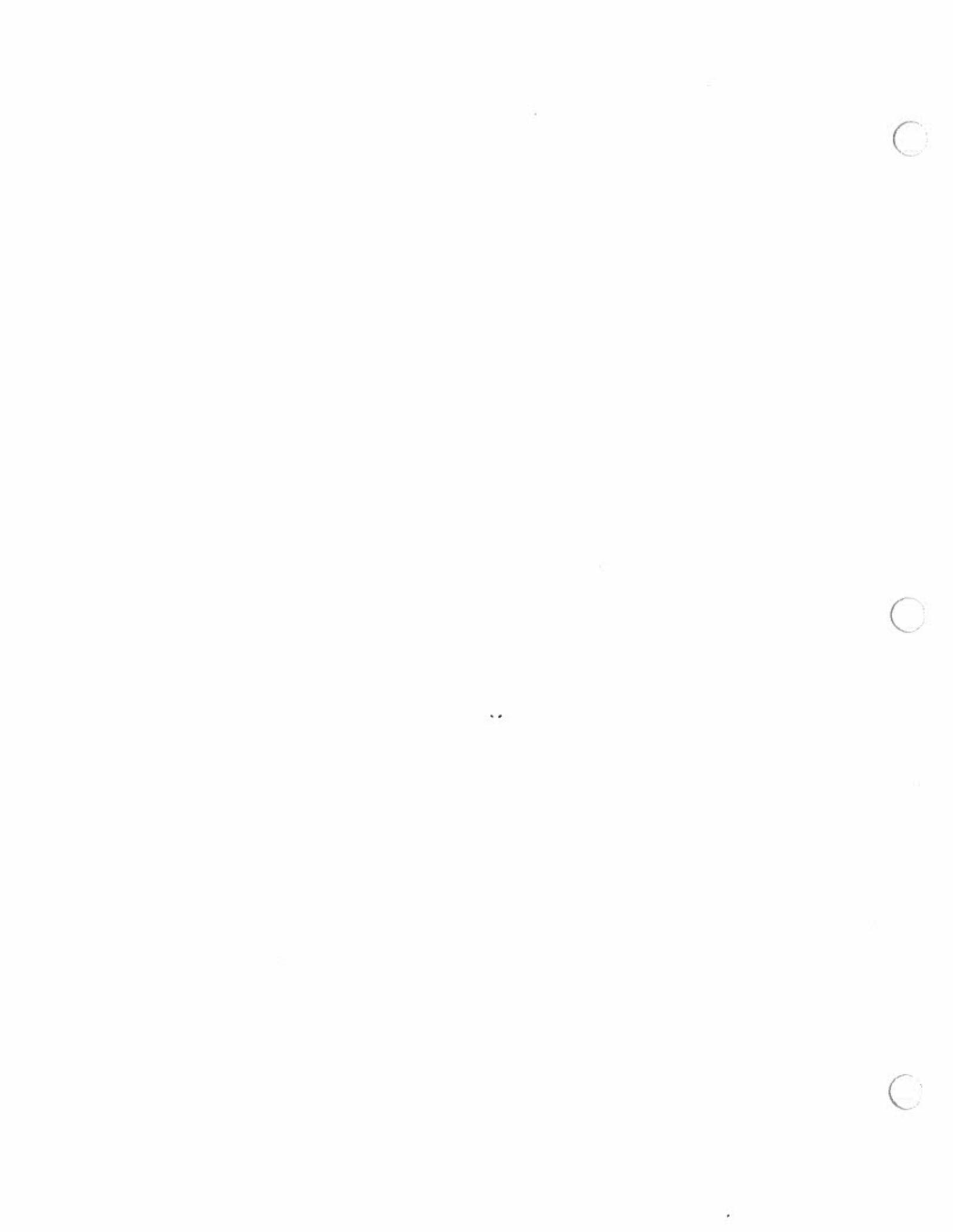
The existing loader was purchased with State and Federal funds in 1998 and is in need of replacement. This piece of equipment meets the requirements to be eligible for Federal funding.

Discussion

Bids were recently solicited for the purchase of the front end loader and the successful bidder submitted a price of \$315,300. Contract administration is \$12,000 with the total project cost of \$326,500.

The cost increase for the purchase of this piece of equipment, as compared to that estimated for the FY 2014 budget, is due to more stringent EPA fuel emissions requirements.

Upon grant award, the City Manager will be authorized to enter into an agreement with NHDOT to provide overall project administration.



5-20

TJA



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

DATE: April 28, 2014
FROM: Thomas J. Aspell, Jr., City Manager
SUBJECT: Citizen Comments

Recommendation:

Recommend City Council accept this report.

Background:

Attached for your information are citizen comments received during the past month.

/ss

Attachments

Thursday
April 17, 2014

Mrs. Aspell:

I've been having trouble with my sewer line. The men in that department came and tried to see if they could clear that to no avail.

They were all so polite, helpful and courteous. Just wanted to let you know. They are a credit to our city.

The men who came were Kevin Bartlett, Bob Demers, Sean Berthume, T.H. Talbot and Ryan Blussier.

With much gratitude to them.

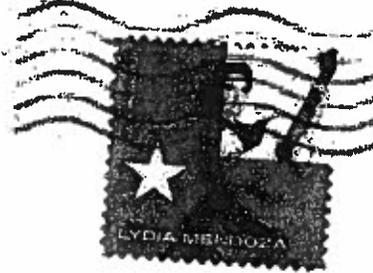
Sincerely
Beverly Sweet
(64 School St.)
Concord.

RECEIVED

APR 18 2014

CITY MANAGER'S OFFICE
CONCORD, NH

Matthew Stonge
37 Alice ~~Drive~~ PM 2 L.
Unit 31
Concord, NH 03303



Thank
you

Concord Parks &
Recreation
14 Canterbury Road
Concord, NH 03301
- David Bill

E61714

RECEIVED

APR 16 2014

CITY MANAGER'S OFFICE
CONCORD, NH

David, Thank you for
installing the free rims
and nets at Barrison
Park. That's a rock
solid venue!

Matthew Stonge

Duval, Carrie

From: Osgood, Bradley
Sent: Tuesday, April 15, 2014 10:20 AM
To: Mitchell, Keith
Cc: Duval, Carrie
Subject: FW: Sending Along a Thank You

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

From: Jim Langdon [<mailto:jim.langdon@icloud.com>]
Sent: Tuesday, April 15, 2014 10:10 AM
To: Osgood, Bradley
Subject: Sending Along a Thank You

I recently submitted a concern regarding the speed of traffic on Mountain Road and requested increased police monitoring and suggested a radar be placed near my location.

I am amazed and impressed at your level of response. I've since noticed a cruiser parked for hours with their lights on, a dramatic increase in cruisers monitoring the road, and then yesterday a radar setup along the road.

There are quite a few children playing in their yards and crossing the street, with very concerned parents. Your response helps bring peace to our neighborhood. Job well done! Thank you very much.

Sincerely,
Jim Langdon

Duval, Carrie

From: Duval, Carrie
Sent: Thursday, April 03, 2014 11:35 AM
To: Mitchell, Keith; Osgood, Bradley; Taylor, Gregory; Ford, Sean; McGuire, Michael
Cc: Mitchell, Benjamin
Subject: Complimentary Call

Christopher Feliz (██████████) called this morning to relay a compliment about the above and beyond service he received from Officer Ben Mitchell recently.

He said he just moved to Penacook and is alone here. He said he has been going through a lot in his life recently – some traumatic things - and that it had been building in him to the point where he had occasional thoughts of suicide. He said Officer Mitchell went out of his way to listen to him and to stop and take the time to ask him what was going on in his life. He said Officer Mitchell didn't have to do that, but he did. He said that went a long way in helping him – that it was good to have someone to talk to, to get things off his chest. He said he really appreciated it and he wanted to make sure that we knew how well he represented CPD.

Carrie

Carrie R. Duval
Administrative Assistant - Chief's Office
Concord Police Dept.
35 Green St.
Concord, NH 03301
603-230-3730
603-225-8519 (fax)
E-mail: cduval@concordpolice.com

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Lt. Tim O'Malley

4/14/14

Lt. O'Malley-

just wanted to thank you for taking the time to discuss my query about the Jarvis Street (Mennino Building) Capital Commons parking garage area. I feel more assured making the move from Barnstead to Concord - even though I know Concord is a fantastic place to be!

Thank you for what you do.

June Tillotson-Norman



RECEIVED

APR 16 2014

CONCORD, N.H. POLICE DEPARTMENT

22 Windsor Way
Ct. Barnstead, NH
03225 15 APH

From: jhmarston@comcast.net [mailto:jhmarston@comcast.net]

Sent: Thursday, April 24, 2014 5:07 PM

To: * City Clerk

Subject: Outstanding service

Dear Ms. Bonenfant,

Thank you! This morning I visited the Concord City Clerk's office with the simple task of getting an official copy of my birth certificate. I'll be honest - I was dreading the task, anticipating that I would have to deal with the worst kind of stereotypical government employee. Instead I was helped by a member of your staff who was warm, welcoming, efficient and friendly. And I witnessed the same high quality service provided by other staff members to customers who came in after me.

Throughout my adult life I have been employed in different service industries so this is the kind of thing that I pay attention to. I currently work for a municipality in Southern NH and personally *know* the people behind *our* Town Clerk's desk -- and your staff still provided me with a better experience than I've ever had in my own town!

Please extend my thanks to your staff on my behalf! Please continue to encourage and reward their outstanding customer service!

And, no, these ladies are not related to me ... but I want them to know that their efforts are noticeable and appreciated, even if they don't hear it everyday.

Sincerely,
Joanne Marston

Results based on total surveys received for March 2014
City of Concord – City Clerk’s Office
Customer Service Survey

I received services related to (circle all that apply): (Total surveys completed: 10)

City Council	Elections	Vital Records	Dog Licensing
()	()	(9)	()
Voter Registration	UCC Filings	Other: <u>General Information</u>	
()	()	align="center">(1) Marriage License	

Were you greeted promptly and friendly?

(Worst)	1	2	3	4	5	6	7	(Best)
	()	()	(1)	()	()	()	(9)	

Was your wait for service reasonable?

(Worst)	1	2	3	4	5	6	7	(Best)
	()	()	()	()	()	()	(10)	

Was the staff person knowledgeable?

(Worst)	1	2	3	4	5	6	7	(Best)
	()	()	(1)	()	()	()	(9)	

Was your transaction complete and accurate?

(Worst)	1	2	3	4	5	6	7	(Best)
	()	()	()	(1)	()	()	(9)	

Comments and suggestion

- “Very Nice.” “Smooth process.”
- “Have more purple paper!”
- “Got what I needed done.”
- “Quick and friendly-no changes.”
- “No suggestions that I can think of.”
- “Very helpful and not much of a wait.”
- “You guys are awesome! Thank You!”
- “Friendlier, more informational and helpful!”

**City of Concord – Collections Department
Customer Comment Cards Survey**

Results based on total comment cards received for April 2014

I received services related (circle all that apply): Total comment cards completed:

Motor Vehicle (7)	Property Taxes (0)	Utility Payments (0)	Misc. Billing (0)
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Our staff was:	courteous (7)	knowledgeable (7)	professional (7)
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Other: Friendly
Very good
Very nice
Awesome!! Humble the best.
All past dealings were the best

Our service was:	courteous (7)	knowledgeable (7)	professional (7)
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Other: Helpful
Awesome

Comments and suggestions:

- 1) Ladies are always pleasant and helpful. Parking always available!
- 2) Great people – nice experience.
- 3) It is always a pleasure to come here, everybody makes whatever process very easy. They are extremely helpful and knowledgeable. I never felt that way in New Jersey!
- 4) Donna is very courteous. She does a very good job with the public.
- 5) Very helpful and understanding.
- 6) Donna and Jan made the process very easy and simple.
- 7) I came from CT originally and the folks here are always very helpful. I don't need to wait 2 hours in line like in CT. Thanks again.





City of Concord, New Hampshire
CONCORD PUBLIC LIBRARY
45 GREEN STREET-03301-4257

5-21

T/A

PATRICIA A. IMMEN
LIBRARY DIRECTOR
603-225-8670

TO: Honorable Mayor and City Council
FROM: Sandi Lee and Pamela Stauffacher, interim Co-Library Directors
RE: Authorization to Accept Monetary Gifts Totaling \$1,755.20 as
Provided for Under the Preauthorization Granted by City Council
DATE: April 28, 2014

Recommendation

It is recommended that City Council approve the acceptance and expenditure of the gifts to the Concord Public Library cited below for the purpose indicated:

Donor	Amount	Purpose
Concord Public Library Patrons	\$339.50	Fees paid by patrons to replace lost and damaged library materials from 03/28/2014 through 04/25/2014
Concord Public Library Book Sale	\$950.75	Revenue from sale of used and donated books, audio materials and videos from 03/28/2014 through 04/25/2014
Jeanne H. Timmons	\$50.00	2014-15 Periodicals donation towards renewals
Thomas F. McLeod	\$25.00	2014-15 Periodicals donation towards renewals
Alexander P. DeNesnera	\$120.00	2014-15 Periodicals donation towards renewals
Stuart W. Russell	\$50.00	2014-15 Periodicals donation towards renewals
Lisa Eisele	\$20.00	Donation for library materials to thank us for reference services
Anonymous	\$20.00	2014-15 Periodicals donation towards renewals
Rosemary Chandler	\$25.00	Concord High School Alumni Directory of 2013
Concord Garden Club	\$100.00	To purchase books related to gardening
Carrie R. Duval	\$34.95	2014-15 Periodicals donation towards renewal of Cat Fancy and Ranger Rick
Claire A. Bragg	\$20.00	2014-15 Periodicals donation towards renewals
TOTAL	\$1,755.20	

Background

1. Funds are requested to be expended under the authority established pursuant to Resolution #8120, adopted December 10, 2007.
2. The purpose of the gifts listed above is consistent with, and presents no conflict or obstacle to, the accomplishment of City Council goals, the Code of Ordinances, or the operating functions of the Concord Public Library.
3. No City match is required.
4. Funds have been received by the City of Concord, except as noted.
5. A letter of thanks on behalf of the City Council and the citizens of the City of Concord has been sent to donors listed above.

Discussion

Upon the City Council's approval of this report the materials indicated above will be ordered and placed in the Library's collection.

Cc: City Manager
Deputy City Manager for Finance
Controller
City Clerk





CITY OF CONCORD

T/A

REPORT TO MAYOR AND THE CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

FROM: David Gill, Park and Recreation Director

RE: Authorization to accept monetary donations in the amount of \$5,950

DATE: April 28, 2014

Recommendation

It is recommended that City Council approve the acceptance and expenditure of the gifts to the City of Concord cited below for the purpose indicated:

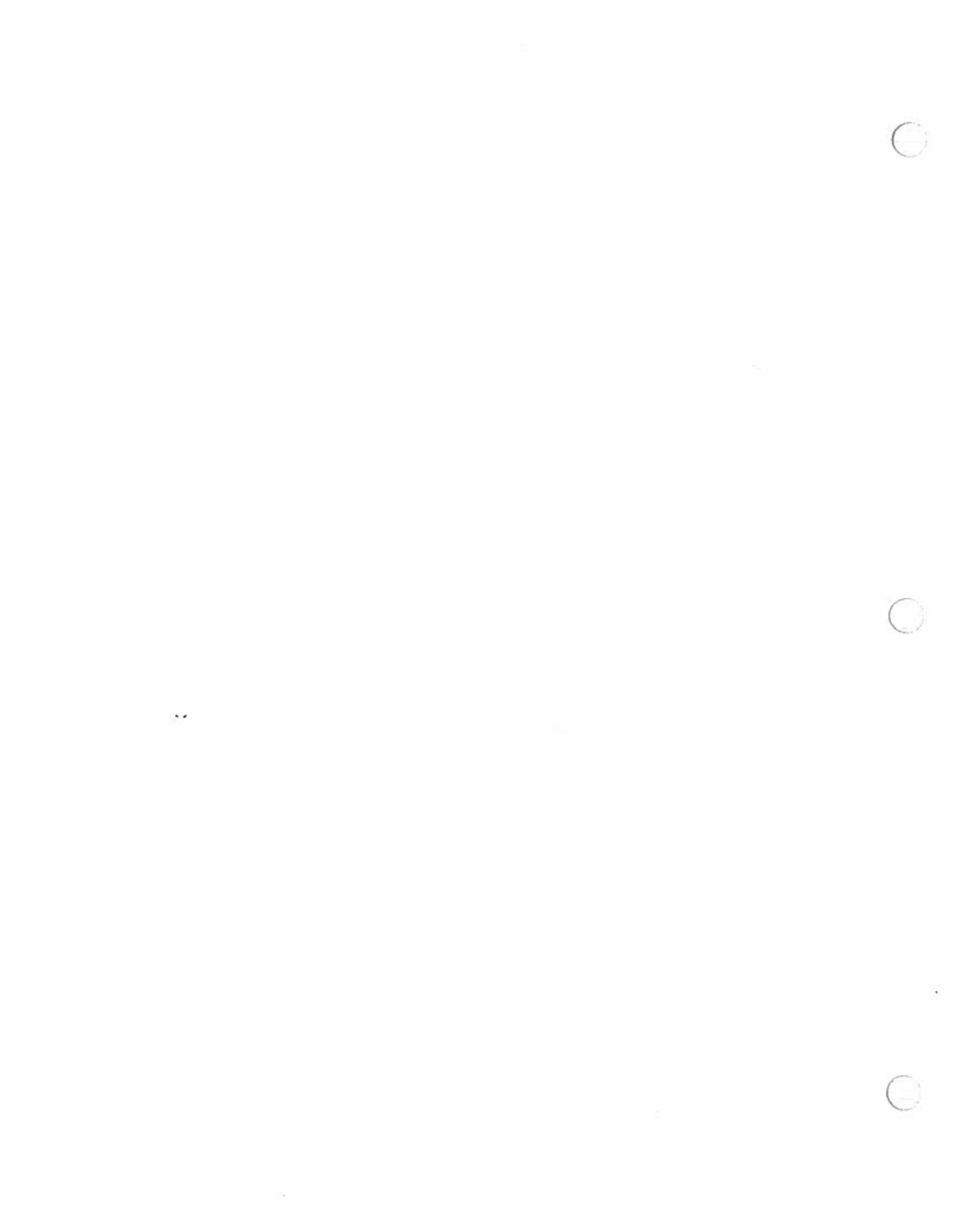
Donor	Amount	Purpose	G/L Account
Walker Lecture Fund	\$5,000	Summer Concert Series	GRTRECMISC 2910 Music
Banks Chevrolet	\$250	Easter Egg Hunt	GRTRECMISC 2910 Other
Jill McDaniel	\$100	Adopt A Grave	GRTRECMISC 2910 Adopt A Grave
Ronald McDaniel	\$100	Adopt A Grave	GRTRECMISC 2910 Adopt A Grave
The Odey Family	\$100	Adopt A Grave	GRTRECMISC 2910 Adopt A Grave
Shirley Abbott	\$100	Adopt A Grave	GRTRECMISC 2910 Adopt A Grave
William and Lauren Hargrave	\$100	Adopt A Grave	GRTRECMISC 2910 Adopt A Grave
Michael Dunn	\$200	Adopt A Grave	GRTRECMISC 2910 Adopt A Grave

Background

1. The purpose of the gifts listed above is consistent with, and presents no conflict or obstacle to, the accomplishment of City Council goals, the Code of Ordinances, or the operating functions of the Parks and Recreation Department.
2. A letter of thanks on behalf of the City Council and the citizens of the City of Concord have been sent to donors listed above.

Discussion

With these donations the City of Concord Parks and Recreation Department will be able to continue offering special events and programs to the community.





CITY OF CONCORD

REPORT TO CITY MANAGER, FINANCIAL STATEMENTS

FROM: Brian LeBrun – Deputy City Manager Finance
DATE: April 15, 2014
SUBJECT: March Fiscal Year-to-Date 2014 Financial Statements

The attached financial statements for the period ending March 31, 2014 represent 75% of the elapsed Fiscal Year 2014. The highlights of the City's financial status for this time period are represented by fund or groups of funds below. Comparisons are being made to the FY14 adopted budget or previous year FY13 same period results.

General Fund

Revenues:

- 1) Year-to-date, most revenue items are on track with budget. Trends that develop will be identified as early as possible. Other notable items are listed below.
- 2) Finance
 - a. MV Registration and Title: Nine months into the fiscal year, this line is on target at 76% compared to budget and ahead of FY13 same time period by \$109,300. It is important to note that in July, 2012 \$115,100 was deferred from FY12 and recorded as revenue for FY13. A similar deferral did not occur from FY13 to FY14.
 - b. Investment Income: This revenue line continues to fall short of projections again in FY14. Year-to-date only \$20,200 has been collected or 40% of anticipated revenues and \$18,500 behind FY13.
 - c. Insurance Distributions and Credits: Again for FY14, the City received a premium holiday from Primex for worker's compensation insurance. The amount increased to \$327,700 or \$12,600 more than the amount received in FY13. While this credit was a reduction of the net bill submitted to the City of Concord, it was for premiums paid in previous years and recorded as revenue for FY14. \$300,000 of this amount is being used as estimated revenue for the TY13 tax rate setting in

order to increase the amount of overlay. Therefore, only \$27,700 will be a factor in surplus at the end of Fiscal Year 2014.

3) Police

- a. Special Police Duty Services and Cruiser Rental Fees: Nine months into the fiscal year, these lines have received 103% and 180% of their budgeted revenue. The offset is that Police Department's overtime line is ahead of budget for this time of year.

4) Fire

- a. US Dept. of Homeland Security/FEMA: collected \$17,200 as reimbursement for the deployment of a Concord Fire Officer. This is offset through wage and benefit payments of a similar amount.
- b. Ambulance Service Charge: this line is 74% collected year-to-date and \$69,800 behind Fiscal Year 2013.

5) CD

- a. Building, Electrical, Mechanical and Plumbing permits collectively are 99.8% collected as of March 31, 2014 and \$145,900 ahead of last year, same time period. This includes a \$61,200 deferral from Fiscal Year 2013.
- b. Timber Sales – this line is 366% collected and \$18,300 ahead of last year same time period.
- c. Review Fee – Site Plans: this line is 128% collected and \$11,000 ahead of Fiscal Year 2013.

6) Recreation

- a. Miscellaneous Services: this line is 62% collected and \$21,200 behind Fiscal Year 2013.

Expenses:

1. Year-to-date, while most expense items are on track with budget, there are a few areas of this budget placing pressures on expense lines that may require further action at year end to help balance the Fund. Wages are trending ahead of budget due to overtime; settlement of Collective Bargaining Agreements and retirement severances. Winter Snow and Ice Control expenses exceed FY13 and are more specifically described below. It is important to recognize when reading these financial statements that FY14 has 52 pay periods. March represents 38 of 52 payrolls elapsed or 73.1%. This is the ratio that is important to use to compare wage lines to budget. Expenses for Snow and Ice Control operations and Human Services Special Programs are being tracked very closely. Additional details and other notable items are listed below.
2. Surplus – It is important to identify that management fully expects the regular General Fund Operations to end the year within budget or with a surplus! However, this note identifies issues in the General Fund financial statements that will likely contribute to the fund finishing Fiscal Year 2014 without a “real” surplus. Although this most likely will occur, it is also anticipated that the Unassigned Fund Balance will increase at the close of Fiscal Year 2014, still exceeding the City's Unassigned Fund Balance Goal of 17.5%

- a. In January 2014, the City Council approved the use of \$1,553,788.14 from Assigned Fund Balance to support additional Allowance for Abatements (Overlay), transfer to reserves and one time operational expenses. This amount is significantly more than the amounts approved in the last two fiscal years. It is important to note that the use of any category of fund balance does not result in a transfer of funds as revenue to the operating budget, and instead is adjusted at year end as part of "closing the books" which results in an increase or decrease in fund balance. The \$1,553,788.14 use of Assigned Fund Balance includes \$1,008,788.14 to support additional Allowance for Abatements, and is shown as a reduction to the FY14 Property Tax Revenue line.
 - b. It is a very real possibility that additional revenues or reduced expenses from the General Fund operating budget will not result in the same \$1,553,788.14 used from Assigned Fund Balance. This is part of the overall planned management of the level of the Unassigned Fund Balance that the City maintains from year to year. This is the same issue that was discussed with the City's Fiscal Policy Advisory Committee (FPAC) at its November FPAC meeting. It is also very important that City Administration continues to manage the adopted operational budgets to end the year within appropriated amounts.
3. Leaves with Fringe – This line in the General Services, Community Development and Parks and Recreation Departments have a zero revised budget and no year-to-date expenses reported. This is part of the overall change eliminating the estimated Leaves with Fringe account and showing all actual wage and benefits expenses in the regular wage and benefits lines.
4. General Liability Insurance – General liability insurance has been charged for the full year in July. This is a change in practice from previous years and is now the same as how auto and property insurances are charged.
5. Legal
 - a. Prof & Tech Serv – Tax & Assessing: this line is 181% spent year-to-date or \$48,400 including encumbrances due to the number and complexity of cases the department is working on and is expected to increase further as the year progresses. Total department expenses are on track at 73% expended.
6. Assessing
 - a. Prof & Tech Serv – Tax & Assessing: this line is 123% spent year-to-date or \$24,600 including encumbrances, and with a higher number of appeals the department is working on, it is anticipated that this amount will increase as the fiscal year progresses. Total department expenses are within budget at 74% expended.
7. Police
 - a. Overtime: Nine months into the fiscal year, this line is 125% spent. The offset is that the Police Department's revenue lines for Special Duty Services and Cruiser Rental Fee are ahead of revenue projections year-to-date.

8. General Services

- a. Snow and Ice Control cost center – As of March 31, 2014 overtime is 135% spent or \$54,300 more than Fiscal Year 2013; Other services are 107% spent and Other Supplies and Equipment are 99% spent and \$108,300 more including encumbrances than the same time period in Fiscal Year 2013. Overall this cost center is 109% spent year-to-date and \$167,800 more including encumbrances than last year same time period. For comparison purposes, this cost center's revised budget includes a transfer from contingency of \$110,500.

9. Library

- a. Permanent Full Time Wages and Benefits include payouts associated with the February retirement of the Library Director.

10. Human Services

- a. Special Programs, this line is 72% spent year-to-date which is within budget. Including encumbrances, it is also \$27,000 ahead of Fiscal Year 2013 same time period and will be monitored closely for the remainder of the fiscal year.

Major Enterprise and Special Revenue Funds:

Engineering Inspections Fund

No significant issues to discuss at this time.

Parking Fund

No significant issues to discuss at this time.

Airport Fund

No significant issues to discuss at this time.

Golf Course Fund

Nine months into the fiscal year, the Golf Fund net revenues less expenses are behind \$15,300 compared to the same time period in Fiscal Year 2013. Notable operating revenue items are ahead of FY13 in several categories: Daily Fees ahead by \$17,700, Cart Rental ahead by \$10,900, Driving Range ahead by \$2,100 and Pro-shop Sales & Rentals (new revenue) \$74,400. Additionally, Wages and benefits are ahead of FY13 by \$90,100, Prof & Tech Services are down by \$33,400 and Cost of Goods Sold (new cost) is \$48,000, Grounds and Horticultural supplies are ahead by \$20,700 including encumbrances.

Arena Fund

No significant issues to discuss at this time.

Solid Waste Fund

No significant issues to discuss at this time.

Water Fund

No significant issues to discuss at this time.

Sewer Fund

No significant issues to discuss at this time.

All departments do a great job of monitoring their individual divisions and departments. These statements, which as provided in this format on a monthly basis, will help articulate how the City is doing overall as the fiscal year progresses. Please give me a call if there are any questions or if you simply want to discuss the statements in general.



General Fund Budget by Account Class Report

Through 03/31/14
 Prior Fiscal Year Activity Included
 Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 11 - Gen Fund									
REVENUE									
Property Taxes	33,713,830.00	(1,310,455.14)	32,403,374.86	25,503.28	.00	32,446,823.20	(43,448.34)	100	32,720,628.41
Other Taxes	6,120,619.00	1,354.00	6,121,973.00	606,344.87	.00	4,822,009.46	1,299,963.54	79	4,606,931.80
Franchise Fee	730,000.00	.00	730,000.00	.00	.00	558,912.67	171,087.33	77	548,926.76
Intergovernmental-Federal	120,000.00	.00	120,000.00	844.71	.00	97,659.45	22,340.55	81	134,334.31
Intergovernmental-State	2,810,430.00	313.00	2,810,743.00	.00	.00	2,660,315.77	150,427.23	95	2,662,591.15
Intergovernmental-Local	678,180.00	.00	678,180.00	.00	.00	438,936.84	239,243.16	65	427,041.65
Programs, Services & Products	2,945,236.00	.00	2,945,236.00	230,887.52	.00	2,245,118.69	700,117.31	76	2,120,979.17
Rentals, Leases & Use	288,500.00	.00	288,500.00	12,031.51	.00	231,663.84	56,836.16	80	210,397.75
Applications, Reviews & Recording Fees	75,032.00	.00	75,032.00	5,000.00	.00	77,831.02	(2,799.02)	104	68,066.90
Reports, Prints & Copies	38,350.00	.00	38,350.00	3,085.50	.00	25,578.10	12,771.90	67	25,150.85
Fines, Penalties & Costs	661,200.00	.00	661,200.00	51,508.71	.00	392,788.35	268,411.65	59	460,376.66
Licenses and Permits	882,715.00	.00	882,715.00	73,791.56	.00	808,976.51	73,738.49	92	661,118.00
Investment Income	50,000.00	.00	50,000.00	561.69	.00	20,222.54	29,777.46	40	38,756.22
Donations	1,500.00	.00	1,500.00	.00	.00	236.08	1,263.92	16	5,169.25
Miscellaneous-Other	1,755,900.00	310,612.00	2,066,512.00	294,079.05	.00	1,716,672.58	349,839.42	83	1,625,658.19
Transfers-in Trust	503,970.00	.00	503,970.00	.00	.00	335,800.00	168,170.00	67	364,800.00
Transfers-in Other	2,055,570.00	90,000.00	2,145,570.00	150,662.50	.00	1,728,502.50	417,067.50	81	1,101,896.37
Capital Contributions	23,000.00	.00	23,000.00	576.00	.00	15,625.60	7,374.40	68	12,388.76
Use of Fund Balance/Retained Earnings	.00	1,553,788.14	1,553,788.14	.00	.00	.00	1,553,788.14	0	.00
REVENUE TOTALS	\$53,454,032.00	\$645,612.00	\$54,099,644.00	\$1,454,876.90	\$0.00	\$48,623,673.20	\$5,475,970.80	90%	\$47,795,212.20
EXPENSE									
Compensation	24,033,535.00	617,017.46	24,650,552.46	1,833,886.14	.00	17,941,237.89	6,709,314.57	73	17,034,181.90
Fringe Benefits	15,619,468.00	(556,517.46)	15,062,950.54	1,191,283.64	381,299.74	11,277,750.41	3,403,900.39	77	10,922,848.47
Outside Services	2,116,438.00	45,612.00	2,162,050.00	164,754.94	173,976.17	1,506,837.87	481,235.96	78	1,365,850.89
Supplies	2,461,715.00	62,500.00	2,524,215.00	285,243.94	136,444.31	1,883,181.38	504,589.31	80	1,610,213.56
Utilities	1,209,856.00	.00	1,209,856.00	125,468.81	443.05	824,028.68	385,384.27	68	857,425.70
Insurance	472,330.00	.00	472,330.00	(2,773.57)	.00	450,576.71	21,753.29	95	356,097.08
Capital Outlay	196,600.00	42,500.00	239,100.00	77,797.98	79,357.86	100,069.33	59,672.81	75	98,046.32
Debt Service	4,980,300.00	.00	4,980,300.00	737,021.18	.00	4,876,109.06	104,190.94	98	4,739,702.15
Miscellaneous	1,065,630.00	(110,500.00)	955,130.00	30,908.70	2,033.37	696,924.88	256,171.75	73	663,083.81
Allocated Costs	(676,470.00)	.00	(676,470.00)	(57,970.34)	.00	(506,082.06)	(170,387.94)	75	(449,184.00)
Transfers Out	1,974,630.00	545,000.00	2,519,630.00	105,411.67	.00	2,208,024.06	311,605.94	88	2,539,350.00
EXPENSE TOTALS	\$53,454,032.00	\$645,612.00	\$54,099,644.00	\$4,491,034.09	\$773,554.50	\$41,258,658.21	\$12,067,431.29	78%	\$39,757,615.88

General Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 11 - Gen Fund Totals									
REVENUE TOTALS	53,454,032.00	645,612.00	54,099,644.00	1,454,876.90	.00	48,623,673.20	5,475,970.80	90	47,795,212.20
EXPENSE TOTALS	53,454,032.00	645,612.00	54,099,644.00	4,491,034.09	773,554.50	41,258,658.21	12,067,431.29	78	39,757,615.88
Fund 11 - Gen Fund Totals	\$0.00	\$0.00	\$0.00	(\$3,036,157.19)	(\$773,554.50)	\$7,365,014.99	(\$6,591,460.49)		\$8,037,596.32
Grand Totals									
REVENUE TOTALS	53,454,032.00	645,612.00	54,099,644.00	1,454,876.90	.00	48,623,673.20	5,475,970.80	90	47,795,212.20
EXPENSE TOTALS	53,454,032.00	645,612.00	54,099,644.00	4,491,034.09	773,554.50	41,258,658.21	12,067,431.29	78	39,757,615.88
Grand Totals	\$0.00	\$0.00	\$0.00	(\$3,036,157.19)	(\$773,554.50)	\$7,365,014.99	(\$6,591,460.49)		\$8,037,596.32

Engineering Inspections Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Transactions	Budget - YTD Transactions	% used/	Prior Year YTD
Fund 2100 - Engineering Inspections Fund										
REVENUE										
Programs, Services & Products	165,000.00	.00	165,000.00	.00	.00	64,396.79	100,603.21	39	87,469.48	
Fines, Penalties & Costs	150.00	.00	150.00	.00	.00	60.80	89.20	41	126.12	
Licenses and Permits	78,000.00	.00	78,000.00	610.00	.00	48,055.00	29,945.00	62	45,924.00	
Investment Income	500.00	.00	500.00	12.62	.00	270.62	229.38	54	621.00	
REVENUE TOTALS	\$243,650.00	\$0.00	\$243,650.00	\$622.62	\$0.00	\$112,783.21	\$130,866.79	46%	\$134,140.60	
EXPENSE										
Compensation	142,010.00	24,697.00	166,707.00	10,870.96	.00	104,593.24	62,113.76	63	89,572.11	
Fringe Benefits	92,470.00	(24,697.00)	67,773.00	6,260.33	.00	56,992.22	10,780.78	84	57,808.33	
Outside Services	4,490.00	.00	4,490.00	568.54	.00	3,979.20	510.80	89	2,373.36	
Supplies	4,100.00	.00	4,100.00	425.55	.00	3,360.07	739.93	82	1,558.25	
Insurance	.00	.00	.00	.00	.00	.00	.00	+++	1,021.00	
Capital Outlay	.00	.00	.00	.00	.00	.00	.00	+++	3,796.52	
Transfers Out	406.00	.00	406.00	33.33	.00	299.97	100.03	75	.00	
EXPENSE TOTALS	\$243,470.00	\$0.00	\$243,470.00	\$18,158.71	\$0.00	\$169,224.70	\$74,245.30	70%	\$156,129.57	
Fund 2100 - Engineering Inspections Fund Totals										
REVENUE TOTALS	243,650.00	.00	243,650.00	622.62	.00	112,783.21	130,866.79	46	134,140.60	
EXPENSE TOTALS	243,470.00	.00	243,470.00	18,158.71	.00	169,224.70	74,245.30	70	156,129.57	
Fund 2100 - Engineering Inspections Fund Totals	\$180.00	\$0.00	\$180.00	(\$17,536.09)	\$0.00	(\$56,441.49)	\$56,621.49		(\$21,988.97)	
Grand Totals										
REVENUE TOTALS	243,650.00	.00	243,650.00	622.62	.00	112,783.21	130,866.79	46	134,140.60	
EXPENSE TOTALS	243,470.00	.00	243,470.00	18,158.71	.00	169,224.70	74,245.30	70	156,129.57	
Grand Totals	\$180.00	\$0.00	\$180.00	(\$17,536.09)	\$0.00	(\$56,441.49)	\$56,621.49		(\$21,988.97)	

Parking Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 2200 - Parking Fund									
REVENUE									
Programs, Services & Products	835,600.00	.00	835,600.00	70,266.54	.00	608,624.10	226,975.90	73	583,863.62
Rents, Leases & Use	477,848.00	.00	477,848.00	158,902.36	.00	552,842.32	(74,994.32)	116	472,054.70
Fines, Penalties & Costs	360,000.00	.00	360,000.00	30,947.98	.00	253,136.23	106,863.77	70	271,236.53
Investment Income	600.00	.00	600.00	4.42	.00	56.42	543.58	9	463.00
Miscellaneous-Other	500.00	.00	500.00	.00	.00	22,520.00	(22,020.00)	4504	.00
Transfers-In Trust	132,744.00	.00	132,744.00	.00	.00	132,744.00	.00	100	2,744.00
Transfers-In Other	227,000.00	.00	227,000.00	18,916.67	.00	170,250.03	56,749.97	75	.00
Capital Contributions	10,500.00	.00	10,500.00	10,500.00	.00	10,500.00	.00	100	10,500.00
REVENUE TOTALS	\$2,044,792.00	\$0.00	\$2,044,792.00	\$289,537.97	\$0.00	\$1,750,673.10	\$294,118.90	86%	\$1,340,861.85
EXPENSE									
Compensation	392,000.00	7,217.00	399,217.00	28,277.15	.00	268,744.84	130,472.16	67	257,427.46
Fringe Benefits	215,770.00	(7,217.00)	208,553.00	14,487.68	.00	132,739.88	75,813.12	64	127,353.04
Outside Services	219,645.00	.00	219,645.00	21,029.23	30,041.92	149,638.42	39,964.66	82	141,051.43
Supplies	44,680.00	.00	44,680.00	1,410.49	5,246.19	29,453.86	9,979.95	78	26,356.53
Utilities	53,710.00	.00	53,710.00	3,066.16	.00	32,146.63	21,563.37	60	32,291.68
Insurance	21,540.00	.00	21,540.00	.00	.00	21,370.00	170.00	99	22,421.10
Capital Outlay	30,000.00	.00	30,000.00	1,599.70	.00	1,599.70	28,400.30	5	.00
Debt Service	888,500.00	.00	888,500.00	89,993.76	.00	888,490.93	9.07	100	785,474.86
Miscellaneous	77,260.00	.00	77,260.00	13,432.48	.00	39,084.11	38,175.89	51	56,077.51
Allocated Costs	5,730.00	.00	5,730.00	477.50	.00	4,297.50	1,432.50	75	4,297.50
Transfers Out	167,850.00	.00	167,850.00	19,652.50	.00	143,812.50	24,037.50	86	143,812.50
(Gain) Loss on F/A Disposals	.00	.00	.00	.00	.00	.00	.00	+++	.00
EXPENSE TOTALS	\$2,116,685.00	\$0.00	\$2,116,685.00	\$193,366.65	\$35,288.11	\$1,711,378.37	\$370,018.52	83%	\$1,596,563.61
Fund 2200 - Parking Fund Totals									
REVENUE TOTALS	2,044,792.00	.00	2,044,792.00	289,537.97	.00	1,750,673.10	294,118.90	86	1,340,861.85
EXPENSE TOTALS	2,116,685.00	.00	2,116,685.00	193,366.65	35,288.11	1,711,378.37	370,018.52	83	1,596,563.61
Fund 2200 - Parking Fund Totals	(\$71,893.00)	\$0.00	(\$71,893.00)	\$96,171.32	(\$35,288.11)	\$39,294.73	(\$75,899.62)		(\$255,701.76)
Grand Totals									
REVENUE TOTALS	2,044,792.00	.00	2,044,792.00	289,537.97	.00	1,750,673.10	294,118.90	86	1,340,861.85
EXPENSE TOTALS	2,116,685.00	.00	2,116,685.00	193,366.65	35,288.11	1,711,378.37	370,018.52	83	1,596,563.61
Grand Totals	(\$71,893.00)	\$0.00	(\$71,893.00)	\$96,171.32	(\$35,288.11)	\$39,294.73	(\$75,899.62)		(\$255,701.76)

Airport Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 2300 - Airport Fund									
REVENUE									
Intergovernmental-State	2,400.00	.00	2,400.00	.00	.00	.00	2,400.00	0	.00
Programs, Services & Products	12,250.00	.00	12,250.00	560.00	.00	7,469.07	4,780.93	61	9,155.86
Rents, Leases & Use	368,024.00	.00	368,024.00	11,666.22	.00	279,795.22	88,228.78	76	338,969.42
Fines, Penalties & Costs	.00	.00	.00	.00	.00	.00	.00	+++	.00
Investment Income	1,400.00	.00	1,400.00	25.18	.00	462.18	937.82	33	1,026.00
Miscellaneous-Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers-In Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
Use of Fund Balance/Retained Earnings	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$384,074.00	\$0.00	\$384,074.00	\$12,251.40	\$0.00	\$287,726.47	\$96,347.53	75%	\$349,151.28
EXPENSE									
Compensation	62,200.00	10,542.00	72,742.00	7,457.39	.00	67,122.63	5,619.37	92	47,141.20
Fringe Benefits	44,120.00	(10,542.00)	33,578.00	2,753.00	.00	24,567.81	9,010.19	73	32,668.89
Outside Services	83,394.00	.00	83,394.00	8,357.58	9,130.00	64,327.96	9,936.04	88	50,367.59
Supplies	44,405.00	.00	44,405.00	2,227.70	2,146.33	25,272.50	16,986.17	62	18,150.23
Utilities	21,952.00	.00	21,952.00	5,016.29	.00	14,179.72	7,772.28	65	14,400.52
Insurance	7,670.00	.00	7,670.00	.00	.00	5,140.00	2,530.00	67	4,804.95
Debt Service	10,260.00	.00	10,260.00	5,293.75	.00	10,257.72	2.28	100	10,665.00
Miscellaneous	36,665.00	.00	36,665.00	10,441.40	.00	30,381.01	6,283.99	83	27,125.79
Allocated Costs	5,520.00	.00	5,520.00	460.00	.00	4,140.00	1,380.00	75	4,140.00
Transfers Out	95,156.00	.00	95,156.00	2,541.67	.00	73,476.03	21,679.97	77	47,978.97
EXPENSE TOTALS	\$411,342.00	\$0.00	\$411,342.00	\$44,548.78	\$11,276.33	\$318,865.38	\$81,200.29	80%	\$257,443.14
Fund 2300 - Airport Fund Totals									
REVENUE TOTALS	384,074.00	.00	384,074.00	12,251.40	.00	287,726.47	96,347.53	75	349,151.28
EXPENSE TOTALS	411,342.00	.00	411,342.00	44,548.78	11,276.33	318,865.38	81,200.29	80	257,443.14
Fund 2300 - Airport Fund Totals	(\$27,268.00)	\$0.00	(\$27,268.00)	(\$32,297.38)	(\$11,276.33)	(\$31,138.91)	\$15,147.24		\$91,708.14
Grand Totals									
REVENUE TOTALS	384,074.00	.00	384,074.00	12,251.40	.00	287,726.47	96,347.53	75	349,151.28
EXPENSE TOTALS	411,342.00	.00	411,342.00	44,548.78	11,276.33	318,865.38	81,200.29	80	257,443.14
Grand Totals	(\$27,268.00)	\$0.00	(\$27,268.00)	(\$32,297.38)	(\$11,276.33)	(\$31,138.91)	\$15,147.24		\$91,708.14

CD Conservation Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/Rec'd	Prior Year YTD
Fund 2400 - CD Con Prop Mgmt Fund									
REVENUE									
Rents, Leases & Use	64,510.00	.00	64,510.00	4,201.47	.00	37,212.25	27,297.75	58	40,127.05
Miscellaneous-Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers-In Trust	6,990.00	.00	6,990.00	(6,990.00)	.00	.00	6,990.00	0	6,990.00
Transfers-In Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
Use of Fund Balance/Retained Earnings	23,300.00	.00	23,300.00	.00	.00	.00	23,300.00	0	.00
REVENUE TOTALS	\$94,800.00	\$0.00	\$94,800.00	(\$2,788.53)	\$0.00	\$37,212.25	\$57,587.75	39%	\$47,117.05
EXPENSE									
Compensation	.00	3,250.00	3,250.00	.00	.00	2,797.50	452.50	86	.00
Fringe Benefits	.00	250.00	250.00	.00	.00	243.77	6.23	98	.00
Outside Services	48,500.00	(3,500.00)	45,000.00	.00	4,410.00	6,872.99	33,717.01	25	15,193.55
Supplies	23,000.00	.00	23,000.00	.00	.00	.00	23,000.00	0	1,872.50
Debt Service	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers Out	23,300.00	.00	23,300.00	1,941.67	.00	17,475.03	5,824.97	75	58,687.47
EXPENSE TOTALS	\$94,800.00	\$0.00	\$94,800.00	\$1,941.67	\$4,410.00	\$27,389.29	\$63,000.71	34%	\$75,753.52
Fund 2400 - CD Con Prop Mgmt Fund Totals									
REVENUE TOTALS	94,800.00	.00	94,800.00	(2,788.53)	.00	37,212.25	57,587.75	39	47,117.05
EXPENSE TOTALS	94,800.00	.00	94,800.00	1,941.67	4,410.00	27,389.29	63,000.71	34	75,753.52
Fund 2400 - CD Con Prop Mgmt Fund Totals	\$0.00	\$0.00	\$0.00	(\$4,730.20)	(\$4,410.00)	\$9,822.96	(\$5,412.96)		(\$28,636.47)
Grand Totals									
REVENUE TOTALS	94,800.00	.00	94,800.00	(2,788.53)	.00	37,212.25	57,587.75	39	47,117.05
EXPENSE TOTALS	94,800.00	.00	94,800.00	1,941.67	4,410.00	27,389.29	63,000.71	34	75,753.52
Grand Totals	\$0.00	\$0.00	\$0.00	(\$4,730.20)	(\$4,410.00)	\$9,822.96	(\$5,412.96)		(\$28,636.47)

Housing Revolving Loan Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Budget - Transactions	% used/ Rec'd	Prior Year YTD
Fund 2701 - Housing Revolv Loan Fd Cons-2008									
REVENUE									
Programs, Services & Products	.00	.00	.00	23,343.94	.00	102,496.86	(102,496.86)	+++	107,993.71
Investment Income	.00	.00	.00	19.67	.00	392.67	(392.67)	+++	566.00
Miscellaneous-Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
Misc-Miscellaneous (Non-lapsing)	.00	.00	.00	.00	.00	.00	.00	+++	35,739.62
REVENUE TOTALS	\$0.00	\$0.00	\$0.00	\$23,363.61	\$0.00	\$102,889.53	(\$102,889.53)	+++	\$144,299.33
EXPENSE									
Compensation	.00	.00	.00	.00	.00	.00	.00	+++	.00
Fringe Benefits	.00	.00	.00	.00	.00	.00	.00	+++	.00
Outside Services	5,550.00	.00	5,550.00	137.46	120.13	764.00	4,665.87	16	267.77
Supplies	500.00	.00	500.00	.00	408.90	91.10	.00	100	.00
Insurance	.00	.00	.00	.00	.00	.00	.00	+++	.00
Miscellaneous (Non-lapsing)	.00	.00	.00	.00	.00	34,238.67	(34,238.67)	+++	24,455.83
EXPENSE TOTALS	\$6,050.00	\$0.00	\$6,050.00	\$137.46	\$529.03	\$35,093.77	(\$29,572.80)	589%	\$24,723.60
Fund 2701 - Housing Revolv Loan Fd Cons-2008 Totals									
REVENUE TOTALS	.00	.00	.00	23,363.61	.00	102,889.53	(102,889.53)	+++	144,299.33
EXPENSE TOTALS	6,050.00	.00	6,050.00	137.46	529.03	35,093.77	(29,572.80)	589	24,723.60
Fund 2701 - Housing Revolv Loan Fd Cons-2008 Totals	(\$6,050.00)	\$0.00	(\$6,050.00)	\$23,226.15	(\$529.03)	\$67,795.76	(\$73,316.73)		\$119,575.73
Grand Totals									
REVENUE TOTALS	.00	.00	.00	23,363.61	.00	102,889.53	(102,889.53)	+++	144,299.33
EXPENSE TOTALS	6,050.00	.00	6,050.00	137.46	529.03	35,093.77	(29,572.80)	589	24,723.60
Grand Totals	(\$6,050.00)	\$0.00	(\$6,050.00)	\$23,226.15	(\$529.03)	\$67,795.76	(\$73,316.73)		\$119,575.73

NEOCTIF District Fund Budget by Account Class Report

Through 03/31/14

Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 4100 - NEOCTIF District Fund									
REVENUE									
Property Taxes	685,130.00	.00	685,130.00	.00	.00	622,727.20	62,402.80	91	687,519.13
Investment Income	800.00	.00	800.00	22.33	.00	565.33	234.67	71	699.00
Miscellaneous-Other	.00	.00	.00	.00	.00	79,031.15	(79,031.15)	+++	.00
Use of Fund Balance/Retained Earnings	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$685,930.00	\$0.00	\$685,930.00	\$22.33	\$0.00	\$702,323.68	(\$16,393.68)	102%	\$688,218.13
EXPENSE									
Outside Services	14,400.00	.00	14,400.00	.00	.00	.00	14,400.00	0	.00
Debt Service	376,170.00	.00	376,170.00	193,962.50	.00	368,847.50	7,322.50	98	383,139.50
Miscellaneous	.00	.00	.00	.00	.00	15,935.88	(15,935.88)	+++	.00
Transfers Out	125,850.00	.00	125,850.00	10,487.50	.00	94,387.50	31,462.50	75	67,380.03
EXPENSE TOTALS	\$516,420.00	\$0.00	\$516,420.00	\$204,450.00	\$0.00	\$479,170.88	\$37,249.12	93%	\$450,519.53
Fund 4100 - NEOCTIF District Fund Totals									
REVENUE TOTALS	685,930.00	.00	685,930.00	22.33	.00	702,323.68	(16,393.68)	102	688,218.13
EXPENSE TOTALS	516,420.00	.00	516,420.00	204,450.00	.00	479,170.88	37,249.12	93	450,519.53
Fund 4100 - NEOCTIF District Fund Totals	\$169,510.00	\$0.00	\$169,510.00	(\$204,427.67)	\$0.00	\$223,152.80	(\$53,642.80)		\$237,698.60
Grand Totals									
REVENUE TOTALS	685,930.00	.00	685,930.00	22.33	.00	702,323.68	(16,393.68)	102	688,218.13
EXPENSE TOTALS	516,420.00	.00	516,420.00	204,450.00	.00	479,170.88	37,249.12	93	450,519.53
Grand Totals	\$169,510.00	\$0.00	\$169,510.00	(\$204,427.67)	\$0.00	\$223,152.80	(\$53,642.80)		\$237,698.60

Sears Block TIF Fund Budget by Account Class

Report

Through 03/31/14

Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Budget - Transactions	% used/ Rec'd	Prior Year YTD
Fund 4200 - Sears Block TIF District Fund									
REVENUE									
Property Taxes	709,780.00	.00	709,780.00	.00	.00	567,608.41	142,171.59	80	510,365.34
Investment Income	200.00	.00	200.00	4.20	.00	190.20	9.80	95	104.00
Use of Fund Balance/Retained Earnings	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$709,980.00	\$0.00	\$709,980.00	\$4.20	\$0.00	\$567,798.61	\$142,181.39	80%	\$510,469.34
EXPENSE									
Transfers Out Non-Lapsing	.00	.00	.00	.00	.00	.00	.00	+++	.00
Outside Services	8,500.00	.00	8,500.00	.00	.00	.00	8,500.00	0	.00
Debt Service	241,690.00	.00	241,690.00	.00	.00	241,683.98	6.02	100	257,083.13
Miscellaneous	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers Out	514,430.00	.00	514,430.00	42,869.17	.00	385,822.53	128,607.47	75	.00
EXPENSE TOTALS	\$764,620.00	\$0.00	\$764,620.00	\$42,869.17	\$0.00	\$627,506.51	\$137,113.49	82%	\$257,083.13
Fund 4200 - Sears Block TIF District Fund Totals									
REVENUE TOTALS	709,980.00	.00	709,980.00	4.20	.00	567,798.61	142,181.39	80	510,469.34
EXPENSE TOTALS	764,620.00	.00	764,620.00	42,869.17	.00	627,506.51	137,113.49	82	257,083.13
Fund 4200 - Sears Block TIF District Fund Totals	(\$54,640.00)	\$0.00	(\$54,640.00)	(\$42,864.97)	\$0.00	(\$59,707.90)	\$5,067.90		\$253,386.21
Grand Totals									
REVENUE TOTALS	709,980.00	.00	709,980.00	4.20	.00	567,798.61	142,181.39	80	510,469.34
EXPENSE TOTALS	764,620.00	.00	764,620.00	42,869.17	.00	627,506.51	137,113.49	82	257,083.13
Grand Totals	(\$54,640.00)	\$0.00	(\$54,640.00)	(\$42,864.97)	\$0.00	(\$59,707.90)	\$5,067.90		\$253,386.21

Penacook Village TIF Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 4300 - Penacook Village TIF									
REVENUE									
Property Taxes	55,800.00	.00	55,800.00	.00	.00	51,045.74	4,754.26	91	49,942.28
Investment Income	30.00	.00	30.00	1.46	.00	44.46	(14.46)	148	21.00
Miscellaneous-Other	.00	.00	.00	.00	.00	825.00	(825.00)	+++	.00
Transfers-In Trust	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers-In Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$55,830.00	\$0.00	\$55,830.00	\$1.46	\$0.00	\$51,915.20	\$3,914.80	93%	\$49,942.28
EXPENSE									
Compensation	.00	.00	.00	.00	.00	.00	.00	+++	.00
Fringe Benefits	.00	.00	.00	.00	.00	.00	.00	+++	.00
Outside Services	5,250.00	.00	5,250.00	.00	.00	.00	5,250.00	0	.00
Supplies	.00	.00	.00	.00	.00	.00	.00	+++	.00
Insurance	.00	.00	.00	.00	.00	.00	.00	+++	.00
Capital Outlay	.00	.00	.00	.00	.00	.00	.00	+++	.00
Debt Service	21,270.00	.00	21,270.00	.00	.00	21,271.00	(1.00)	100	21,497.99
Transfers Out	1,180.00	.00	1,180.00	98.33	.00	884.97	295.03	75	.00
EXPENSE TOTALS	\$27,700.00	\$0.00	\$27,700.00	\$98.33	\$0.00	\$22,155.97	\$5,544.03	80%	\$21,497.99
Fund 4300 - Penacook Village TIF Totals									
REVENUE TOTALS	55,830.00	.00	55,830.00	1.46	.00	51,915.20	3,914.80	93	49,942.28
EXPENSE TOTALS	27,700.00	.00	27,700.00	98.33	.00	22,155.97	5,544.03	80	21,497.99
Grand Totals	\$28,130.00	\$0.00	\$28,130.00	(\$96.87)	\$0.00	\$29,759.23	(\$1,629.23)		\$28,444.29
Grand Totals									
REVENUE TOTALS	55,830.00	.00	55,830.00	1.46	.00	51,915.20	3,914.80	93	49,942.28
EXPENSE TOTALS	27,700.00	.00	27,700.00	98.33	.00	22,155.97	5,544.03	80	21,497.99
Grand Totals	\$28,130.00	\$0.00	\$28,130.00	(\$96.87)	\$0.00	\$29,759.23	(\$1,629.23)		\$28,444.29

Golf Course Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/	Prior Year YTD
Fund 7300 - Golf Course Fund									
REVENUE									
Programs, Services & Products	880,110.00	.00	880,110.00	42,266.00	.00	469,543.03	410,566.97	53	345,653.92
Rents, Leases & Use	.00	.00	.00	.00	.00	.00	.00	+++	.00
Fines, Penalties & Costs	.00	.00	.00	.00	.00	.00	.00	+++	.00
Investment Income	280.00	.00	280.00	.26	.00	34.26	245.74	12	290.00
Miscellaneous-Other	38,000.00	.00	38,000.00	175.00	.00	26,867.92	11,132.08	71	23,528.00
Other Financing Sources	.00	.00	.00	.00	.00	(138.91)	138.91	+++	.00
Transfers-In Other	29,100.00	.00	29,100.00	2,425.00	.00	21,825.00	7,275.00	75	28,262.50
REVENUE TOTALS	\$947,490.00	\$0.00	\$947,490.00	\$44,866.26	\$0.00	\$518,131.30	\$429,358.70	55%	\$397,734.42
EXPENSE									
Compensation	336,570.00	23,905.63	360,475.63	12,112.20	.00	245,440.57	115,035.06	68	144,884.63
Fringe Benefits	136,400.00	(23,905.63)	112,494.37	4,792.94	.00	62,096.37	50,398.00	55	72,519.68
Outside Services	85,750.00	.00	85,750.00	5,310.93	2,392.08	73,753.81	9,604.11	89	95,615.27
Supplies	208,840.00	.00	208,840.00	509.36	8,646.25	128,512.86	71,680.89	66	65,903.82
Utilities	35,770.00	.00	35,770.00	1,814.52	.00	23,681.32	12,088.68	66	24,774.82
Insurance	4,060.00	.00	4,060.00	.00	.00	3,940.00	120.00	97	3,881.77
Debt Service	56,560.00	.00	56,560.00	.00	.00	56,554.33	5.67	100	57,462.50
Miscellaneous	.00	.00	.00	.00	.00	3,383.03	(3,383.03)	+++	.00
Allocated Costs	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers Out	77,950.00	.00	77,950.00	6,245.83	.00	59,212.47	18,737.53	76	59,212.47
(Gain) Loss on Refunding	.00	.00	.00	.00	.00	.00	.00	+++	(3,000.00)
EXPENSE TOTALS	\$941,900.00	\$0.00	\$941,900.00	\$30,785.78	\$11,038.33	\$656,574.76	\$274,286.91	71%	\$520,854.96
Fund 7300 - Golf Course Fund Totals									
REVENUE TOTALS	947,490.00	.00	947,490.00	44,866.26	.00	518,131.30	429,358.70	55	397,734.42
EXPENSE TOTALS	941,900.00	.00	941,900.00	30,785.78	11,038.33	656,574.76	274,286.91	71	520,854.96
Fund 7300 - Golf Course Fund Totals	\$5,590.00	\$0.00	\$5,590.00	\$14,080.48	(\$11,038.33)	(\$138,443.46)	\$155,071.79		(\$123,120.54)
Grand Totals									
REVENUE TOTALS	947,490.00	.00	947,490.00	44,866.26	.00	518,131.30	429,358.70	55	397,734.42
EXPENSE TOTALS	941,900.00	.00	941,900.00	30,785.78	11,038.33	656,574.76	274,286.91	71	520,854.96
Grand Totals	\$5,590.00	\$0.00	\$5,590.00	\$14,080.48	(\$11,038.33)	(\$138,443.46)	\$155,071.79		(\$123,120.54)

Arena Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Budget - YTD Transactions	% Used/Rec'd	Prior Year YTD
Fund 7400 - Arena Fund									
REVENUE									
Intergovernmental-Federal Programs, Services & Products	20,000.00	.00	20,000.00	29,375.00	.00	29,375.00	(9,375.00)	147	3,450.00
Rents, Leases & Use	517,540.00	.00	517,540.00	132,682.15	.00	488,443.44	29,096.56	94	491,029.68
Fines, Penalties & Costs	250.00	.00	250.00	100.11	.00	528.03	(278.03)	211	659.80
Investment Income	390.00	.00	390.00	9.12	.00	135.12	254.88	35	424.00
Miscellaneous-Other	.00	50,000.00	50,000.00	9,175.50	.00	38,884.65	11,115.35	78	421.90
Transfers-In Trust	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers-In Other	16,710.00	.00	16,710.00	1,392.50	.00	12,532.50	4,177.50	75	.00
Capital Contributions	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$554,890.00	\$50,000.00	\$604,890.00	\$172,734.38	\$0.00	\$569,898.74	\$34,991.26	94%	\$495,985.38
EXPENSE									
Compensation	159,040.00	35,834.00	194,874.00	17,676.71	.00	146,472.07	48,401.93	75	131,172.33
Fringe Benefits	87,030.00	(17,034.00)	69,996.00	6,168.31	.00	55,543.56	14,452.44	79	74,000.50
Outside Services	29,390.00	.00	29,390.00	2,076.99	3,628.34	16,852.79	8,908.87	70	16,938.12
Supplies	19,230.00	20,350.00	39,580.00	3,714.94	893.91	30,688.86	7,997.23	80	11,811.73
Utilities	80,018.00	.00	80,018.00	17,918.77	.00	66,405.27	13,612.73	83	65,048.86
Insurance	7,030.00	.00	7,030.00	.00	.00	7,373.00	(343.00)	105	6,728.26
Capital Outlay	.00	3,350.00	3,350.00	.00	.00	693.17	2,656.83	21	14,944.00
Capital Outlay (Non-lapsing)	.00	.00	.00	.00	.00	.00	.00	+++	.00
Debt Service	95,320.00	.00	95,320.00	15,881.25	.00	94,010.35	1,309.65	99	95,845.31
Allocated Costs	12,870.00	.00	12,870.00	1,072.50	.00	9,652.50	3,217.50	75	9,652.50
Transfers Out	142,260.00	.00	142,260.00	3,563.33	.00	131,569.97	10,690.03	92	30,999.97
(Gain) Loss on Refunding	.00	.00	.00	.00	.00	.00	.00	+++	.00
EXPENSE TOTALS	\$632,188.00	\$42,500.00	\$674,688.00	\$68,072.80	\$4,522.25	\$559,261.54	\$110,904.21	84%	\$457,141.58
Fund 7400 - Arena Fund Totals									
REVENUE TOTALS	554,890.00	50,000.00	604,890.00	172,734.38	.00	569,898.74	34,991.26	94	495,985.38
EXPENSE TOTALS	632,188.00	42,500.00	674,688.00	68,072.80	4,522.25	559,261.54	110,904.21	84	457,141.58
Fund 7400 - Arena Fund Totals	(\$77,298.00)	\$7,500.00	(\$69,798.00)	\$104,661.58	(\$4,522.25)	\$10,637.20	(\$75,912.95)		\$38,843.80
Grand Totals									
REVENUE TOTALS	554,890.00	50,000.00	604,890.00	172,734.38	.00	569,898.74	34,991.26	94	495,985.38
EXPENSE TOTALS	632,188.00	42,500.00	674,688.00	68,072.80	4,522.25	559,261.54	110,904.21	84	457,141.58
Grand Totals	(\$77,298.00)	\$7,500.00	(\$69,798.00)	\$104,661.58	(\$4,522.25)	\$10,637.20	(\$75,912.95)		\$38,843.80

Solid Waste Fund Budget by Account Class

Report

Through 03/31/14

Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 7700 - Solid Waste Fund									
REVENUE									
Intergovernmental-State	.00	.00	.00	.00	.00	.00	.00	+++	.00
Intergovernmental-Local	60,580.00	.00	60,580.00	4,334.40	.00	35,439.95	25,140.05	59	45,434.97
Programs, Services & Products	2,842,554.00	.00	2,842,554.00	217,823.26	.00	1,915,510.82	927,043.18	67	1,918,873.26
Fines, Penalties & Costs	400.00	.00	400.00	(380.61)	.00	672.34	(272.34)	168	1,069.57
Licenses and Permits	700.00	.00	700.00	.00	.00	700.00	.00	100	600.00
Miscellaneous-Other	.00	.00	.00	.00	.00	202.30	(202.30)	+++	.00
Transfers-In Trust	13,800.00	.00	13,800.00	.00	.00	13,800.00	.00	100	13,800.00
Transfers-In Other	1,219,130.00	.00	1,219,130.00	101,594.17	.00	914,347.53	304,782.47	75	929,947.50
REVENUE TOTALS	\$4,137,164.00	\$0.00	\$4,137,164.00	\$323,371.22	\$0.00	\$2,880,672.94	\$1,256,491.06	70%	\$2,909,725.30
EXPENSE									
Compensation	155,330.00	25,298.00	180,628.00	7,130.43	.00	135,540.05	45,087.95	75	144,235.61
Fringe Benefits	119,840.00	(25,298.00)	94,542.00	6,548.12	.00	58,467.73	36,074.27	62	101,409.10
Outside Services	4,157,159.00	.00	4,157,159.00	134,055.80	1,504,431.57	2,441,179.65	211,547.78	95	2,578,600.45
Supplies	.00	.00	.00	.00	.00	.00	.00	+++	.00
Utilities	6,700.00	.00	6,700.00	828.15	.00	5,186.39	1,513.61	77	5,287.83
Insurance	140.00	.00	140.00	.00	.00	140.00	.00	100	1,774.45
Capital Outlay	.00	.00	.00	.00	.00	.00	.00	+++	.00
Debt Service	41,710.00	.00	41,710.00	.00	.00	41,700.63	9.37	100	20,645.01
Allocated Costs	3,600.00	.00	3,600.00	300.00	.00	2,700.00	900.00	75	2,700.00
Transfers Out	.00	.00	.00	.00	.00	.00	.00	+++	20,000.00
EXPENSE TOTALS	\$4,484,479.00	\$0.00	\$4,484,479.00	\$148,862.50	\$1,504,431.57	\$2,684,914.45	\$295,132.98	93%	\$2,874,652.45
Fund 7700 - Solid Waste Fund Totals									
REVENUE TOTALS	4,137,164.00	.00	4,137,164.00	323,371.22	.00	2,880,672.94	1,256,491.06	70	2,909,725.30
EXPENSE TOTALS	4,484,479.00	.00	4,484,479.00	148,862.50	1,504,431.57	2,684,914.45	295,132.98	93	2,874,652.45
Fund 7700 - Solid Waste Fund Totals	(\$347,315.00)	\$0.00	(\$347,315.00)	\$174,508.72	(\$1,504,431.57)	\$195,758.49	\$961,358.08		\$35,072.85
Grand Totals									
REVENUE TOTALS	4,137,164.00	.00	4,137,164.00	323,371.22	.00	2,880,672.94	1,256,491.06	70	2,909,725.30
EXPENSE TOTALS	4,484,479.00	.00	4,484,479.00	148,862.50	1,504,431.57	2,684,914.45	295,132.98	93	2,874,652.45
Grand Totals	(\$347,315.00)	\$0.00	(\$347,315.00)	\$174,508.72	(\$1,504,431.57)	\$195,758.49	\$961,358.08		\$35,072.85

Water Fund Budget by Account Class Report

Through 03/31/14
 Prior Fiscal Year Activity Included
 Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 7800 - Water Fund									
REVENUE									
Intergovernmental-State	.00	.00	.00	.00	.00	.00	.00	+++	.00
Programs, Services & Products	5,440,400.00	.00	5,440,400.00	417,170.23	.00	4,112,526.88	1,327,873.12	76	4,114,254.56
Fines, Penalties & Costs	24,750.00	.00	24,750.00	2,877.77	.00	21,548.14	3,201.86	87	20,120.46
Investment Income	7,000.00	.00	7,000.00	201.69	.00	3,780.69	3,219.31	54	6,371.00
Miscellaneous-Other	53,790.00	.00	53,790.00	3,507.42	.00	41,118.46	12,671.54	76	43,552.14
Capital Contributions	15,000.00	.00	15,000.00	1,388.00	.00	21,511.00	(6,511.00)	143	12,718.19
Use of Fund Balances/Retained Earnings	.00	.00	.00	.00	.00	.00	.00	+++	.00
REVENUE TOTALS	\$5,540,940.00	\$0.00	\$5,540,940.00	\$425,145.11	\$0.00	\$4,200,485.17	\$1,340,454.83	76%	\$4,197,016.35
EXPENSE									
Compensation	940,980.00	155,196.00	1,096,176.00	84,194.06	.00	826,569.25	269,606.75	75	655,297.33
Fringe Benefits	813,305.00	(155,196.00)	658,109.00	50,733.43	22,753.78	479,447.01	155,908.21	76	567,387.60
Outside Services	151,170.00	.00	151,170.00	7,750.53	25,284.34	73,355.97	52,529.69	65	66,132.59
Supplies	437,100.00	.00	437,100.00	30,862.10	59,468.29	294,275.06	83,356.65	81	264,091.77
Utilities	242,022.00	.00	242,022.00	19,756.49	13,582.48	134,187.41	94,252.11	61	212,689.36
Insurance	38,830.00	.00	38,830.00	.00	.00	38,290.00	540.00	99	39,030.22
Capital Outlay	104,201.00	.00	104,201.00	.00	.00	23,069.53	81,131.47	22	21,930.91
Capital Outlay (Non-lapsing)	.00	.00	.00	.00	.00	.00	.00	+++	.00
Debt Service	2,215,370.00	.00	2,215,370.00	470,556.11	.00	2,196,156.16	19,213.84	99	1,961,577.34
Miscellaneous	28,750.00	.00	28,750.00	2,593.50	.00	17,848.50	10,901.50	62	14,804.00
Allocated Costs	330,110.00	.00	330,110.00	27,509.17	.00	247,732.53	82,377.47	75	207,817.47
Transfers Out	715,710.00	.00	715,710.00	36,809.17	.00	590,282.53	125,427.47	82	602,374.97
(Gain) Loss on Refunding	.00	.00	.00	.00	.00	.00	.00	+++	(77,750.00)
EXPENSE TOTALS	\$6,017,548.00	\$0.00	\$6,017,548.00	\$730,764.56	\$121,088.89	\$4,921,213.95	\$975,245.16	84%	\$4,535,383.56
Fund 7800 - Water Fund Totals									
REVENUE TOTALS	5,540,940.00	.00	5,540,940.00	425,145.11	.00	4,200,485.17	1,340,454.83	76	4,197,016.35
EXPENSE TOTALS	6,017,548.00	.00	6,017,548.00	730,764.56	121,088.89	4,921,213.95	975,245.16	84	4,535,383.56
Fund 7800 - Water Fund Totals	(\$476,608.00)	\$0.00	(\$476,608.00)	(\$305,619.45)	(\$121,088.89)	(\$720,728.78)	\$365,209.67		(\$338,367.21)
Grand Totals									
REVENUE TOTALS	5,540,940.00	.00	5,540,940.00	425,145.11	.00	4,200,485.17	1,340,454.83	76	4,197,016.35
EXPENSE TOTALS	6,017,548.00	.00	6,017,548.00	730,764.56	121,088.89	4,921,213.95	975,245.16	84	4,535,383.56
Grand Totals	(\$476,608.00)	\$0.00	(\$476,608.00)	(\$305,619.45)	(\$121,088.89)	(\$720,728.78)	\$365,209.67		(\$338,367.21)

Wastewater Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	Encumbrances	YTD Transactions	YTD Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 7900 - WW Fd									
REVENUE									
Intergovernmental-Federal	.00	.00	.00	.00	.00	.00	.00	+++	.00
Intergovernmental-State	197,450.00	.00	197,450.00	.00	.00	22,133.24	175,316.76	11	22,620.00
Programs, Services & Products	6,774,320.00	.00	6,774,320.00	548,400.40	.00	5,272,077.20	1,502,242.80	78	5,074,188.95
Fines, Penalties & Costs	24,200.00	.00	24,200.00	3,527.84	.00	25,158.06	(958.06)	104	22,485.74
Licenses and Permits	1,100.00	.00	1,100.00	.00	.00	740.00	360.00	67	1,050.00
Investment Income	6,000.00	.00	6,000.00	138.95	.00	2,689.95	3,310.05	45	5,980.00
Miscellaneous-Other	53,790.00	7,000.00	60,790.00	25,257.42	.00	74,368.44	(13,578.44)	122	48,832.77
Transfers-In Trust	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers-In Other	.00	.00	.00	.00	.00	.00	.00	+++	.00
Capital Contributions	40,000.00	.00	40,000.00	855.00	.00	28,852.84	11,147.16	72	37,099.67
REVENUE TOTALS	\$7,096,860.00	\$7,000.00	\$7,103,860.00	\$578,179.61	\$0.00	\$5,426,019.73	\$1,677,840.27	76%	\$5,212,257.13
EXPENSE									
Compensation	1,175,840.00	192,905.00	1,368,745.00	104,000.75	.00	944,711.39	424,033.61	69	780,687.67
Fringe Benefits	997,675.00	(192,905.00)	804,770.00	63,531.71	22,753.79	589,228.39	192,787.82	76	662,971.82
Outside Services	480,721.00	7,000.00	487,721.00	42,972.11	119,198.15	270,882.98	97,639.87	80	272,246.44
Supplies	470,692.00	.00	470,692.00	23,804.38	91,137.55	302,310.31	77,244.14	84	295,483.10
Utilities	569,180.00	.00	569,180.00	59,458.59	.00	316,246.28	252,933.72	56	356,507.25
Insurance	58,380.00	.00	58,380.00	.00	.00	57,888.00	492.00	99	51,822.83
Capital Outlay	51,500.00	.00	51,500.00	7,075.00	14,222.00	11,505.00	25,773.00	50	40,980.51
Capital Outlay (Non-lapsing)	.00	.00	.00	.00	.00	.00	.00	+++	.00
Debt Service	2,632,300.00	.00	2,632,300.00	586,483.33	.00	2,256,081.70	376,218.30	86	1,948,465.61
Miscellaneous	19,930.00	.00	19,930.00	2,197.00	.00	14,301.00	5,629.00	72	12,382.50
Allocated Costs	248,360.00	.00	248,360.00	20,696.67	.00	186,420.03	61,939.97	75	177,090.03
Transfers Out	770,840.00	.00	770,840.00	45,336.67	.00	594,830.03	176,009.97	77	526,099.97
(Gain) Loss on Refunding	.00	.00	.00	.00	.00	.00	.00	+++	(12,590.00)
EXPENSE TOTALS	\$7,475,418.00	\$7,000.00	\$7,482,418.00	\$955,556.21	\$247,311.49	\$5,544,405.11	\$1,690,701.40	77%	\$5,112,147.73
Fund 7900 - WW Fd Totals	REVENUE TOTALS	7,096,860.00	7,103,860.00	578,179.61	.00	5,426,019.73	1,677,840.27	76	5,212,257.13
	EXPENSE TOTALS	7,475,418.00	7,482,418.00	955,556.21	247,311.49	5,544,405.11	1,690,701.40	77	5,112,147.73
	Fund 7900 - WW Fd Totals	(\$378,558.00)	(\$378,558.00)	(\$377,376.60)	(\$247,311.49)	(\$118,385.38)	(\$12,861.13)		\$100,109.40
Grand Totals									
	REVENUE TOTALS	7,096,860.00	7,103,860.00	578,179.61	.00	5,426,019.73	1,677,840.27	76	5,212,257.13
	EXPENSE TOTALS	7,475,418.00	7,482,418.00	955,556.21	247,311.49	5,544,405.11	1,690,701.40	77	5,112,147.73
	Grand Totals	(\$378,558.00)	(\$378,558.00)	(\$377,376.60)	(\$247,311.49)	(\$118,385.38)	(\$12,861.13)		\$100,109.40

Trust Fund Budget by Account Class Report

Through 03/31/14
Prior Fiscal Year Activity Included
Summary Listing

Account Classification	Adopted Budget	Budget Amendments	Amended Budget	Current Month Transactions	YTD Encumbrances	YTD Transactions	Budget - YTD Transactions	% used/ Rec'd	Prior Year YTD
Fund 9100 - Trust Fund									
REVENUE									
Investment Income	.00	.00	.00	87,539.00	.00	1,974,395.71	(1,974,395.71)	+++	879,864.20
Transfers-In Trust	.00	.00	.00	.00	.00	.00	.00	+++	.00
Transfers-In Other	.00	.00	.00	.00	.00	1,209,129.03	(1,209,129.03)	+++	1,382,140.00
REVENUE TOTALS	\$0.00	\$0.00	\$0.00	\$87,539.00	\$0.00	\$3,183,524.74	(\$3,183,524.74)	+++	\$2,262,004.20
EXPENSE									
Transfers Out Non-Lapsing	.00	.00	.00	18,010.00	.00	2,222,744.00	(2,222,744.00)	+++	2,142,238.02
Miscellaneous	.00	.00	.00	.00	.00	.00	.00	+++	.00
EXPENSE TOTALS	\$0.00	\$0.00	\$0.00	\$18,010.00	\$0.00	\$2,222,744.00	(\$2,222,744.00)	+++	\$2,142,238.02
Fund 9100 - Trust Fund Totals									
REVENUE TOTALS	.00	.00	.00	87,539.00	.00	3,183,524.74	(3,183,524.74)	+++	2,262,004.20
EXPENSE TOTALS	.00	.00	.00	18,010.00	.00	2,222,744.00	(2,222,744.00)	+++	2,142,238.02
Fund 9100 - Trust Fund Totals	\$0.00	\$0.00	\$0.00	\$69,529.00	\$0.00	\$960,780.74	(\$960,780.74)		\$119,766.18
Grand Totals									
REVENUE TOTALS	.00	.00	.00	87,539.00	.00	3,183,524.74	(3,183,524.74)	+++	2,262,004.20
EXPENSE TOTALS	.00	.00	.00	18,010.00	.00	2,222,744.00	(2,222,744.00)	+++	2,142,238.02
Grand Totals	\$0.00	\$0.00	\$0.00	\$69,529.00	\$0.00	\$960,780.74	(\$960,780.74)		\$119,766.18

5-24

TAA



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

Date: April 22, 2014

To: Conservation Commission,
Christopher Morgan, Chair

From: Kathryn H. Temchack
Director of Real Estate Assessments

RE: Current use change tax quarterly update

1st Quarter 2014

Property owners who have 10 or more acres left in its natural state as forest land, unproductive land, wetlands, and farm land may apply for current use taxation. Property approved under current use is valued for property taxes as farm and forest land and not at market value. When the land is developed or falls below the 10 acres minimum, a one-time penalty of 10% of the market value of the land no longer in current use is assessed and billed to the property owner. The penalty is in addition to their regular property taxes. The money collected from the current penalties, per an earlier city council vote, is split 50/50 between the Conservation Trust Fund and the Highway Fund.

No current use penalties were mailed during the 1st quarter of 2014.

No monies were collected during the 1st quarter of 2014 for previously billed penalties.

Attached is the list of the outstanding accounts.

CC: Mayor and Council

Brian LeBrun, Finance Director

Mike Jache, Treasurer

Steve Henninger, Staff Liaison to Conservation Commission

CURRENT USE REPORT - 1st QUARTER 2014

<u>OWNER</u>	<u>M/B/L</u> <u>LOCATION</u>	<u>BEGINNING</u> <u>1st QTR</u>	<u>1st QTR</u> <u>PAYMENTS</u>	<u>BALANCE END</u> <u>OF 1st QTR</u>
Brook Shire Crossing LLC PO Box 476 Manchester, NH 03108-0476	123/1/7/2 179 Holt Road	6,670.00	0.00	6,670.00
Brook Shire Crossing LLC PO Box 476 Manchester, NH 03108-0476	123/1/7/1 183 Holt Road	6,670.00	0.00	6,670.00
		<hr/> 13,340.00	0.00	13,340.00



CITY OF CONCORD

TJA

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Councilor Amanda Grady Sexton, Chair, Public Safety Board

DEATE: April 7, 2014

SUBJECT: Report from the Public Safety Board on the state of Public Safety in the City of Concord

Recommendation

Accept this report from the Public Safety Board.

Background

In accordance with section 30-3-25(b) of the Code of Ordinances for the City of Concord, the Public Safety Board met on April 7, 2014 and reviewed reports from the Police Chief and the Fire Chief on the state of affairs in their respective departments.

The board heard testimony from Acting Police Chief Brad Osgood and Fire Chief Daniel Andrus. The board voted unanimously to accept their reports and to transmit them to the City Council as written.





City of Concord, New Hampshire

POLICE DEPARTMENT
35 Green Street • 03301-4299
(603) 225-8600
FAX (603) 225-8519
www.concordpolice.com

Bradley C. Osgood
Acting Chief of Police

TO: Public Safety Committee
FROM: Bradley C. Osgood, Acting Chief of Police
SUBJECT: 2013 – Annual Public Safety Report
DATE: March 24, 2014

At the request of the Chair, I respectfully submit this report to the Public Safety Committee detailing Public Safety-Police in the City of Concord at the close of 2013. This report will focus on four areas and will be based upon statistics as of December 31, 2013. The four areas will be Part I Crime, Part II Crime, Traffic Safety and the state of the Department.

Part I Crime*

Part I Crime, or index crime, by definition includes murder, forcible rape, robbery, aggravated assault, arson, burglary, motor vehicle theft, and larceny/theft. These eight offenses reflect the level of serious crime within a community. The City of Concord had 1,257 Part I Crimes reported in 2013.

<u>Part I Crime</u>	<u># of Offenses</u>
Murder/Manslaughter	0
Rape	20
Robbery	19
Aggravated Assault	67
Arson	9
Burglary	178
Motor Vehicle Theft	16
<u>Larceny</u>	<u>948</u>
TOTAL	1,257

This number is a reduction of approximately 17% from the previous year (2012 - 1,517 Part I Crimes). The five year trend shows that Part I Crime has remained

relatively steady with slight yearly fluctuations however 2013 data represents a significant drop in reported Part I Crimes.

Part I Crime is also reported as a crime rate per 100,000 people. Part I Crime rates are broken down into two categories: Violent Crime Rate (Murder/Manslaughter, Rape, Robbery, and Assault) and Property Crime Rate (Burglary, Larceny, Motor Vehicle Theft, and Arson).

The Violent Crime Rate in Concord for 2013 was 247 compared with 233 in 2012. For comparison purposes, the Violent Crime Rate in 2012 for select New Hampshire Cities was the following: Manchester – 567, Nashua – 235, Derry – 180, Rochester – 250, Dover – 119. (2012 was the most recent year that Uniform Crime Report (UCR) data is available.)

As of this report the Department's Clearance Rate for Violent Crime in 2013 is approximately 80%. However, several cases involving violent crime are still open and under investigation. The clearance rate for these offenses will be affected by the outcome of these open cases. Clearance rate refers to those offenses cleared by an arrest, exceptionally cleared, or classified as unfounded or no crime involved.

The Property Crime Rate in Concord for 2013 was 2,682 compared with 3,301 in 2012. For comparison purposes, the Property Crime Rate in 2012 for select New Hampshire Cities was the following: Manchester – 3,497, Nashua – 2,718, Derry – 2,382, Rochester – 3,648, Dover – 2,061.

* Part I Crime statistics for 2013 are subject to change due to continued investigation and reclassification of offenses.

Part II Crime

Part II Crimes by definition are many of the crimes that are less serious than the Index Crimes. These include: simple assault, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, public drunkenness, runaways, sex offenses, stolen property, vandalism, vagrancy, and weapons offenses. The City of Concord had 4,546 Part II Crimes reported last year. This number is essentially the same as the year previous (4,560). The trend with Part II Crimes has remained relatively steady over the last 4 years.

The Police Department aggressively targets many areas measured in this category. We pro-actively take action in the area of domestic violence, we have a comprehensive strategy to enforce DWI laws, and we pursue drug dealers and users within the community as well as several other areas listed. As a measure, we arrested 2,768 different individuals for a total of 4,521 charges last year.

The Department aggressively utilized the Bicycle Unit to address neighborhood concerns. Bicycle patrols were conducted predominantly in the downtown and south end areas of high pedestrian traffic as well as addressing motor vehicle and bicycle violations in the downtown / Main St. area. The Bike Unit has also been

utilized as necessary throughout the City to address concerns based upon analysis of criminal activity that has been occurring within the City. The Bike Unit Commander compiles statistics on the Unit and utilizes department data in developing strategies to address neighborhood concerns.

The Department's Domestic Violence continues to be very successful in addressing domestic violence issues within the City. The officer assigned to this unit follows up on domestic related cases and also conducts training sessions on various domestic violence issues. These presentations included sessions covering domestic violence procedures, trauma effects on the human brain, strangulation, and the Lethality Assessment Protocol. A presentation was also made to the NH National Guard on police response to domestic violence, restraining orders, and crisis center support. The domestic violence officer has also assisted in the creation of a video against domestic violence in conjunction with the Crisis Center of Central NH, and made presentations to students at New England College and Concord High School on topics including bullying and healthy relationships versus unhealthy relationships.

The Department continues with its Sex Offender Tracking program to monitor registered offenders and to aggressively target violators for arrest. We also have a robust Computer Crimes Unit that works to make the community safe from both computer based fraud and from internet sexual predators.

The Department has also actively participated in initiatives designed to address homelessness issues within the City. The Department has worked with other stakeholders in the community to attempt to identify the best strategies in addressing this widespread issue. The problems associated with homelessness are multi-faceted and will require a cooperative approach crossing many disciplines to properly address. The Department is committed to participation in this process and will allocate resources deemed necessary to implement appropriate law enforcement response as it is identified.

Traffic Enforcement

The Department has continued to make traffic safety as its primary goal in the community. Last year, the Department issued 3,338 traffic tickets and more than 10,000 warnings. The department arrested 147 drunk drivers. There were 1,100 traffic accidents in the community. The number of reportable traffic accidents occurring in the City is at the lowest level since 2004.

The Department continues to have representatives active with the City Traffic Operations Committee as well as Safe Walks to School. The Department has enthusiastically participated in the statewide "Commute with Care – Operation Safe Commute" enforcement initiative. We are also an active participant in the Merrimack County DUI Task Force that will be starting its fifth year this coming spring. The Department participates in several grant funded initiatives including DWI Patrols, Downtown Pedestrian Safety Patrols, and Seatbelt Enforcement Patrols. All of these activities are funded through the NH Highway Safety Agency.

During 2013 the Department implemented a police motorcycle to its fleet of vehicles. The Department has been without a police motorcycle for over 20 years. This motorcycle has been used primarily to address traffic related issues and concerns and has been met with great success and support from both members of the Department and the community. Currently, four officers have been trained as motorcycle officers with one additional officer scheduled to be trained during the spring of 2014. The Department's police motorcycle has also been present during numerous community based events including parades, road races, and National Night Out.

Generally, Police activity and participation in citywide traffic management planning and mitigation projects has been effective. Many neighborhood traffic issues have been resolved through a multi-pronged approach involving education, engineering, and enforcement resulting in increased safety for all. The Police Department will continue to remain responsive to the concerns of the neighborhoods and will also continue to make traffic enforcement activities a priority in the coming year.

State of the Police Department

As of this report, the Concord Police Department had an authorized strength of 99.525 FTE staff members. Of this number, 84 are sworn Police Officers and the remainder are civilian support staff including Dispatchers, Records Professionals, and other part-time individuals. At the end of 2013, of the 84 sworn staff, there were 80 positions filled and 4 vacant.

The sworn staff consists of 1 Chief and 2 Deputy Chiefs, 8 Lieutenants, 9 Sergeants and 64 Officers. Of the 80 positions filled, 3 officers are at the Police Academy and 1 is in Field Training. Currently one new officer has a tentative hiring date in April of 2014 and a new testing process has recently been initiated.

At the end of the 2014 fiscal year, there will be 8 members eligible for retirement. These individuals represent a significant number of the ranking officials of the Department. It will be very important to keep up a vigorous hiring program to fill vacant positions as they become open. It is anticipated that as the economy improves, retirement will claim many of the eligible staff in the coming years.

Currently there are 20 sworn members (officers and supervisors) and 1.5 civilian support staff assigned to the Criminal Division in 3 areas: Youth Services (includes School Resource Officers), Criminal Investigations and Drug Enforcement. The Community Resources Unit is staffed by a Sergeant, a Community Resource Officer, a Domestic Violence Officer and a vacant Traffic Enforcement position. The Police Communications Unit (Dispatch) is staffed by 1 Supervisor and 7 Dispatchers. The Patrol Division has 55 personnel assigned (45 patrol officers and 10 supervisors). Since fully trained and tenured officers are generally assigned to CID and other "specialty" posts, vacant positions are sometimes held in these assignments. Patrol

will have newly hired officers assigned to it as this Division can absorb the staffing deficit while they are training. All assignments are done with an eye towards maximizing service delivery in a cost effective and fiscally responsible manner.

The Administration of the Police Department is very confident that with the current staffing and assignment matrix the Department can meet the current needs of the community while remaining in a position to absorb whatever retirement impacts may be forthcoming. Administration constantly re-evaluates crime and service trends and adjusts staffing accordingly. One area of concern is in non-sworn support staff. During the FY 2014 Budget the Department was able to hire an additional full time dispatcher and make another part time dispatcher position into a full time position. This has significantly improved the level of service provided by dispatch and will also reduce overtime costs associated with maintaining adequate dispatch staffing. The Department will be presenting a proposal to add another full time Records staff member to be included in the FY 2015 budget.





CITY OF CONCORD

REPORT TO THE PUBLIC SAFETY BOARD

FROM: Daniel L. Andrus, Fire Chief
DATE: April 7, 2014
SUBJECT: Report from the Fire Chief on the Fire Department for the Year 2013

I am very pleased to present this summary report on the activities of the Concord Fire Department for the year 2013. The report is divided into several sections. The first section is a statistical summary of the type and number of incidents to which the department responded during the year. It reports some key changes compared to 2012. The second section focuses on accomplishments during 2013. The final section provides information on recommendations for the Department.

Overview of Emergency Operations

The following table presents an overview of the Fire Department's emergency response activity for 2013 compared to 2012.

Type of Call	2012	2013	% Change
Fires*	198	194	-2.02%
Overpressure, rupture, explosion, overheating	17	16	-5.88%
Rescue/emergency medical services incident	4,797	4,475	-6.71%
Hazardous condition (no fire)	190	202	6.32%
Service calls	609	635	4.27%
Good intent calls	518	568	9.65%
False alarms	734	861	17.30%
Severe weather/natural disasters	18	30	66.67%
Special incident types	14	7	-50.00%
Total	7,095	7,258	2.30%

*Building fires increased from 57 to 73, an increase of 28.07%.

2013 Accomplishments

The year 2013 saw many accomplishments for the Concord Fire Department. Some of those accomplishments include:

1. A new tower ladder was delivered and placed into service after extensive training for all members.
2. The Insurance Services Office upgraded the City's Public Protection Class from 3/9 to 2/8B. This new class places the City in the top 1.2% of jurisdictions that receive ratings.
3. Promotional testing for the rank of Fire Captain was conducted, with a new eligibility roster being adopted.
4. The Department purchased ten new LifePak 15 cardiac monitors with advanced features for vital signs monitoring, pacing and defibrillation, and waveform capnography.
5. All members of the Suppression/EMS Bureau completed the Fireground Survival program. Concord was the first department in the state to have all frontline firefighters complete this program.
6. The use of social media continues to grow. The Department's Facebook page has over 1,800 followers while the Twitter account has over 350 followers. These sites have been very valuable for posting routine safety information as well as emergency updates.
7. Policies on Mayday emergencies, driving regulations, medication boxes, and controlled substances were revised and reissued.
8. The Department successfully combatted several major fires that occurred on School Street, Huntington Street, Downing Street, Franklin Street, and North State Street.
9. Quarterly training included basic skills ground ladders, a review of forestry operations, master streams, and cancer awareness.
10. A very successful Fire Prevention Week culminated in an Open House at the Central Fire Station.
11. Eleven paramedics attended a 48-hour refresher training program delivered by Concord Hospital and using the facilities of the McKerley Simulation and Education Center.
12. The Department applied for and received a grant for swiftwater rescue equipment in the amount of \$48,315.
13. The State Bureau of Emergency Medical Services adopted a new set of protocols for patient care and all members completed training and testing to assure their mastery of the new guidelines.
14. A new three year contract was successfully negotiated between the Concord Fire Officers Association and the City.

Recommendations

The Fire Department has experienced several years of declining staffing levels due to the national economic crisis. The removal of an engine from service in 2009 continues to have an impact on the number of responders and the Department's emergency response capabilities, as well as its capacity to conduct training. In addition, staff cutbacks continue to produce negative effects, particularly in the fire prevention and fire alarm and traffic bureaus. Some of these effects include deferred maintenance on critical infrastructure and a decreased ability to respond to requests for fire prevention and life safety education. A plan for the future should include:

1. Restoration of Engine 1 to service

The removal of Engine 1 from service in 2009 had significant impacts for both emergency response and for conducting non-emergency operations such as training. Residents and businesses in the area of Central Fire Station must now wait up to five minutes longer for a vehicle with fire extinguishing capability to arrive. Engine 1 was also "second due" to most areas of the City outside of its assigned district. Its absence has meant that critical reinforcements take several minutes to arrive for major incidents. If the units that are assigned to an outlying district are unavailable, it now takes several additional minutes to get an apparatus with extinguishing capability on the scene. A recent house fire in Penacook had the Boscawen Fire Department as the first unit on the scene. Engine 1 also provided a backup to units which were engaged in training. Its loss greatly reduces the ability of on duty companies to conduct meaningful training.

2. Creating a second position in the EMS and Professional Standards Bureau

The Emergency Medical Services and Professional Standards Bureau oversees all aspects of emergency medical services training and recertification, fire suppression training, technical rescue skills maintenance, and safety. The implementation of a comprehensive quality assurance process to cover all phases of clinical care requires a great deal of time in patient care report reviews and designing and delivering training. The scope of services provided by the Department requires extensive training and practice to assure that skill levels remain high. An additional position will provide the necessary resources for fire suppression and technical rescue training.

3. Restoring a second Assistant Fire Marshal position to the Fire Prevention Bureau

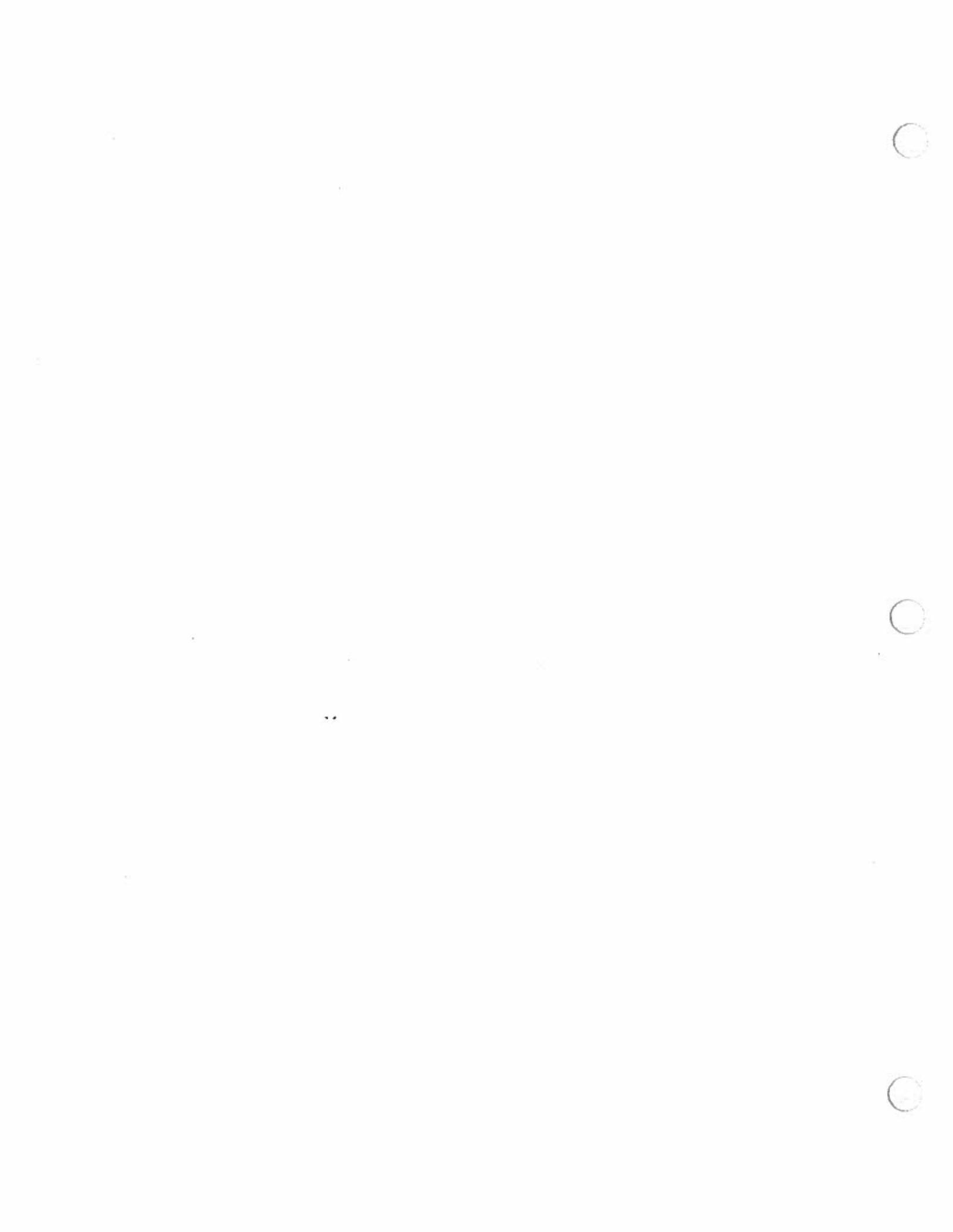
The position of public educator in the Fire Prevention Bureau was eliminated several years ago. That staffing reduction requires that the Fire Marshal and Assistant Fire Marshal focus primarily on inspections and plans review, largely neglecting the extremely valuable function of safety education. The workload has also substantially increased. Inspections for places of public assembly have increased from 180 in 2007 to 265 currently. The Fire Prevention Bureau issues approximately 300 permits annually, requiring at least one on-site inspection for each permit. Fire alarm and sprinkler permits require two on-site inspections. Fire investigations place additional demands on an already understaffed unit.

4. Restoring the position of Fire Alarm and Traffic Technician to the Fire Alarm and Traffic Bureau

The elimination of the Fire Alarm and Traffic Technician position in 2009 has resulted in a substantial increase in the workload of the Fire Alarm and Traffic Supervisor. As a result, normal preventive maintenance is deferred in order to address urgent needs from repairs and from project work. The Fire Department generates revenues of approximately \$ 215,762 from fire alarm box connection fees. That revenue is intended to cover the costs of required maintenance for that system. Ideally, maintenance is performed every six months. That interval has recently been closer to once every eighteen months.

5. Increasing the minimum staffing of the ladder company

The minimum staffing on the ladder company is an officer and two firefighters. Many of the functions performed by the ladder company require that the crew be split. Nationally recognized safety practices dictate that firefighters operate in teams of at least two persons when performing hazardous work. Also, the work of the ladder company can be performed more quickly with an additional firefighter. Increasing the minimum staffing to four persons will permit safer and more effective ladder company operations. This is a new recommendation that emerged from a comprehensive revision of the Department's risk management plan that was completed earlier this year and is lower in priority than the restoration of Engine 1 to active service.





CITY OF CONCORD

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Earle M. Chesley, P.E., General Services Director
DATE: April 29, 2014
SUBJECT: Pay As You Throw Quarterly Status Report

Recommendation

Accept this report relative to the Semi Annual Report (Fiscal Year 2014) of solid waste and recycling collection operations with Pay As You Throw.

Background

With the implementation of the Fiscal Year 2010 budget, the City adopted a user fee system, often called Pay As You Throw, to support the increasing costs of solid waste collection and disposal. Residents who receive curbside service (approximately seventy five percent of Concord's households) are required to place their solid waste in a City authorized trash bag. Multifamily properties manage their solid waste and recycling with large containers, and are invoiced monthly based upon the number and size of solid waste containers used at their property. Prior to the adoption of Pay As You Throw, multifamily properties did not receive recycling services from the City.

This report presents an overview of the six month period from October 2013, through March 2014.

Discussion

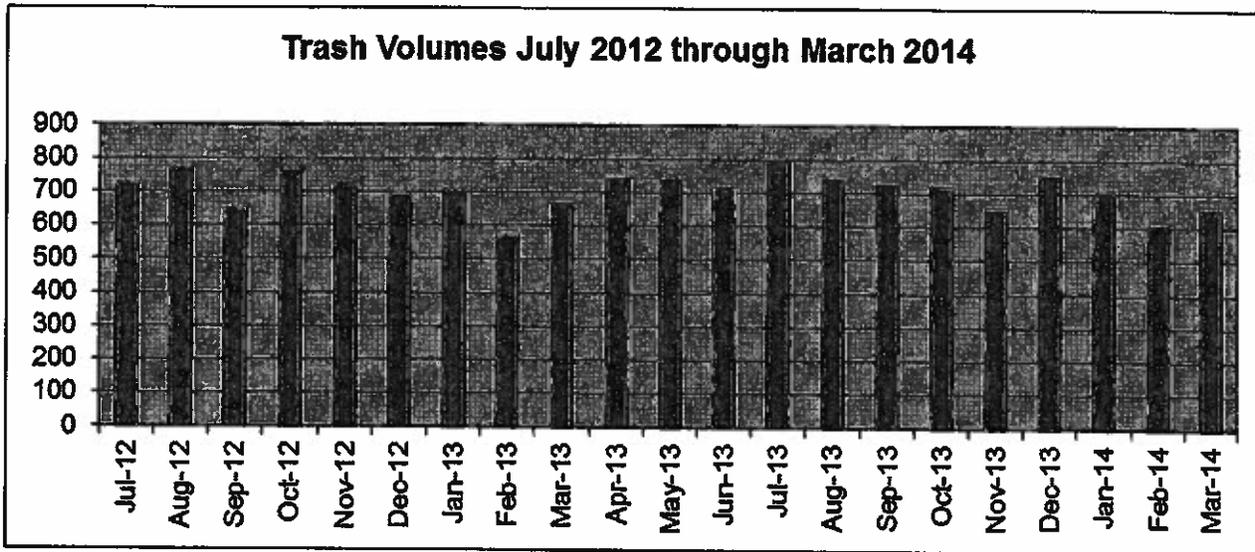
Participation

Participation is defined as the number of properties that complied with the requirements of the program.

Residents continue to fully participate in the program.

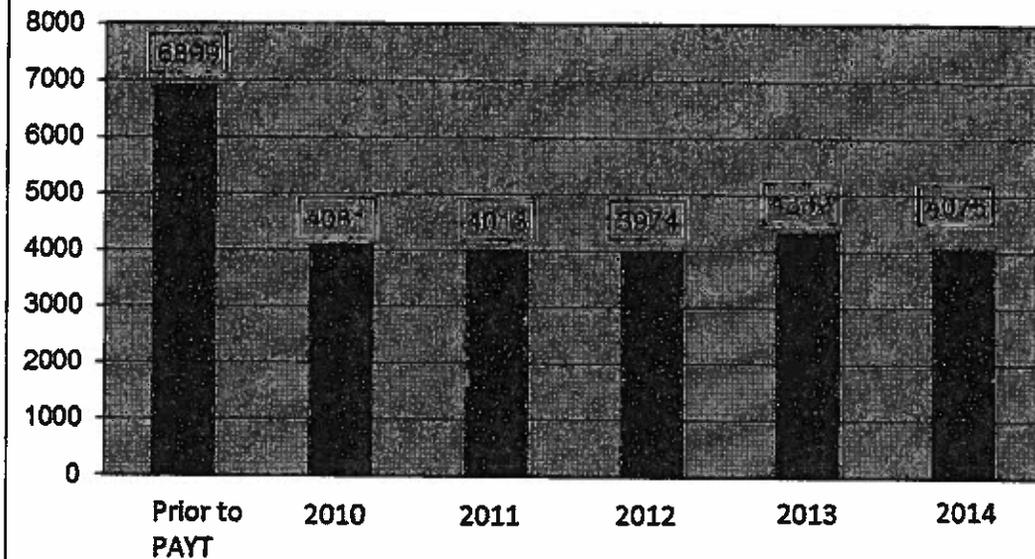
Solid Waste Volumes

The City has the solid waste collection vehicles weighed at the Penacook Waste to Energy Facility as part of its normal business practices and maintains records of monthly solid waste volumes. Solid waste volumes vary throughout the year based upon seasonal demands and long term solid waste disposal trends will mirror local economic conditions. Residential solid waste disposal volumes since July 2012 are shown below.



For a six month period prior to adopting Pay As You Throw in 2009 the City disposed 6899 tons of residential solid waste. For the period from October 2013 through March 2014 the City disposed 4075 tons of residential solid waste, a 41% reduction in solid waste collected during the same period prior to Pay As You Throw.

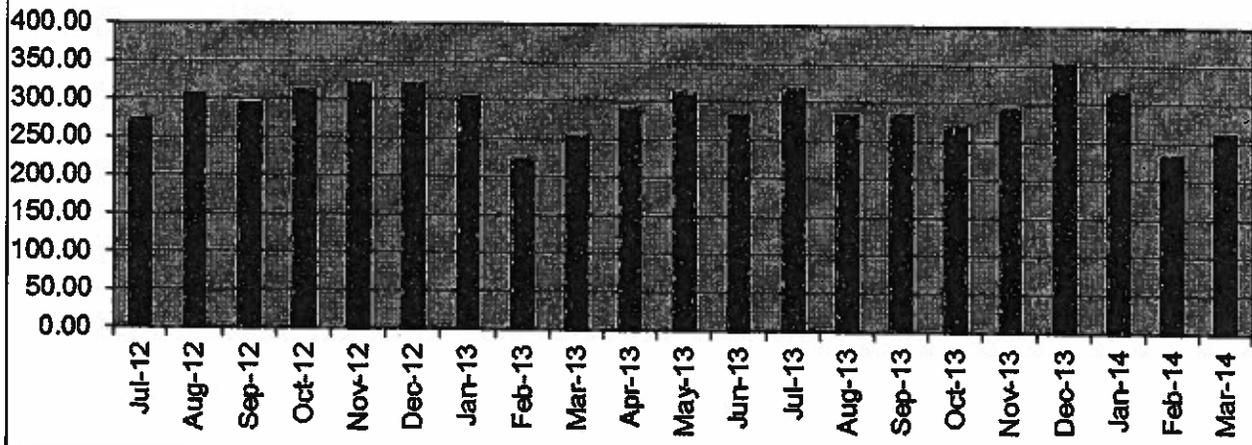
**Trash Volumes Prior to PAYT
vs the same 6 month period in 2010, 2011, 2012, 2013
and 2014**



Recycling Volumes

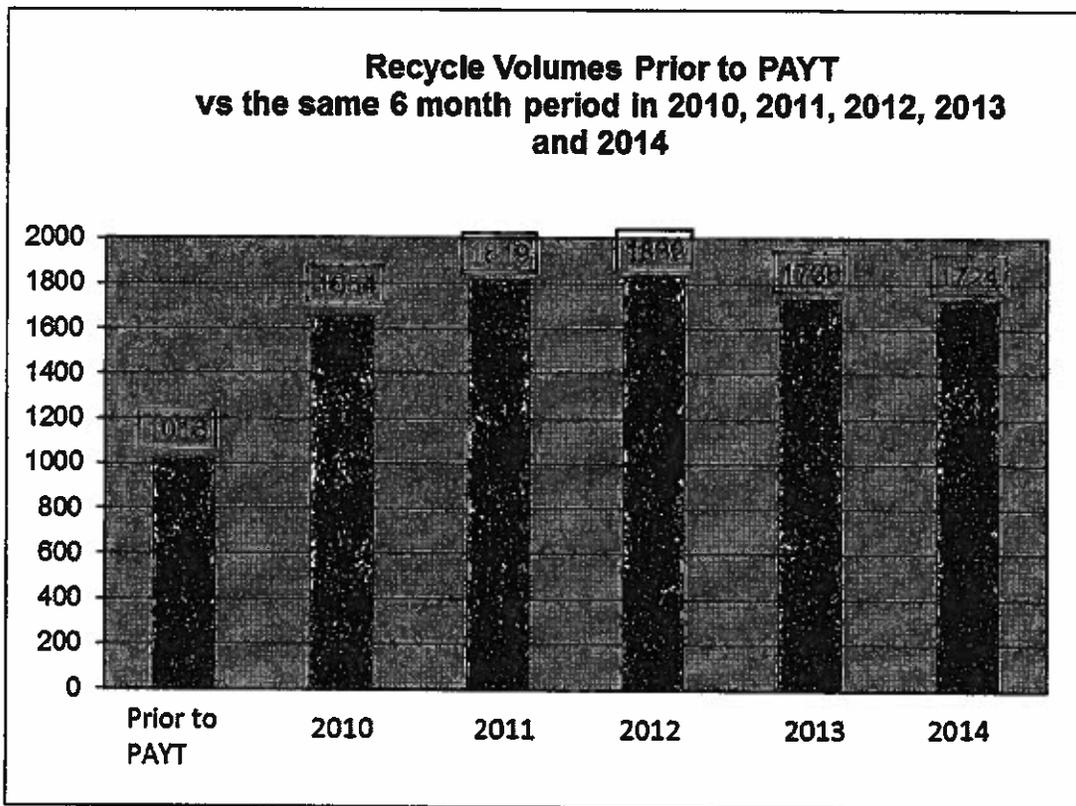
The City also maintains monthly records of the amount recyclable material collected through its residential recycling collection program. Similar to solid waste volumes, recyclable material volumes may vary seasonally and will also mirror local economic conditions. Residential recycling volumes since July 2012 are shown below.

Recycling Volumes July 2012 through March 2014



For the fiscal period October through March prior to adopting Pay As You Throw in 2009, the City recycled 1016 tons of material through programs it administered. For the period October

2013 through March 2014 the City recycled 1724 tons of material, an increase of 70% in recycling materials.



Financial Performance

When Pay As You Throw was adopted by the Mayor and City Council in June, 2009, it was projected that the General Fund would need to increase its transfer of funds to the Solid Waste Fund to approximately \$ 2.9 million. Since that time, the General Fund has been able to reduce its transfer to \$1,219,530. Pay As You Throw has significantly reduced the financial demand upon the general fund by almost \$1.7 million annually while providing recycling services to every Concord home.

That said, revenues collected through Pay As You Throw are currently less than the cost of residential solid waste and collection services provided by the City through its vendors. As demonstrated in the FY 2014 Solid Waste Pro Forma, projected revenues generated through solid waste collection and disposal services are approximately 82% of anticipated expenditures. The pro forma indicates this percentage will decline as currently projected solid waste collection and disposal costs increase in the future. General Service staff has reviewed this matter with the Solid Waste Advisory Committee and is assessing options to address this trend.

Cc Robert McManus, Director, Office of Budget and Management Analysis

5-27

MA



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Earle M. Chesley, P.E., General Services Director

DATE: April 30, 2014

SUBJECT: NH Department of Environmental Services (DES) Leak Detection Survey Results

Recommendation

Accept this report relative to the results of the New Hampshire DES Free Leak Detection Surveys.

Background

In July of 2013, the NH DES Water Conservation Program solicited all the public water systems to apply for free leak detection surveys. The City of Concord submitted three areas that would benefit from a thorough survey. On December 27th, Concord was one of twenty three systems chosen as a recipient for the free leak detection survey service.

During the March Council meeting, council authorized the City to accept the free leak detection service. The state-selected contractor was able to survey the three requested zones at the beginning of April. Surveys have now been completed with the results to follow in the discussion.

Discussion

The NH DES Survey was a resource that allowed approximately one quarter of the City's miles of water main to be thoroughly and professionally listened to for leaks, using the latest digital technology. Three areas in particular were covered; northern Penacook, the Auburn St. Tank Extra High Service (EHS) area, and the Manchester St. /Airport Rd. /Old Turnpike Rd. business triangle. The Water Conservation Technician was on site providing technical support and GIS maps of the water system.

The contractor used leak noise correlation devices placed on fire hydrants, and found several leaks on private service lines. Two of those were commercial accounts, and both of them have already been repaired. The others have had verbal and written communication to have the leaks repaired in a timely manner. The contractor estimated that the total leak losses are between 19 and 31 gallons per minute, or 27,000 to 44,000 gallons per day.

More than 53 miles of City of Concord water mains were surveyed by the contractor. In addition to the water mains, more than a thousand other service connections were checked with no other apparent losses detected. This means that the system is quite "tight" and the water distribution and treatment teams are doing their jobs effectively. It also speaks for quality and workmanship, as many of the water mains surveyed are over 100 years in age.

Results from the free leak detection surveys were reported to the NH DES Water Conservation Program to track water conservation efforts throughout the State. This data will also be used to help the City of Concord with the annual water audit, and on-going leak detection program.



CITY OF CONCORD

TCA

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Transportation Policy Advisory Committee

DATE: April 28, 2014

SUBJECT: Report from the Transportation Policy Advisory Committee recommending that City Council support a statewide Complete Streets policy under consideration with the NH Municipal Association for the 2015-2016 Legislative Policy Process.

Recommendation

Accept this report.

Background

The Transportation Policy Advisory Committee (TPAC) has long recognized the benefits of adopting a Complete Streets Policy in Concord. In recent discussion with other municipalities, they share a similar opinion. The NH Municipal Association (NHMA) is in the process of updating its policy strategies for the upcoming two year session. TPAC recognizes this as an opportunity to support a statewide Complete Streets policy proposal introduced into the legislative policy agenda.

Discussion

City Council adopted the Comprehensive Transportation Policy, the so-called "Complete Streets Policy" in 2010. The policy promotes a transportation system that accommodates all users, including motorists, pedestrians, bicyclists, and public transportation users. Concord recognizes that accommodating all transportation users is vital to the quality of life, mobility, and accessibility of Concord's residents and visitors of all ages and abilities, whether or not they can drive a car.

The benefits of Concord Complete Streets policy ensures that all roadway and transportation infrastructure be planned, designed, built, and maintained with all road users in mind, including motorists, bicyclists, pedestrians, and transit users. A multi-modal "complete street" transportation system provides transportation choice for those who cannot or choose not to drive, is more environmentally friendly, reduces environmental impacts, promotes public health through active transportation, and allows for a more livable and economically viable community.

In recent discussions with other municipalities, including Dover, Keene, and Portsmouth, they share the same opinion that a Complete Streets policy is good business for the community. The NHMA is in the process of updating its policy strategies for the upcoming two year session. TPAC recognizes this as an opportunity to support a statewide Complete Streets policy proposal introduced into the legislative policy agenda.

Attached, please find the 2015-2016 Legislative Policy Process position statement prepared by TPAC in support of a statewide Complete Streets policy. Similar policy support statements have been prepared by the above reference communities. TPAC recommends that the City Council endorse this request and authorize the City Manager to forward TPAC's recommendation to the NHMA. Policy proposals will be reviewed by NHMA policy congress and if selected, would become a directive in the next legislative session.

Therefore, TPAC recommends that the City Council support a statewide Complete Streets policy under consideration with the NH Municipal Association for the 2015-2016 Legislative Policy Process and authorize the City Manager to forward the attached legislative policy process statement from TPAC.

elr/TPAC
attachment
cc: TPAC

New Hampshire Municipal Association 2015-2016 Legislative Policy Process

Explanation of Proposed Policy

Submitted by (Name): Transportation Policy Advisory Committee

Date: April 25, 2014

Title of Person Submitting Policy: Thomas J. Aspell, Jr., City Manager

City or Town: Concord, NH

Phone: (603) 225-8570

To see if NHMA will SUPPORT/OPPOSE: Support a Complete Streets Policy.

Municipal interest to be accomplished by proposal:

The City of Concord, NH adopted a Complete Streets Policy in 2010. The policy promotes a transportation system that accommodates all users, including motorists, pedestrians, bicyclists, and public transportation users. Concord recognizes that accommodating all transportation users is vital to the quality of life, mobility, and accessibility of Concord's residents and visitors of all ages and abilities, whether or not they can drive a car.

Explanation:

A Complete Streets policy ensures that all streets and transportation infrastructure be planned, designed, built, and maintained with all road users in mind – meaning that motorists, bicyclists, pedestrians, and transit users are considered when designing and maintaining roadways and other transportation infrastructure. This practice differs from that of the last several decades, when the transportation system had been designed primarily for motor vehicles. A transportation system that does not depend solely on motor vehicles is less susceptible to changes in energy prices, provides transportation choice for those who cannot or choose not to drive, is more environmentally friendly, reduces environmental impacts, promotes public health through active transportation, reduces the need for parking, and allows for a more livable and economically viable community.



..



CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION IN RECOGNITION OF THE SERVICES OF JOHN SWOPE

WHEREAS, John Swope was appointed to and served on several committees within the City of Concord over the years including the Planning Board, the Regional Planning Commission and the Tax Base Expansion Committee; and

WHEREAS, John Swope was appointed to the City of Concord Planning Board in January 1995 and served on that board until March 2014; and

WHEREAS, John Swope served as a dedicated member of the Planning Board for over nineteen years, devoting numerous hours and faithfully attending meetings during his tenure; and

WHEREAS, John Swope contributed to the Planning Board through his knowledge, dedication and many skills; and

WHEREAS, John Swope's analytical skills were excellent and his communication skills even better. A skill he possessed was the ability to bore down to the essential elements of any contested issue; and

WHEREAS, John Swope was not shy about expressing his opinions but they were always brought forth in the context of the matter; and

WHEREAS, Members of the Planning Board grew to value his perspective and his direct way of summing up discussions; and

WHEREAS, John Swope brought to the Planning Board his wonderful appreciation for the City of Concord. Along with his wife Marjorie, their combined contributions and vision have made Concord a wonderful place to live and grow; and

NOW, THEREFORE, BE IT RESOLVED that we, the members of the Concord City Council do hereby record our sincere appreciation for John Swope's years of service and commitment to the City of Concord, our esteem for his abilities and knowledge and our respect for his high character.



CITY OF CONCORD

17A

In the year of our Lord two thousand fourteen

RESOLUTION RE-ADOPTING THE BENEFLEX PLAN AND AUTHORIZING THE CITY MANAGER TO EXECUTE BENEFLEX PLAN DOCUMENTS.

The City of Concord resolves as follows:

- WHEREAS,** the City of Concord offers its employees a flexible benefit plan, "Beneflex", which includes a Cafeteria Benefits Plan under Section 125 of the Internal Revenue Code; and
- WHEREAS,** the City provides, through an annual appropriation process, benefit dollars to fund insurance for full-time employees; and
- WHEREAS,** employees can contribute in order to purchase additional insurance coverage; and
- WHEREAS,** Beneflex provides for payroll deduction of insurance premium contributions and the reimbursement of medical care and dependent day care expenses on a before-tax basis; and
- WHEREAS,** said plan has existed since August 1, 1989; and
- WHEREAS,** Resolution #6068, adopted June 2, 1989, authorized establishment of the Plan, and subsequent revisions have modified the Plan; and
- WHEREAS,** the City of Concord desires to continue and update the Beneflex Program and Plan documents;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Concord:

1. Adopts the Beneflex Program bearing an effective date of July 1, 2014.
2. Authorizes the City Manager to implement the Beneflex Program in accordance with applicable federal and state statutes, rules and regulations.
3. This resolution is effective upon its passage for the plan year beginning July 1, 2014.



CITY OF CONCORD

In the year of our Lord two thousand fourteen

RESOLUTION

AUTHORIZING THE CITY MANAGER TO ENTER INTO A GRANT AGREEMENT FOR UP TO THREE HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$326,500) WITH THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION (NHDOT), BUREAU OF AERONAUTICS, FOR THE PURPOSE OF PURCHASING A NEW FRONT END LOADER WITH ATTACHMENTS FOR THE AIRPORT AND TO REVISE THE TOTAL GRANT REQUEST FOR THIS PURCHASE TO A TOTAL OF THREE HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$326,500).

The City of Concord resolves as follows:

- WHEREAS,** this project is programmed in the FY 2014 Capital Improvement Program and Budget as CIP Project #77; and
- WHEREAS,** the Agreement with NHDOT allows the City to provide overall administration for the project; and
- WHEREAS,** approval for the City Manager to apply for the grant was approved at the March 10, 2014 City Council meeting, Resolution No. 8744; and
- WHEREAS,** should the City's application for this purpose be accepted, project funding would be allocated as follows: \$293,850 (90%) Federal share, \$16,325 (5%) State share, and \$16,325 (5%) City share; and
- WHEREAS,** the Airport Advisory Committee recommends that the City Council approve this project;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

1. The City Council has authorized the City Manager to enter into an agreement with the NHDOT, Bureau of Aeronautics.
2. This resolution shall take effect upon its passage and upon grant award by the State of New Hampshire.



CITY OF CONCORD

TAA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Martha Drukker, Associate Engineer
DATE: April 25, 2014
SUBJECT: CIP #77, Snow Removal Equipment, Front End Loader

Recommendation

Appropriate an additional \$314,375 (\$293,850 Federal share, \$16,325 State share and \$4,200 City share) in grant funds for the purpose of purchasing a new front end loader, complete with bucket, runway plows and lift, as programmed in the Capital Budget.

Authorize the City Manager to enter into an agreement with the New Hampshire Department of Transportation (NHDOT), Division of Aeronautics, for up to \$326,500 in grant funds for the purpose of purchasing a new front end loader, complete with bucket, runway plows and lift.

Background

The City applied for a grant to the NHDOT in April 2014 to purchase a front end loader. The requested funding of up to \$340,000 will be allocated as follows: 90% Federal share (\$306,000), 5% State share (\$17,000), and 5% City share (\$17,000).

The existing loader was purchased with State and Federal funds in 1998 and is in need of replacement. This piece of equipment meets the requirements to be eligible for Federal funding.

Discussion

Bids were recently solicited for the purchase of the front end loader and the successful bidder submitted a price of \$315,300. Contract administration is \$12,000 with the total project cost of \$326,500.

The cost increase for the purchase of this piece of equipment, as compared to that estimated for the FY 2014 budget, is due to more stringent EPA fuel emissions requirements.

Upon grant award, the City Manager will be authorized to enter into an agreement with NHDOT to provide overall project administration.

CITY OF CONCORD

In the year of our Lord two thousand fourteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE FRIENDS OF THE MERRIMACK RIVER GREENWAY TRAIL REGARDING THE DESIGN AND CONSTRUCTION OF THE PHASE I SECTION OF THE MERRIMACK RIVER GREENWAY TRAIL

The City of Concord resolves as follows:

- WHEREAS,** the Friends of the Merrimack River Greenway Trail ("FMRGT"), is a nonprofit corporation organized under the laws of the State of New Hampshire, formed for the purpose of raising funds for, coordinating and overseeing the design and construction of the Merrimack River Greenway Trail and its amenities, such as boardwalks, trailhead parking, benches, signs and kiosks; and
- WHEREAS,** the Trail is envisioned as a continuous, off-street, paved, shared-use path roughly following the Merrimack River in Concord, New Hampshire, and connecting the eventual terminus of the Northern Rail Trail at the Boscawen town line to the proposed Salem to Concord Bikeway at the Pembroke town line, intended to serve public transportation and recreation purposes; and
- WHEREAS,** a feasibility study for the entire length of the Trail was accepted by the City Council on March 14, 2011, and the City Council authorized the FMRGT to raise funds for the design and construction of the Trail; and
- WHEREAS,** the FMRGT raised over \$80,000 and returned to the City Council on May 13, 2013, to request authorization to pursue the design and permitting of the Phase I section of the Trail, and the City Council unanimously voted to support the project as a contributing project to the quality of life of the Concord community and authorized FMRGT to seek permits and complete the design of Phase I; and
- WHEREAS,** the City of Concord owns the land required for Phase I construction, including the following: Terrill Park (parcel 110/6/2) which is managed by the Recreation Department, parcel 110/6/15 which is a remnant parcel associated with the closure of the landfill, and parcels 114/1/8, 110/6/12,

CITY OF CONCORD

In the year of our Lord two thousand fourteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A TRAIL AGREEMENT ON LAND OWNED BY GORDON MATSON AND JUDITH WILDMAN, SOUTHERLY OF DISTRICT #5 ROAD, WHICH WILL PERMIT THE PUBLIC USE OF THE TRAIL AND ALLOW THE INCLUSION OF THE TRAIL IN THE CITY'S TRAIL SYSTEM.

Page 2 of 2

110/6/9 and 110/6/14 which are conservation lands managed by the Conservation Commission; and

WHEREAS, the FMRGT desires to enter into a contract with a third party engineering firm for the design and permitting of Phase I and wishes to set forth the respective roles and responsibilities with the City concerning the design and permitting of the Trail.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- 1) The City Manager is hereby authorized to enter into a Memorandum of Understanding with the Friends of the Merrimack River Greenway Trail regarding the design and construction of the Phase I Section of the Merrimack River Greenway Trail.
- 2) This Resolution shall take effect upon passage.



CITY OF CONCORD

TJA

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Rebecca Hebert, Senior Planner
Jeff Warner, Project Manager-Civil Engineer

DATE: May 1, 2014

SUBJECT: Resolution authorizing the City Manager to enter into a Memorandum of Understanding with the Friends of the Merrimack River Greenway Trail regarding the design and construction of the Phase I Section of the Merrimack River Greenway Trail

Recommendation

Authorize the City Manager to enter into a Memorandum of Understanding with the Friends of the Merrimack River Greenway Trail regarding the design and construction of the Phase I Section of the Merrimack River Greenway Trail

Background

The Friends of the Merrimack River Greenway Trail (FMRGT) is a nonprofit corporation formed for the purpose of raising funds for, coordinating and overseeing the design and construction of the Merrimack River Greenway Trail. The Trail is envisioned to be a continuous, off-street shared-use pathway, roughly following the Merrimack River north to south through Concord. The trail will connect with the future terminus of the Northern Rail Trail at the Boscaawen town line and with the proposed Salem to Concord bikeway at the Pembroke town line. The trail will serve both as a recreational amenity and transportation use for residents.

A feasibility study for the entire length of the Trail was prepared with grant assistance from Concord 2020 in 2011. The City Council accepted the study on March 14, 2011 and authorized the FMRGT to raise funds for the design and construction of the Trail. To that end, the FMRGT raised over \$80,000.

The FMRGT returned to the City Council on May 13, 2013 to request authorization to pursue the design and permitting of the Phase I section of the Trail. The Council unanimously voted to support the project as an enhancement to the quality of life in the City and thus authorized FMRGT to seek permits and complete the design of Phase I.

The Phase I section of the Trail follows the east side of the Merrimack River between Loudon Road and Manchester Street. Beginning at Terrill Park, the trail will head in a northerly direction to a wetland/water crossing approximately ¼ mile long then continue northerly through city-owned conservation land to Loudon Road. Phase I measures approximately 1.3 miles in length and will be constructed entirely on city owned land.

Discussion

The FMRGT is ready to contract with a third party engineering firm for the design and permitting of the Phase I section of the Trail. Prior to beginning the Phase I contract for design services, FMRGT would like to set forth in a Memorandum of Understanding, the respective roles and responsibilities with the City concerning the design and permitting of the Trail. This document will ensure that each party understands one another's role regarding the development of the design, access to city owned land, and review and approval of the final plans.

Upon completion of the design of Phase I, FMRGT will return to the City Council for approval of Phase I. After approval by City Council, FMRGT will continue to raise funds for the construction of Phase I. Once FMRGT has completed raising the funds necessary to construct the Trail, FMRGT will return to the City Council for the acceptance of the funds. The City will then manage the construction of Phase I and will oversee the maintenance and management of the Trail.



Loudon Road

Post Office

Phase 1

Cornfields

10'-12' Trail

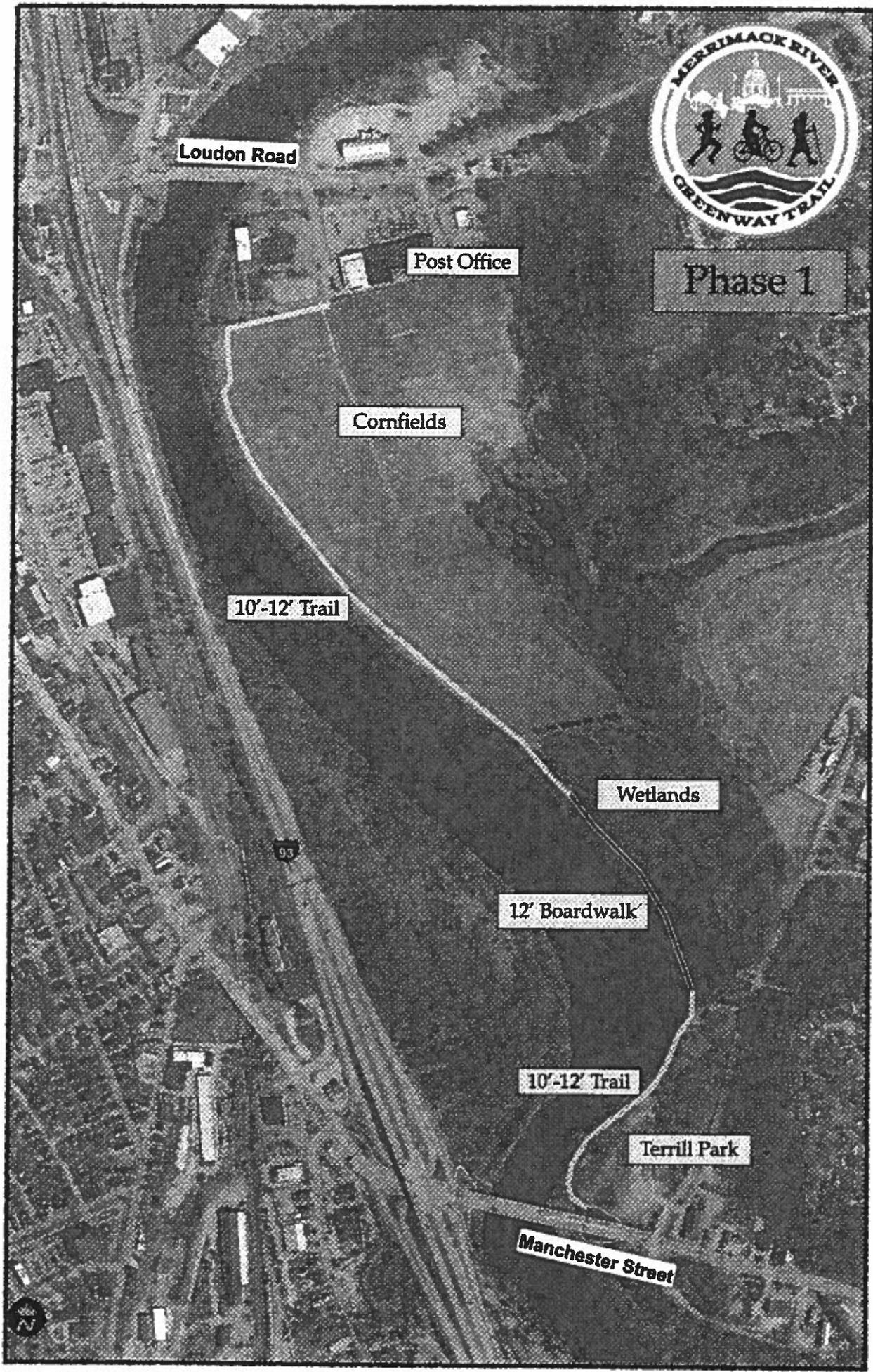
Wetlands

12' Boardwalk

10'-12' Trail

Terrill Park

Manchester Street





CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE UNITED STATES DEPARTMENT OF JUSTICE – EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR FUNDS DESIGNATED FOR LAW ENFORCEMENT RELATED PROGRAMS

The City of Concord resolves as follows:

WHEREAS, the Concord Police Department, in conjunction with the Merrimack County Sheriff's Office, desires to apply for the 2014 United States Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program; and

WHEREAS, the City of Concord desires to procure additional equipment and/or training through these funds; and

WHEREAS, there is funding available and both the Concord Police Department and Merrimack County Sheriff's Office are eligible to receive funding through the Edward Byrne Memorial Justice Assistance Grant Program; and

WHEREAS, there is no financial match required for this grant program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of City of Concord that:

1. The City Council authorizes the City Manager to submit the necessary grant application documents.
2. This resolution shall take effect upon its passage.



Bradley C. Osgood
Acting Chief of Police

City of Concord, New Hampshire

POLICE DEPARTMENT

35 Green Street • 03301-4299

(603) 225-8600

FAX (603) 225-8519

www.concordpolice.com

TAA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Gregory S. Taylor, Acting Deputy Chief - Administration

DATE: April 28, 2014

SUBJECT: 2014 Edward Byrne Memorial Justice Assistance Grant Application

Recommendation - Through the City Manager, authorize the Police Department to apply for funding through the 2014 Edward Byrne Memorial Justice Assistance Grant Program through the United States Department of Justice.

Background - During the past several years, the Police Department has received grant funds from the United States Department of Justice - Office of Justice Programs, which have been used to make technological upgrades, purchase new equipment, and provide training for the Department. These awards have been shared with the Merrimack County Sheriff's Office which has also made technological enhancements with these funds.

Discussion - This grant will allow for the Concord Police Department to replace and update older technologies currently in use and also purchase new equipment needed to maintain our efforts in an ever changing law enforcement environment. Funds may also be utilized to provide training for Department personnel. As with prior years, there is no match required for this grant; however we again will have to enter into a Memorandum of Understanding with the County on programming and the allotment of the funds.

"Community Committed"



City of Concord, New Hampshire

ADMINISTRATION
City Hall – 41 Green Street – 03301
(603) 225-8570
taspell@onconcord.com

Thomas J. Aspell, Jr.
City Manager

REPORT TO MAYOR AND THE CITY COUNCIL

DATE: April 1, 2014
FROM: Thomas J. Aspell, Jr., City Manager 
SUBJECT: **Zoning Board of Adjustment Committee Reappointment**

Recommendation

It is being recommended that the following appointment be reviewed at the April City Council meeting for approval in May.

Background

I hereby propose that James Monahan be moved up from an Alternate Member to a Regular Member of the Zoning Board of Adjustment, to fill the vacancy created by the resignation of David Parker. That term expires on January 1, 2016. Mr. Monahan has been an Alternate Member since 2007.

This report also extends the term of Nicholas Wallner by one year to expire on January 1, 2016. Mr. Wallner was appointed for a three year term in February 2013. Due to an administrative oversight, his term was incorrectly set to expire on January 1, 2015.

Discussion

In accordance with Section 15 of the City Council Rules, these proposed appointments are being distributed to City Council as information in advance of formal action at the May 12, 2014 Council meeting.

/sms

4-13
5-35 (A)
5-37

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title V, Administrative Code;
Chapter 34, Personnel Rules and Regulations

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34-2, Personnel Rules and Regulations, Article 34-2, Personnel Code Definitions, Section 34-2-1 Definitions, by modifying the following definitions:

34-2-1 Definitions.

Part-Time Employee. A person hired for an indefinite period of time and who is, in a calendar year, expected to work less than **975 hours** ~~fifty (50) percent of the hours of an employee, as defined herein, in a similar position.~~

Permanent Part-Time Employees. A person working for the City on a permanent basis, having completed a probationary period, who is expected to work at least **975 hours but less than 1820 hours in a calendar year** ~~fifty (50) percent but less than one hundred (100) percent of the hours of a permanent employee in a calendar year in a similar position.~~

Seasonal/Temporary Employee. A person hired for an ~~indefinite~~ **specified** period of time, not in excess of six (6) **consecutive** months (unless otherwise authorized by the City Manager), such as seasonal, emergency or other special help.

SECTION II: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-10 Attendance, Section 34-10-3, Holidays, as follows:

34-10-3 Holidays.

The official holidays shall be: New Year's Day, Martin Luther King, Jr. Civil Rights Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Columbus Day, Election Day (State), Veteran's Day, Thanksgiving Day, day after Thanksgiving, and Christmas. When a holiday occurs on a Saturday, it shall be observed on the preceding Friday; but when the holiday occurs on a Sunday, it shall be observed on the following Monday.

Noncontractual, nonexempt employees required to work on a holiday will be paid at time and one-half. Noncontractual exempt employees required to work on a holiday shall be

granted additional time off with pay accrued at time and one-half up to a maximum of twelve (12) hours for any one day.

Martin Luther King, Jr. Civil Rights Day which is observed every January, and Election Day which is observed every other November, shall be floating holidays. However, city offices shall be closed on Martin Luther King, Jr. Civil Rights Day.

The provisions of this section shall apply to permanent part-time employees except the benefits shall amount to fifty (50) percent of the benefits granted to permanent full-time employees.

SECTION III: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11 Leave, Section 34-11-1, Annual Leave, paragraphs (a), (d), (e) and (g) as follows:

34-11-1 Annual Leave.

- (a) All permanent employees shall accrue annual leave on the basis of a portion of an hour of annual leave for each work hour in the employee's standard work schedule (e.g., 0.00500×40 hrs.) as follows:

<i>Period of Continuous Employment (years)</i>	<i>Hourly Accrual Rate</i>
0—5	0.0500
6—10	0.0615
11—15	0.0731
16—20	0.0846
21—25	0.0962
Over 25	0.1040

The standard work year, in hours, resulting from the City's most common standard workweeks is shown below and the yearly accrual of leave for a person accruing at ~~0.0462~~ 0.0500 is illustrated for each of these standard work years (~~0.0462~~ 0.0500 \times 1950 etc.):

<i>Standard Work Week in Hours</i>	<i>Standard Work Year in Hours</i>	<i>Annual Accrual in Hours</i>
37.5	1950	90.97.5

40.0	2080	96-104
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- (d) If a permanent employee retires or resigns from the service of the City or is otherwise discontinued therefrom, ~~except for cause, he~~ *the employee* shall be entitled to receive a lump sum payment of all accumulated annual leave.
- (e) Notwithstanding other provisions of this Code, *any department head hired by the City prior to January 1, 2010 will be paid under option one below.* Any department head hired by the City on or after January 1, 2010, will be given the option upon hiring of selecting only one of the following two options.
- (1) When the department head has served continuously in the employ of the City, in any paid capacity for a period of at least five (5) years, he/she will be deemed to have to his/her credit thirty (30) days of annual leave. Lump sum payment will be made in accordance with subsection (d) above.
 - (2) The department head may elect to accrue annual leave at a higher rate for the first ten (10) years of employment as outlined in the following table 34-11-1(a) Department Head Annual Leave:

TABLE 34-11-1(a)
DEPARTMENT HEAD ANNUAL LEAVE

<i>Period of Continuous Employment (years)</i>	<i>Hourly Accrual Rate</i>
0—5	0.0615
6—10	0.0731
11—15	0.0731
16—20	0.0846
21—25	0.0962
Over 25	0.1040

- (g) The City Manager may modify the annual accrual rate for any City employee, ~~subject to City Council approval.~~

SECTION IV: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11 Leave, Section 34-11-2, Sick Leave, paragraphs (b) through (f), and renumbering (g) as follows:

34-11-2 Sick Leave.

- (b) All ~~City employees~~ *permanent full time employees* may accumulate a maximum of two hundred (200) hours of sick leave. *Permanent part-time employees may accumulate a maximum of one hundred (100) hours of sick leave* ~~leave on a pro-rated basis depending on hours worked.~~
- (c) Sick leave shall not be considered a privilege which an employee may use at his discretion, but shall be allowed only in case of necessity and actual sickness and disability of the employee, or because of illness of the employee's spouse, mother, father, stepmother, stepfather, foster mother, foster father, father-in-law, mother-in-law, grandmother, grandfather, grandchild, sister, brother, child, stepchild, foster child, or any other relative living in the same household, or to meet dental appointments, or to take physical examinations or other sickness preventative measures. Where leave is taken because of sickness in the immediate family, such leave shall not exceed three (3) days ~~in any one instance~~ *per occurrence*. In cases involving a grave illness of a member of the immediate family, and where alternate means of home patient care have been exhausted the City Manager, at his discretion, may extend the maximum time limitations of this Section.
- (d) To receive compensation while on sick leave, an employee must ~~notify his department head prior to or within four (4) hours after the time set for the beginning of his regular duties~~ *provide notification in accordance with his or her department's call-in procedures.*
- (e) Proof of illness may be required by a department head or City Manager; ~~but in any case, absence for more than (3) three days shall be substantiated by a physician's certificate.~~
- ~~(f) Sick leave shall not be payable to any employee who is injured while in the employ of an outside employer.~~
- (g) Upon termination, resignation or retirement from City employment, except as in Section 34-4-9, Severance Pay, the City shall not pay the cash equivalent or any other payment of any kind to any employee of all accumulated, unused sick leave. Sick leave shall only be used for the reasons set forth in this Section.

SECTION V: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11 Leave, Section 34-11-4, Parental Leave, as follows:

34-11-4 Parental Leave.

A leave of absence may be granted for the initial care of a newborn dependent child upon approval by the City Manager and under such conditions as ~~he deems~~ to be in the best interests of the City *for those employees who are not eligible for Family Medical Leave.*

Such absence shall first be treated as annual leave until the annual leave account is exhausted and then shall be treated as a leave of absence without pay. Upon return from such leave of absence, an employee shall be reinstated to the previously held position or to one which is comparable and shall retain the same status, rights, and benefits earned prior to taking such leave. Any employee who desires a leave of absence to care for a newborn dependent child must apply in writing to the City Manager for such leave one month prior to the date such leave is to commence.

SECTION VI: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11 Leave, Section 34-11-7, Civil Leave, as follows:

34-11-7 Civil Leave.

Any employee shall be given time off without loss of pay or annual leave when performing civil leave, ~~when due to being~~ called for jury duty; *or* subpoenaed to appear before a court, public body or commission. While on civil leave said employee's civil compensation shall be supplemented by the City to such amount so that the employee will receive *his or her* average weekly wage. *For an employee whose shift occurs outside the hours of the necessary civil leave, the department head shall adjust the employee's schedule so that the employee does not suffer a loss of pay or annual leave.*

No employee, unless otherwise established by rule, shall be a witness in their official capacity as a city employee in a proceeding before a court, public body or commission, where the city is not a party, without accepting service of a subpoena to appear at such proceeding.

SECTION VII: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11 Leave, Section 34-11-10, Procedures in Requesting Leave, as follows:

34-11-10 Procedures in Requesting Leave.

It shall be the duty of the Director of Human Resources and Labor Relations to establish and maintain procedures for requesting leave and any amendments and modifications thereto, as called for by these rules and regulations.

- ~~(a) An employee requesting a leave for any reason must fill out a request form obtained from the department head. Upon approval by the department head it is forwarded to the City Manager or his designee. For leave to be granted, it must meet with the approval of the City Manager.~~
- ~~(b) The leave form, approved or disapproved, will then be forwarded to the department head for filing, along with a copy to be returned to the employee.~~
- ~~(c) When possible, requests for annual leave should be made far enough in advance to allow time to carry out this procedure. Department heads may grant emergency annual leave for up to five (5) days.~~

SECTION VIII: Amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations, Article 34-11 Leave, Section 34-11-11, Leave for Permanent Part-Time Employees, by deleting it in its entirety.

SECTION IX: This ordinance shall take effect upon its passage.

Explanation: Matter added to the current ordinance appears in *bold italics*.
Matter removed from the current ordinance appears [~~in brackets and struck through~~].



CITY OF CONCORD

TEA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Jennifer Johnston

DATE: April 1, 2014

SUBJECT: Revision to CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations

Recommendation

Accept the Report and set a public hearing to adopt the revisions to amend the CODE OF ORDINANCES, Title V, Administrative Code; Chapter 34, Personnel Rules and Regulations for the April, 2014 City Council Meeting, as unanimously recommended by the Fiscal Policy Advisory Committee to City Council.

Background

The Human Resources Department has created a leave handbook for all employees in an effort to update and consolidate several existing policies pertaining to use of annual leave, sick leave and other similarly situated leaves. As a result of this examination, the department would like to take the opportunity to make updates to the relevant sections of the Personnel Rules to reflect current practice and to remove ambiguous or unclear language.

Discussion

We are proposing an update to three definitions contained in the Personnel Rules and Regulations Article 34-2-1 to provide clarity for categorization of employees. The proposed changes to the definition of part time and permanent part time employees ensure all employees will have clarification on who belongs in which category, to ensure benefits are applied corrected and the positions are allocated into the budget model correctly. The proposed change to the temporary employee definition seeks to ensure we are complying with the Affordable Care Act definition of a full time employee by ensuring our temporary employees do not engage in work beyond six months of consecutive time.

We have proposed an amendment to Article 34-11-1, Annual Leave that strikes from subsection d which states that annual leave will not be paid out for terminations due to cause. This has not been the practice as the City sees annual leave as an earned benefit and has made payouts from this accrual to all non-probationary employees who leave the employ of the City of Concord. Furthermore, there is a proposed change to section e, which serves to clarify that all department heads hired prior to 1/1/10 are entitled to a thirty day payout if they have more than five years of service with the City, upon actually leaving the employ of the City. This was mistakenly deleted when the modification to this article occurred in May of 2010. We have also increased the accrual rate for parity with the union contracts and have authorized the City Manager to have flexibility in

modifying annual accrual in order to retain flexibility in the challenging and changing marketplace in an effort to recruit highly talented individuals.

Proposed changes to Article 34-11-2 include: Sick Leave to change language on department call in procedures to more accurately reflect what is happening throughout the City (subsection d); removing the requirement to automatically provide a physician's note for absences of more than three days while still allowing proof of illness to be required at any time (subsection e); allowing for sick pay to be paid to employees who are injured doing other work (subsection f). There is also a proposed amendment to delete Section 34-11-11 in its entirety as it pertains to permanent part time employees and instead inserting language within the relevant articles to reflect the manner in which permanent part time employees will accrue sick and annual leave, and receive holiday pay.

Article 34-11-4, Parental Leave will be modified to reflect that the creation of Family Medical Leave would address most needs for Parental Leave and that Parental leave is not to be compounded or used by those employees who are eligible for Family Medical Leave.

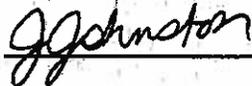
Article 34-11-7, Civil Duty will be modified to recognize that employees, who are regularly scheduled to work non-court hour shifts, may still be authorized to perform their civil duty and be excused from work.

Finally, Article 34-11-10, Procedures in Requesting Leave will be modified to reflect that the requirements of this article are already contained in the Leave Handbook and are therefore redundant. Further, this puts the responsibility for establishing and modifying leave procedures on the Director of Human Resources.

Overall, these proposed changes are not projected to incur any significant increase to costs as most of the changes only serve to codify practices already in place.

In order to accomplish the aforementioned, the City Council will have to set a public hearing for May, 2014 and then approve the attached ordinance.

Respectfully Submitted,



Jennifer Johnston

cc: Thomas J. Aspell Jr., City Manager

TITLE V - ADMINISTRATIVE CODE
CHAPTER 34 - PERSONNEL RULES AND REGULATIONS

34-2-1 Definitions.

For the purposes of these Rules and Regulations, certain words and phrases used herein shall be defined as follows:

Part-Time Employee. A person hired for an indefinite period of time and who is, in a calendar year, expected to work less than ~~fifty (50) percent of the hours of an employee, as defined herein, in a similar position.~~ 975 hours.

Permanent Part-Time Employees. A person working for the City on a permanent basis, having completed a probationary period, who is expected to work at least 975 hours but less than 1820 hours in a calendar year, fifty (50) percent but less than one hundred (100) percent of the hours of a permanent employee in a calendar year in a similar position.

Seasonal/Temporary Employee. A person hired for an ~~indefinite~~ specified period of time, not in excess of six (6) consecutive months (unless otherwise authorized by the City Manager), such as seasonal, emergency or other special help.

34-10-3 Holidays.

The official holidays shall be: New Year's Day, Martin Luther King, Jr. Civil Rights Day, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Columbus Day, Election Day (State), Veteran's Day, Thanksgiving Day, day after Thanksgiving, and Christmas. When a holiday occurs on a Saturday, it shall be observed on the preceding Friday; but when the holiday occurs on a Sunday, it shall be observed on the following Monday.

Noncontractual, nonexempt employees required to work on a holiday will be paid at time and one-half. Noncontractual exempt employees required to work on a holiday shall be granted additional time off with pay accrued at time and one-half up to a maximum of twelve (12) hours for any one day.

Martin Luther King, Jr. Civil Rights Day which is observed every January, and Election Day which is observed every other November, shall be floating holidays. However, city offices shall be closed on Martin Luther King, Jr. Civil Rights Day.

The provisions of this section shall apply to permanent part-time employees except the benefits shall amount to fifty (50) percent of the benefits granted to permanent full-time employees.

ARTICLE 34-11 LEAVE

34-11-1 Annual Leave.

34-11-2 Sick Leave.

34-11-3 Injury Leave.

34-11-4 Parental Leave.

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34-11-5 Leave of Absence.

34-11-6 Military Leave.

34-11-7 Civil Leave.

34-11-8 Bereavement Leave.

34-11-9 Absence Without Leave.

34-11-10 Procedures in Requesting Leave.

34-11-11 Leave For Permanent Part-Time Employees.

34-11-1 Annual Leave.

(a) All permanent employees shall accrue annual leave on the basis of a portion of an hour of annual leave for each work hour in the employee's standard work schedule (e.g., 0.0462500×40 hrs.) as follows:

<i>Period of Continuous Employment (years)</i>	<i>Hourly Accrual Rate</i>
0—5	0.04620500
6—10	0.0615577
11—15	0.0692731
16—20	0.08460808
21—25	0.096223
Over 25	0.09621040

The standard work year, in hours, resulting from the City's most common standard workweeks is shown below and the yearly accrual of leave for a person accruing at 0.0462500 is illustrated for each of these standard work years (0.0462500×1950 etc.):

<i>Standard Work Week in Hours</i>	<i>Standard Work Year in Hours</i>	<i>Annual Accrual in Hours</i>
37.5	1950	97.59

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40.0	2080	96104
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More than five (5) days in a non-pay status during any single calendar month will constitute the loss of a month worked for both annual and sick leave credit purposes.

- (b) Annual leave may be accrued to a maximum of two and one-half (2.5) times the employee's actual accrual rate.
- (c) If a permanent employee, while in the City's service, dies and there is remaining to his credit days of annual leave, it shall be payable to the following classes in the following order of priority:
 - (1) A named beneficiary whose name has been filed by said employee with the head of the department in which he is employed;
 - (2) When not having so filed a named beneficiary, to his spouse; or
 - (3) When not having named a beneficiary or not being survived by a spouse, to the estate of the deceased.
- (d) If a permanent employee retires or resigns from the service of the City or is otherwise discontinued therefrom, ~~except for cause~~, he shall be entitled to receive a lump sum payment of all accumulated annual leave.
- (e) When any department head having served continuously in the employ of the City, in any paid capacity for a period of at least five (5) years, will be deemed to have to his/her credit thirty (30) days of annual leave. Lump sum payment will be made in accordance with subsection (d) above. Notwithstanding other provisions of this Code, any department head hired by the City after January 1, 2010, will be given the option upon hiring of selecting only one of the following two options:
 - (1) When the department head has served continuously in the employ of the City, in any paid capacity for a period of at least five (5) years, he/she will be deemed to have to his/her credit thirty (30) days of annual leave. Lump sum payment will be made in accordance with subsection (d) above.
 - (2) The department head may elect to accrue annual leave at a higher rate for the first ten (10) years of employment as outlined in the following table 34-11-1(a) Department Head Annual Leave:

TABLE 34-11-1(a)
DEPARTMENT HEAD ANNUAL LEAVE

Period of Continuous Employment (years)	Hourly Accrual Rate
0-5	0.0615577
6-10	0.0731692
11-15	0.0731692

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16—20	0.084608
21—25	0.096223
Over 25	0.10409962

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(f) For the purpose of this section only full-time employees of the City with more than six (6) months of continuous service shall be considered permanent employees.

(g) The City Manager may modify the annual accrual rate for any City employee.

(2-14-83; 3-11-85; 6-14-90; Ord. No. 2393, § I, 11-13-01; Ord. No. 2563, § I, 6-14-04; Ord. No. 2780, § I, 3-8-10; Ord. No. 2793, § I, 5-10-10)

34-11-2 Sick Leave.

(a) All permanent and probationary employees of the City shall be entitled to accrue sick leave. During the first six (6) months of employment sick leave shall accrue at the rate of 0.0577 hours for each hour worked within a standard work schedule (e.g., 40-hour week). Thereafter the accrual rate shall be 0.0308 hours for each hour worked within a standard work schedule.

The standard work year, in hours, resulting from the City's most common standard workweeks is shown below and the yearly accrual of leave for a person with over six (6) months' employment is illustrated for each of the standard work years (0.0308 × 1950 etc.).

Standard Work Week in Hours	Standard Work Year in Hours	Annual Accrual in Hours
37.5	1950	60
40	2080	64
42	2184	67

(b) ~~All City employees~~ permanent full time employees may accumulate a maximum of two hundred (200) hours of sick leave. Permanent Part time employees may accumulate a maximum of one hundred (100) hours of sick leave.

(c) Sick leave shall not be considered a privilege which an employee may use at his discretion, but shall be allowed only in case of necessity and actual sickness and disability of the employee, or because of illness of the employee's spouse, mother, father, stepmother, stepfather, foster mother, foster father, father-in-law, mother-in-law, grandmother, grandfather, grandchild, sister, brother, child, stepchild, foster child, or any other relative living in the same household, or to meet dental appointments, or to take physical examinations or other sickness preventative measures. Where

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leave is taken because of sickness in the immediate family, such leave shall not exceed three (3) days ~~in any one instance per occurrence~~. In cases involving a grave illness of a member of the immediate family, and where alternate means of home patient care have been exhausted the City Manager, at his discretion, may extend the maximum time limitations of this Section.

- (d) To receive compensation while on sick leave, an employee must notify his department head ~~prior to or within four (4) hours after the time set for the beginning of his regular duties~~. Following department's appropriate call in procedures.
- (e) Proof of illness may be required by a department head or City Manager; ~~but in any case, absence for more than (3) three days shall be substantiated by a physician's certificate.~~
- (f) ~~Sick leave shall not be payable to any employee who is injured while in the employ of an outside employer.~~
- (g) Upon termination, resignation or retirement from City employment, except as provided in Section 34-4-9, Severance Pay, the City shall not pay the cash equivalent or any other payment of any kind to any employee of all accumulated, unused sick leave. Sick leave shall only be used for the reasons set forth in this Section.

(2-14-83; 6-14-90; Ord. No. 2857, § 1, 12-12-11)

34-11-3 Injury Leave.

(a) *Definitions.*

- (1) *Injury.* Injury arising out of and in the course of his or her employment with the City of Concord.
- (2) *Base Weekly Pay.* Employee's hourly rate multiplied by the regular scheduled hours per week, not including overtime pay.

- (b) *Payments.* Employees of the City of Concord are covered by worker's compensation insurance. An employee injured and receiving indemnity payments from the City's worker's compensation provider shall be supplemented by the City of Concord at a rate of forty (40) percent of the base weekly pay, pro-rated based on actual work days missed, up to a maximum of fifteen (15) weeks. If this supplemented payment combined with the indemnity payments paid by the City's worker's compensation provider exceeds the base weekly pay, the City shall be reimbursed by the employee any supplemental payment provided in excess of that base weekly pay. Further, the City shall be permitted to adjust any future supplemental payments based on actual indemnity payments to prevent overpayments to the employee. Any withholdings of wages authorized pursuant to RSA 275:28 shall be deducted from the employee's supplement payment.

(2-14-83; 6-14-90; Ord. No. 2908, § 1, 6-10-13)

34-11-4 Parental Leave.

A leave of absence may be granted for the initial care of a newborn dependent child upon approval by the City Manager and under such conditions as he deems to be in the best interests of the City for those employees who are not eligible for Family Medical Leave.

Such absence shall first be treated as annual leave until the annual leave account is exhausted and then shall be treated as a leave of absence without pay. Upon return from such leave of absence, an employee shall be reinstated to the previously held position or to one which is comparable and shall retain the same status, rights, and benefits earned prior to taking such leave. Any employee who desires a leave of absence to care for a newborn dependent child must apply in writing to the City Manager for such leave one month prior to the date such leave is to commence.

(9-13-90)

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34-11-5 Leave of Absence.

- (a) *With Pay.* Leave of absence may be granted by the City Manager to permit an employee to attend professional meetings or conferences in the interest of the City, or for other justifiable reasons.
- (b) *Without Pay.* Leave without pay may be granted by the City Manager when requested by an employee when such leave is deemed to be justified. Such leave may be granted where, due to extended illness, accumulated sick leave and annual leave have been used or for the extension of vacation time where circumstances will permit. The City Manager may also grant leave without pay for such purposes and under such conditions as he deems to be in best interest of the City. No annual leave or sick leave may be accumulated during a leave of absence without pay.

34-11-6 Military Leave.

An employee within the classified system of the City of Concord who is a member of any reserve component of the Armed Forces of the United States or of the national guard shall upon request be entitled to no more than fifteen (15) consecutive calendar days leave of absence in any twelve-month federal fiscal year (October 1 through September 30), for the purpose of engaging in military drill, training, or other temporary duty under military authority. An employee shall be paid the difference between pay for such military service and the amount of straight-time earnings lost by reason of such service, based on the employee's regularly scheduled straight-time rate. Such payments shall be made following the showing of satisfactory evidence of the amount of pay received for such service.

(Ord. No. 2364, § 1, 12-18-00)

34-11-7 Civil Leave.

Any employee shall be given time off without loss of pay or annual leave when performing civil leave, such as when called for jury duty, subpoenaed to appear before a court, public body or commission. While on civil leave said employee's civil compensation shall be supplemented by the City to such amount so that the employee will receive his average weekly wage. For employees whose shift occurs outside the hours of the necessary civil leave, the department head shall adjust their schedule so that the employee does not suffer a loss of pay or annual leave.

No employee, unless otherwise established by rule, shall be a witness in their official capacity as a city employee in a proceeding before a court, public body or commission, where the city is not a party, without accepting service of a subpoena to appear at such proceeding.

(Ord. No. 2792, § 1, 5-10-10)

34-11-8 Bereavement Leave.

In the event of a death in the immediate family of an employee, the employee shall be granted up to three (3) days of paid leave of absence to make household arrangements or to attend funeral services. "Immediate family" is explained under the sick leave section of this Article [Section 34-11-2].

In the event of a death of a "close family member" of a permanent or permanent part-time employee, the employee shall be granted one day of paid leave of absence to attend a funeral on a scheduled work day for a close family member as defined below. Proof of passing may be requested by the Supervisor.

"Close family member" shall include Grandmother-in-law, Grandfather-in-law, Brother-in-law, Sister-in-law, Aunt, and Uncle.

(2-14-83: Ord. No. 2850, § 1, 10-11-11)

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34-11-9 Absence Without Leave.

- (a) *Definition.* An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by a specific grant of leave of absence under the provisions of these rules, shall be deemed an absence without leave.
- (b) *Disciplinary Action.* Any such absence shall be without pay, and may be subject for disciplinary action. In the absence of such disciplinary action, any employee who absents himself for three (3) consecutive days without leave shall be deemed to have resigned. Such action may be reconciled by a subsequent grant of leave if the conditions warrant.

(2-14-83)

34-11-10 Procedures in Requesting Leave.

It shall be the duty of the Director of Human Resources and Labor Relations to establish and maintain procedures for requesting leave and any amendments and modifications thereto, as called for by these rules and regulations.

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- (a) An employee requesting a leave for any reason must fill out a request form obtained from the department head. Upon approval by the department head it is forwarded to the City Manager or his designee. For leave to be granted, it must meet with the approval of the City Manager.
- (b) The leave form, approved or disapproved, will then be forwarded to the department head for filing, along with a copy to be returned to the employee.
- (c) When possible, requests for annual leave should be made far enough in advance to allow time to carry out this procedure. Department heads may grant emergency annual leave for up to five (5) days.

(2-14-83)

~~34-11-11 Leave For Permanent Part Time Employees.~~

~~The provisions of Section 34-10-3 shall apply to permanent part time employees except the benefits shall amount to fifty (50) percent of the benefits granted to permanent full time employees. Sections 34-11-1 and 34-11-2 shall apply to permanent part time employees on a prorated basis.~~

(2-14-83; Ord. No. 2393, § II, 11-13-01; Ord. No. 2744, § III, 2-17-09)

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

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RESOLUTION ADOPTING AN AMENDED AND RESTATED DEVELOPMENT PROGRAM AND FINANCING PLAN FOR THE PENACOOK VILLAGE TAX INCREMENT FINANCE DISTRICT

The City of Concord resolves as follows:

WHEREAS, by Resolution #5396, adopted on October 9, 1979, and Resolution #6761, adopted on October 20, 1997, the City Council adopted the provisions of NH RSA 162-K, as amended, for the purposes of establishing one or more tax increment financing districts within the City of Concord; and,

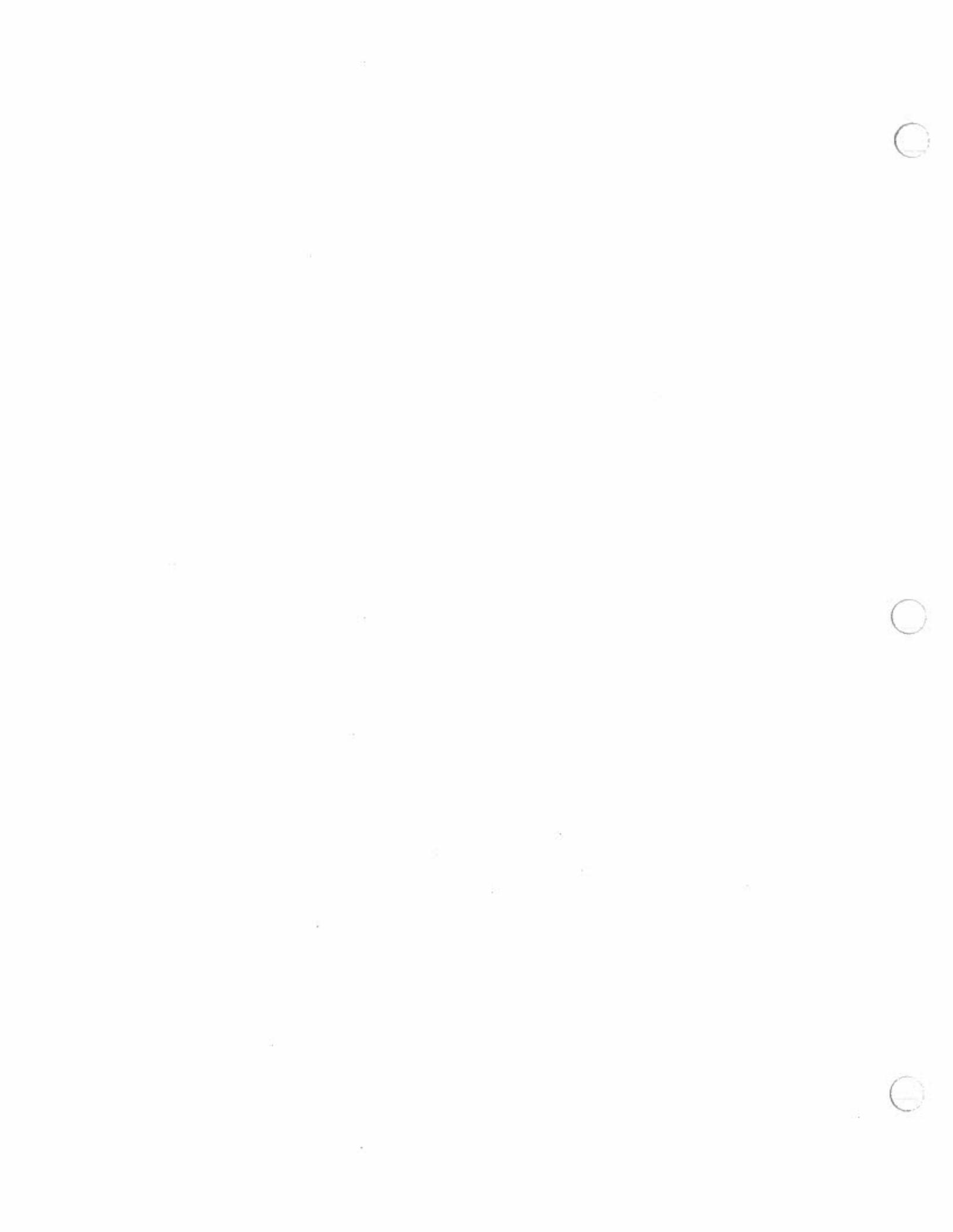
WHEREAS, on June 14, 2010, the City adopted Resolution #8376, which established the Penacook Village Tax Increment Finance (PVTIF) District and enacted the District's Development Program and Financing Plan; and,

WHEREAS, the City desires to further amend and re-adopt the PVTIF District's Development Program and Financing Plan for the purpose of modifying said documents with respect to environmental cleanup of City-owned real estate located at 5 - 35 Canal Street, known as the former Allied Leather Tannery and Amazon Realty Sites, and for the purpose of issuing additional bonds and notes to finance such cleanup, as well as expenses related thereto; and,

WHEREAS, in accordance with RSA 162-K:4, the City Council shall delay a final vote to adopt this resolution, which vote shall occur at least 15 days after the public hearing on these proposed amendments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

1. After holding a public hearing and taking public testimony, the City Council hereby finds that the Amended and Restated Penacook Village Tax Increment Finance District Development Program and Financing Plan presented at this meeting and attached hereto serves a public purpose pursuant to NH RSA 162-K:5.
2. In accordance with NH RSA 162-K:6, 162-K:9, and 162-K:10, the City Council hereby amends and restates in its entirety the Penacook Village Tax Increment Finance District Development Program and Finance Plan, adopted by Resolution #8376 on June 14, 2010, by adopting the Amended and Restated Penacook Village Tax Increment Finance District Development Program and Financing Plan, dated May 31 2014, presented at this meeting and attached hereto.
3. This resolution shall take effect upon passage.



PENACOOK VILLAGE TAX INCREMENT FINANCE DISTRICT DEVELOPMENT PROGRAM AND FINANCING PLAN

Adopted by Resolution #8376 on June 14, 2010
Amended by Resolution # XXXX on May 31, 2014

- 1 **Introduction:** The Penacook Village Tax Increment Financing District Development Program and Financing Plan is designed to encourage the redevelopment of 47.09 +/- acres of land within the vicinity of the former Allied Leather Tannery and Rivco Complexes, as well as Penacook's Central Business District through the construction and reconstruction of infrastructure to support the private redevelopment of the several public and privately owned properties, including, but not limited to, the following:
- the Former Allied Leather Tannery Complex at #35 Canal Street and #4 Crescent Street;
 - the Former Amazon Realty Site located at #5-11 Canal Street;
 - Vacant land at #4-10 Walnut Street;
 - The Former Rivco Complex located at #77 and #82 Merrimack Street; and,
 - Vacant or underutilized buildings located on Village Street.

The components of the Development Program and Financing Plan include:

- Statement of Objectives;
- District Boundaries;
- Development Program;
- Financing Plan;
- District Administration; and,
- Advisory Board Responsibilities.

- 2 **Statement of Objectives:** The Penacook Village Tax Increment Finance District is hereby created to help achieve the following goals and objectives for the revitalization of Penacook Village:

- Short and long-term expansion of the property tax base;
- Business retention and recruitment;
- Preservation and expansion of employment opportunities;
- Redevelopment of vacant, underutilized, or blighted properties, including former industrial properties known as "Brownfields"; and,
- Revitalization of vacant upper floors in historic buildings.

The adoption of the Penacook Village Tax Increment Financing District Development Program and Financing Plan provides a valuable tool for implementing redevelopment activities to address these stated priorities. The initiative of creating the Penacook Village Tax Increment District aggressively pursues the following objectives:

- Creation and incentivizing of redevelopment opportunities;

- Improvement of the aesthetic character of Penacook Village;
- Expansion of the property tax base;
- Construction, expansion, and rehabilitation of public parking areas, streets, utilities, and pedestrian ways to provide improved access and expanded capacities required to encourage private investment in property within the District;
- Construction or rehabilitation of parks, public walks and scenic pathways (including "river walks"), and other public spaces in order to reinforce and promote Penacook's unique sense of place and quality of life;
- Removal of blighted land uses; and,
- Improvement of transportation infrastructure to permit the efficient use of land for redevelopment.

3 District Boundaries: The boundaries of the Penacook Village Tax Increment Finance District are hereby established as follows:

- Beginning at a point at the intersection of the westerly sideline of Village Street with the municipal boundary line of Concord and Boscawen, said point also being the northeast corner of Map P001, Block 5, Lot 4; thence
- Easterly along the municipal boundary line of Concord and Boscawen to the most northerly corner of Map P003, Block 1, Lot 10, said point also being on the westerly line of the Merrimack River; thence
- Southeasterly, easterly, and then southwesterly along Map P003, Block 1, Lot 10 and the westerly line of the Merrimack River to a point on the westerly line of Map P003, Block 1, Lot 3; thence
- Southwesterly along Map P003, Block 1, Lot 3 and Map P003, Block 1, Lot 4 to the most westerly corner of Map P003, Block 1, Lot 4; thence
- Southeasterly along Map P003, Block 1, Lot 4 to the northerly sideline of Merrimack Street; thence
- Southwesterly along the northerly sideline of Merrimack Street to the most easterly corner of Map P003, Block 1, Lot 6; thence
- Northwesterly along Map P003, Block 1, Lot 6 to the most northerly corner of Map P003, Block 1, Lot 6; thence
- Southwesterly along Map P003, Block 1, Lot 6 and Map P003, Block 1, Lot 7 to the most westerly corner of Map P003, Block 1, Lot 7; thence
- Southeasterly along Map P003, Block 1, Lot 7 and the southerly extension of its westerly line to its intersection with the southerly sideline of Merrimack Street; thence

- Westerly along the southerly sideline of Merrimack Street to the most westerly corner of Map P004, Block 2, Lot 10; thence
- Southeasterly, southwesterly, westerly, and then northwesterly along the perimeter of Map P005, Block 2, Lot 11 to the most northerly corner of Map P005, Block 2, Lot 9; thence
- Southwesterly along Map P005, Block 2, Lot 9 and the southwesterly extension of its northerly line to its intersection with the westerly sideline of Rolfe Street; thence
- Northwesterly along the westerly sideline of Rolfe Street to its intersection with the southerly sideline of Merrimack Street; thence
- Southwesterly along the southerly sideline of Merrimack Street to its intersection with the southeasterly extension of the southerly sideline of MacCoy Street; thence
- Northwesterly along the extension of the southerly sideline of MacCoy Street to its intersection with the northerly sideline of Merrimack Street; thence
- Continuing northwesterly along the southerly sideline of MacCoy Street to its intersection with the southerly sideline of Walnut Street; thence
- Southerly and southwesterly along the southerly sideline of Walnut Street to the northeasterly corner of Map P002, Block 3, Lot 12; thence
- Southeasterly along the easterly line of Map P002, Block 3, Lot 12 to the southeasterly corner of Map P002, Block 3, Lot 12; thence
- Southwesterly along the southerly line of Map P002, Block 3, Lot 12 and Map P002, Block 3, Lot 11 to the easterly sideline of Community Drive; thence
- Southeasterly along the easterly sideline of Community Drive to its intersection with the northerly sideline of Merrimack Street; thence
- Southwesterly across Community Drive and Merrimack Street to the intersection of the westerly sideline of Community Drive with the southerly sideline of Merrimack Street; thence
- Southwesterly along the southerly sideline of Merrimack Street to the most westerly corner of Map P001, Block 10, Lot 3; thence

- Northwesterly along the southerly extension of the westerly line of Map P001, Block 9, Lot 4 to the southwesterly corner of Map P001, Block 9, Lot 4; thence
- Northwesterly along the westerly line of Map P001, Block 9, Lot 4 to the southwesterly corner of Map P001, Block 9, Lot 8; thence
- Easterly along the southerly line of Map P001, Block 9, Lot 8 to the southeasterly corner of Map P001, Block 9, Lot 8; thence
- Northwesterly along the easterly line of Map P001, Block 9, Lot 8 to the southerly sideline of Sanders Street; thence
- Westerly along the southerly sideline of Sanders Street to the intersection of the westerly extension of the southerly sideline of Sanders Street with the westerly sideline of Village Street; thence
- Northerly along the westerly sideline of Village Street to its intersection with the municipal boundary line of Concord and Boscawen and the point of beginning.

Meaning and intending to describe a Tax Increment Finance District within the Village of Penacook, City of Concord, Merrimack County, State of New Hampshire, as shown on a plan entitled Penacook TIF District, City of Concord, New Hampshire, with a printed date of May 1, 2009, prepared by the Concord Community Development Department, Engineering Services Division, included as Exhibit 1 of this document.

In cases where the District boundaries are shown on the centerline of any street, the boundary of the District shall be interpreted to extend to include the entire road right-of-way.

4 Determination of Compliance with RSA 162-K:5 District Limitations: In Accordance with RSA 162-K:5, the City has conducted an analysis of the Penacook Village Tax Increment Financing District as well as the North End Opportunity Corridor Tax Increment Financing District (NEOCTIF) and the Sears Block Tax Increment Financing District (Sears TIF) to insure that the Penacook Village TIF District will not cause the City to exceed the following statutory limitations:

- A. Land Area: Per RSA 162-K:5, the total acreage included in any one development district when designated shall not exceed five percent (5%) of the total acreage of the municipality, and when added to the total current acreage within the development districts for which tax increment financing bonds remain outstanding shall not exceed ten percent (10%) of the total acreage of the municipality. An analysis of these requirements is presented in the table below:

Table 1: Land Area Calculations

	Data	Notes
Total Land Area in Concord (Acres)	41,100.00	
5% of City's total land area (Acres)	2,055.00	
10% of City's total Land area (Acres)	4,110.00	
NEOCTIF District (Acres)	67.70	City of Concord Engineering Div.
Sears Block TIF District (Acres)	22.00	City of Concord Engineering Div.
Penacook Village TIF District (Acres)	47.09	City of Concord Engineering Div.
Combined Total (Acres)	136.79	

- B. **Assessed Value:** The total assessed value of taxable real property of any one development district when designated shall not exceed eight percent (8%) of the most recent total assessed value of taxable real property in the municipality, and when added to the current total assessed value of taxable real property within development districts for which bonds remain outstanding, shall not exceed sixteen percent (16%) of the most recent total assessed value of taxable real property in the municipality. An analysis of these requirements is presented in the table below:

Table 2: Assessed Value Calculations

	Data	Notes
Taxable Real Property Value in Concord	\$4,321,396,542	
8% of total taxable real property	\$345,711,723	
16% of total taxable real property	\$691,423,447	
NEOCTIF District	\$50,223,600	
Sears Block TIF District	\$51,418,000	
Penacook Village TIF District	\$11,149,600	
Combined Total	\$112,792,000	

FINDING: Based upon this information, the City has determined that the Penacook Village Tax Increment Financing District, in combination with the other existing tax increment financing districts, shall not exceed the taxable value or land area limitations set forth within RSA 162-K:5 at the time of adoption. In addition, there remains a significant capacity, both in terms of allowable value and allowable land area, for the creation of additional tax increment finance districts as deemed necessary by the City Council.

5 **Development Program:** In accordance with RSA 162-K:6, the following shall serve as the City's Development Program for the Penacook Village Tax Increment Financing District.

A. Phase I Public Facilities To Be Constructed Within District (2010): In accordance with RSA 162-K:6, I, the City may construct the following public facilities within the District:

- Reconstruction of existing public roads, as follows:
 - ✓ Canal Street (roughly between Boscawen Town Line and Community Drive);
 - ✓ Crescent Street (roughly between Boscawen Town Line and East Street); and,
 - ✓ Realignment and reconstruction of the Walnut Street, Canal Street, Crescent Street intersection, including removal of the Walnut Street slip lane.

- Reconstruction or construction of sidewalks along public roadways within the District, as follows:
 - ✓ Crescent Street, between the municipal boundary and East Street; and,
 - ✓ East Street, between MacCoy Street and Community Drive.

- Relocation, reconstruction, or construction of utilities, as follows:
 - ✓ Replacement of an existing water main within Crescent Street (360 +/- LF);
 - ✓ Replacement of an existing water main within Canal Street (240 +/- LF);
 - ✓ Replacement of an existing water main within Walnut Street (200 +/- LF);
 - ✓ Consolidation and relocation of aerial utilities at 4 Crescent Street to the south side of Canal Street (between MacCoy and Walnut Streets); and,
 - ✓ Reconstruction and replacement of drainage systems associated with Canal, Crescent, and Walnut Streets.

- Construction of streetscape amenities, including street trees and gateway signage along portions of Canal Street.

- Any other facilities permitted by RSA 162-K.

B. Environmental Remediation of Municipally Owned Property & Acceptance of Grants: In addition to public facilities to be constructed, the City may also complete environmental cleanup, remediation, and monitoring of municipally owned real estate within the District, including, but not limited to:

- 27-35 Canal Street (Former Allied Leather Tannery);
- 4 Crescent Street (Former Allied Leather Tannery); and,
- 5-11 Canal Street (Former Amazon Realty Site).

The City shall have the authority to accept grants from the Federal government, State of New Hampshire, or other entities to finance remediation activities.

C. Open Space Created Within District: In accordance with RSA 162-K:6,I, development and redevelopment within the Penacook Village Tax Increment Finance District will enhance open space elements of the City of Concord by providing redevelopment opportunities for commercial and residential uses on previously developed and, in some cases, contaminated properties thereby reducing development pressure on so-called "green field sites" (or virgin, undeveloped lands) to fulfill the demand for commercial and residential development with the City.

Beyond these global benefits, it is anticipated that redevelopment of the former Amazon Realty and Allied Leather Tannery sites at 5-35 Canal Street will include a new public park / "river walk" along the Contoocook River. In addition, in the future, the City may amend this Development Program and Financing Plans to make improvements to the so-called Walnut Street Park, a 2 +/- acre undeveloped passive recreational area bounded by Canal Street, Walnut Street, and MacCoy Street.

D. Environmental Controls to be Applied: In accordance with RSA 162-K:6,I development or redevelopment which occurs within the Penacook Village Tax Increment Financing District shall to comply with all applicable environmental regulatory controls to assure development and redevelopment activities do not harm the health, safety, and general welfare of the community.

Applicable environmental controls which shall govern development and redevelopment activity within the District shall include, but not be limited to, the following:

- City of Concord Subdivision Regulations;
- City of Concord Large Scale Development Regulations (a.k.a. Site Plan Review Regulations);

- City of Concord Code of Ordinances;
- City of Concord Zoning Ordinance;
- City of Concord Building and Life Safety Codes;
- State and Federal Laws, Codes, Rules, Regulations, and Standards related to abatement of hazardous materials and environmental contamination (if applicable); and,
- Any other applicable State or Federal Laws, Codes, Rules, Regulations, or Ordinances.

E. Proposed Reuse of Private Property: In accordance with RSA 162-K:6,I private property within the District shall be developed or redeveloped in accordance with the goals, objectives, or standards as set by the following City documents, as amended: City of Concord's Master Plan, Zoning Ordinance, Subdivision Regulations, and Site Plan Review Regulations.

F. Operations and Maintenance of the District: As part of Phase I redevelopment within the District, the City shall maintain the following:

- 1,460 +/- linear feet of reconstructed roadways (Canal, Crescent, Walnut, and MacCoy Streets), including street trees and gateway signage on the north side of Canal Street between Crescent and the City's municipal boundary with the Town of Boscowen;
- 1,830 +/- linear feet of new or reconstructed sidewalks along Canal, Crescent, and Walnut Streets; and,
- 800 +/- linear feet of reconstructed water line within Canal, Crescent, and Walnut Streets.

In accordance with RSA 162-K:6,I, the City shall operate and maintain all newly constructed or renovated public infrastructure to the same standard as all other municipally owned infrastructure located elsewhere within Concord. Maintenance shall include, but not be limited to the following as resources allow:

1. Snow plowing, sweeping, paving, and patching of City streets, sidewalks, and municipal parking lots;
2. Painting of cross walks and pavement markings;
3. Maintenance of street and gateway signage;

4. Cleaning of storm drains and catch basins;
5. Mowing, trimming, pruning, or replacement of landscaping;
6. Operation of street lights;
7. Maintenance of water and sewer mains; and,
8. Any other activities permitted by Law for the operation and maintenance of the District.

The cost of maintenance and operation of the improvements within the District may be charged against the incremental revenues generated by the new development within the TIF, or as necessary or appropriate, such costs shall become an obligation of the General Fund, Water Fund, Sewer Fund, or other appropriate City fund.

- G. **Reporting:** In accordance with RSA 162-K:11, the City will maintain records of financial activity of the District in accordance with Generally Accepted Accounting Principles. The report shall include at least the following information:
- The amount and source of revenue of the district;
 - The amount and purpose of expenditures;
 - The amount of principal and interest on any outstanding bonded indebtedness;
 - The original assessed value of the district;
 - The captured assessed value retained by the district;
 - The tax increments received; and,
 - Any other additional information necessary to demonstrate compliance with the tax increment financing plan.

The City will include the financial reporting requirement in the Comprehensive Annual Financial Report (CAFR).

- H. **Acquisition of Property and Easements:** In accordance with RSA 162-K:6,III, the City shall have the authority to acquire real estate, either in fee or by easement and subject to available funds, in order to facilitate development or redevelopment activities within the Penacook Village Tax Increment Financing District.

The City shall acquire (or, as required, convey) temporary construction easements and permanent utility easements as may be needed. The construction easements shall expire upon completion of construction.

If necessary, permanent easements shall be retained for future upgrades and maintenance of utilities.

- I. Relocation and Displacement: In accordance with RSA 162-K:6,II, the City does not anticipate the need to relocate persons, families, business concerns, or others due to publicly financed development activities within the Penacook Village Tax Increment Financing District. However, in the event relocations of residences or businesses becomes necessary, the City shall undertake such relocations as follows:
- Households and Businesses: In the event relocation of households or businesses becomes necessary as a result of improvements to publicly owned property and infrastructure, the City shall make reasonable efforts to relocate such households or businesses through negotiation. In the event relocation is necessitated through an eminent domain action, the City shall facilitate required relocations in accordance with the Uniform Relocation Act, unless the aggrieved parties specifically waive their rights to relocation benefits in writing.
 - Utilities: Relocation of some privately owned public utility poles and wires is anticipated as a result of development within the District. All relocations are intended to remain as aerial. However, the City shall have the ability to bury such utilities underground pending available funds. Relocation of all such utilities shall be conducted in conjunction with the affected utility companies. In the case of utility relocations to accommodate private development, the City or private developers shall finance such relocations. In the case of utility relocations to facilitate highway improvements, the private utilities shall be required to finance such relocations at their cost in accordance with laws of the State of New Hampshire.
- J. Other Program Activities:
- Streetscape Improvements:
 - a. Streetscape Amenities: During redevelopment of the former Allied Leather Tannery site, the sidewalks and edges of pavement on East Street, Crescent Street, Walnut Street, MacCoy Street, Community Drive, and others might be disturbed due to the construction of the new private development and associated public improvements. The amenities on those sidewalks and streets will be reconstructed to meet contemporary standards including lighting systems, street furniture, landscaping of streets and public property, and other systems compatible with the character of the District. The cost of constructing these improvements shall be derived from the TIF bond proceeds and other funds as described within the Financing Plan.

- b. **Streets:** Streets shall be reconstructed, as necessary, to meet contemporary standards. The cost of reconstructing these improvements shall be derived from the TIF bond proceeds and other funds as described within the Financing Plan.
- **Property Disposition:** The City shall convey all or portions of the former Allied Leather Tannery parcels at 4 Crescent Street and 27-35 Canal Street, at prices approved by the City Council, to private developers in order to promote redevelopment of these properties. As part of these conveyances, the City shall retain whatever easements or other rights it may require for public improvements at those properties.

6 Financing Plan (Exhibit 3)

A. Statement of Objectives – See Section 2.

B. Estimated Costs of the Public Improvements: The City anticipates approaching the public improvements incrementally in multiple phases to correspond with the timing of future anticipated private development projects.

- **Phase I: 4 Crescent Street Redevelopment:** The summary below represents the anticipated costs and source of funds for the initial phase of improving public facilities and infrastructure necessary to support redevelopment of property located at 4 Crescent Street. As additional phases of improvements are proposed, the City shall amend this Financing Plan in accordance with the applicable provisions of RSA 162-K.

Table 3: Phase I Construction Budget (2010)

Item	Estimated Cost
Roads, Sidewalks, Drainage, and Streetscape Improvements	\$538,450
Utility Pole Consolidation & Relocation	\$64,165
Water Main Improvements	\$329,000
Sewer Main Improvements	\$13,000
Survey, Design, Permitting, Construction Oversight	\$132,935
Bond Costs & Capitalized Interest	\$31,900
Total Project Cost	\$1,109,450

- **Phase II: 5-35 Canal Street Environmental Cleanup (2014):** The City shall undertake environmental cleanup of the former Amazon Realty and former Allied Leather Tannery sites. Prior to the amendment of this Development Program and Financing Plan on June 9, 2014, the City had compiled a financing package totaling \$1,344,832 for this effort, which included \$14,964 in funding from

PVTIF District Phase I improvements, as well as grants and other City funds. As work progressed, it was determined that additional funding would be required to address costs of unanticipated issues. Therefore, this Development Program and Financing Plan contemplates the appropriation of \$245,000 of additional funds, comprised of the following sources:

- i. Economic Development Reserve Fund: \$45,000
- ii. PVTIF Fund Balance (Cash): \$30,000
- iii. PVTIF Supported G.O. Bond: \$170,000

Please see Table 3A below for a summary of all City appropriations for the PVTIF District since its initial creation on June 14, 2010.

Table 3A – Summary of Appropriations for PVTIF District

Funding Source	Resolution #8347 February 10, 2010	Resolution #8366 May 10, 2010	Resolution #8377 June 14, 2010	Resolution # May 31, 2014	Total
General Obligation Bonds					
1. Tax Increment Finance (TIF) Supported G.O. Bond	\$0	\$0	\$285,000	\$170,000	\$455,000
2. Water Fund Supported G.O. Bond	\$0	\$250,000	\$0	\$0	\$250,000
Capital Closeout					
Water Fund Closeout					
1. CIP 84/2008; Water Fund Supported G.O. Bond	\$0	\$57,226	\$0	\$0	\$57,226
2. CIP 84/2009; Water Fund Capital Transfer	\$0	\$4,000	\$0	\$0	\$4,000
3. CIP 85/2009; Water Fund Supported G.O. Bond	\$0	\$5,000	\$0	\$0	\$5,000
4. CIP 372/2009; Water Fund Supported G.O. Bond	\$0	\$10,181	\$0	\$0	\$10,181
5. CIP 121/2008; Water Fund Supported G.O. Bond	\$0	\$4,052	\$0	\$0	\$4,052
6. CIP 321/2008; Water Fund Supported G.O. Bond	\$0	\$74	\$0	\$0	\$74
Sewer Fund Closeout					
1. Pleasant Street Sewer Project; Sewer Fund G.O. Bond	\$0	\$11,110	\$0	\$0	\$11,110
2. CIP 93/2004; Sewer Fund Supported G.O. Bond	\$0	\$1,173	\$0	\$0	\$1,173
Transportation Closeout (Sidewalks)					
1. CIP 17/2008; General Transportation Improvement Fund	\$0	\$0	\$42,656	\$0	\$42,656
2. CIP 17/2008; Highway Block Grant Funds	\$0	\$0	\$14,668	\$0	\$14,668
Capital Outlay / Transfers					
1. Sewer Fund Capital Outlay	\$0	\$1,000	\$0	\$0	\$1,000
2. Penacook Village TIF District Fund Balance	\$0	\$0	\$0	\$30,000	\$30,000
3. Economic Development Reserve Fund	\$225,000	\$65,000	\$92,900	\$45,000	\$427,900
4. Impact Fees	\$0	\$0	\$40,000	\$0	\$40,000
TOTAL	\$225,000	\$408,816	\$475,224	\$220,000	\$1,354,040

- C. Estimated Annual TIF District Revenues: TIF revenues shall be generated by property taxes levied against new incremental assessed valuation associated with new development within the District after the date of the District's creation.

To date, only one project has been complete within the PVTIF which generates incremental property tax revenues to support the Development Program and Financing Plan. This project is the new Penacook Family Physicians building located at 4 Crescent Street. As of April 1, 2013, this 16,600 SF medical office building is currently valued at \$1,833,700 million.

Please see the summary pro forma in Exhibit 3 for current and project annual revenues.

- D. Estimated Annual Cost of Development District: Please see the summary pro forma in Exhibit 3 for current and projected annual operating and debt service costs for the PVTIF District.
- E. Duration of the Program's Existence: Tax increment district shall existing until all of the following occur:
- Repayment or legal defeasement of all debt issued for improvements financed by the District;
 - Repayment of appropriations from the City's Economic Development Reserve Fund used to finance PVTIF improvements, as set forth within this development program, which are not otherwise repaid through the sale of City-owned real estate located at 4 Crescent Street or 27-35 Canal Street; or,
 - The City Council votes to terminate the District after making a finding that the purposes for which was created have been fulfilled.
- F. Sale of Municipal Real Estate Within TIF District: As part of the Development Program for the TIF District, the City plans on completing environmental remediation of certain City owned real estate; specifically the former Allied Leather Tannery properties at 4 Crescent and 27-35 Canal Street. Upon completing remediation activities, the City intends to convey these properties to private entities for the purpose of redevelopment. Revenues generated from the sale of these parcels shall be used to reimburse the City's General Fund and Economic Development Reserve Fund for previous investments at the Allied Leather Tannery site dating from 2002 by the City prior to creation of this TIF District. Note – as of June 9, 2014, the General Fund's total investment in the PVTIF District was \$300,000. This amount was fully repaid by funds associated with the sale of City real estate at 4 Crescent Street, as detailed in City Resolution #8457 on April 11, 2011.

- G. **Reimbursement of Previous City Expenditures:** Since 2002, the City has invested significant financial resources to foster clean-up and redevelopment of the former Allied Leather Tannery Complex. These appropriations included moneys from the City's General Fund and Economic Development Reserve Fund, respectively. Please see summary below.

Appropriations from the City's General Fund and Economic Development Reserve Fund financed acquisition and improvement of properties now incorporated into the Penacook Village Tax Increment Finance District. As such, TIF revenues generated by the District (beyond those required for TIF supported General Obligation bonds, annual maintenance and operating expenses of the District, and those dedicated to a reserve fund for District) **shall** be allocated to the repayment of all previously appropriated moneys from the City's Economic Development Reserve Fund (listed above); **except** those moneys (if any) deposited into the City's Economic Development Reserve Fund which are generated from the sale of City owned real estate located at 4 Crescent Street and 27-35 Canal Street as set forth in Section 6F.

Prioritization of use of TIF revenues to reimburse the City's Economic Development Reserve Fund shall be in accordance with Section 6J of this Development Program and Financing Plan.

General Fund Appropriations and Reimbursements		
March 6, 2014		
Appropriations	Amount	Notes
Resolution #8147, Revised by #8264 (April 13, 2009)	\$300,000	Demolition of Penacook Mill at 27-35 Canal Street.
Total EDR Appropriations	\$300,000	
Reimbursements	Amount	Notes
Resolution #8457 (April 11, 2011)	\$300,000	Net revenues from sale of 4 Crescent Street
Total Reimbursements	\$300,000	
Net to be Repaid to General Fund by PVTIF	\$0	

Economic Development Reserve Fund Appropriations & Reimbursements		
March 6, 2014		
Appropriations	Amount	Notes
Resolution # 7330 (June 17, 2002)	\$100,000	Property Acquisition, Demolition / Cleanup
Resolution # 7392 (December 9, 2002)	\$100,000	Property Acquisition, Demolition / Cleanup
Resolution # 7403 (January 13, 2003)	\$100,000	Property Acquisition, Demolition / Cleanup
Resolution # 7506 (August 11, 2003)	\$400,000	Property Acquisition, Demolition / Cleanup
Resolution # 7856 (January 9, 2006)	\$107,000	Property Acquisition, Demolition / Cleanup
Resolution # 8347 (February 8, 2010)	\$225,000	Phase I TIF Improvements
Resolution # 8366 (May 10, 2010)	\$65,000	Phase I TIF Improvements
Resolution # 8377 (June 14, 2010)	\$92,900	Phase I TIF Improvements
Resolution # 8494 (August 8, 2011)	\$120,000	USEPA Brownfields \$600,000 Grant Match
Resolution # 8570 (June 11, 2012)	\$35,000	CRDC \$300,000 Brownfields Sub-Grant Match
Resolution # 8675 (June 20, 2013)	\$25,000	FY2014 Budget Appropriation CIP 508
Resolution # _____ (May 31, 2014)	\$45,000	Environmental Cleanup of Amazon & Allied Leather Sites
Total EDR Appropriations	\$1,414,900	
Reimbursements	Amount	Notes
Resolution # 8457 (April 11, 2011)	\$38,134	Net revenues from sale of 4 Crescent Street after \$300,000 reimbursement to General Fund for Penacook Mill demolition costs.
Resolution # 8478 (June 27, 2011)	\$65,000	EDR Reserve Fund Spreadsheet from Mike Jache 12/31/2012
Resolution # 8695 (August 12, 2013)	\$120,225	NHDES ODD Fund Reimbursement
Total Reimbursements	\$223,359	
Net to be Repaid to EDR Fund by PVTIF	\$1,191,541	

H. Estimated Tax Increment Financing Impact on All Related Taxing Jurisdictions: In accordance with RSA 162-K:10, tax revenues generated by the "original assessed value" (also referred to as the "base value") of the District shall continue to accrue to the City's General Fund, as well as the Merrimack Valley School District, the County, and State of New Hampshire. However, all property tax revenues (including those customarily collected for the Merrimack Valley School District, the County, or State of New Hampshire) associated with the "captured assessed value" resulting from development within the District after its inception shall be dedicated to defeasement of debt incurred for improvements within the District, or other costs associated with operation and

maintenance of the District rather than supporting the City's General Fund, the Merrimack Valley School District, the County, or State of New Hampshire.

Because all property tax revenues associated with taxable property in existence on or before the date the TIF District is enacted will continue to accrue to the Merrimack Valley School District and the County, no direct negative financial impact to these entities will result from the creation of the TIF District. Further, as market conditions warrant, the so-called "original" or "base" assessed value of taxable property within the District shall be adjusted. Assuming long-term appreciation or background growth within the local real estate market, all additional property tax revenues generated by background growth on the original value of real estate within the TIF District shall accrue to the City's General Fund, as well as the Merrimack Valley School District, the County, and State of New Hampshire.

Once all debt issued for public improvements within the District is paid in full and all appropriations from the City's Economic Development Reserve Fund and General Fund as set forth in Section 6G are repaid in full (excluding those Economic Development Reserve funds which might be recouped from the sale of the former Allied Leather Complex at 4 Crescent Street or 27-35 Canal Street), all property tax revenues generated by new development within the TIF District shall be allocated to the City's General Fund, Merrimack Valley School District, and County at such millage rates which might be in existence at such time as the TIF District is dissolved.

Temporarily diverting incremental tax revenues associated with new development within the TIF District to support the improvements associated therewith is in the best long-term financial interests of the City, Merrimack Valley School District, as well as the County or the State of New Hampshire because without the incentives for new development created by the TIF District, blighted or vacant properties would not be redeveloped by the private sector. Consequently, any additional incremental long-term tax revenues associated with said potential redevelopment of property within the TIF District would never be realized.

- I. Captured Value Dedicated Towards Retirement of Bonds and Notes: One hundred percent (100%) of the captured value of the District shall first be dedicated for the payment of the tax increment supported bonds and notes in accordance with NH RSA 162-k:10,II,a, as well as any other legal purpose as set forth within State Law as well as this Development Program and Financing Plan.

J. **Annual Allocation of Captured Value:** Any annual Tax Increment Revenues from the Penacook Village Tax Increment District, together with any unexpended balances of such Revenues from prior years, that exceed the amount necessary annually to meet (i) current debt service payments on the portion of the bonds designated in TIF Plan as payable from Tax Increment Revenues, (ii) costs of maintenance and operation of the District in excess of available revenues and (iii) debt service payments on the Bonds to be due in the next fiscal year shall be used to reimburse the following funds of the City in the following order for project costs, or debt service related thereto, heretofore or hereafter paid from such funds, plus interest:

1. The General Fund, to reimburse any payments from such Fund required for debt service on bonds issued for the project due to insufficient Tax Increment Revenues;
2. A reserve fund established for the Penacook Village TIF District for the purpose of satisfying existing or future debt service or operation and maintenance costs; or,
3. To repay the City's Economic Development Reserve Fund for moneys previously allocated to the redevelopment of the former Allied Leather Tannery Complex (CIP 508) as set forth in Section 6E which are not otherwise recouped through the sale of former Allied Leather Tannery properties located at 4 Crescent Street or 35 Canal Street.

K. **Ability to Accept, Appropriate, and Administer Grant Funds:** Per RSA 162-K:7, the City shall have the ability to accept, appropriate, and administer grants or other financial assistance from the government of the United States, the state of New Hampshire or any other entity to finance design or construction of public improvements (including environmental remediation of municipally owned property within the District) as well as annual operating and maintenance costs. Amendments to this Development Program or Financing Plan shall not be required to accept or appropriate such grants or related City matching funds, if any.

7 **District Administration:** The administration of the District shall be by the City Manager who shall make an annual financial report to the City Council. The District Administrator shall have all powers set forth within RSA 162-K:13 to the extent said statute does not conflict with the City Charter or adopted City policies. The City may assess charges against the PVTIF District in order to reimburse the City's General Fund for costs of administering the PVTIF District, as well as related overhead expenses.

- 8 **Advisory Board Responsibilities:** In accordance with RSA 162-K:14, the City Council approved Resolutions #8376 and 8615 which established an Advisory Board for the District. These resolutions incorporated the provisions of RSA 162-K:14 and stipulated the powers and authority of the Advisory Committee.

Per RSA 162-K:14, the Advisory Board shall have thirty (30) days to appeal any decision of the District Administrator to the City Council for review and appropriate action. The Advisory Board shall meet only as needed, either as determined by the Chair of the Advisory Board, the Mayor, or the City Manager, to examine the operations and maintenance of the project.

The Advisory Board shall advise the governing body and the District Administrator on planning, construction, and implementation of the development program and on the maintenance and operation of the District, after the program has been completed, until such time as the bonds and notes have been paid off and the district is dissolved.

- 9 **Conflicts with RSA 79-E Community Revitalization Tax Relief Program:** The City Council and the Tax Increment Advisory Board recognize that portions of the Penacook Village Tax Increment Financing District overlap with the RSA 79-E Community Revitalization Tax Relief program area. The City Council and the TIF Advisory Board further recognize that Tax Increment Financing as permitted by RSA 162-K and the Community Revitalization Tax Relief Program as permitted by RSA 79-E are separate and independent economic development tools which have been created by the State of New Hampshire and adopted by the City of Concord.

In accordance with RSA 79-E:5, qualifying structures within the RSA 79-E Community Revitalization Tax Relief District which are substantially rehabilitated or demolished and replaced so as the cost of the improvements is at least fifteen percent (15%) of the qualifying structure's pre-rehabilitation assessed valuation or \$75,000 (whichever is less) are eligible to receive tax abatement relief for a minimum period of up to 5 years on the value of said renovations. Further, the period of tax abatement relief on the value of the renovations may be extended by the City Council for a period not to exceed 15 years from the date renovations are completed, pending compliance with certain criteria set forth within RSA 79-E:5. The City's participation within the RSA 79-E program is strictly optional. Further, the City is under no obligation to grant any tax abatement relief under the 79-E program.

The City desires rehabilitation, redevelopment, and development of real estate within the Penacook Village TIF District as these activities create "captured assessed value". The property tax revenues generated by such "captured assessed value" can be used to support additional improvements to public infrastructure, as well as operations and maintenance activities within the District. Granting of tax abatement relief in accordance with RSA 79-E for properties located within the Penacook Village TIF District may inhibit the TIF District's

ability to support debt service for improvements constructed by the City as well as the District's capacity to finance operational or maintenance activities.

Therefore, the following policy shall govern granting of tax abatement relief in accordance with RSA 79-E to eligible properties within the Penacook Village Tax Increment Finance District until such time as the TIF District expires or is rescinded:

- A. In accordance with RSA 79-e:4,VI, the City shall not grant RSA 79-E benefits when it determines in its sole discretion that the granting of tax relief will impede, reduce, or negatively affect:
 - i. The Penacook Village TIF District development program or financing plan; or,
 - ii. The ability to satisfy or expedite repayment of debt incurred by the Penacook Village TIF District; or,
 - iii. The ability to satisfy program administration, operating, or maintenance expenses within the Penacook Village TIF District.
- B. Approval of RSA 79-E tax abatement relief applications by the City Council for properties within the Penacook Village TIF District shall be generally discouraged, except in cases whereby the applicant can demonstrate to the City Council's satisfaction that the granting of such relief is necessary in order to make a rehabilitation project financially viable and that the applicant's project will further the goals and objectives of the City's Master Plan. To demonstrate this need, the applicant supply detailed comprehensive financial pro formas for its proposed 79-E project, as well as any other information or supporting documentation as required by the City Manager.
- C. For cases whereby the applicant can successfully demonstrate that granting of such tax abatement relief is necessary to make a project financially viable, and the City Council finds that the project results in at least one of the public benefits set forth in RSA 79-E:7, the City Council may, but shall not be obligated to, grant such relief provided the City Council finds that such abatement will not impede the City's ability to satisfy minimum annual payments on existing TIF debt service or cover the annual maintenance and operation costs of the District. If the Council makes such a finding, the City Council shall limit the period of tax abatement relief to the minimum amount necessary and shall discourage 79-E benefits with durations longer than five (5) years.
- D. RSA 162-K:8 stipulates that the first payment on principal for any bonds issued for the improvements within a Tax Increment Finance District shall be no later than five (5) years from the date of issuance of said bond.

Therefore, should the City plan any bond issuances to be solely financed by tax revenues from the captured assessed value of a specific property benefiting from a RSA 79-E tax abatement relief, the City shall either:

- i. Issue said bond with an amortization schedule whereby the date of the first payment on the principal (and interest, if sufficient source of funds to cover capitalized interest payments is not available) of said bond issuance shall coincide with, or occur after, the termination of the RSA 79-E benefit; or,
- ii. Delay issuing said bonds and undertaking such improvements until such time as the RSA 79-E tax abatement relief benefit has expired.

- 10 **Amendments:** Amendments to the boundaries of the TIF District, its Development Program, or Financing Plan shall be undertaken in accordance with the public hearing process as set forth within RSA 162-K:4, as well as reasonable notification to the Merrimack Valley School District and the Merrimack County in accordance with RSA 162-K:9,III.

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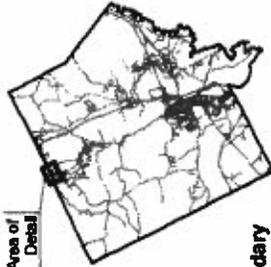
LIST OF EXHIBITS

- Exhibit 1** **Map of Penacook Village Tax Increment Financing (TIF) District**
- Exhibit 2** **List of properties within Penacook Village Tax Increment Financing District**
- Exhibit 3** **PVTIF Summary Financial Pro Forma**

PENACOOK TIF DISTRICT

City of Concord, New Hampshire

Printed: May 1, 2009

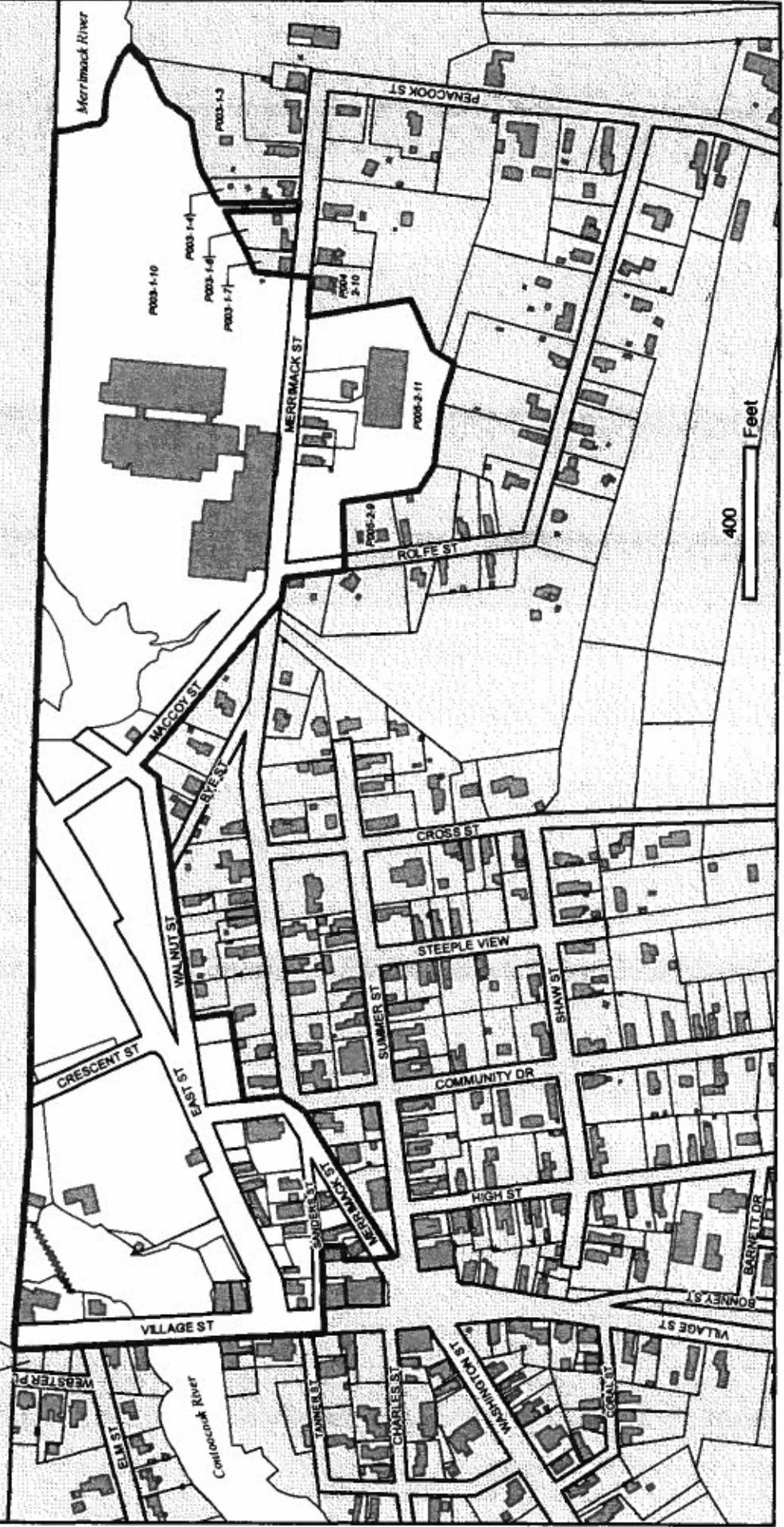


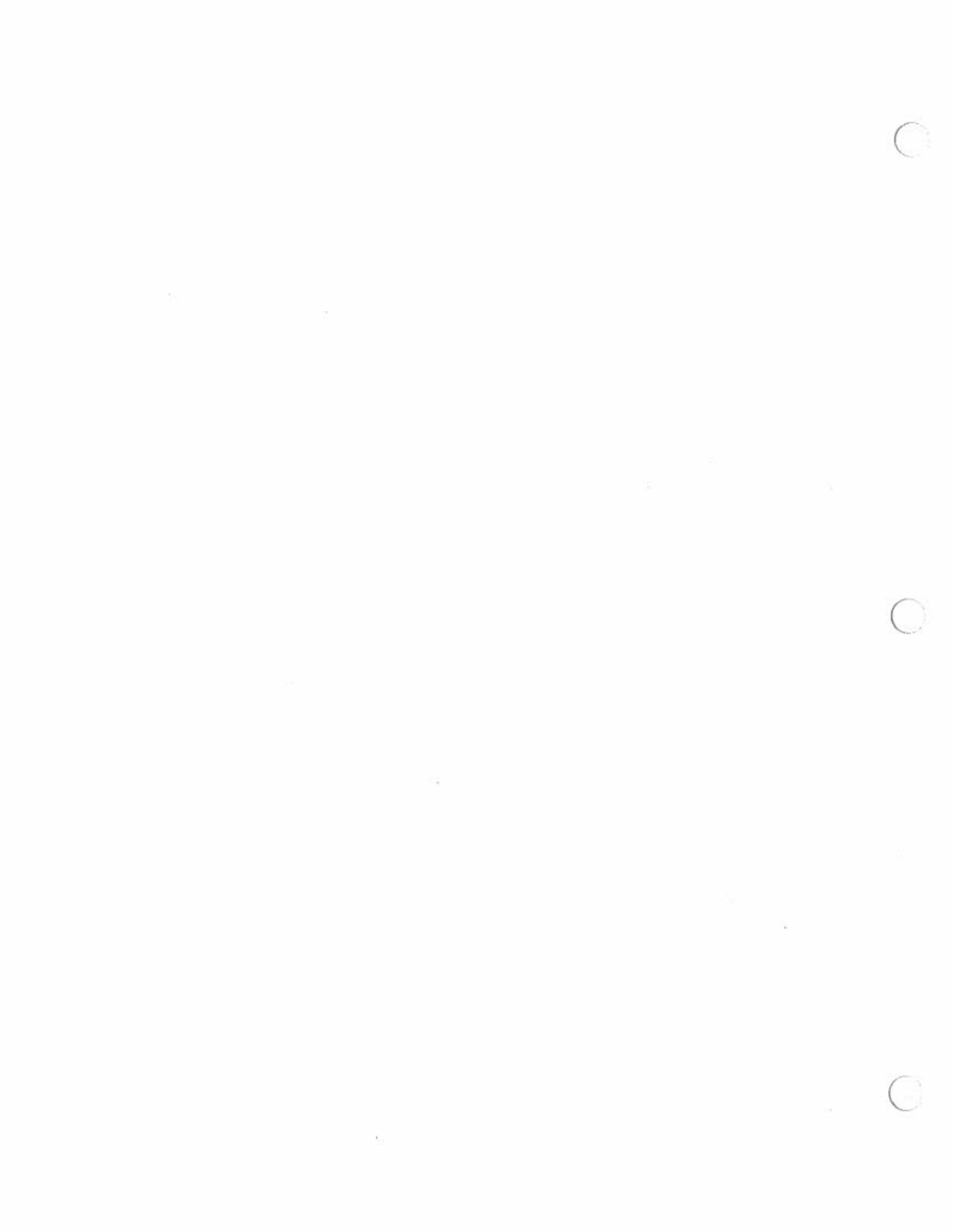
Area of Detail

-  TIF District
-  Parcels
-  Buildings
-  Water Bodies
-  Outside TIF
-  Municipal Boundary

Point of Beginning
Legal Description

BOSCOWEN





Proposed Penacook TIF District

Properties Within the District

Map-Block-Lot	Property Description	Owner	Co-owner	Value
P001-6-1	382 Village St	Penacook Fibre Co		192900
P001-6-2	378 Village St	378 Village Street Llc		241400
P001-7-1	350 Village St U-3	Dessaint Franklin N Jr & Linda		98100
P001-7-10	350 Village St U-2	Dessaint Franklin N Jr & Linda		89700
P001-7-11	350 Village St U-8	Dessaint Franklin N Jr & Linda		98100
P001-7-12	350 Village St U-4	Dessaint Franklin N Jr & Linda		97300
P001-7-13	350 Village St U-5	Dessaint Franklin N Jr & Linda		98600
P001-7-14	350 Village St U-6	Dessaint Franklin N Jr & Linda		97500
P001-7-15	350 Village St U-7	Dessaint Franklin N Jr & Linda		96900
P001-7-2	346-348 Village St	Amazon Realty Llc		263800
P001-7-3	350 Village St U-1	Dessaint Franklin N Jr & Linda		88800
P001-7-4	11 East St	Amazon Realty Llc		56100
P001-7-5	East St	Amazon Realty Llc		45300
P001-7-6	35 East St	City Of Concord		488000
P001-7-8	Crescent St	Briar Hydro Associates	C/o Essex Hydro Associates	90900
P001-7-9	4 Crescent St	City Of Concord		72100
P001-7-999	350 Village St	River Crossing		0
P001-8-1	21 Merrimack St	United Church Of Penacook		1285500
P001-8-10	18-20 East St	Dusty Apartments Llc		329000
P001-8-11	24-26 East St	Heffernan John P		107700
P001-8-12	28 East St	Heffernan John P		99100
P001-8-13	30 East St	United Church Of Penacook		47600
P001-8-14	East St	United Church Of Penacook		68000
P001-8-3	19 Sanders St	Luba Ronald & Marcia		237300
P001-8-4	15 Sanders St	Perkins Joseph A & Rand Megan J		229600
P001-8-5	13 Sanders St	Kum Kwok W		152500

Map-Block-Lot	Property Description	Owner	Co-owner	Value
P001-8-6	Sanders St	Guinard Shirley Ann		79400
P001-8-7	336 Village St	Guinard Shirley		241600
P001-8-8	12 East St	Guinard Shirley Ann		44100
P001-8-9	16 East St	Dusty Apartments Llc		62200
P001-9-1	Sanders St	City Of Concord	Triangular Shape Piece	15300
P001-9-2	11 Merrimack St	Roberts James T & Diane A		146400
P001-9-3	5 Merrimack St	Rosen David B & Laurie Haney		186900
P001-9-4	3 Merrimack St	City Of Concord	City Hall	335800
P001-9-9	Merrimack St	Champney Karen S		14400
P002-1-1	East St	City Of Concord		359200
P002-1-2	Walnut St	City Of Concord	Triangular Shape Lot	68900
P002-3-11	4-10 Walnut St	United Church Of Penacook		74200
P002-3-12	Walnut St	Morse Arthur H		6700
P003-1-10	77 Merrimack St	77 Merrimack Street Llc &	South Union Realty Trust	3241100
P003-1-11	3 Maccoy St	Diubac Erwyn J & Arline D &	Bennett Deanna L	122800
P003-1-8	East St	Briar Hydro Associates	C/o Essex Hydro Assoc Llc	614000
P005-2-11	82 Merrimack St	77 Merrimack Street Llc &	South Union Realty Trust	125900
P005-2-12	86 Merrimack St	Wachovia Bank Na	C/o Ocwen Loan Servicing Llc	170100
P005-2-13	88 Merrimack St	Tewksbury Gary R Sr		169000
P005-2-14	90 Merrimack St	Hardy Beatrice I		161300
P005-2-15	92 Merrimack St	Tatham Michael E & Rayelle K		138500
Sum of Value				
11149600				

**Penacook Village TIF District
Fund Balance Pro Forma
March 31, 2014**

	FY 2014 7/1/2013 - 6/30/2014	FY 2015 7/1/2014 - 6/30/2015	FY 2016 7/1/2015 - 6/30/2016	FY 2017 7/1/2016 - 6/30/2017	FY 2018 7/1/2017 - 6/30/2018	FY 2019 7/1/2018 - 6/30/2019	FY 2020 7/1/2019 - 6/30/2020	FY 2021 7/1/2020 - 6/30/2021
ASSESSED VALUE								
TIF Captured Assessed Value - Existing Development	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800
TOTAL ASSESSED VALUE	\$1,739,800							
REVENUES								
Property Tax Revenues	\$51,046	\$52,067	\$53,108	\$54,170	\$55,254	\$56,359	\$57,486	\$58,636
Investment Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL REVENUES	\$51,046	\$52,067	\$53,108	\$54,170	\$55,254	\$56,359	\$57,486	\$58,636
EXPENDITURES								
Debt Service & Capital Outlay	\$51,271	\$20,971	\$61,471	\$59,811	\$58,151	\$56,491	\$54,661	\$18,871
Reserve Fund Contributions	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expenses	\$6,432	\$6,491	\$6,553	\$6,618	\$6,687	\$6,758	\$6,834	\$7,175
TOTAL EXPENDITURES	\$57,703	\$27,462	\$68,024	\$66,429	\$64,838	\$63,249	\$61,515	\$26,046
Net Operating Income (Revenues Less Expenditures)	(\$6,657)	\$24,605	(\$14,916)	(\$12,259)	(\$9,584)	(\$6,891)	(\$4,029)	\$22,589
NOI as % of Total Revenue	-12%	90%	-22%	-18%	-15%	-11%	-7%	125%
Fund Balance Calculation								
Previous Year	\$36,054	\$29,397	\$54,002	\$39,086	\$26,827	\$17,243	\$10,352	\$6,323
Projected FY Year End Surplus / (Deficit)	(\$6,657)	\$24,605	(\$14,916)	(\$12,259)	(\$9,584)	(\$6,891)	(\$4,029)	\$32,589
Available Fund Balance	\$29,397	\$54,002	\$39,086	\$26,827	\$17,243	\$10,352	\$6,323	\$38,912

	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032
	7/1/2021 - 6/30/2022	7/1/2022 - 6/30/2023	7/1/2023 - 6/30/2024	7/1/2024 - 6/30/2025	7/1/2025 - 6/30/2026	7/1/2026 - 6/30/2027	7/1/2027 - 6/30/2028	7/1/2028 - 6/30/2029	7/1/2029 - 6/30/2030	7/1/2030 - 6/30/2031	7/1/2031 - 6/30/2032
	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800	\$1,739,800
	<u>\$1,739,800</u>										
	\$59,808	\$61,004	\$62,224	\$63,469	\$64,738	\$66,033	\$67,354	\$68,701	\$70,075	\$71,476	\$72,906
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	<u>\$59,808</u>	<u>\$61,004</u>	<u>\$62,224</u>	<u>\$63,469</u>	<u>\$64,738</u>	<u>\$66,033</u>	<u>\$67,354</u>	<u>\$68,701</u>	<u>\$70,075</u>	<u>\$71,476</u>	<u>\$72,906</u>
	\$18,421	\$17,971	\$17,671	\$17,371	\$17,052	\$16,715	\$13,359	\$11,059	\$10,809	\$10,534	\$9,659
	\$0	\$0	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$100,000
	\$7,534	\$7,911	\$8,306	\$8,722	\$9,158	\$9,616	\$10,097	\$10,601	\$11,131	\$11,688	\$12,272
	<u>\$25,955</u>	<u>\$25,882</u>	<u>\$25,977</u>	<u>\$26,093</u>	<u>\$26,210</u>	<u>\$26,331</u>	<u>\$26,455</u>	<u>\$26,560</u>	<u>\$26,675</u>	<u>\$26,792</u>	<u>\$26,910</u>
	<u>\$33,853</u>	<u>\$35,122</u>	<u>\$36,424</u>	<u>\$37,753</u>	<u>\$39,122</u>	<u>\$40,531</u>	<u>\$41,981</u>	<u>\$43,472</u>	<u>\$44,995</u>	<u>\$46,559</u>	<u>\$48,163</u>
	130%	136%	-18%	-17%	15%	-13%	-8%	-4%	-3%	-1%	40%
	\$38,912	\$72,765	\$107,888	\$94,135	\$81,511	\$70,039	\$59,742	\$53,640	\$50,681	\$48,816	\$48,071
	\$33,853	\$35,122	(\$13,753)	(\$12,624)	(\$11,472)	(\$10,297)	(\$6,101)	(\$2,959)	(\$1,865)	(\$745)	(\$49,025)
	<u>\$72,765</u>	<u>\$107,888</u>	<u>\$94,135</u>	<u>\$81,511</u>	<u>\$70,039</u>	<u>\$59,742</u>	<u>\$53,640</u>	<u>\$50,681</u>	<u>\$48,816</u>	<u>\$48,071</u>	<u>\$49,541</u>





CITY OF CONCORD

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Dir. of Redevelopment, Downtown Services, & Special Projects *MRW*

DATE: March 26, 2014

SUBJECT: Penacook Village Tax Increment Financing District
Supplemental Appropriation for Allied Leather / Amazon Realty
Environmental Cleanup Project (CIP #508)

Recommendation:

- Accept the following report;
- Set the attached resolution amending and restating the Penacook Village Tax Increment Finance (PVTIF) District Development Program and Financing Plan for public hearing on May 12, 2014. *In accordance with RSA 162-K:4, a vote on this item must be delayed until 15 days after the public hearing. Staff requests that the Council take action during an upcoming budget meeting tentatively scheduled for May 31, 2014 in order to keep the cleanup project on schedule. However, if the Council is not comfortable with this request, then action should be scheduled for the Council's regular meeting on June 9th.*
- Set the attached resolution appropriating the sum of \$245,000, including \$170,000 in PVTIF supported bonds and notes, for environmental cleanup of the city-owned property at 5 -35 Canal Street for public hearing on May 12, 2014. *In accordance with RSA 162-K:4, a vote on this item must be delayed until 15 days after the public hearing. Staff requests that the Council take action during an upcoming budget meeting tentatively scheduled for May 31, 2014 in order to keep the cleanup project on schedule. However, if the Council is not comfortable with this request, then action should be scheduled for the Council's regular meeting on June 9th.*

Background:

The City is the owner of real estate located at 5 -35 Canal Street known as the former "Amazon Realty" and "Allied Leather Tannery" sites.

On June 14, 2010, the City Council approved Resolution #8376 which established the Penacook Village Tax Increment Finance (PVTIF) District. The District was enacted for the purpose of supporting redevelopment of the certain properties in Penacook Village, including the Amazon and Allied sites. The PVTIF's initial investment involved construction of infrastructure to support development of the new Penacook Family Physician's medical office building at 4 Crescent Street. Completed in 2011, that project created \$1.8 million of new assessed value.

Discussion:

1. **Allied Leather / Amazon Realty Environmental Clean-Up:** On November 1, 2013, the City began the final phase of environmental cleanup of the remaining portion of the Amazon Realty and Allied Leather Tannery sites located at 5-35 Canal Street. Total available funding for this effort (design and cleanup) was \$1,344,832, as detailed in the table below.

Original Cleanup Budget

Funding Source	Amount	Percent of Total
Grants (USEPA, CRDC, & NHDES)	\$1,049,887	78%
City	\$294,945	22%
Total	\$1,344,832*	100%

**Excludes proposed \$245,000 supplemental appropriation as well as potential increased use of NHDES ODD Funds per Resolution #8750 approved on March 10, 2014*

This budget was allocated as follows:

Cost	Amount	Notes
Design / Oversight	\$395,200	Includes \$74,000 for soil stockpile removal
Cleanup	\$939,632	
Miscellaneous	\$10,000	Permits, advertising, community meetings, etc.
Total	\$1,344,832	

As reported to the City Council in November 2013, the City received four (4) bids for the project, which ranged from \$1.3 to \$1.9 million. After rejecting all bids, the City negotiated a contract with DL King Associates in the amount of \$927,000. This amount was \$373,000 - or 30% - less than the lowest bid. Although negotiations with DL King were successful, the City was left with only \$11,772 to serve as contingency for the project (or 1.2% of the cleanup contract). This level of contingency is far less than amounts typically carried for such projects.

As of the date of this report, the cleanup was approximately 50% complete. As work has progressed, unforeseen issues have been encountered, which have negatively impacted the cleanup budget. A description of some of the larger challenges encountered is as follows:

a) Removal of Buried Foundations:

- 1) Quantity: The original contract anticipated removal and processing of 61,500SF +/- of buried foundations at the property. However, the actual quantity will be approximately 162,500SF +/-, resulting in an added cost of \$81,000. The overage is related to previously unknown foundations discovered beneath more modern sections of the former Tannery building.
- 2) Coal Ash: Cleanup work also uncovered 1,100 cubic yards of coal ash soils used as fill between the older and newer foundations. The cost to remove and encapsulate this material is approximately \$15,000.

b) Chromium Vaults: The project entails removal of 4 concrete vaults used to store liquid chromium. As work progressed, the following issues were discovered.

- a. Residual Liquids: Work uncovered previously unknown piping systems which contained residual liquid chromium. The cost to address this issue was approximately \$11,000.
- b. Contaminated Concrete: At the time the bid documents were prepared these concrete vaults were believed to be impacted with trivalent chromium. However, upon removal, supplemental testing revealed the vaults and surrounding soils were contaminated with hexavalent chromium. This material is more toxic than its trivalent cousin and consequently resulted in additional unforeseen disposal costs totaling \$138,800 for approximately 130 tons of material.
- c. Chromium Soils Dewatering: Lastly, the project involves removal of 1,000 cubic yards of soils contaminated with trivalent chromium. This effort requires pumping and treatment of groundwater. The City's contract originally anticipated pumping and treating up to 75,000 gallons of groundwater at a cost of \$9,000. However, as the work has progressed, the amount of groundwater to be managed will be closer to 320,000 gallons, at a cost of \$38,400 (resulting in an increase of \$29,400).

These issues have also caused increases in the design / oversight budget for the project, largely due to increased time required for on-site monitoring by the City's environmental engineering consultant, as well as laboratory costs for material sampling.

Despite these increases, the City has experience some savings in other areas of the contract which have helped mitigate these expenses. As a result, the net amount of additional funds needed to complete the project is \$245,000 (design and cleanup). This figure excludes additional funds which will be provided by the State of New Hampshire Petroleum Program (ODD Fund), as approved by the City Council on March 10, 2014 by Resolution #8750.

If approved, the additional \$245,000 appropriation will cover overages and provide a modest contingency of \$22,000+/- for the balance of the project.

2. **PVTIF Amendment & Appropriation of Funds:** Staff proposes financing the additional \$245,000 through the Penacook Village TIF District, as well as the City's Economic Development Reserve Fund, as follows:
- a) \$45,000 from the Economic Development Reserve (EDR) Fund;
 - b) \$30,000 in cash from the PVTIF fund balance; and,
 - c) \$170,000 from a bond which would be supported by the PVTIF District. The proposed bond would have a 5 year term, with the initial payment due in July 2015 (FY2016).

As of June 30, 2013, the Economic Development Reserve (EDR) Fund had \$348,452 available. Accounting for FY2014 expenditures, this additional appropriation, as well as funds for the upcoming projects such as the Parking System Strategic Plan, the EDR will finish FY2014 with a balance of approximately \$38,000.

Because financing is proposed to be derived from the Economic Development Reserve and PVTIF, there will be no impact upon the tax rate, or direct cost to taxpayers.

In order to proceed with this strategy, the City must amend the PVTIF's Development Program and Financing Plan to include this proposed expenditure. Please see the attached resolutions for more detail.

With this additional expenditure, the PVTIF's projected FY2014 year-end fund balance is approximately \$29,400. The PVTIF's financial pro forma has been updated to include this proposed debt service. A copy of the summary pro forma is included within the Development Program and Financing Plan. It is important to note the following:

- The expiration date of the PVTIF remains unchanged (FY 3032).
- The PVTIF maintains a positive fund balance; however the fund balance is projected to decrease to \$6,300 in FY2020 (or 10.3% of projected expenditures).
- The current pro forma is conservative as it excludes any potential TIF revenues or expenditures associated with future redevelopment of the remaining Tannery site at 27-35 Canal Street.

In accordance with RSA 162-K:9, the City has provided the customary notice to the Merrimack Valley School District and Merrimack County Commissioners concerning proposed amendments to the PVTIF Development Program and Financing Plan.

3. **Modification to Cleanup Plan:** Due to limited financial resources, the staff plans to modify the cleanup plan for the property. Specifically, an area of coal ash soils previously encapsulated by the City in 2004/2005 along the Canal Street frontage of the property (known as AUR A) will be left in place. Originally, this material was going to be relocated to a portion of the Tannery property to be retained by the City for the future riverfront park.

Leaving AUR A in its present location will save the City approximately \$100,000. However, it will also mean that any future buildings developed at the site will be set back from Canal Street approximately 50'-60'. Staff had originally hoped to have new buildings placed closer to Canal Street to reinforce Penacook Village's traditional development pattern.

At the request of the PVTIF Advisory Board, staff also examined the potential option of removing AUR A soils from the site. The estimated cost for this option would be approximately \$350,000. This would be in addition to the \$245,000 being requested.

4. **Repercussions of Not Appropriating Funds:** Should the City Council elect not to appropriate the additional \$245,000, the City will be unable to complete the project. As a result, the property will not be left in a "development ready" condition, thereby making it more challenging to market the property to prospective developers.

Given the site's location and environmental history, staff believes it is important to complete the project and leave the property in the best condition possible in order to maximize our chances of success for selling the site to a qualified developer.

5. **PVTIF Advisory Board Recommendation:** The PVTIF Advisory Board was created by City Resolutions #8376 and #8615 in order to comply with State Law RSA 162-K. The Board's purpose is to review proposals by the City Administration and to provide recommendations to the City Council related thereto. The Board is comprised of Ellen Langlais, Carol Foss, Teri Maxell, Wendy Follansbee, Wes Frost, and Warren Leary. The Board currently has 1 vacancy.

The Advisory Board met on March 20, 2014. Their recommendation has been provided to the City Council via a separate report.

6. **Total City Investment in Allied Leather / Amazon Realty Redevelopment:** Since 2001, the total amount of funding appropriated for the redevelopment of the Allied Leather / Amazon Realty sites is \$4,636,711. This figure excludes the proposed \$245,000 appropriation. These funds have been used to acquire property, undertake demolition and environmental cleanup activities, as well as design and construct infrastructure to support redevelopment.

The net amount of City money appropriated totals \$1.7 +/- million, or 37% of total funds. Please see the table below for details.

Total Appropriations for Allied Leather / Amazon Realty Sites 2001-2013

Funding Source	Amount	Notes
Grants	\$2,843,527	ODD Fund @ \$124,778; final amount will depend on actual quantities of petroleum soils removed.
Insurance Reimbursements	\$75,000	
City Cash / Bonds		
Econ. Devel. Reserve Fund	\$1,369,900	Excl. Add 'l \$45,000 for Tannery Cleanup
Impact Fees	\$40,000	
Penacook Village TIF	\$285,000	Excl. Add 'l \$200,000 for Tannery Cleanup
Water Fund	\$330,533	
Sewer Fund	\$13,283	
General Fund	\$300,000	Fully repaid by sale of 4 Crescent St in 2011
Subtotal - City Cash / Bonds	\$2,338,716	
<i>Less Sale of Property, Reimbursements, & Capital Close-Out</i>	<i>(\$620,532)</i>	<i>Credited to City Cash / Bonds</i>
Net City Cash / Bonds	\$1,718,184	
Net Total Appropriations	\$4,636,711	
City Share	37%	
Grants / Insurance Share	63%	

Please note that the City's General Fund was fully reimbursed by proceeds stemming from the sale of real estate located at 4 Crescent Street to DEW Construction in early 2011 (i.e. the Penacook Family Physicians property).

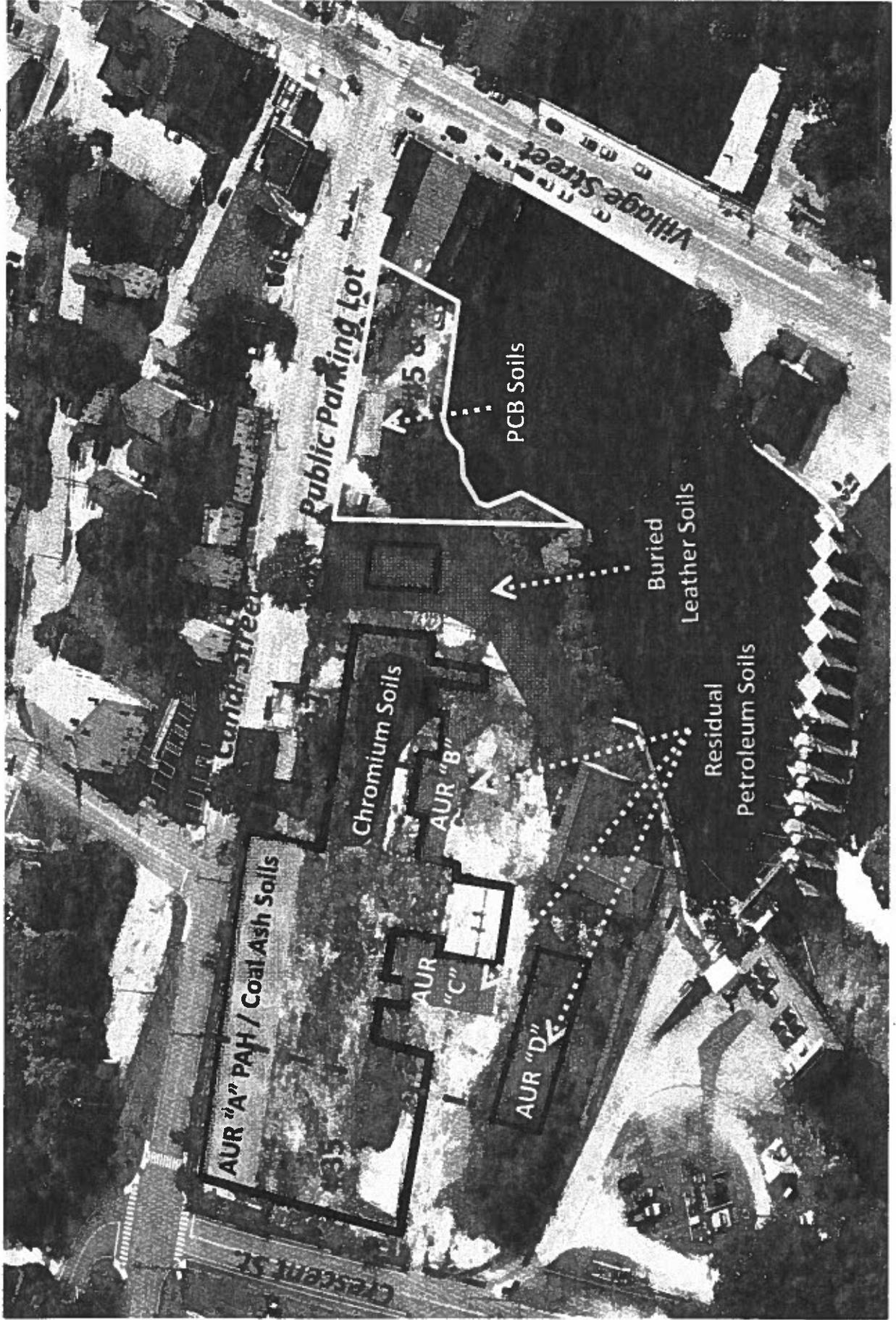
To date, the Economic Development Reserve (EDR) has been reimbursed 223,260, leaving \$1,191,500 to be recouped (including the proposed \$45,000 in supplemental EDR Funds).

Currently, the PVTIF pro forma anticipates incrementally repaying the EDR \$500,000 before the TIF's expiration in FY2032. Assuming no additional investment by the EDR, repayment of EDR funds by the PVTIF and an anticipated sale price of \$370,000 - \$465,000 +/- for the residual Tannery Site (2.0 - 2.5 acres +/-) to be credited to the EDR, the EDR's projected net un-recovered investment in the project will be approximately \$226,500 - \$321,500. However, as more development occurs within the PVTIF, opportunities might arise that could allow for full reimburse the EDR Fund, as well as expedite the timing of potential repayments.

Summary: In summary, staff recommends approval of proposed amendments to the PVTIF Development Program and Financing Plan, and the appropriation of \$245,000 to be supported by the PVTIF. Staff recommends this course of action for the following reasons:

- 1) Appropriation of these funds will allow for completion of cleanup activities, thereby leaving the site in the most attractive condition possible given the budgetary limitations. This will help maximize the City's chances of successfully finding a private developer to acquire and redevelop this important property.
- 2) The PVTIF has sufficient financial solvency to support this additional investment.
- 3) The Economic Development Reserve has sufficient funds available to support the proposed investment.
- 4) This course of action has been endorsed by the PVTIF Advisory Board.
- 5) Lastly, should the City Council wish to proceed with the PVTIF Advisory Board's recommendation concerning relocation and encapsulate the AUR A soils on another portion of the site to be retained by the City, the Council would need to increase the proposed resolution to \$345,000. The additional \$100,000 would have to be debt service supported by the City's General Fund, as the PVTIF and Economic Development Reserve do not have sufficient resources to support this additional level of investment.

Allied Leather Tannery / Amazon Realty



CITY OF CONCORD

In the year of our Lord two thousand and fourteen

*Bury
4/1/14*

4-15

5-35 (c)

5-39

RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$245,000), INCLUDING THE AUTHORIZATION FOR THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR ENVIRONMENTAL CLEANUP OF CITY OWNED REAL ESTATE LOCATED AT 5-35 CANAL STREET KNOWN AS THE FORMER ALLIED LEATHER AND AMAZON REALTY SITES (CAPITAL IMPROVEMENT PROJECT # 508) LOCATED WITHIN THE PENACOOK VILLAGE TAX INCREMENT FINANCE DISTRICT

The City of Concord resolves as follows:

WHEREAS, On June 14, 2010, the City adopted Resolution #8376, which established the Penacook Village Tax increment Finance (PVTIF) District and enacted the District's Development Program and Financing Plan; and

WHEREAS, the purpose of the PVTIF District is to support redevelopment of certain properties in Penacook Village; and

WHEREAS, the City owns certain properties located at 5 – 35 Canal Street, formerly known as the former Amazon Realty and Allied Leather Tannery Sites; and

WHEREAS, said properties are located within the PVTIF District; and

WHEREAS, said properties are contaminated with a variety of hazardous waste, which the City desires to remediate in order to encourage redevelopment of said properties; and

WHEREAS, the scope of environmental cleanup will exceed the amount of funds previously appropriated; and

WHEREAS, on the date hereof, the City Council has adopted the Amended and Restated Penacook Village Tax Increment Finance District Development Program and Financing Plan (the "Amended PVTIF Plan") to, among other things, modify said Plan with respect to the environmental cleanup of City-owned real estate located at 5-35 Canal Street, known as the former Allied Leather Tannery and Amazon Realty Sites, and include additional debt service costs for such cleanup; and

WHEREAS, this is a purpose for which funds are not included in the adopted budget of the City, Section 37 of the City Charter provides for this appropriation to be approved by a two-thirds majority of the City Council, as this resolution authorizes the issuance of bonds and notes;

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$245,000), INCLUDING THE AUTHORIZATION FOR THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR ENVIRONMENTAL CLEANUP OF CITY OWNED REAL ESTATE LOCATED AT 5-35 CANAL STREET KNOWN AS THE FORMER ALLIED LEATHER AND AMAZON REALTY SITES (CAPITAL IMPROVEMENT PROJECT # 508) LOCATED WITHIN THE PENACOOK VILLAGE TAX INCREMENT FINANCE DISTRICT

Page 2 of 3

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- 1) The sum of\$245,000
be and is hereby appropriated as follows:

General Capital Project Fund

City Administration

CIP #508 Allied Leather Tannery\$245,000

- 2) The sum of\$245,000
be and is hereby made available as follows:

General Capital Project Fund

Trust Transfer

Economic Development Reserve Fund\$45,000

Penacook Village Tax Increment Finance District Fund

Transfer from Fund Balance\$30,000

Penacook Village Tax Increment Finance District Fund

General Obligation Bonds\$170,000

- 3) These funds shall be available for any purpose associated with the environmental cleanup and redevelopment of the former Allied Leather Tannery Complex located #27, 31, and 35 Canal Street, as well as the former Amazon Realty Lots at "5" and 11 Canal Street in order to prepare said parcels for future redevelopment, as well as any other activity related to the redevelopment of properties located within the PVTIF District.

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$245,000), INCLUDING THE AUTHORIZATION FOR THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE HUNDRED SEVENTY THOUSAND DOLLARS (\$170,000) FOR ENVIRONMENTAL CLEANUP OF CITY OWNED REAL ESTATE LOCATED AT 5-35 CANAL STREET KNOWN AS THE FORMER ALLIED LEATHER AND AMAZON REALTY SITES (CAPITAL IMPROVEMENT PROJECT # 508) LOCATED WITHIN THE PENACOOK VILLAGE TAX INCREMENT FINANCE DISTRICT

Page 3 of 3

- 4) The City Treasurer, with approval of the City Manager, is authorized to issue up to \$170,000 in bonds and notes of the City of Concord, under RSA 162-K:8, Chapter 280 of the Acts of 2000 and/or the Municipal Finance Act, it being the expectation of the City to pay the debt service costs on such bonds and notes from the Tax Increment Revenues as designated and further described in the Amended PVTIF Plan.
- 5) The discretion of the fixing of dates, maturities, rates of interest, form and other details of such bonds and notes (including whether such bonds or notes shall be issued on a tax exempt or taxable basis), and providing for the sale, is hereby delegated to the City Treasurer.
- 6) The useful life of the improvements is expected to be in excess of thirty (30) years.
- 7) Sums as appropriated shall be expended under the direction of the City Manager
- 8) This resolution shall take effect upon its passage.





CITY OF CONCORD

TFA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Penacook Village Tax Increment Finance District Advisory Board

DATE: March 24, 2014

SUBJECT: Allied Leather Tannery Environmental Cleanup
Supplemental Appropriation

Recommendation:

Accept this report.

Background:

The Penacook Village Tax Increment Finance (PVTIF) District Advisory Board was established by Resolution #8376 on June 14, 2010, as amended by Resolution #8615 on November 13, 2012. In accordance with RSA 162-K:14, the Board's mission is to "advise the governing body and district administrator on planning, construction, and implementation of the development program and on maintenance and operation of the district."

Currently, the PVTIF Advisory Board is comprised of Carol Foss, Wendy Follansbee, Wes Frost, Ellen Langlais, Warren Leary, and Teri Maxwell. The Board presently has one vacancy.

Discussion:

The Advisory Board met on March 20, 2014 for the purpose of reviewing the City Administration's proposal to utilize \$200,000 in PVTIF funds to help finance cleanup of the Allied Leather Tannery and Amazon Realty sites located at 5-35 Canal Street. Cleanup activities began in November 2013 and are approximately 50% complete as of the date of this report.

City staff informed the Advisory Board that during the course of the cleanup work unanticipated issues were discovered, causing budget overages and the need for additional funds in order to complete the cleanup project. These issues included, but were not limited to, the following items:

- Greater than expected quantities of buried concrete slabs (162,500SF vs. 60,000SF as originally anticipated);
- Portions of foundation slabs (approximately 130 tons), which were contaminated with hexavalent chromium; a particularly toxic form of chromium, which required special handling and disposal at a facility in Canada.
- Piping systems with residual liquid chromium which needed to be disposed of at a licensed facility.

- Discovery of approximately 900CY of coal ash soils layered between foundation slabs. These materials must either be capped on site or transported to a licensed disposal facility;
- Greater than anticipated groundwater recharge associated with excavation of chromium soils. Specifically, the City's consulting engineering anticipated having to manage 80,000 gallons of dewatering; however, approximately 320,000 gallons will be required.

Because of these issues, the City staff indicated the following would be required:

1. Additional funds totaling approximately \$250,000 would be required to complete the project;
2. Certain PAH soils (a.k.a. coal ash soils) known as "AUR A" located along the Canal Street frontage of the Tannery Site (previously encapsulated in 2004/2005 by the City) would need to remain in their current location rather than be relocated elsewhere on site as originally planned. This change would mean that any new buildings erected at the Tannery Site will need to be setback 50' – 60' from Canal Street in order to accommodate leaving these soils in place. Originally, the City had hoped that any new buildings would be built closer to the street to help reinforce the Village's traditional development pattern and oriented streetscape.

The Advisory Board also had in-depth discussions with City staff regarding the proposed cleanup plan for the property, including consolidation and capping of PAH soils and leather contaminated soils along the westerly portion of the Tannery property near the Contoocook River. Specifically, the Advisory Board questioned whether this approach could create a long-term environmental liability. Staff explained that soils mixed with leather and PAHs were used to fill the river sometime between the 1930s and 1960s. Staff reported that these specific materials do exceed state soil reuse standards, but are generally not significantly higher than said standards. It was also noted that much of this material is not located within the groundwater table, thereby reducing potential impacts to the river and groundwater. It was also noted that removal of the existing leather and PAH soils near the river would be very challenging and expensive, as temporary coffer dams would likely be required in order to keep the river from flooding excavations. For these reasons, the US Environmental Protection Agency and NH Department of Environmental Services have approved capping these materials in place.

Recommendation: The Advisory Board respectfully recommends the following:

1. Appropriate up to \$250,000 to finish cleanup of the Allied Leather Tannery and Amazon Realty parcels. Of this total, \$200,000 would be raised from the PVTIF District through a combination of equity and debt service, with the balance coming from other City funding sources.
2. If the City Council could find the resources, the City should also consider appropriating an additional \$100,000 (for a total of up to \$350,000) to facilitate removal and on-site relocation of coal ash / AUR A soils from their present location along Canal Street. Doing so would allow for any future buildings erected at the Tannery site to be closer to Canal Street, thereby helping to reinforce Penacook Village's traditional development pattern.

CITY OF CONCORD

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In the year of our Lord two thousand and fourteen

RESOLUTION ADOPTING AN AMENDED AND RESTATED DEVELOPMENT PROGRAM AND FINANCING PLAN FOR THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 1 of 3

The City of Concord resolves as follows:

WHEREAS, by Resolution #5396, adopted on October 9, 1979, and Resolution #6761, adopted on October 20, 1997, the City Council adopted the provisions of NH RSA 162-K, as amended, for the purposes of establishing one or more tax increment financing districts; and

WHEREAS, the City adopted Resolution #7205 on July 9, 2001, to establish the Sears Block Tax Increment Finance District and enact a Development and Financing Plan in support of a Development Agreement between the City of Concord and a developer, which was never executed as that developer subsequently withdrew from the project; and

WHEREAS, pursuant to Resolution #7515, adopted on September 8, 2003, the City repealed the Sears Block Tax Increment Finance District, together with its Development and Finance Plan, as adopted by Resolution #7205, and created a new Sears Block Tax Increment Finance District and adopted a new Development and Finance Plan pursuant to a Development Agreement with Capital Commons L.L.C. concerning redevelopment of certain property formerly known as the Sears Block, previously located at 11 South Main Street, now known as the Capital Commons Office Building, and Municipal Parking Garage located at 75 Storrs Street; and

WHEREAS, on April 11, 2005, the City adopted Resolution #7722, which modified the Development Program and Financing Plan for the Sears Block Tax Increment Finance District due to certain changes in scope for the public improvements and cost escalations related thereto associated with the so-called Capital Commons Redevelopment Project located at 11 South Main Street and 75 Storrs Street; and

WHEREAS, on May 8, 2006, the City adopted Resolution #7890, which further modified the Development Program and Financing Plan for the Sears Block Tax Increment Financing District due to certain scope changes and cost escalations associated with the Capital Commons Redevelopment Project located at 11 South Main Street and 75 Storrs Street; and

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ADOPTING AN AMENDED AND RESTATED DEVELOPMENT PROGRAM AND FINANCING PLAN FOR THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 2 of 3

WHEREAS, on February 13, 2012, the City adopted Resolution #8534, which further modified the Development Program and Financing Plan for the Sears Block Tax Increment Financing District in order to support the Bindery Redevelopment Project located at 43-45 South Main Street, including conversion of approximately \$2.505 million in previously issued tax exempt debt to taxable status associated with the conversion of 91 public parking spaces to long-term lease spaces for tenants of the Bindery Redevelopment Project, as well as expansion of the District's geography to include the New Hampshire Employment Security ("NHES") property located at 32-34 South Main Street and certain other surrounding properties thereto; and

WHEREAS, on August 12, 2013, the City adopted Resolution #8685, which further modified the Development Program and Financing Plan for the Sears Block Tax Increment Financing District in order to support the installation of underground utilities for a section of South Main Street to be undertaken in conjunction with the City's Downtown Complete Streets Project, CIP #460; and

WHEREAS, the City desires to further amend the Development Program and Financing Plan for the Sears Block Tax Increment Finance District for the purpose of issuing additional bonds and notes for the acquisition of the NHES building located at 32 South Main Street and 33 South State Street, as well as expenses related thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

1. After holding a public hearing and taking public testimony, the City Council hereby finds that the Amended and Restated Sears Block Tax Increment Finance District Development and Finance Plan presented at this meeting and attached hereto, and the acquisition of the NHES building located at 32 South Main Street and 33 South State Street (and related demolition and weatherization work), serves a public purpose pursuant to NH RSA 162-K:5.

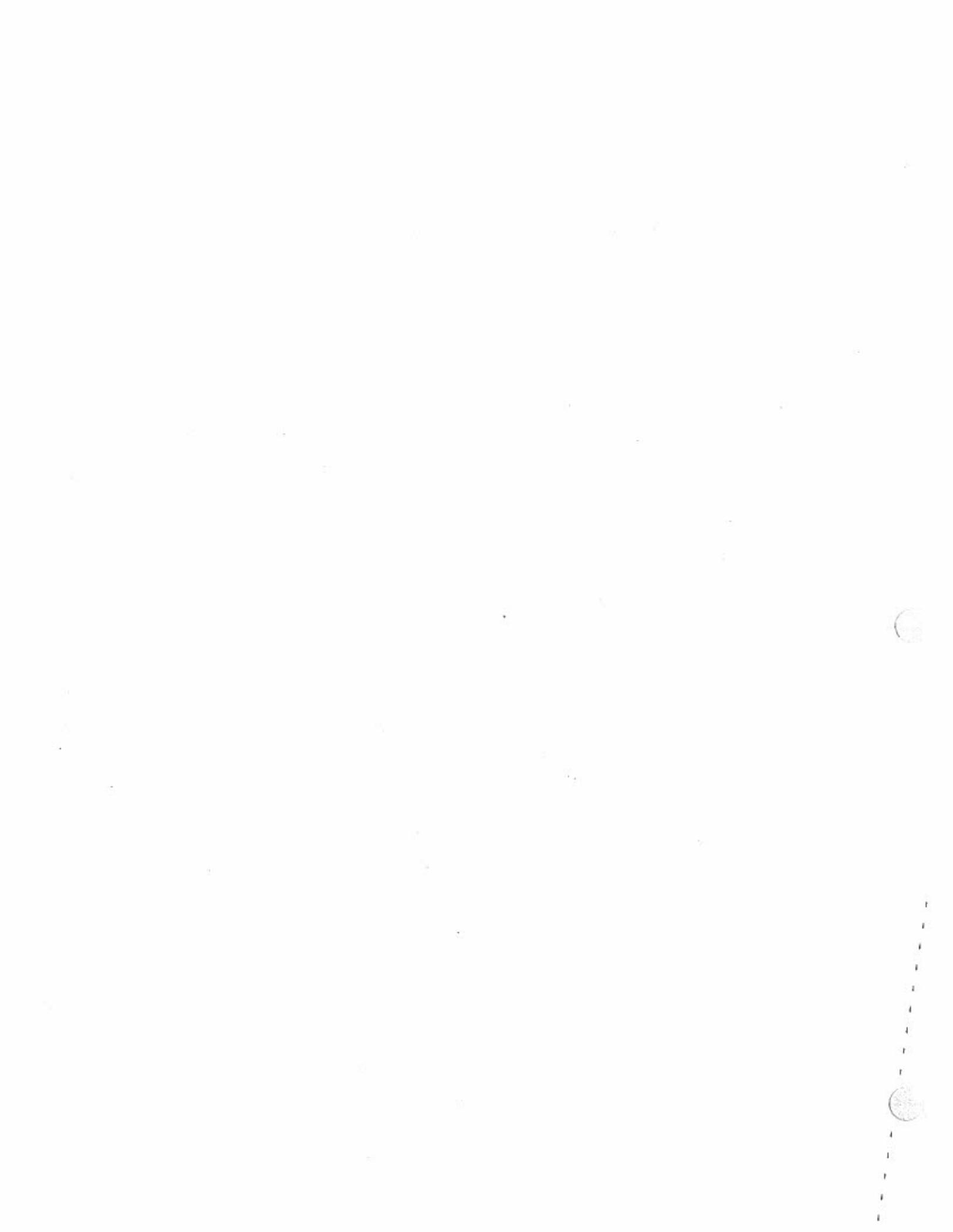
CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION **ADOPTING AN AMENDED AND RESTATED DEVELOPMENT PROGRAM AND FINANCING PLAN FOR THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT**

Page 3 of 3

2. In accordance with NH RSA 162-K:6, 162-K:9, and 162-K:10, the City Council hereby amends and restates in its entirety the Sears Block Tax Increment Finance District Development Program and Financing Plan, adopted by Resolution #7515 on September 8, 2003, and amended by Resolutions #7722, #7890, #8534 and #8685 respectively, by adopting the Amended and Restated Sears Block Tax Increment Finance District Development Program and Financing Plan, dated June 9, 2014, presented at this meeting and attached hereto.
3. This resolution shall take effect upon passage.



AMENDED AND RESTATED SEARS BLOCK TAX INCREMENT DEVELOPMENT PROGRAM AND FINANCING PLAN

Adopted by Resolution #7205 on July 9, 2001
Amended by Resolution #7515 on September 8, 2003
Amended by Resolution #7722 on April 11, 2005
Amended by Resolution #7890 on May 8, 2006
Amended by Resolution #8534 on February 13, 2012
Amended by Resolution #8685 on August 12, 2013
Amended by Resolution #XXXX on June 9, 2014

I. Introduction:

The purpose of the Sears Block Tax Increment Finance District (SBTIF) is to foster redevelopment of real estate and other economic development activity within the central portion of the Opportunity Corridor and Downtown Concord along the South Main Street corridor through strategic public investment in parking facilities and other infrastructure as further described within this Development Program and Financing Plan. The components of the Development Program and Financing Plan include:

- Statement of Objectives
- District Boundaries
- Determination of Compliance with District Size Limitations
- Development Program
- Financing Plan
- District Administration
- Advisory Board Responsibilities

II. Statement of Objectives:

The City Council has identified economic development in the Opportunity Corridor and Downtown Concord as a City priority. Economic development includes, but is not limited to, the expansion of the property tax base and employment opportunities through the redevelopment of blighted, underutilized, contaminated, or abandoned properties.

The adoption of the Sears Block Tax Increment Development Program and Financing Plan provides a valuable tool for implementing redevelopment activities to address the following goals and objectives:

- Create redevelopment opportunities;
- Improve the visual image of the southerly entrance to the Downtown;
- Expand the real estate property tax base;
- Construct, expand, and rehabilitate public parking facilities, streets, utilities, parks, plazas, and pedestrian ways to provide improved access

and expanded capacities sufficient to encourage private investment within the District;

- Remove blighted land uses and cleanup environmental contamination; and,
- Improve transportation components to permit the efficient use of land for redevelopment.

III. District Boundaries:

The following is the legal description for the Sears Block Tax Increment Finance District. A graphic depiction of the District is included as Exhibit 1.

Beginning at a point in the northerly side line of Pleasant Street at its intersection with the westerly side line of N. Main Street; thence

1. Northerly along the westerly side line of N. Main Street to a point at its intersection with the westerly extension of the northerly side line of Depot Street; thence
2. Easterly along the westerly extension of the northerly side line of Depot Street, crossing the N. Main Street right-of-way, to a point at its intersection with the easterly side line of N. Main Street; thence
3. Continuing easterly along the northerly side line of Depot Street to a point at its intersection with the westerly side line of Storrs Street; thence
4. Continuing easterly along the easterly extension of the northerly side line of Depot Street, across the Storrs Street right-of-way, to a point at its intersection with the easterly side line of Storrs Street; thence
5. Southerly along the easterly side line of Storrs Street to a point at its intersection with the easterly extension of the southerly side line of Theatre Street; thence
6. Westerly along the easterly extension of the southerly side line of Theatre Street, crossing the Storrs Street right-of-way, to a point at its intersection with the westerly side line of Storrs Streets; thence
7. Continuing westerly along the southerly side line of Theatre Street to a point at its intersection with the easterly side line of S. Main Street; thence
8. Continuing westerly along the westerly extension of the southerly side line of Theatre Street, crossing the S. Main Street right-of-way,

to a point at its intersection with the westerly side line of S. Main Street; thence

9. Northerly along the westerly side line of S. Main Street to a point at its intersection with the southerly side line of Thompson Street; thence
10. Westerly along the southerly side line of Thompson Street to a point at its intersection with the easterly side line of S. State Street, said point being the southeast corner of the intersection of said streets; thence
11. Continuing westerly along the extension of the southerly side line of Thompson Street to a point at its intersection with the westerly side line of S. State Street, said point being the southwest corner of the intersection of said streets; thence
12. Northerly along the westerly side line of S. State Street to a point at its intersection with the southerly side line of Pleasant Street; thence
13. Northerly along the extension of the westerly side line of S. State Street, crossing the Pleasant Street right-of-way to a point at the intersection of the westerly side line of N. State Street with the northerly side line of Pleasant Street; thence
14. Easterly along the northerly side line of Pleasant Street to a point at its intersection with the easterly side line of N. State Street; thence
15. Continuing easterly along the northerly side line of Pleasant Street to a point at its intersection with the westerly side line of N. Main Street and the point of beginning.

Meaning and intending to describe a Tax Increment Finance District, as shown on a plan (Exhibit 1) entitled "Sears Block Tax Increment Finance District", dated December 6, 2011, prepared by the City of Concord Community Development Department, Engineering Services Division.

IV. Determination of Compliance with District Size Limitations:

In accordance with RSA 162-K:5, the following information is provided to demonstrate compliance with State Law at the time of the designation of the District in 2001. Some of this information was updated in 2012 and 2013, respectively.

Total Taxable Value of the City	\$4,321,396,542
8%	\$345,711,723
16%	\$691,423,477
Sears Block TIF	\$51,418,000
North End Opportunity Corridor TIF	\$50,223,600
Penacook Village TIF	\$11,149,600
Combined Total	\$112,792,000
Total Land Area of the City	41,100 Acres
5%	2,055 Acres
10%	4,110 Acres
Sears Block TIF	22.00 Acres
North End Opportunity Corridor TIF	67.70 Acres (Updated 2013)
Penacook Village TIF	47.09 Acres
Combined TIFs	136.79 Acres (Updated 2013)

Using the data above, the City has determined that the SBTIF District, in combination with the other TIF Districts within Concord, does not exceed the taxable value or land area limitations. Please note that there remains a significant capacity, both in terms of allowable value and allowable land area, for the creation of additional tax increment finance districts as deemed necessary by the City Council.

V. Development Program

1. Purpose: The purpose of this section is to comply with RSA 162-K:6 by describing the general scope of public investments in infrastructure and other public facilities to be undertaken in order to support redevelopment of public and privately owned real estate within the SBTIF District.
2. Public Facilities and Infrastructure Improvements to be Constructed: Redevelopment activities within the SBTIF and associated public investment in infrastructure improvements will occur in multiple phases, as follows:
 - a. Phase I Improvements (2001-2007): Phase I investments were completed in 2007 and included the acquisition and demolition of the former Sears Block, construction of the Capital Commons Municipal Parking Garage, as well as related improvements including the Capital Commons Plaza, Pleasant Street Extension / Storrs Street Pocket Park, reconstruction of the Hills Avenue Municipal Parking Lot, together with related utility, sidewalk, highway, and streetscape improvements on South Main Street and Storrs Street, respectively. These improvements were undertaken to support redevelopment of the former Sears Block located at 11

South Main Street (now known as the Capital Commons Office Building) as well as other parcels in the area.

- b. Phase II Improvements (2013): Phase II improvements shall consist of the installation of underground electrical and telecommunications utilities from #16 - #40 South Main Street. Total area affected is approximately 750 linear feet. The purpose of these improvements is to promote redevelopment of the New Hampshire Employment Security property located at 32-34 South Main Street, as well as adjacent parcels.

Due to timing considerations, this improvement shall be undertaken simultaneously with the Downtown Complete Street Project (City Capital Improvement Program Project #460) which is scheduled for construction between September 2013 and July 2015.

- c. Phase III Improvements (2014): Phase III improvements shall consist of acquisition and preparation of the NH Employment Security Property located at 32-34 South Main Street and 33 South State Street for redevelopment.
- d. Other Improvements Not Financed by the SBTIF District: It should be noted that other investments in public infrastructure have occurred within the District since its inception. These have included utility, roadway, sidewalk, and streetscape improvements associated with the following private development projects: SMILE Office Building located at 49 South Main Street, Mennino Place Apartments located at 51 Storrs Street, and the so-called NH Book Bindery Redevelopment at 43-45 South Main Street.

In addition, the City plans to undertake additional utility, roadway, sidewalk, and streetscape improvements associated with the Downtown Complete Streets Project (CIP #460) during 2013-2015. This project will include complete reconstruction of North and South Main Streets within the SBTIF District. The SBTIF shall support this project with a \$2.5 million investment to bury aerial utilities as discussed herein. The remainder of the project will be financed by a TIGER Grant from the US Department of Transportation, private donations, as well as bonds and notes supported by the City's General Fund.

3. Open Space Created: Redevelopment within the Sears Block Tax Increment Finance District will help to preserve open space within the City by providing opportunities for commercial and residential uses on previously developed and, in some cases, contaminated real estate, thereby relieving further development pressure on "green field" sites.

4. **Regulatory Controls Applied:** The City and all private developers undertaking development projects within the SBTIF shall be required to comply with the following laws, ordinances, rules, and regulations, as applicable:
 - City Subdivision and Site Plan Review Regulations;
 - City Code of Ordinances;
 - City of Concord Zoning Ordinance;
 - State and Federal Laws, Codes, Rules, Regulations, and Standards related to abatement of hazardous materials and environmental contamination; and,
 - Compliance with City and State Building Codes and National Life Safety Codes.

5. **Operations, Maintenance, and Administrative Costs:**
 - a. **Capital Commons Parking Garage:** Operating and maintenance costs associated with the Capital Commons Parking Garage shall be financed through the City Parking Fund. Operating and maintenance costs may be supplemented with funds from the SBTIF or other sources as needed.

 - b. **Plazas & Pocket Parks:** Operating and maintenance costs for the Capital Commons Plaza and Storrs Street pocket park shall be financed by incremental property tax revenues generated by new development within the SBTIF District. If proceeds from the Tax Increment District are insufficient to cover the necessary operation and maintenance costs of the district, these costs shall become a Parking Fund or General Fund obligation as necessary.

 - c. **Sidewalks and Highways:** No new highways or sidewalks are proposed within the SBTIF District. However, existing roads and sidewalks may be reconstructed to support development activities. Because of this circumstance, the operating and maintenance costs associated with reconstructed sidewalks and highways within the SBTIF shall be financed by the City's General Fund and Parking Fund, as applicable. However, these funding sources may be supplemented or replaced by revenues generated by the SBTIF District, provided the District's gross revenues are sufficient to support all other debt service, operating costs, as well as financial contributions to contingency and capital reserve funds.

 - d. **Public & Private Utilities:**
 - i. **Drainage:** Operating and maintenance costs for drainage utilities shall be financed by incremental property tax

revenues generated within the SBTIF District associated with new development or utility enterprise / special revenue funds, as appropriate. If proceeds from the Tax Increment District are insufficient to cover the necessary operation and maintenance costs for drainage utilities within the district, these costs shall become a Parking Fund or General Fund obligation as necessary.

- ii. Water & Sewer: Operating and maintenance costs for water and sanitary sewer utilities shall be financed by the City's Water or Sewer Enterprise Funds, as applicable.
 - iii. Telephone, Cable Television, & Communications Utilities: Operating and maintenance costs for these utilities shall be the responsibility of the private corporations associated therewith.
- e. Administration and Public Safety: Costs associated with administration of the District, as well as public safety serving new development within the District, shall be financed by incremental property tax revenues generated within the SBTIF District associated with new development. If proceeds from the Tax Increment District are insufficient to cover the necessary operation and maintenance costs of the district, these costs shall become a Parking Fund or General Fund obligation as necessary.

The District shall, at the City Council's discretion, be charged an annual administrative fee to support staff time and related overhead expenses associated with managing the SBTIF District.

- f. Records and Reports: The City will maintain records of financial activity of the District in accordance with Generally Accepted Accounting Principles. The City will include the financial reporting requirement in the Comprehensive Annual Financial Report (CAFR).
6. Relocation and Displacement: It is not anticipated that businesses or residences will need to be acquired or relocated in order to construct municipal facilities or infrastructure improvements to be undertaken in accordance with this Development Program and Finance Plan. However, in the event of relocation of businesses or residences due to facilitate construction of municipal facilities or infrastructure improvements, the City shall follow the Uniform Relocation Act of 1970, as amended, unless otherwise waived by displaced parties.

Private development projects within the District shall not be subject to this provision unless otherwise required by the State or Federal Government due to use of State or Federal funds, such as Community Development Block Grants or certain tax credit programs, to support private development activities, as applicable.

7. **Property Acquisition and Disposition:** The City hereby has the authority to purchase, sell, or lease real estate within the SBTIF District. The City shall also have the ability to acquire or convey easements and rights-of-way in order to carry out construction of infrastructure and public facilities, as well as to support private development activities.

In accordance with RSA 162-K:6,III,b, the City may acquire real property or easements through negotiation or through powers of eminent domain, except that property acquired through powers of eminent domain shall be put to public use, as defined in RSA 162-K:2, IX-a

8. **Grants:** The City may seek and use private, non-profit, or governmental grants, as it deems necessary, to provide financial assistance to support private development activities, as well as the design and construction of infrastructure and public facilities. All such applications for and appropriations of such grants shall be approved by the City Council. The City shall not be obligated to amend this Development Program and Financing Plan when accepting grant funds for infrastructure improvements, unless said grants are to be matched with SBTIF funds.

VI. Financing Plan

1. **Purpose:** The purpose of this section is to comply with RSA 162-K:9 by describing the capital, operating, and maintenance costs of infrastructure and other public facilities constructed to support redevelopment of public and privately owned real estate within the SBTIF District.
2. **Capital Costs:** Capital investments in infrastructure and public facilities will be undertaken in multiple phases during the duration of the SBTIF District's existence. The following is a description of capital costs for various infrastructure improvements undertaken by Phase within the SBTIF.
 - a. **Phase I Improvements (2001-2007):** Phase I improvements consisted of the construction of the Capital Commons Parking Garage and related improvements. Phase I improvements were completed in 2007.

Phase I Capital Investment Summary

Item	Amount
Financing / Capitalized Interest	\$300,000
Bond Sale Cost	\$123,000
Permitting	\$92,000
Contingency	\$728,400
Construction of Public Parking Garage	\$9,970,000
Construction / Relocation of Utilities	\$1,393,000
Construction of Streetscape Improvements	\$284,170
Construction of Public Plazas	\$529,100
Repair of City Municipal Parking Lot	\$71,500
Storrs Street / Pleasant Street Traffic Signal	\$150,000
Improvements to Abutting Properties	\$700,000
Developer Construction Management Fee	\$160,000
Construction Bond	\$145,000
Builder's Risk Insurance	\$23,830
Construction Oversight & Legal	\$160,000
Building Demolition	\$365,000
Property Acquisition, Legal Expenses, & Contingency	\$1,129,840
Total Project Cost	\$16,324,840

b. Phase II Improvements (2013): Phase II improvements shall consist of the installation of 750 linear feet of underground utilities in the vicinity of #16 - #40 South Main Street. The total capital cost of this effort is \$2.5 million, including design and contingency. Costs of repairing / reconstructing sidewalks, roadways, and streetscape amenities associated with the installation of these utilities shall be financed by the City's Downtown Complete Street Project (CIP #460).

c. Phase III Improvements (2014): Phase III Improvements shall consist of acquisition of the NH Employment Security building, as well as potential weatherization and/or demolition of the structure, and related holding costs. Estimated costs are set forth as follows:

- i. Property Acquisition, including due diligence and holding costs: \$1,900,000
- ii. Building Weatherization, as well as certain holding costs: \$190,000
- iii. Building Demolition: \$325,000.

3. Sources of Revenue for Development Program Costs: The following is a summary of revenues to finance capital investments for all phases of improvements.

Funding Sources: Capital Improvements

Resolution #	Resolution #	Resolution #	Resolution #	Resolution #	Resolution #	Resolution #	Resolution #	Resolution #	Resolution #	Total
7102	7270	7304	7305	7721	7891	8531	8686			
August 14, 2000	January 14, 2002	August 11, 2003	August 11, 2003	April 11, 2005	May 8, 2006	January 9, 2012	August 12, 2013	June 9, 2014		
Equity										
Economic Development Reserve Fund	\$250,000	\$800,000		\$1,100,000	\$700,000					\$2,850,000
Parking Fund			\$300,000		\$250,000					\$550,000
Grants										
USHUD EDI Grant				\$482,840						\$482,840
Bonds*										
Sears Block TIF Supported										
Taxable										
Tax Exempt					\$683,500	See Note			\$2,415,000	\$3,098,500
Parking Lease Supported					\$2,386,500	See Note			\$2,500,000	\$4,888,500
Taxable										
Tax Exempt					\$683,000	See Note				\$683,000
Parking Fund Supported					\$3,040,000	See Note				\$3,040,000
Taxable										
Tax Exempt					\$799,500	See Note				\$799,500
General Fund Supported					\$2,386,500	See Note				\$2,386,500
Taxable										
Tax Exempt					\$2,281,000					\$2,281,000
Total	\$250,000	\$800,000	\$300,000	\$1,582,840	\$1,161,000	\$3,231,000	\$2,500,000	Not Applicable	\$2,415,000	\$21,239,840

* Excludes changes in taxable and tax exempt allocations approved by Resolution 8531. Specifically, in May 2012, the City converted approximately \$2,505 million in tax exempt debt previously issued in 2005 and 2007, respectively, in order to convert 91 hourly public parking spaces in the Capital Commons Municipal Parking Garage to lease status to support redevelopment of private

4. Estimated Annual Debt Service and Operating Costs for the District: Please see Exhibit 2 for a summary of anticipated revenues and expenditures for the SBTIF District.
5. Duration of the Program's Existence: The Sears Block Tax Increment Finance District shall exist until the purposes for which it has been created are fulfilled. Specifically, the District shall continue to exist until such time as:
 - a. The repayment or legal defeasance of all debt service supported by the District;
 - b. Repayment of all reserve funds contributions from the Economic Development Reserve, and Parking Fund used to finance the development program;
 - c. Capitalization of a Capital Reserve Fund, in such amounts determined by City Council, to support future repair and reconstruction of SBTIF improvements; and,
 - d. Passage of the appropriate resolutions by City Council to officially dissolve the District.

As of the date of this amendment (June 2014), it is anticipated that permanent debt service for Phase II and III improvements may not be issued until City FY2021. The specific terms of said debt service will be finalized at the time of issuance. However, said debt could be issued with a 20 year term, thereby extending the expiration date for the District to City FY2042 +/- . That said, the actual expiration date of the District will be driven by the amount of new incremental development and associated property tax revenues. The District pro forma, included as Exhibit 2, anticipates this date might be expedited to FY2035 depending upon various assumptions included therein concerning future development within the District.

6. Estimated Tax Increment Financing Impact on All Related Taxing Jurisdictions: All property tax revenues generated by incremental development within the SBTIF District occurring after the date of the District's creation shall be captured and retained by the District to support debt service and operating costs associated with infrastructure improvements constructed within the District.

It is anticipated that permanent debt service associated with Phase II and III improvements shall not be fully repaid until City FY2042. Therefore, property tax revenues associated with incremental assessed value created in the District from new development may not be available to the Concord School District, Merrimack County, or the State of New

Hampshire until 2042. However, based upon assumptions incorporated into the District's pro forma (included as Exhibit 2), it is anticipated that this date may be expedited to FY2035.

The City Council may, on an annual basis, vote to release a portion of the captured incremental assessed value, and property taxes associated therewith, to the City's General Fund, as well as the Concord School District, Merrimack County, and the State of New Hampshire, as applicable. However, release of any portion of the captured incremental assessed value shall only occur after the SBTIF has sufficient revenues to support:

- a. Existing debt service;
 - b. Repayment of equity contributions from the Economic Development Reserve Fund, Downtown Economic Development Reserve Fund, and Parking Fund;
 - c. Operating and maintenance expenses;
 - d. Capitalization of a contingency fund for the SBTIF; and,
 - e. Capitalization of a Capital Reserve Fund to support future repair and replacement of public facilities and infrastructure improvements financed by the SBTIF District.
7. Captured Value Dedicated Towards Retirement of Bonds and Notes: One hundred percent (100%) of the captured value of the District shall first be dedicated for the payment of the tax increment supported bonds and notes in accordance with NH RSA 162-k:10, II, a.

In the event the City receives captured value (and associated incremental property tax revenues) in excess of the minimum amount necessary to pay annual debt payment obligations for Sears Block TIF District Supported General Obligation Bonds, as well as operating and maintenance costs of the District, the City may, upon passage of all necessary resolutions by the City Council, allocate any portion of the excess captured value to support debt service previously issued, or to be issued, by the Parking Fund or the General Fund, for:

- a. Public improvements within the District, without limitation;
- b. Additional debt service which might be incurred as a result of converting any portion of the taxable or tax exempt Sears Block TIF District, Parking Fund, Parking Lease, or General Fund supported General Obligation Bonds previously issued to finance design and

construction of improvements within the District. Support of said debt service can be in the form of a financial transfer from the Sears Block TIF Fund to the Parking Fund or City's General Fund, as required.

8. Annual Allocation of Captured Value:

- a. In the event any annual Tax Increment Revenues from the Tax Increment District that, together with any unexpended balances of such revenues from prior years, exceed the amount necessary annually to meet 1) current debt service payments on the portion of the bonds designated in the Amended and Restated Sears Block TIF Plan as payable from Tax Increment Revenues, 2) costs of maintenance and operation of the Capital Commons Municipal Parking Garage in excess of available revenues produced from such facility and 3) debt service payments on the Bonds to be due in the next fiscal year shall be used to reimburse the following funds of the City for Capital Commons Municipal Parking Garage project costs, or debt service related thereto, heretofore, or hereafter paid from such funds, plus interest unless otherwise approved by the City Council.
 - i. The Parking Fund, to reimburse any equity (cash) contributions to finance public facilities and infrastructure improvements or to support debt service on bonds issued for the Capital Commons Parking Garage project.
 - ii. The General Fund, to reimburse any past or current payments from said Fund required for debt service on bonds issued for the project due to insufficient tax increment revenues or parking lease revenues, as applicable.
 - iii. The Economic Development Reserve Fund (including the Downtown Economic Development Reserve Fund), to reimburse any contributions by said Fund to support capital improvements or maintenance activities.
 - iv. Capitalization of a contingency fund, or enhancement of the District's unrestricted fund balance, to support debt service, as well as operating and maintenance expenses in the event of potential reductions in property tax revenue associated with property tax abatements for incremental real estate development within the District.
- b. In the event the District generates sufficient captured assessed value (and associated incremental property tax revenues) resulting

in a surplus of such incremental tax revenues after satisfying the District's annual debt service, operating expenses, and contingency fund obligations set forth within items i-iv above, the City may also:

- i. Create a capital reserve fund to support future repair or replacement of infrastructure and public improvements constructed within the District, including, but not limited to the Capital Commons Municipal Parking Garage; or,
- ii. Release a portion of the District's captured assessed value or associated "surplus" property tax revenues to the City's General Fund, as well as the Concord School District, Merrimack County, and State of New Hampshire, as applicable.

VII. District Administration

1. In accordance with RSA 162-K:13, the City Manager, or his designee, shall serve as the administrator for the District. The Administrator shall be responsible for:
 - a. Staffing the SBTIF Advisory Board;
 - b. Preparing reports;
 - c. Overseeing capital investments;
 - d. Coordinating maintenance activities within the District;
 - e. Negotiating agreements to acquire or sell real estate for City Council's approval;
 - f. Preparing grant applications to support development activities within the District; and,
 - g. Negotiating contracts for design, construction, or maintenance of public facilities and infrastructure improvements constructed within the SBTIF Districts.

VIII. Section VI Advisory Board Responsibilities

In accordance with RSA 162-K:14, the City Council passed Resolution #7740 on May 9, 2005, which created the Advisory Board. This resolution incorporated the provisions of RSA 162-K. The Advisory Board shall meet as circumstances warrant, as determined either by the City Manager, his designee, or members of the Advisory Board.

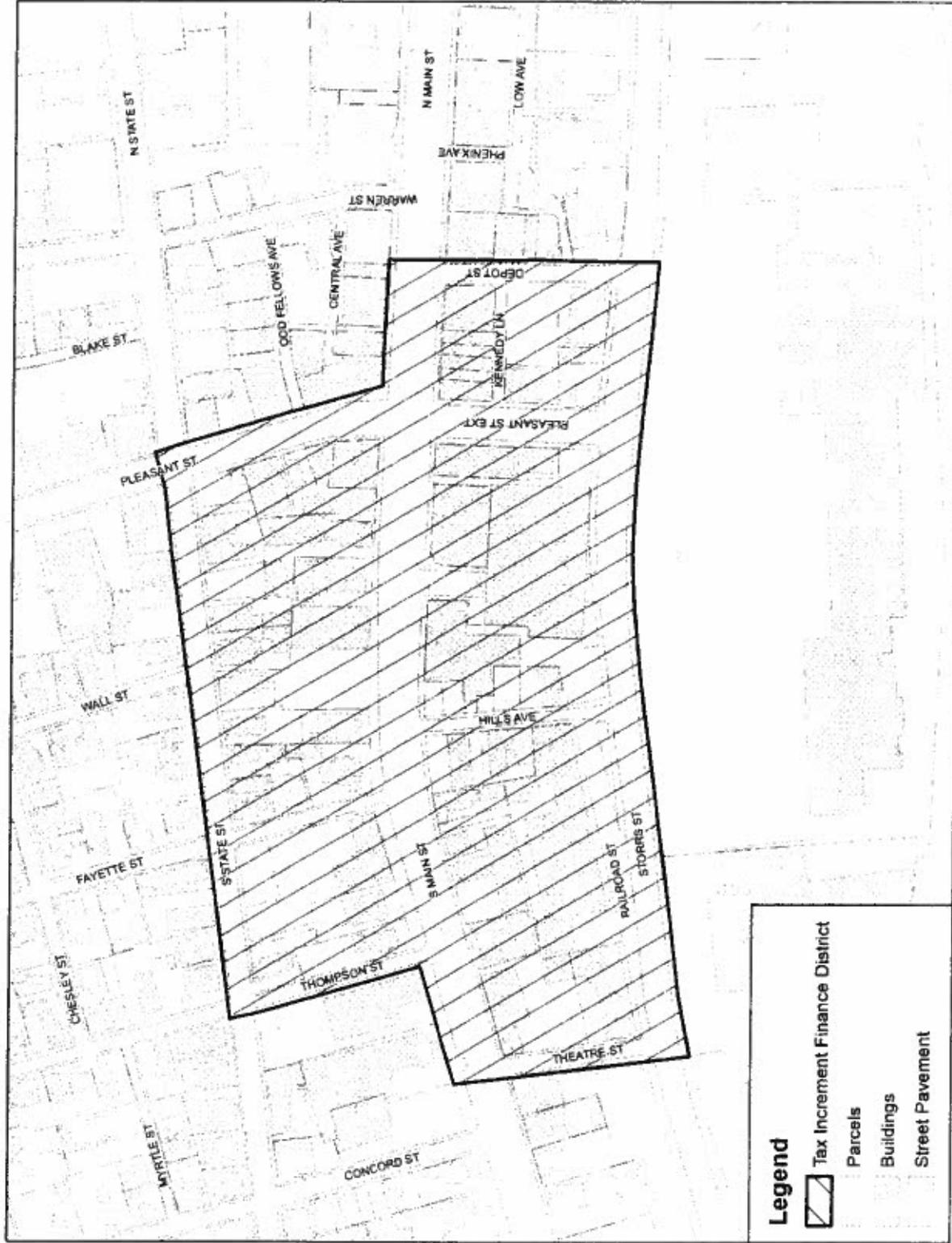
The Advisory Board shall have thirty (30) days to appeal any decision of the District Administrator to City Council for review and appropriate action.

The Advisory Board shall advise the governing body and the District Administrator on implementation of the development program, as well as maintenance and operations of the District until defeasance of all bonds and notes supported by the SBTIF and a vote by the City Council to dissolve the District.

List of Exhibits

- 1) Exhibit 1: Map of Sears Block TIF Geography.
- 2) Exhibit 2: Sears Block TIF District Financial Pro Forma

EXHIBIT 1: Sears Block TIF District Geography



**SBTIF Pro Forma: NH Employment Security Acquisition
Fund Balance Pro Forma
June 9, 2014 Amendment**

TIF Year	YEAR 9	YEAR 10	YEAR 11	YEAR 12	YEAR 13	YEAR 14	YEAR 15	YEAR 16	YEAR 17	YEAR 18
City Fiscal Year (FY)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Tax Rate	7/1/2013 - 6/30/2014	7/1/2014 - 6/30/2015	7/1/2015 - 6/30/2016	7/1/2016 - 6/30/2017	7/1/2017 - 6/30/2018	7/1/2018 - 6/30/2019	7/1/2019 - 6/30/2020	7/1/2020 - 6/30/2021	7/1/2021 - 6/30/2022	7/1/2022 - 6/30/2023
	\$25.58	\$26.09	\$26.61	\$27.15	\$27.69	\$28.24	\$28.81	\$29.38	\$29.97	\$30.57
ASSESSED VALUE										
TIF Captured Assessed Value - Existing Development	\$20,876,019	\$24,600,119	\$24,600,119	\$24,600,119	\$24,600,119	\$32,960,119	\$32,960,119	\$32,960,119	\$32,960,119	\$32,960,119
Assessed Value - NHES Redevelopment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
TOTAL ASSESSED VALUE	\$20,876,019	\$24,600,119	\$24,600,119	\$24,600,119	\$24,600,119	\$32,960,119	\$32,960,119	\$32,960,119	\$32,960,119	\$32,960,119
REVENUES										
Property Tax Revenues - Existing Development	\$534,009	\$641,856	\$654,694	\$667,787	\$912,620	\$930,872	\$949,490	\$968,480	\$987,849	\$1,007,606
Investment Income	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Property Taxes - NHES Redevelopment	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$11,988	\$12,228	\$12,473
TOTAL REVENUE	\$534,009	\$641,856	\$654,694	\$667,787	\$912,620	\$930,872	\$949,490	\$980,468	\$1,000,077	\$1,020,079
EXPENDITURES										
Existing Debt Service - Subtotal	\$516,157	\$502,648	\$493,971	\$486,783	\$726,364	\$715,538	\$709,196	\$699,683	\$692,867	\$686,901
Reserve Fund Repayments & Contributions	\$227,000	\$270,000	\$96,000	\$96,000	\$0	\$0	\$0	\$0	\$0	\$0
Operating Expenses Subtotal	\$8,500	\$8,925	\$9,371	\$9,840	\$10,332	\$10,848	\$11,391	\$11,960	\$12,558	\$13,186
TIF District Administrative Fee	\$16,976	\$17,825	\$18,716	\$19,652	\$20,634	\$21,666	\$22,749	\$23,887	\$25,081	\$26,335
TOTAL - EXISTING EXPENDITURES	\$768,633	\$799,398	\$618,058	\$612,274	\$757,330	\$748,053	\$748,336	\$735,531	\$730,507	\$726,473
Proposed New Expenditures										
NHES Bond (BAMS For First 5 Years)	\$0	\$0	\$21,123	\$23,348	\$28,910	\$32,247	\$37,809	\$42,408	\$47,000	\$51,608
Underground Utilities (BAM For First 5 Years)	\$0	\$0	\$23,738	\$26,238	\$32,488	\$36,238	\$42,408	\$48,000	\$53,600	\$59,200
TOTAL - PROPOSED NEW EXPENDITURES	\$0	\$0	\$44,861	\$49,586	\$61,397	\$68,484	\$80,216	\$90,408	\$100,600	\$110,808
Net Operating Income (Revenues Less Expenditures)	(\$224,624)	(\$157,541)	(\$8,225)	\$5,228	\$93,892	\$114,335	\$125,858	\$145,897	\$122,623	\$89,901
NOI as % of Total Revenue	-43.94%	-24.54%	-1.26%	0.89%	10.31%	12.31%	13.29%	-14.20%	-10.58%	-7.15%
Fund Balance Calculation										
Previous Year	\$523,861	\$289,237	\$131,696	\$123,470	\$129,398	\$223,290	\$337,625	\$463,483	\$319,575	\$209,180
Projected FY Year End Surplus / (Deficit)	(\$234,624)	(\$157,541)	(\$8,225)	\$5,928	\$93,892	\$114,335	\$125,858	\$143,908	(\$110,395)	(\$77,429)
Available Fund Balance	\$289,237	\$131,696	\$123,470	\$129,398	\$223,290	\$337,625	\$463,483	\$319,575	\$209,180	\$131,751



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Dir. of Redevelopment, Downtown Services, & Special Projects

DATE: March 27, 2014

SUBJECT: Sears Block Tax Increment Financing District Amendments
NH Employment Security Acquisition

Recommendations:

- Accept the following report;
- Set the attached resolution amending and restating the Sears Block Tax Increment Finance District Development Program and Financing Plan for public hearing on May 12, 2014, **but delay City Council action until June 9, 2014 in accordance with RSA 162-k:4;** and,
- Set the attached resolution authorizing the issuance of bonds and notes in the amount of \$1,900,000 for acquisition of real estate located at 32 South Main Street and 33 South State Street, known as the NH Employment Security Site, and related expenses for public hearing on May 12, 2014, **but delay City Council action until June 9, 2014 in accordance with RSA 162-k:4;** and,
- Set the attached resolution authorizing the issuance of bonds and notes in the amount of \$190,000 for preservation and weatherization of buildings located at 32 South Main Street and 33 South State Street, known as the NH Employment Security Site, for public hearing on May 12, 2014, **but delay City Council action until June 9, 2014 in accordance with RSA 162-k:4;** and,
- Set the attached resolution authorizing the issuance of bonds and notes in the amount of \$325,000 for demolition of buildings located at 32 South Main Street and 33 South State Street, known as the NH Employment Security Site, for public hearing on May 12, 2014, **but delay City Council action until June 9, 2014 in accordance with RSA 162-k:4.**

Background:

Municipalities are authorized to enact Tax Increment Finance Districts (TIFs) in accordance with State Law RSA 162-K.

The Sears Block Tax Increment Finance District (SBTIF) was established on July 9, 2001 in accordance with RSA 162-K by the City Council for the purpose of making public investments in infrastructure to foster redevelopment of the former Sears Block site located at 11 South Main Street, as well as other property located in the southern portion of Downtown and the central portion of the Opportunity Corridor.

Activities within SBTIF are governed by the District's Development Program and Financing Plan. These documents have been modified periodically since the SBTIF's inception in 2001. Most recently, the SBTIF was amended in August 2013 to support construction of underground utilities as part of the Downtown Complete Streets Project.

Since its enactment in 2001, public investments financed by the SBTIF (such as the Capital Commons Garage and related improvements), have leveraged the development or redevelopment of **350,000SF** of privately owned buildings totaling **\$40.2 million**, as well as the attraction of several new businesses to the City including Red River Theatres, O's Steak & Seafood, Live Juice, Northeast Credit Union, Penn Mutual, and Centrix Bank. In addition, development within the SBTIF has offered several existing downtown businesses such as Gibson's Bookstore, League of NH Craftsmen, Bittware, and several other professional offices, the opportunity to grow while remaining downtown.

Discussion:

The primary purpose of the current proposed amendments to the SBTIF Development Program and Financing Plan is to finance acquisition of the NH Employment Security Property located at 32 South Main Street and 33 South State Street, as well as weatherization or demolition of the existing building. Details are as follows:

- 1) **NH Employment Security (NHES) Site:** The NHES property is a 0.74+/- acre property, which features a 22,700SF building and 75 +/- space surface parking lot. The property is owed by the State of New Hampshire. The existing building consists of two structures, which were erected in 1927 and 1958, respectively. The property is located within the Sears Block Tax Increment Finance District (SBTIF).

In 2012, the State of New Hampshire announced that it would vacate this property as part of an effort to consolidate four NHES offices to the former Tobey Building located on Fruit Street. Since early 2013, the City and State of New Hampshire have worked cooperatively to market the site to prospective developers. This effort included a Request for Proposals (RFP) to solicit developers for the property. Proposals were received from two developers on May 15, 2014. Both were subsequently rejected by the City Council on March 10, 2014.

From an economic development perspective, the NHES is important for the following reasons:

- a) At 0.74 acres, it is one of the last large parcels located on Main Street available for a sizable redevelopment project;
- b) The property is situated on the "dog leg" portion of South Main Street, making it a highly visible focal point;

- c) The property's highest and best and full development potential has not been achieved by current development at the site;
- d) Redevelopment of the site, through a public / private partnership, could further the various economic development goals, such as tax base expansion, preservation and creation of employment opportunities, as well as creation of market rate housing.

For these reasons, the City Administration recommends the City purchase and prepare the property for redevelopment. The cost to acquire the property, as well as related holding costs for a 5 year period, is \$1.9 million, as detailed in the table below. It is important to note that an appraisal completed in June 2011 determined that the property's fair market value was \$1.75 million. The negotiated sale price for the property is \$1.575 million (10% less than the appraised value, and the minimum the State can accept without additional legislative approval).

<u>Item</u>	<u>Amount</u>	<u>Notes</u>
Purchase Price	\$1,575,000	Asking price was \$1.75 million
Environmental Due Diligence / Oversight	\$26,000	Environmental Site Assessments & Hazardous Building Materials Survey
Closing Costs	\$7,500	Title Search, Deed Prep, Title Insurance.
Capitalized Interest - BANs for 5 Years	\$100,000	Per First Southwest Email 01/31/2014
Cost of Issuance (5 Years)	\$50,000	Per First Southwest Email 01/31/2014
Parking Lot Snow Removal	\$45,804	FY2015 - FY2020
Miscellaneous Parking Lot Improvements	\$5,000	Signage, Striping, Etc.
Parking Kiosks	\$17,000	Purchase & Installation for public use
Landscaping / Lawn Care	\$34,010	FY2015 - FY2020
Water / Sewer Availability Charges	\$10,500	FY2015 - FY2020
Miscellaneous & Contingency	\$28,500	Marketing, Developer Negotiations, & Contingency.
<u>Subtotal</u>	<u>\$1,899,313</u>	<u>Round to \$1.9 Million</u>

A copy of the purchase and sales agreement is attached to this report. The agreement must first be approved by the City Council. Should the City Council approve the attached agreement, it would then be submitted to Governor and Executive Council for review and approval, likely in late June or early July. Closing would occur by September 19, 2014.

2) Demolition or Weatherization of Existing Building: Upon acquisition of the property, the City will have two basic options for managing the existing building; weatherization or demolition. A discussion of these options is as follows.

a. Option 1: Weatherization:

- i. Weatherization Overview: This option would entail “moth balling” the existing building in order to preserve it for potential future redevelopment by a private developer. In order to leave the building in the best condition possible, it is important that major building systems are either decommissioned or otherwise modified to prepare them for extended periods of vacancy and winter temperatures. This process would include, but not be limited to, the following:
 1. Gas and water service to the property would likely be terminated. Electricity would be left on to ensure the fire alarm system remained operational, as well as to provide power to the air conditioning system to allow for limited summer operations to keep the system in sellable condition.
 2. The plumbing system would be fully decommissioned. All sinks and toilets would be removed, and supply lines drained and weatherized with glycol.
 3. All ground level windows would be boarded up to maintain security and prevent vandalism. Boarding would be painted black to minimize negative aesthetic affects for abutting properties.
 4. Locks on all exterior doors would be changed.
 5. The fire alarm system would be modified to be code compliant for a vacant building (changing smoke alarms for heat alarms, and potentially modifying the fire alarm panel so it will remain functional in freezing temperatures)
 6. The forced hot water heating system would be drained and winterized.
 7. Temporary heat would be installed for the building’s mechanical room and elevator control room. A heating system would also be installed for the elevator’s hydraulic system.

The estimated cost of this effort is \$190,000, including 5 years of holding costs, excluding staff time to monitor the building (estimated at 1.5 hours / week for 5 years for a total of \$19,500). Please see the table below for more details.

Capital Improvements	Budget	Notes
Board Up Windows / Doors	\$10,750	All ground level windows & doors boarded with painted plywood
Change Locks	\$1,500	All exterior door
Fencing	\$3,250	Fence window well area along back of 1958 building (approx. 65')
Remove Toilets & Sinks, Cap Supply & Drain Lines, Winterize with Glycol	\$5,000	Approx. 30 fixtures.
Drain & cap floor drains	\$1,000	
Install Temporary Heat - Mechanical Room	\$2,000	
Install Temporary Heat - Elevator Machine Room	\$1,000	
Install Temporary Heat - Elevator Hydraulic System	\$3,500	
Drain FHW Heat & Glycol	\$10,000	
Fire Alarm Modifications	\$13,500	Change 35 smoke alarms to heat sensors & potential changes to alarm panel
Alarm for Sump Pump	\$500	Install alarm on sump pump in basement
<u>Subtotal</u>	<u>\$52,000</u>	
<u>Contingency</u>	<u>\$10,400</u>	<u>20%</u>
<u>Total</u>	<u>\$62,400</u>	
Operating Costs	Budget	Notes
Gas	\$0	Assumes use of temp electric heaters
Electric (for fire alarm, sump pump, minimal lighting, and exercising A/C system)	\$98,820	FY2015 - FY2020;
Insurance	\$7,151	FY2015 - FY2020
Elevator Inspections	\$10,000	FY2015 - FY2020
Fire Alarm / Sump Pump Monthly Monitoring & Annual Inspections	\$10,000	FY2015 - FY2020
Annual A/C Start-Up & Shut Down	\$5,000	FY2015 - FY2020
<u>Subtotal</u>	<u>\$115,971</u>	
<u>Contingency</u>	<u>\$11,597</u>	<u>10%</u>
<u>Total</u>	<u>\$127,568</u>	
<u>Total Capital + Operating Costs</u>	<u>\$189,968</u>	<u>Round to \$190,000</u>

ii. Weatherization Rationale:

1. One interested developer has suggested that the existing building could be incorporated into a larger development project.
2. In the long-term, retaining and maintaining the existing building may make it easier for the City to quickly divest of the property should efforts to pursue a more ambitious redevelopment project fail.

b. Option 2: Demolition of NH Employment Security Building:

- i. Demolition Overview: The second option is to demolish the existing building. Upon removal of the building, the foundation hole would be back filled and lawn established on an interim basis until such time as a redevelopment project moved forward.

The estimated cost for this effort would be approximately \$325,000, including contingency, as detailed below, based on previous experience with other similar projects and reasonable assumptions about such items like lead paint and asbestos. However please note that this is a preliminary estimate and may need to be revisited upon completion of a hazardous building materials survey, which will be undertaken as part of the City's forthcoming due diligence process. Further, it might be possible to secure grants from the USEPA to help defray costs of hazardous building materials abatement. Offsetting revenues from such grants have not been included for the purpose of this estimate.

<u>Demolition</u>	<u>Amount</u>	<u>Notes</u>
Demolition	\$272,400	22,700SF @ \$12 /SF.
Bid Specs / Oversight	\$8,800	Nobis Engineering Proposal
<u>Subtotal</u>	<u>\$281,200</u>	
Contingency	\$42,180	15%
Cost of Issuance	\$2,000	
<u>Total</u>	<u>\$325,380</u>	<u>Round to \$325,000</u>

- ii. Rationale: Although structurally sound and in reasonably good condition, demolition of the building would be appropriate for the following reasons.

1. The building is only 22,700SF and therefore does not maximize the full development potential or highest and best use of 0.74 acre lot.
2. The building is a "mish-mash" of conflicting architectural styles (1927 colonial revival and 1958 modern). Staff is skeptical that the building could be re-faced in such a way to successfully meld these conflicting styles such a way that would result in a high-

quality, aesthetically attractive building which complements the downtown's historic character.

3. Should the existing building remain unoccupied for an extended period of time, it may become an attractive nuisance and target for vandals.
 4. Removing the building may make the property more attractive to developers looking to undertake a large-scale, signature development project.
- c. Staff Recommendation: Staff recommends that the City hold a public hearing on both the weatherization and demolition resolutions. In the event the City Council elects to proceed with weatherization, City Administration recommends that the demolition resolution be tabled. Doing so would allow the City to forgo the TIF amendment process, thereby allowing for funds to be appropriated expeditiously should the need arise.
- 3) Interim Use of the NHES Property: Should the City acquire this property, City Administration recommends that the property be used on an interim basis as follows:
- a. Short Term: During construction of the Complete Streets Project, the property should be used for construction staging. The property's central location immediately adjacent to the work zone, coupled with its large, flat parking lot would make it ideal for a staging location.
 - b. Long Term: Once the Complete Street Project is finished, the 75 space parking lot should be used for public parking. At this juncture, staff recommends managing these spaces with parking kiosks.

These interim uses may help to discourage vandalism and other undesirable activity.

- 4) Development Program and Financing Plan: In order to proceed with appropriation of funds, the City must amend the SBTIF's Development Program and Financing Plan in accordance with RSA 162-K. This document describes proposed development plans for the District, as well as public improvements required to promote development activities. The document also includes a summary of funds required to support public investments, as well as financial pro forma detailing anticipated revenues and expenditures for the SBTIF.

Acquisition of the property, as well as potential weatherization or demolition of the existing building, would be financed with general obligation bonds supported by the SBTIF District.

Because the process to find a developer with a suitable concept for the property may take 5 years, possibly longer, Development Program and Financing Plan contemplates using short-term, inexpensive Bond Anticipation Notes (BANs) for 5 years (i.e. FY2016 through FY2020).

Assuming the sale of the property by the end of FY2020, permanent financing (if required) in amount needed to cover the City's net investment in the property that are not otherwise covered by proceeds from the sale to a private developer, would be issued in FY2021.

- 5) SBTIF Advisory Board Recommendation: As of the date of this report, the SBTIF Advisory Board had not met to review this proposal. However, staff will meet with the Advisory Board prior to the public hearing on May 12th to discussion this proposal. The Advisory Board's recommendation will be reported to the City Council via a separate memorandum.

Summary: Staff recommends the following course of action:

- 1) Approve the attached resolution amending and restating the SBTIF Development Program and Financing Plan.
- 2) Authorize the City Manager to execute the proposed Purchase & Sales Agreement to acquire the NHES property
- 3) Approve the attached resolution in the amount of \$1.9 million to acquire the NHES property located at 32-34 South Main Street and 33 South State Street.
- 4) Hold public hearings for the \$190,000 weatherization resolution and \$325,000 demolition resolution and make a decision on which action to pursue. If weatherization is preferred, staff recommends that the demolition resolution be tabled in the event such funds are needed in the future.

PURCHASE AND SALES AGREEMENT

This **PURCHASE AND SALES AGREEMENT** ("Agreement") is made as of the _____ day of _____, 2014 by and between the State of New Hampshire, Department of Employment Security having a principal place of business at 32 South Main Street, Concord, New Hampshire 03301 (referred to as the "Department" or the "Seller") and the City of Concord, a New Hampshire municipal corporation, with a principal place of business at 41 Green Street, Concord, New Hampshire 03301 (referred to as "the City" or "the Buyer") (referred to individually as a "Party" and collectively as the "Parties").

RECITALS

This Agreement relates to the sale of real estate located at #32-34 South Main Street and 33 South State Street, Concord, New Hampshire (the "Premises"), City Assessing Department Parcel Map 34 Block 3 Lot 3 and Map 34 Block 3 Lot 2.

This Agreement is entered into upon the basis of the following facts and intentions of the Parties:

- I. The Seller owns certain real estate located at 32-34 South Main Street and 33 South State Street, Concord, New Hampshire consisting of 0.75 +/- acres of land (combined), a 23,700SF +/- office building, and 75 space parking lot, as further described herein;
- II. The Seller is divesting the Premises due to the consolidation and relocation of certain Department Offices to the so-called Tobey Building at the Governor Hugh Gallen Office Park, 45 South Fruit Street, Concord, New Hampshire.
- III. The State anticipates relocating all operations from 32-34 South Main Street to the Tobey Building in the spring of 2014.
- IV. The City of Concord is afforded the ability to acquire the Premises in accordance with RSA 4:40, I.
- V. The City, subject to the contingencies set forth within this Agreement, desires to acquire the Premises from the Seller for the purposes of future redevelopment in order to promote tax base expansion and job creation.
- VI. All Parties signatory to this Agreement are willing to proceed upon the terms and conditions of this Agreement.

NOW, THEREFORE, the Parties hereby agree as follows:

1. DESCRIPTION OF PREMISES AND REAL ESTATE TRANSACTION:

- 1.1. **General:** Pending the results of the City's due diligence and the other conditions in this Agreement, the Seller intends to sell to the City, and the City intends to acquire from the Seller, the Premises, consisting of two lots of record totaling approximately 0.75+/- acres of land, featuring a single building 23,700SF +/-, as shown on the attached plan titled "Exhibit 1".
- 1.2. **Purchase Price:** The City shall acquire the Premises for the sum of ONE MILLION FIVE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$1,575,000) cash at Closing.
- 1.3. **Deposit:** No deposit shall be required for this transaction.
- 1.4. **Payment of Purchase Price:** The Purchase Price shall be paid in full by the Buyer by certified check, bank check or Federal wire transfer to the Seller at Closing and conveyance of the Premises to the Buyer.
- 1.5. **Access to Premises:** The Seller hereby grants permission to the Buyer, its employees, representatives, consultants, and agents authorization to enter the Premises for the purpose of completing due diligence and for all other purposes necessary to carry out the terms of this Agreement. All times and dates for such access shall require the prior approval by the Seller such approval not to be unreasonably withheld.

The Buyer and the Seller shall coordinate all access to the Premises by third parties working on behalf of the Buyer as part of the Buyer's due diligence.

Unless otherwise arranged, the Parties hereby agree that all due diligence activities requiring access to the Premises, such as, but not limited to environmental due diligence and/or anything requiring inspection of building materials, shall not occur until such time as the State has vacated the Premises.

The Buyer shall indemnify, defend, and hold harmless the Seller from and against any and all claims, actions, damages or losses arising out the Buyer's activities pursuant to this paragraph during its inspection and subsequent tasks related thereto which are caused solely by the Buyer's negligence. The Buyer shall require any and all contractors who are retained for the purpose of completing due diligence or for any other purpose necessary to carry out the terms of this Agreement, and who will need to access the Premises, to obtain a certificate of insurance in the amount of \$2 million aggregate, \$1 million per occurrence naming the Seller as an additional insured. The Buyer shall also require any such

contractors to execute the City's standard indemnification form naming both the City and the Seller as indemnified parties. The standard indemnification form shall be as follows, unless written approval of a requested change is granted by both the Buyer and Seller:

"The contractor agrees to indemnify, defend and save harmless the City and State of New Hampshire Department of Employment Security, their officials, officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers and any other person, firm, or corporation furnishing or supplying work, services, materials or supplies in connection with the performance of this contract, and from any and all claims and losses accruing or resulting to any person, firm or corporation which may be injured or damaged by the contractor in the performance of this contract. In any case, the foregoing provisions concerning indemnification shall not be construed to indemnify the City or State of New Hampshire Department of Employment Security for damage arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City, State of New Hampshire Department of Employment Security, or their employees. This indemnification shall survive the expiration or early termination of this contract."

- 1.6. **Closing:** In recognition of the State's schedule to vacate the Premises and relocate to the Tobey Building, flexibility for the exact date of closing is required. Therefore, the Parties agree that a Closing shall occur no sooner than July 1, 2014 and no later than September 19, 2014, unless otherwise mutually agreed by the Parties.

The Parties expressly agree that the Closing date is contingent upon the State vacating the Premises by May 31, 2014 in order to allow the City sufficient time to undertake environmental due diligence, including laboratory turnaround time for the analysis soil, water, and hazardous building materials samples taken in conjunction with said due diligence. In the event the State is delayed in vacating the Premises, the Parties shall work to mutually extend the Closing date to allow the City sufficient time to complete its due diligence activities but in no event shall such extension be longer than the time period the City would have otherwise had to complete due diligence had the Seller not experienced delays in vacating the Premises, unless otherwise mutually agreed by the Parties.

The Parties agree that a Closing shall not occur until all of the Buyer's Contingencies, as set forth in Article 2, have been achieved or satisfied.

- 1.7. **Title and Deed Restrictions:** In addition to the terms and conditions set forth within this Agreement, the conveyance of the Premises by the Seller to the Buyer shall be of good and marketable title thereto by Warranty Deed and insurable for the benefit of the City by a title insurer licensed in the State of New Hampshire and acceptable to the Buyer pursuant to an ALTA standard form title insurance policy in an amount equal to the Purchase Price, insuring that the Buyer holds marketable fee simple title to the Premises subject to:
 - a) Easements, liens restrictions and/or encumbrances of record or any other matters of record in existence at the time of the Closing accepted and approved by the City; and
 - b) Provisions of building and zoning laws in effect at the time of the Closing.
- 1.8. **Seller's Affidavits and Certificates:** If requested to do so by the Buyer, the Seller, at the Closing, shall deliver such affidavits (in customary form) as may be required by the Buyer or Buyer's title insurance company with respect to: (1) parties in possession of the Premises, (2) rights of third parties and title claims in or to the Premises, and (3) mechanic's and materialmen's liens affecting the Premises.
- 1.9. **Deed Preparation; Recording Fees:** The Seller shall convey the Premises by Warranty Deed. The Seller shall prepare all deeds (including easement deeds, if any) at its expense. The Seller will deliver the draft deeds to the Buyer no later than 30 days after the execution of this Agreement as possible. The Buyer shall review the deeds within ten (10) business days of receipt from the Seller and provide comments to the Seller. The Seller shall address the comments and respond in a timely manner and revise the Warranty Deed or Easement Deeds no later than five (5) business days prior to the Closing.
- 1.10. **Transfer Taxes and Recording Fees:** In accordance with New Hampshire State Law RSA 78-B:2, both the Seller and Buyer are exempt from the Real Estate Transfer Tax.
- 1.11. **Discharge of Liens:** The Seller shall, at its expense, pay or discharge all liens, mechanics liens, encumbrances, and attachments, if any, which may exist on the Premises through the date of Closing or filed after recording of the deed transferring the Premises to the City due to an action by the Seller prior to recording of the transfer deed. To enable the Seller to make conveyance as herein provided, the Seller may, at the time of delivery of the deed, use the Purchase Price or any portion thereof to

clear the title or any or all encumbrances or interests, provided that all instruments so procured are recorded simultaneously with the delivery of said deed. The Seller shall also be entitled to use the proceeds to pay off any mortgagee, pursuant to standard customary practices for real estate transactions and conveyances, and receive therefrom a discharge(s) to be recorded in the ordinary course of business.

- 1.12. **Prorating of Property Taxes and Utility Costs:** At the time of recording of the Deed, the Seller shall be required to pay all property taxes and utilities (as applicable) for the Premises through the date of Closing.
- 1.13. **Delivery of Premises, Removal of Tenants, Property to be Retained by Seller:** The Seller shall deliver possession of the Premises to the Buyer in substantially the same condition as the date of execution of this Agreement free and clear of all tenants and third parties, and personal property belonging to the Seller or tenants. Further, the Parties agree that the emergency generator located on the Premises shall not be considered a fixture to be conveyed with the Premises but rather shall be removed by the Seller prior to the date of the closing. The Seller shall assume all responsibility and costs associated therewith, if any.
- 1.14. **Title Insurance:** If applicable, the Seller shall execute all customary documents required by the Buyer's Title Insurance Company.
- 1.15. **Real Estate Broker's Fees & Commissions:** Each Party hereby affirms that no real estate broker or realtor represents either Party in this transaction. The Parties agree that the acting Party shall be responsible for any broker's commission or compensation related to this transaction due to action by that Party.
- 1.16. **Environmental Contamination, Due Diligence, and Indemnification:**
 - 1.16.1. **Environmental Reports Commissioned by the Seller:**

The Seller shall provide the Buyer with copies of any and all environmental studies, assessments, or reports which it has commissioned for the Premises, or may otherwise have in its possession.

The Parties also acknowledge that the Seller has provided the Buyer with a copy of environmental site assessments and other related reports and data previously completed by the Seller for the Premises:

 - a. Environmental Site Assessment New Hampshire
Department of Employment Security 32 South Main

Street, Concord NH prepared by Aires Engineering
April 1990.

The Buyer acknowledges and agrees that it may not rely upon the representations, certifications, and statements contained therein without the express written consent of the parties which authored such reports or generated said data. Further, the Buyer acknowledges that the provision of such materials by the Seller does not constitute any representation or warranty by the Seller related to environmental conditions or potential presence of hazardous materials at the Premises.

- 1.16.2. **Due Diligence:** The Buyer shall have the right to conduct such studies and investigations it deems necessary with respect to the environmental condition of the Premises and any environmental contamination or hazardous material related thereto. Said studies and investigations shall be completed prior to date of Closing.

The Seller shall provide the Buyer (or its agents, employees, consultants, contractors, and representatives) reasonable access to the Premises after the Seller has vacated the Premises for the purpose of carrying out any environmental investigations or other due diligence required by the Buyer. In order to complete such examinations or investigations, the Buyer may undertake soil borings, test pits, or installation of groundwater monitoring wells. The Buyer may also perform a "hazardous building materials" survey of the Premises to identify lead paint, asbestos, PCB, or mercury containing materials. The Buyer shall perform these tasks at its own risk and at its own expense. The Buyer accepts full responsibility for the use of the Premises during its inspections and due diligence.

The Buyer hereby discloses that it may undertake said due diligence through grant or technical assistance programs provided by the U.S. Environmental Protection Agency. The Seller shall execute all documents required by the Buyer and the USEPA related to completion of said due diligence, including a right of entry form as required by the US EPA.

- 1.16.3. **Results of Environmental Due Diligence:** If based upon examination of data and reports provided by the Seller or upon the results of the Buyer's own environmental tests, examinations, investigations, or studies, the Buyer

determines that the Premises are not acceptable because of the presence of environmental contamination, hazardous materials, or other buried materials at the Premises, and the estimated cost to the Buyer to abate, remediate, remove, monitor, or otherwise manage said hazardous materials / substances in-situ is greater than \$37,500 as determined by the Buyer's Environmental Consultants, the Buyer shall have the following options, as follows:

- 1.16.3.1. Negotiate with the Seller in order to reduce the purchase price of the Premises as appropriate to reflect the environmental condition of the property; or,
- 1.16.3.2. Terminate this Agreement in which case this Agreement shall be null and void, and of no further force or effect; or,
- 1.16.3.3. Accept the Premises in its "as is condition" and proceed to Closing, subject to other contingencies as set forth within this Agreement.

1.16.4. **Completion of Transaction and Environmental Conditions:** If the Buyer proceeds to Closing either relying upon environmental due diligence, tests, studies, or investigations completed by the Buyer or previously by the Seller, the Buyer shall accept full responsibility for the Premises in its "as is" environmental condition with respect to the potential presence of hazardous waste or other buried materials regardless whether such waste or other materials were identified by said due diligence, tests, studies, or investigations.

1.17. **Seller's Disclosures:** The Seller makes no warranties or representations regarding environmental contamination or sub-surface conditions at the Premises.

1.18. **Casualty and Condemnation:** In the event that the Premises, prior to Closing, are damaged by fire, flood, collapse, or other casualty, the Buyer at any time after the occurrence of such damage or casualty may elect to terminate this Agreement by written notice, in which event all other obligations of the Parties hereunder shall cease and this Agreement shall thereupon be void and of no further force or effect. In the event of casualty, the Buyer and the Seller agree to hold each other harmless from

any claim for any costs, damages, liabilities, or financial losses it may incur.

1.19. **Relocation**: The Seller hereby waives any and all relocation assistance which it might be eligible for under RSA 162-K:6 and 162-K:15 due to City's use of the Sears Block Tax Increment Financing District to acquire the Premises.

1.20. **Provisions of RSA 4:40**: The Parties hereby agree to the following provisions concerning divestment of surplus State owned real estate:

1.20.1. In addition to the purchase price discussed herein the Buyer shall also pay to the Seller at the time of closing an administrative fee in the amount of One Thousand One Hundred Dollars (\$1,100.00) pursuant to RSA 4:40.

1.21. **Property Retained by the Seller**: The Seller shall retain the Kohler 350120/208 volt emergency electric generator located at the Premises. The Seller shall have the unit disconnected and removed from the Premises at its sole expense prior to the Closing. The Seller shall also have any repairs to the electric panels and wiring completed after removal of the unit so as electricity can be safely used at the Premises. Further, damage to any other portion of the property from removal of the generator shall be repaired to the Buyer's satisfaction.

2. **BUYER'S CONTIGENCIES**: The City's obligation to Close on acquisition of the Premises shall be subject to the following contingencies, the failure to satisfy any one of which shall give the City any of the options set forth below and, in addition, the right to withdraw from this Agreement, after which the City shall have no further obligation to the Seller.

2.1. **Title**: Upon execution of this Agreement by the Parties, the Buyer shall perform a title examination of the Premises, and must be reasonably satisfied that title to the Premises is good, marketable and insurable. In the event that the title to the Premises is not good, marketable and insurable, the Seller shall be provided a reasonable period of time, no less than thirty (30) days, within which to resolve such title defects. In the event that such defects cannot be resolved to the Buyer's reasonable satisfaction, the Buyer, at its sole option, may proceed with any of the following options:

2.1.1. Afford the Seller any additional amount of time which the Buyer solely deems reasonable to cure said Title defects; or,

2.1.2. Terminate this Agreement following which this Agreement shall be null and void, and of no further force or effect; or,

- 2.1.3. The Parties may renegotiate the Purchase Price to appropriately account for the condition of the Premises' Title and then proceed to Closing.
- 2.2. **Environmental Due Diligence:** This Agreement is specifically contingent upon the City completing environmental due diligence with results acceptable to the City in its sole discretion, in accordance with Section 1.16 of this Agreement. In the event that such due diligence yields results which indicate the Premises contains hazardous materials which would cost \$37,500 or more to remove, abate, remediate, or monitor on site, the Buyer shall have the ability to pursue any of the options set forth within Section 1.16.3.
- 2.3. **Enrollment of Premises in NH Brownfields Program:** This Agreement is specifically contingent upon the City successfully enrolling the Premises in the New Hampshire Brownfields Program (a.k.a. "Covenant Not to Sue Program") as administered by the NH Department of Environmental Services. This cannot be accomplished until the City has completed its environmental due diligence in accordance with this Agreement. Because the City plans to file its application as a "prospective purchaser" of the Premises, the Seller shall execute any documents necessary to enroll the Premises into this program. The City shall complete the application process at its sole expense.
- 2.4. **Amendment of Sears Block Tax Increment Finance ("SBTIF") District and Funding Appropriation by City Council:** This Agreement is specifically contingent upon the City Council conducting public hearings and obtain the necessary votes for the purpose of:
- 2.4.1. Amending and re-adopting the Sears Block Tax Increment Finance District Development Program and Finance Plan in accordance with RSA 162-K in order to provide funding to support acquisition of the Premises and related expenses thereto;
- 2.4.2. Appropriation of funds from the SBTIF District by the City Council to finance purchase of the Premises and all related due diligence.

In the event the City Council does not conduct the necessary public hearings or obtain the votes required, the Seller may elect to terminate this Agreement following which this Agreement shall be null and void, and of no further force or effect.

3. REPRESENTATIONS AND WARRANTIES

3.1. Representations and Warranties of the Buyer. The City hereby represents and warrants that:

3.1.1. The execution and delivery of this Agreement and the performance of the City's obligations hereunder have been duly authorized by such municipal action as necessary, and this Agreement constitutes the legal, valid and binding agreement of the City, enforceable against the City in accordance with its terms subject only to the conditions set out in this Agreement.

3.1.2. Subject to the conditions set out in this Agreement, neither the execution or delivery by the City of this Agreement, the performance by the City of its obligations in connection with the transactions contemplated hereby, nor the fulfillment by the City of the terms or conditions hereof conflicts with, violates or results in a breach of any constitution, law or governmental regulation applicable to the City, or conflicts with, violates or results in a breach of any term or condition of any judgment or decree, or any agreement or instrument, to which the City is a party or by which the City or any of its properties or assets are bound, or constitutes a default there under.

3.1.3. Except as set forth in this Agreement, no approval, authorization, order or consent of, or declaration, registration or filing with, any Governmental Authority is required for the valid execution and delivery of this Agreement by the City, except such as have been duly obtained or made or disclosed in this Agreement.

3.1.4. There is no action, suit or proceeding, at law or in equity, or official investigation before or by any court or Governmental Authority, pending or threatened against the City, wherein an unfavorable decision, ruling or finding would materially adversely affect the performance by the City of its obligations hereunder or the performance by the City of its obligations under the transactions contemplated hereby, or which, in any way, questions or may adversely materially affect the validity or enforceability of this Agreement, or any other agreement or instrument entered into by the City in connection with the transactions contemplated hereby.

3.2. Representations and Warranties of the Seller. The Seller hereby represents and warrants to the best of its knowledge and belief that:

3.2.1. The Seller has the power and authority to execute, deliver and carry out the terms and provisions of this Agreement and all

necessary action has been taken to authorize the execution, delivery and performance by it of this Agreement subject to the Seller seeking and obtaining final approval by Governor Hassan and the Executive Council pursuant to RSA 4:40. This Agreement will, upon execution and delivery thereof by the Seller and upon approval by Governor Hassan and the Executive Council, constitute valid, legal and binding obligations of the Seller enforceable against the Seller in accordance with the respective terms thereof.

- 3.2.2. Neither the execution or delivery by the Seller of this Agreement, the performance by the Seller of their obligations in connection with the transactions contemplated hereby, nor the fulfillment by the Seller of the terms or conditions hereof conflicts with, violates or results in a breach of any constitution, law or governmental regulation applicable to the Seller, or conflicts with, violates or result in a breach of any term or condition of any judgment or decree, or any agreement or instrument, to which the Seller are a party or by which the Seller or any of its properties or assets are bound, or constitutes a default there under.
- 3.2.3. No approval, authorization, order or consent of, or declaration, registration or filing with, any Governmental Authority is required for the valid execution and delivery of this Agreement by the Seller, except such as have been duly obtained or made.
- 3.2.4. There is no action, suit or proceeding, at law or in equity, or official investigation before or by any court or Governmental Authority, pending or threatened against the Seller, its principal(s), affiliate(s), or entities controlled by its principal(s), wherein an unfavorable decision, ruling or finding would materially adversely affect the performance by the Seller of their obligations hereunder or the performance by the Seller of its obligations under the transactions contemplated hereby, or which, in any way, questions or may adversely materially affect the validity or enforceability of this Agreement or any other agreement or instrument entered into by the Seller in connection with the transactions contemplated hereby.

4. GENERAL PROVISIONS

- 4.1. **Cooperation**: The Buyer and the Seller agree to cooperate with each other in order to achieve the purposes of this Agreement and, in connection therewith, to take such further actions and to execute such further documents as may reasonably be requested by the Seller, the Buyer, or their representatives, agents, and consultants.

- 4.2. **Entire Agreement; Amendments.** This Agreement embodies the entire agreement and understanding between the Parties hereto relating to the subject matter herein and supersedes all prior agreements and understandings between the Parties. This Agreement may not be changed, modified, waived, discharged or terminated orally, but only by an instrument in writing signed by each of the Parties hereto or by the Party against which enforcement is sought. Any change, modification or amendment, which requires the consent or approval of a Governmental Authority, shall be effective only upon receipt of such approval.
- 4.3. **Binding Effect; Successors and Assignors.** The terms and provisions of this Agreement and the respective rights and obligations of the Parties hereunder shall be binding upon, and inure to the benefit of, their respective heirs, successors, assigns, and nominees.
- 4.4. **Headings.** The headings to the sections and subsections of this Agreement have been inserted for convenience of reference only and shall not modify, define, limit or expand the express provisions of this Agreement.
- 4.5. **Exhibits.** All exhibits referred to in this Agreement are hereby incorporated by reference and expressly made a part hereof.
- 4.6. **Governing Law.** This Agreement shall in all respects be governed by, and construed and enforced in accordance with, the laws of the State of New Hampshire.
- 4.7. **Enforceability.** Any provision of this Agreement that is determined to be illegal or unenforceable by a court of competent jurisdiction, shall be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof.
- 4.8. **Consent to Jurisdiction and Venue.** The Buyer and Seller submits to the jurisdiction of the courts of the State of New Hampshire and the courts from which an appeal from such trial venue may be taken or other relief may be sought for purposes of any action or proceeding arising out of this Agreement or any related agreement. All legal actions taken by the Parties shall be commenced in Merrimack County New Hampshire Superior Court. Both Parties hereby waive their right to a jury trial.
- 4.9. **Independent Parties.** The Buyer and Seller are independent parties under this Agreement, and nothing in this Agreement shall be deemed or construed for any purpose to establish between any of them or among them a relationship of principal and agent, employment, partnership, joint venture, or any other relationship other than independent parties.

- 4.10. **Survival of Agreement.** The agreements, covenants, indemnities, representations and warranties contained herein shall survive the execution and delivery of this Agreement.
- 4.11. **Waivers.** Failure on the part of any Party to complain of any action or non-action on the part of the other Party, no matter how long the same may continue, shall not be deemed to be a waiver of any such Party's rights hereunder. No waiver at any time of any provision hereof by any Party shall be construed as a waiver of any other provision hereof or a waiver at any subsequent time of the same provision.
- 4.12. **No Rights Conferred Upon Others.** Except as expressly set out herein, nothing in this Agreement shall be construed as giving any individual, corporation, limited liability company, partnership, joint venture, association, joint stock company, trust, unincorporated organization or government, other than the Parties hereto, their successors and permitted assigns, any right, remedy or claim under or in respect of this Agreement or any provision hereof.
- 4.13. **Preservation of Rights.** Nothing herein or in any Related Agreement shall limit or be construed to limit in any way rights or remedies the City may have for the collection of real property taxes under law, unless expressly set forth herein.
- 4.14. **Time of the Essence.** The Parties agree that time is of the essence in performance of their respective obligations under this Agreement
- 4.15. **Good Faith and Fair Dealing.** Unless expressly stated otherwise in this Agreement, whenever a party's consent or approval is required under this Agreement, or whenever a party shall have the right to give an instruction or request another party to act or to refrain from acting under this Agreement, or whenever a party must act or perform before another party may act or perform under this Agreement, such consent, approval, or instruction, request, act or performance shall be reasonably made or done, or shall not be unreasonably withheld, delayed, or conditioned, as the case may be.
- 4.16. **Municipal Approvals.** The execution of this Agreement does not preempt or supersede the review process or powers of any City or other governmental Board, Committee, Commission, or Department, or excuse the parties from the requirement to apply for and receive all necessary permits and approvals from all applicable City or other governmental Boards, Committees, Commissions, or Departments, including but not limited to the requirement that the agreement be approved by Governor Hassan and the Executive Council pursuant to RSA 4:40 prior to the Seller being required and/or authorized to convey the property to the City.

- 4.17. **Warranties and Representations:** The Buyer and Seller each acknowledge that they have not been influenced to enter into this transaction or relied upon any warranties or representations not specifically set forth or incorporated into this Agreement.
- 4.18. **Saving Clause:** In the event that any of the terms or provisions of this Agreement are declared invalid or unenforceable by any Court of competent jurisdiction or any Federal or State Government Agency having jurisdiction over the subject matter of this Agreement, the remaining terms and provisions that are not effected thereby shall remain in full force and effect.

LIST OF EXHIBITS

- Exhibit 1 Tax Map of 32-34 South Main Street and Surrounding Properties (undated)

[The remainder of this page left blank intentionally]

Executed as a sealed instrument this _____ day of _____, 2014.

BUYER

CITY OF CONCORD

By: _____ Date: _____
Thomas J. Aspell, Jr., City Manager
Duly Authorized

SELLER

STATE OF NEW HAMPSHIRE

By: _____ Date: _____

Printed: _____
Duly Authorized

**STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK**

In _____, on the _____ day of _____, 2014, before me, personally appeared **THOMAS J. ASPELL, JR.**, known to me or proved to be the person named in and who executed the foregoing instrument, and being first duly sworn, such person acknowledged that he executed said instrument for the purposes therein contained as his free and voluntary act and deed.

Justice of the Peace/Notary Public

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

In _____, on the _____ day of _____, 2014, before me, personally appeared George N. Copadis, Commissioner of the New Hampshire Department of Employment Security, known to me or proved to be the person named in and who executed the foregoing instrument, and being first duly sworn, such person acknowledged that he executed said instrument for the purposes therein contained as his free and voluntary act and deed.

Justice of the Peace/Notary Public



CITY OF CONCORD

Enc
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5-35 (E)
5-41

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) FOR ACQUISITION OF THE NEW HAMPSHIRE EMPLOYMENT SECURITY PROPERTY LOCATED AT 32 SOUTH MAIN STREET AND 33 SOUTH STATE STREET WITHIN THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, On July 9, 2001 the City approved Resolution #7205, which established the Sears Block Tax Increment Finance District (SBTIF), which was subsequently amended by Resolutions #7515, #7722, #7890, #8534, and #8685; and

WHEREAS, the SBTIF exists for the purpose of making strategic investments in certain areas of downtown Concord, customarily in the form of real estate acquisition and infrastructure improvements, to encourage redevelopment of blighted, abandoned, and underutilized properties to achieve economic development goals such as preservation and expansion of employment opportunities, expansion of the property tax base, as well as beautification of public and private properties; and

WHEREAS, the City desires to acquire the New Hampshire Employment Security ("NHES") property located at 32 South Main Street and 33 South State Street on an interim basis for the purpose of preparing the property for future conveyance to a private developer for the purposes of redevelopment; and

WHEREAS, on the date hereof, the City Council has adopted the Amended and Restated Sears Block Tax Increment Development Program and Financing Plan (the "Amended Sears Block TIF Plan") to, among other things, include additional debt service costs for the acquisition of the NHES property and related expenses; and

WHEREAS, this resolution authorizes the issuance of bond and notes, therefore a two-thirds vote of the City Council is required for passage;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- 1) The City Manager is hereby authorized to enter into a Purchase and Sales Agreement with the State of New Hampshire for the acquisition of the New Hampshire Employment Security property located at 32 South Main Street and 33 South State Street.

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE MILLION NINE HUNDRED THOUSAND DOLLARS (\$1,900,000) FOR ACQUISITION OF THE NEW HAMPSHIRE EMPLOYMENT SECURITY PROPERTY LOCATED AT 32 SOUTH MAIN STREET AND 33 SOUTH STATE STREET WITHIN THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 2 of 2

- 2) The sum of\$1,900,000
be and is hereby appropriated as follows:

Capital Projects General

SBTIF NH Employment Security Acquisition.....\$1,900,000

- 3) Revenue to meet said appropriation shall be provided from the following sources:

Capital Projects General

General Obligation Bonds.....\$1,900,000

- 4) The City Treasurer, with approval of the City Manager, is authorized to issue up to \$1,900,000 in bonds and notes of the City of Concord under RSA 162-K: 8, Chapter 280 of the Acts of 2000, and/or the Municipal Finance Act, it being the expectation of the City to pay the debt service costs on such bonds and notes from Tax Increment Revenues as designated and further described in the Amended Sears Block TIF Plan.
- 5) The discretion of the fixing of dates, maturities, rates of interest, form and other details of such bonds and notes (including whether such bonds or notes shall be issued on a tax exempt or taxable basis) and providing for the sale is hereby delegated to the City Treasurer.
- 6) Sums as appropriated shall be expended under the direction of the City Manager.
- 7) The useful life of the improvements is expected to be in excess of 25 years.
- 8) This resolution shall take effect upon its passage.

TGA



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Sears Block Tax Increment Finance District Advisory Board

DATE: April 29, 2014

SUBJECT: NH Employment Security Acquisition

Recommendation:

Accept this report.

Background:

The Sears Block Tax Increment Finance (SBTIF) District Advisory Board was established by Resolution #7740 on May 9, 2005. In accordance with RSA 162-K:14, the Board's mission is to "advise the governing body and district administrator on planning, construction, and implementation of the development program and on maintenance and operation of the district."

Currently, the SBTIF Advisory Board is comprised of Sarah Chaffee, Paula Harris, Rosemary Heard, John Hoyt, Jason LaCombe, and Eric Reingold. The Board presently has one vacancy.

Discussion:

The Advisory Board met on April 28, 2014 for the purpose of reviewing the City Administration's proposal to utilize the SBTIF to finance purchase of the NH Employment Security Building located at 32-34 South Main Street, as well as potential weatherization or demolition of the existing building, as further described in a staff report to the Mayor and City Council dated March 26, 2014.

The Advisory Board had an in-depth discussion of the advantages and disadvantages of potentially acquiring the property, as well as the proposed financing plan and long-term redevelopment goals of the property. The Board also discussed potential alternatives, which would allow the City to achieve its redevelopment goals while not taking ownership of the property. The Board also discussed the City Administration's proposed strategy to divest of the property within 5 years. The Board also discussed the potential opportunity costs associated with this proposal vis-à-vis other potential development opportunities within the TIF District. Lastly, the board also discussed the advantages and disadvantages of weatherizing or demolishing the existing building, as well as potential interim uses of the property should the City acquire the site.

Based upon those discussions, the Advisory Board respectfully offers the following recommendations to the City Council regarding this proposal:

1. Acquisition of NHES: That the City Council appropriate \$1.9 million in Sears Block TIF District supported bonds and notes to acquire the NH Employment Security site. The Advisory Board believes that the long-term economic development benefits which could result from redevelopment site are good cause for the City to directly control the process to secure a private developer for the property. The Board also noted that the City has a good history of success with similar projects (such as Capital Commons, Horseshoe Pond, and the Penacook Family Physicians projects).
2. NHES Weatherization / Demolition Options: The Advisory Board chose to make no recommendation at the present time about potential weatherization or demolition of the existing building, but wished to revisit this issue if and when an acquisition is completed.
3. Underground Utilities: Lastly, the Board reaffirmed its previous recommendation that the City Council move forward with installation of underground utilities on South Main Street between the Concord Food Co-Op and Thompson Street as part of the forthcoming Complete Streets Project. Installation of these utilities would be financed by the Sears Block TIF District. (The City Council approved \$2.5 million on bonds and notes supported by the SBTIF on August 12, 2013 by passage of Resolution #8686).

The Advisory Board believes that installation of underground utilities will be important in making the NHES site attractive to potential developers; especially if it is the City's goal to secure a redevelopment project of similar caliber as others recently completed on South Main Street.

Further, the Advisory Board reiterated its concern that should the City forgo installation of utilities now, but need to undertake installation sometime in the future to support redevelop, this would result in significant additional cost due to the need to remove and replace large sections of the newly constructed portions of South Main Street, including new sidewalks and streetscape improvements.

CITY OF CONCORD

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In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE HUNDRED NINETY THOUSAND DOLLARS (\$190,000) FOR WEATHERIZATION OF THE NEW HAMPSHIRE EMPLOYMENT SECURITY BUILDING LOCATED AT 32 SOUTH MAIN STREET AND 33 SOUTH STATE STREET WITHIN THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, On July 9, 2001 the City approved Resolution #7205, which established the Sears Block Tax Increment Finance District (SBTIF), which was subsequently amended by Resolutions #7515, #7722, #7890, #8534, and #8685; and

WHEREAS, the purpose of the SBTIF is to finance strategic investments in infrastructure and real estate in order to leverage private investment in redevelopment projects and other economic development activities within Downtown Concord; and

WHEREAS, the City desires to weatherize and preserve the existing 22,700 SF building located at the New Hampshire Employment Security ("NHES") property located at 32 South Main Street and 33 South State Street in order to retain the building for potential future redevelopment; and

WHEREAS, on the date hereof, the City Council has adopted the Amended and Restated Sears Block Tax Increment Development Program and Financing Plan (the "Amended Sears Block TIF Plan") to, among other things, include additional debt service costs for the preservation of said building and related improvements; and

WHEREAS, this resolution authorizes the issuance of bond and notes, therefore a two-thirds vote of the City Council is required for passage;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- 1) The sum of\$190,000 be and is hereby appropriated as follows:

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF ONE HUNDRED NINETY THOUSAND DOLLARS (\$190,000) FOR WEATHERIZATION OF THE NEW HAMPSHIRE EMPLOYMENT SECURITY BUILDING LOCATED AT 32 SOUTH MAIN STREET AND 33 SOUTH STATE STREET WITHIN THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 2 of 2

Capital Projects General

SBTIF NH Employment Security Weatherization.....\$190,000

- 2) Revenue to meet said appropriation shall be provided from the following sources:

Capital Projects General

General Obligation Bonds.....\$190,000

- 3) The City Treasurer, with approval of the City Manager, is authorized to issue up to \$190,000 in bonds and notes of the City of Concord under RSA 162-K: 8, Chapter 280 of the Acts of 2000, and/or the Municipal Finance Act, it being the expectation of the City to pay the debt service costs on such bonds and notes from Tax Increment Revenues as designated and further described in the Amended Sears Block TIF Plan.
- 4) The discretion of the fixing of dates, maturities, rates of interest, form and other details of such bonds and notes (including whether such bonds or notes shall be issued on a tax exempt or taxable basis) and providing for the sale is hereby delegated to the City Treasurer.
- 5) Sums as appropriated shall be expended under the direction of the City Manager.
- 6) The useful life of the improvements is expected to be five (5) years.
- 7) This resolution shall take effect upon its passage.

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

*Fgn
4-1-12/
5-35 (6)
5-43*

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF THREE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$325,000) FOR DEMOLITION OF THE NEW HAMPSHIRE EMPLOYMENT SECURITY BUILDING LOCATED AT 32 SOUTH MAIN STREET AND 33 SOUTH STATE STREET WITHIN THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, On July 9, 2001 the City approved Resolution #7205, which established the Sears Block Tax Increment Finance District (SBTIF), which was subsequently amended by Resolutions #7515, #7722, #7890, #8534, and #8685; and

WHEREAS, the purpose of the SBTIF is to finance strategic investments in infrastructure and real estate in order to leverage private investment in redevelopment projects and other economic development activities within Downtown Concord; and

WHEREAS, the City desires to demolish the existing 22,700 SF building located at the New Hampshire Employment Security ("NHES") property located at 32 South Main Street and 33 South State Street in order to prepare the property for future redevelopment; and

WHEREAS, on the date hereof, the City Council has adopted the Amended and Restated Sears Block Tax Increment Development Program and Financing Plan (the "Amended Sears Block TIF Plan") to, among other things, include additional debt service costs for the demolition of said building and related expenses and/or improvements; and

WHEREAS, this resolution authorizes the issuance of bond and notes, therefore a two-thirds vote of the City Council is required for passage;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord that:

- 1) The sum of\$325,000
be and is hereby appropriated as follows:

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS AND NOTES IN THE AMOUNT OF THREE HUNDRED TWENTY FIVE THOUSAND DOLLARS (\$325,000) FOR DEMOLITION OF THE NEW HAMPSHIRE EMPLOYMENT SECURITY BUILDING LOCATED AT 32 SOUTH MAIN STREET AND 33 SOUTH STATE STREET WITHIN THE SEARS BLOCK TAX INCREMENT FINANCE DISTRICT

Page 2 of 2

Capital Projects General
SBTIF NH Employment Security Demolition.....\$325,000

- 2) Revenue to meet said appropriation shall be provided from the following sources:

Capital Projects General
General Obligation Bonds.....\$325,000

- 3) The City Treasurer, with approval of the City Manager, is authorized to issue up to \$325,000 in bonds and notes of the City of Concord under RSA 162-K: 8, Chapter 280 of the Acts of 2000, and/or the Municipal Finance Act, it being the expectation of the City to pay the debt service costs on such bonds and notes from Tax Increment Revenues as designated and further described in the Amended Sears Block TIF Plan.
- 4) The discretion of the fixing of dates, maturities, rates of interest, form and other details of such bonds and notes (including whether such bonds or notes shall be issued on a tax exempt or taxable basis) and providing for the sale is hereby delegated to the City Treasurer.
- 5) Sums as appropriated shall be expended under the direction of the City Manager.
- 6) The useful life of the improvements is expected to be in excess of twenty-five (25) years.
- 7) This resolution shall take effect upon its passage.

2-14
3-35(C)
4-39(G)
5-36

CITY OF CONCORD

In the two thousand fourteenth year of our Lord

RESOLUTION Authorizing Annual Appraisal of Real Estate at Market Value per RSA 75:8-b

The City of Concord resolves as follows:

WHEREAS, the legislature has in RSA 75:8-b authorized any municipality with a population over 10,000 to annually appraise real estate at market value; and

WHEREAS, the legislature has established in RSA 75:8-b that the governing body shall hold two public hearings regarding the annual appraisal process at least 15 days, but not more than 60 days, prior to the governing body's authorization vote; and

WHEARAS, the City Council recognizes that assessments are constantly changing by neighborhood, type of property, and economic forces in varying amounts and that without annual adjustments to real estate assessments these changes may result in inequitable and unfair property taxation based upon the under or over assessment of properties when compared to market value; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Concord that:

- 1.) The annual appraisal of real estate at market value pursuant to the provisions of RSA 75:8-b is hereby authorized.
- 2.) This resolution takes effect April 1, 2014.





CITY OF CONCORD

TAA

REPORT TO MAYOR AND THE CITY COUNCIL

From: Kathryn H. Temchack, Director of Real Estate Assessments

Date: January 28, 2014

Subject: Authorization of Annual Appraisal at Market Value

Recommendation

Accept this report and set for public hearings in March and April, with a May vote, the proposed resolution authorizing the Assessing Department to proceed with valuing all real estate at market value as of April 1, 2014.

Background

RSA 75:8-b requires municipalities with populations of over 10,000 who desire to appraise the municipality's real estate at market value, to receive authorization by a majority vote of the governing body. Prior to the governing body's vote, 2 public hearings must be held. The statute also requires the municipality to provide notification of changes to the assessed value prior to the issuance of the final tax bill. The notification may be an individual notice to the property owners, by public notice in a newspaper of general circulation, or by any other means deemed appropriate by the governing body. The City Council has voted to authorize the annual valuation of assessments since 2005.

Discussion

Since 2004, the Assessing Office has been assessing properties annually at market value.

Valuing properties at market value ensures equitable and fair assessments to all taxpayers so that all are paying only their fair share of the tax burden. Market values are constantly changing, and do not rise or fall at the same level for each city neighborhood (the Heights vs. Penacook vs. the South End), or type of property (residential vs. commercial vs. condominiums), the appropriate adjustments need to be made each year to the property assessments to maintain them at market value.

Upon completion of the assessments each year the Department of Revenue (DRA) obtains the assessments and information from the Assessing Department to review and in determine the level of assessment (ratio) and the equity of the assessment coefficient of dispersion (COD) which measures the consistency among property values. The acceptable ranges for assessment level for all property types is 90-110% and the COD is less than 20% for commercial properties, less than 15 for residential properties and less than 25 for vacant land. The assessment level and the overall COD for the past several years:

Year	Assessment Level	COD
2012	100.5%	6.87%
2011	100.1%	7.00%
2010	99.7%	6.70%
2009	100.9%	6.80%
2008	100.3%	6.20%

Should any of you want or need more detailed information relative to the assessing process, please call (603-225-8550) to set up time where I can provide you with what you request.

April 15, 2014

City Clerk Janice Bonenfant

City Manager Thomas Aspell

Planning Board

City Council Members

317 Line Project

There are many homeowners in the Primrose Development/ Community (Primrose Lane, Winterberry Lane, Millennium Way, Rosewood Drive) that are very concerned about the 317 Line Project coming through the Neighborhood. The concerns lie in the proposed 100' cut area that is said to be needed for the poles coming in. This will drastically affect property values and appearance to a neighborhood that has all utilities underground. This is a pressing issue with trees marked for cutting in the very near future. We would like this addressed to find any ways to minimize/ mitigate the effect on our community visually and financially. We would ask that this be sent to city council members, appropriate staff, put on the consent agenda, and if there could be a public hearing.

Some ideas that have been brought up are:

Cutting 25' instead of 100'

Moving the poles/ cut area to the back side (tree side) of the 100' ROW

Going underground

Re-Routing

Moving the ROW to create a tree buffer

Respectfully submitted by:

Chris McKeown

18 Primrose Lane Penacook

And the people of the Primrose Community



Resolution No.

11-40 5-58 3-39
 12-37 6-53 1-16
 1-42 7-40
 2-56 8-65 2-33(I)
 3-45 9-37 2-42
 4-48 10-35 4-39
 5-45

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amendment of the Official Map so as to establish the Mapped Lines of a Future Street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.

The City of Concord resolves as follows:

WHEREAS, pursuant to enabling statutes, the City has established an Official Map as well as adopted an ordinance creating a process for mapping the lines of future streets; and

WHEREAS, mapping the lines of future streets reserves a corridor for a street to be constructed at a future time by restricting the issuance of building permits for buildings or structures within the mapped lines of future streets; and

WHEREAS, the adopted Master Plan 2030 recommends the creation of a roadway network to serve the southern Opportunity Corridor. The Opportunity Corridor Study and the 2030 Master Plan includes an extension of Storrs Street from the Intersection of Theatre Street and Storrs Street southerly under the Manchester Street Bridge to Gas Street, and then southerly to Langdon Avenue; and

WHEREAS, the City of Concord contributed over 1 million dollars in 1997-8 to the I-93 Exit 13 NH Department of Transportation improvement project to widen the Manchester Street Bridge to accommodate this planned roadway; and

WHEREAS, the Planning Board held a public hearing on December 19, 2012, after notifying the affected property owners on the planned new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue and accepted testimony, and

WHEREAS, the future street is intended to be constructed as an urban street to support the redevelopment of the southern Opportunity Corridor.

WHEREAS, the Planning Board voted unanimously to forward a request to the City Council that the Board be authorized pursuant to Section 16-3-6, Mapping of Future Streets, of the Code of Ordinances, to prepare and certify a plan of the mapped lines of a future street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.

Resolution No.

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Relative to the Establishment of the Mapped Lines of a Future Street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.

Page 2

NOW, THEREFORE, BE IT RESOLVED by the City Council of Concord that:

- 1.) The Planning Board be, and hereby is authorized to prepare and certify a plan of the mapped lines of a future street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.
- 2.) This resolution shall take effect upon its passage.



CITY OF CONCORD

TJA

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Stephen Henninger, Assistant City Planner
DATE: December 20, 2012
SUBJECT: Amendment to Mapped Lines of Future Streets – Storrs Street South

Recommendation

The Planning Board, after holding a public hearing on December 19, 2012, voted unanimously to forward the proposed revision of mapped lines of future streets to the City Council. The Board is requesting that the City Council direct the Planning Board to certify the mapped line of a future street pursuant to Article 16-3-6 Mapping of Future Streets, of the Code of Ordinances, and RSA 674:11, Amendments to Official Map, for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.

Prior to directing the Planning Board to certify the mapped street, the City Council will need to hold its own public hearing, send notice of the hearing by certified mail "to all owners over whose lands the proposed streets will cross," and publish the hearing notice in the newspaper.

Please see the attached map showing the location of the proposed 50' wide mapped line of future streets extending from the intersection of Theatre Street and Storrs Street, southerly adjacent to the NH main line railroad line, underneath the Water Street Bridge to Gas Street, then southerly from Gas Street to Langdon Avenue.

Background

This new road extending through the old Boston and Maine railroad yards southerly to the South Concord Industrial park has been planned for many decades. The yards and the South Concord Industrial park have languished as an underused and deteriorating brownfields site since prior to the 1960's.

The area has been begun a turnaround and several new developments have been completed including a new maintenance facility and headquarters for Concord Coach (an inter-city

bus company), Evolution Rock (a fitness center and climbing gym), and renovations to the J & S Leasing property.

The construction of Concord Steam Power Plant and cogeneration facility southerly of Langdon Avenue is planned for construction in 2013.

The City facilitated the extension of this new road in 1998-9 by increasing the length of the Water Street Bridge as part of the I-93 Exit 13 reconstruction project to allow for one bay under the bridge for the NH Main Line Railroad and one-bay for the Storrs Street extension at a cost of 1.3 million dollars.

The City has acquired the rights to develop Langdon Avenue as a public street from South Main Street to the NH Main Line Railroad (B & M Rail Line). A small amount of additional right-of-way in front of the Concord Coach facility still needs to be secured. A recent condominium subdivision of the J& S Property has preserved a corridor for the future road north from Langdon Avenue.

Master Plan

The Planning Board in 1993, as part of the Year 2010 Master Plan Update, adopted a Future Transportation Plan showing the southerly extension of Storrs Street from Theatre Street (Chandler Street) to the vicinity of Allison Street and South Main Street.

In the "The South Concord Redevelopment Area Study – A Small Area Master Plan" adopted by the Planning Board in 1997, the current alignment shown on the attached plan was developed.

The Concord Opportunity Corridor Master Plan prepared in April of 2005 reaffirmed the location and alignment of the southerly extension of Storrs Street and the recommendations of the South Concord Redevelopment Area Study.

In the current Master Plan 2030, the Planning Board reaffirmed the location and purpose of the southerly extension of Storrs Street to facilitate the redevelopment within the southern segment of the Opportunity Corridor.

Analysis

The proposed new mapped street has been referred for decades as the southerly extension of Storrs Street. Based on E-911 mapping and addressing conventions, when this street is developed a new street name will need to be selected. In this report we will continue to identify this proposed street as the southerly extension of Storrs Street.

The southern extension of Storrs Street has a well-defined beginning, middle and end. The starting point at the intersection of Storrs Street and Theatre Street is anchored at an existing four way intersection, falls between two large industrial scale buildings, and is the

ideal location from a grade standpoint to connect back to Storrs Street. The Merrimack River bluffs along South Main Street are on average about 26' above the grade of the plain below the bluff. Langdon Avenue is located at a low point in the bluffs and has 5-6% slopes on both approaches on South Main Street and on Langdon Avenue. Other connecting points between the two locations would require significant grade changes and impacts to existing buildings. Full access at Gas Street will be a design consideration given the available right-of-way for Gas Street, grade of Gas Street at South Main Street, and site distance at the South Main Street/Gas Street intersection. The underpass designed specifically for the future road under the Water Street Bridge is the only feasible location for the street between South Main Street and the NH Main Line Railroad. This section of the NH Main Line Railroad has been designated as one of five high speed rail corridors in the country with service proposed from Boston to Montreal. New at-grade rail crossings of this line are unlikely to be approved.

The corridor could be completed in two independent phases, one section from Theatre Street to Gas Street, and the second section from Gas Street to Langdon Avenue. Improvements to Langdon Avenue and the intersection of Langdon Avenue and South Main Street will be needed to support redevelopment in the southern section.

The following properties would be affected by the proposed mapped line of future streets.

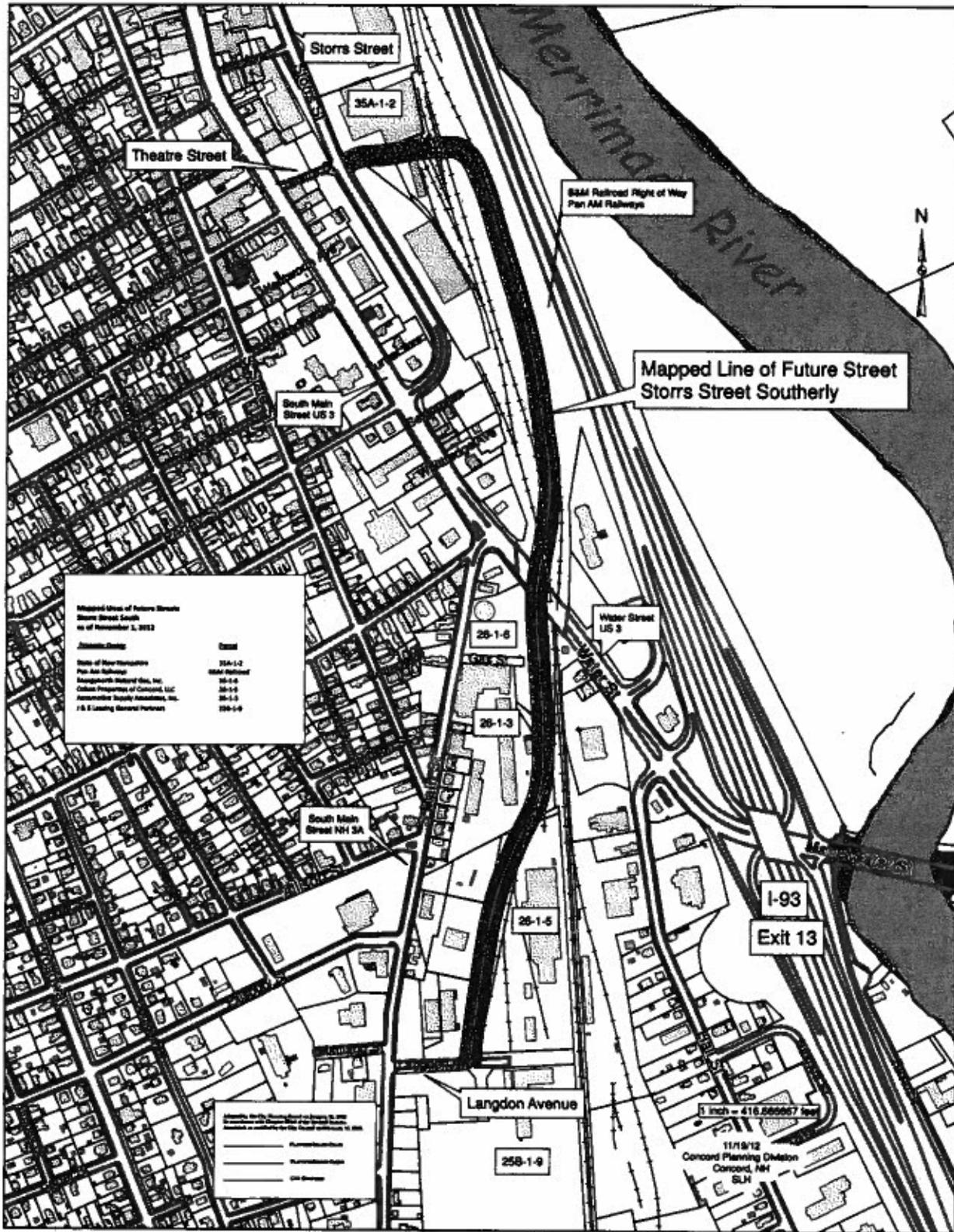
<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
State of New Hampshire	35A-1-2	50 Storrs Street
Pan Am Railroad	B & M Railroad	Storrs Street
Energynorth North Natural Gas, Inc.	26-1-6	Gas Street
Cohen Properties of Concord, LLC	26-1-5	Gas Street
Automotive Supply Associates, Inc.	26-1-3	219-231- S. Main St
J & S Leasing General Partners	25B-1-19	287 South Main St.

There are no environmentally sensitive areas along the corridor.

For the extension of Storrs Street to be completed south of Gas Street a complete take would be required for parcel 26-1-5 owned by Cohen Properties of Concord, LLC. This 0.65 acre parcel has a total assessed value of \$87,600. No other building or structure is impacted.

The corridor is located in a Brownfield area; however recent development in this area has proceeded without major expenditures for the cleanup of either soil or ground water contamination. The Energynorth parcel (26-1-6) at Gas Street was the site of a coal-gasification plant and the source of coal tar contamination in the area. Liberty Gas, the successor to Energynorth, would be are responsible for any Brownfield remediation associated with this contamination which may be required due to construction of the new street.

Storrs Street Southern Extension Mapped Line of Future Street



11-41 8-14
12-38 9-26 (c)
1-43 9-29
2-57 10-36
3-46
4-49 5-46

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; Article 27-1, Housing Maintenance and Occupancy Code, Section 27-1-5, Amendments to the International Property Maintenance Code/2009.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title III, Building and Housing Codes; Chapter 27, Housing Maintenance and Occupancy Code; Article 27-1, Housing Maintenance and Occupancy Code, by amending Section 27-1-5, Amendments to the International Property Maintenance Code/2009, as follows:

Section 101 – General

Add new section 101.3.1 Licensed Trades as follows:

101.3.1 Licensed Trades: To further ensure the public health, safety and welfare, any new installations or major repairs in residential rental property to plumbing, mechanical or electrical work must be performed by State of NH licensed tradesperson who shall obtain the necessary permits for such work. The Code Official may require licensed tradesperson to correct non-compliances to plumbing, mechanical or electrical work performed by the property owner or his or her agent.

Section 102- Applicability

102.3 Application of other codes: Delete this section in its entirety and replace with the following:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the most recently adopted versions of the following codes: International Building Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, NFPA 70, International Existing Building Code, NFPA 101 Life Safety Code, International Building Code, International Fuel Gas Code, International Mechanical and NFPA 70.

Nothing in this code shall be construed to cancel, modify or set aside any provision of the Municipal Code of Ordinances, Chapter 28.

Section 104- Duties and Powers of the Code Official

Add new section "104.3.1 Access by owner/operator/agent" as follows:

104.3.1 Access by owner/operator/agent: Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.

Section 202 – General Definitions

Under Section 202, General Definitions, add the following definitions:

Cooking Appliance: A stove containing an oven and cooking surface, or a stove top cooking surface and wall oven.

Weed(s): All grasses, annual plants and vegetation other than trees or shrubs or cultivated flowers and gardens.

Under Section 202, General Definitions, amend paragraph 7 of the definition of "Public Nuisance" as follows:

7. Any premises that is unsanitary, or that is littered with rubbish or garbage or ~~that has an uncontrolled growth of weeds;~~ or

Under Section 202, General Definitions, amend the definition of "Rooming House" as follows:

Rooming House: A detached dwelling unit containing sleeping accommodations for ~~individuals other than~~ **more than three (3) unrelated individuals** ~~other than members of the resident family and~~ having common kitchen and dining facilities.

Section 302 – Exterior Property Areas

302.4 Weeds: Delete this section in its entirety and replace with the following:

302.4 Weeds. Weeds on all exterior premises shall be maintained at a height that does not obstruct sight distance when entering or exiting a roadway or has the potential to create a fire hazard or public nuisance.

Section 307 – Handrails and Guardrails

307.1 General: Delete this section in its entirety and replace with the following:

307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than 30 inches above the floor or grade below shall have guards. Handrails shall not be less than 30 inches high or more than 42 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches high above the floor of the landing, balcony, porch, deck of ramp or other walking surface.

Exception: Guards shall not be required where exempted by the more recently adopted building code.

Section 405 – Dwelling Units

405.1 Dwelling Unit: Amend paragraph 1 as follows:

1. The unit shall be provided with a kitchen sink, cooking appliance (a microwave is not considered a cooking appliance per section 403.3) *with all components in safe, clean working condition*, and a clear working space of not less than 30 inches. Light and ventilation conforming to this code shall be provided.

Add the following as a new section:

Section 406 – Rooming Houses

406.1 A person shall not operate a rooming house, hotel or motel unless that person holds a valid rooming house permit per Article 27-1-3 of the City of Concord Code of Ordinances.

406.2 A detached dwelling housing three (3) or more unrelated individuals other than members of the resident family is classified as a rooming house and is subject to an annual inspection.

Section 503 – Toilet Rooms

503.3 Floor surface: Amend this section as follows:

503.3 Floor surface. In ~~other than~~ dwelling units, every toilet room floor shall be maintained to be a smooth, hard, non-absorbent surface to permit such flooring to be easily kept in a clean and sanitary condition.

Section 605 – Electrical Equipment

Add new sections "605.4, 605.5, 605.6, 605.7 and 605.8" as follows:

605.4 Branch circuits in buildings with more than one occupancy. Branch circuits in each dwelling unit shall supply only loads within that dwelling.

605.5 Common area branch circuits with more than one occupancy. Branch circuits installed for the purpose of lighting, central alarm, signal, communications, or other purposes for public or common areas of a two-family dwelling, a multi-family dwelling, or a multi-occupancy building shall not be supplied from equipment that supplies an individual dwelling unit or tenant space.

605.6 Identification. Each circuit in an electrical panel is required to be identified as to what area of the building that circuit supplies power.

605.7 Occupancy. Each occupant shall have ready access to all overcurrent devices protecting the conductors supplying that occupancy.

Exception: Where electrical service and electrical maintenance are provided by the building management and where these are under continuous building management supervision, the service overcurrent devices and feeder overcurrent devices supplying more than one occupancy shall be permitted to be accessible only to authorized management personnel in multiple-occupancy building and guest rooms/guest suites.

605.8 Unused openings. Unused openings for circuit breakers and switches shall be closed using identified closures or other approved means that provide protection substantially equivalent to the wall of the enclosure.

Section 702 – Fire Protection Systems

704.2 *Smoke alarms*: Amend this section as follows:

704.2 Smoke alarms. ~~The minimum standard pursuant to the City Housing Code, Article 27 of the Municipal code of Ordinances and a July 1, 1999 amendment to the State of NH Smoke Detector Law Rules (RSA 153:10 a) requires that~~ Existing battery powered smoke detectors located within single family rental housing and multi-family (two or more dwelling units) housing, must be replaced with a hard wired*, electrically powered battery back-up smoke detectors, which incorporate a "false alarm silencing" feature. The electrically powered smoke detector(s) must be installed by a New Hampshire licensed master electrician. An electrical permit must be obtained prior to installation. This code standard applied to the installation of smoke detection where none were previously provided ~~but~~ *or additional units* are required.

**Remote Smoke Detectors. In existing buildings, wireless remote, battery-back up smoke detectors may be installed. Installation must be performed by a State of NH licensed electrician.*

SECTION II: This ordinance shall take effect upon its passage.





CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Michael Santa, CBO, Code Administrator

DATE: July 16, 2013

SUBJECT: Updating of the City's Housing Code

Recommendation

Accept this report recommending that the City Council amend the Code of Ordinances, Chapter 27, Housing Maintenance and Occupancy Code.

Background

The current Code of Ordinances, Chapter 27, Housing Maintenance and Occupancy Code was last updated in March of 2011. The Housing Maintenance and Occupancy Code is based on the 2009 International Property Maintenance Code. Staff is proposing amendments to the Housing and Maintenance Occupancy Code because recent State of New Hampshire changes to the smoke detector and carbon monoxide requirements in residential structures has created a conflict between standards. Staff is also proposing other amendments to the Housing and Maintenance Occupancy Code to provide clarification regarding the requirements of certain sections.

Discussion

The City's Housing Maintenance and Occupancy Code was last updated in 2011. Since the Housing Maintenance and Occupancy Code is specifically tailored to the City of Concord, situations are encountered that occasionally require the amending of the code. The proposed amendments have been written to provide consensus between State and local law, as well as to provide clarification in sections of the code to prevent any ambiguities about the requirements.

cc: Thomas J. Aspell, City Manager
Carlos Baia, Deputy City Manager, Development
Gloria McPherson, City Planner
Craig Walker, Zoning Administrator
Sean Toomey, Deputy Fire Chief



Proposed changes to Housing Maintenance and Occupancy Code 2012

(Red font = additions to code)
(Deletions)

101.3.1 Licensed Trades: To further ensure the public health, safety and welfare, any new installations or major repairs in residential rental property to plumbing, mechanical or electrical, work must be performed by State of NH licensed tradesmen who shall obtain the necessary permits for such work. The Code Official may require a licensed tradesman to correct non-compliances to plumbing, mechanical or electrical work performed by the property owner or his agent.

104.3.1 Access by owner/operator/agent: Every occupant of a structure or premises shall give the owner or operator thereof, or agent or employee, access to any part of such structure or its premises at reasonable times for the purpose of making such inspection, maintenance, repairs or alterations as are necessary to comply with the provisions of this code.

704.2 Smoke alarms. ~~The minimum standard pursuant to the City Housing Code, Article 27 of the Municipal Code of Ordinances and a July 1, 1999 amendment to the State of NH Smoke Detector Law Rules (RSA 153:10-a) requires that~~ Existing battery powered smoke detectors located within single family rental housing and multi-family (two or more dwelling units) housing, must be replaced with hard wired*, electrically powered battery back-up smoke detectors, which incorporate a "false alarm silencing" feature. The electrically powered smoke detector(s) must be installed by a New Hampshire licensed master electrician. An electrical permit must be obtained prior to installation. This code standard applies to the installation of smoke detection where none were previously provided ~~but~~ or additional units are required.

***Remote Smoke Detectors.** In existing buildings, wireless remote, battery-back up smoke detectors may be installed. Installation must be performed by a State of NH licensed electrician.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the most recently adopted versions of the following codes: International Building Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, NFPA 70, International Existing Building Code, NFPA 101 Life Safety Code, International Building Code, International Fuel Gas Code, International Mechanical and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Municipal Code of Ordinances, Chapter 28.

~~**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of ten (10) inches in height. All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this code term shall not include cultivated flowers and gardens.~~

~~Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.~~

Weeds on all exterior premises shall be maintained at a height that does not obstruct sight distance when entering or exiting a roadway or has the potential to create a fire hazard.

SECTION 202 - GENERAL DEFINITIONS

Public Nuisance: Includes, but is not limited to, the following:

7. Any premises that is unsanitary, or that is littered with rubbish or garbage ~~or that has an uncontrolled growth of weeds; or~~

Rooming House: A detached dwelling unit containing sleeping accommodations for ~~individuals other than~~ more than three (3) unrelated

individuals ~~other than members of the resident family~~ and having common kitchen and dining facilities.

Weeds: All grasses, annual plants and vegetation, other than trees or shrubs or cultivated flowers and gardens.

SECTION 406 - ROOMING HOUSES

406.1 A person shall not operate a rooming house, hotel or motel unless that person holds a valid rooming house permit per Article 27-1-3 of the City of Concord Code of Ordinances.

406.2 A detached dwelling housing three (3) or more unrelated individuals other than members of the resident family is classified as a rooming house and is subject to an annual inspection.

Section 307 - Handrails and Guardrails

307.1 General. ~~Handrails and guardrails in residential occupancies shall comply with the minimum standards established by the appropriate of the most recently adopted version of NFPA 101 Life Safety Code.~~ Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches above the floor or grade below shall have guards. Handrails shall not be less than 30 inches high or more than 42 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards not less than 30 inches high above the floor of the landing, balcony, porch, deck or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the most recently adopted building code.

Under Chapter 6 Mechanical & Electrical Requirements:

605.4 Branch circuits in buildings with more than one occupancy. Branch circuits in each dwelling unit shall supply only loads within that dwelling unit.



1-9
 2-45(A)
 2-46
 3-47
 4-50
 5-47

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Section 29.2-1-2, Assessment and Collection.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Section 29.2-1-2, Assessment and Collection; subsection (b) Computation of the Amount of Impact Fee, by deleting Tables 1, 2, and 3 in their entireties and replacing with the following new tables:

**TABLE 1
 SCHOOL FACILITIES
 IMPACT FEE PER VARIABLE UNIT**

<i>Type of New Development</i>	<i>Concord School District Facilities Impact Fee Per Variable Unit</i>	<i>Merrimack Valley School District Facilities Impact Fee Per Variable Unit</i>	<i>Variable Unit</i>
Single-family residence	\$ 1.12	\$ 1.12	Square foot of gross living area
Townhouse/duplex	\$ 0.75	\$ 0.75	Square foot of gross living area
Multi-unit/apartment (other than townhouses or duplexes)	\$ 998.51	\$ 998.51	Dwelling unit
Mobile home	\$ 1,995.78	\$ 1,995.78	Dwelling unit

**TABLE 2
 RECREATIONAL FACILITIES
 IMPACT FEE PER VARIABLE UNIT**

<i>Type of New Development</i>	<i>Recreational Facilities Impact Fee Per Variable Unit</i>	<i>Variable Unit</i>
Single-family residence	\$ 0.52	Square foot of gross living area
Townhouse/duplex	\$ 0.75	Square foot of gross living area
Multi-unit/apartment (other than townhouses or duplexes)	\$ 664.46	Dwelling unit
Mobile home	\$ 998.55	Dwelling unit

**TABLE 3
TRANSPORTATION FACILITIES
IMPACT FEE PER VARIABLE UNIT**

<i>Type of New Development</i>	<i>Transportation Facilities Impact Fee Per Variable Unit</i>	<i>Variable Unit</i>
Residential Uses		
Single-family	\$2,110.48	Dwelling unit
Townhouse/duplex	\$1,408.99	Dwelling unit
Multi-unit dwelling/apartment (other than townhouses or duplexes)	\$1,449.88	Dwelling unit
Mobile home	\$1,035.63	Dwelling unit
Nonresidential Uses		
General office	\$ 1.70	Square foot of floor area
Single-tenant office	\$ 1.88	Square foot of floor area
General light industrial	\$ 1.09	Square foot of floor area
Manufacturing	\$ 0.63	Square foot of floor area
Warehousing	\$ 0.78	Square foot of floor area
Quality restaurant	\$ 5.59	Square foot of floor area
High-turnover restaurant	\$ 6.73	Square foot of floor area
Fast food restaurant with drive-thru	\$ 20.59	Square foot of floor area
Small retail (less than 5,000 SF)	\$ 2.56	Square foot of floor area
Retail (5,001 SF to 100,000 SF)	\$ 4.51	Square foot of floor area
Retail (100,001 to 300,000 SF)	\$ 3.65	Square foot of floor area
Retail (greater than 300,000 SF)	\$ 3.33	Square foot of floor area
Bank with drive-up	\$ 12.05	Square foot of floor area
Daycare center	\$ 4.09	Square foot of floor area
Hotel/motel	\$ 1,817.16	Room
Gas station/convenience store	\$ 3,374.07	Pump
New car sales	\$ 6.52	Square foot of floor area
Automobile Service	\$ 3.96	Square foot of floor area
Automated car wash	\$ 5,280.90	Wash stall
All other uses	\$ 205.90	New trip

SECTION II: This ordinance shall take effect upon its passage.

TABLE 1

SCHOOL FACILITIES IMPACT FEES PER VARIABLE UNIT

Type of New Development	Concord District Facilities Impact Fee per Variable Unit		Merrimack Valley School District Facilities Impact Fee per Variable Unit		Variable Unit
	2013 Fee	Adjusted Fee	2013 Fee	Adjusted Fee	
Single Family Residence	\$1.08	\$1.12	\$1.08	\$1.12	Square foot of Gross Living Area
Townhouse / Duplex	\$0.72	\$0.75	\$0.72	\$0.75	Square foot of Gross Living Area
Multi-Unit / Apartment (other than Townhouses or Duplexes)	\$965.77	\$998.51	\$965.77	\$998.51	Dwelling Unit
Mobile Home	\$1,930.34	\$1,995.78	\$1,930.34	\$1,995.78	Dwelling Unit

Note: Inflationary increase from July 2009 to July 2010 was 1.89%. Source: RS Means, Facilities Construction Cost Data 2011.
 Note: Inflationary increase from July 2010 to July 2011 was 4.20%. Source: RS Means, Facilities Construction Cost Data 2012.
 Note: Inflationary increase from July 2011 to July 2012 was 1.78%. Source: RS Means, Facilities Construction Cost Data 2013.
 Note: Inflationary increase from July 2012 to July 2013 was 3.39%. Source: RS Means, Facilities Construction Cost Data 2013.

	Historical Cost Index	Percentage Increase	Historical Cost Index	Percentage Increase
Jul-00	120.9		180.1	-0.17%
Jul-02	128.7	6.45%	183.5	1.89%
Jul-04	143.7	11.66%	191.2	4.20%
Jul-05	151.6	5.50%	194.6	1.78%
Jul-06	162.0	6.86%	201.2	3.39%
Jul-07	169.4	4.57%		
Jul-08	180.4	6.49%		

TABLE 2

RECREATIONAL FACILITIES IMPACT FEES PER VARIABLE UNIT

Type of New Development	Recreational Facilities Impact Fee per Variable Unit		Variable Unit
	2013 Fee	Adjusted Fee	
Single Family Residence	\$0.50	\$0.52	Square foot of Gross Living Area
Townhouse / Duplex	\$0.72	\$0.75	Square foot of Gross Living Area
Multi-Unit / Apartment (other than Townhouses or Duplexes)	\$664.67	\$664.46	Dwelling Unit
Mobile Home	\$965.81	\$998.55	Dwelling Unit

Note: Inflationary increase from July 2009 to July 2010 was 1.89%. Source: RS Means, Facilities Construction Cost Data 2011.
 Note: Inflationary increase from July 2010 to July 2011 was 4.20%. Source: RS Means, Facilities Construction Cost Data 2012.
 Note: Inflationary increase from July 2011 to July 2012 was 1.78%. Source: RS Means, Facilities Construction Cost Data
 Note: Inflationary increase from July 2012 to July 2013 was 3.39%. Source: RS Means, Facilities Construction Cost Data

	Historical Cost Index	Percentage Increase
Jul-07	169.4	
Jul-08	180.4	6.49%
Jul-09	180.1	-0.17%
Jul-10	183.5	1.89%
Jul-11	185.7	1.20%
Jul-12	194.6	4.79%
Jul-13	201.2	3.39%

TABLE 3

TRANSPORTATION FACILITIES IMPACT FEES PER VARIABLE UNIT

Type of New Development	Transportation Facilities Impact Fee per Variable Unit		Variable Unit
	2013 Fee	Adjusted Fee	
Residential Uses			
Single Family Residence	\$2,051.60	\$2,110.48	Dwelling Unit
Townhouse / Duplex	\$1,369.68	\$1,408.99	Dwelling Unit
Multi-Unit / Apartment (other than Townhouses or Duplexes)	\$1,409.43	\$1,449.88	Dwelling Unit
Mobile Home	\$1,006.74	\$1,035.63	Dwelling Unit
Nonresidential Uses			
General Office	\$1.66	\$1.70	Square Foot of Floor Area
Single Tenant Office	\$1.82	\$1.88	Square Foot of Floor Area
General Light Industrial Manufacturing	\$1.06	\$1.09	Square Foot of Floor Area
	\$0.61	\$0.63	Square Foot of Floor Area
Warehousing	\$0.76	\$0.78	Square Foot of Floor Area
Quality Restaurant	\$5.43	\$5.59	Square Foot of Floor Area
High Turnover Restaurant	\$6.54	\$6.73	Square Foot of Floor Area
Fast Food Restaurant	\$20.02	\$20.59	Square Foot of Floor Area
Small Retail (0 to 5,000 sf)	\$2.49	\$2.56	Square Foot of Floor Area
Retail (5,001 to 100,000 sf)	\$4.38	\$4.51	Square Foot of Floor Area
Retail (100,001 to 300,000 sf)	\$3.55	\$3.65	Square Foot of Floor Area
Retail (greater than 300,000 sf)	\$3.24	\$3.33	Square Foot of Floor Area

Type of New Development	Transportation Facilities Impact Fee per Variable Unit		Variable Unit
	2013 Fee	Adjusted Fee	
Bank with Drive Up Lanes	\$11.72	\$12.05	Square Foot of Floor Area
Day Care Center	\$3.98	\$4.09	Square Foot of Floor Area
Hotel/Motel	\$1,766.47	\$1,817.16	Room
Gas Station/Convenience Store	\$3,279.94	\$3,374.07	Fueling Station (pump)
New Car Sales	\$6.34	\$6.52	Square Foot of Floor Area
Automobile Service	\$3.85	\$3.96	Square Foot of Floor Area
Automated Car Wash	\$5,133.36	\$5,280.69	Wash Stall
All Other Uses	\$200.16	\$205.90	New Trip

Note: Inflationary increase from November 2012 to December 2013 was 2.87%. Source: Engineering News Record. Enr.com - Construction Cost Index History (1908-2011) December 3, 2011.

Note: Inflationary increase from December 2011 to November 2012 was 2.46%. Source: Engineering News Record. Enr.com - ENR's Construction Cost Index History (1908-2012) November 2012.

Construction Cost Index	
Jul-00	6225
Jul-02	6605
Jul-04	7126
Jan-06	7660
Dec-06	7888
Nov-07	8092
Dec-08	8551
Dec-09	8641
Dec-10	8952
Dec-11	9172
Nov-12	9398
Dec-13	9668
	6.10%
	7.89%
	7.50%
	3.24%
	2.59%
	5.67%
	1.05%
	3.60%
	2.46%
	2.46%
	2.87%



CITY OF CONCORD

TAA

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Stephen Henninger, Acting City Planner *SH*
DATE: December 20, 2013
SUBJECT: Annual Review of the Public Capital Facilities Impact Fee Ordinance

Recommendations

Adopt an amendment to Chapter 29.2, Public Capital Facilities Impact Fee Ordinance, replacing the current impact fee tables with an updated schedule of fees that reflects the increase in construction costs since the impact fees were last adjusted in February 2013.

The Planning Board voted unanimously to recommend that the City Council adopt the adjusted schedule of fees and expressed its support for a consistent annual update process to keep steady pace with inflation, rather than increasing the fees less frequently and adopting higher rates that reflect larger cumulative changes.

Background

The current Public Capital Facilities Impact Fee Ordinance was adopted in June 2001 and contains a requirement in Section 29.2-1-2(b)(10) that the impact fee tables "shall be reviewed periodically by the Planning Board and shall be revised by the City Council whenever appropriate." It requires a report by the Board's Clerk each year to the City Council "with respect to increases in the estimated costs to construct public capital facilities" including recommendations "for appropriate adjustments to the impact fee tables." Specific sources of cost data and information for updating the fees are cited in the ordinance.

The City Council last amended the ordinance on February 11, 2013.

Discussion

The Planning Board, at the regular meeting on December 18, 2013, considered a report from the Planning Division relative to the annual review of the Fee Schedule for the Public Capital Facilities Impact Fee Ordinance. The Planning Division's

report to the Board included proposed new fee schedules for the School, Recreation and Transportation Facilities Impact Fees. These schedules were developed using the data sources and indices as specified in the Ordinance. A draft Ordinance amending the Public Capital Facilities Impact Fee Ordinance to incorporate these new fee schedules was also submitted to the Board for their review.

The rate of inflation from 2012 to 2013 for school and recreation construction costs is 3.39% and for highway construction costs is 2.87%.

Copies of the tables containing the proposed new fee schedules, as well as the draft Ordinance which would implement these fee schedules, are attached to this report.

1-10
2-45 (B)
2-24
3-48
4-51
5-48

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

AN ORDINANCE amending the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking, by creating a new Article 18-5, Central Business District Parking Permits, as follows:

18-5-1 Purpose.

The purpose of this Ordinance is to regulate parking on certain streets and within municipally owned parking facilities within the Downtown Concord Central Business District through the establishment of a permit system in order to encourage increased usage of underutilized parking assets.

18-5-2 Geography.

Permit parking shall be permitted in the following locations:

- (a) Within the Storrs Street right-of-way, for that portion of Storrs Street south of Theatre Street to a point not closer than 450 feet of Storrs Street's intersection with South Main Street.
- (b) The Storrs Street Municipal Parking Lot, located beneath the Centre Street / Bridge Street / Loudon Road over pass, City Assessor's parcel Map 35B Block 1 Lot 6.

18-5-3 Quantity of Permits to be Issued.

The City Manager shall have the authority to determine the total number of permits that can reasonably be issued for locations governed by this ordinance. All parking in the permit areas shall be on a first-come, first-served basis.

18-5-4 Hours of Enforcement.

Parking by permit shall only be valid and enforced 8:00AM to 5:00PM Monday through Friday. Public parking shall be permitted in parking spaces regulated by permits during all other times.

18-5-5 Signage.

Signage shall be installed in restricted areas and shall be of such character as to inform readily an ordinarily observant person of the existence of the ordinance imposing the foregoing restrictions.

18-5-6 Fees.

The City Manager shall have the authority to establish a fee for permits issued under this article.

18-5-7 Miscellaneous.

The City Manager shall develop and implement policies governing the administration of this article.

SECTION II: This ordinance shall take effect upon its passage.



CITY OF CONCORD

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Director of Redevelopment, Downtown Services & Special Projects

DATE: December 23, 2013

SUBJECT: Parking Ordinance Article 18-5: Central Business District Parking Permits

Recommendation:

- Accept the following report; and,
- Set the attached ordinance amending the Code of Ordinances; Title II, Traffic Code; Chapter 18, Parking; Article 18-5, Central Business District Parking Permits for public hearing on February 10, 2014.

Background:

Parking is regulated by a set of ordinances included within Title II, Chapter 18 of the City's Code of Ordinances. Article 18-1 regulates stopping, standing, and parking. Article 18-2 regulates restricted parking in residential areas. Article 18-3 regulates the City's metered parking system. Article 18-4 regulates miscellaneous parking issues.

Discussion:

The attached ordinance will create Article 18-5 in the Code of Ordinances. This would be an entirely new ordinance.

The purpose of this new ordinance is to grant authority to the City Manager to create a permit system to encourage use of underutilize parking assets within the Downtown Concord Central Business District, which are owned in fee by the City.

This new Ordinance would allow the issuance of permits for that portion of Storrs Street south of Theatre Street, as well as a little used 25 space municipal parking lot located at the northerly end of Storrs Street, beneath the Centre Street / Loudon Road over pass. There are approximately 60

on-street spaces on the southerly end of Storrs Street, south of Theatre Street. All of the permitted parking areas are located on streets and lots that are owned in fee by the City.

Permits would be valid 8:00AM – 5:00PM Monday through Friday. The general public would be allowed to use these spaces during all other times (nights, weekends, and legal holidays). Spaces would be available on a first come, first served basis daily. If spaces are not available in either location, the permit holder would be required to park in a metered space at their expense.

The proposed Ordinance grants the City Manager the authority to determine the appropriate quantity of permits for these locations, with the goal of maximizing daily occupancy by accounting for a daily vacancy factor. The amount of permits issued may exceed the amount of the parking spots, and, therefore, all parking is on a first-come first-served basis.

The Ordinance also grants the City Manager the authority to set rates for these permits. Permits will be issued on a quarterly basis commencing on April 1, 2014 (to be timed with the commencement of construction of the Downtown Complete Streets Project).

Permits would be valid for a period of three months and would be sold at a cost of \$100 each. This equates to roughly \$33 each month, or \$400 annually. However, City Administration would have the ability to adjust rates depending upon market demand for these spaces.

If these spaces were to be metered, the theoretical maximum annual revenue they could generate is \$1,687.50 annually presuming the following:

- \$0.75 / Hour;
- 9 hours of occupancy per day (8AM to 5PM), 250 days per year (excluding weekends and holidays).

The proposed price of \$100 per quarter represents a 76% discount. This discount is justified due to two factors. First, the relative remote location of these spaces. Secondly, the fact that a valid permit does not guarantee a parking space within the permit area.

The City Parking Committee reviewed this proposal on October 23, 2013 and voted unanimously to endorse this program as discussed herein. Intown Concord, Inc. and the Merchants Roundtable have also expressed support for this proposal.

The City Administration believes this proposal has important economic benefits for Downtown Concord:

1. Re-opening the on-street spaces will help mitigate the loss of 90 long-term metered parking spaces in Capital Commons Parking Garage, which were recently assigned to the new "Love Your Neighbor" Building at 45 South Main Street.
2. Hopefully, the significantly discounted price will provide sufficient financial incentive for downtown employees to use these remote parking spaces, thereby freeing-up more conveniently located on-street parking for the shopping public.,.

3. This proposal will provide an additional supply of 85 +/- parking spaces which will help mitigate temporary loss of spaces during construction of the Downtown Complete Streets Project.

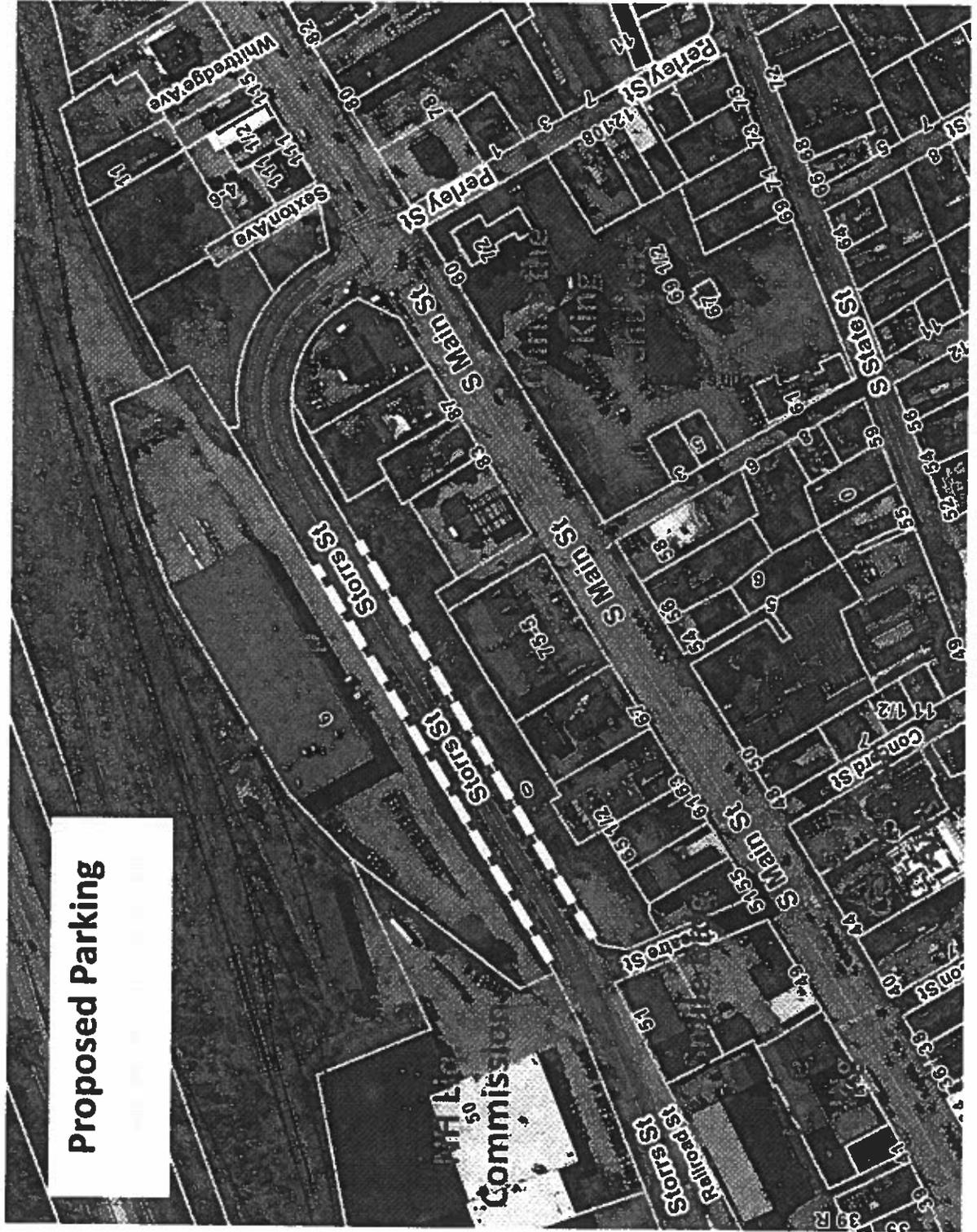
In order to implement this, the City will incur costs for new signage, pavement markings, and miscellaneous expenses. These costs shall be financed with savings from CIP 403 "Parking Vehicle Replacement". Specifically, in FY2014 the City budgeted \$30,000 in capital outlay funds to replace the Parking Division's pick-up truck. Because of the Parking Fund's weak fiscal condition, the vehicle was replaced with a surplus cargo van from the Fire Department. The cost of outfitting the van was approximately \$3,000, leaving \$27,000 available to spend.

The estimated cost to implement this program (i.e. manufacturing and installation of signage, painting of pavement markings, creation of permits, etc.) is approximately \$5,000. Additional expenses might be incurred at the 25 space parking lot beneath Centre Street for removal of vegetation and graffiti, as well as improved lighting and pigeon deterrents.

Maximum potential annual revenues, assuming 85 permits sold at \$100 per quarter (or \$400 per year), is \$34,000.

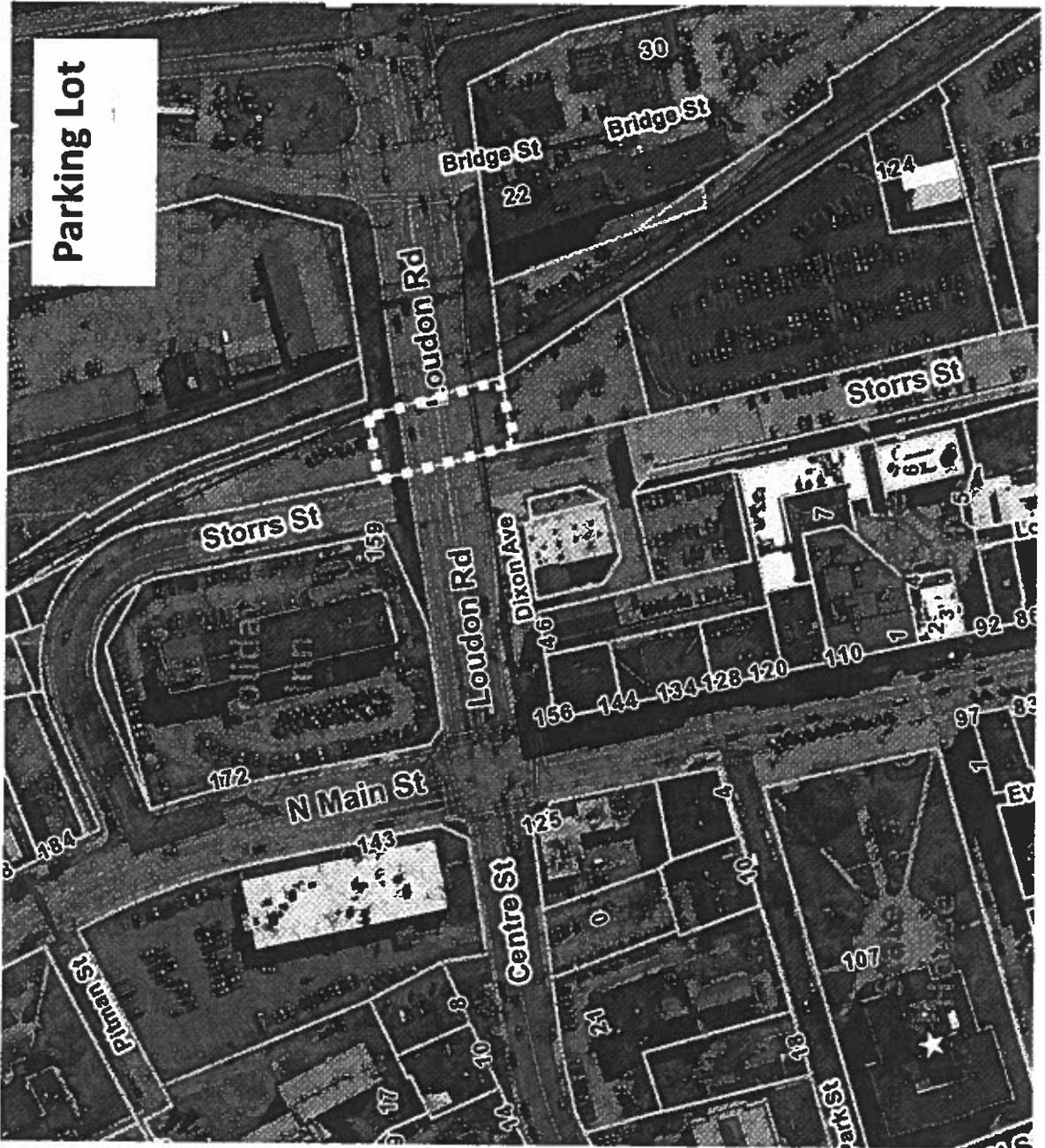


Proposed On-Street Parking Storrs Street (South of Theatre)

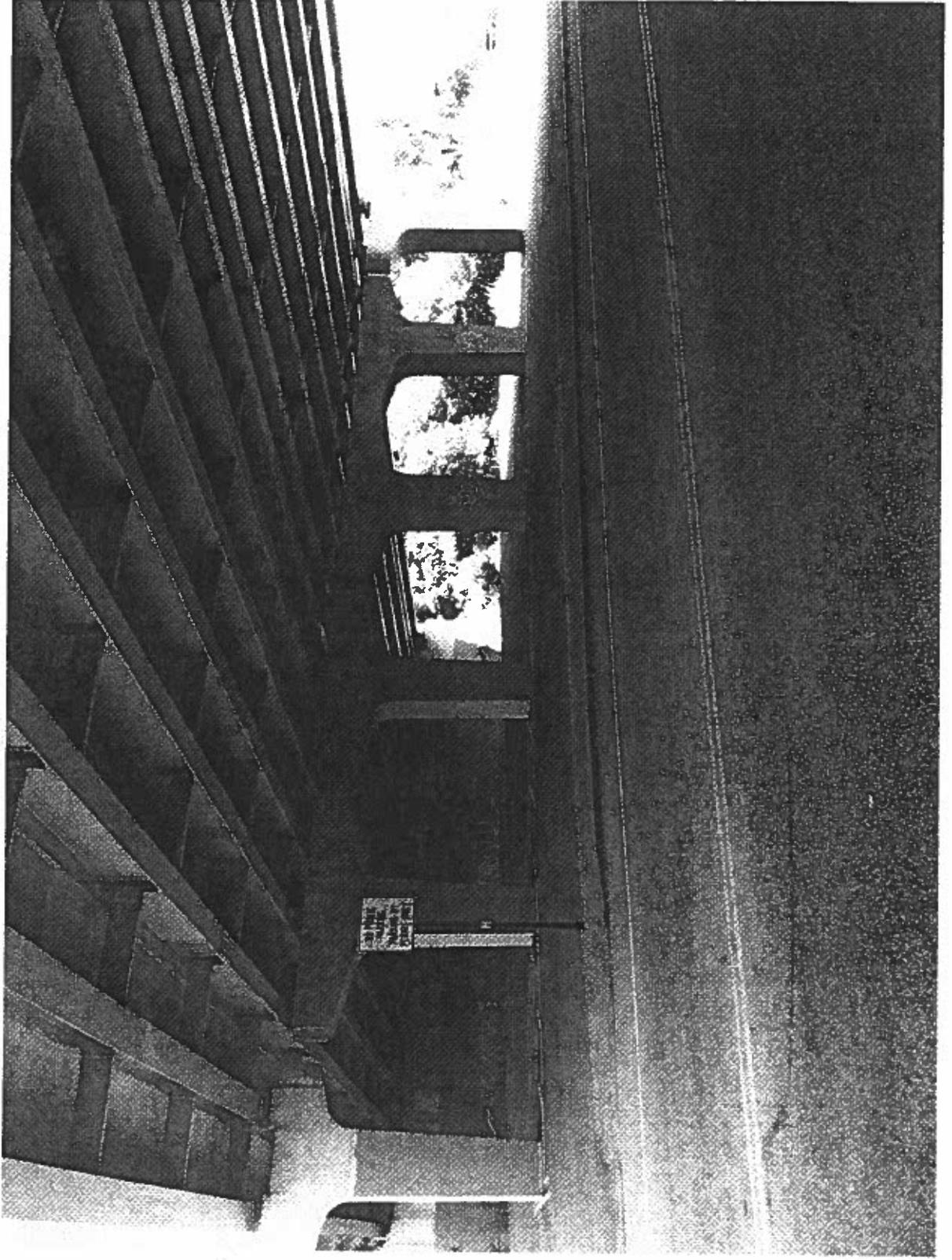


Proposed Parking

Storrs Street Parking Lot
(Beneath Centre Street Over Pass)



Storrs Street Parking Lot
(Beneath Centre Street Over Pass)





Mulholland, Michelle

2-45 (B)
2-47

From: Gibson's Bookstore <gibsons@totalnetnh.net>
Sent: Wednesday, January 29, 2014 11:12 AM
To: * City Clerk
Cc: 'Little River Oriental Rugs'
Subject: for meeting Feb. 10--Janice, could you distribute? thank you
Attachments: Ordinance 18-5 Storrs Street Permits FINAL.pdf

170

Dear Mayor Bouley and esteemed members of City Council:

I recently learned that the City was proposing to restore the parking spaces on the south end of Storrs St. that formerly had been free, as leased spaces, and also to formalize a lease arrangement on currently free spaces on the north end of Storrs St. (Ordinance 18-5, attached).

Parking has been a hot-button issue for the downtown for as long as I can remember. The opportunity to add to current inventory should not be missed. But I urge you to restore and maintain these spaces as free spaces.

The spaces at the south end of Storrs Street had always been a great way to keep employees of downtown businesses parking away from downtown stores. These employees are often part-time and not highly compensated, so having free spaces within walking distance but far enough away to avoid disrupting commerce was a win-win for all concerned. These spaces are also outside of traditional areas of parking enforcement.

If memory serves, those spaces were eliminated to drive more people into the Capitol Commons garage, which at the time was under-utilized. Whether that was the goal or not, the garage now enjoys satisfactory usage and there is no reason not to restore these spaces.

But who is the customer? These spaces have historically been used by downtown employees who are often part-time and not highly compensated. They are not in a position to pay \$100/quarter and there is no logical way to incentivize them. They will continue to play parking roulette looking for free spaces, and will not be the customer for the leased spaces.

Is it downtown businesses? The same logic applies. For whom would we buy the permits? Part-time employees come and go. If someone has the permit for a space and only works from 9-1, what happens to that space after they leave? It is all too muddled to be an effective program for businesses with part-time employees. Further, expecting downtown merchants to buy these spaces amounts to a hidden tax on those merchants, considering that these spaces used to be free for two very good reasons: because of their remote but walkable distance from the downtown, and because of their important role in solving a public policy problem: i.e., where would employees park?

Other than employers and employees in the downtown, there is no identifiable group of people that might be expected to buy leased spaces on Storrs St., and as we've seen, they are not likely to, either.

The only logical course is to restore these spaces as free spaces right away, to relieve parking pressures downtown, whether the Main Street Project moves forward immediately or not. I urge you to amend this ordinance to restore and maintain much needed free parking on Storrs St.

Respectfully submitted,

Michael Herrmann

Gibson's Bookstore
45 South Main Street
Concord, NH 03301
603-224-0562
www.gibsonsbookstore.com



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Dir. of Redevelopment, Downtown Services, & Special Projects *MRW*

DATE: February 27, 2014

SUBJECT: Storrs Street Parking Ordinance

Recommendation:

- Accept the following report; and,
- Remove this item from the table and substitute and approve the attached revised ordinance amending the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking, Article 18-1-8, Parking Time Limited in Designated Places, Schedule III. This revised ordinance replaces the ordinance which went to public hearing on February 10, 2014.

Background:

On February 10, 2014 the City Council held a public hearing on a proposed ordinance to re-establish on-street parking spaces on the southerly end of Storrs Street which would be managed via a permit system. This same approach was also proposed for the Storrs Street Municipal Parking Lot located beneath the Centre / Bridge Street overpass. As a result of public testimony, it was the consensus of the City Council to pursue 10-hour free parking at these locations in lieu of the proposed permit system. Further, the City Council instructed staff to prepare a revised ordinance for review by the City Council during its March meeting.

Discussion:

The attached revised ordinance will establish 10 hour free parking Monday – Friday from 7:00AM to 6:00PM for the southerly end of Storrs Street as well as the Storrs Street Municipal Parking lot. Parking will also be permitted on nights and weekends in both locations in accordance with all other applicable City rules, regulations, and ordinances. As is customary with all public on-street parking, these spaces shall be available on a first come, first served basis.

This approach essentially re-establishes parking on the southerly end of Storrs Street as it previously existed prior to its discontinuance in 2010, and converts the Storrs Street Municipal Parking Lot to 10-hour free parking.

During its February 10th meeting, the City Council closed the public hearing and tabled this item to March 10th for further consideration. The City Council may choose to remove this item from the table in order to substitute and approve the attached revised ordinance. The proposed ordinance would take effect on April 14, 2014 in order to allow staff sufficient time to order and install required signage.

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

AN ORDINANCE amending the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking, Section 18-1-8, Parking Time Limited in Designated Places, Schedule III.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES; Title II, Traffic Code; Chapter 18, Parking, Article 19-1, Stopping, Standing and Parking, Section 18-1-8, Parking Time Limited in Designated Places, Schedule III (Ten Hours between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday), by adding the following:

Ten Hours (between the hours of 7:00 a.m. and 6:00 p.m., Monday through Friday)

Street	Side Restricted	From	To	Position to Curb
Storrs St.	Both	Theatre St.	450' North of South Main / Perley Street Intersection	Parallel
Storrs St. (parking lot beneath Centre St. Overpass)	N/A	N/A	N/A	As Striped

SECTION II: This ordinance shall take effect on April 14, 2014.



Request by
the City Manager
TJA



REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Thomas J. Aspell, Jr., City Manager TJA
DATE: April 30, 2014
SUBJECT: Concord 250 – Commemorative License Plates

Recommendation

Approve of the request from the Concord 250 Board of Directors and authorize the City Manager to submit a letter to State Department of Motor Vehicles to produce commemorative license plates for motor vehicles.

Background

The Board of Directors of Concord 250 has requested that the City Council approve the production of temporary license plates commemorating the 250th anniversary of the city in 2015.

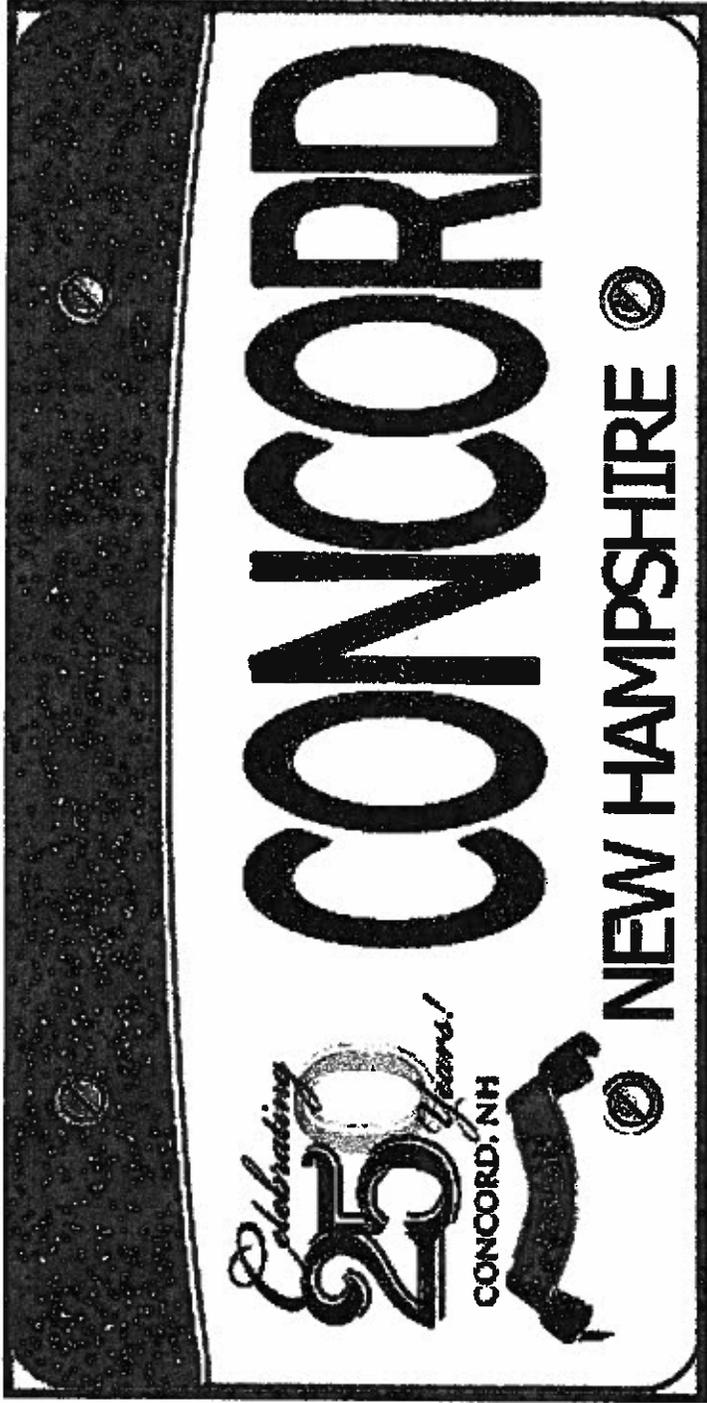
Discussion

The Concord 250 organization is currently working with the State of New Hampshire Department of Corrections Prison Shop to create a screen which will produce the plates. The design is attached for your information. The design and a letter to Mr. Richard Baily, State of New Hampshire Director of Motor Vehicles is necessary in order to proceed with production and to enable residents to display the commemorative plate on their vehicles.

City of Concord citizens will be able to purchase the commemorative plate and display it as the front license plate for a one year period, January 1, 2015 through December 31, 2015.

The purpose of the request is to create a fundraising opportunity for Concord 250 by which the proceeds will be used to fund various events and activities during 2015. Concord 250 is currently awaiting price quotes from the State Prison and anticipates the cost will be in keeping with the 250 theme at \$25.00 each.

Concord 250 is a tax exempt, non-profit 501(c)3 organization.



Celebrating
250
Years!
CONCORD, NH

CONCORD

NEW HAMPSHIRE 

Public Safety Board**October 7, 2013****3:00 p.m.****City Council Chambers**

Members present: Councilor Amanda Grady Sexton (Chair), Councilor Fred Keach, Councilor Jennifer Kretovic, Mr. Anthony Bourque, Mr. Jim Cotsana, Mr. Jim O'Neill, Mr. Michael Russell, Mr. Steve Edwards, Ms. Carol Hargrove (arrived 3:15 p.m.)

City Staff Present: Mr. Carlos Baia (Deputy City Manager for Development), Ms. Danielle Pacik (Deputy City Solicitor), Chief John Duval (Police Department), Chief Dan Andrus (Fire Department), Deputy Chief Sean Toomey (Fire Department)

Guests: Ms. Kim Murdoch (Murdoch Social Capital), Ms. Liza Poinier (Intown Concord)

Excused: Councilor Stephen Shurtleff, Ms. Lisa Brown

Absent: Councilor Richard Patten

Call to Order

Councilor Grady Sexton called the meeting to order at 3:00 p.m. Board members, guests, and City staff introduced themselves.

Approval of Meeting Minutes

Mr. Russell moved to approve the minutes of May 6, 2013. Mr. O'Neill seconded the motion. The motion passed unanimously.

Council Referral on Special Events, Life Safety, and Standby Personnel

Councilor Grady Sexton said that the purpose of the meeting was to respond to a referral from the City Council on a report submitted by the fire chief on life safety at special events. She asked Chief Andrus to review the report and additional information.

Chief Andrus said that the legal basis for life safety evaluations and requiring standby personnel is the 2006 International Fire Code, adopted as City ordinance by Chapter 26 of the City Code, and the state fire code. Chief Andrus reviewed some of the language of those codes and the specific responsibility of local authorities to review indoor and outdoor events and to require additional protection based on identified hazards. He talked about the need for additional resources at special events due to high service demand or unusual hazards. At one point, there were two engines and two ambulances

committed to Market days on two separate incidents, using more than 50% of the City's resources. There was a boat staffed with a crew for the Concord Triathlon, part of which was held on the Merrimack River in July where there had been four incidents in July, with one death. There is the issue of equity, not using public resources to support a private event, as well as legal and financial risk for the City in not following adopted codes.

Chief Andrus said that the practice of having standby personnel has been beneficial. A fire inspector was at a circus tent in July and identified a sagging portion due to rain from a thunderstorm. They were able to get fire equipment on scene to take care of the hazard before it became a threat. There were six medical incidents at the Rock 'N Race event and one referral to the Police Department from a participant who complained about a stalking incident.

Chief Andrus talked about the role of private EMS companies and that their participation is welcome, but a seriously ill or injured patient would need to have care transferred to the Concord Fire Department.

Mr. O'Neill asked what the problem was with the tent? Was there an inspection? Chief Andrus answered yes, the tent had been inspected for fire extinguishers and other requirements. Mr. O'Neill said that there is a difference between events that are for profit versus those that are not for profit.

Councilor Keach asked if we have the ability to implement this now. Chief Andrus said yes. Councilor Keach said that there is a balancing act between cost and public safety. There should be some guidelines on how these are applied.

Mr. O'Neill spoke about the needs to have the rates known. Chief Andrus said the hourly charge is \$60.49 per hour. That number includes fringe benefits, such as retirement. The number is calculated by the Office of Management and Budget and is applied uniformly so that event costs are not driven by who is actually staffing the event. The charge is part of the City's fee schedule. Deputy Chief Toomey said that there is a two hour minimum.

Councilor Kretovic asked if other events have been charged. Chief Andrus said that events using fireworks are charged a permit fee of \$299 (Note: There is also a \$20 application fee). That covers the cost of inspection. Mr. Russell asked about using private EMS. Can they provide service? Chief Andrus said yes, but larger events should have their own coverage to keep units available in other parts of the City.

Councilor Kretovic asked about the amount of revenue this year. What did we charge? Chief Andrus said that the budget for special details is \$15,000 per year.

Ms. Murdoch said that Intown Concord learned of a \$4,700 charge ten days before Market Days started. The issue of costs had not been discussed prior to that. The Fire

Department used to be present without a charge. She was unaware of the number of calls on site. She would like a better understanding of Fire Department response. She said that Intown Concord has a fantastic working relationship with the Fire Department. They just need to work together to figure this out. Ms. Poinier said that they did not pay anything this year and that there was no fixed Fire Department presence. Ms. Murdoch said that they need to know of costs by November at the latest.

Mr. Russell asked about costs. Ms. Murdoch said there is a need for safety inspections. She said the cost of inspections can be passed on to vendors. She thinks emergency medical services could be outsourced. They receive in kind donations from private companies. There is a need for public safety. Black Ice Pond Hockey used a private service. NAMI used a private service that was donated. There is a cultural event that is looking to move the event out of Concord due to regulations.

Councilor Kretovic asked about the profit from the Market Days event. Ms. Murdoch said that it is a four digit number, less than \$10,000. Mr. Bourque asked about needing more lead time. Ms. Murdoch said that yes, and they should still separate EMS, and be allowed to engage the services of a private company. She said that she spoke to the New Hampshire Bureau of Emergency Medical Services and they said the private companies could do transports. Councilor Keach said that there is no doubt that these events need additional services and he believes we have the services to cover these now. Ms. Hargrove commented that Ms. Murdoch had done a very good job. Ms. Murdoch said she has not looked at all of the statistics from the event to evaluate. Chief Andrus said that there were ten emergency incidents at Market Days, plus 4-1/2 hours of inspections and two hours of public education provided by the Fire Department.

Deputy Chief Toomey talked about the Rock 'N Race. There was an issue with tent permits. The Fire Department did not want to hold up the event. The Boston Marathon bombing had occurred just a few weeks previously and Dr. Hirsch from Concord Hospital saw the need for EMS coverage. The impetus for the Fire Department's involvement came from the hospital, not the City. Chief Andrus said that Dr. Hirsch was in the medical tent at the Boston Marathon and that his quick action saved many lives. He said that Dr. Hirsch sees a strong need for EMS at special events.

Mr. McNeill spoke about the use of enterprise funds when he was a member of the City Council and Julia Griffin was the City Manager. He said that he firmly and strongly believes that we have the responsibility for the community. It is a shared responsibility. Events circumvent this. There is a strong need to promote events.

Councilor Keach said that the City gives money to Intown Concord. We have police details and now there is a fire detail. Ms. Murdoch said they have been able to reduce costs for police details. Councilor Keach said that half of the contribution goes back to police and fire coverage. He asked about the legal authority. Mr. Bourque asked if there is legal liability if events are not covered.

Ms. Pacik said that there is legal authority to do this. Councilor Keach said that clearly we can do this. The process needs to be uniform, consistent, and transparent. Who is in charge of this? What are the rules? Going to City Hall can be daunting at times. Mr. Russell asked what would happen if we are told to cover these events with existing services. Chief Andrus said that they would do the job with the resources provided. He said that it is his job to provide the best information to City Administration and the Council so that they can make decisions on service levels. Mr. O'Neill said that there is involvement from Police, Fire, Health and Code. We need some thresholds. Rock 'N Race is unique.

Mr. Baia said that we need flexibility. The City should have some ability to evaluate each event and provide coverage as appropriate. We have a growth of events. There is some push back from the City Council on costs. Mr. O'Neill asked if Administration should be responsible. Mr. Baia said they can come up with a policy.

Chief Andrus spoke on the history of events and costs so far this year. The Capital City Triathlon cost event organizers \$920.62. The circus cost organizers \$332.70. He listed two other events where coverage was not required, but where event organizers requested Fire Department presence and the charge was \$272.21 for each of the events. Councilor Kretovic gave Halloween Howl as an example. Who closes the road?

Ms. Hargrove said that we charge \$60.49 per hour. What do other cities charge? Chief Andrus said that he did not know but that he would research that number. He said that Manchester requires coverage for all events at the Verizon Center, among other activities. Councilor Keach asked if the regatta was cancelled because of costs. Chief Andrus said that it was his understanding that yes, they cancelled the event due to costs.

Deputy Chief Toomey talked about the collaboration between Police, Fire, and Code over the last six months. He said that we also need to consider General Services. Councilor Kretovic asked what Chief Andrus was telling them. She said that she did not get the information from the report that she needed. She asked Chief Andrus what he was trying to accomplish. Chief Andrus said that some questions had come up in early July and that City Administration saw the need to provide a report to the City Council. He said that today's discussion had provided him with the additional questions that he needed to answer. Councilor Kretovic said that we need to streamline the process. There is a need for flexibility to evaluate events.

Mr. McNeill asked if we budget for this now. Chief Duval said that they budget for the fireworks events. Detail rates apply to other events. Chief Andrus said there is no budget for events at this time. The Fire Department has a revenue budget for events coverage and most of that is for medical details at football games.

Mr. Bourque asked Chief Andrus what his recommendation was. Chief Andrus said that he would revise his report to the City Council to answer the questions raised today.

Councilor Kretovic moved to have Chief Andrus revise the report and send it to the City Council adding the detail that was discussed at this meeting, including the fee structure; coordination between the Fire, Police, Health, Code, and General Services Departments; possible criteria for waiving fees for non profits; and additional details on costs, including service charges. Mr. O'Neill seconded the motion. The motion passed unanimously.

The board discussed the need to monitor events. Mr. Bourque suggested that the board already makes an annual report to City Council and that this could be included as part of that report.

Councilor Kretovic moved to include a report on the costs of special events as a part of the board's annual report on the state of public safety to the City Council. Mr. O'Neill seconded that motion. The motion passed unanimously.

Next Meeting

The next meeting will be held at the call of the chair.

Adjournment

The meeting was adjourned at 4:05 p.m.



5 Inf 1

Public Safety Board

Draft Minutes

TFA

April 7, 2014

3:00 p.m.

City Council Chambers

Members present: Councilor Amanda Grady Sexton (Chair), Mr. Michael Russell, Councilor J. Alan Bennett, Councilor Fred Keach, Ms. Lisa Brown, Mr. Anthony Bourque, Mr. Jim Cotsana, Mr. Don Carter, Mr. Steve Edwards, Ms. Carol Hargrove

City Staff Present: Acting Police Chief Brad Osgood, Fire Chief Dan Andrus (Staff Liaison), Deputy Fire Chief Sean Toomey

Not Present: Councilor Brent Todd, Councilor Stephen Shurtleff, Councilor Rob Werner, Mr. Jim O'Neill

Note: Councilor Werner was not notified of this meeting due to an error of the part of the staff liaison.

Call to Order

Councilor Grady Sexton called the meeting to order at 3:00 p.m. Board members and City staff introduced themselves.

Approval of Meeting Minutes

The board reviewed the minutes of October 7, 2013. Mr. Bourque asked for a correction on page 4. Councilor Keach moved to approve the minutes of October 7, 2013 as amended. Mr. Cotsana seconded the motion. The motion passed unanimously.

Annual Report of the Public Safety Board

Acting Police Chief Brad Osgood introduced himself and highlighted some areas of the report. An average of 242 people are arrested each month. Of this number, 44 are juveniles. A total of 590 criminal offenses are reported each month; 15% are felonies. There were six traffic fatalities in FY12. There has been one in the current fiscal year. There were 3,300 traffic citations. Bike patrol is very robust. Vacancies include a Chief's position and three police officers.

Acting Chief Osgood said that there are ongoing issues with drug problems. Seven people have died from drug related causes. He has submitted a report on panhandling. There have been 26 calls and seven arrests in the month of March 2014 related to the new

City ordinance. The cold weather shelter for homeless persons is now closed, which creates the potential for additional problems.

Councilor Grady Sexton asked if the ordinance was helpful. Chief Osgood described the behavior of locking up intersections by pressing the "Walk" button. The ordinance has addressed the safety problem of people going into the roadway to solicit. Councilor Grady Sexton asked about business concerns. Chief Osgood said that the downtown car patrols the area of most concern. Councilor Grady Sexton asked about the presence of sex offenders and the viewing of inappropriate material in the library. Chief Osgood said that patrol staff and other Police employees check the library frequently. Councilor Grady Sexton asked if it is difficult to curb behavior and if there is anything that this board can assist with. Chief Osgood said that the library is very responsive to the issue, but sometimes it is difficult to enforce as the subjects have left.

Councilor Keach asked how many Police employees are eligible to retire. Chief Osgood said that number is 8 to 12. Councilor Keach asked if a stronger economy is having any effect. Chief Osgood said that law enforcement is a "niche job" and that people rarely leave for other jobs. Mr. Edwards asked about the mix of City residents versus non City residents among the homeless and what segment of the population has drug use issues. Chief Osgood said that residency determination is difficult and that drug users are in all ages, from 16 to their 50's. There are no stereotypes. He described a meeting that the Police Department convened two weeks ago where the comment was made "We will not arrest ourselves out of this situation." Enforcement is not the answer. Waiting times for treatment are extensive. Overprescribing medication is a problem. Heroin in particular is an extremely addictive substance.

Mr. Carter asked about vacancies in the Police Department. Chief Osgood said there are three police officer vacancies and that the detective unit is buried with felony cases and needs another investigator. Mr. Carter asked how long it takes to hire. Chief Osgood said that the best case scenario is two months from application to hire. He recommended aggressively pursuing getting to full staffing and retention. Three people graduate from the academy this Friday. Mr. Carter asked if there is a need above the level of 84. Chief Osgood said that he would support another sworn officer. He wants to increase the community resources unit. Another officer is needed to investigate drug offenses.

Mr. Cotsana asked if there is a penalty for viewing inappropriate material on library computers. Chief Osgood said that it depends on the type of material. If it involves children, yes. If it involves adults, no.

Councilor Grady Sexton asked about an incident involving US Marshals. Councilor Bennett commented on alcohol use and people locking themselves in the men's room. Chief Osgood said the problem has been addressed by requiring the use of a key, but evidence of drug use still exists. Councilor Keach said that the library sees the viewing

of pornography as a First Amendment issue. This is a policy decision. It should not be accessible to being seen by children. Councilor Grady Sexton agreed.

Councilor Grady Sexton asked about the construction of a women's prison in Concord. Chief Osgood said that a meeting is planned on the women's prison. He said there is some problem with large amounts of granite from the original prison construction being buried at the site of the proposed construction.

Chief Andrus reviewed the report for the Fire Department. He noted the decrease in calls, although structure fires increased substantially. He spoke of the collaboration with the Visiting Nurses Association to have the Fire Department identify elderly patients who have fallen in their homes and offer them VNA resources. The program has been in place for three years and there has been a drop in the number of calls. Chief Andrus noted that he has been compiling statistics for the budget narrative and that fire calls are trending down and EMS calls are trending up.

Mr. Edwards asked about good intent calls. What are these. Chief Andrus said that this occurs when something is mistaken for a hazardous condition, such as steam coming from a building being mistaken for smoke. The Fire Department does not mind being called if there is a question about a hazard. We would rather respond to something that turns out not to be a problem, rather than not respond to a real problem.

Chief Andrus reviewed the list of 2013 accomplishments. The Insurance Services Office rating was upgraded, placing the City in the top 1.2% of thousands of communities surveyed. This is not all about the Fire Department. The water supply accounts for a large share of the rating and received a nearly perfect score. All front line firefighters completed the intensive fireground survival course. This is important, especially after the recent tragic events in Boston. The new tower truck went into service last April and is an excellent vehicle that has been used several times. It was designed by a team of employees from Fire and from Equipment Services to be the best value. A new Engine 4 has been ordered and will be delivered this spring. Hillsborough was added to the dispatch center, bringing to 22 the total number of communities served by this center. Chief Andrus invited all board members to tour the facility.

Chief Andrus turned to his recommendations. The highest priority is the restoration of Engine 1 to service. There can be delays in getting an engine to a structure fire. Those delays are most acutely felt in Penacook where it can take well over ten minutes to get units on scene if Manor Station units are out. A Boscawen engine was the first to arrive on the scene of a house fire on Washington Street last October. This is a major gap in the City's protection.

Mr. Carter asked what an acceptable response time is. Chief Andrus said the goal is that 80% of emergency responses be made in under five minutes. We are currently at about 66% of responses in that time frame. Response time is important. A few weeks ago, a

partition fire was reported in a house on Blackwater Road. Due to the distance, response time was about 12 minutes. Crews found significant fire when they arrived. In March of 2009, a fire victim crawled onto the roof of a home on Rumford Street and was perched there when fire crews arrived and had to be rescued by ladder.

Mr. Carter asked about the impact to response time if Engine 1 were to be put back in service. Chief Andrus said that, since there is another unit at Central Station that handles the calls that would have gone to Engine 1, the impact on response time is minimal. Most of the calls are for medical emergencies. The real concern is the potential for structure fires. There are about 1,400 calls in the Central Station district each year. The plan would be to keep one of the fire engines when a new Engine 5 is purchased. It would also be necessary to add four people and overtime. The annual cost would be in excess of \$900,000.

Councilor Bennett said that there was a large increase in retirement costs last year as a result of the state "downshifting" their costs to local governments. It was a significant increase and resulted in a tax increase. The bond rating has been upgraded, but insurance costs have also increased. The Fire Department has a \$12 million budget. This is an expensive item to consider and he does not see it happening in the next 2-3 years.

Chief Andrus discussed the letter from President Hebert of the Concord Fire Officers Association. Chief Andrus expressed his appreciation for the manner in which significant downsizing was handled in 2009. No one was laid off. An employee whose position was eliminated was able to be relocated to another division. The City did a good job in handling a serious crisis. It did create a gap in services.

Mr. Bourque asked about the number of calls per year to the state prison. Will this double with the new women's prison? Chief Andrus said that adding the new prison will certainly have an impact. Mr. Bourque asked if this is being negotiated. Chief Andrus said that the state pays the City \$125,000 annually for Fire Department services. That number has been the same for many years. A substantial amount of property in the City is tax exempt, although some of those entities do contribute payments in lieu of taxes, such as St. Paul's School.

Deputy Chief Toomey reported that the Fire Department responded to 115 calls to the prison in 2013 and has responded to 27 calls so far this year. Increases are anticipated.

Ms. Brown asked about the request for Engine 1. Chief Andrus said that this is to staff an engine company at Central Fire Station. The Department currently has five engines, three front line and two in reserve. The request is asking for staffing for an additional engine. Councilor Keach asked if this includes everything. Chief Andrus said yes, this included the cost of new employees including benefits as well as additional overtime to maintain a minimum staffing level.

Councilor Bennett spoke on continuing financial increases across the country. We are all struggling.

Councilor Grady Sexton spoke of the delays to care in getting into the prison.

Chief Andrus reviewed his other recommendations. These include an additional person to in the EMS and Professional Standards Bureau. This would be added to the current position. One position would focus on training and another on EMS. The Fire Department is seeing an increase in inspection workload and permit fees and he recommends the restoration of an assistant fire marshal position that was cut several years ago. A fire alarm technician position was also cut in 2009, leaving the supervisor to work alone. This position is responsible for the City fire alarm system, the fiber optic network, and all traffic control devices.

Chief Andrus also talked about a recommendation to increase minimum staffing to add a fourth person to the ladder company. This recommendation emerged from a comprehensive review of safety standards. The current staffing with three persons means that the crew must often be split to perform different tasks and this means that someone is working alone, often in a dangerous environment. This should not be competing as a priority with Engine 1, but should be addressed as funds become available.

Chief Andrus reviewed a spreadsheet on special events costs. This is not all inclusive, but includes the major events in the City and the costs to event organizers. We will continue to work with General Services, Fire, and Police to streamline the process to encourage events, which are important for the community. Mr. Carter asked if all costs were recovered. Chief Andrus said yes.

Ms. Hargrove moved to accept the reports. Councilor Bennett seconded the motion. The motion passed unanimously.

Next Meeting

The next meeting will be held at the call of the chair.

Adjournment

The meeting was adjourned at 4:21 p.m.



March 26, 2014

Lt. Mark Hebert
Concord Fire Officers Association
President

Amanda Grady Sexton
Chair, Public Safety Board

Dear Councilor Grady Sexton,

On behalf of Vice President Tony Manning, Secretary/Treasurer Alan Robidas and the remaining proud members of the Concord Fire Officers Association Local 3195, I am writing to you in support of the reinstatement of Engine Company 1.

Last year in a report from Chief Andrus to the Public Safety Board, Engine 1 was listed as the top priority for FY 2014. As we all know, this goal was never obtained. Chief Andrus has again expressed his desire for the return of Engine 1. The Concord Fire Officers Association supports Chief Andrus in this direction for FY 2015. We are hoping to enlist the support of the Public Safety Board for the return of this vital piece of apparatus.

Engine 1 was returned to service in 2003 after a long absence. Due to tough economic times, Engine 1 was again closed fully in 2009. The City Administration did what they felt was necessary during those tough times and did an excellent job of preserving jobs. CFOA believes now is the right time to reinstate Engine 1.

In 2003, when Engine 1 was placed back in service, the department ran 6,553 calls for service. In 2013, that number increased to 7,262. But beyond the numbers alone, Engine 1 is a vital piece for a variety of reasons:

Engine 1 responds first due to the downtown area. It covers the vast majority of the city second due, meaning if Engine 4, Engine 7 or Engine 5 is on a call, Engine 1 will respond to those districts to handle the emergency in their absence. Currently if Engine 5, for example, is on a call for service and a fire were to occur, the citizens of Penacook rely on Engine 4 at the Broadway Station or mutual aid, if they are available, for water. This can cause significant delays in the extinguishment of a fire.

Engine 1 is also the piece that establishes water supply to the first due Engine Company in the Broadway, Heights and Manor districts. The engines in those districts carry roughly 750 gallons of water, which can last only a few minutes. The only piece that is currently at Central Station is our Tower and it carries no water.

Currently when Engine 5 personnel has to assist the Ambulance crew with transport to the hospital due to a citizen having a serious medical problem, the Penacook district is left completely uncovered for up to a half hour. In the past, Engine 1 would cover the Manor district during this time.

Training is an important part to the successful operations of the Fire Department. Many times, the companies that are training are interrupted due to multiple calls for service within a short time frame. Engine 1 helps to alleviate this problem.

The West side of the city has very little coverage and relies on Engine 4, Engine 5, Engine 7 and the Tower Company to provide coverage to those areas. Engine 1 helps bridge that gap for a timely response.

In closing, we are not trying to justify the existence of Engine 1, as we believe that was done in 2003. The Engine was not closed due to performance or need since it responded to 2,488 calls for service in 2007, the last full year Engine 1 was in service 24/7. It was closed due to poor economic times that were beyond any of our control. It is time to make the Fire Department whole again for the safety of the citizens of Concord and the members of the Concord Fire Department.

I would like to thank the Public Safety Board for taking the time to read this. By volunteering for this committee it shows your commitment to the citizens of Concord and for that, the members of the Concord Fire Officers Association thank you.

Sincerely,

Mark Hebert
CFOA President

City of Concord
Transportation Policy Advisory Committee

Meeting Minutes

Thursday, March 27, 2014 - 6:00pm to 8:00pm
City Council Chambers

1. Call to Order/Introductions

Dick Lemieux, Chair, called the meeting to order. Those in attendance included:

Committee Members Present:

Dick Lemieux (At-Large - Chair)
Byron Champlin (Council Representative)
Craig Tufts, (Bicycling Community)
Ursula Maldonado (At-Large)
Rob Mack, Traffic Engineer (City Manager's Designee)

Committee Members Not Present:

Rob Werner (Council Representative)
Brent Todd (Council Representative)
Tom Irwin (At-Large)
Jim Sudak (Public Transportation Representative)
Alex Vogt (Pedestrian and Trails Community)

Staff, Visitors and Guests Present:

Ed Roberge, City Engineer (Staff Representative)

TPAC's last regular meeting was January 23, 2014. The Chair noted that Alex Vogt was unable to continue his TPAC appointment which expires this month due to his semi-annual relocation out of state. He noted an interest to continue participation in the pedestrian subcommittee as his schedule allows. Due to lack of quorum, the Chair suspended the rules to allow votes by those voting members present (Motion-Champlin; Second-Maldonado; Unanimous).

2. Approval of January 23, 2014 meeting minutes

The January 23, 2014 minutes as submitted were approved (Motion-Champlin; Second-Tufts; Unanimous).

3. Presentations

a. None.

4. Public Comment

There was no public comment.

5. New Business

a. None.

6. Consent Reports

a. Approval of Subcommittee Minutes (Pedestrian, Bicycle, Public Transit, and Traffic Operations)

The following subcommittee minutes were reviewed and accepted by unanimous consent: Joint Bicycle/Pedestrian - January 6, 2014 and February 3, 2014; Public Transportation - January 7, 2014; and Traffic Operations - January 21, 2014 and February 18, 2014.

b. Review of CAT Mid-Year Progress Report (July-December 2013)

The CAT Mid-Year Progress Report (July-December 2013) was approved as submitted (Motion-Maldonado; Second-Champlin; Unanimous).

7. City Council meeting update

At its February 10, 2014 meeting, City Council: approved the Loudon Road lane-conversion project; accepted the TPAC Accomplishments report; and accepted the TOC report on a stop sign request on Governor's Way. At its March 10, 2014 meeting, City Council accepted TOC's report on the Regional/Chenell intersection with recommendation to retain the current two-way stop sign control until intersection improvements programmed under CIP 541 are implemented.

8. TPAC Referrals from City Council, Staff and Chair

a. None.

9. Status report on subcommittees

a. Pedestrian Committee, Ursula Maldonado

Ursula Maldonado noted that TPAC-Ped met jointly with TPAC-Bike in March. Walking access to the Friendly Kitchen was discussed in light of poor winter sidewalk maintenance along I-393/S. Commercial Street, and private fencing being erected along the rail corridor north of Storrs St. Members discussed the city's pending purchase of the Tunis property north of Storrs Street along the railroad tracks and near the former Agway property. This could present options for future public walking access. Snow cleanup on sidewalks was also discussed, including the potential for a revised state law that might require homeowners to shovel sidewalks along their frontage. Development of a Pedestrian Master Plan was also discussed including how it might be structured.

b. Bike Committee, Craig Tufts

Craig Tufts reported that TPAC-Bike met jointly with TPAC-Ped in March and began working on the renewal application for the city's Bicycle Friendly Community recognition which is due in September. New priorities and initiatives related to bicycling in the city need to be summarized. TPAC members discussed the potential need for public outreach to expand on a nationally-growing mindset that is less focused on the 'need to drive' versus taking the opportunity to walk or bike.

c. Public Transit Committee, Dick Lemieux

Dick Lemieux noted that the TPAC-PT subcommittee discussed a proposal from the Penacook Village Association to include a CAT service stop at the Penacook Community Center on Dolphin Street. Contributing to the discussion were residents of Briar Pipes who would welcome such a change as it would increase their access to

activities available at the community center. CAT and CNHRPC staff are testing some variations in the Penacook Route that might accomplish this.

d. Traffic Operations Committee, Rob Mack

Rob Mack reported that TOC met on March 18 and discussed updating posted speed limits on Old Loudon Road. The road is currently posted 35 mph, but the area is within the Urban Compact and should be 30 mph by statute. TOC is recommending correcting the speeds here to 30 mph, subject to Council acceptance of the recommendation. TOC also discussed a commuter's request to place a Do Not Block Intersection sign on Bouton Street southbound at the Church Street intersection. The request was not recommended.

10. Staff Updates

a. Downtown Complete Streets Improvement Project - TIGER 2012 (CIP460)

Ed Roberge noted that the project team updated City Council on the project in February. To reduce uncertainty and estimated construction cost, a new request for qualification for a Construction Manager/General Contractor (CMGC) is being advertised. A more flexible scope of work would be negotiated that might include: potential for larger work areas, some daytime work, and non-steam options for a snow melt system. The goal is to create a city/contractor partnership to better manage the construction project with lower uncertainties and more realistic costs. CMGC proposals are due on April 11, 2014.

b. US Route 3 North Improvements (CIP 35)

Ed Roberge reported that bids for this year's road construction and streetscape improvements came in on-estimate. Merrill Construction was the lowest responsible bidder and is anticipated to begin work around April 21.

c. Sewalls Falls Bridge Replacement (CIP 22)

Ed Roberge reported that City Council approved the steel/concrete option for span construction, perhaps with some architectural features, vertical elements and sidewalk overlooks. Planning is discussing options to potentially reuse portion of the old truss, perhaps integrating it into a picnic area.

d. Loudon Road Corridor Improvements (CIP 19)

Rob Mack reported that pursuant to City Council approval of the project on February 10, 2014, staff has begun coordination with NHDOT to start administration of the project. Staff has also begun discussions with CAT regarding bus stop locations along the corridor. Construction is anticipated in spring 2015.

e. I-93 Bow-Concord Study (NHDOT)

Ed Roberge noted that McFarland Johnson, Inc. has begun work on updating the corridor study. A new regional transportation model is currently under development for this study and will be available afterwards for CNHRPC planning efforts. The chair asked that this project be added as a regular discussion item on coming TPAC agendas.

11. Old Business

a. Review/update Comprehensive Transportation Policy.

Members discussed Smart Growth America's review and ranking of Concord's Comprehensive Transportation Policy in their 2013 annual report. Dick Lemieux distributed their 'scorecard' for Concord which facilitated a discussion of how the city's policy statement compared with that of other municipalities. It appears that choice of wording was significant in the rating system. For example, Concord's overarching reference to 'all users' was ranked lower than communities that actually 'spelled out' the users such as pedestrians, bicyclists, persons with disabilities, etc. Members felt that well-ranked municipalities on national review sites such as this benefit in terms of attracting folks to relocate to one community over another. With Concord having so many positive attributes of a complete street community, members concurred that further review of the city's policy statement and potential wording updates would be beneficial. Staff would distribute the following materials to members to facilitate continued discussion at the next meeting: Smart Growth America's 2013 report, including ranking criteria and summary of community policy ratings; a copy of our current policy statement; and a copy of some initial rewording suggestions as drafted by the Chair.

b. TPAC membership and recruitment

Attendees discussed the need to attract new members, both on the committee and subcommittee level.

12. Adjourn

The meeting was adjourned at 9:00 PM (Motion-Champlin; Second-Maldonado; Unanimous).

**Concord Energy and Environment Committee
Meeting Notes
April 2, 2014**

A special meeting of the Concord Energy and Environment Committee (CEEC) was held on Tuesday, April 2nd. The meeting was held at True Brew Barista Café in Bicentennial Square.

Members present: City Councilor Rob Werner, Maura Adams, Kathieen Brockett, Jonathan Gregory, Jennifer Galbraith, Peter Flora,

Guests: Chris Kane

Rob Werner indicated that the terms of all present Concord Energy and Environment Committee members expire on April 30, 2014. Rob will send an e-mail to all current members to inquire if they desire to be re-appointed. There are two positions that are filled by Concord City Councilors – Rob Werner and first term City Councilor Alan Herschlag – and 11 community member positions.

Maura Adams inquired as to how many CEEC members would attend the Local Energy Committee conference on Saturday, April 12th in Tilton NH. Rob Werner indicated that CEEC would be able to support five (5) registrations and that he would check in with CEEC members via e-mail regarding attendance.

A CEEC meeting with City Engineer Ed Roberge regarding the sustainability aspects of the Main Street project is scheduled for Tuesday, April 8th. Rob Werner will check in with CEEC members regarding the meeting.

Roger Hawk and Randy Bryan will meet with Phil Blodeau on April 11th regarding the possibility of the establishment of a solar array at the Wastewater treatment plant on Hail Street. The visit will include possible contractors. Roger and Randy will update CEEC at the next regularly scheduled meeting.

Rob Werner will draft an article for the Concord Insider that focuses on the need for sustainability for the Main Street project.

Rob Werner reported that CEEC is scheduled to present to the Concord Rotary on Tuesday, June 3rd. The presentation will be at 12:00 Noon.

Rob Werner reported that Jack Ruderman of the Public Utilities Commission will update CEEC on the most relevant state issues that CEEC should be aware of. Rob will check with Jack to see if he is available for the next regularly scheduled meeting.

Jonathan Gregory will develop a strategy for outreach to the Concord faith community.

Maura Adams indicated that the items brought before the Concord Planning Board may have sustainability impacts. Maura volunteered to review Planning Board agendas.

The CEEC website needs to be reviewed and updated. Rob Werner will check with City of Concord IT to inquire about CEEC inclusion on the City of Concord website.

Kathleen Brockett reported on her research regarding including fuel economy of a vehicle in the equation for assessing vehicle registration fees at the city level. Local ordinances must be consistent with state law, i.e. and this might be a challenge for municipalities to act on their own to incentivize the purchase of efficient vehicles through varying levels of taxation. Kathleen suggested that CEEC check in with State Representative (and Concord City Councilor) Candace Bouchard to gather her input as she chairs the House Transportation Committee

The next meeting of CEEC will be on Wednesday, April 23rd at 6:30 PM at True Brew Barista in Bicentennial Square.



5 INF 4

TAA

Concord Public Library
Trustee Meeting

April 7, 2014
Draft

Present: Lisa Sands, Jeremy Clemans, Mary Beth Robinson, Inez McDermott, Elizabeth Mulholland, Marian Akey, and Interim Co-Library Director Sandi Lee

The meeting was called to order at 7:02 p.m.

Deb Baker, Adult Services Manager, met with the Trustees to report on the Public Library Association meeting, which focused on marketing ideas, program and service ideas, and supervisory/administrative ideas.

The minutes of the March 3, 2014, meeting were approved.

Acting Library Director's Report

A new PT librarian has started, and will be working on Sundays.

The Children's Room had a number of great programs during February vacation week
All DVDs and TV shows are being relabeled in expectation that it will be easier to read the labels.

Foundation Update

CPL Foundation awarded a grant to Books for Babies.

The Foundation needs new Board members.

The Foundation made several other grants including for materials for the children's play space and a pass for the Boston Museum of Science.

New Business

The Trustees considered a request to review and withdraw a book from the collection made by a member of the community. After discussing the matter, the Trustees voted to retain the item in the Library's collection.

The Trustees discussed a complaint made to the City regarding the Library's policy against sleeping. The policy exists to ensure the health and safety of the community. The bathrooms are now locked and patrons need to request a key.

Old Business

A new trustee is expected to be approved at the City Council meeting next week.

Marian Akey will be resigning her position on the Board.

The Community Center project continues to move forward, and the Trustees expressed an interest in continuing to determine how the library might have a presence there.

No new information on the Library's 75th Anniversary or the City's 250th Anniversary.

The next meeting is May 5, 2014. A motion to adjourn was made at 8:40 p.m.



DRAFT MINUTES

Fiscal Policy Advisory Committee
 April 17, 2014 / 4:30-6:00 PM
 Second Floor Conference Room

In Attendance: Chairman – Allen Bennett; Mayor Bouley; City Councilors – Mark Coen, Candace CW Bouchard, Jan McClure; City Staff – Tom Aspell, City Manager; Brian LeBrun, Deputy City Manager-Finance; Katie Graff, Assistant Finance Director; Bob McManus, OMB Director.

Excused: City Councilors – Fred Keach, Amanda Grady-Sexton, Dan St. Hilaire

- 1) **Approval of March 20, 2014 Meeting Minutes:** Chairman Bennett called the meeting to order at 4:35 PM and requested a motion to approve the minutes of the March 20, 2014 meeting. Councilor Bouchard moved to accept the minutes, seconded by Councilor Coen. The minutes were unanimously approved as presented.
- 2) **Quarterly Financial Statement Review** – Deputy City Manager LeBrun discussed the Quarterly Financial Statements for the YTD period ending March 31, 2014. Overall, FY14 is has been a little bit more complicated than the past few fiscal years.

Revenues: While most of the revenues are on target, two items that added to surplus in FY13 that are not anticipated to provide the same surplus as FY14 are:

- a) Premium Holiday from Primex in 2013 added \$314,000 to surplus; however, because \$300,000 was used from the FY14 amount to add to overlay, only about \$27,000 will be available to add to surplus.
- b) Fire Department ambulance service charges in 2013 were \$117,400 in excess of budget. The FY14 amount is lagging projections by 1%, or almost \$14,000, and is \$69,800 behind last year.

Building/mechanical/electrical/plumbing permits are nearly 100% collected so it is anticipated that there will be some additional revenues here in the final quarter of the year. However, a portion of the remainder of the year may be deferred if the project is not completed by June 30.

Expenses: Expenses are also struggling this year.

- a) Both Legal and Assessing have overspent their Professional and Technical Services lines due to the complexity of the abatement cases that we have been dealing with and other legal issues. To date this over-expenditure amounts to \$26,300.
- b) Winter Maintenance Snow and Ice Control is \$105,400 overspent, even after transferring \$110,500 from contingency, and is \$167,800 more than FY13.
- c) Two large severance payouts have occurred due to retirements.

- d) Collective bargaining agreements that have been ratified have higher across-the-board increases than budgeted. This amounts to about \$50,000.

Currently the Finance Department is projecting that there will not be any FY14 year-end surplus for the City Council to distribute, as discussed at the Fiscal Policy Advisory Committee Meeting.

- 3) **Adjournment - A motion was made by Councilor Bouchard to adjourn, seconded by Councilor Coen, and a unanimous vote brought the meeting to an end at 5:40 PM.**

Respectfully submitted,

Brian LeBrun
Deputy City Manager – Finance

DRAFT

Bonenfant, Janice

From: colinvo=vanostern.com@mail.salsalabs.net on behalf of Colin Van Ostern
<colinvo@vanostern.com>
Sent: Friday, April 11, 2014 7:52 PM
To: * City Clerk
Subject: Exec Council Report - Health care cost transparency

JA

Friends,

At this week's Governor & Council meeting, we expanded our efforts to collect and publicly display NH health insurance and medical costs in an effort to aid consumer choice and spur additional private competition. The data will be displayed on a newly-renovated www.nhhealthcost.org later this year.

We also approved a number of regional issues and several with statewide impact:

IN CENTRAL NH: Weatherization aid via Belknap-Merrimack Community Action Program, doubled the lease size for the Bureau of Education & Training, new roofs for six buildings at Bear Brook State Park, accepted donation of 74 acres of undeveloped forest in Bradford, exotic plant control activities in local ponds, a new generator for the Hopkinton Emergency Shelter, and resurfacing nearly 100 miles of roads in Merrimack, Belknap, and Sullivan Counties.

IN MONADNOCK & WESTERN NH: Weatherization aid via Southwestern Community Services, exotic plant control activities in local ponds, resurfacing of nearly 30 miles of road in Cheshire, Hillsborough and Sullivan Counties

IN STRAFFORD CO: Weatherization aid via Strafford County Community Action Program.

STATEWIDE: Expanded work to collect and display consumer and employer health insurance premium and medical costs, to be displayed on www.nhhealthcosts.org, and established a Statewide Automated Victim Information & Notification Program.

APPOINTMENTS: See below

The next meeting is on April 23. If you have any questions, please don't hesitate to let me know via email at cvanostern@nh.gov or by calling me at (603) 290-5848.

Sincerely,

Colin

Executive Councilor, District 2

*****ADDITIONAL DETAIL ON ITEMS MENTIONED, BELOW *****

(FOR FULL DOCUMENTATION ON EACH, SEE THIS LINK)

1. DETAIL: CENTRAL NH

#13 Authorized to **retroactively** amend a **sole source** agreement with Community Action Program Belknap-Merrimack Counties Inc., Concord, NH, (originally approved by G&C on 10-2-13, item #12), for the federal Weatherization Assistance Program, by extending the end date from March 31, 2014 to September 30, 2014. No Additional Funding. **100% Federal Funds.**

#24 Authorized the Bureau of Education & Trainings' request for a **sole source amendment** to a lease agreement with Hodges Development Corporation, Concord, NH (originally approved by G&C on 6-5-13, item #17), by increasing the price by \$59,400 from \$89,100 to \$148,500 and will increase by 1,058 square feet of classroom and break/kitchen space to the training space from 1,130 square feet to 2,188 square feet. Effective April 15, 2014 or upon G&C approval, whichever is later, through June 30, 2018. **100% Revolving Funds.**

#53 Authorized the Division of Parks and Recreation to enter into a contract with Property Logistics Inc., Hollis, NH, for roofing replacements on six buildings at Bear Brook State Park, in the amount of \$66,700. Effective upon G&C approval through June 20, 2014. **100% Capital Funds.**

#56 Authorized the Division of Forests and Lands to accept the donation of approximately 74 acres of undeveloped forestland abutting Low State Forest in the Town of Bradford, from the Farrar and Brodeur families. **0% State Funds.**

#63 Authorized to enter into grant agreements with the entities as detailed in letter dated March 4, 2014, totaling \$38,469, to fund exotic aquatic plant control activities. Effective upon G&C approval through December 31, 2014. **100% Lake Restoration Funds.**

#73 Authorized the Division of Homeland Security and Emergency Management to enter into a grant agreement with the Town of Hopkinton to purchase and install a generator for the community's Highway Department/Emergency Shelter, for a total amount of \$24,168. Effective upon G&C approval through September 30, 2014. **100% Federal Funds.**

#85 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for resurfacing of approximately 32 miles in District III and in Belknap, Carroll and Merrimack Counties, on the basis of a low bid of \$1,997,970. Effective upon G&C approval through October 3, 2014. **100% Betterment Funds.**

#89 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for resurfacing of approximately 33 miles in District V and in Merrimack, Hillsborough and Rockingham Counties, on the basis of a low bid of \$2,386,890. Effective upon G&C approval through September 5, 2014. **100% Betterment Funds.**

#92 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for resurfacing of approximately 41 miles in District II and in Belknap, Grafton, Merrimack and Sullivan Counties, on the basis of a low bid of \$2,101,225. Effective upon G&C approval through September 19, 2014. **100% Betterment Funds.**

2. DETAIL: MONADNOCK REGION

#14 Authorized to **retroactively** amend a **sole source** agreement with Southwestern Community Services Inc., Keene, NH (originally approved by G&C on 10-2-13, item #13), for the federal Weatherization Assistance

Program, by extending the end date from March 31, 2014 to September 30, 2014. No Additional Funding. **100 Federal Funds.**

#60 Authorized to enter into grant agreements with the entities as detailed in letter dated March 3, 2014, totaling \$59,928 to fund exotic aquatic plant control activities. Effective upon G&C approval through December 31, 2014. **100% Lake Restoration Funds.**

#88 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for resurfacing of approximately 30 miles in District IV and in Cheshire, Hillsborough and Sullivan Counties, on the basis of a low bid of \$2,413,327.50. Effective upon G&C approval through September 19, 2014. **100% Betterment Funds.**

3. DETAIL: STRAFFORD COUNTY

#15 Authorized to **retroactively** amend a **sole source** agreement with Community Action Partnership of Strafford County, Dover, NH, (originally approved by G&C on 10-2-13, item #15), for the federal Weatherization Assistance Program, by extending the end date from March 31, 2014 to September 30, 2014. No Additional Funding. **100% Federal Funds.**

4. STATEWIDE PROJECTS AND POLICIES

#42 Authorized to enter into a contract with Wowzilla LLC, Milwaukee, WI, for the provision of consulting services in connection with the Initiative to improve and expand the information available on the Department's HealthCost website, www.nhhealthcost.org for consumers and employers related to health insurance premiums and medical care costs in NH, in the amount of \$150,000. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#66 Authorized the Division of State Police to accept and expend a grant from the NH Department of Justice for the purpose of establishing a Statewide Automated Victim Information and Notification Program, in the amount of \$955,095. (2) Further Authorized to establish class 046 consultant positions for the purpose of establishing a Statewide Automated Victim Information and Notification Program. Effective upon G&C approval through September 30, 2014. **100% Agency Income. Fiscal Committee approved.**

5. DETAIL: APPOINTMENTS AND NOMINATIONS

(* = District 2 Resident)

Aviation Users Advisory Board

Christopher Nevins, Hampton, NH

Community Development Finance Authority

Janet L. Ackerman, Frankestown, NH

Board of Hearing Care Providers

Mary Louise Bronzena, Portsmouth, NH

Nashua Police Commission

Carl Andrade, Nashua, NH

New Motor Vehicle Arbitration Board

George F. Dykstra, Chichester, NH

Telecommunications Planning and Development Advisory Committee

Ellen G. Scarponi, Canterbury, NH*

Waste Management Council

Rudy Bazelmans, Nashua, NH

Wetlands Site Selection Committee

Rick Van de Poll, Center Sandwich

Confirmed by the Council:

Board of Accountancy

Jeffrey P. Seifert, Bedford, NH

Advanced Manufacturing Education Advisory Council

Jacqueline E. Guillette, Claremont, NH

Ballot Law Commission

Dean B. Eggert, Bow, NH

Roger Wellington, Concord, NH*

Board of Chiropractic Examiners

Scott A. MacDonald, Goffstown, NH

Board of Court Reporters

Thomas H. Richards, Sunapee, NH

State Board of Fire Control

Steven C. Freitas, Salem, NH

New Hampshire Commission for Human Rights

Paul J. Phillips, Plymouth, NH

Invasive Species Committee

Jeffrey M. Taylor, Richmond, NH

Board of Medicine

Emily R. Baker, Hanover, NH

Penalty Appeal Board

Gayle E. Troy, Dunbarton, NH

Director of Personnel at the Department of Administrative Services

Sara J. Willingham, Concord, NH*

Personnel Appeals Board

David Goldstein, Dover, NH*

Physical Therapy Governing Board

Ronald Fuller, Manchester, NH

Board of Registration of Podiatrists

James H. Dolan, Stratham, NH



Paid for by Van Ostern for New Hampshire.
www.vanostern.com PO Box 193, Concord, NH 03302.
Colin Van Ostern, fiscal agent.

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Bonenfant, Janice

From: colinvo=vanostern.com@mail.salsalabs.net on behalf of Colin Van Ostern
<colinvo@vanostern.com>
Sent: Tuesday, April 29, 2014 8:24 PM
To: * City Clerk
Subject: Exec Council Report

120

April 28, 2014

Friends,

Last week's Governor & Council meeting approved a number of regional issues and several with statewide impact:

IN CENTRAL NH: Housing and transitional support to homeless individuals; extending support for children's mental health awareness activities via NAMI, low-cost loan to finance water system improvements in Belmont, extension of work on the Suncook River erosion study; water system management improvements in Franklin; and replacement of DoT fuel tanks in Andover, Franklin, and Canterbury.

IN MONADNOCK & WESTERN NH: An arts grant to the Apple Hill Chamber Players of Nelson; Kemp Brook area restoration and pollinator habitat restoration in Walpole; moving the Keene DHHS District office from 809 Court st to 109 Court St; and housing and transitional support to homeless individuals.

IN STRAFFORD CO: Housing and transitional support to homeless individuals; transfer management of properties along Rt 4 in Dover amongst state agencies; accept a conservation trust in Durham; and grant \$550k to the city of Rochester for wastewater facility projects.

STATEWIDE: A third contract complementing the work to restore and improve www.nhhealthcost.org, which should be back online in June and renovated by years-end; accounting for more revenue from the Regional Greenhouse Gas Initiative than expected; a statewide immunization registry (which discussion of proper opt-in/opt-out policies); and development of an automated victim information & notification system.

APPOINTMENTS: See below

The next meeting is on THURSDAY May 8 (this is a departure from our typical Wednesday meetings). If you have any questions, please don't hesitate to let me know via email at cvanostern@nh.gov or by calling me at (603) 290-5848.

Sincerely,

Colin

Executive Councilor, District 2

ADDITIONAL DETAIL ON ITEMS MENTIONED, BELOW.

(FOR FULL DOCUMENTATION ON EACH, SEE THIS LINK)

1. DETAIL: CENTRAL NH

#36A Authorized to enter into agreements, one of which is **retroactive**, with the vendors as detailed in letter dated April 2, 2014, to provide permanent and transitional housing program(s) to facilitate the movement of homeless individuals to permanent housing and maximum self-sufficiency through the Federal Continuum of Care program, in an amount not to exceed \$759,401. Effective upon G&C approval. **100% Federal Funds.**

#40 Authorized to exercise a renewal option and amend an existing **sole source** agreement with National Alliance on Mental Health, Concord, NH (originally approved by G&C on 6-5-13, item #75), by adding support for Social Marketing efforts and Children's Mental Health Awareness activities, increasing the price by \$311,017 from \$200,969 to \$511,986, and by extending the completion date from June 30, 2014 to June 30, 2015. **100% Federal Funds.**

#63 Authorized a loan agreement with the Town of Belmont, NH, to finance water system improvements, in the amount of \$375,000. Effective upon G&C approval. **79% Federal, 21% Capital (General) Funds.**

#65 Authorized to amend a **sole source** agreement with Lakes Region Planning Commission, (originally approved by G&C on 11-9-11, item #84), to complete the *Suncook River Fluvial Erosion Hazard Community Assistance* project, by extending the completion date to June 30, 2015 from June 30, 2014. No Additional Funding. **100% Capital (General) Funds.**

#67 Authorized to award an Asset Management grant to the City of Franklin, NH, in the amount of \$15,000 to improve public water system management. Effective upon G&C approval through May 31, 2015. **100% Federal Funds.**

#98 Authorized the Bureau of Construction to enter into a contract with Stephens Marquis Associates Inc., Merrimack, NH, for a new fueling facility and removing the existing fuel tanks at the Andover, Franklin and Canterbury Sheds, on the basis of a low bid of \$856,000. (2)Further Authorized a contingency in the amount of \$85,600 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through November 14, 2014. **100% Capital Budget Funds.**

2. DETAIL: MONADNOCK REGION

#17 Authorized the Division of Arts to award a Public Value Partnership Grant in the amount of \$6,500 to the Apple Hill Chamber Players, Nelson, to strengthen their capacity for affordable diverse arts programs to NH residents and visitors. Effective upon G&C approval through June 30, 2014. **100% General Funds.**

#18 Authorized the NH State Conservation Committee to enter into a grant with Cheshire County Conservation District, Walpole, NH, in the amount of \$22,500 for the Kemp Brook Tributary & Floodplain Restoration Project, Town of Fitzwilliam, Cheshire County. Effective upon G&C approval through April 30, 2016. **100% Other Funds – State Conservation Committee.**

#19 Authorized the NH State Conservation Committee to enter into a grant with Cheshire County Conservation District, Walpole, NH, in the amount of \$20,900 for the Cheshire County Pollinator Habitat Initiative Project, in Cheshire County. Effective upon G&C approval through April 30, 2016. **100% Other Funds – State Conservation Committee.**

#36 Authorized to enter into an agreement with Pinnacle Office Solutions LLC, Danvers, MA, to move the Keene District Office from 809 Court Street to its new location at 109 Court Street, in the amount of \$20,750. Effective upon G&C approval through June 30, 2014. **60% General, 40% Federal Funds.**

#36A Authorized to enter into agreements, one of which is **retroactive**, with the vendors as detailed in letter dated April 2, 2014, to provide permanent and transitional housing program(s) to facilitate the movement of homeless individuals to permanent housing and maximum self-sufficiency through the Federal Continuum of Care program, in an amount not to exceed \$759,401. Effective upon G&C approval. **100% Federal Funds.**

3. DETAIL: STRAFFORD COUNTY

#6 Authorized the nomination of Lieutenant Colonel Mark H. Ustaszewski, Lumberton, NJ, for appointment to the rank of Lieutenant Colonel, NH Air National Guard. This officer meets all prerequisites for this grade, having been found to be physically, mentally, morally, and professionally qualified.

#36A Authorized to enter into agreements, one of which is **retroactive**, with the vendors as detailed in letter dated April 2, 2014, to provide permanent and transitional housing program(s) to facilitate the movement of homeless individuals to permanent housing and maximum self-sufficiency through the Federal Continuum of Care program, in an amount not to exceed \$759,401. Effective upon G&C approval. **100% Federal Funds.**

#56 Authorized to transfer the management of .56 +/- acres of land, a portion of a 17.8 +/- acre parcel of land, located along Spur Road and US Route 4 in the City of Dover, NH, to the NH Department of Transportation for highway improvements as part of the Newington-Dover 11238 project. \$50,000 from the Department of Transportation will be deposited into the Wildlife Habitat Account. Effective upon G&C approval.

#58 Authorized to accept fee title transfer of one property (Langley Trust, Durham, NH, 48.44 acres of high quality habitat land in the Great Bay region with a market value of \$290,000) from The Nature Conservancy. No state funds were involved with the original purchase or the proposed transfer of this property.

#66 Authorized to award grant aid funds to the City of Rochester, in the amount of \$550,321 for a wastewater facility project. Effective upon G&C approval. **100% General Funds.**

4. STATEWIDE PROJECTS AND POLICIES

#24 Authorized to enter into a contract with the Center for Health Law and Economics at the University of Massachusetts Medical School, Worcester, MA, for the provision of consulting services in connection with the initiative to improve and expand the information available on the Department's HealthCost website, www.nhhealthcost.org for consumers and employers related to health insurance premiums and medical care costs in NH, in the amount of \$174,281. Effective upon G&C approval through September 30, 2015. **100% Federal Funds.**

#34 Authorized to accept and expend \$7,500,000 from RGGI Inc., for distribution to electric distribution companies for core energy efficiency programs and rebates to retail electric ratepayers. Effective upon G&C approval through June 30, 2014. **100% Other Funds.**

#39A Authorized the Bureau of Infectious Disease Control to enter into an agreement with Scientific Technologies Corporation, Scottsdale, AZ, to provide a Statewide Immunization Registry and system

maintenance, in an amount not to exceed \$1,359,177. Effective upon G&C approval through January 31, 2019.
9% Federal, 91% General Funds.

#87 Authorized the Division of State Police to enter into a **sole source** contract with Emergency Communications Network Inc., Ormond Beach, FL, for the purpose of supporting the development of the NH Statewide Automated Victim Information and Notification program utilizing the Justice-Once Network Environment for the State of NH, in the amount of \$658,000. Effective upon G&C approval through September 30, 2015, with the option to extend for one additional three-year period. **100% Federal Funds.**

5. DETAIL: APPOINTMENTS AND NOMINATIONS

*(* = District 2 Resident)*

Compensation Appeals Board

Hamilton R. Krans, Dover, NH*

Christopher T. Regan, Durham, NH*

State Board of Education

William A. Duncan, New Castle, NH

Lakes Management Advisory Board

John H. Cooley, Center Sandwich, NH

Richard D. Smith, Hancock, NH*

Passenger Tramway Safety Board

Mark Petrozzi, Gilford, NH

Pesticides Control Board

Susan Whittemore, Keene, NH*

Department of Transportation, Director of Finance

Marie A. Mullen, Bow, NH

Volunteer New Hampshire Board of Directors

Julie P. Kennedy, New Castle, NH

Water Council

Christopher M. Rawnsley, Antrim, NH

Confirmed by the Council:

Aviation Users Advisory Board

Christopher Nevins, Hampton, NH

Community Development Finance Authority

Janet L. Ackerman, Frankestown, NH

Board of Hearing Care Providers

Mary Louise Bronzena, Portsmouth, NH

Nashua Police Commission

Carl Andrade, Nashua, NH

New Motor Vehicle Arbitration Board

George F. Dykstra, Chichester, NH

Telecommunications Planning and Development Advisory Committee

Ellen G. Scarponi, Canterbury, NH*

Waste Management Council

Rudy Bazelmans, Nashua, NH

Wetlands Site Selection Committee

Rick Van de Poll, Center Sandwich, NH

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Colin Van Ostern, fiscal agent.

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CONCORD VETERANS COUNCIL
Ned Brooks
6 Kozy Trail
CONCORD, NEW HAMPSHIRE 03301

April 2014



Mayor James Bouley,
City of Concord
41 Green Street
Concord, New Hampshire 03301

Dear Mayor:

The Concord Veterans Council cordially invites you and your staff to participate in the City of Concord's Memorial Day Parade to be held on Monday May 26, 2014.

I also understand you will make a presentation to Ken Barrett at the state house!

The parade will form in the parking lot adjacent to the Burlington Coat Factory Store on Storrs Street at 0830 hours with a parade start time of 0900 hours. The parade will proceed up Pleasant Street Extension, then North on Main Street to the North Cemetery for a brief ceremony. The parade will continue down South State Street to the State House Plaza for the closing ceremony.

We would greatly appreciate your consideration and participation in this most important ceremony as we honor our Veterans both past and present.

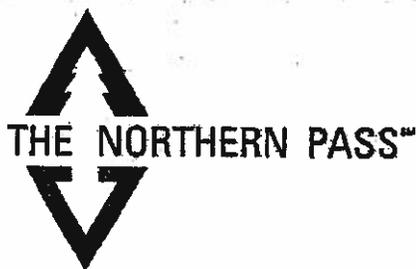
Thank you for your consideration.

Sincerely,

Paul Lloyd
President



5 INF8
|
T/A



April 18, 2014

Michelle Kleindienst
Association Manager
McKenna's Purchase
84 Branch Turnpike
Concord, NH 03301

Dear Michelle,

This is a follow up to our recent conversation regarding Northern Pass. The Project understands that the McKenna's Purchase property owners are concerned with the design and appearance of the new proposed 345 kV line that will be added to the existing power line right of way (ROW) next to the condominium complex.

In response to the concerns that property owners have expressed, Northern Pass directed its engineers to carefully evaluate all practicable alternatives to the project design. Through that effort, the engineers have developed a new proposed design that improves upon the original design and that will, hopefully, help to address the property owners' concerns.

Specifically, the new proposed design would relocate the 34.5 kV distribution line from the westerly side of the ROW, closest to McKenna's Purchase, to the easterly side and attach it to the rebuilt 115 kV structures on that side of the ROW. This would essentially eliminate the 34.5 kV distribution poles on the property, and will allow relocation of the existing berm from the middle of the ROW, to the westerly side of the ROW. In addition to creating a visual barrier that reduces the view of the ROW, relocating the berm will make it possible to reduce the height of certain Northern Pass structures by an average of 5 to 10 feet as compared to the original design.

We respectfully request, and would very much appreciate, an opportunity to meet with you to discuss this proposal and answer any questions you may have. We are also willing to present this proposal to the board of McKenna's Purchase.

I will follow up with you within the next two weeks to see if we can schedule a time to meet.

Sincerely,

Patrick F. McDermott
Northern Pass Project

cc: Carlos P. Bafa, Deputy City Manager, City of Concord
Senator Sylvia Larsen



• M C K E N N A ' S • P U R C H A S E •

Sent Via Email to:

April 23, 2014

Mayor J.P. Bouley
Thomas J. Aspell, City Manager
Carlos P. Baia, Deputy City Manager
Senator Sylvia Larsen

This letter is in reference to correspondence received from Patrick F. McDermott, representing The Northern Pass, dated April 18, 2014. In this correspondence Mr. McDermott represents that they have been and are working with McKenna's Purchase and that he and I had a "recent conversation" pertaining to the Project.

I would like to make it VERY clear this is not the case. I have not spoken to a Northern Pass Representative since last fall when they held their Informational Meeting at the Holiday Inn in Concord. At that time members of the Association had gone to the open house and had questioned a few of their Representatives. I received an inquiry phone call as a result of their open house, during the phone call I informed the NP Representative that any new plans needed to be submitted to the Board of Directors prior to the arrangement of any meeting. This is the first we have heard of any new plan to relocate to the eastern side of the ROW.

We have made no pretence that our preference and only acceptable solution for the NP project to continue with the use of the Association's ROW is burial for the entire section abutting our property. I urge you all to come out and view the site and see how close and in some cases the western side of the ROW runs directly through member's decks.

I know you are all aware that per the Site Review, Concord will be the most visually impaired by the Northern Pass Project, there is no way you can put up 100 foot plus metal towers without having a major impact on the abutting property owners and property values and that is not even taking into account the potential health hazards for a densely populated metropolitan area as Concord.

Respectfully Submitted,

Michelle Kleindienst
Association Manager



5 Inf9
xfinity™

April 17, 2014

The Honorable James Bouley
Office of the Mayor
City of Concord
41 Green Street
Concord, NH 03301

Re: Changes to MultiLatino Services

Dear Mayor Bouley:

As part of our ongoing effort to keep you up to date on our service offering, I'm writing to inform you of upcoming changes to our MultiLatino services starting on May 20, 2014. The changes include a rebranding of our MultiLatino service to Latino.

On May 20, 2014, the following MultiLatino services will change as noted:

- MultiLatino Max XF Double Play will be renamed XFINITY 2450 Latino. Due to increased business costs the SurePrice will change to \$109.99 for customers subscribing to a 12 month promotional offer with SurePrice on or after May 20, 2014.
- MultiLatino Max Paquette Triple Play will be renamed XFINITY 3450 Latino. Due to increased business costs the SurePrice will change to \$134.99 for customers subscribing to a 12 month promotional offer with SurePrice on or after May 20, 2014.
- MultiLatino will be renamed Latino.
- MultiLatino Plus will be renamed XFINITY TV 150 Latino.
- MultiLatino Extra will be renamed XFINITY TV 200 Latino.
- MultiLatino Max will be renamed XFINITY TV 450 Latino.

The following MultiLatino packages will no longer be available for new subscriptions effective May 20, 2014. Customers who currently subscribe to these packages will continue to receive the package until they make a change to their account or they receive further notice from Comcast.

- MultiLatino Ultra, MultiLatino Ultra XF Double Play, MultiLatino Plus Bundle XF, MultiLatino Extra Bundle XF, MultiLatino Ultra Paquette Triple Play, MultiLatino Ultra HD Paquette Triple Play, MultiLatino Ultra HD Plus Paquette Triple Play and MultiLatino Total HD Paquette Triple Play.

In addition, the following channels will be added to MultiLatino Max/XFINITY TV 450 Latino on May 20, 2014:

- ABC Family/ABC Family HD; BBC America/BBC America HD; Bravo/Bravo HD; CNBC/CNBC HD; CNN Headline News/CNN Headline News HD; Comcast SportsNet NE/Comcast SportsNet NE HD; ESPN/ESPN HD; ESPN2/ESPN2 HD; Esquire/Esquire HD; Fox Business Network/Fox Business Network HD; Fox Sports 1/Fox Sports 1 HD; FX/ FX HD; FXX /FXX HD; Golf/Golf HD; GSN; HGTV/HGTV HD; Home Shopping 2; INSP; LMN/LMN HD; MoviePlex; MSNBC /MSNBC HD; MTV/MTV HD; NBC Sports/NBC Sports HD; NESN/NESN HD; Nickelodeon/Nickelodeon HD; OWN; Palladia; Spike TV/Spike TV HD; PBS Kids Sprout; SYFY/SYFY HD; TBS/TBS HD; Turner Classic Movies/Turner Classic

Movies HD; Word Network; TLC/TLC HD; TNT/TNT HD; Travel Channel/Travel Channel HD; TV One/TV One HD; University HD; Velocity HD; VH1/VH1 HD; WeTV/WeTV HD.

Customers can visit <http://es.comcast.com/Customers/Ciu/ChannelLineup.ashx> for a full list of available channels.

Lastly, we will be launching the following new Latino packages on May 20, 2014:

- **XFINITY TV 300 Latino** will be available for \$49.95 per month and includes Digital Economy, additional digital channels and Latino for the primary outlet.
- **XFINITY 2150 Latino** will be available for \$57.90 and includes XFINITY TV 150 Latino for the primary outlet and Economy Plus internet.
- **XFINITY 2300 Latino** will be available for \$103.90 per month and includes TV 300 Latino for the primary outlet and Performance Internet. Second year SurePrice will be \$99.99 per month.
- **XFINITY 2600 Latino** will be available for \$159.80 per month and includes Digital Starter, Digital Preferred and Latino tier for the primary outlet plus Performance Internet. Second year SurePrice will be \$119.99 per month.
- **XFINITY 3150 Latino** will be available for \$97.85 and includes TV 150 Latino for the primary outlet, Economy internet and Voice Unlimited™.
- **XFINITY 3300 Latino** will be available for \$134.95 per month and includes TV 300 Latino for the primary outlet, Performance Internet and Voice Unlimited™ plus Carefree 300 Minutes with choice of Mexico 300 or Latin America 300. Second year SurePrice will be \$124.99 per month.
- **XFINITY 3600 Latino** will be available for \$160.49 per month and includes Digital Starter, Digital Preferred and Latino tier for the primary outlet, Performance Internet, Voice Unlimited™, and Carefree 300 Minutes with choice of Mexico 300 or Latin America 300. Second year SurePrice will be \$144.99 per month.
- **XFINITY 3650 Latino** will be available for \$170.49 per month and includes Digital Starter, Digital Preferred, Latino tier and Starz® for the primary outlet, HD Technology Fee, Performance internet and Voice Unlimited™, and Carefree 300 Minutes with choice of Mexico 300 or Latin America 300. Second year SurePrice will be \$154.99 per month.

SurePrice is only available for 12 months to customers subscribing to certain Double Play and Triple Play packages after a 12 month promotional package.

We are excited to bring more choices to our customers. If you have any questions about any of these changes, please feel free to contact me at 603-224-1871, ext. 202.

Sincerely,

Bryan Christiansen

Bryan Christiansen, Sr. Manager
Government & Regulatory Affairs



Friends of the Merrimack River Greenway Trail

Friends of the Merrimack River Greenway Trail: Second Annual Report to Council
May 3, 2014

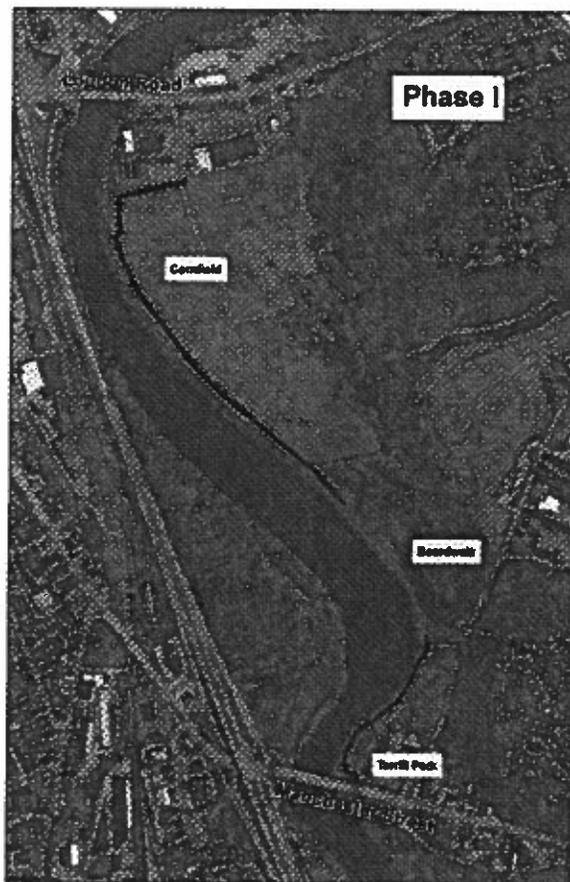
Dear Mayor Bouley and Concord City Councilors:

Much has happened since March 14, 2011, when the Council accepted the Feasibility Study for the Merrimack River Greenway Trail and authorized TPAC, through the Bicycling Committee, to work with staff to raise funds to proceed with building it.

In July, 2011, more than 40 volunteers, with the help of City staff and equipment, removed 30 cubic yards of debris from the area south of the Christian Mutual building between the corn fields and the river. In the fall of 2011, volunteers and staff created a ½-mile walking path through the forested river margin.

In October 2011, "Friends of the Merrimack River Greenway Trail, Inc." became a registered nonprofit corporation under New Hampshire law. In April 2012, FMRGT received 501(c)(3) tax exempt designation from the IRS. The designation permits FMRGT to receive tax-deductible donations from individuals, grant funders and businesses. We now have a website (MRGT.org), a Facebook page and an email list which, combined, contain the names of over 1,100 followers.

On May 13, 2013, Council reaffirmed its support for the trail.



To date, FMRGT has received over \$120,000 in donations, most of which is earmarked for the design and environmental permitting for Phase 1, a section of the trail that will connect Manchester Street, near Terrill Park, and Loudon Road, near the Post Office.

Phase 1 is approximately 1.3 mile long and will include a 1/4-mile long boardwalk over a wetland and an unnamed stream.

We estimate the cost of preliminary and final design, including all necessary environmental permitting, at \$150,000.

With Council's concurrence last year, we have begun permitting and preliminary design of Phase 1 with the drilling of borings to guide the design of the support structures for the boardwalk. While that work is underway, FMRGT will continue raising the remaining funds needed to take us to final design.

As Council agreed last year, we will take the lead through the design and permitting phase. We will, of course, continue to coordinate closely with staff throughout the design process. While preliminary design is underway, we will continue to raise the funds for final design. In 2014, we will begin applying for funding assistance from multiple sources for construction.

Upon completion of the design and fundraising for construction, we will donate the plans and the funds to the City and the City will advertise for bids, award, contract and inspect the construction.

As we begin to expend donated funds on the preliminary design **we are asking for Council's authorization to enter into a Memorandum of Understanding**, which will spell out the roles of FMRGT and the City in greater detail.

FMRGT will plan to deliver annual reports to Council unless circumstances warrant more frequent updates. Councilors are also invited to follow our progress at MRGT.org and to join us on FaceBook.

We thank you for your continued support in this important community project and we thank City staff members from Engineering and Planning for their invaluable help in moving it forward!

Sincerely,

Dick Lemieux, President, Chair of the Board of Trustees

cc: Ed Roberge, Laura Aibel, Jeff Warner, Becky Hebert, Claudia Prendergast

	Sub-Phase	Estimated Cost	Funded By	Implemented By	Comments
Phase 1: Manchester Street to Loudon Road	Environmental Permitting & Preliminary Design	\$88,000	FMRGT	FMRGT	Money is in hand. FMRGT has selected VHB as its engineering consultant. We have signed a contract to proceed with borings and are prepared to sign a contract for the rest of preliminary design as soon as Council approves the MOU. City engineering and planning staff will be involved at every step.
	Final Design	\$56,000	FMRGT	FMRGT	Funding is being raised via grants and private contributions. FMRGT plans to donate the completed design to the City.
	Construction	\$2,000,000	FMRGT*	City of Concord	<p>Fundraising, via grants and private contributions, will begin following completion of fundraising for design and continue while design is underway.</p> <p>FMRGT will donate funds to the City for advertising, awarding, construction inspection and management.</p> <p>*Some grant programs accept applications from municipalities only, excluding nonprofits. In those cases, we would ask the City to be the applicant of record.</p> <p>The City would own and operate the completed trail.</p>

FMRGT is actively pursuing options and opportunities for subsequent phases. Which section will emerge as "Phase 2" is still being determined. Fundraising for the development of the entire MRGT will be ongoing and continuous until the entire trail, from Pembroke to Boscawen, is completed. FMRGT plans to follow the same funding and implementation model for subsequent phases as described above for Phase 1.

Merrimack River Greenway Trail Donor Honor Roll

Many thanks to these generous local donors who are helping us bring this multuse trail to Concord!

Platinum \$50,000 Plus

Anonymous (1)

Champion \$10,000 to \$50,000

The Davis Conservation Foundation

Gold \$5,000 to \$10,000

Grappone Automotive
Anonymous (1)

Trailblazer \$1,000 to \$5,000

Capitol Ski & Outing Club
Central New Hampshire Bicycling Coalition
Goodale's Bike Shop/Specialized Bicycle
Components
Merrimack County Savings Bank
RBC Wealth Management
S&W Sports
Anonymous (1)

Silver \$500 to \$1,000

Lincoln Financial Group
Northeast Delta Dental
Davis Towle Morrill & Everett

Supporter \$100 to \$500

Laura & Dave Aibel
Altus Investment Co., Inc.
David Berliner
Joel Berman
Company C
The Ducharme Family
Eastern Mountain Sports
Jeff Morin & Betsy Hamlin-Morin
Amy Manzelli, BCM Environmental & Land Law
Dick and Sandy McIntire
NH Print & Mail Services
Nobis Engineering, Inc.
Rath, Young and Pignatelli, PC
The Smart Associates, Environmental
Consultants, Inc
Stockwell Physical Therapy
Sulloway & Hollis
The Todd Family
The Works Café
Ruedig Realty
Anonymous (9)

Bronze \$50 to \$100

Sam Evans-Brown
Dr. Kathy Evans, Concord Holistic Veterinarians
Stephen & Denise Fox
Robert & Audrey Knight
The Osmer Family
Simply Birkenstock
Molly & Brian Rossignol, Tooky Wheelworks
The Watts Family
Anonymous (8)

4/29/2014