



Non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition followed by non-public session in accordance with RSA 91-A: 2, I (a) to discuss collective bargaining strategies to be held at 5:30 p.m.

City Council Meeting
Agenda
September 8, 2014
City Council Chambers
7:00 p.m.

1. Call to Order.
2. Invocation
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the July 30, 2014 and the August 11, 2014 Meeting Minutes.
6. Concord Reads Presentation – The Last Policeman by Ben Winters.
7. Agenda overview by the Mayor.

- Consent Agenda Items -

Referral to Community Development

8. Request from Councilor Herschlag asking that staff develop a process individuals and/or businesses could follow should they believe that damage from construction has occurred to their property.

Item for a September 8, 2014 Public Hearing

(Subject to Council waiver of Section 4 of the City Council Rules)

9. Resolution accepting and appropriating \$1,036,100 from the Siena/Bodwell Joint Venture Group for the purchase of State of New Hampshire and City of Concord surplus property and for any associated real estate transaction costs; together with report from the Deputy City Manager – Development.

Items Tabled for October 14, 2014 Public Hearings

10. Resolution appropriating the sum of \$50,000 for the City of Concord's 250th Anniversary to be funded from General Unassigned Fund Balance; together with report from the Deputy City Manager – Finance.
11. Resolution appropriating \$1,536 to the North End Opportunity Corridor Tax Increment Finance District Fund Operating Budget for Fiscal Year 2014, retroactive to June 30, 2014; together with report from the Deputy City Manager – Finance.
12. Resolution accepting and appropriating the sum of \$108,000 from DG Strategic II, LLC for the construction of sanitary sewer system improvements along Fisherville Road in conjunction with the Sanitary Sewer Rehabilitation and Construction Project, CIP #91; together with report from the City Engineer.
13. Resolution accepting and appropriating the sum of \$111,690 in grant funds from the Federal Emergency Management Agency for the purpose of purchasing new protective breathing equipment for the Fire Department for CIP 573; together with report from the Fire Chief.
14. Resolution accepting and appropriating the sum of \$3,000 in unmatched grant funds from the New Hampshire Department of Safety; together with a report from the Fire Chief.

From the City Manager

15. Positive Citizen Comments.

Consent Reports

16. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,835.70 as provided for under the preauthorization granted by City Council.
17. Diminimus gifts and donations report from the Parks & Recreation Director requesting authorization to accept monetary gifts totaling \$2,723.30 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 \$6,114.00 as provided for under the preauthorization granted by City Council.
19. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$4,492.80 as provided for under the preauthorization granted by City Council.
20. De-authorization report from the Parks and Recreation Director.

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21. Preliminary Financial Statement Report for fiscal year ending June 30, 2014 from the Deputy City Manager – Finance.
22. Compliance with RSA 674:21 V (1) Impact Fee Report from the Deputy City Manager – Finance.
23. Report from the Parks & Recreation Director recommending 2015 Membership Rates for the Beaver Meadow Golf Course.
24. Report from the City Engineer regarding the status of the Sewall's Falls Bridge Project, CIP 22.
25. Report from General Services recommending the City Manager be authorized to apply for and accept grant funds from the NH Department of Environmental Services relative to Local Source Water Protection.
26. Annual Leased Parking Spaces Report from the Director of Redevelopment, Downtown Services, and Special Projects.
27. Status report concerning environmental cleanup of the former Allied Leather & Amazon Realty sites from the Director of Redevelopment, Downtown Services & Special Projects.
28. Report from the City Engineer recommending that the City Manager be authorized to enter into a license agreement with Concord General Mutual Insurance Company to maintain a landscaped garden within the public right-of-way of North State Street at the intersection of Bouton Street.

Consent Résolutions

29. Resolution authorizing the City Manager to submit an application for Transportation Alternative Program (TAP) funding from the New Hampshire Department of Transportation for the purpose of designing and constructing a portion of the Merrimack River Greenway Trail, CIP #543; together with report from the City Engineer.
30. Resolution authorizing the City Manager to submit an application to the National Network of Libraries of Medicine New England Region 2014-2015 Focused Outreach Award Program; together with report from the Interim-Co Library Directors.

Consent Communications

31. Street closure request from Concord High School for their homecoming parade as well as an ALS Walk, to be held on Saturday, September 27, 2014.
32. Street closure request from the Concord Family YMCA for a block party/barbecue to be held on Friday September 26, 2014.

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33. Street closure request from Girls on the Run of New Hampshire for a 5K road race to be held at Memorial Field on Sunday, November 16, 2014.
34. Street closure request for a block party to be held on Saturday, September 27, 2014, Tahanto Street from School Street to Warren Street.

Appointments

35. Mayor Bouley's proposed reappointments to the Community Development Advisory Committee (CDAC). *Jeff Bart and Janet Sprague*
36. Mayor Bouley's proposed appointment to the Everett Arena Advisory Committee.
Don Crandlemire

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

37. September 8, 2014 Public Hearing

- A. Resolution accepting and appropriating the sum of \$4,714 from the New Hampshire Department of Transportation (NHDOT) for a portion of the construction of the municipal water main relocation across the Exit 12 Bridge over I-93; together with a report from the Associate Engineer. (8-10)
- B. *(Subject to Council waiver of Section 4 of the City Council Rules)*
Resolution accepting and appropriating \$1,036,100 from the Siena/Bodwell Joint Venture Group for the purchase of State of New Hampshire and City of Concord surplus property and for any associated real estate transaction costs; together with report from the Deputy City Manager – Development.

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38. Resolution accepting and appropriating the sum of \$4,714 from the New Hampshire Department of Transportation (NHDOT) for a portion of the construction of the municipal water main relocation across the Exit 12 Bridge over I-93; together with a report from the Associate Engineer. (8-10)
39. *(Subject to Council waiver of Section 4 of the City Council Rules)*
Resolution accepting and appropriating \$1,036,100 from the Siena/Bodwell Joint Venture Group for the purchase of State of New Hampshire and City of Concord surplus property and for any associated real estate transaction costs; together with report from the Deputy City Manager – Development.

Reports

40. Report from the City Engineer on the status of the Downtown Complete Streets Improvement Project, CIP 460.

New Business

41. Communication from New Hampshire Municipal Association regarding their upcoming 2015-2016 Legislative Policy Conference to be held on September 26, 2014.

Unfinished Business

42. 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) (5-45) (6-42) (7-38) (8-26) *(Action on this item tabled following a February 2013 public hearing)*
43. 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) (5-46) (6-43) (7-39) (8-27) *(Action on this item was tabled after a public hearing was held on September 9, 2013.)*
44. 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) (5-47) (6-44) (7-40) (8-28) *(Action tabled on this item; item also referred to the Impact Fee Committee after a public hearing was held February 10, 2014)*
45. 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)(5-48) (6-45) (7-41) (8-29) *(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) (Report from the Deputy City Manager – Development; together with proposed ordinance submitted in July 2014).*

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

Consideration of Suspense Items

Adjournment

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Information

- 9 Inf 1 July 10, 2014 Golf Course Advisory Committee Meeting Minutes.
- 9 Inf 2 August 19, 2014 Traffic Operations Committee Meeting.
- 9 Inf 3 District Two Executive Council Report from Colin Van Ostern.
- 9 Inf 4 Copy of communication from the General Services Department regarding the Concord City Landfill.
- 9 Inf 5 Copy of communication sent to Michelle Kleindienst, McKenna's Purchase, from Patrick McDermott, Northern Pass Project.



City Council Recessed Meeting
Draft Minutes
July 30, 2014
City Council Chambers
7:00 p.m.

1. Mayor Bouley called the meeting to order at 7:00 p.m.
2. Roll Call. Councilor Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd and Werner were present.
3. Agenda overview by the Mayor.
4. **July 30, 2014 Public Hearings**
 - A. Resolution appropriating the sum of \$730,000 and authorizing the issuance of bonds and notes for additions to the construction of the Downtown Complete Streets Improvement Project (CIP #460).

Action: City Manager Tom Aspell provided an overview of items that have evolved related to this project since the July 14, 2014 meeting. City Manager Aspell indicated that staff anticipated work on the utility work, which would include water, sanitary sewer and the storm sewer would be completed during this construction year. Mr. Aspell further indicated that construction would start on the north end of Main Street working to the south with utility work only being completed this construction year. During this phase, no impact to sidewalks with little impact to traffic was anticipated. City Manager Aspell indicated that they also planned to complete the reconstruction of Eagle Square during this construction year so that Eagle Square would be complete and available for use for some of the smaller events typically held on Main Street.

In 2015, utility work would be completed and the construction of the streetscape, both north and south would be done. In 2016, the final elements would be completed, which would include the bump outs, the crosswalks, the central median and the final pavement.

In follow-up to concerns regarding the amount of time the project was anticipated to take, City Manager Aspell outlined a potential alternate schedule that would complete the construction phase of the project dramatically reducing the impact. He indicated that an alternative schedule would be to do the same utility and

Eagle Square work this year and then, starting in March of 2015 and going through November of 2015, construct the entire north section of the project with the south section being done during the 2016 construction season. This alternative schedule would only impact each section of Main Street during one construction year, with no holiday impacts either year. Mr. Aspell indicated that with this alternate schedule, parking would be reduced to 60%, noting that there would be no mid-street parallel parking with this alternative schedule.

In reference to project lighting it is anticipated that a professional designer will work on designs this summer into the fall, coming back to Council in the fall with recommendations for Council approval.

Specific to way finding signage City Manager Aspell indicated that the design firm that is under contract, pending notice to proceed, anticipates that it will take 16 – 18 weeks to finalize a signage package that would be brought back to Council in November for final approval. Approval in November by City Council will ensure there is time to order, receive and install signs prior to construction beginning in March of 2015.

City Manager Aspell provided an overview of the plan that staff came up with that would provide Main Street property owners with the opportunity to purchase a snow melt system for their property. Staff will send out certified letters to property owners on August 1st explaining that if they are interested in obtaining a quote on the cost of installing a system for their property they should return a signed letter of interest along with a \$5,000 deposit to the City of Concord on or before September 1st. The contractor would then design the potential system and get back to the property owner with a quote by November 1st. Property owners would then have until December 1st to submit a signed contract and payment in full to the City so that the installation of any potential snow melt systems could be built into the project timeline.

Councilor McClure asked for clarification specific to the loss of parallel parking mid street. She indicated that as she understood it the two phased approach, construction on one side of the street at a time, with boardwalk type pathways to each individual business would still apply, allowing parallel parking to remain on one side of the street. City Manager Aspell confirmed that to be correct.

Councilor Herschlag indicated he understood that the \$150,000 - \$200,000 to be used to purchase way finding signage was currently included within a contingency budget, making the funding potentially unavailable for signs if the project went over budget. City Manager Aspell indicated that if the project was approved by City Council, \$200,000 would be set aside to be used strictly for signage.

Councilor Bennett inquired as to whether or not the Department of Employment Security parking lot could be used to help offset parking while Main Street was

under construction. City Manager Aspell indicated that if the property was acquired by the City of Concord, the lot could be used for parking and/or equipment staging and storage.

Councilor Keach asked the City Manager to explain the potential alternative lighting proposal. City Manager Aspell indicated that if Council wanted to reduce costs they could direct staff to hire more of a regional electrician who would focus on uplighting instead of a national designer as has been discussed to this point.

Councilor Champlin asked for clarification on the alternative. City Manager Aspell indicated that if the city hired a national rate consultant, they could potentially come back and recommend many items instead of just tree/uplighting. He further stated that if Council just wanted to focus on tree/uplighting a more local electrician could be hired. Councilor Champlin indicated that if the city hired someone with national credentials, they could potentially bring back more of a comprehensive recommendation that may contain more ideas than anticipated. City Manager Aspell agreed.

Councilor Herschlag wondered why construction couldn't start on the south end of Main Street leaving the north end of Main Street open and available for scheduled activities. City Manager Aspell indicated that starting with the south end of Main Street would mean that the north end of Main Street could potentially be affected by construction for two construction seasons instead of one. Since the size of the south end of Main Street is smaller than the north end it is anticipated that it won't take a full construction season to complete. That being the case, the City would have to decide if they wanted to start the north end in one season, after the south end was complete, and finish in the next. Starting with the north end would guarantee the north end would be completed within one construction season, which would be less disruptive to businesses within the north end of Main Street.

Councilor St. Hilaire asked what the timeline would be if the City went with a consultant specific to lighting. City Manager Aspell indicated that could come back to Council in November for final approval.

Public Testimony

Susan Smith Meyers spoke in support of the project as a means to address accessibility issues on Main Street. She indicated in her opinion, a wow factor was neither necessary nor required within the federal grant. Ms. Smith Meyers indicated she did not support up lighting and recommended against the ginkgo's trees as outlined within the proposal. She further indicated support for planting a more native tree on Main Street.

Councilor Coen asked whether Ms. Smith Meyers was in favor or not in favor of this project. Ms. Smith Meyers responded that she feels that they need to address the downtown; it needs a renovation. She stated that the storefronts and sidewalks should be

accessible and feels that utilizing the grant for this is very important. She doesn't feel that they should lose sight of what is really important.

In regards to lighting, Councilor Champlin asked Ms. Smith Meyers if she thinks it would be well served to go the extra mile to hire someone who has expertise in this area so that any lighting would be consistent with or enhance the historical character downtown. Ms. Smith Meyers responded that she feels that lights during the holidays are fine but doesn't think they need lights year round.

Councilor Champlin noted that one of the ideas that has been promoted in the past, and not a part of this proposal, is to create lighting that would highlight the historic buildings downtown and asked Ms. Smith Meyers if she would be in favor of this type of lighting. Ms. Smith Meyers responded that she doesn't feel that this is the city's responsibility noting that she doesn't have a problem with the way the lighting currently is; she feels that less is more.

Lee Richmond spoke in support of up lighting indicating he felt lights will invite people to come out to Main Street. He stated that he doesn't feel that there is any need for colored lights but feels that simple soft light at the base of trees is going to accomplish a great deal.

Fran Philippe, resident, spoke in regards to the lighting asking what is there downtown if they install lights to attract people to downtown at night because only restaurants are open at night and not any stores; downtown is not a night time destination. She agrees that some soft lighting would be attractive. She stated she is against vertical lighting because it is light pollution, it's a waste of money, and it's a waste of energy.

Councilor Coen inquired whether Ms. Philippe is for or against the project overall. Ms. Philippe feels that downtown needs sprucing up and could be more attractive.

Travis Pettingill, resident, feels that accessibility, especially on the western side, is paramount and would like to see this second step go away. He feels that parking is the lifeblood of any downtown and has reservations about any plan that takes away any amount of parking. He stated that the disruption, due to the project, will harm and not help downtown. He spoke in support of a snow melt system in downtown. In closing, he indicated that he feels that the lighting of trees is a waste of resources and feels that a more valuable way to spend that money would be to light the back of the buildings on the I-93 corridor.

Denis O'Connell, property owner, noted his concern with no mention of the consideration of moving 202/9 off of North Main Street within this proposal. He suggested installing a jersey barrier, eliminating the middle two lanes, the whole length of the project to run a test for approximately a month. He feels that turning Main Street with one lane and angled parking is going to be a bad scenario.

Sarah Chaffee, business owner and resident, spoke in support of the proposed project. She feels that, as a pedestrian, the downtown would really benefit from three lane configuration, making it much safer for pedestrians, bicyclists, and motor vehicles. She does look forward to the finished project.

Sarah Diaz, resident, noted that she feels that Main Street does need a face lift. She noted her concerns with businesses not being open during the evenings or on Sundays and stated that it seems silly to put all this effort into an evening atmosphere for a downtown that is closed in the evenings.

Councilor Champlin stated that he shares some of Ms. Diaz's observations. He stated that he hopes that if they do have lighting and an inviting evening atmosphere that this will act as an incentive to persuade more merchants to stay open.

Jon Chorlian, resident, stated that this is a complex redevelopment project and admires the process as it's been followed. He feels that it is incredibly important to the city to move forward with this project. He encouraged Council to support this project.

Fred (no last name given), Main Street resident and employee, feels that downtown needs to be spruced up but noted his concern with homeless and their belongings within the downtown area and the perception from visitors.

Tim Sink, Greater Concord Chamber of Commerce, reiterated the Chamber's support overall for this project. He spoke strongly in support of a comprehensive lighting program noting that he believes that this would provide a "wow" factor that has the potential to set Concord aside from every other city in NH. He feels that the Council should give this support and should invest so is done properly. He hopes that the proper research is done so if a comprehensive lighting package is put forth that it's done right.

Remi Hinxhia, President and owner of Associated Enterprise Inc., stated that, currently, some of the lighting is out on Main Street and feels that if there is more lighting in some of those areas it may be a deterrent to activities in those unlighted areas. He strongly believes that some of the funding that is dedicated to lighting should be used on the back street where it's really dark. He questioned accessibility in regards to taking the parking away asking what good is accessibility if they don't have a place to park. He noted his concern with removing the five parking spaces near his building.

Roy Schweiker, resident, stated that he feels that the lighting concept is a waste of money and doesn't know if they will be good for the trees and feels that the lighting may be disruptive to any residents of downtown. He pointed out, that within the application for the grant, it states that this would improve the value of downtown property by \$3.7 million. He feels that this project may devalue some properties especially Mr. Hinxhia's property if five parking spaces are taken away from his building.

Gerry Carrier, Little River Oriental Rugs co-owner and Merchant Roundtable host, indicated that they surveyed the downtown merchants to get their thoughts on some of the

proposals that Council is faced with voting on this evening: 1) are they in favor of the uplighting – 31 agreed it would be an enhancement, 9 were not in favor of it, 9 were unsure; 2) fences around the planters – 17 agreed that it was worthwhile, 24 were not in favor, 7 said maybe in some areas but not around the trees; 3) moving of the clock – 46 said not to move it.

Mayor Bouley inquired as to the response to the first question that was on the survey. Mr. Carrier indicated that the question is associated with the scheduling of work. He stated that they are asking for consideration of the possibility of the construction stopping at an earlier hour on Friday afternoons, at approximately 3:00 p.m.

Councilor St. Hilaire pointed out that, at the beginning of the meeting, the City Manager had proposed that there could be another option of doing the north section first and getting it done in one season. He asked if Mr. Carrier had any comment in regards to this. Mr. Carrier noted that the concern that they had initially was that no permits were going to be allowed on Main Street at all for any activities which would impact Market Days. He stated that they are looking for any window of hope to continue with this event because Market Days is important to many merchants because it brings 45,000 to 55,000 people downtown; without this, in a time in where they are going to go through a year or more of construction, it's going to be a significant blow to many of the merchants. He added that another thing that they are concerned about is that if they start construction on North Main Street in March, it will be impacting more merchants during the spring sale season. Mr. Carrier indicated that they would like the opportunity to discuss schedules or workarounds to make every effort to keep the merchants in touch with their customers during this difficult time.

Councilor St. Hilaire asked for clarification as to whether Mr. Carrier felt that he would need more time to study it and determine what would be best for him and the merchants. Mr. Carrier feels that the proposal to start on North Main Street on March 15th is going to tear up North Main Street during the spring sale period as well as eliminate any possibility of Market Days in this area; this is a bigger impact than starting on the south end.

Councilor McClure noted her confusion pointing out that she is hearing that they don't want any construction during the sale season in the spring and Market Days and want to stop construction for the holiday season. She has also heard that the merchants are really concerned about the length of time of the project and that it was going to be very hurtful for their businesses. She stated that they tried to figure out a way to shorten the time that the construction is going on which is what the City Manager had proposed at the beginning of the meeting. She asked whether it would be better to have construction going on downtown for potentially 2 ½ years or 1 year – North Main Street one year and South Main Street the next year. The merchants would have one season where there would be construction going on in which there would be passage for merchants to have customers coming to their businesses.

Mr. Carrier indicated that the earlier construction schedule started on South Main Street and it did not impact North Main Street until midsummer 2015 so the North Main Street stores would have the opportunity to go through their spring sale without construction directly in front of their business. The change in the schedule changes all of this; all of the stores on North Main Street would be impacted through their spring sales. He noted that, within the original schedule, there was a window of time in which they may have been able to get in Market Days; the reason that it's important to the merchants on North Main Street is that most of the merchants that participate in Market Days do it in front of their store location. He stated that if the project is accepted by the Council the merchants just want the opportunity to present alternatives to the schedule or to give due consideration to the livelihood to businesses.

Councilor Champlin stated that he has been intrigued by the chicken and egg perspective on this; nobody comes downtown so why should we bother to light it as opposed to if you light it, will people be more prone to come downtown. He asked if Mr. Carrier had any thoughts to this. Mr. Carrier stated that the lighting could be used while the stores are still open (when it gets darker earlier) and would be something that could enhance downtown and may encourage several businesses to stay open later if it attracts people downtown.

Michael Herrmann, resident and Gibson's Bookstore owner, asked if the quicker schedule was a trade off in which parking would be reduced sixty percent in order to accelerate this schedule. Mayor Bouley responded that he believes that to be correct. Mr. Herrmann indicated that he has heard that the Employment Security building could be used to add parking to the south end and, if possible, he encouraged Council to do this. He stated that he had spent a lot on lighting at his store and because of the light and color it makes it a more pleasant place to stay and shop and feels that if this is done downtown it will make it a pleasant place to be.

Pam Peterson, Gondwana Divine Clothing Co., stated that she is disappointed but understands and is now willing to move forward with the plan. She indicated that her disappointment is not having overnight construction but does understand why this cannot happen. She stated that Fridays and Saturdays tend to be the busiest times for both retail and restaurant establishments. She asked if the construction schedule could be 6:00 a.m. to 8:00 p.m. Monday thru Thursday and completed by 3:00 p.m. on Fridays so that merchants could coordinate Friday evening events and stay open later on a regular basis during the construction to attract customers. Ms. Peterson asked Council to consider this option to help businesses not only survive but thrive in downtown.

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

July 30, 2014 Public Hearing Action

5. Resolution adopting an amended and restated Development Program and Financing Plan for the Sears Block Tax Increment Finance District; together with report from the City Engineer. (6-5) (7-24J; 7-36) *(Public hearing held on July 14, 2014)*

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

Councilor Herschlag stated that over the last 30 years he has advocated for a public/private partnership in various forms for downtown. He believes downtown from Storrs to Storrs Street and Storrs to North and South State Streets needs attention – the streets, parking and buildings need a facelift, it needs more market rate apartments, more commercial and professional services upstairs, a full complement of retail and restaurants on the ground level and a continued expansion of the arts and greater entertaining opportunities. He indicated that as he has followed this process over the past few years and it has appeared to him that, throughout the process, people were heard but not listened; assurances were made only to be taken back later. He stated that even as the project construction costs continued to escalate they still don't have a final figure for all the project's costs. He stated that this project doesn't have anything that says this is Concord or highlights who they are. He indicated that they have daytime construction instead of work being performed overnight; there is the red carpet crew instead of the snow melt system; trees that are blocking Main Street instead of design elements that focus on the historic nature of the city; lighting is an important component of this project but where it is placed is even more important. Councilor Herschlag stated that they have until September 2018 to submit the last bill for this project and questioned as to what happens if they wait until the parking study is completed, what happens if they wait until there is a design drawing that will show all the project components from the street and sidewalk level, what happens if they wait until after the 250th celebration of the city and what happens if they go back to the drawing board and change some of the design elements. What happens is that they have the opportunity to design a true signature project, one that shouts welcome to Concord. He stated that while he is willing to spend his money and the residents money on a Main Street project, he is not willing to spend the money on a project that only gets it half right. He wants a project that gets it right from day one and wants a project that gets it right the first time. He doesn't feel that they are there yet and that is why he will be voting no this evening.

Councilor Bennett reminded people that the city is a representative government and they are elected by the citizens of this community to do business. He stated that he tries to do this to the best of his ability, sometimes he has been successful and sometimes not. He pointed out that the Council has held numerous public hearings, has had numerous meetings, and have discussed this for the past two years. He stated that he feels that it is now time to make a decision.

Councilor Champlin stated that he respects Councilor Herschlag's passion and integrity. He noted that he feels that Council has bent over backwards to be accessible to the public and to listen to the public comment. He indicated that he was on the phone last night with a constituent who told him that this has been talked about for two years and feels that Council should pull the trigger and do it. He explained that, for this reason, he will be voting in favor of this project because he doesn't see any benefit to them to continue to delay making a decision on this project.

Councilor Nyhan stated that he has found himself on the end of hearing both support and opposition to this project. In regards to the loss of five parking spots in front of Mr. Hinxhia's building, he hopes that some consideration can be made to look at this; if there isn't a need for a bus stop at this location the parking spot should be restored. For him the "wow" factor is the wider sidewalks and also the element of making it more handicap accessible and user friendly. He added that there are some aesthetic elements that he doesn't agree with such as granite pavers and granite cobblestones noting that he feels that they are unnecessary expenses related to the project. In regards to the schedule, the merchants want the project to move forward but there is never a good time; they are wrestling with this and he hopes they make a good decision. He stated that there are no easy answers and feels that it's going to be a learning process as they go through it and feels that they are basing their decisions upon educated opinions and moving forward in that manner. Councilor Nyhan indicated that he is in support of this project and does share a lot of reservations with his fellow Councilors and that of the public.

The motion to approve passed 14 to 1 on a roll call vote with Councilors Keach, Matson, McClure, Nyhan, St. Hilaire, Shurtleff, Todd, Werner, Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen and Grady Sexton voting yes. Councilor Herschlag voted no.

6. Resolution rescinding resolution #8686 and appropriating \$2,500,000 and authorizing the issuance of bond and notes in the amount of \$2,500,000 for the Downtown Complete Streets Project, CIP #460, within the Sears Block Tax Increment Finance District. (6-6) (7-24K; 7-37) *(Action to be taken July 30, 2014) (Report from the Sears Block Tax Increment Finance District Advisory Board submitted) (Public hearing held on July 14, 2014) (Supplemental report from the City Engineer submitted)*

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

Councilor Nyhan moved to substitute cobblestone median with paved median to save \$250,000. The motion failed to receive a second.

Councilor Nyhan stated that one of the add alternatives for this project is sidewalk surface upgrade with a lot of granite and other high end type materials rather than concrete with a cost of roughly \$900,000. He moved to remove these upgrades and move forward with concrete. The motion failed to receive a second.

Mayor Bouley stated that if there is the opportunity to put some parking spaces back on the east side he hopes that consideration would be given.

Councilor St. Hilaire inquired if the clock tower was moved because the bus stop is currently near the clock tower and if that provided space to keep the bus stop in some area there while providing additional parking in front of the buildings referenced.

City Manager Tom Aspell explained that if they added spaces on the northeast section there wouldn't be room for the bus stop. There are options including moving it back to where it was originally so you would add two, lose seven leaving a net loss of five. Councilor St. Hilaire questioned whether this takes into account having the clock tower remain or moved. Mr. Aspell responded that it would remain. Councilor St. Hilaire asked what would happen if the clock tower was moved. Mr. Aspell indicated that there would be a large bump out there to shorten out that distance across from this. Councilor St. Hilaire asked if this would add parking. Mr. Aspell responded that there would still be a bump out the same size down in front of Phenix Avenue as originally proposed. He indicated that they also looked at the possibility of simply eliminating that bus stop in its entirety but under federal ADA guidelines it is required.

Mayor Bouley pointed out that there are other places in the city in which there are parking spaces fairly close to an intersection and it works without conflict; most communities can survive it without a problem. Referencing the design, he noted that the right turning lane goes back far from the intersection and inquired whether it is possible to shorten this right turning lane.

Councilor St. Hilaire stated that it has some value to make sure they try to help out their new partner that wasn't around when this plan was being considered to try to spruce up this section of the street. He noted that this area is basically the entryway to Main Street from I-93 and feels that it's currently not a very inviting entryway for the City. He wondered if anything can be done to help out a private developer spruce up this area by providing some parking in this area; despite the fact that they have talked about this project for two years and are going to vote on this, he still asks if they could look at the plan to see what can be tweaked during this process.

City Manager Tom Aspell asked for clarification that if Council votes on the \$180,000 to move the clock tower, staff is being asked to try to incorporate additional parking. Councilor St. Hilaire replied yes.

Councilor Shurtleff stated that this was discussed at the last meeting with the same request to save some of the five spaces. He indicated that he had been told that if they try to do this they would have to put this out to bid again.

Mayor Bouley pointed out that Council received a memo dated July 18th with a very concise explanation as to why this cannot be done.

The motion to approve passed with one dissenting vote from Councilor Herschlag.

7. Resolution appropriating \$348,705 in Traffic Impact Fee Funds for construction of the Downtown Complete Streets Improvement Project, CIP #460. (6-7) (7-24L; 7-34) *(Public hearing held on July 14, 2014)*

Action: Councilor St. Hilaire moved approval. The motion was duly seconded and passed with one dissenting vote from Councilor Herschlag.

8. Resolution appropriating \$152,780 and authorizing the issuance of bonds and notes for Water System Improvements in conjunction with the Downtown Compete Streets Improvement Project, CIP #460. (6-8) (7-24M; 7-35) (*Public hearing held on July 14, 2014*)

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

9. Resolution appropriating the sum of \$730,000 and authorizing the issuance of bonds and notes for additions to the construction of the Downtown Complete Streets Improvement Project (CIP #460).

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

Mayor Bouley proposed splitting the three different votes. There was no Council objection to this request.

Councilor St. Hilaire moved approval of the lighting and engineering services. The motion was duly seconded.

Councilor McClure asked for an outline of the cost of each of the items for public information.

Mayor Bouley explained that, under the proposed resolution, \$340,000 is the cost of the uprights and electrical receptacles in the tree wells as well as the conduit for future lighting in the tree wells; the lighting engineering services cost is \$100,000.

Councilor Champlin feels that this is money well spent and feels that they should budget the \$100,000 to hire an experienced, well recognized lighting engineer to look at Main Street and recommend how to do this in the most cost effective way.

Councilor St. Hilaire agreed with Councilor Champlin stating that this is a great opportunity to have a consultant tell them what works best for Concord and to have this in conjunction with the signage package that they are going out for so that people can read the signs and historical markers at night. He noted that they need this expertise to make it tasteful so it will be an inviting place to come to.

Councilor Coen noted his agreement stating that it's very important to hire an expert to make it a success.

Councilor Herschlag indicated that one of the reasons he is going to vote against this is because he hasn't seen a design plan that shows all the street elements noting that

he feels Main Street is going to be even more cluttered with streetscape elements when the project is finished than it currently is today. Speaking in regards to the historic nature of downtown, he indicated that the buildings make downtown historic and feels that the lighting should be for downlighting on the buildings to silhouette them.

Councilor Coen noted that he understands Councilor Herschlag's concerns and that is why he thinks it's important to hire someone with that kind of knowledge so they can recommend how best to display the city.

Councilor Keach spoke in favor stating that he feels that this is critical to the success of this project; bringing a historic downtown into the future is something that should be left to the professionals.

Councilor Herschlag noted that it is his understanding the lighting is going to be in the tree wells and that an engineer is being hired to design how those lights will work in the planters.

Mr. Aspell explained that was the original discussion but when the idea for the \$100,000 came about his understanding is to look at all of downtown.

The motion to approve the lighting and engineering services passed with one dissenting vote from Councilor Herschlag.

Mayor Bouley indicated that the next item is to move the clock tower for a cost of \$180,000.

Councilor St. Hilaire made a motion to move the clock tower. The motion was duly seconded.

Councilor St. Hilaire stated that he has gone back and forth on moving the clock tower; the plan before this didn't have this being moved and he was fine with that. Since then, he has walked by this location at least four times a day and has noticed that it blocks the entryway of Eagle Square and it's hard to pass because there are a lot of people in this area. He indicated that he has started to reconsider the decision of moving the clock tower and then tonight when he heard the issues of parking near the Vegas Block it made him think that it might be prudent to relook at this and decide whether moving the clock tower might make more sense. He feels that it's more prudent to move it because they are not going to be gaining any space between the building and the clock tower, it's going to look better further down, and thinks they will be able to gain parking at the entryway of the city.

Councilor Coen stated that he will be voting against moving the clock tower because of the \$180,000 cost and if he remembers correctly from the past, it's very difficult to find a contractor willing to take the task and responsibility of moving the inner

workings of the clock and the tower. With the new design, he indicated that it does open up pedestrian walkways in front of the tower and feels that this will help eliminate the congestion within this area.

Councilor Shurtleff indicated that he will be voting against the motion to move the clock tower due to the historical nature and the cost to move it. He feels that it belongs where it is and that it's wonderful that the Historical Society maintains it.

Councilor Herschlag shares Councilor St. Hilaire's concerns about how narrow the walkway area is but has a number of concerns: by moving it to Phenix Avenue it doesn't create a visibility of the clock because there will be four trees blocking it. He stated that there was a vast majority of merchants that don't want it moved and there was a very strong opposition from the Historical Society – for these reasons he will not be voting to move the clock tower.

Councilor Champlin inquired as to who owns the clock tower. Mr. Aspell responded that the Historical Society owns it. Councilor Champlin stated that he is torn on this and this is one of those issues he doesn't know which way to vote. He noted that the fact that so many merchants feels that it should be left there is significant to him. He is concerned that no member of the Historical Society was present this evening to speak to the issue relative to moving the clock. Councilor Champlin stated that he is also sensitive to Mr. Hinxhia and is pleased that he has decided to go in the direction that he has chosen in making an investment in downtown.

Councilor Nyhan noted his agreement with Councilor St. Hilaire.

The motion to move the clock tower failed on a voice vote.

Mayor Bouley indicated that the next item being taken up is the planter fencing for a cost of approximately \$110,000.

Councilor Nyhan moved approval of the planter fencing. There was no second to the motion.

The motion to approve the resolution, as amended, passed on a voice vote.

City Manager Tom Aspell referenced a suggestion in regards to the schedule for a 6:00 a.m. to 8:00 p.m. cycle and finishing at 3:00 p.m. on Fridays. He noted that if Council is open to this they could try to achieve this on most days and if not they can just stick to the 7 to 7 schedule and do the best they can with that.

Mayor Bouley noted that it's his understanding that the schedule is going to be somewhat flexible and hopes that staff works with the merchants.

Councilor McClure questioned whether the City Manager is asking for a consensus from the Council that they like the idea of trying to go 6 to 8 Monday thru Thursday and trying to stop early on Friday. These times would add extra hours in the week. Mr. Aspell noted that he prefers what the Mayor has suggested which is flexibility and communication.

Councilor Champlin urged staff to try to maintain as regular a schedule communicated as well as they can so that the merchants customers know when the businesses are most accessible and when they are going to be dealing with construction.

Mayor Bouley reiterated the importance of communication during construction. He stated that the PR firm will be walking around every day speaking to merchants but when there are activities that the retailers have going on he hopes that the merchants communicate with the PR firm so that the city knows what they are doing as well.

Councilor Keach added that the greater flexibility that they give the contractor the quicker this is going to be over and the less pain that the merchants will have.

Councilor St. Hilaire noted his agreement with the flexibility comments but one thing that needs to be decided is what side they are going to start on and how they are going to do it. He inquired as to how they are going to go about trying to figure out what's best.

Mayor Bouley indicated that some of the schedule has been determined for them simply by the fact that they have not taken action until this evening; by waiting as long as they have, he personally believes they did the right thing so that they received the most amount of input and made it a better project. Having held off, he noted that the impact to this has been is that there is not much that can be done this construction season. He noted that he doesn't know what the best choice is stating that he is worried about the merchants but on the other hand the challenge appears to be is if they want it to be done fast or let it go on for a long time.

Councilor St. Hilaire indicated that since they are starting with Eagle Square maybe staff can reach out to the merchants to try to gauge what the consensus is if there is one.

Mayor Bouley added that he is sure that, within the construction industry, there are going to be some parameters that they have to operate under as well.

Councilor St. Hilaire stated that to him it doesn't matter what they do it depends on the contractor and the merchants and what's best for them. He asked who is going to determine what process this takes to make it as painless as possible.

Mr. Aspell suggested sticking with the process that was originally presented.

Councilor St. Hilaire suggested, since they are not doing the construction this year anyway, that during that time period they could try to figure out what the best solution is.

Councilor Keach stated that it's really important that a decision be made so that it can be communicated to the merchants because they are the ones that have to make adjustments.

Mr. Aspell noted that it's not the order in which you want to go first; it's whether they want 60 percent parking or 90 percent parking.

Mayor Bouley noted that to be fair to the merchants he feels that they should give them a little time to consider having discussions and hopes the Administration could go and sit down to hear what their thoughts are. He noted that after staff hears all the information they can make a suggestion and come back to the Council.

Referencing the Employment Security building, Councilor Bennett noted that this would go a long way to mitigating the issue of whether they have 60 percent or 90 percent.

Councilor Champlin indicated that he doesn't understand why they haven't charged Administration to work with the merchant groups to find the most equitable, the most acceptable, lowest impact choice of construction sequences.

Mr. Aspell indicated that they have worked with merchants in terms of schedule ideas and bringing up hours.

Mayor Bouley indicated that he has no interest in doing the City Manager's job and the operations in carrying this out but in terms of how much parking is available downtown, he feels that this is a general policy decision. He doesn't see the harm in having a discussion about it.

Reports

New Business

Unfinished Business

10. 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) (5-45) (6-42) (7-38) *(Action on this item tabled following a February 2013 public hearing)*

11. 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) (5-46) (6-43) (7-39) *(Action on this item was tabled after a public hearing was held on September 9, 2013.)*

Action: This item remains on the table.

12. 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) (5-47) (6-44) (7-40) *(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.

13. 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)(5-48) (6-45) (7-41) *(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) (Report from the Deputy City Manager – Development; together with proposed ordinance submitted).*

Action: This item remains on the table.

Comments, Requests by Mayor, City Councilors

Referencing the Concord Monitor, Councilor Herschlag indicated that today there was a “My Turn” piece regarding the revitalization of Poulin Park. He explained that the Friends of Poulin Park are moving forward with a fundraising effort to replace the gazebo and to refurbish the park. He noted that anybody that is interested in finding out more information, to help out or donate could visit Penacook.org.

Councilor Nyhan stated that the NH Dairy Council has issued a map this year with 43 different homemade ice cream establishments across the state. He indicated that the only one listed in Concord is Granite State Candy Shoppe.

Comments, Requests by the City Manager

Consideration of items pulled from the July 14, 2014 consent agenda for discussion

15. Comprehensive Annual Financial Report Award notification from the Deputy City Manager – Finance and the Assistant Finance Director. *(Pulled from consent by Councilor Coen)*

Action: Councilor Coen stated that this is a great example of the City of Concord and that this award is the national recognition that the City of Concord gets for its financial reporting. He pointed out that the city has received this award for the past eight years.

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

17. Report from the City Engineer recommending that the City Manager be authorized to reestablish the public right-of-way boundary line along Sewalls Falls Road in conjunction with the Sewalls Falls Bridge Replacement Project (CIP22). *(Pulled from consent by Council McClure)*

Action: Councilor McClure indicated that she would like to find out more as to what is involved in reestablishing the public right of way. Her concern is for the residents of Sewalls Falls Road so that they understand the process and know what this is all about.

City Manager Tom Aspell explained that there are four properties impacted which staff has reached out and contacted. He noted that once Council approves this report it would allow the city to go do some work to bring them some information in terms of where the actual lines are.

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

18. Report from the Police Department in response to a communication from Kathleen Conners, 5 Cambridge Street, regarding safety concerns she has within her neighborhood as well as other areas within the City of Concord. (6-11) *(Report from Code Administration submitted) (Pulled from consent by Councilor Champlin)*

Action: Councilor Champlin indicated that he pulled this item to highlight the issues surrounding this property that was brought to their attention by a resident of the neighborhood who has had ongoing difficulties with disruptive behavior. He pointed out that the Police Chief has reported that his department has put in an excess of 140 hours on this one property. He stated that Councilor Shurtleff and himself had discussed this with residents in the area and would like to see the Legal Department,

Public Safety Board and the Police Department look at ordinances other communities have adopted that may be applicable to this type of situation going forward not only for this property but other properties within the city.

Councilor Champlin moved to accept the report and refer this item to the Legal Department, the Police Department and the Public Safety Board. The motion was duly seconded and passed with no dissenting votes.

Consideration of Suspense Items

Councilor St. Hilaire moved to consider items not previously advertised. The motion was duly seconded and passed with no dissenting votes.

7 Sus1 **Referral to the Transportation Policy Advisory Committee**

Communication from Jason and Julie Petty asking that consideration be given to the installation of new stop intersections one at Snow and Welch Street and one at Snow and Bean Street.

Action: Councilor Herschlag moved to refer the communication to the Transportation Policy Advisory Committee. The motion was duly seconded and passed with no dissenting votes.

7 Sus2 **Referral to Parks and Recreation**

Communication, from Michael Feinstein and Jackie Lessard, requesting the City of Concord consider developing a Green Burial site.

Action: Councilor Coen moved to refer this communication to the Parks and Recreation Advisory Committee and the Legal Department. The motion was duly seconded and passed with no dissenting votes.

7 Sus3 Report from the City Engineer recommending that the City Manager be authorized to accept a public sidewalk easement deed from NH Six Realty Trust for the reconstruction of sidewalk facilities across a portion of its land on the north side of Tanner Street at its intersection with Village Street.

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

Adjournment

There being no additional Council business, Councilor Keach moved to adjourn the meeting at 9:53 p.m. The motion was duly seconded and passed with no dissenting votes.

A true copy: I attest:

*Michelle Mulholland
Deputy City Clerk*



JA

Non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and a non-public session in accordance with RSA 91-A: 3, II (d) to discuss contract negotiations to be held at 5:30 p.m.

City Council Meeting
Draft Minutes
August 11, 2014
City Council Chambers
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. Invocation
3. Pledge of Allegiance.
4. Roll Call. Councilors Bennett, Bouchard, Mayor Bouley, Councilors Champlin, Coen, Grady Sexton, Herschlag, Keach, McClure, Nyhan, St. Hilaire and Todd were present. Councilors Matson, Shurtleff and Werner were excused.
5. Approval of the July 14, 2014 Meeting Minutes.

Action: Councilor St. Hilaire moved approval of the July 14, 2014 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

6. Agenda overview by the Mayor.

- Consent Agenda Items -

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

Action: Councilor Nyhan moved approval of the consent agenda with item 9 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 Legal Department, the Police Department and Community Development, Code Administration

7. Request from Councilor Matson that consideration be given to an ordinance prohibiting the use and possession of high powered fireworks within the City of Concord; together with communication from Barbara Bell. (*Communication from Mary Deal submitted*)

Referral to the Legal Department and Community Development, Code Administration

8. Petition from residents of River's Edge Estates asking that the City of Concord provide residents help in removing dilapidated, abandoned and unoccupied mobile homes from their park.

Referral to Community Development, Engineering

9. Communication from residents of A Street in Concord asking that consideration be given to making A Street a public street. *(Pulled from consent by Councilor Matson)*

Items Tabled for a September 8, 2014 Public Hearing

10. Resolution accepting and appropriating the sum of \$4,714 from the New Hampshire Department of Transportation (NHDOT) for a portion of the construction of the municipal water main relocation across the Exit 12 Bridge over I-93; together with a report from the Associate Engineer.

From the City Manager

11. Positive Citizen Comments.

Consent Reports

12. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$2,045.88 as provided for under the preauthorization granted by City Council.
13. Current Use Change Tax Quarterly Report from the Director of Real Estate Assessments.
14. Report from the City Engineer recommending use of completed and unexpended Geographic Information System (GIS) project funds for the replacement of Global Positioning System (GPS) equipment (CIP #297).
15. Semi-Annual Report on Contracted Solid Waste Service and Recycling Services.

Consent Resolutions

16. Resolution authorizing the City Manager or his designee to apply for funding through the Assistance to Fire Fighters Grant Program administered by the Federal Emergency Management Agency; and appropriating funds awarded for this purpose; together with report from the Fire Chief.
17. Resolution making a return of the Perambulation for the Town Line between the City of Concord and the Town of Webster; together with report from the City Surveyor.

18. Resolution authorizing the City Manager to enter into an agreement with the NH Department of Transportation (NH DOT) to include water and sewer infrastructure improvements in the state contract for the I-93 Exit 12 bridge replacement project at 100% City funding; together with report from the Associate Engineer

Consent Communications

19. Street closure request for the 13th Annual Rock 'N Race to benefit the Payson Center for Cancer Care to be held on Thursday, May 21, 2015.
20. Street closure request for a White Park Cyclocross Race to be held on Saturday, September 20, 2014.
21. Street closure request for the 9th Annual Multicultural Festival to be held Saturday, September 13, 2014.

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

22. August 11, 2014 Public Hearings

- A. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 9, Water, Article 9-1, Waterworks, Section 9-1-12 Cross-Connection Control; together with report from the Director of General Services. (7-7)

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.

- B. Resolution accepting and appropriating a \$50,000 donation from Unitil to be used for lighting improvements at the Concord City Auditorium; together with report from the Deputy City Manager – Finance. (7-8)

Action: City Manager Tom Aspell provided a brief overview.

Mayor Bouley opened the public hearing.

Public Testimony

Carol Bagan, on behalf of the Friends of the Concord City Auditorium, urged the Council to accept this grant. She stated that they are very thankful to General Services and Deputy City Manager-Finance Brian LeBrun for their assistance in these projects. She indicated that the lighting upgrade project is to change the system over to LED which will save a great number of kilowatt hours translating into a great dollar savings. She thanked Unitil and Gary Miller of Unitil for this donation.

Mayor Bouley inquired as to how someone could “pitch in” for the Audi.

Ms. Bagan explained that from 9:00 a.m. to noon and 6:00 p.m. to 9:00 p.m. next Monday, Tuesday and Wednesday people can just show up at the Auditorium to help “pitch in” and volunteer.

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

August 11, 2014 Public Hearing Action

23. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 9, Water, Article 9-1, Waterworks, Section 9-1-12 Cross-Connection Control; together with report from the Director of General Services. (7-7)

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

24. Resolution accepting and appropriating a \$50,000 donation from Unitil to be used for lighting improvements at the Concord City Auditorium; together with report from the Deputy City Manager – Finance. (7-8)

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

Reports

25. Citywide Multi-generational Community Center report, CIP #443, from the Director of Redevelopment, Downtown Services & Special Projects.

Action: Matt Walsh, Director of Redevelopment, Downtown Services & Special Projects, provided an overview explaining that the purpose of the report is to update the Council as to where staff is with this project and to give information in regards to feedback that they received from stakeholders and the general public regarding the space program that was developed in 2011. He indicated that based on the concept that was produced in 2011 and the current CIP which was adopted by the Council this past June, there’s a construction budget of \$11.4 million of which \$1.125 million would be donations. He stated that the stakeholders and the general public affirmed the space program of 2011 but did make some recommendations: expand the size of the gymnasium to serve collegiate needs; an elevated walking track; immigration resource center; public library component; host Concord TV’s headquarters/studio space. He pointed out that these items were not included in the 2011 space program so they may have impacts on the construction budget as well as the operating budget and business pro forma going forward. He stated that they will be looking at these in detail as they get into the schematic design.

Mr. Walsh added that the plan that was accepted by the Council in 2011 was predicated on keeping portions of the old Dame School and, given some of the things that the community

has asked for, he indicated that it might make more sense to actually consider demolishing the entire former school building and starting from scratch with a new facility. He noted that the community was open to entertaining that because of the possible efficiencies that could be achieved, not only in building layout and square footage, but also maybe in energy savings and other things. The community also asked the city to explore preserving and salvaging any architectural details that might be of value in the existing building.

Mr. Walsh explained that what they are looking for from the Council this evening is: getting direction and feedback regarding suggestive changes and additions to the space program that the stakeholders and public made; feedback regarding possible complete demolition of the existing Dame School and pursuing a new building; concurrence about the RFP process that City Administration plans to undertake for searching for a daycare/preschool provider as well as a fundraising consultant; acceptance of the preliminary project schedule set forth in the report. As far as the staff's recommendation, he indicated that they believe that it's worth exploring all the suggestions that the public has made and getting their arms around those both from a capital cost and operating cost; they would take care of this during the schematic design process this fall and come back to the Council in either December or January with a full review of all those options including financial analysis. He added that they would also come back with options and explore replacing the current building with a completely new structure and move forward with the issuance of the RFP's for the preschool operators as well as a fundraising consultant.

Councilor Coen inquired as to the square footage in the area known as the goldenrod area within the existing structure. Mr. Walsh responded that it's just under 19,000 square feet. Councilor Coen questioned whether one of the proposals is to demolish this. Mr. Walsh responded that why they are considering that is because they are interested in looking at doing something to give more of a rectangular box, giving a more efficient layout getting rid of some of the dead spaces in between. He confirmed that this is the section that they are talking about. Councilor Coen asked whether that 19,000 square feet would be replaced with another 19,000 square feet of new space. Mr. Walsh responded that he is not sure that it would be exactly 19,000 square feet but the intention would be the functions that are envisioned for those spaces that were envisioned for 2011.

Referencing a photo on the projector screen, Councilor St. Hilaire asked whether that photo included the concept recommended for a collegiate style gym. Mr. Walsh responded no explaining that there has always been one gym as part of the program; they are just showing a potential future expansion if another gym was ever needed for the city. He noted that it's his understanding that a collegiate style gym would require another 1,500 or 2,000 square feet of space. Councilor St. Hilaire stated that it's his understanding that Meals on Wheels may use this facility to help with their meals. Mr. Walsh indicated that there has been some suggestion that they might be interested in using the kitchen pointing out that there is a difference between a full blown commercial kitchen and a catering kitchen and that is something that they will need to talk a bit more about in the next several months.

Councilor Champlin recalled that, at the public meeting, a comment was made that the bones of the original 1940's building was good and that the existing auditorium space lent itself nicely to some of their contemporary views on public performance space. Mr. Walsh replied that is a fair statement; the portion of the building that was slated to be preserved in 2011, from a structural point of view, is in fairly decent shape; the roof on the 1965 wing of classrooms is starting to go and will need to be replaced. He stated that the reason why they are suggesting looking at the option of demolishing the entire building and starting from scratch is to get more efficient space, it may help with construction budget, it may help with operating costs, and it may give them more long term flexibility of how they could expand the facility in the future. Councilor Champlin noted that he hopes staff takes a hard look at preserving the original 1940's building because it presents a signature look for that neighborhood.

Councilor Nyhan noted that he remains concerned about the cost and wondered if somebody could talk about how they are going to afford this project relative to bonded debt, what they are incurring with this project and what the net impact is on the taxpayer. Mr. Aspell indicated that they will look at it to see where it can fit into the capital budget once Council makes a decision of what they want to build and when they want to build it. He stated that it would push them above the levels that they are at now noting that they haven't gone above those levels in a very long time. His real concern is the ongoing operating costs moving forward. He stated that they could create a facility that has extensive operating costs and capital costs but doesn't bring in much revenue to offset those costs; or they may go another direction and try to bring in some off setting revenues.

Councilor Nyhan stated that he doesn't feel comfortable with voting on the schedule until he knows what the costs are going to be. Mr. Aspell explained that the challenge is going to be for the staff to bring the Council viable financial program that's going to show that this is going to work in a reasonably efficient way.

Mayor Bouley pointed out that, within the report, it indicates that it's a tentative schedule and feels that there are a lot of fail safes.

Councilor Nyhan stated that he recognizes that it's tentative but was trying to think forward.

Councilor Keach stated that he is in favor of this project and his thinking on this report is whether they want this to go forward. How it's paid for and what it looks like comes later.

Councilor Herschlag asked when staff comes back to Council, with some of the more specific elements and looking at the difference between keeping the older facility as opposed to all new, whether they are going to come back with something similar to a pro forma which would also try to them an idea of what the operating costs would be and comparing this to construction cost. Mr. Walsh responded that their intention is to come back, at the end of this calendar year or the beginning of next calendar year, with various floor plans that would be at a schematic design level. He indicated that they did a business plan with a pro forma in 2011 which they will update with some permutations based on the schematic designs that

they bring back to Council. They will also come back with what the capital cost estimates are and operating expenses and the revenues that the facility might generate for the schematic designs. Mr. Walsh stated that the intentions are to bring back information so the Council can make an informed decision and give staff instructions on which schematic design they like best and that would work best for the community.

Councilor Herschlag inquired whether staff is looking at any energy systems such as heat pumps and solar panels for this facility. Mr. Walsh responded that, in the RFP when they hired the design team, they talked about trying to use those types of technologies to get an efficient building; they even talked about perhaps designing the facility to a LEED standard but not going for LEED certification because of the cost implications of doing so. He added that they will look at items such as this as they go forward with schematic design and final design.

Councilor Todd indicated that he is concerned with ongoing operating costs and encouraged staff to come back to Council with any potential design alternatives that would maximize operating revenue on an ongoing basis; even if it was something that wasn't originally part of the plan, he would prefer to actually see this as a potential option that they can discuss and decide upon.

Councilor Bouchard stated that she is in favor of moving forward and based upon the public meetings, it has been clear that the community is behind a facility such as this and she believes that there will be groups out there willing to pay rent in this facility. She feels that it's a worthwhile project for the city to move forward on.

Councilor Bouchard moved acceptance of the report and to include potential changes that have been suggested by the public. The motion was duly seconded.

Mayor Bouley indicated that staff has heard from Councilors in terms of looking at all the aspects in terms of demo and making sure they can preserve what they can or looking at new.

Councilor Herschlag inquired whether Council will be able to see what it would look like keeping part of the existing building and with complete demolition or whether they will be getting back a report that shows the pro forma or costs based on all new construction. Mr. Walsh responded that staff will give Council floor plans and may give a very generic building elevation drawing. He noted that they will also provide information about the capital cost, operating cost, potential revenues associated with each of those permutations they bring Council as well as a revised business pro forma for the facility and permutations of that as necessary for the options brought back.

The motion was approved with no dissenting votes.

New Business

Unfinished Business

26. 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) (5-45) (6-42) (7-38) (*Action on this item tabled following a February 2013 public hearing*)

Action: This item remains on the table.

27. 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) (5-46) (6-43) (7-39) (*Action on this item was tabled after a public hearing was held on September 9, 2013.*)

Action: This item remains on the table.

28. 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) (5-47) (6-44) (7-40) (*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.

29. 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)(5-48) (6-45) (7-41) (*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*) (*Report from the Deputy City Manager – Development; together with proposed ordinance submitted in July 2014*).

Action: This item remains on the table.

Comments, Requests by Mayor, City Councilors

Councilor Todd indicated that there is a mosaic community art project and public art initiative going on in regards to Concord's 250th. He presented a photo of the first completed one of four murals that are being created to celebrate the city's 250th anniversary in 2015; these are being given as a gift to the city. He noted that there will be four panels with symbolic imagery of Concord; the Concord Coach has been completed with the next one being a nature scene with rivers. Members of the community are invited to participate in placing the tiles in the mosaic

City Council Minutes

August 11, 2014

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which makes it a community owned piece of artwork. He listed off four events left to participate in: August 16th at the Concord Arts Market, August 17th at the Porkfest Fundraiser at Merrill Park, September 2nd at the Concord Arts Market and September 13th at the Multicultural Festival.

Councilor Todd indicated that he will be the entertainment at the Penacook Village Farmers Market on August 18th from 4:00 p.m. to 6:30 p.m. He will be there with a Victrola to discuss the history of music from 1900 to 1950. He highlighted that other entertainment will be performing on August 25th, September 8th and September 15th.

Councilor Herschlag stated that he and the Mayor recently attended the 20th anniversary of the 107 Fisherville Estates. He noted that the city was presented a certificate of appreciation and read the certificate publicly.

Councilor Herschlag indicated that he received a letter from Commissioner Wrenn from the Department of Corrections in regards to the construction of the women's prison in Concord. He noted that it's his understanding that Council has never taken a position on this and that it's his further understanding that the Planning Board has some outstanding concerns regarding this project. In lieu of this, he asked if it's Council will that they could direct a letter to the Commissioner stating that the Council has taken no position and that the Planning Board still has some ongoing concerns.

Councilor Bouchard stated that the prison is already approved and moving forward. She indicated that sending a letter indicating that there are concerns is a good idea but there isn't a way to stop it now if that is the intent.

Councilor Herschlag stated that the purpose is not in stopping the project but to correct the record. He was surprised that the letter stated that he has a particular interest in the project but stated that he has never publicly commented about the prison. His thought on this matter is to correct the record.

Mayor Bouley clarified that the letter is an invitation to the groundbreaking ceremony for the prison; it contains very generic language and went out to various individuals. He pointed out that it's on state property and that they don't have to comply with the city's planning process like any other developer would; they don't have to go to the Planning Board but they are and want to encourage them to do so. Hopefully the Planning Board makes suggestions that the state may want to incorporate within their project. He stated that he wants the state to be as accommodating and as open as they can be with the process to protect the city's interest. The Mayor encouraged Councilor Herschlag to send a letter on his own but doesn't personally believe it's necessary.

Councilor Herschlag clarified that he doesn't take issue with the invitation itself but does take issue with the wording in which it states that he has expressed interest and supports this project. He understands the Mayor's position and will take it under advisement.

Councilor Champlin indicated that residents in Ward Four have scheduled a neighborhood watch meeting with the Police Department on Wednesday, August 20th at 7:00 p.m. at the Green Street Community Center. He encouraged Ward Four and residents within the city to attend.

Councilor Champlin reminded everyone of the upcoming 9th Annual Concord Multicultural Festival being held on Saturday, September 13th from 1:30 p.m. to 6:00 p.m. on the State House lawn.

Mayor Bouley announced that the upcoming Primary Election is being held on Tuesday, September 9th and that absentee ballots are currently available.

Mayor Bouley reminded everyone of the Weekend on the Water event to be held on Saturday, September 6th.

Comments, Requests by the City Manager

Consideration of items pulled from the consent agenda for discussion

Referral to Community Development, Engineering

9. Communication from residents of A Street in Concord asking that consideration be given to making A Street a public street. *(Pulled from consent by Councilor Matson)*

Action: Councilor Nyhan explained that Councilor Matson had met with the residents of A Street which raised concerns about, as taxpayers, paying the same rates as everyone else yet not receiving the same level of services because their street is unaccepted. He indicated that this becomes an issue as the city looks at the paving program moving forward. He noted that the residents petitioned in pursuing the process of becoming an accepted street which leads to a larger discussion about there being other unaccepted streets within the city. He stated that it is felt that there is an opportunity to ask staff, as this item goes forward, to think about the process of unaccepted streets in the city. When the report come back it will be an opportunity for Council to discuss the number of unaccepted streets, how long they've been there and whether they want to think differently on unaccepted streets moving forward. He noted that the bigger picture is to come up with a formula/process that they can communicate with the public as to what needs to happen to make an unaccepted street an officially accepted street. He pointed out that his statements were made on behalf of Councilor Matson in her absence.

Councilor Nyhan moved to refer the communication to Community Development.

Councilor Keach asked how a street becomes unaccepted. Mr. Aspell explained that all streets, when they are constructed, come before the legislative body to see whether or not they are accepted by the city. He noted that typically every four or five years, a different street comes forward that Council made a decision on years ago. He explained that there is a specified process of how this works and what it comes down to is whose responsible for putting the street in such a condition that the community is willing to accept that street. Many times those costs could be in the high six or seven figures for acceptance.

Councilor Keach asked if someone wanted to build a street today would that person/entity be required to bear the cost. Mr. Aspell explained that a developer would build the street through Planning Board specifications; it eventually, when complete, works its way to the Council and upon acceptance would receive all the services.

Councilor Coen inquired whether residents on an unaccepted street are still provided services such as snow plowing. Mr. Aspell responded that it depends upon the classification of the street.

Mayor Bouley noted that this discussion has been around for a long time explaining that several years ago, Council had Administration put together a whole process by which a road can be accepted. He indicated that Community Development could get back to Council with a report outlining the process so that everyone can see.

Councilor Nyhan's motion to refer was duly seconded and passed with no dissenting votes.

Adjournment

The time being 7:52 p.m., Councilor Champlin moved to enter into non-public session in accordance with RSA 91-A: 3, II (d) to discuss property acquisition and non-public session in accordance with RSA 91-A: 3, II (d) to discuss contract negotiations. The motion was duly seconded and passed with no dissenting votes.

A true copy; I attest:

*Michelle Mulholland
Deputy City Clerk*



9-8
TJA

Honorable Mayor Bouley,

Recently there was an incident that effected a business and a residence in Penacook. The rain storm that occurred on August 13th, resulted in water in both of these buildings basements. It was stated to me that this is something that hadn't occurred prior to the construction project in the Village and more specifically prior to the reclaiming process on Village Street.

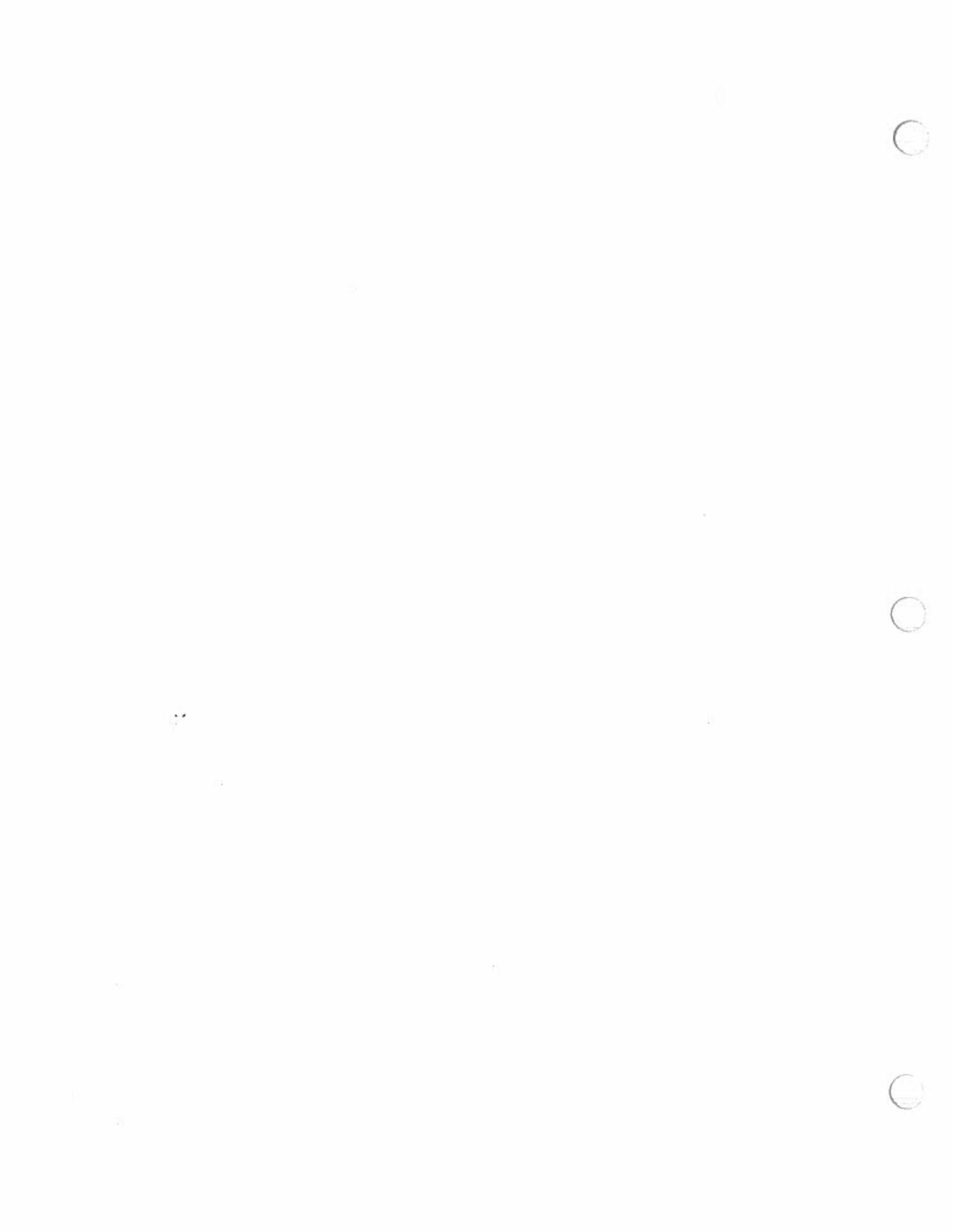
While I understand that all contingencies can never be fully accounted for, it was my understanding that should construction related problems or damage occur, that the city had a process in place to deal with these types of issues. Unfortunately it appears there was a breakdown between what many in the community understood to be the process and what actually occurred.

I am requesting that staff develop a document which clearly states the process a business or individual will follow should they believe that damage from construction has occurred to their property. This document will provide guidance from the onset of the problem. Who to contact, who is responsible for repairs and cleanup, who is financially responsible and how that is determined. What needs to be documented (damages, expenses, etc), in what form and who should receive copies. And how to request compensation when it is determined to be construction related. I am sure there are other items that should be included in this document, but these are the ones that come to mind at this time.

A document of this type is essential as we move forward with the construction of our Downtown's Main Street. I believe if this had been a written policy at the time of the above stated incident, it would have provided clear guidance to those whose properties were impacted, to staff and to the contractor.

Respectfully,

Allan Herschlag



Brian 9/2/11

9-9

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING ONE MILLION THIRTY SIX THOUSAND ONE HUNDRED DOLLARS (\$1,036,100) FROM THE SIENA/BODWELL JOINT VENTURE GROUP FOR THE PURCHASE OF STATE OF NEW HAMPSHIRE AND CITY OF CONCORD SURPLUS PROPERTY AND FOR ANY ASSOCIATED REAL ESTATE TRANSACTION COSTS.

Page 1 of 3

The City of Concord resolves as follows:

- WHEREAS,** The City of Concord, on June 10, 2013, approved a "Development and Purchase and Sale Agreement" (heretofore the "AGREEMENT") with Siena/Bodwell Joint Venture Group to develop property currently belonging to the State of New Hampshire and the City of Concord commercially on Loudon Road as well as to construct certain public improvements (Resolution #8666); and
- WHEREAS,** As stipulated in the AGREEMENT, the City of Concord would be purchasing a State parcel identified by tax map number 111E-1-12 for \$955,000 plus a \$1,100 State administrative fee plus any related, typical real estate transaction costs not to exceed \$80,000 for a total of \$1,036,100; and
- WHEREAS,** As further stipulated in the AGREEMENT, the City of Concord agrees to exchange portions of City surplus parcels identified by tax map numbers 111E-1-17 and 111E-1-18 for nearby land conveyed by Siena/Bodwell to allow for a fourth leg of what will become the D'Amante Drive/Old Loudon Road/Loudon Road intersection. Siena/Bodwell Joint Venture Group further commit to construct all necessary improvements, at their expense, to that public right of way to satisfy City of Concord Capital Improvement Project #39; and
- WHEREAS,** Any remaining portions of City parcels 111E-1-17 and 111E-1-18, upon exchange with Siena/Bodwell Joint Venture Group, will be sold to Siena/Bodwell on a per square footage basis as stipulated in the AGREEMENT; and

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING ONE MILLION THIRTY SIX THOUSAND ONE HUNDRED DOLLARS (\$1,036,100) FROM THE SIENA/BODWELL JOINT VENTURE GROUP FOR THE PURCHASE OF STATE OF NEW HAMPSHIRE AND CITY OF CONCORD SURPLUS PROPERTY AND FOR ANY ASSOCIATED REAL ESTATE TRANSACTION COSTS.

Page 2 of 3

WHEREAS, The cost for the purchase of the State parcel and all real estate transaction costs to effectuate the terms of the AGREEMENT will be borne by the Siena/Bodwell Joint Venture Group through funds paid directly by Siena/Bodwell Joint Venture Group or deposited by Siena/Bodwell Joint Venture Group with the City of Concord prior to the transactions; and

WHEREAS, Upon receipt of the State parcel, the City would transfer ownership of the said parcel to the SIENA/BODWELL JOINT VENTURE GROUP; and

WHEREAS, this appropriation is for a purpose not included in the FY15 adopted budget, therefore, Section 37 of the City Charter requires two-thirds vote of the City Council;

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

1. The sum of \$1,036,100 is hereby appropriated as follows:

General Capital Fund

| | |
|-------------------------|-------------|
| Land Acquisition | \$956,100 |
| Transaction Costs | \$80,000 |
| Total..... | \$1,036,100 |

2. Revenue for this project is available as follows:

General Capital Fund

| | |
|---|-------------|
| Payment from the Siena/Bodwell Joint Venture Group..... | \$1,036,100 |
| Total..... | \$1,036,100 |

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING ONE MILLION THIRTY SIX THOUSAND ONE HUNDRED DOLLARS (\$1,036,100) FROM THE SIENA/BODWELL JOINT VENTURE GROUP FOR THE PURCHASE OF STATE OF NEW HAMPSHIRE AND CITY OF CONCORD SURPLUS PROPERTY AND FOR ANY ASSOCIATED REAL ESTATE TRANSACTION COSTS.

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3. This resolution shall take effect upon its passage.
4. Sums as appropriated shall be administered and expended under the direction of the City Manager.





CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Carlos P. Baía, Deputy City Manager – Development

DATE: August 27, 2014

SUBJECT: Appropriation resolution for the development of commercial property on Loudon Road and the relocation of a segment of Old Loudon Road to D'Amante Drive per CIP #39

Recommendation

Pursuant to the City's approved Development and Purchase and Sale Agreement (resolution #8666), authorize the City to accept and appropriate funds from the Siena/Bodwell Joint Venture Group for the purchase of City and State surplus property located on Loudon Road.

The Administration requests a waiver of Section 4 of the Council rules to allow for a public hearing to be held on this appropriation at the Council's September 8, 2014 meeting, an appropriation which the City Council unanimously approved following a public hearing at the June 10, 2013 City Council Meeting.

Background

At its June 10, 2013 meeting, after a notice period and public hearing, the City Council unanimously approved a Development and Purchase and Sale Agreement (heretofore the "AGREEMENT") with the Siena/Bodwell Joint Venture Group to develop a +/- 31,000 s.f. commercial retail center on Loudon Road across from the Steeplegate Mall (Resolution #8666). The land on which the center is proposed to be built is currently City and State surplus property. The City chose to exercise its "right of first refusal" to acquire the State property via a public/private partnership. Siena/Bodwell was selected for this partnership on May 13, 2008 (resolution #8163) pursuant to a City of Concord Request for Proposals issued that same year (RFP #28-08).

Under the AGREEMENT, the City will acquire a 2.7 acre surplus State parcel using funds provided by Siena/Bodwell. At a simultaneous closing, the City will then convey these 2.7 acres to Siena/Bodwell who will cover the purchase price as well as all fees and related closing costs. *No taxpayer funds will be expended in this transaction.*

The City land in this location consists of two irregularly-shaped slivers totaling about .58 acres that wrap around portions of the State parcel. This surplus City and State property was originally intended for the construction of a connection from Old Loudon Road to Loudon Road.

The property the City owns was purchased from the State for this purpose in 1991 and deed restricted for that use. To address the deed restriction, Siena/Bodwell will build—at its own cost—a new, public leg to the existing signalized intersection from Old Loudon Road to D'Amante Drive across a separate adjacent, private property they control (heretofore the "PUBLIC IMPROVEMENT"). This will provide a safe alternative for residents of the area and commuters and will remove this project from the City's Capital Improvement Program where it has resided for many years. The City's land slivers will be exchanged on a per square foot basis with Siena/Bodwell for the new public right of way conveyed as part of the new intersection leg. Siena/Bodwell will compensate the City for any amount of City land remaining after this exchange per the terms of the AGREEMENT.

New Hampshire Governor and Executive Council approved the sale of the State land to the City in 2009 and subsequently also approved the removal of the deed restriction contingent upon Siena/Bodwell's construction of the PUBLIC IMPROVEMENT.

Siena/Bodwell's commercial site plan received approval from the Concord Planning Board in February of this year.

Discussion

In late August 2014, the Developer advised the City that it was desirous to close on the property purchase by mid-September and start construction immediately thereafter. The AGREEMENT was detailed and explicit in describing the amount, source and use of funds for this project, *and the fact that no public dollars are involved*. However, as the City will receive funds from the developer and, in turn, use those dollars to purchase the State parcel, it is considered a municipal expenditure and a separate City Council appropriation is required to expend funds. As this appropriation was not contemplated in the FY 15 City budget, the City Charter requires that a municipal appropriation resolution be approved via a public hearing with a 2/3 majority approval of Council needed. Per Council rules, the earliest this could be done at a regular meeting would be Tuesday, October 14, 2014. Siena/Bodwell has informed the City that this delay would materially impair their ability to start clearing and grading operations and pour concrete foundations before winter. As a result, it could undermine their pending tenant obligations and jeopardize the viability of the entire project which would also include the PUBLIC IMPROVEMENT.

In reviewing the AGREEMENT, approved unanimously by City Council, and in consideration of the Siena/Bodwell's expressed concerns, City Administration recommends that the City Council employ Section 17 of the City Council Rules and suspend Section 4 of the Council Rules (which requires a 10 day notice prior to conducting a public hearing). Suspending Section 4 will authorize the City Council to conduct a public hearing on the attached Resolution on September 8, 2014 rather waiting an additional month, which would be detrimental to the real estate development set forth in the AGREEMENT. Suspending Section 4, in accordance with Section 17, requires a 2/3 vote of the Councilors present.

w/att:

- 1) May 1, 2013 Report to Council regarding the "Development and Purchase and Sale Agreement."
- 2) Executed Development and Purchase and Sale Agreement
- 3) Resolution #8666 confirming Council's approval of Agreement
- 4) Resolution #8163 accepting Siena/Bodwell Joint Venture Group



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Carlos P. Baía, Deputy City Manager – Development

DATE: May 1, 2013

SUBJECT: Development and Purchase and Sales Agreement to facilitate the development of commercial property on Loudon Road and the relocation of Old Loudon Road to D'Amante Drive per CIP #39.

Recommendation

Authorize the City Manager to enter into a Development and Purchase and Sales Agreement with Siena Bodwell Joint Venture Group for the development of +/- 31,000 square feet of retail/restaurant space in return for new public right of way, financial considerations and the private developer's construction of CIP #39 to relocate Old Loudon Road to the signalized intersection at D'Amante Drive.

Background

In 2008 the City issued RFP 28-08 for the development of land located between Loudon Road and Old Loudon Road across from the Steeplegate Mall. The property in question was a +/-3.4 acre parcel zoned Gateway Performance (GWP) that was thought to be entirely property of the State of New Hampshire. As more due diligence was done, it was discovered that the State only owned the +/- 2.7 acre core of the parcel but that the City retained ownership of approximately .58 acres split amongst two slivers of land—one narrow strip measuring +/- .38 acres along the Loudon Road frontage and a small triangle on the northwest corner of the state property of about .2 acres (see attached Exhibit A).

The City properties were acquired from the State in January of 1991 for "highway purposes" to "allow the City of Concord to reconstruct Old Loudon Road and to make certain improvements to Loudon Road" (per deeds). State road layout plans from that time envisioned the relocation of Old Loudon Road to Loudon Road at what is today the D'Amante Drive intersection.

The responding proposer to the RFP in 2008 was the Siena Bodwell Joint Venture Group (hereafter the "Developer"); comprised of the D'Amante Investment Group, Phoenix Realty and Bodwell Realty Investments, LLC. The group proposed acquiring the public property and incorporating other abutting private land including a parcel on the north side of Old Loudon Road known as the "Johnson Farm." The project envisioned the development of a 125,000 s.f. shopping center to be called "Windsor Square." The Johnson Farm land is

zoned Medium Density Residential (RM) and would have necessitated re-zoning to be included in the project.

On May 27, 2008, City Council—by Resolution No. 8163—accepted the selection of the Windsor Square Proposal and directed the City Manager to draft a development agreement with the Developer contingent upon successful disposition of the State parcel. The premise of the transaction was that, although the City would officially acquire the land from the State by exercising its municipal “right of first refusal,” the Developer would pay for this acquisition and all associated closing costs and the City would transfer the parcel to the Developer at a simultaneous closing. Governor and Council ultimately authorized the sale on September 9, 2009.

Unfortunately, by the time the project received Governor and Council approval, the dynamics of the commercial real estate market were changing dramatically.

Discussion

Scaled-Back Project

The national financial collapse and recession created significant challenges for the Developer to secure lease commitments. With the passing of time, it became evident that a larger-scale endeavor was no longer feasible. As a result, the Developer has scaled back the development so that it will fit on the public parcels. Under this revised project scope, the Developer will not need to incorporate land on the north side of Old Loudon Road or trigger any rezoning. The result would be a 31,000 square foot retail and restaurant center.

Improved Connection Between Loudon and Old Loudon Roads

The Developer has entered into a purchase and sale agreement for two private lots on the northern end of the D’Amante Drive/Loudon Road intersection. As part of this development agreement, the Developer will relocate Old Loudon Road to this intersection.

Recognizing the Developer’s intent to relocate Old Loudon Road as part of an overall development project, New Hampshire Governor and Council removed the deed restrictions from the City parcels on May 12, 2010.

Developer to Bear Costs

Under this project, the purchase costs of the land necessary for the new public right of way and all of the design and construction costs for making this new intersection connection will be borne by the Developer. Per the City’s impact fee ordinance the Developer will be eligible for a credit against his impact fees for this construction as this project is currently on the City’s capital improvement program (CIP #39).

Zoning

The entirety of this project area is zoned Gateway Performance (GWP) which is the same as the surrounding commercial zoning. The proposed retail and restaurant uses are allowed under the zoning.

Tax Base Expansion

It is estimated that this project could add approximately \$3-5 million to the tax base.

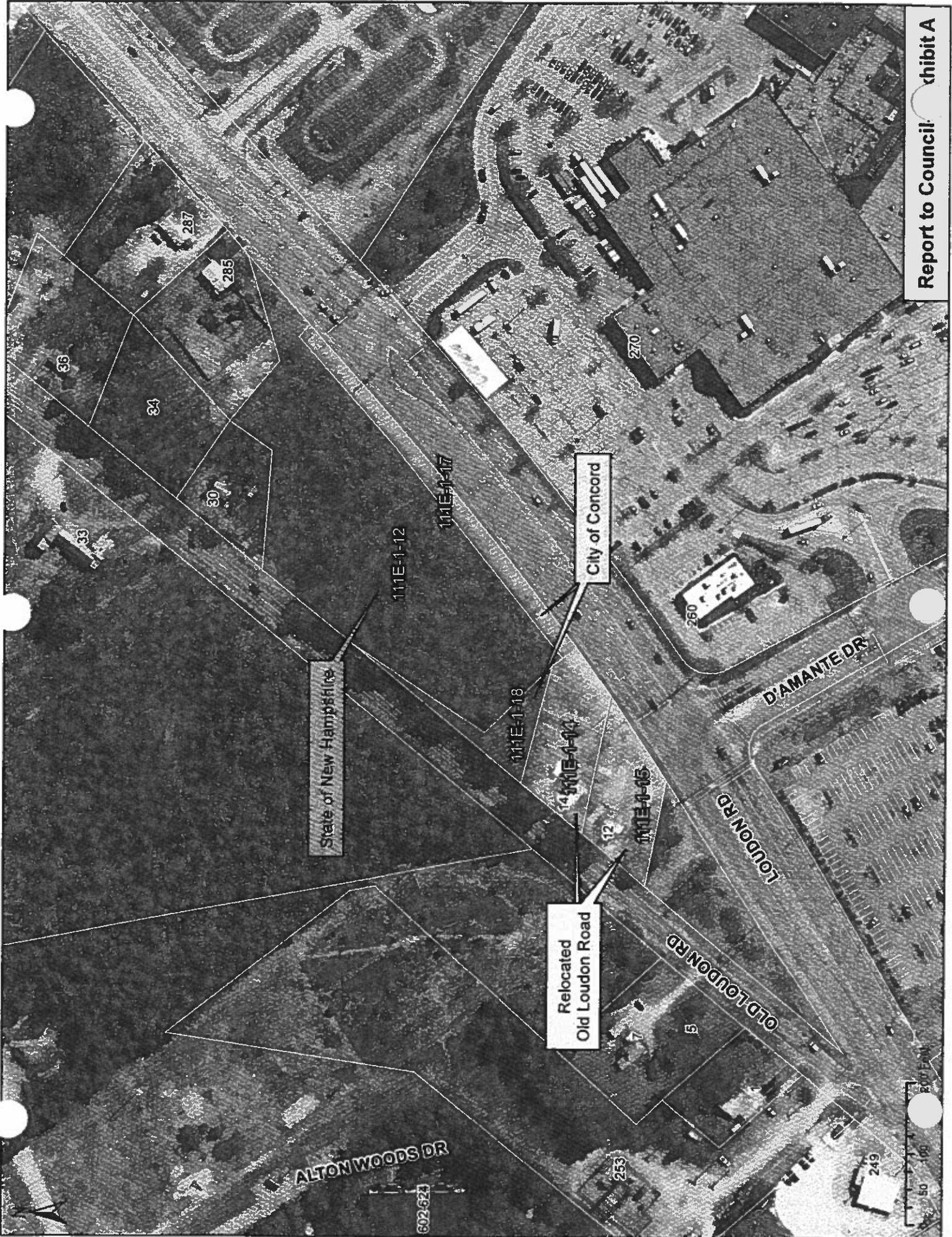
Sales/Purchase Price

The NHDOT commissioned an appraisal for the State parcel in preparation for the land's disposal. The appraisal concluded that the value of the State's 2.7 acres was \$955,000. The Developer has agreed to pay this plus any additional closing or administrative costs that typically would have been borne by the City.

The Developer is acquiring nearby property to provide the City with sufficient right of way to relocate Old Loudon Road to the D'Amante Drive intersection. The City parcels will be exchanged with the Developer for the relocated Old Loudon Road right of way on a per square foot basis. Any remaining City land after this exchange will be sold to the Developer based on the City's 2012 per square foot assessed value. Due to its location, much of the City land to be swapped or sold to the Developer will be used by the Developer to meet his site-related requirements for public sidewalks or slope easements.

Schedule

Upon approval of the Development and Purchase and Sale Agreement, the Developer anticipates submitting a site plan to the Planning Board for a September public hearing. Pending Planning Board approvals and the final securing of tenants, a closing on the property is expected to occur in the 1st quarter of 2014. Construction is likely to start in the spring of 2014.



DEVELOPMENT AND PURCHASE AND SALE AGREEMENT

THIS DEVELOPMENT AND PURCHASE AND SALE AGREEMENT (the "Agreement") is made as of the 16th day of July, 2013, by and between the City of Concord, a New Hampshire municipal corporation, with a principal place of business at 41 Green Street, Concord, New Hampshire (the "City") and Siena/Bodwell, a New Hampshire entity, having a principal place of business at 9 Triangle Park Drive, PO Box 1750, Concord, NH 03302-1750 (the "Developer" and/or "Siena/Bodwell" and/or "Siena Bodwell Joint Venture Group"). The City and Siena/Bodwell may be referred to individually as a party and collectively as parties.

RECITALS

This Agreement relates to the development of property being Tax Map 111E-1-12, 111E-1-17 and 111E-1-18, located across Loudon Road from the Steeplegate Mall and bordered by Loudon Road and Old Loudon Road, in Concord, New Hampshire (the "Property") a/k/a the State Land and the City Property; plus public improvements on a portion of the Foster Parcels; plus any excess land from the Foster Parcels.

This Agreement is entered into upon the basis of the following facts and intentions of the Parties, which recitals are incorporated into and made a part of this Agreement:

WHEREAS, the City of Concord wishes to encourage the development of the Property and the Foster Parcels; and

WHEREAS, it has been determined by the City that the development of the Property and the Foster Parcels for mixed commercial use, including, but not limited to, retail space, restaurants and offices, will enhance the development of the area, provide employment and increase the tax base of the City; and

WHEREAS, the City issued Request for Proposals RFP: 28-08 for the sale of the Property ("RFP: 28-08"); and

WHEREAS, the City has a goal to eventually terminate the current westerly intersection of Old Loudon Road with Loudon Road and relocate Old Loudon Road to connect to Loudon Road at the D'Amante Drive intersection (which improvements are included in the term "Public Improvements"), which is a part of the City's Capital Improvement Plan as CIP #39; and

WHEREAS, the City has made the construction of the Public Improvements a part of RFP: 28-08; and

WHEREAS, the City wishes to enable the development of the Property and the Foster Parcels, including the Public Improvements (the "Project") to improve traffic patterns, enhance the development of adjacent property and enhance the tax base of the City; and

WHEREAS, a portion of the Property, being Tax Map 111E-1-12 is owned by the State of New Hampshire and has been designated State of New Hampshire surplus Property (the "State Land"). See Exhibit A; and

WHEREAS, a portion of the Property, being Tax Map 111E-1-17 and 111E-1-18 is owned by the City (the "City Property"). See Exhibit B; and

WHEREAS, the City has advised the State of New Hampshire that it wishes to acquire that portion of the Property owned by the State of New Hampshire for the City to sell to Siena/Bodwell, the Developer selected by the City as a part of RFP: 28-08; and

WHEREAS, the State of New Hampshire, by vote of the Governor and Council on September 9, 2009 at item #120 (see Exhibit C) has authorized the sale to the City of all of its rights, title and interests in that portion of the Property owned by the State of New Hampshire being a 2.7 acre parcel for \$955,000, plus a \$1,100 Administrative Fee; and

WHEREAS, the City agrees to sell the State portion and the City portion of the Property to the Developer in a Simultaneous Closing, first, from the State of New Hampshire to the City of Concord, and, second, from the City to the Developer.

NOW THEREFORE, in consideration of the undertakings, covenants and agreements between the Parties, including the above recitals, the Parties to this Agreement agree as follows:

1. DEFINITIONS.

- 1.1 "Agreement" shall mean this Development Agreement, including all exhibits hereto in accordance with the terms hereof.
- 1.2 "Approvals" shall mean all City, State and federal approvals required to develop the Property in accordance with Developer's plans and to construct the Public Improvements.
- 1.3 "City" shall mean the City of Concord, New Hampshire.
- 1.4 "Closing" shall mean the simultaneous Closing in Paragraph 1.19 hereof.
- 1.5 "Commencement of Construction", "Commence Construction", or "Commenced Construction" shall mean or refer to the commencement of excavation, earthwork, or site work for the Developer's Project and/or the Public Improvements, as applicable.
- 1.6 "Developer" shall mean Siena/Bodwell, a New Hampshire entity, or its nominee or assignee. The City is advised that Siena Investments, LLC is to be a nominee and assignee of Siena/Bodwell for all matters set forth herein, including conveyance of all Properties' property interests, which is hereby approved by the City.

- 1.7 **“Developer’s Parcel”** shall mean the Property, which is to be acquired by the City from the State and from the City by the Developer, plus any excess portions of the Foster Parcels not used for Public Improvements.
- 1.8 **“Foster Parcels”** shall mean certain real estate, consisting of two (2) parcels of land with the buildings and improvements thereon, being collectively 0.88 acres of land, more or less, located at 12 Old Loudon Road and 14 Old Loudon Road, in the City of Concord, County of Merrimack, New Hampshire 03301; as described on Tax Map 111E-1-15 and Tax Map 111E-1-14. See Exhibit D.
- 1.9 **“Developer’s Project” or “Project”** shall mean the proposed development of and construction on the Property, plus a small portion of the Foster Parcels, with mixed use retail, commercial, restaurants and offices (“Commercial Uses”) by the Developer on the Developer’s Parcel, in accordance with the terms of the Agreement.
- 1.10 **“Leases”** shall mean all leases and/or other agreements for Commercial Uses for the Project.
- 1.11 **“Improvements”** shall mean any improvements to the Developer’s Parcel that are constructed as part of the Developer’s Project.
- 1.12 **“Mortgage”** shall have the meaning given to it in Section 10.1.
- 1.13 **“Mortgagee”** shall have the meaning given to it in Section 10.1.
- 1.14 **“Property”** shall mean the property at Tax Map 111E-1-12, 111E-1-17 and 111E-1-18, being the State Land and the City Property, located directly across Loudon Road from the Steeplegate Mall and bordered by Loudon Road and Old Loudon Road, in Concord, New Hampshire, a portion of which is owned by the State of New Hampshire and a portion of which is owned by the City.
- 1.15 **“Public Improvements”** shall mean the Developer’s construction of the new connection of Old Loudon Road with Loudon Road at D’Amante Drive as a public street. Said public improvements are subject to approval of the Concord Planning Board and acceptance by the Concord City Council and may include, the fourth leg of the existing traffic signal including modifications to the existing traffic signal systems, a left turn lane at Loudon Road eastbound to turn northerly into Old Loudon Road, a sidewalk along Loudon Road on the north side of Loudon Road, slope and embankment easements to the City along Loudon Road in conjunction with the roadway improvements, in accordance with City standards on a portion of the Foster Parcels and on portions of the City Property as set forth in Exhibit B, as needed, based on the final design of the Public Improvements. It shall also refer to the Developer’s construction of the closure of the current westerly intersection of Old Loudon Road with Loudon Road, as ultimately

approved and terminated by the City, including access to the westerly end of Old Loudon Road for Properties to the west of the new intersection of Old Loudon Road with D'Amante Drive which may require modifications to private access drive based on final design of the improvements. The Public improvements shall not be deemed complete until the City Council has accepted said improvement following written recommendation by the City Engineer.

- 1.16 "Real Estate" shall mean the Property, plus the excess Foster Parcels.
- 1.17 "Related Agreements" shall mean collectively all agreements, documents, writings, instruments, exhibits, schedules, reports, engineering and construction plans, specifications and drawings, and approvals related to the Developer's Project, the Property or the Public Improvements.
- 1.18 "Siena/Bodwell Joint Venture Group" and "Joint Venture" shall mean collectively Siena Bodwell.
- 1.19 "Simultaneous Closing" shall mean collectively the Closing on the State Land conveyance by the State to the City, the Closing on the Property conveyance by the City to the Developer of both the State Land and the City Property, the closing on the Foster Parcels conveyance to the Developer, the loan to develop the Property, the Foster Parcels and the Project, and the commercial leases and agreements for the Project (the "Closing").
- 1.20 "State Land" shall mean that portion of the Property owned by the State of New Hampshire, a/k/a the "State Property".

2. SUMMARY OF OVERALL IMPROVEMENTS.

The City has determined that the following improvements should be implemented:

- 2.1 The construction by the Developer or its nominee or assignee of Developer's mixed use retail and Commercial Use Project on the Property and the Developer's Parcel.
- 2.2 The construction by the Developer or its assigns of certain Public Improvements as set forth in Paragraph 1.15 on a portion of the City Property and a portion of Foster Parcels, as noted.
- 2.3 The relocation of Old Loudon Road to Loudon Road at D'Amante Drive is and has been the City's preferred location for the Old Loudon Road connection since the new roadway will connect with a City street. The City will use the City Property to enable and accomplish this Old Loudon Road relocation as well as to accomplish other improvements to Loudon Road. .
- 2.4 The Developer's construction of a sidewalk along the north side of Loudon Road

including slope and embankment easements to the City, all as a part of the Developer's Project and the Public Improvements.

2.5 Easements may be negotiated between the Developer and the City, as applicable, to accomplish the purposes of this Agreement.

3. IDENTIFICATION AND DEFINITION OF IMPROVEMENTS TO BE CONSTRUCTED OR CARRIED OUT.

3.1 Selection of Design Team.

The Developer shall select a design team consisting of licensed engineers, surveyors, architects, and other required disciplines to design the Developer's Project and Public Improvements..

3.2 Development of Plans.

3.2.1 The Developer shall prepare the design of the Developer's Project and the Public Improvements. Prior to the completion of the final design of the Public Improvements, the Developer shall provide the City with copies of the proposed design plans for the Public Improvements. The City shall have a reasonable time to provide the Developer with comments on the proposed design of the Public Improvements.

The plans for the Developer's Project and the Public Improvements shall be subject to Approval by the Concord Planning Board, the Concord Architectural Design Review Committee, as applicable, and, if applicable as to road improvements, the State of New Hampshire and any other applicable governmental agencies.

3.2.2 The Developer shall select the contractors who shall construct the Developer's Project and the Public Improvements, which can be constructed as one overall undertaking, at the option of the Developer, on behalf of the Developer. The contractor shall be a qualified, responsible firm with experience in the type of work to be completed, fully insured with bonding capacity to complete said work. The Developer shall provide a detailed and itemized construction cost proposal to the City outlining major and incidental construction items expected.

3.3 Public Improvements. The Developer shall construct the Public Improvements, as approved by the Planning Board, at no cost to the City.

3.4 Developer's Project.

3.4.1 Acquisition of the Property. The Developer shall acquire the Property

from the City at the Simultaneous Closing as provided in this Agreement

- 3.4.2 Acquisition of the Foster Parcels. The Developer shall acquire the Foster Parcels at the Simultaneous Closing with the City for the Property.
- 3.4.3 Project Leases. The Developer shall have obtained sufficient leases and other agreements for the development of the Project as of the simultaneous closing.
- 3.4.4 Construction of Improvements. The Developer shall construct the Developer's Project on the Property and a portion of the Foster Parcels and the Public Improvements.
- 3.4.5 The Improvements. The Developer intends to construct retail space, restaurants and offices on the Property (the "Commercial Uses"). The eventual square footage will depend on the mix of uses and the requirements of specific tenants. However, the Developer estimates that the square footage could be 31,000± s.f., including a 5,000± s.f. fast, casual restaurant, possibly in a free-standing building, and the balance of the space being retail and/or various types of offices in a shopping center environment.

3.5 Authorizations: Siena and Bodwell advise the City and all other parties that in all matters regarding a) this Development Agreement, b) the entire Approval process for the development of the Property, the Developer's Foster Parcels and the Developer's Project, including any and all applications, for Approvals, c) the Closings, d) the Purchases, e) the financing, f) easements, g) conveyances, and h) all other matters regarding the Developer's Project and the Development, that a signature by Siena only will bind Siena/Bodwell and no signature will be required from Bodwell for any matter whatsoever.

4. CITY RESPONSIBILITIES AND OBLIGATIONS.

- 4.1 The City shall have no development, design, construction or related responsibilities, obligations, costs, expenses or liabilities other than as expressly set forth in this Agreement. The Developer shall pay all costs associated with the Developer's Project and the Public Improvements. The Developer shall also pay all closing costs associated with the transfer of the Property from the State to the City as well as the \$1,100 State administrative fee. The Developer shall also pay all closing costs associated with the transfer of the City's Property to the Developer under this Agreement.
- 4.2 The City shall convey the entire Property to the Developer for the Purchase Price of \$955,000, the \$1,100 State administrative fee and all considerations noted in Section 8.3, as adjusted at Closing, at the Simultaneous Closing.

4.3 The City shall deed the Property to the Developer, or its nominee or assignee, in a manner that conforms to Section 8 of this Agreement

5. CONDITIONS TO CITY'S PERFORMANCE.

The City's obligation to perform under this Agreement is expressly conditioned upon the following conditions, the failure of which shall give the City the right to terminate this Agreement, upon written notice to the Developer.

5.1 The Developer's execution of this Agreement.

5.2 All Related Agreements between the City and the Developer have been executed by Developer.

5.3 PILOT Program.

The deed from the City shall contain standard provisions requiring PILOT Program tax payments if any tenant or owner is tax exempt, substantively as follows:

In the event any portion of the Project is sold to an entity that would cause the Property to be exempt from the payment of real estate taxes ("Exempt Owner"), said Exempt Owner(s) shall be obligated to enter into an agreement for Payments in Lieu of Taxes ("PILOT") with the City of Concord. Pursuant to the PILOT, the Exempt Owner shall agree to make payments to the City in the amount equal to all State, County, Municipal and School District property taxes that would otherwise be payable with respect to the respective property interest. Each deed or other transfer document from the Developer to any future transferee of any interests in the Developer's Project shall incorporate this deed restriction.

6. DEVELOPER RESPONSIBILITIES AND OBLIGATIONS.

Subject to the terms of this Agreement, the Developer's responsibilities and obligations shall include:

6.1 **Design of Developer's Project.**

The Developer shall, effective with the execution of this Agreement and in cooperation with the City, commence preparation of conceptual plans for the Developer's Project and the Public Improvements.

6.2 **Seek and Obtain Site Plan and Other Approvals Needed for Construction of Developer's Project and the Public Improvements.**

The Developer shall apply for, at its cost and expense, all permits, and Approvals

needed to construct Developer's Project, in accordance with the City's development review process. At the Developer's option, the Project could be a condominium, subject to Planning Board approval.

6.3 Finalize Lease Arrangements with Tenants.

Prior to Closing, the Developer shall execute final lease commitments, leases, agreements, and/or Purchase and Sale Agreements upon terms and conditions satisfactory to Developer with tenants, prospective tenants, or prospective Buyers for portions of the Developer's Project for a minimum of 80% of the total leasable and/or saleable space (measured to finished interior surfaces of the walls) within the Developer's Project.

6.4 Acquire the Property and the Foster Parcels.

The Developer shall acquire the Property from the City as provided herein and shall acquire the Foster Parcels, all at the Simultaneous Closing.

6.5 Construct Developer's Project and Public Improvements.

Following the Simultaneous Closing, in accordance with the provisions of this Agreement, the Developer shall construct Developer's Project and the Public Improvements in a good and workmanlike manner in accordance with the Approved plans.

7. CONDITIONS TO DEVELOPER'S PERFORMANCE.

The Developer's obligation to perform under this Agreement is expressly conditioned upon the following conditions, and the other conditions set forth in this Agreement, the failure of which shall give the Developer the right to terminate this Agreement, upon written notice to the City.

7.1 Conditions to Developer's Obligation to Prepare Preliminary Design of Developer's Project.

The Parties' execution of this Agreement.

7.2 Conditions to Developer's Obligation to Seek and Obtain Site Plan and Approvals Needed for Construction of Developer's Project and the Public Improvements.

The Parties' execution of the Agreement and satisfaction of its conditions.

7.3 **Conditions to Developer's Obligation to Prepare Construction Plans for Developer's Project.**

The Parties' execution of the Agreement and satisfaction of its conditions.

7.4 **Conditions to Developer's Obligation to Finalize Lease Arrangements with Tenants.**

The Parties' execution of the Agreement and satisfaction of its conditions.

7.5 **Conditions to Developer's Obligation to Acquire the Property and Foster Parcels.**

The Parties' execution of the Agreement and satisfaction of its conditions.

Satisfactory review of title by the Developer acceptable to Developer.

Obtaining Tenant Leases and Agreements as noted above.

Developer obtaining a loan satisfactory to Developer for the Project and the Public Improvements.

Receipt of all Approvals needed for the Public Improvements and for Developer's Project.

Receipt of Acquisition and Construction Financing commitments, the Leases and the loan for the Project.

7.6 **Conditions to Developer's Obligation to Construct Developer's Project.**

Satisfaction of all conditions listed herein.

8. **CLOSING - REAL ESTATE ACQUISITIONS AND TRANSFERS – PURCHASE PRICE.**

8.1 **Closing.** The Simultaneous Closing shall be scheduled within ninety (90) days after the later of a) Developer obtaining all final, unappealed approvals for the Project, without any appeals or with appeals resolved in Developer's favor, and b) Developer obtaining Lease and Agreements in accordance with Section 6.3 and c) the Developer obtaining financing for the Project, but no later than December 31, 2016.

8.2 Prior to closing, the Developer shall conduct a title search on the Property. To the extent that any title concern exists on the Property, the Parties will discuss the concern. The conveyance of the Property by the City to the Developer at Closing

shall be by quitclaim deed subject to existing matters of record, which are not liens, covenants or restrictions on use, which do not interfere with the construction, use and operation of the Property for the Developer's Project and the Public Improvements and which do not interfere with Developer obtaining owner's and lender's title insurance acceptable to the Developer and the lender, respectively and including the release by the State of all covenants and restrictions on the City Property.

- 8.3 The Purchase Price for the Property payable by the Developer to the City at Closing shall be \$955,000 plus a \$1,100 administrative fee and further subject to the following:
- 8.3.1 In consideration for the conveyance of the City Parcel to the Developer, the Developer will convey the Public Improvements, including the land thereon, to the City in a land exchange to enable the completion of the Public Improvement at no cost to the City. The land area conveyed by the Developer to the City with the Public Improvements shall be deducted from the land area conveyed by the City to the Developer, being the City Property.
- 8.3.2 The Developer shall also pay the City for the excess land conveyed by the City to the Developer, if any, after deducting that portion of the Foster Parcels conveyed to the City by the Developer, based on the following formula. The said excess land area conveyed by the City to the Developer, if any, will be sold at a per square foot cost based on the 2012 assessment for the City Parcels.
- 8.4 The conveyance of the Foster Parcels to the Developer shall be of good and marketable title, satisfactory to Developer and Developer's lender by Warranty Deed.
- 8.5 The Developer shall complete the Public Improvements and the Developer's project within 15 months of starting construction. Completion of Construction shall mean the issuance of a certificate of occupancy from the proper government authority, the acceptance of the public improvements by City Council and the Developer's securing of a 2-year maintenance bond payable to the City of Concord for the Public Improvements to be effective upon acceptance of the Public Improvements by City Council. The City may extend the deadlines in this Agreement in the event that an action requiring approval of a governmental agency, council or board and any appeals thereof is delayed. Said extension may, at the City's option, continue through the approval of the government agency action requested and each subsequent action item advanced in time accordingly by the number of days of the delay. In the event of an appeal of the Developer's Site Plan approvals, or other approval, at the City's option, the Development Schedule may be extended until the satisfactory resolution of said appeal.

8.6 Upon completion of construction of the Public Improvements as approved by the City, subsequent to the Closing, the Developer shall convey the Public Improvements to the City, subject to acceptance by City Council.

9. DEVELOPMENT APPROVAL.

The Parties agree to use diligent efforts and to cooperate with each other in undertaking their respective responsibilities under this Agreement, including, but not limited to, those events listed in this Agreement. The Parties agree that time is of the essence in the performance of their respective obligations under this Agreement.

9.1 Force Majeure/Excusable Delays.

For the purposes of any of the provisions of this Agreement, neither the City nor the Developer, as the case may be, shall be considered in breach of or default in its obligations hereunder in the event of unavoidable delay in the performance of such obligations due to causes beyond its control and without its fault or negligence, including, but not restricted to, acts of God, or of the public enemy, acts of the other Party, fires, floods, or other casualties, epidemics, quarantine restrictions, labor disputes, litigations (including, without limitation, any appeal of any approval for any permit or Approval needed for Developer's Project), freight embargoes, and unusually severe weather or delays of contractors and subcontractors due to such causes; it being the purpose and intent of this provision that in the event of the occurrence of any such enforced delay, the time or times for performance of the obligations of such Party shall be extended for the period of the enforced delay, provided, that the Party seeking the benefit of the provisions of this Section shall, within thirty (30) days after the beginning of any such enforced delay, has first notified the other Party thereof in writing stating the cause or causes thereof and requested an extension for the period of the enforced delay. In calculating the length of the delay, the City and the Developer shall consider not only actual stoppages but also any consequential delays resulting from such stoppage as well.

9.2 Weather Delays.

Provisions in this Agreement relating to the time period for Approvals shall be deemed to be reasonably extended when seasonal weather conditions prevent a Party from proceeding.

10. **MORTGAGE OF DEVELOPER'S PROPERTY AND PROJECT BY THE DEVELOPER.**

10.1 **Developer's Right to Mortgage.**

Notwithstanding any other provisions of this Agreement, the Developer shall, at Closing, have the right to mortgage, encumber, pledge, or convey the Property, the non-public portion of the Foster Parcels, the Developer's Project, or any portion or portions thereof, and its rights and responsibilities under this Agreement by way of a bona fide mortgage to a bank or institutional lender or other lender ("Mortgagee") to secure the payment of any loan or loans obtained by the Developer to finance the acquisition of the Property and the Foster Parcels and the development and construction of the Developer's Project and the Public Improvements. However, the Developer shall not mortgage that portion of the Foster Parcels that contain the Public Improvements or any property which the City owns, with the exception of Tax Map 111E-1-17 and 18.

Mortgages on the Property and the non-public portion of the Foster Parcels, shall secure indebtedness related to the acquisition, development and construction of the Property, the Project and the Public Improvements only and may not secure or cross collateralize indebtedness or obligations arising in connection with other properties unrelated to the acquisition, development and construction of the Property or the Developer's Project. Any mortgage would not encumber that portion of the Foster Parcels to be used for the Public Improvements to be conveyed by the Developer to the City or any property which the City owns following the Closing.

10.2 **Further Assurances.**

If requested by the Lender/Mortgagee, the City will provide consent to a Collateral Assignment of this Agreement by the Developer to the Lender/Mortgagee, which will transfer the Developer's obligations under this Agreement to the Lender/Mortgagee in the event the Collateral Assignment is acted upon.

11. **REPRESENTATIONS AND WARRANTIES.**

11.1 **Representations and Warranties of City.**

The City hereby represents and warrants that:

- (a) 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.

- (b) Subject to the conditions set out in Section 4, 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 thereunder.
- (c) Except as set forth in Section 5, 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 or the conveyance required hereunder or any related agreements by the City, including the Concord Planning Board, except such as have been duly obtained or made or disclosed in this Agreement.
- (d) 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.

11.2 Representations and Warranties of the Developer.

The Developer hereby represents and warrants that:

- (a) The Developer is a New Hampshire entity duly organized, validly existing and in good standing under the laws of the State of New Hampshire, with all requisite authority to own its property and assets and to conduct its business as presently conducted or proposed to be conducted, and duly qualified or authorized to transact business and in good standing under the laws of the State of New Hampshire.
- (b) The Developer has the power and authority to execute, deliver and carry out the terms and provisions of this Agreement and any related agreements, and all necessary action has been taken to authorize the execution, delivery and performance by it of this Agreement and any

applicable related agreements. This Agreement and said related agreements will, upon execution and delivery thereof by the Developer, constitute valid, legal and binding obligations of the Developer enforceable against the Developer in accordance with the respective terms thereof.

- (c) Neither the execution or delivery by the Developer of this Agreement, the performance by the Developer of its obligations in connection with the transactions contemplated hereby, nor the fulfillment by the Developer of the terms or conditions hereof conflicts with, violates or results in a breach of any law or governmental regulation applicable to the Developer, 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 Developer is a party or by which the Developer or any of its properties or assets are bound, or constitutes a default thereunder.
- (d) 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 Developer, except such as have been duly obtained or made.

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 Developer, 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 Developer of its obligations hereunder or the performance by the Developer 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 Developer in connection with the transactions contemplated hereby.

- (e) Authorizations: Siena and Bodwell advise the City and all other parties that in all matters regarding a) this Development Agreement, b) the entire Approval process for the development of the Property, the Developer's Foster Parcels and the Developer's Project, including any and all applications, for Approvals, c) the Closings, d) the Purchases, e) the financing, f) easements, g) conveyances, and h) all other matters regarding the Developer's Project and the Development, that a signature by Siena only will bind Siena/Bodwell and no signature will be required from Bodwell for any matter whatsoever.

12. CITY COVENANTS/AGREEMENTS.

12.1 Impact Fee Credit

Pursuant to Chapter 29.2-1-2(e)(2) of the City's Code of Ordinances, Developer is eligible for a credit against any and all of the transportation facilities or other impact fees by offering to construct and dedicate the public improvements which are a part of the City's Capital Improvement Plan, specifically the relocation of Old Loudon Road to D'Amante Drive – CIP #39.

12.2 State Land.

The City covenants that it will acquire the State owned portion of the Property (i.e., the "State Land") and will convey that State Land with the balance of the Property owned by the City (i.e., the "City Property") to Developer at the Simultaneous Closing with any covenants and conditions determined to be complied with by the Projector released by the State or the City as applicable..

13. DEVELOPER COVENANTS/AGREEMENTS.

13.1 Compliance with Laws.

The Developer will comply with all applicable laws, rules, and regulations in the performance of its duties and obligations under this Agreement.

14. DEFAULT AND REMEDIES.

14.1 Events of Default by City.

- (a) Anyone or more of the following shall constitute an Event of Default by the City:
 - (i) Any representation or warranty made by the City shall prove incorrect or untrue in any material respect and have a material adverse effect on the Developer or its rights under this Agreement is not cured by the City after receipt of notice from the Developer; or
 - (ii) The City shall fail or refuse, after notice from the Developer, to fulfill any of its material obligations under this Agreement, (unless such failure or refusal is caused by the acts or omissions of Developer or the Developer's representatives or agents.

14.2 Consequences of Event of Default by City.

Upon the occurrence and during the continuation of any Event of Default of the City, Developer may, in its discretion, at the same or different times, proceed by appropriate proceedings, judicial, administrative or otherwise, at law or in equity or otherwise, to protect and enforce its rights to specific performance by the City.

14.3 Events of Default by Developer.

- (a) Anyone or more of the following shall constitute an Event of Default by the Developer:
 - (i) The Developer shall fail to pay any amount due under this Agreement or the related agreements, and such failure is not otherwise excused under this Agreement or cured by the Developer within thirty (30) days of the City's delivery of notice of default to the Developer;
 - (ii) Any representation or warranty made by the Developer herein shall prove to be incorrect or untrue in any material respect and has a material adverse effect on the City or its rights under this Agreement and related agreements and is not cured by the Developer within a reasonable time, considering the nature of the default, after receipt of notice from the City; or
 - (iii) The Developer fails or refuses, after notice from the City, to fulfill any of its material obligations under this Agreement (unless such failure or refusal is caused by the acts or omissions of the City, its representatives or agents).

14.4 Consequences of Event of Default by Developer.

Upon the occurrence and continuance after notice of an Event of Default of Developer without cure by the Developer, in the City's discretion, it may refuse to convey the Property to the Developer. Additionally, upon the occurrence and during the continuation of any Event of Default of Developer, the City may, in its discretion, at the same or different times, proceed by appropriate proceedings, judicial, administrative or otherwise, at law or in equity or otherwise, to protect and enforce the provisions of this Agreement.

15. FURTHER ASSURANCES/COOPERATION.

- 15.1 The City and Developer 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 either the City or the Developer.

15.2 Access and Applications.

The City hereby confirms that it continues to provide the Developer access to the Property for all planning, studies, testing and other work required to prepare plans and reports for the Project.

The City will provide necessary easements as applicable with the Planning Board approval of the Developer's design and location of the turn around at the west end of Old Loudon Road, recognizing the limited area to accommodate the turn around, which shall be designed and constructed at the Developer's expense.

16. GENERAL PROVISIONS.

16.1 Entire Agreement; Amendments.

This Agreement embodies the entire agreement and understanding between the Parties hereto relating to the subject matter hereof and thereof, and supercede 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.

16.2 Binding Effect; Successors and Assignors.

The Developer shall have no right to assign its rights and duties under this Agreement to any other Party without the approval of the City Manager.

16.3 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.

16.4 Notices.

- (a) Manner of Notification. All required or appropriate notices under this Agreement shall be effective, as noted in Section 16.4(c) if in writing and mailed certified, return receipt requested or as noted in Section 16(b), as follows:

(i) if to the Developer:

Michael A. D'Amante
c/o Siena Bodwell
D'Amante Couser Pellerin & Associates, P.A.
9 Triangle Park Drive
PO Box 1750
Concord, NH 03302-1750

With a copy to:
Raymond P. D'Amante, Esq.
D'Amante Couser Pellerin & Associates, P.A.
9 Triangle Park Drive
PO Box 2650
Concord, NH 03302-2650

(ii) if to the City:

City of Concord
City Hall
41 Green Street
Concord, NH 03301
Attn: City Manager
Tele: 603-225-8570
Fax: 603-225-8558

with a copy to:

Carlos P. Baía
Deputy City Manager
City of Concord
City Hall
41 Green Street
Concord, NH 03301
Tele: 603-225-8570
Fax: 603-225-8558

or to such other address as any Party shall notify the other Party of in writing.

- (b) Alternate Methods of Notice. The provision of the foregoing method of notice shall not prevent the use of any other method of delivering actual written notice, including hand delivery or delivery by courier service and receipted for.
- (c) Time of Notice. Any notice shall be deemed to be given when it is delivered or, if delivered by any other method of notice, when received at

the Party's address specified above.

16.5 Counterparts.

This Agreement may be signed by each Party hereto upon a separate copy in which event all of said copies shall constitute a single counterpart of this Agreement. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, and it shall not be necessary in making proof of this Agreement to produce or account for more than one such counterpart.

16.6 Exhibits.

All exhibits referred to in this Agreement are hereby incorporated by reference and expressly made a part hereof.

16.7 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.

16.8 Enforceability/Severability.

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; and the Parties agree to negotiate in good faith to amend the Agreement to provide for each Party to the Agreement the same relative rights and obligations existing prior to such determination of illegality or unenforceability.

16.9 Consent to Jurisdiction and Venue.

The Developer 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, and further waive any and all objections it may have as to venue in such courts and waives all rights to bring any such action or proceeding before any other court or tribunal.

16.10 Independent Parties.

The City and Developer 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.

16.11 Survival of Agreement.

The agreements, covenants, indemnities, representations and warranties contained herein and in any Related Agreements, shall survive the execution and delivery of this Agreement, and other related agreements.

16.12 Waivers.

Failure on the part of any Party to complain within a reasonable time of any action or non-action on the part of the other Party 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.

16.13 No Rights Conferred Upon Others.

Except as expressly set out herein, nothing in this Agreement shall be construed as giving any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization or government, other than the Parties, hereto, their nominees, successors and permitted assigns, any right, remedy or claim under or in respect of this Agreement or any provision hereof.

16.14 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.

16.15 Time of the Essence.

Time is expressly declared to be of the essence of this Agreement.

16.16 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.

16.17 Municipal Approvals.

The execution of this Agreement does not excuse Applicant from the requirement to apply for and receive all necessary permits and approvals from all applicable City Boards

and Committees.

17. EXHIBITS.

List of Exhibits:

Exhibit A - The State Land and/or State Property

Exhibit B - The City Property

Exhibit C - September 9, 2009 Vote of the Governor and Council

Exhibit D - The Foster Parcels

(The remainder of this page is intentional left blank.)

Executed as a sealed instrument this 16 day of July, 2013.

City of Concord

[Signature]
Witness

By: [Signature]
~~Thomas Aspell, Jr.~~ CARLOS BAIA
ACTING Its City Manager
Duly Authorized

Siena/Bodwell Joint Venture Group

[Signature]
Witness

By: [Signature]
Michael A. D'Amante
Its Manager
Duly Authorized

[Signature]
Witness

By: [Signature]
Michael A. D'Amante
Its Manager
For Bodwell Realty Investments, LLC
Duly Authorized

[Signature]
Witness

By: [Signature]
Michael A. D'Amante
Its Manager
For Siena Investments, LLC
Duly Authorized

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

In Concord, on the 16th day of July, 2013, before me, personally appeared ~~Thomas Aspell, Jr.~~ ^{Carlos Baia}, 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.

[Signature]
Justice of the Peace/Notary Public

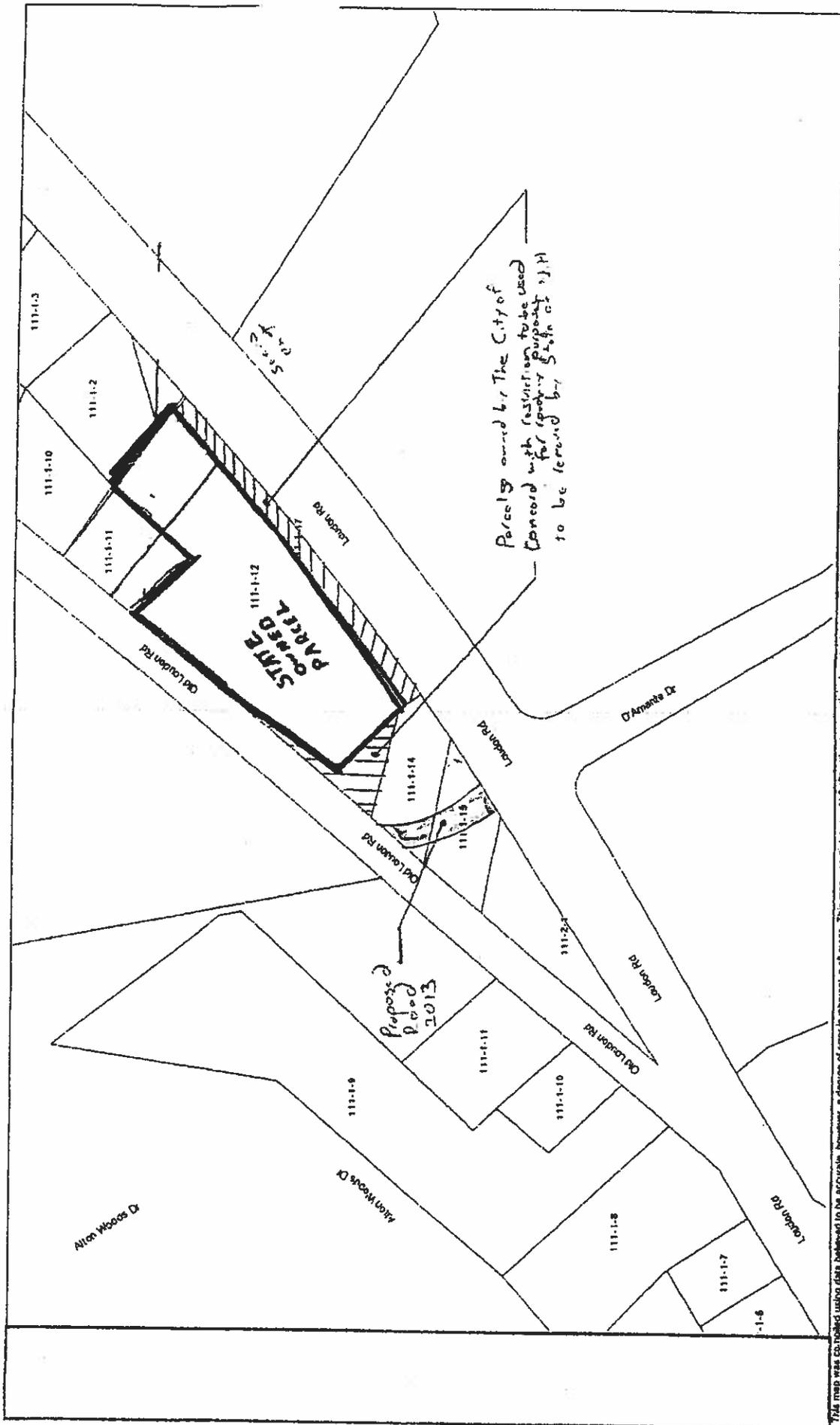
SUZANNE M. STEVENS, Notary Public
My Commission Expires February 22, 2017

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

In Conceded YH, on the 16th day of July, 2013, before me, personally appeared **Michael A. D'Amante**, 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.

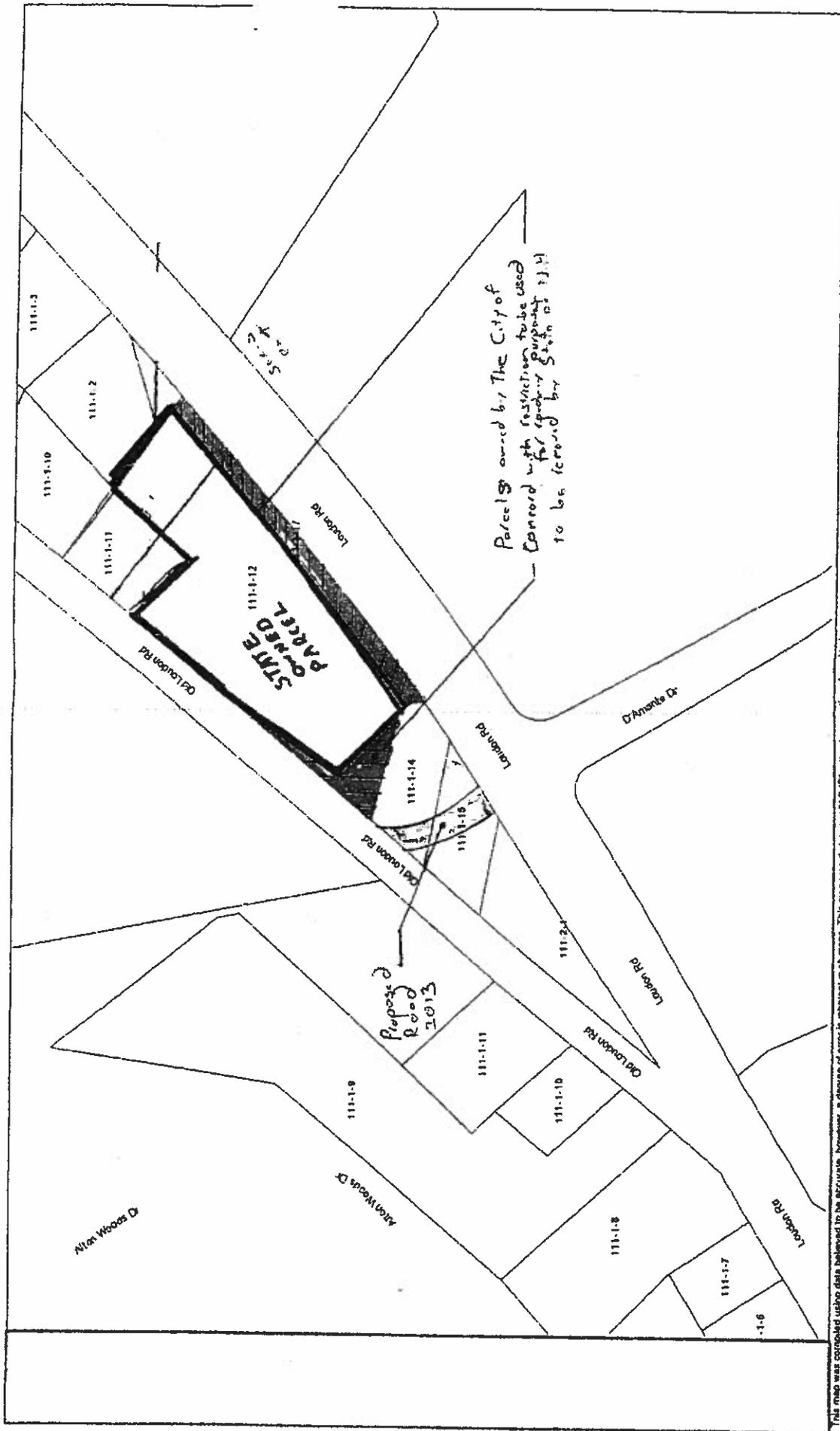


Joanna T. Hodges
Justice of the Peace/Notary Public



83 385 0 83 385 128 77

This map was compiled using data believed to be accurate, however, a degree of error is inherent in all maps. This map was estimated "AS IS" without warranty of any kind, either expressed or implied, including but not limited to warranties of accuracy, in a particular purpose or use. No attempt has been made in either the design or production of the maps to define the limits of jurisdiction of any federal, state, or local government. Detailed on-the-ground surveys and historical analyses of sites may differ from the maps.



63.385 0 63.385 126.77

This map was compiled using data believed to be accurate, however, a degree of error is inherent in all maps. This map was drawn as "AS IS" without warranty of any kind, either expressed or implied, including but not limited to warranties of accuracy for a particular purpose or use. No attempt has been made in either the design or production of the map to define the limits or jurisdiction of any federal, state, or local government. Detailed on-the-ground surveys and historical analyses of lots may differ from the map.

GOVERNOR AND COUNCIL

AGENDA

September 9, 2009

APPROVED Item #113 Authorize to amend G&C item #122 approved April 1, 2009, by reallocating funds and establishing new classes in the amount of \$11,547,491 to reflect actual allocation of the funding received. Effective upon G&C approval through February 17, 2012. (2)Further authorize to accept and expend \$40,556 of additional ARRA funding for construction projects. Effective upon G&C approval through February 12, 2011. Letter dated July 29, 2009

APPROVED Item #114 Authorize to enter into a sole source agreement with Maine Technical Source Inc., Yarmouth, ME, for maintenance and repairs to total station survey equipment in the amount of \$20,000.
Letter dated July 24, 2009 (Maine Technical Source Inc. #60958)

APPROVED Item #115 Authorize Bureau of Mechanical Services – Fuel Distribution, to establish one full-time temporary Electrician Supervisor II position, LG 17. (2)Further authorize to accept and expend revenue as a result of fuel sales in the amount of \$47,855.68 for the hiring of a full-time temporary Electrician Supervisor II position, LG 17
Letter dated August 6, 2009

APPROVED Item #116 Authorize Bureau of Planning and Community Assistance petition for a hearing on alterations to be made to reconstruct the intersection of Maple Avenue and West Pleasant Street, also known as "Drapers Corner," a Class IV highway, in the City of Claremont, NH. Letter dated August 14, 2009

APPROVED Item #117 Authorize Office of Stewardship & Compliance to enter into a contract with Contractors Risk Management Inc., for excavation and trenching competent person training in the amount of \$15,000.
Letter dated July 23, 2009 (Contractors Risk Management Inc. #201174)

APPROVED Item #118 Authorize Bureau of Traffic to enter into a contract with Eckhardt & Johnson Inc., for plumbing, heating, ventilation and air conditioning for services at the Bureau of Traffic facilities in the amount of \$20,000.
Letter dated August 6, 2009 (Eckhardt & Johnson #154179)

APPROVED Item #119 Authorize Bureau of Right of Way to pay various owners \$61,000 as documented in the Contemplated Awards List for amounts greater than \$5,000 for the period extending from June 31, 2009 through August 24, 2009.
Letter dated August 24, 2009

APPROVED Item #120 Authorize Bureau of Right of Way to sell a 2.74-acre parcel of State owned land in Concord to the City of Concord for \$955,000 and in addition charge a \$1,100 Administrative Fee.
Letter dated August 17, 2009

APPROVED Item #121 Authorize Bureau of Right of Way to sell a 6,050 square foot parcel of State owned land in Gorham to William J. Green Jr., and Priscilla J. Green for \$31,100 which includes a \$1,100 Administrative Fee.
Letter dated August 10, 2009

APPROVED Item #122 Authorize Bureau of Right of Way to transfer control of two contiguous parcels of State owned land consisting of 0.45 of an acre located in the Towns of Windham and Salem to the NH Department of Resources and Economic Development. (2) Further authorize to accept control of two contiguous parcels of State owned land consisting of 0.45 of an acre located in the Towns of Windham and Salem from the NH DOT, to the NH DRED at no cost.
Letter dated August 5, 2009

APPROVED Item #123 Authorize Bureau of Highway Design to amend a contract with CHA Inc., Keene, NH, for the final design of the expansion of the Spaulding Turnpike from Exit 11 to Exit 16 in the City of Rochester, by increasing the amount by \$499,547.20 from \$7,335,049.53 to \$7,834,596.73.
Letter dated July 31, 2009 (CHA, Inc. #175302)

APPROVED Item #124 Authorize Bureau of Aeronautics to amend a grant to provide additional funding to the City of Manchester for AIP-70 to install additional safety, and security window film in the Manchester-Boston Airport terminal building in the amount of \$3,242.67.
Letter dated August 26, 2009 (City of Manchester #177433)

APPROVED Item #125 Authorize Bureau of Aeronautics to provide funding to the City of Lebanon, NH, for AIP-42 to implement the second phase of an Environmental Assessment for the Lebanon Municipal Airport in the amount of \$152,233.
Letter dated August 25, 2009 (City of Lebanon #177422)

APPROVED Item #126 Authorize Bureau of Aeronautics to provide additional funding to the Town of Whitefield, NH, to construct, mark, light, and sign partial parallel Taxiway "A" and partial reconstruction of aircraft ramp at the Mount Washington Regional Airport in the amount of \$6,887.61.
Letter dated August 14, 2009 (Town of Whitefield #177499)

APPROVED Item #127 Authorize Bureau of Aeronautics to award a grant to the City of Manchester for AIP-78 for Phase II-Airport Terminal apron repairs in the amount of \$719,537.90.
Letter dated August 7, 2009 (City of Manchester #177433)

APPROVED Item #128 Authorize Bureau of Construction to enter into a contract with TMC Services Inc., Bellingham, MA for fuel tank removal and replacement at the Twin Mountain Patrol Shed and the Tamworth Police Troop E facility on the basis of a low bid of \$787,420. (2) Further authorize a contingency in the amount of \$78,742 for payment of latent conditions which may appear during the construction of the project.
Letter dated August 4, 2009 (TMC Services Inc. #162134)

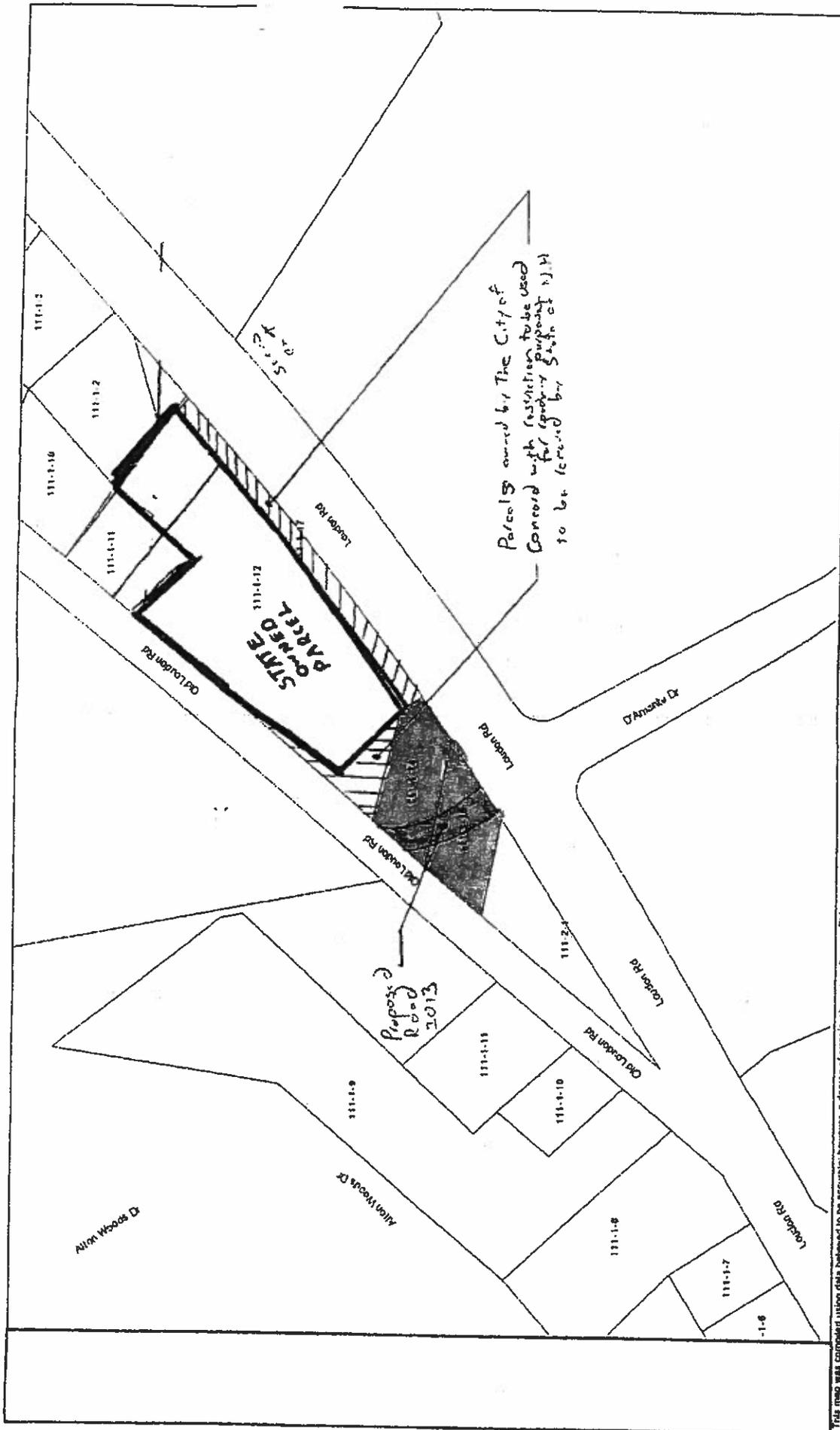
APPROVED Item #129 Authorize Bureau of Construction to enter into a contract with Stephen Marquis Associates Inc., Merrimack, NH for fuel tank removal and replacement at the Thomson Patrol Sheds on the basis of a low bid of \$772,088. (2) Further authorize a contingency in the amount of \$77,208.80 for payment of latent conditions which may appear during the construction of the project.
Letter dated August 4, 2009 (Stephens Marquis Associates, Inc. #157584)

LATE ITEM

APPROVED - Dummer - R.S. Audley, Inc.

THE FOSTER PARCELS

Exhibit I



0 63.385 126.77

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CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEVELOPMENT AND PURCHASE AND SALES AGREEMENT WITH THE SIENA BODWELL JOINT VENTURE GROUP TO ACCOMPLISH THE FOLLOWING: 1) TO PURCHASE A +/- 2.7 ACRE PARCEL FROM THE STATE OF NEW HAMPSHIRE—IDENTIFIED AS MBL 111E-1-12—FOR \$955,000 AND A \$1,100 ADMINISTRATIVE FEE WITH THE COSTS FOR THIS PURCHASE BEING BORNE BY THE SIENA BODWELL JOINT VENTURE GROUP; AND 2) TO SELL +/- .58 ACRES OF CITY OF CONCORD LAND IDENTIFIED AS MBL 111E-1-17 AND MBL 111E-1-18 TO THE SIENA BODWELL JOINT VENTURE GROUP TO ALLOW FOR THE SIENA BODWELL JOINT VENTURE GROUP'S CONSTRUCTION OF CERTAIN PUBLIC IMPROVEMENTS IDENTIFIED AS CITY CIP #39 AND THE DEVELOPMENT OF +/- 31,000 S.F. OF COMMERCIAL REAL ESTATE

The City of Concord resolves as follows:

- WHEREAS,** The City issued a RFP #28-08 in 2008 to solicit proposals for the development of +/- 3.4 acres of public property located on Loudon Road across from the Steeplegate Mall; and
- WHEREAS,** The Siena Bodwell Joint Venture Group was the successful proposer accepted by City Council on May 27, 2008 by Council Resolution #8163; and
- WHEREAS,** The City Council directed the City Manager on May 27, 2008 to draft a development agreement with the Siena Bodwell Joint Venture Group contingent upon disposition of the property belonging to the State of New Hampshire (Resolution #8163); and
- WHEREAS,** The City was desirous to acquire the State property and transfer the land to the Siena Bodwell Joint Venture Group at a simultaneous closing to ensure

Resolution No. 8666

stipulations contained in the Development and Purchase and Sale Agreement.

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

1. The City Manager is authorized to enter into a Development and Purchase and Sales Agreement with the Siena Bodwell Joint Venture Group to accomplish the following: 1) to purchase a +/-2.7 acre parcel from the State of New Hampshire—identified as MBL 111E-1-12—for \$955,000 and a \$1,100 administrative fee with the costs for this purchase being borne by the Siena Bodwell Joint Venture Group; and 2) to sell +/- .58 acres of City of Concord land identified as MBL 111E-1-17 AND MBL 111E-1-18 to the Siena Bodwell Joint Venture Group to allow the Siena Bodwell Joint Venture Group to construct certain public improvements identified as City CIP #39 and the development of +/- 31,000 square feet of commercial real estate.
2. This resolution shall take effect upon its passage.

In City Council

June 10, 2013

Passed

Janice Bonenfant
City Clerk

CITY OF CONCORD

In the year of our Lord two thousand and eight

RESOLUTION accepting the Windsor Square Proposal and directing the City Manager or his designee to draft a development agreement with the Siena Bodwell Joint Venture Group contingent upon successful disposition of +/-3.43 acres of property currently owned by the State of New Hampshire (Tax Map 111E-1-12)

WHEREAS, the City of Concord strives to enhance its tax base for the increased quality of life of its residents;

WHEREAS, the City of Concord issued a Request for Proposals #28-08 entitled "Sale of 3.43 Acre Parcel as Part of Comprehensive Development Proposal" in January 2008 for the purpose of soliciting development proposals for property located on Loudon Road and Old Loudon Road;

WHEREAS, the Siena Bodwell Joint Venture Group responded to the RFP by the deadline of March 14, 2008 through the submittal of the "Windsor Square Proposal";

WHEREAS, the Windsor Square Proposal was reviewed by City staff and found to be acceptable and conforming to the requirements of the RFP;

WHEREAS, the Windsor Square Proposal was presented to the Economic Development Advisory Council on April 2, 2008 and unanimously recommended for Council acceptance;

WHEREAS, the Windsor Square Proposal was presented to the Architectural Design Review Committee at its meeting of April 8, 2008 and received positive response with only minor changes recommended;

WHEREAS, the next step in moving forward on the Windsor Square Proposal is for the City Council to accept said proposal and direct the City Manager or his designee to draft a development agreement with the Siena Bodwell Joint Venture Group for the purposes of initiating the development of the proposal;

WHEREAS, it is understood that any stipulation made in said development agreement is contingent upon the successful disposition of a +/- 3.43 acre parcel belonging to the State of New Hampshire (Tax Map 111E-1-12) located on Loudon Road from the State to the City of Concord;

WHEREAS, it is understood that Siena Bodwell Joint Venture Group will be responsible for providing the City of Concord with the necessary funds for the acquisition of said State property and any costs borne by the City in said real estate transaction prior to the sale;

Now, therefore, be it resolved, by the Mayor and members of the Concord City Council that we hereby accept the Windsor Square Proposal as submitted by the Siena Bodwell Joint Venture Group and direct the City Manager or his designee to draft a development agreement with said Group for implementation of the development plan outlined in the Windsor Square Proposal

In City Council
May 12, 2008
Passed


City Clerk



Bm 8/25/14
9-10

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION APPROPRIATING THE SUM OF FIFTY THOUSAND DOLLARS (\$50,000) FOR THE CITY OF CONCORD'S 250TH ANNIVERSARY TO BE FUNDED FROM GENERAL UNASSIGNED FUND BALANCE.

The City of Concord resolves as follows:

- WHEREAS,** funds were not budgeted in the FY2015 budget for this purpose; and
- WHEREAS,** "Concord250" is requesting funds to help support the birthday celebration activities; and
- WHEREAS,** the City of Concord recognizes this need; and
- WHEREAS,** the City Council supports a successful celebration of the City's 250th anniversary; and
- WHEREAS,** this appropriation is for a purpose not included in the adopted budget, therefore, Section 37 of the City Charter requires two-thirds vote of the City Council;

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

1. The sum of\$50,000
be and is hereby appropriated as follows:

| | |
|-------------------------|-----------------|
| <u>General Fund</u> | |
| City Manager Department | |
| Outside Services | <u>\$50,000</u> |
| Total | \$50,000 |

2. Revenue for this project is available as follows:

| | |
|--------------------------------|----------|
| <u>General Fund</u> | |
| Un-Assigned Fund Balance | \$50,000 |

3. These funds shall be expended under the direction of the City Manager.
4. This resolution shall take effect upon passage.



CITY OF CONCORD

TAC

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Brian G. LeBrun, Deputy City Manager-Finance *Ben*
DATE: August 21, 2014
SUBJECT: \$50,000 Supplemental Appropriation to Support Concord250 activities for the City's 250th Birthday Celebration

Recommendation

The Fiscal Policy Advisory Committee (FPAC) recommends that the City Council appropriate \$50,000, resolution attached, to support the work of Concord250 and the City's 250th birthday celebration.

Background

The Concord250 group made a presentation to the City Council at its July regular City Council meeting seeking funding to help support the celebration work and activities planned for the City's 250th birthday celebration. The City council referred the issue to FPAC for review and recommendation.

Discussion

On Thursday August 20, 2014, the FPAC met to discuss a variety of items including a presentation from the Concord250 group requesting funding to support its celebration activities. City Councilor Shurtleff spoke briefly about the good work the committee has started their need for the funds. Van Mcleod, an ex-officio member of the 250 group spoke at length about the planned programs, the budget, and the need to bring on part time staff for event planning and promotion. FPAC recommended 4-1 to appropriate \$50,000 for this purpose or other operational needs, either as all cash or \$25,000 cash and \$25,000 in kind contribution. The 250 Committee has requested the contribution as all cash.

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION APPROPRIATING ONE THOUSAND FIVE HUNDRED THIRTY SIX DOLLARS (\$1,536) TO THE NORTH END OPPORTUNITY CORRIDOR TAX INCREMENT FINANCE DISTRICT FUND OPERATING BUDGET FOR FISCAL YEAR 2014 RETROACTIVE TO JUNE 30, 2014.

The City of Concord resolves as follows:

WHEREAS, the amended Fiscal Year 2014 North End Opportunity Corridor District Tax Increment Finance District (NEOCTIF) Fund operating budget appropriation in the amount of \$966,420 was not sufficient to meet the needs of the Fund; and

WHEREAS, the preliminary Fiscal Year 2014 financial statements reflect actual expenditures of \$967,956, a difference of \$1,536; and

WHEREAS, additional funds were needed to pay abatements; and

WHEREAS, overall revenue was projected to be \$685,930 and actual revenue received was \$702,394 due to insurance settlement from the former Agway building fire; and

WHEREAS, sufficient revenue was received to support this supplemental appropriation; and

WHEREAS, this appropriation is for a purpose not included in the FY 2014 adopted budget, therefore, Section 37 of the City Charter requires a two-thirds vote of the City Council;

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

- 1) The sum of.....\$1,536
be and is hereby appropriated as follows:

NEOCTIF Fund
Operating budget.....\$1,536

- 2) Revenue is available as follows:

NEOCTIF Fund
Excess Insurance Distribution and Credit revenue.....\$1,536

- 3) These funds shall be expended under the direction of the City Manager.

- 4) This resolution shall take effect upon its passage.



CITY OF CONCORD

TAA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Brian G. LeBrun, Deputy City Manager-Finance *Brian*
DATE: August 19, 2014
SUBJECT: \$1,536 Supplemental Appropriation for the North End Opportunity Corridor Tax Increment Finance District (NEOCTIF) operating budget retroactive to June 30, 2014

Recommendation

The Department recommends adoption of the attached supplemental resolution to increase the FY 2014 NEOCTIF District Fund operating budget from \$966,420 to \$967,956.

Background

Each year during the annual budget process, expense budgets are developed based on anticipated needs and historical usage. For FY 2014, the actual needs in the NEOCTIF District fund for abatements exceeded total appropriations.

Discussion

During the course of FY 2014, it became necessary to pay abatements that exceeded the revised appropriated funds. Upon completion of the fiscal year, and presentation of the preliminary financial result, it became apparent that an additional appropriation request was in order to support the actual expenditure needs.

Brian 8/27/14
9-12

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING THE SUM OF ONE HUNDRED EIGHT THOUSAND DOLLARS (\$108,000) FROM DG STRATEGIC II, LLC FOR THE CONSTRUCTION OF SANITARY SEWER SYSTEM IMPROVEMENTS ALONG FISHERVILLE ROAD IN CONJUNCTION WITH THE SANITARY SEWER REHABILITATION AND CONSTRUCTION PROJECT (CIP #91).

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, the City of Concord and DG Strategic II, LLC entered into a development agreement on June 17, 2014 where the Dollar General project developer agreed to make a one-time payment to the City in lieu of completing sanitary sewer system improvements to its development site at 197 Fisherville Road so that the sanitary sewer improvements could match the final street improvements associated with the US Route 3 Corridor Improvement project; and

WHEREAS, on June 24, 2014, the City received and deposited such payment associated with the improvements required; and

WHEREAS, the City Engineer has determined that the improvements are needed along the property frontage and will be completed as part of the US Route 3 Corridor Improvement Project; and

WHEREAS, this appropriation is for a purpose not included in the adopted budget, therefore section 37 of the City Charter requires a two-thirds vote of the City Council.

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

1. The sum of\$108,000 be and is hereby appropriated as follows:

Sewer Capital Projects Fund
Engineering Services Division
FY 2015 Sanitary Sewer Rehabilitation and Construction Project (CIP #91)... \$108,000

2. Said revenue shall be available as follows:

Sewer Capital Projects Fund
Engineering Services Division
DG Strategic II, LLC \$108,000

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING THE SUM OF ONE HUNDRED EIGHT THOUSAND DOLLARS (\$108,000) FROM DG STRATEGIC II, LLC FOR THE CONSTRUCTION OF SANITARY SEWER SYSTEM IMPROVEMENTS ALONG FISHERVILLE ROAD IN CONJUNCTION WITH THE SANITARY SEWER REHABILITATION AND CONSTRUCTION PROJECT (CIP #91).

Page 2 of 2

3. Sums as appropriated shall be expended under the direction of the City Manager.
4. This resolution shall take effect upon its passage.



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, PE, City Engineer

DATE: August 22, 2014

SUBJECT: Resolution appropriating \$108,000 in private donations for the construction of sanitary sewer improvements in conjunction with the Sanitary Sewer Main Rehabilitation and Construction Project (CIP91).

Recommendation

Accept this report and set the attached appropriation resolution for an October 13, 2014 public hearing.

Background

In conjunction with the Dollar General project in Penacook, the City and DG Strategic II, LLC entered into a development agreement on June 17, 2014 where the Dollar General project developer agreed to make a one-time payment to the City in lieu of completing sanitary sewer system improvements to its development site at 197 Fisherville Road so that the sanitary sewer improvements could be incorporated into the final street improvements associated with the US Route 3 Corridor Improvement project.

Discussion

As part of a cooperative effort between the City and the Dollar General developer, the City agreed to include the construction of sanitary sewer improvements along Fisherville Road as part of the overall street reconstruction improvements scheduled in 2015, part of the US Route 3 Corridor Improvement Project (CIP35) if the developer agreed to pay for those improvements.

On June 17, 2014, the City entered into an agreement to accept payment for the required sanitary sewer improvements and include the work in the Phase 6 project area of the US Route 3 Corridor project. The benefits of doing this is two-fold; first, the developer recognizes a significant cost savings in roadway reconstruction and traffic management to construct the sewer, and second; the City is able to control the work and only disrupt the area once by incorporating the improvements into the corridor project. The total costs for the sanitary sewer improvements including design, construction of the sewer improvements, and project management will be borne by the developer. The estimated cost to complete this work, including contingencies, is \$108,000. On June 24, 2014, the City received and deposited the required payment associated with this work.

Therefore, it is recommended that City Council accept this report and set the attached appropriation resolution for a public hearing at the October 13, 2014 Council meeting. Where the final design is underway for the Phase 6 improvements of the US Route 3 Corridor Improvement Project, the funds will be used for the design, construction, and project management of the sewer improvements required as part of the Dollar General development project.

elr/E
attachment

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING THE SUM OF ONE HUNDRED ELEVEN THOUSAND SIX HUNDRED NINETY DOLLARS (\$111,690) IN GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PURPOSE OF PURCHASING NEW PROTECTIVE BREATHING EQUIPMENT FOR THE FIRE DEPARTMENT FOR CIP #573 .

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, the Concord Fire Department has received notification from the United States Federal Emergency Management Agency that its application for grant funding under the Assistance to Firefighters Grant Program has been approved for additional funding; and

WHEREAS, the Concord Fire Department intends to purchase self-contained breathing equipment for conducting operations in hazardous environments with the proceeds of these additional grant funds; and

WHEREAS, this need has been identified as a Capital Improvement Program item for Fiscal Year 2016; and

WHEREAS, approval of this resolution will move this project up from Fiscal Year 16 to Fiscal Year 15;

WHEREAS, this appropriation is for a purpose not included in the adopted budget, therefore, Section 37 of the City Charter requires two-thirds vote of the City Council; and

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

1. The sum of\$111,690
be and is hereby appropriated as follows:

| | |
|--|-----------|
| <u>General Capital Improvements Fund</u> | |
| Fire Department CIP #573 (Personal Protective Equipment) | \$111,690 |
| Total | \$111,690 |

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING THE SUM OF ONE HUNDRED ELEVEN THOUSAND SIX HUNDRED NINETY DOLLARS (\$111,690) IN GRANT FUNDS FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR THE PURPOSE OF PURCHASING NEW PROTECTIVE BREATHING EQUIPMENT FOR THE FIRE DEPARTMENT FOR CIP #573.

Page 2 of 2

2. Revenue for this project is available as follows:

General Capital Improvements Fund

| | |
|---|-----------|
| United States Federal Emergency Management Agency | \$111,690 |
| Total | \$111,690 |

3. Sums as appropriated shall be administered and expended under the direction of the City Manager.
4. The useful life of the project is expected to be in excess of ten (10) years.
5. This resolution shall take effect upon its passage and upon the acceptance by the City of Concord of the grant award by the United States Federal Emergency Management Agency.



CITY OF CONCORD

TEA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Daniel L. Andrus, Fire Chief

DATE: August 25, 2014

SUBJECT: Council Report to Accompany the Resolution Appropriating Additional Funds from Grant Proceeds to Purchase Self Contained Breathing Equipment

Recommendation

The Fire Department requests that the City Council accept this report and approve the accompanying resolution.

Background

On July 14, 2014, the City Council approved a resolution accepting and appropriating the sum of \$463,505 for the purchase of new protective breathing equipment for the Fire Department. This sum consisted of \$371,826 in grant funds from the Federal Emergency Management Agency and \$91,679 from the City of Concord.

On August 22, 2014, Fire Department staff members were notified that the City would be receiving an additional \$111,690 from this grant award. The acquisition of these additional funds resulted from a review of the original grant award requested by Deputy Fire Chief Sean Toomey and Administrative Specialist II Erin Newnan. FEMA allowed funding for an additional 17 self-contained breathing apparatus which cost \$7,300 apiece, and the additional grant proceeds represent the Federal share of 90% of the project. No additional funds from the City are required for the match as the funds approved in July fully covered the City's share.

The remainder of the project will be included in the FY16 Capital Improvement Program.

Discussion

The Fire Department will continue to report significant developments in this project.



CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING THE SUM OF THREE THOUSAND DOLLARS (\$3,000) IN UNMATCHED GRANT FUNDS FROM THE NEW HAMPSHIRE DEPARTMENT OF SAFETY.

The City of Concord resolves as follows:

WHEREAS, the Concord Fire Department has received notification from the New Hampshire Department of Safety that grant funds are available for providing training in Emergency Operations Center (EOC) activities and the WebEOC program; and

WHEREAS, the Concord Fire Department has received notification that overtime and backfill costs are eligible for reimbursement under the terms of this grant program; and

WHEREAS, the Concord Fire Department expects to expend approximately \$3,000 in the course of sending members to training; and

WHEREAS, this appropriation is for a purpose not included in the adopted budget, therefore, Section 37 of the City Charter requires two-thirds vote of the City Council;

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

1. The sum of\$3,000
be and is hereby appropriated as follows:

| | |
|---|---------|
| <u>Miscellaneous Special Revenue Fund</u> | |
| Fire Department | |
| Compensation | \$3,000 |
| Total | \$3,000 |

2. Revenue for this project is available as follows:

| | |
|---|---------|
| <u>Miscellaneous Special Revenue Fund</u> | |
| Homeland Security Grant Program..... | \$3,000 |

3. This resolution shall take effect upon its passage.
4. Sums as appropriated shall be administered and expended under the direction of the City Manager.



CITY OF CONCORD

120

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Daniel L. Andrus, Fire Chief and Emergency Management Coordinator

DATE: August 27, 2014

SUBJECT: Report from the Fire Chief to Accompany a Resolution Accepting and Appropriating Grant Funds for Training in Emergency Operations Center Functions

Recommendation

The Fire Department requests that the City Council accept this report.

Background

The City has experienced three events requiring activation of its Emergency Operations Center (EOC) in the past five years. These events included a windstorm in February of 2010 and tropical storms in 2011 and 2012. These events required only short term activations, lasting less than a full day. After action reviews of these events consistently identify the need for staffing levels to support operational periods of multiple days. The Fire Department responded to this need by creating "Out of Division" lists to allow qualified employees to make themselves available for such duty should the need arise. These employees are required to complete several courses related to this duty, the majority of which are available on line.

One of the courses which is not available in an online format is an introduction to Web EOC, the software program hosted by the New Hampshire Division of Homeland Security and Emergency Management that is used to link all local jurisdictions with the State Emergency Operations Center for coordination. The Department of Safety has communicated the availability of funding to Fire Department Administration for delivering this course and paying associated costs such as overtime and backfill. The accompanying resolution authorizes the receipt and appropriation of those funds. There will also be a brief orientation to the City's Emergency Operations Center. Additional spots are very likely to be available to assure that members of other City departments can participate in this training so that the City can receive consistent and reliable services from its EOC in the event of a major emergency. The course is tentatively scheduled for late October.

Discussion

The Fire Department will continue to report significant developments in emergency management issues in a timely fashion.



CITY OF CONCORD

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

DATE: August 27, 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

August 4, 2014

Dear Chief Osgood,

I wanted to write and tell you of an experience I had with one of your very fine officers this past weekend. On Sunday morning, Officer Fanjoy appeared at my front door which was a total surprise to me. He explained that he had heard from Jim Majors of the City that I had called about the heavy use of our road for car transportation and was here to talk with me about it. He very nicely took the time to explain that he has been ticketing the trucks that have been using the road in error and how the trucking companies are dealing with it.

I wanted to tell you he is an officer who represents the Concord PD in the best way possible. It was a pleasure to meet him and to know that he is on "our beat" much of his time. He represents the best of the law enforcement community and it is a pleasure to have gotten to know him and to know he is in our part of town. It gives me great confidence and comfort to know that officers such as Officer Fanjoy are in our area and are part of our law enforcement community.

Thank you for your work and for providing the citizens of this City with such commendable officers.


Peg Smith
159 Carter Hill Road
Concord, NH

Cc: Officer Scott Fanjoy

RECEIVED

AUG 06 2014

CONCORD, N.H. POLICE
DEPARTMENT

From: Richardson, Keith
Sent: Thursday, July 24, 2014 22:58
To: Petrin, Ernest
Cc: Bourque, Scott
Subject: Call 14-4156

Capt. Petrin,

I Hope all is well with you. I would just like to recognize Dispatcher Scott Bourque for his quick decision making that truly made a difference in the outcome of a patient. On 7/22/14 55AMB7 was sent to 36 Green St for an alpha call, just as we were arriving we were redirected with 55TWR1 to Bridlepath Ln for a delta level fall and Scott sent 55AMB5 (coming from Penacook) to Green St for the Alpha level call.

The time saved by redirecting AMB7 dramatically affected the outcome of this patient who was experiencing a severe stroke. We hope that Scott receives formal recognition to match the credibility he has earned by all the members on the floor for making such time sensitive decisions and to help encourage he, and his fellow dispatchers to continue to use their discretion in situations like these in the future.

Respectfully,
FF/Paramedic Keith Richardson.

From: lorijoubert@gmail.com [mailto:lorijoubert@gmail.com]

Sent: Friday, August 15, 2014 7:02 AM

To: Carter, Tori

Subject: Re: Parks and Recreation Camp Feedback

Tori,

We cannot thank you and the staff at the Concord Recreation Camp's enough and have nothing but positive feedback to give. Nathan has attended camp three years in a row and has loved each year more and more. It has been a relief and made our lives so much easier when knowing we can drop him somewhere he loves being and know he is busy, happy and safe. Every week he is anxious to go to camp and every Friday sad to go. He would come on weekends if he could. The activities and field trips are exactly what Nathan enjoys and needs. He has always needed to keep active and craved the structure that the camp has provided. The trips have been a blessing to us, as some of these places we would never get to due to financial reasons. I love that Nathan has the opportunity to get there for a cheap price. The camp counselors are all wonderful and Nathan is very fond of all of them. He will miss them when he goes!

We thank you all for another wonderful summer! I know he is already looking forward to next year!

Lori Joubert

Sent from Windows Mail

RECEIVED

AUG 21 2014

CITY ENGINEERS OFFICE
DUNELAND, NJ

Bob

Your kindness made
all the difference.

Thank you so much having the
Cross Walks done on East Side Drive.
I have been so worried someone
would be hit with a car where
as the cars do not slow down.
Sunny Kelley

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

Results based on total comment cards received for July 2014

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

| | | | |
|----------------------|-----------------------|-------------------------|----------------------|
| Motor Vehicle (2) | Property Taxes (0) | Utility Payments (0) | Misc. Billing (0) |
|----------------------|-----------------------|-------------------------|----------------------|

| | | | |
|-----------------------|------------------|----------------------|---------------------|
| Our staff was: | courteous (0) | knowledgeable (0) | professional (0) |
|-----------------------|------------------|----------------------|---------------------|

| | | | |
|-------------------------|------------------|----------------------|---------------------|
| Our service was: | courteous (0) | knowledgeable (0) | professional (0) |
|-------------------------|------------------|----------------------|---------------------|

Comments and suggestions:

- 1) The staff was very nice.
- 2) Donna was amazing.

August 4, 2014

Dear Chief Osgood,

I wanted to write and tell you of an experience I had with one of your very fine officers this past weekend. On Sunday morning, Officer Fanjoy appeared at my front door which was a total surprise to me. He explained that he had heard from Jim Majors of the City that I had called about the heavy use of our road for car transportation and was here to talk with me about it. He very nicely took the time to explain that he has been ticketing the trucks that have been using the road in error and how the trucking companies are dealing with it.

I wanted to tell you he is an officer who represents the Concord PD in the best way possible. It was a pleasure to meet him and to know that he is on "our beat" much of his time. He represents the best of the law enforcement community and it is a pleasure to have gotten to know him and to know he is in our part of town. It gives me great confidence and comfort to know that officers such as Officer Fanjoy are in our area and are part of our law enforcement community.

Thank you for your work and for providing the citizens of this City with such commendable officers.


Peg Smith
159 Carter Hill Road
Concord, NH

Cc: Officer Scott Fanjoy ✓





9-16

AA

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

SANDI LEE
 PAMELA STAUFFACHER
 CO INTERIM LIBRARY DIRECTORS
 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 \$1,835.70 as
 Provided for Under the Preauthorization Granted by City Council
DATE: August 27, 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 | Project Accounting |
|----------------------------------|-------------------|--|--|
| Concord Public Library Patrons | \$404.00 | Fees paid by patrons to replace lost and damaged library materials from 07/27/2014 through 08/26/2014 | GRTLIBLstPd 2910 2013 - 2013 and beyond |
| Concord Public Library Book Sale | \$1,366.70 | Revenue from sale of used and donated books, audio materials and videos from 07/27/2014 through 08/26/2014 | GRTLIBMAt 2910 Book Sale Rev - Book Sale Revenue |
| Matthew R. St. Onge | \$20.00 | Purchase library book dedicated to Victoria Leigh | GRTLIBMAt 2910 Library Materials Gifts 2013 and beyond |
| Jane E. Northcott | \$25.00 | Purchase library books | GRTLIBMAt 2910 Library Materials Gifts 2013 and beyond |
| David Canfield | \$20.00 | Purchase library books | GRTLIBMAt 2910 Library Materials Gifts 2013 and beyond |
| TOTAL | \$1,835.70 | | |

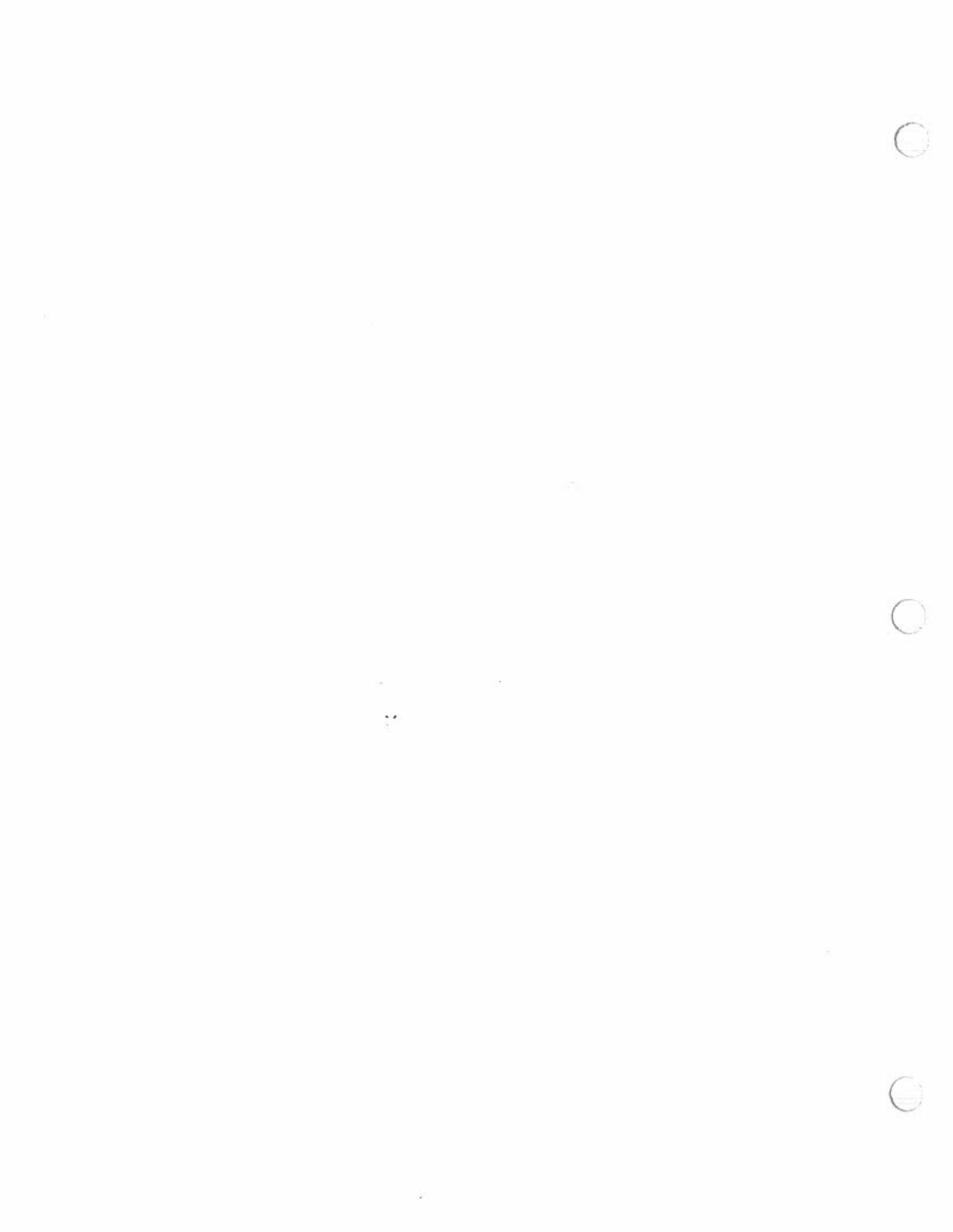
Background

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

REPORT TO MAYOR AND THE CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

FROM: David Gill, Parks and Recreation Director

RE: Authorization to accept monetary donations in the amount of \$2723.30

DATE: August 27, 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 |
|-------------------------|---------|------------------|----------------------------------|
| Olson Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Perry Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Nieder Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Bennett Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Carbonneau Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Pangakis Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Rule Family | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Smart Funeral Home | 300 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Loso Family | 200 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Jeanne Cusson | 200 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Eileen Jennings | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Ann Averill McCarthy | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Theresa Ubaldi | 100 | Adopt A Grave | GRTRECMISC 2910 Adopt A Grave |
| Fireworks (gate) | 1095.55 | July 4 Donations | GRTRECMISC 2910 July 4 |

| | | | |
|------------------------|-------|------------------|---------------------------------|
| Kona Ice | 388 | July 4 Donations | GRTRECMISC 2910 July 4 |
| Angela Racine | 15 | July 4 Donations | GRTRECMISC 2910 July 4 |
| Summer Music (gate) | 24.76 | Summer Music | GRTRECMISC 2910 Summer Music |

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 the Adopt A Grave Program and special events.



City of Concord, New Hampshire

POLICE DEPARTMENT

35 Green Street • 03301-4299

(603) 225-8600

FAX (603) 225-8519

www.concordpolice.com

9-18

AA

Bradley C. Osgood
Acting Chief of Police

To: Honorable Mayor and City Council
From: Lieutenant Gregory S. Taylor
Re: Authorization to accept revenue of \$6,114.00 as provided for under the pre-authorization granted by City Council.
Date: August 12, 2014

Recommendation

It is recommended that City Council approve the acceptance of the below cited revenue.

| Revenue Source | Amount | G/L Account |
|---------------------------------|-------------------|----------------------|
| 2014 National Night Out Revenue | \$5,614.00 | 2910-16-77_35080 |
| Target Donation | \$500.00 | 2910-16-77_35080.007 |
| TOTAL | \$6,114.00 | |

Background

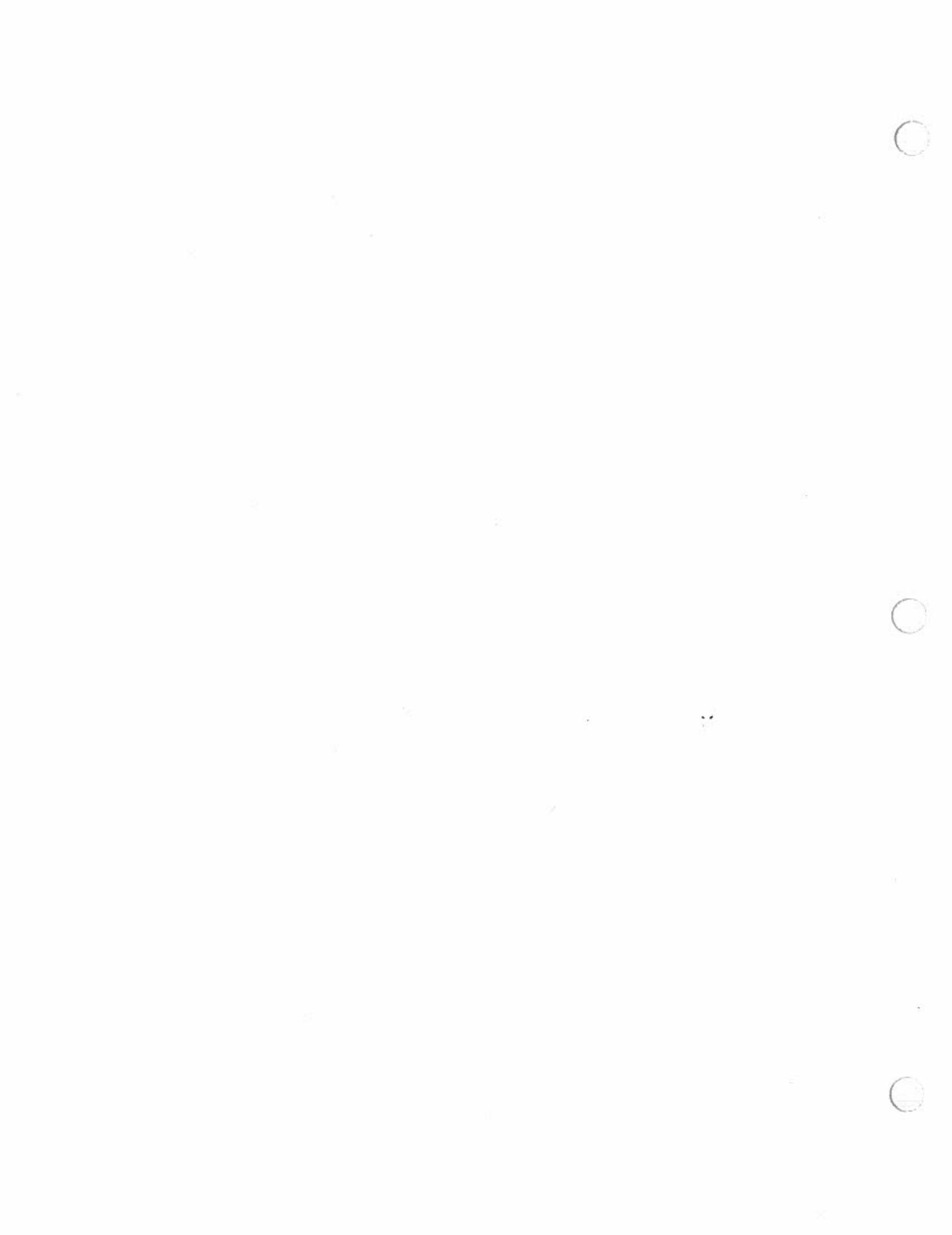
1. Funds are requested to be accepted under the authority established pursuant to Resolution #8120, adopted December 10, 2007.
2. The purpose of the acceptance of these funds is consistent with, and presents no conflict or obstacle to, the accomplishment of City Council goals, the Code of Ordinances, or the operating functions of the Concord Police Department.
3. No City match is required.
4. Funds have been received by the City of Concord, except as noted.

Discussion

The Concord Police Department National Night Out event was held on August 5, 2014 at Rollins Park. Revenue for this event was generated in the amount of \$6,114.00. This revenue was generated through the sales of food and drink (\$4,692.00) and through registration fees for the Badge Ball Tournament (\$500.00). Contributions were also made to the event by Target in the amount of \$500 and an anonymous cash donation of \$22. In addition to the revenue from food and drink, Badge Ball Tournament, and contributions, \$400 in start-up funds is also being returned. The Department seeks to use this revenue to off-set any outstanding costs associated with this year's event, and any remaining balance will be used to help fund the National Night Out events to be held during the summer of 2015.

Cc: City Manager
Deputy City Manager for Finance
City Clerk

"Community Committed"





City of Concord, New Hampshire

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

TA

Bradley C. Osgood
Acting Chief of Police

To: Honorable Mayor and City Council
From: Acting Chief of Police Bradley C. Osgood
Re: Authorization to accept a grant from the New Hampshire Highway Safety Agency in the amount of \$4,492.80 as provided for under the pre-authorization granted by City Council¹
Date: August 25, 2014

Recommendation

It is recommended that City Council approve the acceptance and expenditure of the above cited grant from the New Hampshire Highway Safety Agency in the amount of \$4,492.80 for the purpose of participating in the "Operation Safe Commute" Campaign, occurring between October 2014 and September 2015, by the Concord Police Department.

Background

1. Funds are requested to be expended under the authority established pursuant to resolution # 8120 adopted December 10, 2007.
2. This grant required no application to be submitted by the City and was awarded by the State of New Hampshire Highway Safety Agency of its own accord.
3. The purpose of this grant as stated above is a condition of the grantor and 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 department.
4. No city match is required.
5. The New Hampshire Highway Safety Agency has accepted the authority granted by the City Council for the City Manager to enter into a grant or other agreement pursuant to the resolution cited in number one (1) above.
6. The Finance Director has approved the agreement providing for reimbursement of funds extended in advance by the City.
7. A copy of this communication has been sent to the grantor for their information and with the thanks of the City Council and the citizens of the City of Concord.

Discussion

Operation Safe Commute is an enforcement campaign designed to encourage all motor vehicle operators to focus their attention on the task of driving and operating their vehicles safely. Funds obtained through this grant will allow the Concord Police Department to fund, on an overtime

¹ Reimbursements of expenses can be credited to the account charged. Cash should be deposited upon receipt. Small individual dollar amounts (usually less than \$50) can be combined and reported monthly or quarterly using the process described herein.

basis, one officer per patrol date to work distracted driving patrols in three hour shifts during the morning and afternoon commute hours. These overtime patrols will occur one day per month during the grant award period. In addition to enforcement, these patrols will contribute to increased public awareness regarding the danger of distracted driving. Operation Safe Commute is a statewide initiative designed to decrease the occurrence of motor vehicle crashes during the morning and evening commuting hours.



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: David Gill, Parks and Recreation Director

DATE: August 27, 2014

SUBJECT: De-Authorization of the amount of \$500 from the July 4 Grants and Donations.

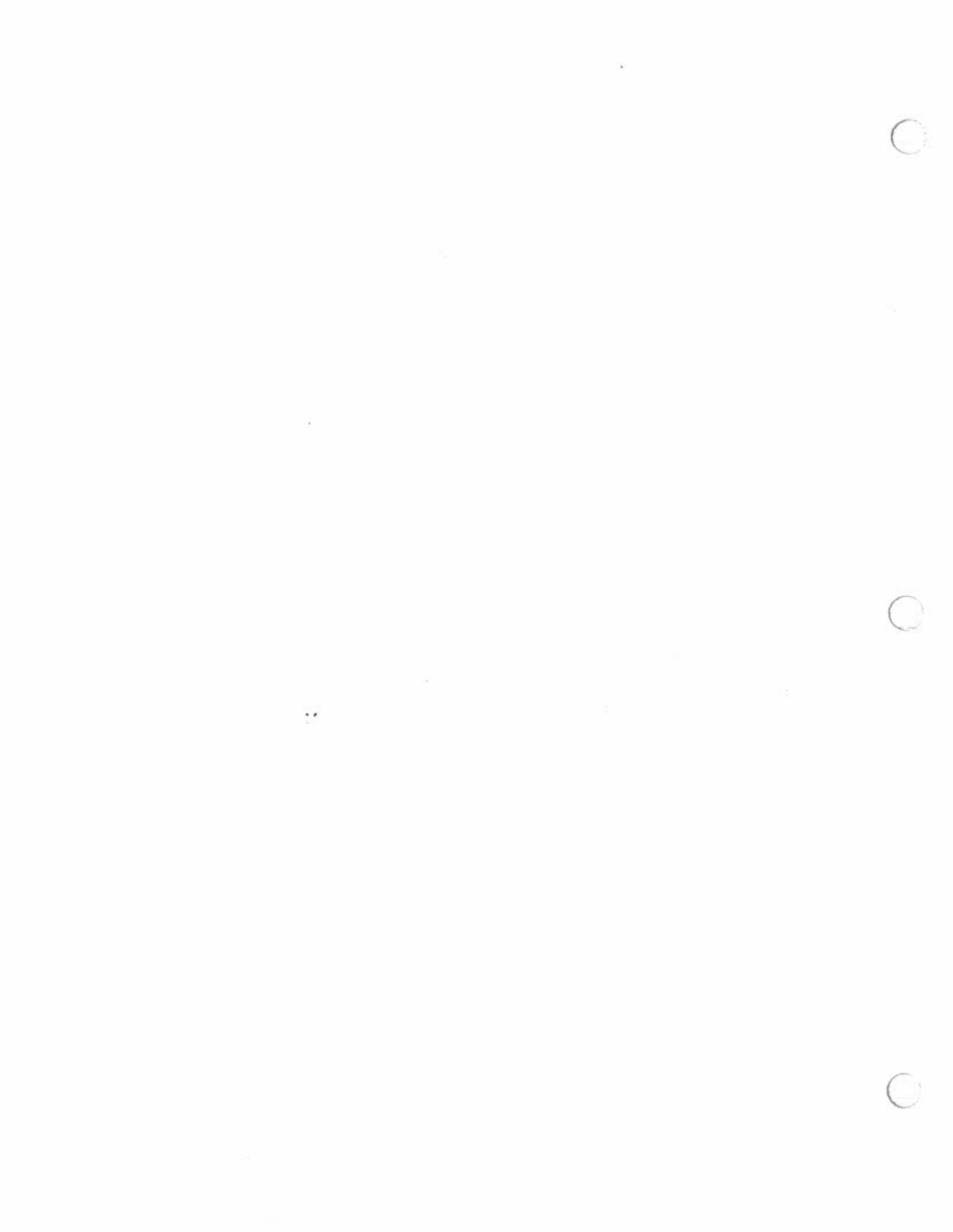
Recommendation -

It is recommended that City Council de-authorize the amount of \$500 from the July 4 Grants and Donation Account.

| Donor | Amount | Purpose | G/L Account |
|-----------|---------|------------------|---------------------------|
| Fireworks | -500.00 | July 4 Donations | GRTRECMISC 2910 July 4 |

Discussion -

On March 25, 2014 I wrote a donation report including a \$500 donation for July 4, this was a mistake.





CITY OF CONCORD

REPORT TO CITY MANAGER, FINANCIAL STATEMENTS

FROM: Brian LeBrun – Deputy City Manager Finance

DATE: August 15, 2014

SUBJECT: June Preliminary Fiscal Year to Date 2014 Financial Statements

The attached preliminary financial statements are for the period ending June 30, 2014 and represent 100% of the elapsed Fiscal Year 2014. The highlights of the City's financial results 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. The results reported below are subject to change pending completion of all year-end and audit adjustments.

General Fund

Overview: the preliminary Fiscal Year End 2014 results of the General Fund report that revenues collected were \$361,600 less than expenditures. Total Expenditures were under budget by \$467,700. These results include accounting for the \$1,553,800 use of fund balance/surplus from prior years and is consistent with expectations as reported during the fiscal year. It is anticipated that unassigned fund balance will increase by approximately \$1.2 million and management expects to assign \$400,000 - \$600,000 from fund balance and recommend a transfer to trust fund reserve accounts.

Revenues:

- 1) Although several revenue lines are short of budget, most revenue items are ahead of budget expectations. This report highlights specific revenue lines by department and identifies variances of more than \$20,000.
- 2) Assessing
 - a. Payment-In-Lieu of Taxes: this line exceeds budget by \$20,300 due to higher than expected payments from various PILOT agreements.
- 3) Finance
 - a. Property Taxes – 2014: currently exceeds budget by \$43,500. A final adjustment to this line will be made following an analysis of taxes collected within 60 days of the end of the fiscal year. The offset will be to the City's deferred tax liability.

- b. MV Registration and Title: this line exceeds budget by \$237,000 reflecting a very strong spring for vehicle registrations.
 - c. Interest Cost and Penalties: this line exceeds budget by \$69,500.
 - d. Investment Income – as anticipated again this year, this line is short of budget by \$27,200.
 - e. Insurance Distributions and Credits: the City received \$327,700 from Primex as a premium holiday for workers compensation. Of this amount, \$300,000 was used at tax rate setting time to increase overlay for abatements. The net surplus in this line is \$27,700.
 - f. Reimbursements – NHRS Subsidy for Retiree Health Insurance: this line is short of budget by \$25,100.
 - g. From Self Insurance Trust: this line is short of budget, \$26,100 was not needed to be transferred in since corresponding expenditures did not occur.
 - h. Budgetary use of Fund Balance: expectedly, this line does not report an actual entry for revenue for the \$1,553,800 and simply rolls from fund balance when the books are closed. The preliminary year-end results reported here, takes into consideration no actual revenue posting in this account line.
- 4) Police
- a. Special Police Duty Services: This line is ahead of projections by \$76,600. This revenue is a direct offset to Special duty wages and benefits.
 - b. Cruiser Rental Fees: this line exceeds budget by \$34,500.
 - c. Miscellaneous – this line exceeded budget by \$36,700 due to training Grant reimbursements and overtime backfills from the State of NH, and July 4th Special detail.
- 5) Fire
- a. Ambulance Service Charge – this line exceeded budget by \$81,800.
- 6) GSD
- a. Salt sales: this line exceeds budget by \$42,600 due to high salt sales to Concord School Department as a result of the harsh winter.
- 7) CD
- a. Building Permits: this line exceeds budget by \$28,700.
 - b. Electrical, Mechanical, Plumbing and Sign Permits: these lines are ahead of budget a total of \$81,800.
 - c. Transfer in Trust/Forestry: this line is under budget by 30,000. Revenues in this cost center exceeded expenses. The excess revenues were transferred to trust and a transfer from trust was not necessary.
- 8) Parks and Recreation
- a. Miscellaneous Services: this line is short of budget by \$58,900 due to lower registrations for programs.
 - b. Camps: this line is short of budget by \$42,900.
 - c. Lease Rental or Use: these lines are short of budget by \$29,400, net.

Expenses:

- 1) While most expense lines are under budget, several lines are shown as over-expended. This report highlights specific expense lines by department and identifies variances of

more than \$20,000. Budget-wide: reported wage expenses include the provision for wage accrual.

- 2) Legal
 - a. Wages – these lines are under budget by \$20,100.
 - b. Prof & Tech Serv Tax and Assessing: this line is overspent by \$23,300 mainly due to the complex abatement cases.
- 3) Assessing
 - a. Prof & Tech Serv Tax and Assessing: this line is overspent by \$22,200 mainly due to the complex abatement cases.
- 4) Finance
 - a. Wages: these lines are underspent by \$67,600 due to vacancies for a portion of the fiscal year.
 - b. Retirement Severance/Annual Leave: this line is \$106,600 unspent and only \$13,400 was transferred to other departments in FY14.
 - c. Beneflex: this line is underspent by \$20,800 and is a direct result of the vacancies that produced the wage savings.
 - d. Health Insurance Retiree: this line is \$16,900 overspent and is due to changes in retiree health insurance coverage.
 - e. Interest on Bonds and Notes: this line is underspent by \$57,000.
- 5) Police
 - a. Wages: all Police Department wage lines are combined for this review due to the correlation between vacancies, overtime, special duties, new officer training and retirement severances and are overspent in total by \$170,400.
 - b. Retirement: this line is overspent by \$52,400.
 - c. Beneflex: this line is underspent by \$131,700 due to vacancies and shifts in employee coverages.
 - d. Gasoline Diesel and Lubricants: this line is underspent by \$31,400.
- 6) Fire
 - a. Wages: all Fire Department wage lines are combined for this review due to the correlation between vacancies and overtime and are underspent in total by \$20,300.
 - b. Beneflex: this line is underspent by \$31,000.
 - c. Workers Compensation: this line is underspent by \$26,500.
- 7) GSD
 - a. Wages: all GSD Department wage lines are combined for this review due to the correlation between vacancies, temporary, overtime and winter storms costs, and are overspent in total by \$85,500.
 - b. Beneflex: this line is overspent by \$23,400 due to shifts in employee benefit selections.
 - c. Auto Repair parts and supplies: this line is overspent by \$26,500 due in part to repairs necessary during the long and difficult winter plowing season.
 - d. Steam: this line is overspent by \$34,900 due to increased usage and increased steam prices.
- 8) CD
 - a. Wages: these lines are underspent by \$55,100 mainly due to vacancies.
 - b. Professional Development: this line is underspent by \$22,300.

9) Parks and Recreation

- a. Wages: these lines are underspent by \$40,500 due to vacancies.
- b. Beneflex: this line is overspent by \$20,700 due to changes in coverage.
- c. Professional and Technical Services: this line is overspent by \$35,300 due to repairs to the Heights Community Center at the beginning of the year.

Major Enterprise and Special Revenue Funds:

Engineering Inspections Fund

Year end results are worse than expected. Budgeted gain of \$200 actual loss \$28,700.

Parking Fund

Year end results are much better than expected. Budgeted loss of \$71,900 actual gain of \$85,300.

Revenues were ahead of budget by \$93,600 and expenses were under budget by \$63,600. Expenses were managed through vacancies, hiring of part-time staff and general expense management.

Airport Fund

Year end results are better than expected. Budgeted loss of \$27,300, actual loss of \$23,800.

Golf Course Fund

Year-end results are worse than expected. Budgeted gain of \$5,600, actual loss of \$4,600.

Due to the long winter the golf course opened more than a month later than the previous year and with temporary greens. Membership revenue under budget by \$44,100 and down \$12,000 compared to the previous year. Daily fee revenue was right on target with budget and ahead of FY13 by \$7,400. Pro-shop sales were short of budget by \$1,700 and produced a gross margin of 34.2% compared to the budgeted margin of 30%.

Arena Fund

Year end results are better than expected. Budgeted loss of \$69,800, actual loss of \$39,000.

The new snack bar revenue was slightly short of budget at \$47,000. However, food cost were expected to be 40.7% of sales and were better at 38.3% of sales. Positive results!

Solid Waste Fund

Year end results are slightly better than expected. Budgeted loss of \$347,300, actual loss of \$344,000.

Water Fund

Year end results better than expected. Budgeted loss of \$476,600, actual loss of \$410,000.

Sewer Fund

Year end results are significantly better than expected. Budgeted loss of \$378,600, actual gain of \$298,700.

Included in these positive results are \$300,000 savings from refinancing State Revolving Fund loans and \$55,000 unanticipated revenue from State grant program for previous capital projects.

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 to articulate how the City is doing overall throughout the fiscal year. 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 06/30/14
 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 Total |
|--|------------------------|---------------------|------------------------|----------------------------|------------------|------------------------|---------------------------|---------------|------------------------|
| Fund 11 - Gen Fund | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Property Taxes | 33,713,830.00 | (1,310,455.14) | 32,403,374.86 | .00 | .00 | 32,446,823.20 | (43,448.34) | 100 | 32,665,987.72 |
| Other Taxes | 6,120,619.00 | 1,354.00 | 6,121,973.00 | 469,319.97 | .00 | 6,384,751.57 | (262,778.57) | 104 | 6,062,437.05 |
| Franchise Fee | 730,000.00 | .00 | 730,000.00 | .00 | .00 | 749,281.32 | (19,281.32) | 103 | 731,793.04 |
| Intergovernmental-Federal | 120,000.00 | .00 | 120,000.00 | 6,751.34 | .00 | 142,041.06 | (22,041.06) | 118 | 334,653.59 |
| Intergovernmental-State | 2,810,430.00 | 313.00 | 2,810,743.00 | .00 | .00 | 2,813,218.32 | (2,475.32) | 100 | 2,811,140.91 |
| Intergovernmental-Local | 678,180.00 | .00 | 678,180.00 | 243,367.53 | .00 | 697,833.87 | (19,653.87) | 103 | 697,621.90 |
| Programs, Services & Products | 2,945,236.00 | .00 | 2,945,236.00 | 275,864.97 | .00 | 3,064,922.79 | (119,686.79) | 104 | 2,839,021.93 |
| Rents, Leases & Use | 288,500.00 | .00 | 288,500.00 | 26,917.25 | .00 | 293,753.09 | (5,253.09) | 102 | 265,539.16 |
| Applications, Reviews & Recording Fees | 75,032.00 | .00 | 75,032.00 | 8,026.90 | .00 | 102,374.67 | (27,342.67) | 136 | 110,295.40 |
| Reports, Prints & Copies | 38,350.00 | .00 | 38,350.00 | 2,855.00 | .00 | 33,146.54 | 5,203.46 | 86 | 35,735.42 |
| Fines, Penalties & Costs | 661,200.00 | .00 | 661,200.00 | 23,843.21 | .00 | 744,719.32 | (83,519.32) | 113 | 676,345.68 |
| Licenses and Permits | 882,715.00 | .00 | 882,715.00 | 61,637.51 | .00 | 1,025,786.27 | (143,071.27) | 116 | 899,042.96 |
| Investment Income | 50,000.00 | .00 | 50,000.00 | 833.65 | .00 | 22,834.50 | 27,165.50 | 46 | 45,443.69 |
| Donations | 1,500.00 | .00 | 1,500.00 | .00 | .00 | 236.08 | 1,263.92 | 16 | 7,553.12 |
| Miscellaneous-Other | 1,755,900.00 | 310,612.00 | 2,066,512.00 | 183,444.33 | .00 | 2,158,381.16 | (91,869.16) | 104 | 2,216,287.69 |
| Transfers-In Trust | 503,970.00 | .00 | 503,970.00 | 108,409.13 | .00 | 444,209.13 | 59,760.87 | 88 | 542,028.49 |
| Transfers-In Other | 2,055,570.00 | 90,000.00 | 2,145,570.00 | 119,022.50 | .00 | 2,125,570.00 | 20,000.00 | 99 | 1,476,068.86 |
| Capital Contributions | 23,000.00 | .00 | 23,000.00 | 1,152.00 | .00 | 20,434.40 | 2,565.60 | 89 | 17,182.76 |
| 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 | \$1,531,445.29 | \$0.00 | \$53,270,317.29 | \$829,326.71 | 98% | \$52,434,179.37 |
| EXPENSE | | | | | | | | | |
| Compensation | 24,033,535.00 | 520,487.46 | 24,554,022.46 | 2,514,355.32 | .00 | 24,526,719.79 | 27,302.67 | 100 | 23,215,201.47 |
| Fringe Benefits | 15,619,468.00 | (459,987.46) | 15,159,480.54 | 1,193,492.60 | .00 | 14,912,866.21 | 246,614.33 | 98 | 14,362,258.65 |
| Outside Services | 2,116,438.00 | 45,612.00 | 2,162,050.00 | 296,959.38 | .00 | 2,112,382.63 | 49,667.37 | 98 | 1,925,792.96 |
| Supplies | 2,461,715.00 | 62,500.00 | 2,524,215.00 | 245,732.52 | .00 | 2,432,913.14 | 91,301.86 | 96 | 2,330,108.83 |
| Utilities | 1,209,856.00 | .00 | 1,209,856.00 | 164,012.83 | .00 | 1,207,906.41 | 1,949.59 | 100 | 1,151,077.02 |
| Insurance | 472,330.00 | .00 | 472,330.00 | (2,058.72) | .00 | 448,517.99 | 23,812.01 | 95 | 389,293.92 |
| Capital Outlay | 196,600.00 | 42,500.00 | 239,100.00 | 72,602.57 | .00 | 250,070.66 | (10,970.66) | 105 | 159,905.75 |
| Debt Service | 4,980,300.00 | .00 | 4,980,300.00 | 49,224.28 | .00 | 4,938,768.17 | 41,531.83 | 99 | 4,762,293.83 |
| Miscellaneous | 1,065,630.00 | (110,500.00) | 955,130.00 | 41,115.23 | .00 | 941,635.30 | 13,494.70 | 99 | 912,017.48 |
| Allocated Costs | (676,470.00) | .00 | (676,470.00) | (54,692.76) | .00 | (670,748.50) | (5,721.50) | 99 | (613,751.50) |
| Transfers Out | 1,974,630.00 | 545,000.00 | 2,519,630.00 | 112,032.93 | .00 | 2,530,880.33 | (11,250.33) | 100 | 2,886,712.50 |
| EXPENSE TOTALS | \$53,454,032.00 | \$645,612.00 | \$54,099,644.00 | \$4,632,776.18 | \$0.00 | \$53,631,912.13 | \$467,731.87 | 99% | \$51,480,910.91 |

General Fund Budget by Account Class Report

Through 06/30/14
 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 Total |
|----------------------------------|----------------|-------------------|----------------|----------------------------|------------------|-----------------------|---------------------------|---------------|---------------------|
| Fund 11 - Gen Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 53,454,032.00 | 645,612.00 | 54,099,644.00 | 1,531,445.29 | .00 | 53,270,317.29 | 829,326.71 | 98 | 52,434,179.37 |
| EXPENSE TOTALS | 53,454,032.00 | 645,612.00 | 54,099,644.00 | 4,632,776.18 | .00 | 53,631,912.13 | 467,731.87 | 99 | 51,480,910.91 |
| Fund 11 - Gen Fund Totals | \$0.00 | \$0.00 | \$0.00 | (\$3,101,330.89) | \$0.00 | (\$361,594.84) | \$361,594.84 | | \$953,268.46 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 53,454,032.00 | 645,612.00 | 54,099,644.00 | 1,531,445.29 | .00 | 53,270,317.29 | 829,326.71 | 98 | 52,434,179.37 |
| EXPENSE TOTALS | 53,454,032.00 | 645,612.00 | 54,099,644.00 | 4,632,776.18 | .00 | 53,631,912.13 | 467,731.87 | 99 | 51,480,910.91 |
| Grand Totals | \$0.00 | \$0.00 | \$0.00 | (\$3,101,330.89) | \$0.00 | (\$361,594.84) | \$361,594.84 | | \$953,268.46 |

Engineering Inspections Fund Budget by Account Class Report

Through 06/30/14
Prior Fiscal Year Activity Included

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD | % used/ | Prior Year Total |
|--|---------------------|-------------------|---------------------|----------------------------|------------------|----------------------|--------------------|------------|----------------------|
| Fund 2100 - Engineering Inspections Fund | | | | | | | Transactions | Rec'd | |
| REVENUE | | | | | | | | | |
| Programs, Services & Products | 165,000.00 | .00 | 165,000.00 | 33,053.10 | .00 | 105,839.87 | 59,160.13 | 64 | 108,296.62 |
| Fines, Penalties & Costs | 150.00 | .00 | 150.00 | .00 | .00 | 60.80 | 89.20 | 41 | 132.72 |
| Licenses and Permits | 78,000.00 | .00 | 78,000.00 | 37,452.50 | .00 | 102,328.00 | (24,328.00) | 131 | 60,694.00 |
| Investment Income | 500.00 | .00 | 500.00 | 13.29 | .00 | 309.15 | 190.85 | 62 | 743.00 |
| REVENUE TOTALS | \$243,650.00 | \$0.00 | \$243,650.00 | \$70,518.89 | \$0.00 | \$208,537.82 | \$35,112.18 | 86% | \$169,866.34 |
| EXPENSE | | | | | | | | | |
| Compensation | 142,010.00 | 24,697.00 | 166,707.00 | 19,495.35 | .00 | 149,569.10 | 17,137.90 | 90 | 117,765.55 |
| Fringe Benefits | 92,470.00 | (24,697.00) | 67,773.00 | 7,293.63 | .00 | 77,569.53 | (9,796.53) | 114 | 77,330.37 |
| Outside Services | 4,490.00 | .00 | 4,490.00 | 617.39 | .00 | 5,071.95 | (581.95) | 113 | 3,900.39 |
| Supplies | 4,100.00 | .00 | 4,100.00 | 517.46 | .00 | 4,614.90 | (514.90) | 113 | 2,573.95 |
| Insurance | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | 1,116.09 |
| Capital Outlay | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | 26,100.63 |
| Transfers Out | 400.00 | .00 | 400.00 | 33.37 | .00 | 400.00 | .00 | 100 | .00 |
| EXPENSE TOTALS | \$243,470.00 | \$0.00 | \$243,470.00 | \$27,957.20 | \$0.00 | \$237,225.48 | \$6,244.52 | 97% | \$228,786.98 |
| Fund 2100 - Engineering Inspections Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 243,650.00 | .00 | 243,650.00 | 70,518.89 | .00 | 208,537.82 | 35,112.18 | 86 | 169,866.34 |
| EXPENSE TOTALS | 243,470.00 | .00 | 243,470.00 | 27,957.20 | .00 | 237,225.48 | 6,244.52 | 97 | 228,786.98 |
| Fund 2100 - Engineering Inspections Fund Totals | \$180.00 | \$0.00 | \$180.00 | \$42,561.69 | \$0.00 | (\$28,687.66) | \$28,867.66 | | (\$58,920.64) |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 243,650.00 | .00 | 243,650.00 | 70,518.89 | .00 | 208,537.82 | 35,112.18 | 86 | 169,866.34 |
| EXPENSE TOTALS | 243,470.00 | .00 | 243,470.00 | 27,957.20 | .00 | 237,225.48 | 6,244.52 | 97 | 228,786.98 |
| Grand Totals | \$180.00 | \$0.00 | \$180.00 | \$42,561.69 | \$0.00 | (\$28,687.66) | \$28,867.66 | | (\$58,920.64) |

Parking Fund Budget by Account Class Report

Through 06/30/14
Prior Fiscal Year Activity Included
Summary Listing

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | Encumbrances | YTD Transactions | YTD Transactions | Budget - YTD Transactions | % used/ Rec'd | Prior Year Total |
|--|-----------------------|-------------------|-----------------------|----------------------------|---------------|-----------------------|-----------------------|---------------------------|---------------|-----------------------|
| Fund 2200 - Parking Fund | | | | | | | | | | |
| REVENUE | | | | | | | | | | |
| Programs, Services & Products | 835,600.00 | .00 | 835,600.00 | 79,797.69 | .00 | 845,878.83 | (10,278.83) | 101 | | 815,142.55 |
| Rents, Leases & Use | 477,848.00 | .00 | 477,848.00 | .00 | .00 | 552,842.32 | (74,994.32) | 116 | | 472,206.38 |
| Fines, Penalties & Costs | 360,000.00 | .00 | 360,000.00 | 26,253.12 | .00 | 344,060.86 | 15,939.14 | 96 | | 369,463.00 |
| Investment Income | 600.00 | .00 | 600.00 | 13.24 | .00 | 83.53 | 516.47 | 14 | | 664.00 |
| Miscellaneous-Other | 500.00 | .00 | 500.00 | 2,800.00 | .00 | 25,320.00 | (24,820.00) | 5064 | | .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 | 18,916.63 | .00 | 227,000.00 | .00 | 100 | | .00 |
| Capital Contributions | 10,500.00 | .00 | 10,500.00 | .00 | .00 | 10,500.00 | .00 | 100 | | 10,500.00 |
| REVENUE TOTALS | \$2,044,792.00 | \$0.00 | \$2,044,792.00 | \$127,780.68 | \$0.00 | \$2,138,429.54 | (\$93,637.54) | 105% | | \$1,670,719.93 |
| EXPENSE | | | | | | | | | | |
| Compensation | 392,000.00 | 7,217.00 | 399,217.00 | 35,808.29 | .00 | 367,145.32 | 32,071.68 | 92 | | 363,208.82 |
| Fringe Benefits | 215,770.00 | (7,217.00) | 208,553.00 | 15,084.34 | .00 | 177,702.29 | 30,850.71 | 85 | | 175,600.09 |
| Outside Services | 219,645.00 | .00 | 219,645.00 | 14,945.10 | .00 | 206,867.62 | 12,777.38 | 94 | | 186,997.39 |
| Supplies | 44,680.00 | .00 | 44,680.00 | 1,074.02 | .00 | 35,123.27 | 9,556.73 | 79 | | 42,222.34 |
| Utilities | 53,710.00 | .00 | 53,710.00 | 4,058.20 | .00 | 45,071.58 | 8,638.42 | 84 | | 48,459.71 |
| Insurance | 21,540.00 | .00 | 21,540.00 | .00 | .00 | 21,370.00 | 170.00 | 99 | | 22,922.26 |
| Capital Outlay | 30,000.00 | .00 | 30,000.00 | .00 | .00 | 1,599.70 | 28,400.30 | 5 | | .00 |
| Debt Service | 888,500.00 | .00 | 888,500.00 | .00 | .00 | 888,490.93 | 9.07 | 100 | | 785,474.86 |
| Miscellaneous | 77,260.00 | .00 | 77,260.00 | 29,289.94 | .00 | 136,131.05 | (58,871.05) | 176 | | 68,296.64 |
| Allocated Costs | 5,730.00 | .00 | 5,730.00 | 477.50 | .00 | 5,730.00 | .00 | 100 | | 5,730.00 |
| Transfers Out | 167,850.00 | .00 | 167,850.00 | 8,012.50 | .00 | 167,850.00 | .00 | 100 | | 167,850.00 |
| (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 | \$108,749.89 | \$0.00 | \$2,053,081.76 | \$63,603.24 | 97% | | \$1,866,762.11 |
| Fund 2200 - Parking Fund Totals | | | | | | | | | | |
| REVENUE TOTALS | 2,044,792.00 | .00 | 2,044,792.00 | 127,780.68 | .00 | 2,138,429.54 | (93,637.54) | 105 | | 1,670,719.93 |
| EXPENSE TOTALS | 2,116,685.00 | .00 | 2,116,685.00 | 108,749.89 | .00 | 2,053,081.76 | 63,603.24 | 97 | | 1,866,762.11 |
| Fund 2200 - Parking Fund Totals | (\$71,893.00) | \$0.00 | (\$71,893.00) | \$19,030.79 | \$0.00 | \$85,347.78 | (\$157,240.78) | | | (\$196,042.18) |
| Grand Totals | | | | | | | | | | |
| REVENUE TOTALS | 2,044,792.00 | .00 | 2,044,792.00 | 127,780.68 | .00 | 2,138,429.54 | (93,637.54) | 105 | | 1,670,719.93 |
| EXPENSE TOTALS | 2,116,685.00 | .00 | 2,116,685.00 | 108,749.89 | .00 | 2,053,081.76 | 63,603.24 | 97 | | 1,866,762.11 |
| Grand Totals | (\$71,893.00) | \$0.00 | (\$71,893.00) | \$19,030.79 | \$0.00 | \$85,347.78 | (\$157,240.78) | | | (\$196,042.18) |

Airport Fund Budget by Account Class Report

Through 06/30/14
Prior Fiscal Year Activity Included
Summary Listing

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | Encumbrances | YTD Transactions | Budget - YTD Transactions | % used/ Rec'd | Prior Year Total |
|---|----------------------|-------------------|----------------------|----------------------------|---------------|----------------------|---------------------------|---------------|---------------------|
| Fund 2300 - Airport Fund | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Intergovernmental-State Programs, Services & Products | 2,400.00 | .00 | 2,400.00 | .00 | .00 | 2,129.58 | 270.42 | 89 | 2,448.11 |
| Rents, Leases & Use | 12,250.00 | .00 | 12,250.00 | 1,698.20 | .00 | 10,046.96 | 2,203.04 | 82 | 11,387.46 |
| Fines, Penalties & Costs | 368,024.00 | .00 | 368,024.00 | 11,683.32 | .00 | 367,624.36 | 399.64 | 100 | 362,229.99 |
| Investment Income | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | (194.50) |
| Miscellaneous-Other | 1,400.00 | .00 | 1,400.00 | 32.46 | .00 | 544.82 | 855.18 | 39 | 1,240.00 |
| Transfers-In Other | .00 | .00 | .00 | .00 | .00 | 699.00 | (699.00) | +++ | (869.63) |
| Use of Fund Balance/Retained Earnings | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| REVENUE TOTALS | \$384,074.00 | \$0.00 | \$384,074.00 | \$13,413.98 | \$0.00 | \$381,044.72 | \$3,029.28 | 99% | \$376,241.43 |
| EXPENSE | | | | | | | | | |
| Compensation | 62,200.00 | 10,542.00 | 72,742.00 | 7,899.24 | .00 | 86,800.80 | (14,058.80) | 119 | 67,239.10 |
| Fringe Benefits | 44,120.00 | (10,542.00) | 33,578.00 | 2,566.80 | .00 | 33,005.19 | 572.81 | 98 | 46,330.47 |
| Outside Services | 83,394.00 | .00 | 83,394.00 | 6,312.15 | .00 | 81,677.10 | 1,716.90 | 98 | 66,553.37 |
| Supplies | 44,405.00 | .00 | 44,405.00 | 340.59 | .00 | 28,816.61 | 15,588.39 | 65 | 27,937.90 |
| Utilities | 21,952.00 | .00 | 21,952.00 | 2,737.23 | .00 | 21,202.39 | 749.61 | 97 | 19,960.93 |
| Insurance | 7,670.00 | .00 | 7,670.00 | 2,100.00 | .00 | 7,240.00 | 430.00 | 94 | 6,654.68 |
| Debt Service | 10,260.00 | .00 | 10,260.00 | 883.16 | .00 | 11,140.88 | (880.88) | 109 | 10,665.00 |
| Miscellaneous | 36,665.00 | .00 | 36,665.00 | 9,969.81 | .00 | 40,350.82 | (3,685.82) | 110 | 36,624.00 |
| Allocated Costs | 5,520.00 | .00 | 5,520.00 | 460.00 | .00 | 5,520.00 | .00 | 100 | 5,520.00 |
| Transfers Out | 95,156.00 | .00 | 95,156.00 | 10,559.89 | .00 | 89,119.26 | 6,036.74 | 94 | 32,867.00 |
| EXPENSE TOTALS | \$411,342.00 | \$0.00 | \$411,342.00 | \$43,828.87 | \$0.00 | \$404,873.05 | \$6,468.95 | 98% | \$320,352.45 |
| Fund 2300 - Airport Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 384,074.00 | .00 | 384,074.00 | 13,413.98 | .00 | 381,044.72 | 3,029.28 | 99 | 376,241.43 |
| EXPENSE TOTALS | 411,342.00 | .00 | 411,342.00 | 43,828.87 | .00 | 404,873.05 | 6,468.95 | 98 | 320,352.45 |
| Grand Totals | (\$27,268.00) | \$0.00 | (\$27,268.00) | (\$30,414.89) | \$0.00 | (\$23,828.33) | (\$3,439.67) | | \$55,888.98 |
| Fund 2300 - Airport Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 384,074.00 | .00 | 384,074.00 | 13,413.98 | .00 | 381,044.72 | 3,029.28 | 99 | 376,241.43 |
| EXPENSE TOTALS | 411,342.00 | .00 | 411,342.00 | 43,828.87 | .00 | 404,873.05 | 6,468.95 | 98 | 320,352.45 |
| Grand Totals | (\$27,268.00) | \$0.00 | (\$27,268.00) | (\$30,414.89) | \$0.00 | (\$23,828.33) | (\$3,439.67) | | \$55,888.98 |

CD Conservation Fund Budget by Account Class Report

Through 06/30/14
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 Total |
|---|--------------------|-------------------|--------------------|----------------------------|------------------|--------------------|---------------------------|---------------|----------------------|
| Fund 2400 - CD Con Prop Mgmt Fund | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Rents, Leases & Use | 64,510.00 | .00 | 64,510.00 | 4,201.47 | .00 | 66,792.13 | (2,282.13) | 104 | 64,882.28 |
| Miscellaneous-Other | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | 41,000.00 |
| Transfers-In Trust | 6,990.00 | .00 | 6,990.00 | .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 | \$4,201.47 | \$0.00 | \$66,792.13 | \$28,007.87 | 70% | \$112,872.28 |
| 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 | (.42) | .00 | 243.35 | 6.65 | 97 | .00 |
| Outside Services | 48,500.00 | (3,500.00) | 45,000.00 | .00 | .00 | 8,139.21 | 36,860.79 | 18 | 15,446.05 |
| 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 | 1,941.63 | .00 | 23,300.00 | .00 | 100 | 119,250.00 |
| EXPENSE TOTALS | \$94,800.00 | \$0.00 | \$94,800.00 | \$1,941.21 | \$0.00 | \$34,480.06 | \$60,319.94 | 36% | \$136,568.55 |
| Fund 2400 - CD Con Prop Mgmt Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 94,800.00 | .00 | 94,800.00 | 4,201.47 | .00 | 66,792.13 | 28,007.87 | 70 | 112,872.28 |
| EXPENSE TOTALS | 94,800.00 | .00 | 94,800.00 | 1,941.21 | .00 | 34,480.06 | 60,319.94 | 36 | 136,568.55 |
| Grand Totals | \$0.00 | \$0.00 | \$0.00 | \$2,260.26 | \$0.00 | \$32,312.07 | (\$32,312.07) | | (\$23,696.27) |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 94,800.00 | .00 | 94,800.00 | 4,201.47 | .00 | 66,792.13 | 28,007.87 | 70 | 112,872.28 |
| EXPENSE TOTALS | 94,800.00 | .00 | 94,800.00 | 1,941.21 | .00 | 34,480.06 | 60,319.94 | 36 | 136,568.55 |
| Grand Totals | \$0.00 | \$0.00 | \$0.00 | \$2,260.26 | \$0.00 | \$32,312.07 | (\$32,312.07) | | (\$23,696.27) |

Housing Revolving Loan Fund Budget by Account Class Report

Through 06/30/14
Prior Fiscal Year Activity Included

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | YTD Encumbrances | YTD Transactions | Budget - YTD | Transactions | Rec'd | % used/ | Prior Year Total |
|--|---------------------|-----------------------|-----------------------|----------------------------|------------------|---------------------|-----------------------|--------------|------------|------------|---------------------|
| Fund 2701 - Housing Revolv Loan Fd Cons-2008 | | | | | | | | | | | |
| REVENUE | | | | | | | | | | | |
| Programs, Services & Products | .00 | .00 | .00 | 9,929.74 | .00 | 130,263.06 | (130,263.06) | +++ | +++ | +++ | 330,078.60 |
| Investment Income | .00 | .00 | .00 | 28.73 | .00 | 465.44 | (465.44) | +++ | +++ | +++ | 672.00 |
| 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 | \$9,958.47 | \$0.00 | \$130,728.50 | (\$130,728.50) | +++ | +++ | +++ | \$366,490.22 |
| 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 | 2,963.85 | .00 | 4,867.52 | 682.48 | 88 | 88 | 88 | 8,510.32 |
| Supplies | 500.00 | .00 | 500.00 | .00 | .00 | 91.10 | 408.90 | 18 | 18 | 18 | .00 |
| Insurance | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | +++ | +++ | .00 |
| Miscellaneous (Non-lapsing) | .00 | 685,507.77 | 685,507.77 | 712.11 | .00 | 34,950.78 | 650,556.99 | 5 | 5 | 5 | 186,800.49 |
| EXPENSE TOTALS | \$6,050.00 | \$685,507.77 | \$691,557.77 | \$3,675.96 | \$0.00 | \$39,909.40 | \$651,648.37 | 6% | 6% | 6% | \$195,310.81 |
| Fund 2701 - Housing Revolv Loan Fd Cons-2008 Totals | | | | | | | | | | | |
| REVENUE TOTALS | .00 | .00 | .00 | 9,958.47 | .00 | 130,728.50 | (130,728.50) | +++ | +++ | +++ | 366,490.22 |
| EXPENSE TOTALS | 6,050.00 | 685,507.77 | 691,557.77 | 3,675.96 | .00 | 39,909.40 | 651,648.37 | 6 | 6 | 6 | 195,310.81 |
| Grand Totals | (\$6,050.00) | (\$685,507.77) | (\$691,557.77) | \$6,282.51 | \$0.00 | \$90,819.10 | (\$782,376.87) | 6 | 6 | 6 | \$171,179.41 |
| Grand Totals | | | | | | | | | | | |
| REVENUE TOTALS | .00 | .00 | .00 | 9,958.47 | .00 | 130,728.50 | (130,728.50) | +++ | +++ | +++ | 366,490.22 |
| EXPENSE TOTALS | 6,050.00 | 685,507.77 | 691,557.77 | 3,675.96 | .00 | 39,909.40 | 651,648.37 | 6 | 6 | 6 | 195,310.81 |
| Grand Totals | (\$6,050.00) | (\$685,507.77) | (\$691,557.77) | \$6,282.51 | \$0.00 | \$90,819.10 | (\$782,376.87) | 6 | 6 | 6 | \$171,179.41 |

NEOCTIF District Fund Budget by Account Class Report

Through 06/30/14
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 Total |
|---|---------------------|---------------------|-----------------------|----------------------------|------------------|-----------------------|---------------------------|---------------|---------------------|
| 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 | 23.17 | .00 | 635.53 | 164.47 | 79 | 756.00 |
| Miscellaneous-Other | .00 | .00 | .00 | .00 | .00 | 79,031.15 | (79,031.15) | +++ | .00 |
| Use of Fund Balance/Retained Earnings | .00 | 450,000.00 | 450,000.00 | .00 | .00 | .00 | 450,000.00 | 0 | .00 |
| REVENUE TOTALS | \$685,930.00 | \$450,000.00 | \$1,135,930.00 | \$23.17 | \$0.00 | \$702,393.88 | \$433,536.12 | 62% | \$688,275.13 |
| 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 | .00 | .00 | 376,170.00 | .00 | 100 | 394,062.00 |
| Miscellaneous | .00 | .00 | .00 | .00 | .00 | 15,935.88 | (15,935.88) | +++ | .00 |
| Transfers Out | 125,850.00 | 450,000.00 | 575,850.00 | 10,487.50 | .00 | 575,850.00 | .00 | 100 | 89,840.00 |
| EXPENSE TOTALS | \$516,420.00 | \$450,000.00 | \$966,420.00 | \$10,487.50 | \$0.00 | \$967,955.88 | (\$1,535.88) | 100% | \$483,902.00 |
| Fund 4100 - NEOCTIF District Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 685,930.00 | 450,000.00 | 1,135,930.00 | 23.17 | .00 | 702,393.88 | 433,536.12 | 62 | 688,275.13 |
| EXPENSE TOTALS | 516,420.00 | 450,000.00 | 966,420.00 | 10,487.50 | .00 | 967,955.88 | (1,535.88) | 100 | 483,902.00 |
| Fund 4100 - NEOCTIF District Fund Totals | \$169,510.00 | \$0.00 | \$169,510.00 | (\$10,464.33) | \$0.00 | (\$265,562.00) | \$435,072.00 | | \$204,373.13 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 685,930.00 | 450,000.00 | 1,135,930.00 | 23.17 | .00 | 702,393.88 | 433,536.12 | 62 | 688,275.13 |
| EXPENSE TOTALS | 516,420.00 | 450,000.00 | 966,420.00 | 10,487.50 | .00 | 967,955.88 | (1,535.88) | 100 | 483,902.00 |
| Grand Totals | \$169,510.00 | \$0.00 | \$169,510.00 | (\$10,464.33) | \$0.00 | (\$265,562.00) | \$435,072.00 | | \$204,373.13 |

Sears Block TIF Fund Budget by Account Class Report

Through 06/30/14
 Prior Fiscal Year Activity Included

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | Encumbrances | YTD | YTD Transactions | Budget - YTD | Transactions | % used/ | Prior Year Total |
|---|----------------------|-------------------|----------------------|----------------------------|---------------|---------------|-----------------------|---------------------|--------------|------------|---------------------|
| Fund 4200 - Sears Block TIF District Fund | | | | | | | | | | | |
| REVENUE | | | | | | | | | | | |
| Property Taxes | 709,780.00 | .00 | 709,780.00 | .00 | .00 | .00 | 567,608.41 | 142,171.59 | 80 | 80 | 510,365.34 |
| Investment Income | 200.00 | .00 | 200.00 | 18.82 | .00 | .00 | 229.08 | (29.08) | 115 | 115 | 112.00 |
| Use of Fund Balance/Retained Earnings | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | +++ | .00 |
| REVENUE TOTALS | \$709,980.00 | \$0.00 | \$709,980.00 | \$18.82 | \$0.00 | \$0.00 | \$567,837.49 | \$142,142.51 | 80% | 80% | \$510,477.34 |
| EXPENSE | | | | | | | | | | | |
| Transfers Out Non-Lapsing | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | +++ | .00 |
| Outside Services | 8,500.00 | .00 | 8,500.00 | .00 | .00 | .00 | .00 | 8,500.00 | 0 | 0 | .00 |
| Debt Service | 241,690.00 | .00 | 241,690.00 | .00 | .00 | .00 | 241,683.98 | 6.02 | 100 | 100 | 257,083.13 |
| Miscellaneous | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | +++ | .00 |
| Transfers Out | 514,430.00 | .00 | 514,430.00 | 42,869.13 | .00 | .00 | 514,430.00 | .00 | 100 | 100 | .00 |
| EXPENSE TOTALS | \$764,620.00 | \$0.00 | \$764,620.00 | \$42,869.13 | \$0.00 | \$0.00 | \$756,113.98 | \$8,506.02 | 99% | 99% | \$257,083.13 |
| Fund 4200 - Sears Block TIF District Fund Totals | | | | | | | | | | | |
| REVENUE TOTALS | 709,980.00 | .00 | 709,980.00 | 18.82 | .00 | .00 | 567,837.49 | 142,142.51 | 80 | 80 | 510,477.34 |
| EXPENSE TOTALS | 764,620.00 | .00 | 764,620.00 | 42,869.13 | .00 | .00 | 756,113.98 | 8,506.02 | 99 | 99 | 257,083.13 |
| Grand Totals | (\$54,640.00) | \$0.00 | (\$54,640.00) | (\$42,850.31) | \$0.00 | \$0.00 | (\$188,276.49) | \$133,636.49 | | | \$253,394.21 |
| Grand Totals | | | | | | | | | | | |
| REVENUE TOTALS | 709,980.00 | .00 | 709,980.00 | 18.82 | .00 | .00 | 567,837.49 | 142,142.51 | 80 | 80 | 510,477.34 |
| EXPENSE TOTALS | 764,620.00 | .00 | 764,620.00 | 42,869.13 | .00 | .00 | 756,113.98 | 8,506.02 | 99 | 99 | 257,083.13 |
| Grand Totals | (\$54,640.00) | \$0.00 | (\$54,640.00) | (\$42,850.31) | \$0.00 | \$0.00 | (\$188,276.49) | \$133,636.49 | | | \$253,394.21 |

Penacook Village TIF Fund Budget by Account Class Report

Through 06/30/14
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 Total |
|--|--------------------|--------------------|--------------------|----------------------------|---------------|--------------------|-------------------------------|---------------|--------------------|
| Fund 4300 - Penacook Village TIF | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Property Taxes | 55,800.00 | .00 | 55,800.00 | .00 | .00 | 51,045.74 | 4,754.26 | 91 | 49,921.28 |
| Investment Income | 30.00 | .00 | 30.00 | 3.26 | .00 | 50.54 | (20.54) | 168 | 25.00 |
| 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 |
| Use of Fund Balance/Retained Earnings | .00 | 30,000.00 | 30,000.00 | .00 | .00 | .00 | 30,000.00 | 0 | .00 |
| REVENUE TOTALS | \$55,830.00 | \$30,000.00 | \$85,830.00 | \$3.26 | \$0.00 | \$51,921.28 | \$33,908.72 | 60% | \$49,946.28 |
| 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 | .00 | (1.00) | 100 | 21,497.99 |
| Transfers Out | 1,180.00 | 30,000.00 | 31,180.00 | 30,098.37 | .00 | 21,271.00 | .00 | 100 | .00 |
| EXPENSE TOTALS | \$27,700.00 | \$30,000.00 | \$57,700.00 | \$30,098.37 | \$0.00 | \$52,451.00 | \$5,249.00 | 91% | \$21,497.99 |
| Fund 4300 - Penacook Village TIF Totals | | | | | | | | | |
| REVENUE TOTALS | 55,830.00 | 30,000.00 | 85,830.00 | 3.26 | .00 | 51,921.28 | 33,908.72 | 60 | 49,946.28 |
| EXPENSE TOTALS | 27,700.00 | 30,000.00 | 57,700.00 | 30,098.37 | .00 | 52,451.00 | 5,249.00 | 91 | 21,497.99 |
| Grand Totals | \$28,130.00 | \$0.00 | \$28,130.00 | (\$30,095.11) | \$0.00 | (\$529.72) | \$28,659.72 | | \$28,448.29 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 55,830.00 | 30,000.00 | 85,830.00 | 3.26 | .00 | 51,921.28 | 33,908.72 | 60 | 49,946.28 |
| EXPENSE TOTALS | 27,700.00 | 30,000.00 | 57,700.00 | 30,098.37 | .00 | 52,451.00 | 5,249.00 | 91 | 21,497.99 |
| Grand Totals | \$28,130.00 | \$0.00 | \$28,130.00 | (\$30,095.11) | \$0.00 | (\$529.72) | \$28,659.72 | | \$28,448.29 |

Golf Course Fund Budget by Account Class Report

Through 06/30/14
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 Total |
|--|---------------------|-------------------|---------------------|----------------------------|------------------|---------------------|---------------------------|---------------|---------------------|
| Fund 7300 - Golf Course Fund | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Programs, Services & Products | 880,110.00 | .00 | 880,110.00 | 133,772.86 | .00 | 848,319.69 | 31,790.31 | 96 | 751,372.21 |
| 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 | 2.15 | .00 | 39.75 | 240.25 | 14 | 375.00 |
| Miscellaneous-Other | 38,000.00 | .00 | 38,000.00 | 15,004.25 | .00 | 41,872.17 | (3,872.17) | 110 | 46,258.34 |
| Other Financing Sources | .00 | .00 | .00 | .50 | .00 | (135.91) | 135.91 | +++ | (346.33) |
| Transfers-In Other | 29,100.00 | .00 | 29,100.00 | 1,429.33 | .00 | 28,104.33 | 995.67 | 97 | 28,262.50 |
| REVENUE TOTALS | \$947,490.00 | \$0.00 | \$947,490.00 | \$150,209.09 | \$0.00 | \$918,200.03 | \$29,289.97 | 97% | \$825,921.72 |
| EXPENSE | | | | | | | | | |
| Compensation | 336,570.00 | 23,905.63 | 360,475.63 | 57,002.99 | .00 | 360,970.48 | (494.85) | 100 | 246,362.83 |
| Fringe Benefits | 136,400.00 | (23,905.63) | 112,494.37 | 8,803.67 | .00 | 84,577.03 | 27,917.34 | 75 | 109,485.24 |
| Outside Services | 85,750.00 | .00 | 85,750.00 | 28,587.37 | .00 | 110,535.27 | (24,785.27) | 129 | 125,946.42 |
| Supplies | 208,840.00 | .00 | 208,840.00 | 40,440.66 | .00 | 188,741.68 | 20,098.32 | 90 | 133,956.47 |
| Utilities | 35,770.00 | .00 | 35,770.00 | 7,244.26 | .00 | 34,841.32 | 928.68 | 97 | 35,420.83 |
| Insurance | 4,060.00 | .00 | 4,060.00 | .00 | .00 | 3,940.00 | 120.00 | 97 | 4,580.35 |
| Debt Service | 56,560.00 | .00 | 56,560.00 | 798.96 | .00 | 57,353.29 | (793.29) | 101 | 57,462.50 |
| Miscellaneous | .00 | .00 | .00 | 469.00 | .00 | 3,906.03 | (3,906.03) | +++ | 5,627.16 |
| Allocated Costs | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Transfers Out | 77,950.00 | .00 | 77,950.00 | 6,245.87 | .00 | 77,950.00 | .00 | 100 | 77,950.00 |
| (Gain) Loss on Refunding | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | (3,000.00) |
| EXPENSE TOTALS | \$941,900.00 | \$0.00 | \$941,900.00 | \$149,592.78 | \$0.00 | \$922,815.10 | \$19,084.90 | 98% | \$793,791.80 |
| Fund 7300 - Golf Course Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 947,490.00 | .00 | 947,490.00 | 150,209.09 | .00 | 918,200.03 | 29,289.97 | 97 | 825,921.72 |
| EXPENSE TOTALS | 941,900.00 | .00 | 941,900.00 | 149,592.78 | .00 | 922,815.10 | 19,084.90 | 98 | 793,791.80 |
| Fund 7300 - Golf Course Fund Totals | \$5,590.00 | \$0.00 | \$5,590.00 | \$616.31 | \$0.00 | (\$4,615.07) | \$10,205.07 | | \$32,129.92 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 947,490.00 | .00 | 947,490.00 | 150,209.09 | .00 | 918,200.03 | 29,289.97 | 97 | 825,921.72 |
| EXPENSE TOTALS | 941,900.00 | .00 | 941,900.00 | 149,592.78 | .00 | 922,815.10 | 19,084.90 | 98 | 793,791.80 |
| Grand Totals | \$5,590.00 | \$0.00 | \$5,590.00 | \$616.31 | \$0.00 | (\$4,615.07) | \$10,205.07 | | \$32,129.92 |

Arena Fund Budget by Account Class Report

Through 06/30/14
 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 Total |
|---|----------------------|--------------------|----------------------|----------------------------|---------------|----------------------|-------------------------------|---------------|---------------------|
| Fund 7400 - Arena Fund | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Intergovernmental-Federal Programs, Services & Products | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Rents, Leases & Use | 20,000.00 | .00 | 20,000.00 | .00 | .00 | 29,375.00 | (9,375.00) | 147 | 25,900.00 |
| Fines, Penalties & Costs | 517,540.00 | .00 | 517,540.00 | 6,975.08 | .00 | 508,057.69 | 9,482.31 | 98 | 520,611.20 |
| Investment Income | 250.00 | .00 | 250.00 | 8.69 | .00 | 779.23 | (529.23) | 312 | 1,028.40 |
| Miscellaneous-Other | 390.00 | .00 | 390.00 | 14.47 | .00 | 175.33 | 214.67 | 45 | 558.00 |
| Transfers-In Trust | .00 | 50,000.00 | 50,000.00 | 391.51 | .00 | 47,966.81 | 2,033.19 | 96 | 1,281.27 |
| Transfers-In Other | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Capital Contributions | 16,710.00 | .00 | 16,710.00 | 1,392.50 | .00 | 16,710.00 | .00 | 100 | 17,380.00 |
| | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| REVENUE TOTALS | \$554,890.00 | \$50,000.00 | \$604,890.00 | \$8,782.25 | \$0.00 | \$603,064.06 | \$1,825.94 | 100% | \$566,758.87 |
| EXPENSE | | | | | | | | | |
| Compensation | 159,040.00 | 35,834.00 | 194,874.00 | (1,532.56) | .00 | 169,371.06 | 25,502.94 | 87 | 161,602.51 |
| Fringe Benefits | 87,030.00 | (17,034.00) | 69,996.00 | 1,921.08 | .00 | 68,243.72 | 1,752.28 | 97 | 95,723.76 |
| Outside Services | 29,390.00 | .00 | 29,390.00 | 2,834.93 | .00 | 25,234.92 | 4,155.08 | 86 | 25,800.32 |
| Supplies | 19,230.00 | 20,350.00 | 39,580.00 | 3,087.91 | .00 | 37,593.70 | 1,986.30 | 95 | 17,469.61 |
| Utilities | 80,018.00 | .00 | 80,018.00 | 9,826.32 | .00 | 83,088.53 | (3,070.53) | 104 | 77,411.41 |
| Insurance | 7,030.00 | .00 | 7,030.00 | .00 | .00 | 7,373.00 | (343.00) | 105 | 6,769.46 |
| 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 | .00 | .00 | 95,312.35 | 7.65 | 100 | 97,777.31 |
| Allocated Costs | 12,870.00 | .00 | 12,870.00 | 1,072.50 | .00 | 12,870.00 | .00 | 100 | 12,870.00 |
| Transfers Out | 142,260.00 | .00 | 142,260.00 | 3,563.37 | .00 | 142,260.00 | .00 | 100 | 41,000.00 |
| (Gain) Loss on Refunding | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| EXPENSE TOTALS | \$632,188.00 | \$42,500.00 | \$674,688.00 | \$20,773.55 | \$0.00 | \$642,040.45 | \$32,647.55 | 95% | \$551,368.38 |
| Fund 7400 - Arena Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 554,890.00 | 50,000.00 | 604,890.00 | 8,782.25 | .00 | 603,064.06 | 1,825.94 | 100 | 566,758.87 |
| EXPENSE TOTALS | 632,188.00 | 42,500.00 | 674,688.00 | 20,773.55 | .00 | 642,040.45 | 32,647.55 | 95 | 551,368.38 |
| Fund 7400 - Arena Fund Totals | (\$77,298.00) | \$7,500.00 | (\$69,798.00) | (\$11,991.30) | \$0.00 | (\$38,976.39) | (\$30,821.61) | | \$15,390.49 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 554,890.00 | 50,000.00 | 604,890.00 | 8,782.25 | .00 | 603,064.06 | 1,825.94 | 100 | 566,758.87 |
| EXPENSE TOTALS | 632,188.00 | 42,500.00 | 674,688.00 | 20,773.55 | .00 | 642,040.45 | 32,647.55 | 95 | 551,368.38 |
| Grand Totals | (\$77,298.00) | \$7,500.00 | (\$69,798.00) | (\$11,991.30) | \$0.00 | (\$38,976.39) | (\$30,821.61) | | \$15,390.49 |

Solid Waste Fund Budget by Account Class Report

Through 06/30/14
Prior Fiscal Year Activity Included

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | Encumbrances | YTD Transactions | YTD Budget - YTD | Transactions | % used/ | Prior Year Total |
|--|-----------------------|-------------------|-----------------------|----------------------------|---------------|-----------------------|---------------------|--------------|------------|-----------------------|
| Fund 7700 - Solid Waste Fund | | | | | | | | | | |
| REVENUE | | | | | | | | | | |
| Intergovernmental-State | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Intergovernmental-Local | 60,580.00 | .00 | 60,580.00 | 4,334.40 | .00 | 48,443.15 | 12,136.85 | 80 | 80 | 60,579.96 |
| Programs, Services & Products | 2,842,554.00 | .00 | 2,842,554.00 | 372,818.43 | .00 | 2,733,455.66 | 109,098.34 | 96 | 96 | 2,843,743.59 |
| Fees, Penalties & Costs | 400.00 | .00 | 400.00 | 31.69 | .00 | 293.91 | 106.09 | 73 | 73 | 1,562.19 |
| Licenses and Permits | 700.00 | .00 | 700.00 | .00 | .00 | 700.00 | .00 | 100 | 100 | 600.00 |
| Miscellaneous-Other | .00 | .00 | .00 | .00 | .00 | 280.30 | (280.30) | +++ | +++ | 60.00 |
| Transfers-In Trust | 13,800.00 | .00 | 13,800.00 | .00 | .00 | 13,800.00 | .00 | 100 | 100 | 13,800.00 |
| Transfers-In Other | 1,219,130.00 | .00 | 1,219,130.00 | 101,594.13 | .00 | 1,219,130.00 | .00 | 100 | 100 | 1,239,930.00 |
| REVENUE TOTALS | \$4,137,164.00 | \$0.00 | \$4,137,164.00 | \$478,778.65 | \$0.00 | \$4,016,103.02 | \$121,060.98 | 97% | 97% | \$4,160,275.74 |
| EXPENSE | | | | | | | | | | |
| Compensation | 155,330.00 | 25,298.00 | 180,628.00 | 1,757.80 | .00 | 155,293.83 | 25,334.17 | 86 | 86 | 167,183.59 |
| Fringe Benefits | 119,840.00 | (25,298.00) | 94,542.00 | 6,515.67 | .00 | 93,331.25 | 1,210.75 | 99 | 99 | 119,588.12 |
| Outside Services | 4,157,159.00 | .00 | 4,157,159.00 | 847,779.04 | .00 | 4,086,226.53 | 70,932.47 | 98 | 98 | 4,040,439.43 |
| Supplies | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | +++ | .00 |
| Utilities | 6,700.00 | .00 | 6,700.00 | 711.60 | .00 | 8,238.52 | (1,538.52) | 123 | 123 | 7,205.15 |
| Insurance | 140.00 | .00 | 140.00 | .00 | .00 | 140.00 | .00 | 100 | 100 | 1,714.69 |
| 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 | 100 | 20,645.01 |
| Allocated Costs | 3,600.00 | .00 | 3,600.00 | 300.00 | .00 | 3,600.00 | .00 | 100 | 100 | 3,100.00 |
| Transfers Out | .00 | .00 | .00 | (28,427.45) | .00 | (28,427.45) | 28,427.45 | +++ | +++ | (13,907.25) |
| EXPENSE TOTALS | \$4,484,479.00 | \$0.00 | \$4,484,479.00 | \$828,636.66 | \$0.00 | \$4,360,103.31 | \$124,375.69 | 97% | 97% | \$4,345,888.74 |
| Fund 7700 - Solid Waste Fund Totals | | | | | | | | | | |
| REVENUE TOTALS | 4,137,164.00 | .00 | 4,137,164.00 | 478,778.65 | .00 | 4,016,103.02 | 121,060.98 | 97 | 97 | 4,160,275.74 |
| EXPENSE TOTALS | 4,484,479.00 | .00 | 4,484,479.00 | 828,636.66 | .00 | 4,360,103.31 | 124,375.69 | 97 | 97 | 4,345,888.74 |
| Grand Totals | (\$347,315.00) | \$0.00 | (\$347,315.00) | (\$349,858.01) | \$0.00 | (\$344,000.29) | (\$3,314.71) | | | (\$185,613.00) |
| Grand Totals | | | | | | | | | | |
| REVENUE TOTALS | 4,137,164.00 | .00 | 4,137,164.00 | 478,778.65 | .00 | 4,016,103.02 | 121,060.98 | 97 | 97 | 4,160,275.74 |
| EXPENSE TOTALS | 4,484,479.00 | .00 | 4,484,479.00 | 828,636.66 | .00 | 4,360,103.31 | 124,375.69 | 97 | 97 | 4,345,888.74 |
| Grand Totals | (\$347,315.00) | \$0.00 | (\$347,315.00) | (\$349,858.01) | \$0.00 | (\$344,000.29) | (\$3,314.71) | | | (\$185,613.00) |

Water Fund Budget by Account Class Report

Through 06/30/14
 Prior Fiscal Year Activity Included
 Summary Listing

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | Encumbrances | YTD Transactions | Budget - YTD Transactions | % used/ Rec'd | Prior Year Total |
|---------------------------------------|-----------------------|-------------------|-----------------------|----------------------------|---------------|-----------------------|---------------------------|---------------|-----------------------|
| 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 | 485,828.02 | .00 | 5,465,079.42 | (24,679.42) | 100 | 5,474,351.63 |
| Fines, Penalties & Costs | 24,750.00 | .00 | 24,750.00 | 1,384.08 | .00 | 26,951.52 | (2,201.52) | 109 | 25,104.72 |
| Investment Income | 7,000.00 | .00 | 7,000.00 | 224.56 | .00 | 4,392.48 | 2,607.52 | 63 | 8,321.00 |
| Miscellaneous-Other | 53,790.00 | .00 | 53,790.00 | 6,217.42 | .00 | 54,639.30 | (849.30) | 102 | 64,139.26 |
| Capital Contributions | 15,000.00 | .00 | 15,000.00 | 2,776.00 | .00 | 27,757.00 | (12,757.00) | 185 | 20,489.19 |
| Use of Fund Balance/Retained Earnings | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| REVENUE TOTALS | \$5,540,940.00 | \$0.00 | \$5,540,940.00 | \$496,430.08 | \$0.00 | \$5,578,819.72 | (\$37,879.72) | 101% | \$5,592,405.80 |
| EXPENSE | | | | | | | | | |
| Compensation | 940,980.00 | 155,196.00 | 1,096,176.00 | 83,160.30 | .00 | 1,100,714.31 | (4,538.31) | 100 | 912,005.81 |
| Fringe Benefits | 813,305.00 | (155,196.00) | 658,109.00 | 47,517.97 | .00 | 654,477.93 | 3,631.07 | 99 | 772,777.54 |
| Outside Services | 151,170.00 | .00 | 151,170.00 | 89,434.06 | .00 | 170,105.65 | (18,935.65) | 113 | 106,099.14 |
| Supplies | 437,100.00 | .00 | 437,100.00 | 81,232.17 | .00 | 433,432.68 | 3,667.32 | 99 | 413,444.10 |
| Utilities | 242,022.00 | .00 | 242,022.00 | 51,674.64 | .00 | 225,507.28 | 16,514.72 | 93 | 290,368.37 |
| Insurance | 38,830.00 | .00 | 38,830.00 | .00 | .00 | 38,290.00 | 540.00 | 99 | 40,323.14 |
| Capital Outlay | 104,201.00 | .00 | 104,201.00 | 17,374.51 | .00 | 40,554.86 | 63,646.14 | 39 | 25,361.53 |
| Capital Outlay (Non-lapsing) | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Debt Service | 2,215,370.00 | .00 | 2,215,370.00 | 25,531.15 | .00 | 2,242,377.26 | (27,007.26) | 101 | 1,984,870.48 |
| Miscellaneous | 28,750.00 | .00 | 28,750.00 | 4,171.00 | .00 | 24,775.50 | 3,974.50 | 86 | 33,290.79 |
| Allocated Costs | 330,110.00 | .00 | 330,110.00 | 27,359.13 | .00 | 330,110.00 | .00 | 100 | 277,090.00 |
| Transfers Out | 715,710.00 | .00 | 715,710.00 | 64,566.13 | .00 | 728,467.00 | (12,757.00) | 102 | 729,531.21 |
| (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 | \$491,021.06 | \$0.00 | \$5,988,812.47 | \$28,735.53 | 100% | \$5,507,412.11 |
| Fund 7800 - Water Fund Totals | | | | | | | | | |
| REVENUE TOTALS | 5,540,940.00 | .00 | 5,540,940.00 | 496,430.08 | .00 | 5,578,819.72 | (37,879.72) | 101 | 5,592,405.80 |
| EXPENSE TOTALS | 6,017,548.00 | .00 | 6,017,548.00 | 491,021.06 | .00 | 5,988,812.47 | 28,735.53 | 100 | 5,507,412.11 |
| Fund 7800 - Water Fund Totals | (\$476,608.00) | \$0.00 | (\$476,608.00) | \$5,409.02 | \$0.00 | (\$409,992.75) | (\$66,615.25) | | \$84,993.69 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | 5,540,940.00 | .00 | 5,540,940.00 | 496,430.08 | .00 | 5,578,819.72 | (37,879.72) | 101 | 5,592,405.80 |
| EXPENSE TOTALS | 6,017,548.00 | .00 | 6,017,548.00 | 491,021.06 | .00 | 5,988,812.47 | 28,735.53 | 100 | 5,507,412.11 |
| Grand Totals | (\$476,608.00) | \$0.00 | (\$476,608.00) | \$5,409.02 | \$0.00 | (\$409,992.75) | (\$66,615.25) | | \$84,993.69 |

Wastewater Fund Budget by Account Class Report

Through 06/30/14
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/ Rec'd | Prior Year Total |
|---------------------------------|-----------------------|-------------------|-----------------------|----------------------------|---------------|-----------------------|-----------------------|---------------------------|---------------|-----------------------|
| Fund 7900 - WW Fd | | | | | | | | | | |
| REVENUE | | | | | | | | | | |
| Intergovernmental-Federal | .00 | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Intergovernmental-State | 197,450.00 | .00 | 197,450.00 | (78,191.24) | .00 | 92,476.00 | 104,974.00 | 47 | 47 | 31,537.00 |
| Programs, Services & Products | 6,774,320.00 | .00 | 6,774,320.00 | 648,621.72 | .00 | 6,988,034.10 | (213,714.10) | 103 | 103 | 6,795,527.83 |
| Fines, Penalties & Costs | 24,200.00 | .00 | 24,200.00 | 1,558.79 | .00 | 31,570.33 | (7,370.33) | 130 | 130 | 27,618.02 |
| Licenses and Permits | 1,100.00 | .00 | 1,100.00 | 465.00 | .00 | 1,360.00 | (260.00) | 124 | 124 | 1,360.00 |
| Investment Income | 6,000.00 | .00 | 6,000.00 | 148.50 | .00 | 3,107.41 | 2,892.59 | 52 | 52 | 7,957.00 |
| Miscellaneous-Other | 53,790.00 | 7,000.00 | 60,790.00 | 9,220.49 | .00 | 90,303.77 | (29,513.77) | 149 | 149 | 65,507.96 |
| 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 | 6,326.60 | .00 | 39,379.44 | 620.56 | 98 | 98 | 49,509.59 |
| REVENUE TOTALS | \$7,096,860.00 | \$7,000.00 | \$7,103,860.00 | \$588,149.86 | \$0.00 | \$7,246,231.05 | (\$142,371.05) | 102% | | \$6,979,017.40 |
| EXPENSE | | | | | | | | | | |
| Compensation | 1,175,840.00 | 192,905.00 | 1,368,745.00 | 167,779.16 | .00 | 1,355,412.03 | 13,332.97 | 99 | 99 | 1,120,977.02 |
| Fringe Benefits | 997,675.00 | (192,905.00) | 804,770.00 | 65,289.25 | .00 | 788,934.48 | 15,835.52 | 98 | 98 | 921,651.65 |
| Outside Services | 480,721.00 | 7,000.00 | 487,721.00 | 66,108.13 | .00 | 439,188.19 | 48,532.81 | 90 | 90 | 398,353.39 |
| Supplies | 470,692.00 | .00 | 470,692.00 | 57,131.06 | .00 | 456,729.30 | 13,962.70 | 97 | 97 | 437,696.80 |
| Utilities | 569,180.00 | .00 | 569,180.00 | 59,817.52 | .00 | 496,996.72 | 72,183.28 | 87 | 87 | 519,531.04 |
| Insurance | 58,380.00 | .00 | 58,380.00 | .00 | .00 | 57,888.00 | 492.00 | 99 | 99 | 53,399.96 |
| Capital Outlay | 51,500.00 | .00 | 51,500.00 | 14,700.00 | .00 | 38,827.00 | 12,673.00 | 75 | 75 | 76,755.92 |
| Capital Outlay (Non-lapsing) | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | +++ | .00 |
| Debt Service | 2,632,300.00 | .00 | 2,632,300.00 | 18,289.26 | .00 | 2,276,051.46 | 356,248.54 | 86 | 86 | 2,337,910.38 |
| Miscellaneous | 19,930.00 | .00 | 19,930.00 | 689.00 | .00 | 18,915.77 | 1,014.23 | 95 | 95 | 17,641.00 |
| Allocated Costs | 248,360.00 | .00 | 248,360.00 | 20,546.63 | .00 | 248,360.00 | .00 | 100 | 100 | 236,120.00 |
| Transfers Out | 770,840.00 | .00 | 770,840.00 | 84,716.07 | .00 | 770,219.44 | 620.56 | 100 | 100 | 702,309.59 |
| (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 | \$555,066.08 | \$0.00 | \$6,947,522.39 | \$534,895.61 | 93% | | \$6,809,756.75 |
| Fund 7900 - WW Fd Totals | | | | | | | | | | |
| REVENUE TOTALS | 7,096,860.00 | 7,000.00 | 7,103,860.00 | 588,149.86 | .00 | 7,246,231.05 | (142,371.05) | 102 | 102 | 6,979,017.40 |
| EXPENSE TOTALS | 7,475,418.00 | 7,000.00 | 7,482,418.00 | 555,066.08 | .00 | 6,947,522.39 | 534,895.61 | 93 | 93 | 6,809,756.75 |
| Fund 7900 - WW Fd Totals | (\$378,558.00) | \$0.00 | (\$378,558.00) | \$33,083.78 | \$0.00 | \$298,708.66 | (\$677,266.66) | | | \$169,260.65 |
| Grand Totals | | | | | | | | | | |
| REVENUE TOTALS | 7,096,860.00 | 7,000.00 | 7,103,860.00 | 588,149.86 | .00 | 7,246,231.05 | (142,371.05) | 102 | 102 | 6,979,017.40 |
| EXPENSE TOTALS | 7,475,418.00 | 7,000.00 | 7,482,418.00 | 555,066.08 | .00 | 6,947,522.39 | 534,895.61 | 93 | 93 | 6,809,756.75 |
| Grand Totals | (\$378,558.00) | \$0.00 | (\$378,558.00) | \$33,083.78 | \$0.00 | \$298,708.66 | (\$677,266.66) | | | \$169,260.65 |

Trust Fund Budget by Account Class Report

Through 06/30/14
 Prior Fiscal Year Activity Included
 Summary Listing

| Account Classification | Adopted Budget | Budget Amendments | Amended Budget | Current Month Transactions | Encumbrances | YTD Transactions | Budget - YTD Transactions | % used/ Rec'd | Prior Year Total |
|--------------------------------------|----------------|-------------------|----------------|----------------------------|---------------|-----------------------|---------------------------|---------------|-----------------------|
| Fund 9100 - Trust Fund | | | | | | | | | |
| REVENUE | | | | | | | | | |
| Investment Income | .00 | .00 | .00 | 382,472.73 | .00 | 2,505,101.62 | (2,505,101.62) | +++ | 1,413,741.85 |
| Transfers-In Trust | .00 | .00 | .00 | .00 | .00 | .00 | .00 | +++ | .00 |
| Transfers-In Other | .00 | .00 | .00 | 204,433.44 | .00 | 1,413,562.47 | (1,413,562.47) | +++ | 1,620,897.11 |
| REVENUE TOTALS | \$0.00 | \$0.00 | \$0.00 | \$586,906.17 | \$0.00 | \$3,918,664.09 | (\$3,918,664.09) | +++ | \$3,034,638.96 |
| EXPENSE | | | | | | | | | |
| Transfers Out Non-Lapsing | .00 | .00 | .00 | 248,409.13 | .00 | 2,471,153.13 | (2,471,153.13) | +++ | 2,439,240.29 |
| Miscellaneous | .00 | .00 | .00 | 301.01 | .00 | 301.01 | (301.01) | +++ | 317.13 |
| EXPENSE TOTALS | \$0.00 | \$0.00 | \$0.00 | \$248,710.14 | \$0.00 | \$2,471,454.14 | (\$2,471,454.14) | +++ | \$2,439,557.42 |
| Fund 9100 - Trust Fund Totals | | | | | | | | | |
| REVENUE TOTALS | .00 | .00 | .00 | 586,906.17 | .00 | 3,918,664.09 | (3,918,664.09) | +++ | 3,034,638.96 |
| EXPENSE TOTALS | .00 | .00 | .00 | 248,710.14 | .00 | 2,471,454.14 | (2,471,454.14) | +++ | 2,439,557.42 |
| Fund 9100 - Trust Fund Totals | \$0.00 | \$0.00 | \$0.00 | \$338,196.03 | \$0.00 | \$1,447,209.95 | (\$1,447,209.95) | +++ | \$595,081.54 |
| Grand Totals | | | | | | | | | |
| REVENUE TOTALS | .00 | .00 | .00 | 586,906.17 | .00 | 3,918,664.09 | (3,918,664.09) | +++ | 3,034,638.96 |
| EXPENSE TOTALS | .00 | .00 | .00 | 248,710.14 | .00 | 2,471,454.14 | (2,471,454.14) | +++ | 2,439,557.42 |
| Grand Totals | \$0.00 | \$0.00 | \$0.00 | \$338,196.03 | \$0.00 | \$1,447,209.95 | (\$1,447,209.95) | +++ | \$595,081.54 |



CITY OF CONCORD

9-22

TEA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Brian G. LeBrun, Deputy City Manager Finance *Brian*
CC: Thomas J. Aspell, Jr., City Manager
DATE: August 20, 2014
SUBJECT: Compliance with RSA 674:21 V (l) Impact Fee Report

Recommendation

To accept this report on impact fees collected and used.

Background

Title LXIV Planning and Zoning, Chapter 674, Local land use Planning and Regulatory Powers establishes the parameters by which a community may collect impact fees and the purposes for which these collected fees may be expended. Under RSA 674:21 V (l), municipalities having adopted an impact fee ordinance shall prepare a report listing all expenditures of impact fee revenue for the prior fiscal year, identifying the capital improvement project for which the fees were assessed and stating the dates upon which the fees were assessed and collected. The annual report shall enable the public to track the payment, expenditure, and status of the individually collected fees to determine whether said fees were expended, retained or refunded.

Discussion

The City of Concord maintains a robust Capital Improvement Program which is updated annually. Appropriations are also made annually to fund certain capital projects within the Capital Improvement Program. The City uses several funding sources to support capital projects including cash transfers from operating budgets, reserves, bonding, grants, donations and impact fees. The City has established a fund, separate from the General Fund, to report impact fees and balances. The attached report is a supplemental report that shows when the impact fee was received and for which CIP project the impact fee was used or retained, if the fee is currently available for use, and if it was identified to be used in the recently passed FY 2015 capital or operating budgets. As of June 30, 2014, the impact fee fund is reporting a balance of \$1,109,509.44. The FY 2015 budget authorized/planned the use of \$353,524.00, thereby leaving an amount available for other projects of \$755,985.44.

Impact Fees Fund 2801
Available Balances as of June 30, 2014

| | Impact Fees Fund Revenues as of 6/30/2014 |
|--|--|
| Traffic Benefit District | |
| 1 | \$ 150,929.53 |
| 2 | 32,867.70 |
| 3 | 372,002.16 |
| 4 | 392,996.10 |
| Total Traffic Impact Fee Fund Revenues | \$ 948,795.49 |
| | |
| Recreation Benefit District | |
| 1 | \$ 62,721.55 |
| 2 | 15,848.90 |
| 3 | 25,286.61 |
| 4 | 7,369.32 |
| Total Recreation Impact Fee Fund Revenues | \$ 111,226.38 |
| | |
| Administrative Fees to Engineering | \$ 49,487.57 |
| | |
| Interest Income | |
| to be allocated to Impact Fee Fund Districts at Year End | \$ - |
| | |
| IFF AVAILABLE TO THE CITY | \$ 1,109,509.44 |
| | |
| Payable to the School Districts at Fiscal Year End 2014 | |
| Concord School District | - |
| Merrimack Valley School District | - |
| IFF NOT AVAILABLE TO THE CITY | \$ - |
| | |
| TOTAL IMPACT FEES FUND REVENUES | \$ 1,109,509.44 |

| | |
|---|--------------|
| PROOF: | |
| Total Net from above | 1,109,509.44 |
| Net Income per Logos Project Income Stmt (LTD) | 1,109,509.44 |
| Difference | - |



CITY OF CONCORD

9-23
TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: David Gill, Parks and Recreation Director
DATE: August 27, 2014
SUBJECT: 2015 Membership rates for Beaver Meadow Golf Course

Recommendation

Review and accept report.

Background

The Beaver Meadow Golf Course Advisory Committee annually reviews membership rates for the Beaver Meadow Golf Course. The committee held two meetings this summer to review budget needs and membership rates at other areas courses.

Discussion

The Golf Course Advisory Committee at their August 2014 meeting unanimously approved the attached rates for the upcoming 2015 season.

There are a few changes to highlight:

- Senior 2 Membership is truly just a Monday – Thursday membership.
- Family Memberships now include minors living in household (ages 18 and under).
- Young Adult Member: This new membership is open to young adults' ages 19 to 29 years old and is a full seven day a week membership.

| | Beaver Meadow | Beaver Meadow Proposed | Pembroke Pines | Canterbury Woods | LOUDON CC | DERRYFIELD | STONEBRIDGE |
|------------------------|---------------|------------------------|----------------|------------------|-----------------|---------------------|--------------------------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| CATEGORY | 2014 | 2015 | 2015 | 2015 | 2014 | 2014 | 2014 |
| Senior 1, Mon-Fri | \$725 | \$760 | | 783-9400 | Loudon 783-3372 | Manchester 669-0235 | Goffstown 497-8633 |
| Senior II, Mon-Thurs | \$641 | \$690 | | \$950 | \$895 | | NOT OFFERED |
| Senior 7 Day | | n/a | | | | | |
| Adult 7 days | \$1,197 | \$1,255 | \$1,050 | \$1,050 | \$1,145 | \$617 | |
| Adult non resident | | n/a | \$1,400 | \$1,400 | \$1,495 | \$948 | \$2,095 |
| Adult weekday only | | n/a | | | | | |
| Family | \$2,158 | \$2,200 | \$1,050 | \$1,050 | \$1,095 | | \$1,695 |
| Family Add on | \$326 | \$325 | \$2,200 | \$2,200 | \$2,275 | \$1,612 | \$3,445 |
| Family all members | | n/a | | | \$215 | \$99 | |
| Family all members M-F | | n/a | | | | | \$3,945 |
| Family Weekday | | n/a | | | | | \$3,045 |
| Senior Family 7 Day | | n/a | \$1,600 | \$1,600 | \$1,675 | | \$2,645 |
| Senior Family Mon-Fri | | n/a | \$1,650 | 1650 | \$1,675 | 1050 | |
| Junior | \$357 | \$355 | \$1,250 | \$1,250 | \$1,345 | | |
| Collegiate Rate | \$780 | \$780 | \$300 | \$300 | \$355 | 99 | \$695 |
| Twilight 7 days | \$835 | \$875 | \$625 | \$625 | \$495 | \$399 | \$695 |
| Twilight 5 days | | n/a | \$900 | \$900 | \$895 | | |
| Young adult (new) | | \$900 | \$600 | \$600 | | | full 7 day a week member |

Recommend Senior 2 goes to Monday - Thursday entire season (no Friday play)
Recommend 2015 Family include 2 children living in household (eligibility for age same as Junior Membership)
As with past years: players who sign up for ACH or pay a \$300 deposit by end of the 2014 season will be able to lock in our 2014 membership rates for the 2015 season.
Young adult membership is open to adults aged 19 - 29 at Beaver Meadow

9-24

TJA



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, PE, City Engineer
DATE: August 26, 2014
SUBJECT: Status of the Sewalls Falls Bridge Replacement Project (CIP22).

Recommendation

Accept this project status report advising Council of a delay in federal/state funding and recommending a permanent closure of the existing Sewalls Falls Bridge on December 1, 2014 rather than the spring of 2015 due to safety concerns.

Background

As Council will recall, the City is proceeding with full replacement of the existing Sewalls Falls Bridge as the preferred, final alternative and design is underway. The project was anticipated to be advertised for bid by November 1, 2014.

Discussion

As part of the design and permitting process, preliminary plans, specifications, and estimates (PPS&E) were submitted in May 2014. On August 26, 2014, NHDOT granted approval of the preliminary plans and issued the notice to proceed to complete the final design and permitting of the project. Part of the review and approval process included notification by NHDOT that given serious fiscal constraints, the full funding to complete the design of the replacement bridge and acquisition of right-of-way would not be available until late 2014. A partial release of funds has been provided with balance due following the start of the new federal fiscal year in October 2014.

Given the aforementioned delay, the release of the bid has now been deferred until February 27, 2015. An 18-month construction duration is still expected with completion in October 2016.

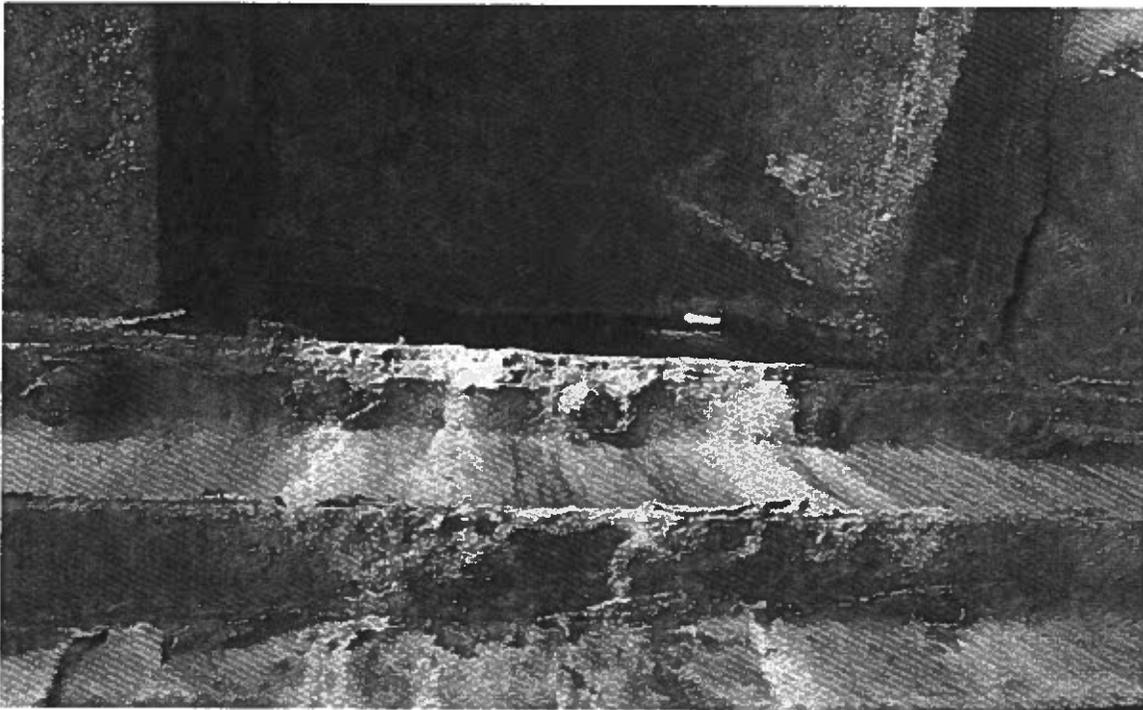
As Council will recall, the existing bridge, which has been downgraded multiple times due to safety concerns, was planned to be removed prior to the start of construction in the spring of 2015. To ensure the public's safety in the interim, City staff has conducted bi-weekly inspections of the existing bridge structure. Unfortunately, the inspection staff has become increasingly concerned with the conditions of the bridge, particularly the approach span section on the east side of the river. This span, which had already been in poor condition, suffered considerable further deterioration as a result of last winter's extreme

conditions. Based on those inspections, I am not confident that the approach span will withstand another winter. As a result, I am recommending that the bridge be closed permanently on December 1, 2014 rather than in the spring of 2015.

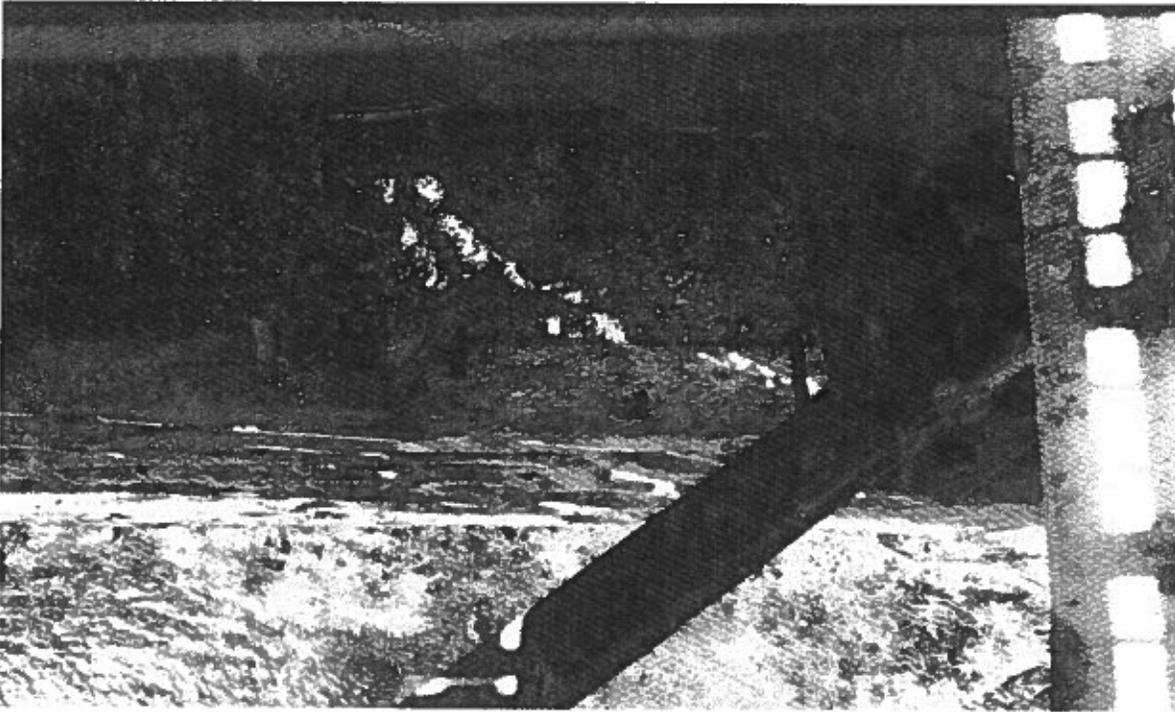
CONCORD 12004 - Sewalls Falls Bridge
Inspection Photos



8/14/2014 - Approach Span Deck Penetration at Deck Joint (Surface)
Pavement/Composite Concrete Deck Failure



8/14/2014 - Approach Span Deck Penetration at Deck Joint (Underside)
Composite Concrete Deck Failure (see daylight), Structural Steel Scale Deficiencies



8/14/2014 – Truss Structure/Approach Span Deck Connection at West Abutment
Concrete Abutment Cap Failure, Structural Steel Scale Deficiencies



8/14/2014 - Approach Span Deck Pavement/Composite Concrete Deck Failure



CITY OF CONCORD

9-25

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Chip Chesley, General Services Director
DATE: August 11, 2014
SUBJECT: Local Source Water Protection Grants 2015

Recommendation

Accept this report and authorize the City Manager to apply for and accept grant funds available from the New Hampshire Department of Environmental Services relative to Local Source Water Protection.

Background

The General Services Department requests City Council approval to authorize the City Manager to apply for and accept grant funds up to the amount of \$ 20,000 from the NH Department of Environmental Services (NHDES), in order to purchase a "working platform" pontoon boat for the City Reservoir, known as Penacook Lake.

This type of water craft would provide several invaluable services for the City's Water system:

- Inspection of the Penacook Lake and shore line. Access to the shoreline on foot is restricted due to heavy vegetation and the lack of established trails or roads.
- Safe sampling, biological monitoring and modeling of Penacook Lake would be simpler and more frequently performed from a craft designed for this purpose.
- A big part of Concord's source protection program is through Public Education. Involving Residents, Officials, Schools, and Organizations in the management of Penacook Lake will allow the public to see how vulnerable and valuable our reservoir and water shed truly are.

Currently the water treatment plant uses the same watercraft placed in service in 1968. This vintage 16 foot fiberglass Boston Whaler is equipped with homemade ply wood seats and is rated for carrying only 350 pounds. All internal and external surfaces are heavily weathered, eroded, and cracked. Extensive repair of cracks, leaks and boat in general are required each year to keep the craft operational.

Discussion

Upon City Council's approval of the report, the City Manager will execute the grant application and accept receipt of grant funds to purchase the water craft.

Cc: Phil Bilodeau, General Service Deputy Director





CITY OF CONCORD

9-26

FA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Director of Redevelopment, Downtown Services, and Special Projects

DATE: August 27, 2014

SUBJECT: Annual Leased Parking Space Report

Recommendations:

Accept the following report.

Background:

This report is being provided in accordance with City Code of Ordinances, Article 4-7-3 which states "*the City Manager shall annually report to the City Council the number of spaces leased in each facility, the term of the lease, and the rent received*" for City owned parking lots and garages. This requirement was created by Ordinance #2232, which was passed on August 11, 1997.

Discussion:

The following is a summary of all municipally owned parking facilities that have leased parking spaces.

- Fire House Block Garage: The Firehouse Parking Garage was constructed in 1979, is 81,986 Square Feet, and contains 232 parking spaces. Spaces are managed as follows:

Firehouse Block Facility Summary

| Type of Space | Quantity |
|----------------|------------|
| Leased | 75 |
| Metered | 116 |
| City Employees | 41 |
| Total | 232 |

As of the date of this report, 66 spaces were rented, leaving 9 available for lease. These 9 spaces are currently being used as hourly public parking on an interim basis. Details about leased parking spaces are as follows.

Firehouse Block Garage

| Leasee | Covered | Uncovered | Quarterly | Yearly | Expires |
|----------------------------|-----------|-----------|--------------------|--------------------|------------|
| Hearst Communications | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| NH AFL-CIO | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| CMJ Associates | 1 | 8 | \$2,424.00 | \$9,696.00 | 06/30/2015 |
| Concord YMCA | 2 | 4 | \$1,716.00 | \$6,864.00 | 06/30/2015 |
| Mason and Rich | 14 | 0 | \$4,704.00 | \$18,816.00 | 06/30/2015 |
| UBS Financial | 3 | 4 | \$2,052.00 | \$8,208.00 | 06/30/2015 |
| Firehouse Block Associates | 28 | 0 | \$9,408.00 | \$37,632.00 | 06/30/2016 |
| Total | 50 | 16 | \$20,976.00 | \$83,904.00 | |

- *Durgin Block Garage*: The Durgin Block Garage was constructed in 1983, is 170,932 Square Feet, and contains 467 spaces. Spaces are managed as follows:

Durgin Block Facility Summary

| Type of Space | Quantity |
|---------------|------------|
| Leased | 279 |
| Metered | 188 |
| Total | 467 |

As of the date of this report, 278 parking spaces were rented, leaving 1 space available for lease. Details about leased parking spaces are as follows.

Durgin Block Garage

| Leasee | Covered | Uncovered | Quarterly | Yearly | Expires |
|-------------------------------|------------|------------|--------------------|---------------------|------------|
| Merrimack County Savings Bank | 6 | 11 | \$4,887.00 | \$19,548.00 | 06/30/2015 |
| REIT Management | 11 | 19 | \$8,655.00 | \$34,620.00 | 06/30/2015 |
| Ransmeier and Spellman | 1 | 2 | \$858.00 | \$3,432.00 | 06/30/2015 |
| Sulloway and Hollis | 19 | 26 | \$7,147.00 | \$28,588.00 | 06/30/2015 |
| Merrill Lynch | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| Rowland Studio | 2 | 0 | \$672.00 | \$2,688.00 | 06/30/2015 |
| Devine Millimet | 0 | 6 | \$1,566.00 | \$6,264.00 | 06/30/2015 |
| Edible Arrangements | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| Shannon Drake / Vino LLC | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| REIT Management 2055* | 96 | 30 | N/A | \$26,808.70 | 12/31/2055 |
| PRM 2055* | 33 | 13 | N/A | \$10,122.76 | 12/31/2055 |
| Total | 171 | 107 | \$24,793.00 | \$136,103.46 | |

* Long Term lease rate varies from FY to FY based on operational/maintenance costs. Taxes not included and billed directly by City Assessing.

- **Capital Commons Garage:** The Capital Commons Garage was constructed in 2007, is 171,812 Square Feet, and contains 516 spaces. Spaces are managed as follows:

Capital Commons Facility Summary

| Type of Space | Quantity |
|---------------|------------|
| Leased | 391 |
| Metered | 125 |
| Total | 516 |

As of the date of this report, 387 parking spaces were leased, leaving 4 available for rent. However, it is important to note that 61 of 387 spaces may appear vacant but are currently being leased by Capital Commons L.L.C. on behalf of Casey Family Services. Casey Family Services, which vacated the premises approximately 2 years ago, had a 12 year unbreakable lease for their office space and related parking spaces. As such, the landlord continues to pay rent to the City for these 61 parking spaces. However, the City and the landlord are in discussions about sub-leasing these spaces to other users on an interim basis until such time as the Casey Family Services space is occupied by new tenants. As part of these discussions, the City is seeking to terminate agreements with the Developer to maintain 40 public hourly spaces on the roof of the garage, which was previously required to attract Casey to the Capital Commons office building.

Details for all leased parking spaces in the garage are as follows.

Capital Commons Garage

| Leasee | Covered | Uncovered | Quarterly | Yearly | Expires |
|-------------------------------------|------------|------------|--------------------|---------------------|------------|
| Smith/Phillips | 0 | 1 | \$261.00 | \$1,044.00 | 06/30/2015 |
| Dr. Robert Sturke | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| Centrix Bank | 5 | 0 | \$1,680.00 | \$6,720.00 | 06/30/2015 |
| McLane Law | 14 | 0 | \$4,704.00 | \$18,816.00 | 06/30/2015 |
| Hinckley Allen | 21 | 0 | \$7,056.00 | \$28,224.00 | 06/30/2015 |
| Granite Investment Advisors | 6 | 0 | \$2,016.00 | \$8,064.00 | 06/30/2015 |
| Doug Bohlman | 1 | 0 | \$336.00 | \$1,344.00 | 06/30/2015 |
| Crisp Law | 2 | 0 | \$672.00 | \$2,688.00 | 06/30/2015 |
| Concord Hospital | 29 | 38 | \$19,662.00 | \$78,648.00 | 04/01/2031 |
| Duprey Companies - SMILE Building | 0 | 83* | N/A | \$28,917.00 | 04/01/2031 |
| Capital Commons LLC | 0 | 61** | \$20,496.00 | \$81,984.00 | 11/30/2023 |
| Duprey Companies - Bindery Building | 40 | 85 | N/A | \$40,750.00 | 06/30/2033 |
| Total | 119 | 124 | \$57,219.00 | \$298,543.00 | |

* Currently covered spaces due to agreement to relocate from roof top to accommodate Casey Family Services. Still charged uncovered rate.

**Uncovered spaces but charged covered lease rate per agreement to relocate SMILE Building tenants to accommodate Casey Family Services

- City Hall Surface Lot: This lot is located on Prince Street directly west of the City Auditorium. The lot contains 44 parking spaces, as detailed below, of which one is leased to Girls Inc., which operates out of the Green Street Community Center, at the current rate \$783 / year, including property taxes as required by RSA 72:23.

| City Hall Surface Lot | |
|-----------------------|-----------|
| Type of Space | Quantity |
| Leased | 1 |
| Metered | 21 |
| City Employees | 18 |
| City Vehicles | 4 |
| Total | 44 |



CITY OF CONCORD

9-27

TJA

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Assistant for Special Projects
DATE: August 27, 2014
SUBJECT: CIP #508 Former Allied Leather Tannery: Project Update

Recommendation:

Accept this report.

Background:

Last November the City commenced the final phase of environmental cleanup of the former Allied Leather and Amazon Realty sites located at 5 – 35 Canal Street, Penacook. Cleanup activities were completed on August 1, 2014.

The purpose of this report is to provide a final briefing concerning the cleanup effort and related costs associated therewith, as well as to discuss next steps concerning redevelopment of the property. This report also reviews the City's total investment in the Allied Leather and Amazon Realty sites dating from the start of the City's redevelopment efforts in 2002.

Discussion:

- 1) Overview of Cleanup Activities: The following is a summary of key accomplishments achieved by this round of cleanup activities:
 - a. Concrete Removal / Disposal:
 - i. Excavation of 6,500 cubic yards of crushed masonry previously used to backfill building foundations as part of demolition efforts in 2004 and 2008. Specifically, this material was previously manufactured by the City through the crushing of masonry portions of former Penacook Mill building. The resulting materials were recycled as backfill in order to reduce costs and environmental impacts which would have resulted if masonry materials were hauled to an offsite disposal facility.
 - ii. Excavation and removal of 164,256 square feet of buildings foundations. This material was crushed onsite and blended with the 6,500 cubic yards of other crushed masonry material to create 10,500 cubic yards of structural backfill. This material was used as backfill and cover for capped leather and coal ash materials at the site.

iii. Disposal of 118 tons of Hexavalent Chromium contaminated concrete.

b. Contaminated Soils: The following materials were excavated and remediated as part of the City's cleanup effort:

- i. 1,142 tons of soil contaminated by Chromium, Polynuclear Aromatic Hydrocarbons (PAHs), and perchloroethylene (PCE) (offsite disposal)
- ii. 322 tons of soil contaminated by Polynuclear Aromatic Hydrocarbons (PAHs) (coal ash) (offsite disposal)
- iii. 269 tons of soil contaminated by Chromium and Petroleum (offsite disposal)
- iv. 126 tons of soil contaminated with Petroleum Contaminated soils (offsite disposal)
- v. 15 tons of soil contaminated with polychlorinated biphenyls (PCBs) (offsite disposal)
- vi. 525 cubic yards of soil contaminated with leather scrap (capped onsite)
- vii. 2,368 cubic yards of soil contaminated with Polynuclear Aromatic Hydrocarbons (PAHs) (coal ash) (capped onsite)

The leather scrap and PAH soils that were capped onsite are located in cells along Canal Street and the Contoocook River. Materials disposed of offsite were shipped to a variety of locations including Turnkey Landfill in Rochester N.H., ESMI in Loudon N.H., a Casella owned facility in Coventry V.T., as well as Stalex in Canada.

c. Water Treatment: A total of 611,210 +/- gallons of groundwater was pumped and treated as part of excavation and removal of concrete and contaminated soils. Treated groundwater was discharged to the City's sanitary sewer system.

As part of these efforts, the City also hauled 4,000 cubic yards of fill from 1 South Commercial Street to the Tannery site where it was recycled as back fill. This material was generated by the construction of the Capital Commons Project in 2005-2007, as well as other development activities within the NEOCTIF District. As part of this process, the City disposed of 150 tons of lead contaminated soil which was commingled with the 4,000 cubic yard pile. Costs associated with management of said soil was funded by the Sears Block TIF District and NEOCTIF District in the amount of \$80,160.

2) Budget Review – Environmental Cleanup Effort: Please see the following tables summarizing the budget and actual costs for this latest cleanup effort, as well as remaining available funds.

Total Appropriations – Final Cleanup

| Funding Source | Amount | Percent of Total |
|--|--------------------|------------------|
| US EPA Brownfields Grant | \$600,000 | 39% |
| CRDC Brownfields Grant | \$306,000 | 20% |
| NHDES ODD Fund Grant (Projected) | \$122,141 | 8% |
| Tax Increment Finance Districts (PVTIF, SBTIF, & NEOCTIF combined) | \$351,034 | 23% |
| Economic Development Reserve Fund | \$178,000 | 11% |
| Total | \$1,557,175 | 100% |

Actual Expenditures - Final Cleanup

| Expenditure | Amount | Percent of Total |
|--------------------|--------------------|------------------|
| Design & Oversight | \$374,206 | 25% |
| Construction | \$1,136,276 | 75% |
| Total | \$1,510,482 | 100% |

Budget Remaining

| | |
|---|----------------|
| Total Appropriations | \$1,557,175 |
| Total Spent to Date | \$1,510,482 |
| Encumbrances - Post Cleanup Closeout, Institutional Controls, & Ground Water Monitoring | \$40,976 |
| Unencumbered Funds Available | \$5,717 |

3) Next Steps: With cleanup complete, the next steps in the redevelopment process are as follows:

- a. Institutional Controls: Over the next few months, the City, through its environmental consultant, will file a closeout report to the USEPA and NHDES, as well as work with the NHDES to revise existing institutional controls for the property. Institutional controls include Ground Water Management Permits (GWMP) and Activity and Use Restrictions (AURs). It is important to note that the Allied Leather Tannery site has been subject to GWMPs and AURs for several years. However, these will need to be revised to reflect the final environmental disposition of the property now that cleanup has been completed.

The Tannery site has been subject to a GWMP since August 17, 2007. The purpose of the revised GWMP will be to ensure that capped in place materials (leather scrap and coal ash) are not negatively affecting groundwater quality. The GWMP will require the City to periodically sample approximately 6 monitoring wells at the property for the foreseeable future.

The Tannery site has been regulated by AURs since August 14, 2007. The existing AURs will be amended to accurately memorialize the location of capped materials for posterity, as well as prohibit certain activities within capped areas in order to safeguard the public and the environment. The fact the site will be subject

to revised AURs should not impede redevelopment potential of the property, nor the City's plan to construct a new riverfront park at the site.

- b. Marketing to Developers: Simultaneously with the process to revise institutional controls, the City will resume the process of finding a private development partner for the site. The City has received expressions of interest from multiple parties, which the City Administration plans to explore this fall. In the event these leads do not bear fruit, the City Administration plans to list the property with a commercial real estate broker.
- 4) Historical Budget: The following is a summary of the City's total expenditures associated with acquisition, cleanup, and redevelopment of the former Allied Leather and Amazon Realty sites. As previously discussed with the City Council, the City Administration tentatively plans to use sale proceeds from the remaining portion of the Tannery site to reimburse the Economic Development Reserve Fund's contribution to this project. In addition, pending financial details associated with redevelopment of the remaining portion site, the City could consider utilizing the Penacook TIF District to repay the remaining portion of Economic Development Reserve moneys invested into the project but not otherwise recouped through the sale of the property.

Total Appropriations for Allied Leather / Amazon Realty Sites 2002-2014
Revised 08/26/2014

| Funding Source | Amount | Notes |
|--|---------------------------|--|
| Non-City Funds | | |
| Grants & Insurance | \$2,896,781 | |
| City Funds | | |
| Economic Development Reserve Fund | \$1,414,900 | |
| Impact Fees | \$40,000 | |
| Penacook Village TIF District | \$485,000 | |
| Water Fund | \$330,533 | |
| Sewer Fund | \$13,283 | |
| General Fund | \$300,000 | Repaid by sale of 4 Crescent St in 2011 |
| Subtotal - City Funds | \$2,583,716 | |
| <i>Less Reimbursements</i> | <i>(\$620,532)</i> | <i>Reimbursements generated by sale of property, capital closeout, and reimbursement by ODD Fund for petroleum costs 2002-2012</i> |
| Net City Cash / Bonds | \$1,963,184 | |
| <u>Net Total Project Investment</u> | <u>\$4,859,965</u> | Excludes SBTIF & NEOCTIF contributions to final cleanup |
| <u>City Share</u> | <u>40%</u> | |
| <u>Grants / Insurance Share</u> | <u>60%</u> | |

9-28

T/A



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward Roberge, PE, City Engineer

DATE: August 27, 2014

SUBJECT: Report from the City Engineer recommending that the City Manager be authorized to enter into a license agreement with Concord General Mutual Insurance Company to maintain a landscaped garden within the public right-of-way of North State Street at the intersection of Bouton Street.

Recommendation

Accept this report recommending that the City Manager be authorized to enter into a license agreement with Concord General Mutual Insurance Company to maintain a landscaped garden within a traffic island in their driveway located within the public right-of-way of North State Street at the intersection of Bouton Street.

Background

In Spring 2014, the City was contacted by Brian Martin, Maintenance Supervisor, of the Concord General Mutual Insurance Company regarding replacing the existing concrete traffic island with a landscaped garden at the northern leg of the North State/Bouton Street traffic signal.

Discussion

In an effort to extend the cultivated landscape beds within the property, Mr. Martin has requested permission to replace the concrete surface within the traffic island with low growing perennials. General Services Department staff agreed to remove the concrete, providing Concord General obtain a license to place and maintain the new landscape. Licensing private landscaping within the City's public right-of-way allows for beautification of our roads without further burdening the City's resources. The proposed landscaping will be designed so as not to interfere with the sight distance at the traffic signal.

Therefore it is recommended that the City Manager be authorized to enter into a license agreement with Concord General Mutual Insurance Company to install and maintain a landscaped garden that is located within the public right-of-way of North State Street at the intersection of Bouton Street.

lma/E
attachments

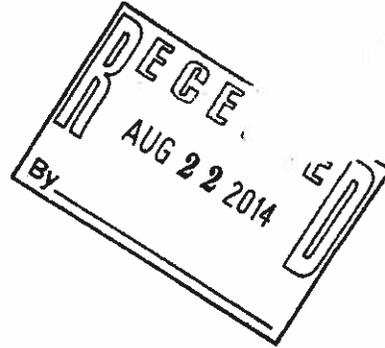


STRENGTH AND STABILITY

THE CONCORD GROUP

INSURANCE COMPANIES

Brian Martin
Concord General Mutual Insurance Company
4 Bouton Street
Concord, NH 03301
August 21, 2014



Janice Bonenfant: City Clerk
City Hall
41 Green Street
Concord NH 03301

Dear Janice:

I'm writing this letter of request for a landscaping license to install plantings in the traffic island at the intersection directly in front of our building which is city property. The island is currently lacking in beauty shall we say, and it is the first thing our customers see when visiting our facility. We would be happy to contribute to the beauty of our city with plantings.

I've been in contact with Laura Aibel (who directed me to you), as well as Kevin Demers. We discussed the details of the plantings designating them as "low level" plantings so as not to obstruct view/sight lines, and the fact that we would be maintaining and watering the plantings. Kevin said that the city would remove the concrete for us and repair the signage. I hope this is agreeable with you and that we can proceed with this project as soon as possible. If you need anything from us please let me know.

Sincerely,

Brian Martin
Maintenance Supervisor
603-224-4086 Ext. 6212
Cell: 603-491-0005



CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR TRANSPORTATION ALTERNATIVE PROGRAM (TAP) FUNDING FROM THE NH DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF DESIGNING AND CONSTRUCTING A PORTION OF THE MERRIMACK RIVER GREENWAY TRAIL (CIP #543).

The City of Concord resolves as follows:

WHEREAS, the City of Concord is eligible to apply and receive funding for the design and construction of the Merrimack River Greenway Trail, as described in the FY 2015 Capital Improvement Program and Budget as Project #543; 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

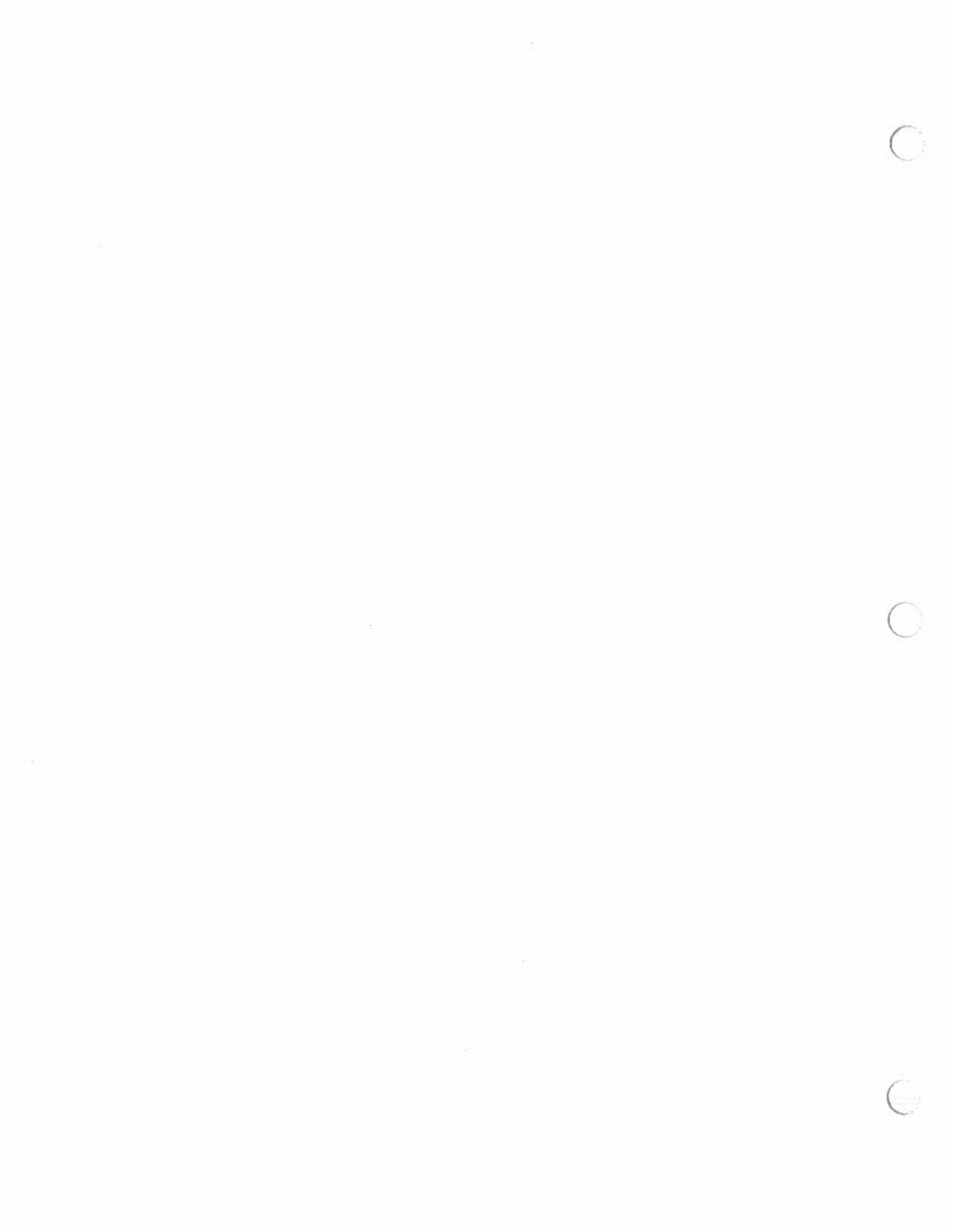
WHEREAS, the City of Concord owns the land required for Phase I construction, including the following: Terrill Park (parcel 110/6/2) which is managed by the Recreation Department, parcel 110/6/15 which is a remnant parcel associated with the closure of the landfill, and parcels 114/1/8, 110/6/12, 110/6/9 and 110/6/14 which are conservation lands managed by the Conservation Commission; and

WHEREAS, the project has been presented and supported by Council most recently on May 13, 2013 for the design and permitting of the trail and on May 12, 2014 authorizing the City to enter into a memorandum of understanding with the Friends of the Merrimack River Greenway Trail (FMRGT); and

WHEREAS, should the City's application for this project be accepted, project funding would be allocated as follows: 80% State share, 20% local share, where the local share would be a donation from the FMRGT.

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 submit the necessary grant application and accept the grant, once approved, to the NHDOT.
2. This resolution shall take effect upon its passage.





CITY OF CONCORD

FJA

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, P.E., City Engineer

DATE: August 22, 2014

SUBJECT: Authorizing the City Manager to submit an application for Transportation Alternative Program (TAP) funding from the NH Department of Transportation for the purpose of designing and constructing a portion of the Merrimack River Greenway Trail (CIP #543).

Recommendation

Authorizing the City Manager to submit an application for Transportation Alternative Program (TAP) funding from the NH Department of Transportation for the purpose of designing and constructing a portion of the Merrimack River Greenway Trail (CIP 543).

Background

In June 2014, the NH Department of Transportation (NHDOT) released a call for new projects in conjunction with the federally funded Transportation Alternatives Program (TAP) created by MAP-21. The TAP program combines a number of individual federal programs that the City has participated in such as Transportation Enhancement, Safe Routes to School, and Scenic Byways to provide applicants more flexibility. The focus on the 2014/2015 program is for the design and construction of non-motorized facilities and infrastructure including on-road and off-road trails for pedestrians, bicyclists, and other non-motorized forms of transportation. TAP program applications are due on September 26, 2014.

Discussion

Based on the eligible activities of the program, staff recommends that the city participate in the application process for the design and construction of a portion of the Merrimack River Greenway Trail. The program funding is comprised of 80% TAP funds with a required 20% local match. The local match for this project will be provided by the Friends of the Merrimack River Greenway Trail (FMRGT). The city share is 0%.

As the Council will recall, 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

Boscawen 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 has raised over \$120,000.

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. On May 12, 2014, City Council accepted a resolution for the city to enter into a Memorandum of Understanding with FMRGT regarding the design and construction of Phase 1 of the trail.

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 $\frac{1}{4}$ 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.

For the purposes of this grant opportunity, the project would include two phases: Phase 1 will include the design of the portion of the trail from Manchester Street to Loudon Road and associated trail facilities. This Phase is approximately 1.3 miles long and will include a combination of paved trail (1.1 mi.) and boardwalk (0.25 mi). The site is wholly located on City land. While the project is within the protected shoreland of the Merrimack River, includes wetland impacts, and includes improving a stone dust trail within Terrill Park, portions of which were purchased with assistance of the Land and Water Conservation Fund, the Trail has received favorable review/guidance from a number of permitting agencies/organizations.

Phase 2 will consist of the construction of the portion of the above design from Manchester Street to the southern limit of a proposed boardwalk and a to-scale mock-up or a portion of the boardwalk. Ideally, the portion which is constructed will serve as a viewing platform and incentive for future fund raising. This segment is approximately 1,600 feet long within Terrill Park.

With the release of TAP Program opportunity (which only municipalities can apply), the City feels that the MRGT is a prudent use of these funds and will help the city realize a long held goal of establishing a river greenway along the Merrimack River (1990 Heritage Trail). Should the project be selected, further Council action will include appropriation of the local match fund donation as well as authorizing the City Manager to enter into a municipal agreement to manage the project.

Should the project not be selected for TAP funding, the FMRGT will proceed as discussed at the May 12 2014 Council meeting and contract with a third party engineering firm for the design and permitting of the Phase I section of the Trail.

jaw/ELR
attachment

CITY OF CONCORD

In the year of our Lord two thousand and fourteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE NATIONAL NETWORK OF LIBRARIES OF MEDICINE NEW ENGLAND REGION 2014-2015 FOCUSED OUTREACH AWARD PROGRAM

The City of Concord resolves as follows:

WHEREAS, the Concord Public Library desires to apply for the 2014 – 2015 National Network of Libraries of Medicine New England Region Focused Outreach Award; and

WHEREAS, the City of Concord desires to procure additional library programming for the public and procure more library materials; and

WHEREAS, there is funding available and the Concord Public Library is eligible to receive funding through the NNLM New England Region Focused Outreach Award; 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 award application documents.
2. This resolution shall take effect upon its passage.



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

TJA

SANDI LEE
PAM STAUFFACHER
INTERIM CO-LIBRARY DIRECTORS
603-225-8670

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Pam Stauffacher and Sandi Lee – Interim Co-Library Directors
DATE: Aug. 29, 2014
SUBJECT: National Network of Medical Libraries of New England Focused Outreach Award Application

Recommendation - Through the City Manager, authorize the Concord Public Library to apply for funding through the 2014-2015 National Network of Medical Libraries New England Region Focused Outreach Award.

Background – Concord Public Library would like to host a speaker series on health topics and purchase materials for its collection on each of the series topics. These materials will be a combination of books, DVD's and audio books in order to serve as many patrons as possible. Concord Public Library will work with area partners, including Concord Hospital's librarian, the Visiting Nurse Association, the Foundation for Healthy Families, and other City of Concord departments, as well as our reference staff, to gauge the public's health topic interests. Our partners in this plan will also help us promote this series on their websites and/or through their membership, clients, or social media.

Discussion – There will be two benefits to this series for the public and the library: strengthening partnerships between Concord's health care community and the library and establishing the Concord Public Library as the place to seek accurate information about health topics. Building our health collection and purchasing materials in different formats will allow us to serve patrons with different information needs who are seeking health information.

Bonenfant, Janice

9-31

From: Christine Boezeman <cboezeman@concordnhschools.net>
Sent: Tuesday, August 26, 2014 4:41 PM
To: * City Clerk
Subject: Fwd: Concord High School

TAA

Janice,

Thanks so much for including this in the packet for the next Council meeting. We really appreciate all your help!

Take care, and I hope to see you soon (perhaps at the polls!).

Chris

----- Forwarded message -----

From: Christine Boezeman <cboezeman@concordnhschools.net>
Date: Tue, Aug 19, 2014 at 9:28 AM
Subject: Concord High School
To: jpbouley@comcast.net

Good morning, Mr. Bouley

My name is Christine Boezeman, and I am writing to you on behalf of the Varsity Club and the Senior Class at Concord High School.

As I am sure you know, our principal, Mr. Gene Connolly has been diagnosed with ALS. Our student body, as well as our faculty and staff, would like to sponsor an ALS walk in honor of him, which we would like to make part of our annual Homecoming Parade this year.

The walk would be slightly different than most "walks." A \$20 donation will get the donor a t-shirt ("Connolly Tough" on the front, and "Kick it in the ALS!" on the back) and a spot in the parade; there will be no "pledging" per se. We would love to open the walk to the entire Concord community, giving them a chance to honor Gene in this way. (In fact, one of the missions of the Varsity Club this year is get more of the Concord community involved in our high school events.) All those walking would walk as one group in a section of the parade. We are anticipating this to be a very large group of people.

Typically, our parade route begins at the CHS staff parking lot on Pleasant Street, goes up So. Spring, right onto Clinton, and then ends at Memorial Field. This year, we would love to include a section of Main Street. Our thoughts would be to start on North Main (the court has given the school permission to line up in their parking lot) march down to Pleasant Street, up Pleasant, then left onto Fruit Street to Memorial Field. Also, we would love to have this large group of "walkers" follow the band onto Memorial Field and take one lap around the track.

Our Homecoming this year is scheduled for Saturday, Sept. 27th.

We are hoping to get your permission to march down Main Street, as well as any support you may be able to offer as we plan this event. Please let me know what we need to do to make this happen, if possible. We are in the process of completing a "parade permit" form and will submit it to the city today. This is a revised form this year and asks questions we currently do not have the answers to, specifically, the route. (The city asks for a 30 day notice, so we are getting close to our deadline.)

Thank you SO much, in advance, for any help and guidance you may be able to offer as we plan this event. I appreciate, too, your taking the time to read this email.

Respectfully,
Chris

Also, we would be VERY honored to have you march in the parade and would save you a special spot!

--
Christine Boezeman
Administrative Assistant, Commons D
Advisor, Varsity Club
Concord High School
(603) 717-7653

--
Christine Boezeman
Administrative Assistant, Commons D
Concord High School
(603) 717-7653

Bonenfant, Janice

9-32

From: Karen Wimpey <kwimpey@concordymca.org>
Sent: Thursday, August 07, 2014 5:15 PM
To: * City Clerk
Subject: Street Closure Request

AA

To Whom It May Concern,

I am emailing you today on behalf of the Concord Family YMCA. We are respectfully requesting to close down Warren Street between North State Street and Green Street on Friday, September 26, 2014 from 3:00pm to 9:00pm. We are hoping to do another block party/barbecue for our members and the community. We will have food, music, bounce houses and carnival style games.

Thank you for your consideration.

Karen Wimpey
Membership Supervisor
Concord Family YMCA
kwimpey@concordymca.org





9-33

TA

August 25, 2014

**Girls on the Run NH
117 Water Street, #3
Exeter, NH 03833
(603) 778-1389
www.girlsontherunnh.org**

To the Concord City Council:

On Sunday, November 16, 2014, Girls on the Run of New Hampshire is planning a 5k road race to be held at Memorial Field in Concord, NH. The race will begin at 10:30 a.m.

We are requesting that the southbound lane of South Fruit Street, between Pleasant Street and Clinton Street, be closed from 10:00 a.m. until 11:45 a.m. in order to ensure the safety of our runners. We anticipate the flow of runners to be heavy along South Fruit street as the runners exit and return to the park. They will follow a loop along Clinton Street, Langley Parkway and Pleasant Street. (For reference, the council approved a similar request on 10/15/13 in conjunction with our 2013 event, which was scheduled for 11/24/13 but ultimately cancelled due to inclement weather.)

We are a local non-profit organization (tax ID# 02-0524090), serving girls in grades 3-8 around the state, including at Abbot-Downing and Christa McAuliffe schools. We anticipate approximately 1,000 runners, with about half of the runners being elementary-aged girls.

We are working with the Concord Parks & Rec department (D.J. Sartwell) as well as with Code Administration (Chris Hilstro) to plan our event. We will also be in contact with the Department of Safety and will communicate our final plans to organizations adjacent to the event site.

Thank you very much for your consideration of this request. If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Jennifer T. Hubbell

**Jennifer T. Hubbell
Executive Director, GOTR NH**

Bonenfant, Janice

From: Jenn Hamilton <jenn.hamilton@girlsontherun.org>
Sent: Monday, August 25, 2014 12:34 PM
To: * City Clerk
Subject: Road closure request for city council - GOTR 11/16/14
Attachments: Concord City Council Request 2014.doc

Good morning,

I am the Race Director with Girls on the Run New Hampshire. I am writing to ask that an agenda item be added to the next city council meeting, specifically our request for a brief road closure during our scheduled 5k road race on November 16, 2014.

My colleague, Betsy Cissel, submitted a similar request last fall for our 2013 event (scheduled for 11/24/13 but ultimately cancelled due to inclement weather). The council approved that request during its 10/15/13 meeting. Our course route and schedule remain unchanged from last year; only the event date is new.

Please review the attached request and let me know if you need any additional information in order to confirm us on the agenda for the next city council meeting. As this is my first time through the process, I appreciate any guidance you can provide.

Thank you in advance for your assistance, and have a great week!

Regards,
Jenn

Jenn Hamilton
Race Director
Girls on the Run NH
jenn.hamilton@girlsontherun.org
(m) 617-645-4757

Mulholland, Michelle

9-34

From: Corinne <corinneorcutt@yahoo.com>
Sent: Thursday, August 21, 2014 4:37 PM
To: * City Clerk
Subject: Re: Tahanto annual block party

TA

Oups sorry!
It will be Saturday September 27!
Thank you
Corinne

Sent from my iPhone

On Aug 21, 2014, at 2:24 PM, * City Clerk <cityclerk@concordnh.gov> wrote:

Corinne,

We would just need the date of the block party within the request.

Thank you.
Michelle Mulholland
Deputy City Clerk

From: corinne orcutt [<mailto:corinneorcutt@yahoo.com>]
Sent: Thursday, August 21, 2014 10:52 AM
To: * City Clerk
Subject: Tahanto annual block party

Hi
I wanted to apply to close Tahanto Street from School Street to warren Street for the annual block party 2014 from 5 to 7 PM.
Would you be able to put this request on the council agenda?
Thank you.
Corinne Orcutt





JIM BOULEY
MAYOR

City of Concord, New Hampshire

OFFICE OF THE MAYOR

CITY HALL • 41 GREEN STREET • 03301

9-35

TAA

TO: Members of City Council

FROM: Mayor Bouley

DATE: August 5, 2014

RE: Community Development Advisory Committee (CDAC) Appointments

I propose the reappointment of the following individuals to the Community Development Advisory Committee, each continuing to serve as members representing the general public for additional three year terms that will expire March 31, 2017.

- Jeff Bart, 46 Stoneybrook Lane, Hopkinton.
- Janet Sprague, 12 Cricket Lane, Concord.

In accordance with Section 15 of the City Council Rules, these proposed reappointments are being distributed to City Council as information in advance of formal action at the September 8, 2014 City Council meeting.





City of Concord, New Hampshire

OFFICE OF THE MAYOR

CITY HALL • 41 GREEN STREET • 03301

9-36

FA

JIM BOULEY
MAYOR

TO: Members of City Council
FROM: Mayor Bouley
DATE: August 5, 2014
RE: Everett Arena Advisory Committee Appointment

I propose the appointment of the following individual to the Everett Arena Advisory Committee for a three year term to expire August 31, 2017.

- Don Crandlemire, 35 Pine Street, Concord. Mr. Crandlemire has been recommended by and will serve as the Concord Youth Hockey Representative.

Two additional vacancies currently exist on this committee; a Hockey User Representative and a General Public Representative.

In accordance with Section 15 of the City Council Rules, this proposed reappointment is being distributed to City Council as information in advance of formal action at the September 8, 2014 Council meeting.



CITY OF CONCORD

Brian 7/24/14
9-37(A)
9-38
8-10

In the year of our Lord two thousand and fourteen

RESOLUTION ACCEPTING AND APPROPRIATING THE SUM OF FOUR THOUSAND SEVEN HUNDRED FOURTEEN DOLLARS (\$4,714) FROM THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION (NHDOT) FOR A PORTION OF THE CONSTRUCTION OF THE MUNICIPAL WATER MAIN RELOCATION ACROSS THE EXIT 12 BRIDGE OVER I-93.

The City of Concord resolves as follows:

- WHEREAS,** the State project number for this is Bow-Concord 13742A; and
- WHEREAS,** the total estimate for the construction is \$12,653, of which \$7,939 is the City portion, through current operating appropriations; and \$4,714 is to be paid to the City's engineering consultant; and
- WHEREAS,** the City portion of the design will be expensed out of the FY 2015 operating budget's wages and labor account; and
- WHEREAS,** design costs will be reimbursed 100% by NHDOT; and
- WHEREAS,** project construction began in July 2014; and
- WHEREAS,** this appropriation is for a purpose not included in the FY 2015 adopted budget, therefore, section 37 of the City Charter requires a two-thirds vote of the City Council;

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

1. The sum of\$4,714
be and is hereby appropriated as follows:

General Fund
Community Development Engineering Services
Professional and Technical Services.....\$4,714

2. Said revenue shall be available as follows:

General Fund
NHDOT FY2015\$4,714

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

4. This resolution shall take effect upon its passage.



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Martha Drukker, Associate Engineer

DATE: July 23, 2014

SUBJECT: Bow-Concord 13742A – I-93 Exit 12 Bridge Replacements Project
Municipal Water Main Relocation Design

Recommendations:

- Set the attached resolution accepting and appropriating the sum of \$4,714 for McFarland Johnson's portion of the water main construction administration and inspection from the State of New Hampshire Department of Transportation on September 8, 2014.

Background:

The State of New Hampshire Department of Transportation is replacing the Exit 12 Bridge over I-93 on South Main Street. The existing municipal water main on South Main Street will need to be relocated to the new bridge. The NHDOT has requested the assistance of the city in the construction administration and inspection of the relocation of the city water main.

The city completed the design of the relocation of the municipal water main in the spring of 2014 and is 100% reimbursable by NHDOT.

Discussion:

The city will team with McFarland Johnson to provide construction administration and inspection. The city's effort will focus on the inspection of the main on South Main Street and McFarland Johnson will concentrate on the inspection of the main across the new bridge. The total estimate for the construction administration \$12,653 of which \$7,939 is the city portion and \$4,714 is McFarland Johnson's effort. These costs will be reimbursed 100% by NHDOT.

Construction is scheduled to commence in early summer 2014. The water main relocation is not scheduled until after the new bridge is built which is scheduled for summer 2015. An additional resolution will be presented to City Council at that time requesting the appropriation of funds for construction inspection and administration by city staff of the water main relocation. This work will also be reimbursed 100% by the NHDOT.

9-40
TJA



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, PE, City Engineer

DATE: August 22, 2014

SUBJECT: Downtown Complete Streets Improvement Project (CIP #460)

Recommendation

Accept this project status report.

Background

At its July 30, 2014 meeting, City Council approved the final project scope of work, budget, and schedule for the Downtown Complete Street Improvement Project. As a result of public testimony at that meeting, as well as the July 14, 2004 public hearing, Council requested that staff meet with Downtown merchants to discuss schedule alternatives outlined at the approval hearing and report back to Council on a preferred alternative. Council also requested that staff review a request to replace parking along North Main Street in the area where 5 parallel parking spaces north of Park Street were removed as part of the final design.

Discussion

Two (2) public informational meetings were scheduled on Tuesday, August 19th @ 8:00 AM and Wednesday, August 20th @ 6:00 PM to outline project schedule alternatives and seek preferred consensus from Downtown merchants and stakeholders. A total of thirty-four (34) merchants and downtown stakeholders attended the meetings where staff outlined two schedule alternatives with the goal of determining which schedule alternative was preferred. Staff noted that based on public comment through the final project review process, an alternative project schedule scheme was developed with the contractor.

In response to comments regarding shortening the work duration to downtown merchants, the alternative 2-phase schedule scheme could complete the north end work area (Centre Street to Pleasant Street) in its entirety in 2015 and the south end (Pleasant Street to Concord Street) in its entirety in 2016. Although similar to the 3-phase, one-way traffic patterned alternative originally presented, the temporary parking spaces in the original alternative would need to be eliminated to allow for the full completion of the work. Both north and south ends could be completed in one construction season instead of two.

In response to comments regarding longer work days with an early departure on Fridays, staff worked with the contractor who has agreed to a goal of completing work activities on Main Street at 2:00 PM on Fridays. Staff did note that if work conditions require a later departure than 2:00 PM, that work will be planned in advance and notice will be provided to impacted businesses and property owners. Staff also noted that early Friday departures apply to both schedule alternatives.

In response to comments regarding the possibility of major downtown events such as Market Days during the 2015 and 2016 construction seasons, staff indicated that based on recent discussions with the contractor and InTown Concord, the innovation of the alternative schedule scheme could allow a Market Days event in both years. While flexibility on the part of the contractor and the event planners is required, we believe it is possible to include the major event during phase changes in the 2015 and 2016 work plans.

Staff noted that work expected in 2014 includes water, sewer, and drainage utility improvements throughout both north and south project work areas. This is required in both schedule alternatives given the late start this season.

In the end, a unanimous vote (34-0) supported the 2-phase alternative. While parking is reduced in this alternative, the shortened schedule impact was clearly preferred by merchants and downtown stakeholders. InTown Concord will be working with staff and the contractor to determine best dates for the Market Days events in 2015 and 2016. Staff indicated that a final detailed construction schedule will be completed in January 2015 outlining the upcoming streetscape improvements.

Given the overwhelming support for the 2-phase schedule approach, staff recommends advancing the development of the 2-phase work program to include both early Friday departures and planning for Market Days events in both 2015 and 2016.

Additionally, staff reviewed a request to replace parking along North Main Street in the area where 5 parallel parking spaces north of Park Street were removed as part of the final design. A detailed report was provided to Council on the same request at its meeting on July 30, 2014. Based on this request, the design team looked at alternatives that would reduce the lane lengths at the Loudon Road/Centre Street intersection and reposition the bus stop located north of the Park Street crosswalk bumpout. In an effort to balance the need for parking, the need to maintain lane capacity at the major intersection, and to maintain the bus stop location, we believe we have found a solution that could add two angled parking spaces north of Park Street. The solution would require the shortening of the travel lane length at the major intersection (nominally reducing intersection capacity), repositioning the bus stop, and altering the curb location (although we can maintain ADA accessibility, the bus stop shelter proposed would need to be eliminated and replaced with a bench).

In the interest of striking the best balance and meeting the needs of most in this community based project, staff recommends the above adjustment in the final design.

/elr



9-41

TA

RECEIVED

AUG 21 2014

TO: Key Officials
FROM: Judy A. Silva, Executive Director
Cordell A. Johnston, Government Affairs Counsel
DATE: August 20, 2014
RE: 2015-2016 Legislative Policy Conference ~ Friday, September 26, 2014

CITY MANAGER'S OFFICE
CONCORD, NH

Floor Proposals and Legislative Principles

Enclosed please find a copy of the nine floor policy proposals that have been submitted for discussion and vote at the NHMA Legislative Policy Conference. These floor policies supplement the policy recommendations prepared by the three legislative policy committees, which were mailed to each municipality on June 17, 2014. In addition to the policy recommendations and the floor proposals, delegates at the conference will vote on NHMA's Legislative Principles, which also were included in the June 17 mailing. If you need copies of any of these documents, you can find them on the NHMA website, www.nhmunicipal.org. (Near the top of the home page, click on the "Advocacy" tab, then use the menu on the left to find "Legislative Principles," "2015-2016 Legislative Policy Recommendations," and "2015-2016 Floor Policies.")

Voting Delegate

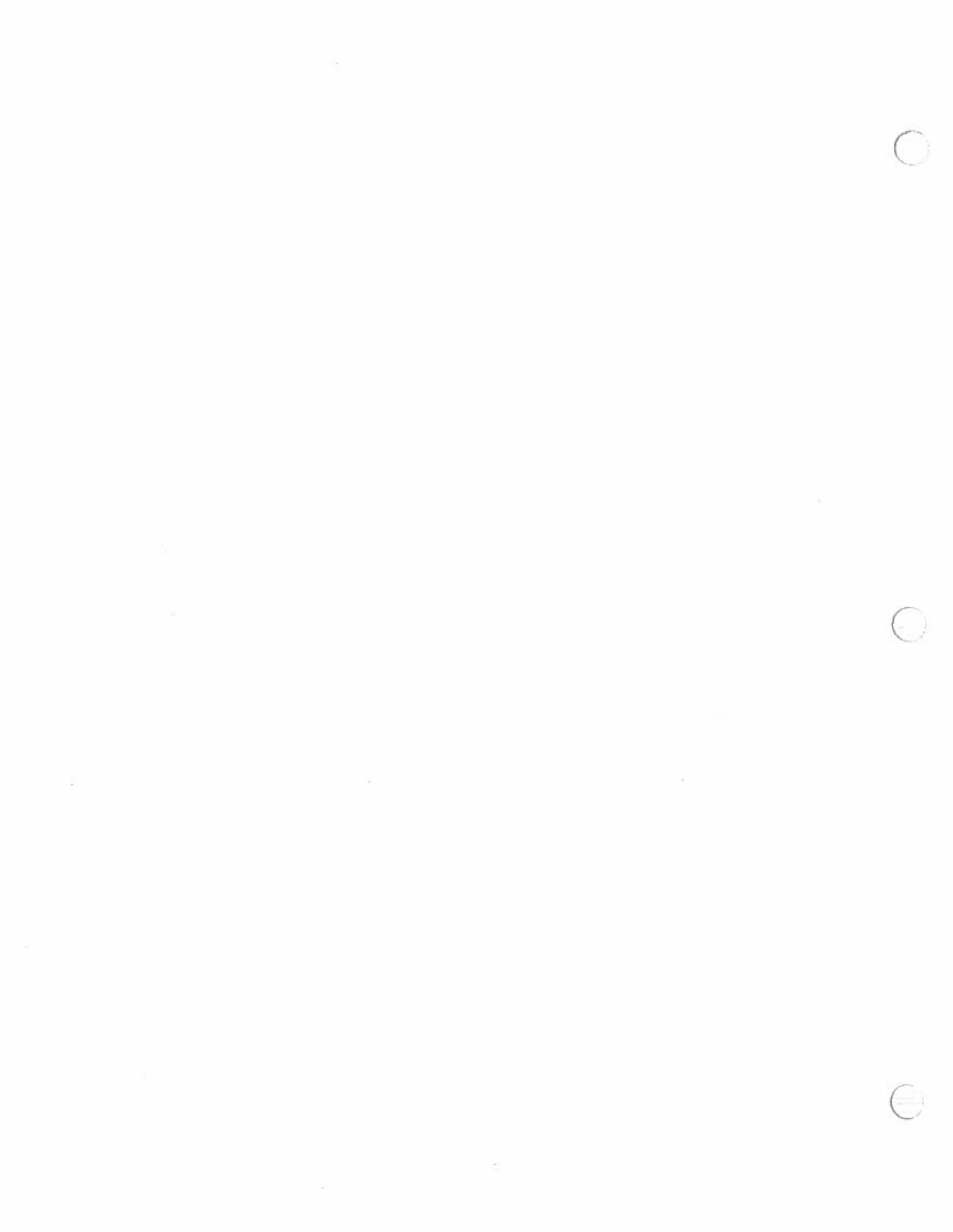
Each member municipality has one vote at the Policy Conference. Each governing body is asked to appoint a voting delegate to cast the municipality's vote on the policy proposals presented. **We are sending a pre-stamped voting delegate card to the chief administrative officer in each municipality (or the governing body chair if no administrative staff) to return to us indicating the governing body's appointment for voting delegate.** Please mail this card back to us no later than Wednesday, September 17. See the Legislative Policy Process Questions & Answers document, also sent with the June 17 mailing and available on the NHMA website, for a description of who will have voting privileges for a municipality in the absence of any formal designation.

Policy Conference

The Legislative Policy Conference is scheduled for **Friday, September 26, 2014 at 9:00 a.m. at NHMA's offices at 25 Triangle Park Drive in Concord.**

We urge the governing body of each municipality to discuss the full slate of policy recommendations, along with these floor proposals, and to take a position on each proposal to give guidance to your voting delegate. Otherwise, your voting delegate is free to vote at the Policy Conference as he/she desires! At the conference, delegates may vote to approve, reject, amend, or table a policy proposal. They may also vote to change the order of priority of the various policies.

This is an important opportunity for each member municipality to participate in determining NHMA legislative policy for the 2015-2016 biennium—we count on your input! As always, please do not hesitate to call or e-mail (governmentaffairs@nhlgc.org) the Government Affairs Staff with any questions, comments, or concerns. We look forward to seeing you on September 26th!





New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014
City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will ~~SUPPORT~~ ^{OPPOSE} / ~~OPPOSE~~ ^{SUPPORT} The modification of RSA 41:18 to read "Each town shall have a deputy town clerk...".

Municipal interest to be accomplished by proposal: RSA 41:18 currently reads "Each town may have a deputy town clerk...". This change will assure that Towns have a deputy town clerk to fill in town clerk absences and serve the public.

Explanation: Previously this statute left the appointment of a deputy town clerk to the elected town clerk with the approval of the selectmen. The current town clerk was absent many times and refused to appoint a deputy town clerk.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014
City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT/OPPOSE: The amendment of RSA 41:9-b, V to add "and officials elected to non-volunteer positions in the municipality"

Municipal interest to be accomplished by proposal: Currently elected officials such as Town Clerk, Tax Collector, and Treasurer are not subject to a background investigation and criminal history record checks. These positions handle the vast majority of funds coming to the municipality.

Explanation: As stated above, an elected Town Clerk, Tax Collector, and Treasurer are not subject to a background investigation and criminal history record checks. Candidates for employment are subject to this procedure. The elected officials stated above should be fiduciary responsible to voters, and to perform a background investigation and criminal history record check prior to being sworn into office would help with some assurance to the voters that the person is responsible for handling of monies.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**

New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name): Steve Malizia

Date: August 12, 2014

City or Town: Hudson

Title of Person Submitting Policy: Town Administrator

Floor Policy Proposal approved by vote of the governing body on (date)

August 5, 2014

To see if NHMA will SUPPORT/OPPOSE:

To see if NHMA will support legislation to allow municipal library budgets to appear as a separate warrant article on the Town Meeting SB2 ballot.

Municipal Interest to be accomplished by proposal:

To give the voters greater visibility to the appropriations necessary to operate the municipal library when they vote at the Annual Town Meeting.

Explanation:

Currently, in SB2 communities, the operating budget for the Town appears as a separate warrant article. The article raises and appropriates a sum of money for the operation of the Town and also defines a default budget should the proposed budget not pass. In 2014, separate warrant articles were allowed on the ballot to raise and appropriate funds to run a municipal water utility and a municipal sewer utility. Each of these articles also identified a default budget should the article(s) not pass. The Hudson Board of Selectmen believe that it would be appropriate to allow SB2 communities to put municipal library budgets, separate from the Town's general fund budget, so that the voters would have greater visibility into the cost to operate the library as well as the ability to vote for a library default budget. Another strong argument in favor of allowing the library budget to be a separate warrant article is that the Library Trustees are a separately elected body, not subject to the direction of the Board of Selectmen.

NHMA

New Hampshire Municipal Association 2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by: Barrington Board of Selectmen who voted to request and support this floor policy proposal at their meeting July 28, 2014: Town Barrington, NH

Title of Person Submitting Policy: Town Administrator John Scruton on behalf of the Board of Selectmen.

Floor Policy Proposal approved by vote of the governing body on (date) July 28, 2014

To see if NHMA will SUPPORT:

An increase in the amount of a public project before it requires mandatory obtaining of a performance bond so the local governing body could elect to waive the performance bond for any project under \$75,000 in RSA 447:16. The proposal would allow the governing board on a case by case basis between \$35,000 and \$75,000 the option to waive the performance bond or to require it.

Municipal interest to be accomplished by proposal:

Inflation has caused many more projects to require a performance bond, including more building repair projects and relatively small road projects. Currently some small companies end up not bidding on these projects because of the challenges of getting a performance bond. If a small company had no subcontractors; the town had assurance the suppliers were paid, and the town did not pay until the work was complete there would be little need for the performance bond, but it is now required regardless of the type of public project.

Explanation:

The provision limits the ability of small local companies to compete for projects. It likely results in higher costs to the community since the cost of the performance bond is passed on to the taxpayers. Allowing the local option for the governing board to waive the bond in this range of project, could save towns money and award the project locally.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org • Must be received by August 15, 2014.



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014
City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT ~~Assess~~: The amendment of RSA 75:1 so that the last sentence will read "The selectmen shall receive and consider all evidence that shall be submitted to them relative to the value of property upon request, including rental income and expenses, the value of which cannot be determined by personal examination."

Municipal interest to be accomplished by proposal: Taxation of property in an equitable manner so that all taxpayers pay their fair share.

Explanation: Currently assessors ask for income and expenses information but receive very few responses. This results in an inaccurate application of income and expenses to all properties with rentals - for instance apartments, rented homes, rental spaces in businesses, etc. - because assessors use the submitted information to apply average incomes and expense to all similar properties.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Joan Morel Date August 11, 2014
City or Town Town of Hinsdale Title of Person Submitting Policy Selectman

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT/~~OPPOSE~~: Legislation for a penalty for failure to submit requested information relative to the value of property as described in RSA 75:1. The penalty shall be 1% of the assessed value of the property.

Municipal interest to be accomplished by proposal: Collection of information relative to the value of property will be more likely to come in from all property owners, thereby allowing for more equitable taxation of property so that all property owners will pay their fair share.

Explanation: A property owner did not submit income and expenses for a property, then appealed the denial abatement to the BTLA. The case decision is pending.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentsaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Scott Dunn Date August 14, 2014

City or Town Gilford Title of Person Submitting Policy Town Administrator

Floor Policy Proposal approved by vote of the governing body on (date) August 13, 2014

To see if NHMA will SUPPORT: Amending RSA 41:9-a to add a new paragraph VI to read: "A Town may, by vote of the governing body, impose a standard fee of no more than ten dollars (\$10.00) and/or require reimbursement for actual postage or shipping costs for any mailing that is provided as a convenience to the public except where such fees or mailings are otherwise prescribed by law. The monies collected under this paragraph shall be transferred to the custody of the treasurer for deposit into the municipality's general fund."

Municipal interest to be accomplished by proposal:

Reimburse municipalities for costs incurred for benefit of others.

Explanation:

Municipalities should have legislative authority to charge for postage when performing services as a convenience.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by Barrington Board of Selectmen Date June 3, 2014

City or Town Barrington Title of Person Submitting Policy Board of Selectmen

Floor Policy Proposal approved by vote of the governing body, Barrington Board of Selectmen, on June 2, 2014

To see if NHMA will SUPPORT changes to RSA 674:41 to allow as a local option greater flexibility so a landowner who has been through the process once for a building permit for a residence or other building permit, obtained approval from the Governing Body to build, and filed the necessary indemnification for that building, the owner of that property does not then have to go through the entire procedure for additions and accessory structures, decks, etc. if the building permit is not an expansion of use that might increase the community's exposure of liability.

Municipal interest to be accomplished by proposal:

Currently property owners on Class VI roads and Private Roads have to go through the process in RSA 674:41 every time the property owner comes for a building permit, even if they have been through the process before for the main residence and filed the indemnification. This would allow the Governing Body the ability to grant the Building Inspector authority to approve the issuance of future permits without requiring the steps of RSA 674:41 each time a building permit for changes occurred on the previously approved property. This would save town boards' and official's time and money involved in a process that seems unnecessarily duplicative. Any expansion of use or change of use creating greater liability would require Governing Board approval under procedures of RSA 674:41 due to the increase in liability exposure.

Explanation:

RSA 674:41 forbids granting a building permit on Class VI and certain Private Roads (sections I(c & d)) without following a specified procedure to ensure the Governing Body has approved of that building and that there is an indemnification filed by the owner. Currently second building permits on the same property, even for small projects, require the same process. If the Town has approved the building of a residence or other building on the lot and the owner has filed an indemnification, the Governing Body should have authority to authorize future permits for things like barns, garages, decks, etc. without requiring the entire procedure in 674:41.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentalaffairs@nhmunicipal.org. Must be received by August 15, 2014



New Hampshire Municipal Association
2015-2016 Legislative Policy Process

Floor Policy Proposal

Submitted by (name) Board of Selectmen

Date: August 13, 2014

City or Town: Fitzwilliam

Title of Person Submitting Policy : Susan Silverman, Chairman Board of Selectmen

Floor Policy Proposal approved by vote of the governing body on (date) August 11, 2014

To see if NHMA will SUPPORT the revision of elements of RSA 12-E as described below to better address the mandatory integration of local and state regulations.

Municipal interest to be accomplished by proposal: (Concerns and proposed changes in response to Judge Kissinger's ruling March 17, 2014 that determined RSA 12-E preempts all local ordinances with regard to mining.) TO enhance the local taxpayers and residents input in the State process of regulating mining within its boundaries. Mining is distinctly different from other activities that serve the public good such as utilities in which the state preempts local regulations. We would suggest a similar relationship between local and state regulations as described in RSA 483 B:3, II (Shoreland Protection) which states: "When the standards and practices established in this chapter conflict with other local or State laws and regulations, the more stringent standard shall control".

Explanation: In addition, the following should be considered for revision:

1. RSA 12-E:1, XIII Pre-application hearing currently allows for only one representative from the town to attend, and does not produce any official record that is covered under 91-A.
2. RSA 12-E:1 IX (a) defines an exemption for mining under 2000 cubic yards per year and less than 5 acres in area. This type of commercial operation should be regulated by local ordinances just as any other business operating in town and should fall under site plan review much as excavation does. Towns should have the ability to create mining regulations that make the operation compatible with the municipality, while not prohibiting mining.
3. RSA 12-E:4 VII: This part of the statute should address more clearly public safety caused by damage to public roads not built for mining vehicle use, and the mining plan defined here should include the filing of an engineering plan of relevant access roads that addresses the condition of the roads before, after and during the operation. This should allow for the town to be compensated for any damage to the roads.
4. RSA 12-E:4 X (d) should be amended to add "or it lies in a residential neighborhood"
5. RSA 12-E:5 There needs to be more time before a public hearing on the application, and it should state clearly that the hearing should be held in the affected community. Under the current regulation, the hearing could be held with as little as 5 days notice, hardly enough time to disseminate or evaluate any propose activity. We would suggest a 10 day notice as a minimum notice period.

6. RSA 12-E:6 The financial assurance plan should include monies for municipal road repair, as well as land reclamation.
7. There should be some consideration of a revenue stream as part of the process to flow from the applicant/operator to the municipality, such as a tax on stone removed (cu yds), similar to the excavation tax and timber tax.
8. The State still has not defined its own rules and regulations surrounding this type of activity and that should be required of DRED and DES, especially as they are now receiving requests for permits, holding pre-application meetings and making determinations on whether or not a proposed operation requires a permit.

A sheet like this should accompany each proposed floor policy and should record the date of the governing body vote approving the proposal. It should include a brief (one or two sentence) policy statement, a statement about the municipal interest served by the proposal, and an explanation which describes the nature of the problem or concern from a municipal perspective and discusses the proposed action which is being advocated to address the problem. Fax to 224-5406; mail to 25 Triangle Park Drive, Concord, NH 03301; email to governmentaffairs@nhmunicipal.org. **Must be received by August 15, 2014.**

Resolution No.

CITY OF CONCORD

In year of our Lord two thousand thirteen

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 6-42
 7-38
 8-26
 9-42

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.

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

130

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.

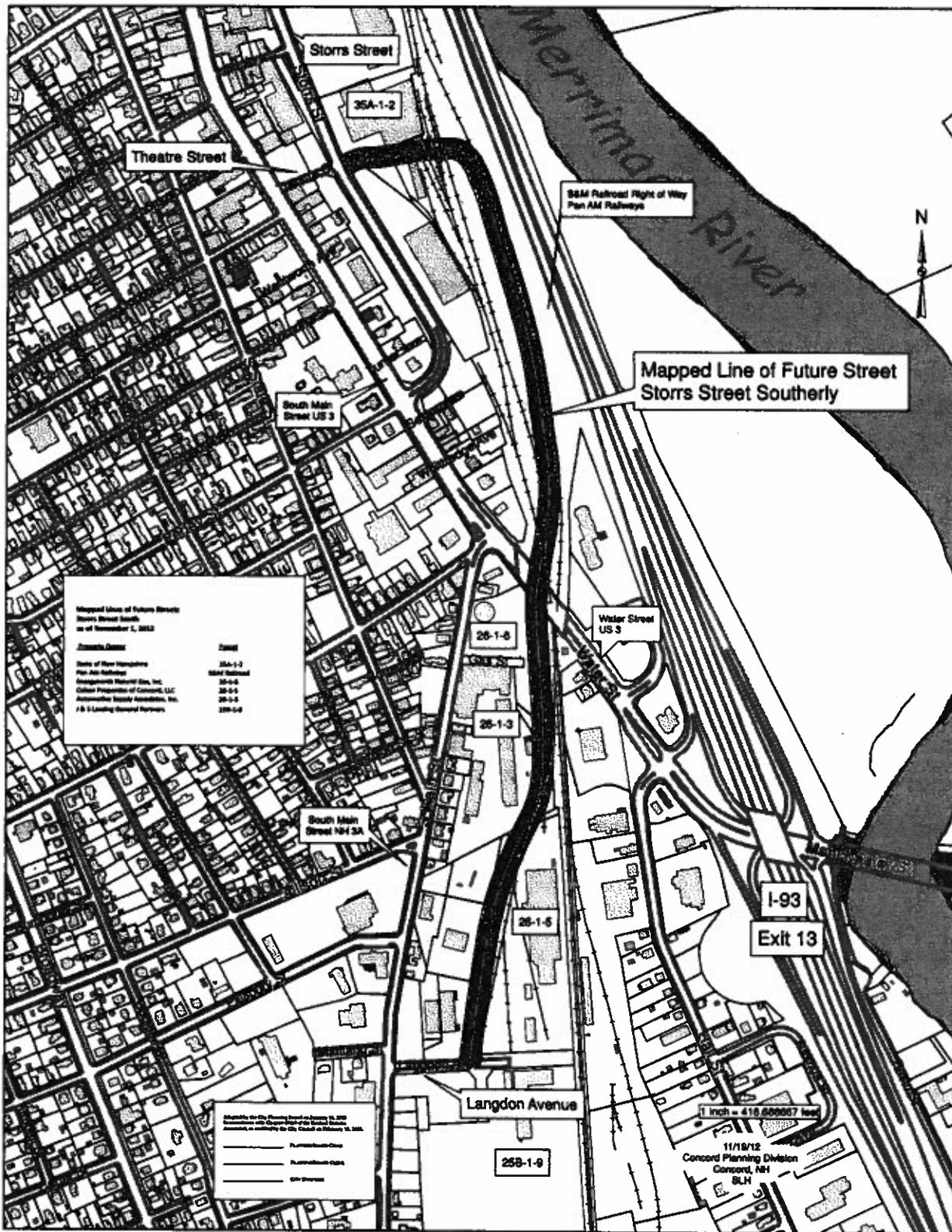
| <u>Property Owner</u> | <u>Map/Lot Number</u> | <u>Address</u> |
|-------------------------------------|-----------------------|---------------------|
| State of New Hampshire | 35A-1-2 | 50 Storrs Street |
| Pan Am Railroad | B & M Railroad | Storrs Street |
| Energynorth North Natural Gas, Inc. | 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



**Mapped Line of Future Street
Storrs Street South
as of November 1, 2012**

Zoning District **Zone**

| | |
|---------------------------------------|---------|
| Zone of New Manufacture | 26A-1-2 |
| Plan Area Subzone | 26B-1-2 |
| Amesbury Municipal Code, Inc. | 26-1-3 |
| Other Properties of Concord, LLC | 26-1-4 |
| Autonomous Property Association, Inc. | 26-1-5 |
| F & V Landscaping Partners | 26-1-6 |

Legend

- _____ Platted/Unplatted
- _____ Platted/Unplatted
- _____ City Property

1 inch = 418.666667 feet

11/18/12
Concord Planning Division
Concord, NH
BLH

CITY OF CONCORD

11-41 8-14
12-38 9-26 (c)
1-43 9-29
2-57 10-36
3-46
4-49 5-46
9-43 6-43
7-39
8-27

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.

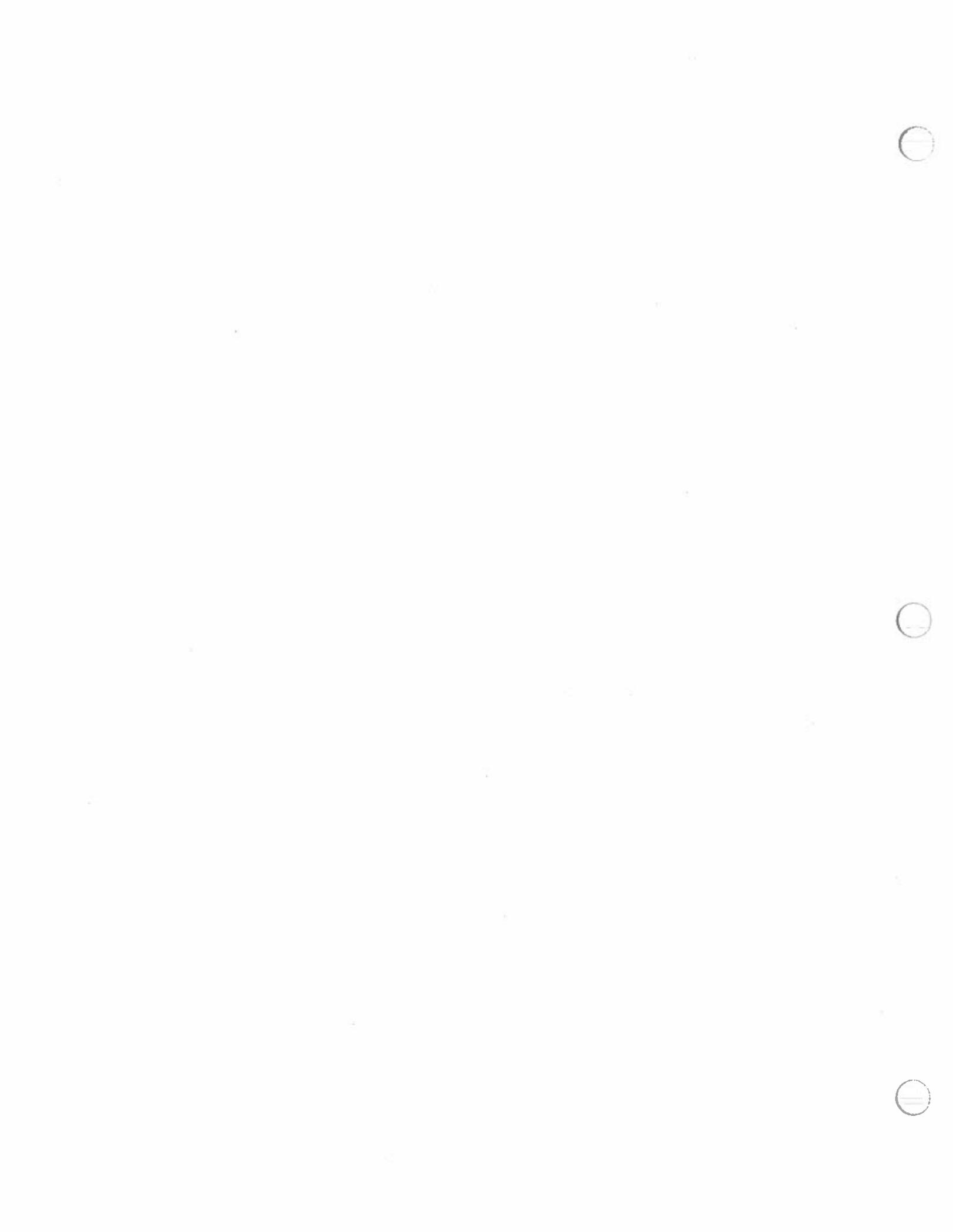
Background

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.



CITY OF CONCORD

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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) | \$642.67 | \$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 | 6.10% |
| Jul-04 | 7126 | 7.89% |
| Jan-06 | 7660 | 7.50% |
| Dec-06 | 7888 | 3.24% |
| Nov-07 | 8092 | 2.59% |
| Dec-08 | 8551 | 5.67% |
| Dec-09 | 8641 | 1.05% |
| Dec-10 | 8952 | 3.60% |
| Dec-11 | 9172 | 2.46% |
| Nov-12 | 9398 | 2.46% |
| Dec-13 | 9668 | 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.

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CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Carlos P. Baía, Deputy City Manager—Development
DATE: June 25, 2014
SUBJECT: Sign Regulation Ordinance Amendments

Recommendation

Accept this report and set the attached ordinance amendment for public hearing.

Background

The Zoning Board of Adjustment (ZBA) considered a request to allow a mechanical sign on May 1, 2013. The request was for a variance to allow a “scroller” type sign for fuel price display on a freestanding sign at a filling station in the City. These types of signs are not currently allowed under the Sign Regulations, Article 28-6.

A “scroller” is a type of sign that contains a vinyl scroll that can scroll up or down to display a specific image in the display window. In the case of the fuel price display, there are numbers on the vinyl scroll that can be changed to show the current price. The ZBA determined that it was unable to grant the request for a variance to allow a “scroller” sign because the Sign Regulations as applied to the property did not interfere with the reasonable use of the property, as is required for a finding of hardship to grant a variance.

The ZBA requested that City Council review its existing Sign Regulations, Article 28-7, to address whether it is appropriate to amend the current regulations as they pertain to “scroller” signs. A consent report on this issue was submitted to City Council for its January 13, 2014 meeting. The City Council agreed to review the matter to determine whether an amendment would be appropriate and forwarded the inquiry to the Planning Board.

Discussion

The Planning Board conducted public hearings and considered draft amendments to the City’s Sign Regulations during its meetings of April 2, 2014, May 21, 2014 and June 18, 2014.

By a vote of 7 to 3, the Planning Board **did not recommend** permitting mechanical scrolling signs under Section 28-6-9 of the Sign Ordinance (Signs Permitted in Nonresidential Districts). In voting against the adoption of mechanical scrolling signs, issues cited included: (1) concerns that an amendment to the mechanical scrolling sign ordinance would present opportunities to bring legal challenges to the current sign ordinance, which has been upheld by courts and prohibits electronic message centers; and (2) concerns that some types of mechanical scrolling signs could have negative aesthetic impacts.

The Planning Board, did however, vote to **recommend** the addition of references and/or definitions for “environmentally activated,” “programmed,” and “mechanical scrolling” signs as well as “electronic message centers” to the ordinance. These types of sign are prohibited under the existing ordinance but the definitions are intended to provide clarification.

A draft ordinance is attached which sets forth the provisions recommended by the Planning Board for adoption.

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 28, Zoning Ordinance, Article 28-6 Sign Regulations and Glossary

The City of Concord ordains as follows:

SECTION I: Amend 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, Paragraphs (a) and (h) as follows:

28-6-7 Signs Prohibited Under This Ordinance.

All signs not expressly permitted under Sections 28-6-8 and 28-6-9 of this ordinance, or signs not expressly exempt from permit requirements under Section 28-6-3 of this ordinance, are prohibited in the City of Concord. Such signs include but are not limited to the following:

(a) *Programmed or environmentally activated* [S]signs which physically or visually move, rotate or create an illusion of movement, or which have parts or surfaces that physically or visually move, rotate or create the illusion of movement or which emit audible sound or noise.

(h) Signs which *are or appear to be* animated or projected, or which are intermittently or intensely illuminated or [ef] *have* a traveling, tracing, scrolling, *automated*, or sequential light type, or signs which contain or are illuminated by animated or flashing light

SECTION II: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Glossary, by adding Sign definitions for Electronic Message Center, Environmentally Activated, Programmed and Mechanical Scrolling, and renumbering as follows:

(5) *Sign, Electronic Message Center. A sign or portion of a sign, that displays an electronic image or video, which may include text, including any sign or portion of a sign that uses lights or similar form of electronic display such as LED to form a sign message or messages with text and or images wherein the sequence of messages or the rate of change is electronically programmed or can be modified by electronic processes. This definition includes without limitation television screens, plasma screens, digital screens, flat screens, LED displays, video boards, and holographic displays.*

(6) Sign, Environmentally Activated. *An animated sign or device motivated by wind, thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.*

(57) Sign, Freestanding. A self-supporting sign, the supports of which are permanently anchored in the ground and are independent from any building.

(68) Sign, Marquee. Any sign attached to or in any manner made part of a permanent roof-like structure projecting beyond the wall of a building.

(79) Sign, Mechanical Scrolling. *A sign utilizing track or roller mounted alphanumeric copy that is changed by mechanically-driven means and is non-digital.*

(810) Sign, Monument. A type of freestanding sign for which the sign, its supports, and base are a monolithic structure.

(911). Sign, Pennant. Any lightweight plastic, fabric or similar material, whether or not containing a message of any kind, suspended from a rope, wire, or other material, usually in a series, designed to move in the wind.

(12) Sign, Portable. Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported.

(1013) Sign, Programmed: *A sign capable of displaying changing content without the need for direct and immediate manual input.*

(1114) Sign, Projecting. Any sign affixed to a building with the plane of the sign at an angle to the plane of the wall of the building.

(1215) Sign, Roof. Any sign erected and constructed wholly on and over the roof of a building and supported by the roof structure.

(1316) Sign, Temporary. A sign that is used in connection with a circumstance, situation, or event that is designed, intended, or expected to take place or to be completed within a reasonably short or definite period of time after the erection of the sign; or a sign that is intended to remain on the location where it is erected or placed for a reasonably short or definite period of time after the erection of the sign. If the sign display area is permanent but the message displayed is subject to periodic changes, that sign shall not be regarded as a temporary sign.

(1417) Sign, Wall. A sign attached to, or erected against the wall of a building with the face of the sign in a parallel plane to the plane of the building wall, and projecting no more than fourteen (14) inches from the building wall.

(18) Sign, Window. Any sign that is placed inside or upon the window panes or glass, and that is visible from the exterior of the building or structure.

SECTION III: 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~~.



9.17.1
T/A

July 10, 2014
Approved Meeting Minutes
Beaver Meadow Golf Advisory Committee

Members Present:

- Chris Mulleavey, Chair
- Jim Marshall
- Bill Veroneau
- Jan McClure
- Mark Coen
- Charles Vanasdalan
- Bob Norton
- Fran Hunt
- Bernard "Sid" Chase
- David Gill
- Julie Donlon

Members Absent:

- David Croft
- Roger Jobin
- Dick Holden
- Bob Vachon
- Vera Buck

Others Attending:

A call to Order

5 Minutes of Public Input

None

Chris asks if there is a motion to approve the Draft minutes from the June 12, 2014 meeting or any questions about the minutes

Bob moves approval of the minutes from the June 12, 2014 Meeting.

Jim seconds the motion.

Motion Carries 7-0

Mark asks that we improve instruction signage on Range Machine

Include Basket in instructions

Sid says basket is mentioned in instructions has requested laminated signage

Bob request moving the drop zone for the hazard on #14 with signage and clarification on local rules

Sid and Julie will work on it

Bob asks if the 90 degree rule is in affect all the time

Sid says golfers are asked to follow the cart signs if a fairway is closed to cart traffic, signs will indicate where cart traffic is allowed

Bob cautions against excessive signage

Chris asks about the lack of golf ball selection, by brand, available in the Pro Shop

Julie indicates we were exclusively Titleist until recently. Due to requests she told Titleist rep we could no longer be exclusive.

Chris voices concern and disappointment with Food and Beverage operation

Lack of Beverage Cart for Tuesday Night League

Cart Girl done at 6:00?

12 woman came in and could not get served after playing or Get Golf

Ready?

Understaffed

No Half Portions

No Lighter fare

Poor Quality Coffee

David is meeting with Josh next week

Staff continues to work with vendor to improve service

Fran has heard the same things for a long time

No Salads

Course Update

Range Dispenser up and running, few problems so far

Hydro seed done on Range, 14 and 16

Contractors contacted for paving and drainage

New Tees to be done in September, weather permitting

Bob says course is in exceptional shape, course conditions paramount to our success

All Committee members agree course conditions are our highest priority

New Business

Mark recently had a complaint regarding the conduct and language on the patio, and specifically smoking

Where is smoking allowed?

Who is responsible for the patio?

When there is a problem it should be brought to the attention of staff either golf or 1896 or both

Either or both should respond

Sid says these have been long term problems that ebb and flow going back as far as when Sarah ran the Grille. Greater attention on both staff's parts will curb the problem.

Handicap Committee

Chuck is disappointed with the lack of support from the NHGA

Asked for guidance, got none

Chuck has been traveling and work has prevented him from spending much time on the Committee

Chuck says he is not a member and the Chair must be a member

Chuck will organize another meeting and ask for new Chair

Posting of scores by Pro Shop staff has helped people be more conscious of their posting responsibilities

Chris says Heath has done a phenomenal job with Tuesday League

Scores posted the same evening

Highly organized, cards are ready when players arrive

Patio Group and Yellow/White tees

5 Points on quota between the tees?

Julie has explained it multiple times and has posted the NHGA-USGA guidance for players

No different than when a player moves from the whites to the blues, the player is playing against the course for their quota points

Just the idea of an active committee has made people more aware of necessity to properly post scores

Pro Shop doing leagues has made a large improvement in handicap administration

Other

David compliments Julie's ability to book more Outings and also get the regulars out

Lessons way up for Julie

She is very much exceeding the City's expectations all around especially in pro shop sales

The Committee agrees.

Sid suggests a special meeting in late July to discuss rates.

With recommendation in August, Council could set rates in September

Mark asks that David send financial information in advance.

Chris will reach out to members who have not been able to participate as much as needed.

Replacement Members?

Do we need to look at make-up of Committee, younger participants

Our Rates are very low compared to others
Need to grow membership
Competitive Market, people choosing Green Fees vs. Membership?
Course Conditions drive membership decisions in addition to location,
habit and friendships

Chris asks if there is a motion to adjourn.
Bill so Moves.
Fran Seconds,
Motion Carries. 8-0

Meeting is set for August 14, 2014
7:30 AM
Beaver Meadow Clubhouse

Agenda:
Public Input
Approval of Minutes
Rates
Old Business

Meeting Adjourned.



Engineering Services Division

Traffic Operations Committee

Meeting Minutes – August 19, 2014

Attendees: Rob Mack, PE, PTOE, Engineering Services
 Steve Henninger, Planning Division
 Jim Major, General Services
 Greg Taylor, Concord Police Department
 Eric Crane, Concord Police Department
 Rick Wollert, Concord Fire Department

Visitors: Julie Petty, Visitor
 Lee Lamson, Visitor

A. Regular Discussion Items

- 1) Overview of city-wide accident data, including prior-month accident summary and discussion of select accident locations, circumstances and potential action.

DISCUSSION / ACTIONS: Traffic accident data for July 2014 was reviewed. There were 85 reportable accidents in July 2014. This compares with 85 and 101 reportable accidents in July 2013 and 2012, respectively. 22 accidents resulted in total of 34 people injured. There were no fatalities.

There were no accidents involving pedestrians.

There was one accident involving a bicyclist: a bicyclist aged 14 years crossing Walker Street from Walker Street Extension and being struck by an eastbound vehicle on Walker Street (minor injuries, bicyclist at fault, no helmet worn).

- 2) City Council meeting update.

DISCUSSION / ACTIONS: There were no TOC items on the August 11, 2014 Council meeting agenda.

- 3) Transportation Policy Advisory Committee (TPAC) update.

DISCUSSION / ACTIONS: TPAC did not meet in July 2014.

B. On-going Discussion and Action Items.

- 1) Referral from Councilor Herschlag requesting 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 (Council: 4/14/14).

DISCUSSION / ACTIONS: A summary of TOC's discussion and preliminary findings was provided to Councilor Herschlag. Also provided was an outline of the approval process necessary to build traffic

calming devices per the city's Traffic Management Policy. Further action pending feedback from Councilor Herschlag.

- 2) **Referral from Councilor Herschlag requesting that additional traffic calming methods or stop signs be used at the Washington/Borough/River intersection, and that consideration be given to filling sidewalk gaps and enhancing pedestrian travel along Borough Road between Alice Drive and River Road (Council: 6/09/14).**

DISCUSSION / ACTIONS: Regarding potential improvements at the Washington/Borough/River intersection, Rob Mack reported that a sketch of the potential intersection reconfiguration discussed by TOC last month was mailed to the property owners at 1 River Road to solicit their feedback. Staff is still awaiting a reply. General Services indicated they could coordinate the removal of pavement and installation of signs and markings to make the new intersection configuration. The planting of a few trees in the abandoned roadway area was also recommended to provide an enhanced visual indication to drivers of the intersection change. Staff would need to look into a potential funding source for any trees/plantings.

Rob Mack also reported that copies of sketch plans of Borough Road sidewalk alternatives discussed with area residents back in 2007 could not be located. Staff recollection of the investigation is as follows. Options for installing sidewalk along Borough Road from Alice Drive to Millstream Lane were considered on both the north and south sides of Borough Road. This was part of an investigation of prospective sidewalk improvements in the Penacook area under a state-funded CMAQ-TE program. There was considerable opposition from select residents on either side of the street regarding an option that would place sidewalk along their particular frontage. Staff's recommendation was sidewalk construction generally along the south side of Borough Road as the north side had substantial construction challenges: utility poles located where the sidewalk would need to go and a culvert, guardrail and side-slopes along the north side near Blueberry Lane where substantial reconstruction would be required to accommodate space for a sidewalk. With no consensus from abutting residents, installation of Borough Road sidewalk was limited in 2008 to the short segment between sidewalks at Millstream Lane and Primrose Lane; this was along the north side of Borough Road from Millstream Lane to a crossing to the south side at Primrose Lane. For now, staff remains mindful of future sidewalk opportunities along borough Road as individual parcels come under review for proposed redevelopment.

C. New Discussion and Action Items

- 1) **Referral from Council regarding a concern by a resident of Snow Street on traffic speeds and cut-through movements and requesting stop signs to slow traffic. (Council: 7/30/14).**

DISCUSSION / ACTIONS: Julie Petty of #48 Snow Street addressed TOC with her concerns on traffic speeding along Snow Street and using it as a cut-through route to avoid the signal at the Village/Manor intersection.

Rob Mack reported that Engineering staff deployed the radar speed counters on Snow Street between the intersections of Welch Street and Bean Street for four days including a weekend. Average speeds were 23 mph and 85th percentile speeds were 29 mph; a 25 mph speed limit is posted. Several vehicles with high recorded speeds were noted on the four-day count and time-of-day data was provided to CPD. Rob Mack also reported that he had observed traffic flow along Snow Street for about 20 minutes during the afternoon commuter peak. 10 vehicles were observed: 7 were local residents on Snow Street; 3 appeared to be cutting through between Village Street and Manor Road; and all appeared to be travelling at reasonable

speeds. Daily traffic volumes along Snow Street are very light, averaging 130 vehicles during the weekday and 190 during the weekend; that is the equivalent trip generation of less than 20 single family homes.

TOC felt that overall speeds along Snow Street were reasonable and appropriate, although enforcement was recommended for the few inconsiderate drivers noted. The use of Snow Street as a cut through was considered minor and may be related to a driver's choice approaching the left-turn signal at Manor Road. Rob Mack suggested that the exclusive left-turn phasing at that signal is not appropriate for the moderate volume of traffic using the intersection and that it might be beneficial to revise the signals (under CIP 35, Phase 6) to implement a flashing yellow arrow operation as has been done further south at Bog Road and Sewalls Falls Road. Reduced left-turn delay may attract drivers back to the left turn at the Manor Road signal versus deciding to turn onto Snow Street. TOC members concurred that the potential use of STOP signs for speed control would not be appropriate as traffic conditions fall far below the minimum traffic volume warrants under Federal guidelines. It is also possible that potential additional stop signs at intersections would result in increasing the mid-block (near #48) speeds of speeding drivers as they try to make up lost time. Rob Mack noted that the sight-line restriction at the Snow/Welch intersection as reported by the resident appeared to be related to a conifer on private property, but that sight lines were observed to be adequate.

Officer Crane will follow up by scheduling some speed enforcement for the subject section of Snow Street.

- 2) **Request from the resident at #67/69 Franklin Street with concerns about a recent vehicle crash damaging his porch and requesting installation of a protective barrier on the Rumford Street approach to Franklin Street (Engineering: 7/28/14).**

DISCUSSION / ACTIONS: Lee Lamson of #67/69 Franklin Street addressed TOC with his concerns on safety of his tenants following the second crash in two years of a vehicle into his porch on the south leg of Rumford Street at its intersection with Franklin Street. Requested is the construction of a protective barrier or bollards along the east side of the Rumford Street sidewalk along his frontage.

TOC reviewed the circumstances of the two crashes that hit the porch. A July 2014 crash was caused by a southbound Rumford Street vehicle that stopped, but then failed to yield to an eastbound vehicle on Franklin Street; the collision ended up with one vehicle leaving the street and damaging the porch. The other collision occurred in October 2012 when a southbound Rumford Street vehicle initially stopped at the stop sign, but then failed to yield to an eastbound vehicle on Franklin Street; the eastbound vehicle veered to avoid the Rumford vehicle and ran into the subject porch structure.

TOC reviewed photographs of the intersection in question and the street set-backs to houses in the immediate vicinity of the intersection. Other nearby houses are similarly set back and there doesn't appear to be anything unusual about setbacks to the house in question. TOC members did not think it would be appropriate to install 'protective barriers' at this location; it has not been done in the past; it would set a precedent; and the city might inherit liability for any future crashes involving such a barrier. It was suggested that the property owner had the option to construct his own barrier on his property.

TOC discussed the two crashes and potential causative factors. Police staff felt the cause of both crashes was driver inattentiveness in crossing Franklin Street; both drivers stopped at the stop sign, but then drove across the intersection without yielding to oncoming Franklin Street traffic. Sight lines appeared appropriate, but care is needed in crossing the street as sight lines could be restricted by on-street parking as commonly occurs at intersections within the urban core. It was noted that Franklin Street is a significant commuter corridor, generating substantial cut-through traffic between N. Main Street/I-393 and the medical/institutional areas to the west; the potential future extension of Langley Parkway would divert some

of this traffic from the subject intersection. Officer Crane said he will plan to do some STOP sign enforcement at the intersection, particularly during commuter peaks. Staff will monitor.

D. Open Discussion Items

- 1) **Staff response to miscellaneous inquiries (refer to correspondence in agenda packet).**

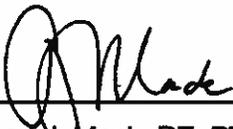
DISCUSSION / ACTIONS: None.

- 2) **Review of potential changes to traffic circulation at the MVSD campus.**

DISCUSSION / ACTIONS: TOC reviewed a concept plan received by Engineering that proposed changes to traffic access and circulation to and within the MVSD campus. The concept plan was prepared on behalf of the MVSD as part of the ongoing safe routes to school travel plan for the campus area. This latest in a series of alternatives considered for the campus indicated: sidewalk improvements between the campus and adjacent streets; changes to the main parking area to allow for parking aisles perpendicular to the building fronts rather than parallel as exists now; provision of one-way drop-off lanes next to the building fronts; reconfiguration of Beede Drive to allow two-way traffic movement; and reconfiguration of the Allen Street access to allow a one-way entrance only from Community Drive with all exiting traffic required to use Allen Street.

Regarding on-site circulation, TOC felt the changes were still somewhat non-intuitive and could remain a challenge for some visitors trying to circulate into and out of the campus area. However, the proposed changes to the parking aisles to be perpendicular to the buildings were considered a significant improvement. Proposed changes to the south end of Community Drive would require a short one-way southbound posting between the campus and the SAU office driveway. TOC felt that neighborhood feedback would be needed for this change, although it would appear that this type of change would halve the volume of traffic using Community Drive. TOC felt that school traffic diverted from using Community Drive might elect to use High Street instead; this could be precluded by considering a similar one-way southbound restriction at the south end of High Street. Engineering staff will provide TOC feedback to the consultants working on the SRTS travel plan.

Respectfully submitted,



Robert J. Mack, PE, PTOE, Traffic Engineer
Chair, Traffic Operations Committee

***The next Traffic Operations Committee meeting will be held on
Tuesday, September 16, 2014 @ 12:00 PM in the 2ND Floor Conference Room.***

Bonenfant, Janice

9INF3

From: colinvo=vanostern.com@mail.salsalabs.net on behalf of Colin Van Ostern
<colinvo@vanostern.com>
Sent: Wednesday, August 13, 2014 10:44 PM
To: * City Clerk
Subject: EC Report: Market Basket, Raising the Limit and more

1A8

Friends,

In addition to my standard Governor & Council report (below), I wanted to first share some information regarding the announcement last week that up to 8,000 part-time workers at Market Basket stores statewide would have their hours or jobs eliminated this week.

Roughly 1,060 part time workers in my district have been impacted at stores in Concord, Warner, Rochester, and Somersworth, as well as residents who work at other Market Basket stores outside my district. If members of your community are impacted, please share this information:

Most importantly: thanks to a 2008 New Hampshire law, most part-time employees who lose their work – whether formally laid-off or just having their work hours cut – are now eligible for state unemployment aid.

- FAQ: <http://www.nhes.nh.gov/documents/faq-basic-8-4-14.pdf>
- HOW TO APPLY: <http://www.nhes.nh.gov/documents/mb-htf-initial.pdf>
- # OF PT EMPLOYEES & STATUS BY LOCATION: <http://www.wmur.com/money/list-of-parttime-market-basket-workers-by-store-in-nh/27363512>

I believe this crisis is the economic equivalent of a natural disaster and requires the same response New Hampshire has proven many times before, where we band together and support our friends and neighbors. I have spoken with both Governor Maggie Hassan and Employment Security Commissioner George Copadis, and I know both share this view. They have shifted staffing at Employment Security offices statewide, set up a cross-agency task force to support displaced workers, and have distributed flyers about workers rights at all Market Basket stores in the state.

Please don't hesitate to let me know if you have questions about our state response to this crisis.

We had a busy week at last's Governor & Council meeting – in addition to the regularly-scheduled meeting, we discussed a proposal by Councilor Deb Pignatelli, which I support, to increase state government efficiency and strengthen scrutiny on the most impactful contracts by raising the limit on which contracts the Council reviews.

The Council voted 4-1 to draft language to this effect for consideration at our next meeting. I recently wrote a guest column for several state newspapers on why I think this move would eliminate waste and improve transparency, [which you can read here](#).

At last week's meeting, Council approvals included:

IN CENTRAL NH: A project led by the City of Franklin to coordinate planning for the Northern New England Medical Response Strike Team; ongoing lab services by Concord Hospital for the state prison;

transportation services for the elderly in greater Concord; aircraft inspection at the Concord airport; construction of a subsurface water line under Sheep Davis Rd to supply the National Guard training institute; and roof repair at the Police Standards & Training center at NHTI.

IN MONADNOCK & WESTERN NH: Heating system and capital improvements at the Meadow Road Apartments in Keene; and extension of the lease for the Keene area Employment Services office on Key Road for one year.

IN STRAFFORD CO: Transportation services for the elderly and persons with disabilities; surface improvements to 1.7 miles of NH Rt 108 in Durham & Newmarket; and federally-funded lab analysis of shellfish samples at UNH.

STATEWIDE: Federally-funded consulting project to provide recommendations for reforming health care provider payments, based on the recent increased transparency in statewide medical procedure costs; travel and tourism promotion grants to 11 regional promotion groups; and construction of an additional 10 bed unit for acute psychiatric crisis care at the state hospital.

APPOINTMENTS: See below for full list; acting directors of the Department of Information Technology and Division of Travel & Tourism were appointed pending a search for a permanent replacement after these two positions were recently vacated. Additionally, the nomination of Liquor Commission Director of Marketing, Merchandising and Warehousing was tabled until our next meeting.

The next meeting is on Wednesday, Sept 3 in Western NH (location TBD). If you have any questions, please don't hesitate to let me know via email at here or by calling me at (603) 290-5848.

Sincerely,

Colin

Executive Councilor, District 2

FULL 8/5 AGENDA

(or follow the links below for documentation of each item)

FULL INFORMATION

1. DETAIL: CENTRAL NH

#6 Authorized to exercise a **sole source** amendment to an agreement with the City of Franklin, NH (originally approved by G&C on 12-4-13, item #43), to provide planning, training, and equipment to the Northern New England Metropolitan Medical Response System Strike Team in NH to enhance the overall medical surge/mass prophylaxis, mass care services, public health and medical services and first responder health and safety

capabilities, by increasing the price by \$50,000 from \$50,000 to \$100,000, and by extending the completion date from August 31, 2014 to June 30, 2015. **100% Other Funds.**

#11 Authorized to enter into a **retroactive sole source** agreement with Concord Hospital Inc., Concord, NH, for the provision of Laboratory and Pathology Services and Employee Health Services, in the amount not to exceed \$115,000. Effective July 1, 2014 through December 31, 2014. **27% General, 73% Federal Funds.**

#22 Authorized the Bureau of Rail & Transit to amend a **sole source** contract with Central NH Regional Planning Commission, Concord, NH (originally approved by G&C on 6-19-13, item #231), for coordinated transportation services for elderly persons and persons with disabilities, by increasing the amount by \$164,463 from \$134,725 to \$299,188. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#89 Authorized the Division of State Police to **retroactively** exercise a one-year contract renewal option with Anvab Inc., d/b/a Concord Aviation Services, Concord, NH, (originally approved by G&C on 7-11-12, item #95), for the provision of scheduled maintenance and inspection of the Cessna Aircraft, contingent on Concord Aviation Services remaining the Fixed Base Operator at Concord Municipal Airport, in an amount not to exceed \$40,000. Effective July 1, 2014 through June 30, 2015. **81% Highway, 19% Turnpike Funds.**

#99 Authorized a temporary construction easement on land along Sheep Davis Road (NH Route 106) in Pembroke owned by Genrose LLC, a Connecticut limited liability company, for the purpose of constructing and installing a subsurface water line to pass beneath Sheep David Road and supply water to the NH Army National Guard Regional Training Institute currently under construction on the opposite side of Sheep Davis Road. No Cost to the State.

#107 Authorized the Bureau of Public Works Design and Construction to enter into a contract with The Melanson Co. Inc., Bow, NH, for the Police Standards Roof Repair, Concord, NH, for a total price not to exceed \$49,500. (2) Further Authorized the amount of \$1,700 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$51,200. Effective upon G&C approval through November 7, 2014. **100% Operating – Other Funds.**

2. DETAIL: MONADNOCK REGION

#29 Authorized to award a grant to the City of Keene, NH, in the amount of \$270,000 for heating system and capital improvements at the Meadow Road Apartments in Keene, NH. Effective August 5, 2014 through June 30, 2016. **100% Federal Funds.**

#43 Authorized to **retroactively** amend the current lease agreement with Key Road Associates, Keene, NH (originally approved by G&C on 6-17-09, item #45), for rental of 47,800 square feet of office space located at 109 Key Road, Keene, NH, for a total cost of \$57,552. Effective August 1, 2014 through July 31, 2015. **100% Federal Funds.**

3. DETAIL: STRAFFORD COUNTY

#18 Authorized the Bureau of Rail & Transit to amend a **sole source** contract with Cooperative Alliance for Seacoast Transportation, Dover, NH (originally approved by G&C on 6-5-13, item #233), for coordinated

transportation services for elderly persons and persons with disabilities, by increasing the amount by \$227,901 from \$207,884 to \$435,785. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#26C Authorized the Bureau of Construction to enter into a contract with F. L. Merrill Construction Inc., Loudon, NH, for roadway improvements on 1.7 miles of NH Route 108 in Durham and Newmarket, on the basis of a low bid of \$4,111,415.07. (2) Further Authorized a contingency in the amount of \$205,570.75 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 18, 2015. **100% Federal Funds.**

#60 Authorized to enter into a **sole source** agreement with the University of NH, Office of Sponsored Research, Durham, NH, to perform laboratory analysis of shellfish samples for *Vibrio parahaemolyticus* presence and genetic characteristics, in the amount of \$10,000. Effective upon G&C approval through December 31, 2014. **100% Federal Funds.**

4. STATEWIDE PROJECTS AND POLICIES

#5 Authorized to amend an agreement with JSI Research & Training Institute Inc., d/b/a Community Health Institute, Bow, NH (originally approved by G&C on 7-10-13, item #40), to provide a broad range of programmatic support services across a number of public health programs to include public health strategic planning, needs assessment, training and technical assistance; and implementation of health communications campaigns, by increasing the price by \$79,398 from \$1,525,400 to \$1,604,798. Effective upon G&C approval through June 30, 2015. **100% Federal Funds.**

#42 Authorized to enter into a contract with Compass Health Analytics Inc., Portland, ME, for the provision of consulting services to provide recommendations for health care provider payment reform that controls costs while maintaining consumer protection, in the amount of \$60,000. Effective upon G&C approval through October 31, 2014. **100% Federal Funds.**

#52 Authorized the Division of Travel and Tourism Development to award grants to the organizations as detailed in letter dated July 18, 2014, in the total amount of \$649,676.27 for their 2014/2015 in-state and out-of-state marketing projects. Effective upon G&C approval. **100% General Funds.**

#112 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Harvey Construction, Bedford, NH, for the Acute Psychiatric Services Psychiatric Crisis Beds and Security Upgrades, Concord, NH, for a total not to exceed \$2,692,985. **99% General – Capital, 1% Other Funds.** (2) Further Authorized a contingency in the amount of \$65,727 for unanticipated construction issues, bringing the total to \$2,758,712. **100% General – Capital Funds.** (3) Further Authorized the amount of \$2,950 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$2,761,662. Effective upon G&C approval through December 31, 2015. **100% Other Funds.**

5. DETAIL: APPOINTMENTS AND NOMINATIONS

(* = District 2 Resident)

New Nominations by Governor Hassan:

Governor's Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery

Rebecca Ewing, Hopkinton, NH*

Stephanie A. Savard, Derry, NH

Health and Education Facilities Authority

Todd C. Emmons, New London, NH

Board of Home Inspectors

Wayne H. Moore, Epsom, NH

Joint Promotional Program Screening Committee

Cynthia Foster, Glen, NH

Land and Community Heritage Authority

William Norton, Concord, NH*

Board of Land Surveyors

William J. Doucet, Newmarket, NH

Racing and Charitable Gaming Commission

Lynn M. Presby, Freedom

Retirement System Board of Trustees

Germano M. Martins, Hooksett, NH

Director of the Division of Aeronautics, Rail and Transit at the Department of Transportation

Patrick C. Herlihy, Contoocook, NH*

Waste Management Council

Philip D'Avanza, Goffstown, NH

Confirmed by the Council:

Board of Acupuncture Licensing

William J. Halacy, Concord, NH*

State Council on the Arts

Angela F. Brown, Randolph, NH

William H. Stelling, Manchester, NH

Connecticut Lakes Headwaters Citizens Committee

Paul A. Doscher, Weare, NH

Board of Registration of Funeral Directors and Embalmers

Susan J. Hopkins, Salem, NH

Chief Operating Officer for the Division of Administration at the Liquor Commission

Craig W. Bulkley, Derry, NH

Acting Commissioner of the Department of Information Technology

Steven J. Kelleher, Concord, NH*

Acting Director of the Division of Travel and Tourism at the Department of Resources and Economic Development

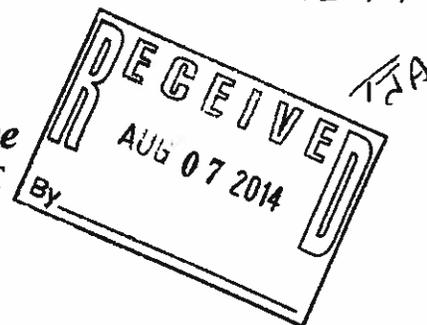
Amy O. Bassett, Hopkinton, NH*

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City of Concord, New Hampshire
GENERAL SERVICES DEPARTMENT
311 N STATE STREET
CONCORD, NH 03301



August 5, 2014

City Clerk/City Council
City of Concord, NH
41 Green St.
Concord, NH 03301

VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

RE: Concord City Landfill
Type I-B Modification to Solid Waste Management Facility Permit Application
GWP-198401001-C-007

Dear City Clerk and City Council,

Pursuant to RSA 149-M and the New Hampshire Solid Waste Rules, you are hereby notified that The City of Concord General Services Department will be filing an application with the New Hampshire Department of Environmental Services (NHDES) for a Type 1-B Permit Modification to Solid Waste Management Facility Permit for its landfill located at 77 Old Turnpike Road in Concord, NH.

The application requests a reduction in the GROUNDWATER sampling frequency from twice annually to once annually in accordance with newly adopted changes to the New Hampshire Solid Waste Rules. No other site activities or changes to the existing permit are being sought.

For additional information regarding this application you may call me at 603-228-2737. You may also contact Bill Straub, P.E. of CMA Engineers, Inc. at 603-431-6196.

If you have questions regarding the permit application review process, or wish to comment on the subject application, please contact Mr. Wayne Wheeler at NHDES-Waste Management Division, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095, 603-271-2925.

Sincerely,

Earle M. Chesley, Director
Concord General Services Department

Enclosure





THE NORTHERN PASS™

9Int5

RECEIVED
AUG 15 2014
By _____

August 14, 2014

Ms. Michelle Kleindienst
Association Manager
McKenna's Purchase
84 Branch Turnpike
Concord, NH 03301

Dear Ms. Kleindienst:

Thank you for your letter of May 29, 2014. We look forward to scheduling a date and time meet with the Board of Directors. Hopefully, the responses to the issues you raised in your letter and that I provided to you during our telephone conversation of June 3, 2014, and provide in this letter will facilitate the scheduling of that meeting.

For the sake of efficiency, I have transcribed below the questions listed in your letter, and included our response to each.

Question 1: **Would the relocated berm run along the route currently used for the existing distribution line without the need to remove any of the trees or vegetation to the west of the existing line? Those trees and vegetation also serve as a buffer.**

Answer: In redesigning the facilities that would be located adjacent to McKenna's Purchase, Northern Pass' goal is to avoid and limit the disturbance of existing trees and vegetation along the western side of the right-of-way, and to improve upon their buffering effect. The area around the distribution line is already cleared, and the plan is to, as much as possible, place the berm in the general location of the cleared space in which the distribution line is currently located. That distribution line would be relocated to the eastern side of the right-of-way. We would work with the Board of Directors to avoid and minimize disturbance to the existing trees and vegetation so as to preserve the buffering effect. We would also work with the Board of Directors to develop a landscape design for the planting of appropriate trees and vegetation following relocation of the berm. In other words, we believe that relocating the berm offers the opportunity to substantially add to the buffering effect provided by the existing trees and vegetation, and we are committed to working with the Board of Directors to ensure that the buffer planting is compatible with the Board's approach to maintaining the landscape of McKenna's Purchase.

Question 2: Has anyone at NP done an engineering study to calculate the effectiveness of a relocated berm compared to its current location that is closer to the noise sources?

Answer: Northern Pass asked the project's sound consultant to assess the effect of relocating the berm. He has determined there would be little or no change to the acoustical environment at McKenna's Purchase. This assessment is based on the wide range of noise sources in the vicinity of McKenna's Purchase and the relatively small change in the location of the berm. If the Board of Directors wishes, the sound consultant can participate in the meeting and can be available to both explain the bases for his assessment, and to answer any questions the Board of Directors may have.

Question 3: The drawings only have horizontal dimensions. Can you supply the vertical dimensions of the poles and the number of poles needed?

Answer: Accompanying this letter is an aerial plan and table that includes each pole location in the right-of-way and the requested pole heights.

Question 4: Can you supply an aerial view layout as has been done in the past?

Answer: Yes, it's attached as referenced above.

I have also included a copy of the original materials that we sent you for reference purposes. In addition to responding to your questions, we want to make it clear that we welcome the opportunity to work with the Board of Directors and individual residents to review opportunities for adjusting specific structure locations within the right-of-way.

Please call me to arrange a convenient time for a meeting with the Board of Directors.

Best regards,

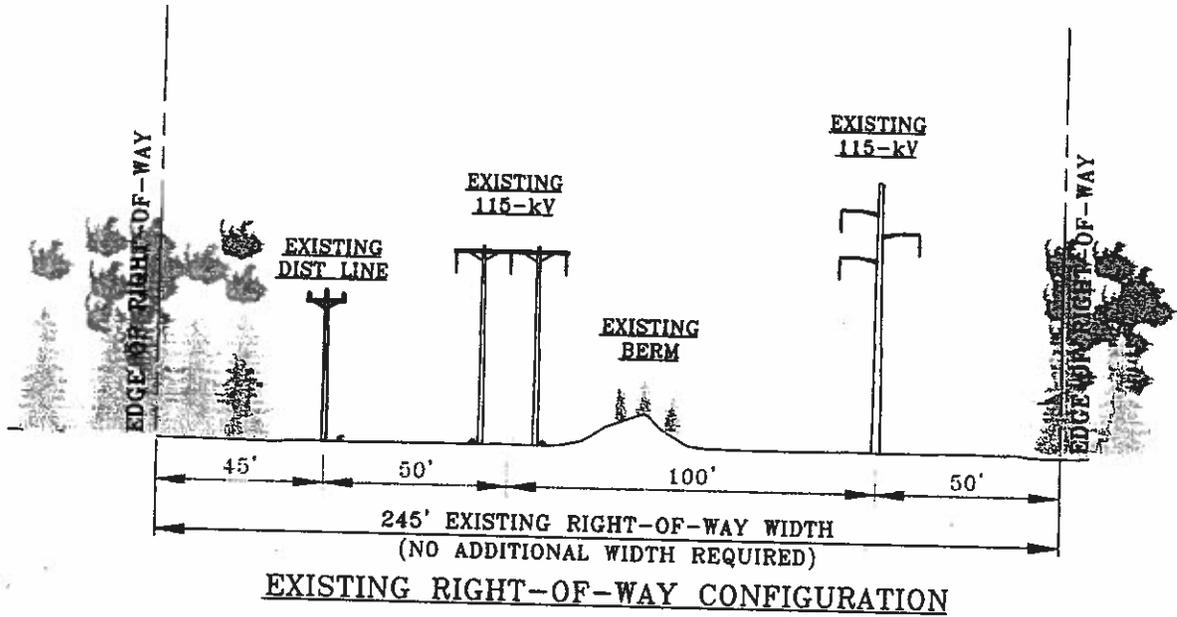


Patrick F. McDermott
Northern Pass Project

Enclosures

cc: Mayor Jim Bouley, City of Concord
Ms. Janice Bonenfont, City Clerk, City of Concord
Senator Sylvia Larsen
Representative Candace Bouchard
Councilwoman Gail Matson, City of Concord

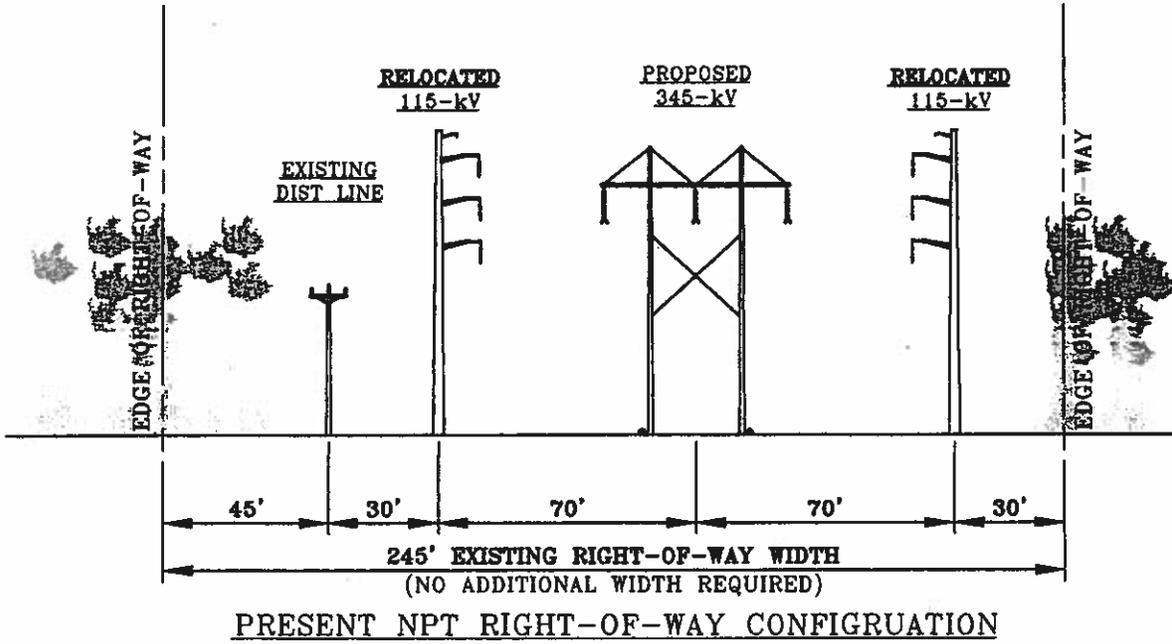
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FOR DESIGN ONLY**

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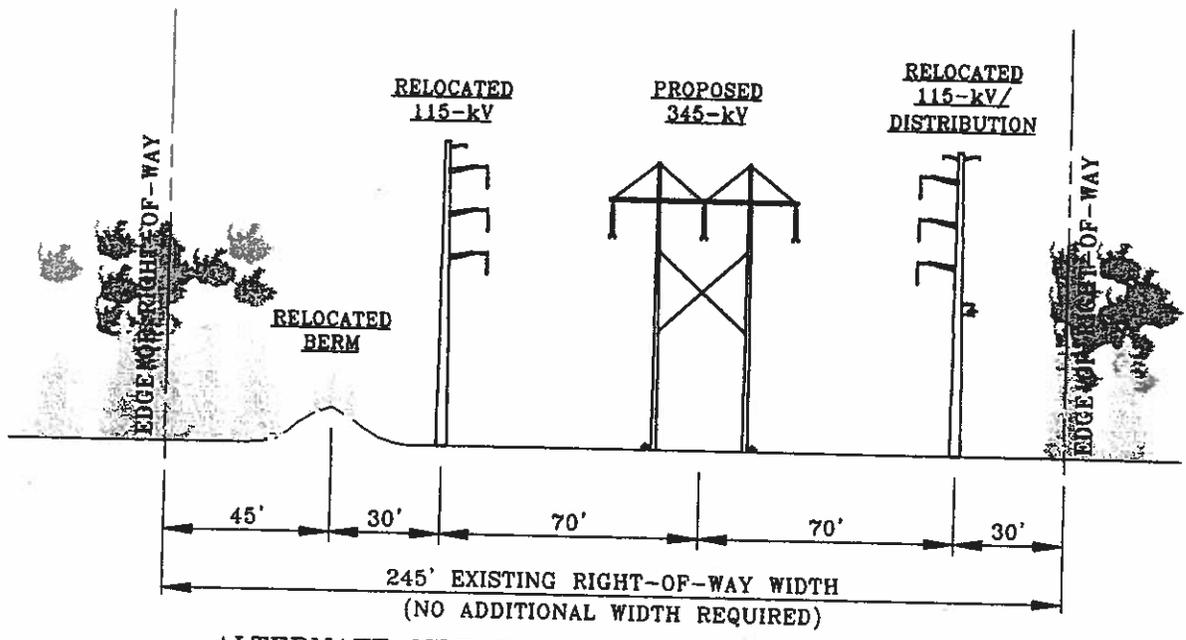
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ALTERNATE NPT RIGHT-OF-WAY CONFIGURATION

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FOR DESIGN ONLY**

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