



**Non-public session in accordance with RSA 91-A: 3, II (d)
to discuss property acquisition to be held at 6:15 p.m.**

City Council Meeting
Agenda
January 14, 2013
City Council Chambers
7:00 p.m.

1. Call to Order.
2. Invocation by Reverend Jason Wells, Grace Episcopal Church.
3. Pledge of Allegiance.
4. Roll Call.
5. Approval of the December 10, 2012 meeting minutes.
6. Agenda overview by the Mayor.

- Consent Agenda Items -

Referral to the Energy and Environment Committee

7. Communication from Linda Rauter, Chichester resident, encouraging the Energy Committee to consider recommending improvements to automated lights in parking lots with the Concord area.

Items Tabled for an February 11, 2013 Public Hearing

8. Resolution repurposing \$150,000 from completed and unexpended City Hall roof project (CIP #65) to support additional improvements to the Green Street Community Center project (CIP #63); together with a report from the General Services Department.
9. Ordinance amending the Code of Ordinances, Title I, General Code, Chapter 14, Morals and Conduct; Article 14-2; Miscellaneous Police Regulations, Aggressive Panhandling; together with report from the Public Safety Board.
10. Ordinance amending the Code of Ordinances, Title I, General Code, Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8, Peddlers, Solicitors,

Section 15-8-4.1, Registration of Solicitors – Requirements; together with report from the Legal Department in response to a communication from Pinnacle Security requesting the City of Concord repeal/modify existing ordinances prohibiting door to door solicitation. (7-9) (10-10) (11-37C; 11-40) *(Ordinance referred to the Public Safety Advisory Committee and the Legal Department for further review at the November 13, 2012 Council meeting)(Revised ordinance submitted; together with report from the Public Safety Board)*

11. Ordinance amending the Code of Ordinances, Title I, General Code; Chapter 1, Government Organization, by amending Article 1-5, Fees, Fines, and Penalties, Schedule I, Solicitation Photo Identification Badge.
12. Ordinance amending the Code of Ordinances, Title II, Traffic Code; Chapter 18, Parking; Article 18-1, Stopping, Standing, and Parking: Section 18-1-8 Parking Time limited in Designated Spaces, North State/West Streets; together with report from the Parking Manager.
13. 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 the City Planner and EDAC recommendation.
14. Resolution amending the official map so as to establish mapped lines of a future street for an extension of Whitney Road southerly to Sewalls Falls Road; together with report from the Assistant City Planner.
15. Resolution amending the official map so as to establish mapped lines of a future street for an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road; together with report from the Assistant City Planner.
16. 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.
17. Resolution amending the official map so as to eliminate the existing remnants of mapped lines of future streets located between Christian Avenue, Ormond Street and East Side Drive; together with report from the Assistant City Planner.
18. Resolution amending the official map so as to eliminate the existing remnants of mapped lines of future streets located between Old Turnpike Road, Manchester Street, Airport Road and Terrill Park Drive; together with report from the Assistant City Planner.
19. Resolution amending the official map so as to eliminate the mapped lines of future streets for the extension of Brookside Drive and Bow Street; together with report from the Assistant City Planner.

20. Resolution authorizing the City Manager to enter into a Trail Agreement on land owned by Gordon Matson and Judith Wildman, southerly of District #5 Road, which will permit the public use of the trail and allow for the inclusion of the trail in the City's trail system; together with report from the Conservation Commission.

From the City Manager

21. Positive Citizen Comments.
22. Council meeting date calendar.

Consent Reports

23. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$3,967.95 as provided for under the preauthorization granted by City Council.
24. Diminimus gifts and donations report from the Human Services Director requesting authorization to accept monetary gifts totaling \$400 as provided for under the preauthorization granted by City Council.
25. Diminimus gifts and donations report from the Human Services Director requesting authorization to accept monetary gifts totaling \$100 as provided for under the preauthorization granted by City Council.
26. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$2,000 as provided for under the preauthorization granted by City Council.
27. Report from the Transportation Policy Advisory Committee in response to a communication from Therese Houde regarding the Concord Area Transit bus routes. (9-7)
28. Report from the Traffic Engineer in response to a communication from Amanda Mischke asking City Council to consider traffic safety improvements at the intersection of Washington and North State Streets in Concord. (12-8)
29. Report from the General Services Director recommending the City Manager be authorized to apply for and accept grant funds available from the New Hampshire Department of Environmental Services relative to the collection of Household Hazardous Waste.
30. Report from the City Engineer recommending the installation of a street light on South Commercial Street.

City Council Agenda

January 14, 2013

4

31. Continued customer service improvements to the City's credit/debit card acceptance program report from Finance.
32. Report from the Director of Human Resources and Labor Relations recommending the re-classification of two public properties personnel from Senior Maintenance Aides to Maintenance Technicians.

Consent Resolutions

33. Resolution authorizing the City Manager to apply from time to time for grants from the New Hampshire Humanities Council for purposes consistent with the mission of the Concord Public Library; together with report from the Library Director.

Consent Communications

34. Street closure request for White Street from Washington Street to Blanchard Street from noon on Thursday, January 24, 2013 through Monday, January 28, 2013 for the Black Ice Pond Hockey Championship.

Appointments

35. Mayor Bouley's proposed reappointment to the Community Development Advisory Committee (CDAC). *Leo Fraser*
36. Mayor Bouley's proposed appointment to the Board of Ethics.
Clyde R. W. Garrigan

From the Mayor

37. Communication from the Mayor regarding the City Manager's Annual Performance evaluation.

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

38. January 14, 2013 Public Hearings

- A. Resolution appropriating the sum of \$35,739 from the grant repayment account in the housing revolving loan fund (2701) to be utilized in the CDAC emergency grant account; together with a report from the Assistant for Special Projects. (12-9)
- B. Resolution appropriating \$23,904.02 from trust fund reserves as a supplemental appropriation to the city's general fund for the purpose of education and training and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein; together with report from the Deputy City Manager – Finance. (12-10)

- C. Resolution to establish a new trust fund reserve to offset future health insurance costs and increases for retirees and funding for this reserve shall be entirely from FY2012 assigned fund balance as presented under a separate resolution; together with report from the Fiscal Policy Advisory Committee. (12-11)
- D. Resolution appropriating the sum of \$894,000 from assigned fund balance as a transfer to trust fund reserves as listed herein. Funding for this appropriation shall be entirely from FY 2012 assigned fund balance. (12-12)
- E. Resolution appropriating \$70,000 from trust fund reserves as a supplemental appropriation to the city's general capital improvement fund for the purpose of equipment replacement and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein. (12-13)
- F. Resolution appropriating \$10,000 from trust fund reserves as a supplemental appropriation to the city's general fund for the purpose of equipment replacement and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein. (12-14)
- G. Resolution authorizing the City Manager to enter into a purchase and sale agreement with Equity Trust concerning the sale of city owned property off of Hopkinton Road; together with report from the Conservation Commission. (12-15)
- H. Report from the Director of Real Estate Assessments recommending the renewal of the payment in lieu of taxes agreement between Briar Hydro Associates and the City of Concord. (12-16)
- I. Status report from the City Engineer on the US Route 3 Corridor (North) Improvement Project – Phase 5 (Village Street, Penacook from the Boscawen Town Line to Stark Street) CIP #35. (12-41) *(Additional report from the City Engineer)*

December 10, 2012 Public Hearing Action

- 39. Resolution amending and restating the development program and financing plan for the North End Opportunity Corridor Tax Increment Finance (NEOCTIF) District; together with report from Assistant for Special Projects. (11-12) (12-34 B; 12-36)

January 14, 2013 Public Hearing Action

- 40. Resolution appropriating the sum of \$35,739 from the grant repayment account in the housing revolving loan fund (2701) to be utilized in the CDAC emergency grant account; together with a report from the Assistant for Special Projects. (12-9)
- 41. Resolution appropriating \$23,904.02 from trust fund reserves as a supplemental appropriation to the city's general fund for the purpose of education and training and funding

- for this appropriation shall be entirely from trust fund reserve accounts identified herein; together with report from the Deputy City Manager – Finance. (12-10)
42. Resolution to establish a new trust fund reserve to offset future health insurance costs and increases for retirees and funding for this reserve shall be entirely from FY2012 assigned fund balance as presented under a separate resolution; together with report from the Fiscal Policy Advisory Committee. (12-11)
 43. Resolution appropriating the sum of \$894,000 from assigned fund balance as a transfer to trust fund reserves as listed herein. Funding for this appropriation shall be entirely from FY 2012 assigned fund balance. (12-12)
 44. Resolution appropriating \$70,000 from trust fund reserves as a supplemental appropriation to the city's general capital improvement fund for the purpose of equipment replacement and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein. (12-13)
 45. Resolution appropriating \$10,000 from trust fund reserves as a supplemental appropriation to the city's general fund for the purpose of equipment replacement and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein. (12-14)
 46. Resolution authorizing the City Manager to enter into a purchase and sale agreement with Equity Trust concerning the sale of city owned property off of Hopkinton Road; together with report from the Conservation Commission. (12-15)
 47. Report from the Director of Real Estate Assessments recommending the renewal of the payment in lieu of taxes agreement between Briar Hydro Associates and the City of Concord. (12-16)
 48. Status report from the City Engineer on the US Route 3 Corridor (North) Improvement Project – Phase 5 (Village Street, Penacook from the Boscawen Town Line to Stark Street) CIP #35. (12-41) *(Additional report from the City Engineer)*

Appointments by the Mayor

Reports

49. Status report from the City Engineer on the Sewalls Falls Bridge Replacement Project, (CIP #22). *(For presentation in February)*
50. Annual setting of the tax rate target with recommendations from the Fiscal Policy Advisory Committee.
51. White Park Skate House/Multi-Use Building status report from the Director of Parks and Recreation. *(To be submitted under separate cover)*

New Business

Unfinished Business

52. Resolution approving the granting of a conservation easement to the Society for the Protection of New Hampshire Forests (SPNHF) on approximately 114 acres of land southerly and easterly of Gully Hill Road, as approved by the Conservation Commission; together with report from the Conservation Commission. (6-17) (7-36B; 7-38) (8-53) (9-39)(10-31) (11-43) (12-42) (*Action on this item tabled following a July 9, 2012 public hearing*)
53. Dame School Interim Use Report from the Assistant for Special Projects. (8Sus3) (9-40) (10-32) (11-44) (12-43)

Comments, Requests by Mayor, City Councilors

Comments, Requests by the City Manager

54. Communication from the City Manager – CIP Review Meeting.

Consideration of Suspense Items

Adjournment

Information

- 1 Inf1 March 26, 2012 and December 17, 2012 Public Safety Board Meeting Minutes.
- 1 Inf2 September 27, 2012, October 3, 2012, October 10, 2012, October 17, 2012 and November 29, 2012 Transportation Policy Advisory Committee Meeting Minutes.
- 1 Inf3 October 26, 2012 Economic Development Advisory Council Meeting Minutes.
- 1 Inf4 December 3, 2012 Concord Public Library Board of Trustees Meeting Minutes.
- 1 Inf5 December 18, 2012 Traffic Operations Committee Meeting Minutes.
- 1 Inf6 District Two Report from Executive Councilor Daniel St. Hilaire.
- 1 Inf7 2013 – 2014 Concord School District Student/Staff Calendar.
- 1 Inf8 Copy of communication Concord Regional Solid Waste sent to Wheelabrator Concord regarding the solid waste disposal agreement termination option.

City Council Agenda

January 14, 2013

8

- 1 Inf9 Communications from Comcast Cable regarding changes in their services to area residents.
- 1 Inf10 Copy of communication from NH Municipal Association received by the City of Concord, return of balance of 28-a contribution.
- 1 Inf11 Copy of communication from UNH Cooperative Extension Merrimack County.



**Non-public session in accordance with RSA 91-A: 3, II (d)
to discuss property acquisition to be held at 6:15 p.m.**

City Council Meeting
Draft Minutes
December 10, 2012
City Council Chambers
7:00 p.m.

1. The Mayor called the meeting to order at 7:00 p.m.
2. No clergy was present for invocation
3. Pledge of Allegiance was led by Girl Scout Troop 22386.
4. Roll Call. Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, Kretovic, McClure, Nyhan, Patten, St. Hilaire and Werner were present. Councilors Bouchard and Shurtleff were excused.
5. Approval of the November 13, 2012 and the November 26, 2012 meeting minutes.

Action: Councilor McClure moved approval of the November 13, 2012 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

Councilor St. Hilaire moved approval of the November 26, 2012 meeting minutes. The motion was duly seconded and passed with no dissenting votes.

- 5a. Mayor Bouley presented a resolution in recognition of the service of Lieutenant Walter Carroll. (11-17)
6. Mayor Bouley presented a resolution to Steve Painchaud proclaiming December 2012 as Capital Region Food Program Month. (11-28)
7. Agenda overview by the Mayor.

- Consent Agenda Items -

Action: Councilor Grady Sexton moved approval of the consent agenda. The motion was duly seconded and passed with no dissenting votes.

Referral to the Traffic Policy Advisory Committee

8. Communication from Amanda Mischke asking City Council to consider traffic safety improvements at the intersection of Washington and North State Streets in Concord.

Items Tabled for a January 14, 2013 Public Hearing

9. Resolution appropriating the sum of \$35,739 from the grant repayment account in the housing revolving loan fund (2701) to be utilized in the CDAC emergency grant account; together with a report from the Assistant for Special Projects.
10. Resolution appropriating \$23,904.02 from trust fund reserves as a supplemental appropriation to the city's general fund for the purpose of education and training and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein; together with report from the Deputy City Manager – Finance.
11. Resolution to establish a new trust fund reserve to offset future health insurance costs and increases for retirees and funding for this reserve shall be entirely from FY2012 assigned fund balance as presented under a separate resolution; together with report from the Fiscal Policy Advisory Committee.
12. Resolution appropriating the sum of \$894,000 from assigned fund balance as a transfer to trust fund reserves as listed herein. Funding for this appropriation shall be entirely from FY 2012 assigned fund balance.
13. Resolution appropriating \$70,000 from trust fund reserves as a supplemental appropriation to the city's general capital improvement fund for the purpose of equipment replacement and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein.
14. Resolution appropriating \$10,000 from trust fund reserves as a supplemental appropriation to the city's general fund for the purpose of equipment replacement and funding for this appropriation shall be entirely from trust fund reserve accounts identified herein.
15. Resolution authorizing the City Manager to enter into a purchase and sale agreement with Equity Trust concerning the sale of city owned property off of Hopkinton Road; together with report from the Conservation Commission.
16. Report from the Director of Real Estate Assessments recommending the renewal of the payment in lieu of taxes agreement between Briar Hydro Associates and the City of Concord.

From the City Manager

17. Positive Citizen Comments.
18. Council meeting date calendar.

Consent Reports

19. Appropriation Transfer Report: November 2012.

20. Diminimus gifts and donations report from the Library Director requesting authorization to accept monetary gifts totaling \$1,225.80 as provided for under the preauthorization granted by City Council.
21. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$15,275 as provided for under the preauthorization granted by City Council.
22. Diminimus gifts and donations report from the Police Department requesting authorization to accept monetary gifts totaling \$1,500 as provided for under the preauthorization granted by City Council
23. Report from the Library Director regarding a donation to the City of Concord's Dane Trust.
24. Council Quarterly Priorities Report.
25. Report from the Parks & Recreation Director on Babe Ruth Baseball partnership with the Parks and Recreation Department.
26. Comprehensive Annual Financial Report Award report from Deputy City Manager – Finance and the Assistant Finance Director.
27. Sustainable street program proposed by the General Services Director.
28. FY2012 tax rates and property assessments report from the Deputy City Manager – Finance and the Director of Real Estate Assessments.
29. Report from the Fire Chief on grant funded training for the Fire Department.
30. Report from the Traffic Operations Committee in response to a referral from City Council to consider the installation of multi-way STOP sign control at the intersections of Broadway and Allison Street and Broadway and Pillsbury Street. (10-7)
31. Report from the City Engineer on the timeline/schedule for the Main Street Project.

Appointments

32. Mayor Bouley's proposed appointment to the Upper Merrimack River Local Advisory Committee. *Dr. Madeleine Mineau*
33. Mayor Bouley's proposed appointment to the Golf Course Advisory Committee.
Robert Norton

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

34. **December 10, 2012 Public Hearings**

- A. Resolution appropriating \$55,616 for the purpose of supporting the change in management of Beaver Meadow Golf Course Pro Shop to a City Personnel Operation for the remainder of Fiscal year 2013; together with reports from the Parks & Recreation Director and the Deputy City Manager – Finance. (11-11) (*Public testimony received*)

Action: City Manager Tom Aspell provided a brief overview.

David Gill, Park & Recreation Director, provided a PowerPoint presentation. He pointed out that the Beaver Meadow Golf Course is New Hampshire's Oldest Golf Course established in 1896; that the City of Concord began operating the original nine hole course in 1930; in the late 1960s, the course was expanded to 18 holes. He noted that the course hosts the National recognized LPGA Symetra Tour each summer. He explained that the course was brought under the management of the new Parks and Recreation Department on July 1, 2011. Improvements over the past 18 months include: improved marketing (brochures/radio/paper/email/web); improved maintenance on fairways and greens; new web site; new course signs; increased staff training; increased “member only” events; partnership with Derryfield and Bethlehem Country Clubs; merging data bases with Golf and Parks and Recreation – 1 stop shopping; a new pond in front of the Club House; and simplified membership rates for 2013. He stated that they have reduced their operating expenses by 15 percent over the past twelve months, however, moving forward they still need to control and improve the operation of the golf course. Mr. Gill indicated that the recommendations moving forward for the Pro Shop includes: increased accountability; increased control; to improve the overall operation of the course; to increase cross training of employees; grow a new generation of golfers. He explained that to do this, his recommendation is to change the current RFP(contract service) process to city operated; hire a head PGA Professional; hire a Director of Player Development to increase the already successful golf programs; and all revenues and expenses for the Pro Shop would be under control of the Parks and Recreation Department. He added that if approved, the timeline would be that the positions would be advertised by Friday of this week, interviews held the first half of January with the hope of having the position filled by early February 2013.

Mayor Bouley opened the public hearing.

Public Testimony

Chris Mulleavey, Golf Club Advisory Board, noted that course has seen significant improvement over the past year. He indicated his support stating that he feels that the structure that is outlined is going to work well.

Todd Lloyd, Beaver Meadow Golf Club member, stated that the changes that have happened, the condition, and the management and operation of the course has improved greatly over the past few years.

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

- B. Resolution amending and restating the development program and financing plan for the North End Opportunity Corridor Tax Increment Finance (NEOCTIF) District; together with report from Assistant for Special Projects. (11-12)

Action: City Manager Tom Aspell provided a brief overview and reminded the Council that they do not need to vote on this item this evening because, under the RSA's, they need to wait until the January Council meeting for action.

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

- C. Resolution authorizing the City Manager to continue implementation of the Community Development Revolving Loan Fund Program, Fund 2701, and appropriating the sum of \$146,607; together with report from the Assistant for Special Projects. (11-13)

Action: City Manager Tom Aspell provided a brief overview.

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

- D. Resolution authorizing the issuance of up to \$10,000,000 in refunding bonds; together with report from the City Treasurer. (11-14)

Action: City Manager Tom Aspell provided a brief overview.

Councilor Keach asked when and if these bonds are refunded, whether they would start over at 20 years. Brian LeBrun, Deputy City Manager-Finance, responded that it's really only the balance of the bond so you wouldn't have to start over for another 20 year period; if there's 10 years left on the bond then you'd be refunding the 10 year period.

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

- E. Resolution repurposing Parks & Recreation Capital Project Funds from Completed Projects to supplement repairs and renovations to the Franklin Pierce Bridge at White Park; together with report from the Parks & Recreation Department. (11-15)

Action: City Manager Tom Aspell provided a brief overview.

Councilor McClure asked what was the total cost of repairing the bridge. Mr. Aspell responded that it would be approximately \$20,037.

Mayor Bouley inquired as to how much was put into the CIP. Mr. Aspell replied that the amount was \$10,037.

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

- F. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-2, Municipal Departments; Section 30-2-5, Finance Department; together with report from the Deputy City Manager – Finance. (11-16)

Action: City Manager Tom Aspell provided a brief overview.

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

December 2012 Public Hearing Action

35. Resolution appropriating \$55,616 for the purpose of supporting the change in management of Beaver Meadow Golf Course Pro Shop to a City Personnel Operation for the remainder of Fiscal year 2013; together with reports from the Parks & Recreation Director and the Deputy City Manager – Finance. (11-11) (*Public testimony received*)

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

Mayor Bouley thanked the Golf Course Advisory Committee for bringing the course around in the right direction. He stated that the staff and the people contracted to work at the golf course have done an outstanding job over the past year.

The motion passed 12 to 1 on a roll call vote with Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, McClure, Nyhan, Patten, St. Hilaire and Werner voting yes. Councilor Kretovic voted no.

36. Resolution amending and restating the development program and financing plan for the North End Opportunity Corridor Tax Increment Finance (NEOCTIF) District; together with report from Assistant for Special Projects. (11-12)

Action: Action to be taken at the January City Council meeting.

37. Resolution authorizing the City Manager to continue implementation of the Community Development Revolving Loan Fund Program, Fund 2701, and appropriating the sum of \$146,607; together with report from the Assistant for Special Projects. (11-13)

Action: Councilor Blanchard moved approval. The motion was duly seconded and passed 13 to 0 on a roll call vote with Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, Kretovic, McClure, Nyhan, Patten, St. Hilaire and Werner voting yes.

38. Resolution authorizing the issuance of up to \$10,000,000 in refunding bonds; together with report from the City Treasurer. (11-14)

Action: Councilor DelloIacono moved approval. The motion was duly seconded and passed 13 to 0 on a roll call vote with Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, Kretovic, McClure, Nyhan, Patten, St. Hilaire and Werner voting yes.

39. Resolution repurposing Parks & Recreation Capital Project Funds from Completed Projects to supplement repairs and renovations to the Franklin Pierce Bridge at White Park; together with report from the Parks & Recreation Department. (11-15)

Action: Councilor Nyhan moved approval. The motion was duly seconded and passed 13 to 0 on a roll call vote with Councilors Bennett, Blanchard, Mayor Bouley, Councilors Coen, DelloIacono, Grady Sexton, Keach, Kretovic, McClure, Nyhan, Patten, St. Hilaire and Werner voting yes.

40. Ordinance amending the Code of Ordinances, Title V, Administrative Code; Chapter 30, Administrative Code, Article 30-2, Municipal Departments; Section 30-2-5, Finance Department; together with report from the Deputy City Manager – Finance. (11-16)

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

Reports

41. Status report from the City Engineer on the US Route 3 Corridor (North) Improvement Project – Phase 5 (Village Street, Penacook from the Boscawen Town Line to Stark Street) CIP #35.

Action: City Engineer Ed Roberge introduced Dan Hudson from CMA Engineers and Jeff Highland from Ironwood Design Group. Mr. Roberge provided highlights from his report. He indicated that Phase 5 of the project extends from the Boscawen town line to Stark Street and that this project, in general, is consistent with some of the other improvements seen in the four previous phases. He stated that the project focused on key intersection safety improvements looking at key details within the corridor and focused on realignment with several key issues – with the intersections and roads. Mr. Roberge stated that the proposal brings Meter Street perpendicularly to Village Street and brings Lilac Street perpendicularly into Meter Street creating a perpendicular intersection with the main one. Referencing several public meetings, he indicated that there was general support consensus that this was the alignment that was preferred. He added that they looked at several intersection alternatives beyond the Meter/Lilac Street intersection including: a do nothing alternative; future signals; roundabout. He detailed these alternatives within the drawings presented during his presentation. He indicated that the goals of the community were to reduce speeds, add pedestrian safety and reduce crosswalk widths. He added that parking was an important issue and highlighted impacts on parking within the alternatives. He indicated that there was a public meeting held on Saturday, December 8th and that staff received input from individuals in attendance in regards to which alternative was preferred; the signal alternatives were supported by 17 people and the roundabout option was supported by 31

people in the group. Mr. Roberge stated that what he came here for this evening was to present the process and seek support or indication from Council on what direction that they would like to proceed with in this project. Referencing the project schedule, he indicated that what they are anticipating was presenting to City Council in December so that they can wrap up their design elements and plans to have this ready for review and advertisement in late January for a February bidding timeframe so that bid packages would be available and ready in early March for a late March/early April construction start up.

Councilor Coen questioned the cost difference between the roundabout versus signalization. Mr. Roberge responded that they are still working on the development of the final cost estimates. He stated that they are coming through with this major project anyway so the cost differential, either the roundabout option or traffic signal option, is probably almost a wash. He indicated that they are only talking about some additional road work on either side that's beyond the projection of Village Street as it is today and on the signal alternative, it would be the same with the exception of the traffic equipment.

Councilor Blanchard moved to accept the report and to set this down for a public hearing at the January Council meeting. The motion was duly seconded.

Mayor Bouley asked that, if this is set for a public hearing on January 14th, Mr. Roberge add a one page supplement to this report outlining some of the discussion that occurred at the December 8th public meeting.

Mr. Aspell pointed out that staff would need a decision in January so that they can proceed with design and putting together the bid packages. He added that if this gets delayed, this would very likely impact the ability to complete the project in 2013.

Referring to the December 8th public meeting, Councilor Kretovic pointed out that there was a number of people that had to leave before Mr. Roberge got to the point in his presentation where he was asking people to raise their hands. She stated that it is his intention to come back to the village in January, prior to the Council meeting, to have that final discussion.

Councilor Blanchard noted that she expects that there will be more detailed financials.

Mayor Bouley asked when staff may be holding the public meeting in early January. Mr. Roberge responded that the initial thought is that it would be the first week of January.

The motion passed with no dissenting votes.

Unfinished Business

42. Resolution approving the granting of a conservation easement to the Society for the Protection of New Hampshire Forests (SPNHF) on approximately 114 acres of land southerly and easterly of Gully Hill Road, as approved by the Conservation Commission; together with report from the Conservation Commission. (6-17) (7-36B; 7-38) (8-53) (9-39)(10-31) (11-43) (*Action on this item tabled following a July 9, 2012 public hearing*)

Action: This item remains on the table.

43. Dame School Interim Use Report from the Assistant for Special Projects. (8Sus3) (9-40)
(10-32) (11-44)

Action: This item remains on the table.

Comments, Requests by Mayor, City Councilors

Councilor Grady Sexton acknowledged and welcomed Laura Massenic, Hopkinton High School Senior, who has just accepted early acceptance to the University of Georgia and has a special interest in local government.

Councilor Keach announced that on Thursday, December 13th, from 4:00 p.m. to 7:00 p.m. there will be an open house at the Friendly Kitchen.

Councilor Patten thanked the City Manager, Recreation Department, General Services, Police Department and Fire Department for all their help with the success of the Christmas Parade and the Christmas tree lighting. He announced that Councilor Shurtleff was appointed as the Deputy Speaker at the House of Representatives last week. He further announced that Councilor Bouchard is the County Chairman for the County Delegation of Merrimack County.

Councilor Werner explained that over the past few months, the Energy and Environment Committee has been working closely with the Planning Department on writing an energy chapter for the city's master plan. He announced that this Thursday in Council Chambers, from 7:00 p.m. to 9:00 p.m., there will be a public input session on this chapter.

Councilor Kretovic reminded the public that the public transit subcommittee has worked diligently over the past few years to get trial services on Saturday service which is going on through the holiday season.

Councilor Blanchard announced that the County Delegation will meet on Wednesday morning at 9:00 a.m. on Court Street for a public hearing on the county budget.

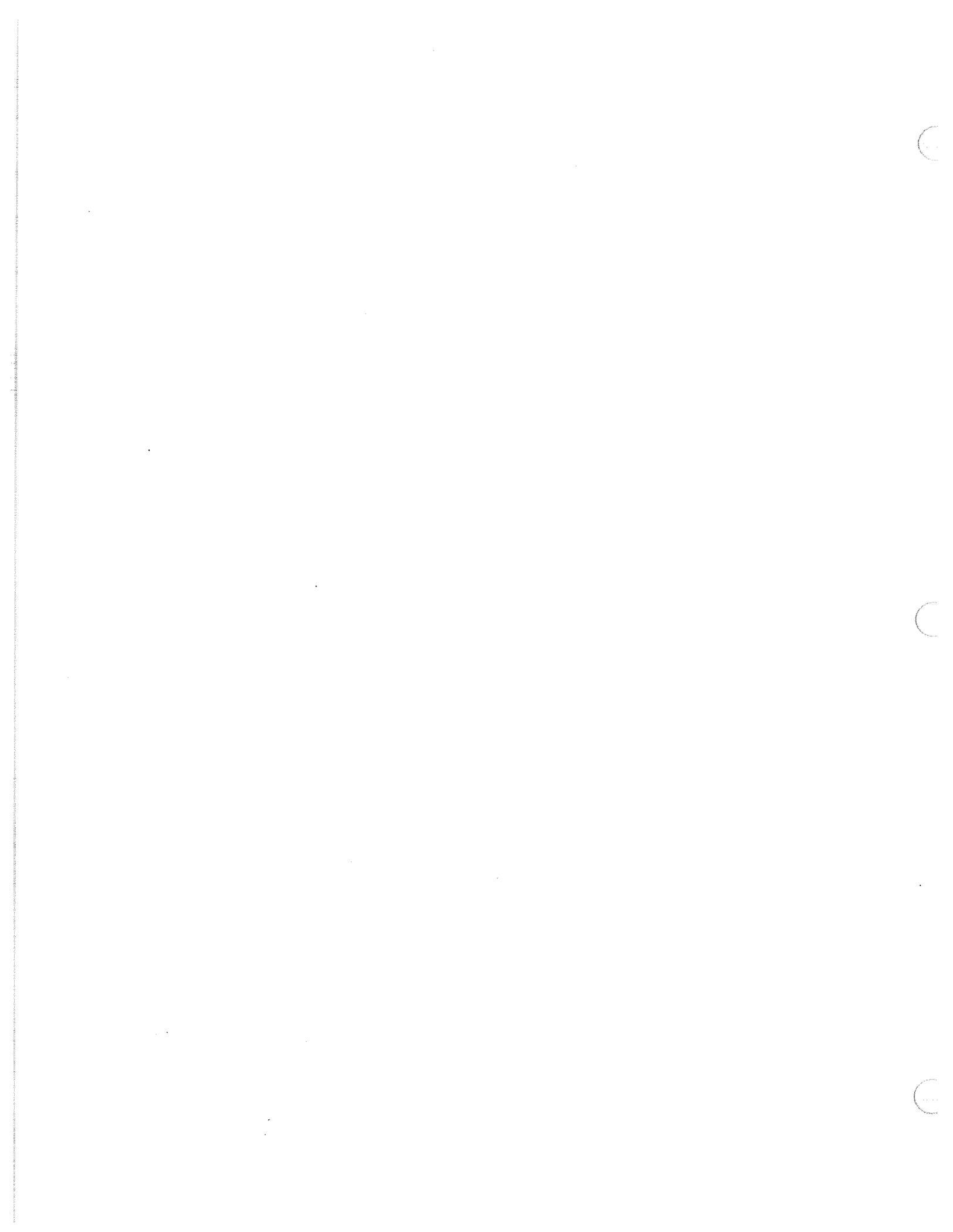
Referencing item 19, appropriation transfer report, Mayor Bouley asked that Council consider instructing the City Manager to only come back to Council when they were transferring something as opposed to every month. There was a unanimous agreement of the Council.

Adjournment

The time being 8:18 p.m., Councilor DelloIacono moved to adjourn the meeting. The motion was duly seconded and passed with no dissenting votes.

A true copy; I attest:

*Michelle Mulholland
Deputy City Clerk*



1-7

December 17, 2012

120

Energy and Environment Committee

City Hall

37 Green St.

Concord, N.H. 03301

Dear Committee Members,

I am delighted that such a committee exists and that you will be working on energy issues.

One of my great pet peeves is the total waste of energy in parking lots, businesses and along the major highways. It seems that I am the only one concerned with the lights that come on automatically, especially in the afternoon and on both sunny and overcast days. When I sometimes mention it to the store manager, there is always an excuse such as not having access to the timers or the lot lights being paid for by some parent company. It really seems that we could do better about conserving energy in these places as well as our homes.

Thanks for listening,

Linda Rauter
Linda Rauter

51 Canterbury Rd.

Chichester, N.H. 03258

12/24-

Brian

1-8

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION REPURPOSING ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FROM COMPLETED AND UNEXPENDED CITY HALL ROOF PROJECT (CIP #65) TO SUPPORT ADDITIONAL IMPROVEMENTS TO THE GREEN STREET COMMUNITY CENTER PROJECT (CIP #63)

The City of Concord resolves as follows:

WHEREAS, the 2011 – 2020 Capital Improvement Plan (CIP # 63) included a recommendation for repairs to the Green Street Community Center; and

WHEREAS, the City Hall roof renovation (CIP #65) will be under budget by \$150,000, which may be made available for the necessary additional improvements to the Green Street Community Center Project; and

WHEREAS, the work has already commenced on the Green Street Community Center project and is anticipated to cost an additional \$150,000; and

WHEREAS, RSA 33:9 mandates that a two-thirds vote of all members of the City Council is required to repurpose previously appropriated bond funds, which shall be taken by roll call vote; and

WHEREAS, the Director has identified the need to begin work on this project.

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

1) The sum of\$150,000
be and is hereby repurposed as follows:

General Fund
General Services Division
Green Street Community Center Improvements (CIP #63)\$150,000

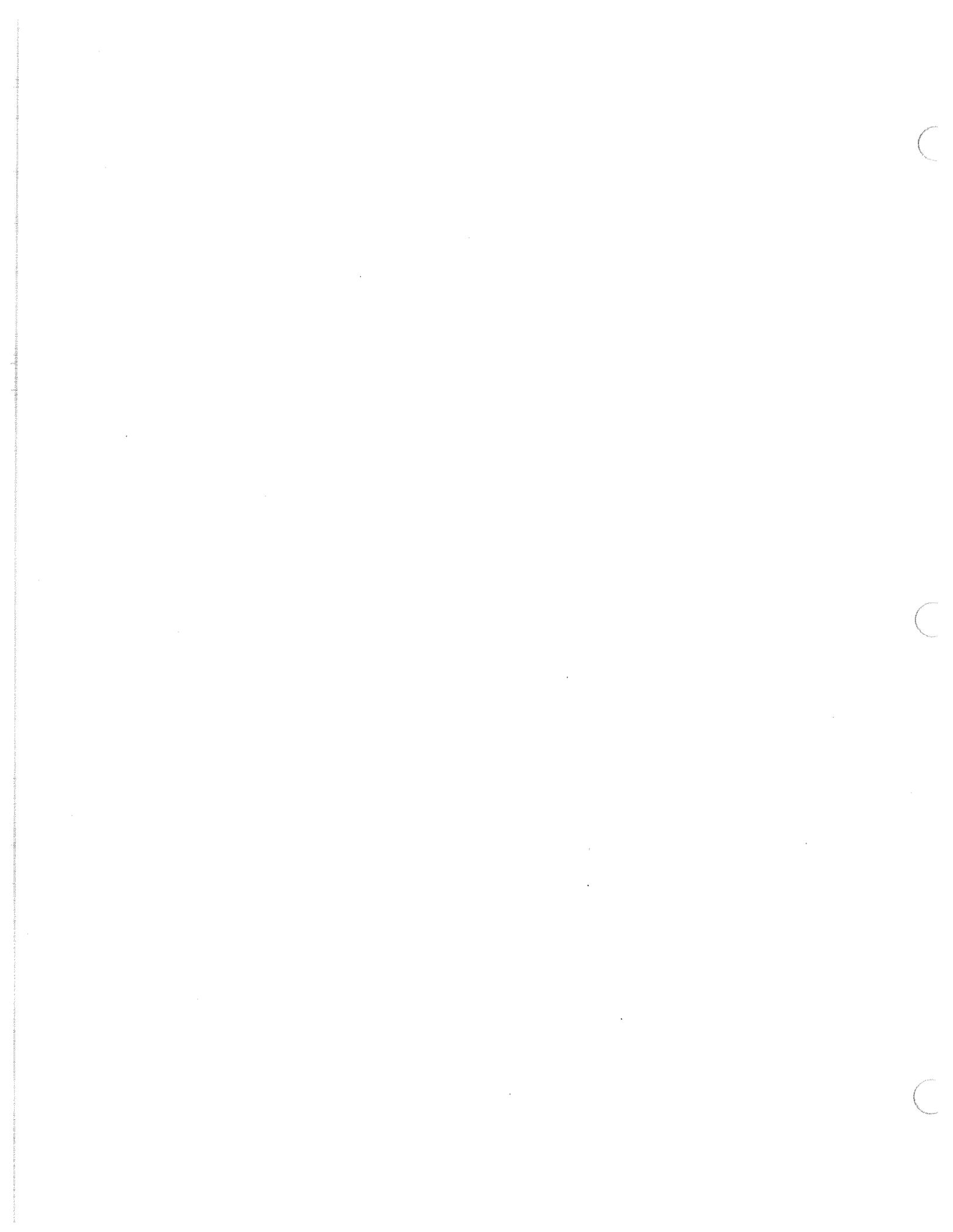
2) Funding for the project is available as follows:

General Fund
General Services Division
City Hall Roof Repair Project (CIP #65)\$150,000

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

4) The useful life of the improvements is expected to be in excess of ten (15) years.

5) This resolution shall take effect upon its passage.





CITY OF CONCORD

120

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Philip H. Bilodeau, P.E., Deputy Director General Services Department

DATE: December 26, 2012

SUBJECT: Resolution repurposing dollars from City Hall Roof Project to fund continued improvements to the Green Street Community Center

Recommendation

The Department recommends acceptance of this report.

Background

The City of Concord undertook the recommended improvements from our consultant, the H L Turner Group, to repair and refurbish the roof at City Hall. The roof report estimated a project cost of \$500,000 to complete the 23 different roof sections of City Hall. The City was successful in managing the work expending approximately \$340,000 for the complete project.

The Green Street Community Center H L Turner report recommended a complex matrix of improvements to extend the life of the facility. Preliminary costs were established at approximately \$200,000 to complete refurbishment of the complete exterior brickwork, repair damaged trim work and roofing, and upgrade egress to be code compliant. Actual costs have been more than anticipated due to the deteriorated condition of the brick work. The anticipated cost to complete the projects is approximately \$350,000.

Discussion

Work on the GSCC has progressed through the fall and will continue into early winter months. Upon a thorough investigation of the exterior brick façade it was realized that the deterioration was much greater than originally anticipated. With these funds it is anticipated that we will accomplish the remaining improvements to the Green Street Facility:

- South wall brick repair
- Rear wall brick repair
- Fence along the rear abutters
- Lights for safety and security along the Prince Street Parking lot
- Handicap access at the rear exit

- Paint window trim
- Emergency egress signs

Repurpose the following project amount:

- City Hall Roof \$150,000

The City Hall Roof Project is near completion and the remaining funds are available for repurposing to the Green Street Community Center.

CITY OF CONCORD

In the year of our Lord two thousand and thirteen.

AN ORDINANCE amending the CODE OF ORDINANCES, Title I, General Code; Chapter 14, Morals and Conduct; Article 14-2; Miscellaneous Police Regulations.

The City of Concord ordains as follows:

SECTION I: amending the CODE OF ORDINANCES, Title I, General Code; Chapter 14, Morals and Conduct, Article 14-2; Miscellaneous Police Regulations, by adding Section 14-2-9, Aggressive Panhandling, as follows:

14-2-9 Aggressive Panhandling

Intent of Ordinance. This Ordinance is adopted in order to protect persons from threatening, intimidating or harassing behavior, to keep public places safe for use by all members of the community and to maintain and preserve public places where all of the community can interact in a peaceful manner. This Ordinance is also intended to provide for the free flow of pedestrian and vehicular traffic on streets and sidewalks in the City. The Council finds that aggressive acts associated with solicitation tend to interfere with the free flow of pedestrian and vehicular traffic and intimidate persons in public places, and can lead to disruption and disorder in public places. The Council further finds that solicitation in certain public places is inconsistent with the use of those places, is inherently intimidating, targets persons who are captive audiences as persons are not able to simply move on if they do not wish to speak to the person soliciting. Solicitation in proximity to bank entrances or check-cashing businesses or automated teller machines is inherently intimidating and should be restricted. By this Ordinance, the Council intends to promote the health, safety and welfare of the citizens and visitors to the City.

14-2-9.1 Definitions

For purposes of this ordinance, the following definitions apply:

A. Solicit/Solicitation: The spoken, written, or printed word or such other acts or bodily gestures as are conducted in furtherance of the purposes of immediately obtaining money or any other thing of value.

B. Aggressive Manner:

(1) Knowingly or recklessly makes any physical contact with or touches another person, or approaches within an arm's length of the person, except with the person's consent; in the course of the solicitation;

(2) Knowingly or recklessly follows the person being solicited, if that conduct is:

(a) likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or

(b) likely to intimidate the person being solicited into responding affirmatively to the solicitation;

(3) Knowingly or recklessly continues to solicit within five feet of the person being solicited after the person has made a negative response, if continuing the solicitation is:

(a) likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or

(b) likely to intimidate the person being solicited into responding affirmatively to the solicitation;

(4) Knowingly or recklessly blocks the safe or free passage of the person being solicited or requires the driver of a vehicle to take evasive action to avoid physical contact with the person making the solicitation;

(5) Knowingly or recklessly uses words:

(a) likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or

(b) likely to intimidate the person into responding affirmatively to the solicitation; or

(6) Knowingly or recklessly approaches the person being solicited in a manner that is:

(a) likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or

(b) likely to intimidate the person being solicited into responding affirmatively to the solicitation.

- C. Automated Teller Machine: A device, linked to a financial institution's account records, which is able to carry out transactions, including but not limited to account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.
- D. Automated Teller Machine Facility: The area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.
- E. Banking Organization: All banks, trust companies, private bankers, savings banks, industrial banks, safe deposit companies, savings and loan associations, mutual and guaranty savings banks; cooperative banks; building and loan associations; credit unions; other financial institutions organized and operating under the banking laws of the State of New Hampshire; small loan companies; first mortgage bankers and brokers; second mortgage home loan lenders; motor vehicle sales finance companies; retail sellers of motor vehicles; debt adjusters; and mortgage servicers and investment companies as defined in the Rules of the New Hampshire Banking Department.
- F. Parking Garage and Lots: As defined in Article 4-7 of the Municipal Code - City-Owned Parking Facilities.
- G. Public Place: Any area or building owned, leased, operated or controlled by or on behalf of any government, municipality, public authority or public corporation in the City which is generally accessible by the public, including but not limited to any street, including the sidewalk portion thereof, skyway, bridge, tunnel, park, playground, recreation area, cemetery, school or school grounds, building, facility, driveway, parking lot or parking garage, and the doorways and entrances to buildings and dwellings.

14-2-9.2 Panhandling On Public Property

A. No person shall knowingly or recklessly solicit in an aggressive manner in a public place.

B. No person shall knowingly or recklessly solicit within 20 feet of an automated teller machine or an entrance or exit of an automated teller machine facility during the time the automated teller machine is available for customers' use; or within 20 feet of an

entrance or exit to a banking organization or a licensed casher of checks during its business hours.

C. No person shall knowingly or recklessly solicit when either the person soliciting or the person being solicited is in a bus shelter or at a bus stop.

D. No person shall knowingly or recklessly solicit in a parking garage or facility.

E. No person on a sidewalk or alongside a roadway shall knowingly or recklessly solicit from any occupant of a motor vehicle that is on a street or other public place.

14-2-9.3 Penalties

A. A first violation of this section shall be a fine of \$75.

B. A second violation of this section within one year from the date of the first conviction shall be a fine of \$150.

C. A third violation and every violation thereafter within one year from the date of the second conviction may be a class A misdemeanor and, notwithstanding RSA 651:2, shall be fined not less than \$250 and not more than \$500 AND imprisoned not more than ninety (90) days.

14-2-9.4 Severability

If any provision of this section is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and shall continue in full force and effect.

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



CITY OF CONCORD

1/10

REPORT TO THE MAYOR AND CITY COUNCIL

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

DEATE: December 28, 2012

SUBJECT: Report from the Public Safety Board on adopting a panhandling ordinance.

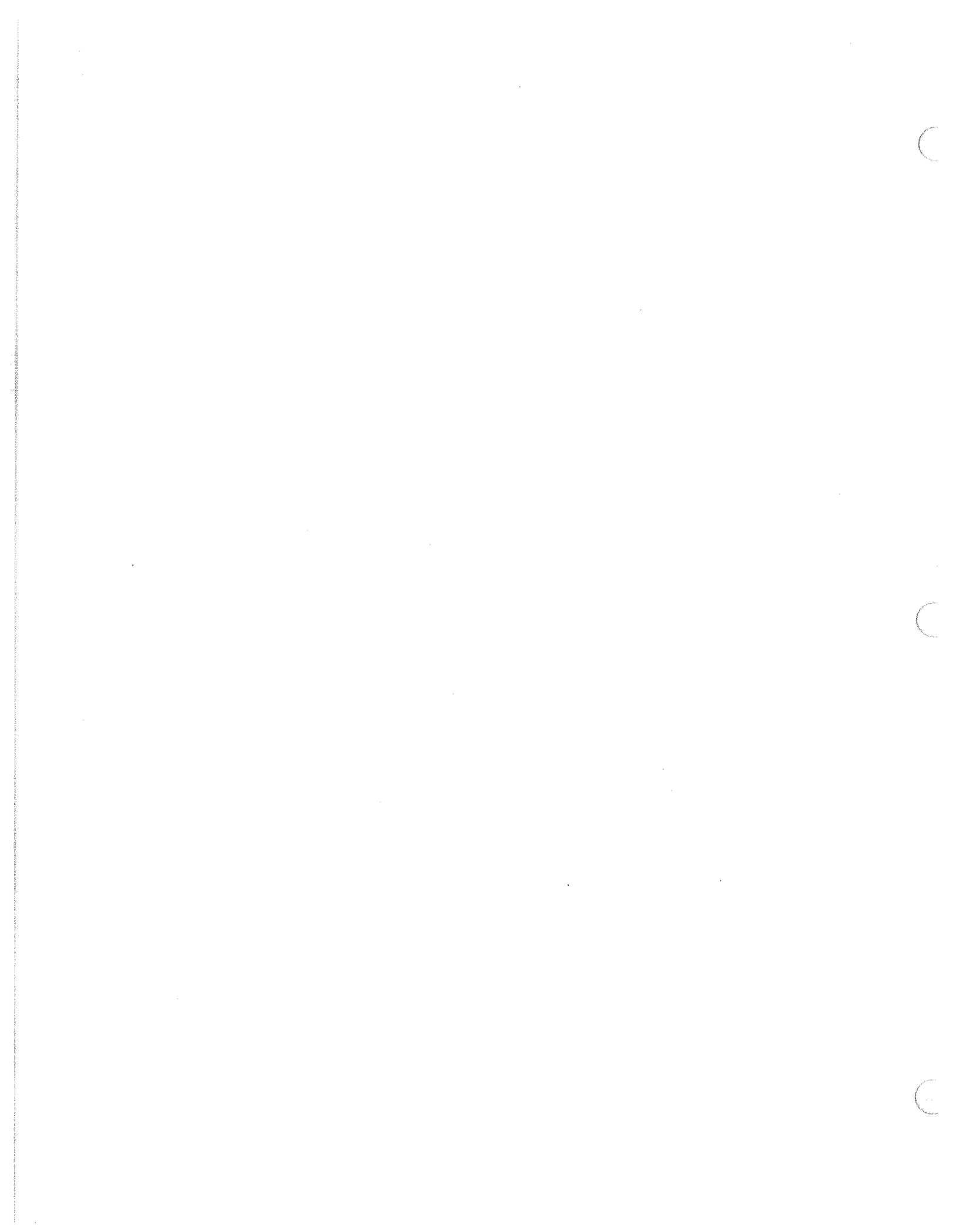
Recommendation

Accept this report on a recommendation from the Public Safety Board to direct Administration to adopt a panhandling ordinance and set a date for a public hearing.

Background

On December 17, 2012, the Public Safety Board met to discuss whether it is appropriate for the City to adopt an ordinance regarding aggressive panhandling. During the meeting, Police Chief John Duval, discussed safety issues associated with panhandling at traffic intersections and other places and circumstances where safety may be an issue with panhandling activity. The Board voted unanimously to recommend that the City Council adopt a panhandling ordinance to address the safety concerns.

The Legal Department has drafted a panhandling ordinance which is attached to this report.



CITY OF CONCORD

In the year of our Lord two thousand and thirteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8 Peddlers; Solicitors.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8 Peddlers; Solicitors, by deleting Section 15-8-1.1, Registration Requirement – Solicitor; Exemptions, in its entirety.

SECTION II: Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8 Peddlers; Solicitors, Section 15-8-2, Definitions, by deleting the definitions of "Solicitor" and "Solicitation Activities."

SECTION III: Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8 Peddlers; Solicitors, by deleting Section 15-8-4.1, Registration of Solicitors – Requirements, in its entirety.

SECTION IV: Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, Article 15-8 Peddlers; Solicitors, by amending Section 15-8-4.2, Entry Upon Premises Unlawful, as follows:

A person required to be licensed or registered under the provisions of RSA 320 or this Article while conducting the business of a peddler ~~or engaged in solicitation activities~~, shall not enter upon any residential premises in the City:

(a) Between the hours of ~~7:00~~ **8:00** p.m. and 9:00 a.m.; or

(b) Where the owner, occupant, or person legally in charge of the premises has posted at the entry to the premises or at the entry to the principal building on the premises a sign bearing the words, "No Peddlers", "**No Trespassing**" or "No Solicitors" or words of similar import.

SECTION V: Amend the CODE OF ORDINANCES, CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, by renaming Article 15-8, Peddlers; Solicitors as Article 15-8, Peddlers.

SECTION VI: Amend the CODE OF ORDINANCES, CODE OF ORDINANCES, Title I, General Code; Chapter 15, Licensing and Regulation of Businesses, Trades and Occupations, by creating a new Article 15-14, Solicitors, as follows:

15-14-1 - Registration Required—Solicitor; Exemptions.

A person shall not engage in solicitation activities without first registering with the Licensing Officer; provided, however, that the following are exempted from the provisions of this section:

- (a) Any solicitation made upon the premises owned or occupied by an organization upon whose behalf the solicitation is made;
- (b) Any solicitation by an organization soliciting contributions solely from persons who are members of the organization at the time of such solicitation;
- (c) Any solicitation in the form of a collection at a regular meeting, assembly or service of a charitable person; or
- (d) Any solicitation by persons enrolled in elementary or secondary schools engaged in specific fundraising events sponsored by local charitable, nonprofit organizations for any charitable, benevolent, humane, philanthropic, or patriotic purposes.

15-14-2 - Definitions.

For purposes of this Article, the following definitions shall apply:

Sell. Shall include any offer to sell or attempt to sell.

Solicitor. As used herein shall mean any person who goes upon the premises of any private residence in the city, not having been invited by the occupant thereof, for the purpose of taking or attempting to take orders for the sale of goods, merchandise, wares, or other personal property of any nature for future delivery, or for services to be performed in the future, or solicits subscriptions to any magazine, journal, newspaper, or periodical. This definition also includes any person who, without invitation, goes upon private property, to request a contribution of funds or anything of value, or sells goods or services for political, charitable, religious, or other noncommercial purposes.

Solicitation activities. Includes all activities ordinarily performed by a solicitor as indicated under the definition of “solicitor”.

15-14-3 - Registration of Solicitors - Requirements.

A person required by Section 15-14-1 to register with the Licensing Officer shall register by completing the solicitor's registration form furnished by the city and shall provide proof of age, address and identification, of the applicant by providing the applicant's driver's license or other legally recognized form of identification. The application form shall require the following information:

- (1) The registrant's employer's name, address, and telephone number;
- (2) A description of the goods, merchandise, wares, or books to be sold;
- (3) The proposed method of operation in the city.

A certificate of registration shall be issued by the Licensing Officer within five business days upon completion of the application. The certificate of registration must be carried upon the person of the solicitor while soliciting and displayed to a police officer on demand. The form of identification that was used to register shall also be carried upon the person of the solicitor and displayed to a police officer on demand. Failure to possess either the certificate of registration or the form of identification used to register with the City during solicitation activities shall be considered a violation of this Article.

A certificate of registration shall expire thirty days from the date issued but may be renewed by presenting the certificate to the Licensing Officer who may either endorse the certificate to indicate renewal or issue a new certificate.

15-14-4 – Solicitor Identification Badge.

Each solicitor will be issued a photo identification badge that is required to be worn at all times while soliciting in in the City. The photo identification badge shall be worn in a conspicuous place, upon the outside of the solicitor's outer garment. The photo identification badge will include the date the certificate of registration expires. Failure to wear a valid photo identification during solicitation activities in the City shall be considered a violation of this Article.

The fee for the badge shall be listed in Schedule I of Chapter 1, and shall be payable at the Code Administration office at the time the application is filed.

15-14-5 - Entry Upon Premises Unlawful.

A person required to be registered under this Article while engaged in solicitation activities, shall not enter upon any residential premises in the City:

- (a) Between the hours of 8:00 p.m. and 9:00 a.m.; or

(b) Where the owner, occupant, or person legally in charge of the premises has posted at the entry to the premises or at the entry to the principal building on the premises a sign bearing the words, "No Peddlers", "No Trespassing" or "No Solicitors" or words of similar import.

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

Explanation: Matter added to current ordinance appears in *bold italics*.

Matter removed from current ordinance appears [~~in brackets and struckthrough.~~]



CITY OF CONCORD

TAA

REPORT TO THE MAYOR AND CITY COUNCIL

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

DATE: December 17, 2012

SUBJECT: Report from the Public Safety Board on a Referral from the City Council in response to a communication from Pinnacle Security requesting the City of Concord repeal/modify existing ordinances which regulate door to door solicitation.

Recommendation

Accept this report on a recommendation from the Public Safety Board to direct Administration to revise this ordinance to include the changes recommended by the Board and to set a date for a public hearing.

Background

On November 13, 2012, the City Council referred this matter to the Public Safety Board.

On December 17, 2012, the Public Safety Board met to discuss the existing ordinance regulating door to door solicitation, and to discuss whether the ordinance should be modified. The following individuals were present at the meeting: Mr. James Kennedy, Solicitor, City of Concord; Ms. Danielle Pacik, Deputy Solicitor, City of Concord; Mr. Eugene Blake, Health and Licensing Officer, City of Concord; and Chief John Duval, Chief of Police, City of Concord.

The Board discussed several issues relating to the request, including the hours when it would be permissible to conduct solicitations, the number and types of solicitations, fees, identification and badging requirements, and the length of time for which a license is active.

The Board voted unanimously to recommend to the City Council that the ordinance be revised to incorporate the following changes.

1. That the hours during which solicitation is permitted be changed to 9:00 a.m. to 8:00 p.m.
2. That solicitors licensed by the City wear City issued identification badges and that City staff recommend an appropriate fee to cover costs.
3. That the time for which a license is active be increased from one (1) week to thirty (30) days.

4. That this ordinance be separated from ordinances regulating peddlers.

The Solicitor's Office will be submitting a proposed ordinance to City Council which incorporates these recommended revisions.

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title I, General Code; Chapter 1, Government Organization, by amending Article 1-5, Fees, Fines, and Penalties, Schedule I.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title I, General Code; Chapter 1, Government Organization, by amending Article 1-5, Fees, Fines, and Penalties, Chapter 15, Licensing of Business, Trades, and Operations, by adding the following fee under Section 15-14, Solicitation Photo Identification Badge, to Schedule I:

Chapter 15 - Licensing of Business, Trades, and Operations

Section 15-14, Solicitation Photo Identification Badge- Fee

Fee for each badge issued\$10.00
Note: There will be no fee for badge renewal (if renewed within thirty days of expired certificate of registration).

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

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title II, Traffic Code; Chapter 18, Parking; Article 18-1, Stopping, Standing, and Parking; Section 18-1-8 Parking Time Limited in Designated Spaces.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title II, Traffic Code; Chapter 18, Parking, Article 18-1, Stopping, Standing and Parking; Section 18-1-8 Parking Time Limited in Designated Spaces, 30-Minute Parking at All Times, Schedule III, by adding the following:

Street	Side Restricted	From	To	Position
N. State St.	West	205 N. State St. (one space only)	205 N. State St.	Parallel

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



CITY OF CONCORD

1/2 A

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: David Florence, Parking Manager
Downtown Parking Committee

DATE: December 27, 2012

SUBJECT: 205 N. State Street, Ordinance change

Recommendation

Review, accept this report, and set for a public hearing an ordinance change which would add a 30 minute parking space at 205 N. State Street.

Background

In reconstructing North State Street as part of CIP #35, our project eliminated the parking area immediately next to the bakery at 205 N. State Street (at the corner of Rumford and N. State). The property owners and baker expressed concern about that loss and so we made an in-field change in design to accommodate one parking space. In the past, the owners claim that up to three cars could have parked there. This one space would, at least, allow the bakery owner to move product from her car to the store without having to travel a long distance and would allow for a customer to park.

Discussion:

Engineering Services in conjunction with Community Development had discussions with the property owner at 205 N. State and agreed that they would like to limit this parking space as previously spaces existed and without a time zone they noticed vehicles parked for lengthy times. The Parking Committee discussed this request at the December 17, 2012 meeting and recommended a thirty minute parking designation. Community Development and Engineering discussed this recommendation with the property owners and they were in agreement with this recommendation.

Ordinance No.
CITY OF CONCORD

In the year of our Lord two thousand and thirteen

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 29.2, Public Capital Facilities Impact Fees Ordinance; Article 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; Article 29.2-1-2, Assessment and Collection; Section 29.2-1-2(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 1, 2 and 3:

**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	\$ 1.08	\$ 1.08	Square foot of gross living area
Town house/duplex	\$ 0.72	\$ 0.72	Square foot of gross living area
Multi-unit/apartment (other than townhouses or duplexes)	\$ 965.77	\$ 965.77	Dwelling unit
Mobile home	\$ 1,930.34	\$ 1,930.34	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	\$ 0.50	Square foot of gross living area
Townhouse/duplex	\$ 0.72	Square foot of gross living area
Multi-unit/apartment (other than townhouses or duplexes)	\$ 642.67	Dwelling unit
Mobile home	\$ 965.81	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	\$2,051.60	Dwelling unit
Townhouse/duplex	\$1,369.68	Dwelling unit
Multi-unit dwelling/apartment (other than townhouses or duplexes)	\$1,409.43	Dwelling unit
Mobile home	\$1,006.74	Dwelling unit
Nonresidential Uses		
General office	\$ 1.66	Square foot of floor area
Single-tenant office	\$ 1.82	Square foot of floor area
General light industrial	\$ 1.06	Square foot of floor area
Manufacturing	\$ 0.61	Square foot of floor area
Warehousing	\$ 0.76	Square foot of floor area
Quality restaurant	\$ 5.43	Square foot of floor area
High-turnover restaurant	\$ 6.54	Square foot of floor area
Fast food restaurant with drive-thru	\$ 20.02	Square foot of floor area
Small retail (less than 5,000 SF)	\$ 2.49	Square foot of floor area
Retail (5,001 SF to 100,000 SF)	\$ 4.38	Square foot of floor area
Retail (100,001 to 300,000 SF)	\$ 3.55	Square foot of floor area
Retail (greater than 300,000 SF)	\$ 3.24	Square foot of floor area
Bank with drive-up	\$ 11.72	Square foot of floor area
Daycare center	\$ 3.98	Square foot of floor area
Hotel/motel	\$1,766.47	Room
Gas station/convenience store	\$3,279.94	Pump
New car sales	\$ 6.34	Square foot of floor area
Automobile service	\$ 3.85	Square foot of floor area
Automated car wash	\$5,133.36	Wash stall
All other uses	\$ 200.16	New trip

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



CITY OF CONCORD

12A

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Gloria McPherson, City Planner

DATE: December 20, 2012

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 2012.

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 13, 2012. After choosing to not update the impact fees for three years, the City Council incrementally updated the fees in both 2011 and 2012 to fully adjust for the rate of inflation since the adoption of the Impact Fee Ordinance in 2001.

Discussion

The Planning Board, at the regular meeting on December 19, 2012, 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 2011 to 2012 for school and recreation construction costs is 4.79%, and for highway construction costs is 2.46%.

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.

The recommendation for 2013 is to adjust the Impact Fee Tables by the rate of inflation from 2011 to 2012 in order to avoid a "catch up" scenario with a greater increase in fees in future years.

TABLE 2

RECREATIONAL FACILITIES IMPACT FEES PER VARIABLE UNIT			
Type of New Development	Recreational Facilities Impact Fee per Variable Unit		Variable Unit
	2011 Fee	Adjusted Fee	
Single Family Residence	\$0.48	\$0.50	Square foot of Gross Living Area
Townhouse / Duplex	\$0.69	\$0.72	Square foot of Gross Living Area
Multi-Unit / Apartment (other than Townhouses or Duplexes)	\$613.27	\$642.67	Dwelling Unit
Mobile Home	\$921.63	\$965.81	Dwelling Unit
<p>Note: Inflationary increase from July 2009 to July 2010 was 1.89%. Source: RS Means, Facilities Construction Cost Data 2011.</p> <p>Note: Inflationary increase from July 2010 to July 2011 was 1.20%. Source: RS Means, Facilities Construction Cost Data 2012.</p> <p>Note: Inflationary increase from July 2011 to July 2012 was 4.79%. Source: RS Means, Facilities Construction Cost Data 2013.</p>			
	Historical Cost Index	Percentage Increase	
Jul-00	120.9		
Jul-02	128.7	6.45%	
Jul-04	143.7	11.66%	
Jul-05	151.6	5.50%	
Jul-06	162	6.86%	
Jul-07	169.4	4.57%	
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%	

TABLE 3

TRANSPORTATION FACILITIES IMPACT FEES PER VARIABLE UNIT

Type of New Development	Transportation Facilities Impact Fee per Variable Unit		Variable Unit
	2011 Fee	Adjusted Fee	
Residential Uses			
Single Family Residence	\$2,002.34	\$2,051.60	Dwelling Unit
Townhouse / Duplex	\$1,177.92	\$1,369.68	Dwelling Unit
Multi-Unit / Apartment (other than Townhouses or Duplexes)	\$1,375.59	\$1,409.43	Dwelling Unit
Mobile Home	\$982.57	\$1,006.74	Dwelling Unit
Nonresidential Uses			
General Office	\$1.62	\$1.66	Square Foot of Floor Area
Single Tenant Office	\$1.78	\$1.82	Square Foot of Floor Area
General Light Industrial	\$1.03	\$1.06	Square Foot of Floor Area
Manufacturing	\$0.59	\$0.61	Square Foot of Floor Area
Warehousing	\$0.74	\$0.76	Square Foot of Floor Area
Quality Restaurant	\$5.30	\$5.43	Square Foot of Floor Area
High Turnover Restaurant	\$6.38	\$6.54	Square Foot of Floor Area
Fast Food Restaurant	\$19.54	\$20.02	Square Foot of Floor Area
Small Retail (0 to 5,000 sf)	\$2.43	\$2.49	Square Foot of Floor Area
Retail (5,001 to 100,000 sf)	\$4.28	\$4.38	Square Foot of Floor Area
Retail (100,001 to 300,000 sf)	\$3.47	\$3.55	Square Foot of Floor Area
Retail (greater than 300,000 sf)	\$3.16	\$3.24	Square Foot of Floor Area

Type of New Development	Transportation Facilities Impact Fee per Variable Unit		Variable Unit
	2011 Fee	Adjusted Fee	
Bank with Drive Up Lanes	\$11.43	\$11.72	Square Foot of Floor Area
Day Care Center	\$3.88	\$3.98	Square Foot of Floor Area
Hotel/Motel	\$1,724.05	\$1,766.47	Room
Gas Station/Convenience Store	\$3,201.19	\$3,279.94	Fueling Station (pump)
New Car Sales	\$6.19	\$6.34	Square Foot of Floor Area
Automobile Service	\$3.75	\$3.85	Square Foot of Floor Area
Automated Car Wash	\$5,010.11	\$5,133.36	Wash Stall
All Other Uses	\$195.35	\$200.16	New Trip
<p>Note: Inflationary increase from December 2010 to December 2011 was 2.46%. Inflationary increase from November 2007 to December 2010 was 10.63%. Source: Engineering News Record. Enr.com - Construction Cost Index History (1908-2011) December 3, 2011.</p> <p>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.</p>			
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%	



CITY OF CONCORD
NEW HAMPSHIRE
Economic Development Advisory Council

City Hall • 41 Green Street • Concord, NH 03301 • tel. 603/225-8595 • fax 603/228-2701

TA

Date: January 8, 2013
To: Mayor and City Council
From: Christopher Carley, AIA, EDAC Chairman
Subject: Impact Fee Ordinance Changes

At its meeting of January 4th, EDAC reviewed the proposed changes to the impact fee ordinance regarding existing buildings and changes of use. EDAC unanimously endorsed the proposed changes.

In an effort to foster additional economic development, EDAC also recommends that the City look at other areas of the city to expand such a waiver.

Thank you.



CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official Map so as to establish Mapped Lines of a Future Street for an extension of Whitney Road southerly to Sewalls Falls Road.

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 extension of Whitney Road to facilitate the development of this area between the Merrimack River and I-93 as an industrial park; and
- WHEREAS,** the Planning Board held a public hearing on December 19, 2012, after notifying affected property owners on the planned extension of Whitney Road and accepted testimony; and
- WHEREAS,** the future street is intended as a collector street designed to connect Hoit Road (US 4) near I-93 Exit 17 with Sewalls Falls Road. This road will divert traffic from Mountain Road and will provide the necessary access to allow for future development of this industrially zoned and undeveloped area; and
- WHEREAS,** the Planning Board voted by a vote of 5 to 1 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 extending Whitney Road southerly to Sewalls Falls Road.

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 an extension of Whitney Road southerly to Sewalls Falls Road.
- 2.) This resolution shall take effect upon its passage.



CITY OF CONCORD

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 – Extension of Whitney Road

Recommendation

The Planning Board, after holding a public hearing on December 19, 2012, voted 5 to 1 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 the extension of Whitney Road southerly to Sewalls Falls Road.

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 66' wide mapped line of future streets extending from the current terminus of Whitney Road in front of the Wheelabrator Waste to Energy Plant southerly to Sewalls Falls Road at the Concord Monitor.

Background

Whitney Road was constructed in the late 1980's as part of a planned industrial park development. This area was subsequently industrially zoned and extends southerly from Hoit Road to Sewalls Falls Road between the bluffs on the east side of the Merrimack River and Concord to Lincoln rail line and Interstate 93.

This industrial area is broken into three segments by Burnham and Hayward Brooks.

Whitney Road was constructed to City of Concord collector road standards with 66' of right-of-way, a 40' pavement width, closed drainage and sloped granite curbing southerly from

Hoit Road to the Wheelabrator (SES Concord) project in 1986-87. A private road named Monitor Drive was subsequently constructed to City of Concord collector road standards at the south end of the corridor.

To facilitate the relocation of the Concord Monitor's headquarters on Sewalls Falls Road, as well as future industrial development a municipal water line was constructed along the future route of Whitney Road from the Wheelabrator facility southerly to Sewalls Falls Road in the 1989.

Master Plan

The Planning Board in 1993, as part of the Year 2010 Master Plan Update, adopted a Future Transportation Plan showing Whitney Road as a planned roadway improvement with a functional classification of Urban Collector.

In the current Master Plan 2030, the Planning Board reaffirmed Whitney Road Whitney Road as a planned highway improvement and continued to classify Whitney Road as an Urban Collector.

Analysis

The mapped line follows the existing municipal water line and water line easement from the current terminus of the Whitney Road layout to Sewalls Falls Road. A significant portion of this future road was proposed be constructed in 2012 to provide access to the planned Resource Recovery Facility. This project was subsequently abandoned after final design for the roadway and permitting was obtained, including improvements to the existing Burnham Brook culvert.

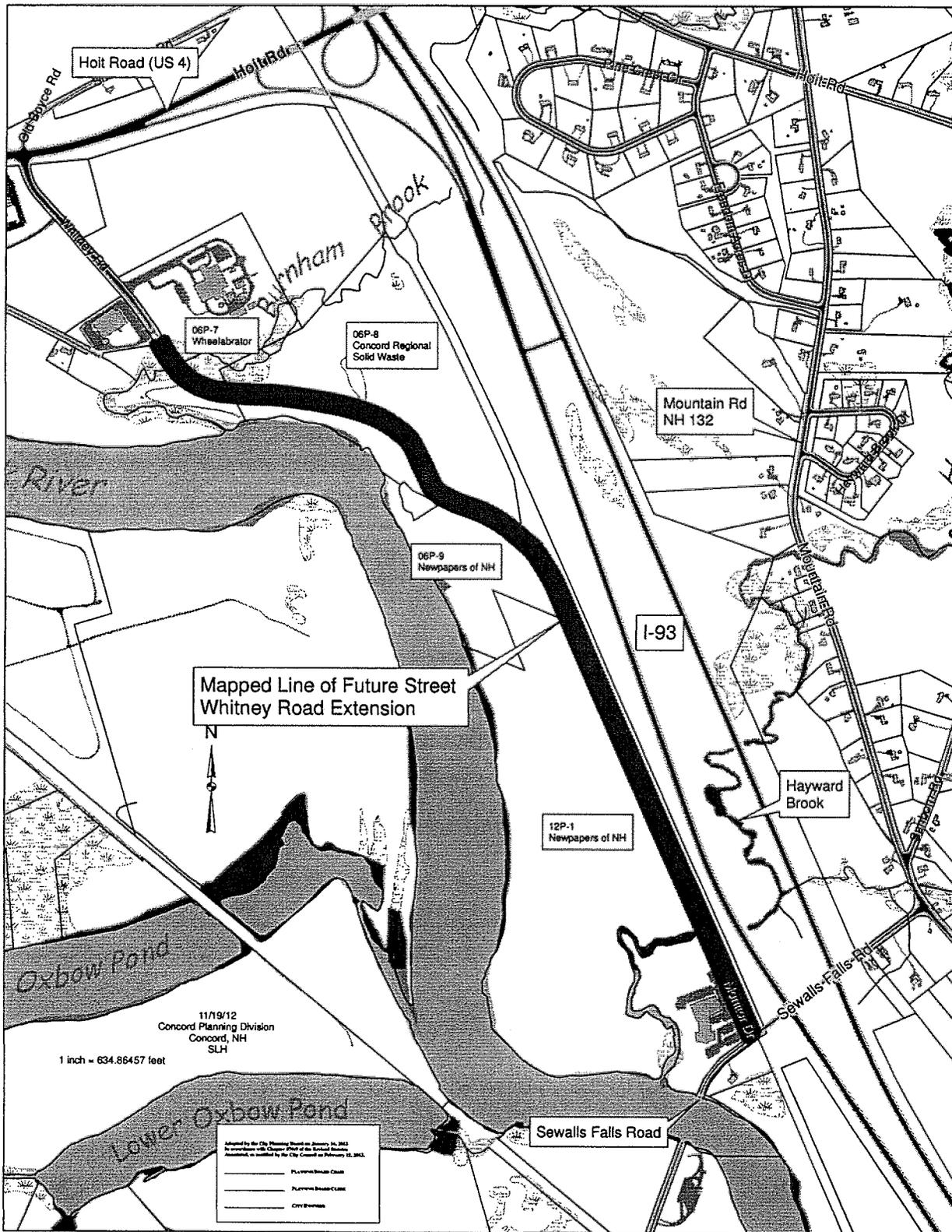
The proposed route for Whitney Road was designed to open up the remainder of the industrially zoned area for development while maximizing the size of the future lots.

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>
Wheelabrator Concord Company, LP	06P-7	11 Whitney Road
Concord Regional Solid Waste	06P-8	Whitney Rd
Newspapers of NH, Inc.	06P-9	Hannah Dustin Drive
Newspapers of NH, Inc.	12P-1	1 Monitor Drive

The major environmental impacts of the road construction will be potential impacts to isolated wetlands in the central part of the corridor and the crossing of the Hayward Brook Ravine. Careful design and mitigation of any permanent wetland impacts will be required and will be further offset by the protection of the Merrimack River bluffs and the ravines of Hayward and Burnham Brooks.

Whitney Road Mapped Line of Future Street



CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official map so as to establish Mapped Lines of a Future Street for an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road.

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 Garvins Falls Area of Concord. Phase 1 of the Garvins Falls Plan includes an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road to facilitate the development of this area as both an office park and industrial park; and

WHEREAS, the Planning Board held a public hearing on December 19, 2012, after notifying affected property owners on the planned extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road and accepted testimony; and

WHEREAS, the future streets are intended as a collector streets to provide access from the Garvins Falls area to Manchester Street (US 3) at the intersections of Integra Drive and Old Suncook Road. This road will divert traffic from latter phases of the Garvins Falls development area from the existing residential area along Garvins Falls Road.

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 an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road.

Resolution No.

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official map so as to establish Mapped Lines of a Future Street for an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road.

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 an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road.
- 2.) This resolution shall take effect upon its passage.



CITY OF CONCORD

11A

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 – Garvins Falls Phase 1

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 an extension of Old Suncook Road southerly from Manchester Street to Garvins Falls Road, and an extension of Integra Drive westerly to the proposed extension of Old Suncook Road.

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 66’ wide mapped line of future streets for Old Suncook Road and Integra Drive. A portion of the mapped line of Old Suncook road is shown at a width of 80’ extending southerly approximately 800’ from Manchester Street to allow for additional turn lanes at the intersection of Manchester Street and Old Suncook Road.

Background

A road network for the Garvins Falls Area was first conceived as part of the transportation planning undertaken in 1988-89 for the preparation of the Year 2010 Master Plan update. Subsequently, the 1996 Garvins Falls Urban Reserve Area small area planning study refined the layout and scope of the road improvements in the Garvins Falls area. The proposed mapped lines implement the road layout for a portion of Phase 1 of the Garvins Falls Study.

One element of the recommended Phase 1 Garvins Falls Study transportation improvements was the relocation of Broken Bridge Road. This work was completed in the fall of 2012. It is interesting to note that the relocation of Broken Bridge Road was accomplished with a layout different than originally proposed in the study. The recommendation to connect Broken Bridge Road to Manchester Street was formally considered and instead Broken Bridge Road was relocated to connect with Integra Drive. This constructed alignment provides the necessary access to allow for the redevelopment along the southern portion of Broken Bridge Road as envisioned in the Garvins Falls Study, with no impact to wetlands and no direct impact to NH Route 3.

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 Old Suncook Road and the westerly extension of Integra Drive as a major collector roadway.

“The Garvins Falls Urban Reserve Area Feasibility Study”, adopted by the Planning Board in 1996, further refined the proposed extension of Integra Drive and Old Suncook Road southerly to Garvins Falls Road as part of Phase 1 of the plan.

In the current Master Plan 2030, the Planning Board reaffirmed the location and purpose of the southerly extension of Old Suncook Road and the westerly extension of Integra Drive. Please note that proposed roadway improvements for Phases 2 and 3 of the Garvins Falls Plan are not proposed for mapping at this time.

Analysis

The corridor for the southerly extension of Old Suncook Road has been preserved in the approved site plan for Freedom Cycle over the northern portion of parcel 110D-3-13. The private access drive for Freedom Cycle at 110 Manchester Street is located within the future right-of-way. The parking and site circulation for Freedom Cycle has been designed to minimize any impacts to this property when Old Suncook Road is laid out and constructed. The proposed new mapped street has been referred for decades as the southerly extension of old Suncook Road. 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 Old Suncook Road.

The layout for both Old Suncook Road and Integra Drive has been shown on the subdivision for B & D Houston over parcel 109-6-17. The existing right-of-way for Integra Drive extends beyond the limits of the accepted portion of Integra Drive. Prior approvals from the Planning Board for the subdivision of Integra Drive will require the completion of that portion of Integra Drive within the existing public right-of-way when any additional development occurs at 15 Integra Drive (parcel 109-6-17).

The layout has been designed to minimize cuts and fills required to construct the road and to avoid as much as possible any known wetlands.

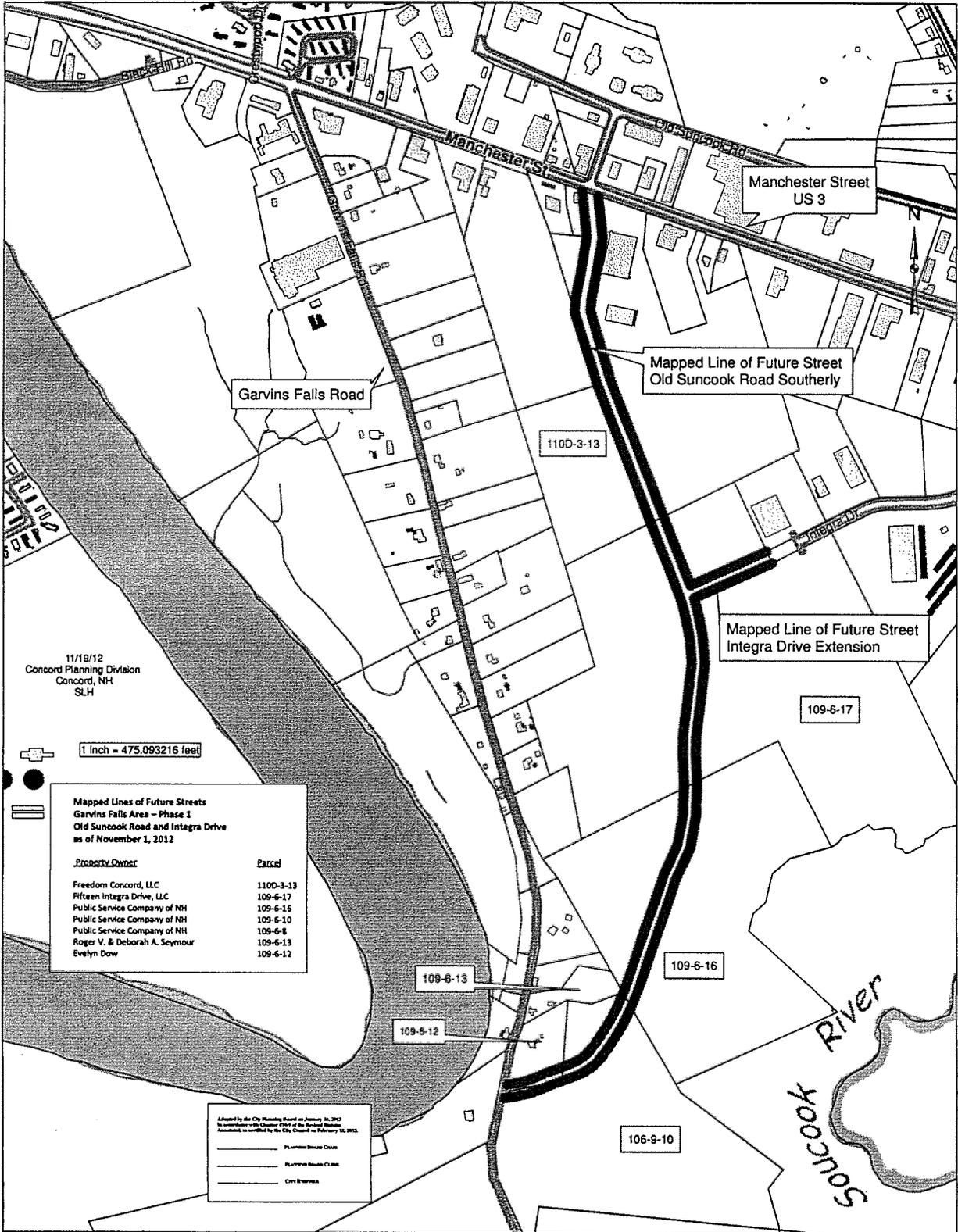
The layout of both Old Suncook Road and Integra Drive provides the required highway capacity to develop Phase 1 and part of Phase 2 of the Garvins Falls Study. Only very low density development could be undertaken in the Garvins Falls area without these new streets and the accompanying utility extensions. The transportation modeling undertaken for the Master Plan 2030 indicate that Phase 1 of the Garvins Falls area, and part of Phase 2, can be accommodated with the construction of Old Suncook Road and Integra Drive along with improvements to Manchester Street. Future Phases of the Garvins Falls Area will require additional connections across the Soucook River to NH Route 106, and potentially a bridge across the Merrimack River to link the NH 106 to I-89.

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>
Freedom Concord, LLC	110D-3-13	110 Manchester Street
Fifteen Integra Drive, LLC	109-6-17	15 Integra Drive
Public Service Company of NH	109-6-16	Garvins Falls Road
Public Service Company of NH	109-6-10	Garvins Falls Road Roger
V. & Deborah A. Seymour	109-6-13	109 Garvins Falls Rd.
Evelyn Dow	109-6-12	115 Garvins Falls Rd.

The impacts to the two residential lots at 109 and 115 Garvins Falls Road are minimal in nature. The existing buildings and structures would not be impacted, nor would the mapped lines of future streets interfere with any additional development on these lots.

Garvins Falls Phase 1 Mapped Line of Future Streets



CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amendment of the Official Map so as to establish the Mapped Lines of a Future Street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.

The City of Concord resolves as follows:

- WHEREAS,** pursuant to enabling statutes, the City has established an Official Map as well as adopted an ordinance creating a process for mapping the lines of future streets; and
- WHEREAS,** mapping the lines of future streets reserves a corridor for a street to be constructed at a future time by restricting the issuance of building permits for buildings or structures within the mapped lines of future streets; and
- WHEREAS,** the adopted Master Plan 2030 recommends the creation of a roadway network to serve the southern Opportunity Corridor. The Opportunity Corridor Study and the 2030 Master Plan includes an extension of Storrs Street from the Intersection of Theatre Street and Storrs Street southerly under the Manchester Street Bridge to Gas Street, and then southerly to Langdon Avenue; and
- WHEREAS,** the City of Concord contributed over 1 million dollars in 1997-8 to the I-93 Exit 13 NH Department of Transportation improvement project to widen the Manchester Street Bridge to accommodate this planned roadway; and
- WHEREAS,** the Planning Board held a public hearing on December 19, 2012, after notifying the affected property owners on the planned new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue and accepted testimony, and
- WHEREAS,** the future street is intended to be constructed as an urban street to support the redevelopment of the southern Opportunity Corridor.
- WHEREAS,** the Planning Board voted unanimously to forward a request to the City Council that the Board be authorized pursuant to Section 16-3-6, Mapping of Future Streets, of the Code of Ordinances, to prepare and certify a plan of the mapped lines of a future street for a new street from the intersection of Storrs and Theatre Streets southerly to Langdon Avenue.

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

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.

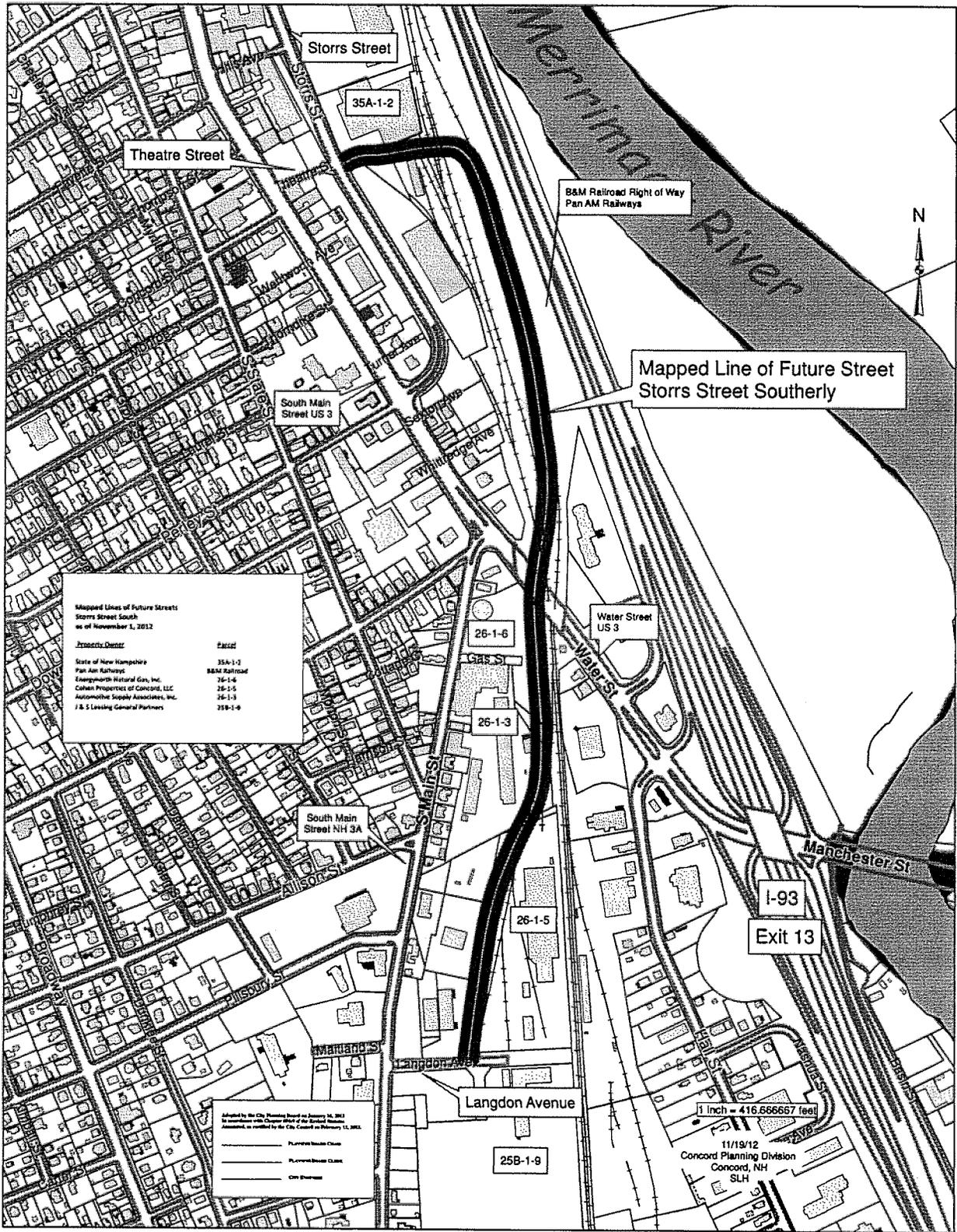
<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
State of New Hampshire	35A-1-2	50 Storrs Street
Pan Am Railroad	B & M Railroad	Storrs Street
Energynorth North Natural Gas, Inc.	26-1-6	Gas Street
Cohen Properties of Concord, LLC	26-1-5	Gas Street
Automotive Supply Associates, Inc.	26-1-3	219-231- 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



CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official map so as to eliminate the existing remnants of Mapped Lines of Future Streets located between Christian Avenue, Ormond Street and East Side Drive.

The City of Concord resolves as follows:

WHEREAS, in 1953 and 1963, the City mapped lines of future streets in the area between Loudon Road, East Side Drive and the bluffs along the Merrimack River.

Since 1963, this area of the Concord Heights has substantially developed into a mixture of commercial, residential and governmental land uses; 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, in the adopted Master Plan 2030 none of the existing mapped lines of future streets in this area are specifically shown or noted in the Land Use Section, the Transportation Section, the Economic Development Section nor the Housing Section; and

WHEREAS, the remaining remnant mapped lines are no longer necessary. The mapped lines are located on a fully developed housing area known as Concord Gardens and Royal Gardens. The private internal circulation system exists on both properties and follows the general east west layout of mapped streets and meets the circulation needs of the properties; and

WHEREAS, the Planning Board held a public hearing on December 19, 2012, after notifying the affected property owners of the proposed abandonment of mapped lines of future streets and accepted testimony; and

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 to eliminate the existing remnants of Mapped Lines of Future Streets located between Christian Avenue, Ormond Street and East Side Drive.

Resolution No.

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official Map so as to eliminate the existing remnants of the Mapped Lines of Future Streets located between Christian Avenue, Ormond Street and East Side Drive.

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 eliminating the existing remnants of Mapped Lines of Future Streets located between Christian Avenue, Ormond Street and East Side Drive.
- 2.) This resolution shall take effect upon its passage.



CITY OF CONCORD

1/20

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 – Abandonment Heights North

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 abandonment of the mapped line of future streets pursuant to Article 16-3-6 Mapping of Future Streets, of the Code of Ordinances, and RSA 674:11, Amendments to Official Map, for the existing remnants of Mapped Lines of Future Streets (mapped lines) located between Christian Avenue, Ormond Street and East Side Drive.

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 existing 50' wide mapped lines at Royal Gardens and Concord Gardens, southerly of Christian Avenue.

Background

Mapped lines were created in the above mentioned area in 1953 and 1963, and were amended in 1973 and 1993. The remaining mapped lines are those segments left after the construction and development of the majority of this area from the 1960's to the present day.

The purpose of the mapped lines adopted in 1953 and 1963, were to guide and facilitate the development of a road network to serve a developing area of Concord between the bluffs of

the Merrimack River, Loudon Road (NH 9) and East Side Drive (NH 132). Since 1953 the network of roads in this area has been completed. While opportunities exist for small scale infill projects and redevelopment the area is essentially developed.

The remaining remnant mapped lines as shown on the attached map are no longer necessary. The mapped lines are located on a fully developed housing area known as Concord Gardens and Royal Gardens. The private internal circulation system exists on both properties and follows the general east west layout of mapped streets and meets the circulation needs of the properties.

Master Plan

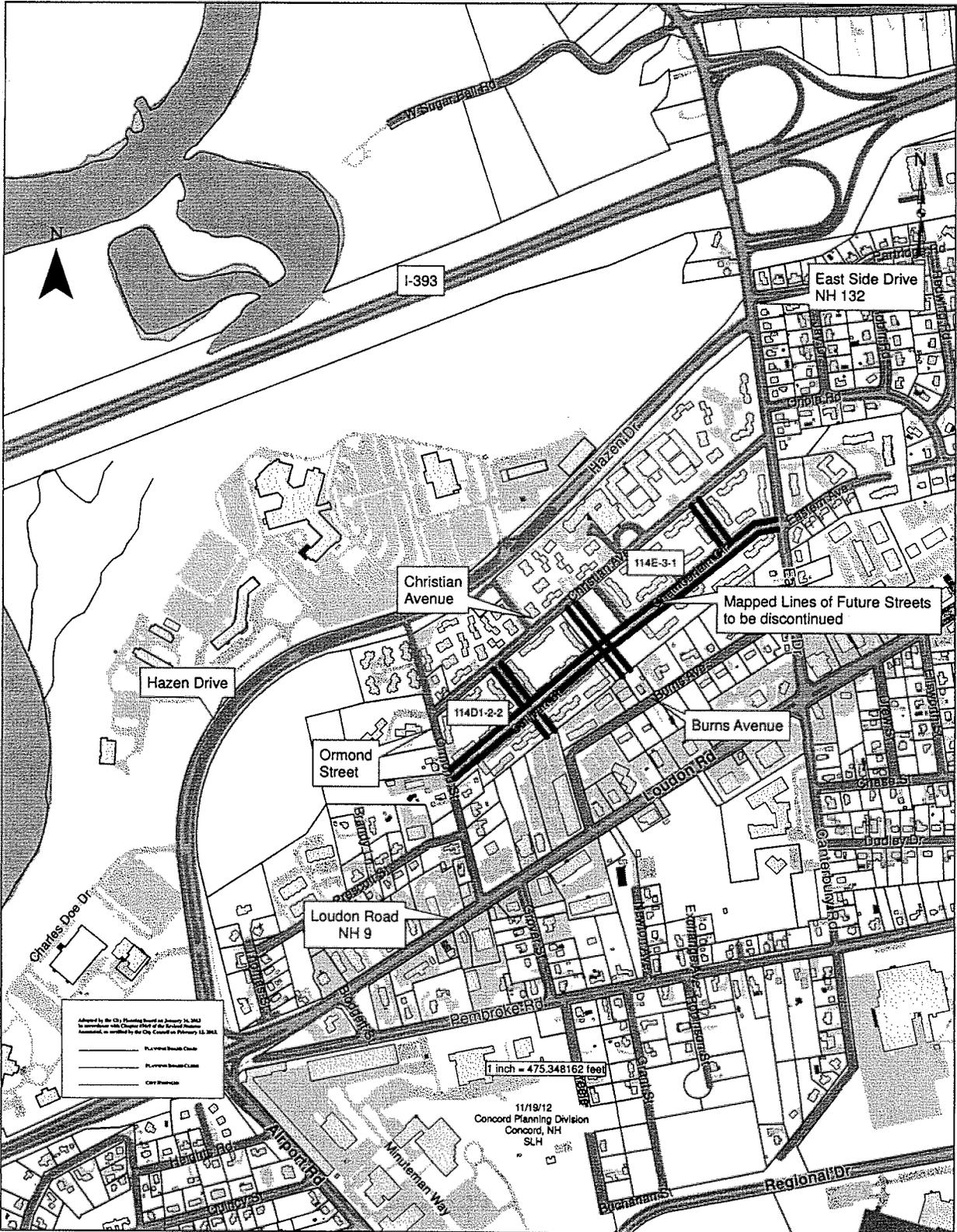
None of the existing mapped lines of future streets in this area are specifically shown or noted in the Land Use Section, the Transportation Section, the Economic Development Section nor the Housing Section of the adopted Master Plan 2030.

Released Properties

The following properties would be affected by the proposed abandonment of the Mapped Line of Future Streets.

<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
Concord Gardens Company	114D1-2-2	Christian Avenue
Royal Gardens Company	114E-3-1	Christian Avenue

Abandonment of Mapped Line of Future Streets between East Side Drive, Christian Avenue and Ormond Street



Approved by the City Planning Board on January 14, 2013
to conform with Chapter 210F of the Revised Statutes
Repealed, as amended by the City Council on February 14, 2013.

PLU Street Boundaries
Future Street Lines
City Boundaries

11/19/12
Concord Planning Division
Concord, NH
SLH

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official map so as to eliminate the existing remnants of Mapped Lines of Future Streets located between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.

The City of Concord resolves as follows:

WHEREAS, in 1963 and 1968, the City mapped lines of future streets in the area between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.

Since 1963, this area of the Concord Heights has substantially developed into a mixture of commercial, residential and industrial land uses; 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, in the adopted Master Plan 2030 none of the existing mapped lines of future streets in this area are specifically shown or noted in the Land Use Section, the Transportation Section, the Economic Development Section nor the Housing Section; and

WHEREAS, the remaining remnant mapped lines are no longer necessary. The mapped lines are principally located in a fully developed housing area known as Jenson's Residential Communities and the Old Suncook Road landfill site. The proposed mapped lines are no longer needed to guide and support additional development within this area; and

WHEREAS, the Planning Board held a public hearing on December 19, 2012, after notifying the affected property owners on the proposed abandonment of mapped lines of future streets and accepted testimony; and

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 to eliminate the existing remnants of Mapped Lines of Future Streets in the area between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.

Resolution No.

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official Map so as to eliminate the existing remnants of the Mapped Lines of Future Streets located in the area between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.

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 eliminating the existing remnants of Mapped Lines of Future Streets in the area between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.
- 2.) This resolution shall take effect upon its passage.



CITY OF CONCORD

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 – Abandonment Heights 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 abandonment of the mapped line of future streets pursuant to Article 16-3-6 Mapping of Future Streets, of the Code of Ordinances, and RSA 674:11, Amendments to Official Map, for the existing remnants of Mapped Lines of Future Streets (mapped lines) located between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive.

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 existing 50' wide mapped lines between Old Turnpike Road, Manchester Street, Airport Road and Terrill Park Drive.

Background

Mapped lines were created in the above mentioned area in 1963 and 1968, and were amended in 1971, 1974, 1979, 1980 and 1989. The remaining mapped lines are those segments left after the construction and development of the majority of this area from the 1970's to the present day.

The continuation of the mapped lines as shown on the attached map are no longer feasible given restrictions on development including wetlands, steep slopes and the Old Suncook

Road landfill, or are shown over existing developed parcels where the proposed road layout is either unlikely or unfeasible.

Since their establishment many sections of the original mapped lines of future streets were either established as existing public and/or private streets through the subdivision process. Others sections of the mapped lines of futures streets have been specifically abandoned by the City, or in the case of the realignment of Airport Road and Manchester Street and the realignment of Old Turnpike Road and Manchester Street have been completed by public improvement projects.

Master Plan

The two largest remaining sections of mapped lines pass through or immediately adjacent to Jensen's Residential Communities manufactured housing park. The mapped lines in this area were created before current environmental regulations and were based on the assumption that mobile home parks were a temporary land use and would subsequently be replaced by more valuable development. The mapped lines were established to guide and assist in this redevelopment. Today that assumption is no longer valid. Manufactured housing is routinely replaced with new units and is a key component of the affordable housing stock in the City and the region. The discontinuance of these mapped lines would not facilitate any additional development.

The other section of mapped lines to be abandoned falls primarily across the City's Old Suncook Road landfill site. The reuse of this property is limited at best to recreation field development. The landfill has in November of 2012 been provided with a temporary cap of 18' to 24" in thickness. The mapped line passes through recently completed drainage retention swales around the landfill. The mapped lines also lie across the rear of six single family residential lots along Airport Road and through the side of a single family residential lot on Marion Street. A commercial lot developed as a vehicle storage area for Banks Chevrolet-Cadillac is split by the mapped line adjacent to Old Suncook Road. The abandonment would allow for additional subdivision of the Marion Street residential lot and the construction of a building on the commercial property along Old Suncook Road. The abandonment of the existing map line would not alter the development possibilities of the six residential lots on Airport Road. The two existing 50' wide connecting stubs leading from Airport Road to the bulk of the Old Suncook Road landfill site would remain in City ownership and could be used to provide future access to the planned recreational fields.

Released Properties

The following properties would be affected by the proposed abandonment of the Mapped Lines of Future Streets.

<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
Unitil Energy Systems	110J-1-5	8 Terrill Park Drive
North Branch Construction, Inc.	110J-1-10	76 Old Turnpike Rd.

SW Paper, Inc.	110J-1-13	60 Old Turnpike Rd.
Terrill Park Industrial Commons	110J-1-999	30 Terrill Park Drive

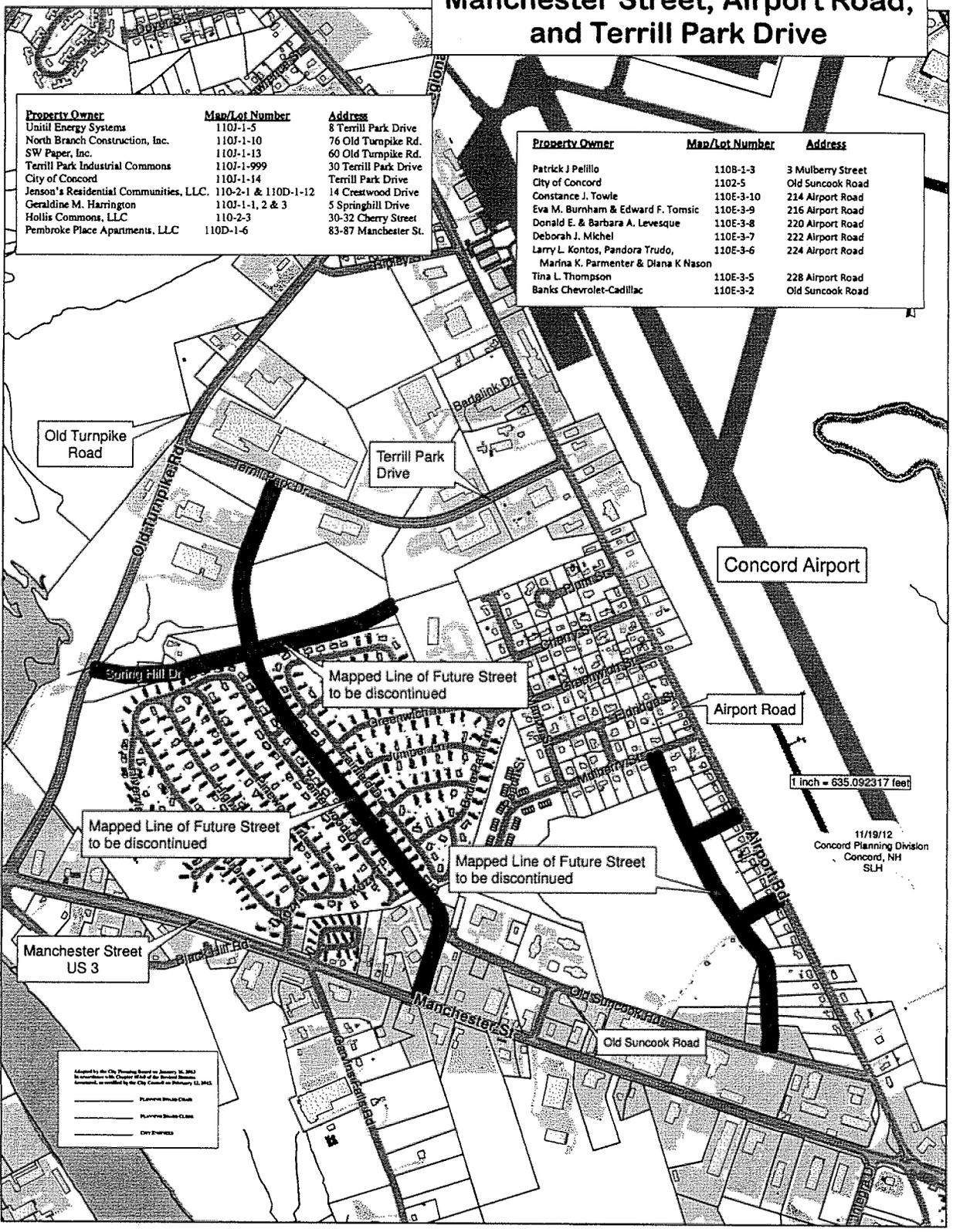
<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
City of Concord	110J-1-14	Terrill Park Drive
Jenson's Residential Communities, LLC.	110-2-1 & 110D-1-12	14 Crestwood Drive
Geraldine M. Harrington	110J-1-1, 2 & 3	5 Springhill Drive
Hollis Commons, LLC	110-2-3	30-32 Cherry Street
Pembroke Place Apartments, LLC	110D-1-6	83-87 Manchester St.

<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
Patrick J Pelillo	110B-1-3	3 Mulberry Street
City of Concord	1102-5	Old Suncook Road
Constance J. Towle	110E-3-10	214 Airport Road
Eva M. Burnham & Edward F. Tomsic	110E-3-9	216 Airport Road
Donald E. & Barbara A. Levesque	110E-3-8	220 Airport Road
Deborah J. Michel	110E-3-7	222 Airport Road
Larry L. Kontos, Pandora Trudo, Marina K. Parmenter & Diana K Nason	110E-3-6	224 Airport Road
Tina L. Thompson	110E-3-5	228 Airport Road
Banks Chevrolet-Cadillac	110E-3-2	Old Suncook Road

Abandonment of Mapped Line of Future Streets between Old Turnpike Road, Manchester Street, Airport Road, and Terrill Park Drive

Property Owner	Map/Lot Number	Address
Unitil Energy Systems	110J-1-5	8 Terrill Park Drive
North Branch Construction, Inc.	110J-1-10	76 Old Turnpike Rd.
SW Paper, Inc.	110J-1-13	60 Old Turnpike Rd.
Terrill Park Industrial Commons	110J-1-999	30 Terrill Park Drive
City of Concord	110J-1-14	Terrill Park Drive
Jenson's Residential Communities, LLC.	110D-2-1 & 110D-1-12	14 Crestwood Drive
Geraldine M. Harrington	110J-1-1, 2 & 3	5 Springhill Drive
Hollis Commons, LLC	110-2-3	30-32 Cherry Street
Pembroke Place Apartments, LLC	110D-1-6	83-87 Manchester St.

Property Owner	Map/Lot Number	Address
Patrick J Pelillo	110B-1-3	3 Mulberry Street
City of Concord	1102-5	Old Suncook Road
Constance J. Towle	110E-3-10	214 Airport Road
Eva M. Burnham & Edward F. Tomsic	110E-3-9	216 Airport Road
Donald E. & Barbara A. Levesque	110E-3-8	220 Airport Road
Deborah J. Michel	110E-3-7	222 Airport Road
Larry L. Kontos, Pandora Trudo, Marina K. Parmenter & Diana K. Nason	110E-3-6	224 Airport Road
Tina L. Thompson	110E-3-5	228 Airport Road
Banks Chevrolet-Cadillac	110E-3-2	Old Suncook Road



Adopted by the City Planning Board on January 30, 2012
to amend the City Charter of the Second Session,
approved by the City Council on February 11, 1945.

Future Street Class
 Platted Street Class
 City Property

1 inch = 635.092317 feet

11/19/12
Concord Planning Division
Concord, NH
SLH

CITY OF CONCORD

In year of our Lord two thousand thirteen

RESOLUTION Amending the Official map so as to eliminate the Mapped Lines of Future Streets for the extension of Brookside Drive and Bow Street.

The City of Concord resolves as follows:

WHEREAS, in 1952 a mapped line for the future extension of Brookside Drive and Bow Street was established and was shown on the City's paper tax maps for decades.

Since 1952, this area in the south end of Concord has substantially developed into a residential neighborhood; 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, in the adopted Master Plan 2030 none of the existing mapped lines of future streets in this area are specifically shown or noted in the Land Use Section, the Transportation Section, the Economic Development Section nor the Housing Section; and

WHEREAS, the proposed mapped lines are no longer needed to guide and support additional development within this area; and

WHEREAS, the Planning Board held a public hearing on December 19, 2012, after notifying the affected property owners on the proposed abandonment of mapped lines of future streets and accepted testimony, and

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 to eliminate the existing remnants of Mapped Lines of Future Streets for the extension of Brookside Drive and Bow Street.

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 eliminating the existing remnants of Mapped Lines of Future Streets for the extension of Brookside Drive and Bow Street.
- 2.) This resolution shall take effect upon its passage.



CITY OF CONCORD

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 – Abandonment South End

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 abandonment of the mapped line of future streets pursuant to Article 16-3-6 Mapping of Future Streets, of the Code of Ordinances, and RSA 674:11, Amendments to Official Map, for the extension of Brookside Drive and the extension of Bow Street.

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 existing 50' wide mapped lines from the existing terminus of Brookside Drive northerly to South Street, and the existing terminus of Bow Street southerly from Joffre Street to Nivelles Street.

Background

A mapped line for the future extension of Brookside Drive was established in 1952 and was shown on the City's paper tax maps for decades.

The purpose of this mapped line and others adopted in the South End of Concord was to provide for an orderly layout of residential streets which largely developed since the end of the Second World War.

The Brookside Drive mapped line affects five properties, each with an existing single family residence, and it appears that a garage was constructed over a portion of the

mapped line at 181 South Street. If the road was constructed as envisioned several additional lots could be created from the existing lots. However, this would require the cooperation of all five property owners and the construction of over 600' of new City street. The elimination of the mapped line would release any existing restrictions on the five lots including the lot at 181 South Street.

The extension of Bow Street was established long before environmental protections for wetlands were established. Today this extension would not create any new lots and would adversely affect three of the four existing single family residences. The continuation of this existing mapped street serves no public or private purpose.

Master Plan

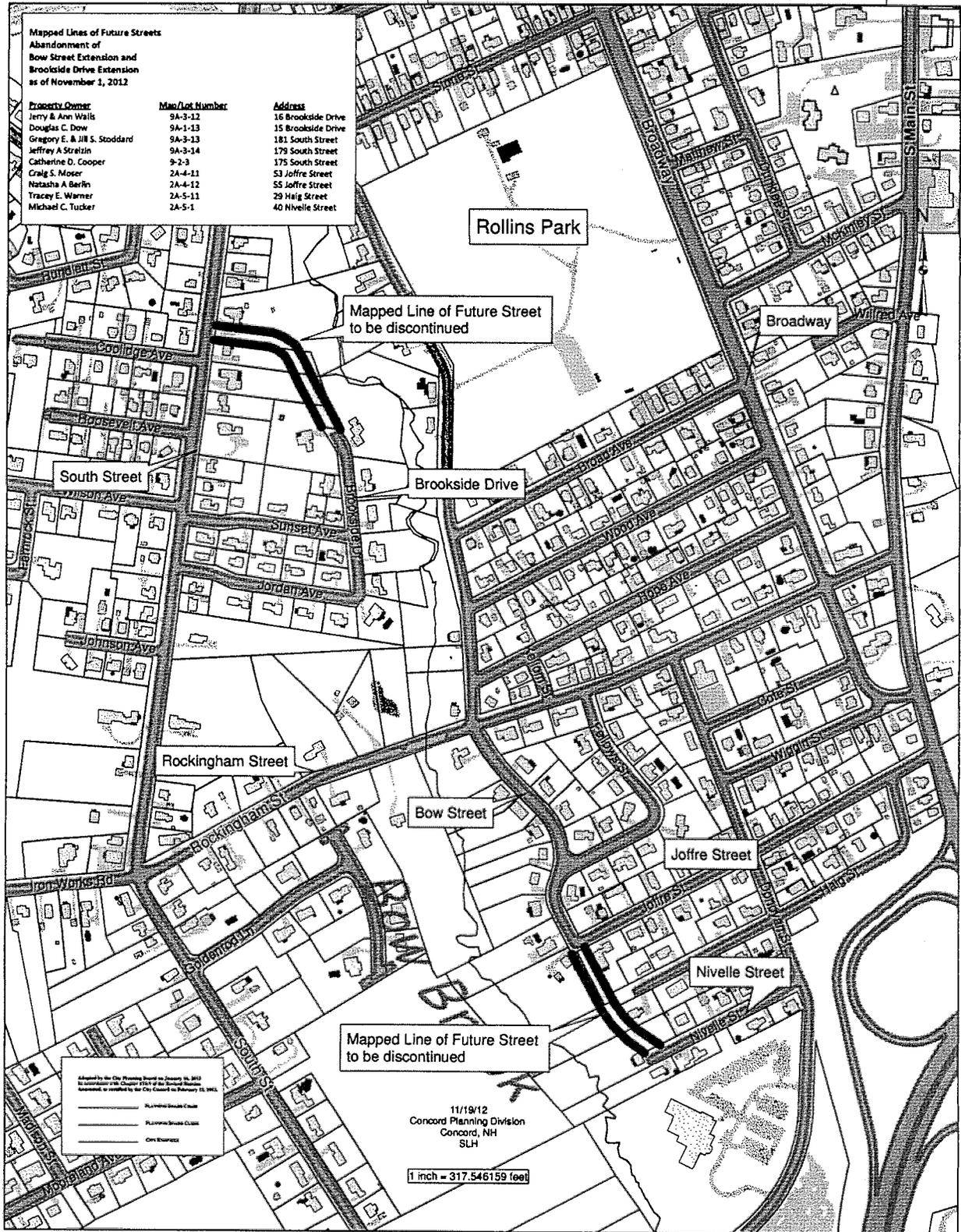
None of the existing mapped lines of future streets in this area are specifically shown or noted in the Land Use Section, the Transportation Section, the Economic Development Section nor the Housing Section of the adopted Master Plan 2030.

Released Properties

The following properties would be affected by the proposed abandonment of the Mapped Line of Future Streets.

<u>Property Owner</u>	<u>Map/Lot Number</u>	<u>Address</u>
Jerry & Ann Walls	9A-3-12	16 Brookside Drive
Douglas C. Dow	9A-1-13	15 Brookside Drive
Gregory E. & Jill S. Stoddard	9A-3-13	181 South Street
Jeffrey A Strelzin	9A-3-14	179 South Street
Catherine D. Cooper	9-2-3	175 South Street
Craig S. Moser	2A-4-11	53 Joffre Street
Natasha A Berlin	2A-4-12	55 Joffre Street
Tracey E. Warner	2A-5-11	29 Haig Street
Michael C. Tucker	2A-5-1	40 Nivelles Street

Abandonment of Mapped Line of Future Streets Bow Street Extension and Brookside Drive Extension



CITY OF CONCORD

In the year of our Lord two thousand thirteen

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

The City of Concord resolves as follows:

WHEREAS, Gordon Matson and Judith Wildman are the owners of a parcel of land southerly of District #5 Road, known as Map 99 in Block 2 on Lots 41 and 42 of the City of Concord Tax Maps; and

WHEREAS, a proposed trail would cross over the property along the old discontinued Dimond Road and Gordon Matson and Judith Wildman have agreed to allow the public to use this trail for passive recreational uses and to allow the trail to be included in the City of Concord's Trail System; and

WHEREAS, this trail will be part of the trail system at Rossvie Farm located off of District #5 Road and will also be part of the West End Farm Trail; and

WHEREAS, the continued improvement of the City's trail system is a recommendation found in both the City of Concord Open Space Plan and the Master Plan 2030; and

WHEREAS, the Conservation Commission has prepared a Trail Agreement to formalize the inclusion of this trail into the City's Trail System and to outline the manner in which the trail shall be utilized, administered and maintained; and

WHEREAS, an agreement with the City would allow the landowners to benefit from the provisions of RSA 508:14, Landowner Limited Liability, which states "*An owner, occupant, or lessee of land, including the state or any political subdivision, who without charge permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.*"

CITY OF CONCORD

In the year of our Lord two thousand thirteen

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

Page 2 of 2

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

- 1) The City Manager is hereby authorized to enter into a Trail Agreement on land owned by Gordon Matson and Judith Wildman, southerly of District #5 Road, which will permit the public use of this proposed trail and allow for the inclusion of the trail in the City's Trail System.
- 2) This Resolution shall take effect upon passage.



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Concord Conservation Commission

DATE: December 20, 2012

SUBJECT: Resolution authorizing the City Manager to enter into a Trail Agreement on land owned by Gordon Matson and Judith Wildman, located southerly of District #5 Road, which will permit the public use of a trail on their property and allow for the inclusion of the trail in the City's trail system

Recommendation

Authorize the City Manager to enter into a Trail Agreement on land owned by Gordon Matson and Judith Wildman, located southerly of District #5 Road, which will permit the public use of a trail on their property and allow for the inclusion of the trail in the City's trail system.

Background

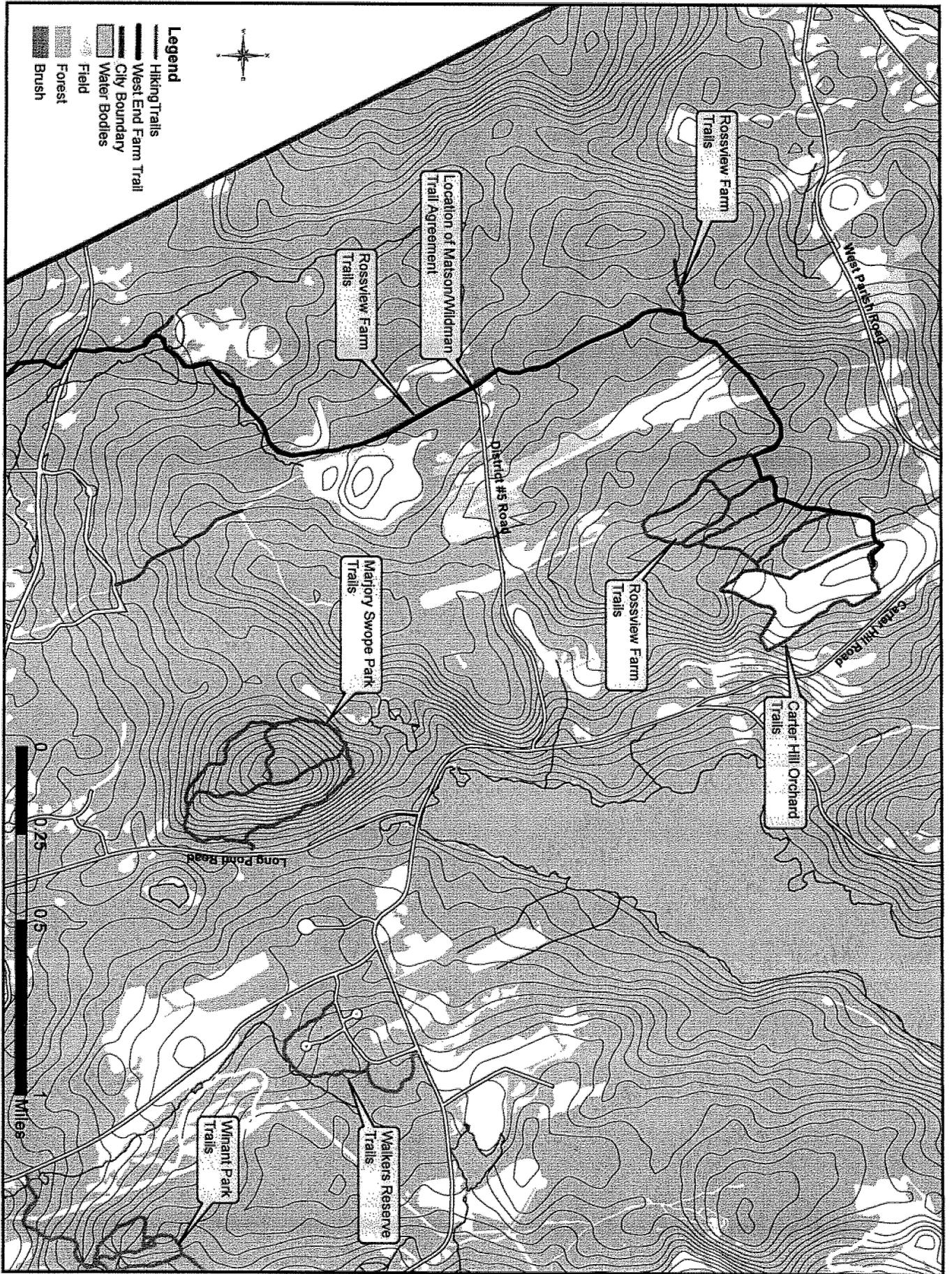
The Trails Committee, a subcommittee of the Conservation Commission, has established a trail that connects three farms in West Concord - Dimond Hill Farm, Rossvie Farm and Carter Hill Orchard. There is an existing trail leading from Dimond Hill Farm, northerly to Currier Road. The trail then crosses Currier Road and continues northerly through City-owned land. The trail continues westerly through the Crosby property and then north through Rossvie Farm and on to Carter Hill Orchard. The section of the trail that passes through the southern portion of Rossvie Farm follows the old discontinued Dimond Road to District #5 Road. This section of Dimond Road has been used to access the Rossvie Farm conservation land and is considered a recreational access point to the easement. It was recently discovered that a portion of the discontinued road crosses over land owned by Gordon Matson and Judith Wildman and it was unclear whether or not the public had access over the road through the conveyance of the conservation easement. To clarify the public use of this 100 foot section of Dimond Road the City and the landowners have agreed to establish a trail agreement. Both owners are supportive of the trail and the use of the discontinued use of Dimond Road as a recreational access point to Rossvie Farm.

The proposed trail would be utilized for non-motorized passive recreation including hiking, snowshoeing, cross-country skiing, mountain biking, horseback riding and other low impact recreational activities. The agreement would not permit public access across the property, other than on the trail itself. The Conservation Commission would manage and maintain the trail together with the other City trails through the Forestry Program. The trails would be blazed with markers, mapped with a GPS, and maps of the area would be included in the City's guidebook and posted on the website.

By formalizing the public use of the trail, the landowners will benefit from RSA 508:14, Landowner Limited Liability, which states "*An owner, occupant, or lessee of land, including the state or any political subdivision, who without charge permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.*"

Discussion

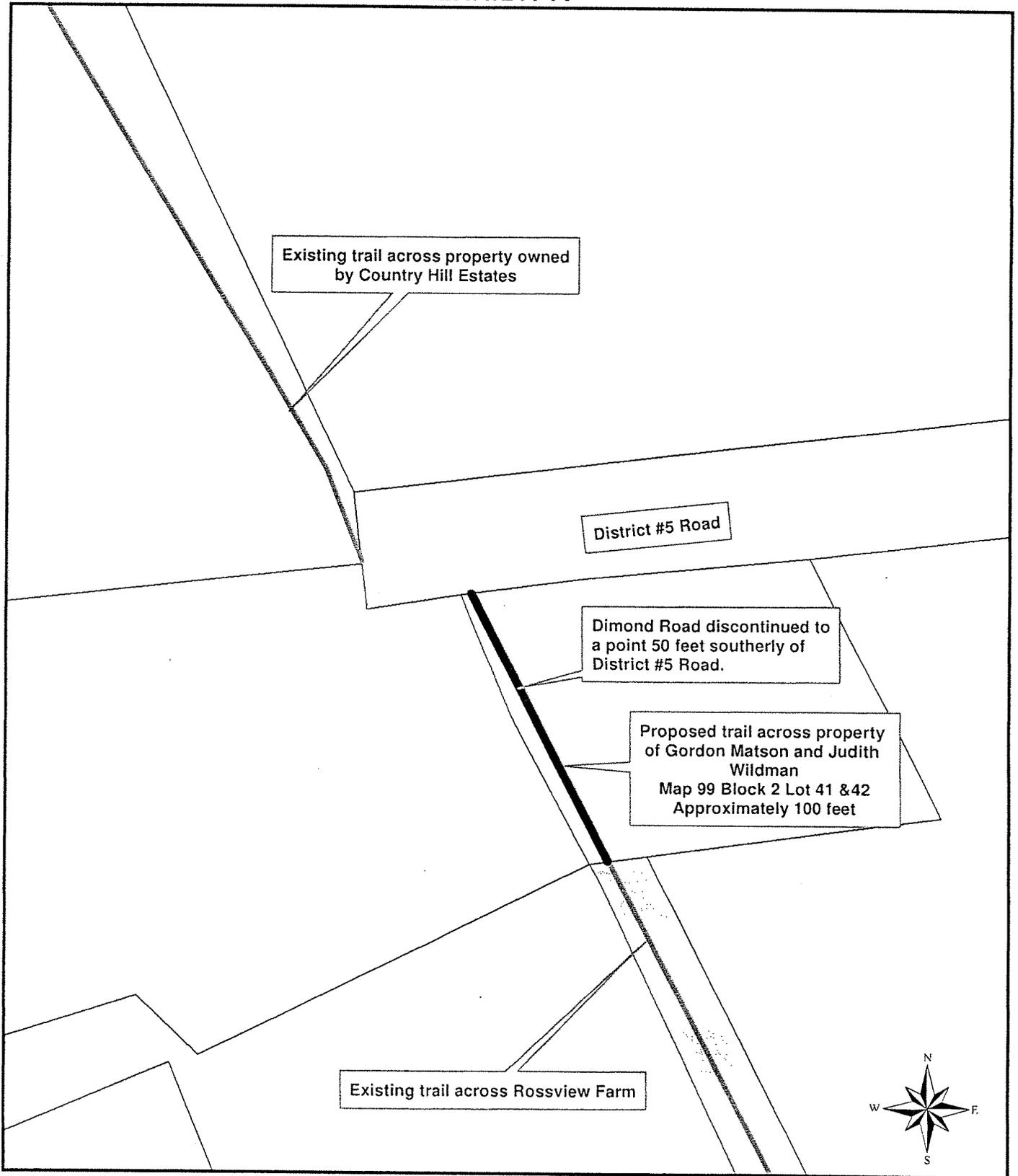
The Conservation Commission has unanimously agreed to pursue a Trail Agreement with the landowners to allow the public to cross this portion of the old Dimond Road that passes through their property. This section of trail is an important segment of the "West End Farm Trail." The landowners have already signed the agreement with the City and support the trail. The Conservation Commission is bringing this matter before the City Council to seek authorization for the City Manager to sign the agreement on behalf of the City of Concord.



- Legend**
- Hiking Trails
 - West End Farm Trail
 - City Boundary
 - Water Bodies
 - Field
 - Forest
 - Brush

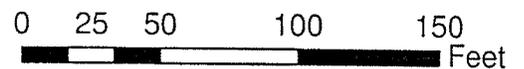


EXHIBIT A



Legend

-  Proposed trail across the property of Gordon Matson and Judith Wildman
-  Conservation Land





CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

DATE: December 31, 2012

FROM: Thomas J. Aspell, Jr., City Manager *TJA*

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



THE H.L. TURNER GROUP Inc.

27 LOCKE ROAD, CONCORD, NH 03301-5417 TEL 603 228-1122 FAX 603 228-1126 www.hltturner.com

December 10, 2012

Mr. Matthew R. Walsh, Assistant for Special Projects
City Manager's Office
City of Concord
41 Green Street
Concord, NH 03301

RECEIVED

DEC 17 2012

CITY MANAGER'S OFFICE
CONCORD, NH

RE: The Spirit of the Holiday

Dear Matt:

On behalf of all of us here at The Turner Group we want to wish all of our friends and associates at the City of Concord a happy and cheerful holiday season.

In lieu of a gift for City staff we have made a \$100.00 donation in the City's name to the Friendly Kitchen.

We appreciate your business and wish you all a very happy holiday.

Kind regards,

Gerard R. Blanchette, PE
Senior Vice President



FRIENDS of
FORGOTTEN
CHILDREN

~ Where we remember everyone is someone's child ~

12/2/12

Dear Mr. Aspell,

Thank you for your donation
of \$ 769.23 made possible by
the Episcopal Diocese.

Our mission is to help those
in need and your generosity makes
this possible.

Sincerely,
Cheryl

December 15th

Dear Police Chief Duvall,

It was a pleasure to meet officer M. Nelson 12/9/12. We were in a dangerous situation. Our car broke down on Loudon Rd in heavy traffic, his arrival secured our safety. The tow truck drove into McDonald's parking lot and your officer stayed with us.

Trying to ride in the tow truck my husband of 83 years with alzheimers made the climb. I of 85 years could not, so your officer gave me a ride to Banks Chevrolet on Manchester St in the police car.

Thank you for the fine officer on your team. With appreciation

Very truly yours,

Shirley Carbonneau
Havenwood Cottage 126

Officer Matthew Nelson #75

RECEIVED

DEC 18 2012

CONCORD, N.H. POLICE
DEPARTMENT

From: "Byers, Natasha L" <Natasha.L.Byers@ehi.com>

Date: November 28, 2012, 4:54:51 PM EST

To: "dflorence@concordpolice.com" <dflorence@concordpolice.com>

CC: "jduval@concordpolice.com" <jduval@concordpolice.com>

Subject: Alison Sinisgallo

Dear Mr. Florence & Mr. Duval,

I have worked for Enterprise for the past two years. I personally want to thank you gentlemen for hiring Alison Sinisgallo. Her and I have a wonderful working relationship together.

I work with hundreds of agencies, but Alison goes above and beyond in her job duties. Most of my agencies I have to bother a million times to get me their tickets. Alison is always on the ball and I never have to ask if we have anything outstanding. She is also very courteous and polite. I have tremendously enjoyed working with her. There isn't enough kind words I could say about her, but working with her over the last several months has been very pleasurable and I really wanted to bring this to your attention.

If she foresees that something could possibly be an issue in regards to tickets, she brings it to my attention immediately and we work together to come up with a plan of action. I wish that all my agencies could take a lesson from her and hope you guys know that she is an asset to your company as well as ours. Thank you for your time.

Thank you,

Natasha Byers
Citation Coordinator
6929 N. Lakewood Ave. Suite 100
Tulsa, OK 74117
Fax 918-401-8111
Natasha.L.Byers@ehi.com

general citations assistance
citations2@ehi.com
1-800-935-0112



CONCORD HIGH SCHOOL
AND
CONCORD REGIONAL TECHNOLOGY CENTER

Eugene L. Connolly
Principal

Thomas O. Crumrine
Assistant Principal

Andrea I. Elliot
Assistant Principal

Benjamin T. Greene
Assistant Principal

Steven B. Rothenberg
Assistant Principal

December 17, 2012

Daniel L. Andrus, Chief
Concord Fire Department
4 Horseshoe Pond Lane
Concord, NH 03301

Dear Mr. Andrus,

Thank you so much for helping to put warm boots on a needy student's feet this winter.

Usually we teachers can easily scrounge footwear when we learn that a family is struggling. Colleagues, relatives and friends are quick to offer outgrown or extra shoes to children. Ditto for socks and mittens.

In this case, however, the student was not a little tyke but a gangly adolescent, and instead of needing a size 10 or 11 he needed a size 15. Nobody in our network had any of those lying around. Nor could I locate a pair in stores.

I reached out to the Concord Fire Department hoping one of your firefighters might have a lightly used pair to share. That you all cared enough to work your connections and secure the donation of brand new boots from Bootlegger's Footwear is evidence that we look after our own here in New Hampshire.

Plenty of us joke that as youths "we had to trudge a mile barefoot, through snow, uphill" to get to school. The awful truth is that this young man actually does walk a mile to school, along unplowed sidewalks, and without the boots Ed Millette and Bootlegger's Footwear donated, he'd be doing so in sneakers.

I am deeply grateful to all the Concord Fire Department elves, including Brin Newnan, who spread the word and then took time to deliver the boots to our front office. Because of you a young man will have warm, dry feet and his mother, one less thing to worry about during a very difficult time.

CFD to the rescue. As always!

Sincerely,

Linda Lawson
English teacher

cc: Thomas J. Aspell, Jr., Concord City Manager



170 Warren St. • Concord, NH 03301-2999
Tel. (603) 225-0800 • Fax (603) 223-2054
www.concordnhschools.net

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

Results based on total comment cards received for December 2012

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

Motor Vehicle (3)	Property Taxes (1)	Utility Payments (0)	Misc. Billing (0)
----------------------	-----------------------	-------------------------	----------------------

Our staff was:	courteous (4)	knowledgeable (3)	professional (3)
-----------------------	------------------	----------------------	---------------------

Other: very pleasant and accommodating.

Our service was:	courteous (4)	knowledgeable (2)	professional (3)
-------------------------	------------------	----------------------	---------------------

Other: Fast

Comments and suggestions:

- 1) Sandy did a great job, as usual!! Happy Holidays to all.
- 2) Extremely pleasant experience. Eva was the best. Very patient with an "old man". This was greatly appreciated.
- 3) The woman who helped us was very pleasant. I listened to the other clerks as they provided service to others and was impressed with all of them.
- 4) Donna was great-very helpful!

CITY COUNCIL MEETING CALENDAR

1-22

Revised 12/31/2012

January 2013

Monday, January 14	7:00 PM	Regular City Council Meeting
Tuesday, January 22	7:00 PM	Reserved for Recessed Council Meeting, if necessary

February 2013

Monday, February 11	7:00 PM	Regular City Council Meeting
Tuesday, February 19	7:00 PM	Reserved for Recessed Council Meeting, if necessary

March 2013

Monday, March 11	7:00 PM	Regular City Council Meeting
Monday, March 18	7:00 PM	Reserved for Recessed Council Meeting, if necessary

April 2013

Monday, April 8	7:00 PM	Regular City Council Meeting
Monday, April 15	7:00 PM	Reserved for Recessed Council Meeting, if necessary

May 2013

Monday, May 13	7:00 PM	Regular City Council Meeting
Monday, May 20	7:00 PM	Reserved for Recessed Council Meeting, if necessary

June 2013

Monday, June 10	7:00 PM	Regular City Council Meeting
Monday, June 17	7:00 PM	Reserved for Recessed Council Meeting, if necessary

July 2013

Monday, July 8	7:00 PM	Regular City Council Meeting
Monday, July 15	7:00 PM	Reserved for Recessed Council Meeting, if necessary





City of Concord, New Hampshire

CONCORD PUBLIC LIBRARY

45 GREEN STREET • 03301-4257

1-23

TJA

PATRICIA A. IMMEN
LIBRARY DIRECTOR
603-225-8670

TO: Honorable Mayor and City Council
FROM: Patricia A. Immen, Library Director
RE: Authorization to Accept Monetary Gifts Totaling **\$3,967.95** as
Provided for Under the Preauthorization Granted by City Council
DATE: January 2, 2013

Recommendation

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

Donor	Amount	Purpose
Concord Public Library Patrons	\$794.20	Fees paid by patrons to replace lost and damaged library materials from 11/28/12 to 12/31/12
Concord Library Book Sale	\$1,065.75	Revenue from sale of used and donated books, audio materials and videos from 11/28/12 to 12/31/12
Alice Nye	\$45.00	For renewal of periodicals
Martha Eilers	\$5.00	For renewal of periodicals
Darcy Walton	\$100.00	For library materials
Anonymous	\$5.00	From a non-resident for printing of a document, in addition to his payment for the printing
Gail M. Painchaud	\$50.00	For library materials
Christine Weeden and the Concord Writers Group	\$110.00	For library materials
Concord Public Library Foundation	\$1,000.00	Bagan grant for children's multi-cultural materials
Dr. and Mrs. Walter C. Dueger	\$500.00	For new books and CDs of classical chamber music
Ann D. Kolb	\$50.00	For library materials for the Penacook Branch Library
New Hampshire Humanities Council	\$243.00	Grant for a Humanities to Go program, "Covered Bridges of NH," to be presented in February
TOTAL	\$3,967.95	

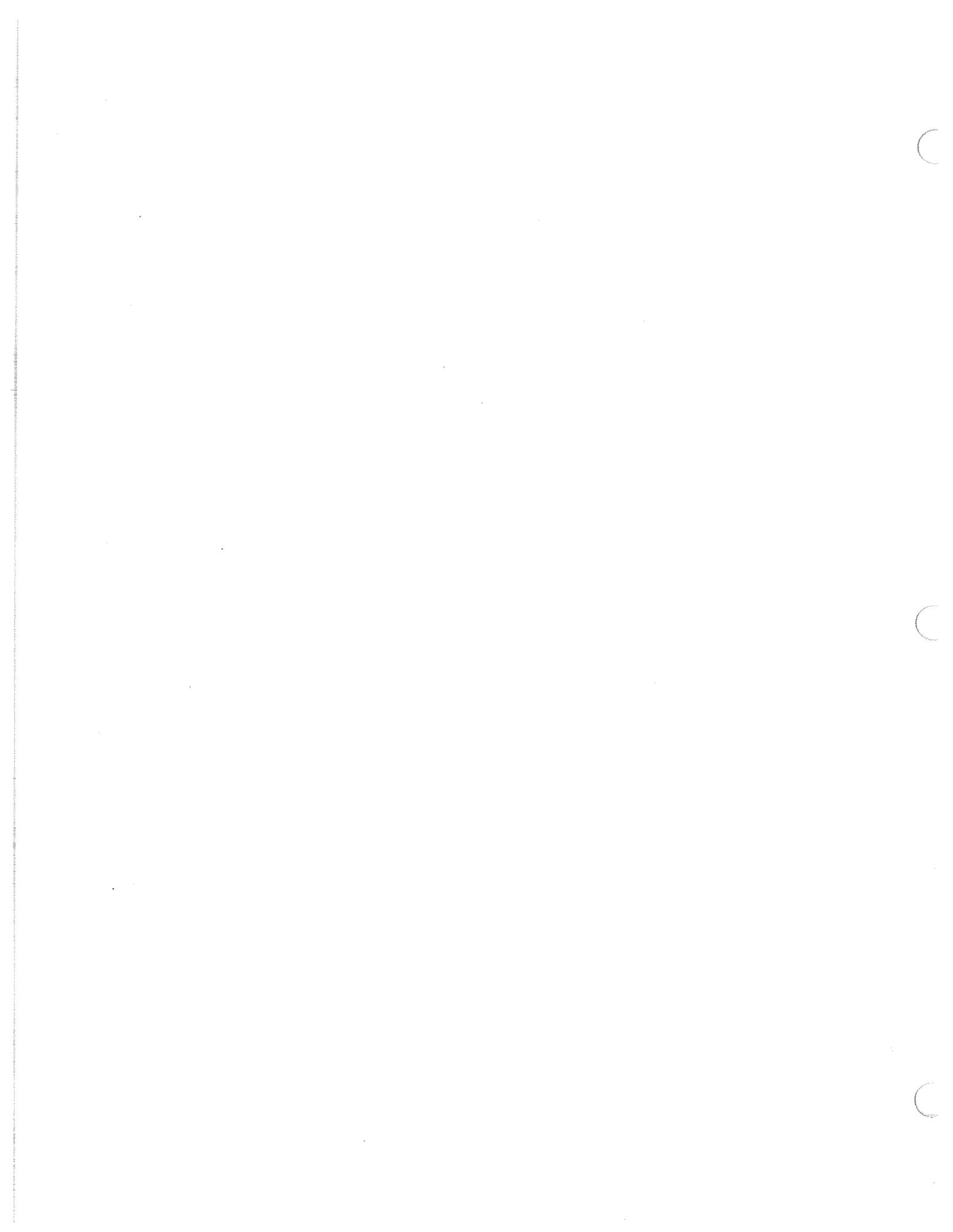
Background

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



EA



CITY OF CONCORD

REPORT TO THE MAYOR AND THE CITY COUNCIL

To: Honorable Mayor and City Council
From: Jacqueline Whatmough
Re: Authorization to expend the donation of \$400 from Mr. Arthur Aznive as provided for under the pre-authorization granted by City Council.

Date: 12/13/12

Recommendation

It is recommended that City Council approve the acceptance and expenditure of the above cited donation from Arthur Aznive and his brothers in memory of their mother, Charlotte Aznive with the value of \$400.

Background

1. Funds are requested to be expended under the authority established pursuant to resolution number 8120 adopted December 10, 2007.
2. The purpose of this gift, donation or grant as stated above are a condition of the grantor or benefactor 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.
3. No city match is required.
4. A copy of this communication has been sent to the benefactor for their information and with the thanks of the City Council and the citizens of the City of Concord.

Discussion

As requested, we direct Mr. Aznive's donation to support the requests from the boys on our list in memory of Charlotte Aznive and the five boys she so proudly raised. Concord Human Services greatly appreciates this generosity by Mr. Aznive and his family. This family has helped many boys over the years to have a joyous Christmas and we thank the Aznives for so kindly giving back to their community.

Cc: Arthur Aznive
 City Clerk
 Deputy City Manager and Finance Director
 City Controller



CITY OF CONCORD

REPORT TO THE MAYOR AND THE CITY COUNCIL

To: Honorable Mayor and City Council
From: Jacqueline Whatmough
Re: Authorization to expend the donation of \$100 from Roger and Linda Mulligan as provided for under the pre-authorization granted by City Council.

Date: 12/19/12

Recommendation

It is recommended that City Council approve the acceptance and expenditure of the above cited donation from Roger and Linda Mulligan for \$100.00.

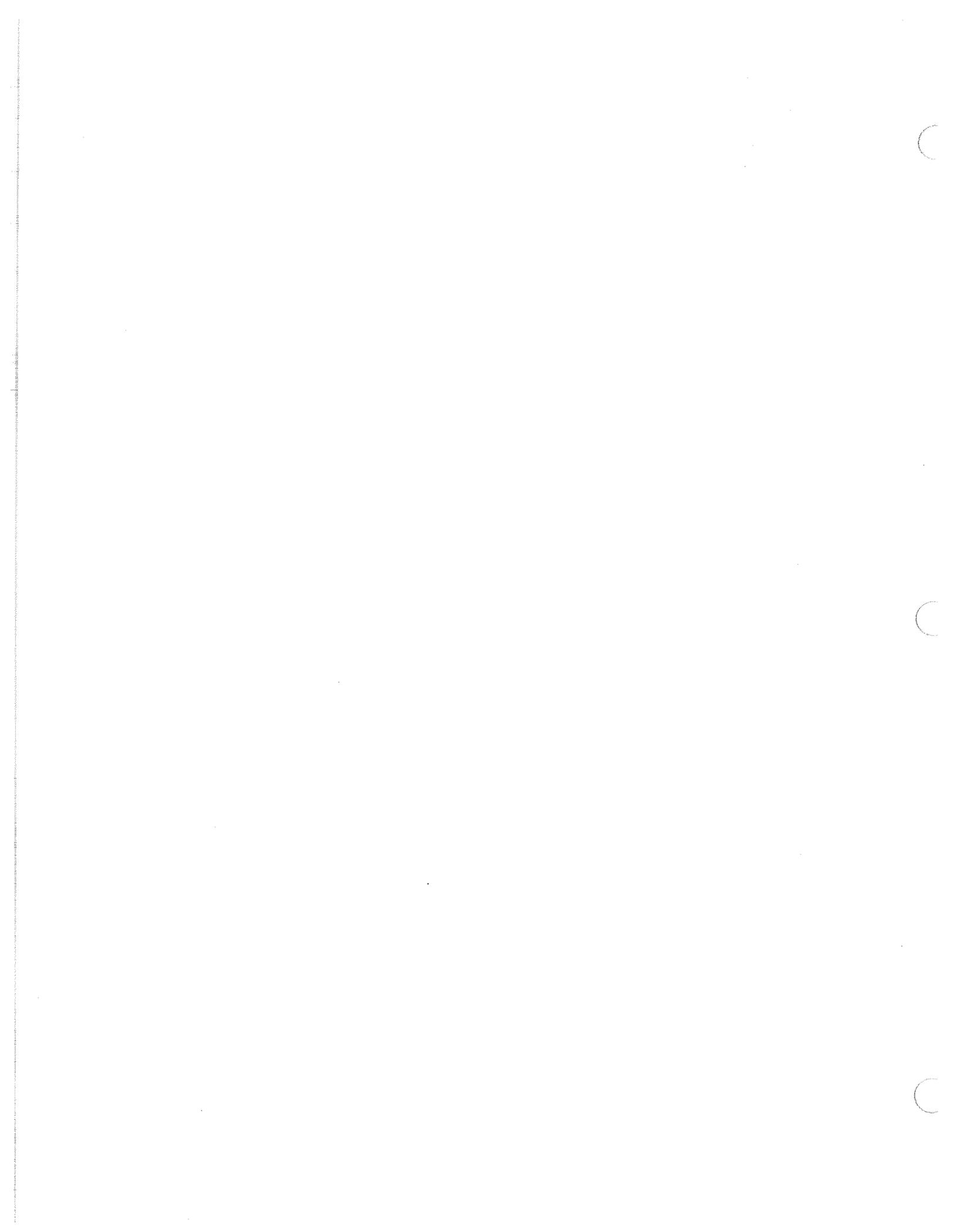
Background

1. Funds are requested to be expended under the authority established pursuant to resolution number 8120 adopted December 10, 2007.
2. The purpose of this gift, donation or grant as stated above are a condition of the grantor or benefactor 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.
3. No city match is required.
4. A copy of this communication has been sent to the benefactor for their information and with the thanks of the City Council and the citizens of the City of Concord.

Discussion

Concord Human Services received a donation from Roger and Linda Mulligan for \$100.00. We received this donation in December and were very happy to use it for some last minute emergency Christmas requests that we had not anticipated. Sadly it involved victims of domestic violence and their children but thanks to the Mulligans, we were able to bring some joy to these families on Christmas morning. The Mulligans have shown their support for the people that we serve for a few years now and it is greatly appreciated.

Cc: Roger and Linda Mulligan
 City Clerk
 Deputy City Manager and Finance Director
 City Controller





City of Concord, New Hampshire

1-26

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

JA

John F. Duval
Chief of Police

To: Honorable Mayor and City Council
From: Lieutenant Gregory S. Taylor
Re: Authorization to accept funds as provided for under the pre-authorization granted by City Council.
Date: December 27, 2012

Recommendation

It is recommended that City Council approve the acceptance of the below cited funds provided to the Concord Police Department by the Concord Regional Crimeline and The Finlay Foundation:

Funding Source	Amount	G/L Account
Concord Regional Crimeline – Designated to support the Citizen’s Police Academy program.	\$1,000.00	Project to be established
The Finlay Foundation – Designated to support the R.A.D. program.	\$1,000.00	Project to be established
TOTAL	\$2,000.00	

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 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 has received funding from the Concord Regional Crimeline and The Finlay Foundation to help support two programs that the Department is in the process of implementing. The details of each of these funding sources is provided below.

Concord Regional Crimeline – (\$1,000) – The Concord Regional Crimeline is providing the Concord Police Department with \$1,000 designated to assist with costs associated with administering the Citizen’s Police Academy. These funds will be utilized for presentation materials as well as to help defray costs associated with meetings and graduation ceremonies. The Citizen’s Police Academy has been on a hiatus for several years and is being reinstated this spring. The program provides an insight to the Department that few receive and consists of both classroom and hands-on activities for participants as they learn about the varied components of the Department.

“Community Committed”

The Finlay Foundation – (\$1,000) – The Finlay Foundation is a New Hampshire-based nonprofit devoted to improving the quality of life for Granite State residents by assisting children and families in need and promoting an array of forward-thinking cultural and educational initiatives. The Foundation has provided the Concord Police Department \$1,000 designated to be used in support of the Department's Rape Aggression Defense (R.A.D.) program. This program is a new initiative for the Department. The program is centered on providing a basic level of self defense skills to women, children, and men in order that they may effectively and safely deal with a physical aggressor. The funding provided by the Finlay Foundation will help off-set costs associated with purchasing a R.A.D. Aggressor Suit and other equipment necessary to run the program.

Neither of these funding sources require a City match, and both will assist the Department in promoting Community Policing and providing valuable services to members of the community.

Cc: City Manager
Deputy City Manager for Finance
City Clerk



CITY OF CONCORD

12A

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Jennifer Kretovic, Chair, Public Transportation Committee (TPAC-PT)
Transportation Policy Advisory Committee (TPAC)

DATE: December 24, 2012

SUBJECT: Report from the Transportation Policy Advisory Committee in response to a communication from Therese Houde regarding the Concord Area Transit (CAT) bus routes.

RECOMMENDATION

The Transportation Policy Advisory Committee (TPAC) and the Public Transportation Committee (PTC), recommends that City Council accept this report.

BACKGROUND

On September 10, 2012, the City Council received a communication from Therese Houde outlining her difficulty in using the services of Concord Area Transit, both Fixed Route and Senior Transit Services to the Horseshoe Pond Place area and other points of the city. A secondary letter from Mrs. Houde's sister, Alice Perkins, was presented to TPAC and TPAC-PT. Additionally, Councilor Grady Sexton received a communication from the Director of Senior Programs at Horseshoe Pond Place with a list of other residents' concerns.

DISCUSSION

The constituent concerns and TPAC/TPAC-PT's responses are as follows:

1. Mrs. Houde and Mrs. Perkins expressed concern about accessing the Heights bus route using the Crosstown route under the new route configurations. Specifically, riding to the hospital, exiting at Eagle Square to connect with the Heights bus, and traveling to Wal-Mart.

Response: Without doubt, the new route configurations have caused riders to rethink their travel routes. CAT reached out to Mrs. Houde and Mrs. Perkins to explain the ability to disembark at the State House and connecting with the Heights bus at the State House stop, thus eliminating the need to travel to the hospital and back to Eagle Square.

2. Mrs. Houde expressed concern over the inconvenience of using CAT's Senior Transit Services for field trips with the senior programs at Horseshoe Pond Place and accessing doctor's appointments.

Response: Through discussion with Mrs. Houde, the Director for Senior Programs at Horseshoe Pond Place coordinates the transportation for the seniors in cooperation with CAT. The Senior Services are well utilized and it is for this purpose a 24-hour lead time is needed when reserving trips. There are occasions when short lead times cannot be accommodated. Mrs. Houde shared that it is her preference to use the Fixed Route Service for most trips. CAT provided Mrs. Houde options for using the system to access her travel points.

3. Mrs. Houde and Mrs. Perkins expressed concern over the long waits at bus stops and their inability to stand for long periods of time waiting for pick up. In this request both lamented the loss of the Trolleys with their higher frequency service to Horseshoe Pond for bus pick-ups and drop offs.

Response: There are several challenges to meeting this need at Horseshoe Pond Place. The previous stop location was particularly challenging in the winter. Council will recall the stop was moved to a new location due to icy conditions and lack of covered amenities. For this purpose, the stop was moved to the senior housing entrance, now located on private property. Given time and resources, CAT could investigate partnerships with private property owners to place benches for riders. Unfortunately, time and resources are lacking. The Council is well aware funding constraints and lack of ridership contributed to the route configurations that exist today. Ridership continues to be low in this area of the city.

SUMMARY

Renewed efforts should be made by CAT's Mobility Manager, Terri Paige, and the Travel Trainer, Rosa Burt, to continue communication with Mrs. Houde, Mrs. Perkins and other effected residents and provide a ride-along representative to accompany the residents as a group on a bus ride, now that new schedules have been adjusted and are in full operation. It is in CAT's best interests to maintain as many patrons of its Fixed Route service as possible, and not to transition to Senior and Special Transit Service unless absolutely necessary. Further outreach regarding the limits of Senior and Special Transit Service and the advantages of Fixed Route service should be communicated. If ridership numbers can increase, it will become economically feasible for CAT to adjust route configurations to better accommodate Horseshoe Pond Place riders.

Additional communication with bus drivers regarding providing optimum route information to confused riders, along with other information about helpful services, is recommended. CAT, to the extent possible, should continue to investigate partnerships with private property owners for optimum stop locations and benches for riders.



CITY OF CONCORD

12A

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Robert J. Mack, PE, PTOE
Traffic Engineer

DATE: December 26, 2012

SUBJECT: Report from the Traffic Operations Committee regarding a referral from City Council concerning a communication from Amanda Mischke requesting consideration of traffic safety improvements at the intersection of North State Street and Washington Street.

Recommendation

Accept this report.

Background

On June 12, 2006, City Council approved to proceed with the final design of North State Street improvements including the reconstruction of the N. State Street/Washington Street intersection to improve vehicle and pedestrian safety. Construction of improvements was completed in 2009 under CIP 300, N. State Street Improvements, and included intersection realignment, corner bump-outs, crosswalk improvements and use of STOP sign control. On November 28, 2012, Amanda Mischke, resident of Branch Turnpike, submitted a request to City Council to consider installation of traffic signals or a roundabout at this intersection to reduce Washington Street traffic delays and enhance safety. The Traffic Operations Committee (TOC) considered this request at its December 18, 2012 meeting. This request was also discussed by the Transportation Policy Advisory Committee (TPAC) at its December 20, 2012 meeting.

Discussion

During the 2006 design efforts for the N. State Street Improvements project, two alternatives were evaluated for the N. State Street/Washington Street intersection: a reconfigured compact intersection with traffic calming features and signalization; and a roundabout configuration. The roundabout configuration was deemed infeasible due to right-of-way limitations. The intersection reconfiguration with traffic calming features was the preferred alternative, however the installation of traffic signals was omitted from the project following public support to retain the two-way STOP control and accept some peak-period traffic delays. It was felt that Washington Street was attracting substantial commuter traffic between I-393/N. State Street and the medical campuses to the west, and

that signalization might act to attract even more traffic to use this route through the neighborhood. Thus retaining the two-STOP control and accepting some peak-period delay on Washington Street became the approved traffic control design. Construction of the intersection reconfiguration and traffic calming features was completed in June 2009.

Regarding safety, the intersection experienced an average 4.0 reported crashes per year during the 2004 to 2007 period prior to intersection reconstruction. From July 2009 through November 2012 (post-construction), there has been an average of 2.6 reported crashes per year. The crash rate reduction indicates success, thus far, in the project's intended goal to improve intersection safety. Regarding speeds along Washington Street, TOC has received feedback from residents that the bump-outs on Washington Street at both N. State Street and Rollins Street have had a positive effect on reducing travel speeds along this street segment.

It is anticipated that the planned northern extension of Langley Parkway to N. State Street (CIP 40, FY2017-18) will act to remove a substantial volume of traffic that currently uses Washington Street as a commuting route between the hospital campus area and I-393. Such a traffic reduction will ultimately act to reduce peak-period delay for local Washington Street vehicles approaching and crossing at the N. State Street intersection.

The TOC concurs that the 2009 improvements to the intersection appear to be meeting the intended goals of the former project to improve vehicle and pedestrian safety. While the Washington Street eastbound approach to N. State Street still experiences some delay in waiting for gaps to cross N. State Street, this delay is generally limited to peak traffic periods. TOC feels these peak delays are as intended by the decision to retain two-way STOP sign control so as to not attract more traffic to use Washington Street as a commuting route through the neighborhood. Ultimately, the proposed northern extension of the Langley Parkway will act to reduce the volume of traffic using Washington Street with potential to lessen delays. Thus TOC endorses the current intersection configuration and stop sign control. Installation of traffic signals is not recommended at this time, and potential for a roundabout has been determined infeasible. TPAC also concurred with this finding at its December 20, 2012 meeting.

RJM/rjm

cc: Traffic Operations Committee
Transportation Policy Advisory Committee
Carlos Baia, Deputy City Manager - Development
Amanda Mischke

1-29
JA



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Earle M. Chesley, P.E., General Services Director
DATE: December 13, 2012
SUBJECT: NHDES FY 2014 Household Hazardous Waste Collection Grant

Recommendation

Accept this report and authorize the City Manager to apply and accept grant funds available from the New Hampshire Department of Environmental Services relative to the collection of Household Hazardous Waste scheduled for September 27, 2013 at the Everett Arena.

Background

The General Services Department requests City Council approval to authorize the City Manager to apply for and expend grant funds in the amount of \$7,422 from the NH Department of Environmental Services (NHDES), in order to offset part of the expenses that will be incurred by the City to perform its annual Household Hazardous Waste Collection Day. These funds are requested to be expended under the authority established pursuant to Resolution # 8120 adopted by City Council on December 10, 2007. The Fiscal Year 2014 Budget includes an appropriation of \$20,000.

Discussion

Upon City Council's approval of the report, the City Manager will execute the grant application and expend receipt of grant funds to help offset the cost of the annual collection program.

Cc Jeff Hoadley, Business Manager
Pat Winn, Solid Waste Manager

TA



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, PE, City Engineer

DATE: December 24, 2012

SUBJECT: Report from the City Engineer recommending the installation of a street light on South Commercial Street.

Recommendation

Accept this report from the City Engineer recommending that a street light be installed on the South Commercial Street ramp from Interstate Route 393 where there currently is not a light.

Background

The Engineering Services Division received a communication from a citizen concerned with limited lighting conditions along the ramp on South Commercial Street, particularly because of the location of the new Friendly Kitchen site.

Discussion

The Engineering Services Division received a call from a Concord resident expressing concern for the safety of the patrons arriving at the new Friendly Kitchen location on South Commercial Street who might be walking along the sidewalk from North Main Street, Interstate Route 393 and South Commercial Street. Upon inspection of the locations, it was determined that two street lights were not functioning properly. However, there are no street lights along South Commercial Street or on Constitution Avenue, making the approaches to the Friendly Kitchen very dark. In that, Engineering Services contacted Unitil regarding the installation of a light on the existing poles.

The cost to install a 250W Sodium Vapor Street Light is \$18.00 which appears on the first bill. The monthly charge for the lighting fixture will be based upon the existing street lighting tariff. Given the likelihood of increased pedestrian use of the sidewalk in this area, it is recommended that City Council accept this report from the City Engineer recommending that a street light be installed on South Commercial Street.

/elr/E

17A



CITY OF CONCORD

REPORT TO COUNCIL

FROM: Brian LeBrun, Deputy City Manager Finance *Brian LeBrun*
 Michael Jache, City Treasurer

DATE: December 27, 2012

SUBJECT: Improved customer service through the acceptance of credit/debit cards including the addition of VISA for City services

Recommendation

In order to continuously improve customer service and convenience, accept this report acknowledging the City's move in the direction of accepting credit/debit cards (Mastercard/Discover/VISA) for most City services.

Background

While the City has been accepting credit/debit card transactions for several years at the Golf Course, Recreation Department, Parking Kiosks and online for Water and Sewer payments, it was only in September 2012 that credit/debit cards were accepted in the Collections office for over the counter tax payments, motor vehicle registrations and water and sewer payments.

The chart below identifies with an "x" the City services that customers can currently pay with a credit/debit card, which card is accepted and any associated fee charged to customers. *Unless otherwise noted, it is anticipated that all services not marked with an "x" will begin to accept credit/debit cards as a payment option during calendar year 2013.*

City services accepting credit/debit cards					
Department	Service	Mastercard	Discover	Visa	Additional Credit Card Service Fee
	Greens Fees	x	x	x	None
Golf course	Pro shop	x	x	x	None
Recreation	Programs	x	x	x	None
Tax Collector	Taxes	x	x	Anticipated by 2-1-13	2.95% or \$1.50 min
Tax Collector	Motor Vehicle Registration	x	x	Anticipated by 2-1-13	2.95% or \$1.50 min
Tax Collector	Water Sewer Payments	x	x	Not currently anticipated	2.95% or \$1.50 min
City Clerk	Marriage Licenses				
City Clerk	Birth Certificates				
City Clerk	Dog Licenses				
City Clerk	Other Fees				
Codes Office	Building & other permits				
Codes Office	Other fees and licenses				
Police	Fees				
Fire	Fees				
Engineering	Driveway permits				
Engineering	Other Fees and Permits				
Planning	Application Fees				
Planning	Other Fees				
General Services	All Services				
Utility Billing	Water & Sewer Payments Over the Counter				
Utility Billing	Water & Sewer Payments Online	x	x	x	\$2.95 transaction fee
Parking	Kiosk Parking Meters	x	x	x	None
Parking	Parking Fines				

Discussion

It is important to note, as highlighted in the chart above, that beginning on or about February 1, 2013, the City will add VISA cards for over the counter transactions in the Collections office as noted.

Over the next several months, the City Treasurer will work with each department to accept credit/debit cards for the remaining fees/services/penalties associated with each department.

The City is also working to introduce in the coming months a new product that will allow for online motor vehicle registrations renewals using either credit cards or electronic check payment options. Applicable service fees will be properly noticed. This product is in response to the State elimination of the previous MAPP system.

These are exciting changes for our customers. The City continues to strive to provide exceptional customer service and options wherever possible.



City of Concord, New Hampshire

1-32

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Jennifer Johnston, Director of Human Resources and Labor Relations
DATE: November 30, 2012
SUBJECT: Re-classification of Two Public Properties Personnel from Senior Maintenance Aides to Maintenance Technicians.

Recommendation

Please accept this report as notice of a change in staffing that the General Services Department will be making to elevate the classification of two Senior Maintenance Aides to Maintenance Technicians.

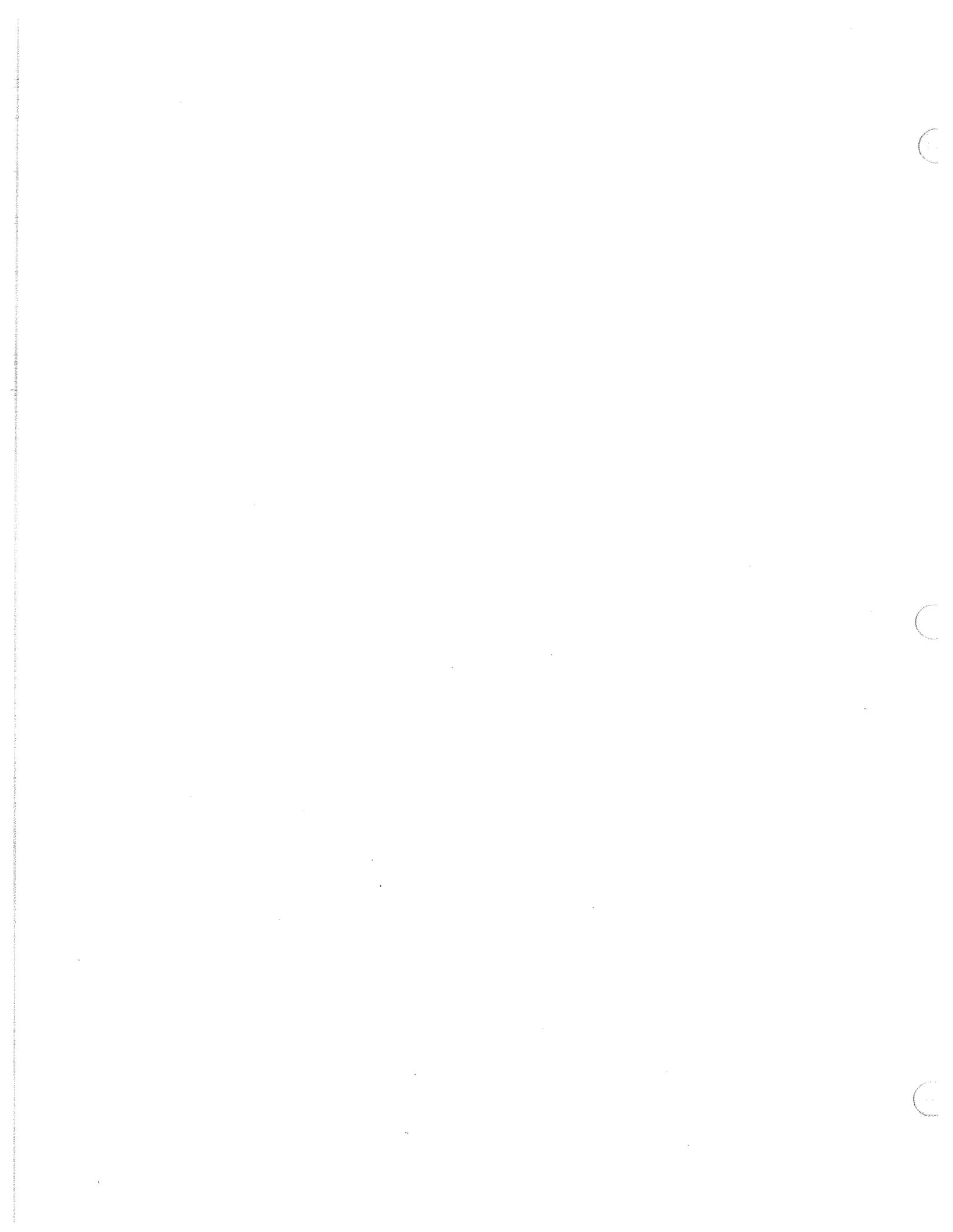
Background

The Public Properties Superintendent has completed a review of the duty descriptions and the work performed by the Public Properties Senior Maintenance Aides (Labor Grade 11). Over time, the complexity of the work the Senior Maintenance Aides perform has evolved to such a degree as to require the skill sets of a Maintenance Technician (Labor Grade 12). A sampling of the new duties that a Public Properties Senior Maintenance Aide are performing include: 1) inspecting, maintaining, and managing the controls of the heating, ventilation, and air conditioning (HVAC) systems for city buildings, 2) maintaining and repairing motors, pumps, chlorinators and other mechanical equipment, 3) operating heavy snow removal equipment, and 4) providing direction to staff and obtaining compliance from subordinates.

Discussion

Public Properties staff maintains a variety of city structures, including seven community pools. Many of these facilities have unique or evolving HVAC systems and other mechanical equipment. Since 2007, the city has used a web-based energy management system (EMS). The EMS system controls the temperature and amount of fresh outside air that is provided to city employees' work spaces. A Senior Maintenance Aide in City Hall monitors both the software and hardware that make up the HVAC systems in each of the five municipal complex buildings. A Senior Maintenance Aide is also responsible for the EMS system at the COMF and is a certified pool operator responsible for maintaining the pool structures, monitoring and repairing the water pumps and chlorinator, and maintaining water quality. The skill required to maintain or repair the ever-changing mechanical systems in city structures is that of a Maintenance Technician (Labor Grade 12). Funding for these positions for the remainder of Fiscal Year 2013 would come from the savings already realized by the division for position vacancies through November 1, 2012. However, additional funding will be required in the 2014 fiscal year budget to fund these positions.

CC: Thomas J. Aspell Jr., City Manager
Earle Chesley, General Services Director



CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FROM TIME TO TIME FOR GRANTS FROM THE NEW HAMPSHIRE HUMANITIES COUNCIL FOR PURPOSES CONSISTENT WITH THE MISSION OF THE CONCORD PUBLIC LIBRARY.

The City of Concord resolves as follows;

WHEREAS, the New Hampshire Humanities Council is a private non-profit organization that develops free public programs and awards grants to fund them;

WHEREAS, these programs are book discussions, performances and workshops...led by scholars in literature, history, languages, ethics, philosophy, comparative religion and culture, and the interpretation of the arts, consistent with the mission of the Concord Public Library;

WHEREAS, the Concord Public Library will provide funds for the "Program Host & Partner Cost Share" required with each grant application and any mileage reimbursements not covered by the grant;

WHEREAS, the Concord Public Library anticipates applying for grants from the New Hampshire Humanities Council for programming from time to time in the future;

WHEREAS, the grant funds received will be deposited into the library's GRTNHHC 2910LIB-NH Humanities Council Project; and

WHEREAS, each grant will be reported to the City Council via "Authorization to Accept Monetary Gifts as Provided for Under the Preauthorization Granted by City Council established pursuant to Resolution #8120, adopted December 10, 2007."

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

- 1) The City Manager shall be authorized to apply from time to time for grants from the New Hampshire Humanities Council for purposes consistent with the mission of the Concord Public Library; and
- 2) This resolution shall take effect upon its passage.



CITY OF CONCORD

TA C

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Patricia A. Immen, Library Director

DATE: December 26, 2012

SUBJECT: Ongoing Authorization to Apply for New Hampshire Humanities Council Grants

Recommendation

Adopt the attached resolution authorizing the City Manager to apply from time to time for grants from the New Hampshire Humanities Council (NHHC) for purposes consistent with the mission of the Concord Public Library (the "Applicant" on behalf of the City).

Background

The New Hampshire Humanities Council is a private non-profit organization that "awards grants and develops and sponsors free public programs such as book discussions, performances and workshops...led by scholars in literature, history, languages, ethics, philosophy, comparative religion and culture, and the interpretation of the arts" (www.nhhc.org). The "Humanities-to-Go" grants require a contribution from the applicant (the program organizer representing the program host organization), known as the "application fee." This contribution is currently \$50 per program with a limit of 3 programs per program host organization in one calendar year. In addition the applicant is required to pay for any mileage over \$50. Two weeks prior to the program the program host will receive a check from the NHHC to cover the presenter's honorarium and up to \$50 in mileage. The program organizer pays the presenter(s) directly at the completion of the program: an honorarium (currently \$200), total mileage, and any additional fee (up \$125) negotiated by a living history presenter.

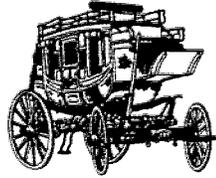
Discussion

The "Program Host & Partner Cost Share" that accompanies each application for a "Humanities to Go" grant will be paid with funds provided by the Concord Public Library in account 2910-16-77_43300, Professional & Technical Services (Project GRTLBMAT 2910-Library Materials & Gifts, Book Sale Revenue). When the New Hampshire Humanities Council check is received it will be deposited into account 2910-16-77_35080 (Project GRTNHHC 2910LB-NH Humanities Council). Each grant will be reported to the City Council via "Authorization to Accept Monetary Gifts as Provided for Under the Preauthorization Granted by City Council established pursuant to Resolution #8120, adopted December 10, 2007."

NEW HAMPSHIRE DISTRIBUTORS, INC. ¹⁻³⁴

65 REGIONAL DRIVE
P.O. BOX 267, CONCORD, N.H. 03302-0267
TELEPHONE 603-224-9991

THE CONCORD COACH



IT OPENED THE WEST

CONCORD, NEW HAMPSHIRE
ADMINISTRATION FAX 603-224-0415
SALES FAX 603-224-8306

1/2A

January 2, 2013

Mr. Janice Bonenfant, City Clerk
City Hall
41 Green Street
Concord, NH 03301

RE: Road Closure of White Street from Washington Street to Blanchard Street

Dear Janice:

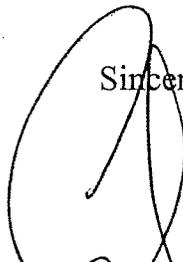
This letter is to inquire and formally request the road closure of White Street from Washington Street to just south of Blanchard Street from 12:00 noon, Thursday, January 24th, 2013 through 10:00 a.m., Monday, January 28th, 2013 for the 1883 Black Ice Pond Hockey Championship. Blanchard Street itself would remain open as well as all park roads and parking.

After extensive logistical meetings, the 1883 Black Ice Pond Hockey Association envisions the street closure would do two things. First, it would allow us to use the street as a drop-off and pick-up point for the shuttle bus that will be shuttling participating players from White Park to the hotels. Secondly, it would allow us to erect temporary facilities for player participants.

Hopefully this will allow you start the permitting process. Please let me know if you require additional information.

Thank you.

Sincerely,



Christopher A. Brown, President
New Hampshire Distributors, Inc.

and

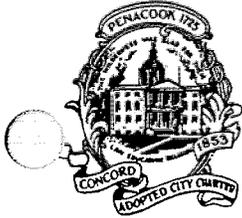
1883 Black Ice Pond Championship Association



"MAKING FRIENDS IS OUR BUSINESS"







1-35

City of Concord, New Hampshire

OFFICE OF THE MAYOR

CITY HALL • 41 GREEN STREET • 03301

128

JIM BOULEY
MAYOR

TO: Members of City Council

FROM: Mayor Bouley *JB*

DATE: November 29, 2012

RE: Community Development Advisory Committee (CDAC) Appointment

I propose the reappointment of Leo Fraser, 227 Pleasant Street, Concord to the Community Development Advisory Committee, continuing to serve for an additional three year term that will expire December 31, 2015.

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 January 14, 2013 City Council meeting.





1-36

City of Concord, New Hampshire

OFFICE OF THE MAYOR

CITY HALL • 41 GREEN STREET • 03301

17A

JIM BOULEY
MAYOR

TO: Members of City Council
FROM: Mayor Bouley
DATE: December 20, 2012
RE: Appointment to the Board of Ethics

I propose the appointment of the following individual to the Board of Ethics:

- Clyde R.W. Garrigan, 2 Beaver Meadow Street, Concord, New Hampshire. Mr. Garrigan's information is attached.

In accordance with Section 15 of the City Council Rules, this proposed appointment is being distributed to City Council as information in advance of formal action at the January 14, 2013 Council meeting.

Clyde R. W. Garrigan
2 Beaver Meadow Street
Concord, New Hampshire 03301
(603) 228-0106
clyde.garrigan@gmail.com

EDUCATION:

Case Western Reserve University, Cleveland, Ohio;
BA History, magna cum laude, 1975

Boston University School of Law, Boston, Massachusetts;
JD 1978

EMPLOYMENT:

**United States Department of Justice, United States Attorney's Office for
the District of New Hampshire**

October 1991 to February 2012:
Assistant United States Attorney (Criminal Division)

February 1990 to October 1991:
Special Assistant United States Attorney (investigation and prosecution of Hells
Angels for drug trafficking conspiracy)

New Hampshire Department of Justice, Office of the Attorney General

October 1991 to June 1993:
Special Assistant Attorney General (Chief, Drug Prosecution and Asset Forfeiture
Section)

July 1990 to October 1991:
Senior Assistant Attorney General (Chief, Drug Prosecution and Asset Forfeiture
Section of Criminal Justice Bureau)

September 1987 to July 1990:
Assistant Attorney General (Criminal Justice Bureau)

October 1986 to August 1988:
Director, Medicaid Fraud Control Unit (investigation and prosecution
of healthcare provider fraud and patient abuse)

Please note; I also served as an Assistant District Attorney in Suffolk County and Berkshire County, Massachusetts. I was briefly in private practice in Great Barrington, Massachusetts.

PROFESSIONAL MEMBERSHIPS:

Admitted to Practice Law:

New Hampshire
Massachusetts (inactive)
U. S. District Court (Massachusetts, New Hampshire)
U. S. Court of Appeals (First Circuit)
U. S. Supreme Court

New Hampshire Bar Association
International Outlaw Motorcycle Gang Investigators Association
Board of Directors, September 2000 – February 2012

PROFESSIONAL ACTIVITIES:

New Hampshire Bar Association Ethics Committee, September 1987
to present

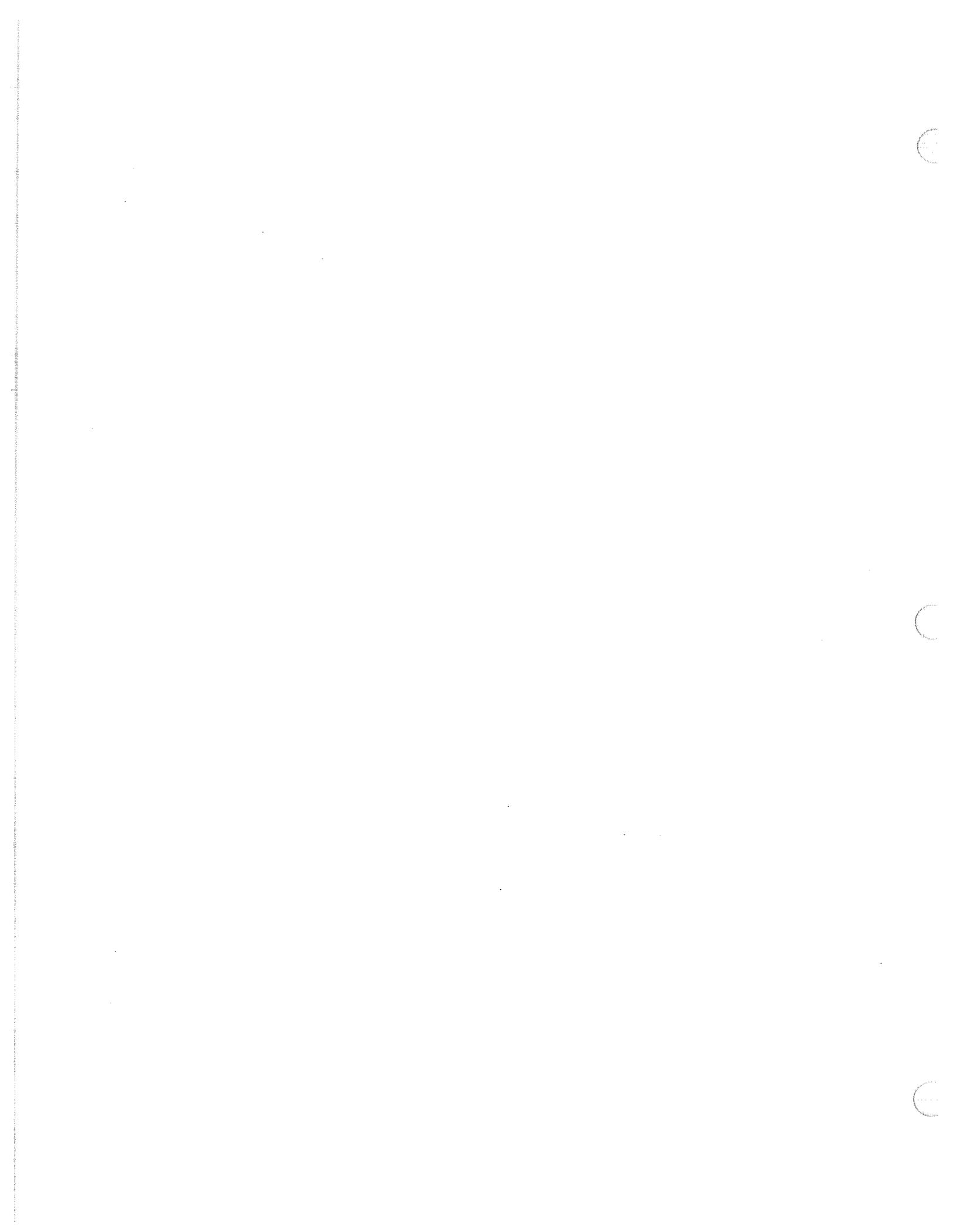
Professional Responsibility Officer for USAO, October 2007 to
February 2012

NH Governor's Commission on Domestic and Sexual Violence:
Domestic Violence Fatality Review Committee October 2006 –
February 2012

PERSONAL:

Born: June 1953, Brooklyn, New York
Married: Kay St. Thomas Garrigan
Children: Charles Patrick, born December, 1986
John Whiting, born December, 1988

Note: This is an abbreviated resume.



Ben M. H. C.
11-29-12

1-38(A) 12-9
1-40

CITY OF CONCORD

In the year of our Lord two thousand thirteen

RESOLUTION: APPROPRIATE THE SUM OF THIRTY-FIVE THOUSAND SEVEN HUNDRED THIRTY-NINE DOLLARS (\$35,739.00) FROM THE GRANT REPAYMENT ACCOUNT IN THE HOUSING REVOLVING LOAN FUND (2701) TO BE UTILIZED IN THE CDAC EMERGENCY GRANT ACCOUNT.

Page 1 of 2

The City of Concord resolves as follows:

- WHEREAS,** the City of Concord has received grant repayment funds from prior Community Development Block Grants (CDBG) that have not met the entire term of their agreement; and
- WHEREAS,** said repayments are retained by the City of Concord for eligible community development activities in furtherance of the City's Housing and Community Development Plan; and
- WHEREAS,** the City of Concord desires to retain the grant repayments in the same manner as its Revolving Loan Fund for the purposes of granting funds for the continuation of community development efforts; and
- WHEREAS,** the Community Development Advisory Committee (CDAC) assists community development activities through CDBG projects and the Revolving Loan Fund; and
- WHEREAS,** upon occasion community activities require small grants be awarded quickly to address an emergency; and
- WHEREAS,** the City established the CDAC Emergency Grant Fund to address emergencies in a timely manner; and
- WHEREAS,** this appropriation is for a purpose not included in the adopted budget, therefore Section 37 of the City Charter requires a two-third vote of the City Council.

CITY OF CONCORD

In the year of our Lord two thousand thirteen

RESOLUTION: APPROPRIATE THE SUM OF THIRTY-FIVE THOUSAND SEVEN HUNDRED THIRTY-NINE DOLLARS (\$35,739.00) FROM THE GRANT REPAYMENT ACCOUNT IN THE HOUSING REVOLVING LOAN FUND (2701) TO BE UTILIZED IN THE CDAC EMERGENCY GRANT ACCOUNT.

Page 2 of 2

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

1. The sum of\$35,739.00
be and is hereby appropriated as follows:

Housing Revolving Loan Fund Cons (2701)
CDAC Emergency Grant Account.....\$35,739.00
2. Revenue for this project is available as follows:

Housing Revolving Loan Fund Cons (2701)
Grant Repayment Account.....\$35,739.00
3. This appropriation shall take effect upon adoption by City Council.



CITY OF CONCORD

12A

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Assistant for Special Projects *MRW*
DATE: November 29, 2012
SUBJECT: Grant Repayment Account – Appropriation of \$35,739 in grant repayment funds to the CDAC Emergency Grant Account

Recommendation

Accept report and schedule a Public Hearing for January 14, 2013 to appropriate \$35,739 from the Grant Repayment Account Funds to the CDAC Emergency Grant Fund Account.

Background

For several decades, the City of Concord has had the good fortune of securing Community Development Block Grant ("CDBG") Funds to assist with the creation or renovation housing for low / moderate income households. As part of the CDBG program, liens are placed on properties which benefit from CDBG funds. The purpose of the lien is to ensure that benefiting properties are reserved for low / moderate income households for a set period of time (typically 5 – 20 years). If the property is sold or converted into "market rate housing" within the timeframe specified by the lien, a prorated portion of the grant is required to be repaid to the City by the property owner. Upon repayment, these funds are held in the Grant Repayment Account and, in turn, are re-granted by the Community Development Advisory Committee ("CDAC") for health and safety improvements to housing units occupied by low / moderate income households.

Because such funds are received outside of the City's normal budget process, they must be appropriated by the City Council. Like the City's Revolving Loan Program, the funds should be appropriated and deposited into the City's Emergency Grant Fund.

Discussion

The Community Development Advisory Committee recommends that the City Council appropriate \$35,739 from the Grant Repayment Account (2701-11-3-138_35097.100) to the CDAC Emergency Grant Fund (2701-11-3-138_48710.100).

During calendar 2012, the City used its Emergency Grant Fund to assist two low income homeowners in emergency situations. Specifically, funds were used to repair a broken sewer pipe beneath a mobile home, as well as to cleanup spilt sewage. Funds were also used to complete interior repair and renovation of a condominium unit as part of a larger renovation project undertaken by the condominium association. In this case, the condo association had hired a contractor to replace skylights; however, unit owners were responsible for all interior repairs associated therewith. The City became involved to ensure renovations were completed so as the space could be habitable. In both situations, the City entered contracts with the required vendors and oversaw completion of the work.

Appropriation of these funds will provide resources to help address similar needs in the future.

KG
12-3-12

1-38(B) 12-10

1-41

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO APPROPRIATE TWENTY-THREE THOUSAND NINE HUNDRED FOUR DOLLARS AND TWO CENTS (\$23,904.02) FROM TRUST FUND RESERVES AS A SUPPLEMENTAL APPROPRIATION TO THE CITY'S GENERAL FUND FOR THE PURPOSE OF EDUCATION AND TRAINING AND FUNDING FOR THIS APPROPRIATION SHALL BE ENTIRELY FROM TRUST FUND RESERVE ACCOUNTS IDENTIFIED HEREIN.

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, the City of Concord and the City Manager did not fully expend trust fund reserves identified for City Manager controlled education and training activities; and

WHEREAS, the City is in need of various education and training programs for various individuals/departments; and

WHEREAS, the City intends to support additional education and training activities; and

WHEREAS, use of these funds is drawn entirely from trust reserve accounts and does not directly impact the total amount to be raised in taxes; 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 majority vote of the City Council.

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

1. The sum of\$23,904.02
be and is hereby appropriated as follows:

Transfer to General Fund:

City Manager controlled education and training\$23,904.02

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO APPROPRIATE TWENTY-THREE THOUSAND NINE HUNDRED FOUR DOLLARS AND TWO CENTS (\$23,904.02) FROM TRUST FUND RESERVES AS A SUPPLEMENTAL APPROPRIATION TO THE CITY'S GENERAL FUND FOR THE PURPOSE OF EDUCATION AND TRAINING AND FUNDING FOR THIS APPROPRIATION SHALL BE ENTIRELY FROM TRUST FUND RESERVE ACCOUNTS IDENTIFIED HEREIN.

Page 2 of 2

2. Funding for this transfer is as follows:

City of Concord Transfer from Trust Reserves:
Education and Training\$23,904.02

3. This resolution shall take effect upon its passage.

Don A. Yelton
11-26-12

1/28



CITY OF CONCORD

REPORT TO COUNCIL

FROM: Brian G. LeBrun, Deputy City Manager-Finance

DATE: November 23, 2012

SUBJECT: Use of Education and Training Reserves

Recommendation

Accept this report and approve the attached resolution authorizing the expenditure of up to \$23,904.02 for City Manager controlled education and training purposes.

Background

Over the past several years, a portion of the City's annual surplus utilization was an amount for City Manager controlled education and training purposes. These funds were set aside in a reserve account for future use. The amount identified here is the unused portion of these reserves.

Discussion

The City Manager and City Council have agreed that ongoing education and training is an important way to continuously develop additional skills, abilities and knowledge for employees to enhance their performance in their current positions and/or future advancement positions. Understanding that education and training funds have been reduced during the difficult economic times of the past several years, an alternative funding mechanism was to allocate a portion of year-end surplus for this purpose. The \$23,904.02 identified here and in the attached resolution represents the current unspent portion of the previous fiscal years allocations. The City Manager has identified several different opportunities for employees to enhance their skills and abilities through the use of these available funds and requests City Council approval of this resolution.

cc: City Manager
Asst. Finance Director

1-38(C) ^{K6} 12-3-12
1-42 12-11

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO ESTABLISH A NEW TRUST FUND RESERVE TO OFFSET FUTURE HEALTH INSURANCE COSTS AND INCREASES FOR RETIREES AND FUNDING FOR THIS RESERVE SHALL BE ENTIRELY FROM FY2012 ASSIGNED FUND BALANCE AS PRESENTED UNDER A SEPARATE RESOLUTION.

The City of Concord resolves as follows:

- WHEREAS,** in Fiscal Year 2012 the City received more than \$364,000 from the Federal Government's Early Retiree Reinsurance Program; and
- WHEREAS,** these funds are required to be used to offset health insurance costs and increases for City of Concord retirees; and
- WHEREAS,** only \$75,000 of this revenue was anticipated and utilized during Fiscal Year 2012 leaving \$289,000 to be used for future years; and
- WHEREAS,** the City of Concord anticipated using \$159,000 in the Fiscal Year 2013 General Fund operating budget and the remaining \$130,000 in the Fiscal Year 2014 General Fund operating budget; and
- WHEREAS,** creation of this reserve is necessary to facilitate this multi-year use approach; and
- WHEREAS,** the funding for this reserve is included in the \$894,000 resolution transferring funds from the City's Fiscal Year 2012 assigned fund balance.

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

1. This resolution shall take effect upon its passage.



TSA

CITY OF CONCORD

REPORT TO COUNCIL

FROM: Fiscal Policy Advisory Committee

DATE: November 15, 2012

SUBJECT: Surplus Report

Recommendation

Accept this report identifying \$894,000 as FY2012 Assigned Fund Balance for the purposes listed below, establish a trust fund reserve for Early Retiree Reinsurance Program and approve the associated resolutions for transfers to trust funds and supplemental appropriations for FY2013.

Background

Through favorable conditions and diligent budget management by Department Heads and Managers, the City has recognized approximately \$938,000 in excess revenues over expenses for the Fiscal Year ending June 30, 2012. The exact amount to return to fund balance will be reported upon completion of the annual independent audit.

Discussion

The Fiscal Year 2012 General Fund actual revenues received were short of the revised budget by \$490,800. The major variances to budget are:

<u>Department Revenue Excess/ (Shortage)</u>	<u>Amount</u>
City Manager – Transfer in from Capital Reserve Trust	(\$23,900)
Assessing – Payment in Lieu of Taxes	68,500
HR – Miscellaneous (Early Retiree Reinsurance Program)	291,700
Finance – Property Taxes	378,300
Motor Vehicle Registrations	(75,800)
Interest Costs and Penalties	87,700
Highway Block Grant	(30,700)
Share of Debt Service	43,200
Reimbursements – NHRS subsidy for Retiree Health Ins	(76,600)
Sale of Surplus Property	49,000
Miscellaneous	26,200
Transfer in – Golf Fund	(67,100)
City Clerk – Dog Licenses	33,800

Police –Special Police Duty Services	171,400
Miscellaneous State of New Hampshire	22,300
Cruiser Rental Fee	20,100
Fire – Miscellaneous State of New Hampshire	28,900
Ambulance Service Charges	56,800
GSD – Miscellaneous	23,100
CD – Mechanical Permits	26,300
Parks and Rec – Building Lease Rental or Use	20,900
Use of Assigned Fund Balance	(1,528,000)
All other charges	<u>(36,900)</u>
Total Revenue Excess/ (Shortage)	(\$490,800)

Conversely, while some General Fund actual line item expenses exceeded projections, overall, actual expenses were under budget projections by \$1,556,100. The major areas of (over)/under-expenditures are:

Compensation	\$468,000
Benefits	336,300
Outside Services	271,500
Supplies	138,400
Utilities	(50,800)
Insurance	47,900
Capital Outlay	16,700
Debt Service	162,300
Miscellaneous	(55,400)
Allocated Costs	(12,200)
Transfers Out	<u>233,400</u>
Total Under/ (Over) Expended	\$1,556,100

Note:

- 1) Net of Use of Designated Fund Balance, actual revenues exceeded budget projections by \$1,037,000.

The basis for the attached resolutions are to support needed initiatives that were either not funded in the FY13 operating budget, issues that arose after the FY13 budget was presented/adopted or looking ahead to resolve future issues early. Further, the resolution establishing a reserve for Early Retiree Reinsurance Program will utilize this revenue stream for 2013 and 2014 fiscal years. The items requested in the resolution(s) are:

Economic Development Reserve	\$150,000
Paving Trust Fund Reserve	300,000
Early Retiree Reinsurance Program Reserve	289,000
General Services Equipment Reserve	75,000
City Council Agenda Software	50,000
Equipment Reserve	<u>30,000</u>
To Classify as FY2012 Assigned Fund Balance	\$894,000
Return to Unassigned Fund Balance (approximate)	<u>44,000</u>
FY2012 Excess Revenues over Expenses	\$938,000

In addition to the General Fund, the summary year-end performances by other major funds are:

	Revised Budget Excluding <u>Encumbrance C/O</u>	<u>Actual</u>	<u>Variance</u>
Parking Fund	(\$224,089)	(\$64,161)	\$159,928
Airport Fund	(47,749)	(16,705)	31,044
Golf Course Fund	7,148	(53,724)	(60,872)
Arena Fund	(26,013)	(15,680)	10,333
Solid Waste Fund	(104,861)	(164,151)	(59,290)
Water Fund	(166,358)	(89,235)	76,835
Wastewater Fund	190,226	174,480	(15,746)

cc: City Manager
Asst. Finance Director

1-38(0) KG
1-43 12-3-12
12-12

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO APPROPRIATE UP TO THE SUM OF EIGHT HUNDRED NINETY-FOUR THOUSAND DOLLARS (\$894,000) FROM ASSIGNED FUND BALANCE AS A TRANSFER TO TRUST FUND RESERVES AS LISTED HEREIN. FUNDING FOR THIS APPROPRIATION SHALL BE ENTIRELY FROM FY2012 ASSIGNED FUND BALANCE.

Page 1 of 2

The City of Concord resolves as follows:

- WHEREAS,** the City of Concord recognized Fiscal Year 2012 unspent funds in excess of Eight Hundred Ninety-four Thousand Dollars (\$894,000); and
- WHEREAS,** the City classified \$894,000 as assigned fund balance for the City Council to take action upon and commit for the purposes listed below; and
- WHEREAS,** the City is working proactively to manage available resources for current and future needs; and
- WHEREAS,** there is no direct impact on the FY2013 amount of funds to be raised in taxes; and
- WHEREAS,** transferring these funds up to the amount listed in this resolution shall have a positive impact when utilized on the overall fiscal health of the City, improving the condition of infrastructure, equipment and economic vitality of the City; and
- WHEREAS,** this appropriation is for a purpose not included in the adopted budget, therefore Section 37 of the City Charter requires two thirds majority vote of the City Council.

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

1. The sum of up to\$894,000
be and is hereby appropriated as follows:

Transfer to Trust Fund Reserves for:
Economic Development Reserve\$150,000

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO APPROPRIATE UP TO THE SUM OF EIGHT HUNDRED NINETY-FOUR THOUSAND DOLLARS (\$894,000) FROM ASSIGNED FUND BALANCE AS A TRANSFER TO TRUST FUND RESERVES AS LISTED HEREIN. FUNDING FOR THIS APPROPRIATION SHALL BE ENTIRELY FROM FY2012 ASSIGNED FUND BALANCE.

Page 2 of 2

Highway/Paving	\$300,000
Early Retiree Reinsurance Program (ERIP)	\$289,000
Vehicles and Equipment-General Services	\$ 75,000
Equipment	<u>\$ 80,000</u>
 Total	 \$894,000

2. Funding for this transfer is as follows:
Assigned Fund Balance.....\$894,000
3. This resolution shall take effect upon its passage.

1-38(E)

KG
12-3-12

1-44

12-13

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO APPROPRIATE SEVENTY THOUSAND DOLLARS (\$70,000) FROM TRUST FUND RESERVES AS A SUPPLEMENTAL APPROPRIATION TO THE CITY'S GENERAL CAPITAL IMPROVEMENT FUND FOR THE PURPOSE OF EQUIPMENT REPLACEMENT AND FUNDING FOR THIS APPROPRIATION SHALL BE ENTIRELY FROM TRUST FUND RESERVE ACCOUNTS IDENTIFIED HEREIN.

The City of Concord resolves as follows:

WHEREAS, the City of Concord recognized Fiscal Year 2012 unspent funds and transferred a portion of those funds to reserve trust accounts for City Council agenda software; and

WHEREAS, the City is in need of various equipment replacement; and

WHEREAS, use of these funds is drawn entirely from trust reserve accounts and does not directly impact the total amount to be raised in taxes; 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 majority vote of the City Council.

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

1. The sum of\$70,000
be and is hereby appropriated as follows:

Transfer to General CIP:

Software Purchase	\$50,000
Equipment Purchases	<u>\$20,000</u>
Total	\$70,000

2. Funding for this transfer is as follows:

Trust Reserves:

Equipment Replacement	\$70,000
-----------------------------	----------

3. This resolution shall take effect upon its passage.

1-38(F)
1-45

KG
12-3-12
12-14

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION TO APPROPRIATE TEN THOUSAND DOLLARS (\$10,000) FROM TRUST FUND RESERVES AS A SUPPLEMENTAL APPROPRIATION TO THE CITY'S GENERAL FUND FOR THE PURPOSE OF EQUIPMENT REPLACEMENT AND FUNDING FOR THIS APPROPRIATION SHALL BE ENTIRELY FROM TRUST FUND RESERVE ACCOUNTS IDENTIFIED HEREIN.

The City of Concord resolves as follows:

WHEREAS, the City of Concord recognized Fiscal Year 2012 unspent funds and transferred a portion of those funds to reserve trust accounts for City Council equipment purchases; and

WHEREAS, the City is in need of various equipment replacements namely voting booths for City elections; and

WHEREAS, use of these funds is drawn entirely from trust reserve accounts and does not directly impact the total amount to be raised in taxes; 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 majority vote of the City Council.

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

1. The sum of.....\$10,000
be and is hereby appropriated as follows:

Transfer to:
Election equipment purchases.....\$10,000

2. Funding for this transfer is as follows:

City of Concord Transfer from Trust Reserves:
Equipment.....\$10,000

3. This resolution shall take effect upon its passage.

1-38(G)
1-46

KG
12-3-1
12-15

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH EQUITY TRUST CONCERNING THE SALE OF CITY OWNED PROPERTY OFF OF HOPKINTON ROAD.

The City of Concord resolves as follows:

- WHEREAS,** the City acquired the Triacca Property for land conservation purposes with funds from the Conservation Trust Fund on September 25, 2012, and at that time a conservation easement was also conveyed to the Five Rivers Conservation Trust with an executory interest to the City; and
- WHEREAS,** the Triacca Property is an agricultural parcel located adjacent to Dimond Hill Farm, the fields are managed by Dimond Hill Farm and the land was historically part of the Farm; and
- WHEREAS,** Five Rivers Conservation Trust also holds a conservation easement on Dimond Hill Farm and the City holds an executory interest in the conservation easement; and
- WHEREAS,** Equity Trust owns Dimond Hill Farm and desires to acquire the Triacca Property from the City for the purpose of merging it with Dimond Hill Farm; and
- WHEREAS,** Five Rivers Conservation Trust has raised the funds necessary for Equity Trust to purchase the land from the City; and
- WHEREAS,** the City, Five Rivers Conservation Trust and Equity Trust agree upon the benefits to the long-term viability the agricultural property of merging the Triacca Property with Dimond Hill Farm so the land can be owned and managed together with the Farm; and
- WHEREAS,** the Conservation Commission discussed the sale of the Triacca Property and merger of this land with Dimond Hill Farm and supports the proposed sale of this conservation property because the land is permanently protected from future development by the conservation easement and because the conservation values of Dimond Hill Farm and the Triacca Property will be enhanced by the ownership and management of the land as one contiguous parcel; and

CITY OF CONCORD

In the year of our Lord two thousand and thirteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A PURCHASE AND SALE AGREEMENT WITH EQUITY TRUST CONCERNING THE SALE OF CITY OWNED PROPERTY OFF OF HOPKINTON ROAD.

WHEREAS, the City has the ability to divest of real estate in accordance with RSA 80 and City Code of Ordinances Title I, General Code, Chapter II, Finance, Article 2-1 Real Estate;

NOW THEREFORE BE IT RESOLVED,

1. The City Administration is hereby authorized to enter into a Purchase and Sale Agreement with Equity Trust concerning the sale of City owned property off of Hopkinton Road known as the Triacca Property.
2. This resolution shall take effect upon its passage.



CITY OF CONCORD

TAJ

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Concord Conservation Commission

DATE: November 27, 2012

SUBJECT: Resolution authorizing the City Manager to enter into a Purchase and Sale Agreement with Equity Trust concerning the sale of City owned property off of Hopkinton Road

Recommendation

Accept this report and set the attached resolution authorizing the City Manager to enter into a purchase and sales agreement with Equity Trust regarding the sale of property off of Hopkinton Road, for public hearing on January 14, 2013.

Background

The Conservation Commission partnered with the Five Rivers Conservation Trust to purchase a conservation easement on the Triacca property off of Hopkinton Road. The land includes 23.92 acres of agricultural land and the purchase was leveraged with a federal Natural Resource Conservation Service (NRCS) Farm and Ranchland Protection (FRPP) grant. At the time the easement was conveyed, the City also acquired the fee simple interest in the property and an executory interest in the conservation easement. The transactions closed in September 2012.

The conservation easement was valued at \$222,000 and the fee simple interest in the land after the easement was conveyed was valued at \$41,000. The City agreed to pay Jim and Carolyn Triacca the appraised value for the land and easement and contributed \$152,000 towards the purchase of both the conservation easement and land. The FRPP grant contributed \$111,000 towards the purchase of the conservation easement.

Discussion

The Triacca property is located immediately adjacent to Dimond Hill Farm, which has also been protected from further development by a conservation easement held by the Five Rivers Conservation Trust. Jane Presby, the manager of Dimond Hill Farm, currently utilizes the fields on the Triacca property as part of her farming operation. Historically, the Triacca fields were part of Dimond Hill Farm.

Dimond Hill Farm is owned by Equity Trust with a life estate to Jane Presby. Equity Trust is a nonprofit organization based out of Massachusetts which promotes the preservation of agricultural land and also

helps to provide alternative ownership structures for farms in order to keep them in active agricultural production.

Equity Trust has agreed to purchase the fee simple interest in the Triacca property and to merge the land with Dimond Hill Farm. This will enable the protected land to be owned and managed as one contiguous agricultural property. The property would be returned to the tax rolls, although the land is enrolled in current use and the property tax payments are generally low. The City would also be able to recoup some of their initial investment in the protection of the property and the revenue from the sale would be returned to the Conservation Trust Fund to be used for future land protection projects.

Because Equity Trust did not have the capital to purchase the Triacca property, Five Rivers Conservation Trust initiated a fund raising campaign to raise the money needed to support the purchase of the land from the City. Five Rivers has reached their fund raising goal and Equity Trust is ready to enter into a Purchase and Sale Agreement with the City. The land would be sold for the appraised value of \$41,000.

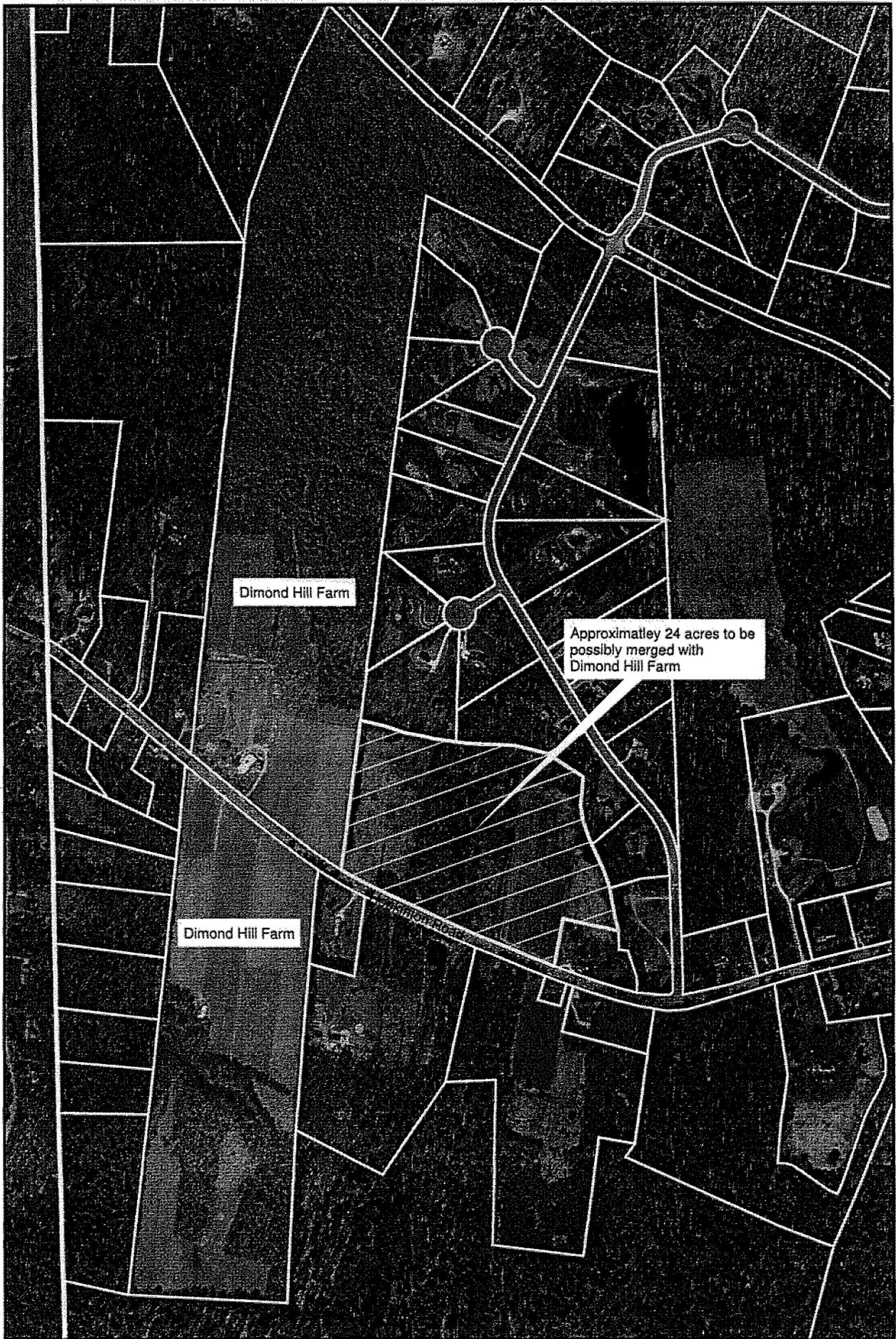
The Conservation Commission discussed the transaction and unanimously agreed to support the sale of the land to Equity Trust. The land will remain in conservation even though the City will no longer own the property because the land is permanently protected from future development by the conservation easement. The Commission also agreed that the conservation values of both properties and the viability of Dimond Hill Farm will be enhanced by the ownership and management of the land as one contiguous parcel.

Recommendation

The recommendation is for the City to enter into a Purchase and Sale Agreement with Equity Trust. Under the terms of the agreement, the sale would be conditioned upon the parcel being merged with Dimond Hill Farm immediately following the sale of the property.

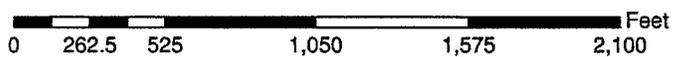
By approving this agreement, the sale will allow the property to return to the tax rolls and the City would recover some of their initial investment in the protection of the property. The land will remain as conservation land protected from future development with a conservation easement held by the Five Rivers Conservation Trust and an executory interest held by the City.

In the event the City Council does not approve this agreement, the City will continue to own and manage the property and the agricultural fields would likely be leased to Dimond Hill Farm.



Triacca property / Dimond Hill Farm
Hopkinton Road
Concord, New Hampshire

 Existing Open Space





1-38(H) 12-16
1-47
TAA



CITY OF CONCORD

REPORT TO MAYOR AND CITY COUNCIL

FROM: Kathryn H. Temchack, Director of Real Estate Assessments

DATE: November 27, 2012

SUBJECT: Payment in Lieu of Taxes Agreement between the City of Concord and Briar Hydro Associates for Penacook Upper Falls

Recommendation

Request that the Mayor and Council accept this report and schedule for public hearing the authorization of the City Manager to sign the attached payment in lieu of taxes ("PILOT") agreement between the City of Concord and Briar Hydro Associates for the Penacook Upper Falls.

Background

Briar Hydro Associates owns and operates the Penacook Upper Falls hydroelectric project, a 3.02 Megawatt hydroelectric generating facility along the Contoocook River. Penacook Lower Falls is located in Boscawen and Concord. 66.42% of the project is in Concord and 33.58% of the project is in Boscawen. The legislature in 2006 enacted HB 1758 and in 2007 amended RSA 72:74 by enacting SB 99 permitting municipalities to enter into PILOT agreements with renewable generation facilities. Briar Hydro and the City of Concord had entered into a 5 year agreement that expired this year.

Briar Hydro Associates and the City of Concord want to have a reasonable level of assurance of an expected payment and expected income for budgeting purposes. The parties believe that a PILOT agreement will best achieve this assurance. The PILOT agreement is for 1 (one) year beginning December 21, 2011 and ending on December 31, 2012. The PILOT payment is determined by multiplying the PILOT rate of 4.5% times the gross revenues for the contract year by 66.42%; the

amount of the project in Concord. Gross Revenue means the total revenue of the Project in the Contract Year which derives from the sale of electricity under Briar Hydro's Power Sales Arrangement and cash receipts from its sale of REC Revenues.

The minimum annual PILOT to the City will be no less than \$30,000 which is a reduction from the previous minimum payment. The reduction is reasonable since the long term contract from 1994 between PSNH and Briar Hydro has expired and the sale of electricity is now based upon the prevailing market prices rather than an agreed upon higher than market price.

The one year agreement will coincide with the expiration of the PILOT agreements for the Penacook Lower Falls and the Rolfe Canal Falls and if new agreements are considered they could all be set up on the same contract year and expiration dates.

The attached PILOT agreement between the City of Concord and Briar Hydro Associates has been reviewed and agreed upon by the parties and requires City Council approval to execute and make final. By statute, the City Council's acceptance of the proposed PILOT agreement must be made following a public hearing.

Discussion

None.

PAYMENT IN LIEU OF TAX AGREEMENT
BETWEEN
THE CITY OF CONCORD
AND BRIAR HYDRO ASSOCIATES

In accordance with RSA 72:74, the City of Concord, New Hampshire (the "City"), and Briar Hydro Associates, a New Hampshire limited partnership with offices at 2 Commercial Street, Boscawen, New Hampshire, ("BHA"), enter into a Payment in Lieu of Tax ("PILOT") Agreement on this __ day of December, 2012 ("Agreement"). The City and BHA, individually, are each referred to as a "Party" and are collectively referred to as the "Parties." This Agreement constitutes the Third PILOT Agreement between the parties.

WHEREAS, BHA owns and operates the Penacook Upper Falls hydroelectric project, a 3.02 Megawatt hydroelectric generating facility along the Contoocook River (the "Project"), 66.42% of which is within the City; and

WHEREAS, the City and BHA had been party to an Agreement for Payments in Lieu of Taxes for the Project dated June 6, 1985 (the "Initial PILOT Agreement") under which BHA made payments to the City in lieu of property taxes ("Initial PILOT Payments"); and

WHEREAS, the Initial PILOT Agreement and Initial PILOT Payments terminated on December 20, 2006; and

WHEREAS, the City and BHA had been party to an Second Payment in Lieu of Tax Agreement dated December 2007 (Second PILOT Agreement") under which BHA made payments to the City in lieu of property taxes ("Second PILOT Payments"); and

WHEREAS, the Second PILOT Agreement and Second PILOT Payments terminated on December 20, 2011; and

WHEREAS, under the terms of this Agreement, the City and BHA enter into a Third PILOT Agreement;

NOW THEREFORE, in accordance with RSA 72:74, the Parties hereby acknowledged, agree as follows:

I. DEFINITIONS

a. "Agreement" shall mean this Agreement also referred to as the Third PILOT Agreement.

b. "The Contract Year" shall mean the period beginning on December 21, 2011 and ending on December 31, 2012.

c. "Gross Revenue" shall mean the total revenue of the Project in the Contract Year from the sale of electricity pursuant to the Power Sales Arrangement and cash receipts from the sale of REC Revenues.

d. "Payment in Lieu of Tax" ("PILOT") shall mean all payments made by BHA to the City under this Agreement in lieu of any and all taxes that would otherwise be assessed by the City against BHA.

e. "PILOT Rate" shall mean the percentage rate, as set forth in Section IV, by which the PILOT is calculated using the formula more specifically described at Section II below.

f. "Power Sales Arrangement" shall mean any agreement or agreements pursuant to which electricity produced by the Project is sold including the sale of REC Revenues.

g. "Project" shall mean BHA's Penacook Upper Falls hydroelectric project, 66.42% of which is located in the City, and shall mean any and all real and personal property owned by BHA and used in the production of electric power at the power facility and said Project, including the land, all rights, easements and other interests thereto, including transmission lines

from such facility, and all dams, buildings, structures and other improvements situated thereon which are necessary or incidental to the production of power at the Project.

II. PAYMENT FORMULA

The PILOT as set forth in this Agreement shall be calculated by multiplying the PILOT Rate times the Gross Revenue for such year times 66.42%.

III. TERM

The term of this Agreement shall be for one year commencing on December 21, 2011 and ending on December 31, 2012. Notwithstanding the end of the term after one year, the final PILOT shall be due and payable on or before March 31, 2013 based on the Gross Revenue from December 21, 2011 through December 31, 2012.

IV. PILOT RATE SCHEDULE

The PILOT Rate for the Contract Year during the term of this Agreement shall be four and one half percent (4.5%).

V. CERTIFICATION AND PAYMENT

On or before March 31, 2013, BHA shall present to the City a statement containing the information hereinafter set forth together with payment of the amount of the PILOT due for such year:

1. Gross Revenue of Contract Year from all Power Sales Arrangements and the sale of REC Revenues.
2. The amount of the PILOT due for the Contract Year.

3. Copies of all invoices issued and paid for all sales shall accompany the statement for each Contract Year pursuant to all Power Sales Arrangements and the sale of REC Revenues.

If any portion of the PILOT is not remitted by March 31, 2013, interest shall accrue on the PILOT due at the rate of 12% per annum beginning on April 1st to the date of payment if before the date of lien; if the unpaid PILOT goes to lien, the interest rate will increase to the statutory 18% in addition to any statutory fees incurred under RSA Chapter 80 if the City is required to exercise any rights or remedies to collect the payment, as if it was a tax, provided by law under RSA Chapter 80.

VI. AUDIT

Upon giving reasonable advance notice to BHA, the City shall be entitled to inspect BHA's accounts and records relating to the Project during normal business hours to verify the accuracy of the amount of the PILOT for the Contract Year under this Agreement, or to cause such accounts and records to be examined by independent certified accountants mutually agreed upon by the parties. The cost of any such audit shall be borne (i) by BHA if the PILOT calculated by the accountants exceeds that determined by BHA, or (ii) 100% by the City if such audit shows that the PILOT as determined by BHA was correct or overstated. The Parties hereby agree that, if such accountants mutually-agreed-upon determine that a different amount of PILOT was due, BHA shall within sixty (60) days of receipt of the audit report pay the additional amount due or the City shall refund the excess amount collected, as the case may be. Interest shall accrue on any such additional amount due from BHA as a PILOT at the rate of 4% over prime per annum, beginning on April 1st (the day following the date upon which the PILOT became due and payable) to the date of payment of the additional amount. (The prime rate to be used shall be the prime rate on April 1st, the date upon which the PILOT became due and payable.)

VII. MINIMUM ANNUAL PILOT

Notwithstanding its actual Gross Revenue and the formula set forth in Section II, BHA shall make an annual PILOT to the City in the amount of \$30,000 as a minimum payment due to the City, on or before March 31, 2013, in the manner described above in Section V. The Minimum Annual PILOT recognizes that the City must develop an annual budget based on reasonably-certain anticipated revenue and that, but for this Agreement, all real estate owned by BHA would pay ad valorem taxes on an annual basis regardless of BHA's actual Gross Revenue. If the formula set forth in Section II arrives at a PILOT greater than the Minimum Annual PILOT, only the amount calculated under Section II is due and payable for the applicable Contract Year. To the extent that cash receipts from the Contract Year are received after March 31, 2013 and the additional receipts result in a PILOT payment calculation greater than the \$30,000 minimum payment, BHA shall make the excess payment to the City within thirty (30) days of collecting such revenue. If the formula set forth in Section II arrives at a PILOT less than or equal to the Minimum Annual PILOT, the minimum payment due shown in this paragraph shall be due instead.

VIII. CHANGES IN USE OF BHA PROPERTY

In the event that the Project currently owned by BHA is no longer used to generate and sell electricity, this Agreement shall no longer apply to the Project as of the date of the change in use.

In the event that any portion of the real estate currently owned by BHA at the Project site is used or occupied, leased, transferred, or sold to a third party that is not engaged in generating and selling electricity at the Project, this Agreement shall no longer apply to that portion of the real estate where a change in use has occurred.

In both cases, said real estate no longer used to generate and sell electricity shall be subject to ad valorem taxation as of the date of the change in use of the Project and taxes shall

become due to the City for the remainder of the tax year on a proportional basis, based on the number of months then remaining in the tax year.

IX. MISCELLANEOUS

a. This Agreement and the performance thereof shall be governed by, and construed in accordance with, the laws of the State of New Hampshire.

b. All notices, requests, demands, and other communications hereunder shall be in writing and shall be deemed to have been duly given when delivered in hand to such party or mailed by certified mail, postage prepaid, return receipt requested, addressed:

If to BHA:

Briar Hydro Associates
2 Commercial Street
Boscawen, NH 03303
Attn: Andrew Locke

With a copy to

Essex Hydro Associates, L.L.C.
55 Union Street, 4th Floor
Boston, MA 02108
Attn: Andrew Locke

If to the City:

City of Concord
Thomas J. Aspell, Jr.
City Manager
41 Green Street
Concord, NH 03301

With a copy to:

Kathryn H. Temchack
Director of Real Estate Assessments
41 Green Street
Concord, NH 03301

c. The Section headings herein are for reference and convenience only and shall not affect the interpretation hereof.

d. This Agreement may be executed in any number of counterparts, each of which when so executed shall be an original, but all of the counterparts together shall constitute one and the same instrument.

e. If any terms of this Agreement or the application thereof to any person or circumstances shall, to any extent, be invalid, or unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

f. The City represents and warrants that it has all the requisite statutory power and authority to enter into this Agreement.

g. The signatories hereto represent and warrant that they have all requisite power and authority to bind the respective Parties to the terms of this Agreement.

h. This Agreement shall be freely assignable.

i. This Agreement may be extended at the mutual consent of the parties, as permitted by New Hampshire State Law. However, neither party shall be obligated to renew or extend this Agreement upon its termination.

j. In any action brought to enforce the terms of this Agreement, the substantially prevailing party shall be entitled to recover all reasonable costs and expenses, including attorneys' fees, from the non-prevailing party.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be executed as of the day and year first written above.

BRIAR HYDRO ASSOCIATES

By: Essex Hydro Associates, L.L.C.
A General Partner

Andrew Locke
Vice President

CITY OF CONCORD

By: Thomas J. Aspell, Jr.
City Manager as Authorized
By the Concord City Council

Thomas J. Aspell, Jr.
City Manager

1-38 (I)

1-48



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

1/10

FROM: Edward L. Roberge, PE, City Engineer

DATE: December 31, 2012

SUBJECT: Report from the City Engineer on the status of the US Route 3 Corridor Improvement Project – Phase 5.

Recommendation

Accept this report.

Background

At the December 10, 2012 City Council meeting, staff presented alternatives for the design and construction of improvements along Village Street from the Boscawen town line to Stark Street (US Route 3 Corridor Improvement Project - Phase 5). City Council accepted the staff report and set a public hearing for January 14, 2013 to hear public comment on the final design for the project. City Council requested that staff prepare a supplemental report outlining the public comment heard at the December 8, 2012 public meeting and also requested that staff schedule a follow-up public review meeting to address any remaining comments prior to the January 2013 public hearing.

Discussion

As the City Council is aware, staff has hosted a number of public meetings to review project alternatives and solicit public comment. There have been 5 public meetings dating back to October 2011. In each, the well-attended meetings focused on roadway alignment, utilities, intersection alternatives, and streetscape improvements.

At the December 8, 2012 public meeting, comment continued to include concerns with traffic speeds, pedestrian safety, lighting, on-street parking, cut-thru neighborhood traffic, and opportunities for sidewalk improvements and landscaped areas. Of the three intersection alternatives reviewed (stop-sign controlled, traffic signals, and roundabouts), staff received public comment both in support and in concern with each. Through discussion, the general consensus of the group remained focused on reducing traffic speeds through the downtown village, improving pedestrian safety, and maintaining nearly all of the existing on-street parking in the village.

Public Comment

Specific meeting discussions and public comments are summarized below.

General project discussions/comments:

- Staff provided brief summary of previous meetings including October 2012 meeting.
- At previous meetings, residents had noted project goals to reduce traffic speeds, make the corridor safer for pedestrians, provide better accommodations for bikes, maintain as much parking as possible in Penacook Village, and improve economic vitality of the Downtown. All agreed these are still top goals.
- Several residents inquired about the Tannery Redevelopment – although the City is soliciting proposals, no details were available to report. Staff expects that Matt Walsh to provide an update at a future PVA meeting.

Project schedule:

- Engineering staff will present project details and design alternatives to City Council on December 10th.
- Given importance of the project, a January Public Hearing is likely.
- Construction is part of the 2013 work program. Staff expects to advertise the project in February 2013.
- Construction should be substantially completed during the 2013 season (April – December)

Village/Lilac/Meter intersection:

- Existing geometry is substandard and dangerous. The proposed design aligns the intersection perpendicularly with Village Street in lieu of the existing sweeping turn.
- Multiple stops signs on side street approaches (at Meter and Lilac, then again at Village Street)
- Existing grading and utility pole location are issues. Staff coordinated grading on adjacent property with owner.
- Public unanimously supportive of intersection realignment and recognize safety improvement.
- Truck deliveries to furniture store need to be accommodated.
- Public noted that trucks also access businesses along Meter Street through Village Street so intersection needs to accommodate movements.
- Public noted that queued vehicles waiting to turn left from Village Street will impede northbound traffic. Staff noted that lane width will be 16' (11' lane with 5' shoulder) and bypass capability is possible – similar to existing condition.

Access to Abutting Residences and Businesses:

- Public expressed concern with access to driveways and businesses. Staff indicated that as with other project phases, access will be maintained to best extent possible. Steel plates and special signage will be available and deployed as needed.
- Road or driveway closures will be coordinated with property owners in advance of work.

- Trenches or open cuts will never be left open overnight. Access will be maintained overnight.

Traffic Control / Detours:

- As in previous phases, Village Street will likely be limited to alternating one-lane travel during construction.
- Public requested that traffic detouring via Community Drive should be limited. If needed, perhaps temporary stop signs could be installed to reduce traffic speeds.
- Public noted that temporary traffic control changes could be implemented throughout the Penacook Village to make it less attractive for motorists to cut-thru to avoid the work areas.
- A Stark Street resident requested the City consider making Stark Street two-way during construction. This would help local residents avoid the construction areas. This should apply for both Phase 5 and Phase 6.
- Public inquired if work schedules could consider avoiding construction during school peak hours (drop-off and pick-up times).
- Public requested that City consider providing Police presence during school peaks.

Night Construction:

- Local businesses noted that night construction would be better for businesses. Staff noted that construction costs premiums could be as much as 20% of cost and noise impacts to residential areas would be expected.
- City has specified and completed night construction when warranted in certain areas (South Main/Water/Manchester paving, Loudon Road water main replacement, etc.)
- Staff suggested residents and business owners consider a 2nd shift evening schedule (say 4PM to 12PM) to accommodate both residents and businesses.

Village Street Bridge over Contoocook River:

- Reconstructed in 1986, owned/maintained by City. Evaluation requires pavement removal, deck membrane replacement, and replacement of expansion joints.
- Public inquired if costs for bridge improvements would be part of overall project funds. Staff acknowledged that bridge improvements were not part of the original project cost estimate given that a detailed assessment was not completed until design was underway. Costs for improvements will be part of project funds.

Comments from Businesses/Owners:

- Owner of King's Barber Shop reported that recent water main cleaning and lining project (summer 2012) cut barber shop business significantly – reporting that 1 week along cut business by 90%. Stressed the importance of night construction is the business village.
- A number of small businesses opened up recently and all are concerned with significant impacts and the ability to survive the construction project.
- Some commented that perhaps we construct less in order to keep businesses open.

- Public inquired if staff could consider a schedule window in the summer that doesn't impact businesses.
- Public noted that construction impacts from Stark to Washington (residential) are different than impacts from Washington to Town Line (commercial) and suggested planned day and night construction.
- Public noted it is important to focus on supporting business during construction.
- A number of comments from residents and business owners stressed the need for better winter maintenance. Some indicated that sidewalks do not get plowed until days and sometimes weeks after storm events.

Streetscape Amenities:

- Some members of the public expressed concern that added green spaces would need to be maintained by "adopt-a-spot" volunteers and abutting landowners. Others encouraged the "greening" of Penacook Village.
- Public commented that the streetscape features discussed and reviewed at the project planning charette should be carried through design and construction including enhanced sidewalks, street lighting, planters, and banners. The public also prefers the installation of a new large "Christmas" tree in the village square.
- The public requested the City include water for planting irrigation and electrical outlets in the village square for lighting and special events.
- One resident complimented staff and its approach to developing a complete street not only in the Penacook Village area but throughout the entire Route 3 corridor.
- Staff acknowledged the efforts by City Council to continue to support funding of the project and that "place making" was an important aspect of the Penacook Village streetscape design – balancing a complete street with enhanced livability.

Traffic Calming Options:

- The public supports the addition of bump outs along Village Street.
- Some members of the public acknowledge that a roundabout option at Washington Street offers considerable traffic calming measures that meets projects goals.
- The public does not support the use of stop signs along Village Street as a traffic calming measure.

Intersection Signal / Stop Option:

- Staff reviewed two traffic signal alternatives – one with turn lanes and one without. The public noted that if signals are selected, single lane signal approaches are preferred over multiple lanes – saves parking.
- Staff noted that traffic signals not currently warranted at Washington Street or Canal Street, but project would be designed for future signals (conduit, geometry, etc.). Members of the public would prefer if signals are selected, to install sooner than later.
- Signals will likely be warranted at Canal Street before Washington Street. Again, public prefers installation of signals sooner than later.
- Because the Canal intersection is within TIF district, the public inquired if the costs for future signals could be borne by developers if not built with this project. Staff indicated that could be likely.

- Some members of the public asked if traffic signals could be initially installed in flash mode. Staff noted that City does not install signals on flash – safety concern with people ignoring them – not permitted under State/Federal guidance.
- Staff reminded the public that traffic signal installations need to be permitted by NHDOT so warrant measures are carefully reviewed.
- The public positively received the realignment of Merrimack Street and Summer Street and its two-way traffic connection to Village Street.
- The public noted that access to Sam's and the adjacent public parking is important but reconfiguration is fine. An area for snow storage is important.

Roundabout Option:

- Staff outlined that a roundabout is not feasible at the Village/Canal intersection due to required property takings – stop or signal options were considered.
- Staff outlined that a roundabout is possible at the Village/Washington intersection, slows traffic, safer for pedestrians, and can act as a gateway treatment to the village.
- The public inquired if the roundabout would accommodate large trucks – staff replied in the affirmative.
- Based on the Synchro traffic modeling, public comment noted that traffic moves best through it. Staff added that a roundabout accommodates future traffic growth and offers the most livable option.
- The public inquired if parking spaces could be added to the Sam's/public parking area given that the roundabout appears to impact parking count in the area. Staff noted that spaces could be added to reduce the overall parking impact with that alternative.

Parking:

- Staff reported there are a total of 93 existing parking spaces in Village area.
- Staff outlined that both design alternatives look to add angled parking adjacent to Chief's Restaurant and to remove the 2 spaces in front of Citizen's Bank and the 1 space in front of the auto service center – both areas are within the intersection.
- Staff reported that parking options on side of Penacook Pharmacy is under review with the property owner.
- Business owners and the public noted that consumers prefer parking in front of businesses.
- The public inquired if the City would consider adding a parking lot on the vacant Langlais property. Staff indicated that the site is private but that discussions with the property owner had occurred. Staff asked if the City did in fact construct a parking lot on that site would the public be willing to pay for parking through metering. The general response was no.
- The public asked staff to consider adding additional parking in Boudreau Square by reducing green space shown on the design alternatives.
- The public asked staff to consider adding a couple more spaces at Sam's in roundabout option by extending lot to the north.
- The public noted that handicapped accessible spaces should be provided in front of businesses; others park further away and walk.

- When asked by the public of how much parking is affected by the project, staff offered the following:
 - Do nothing = 12 space reduction due to required setbacks for compliance.
 - Traffic Calming = 12 space reduction.
 - Signal Option = 12 space reduction.
 - Roundabout Option = 14 space reduction.
 - Tannery redevelopment concept adds 40+ spaces.

Public Preference by Show of Hands:

As the meeting was concluding, staff requested the public by a show of hands indicate their project design preference.

- Do nothing = 0 votes
- Traffic Calming = 0 votes
- Signal Option = 17 votes
- Roundabout Option = 31 votes

Further Public Review

To summarize the December 2012 meeting, staff noted the interests and concerns addressed by the public and concluded the following:

- General consensus to support the typical roadway section including travel lanes, bike lanes, on-street parking and reconstruction of sidewalks – a complete street strategy;
- General consensus to support the design alternative to realign at the intersection of Village Street, Meter Street, and Lilac Street recognizing its safety benefits; and,
- Given the various public comments on the intersection design alternatives, staff agreed to further develop the two intersection design alternatives for final consideration, including a single lane traffic signal alternative, and a roundabout intersection alternative. With respect to the traffic signal alternative, the design will be presented as a single lane alternative with the capability to expand to multi-lane in the future if needed. The roundabout alternative includes a roundabout at the Washington Street intersection while Canal Street will be controlled by either stop-signs or a traffic signal.
- Staff noted that a final public review meeting would likely be requested by City Council and should be scheduled in early January 2013. At that time, staff will present refined alternative plans addressing previous public comment and suggestions.

A public meeting has been scheduled for Saturday, January 5, 2013 from 9:00 to 11:00 AM at the Cafeteria of Merrimack Valley High School in Penacook to review final design alternatives and address previous public comments. The results of that meeting will be reported to City Council at the January 14th public hearing where a final recommendation will be sought.

elr/E



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, PE, City Engineer

DATE: November 28, 2012

SUBJECT: Report from the City Engineer on the status of the US Route 3 Corridor Improvement Project – Phase 5.

Recommendation

Accept this report.

Background

At the June 25, 2007 Budget Approval Meeting, the City Council adopted the FY2008-FY2013 Capital Improvement Program (CIP) including the phased, multi-year capital project to improve the US Route 3 (North) Corridor (North State Street/Fisherville Road/Village Street) from Penacook Street to the Boscawen Town Line. Construction on the corridor project began in 2008 and work through Phase 4 (Borough Road to Penacook Street) is expected to be substantially complete by years' end. The FY2013 work program includes the design and construction of improvements along Village Street from the Boscawen town line to Stark Street (Phase 5).

Discussion

The FY2013 work program includes the design and construction of improvements in the Phase 5 work area. Council will recall that funding for this phase of the project was appropriated upon adoption of the FY2013 Budget (Resolution No. 8583). The Phase 5 project area includes reconstruction of Village Street from the Boscawen town line to Stark Street – about 3,300 linear feet in length. Design of the Phase 5 improvements was primarily completed by Engineering Services Division staff and given the special nature of the downtown village in Penacook and the structural assessment requirements of the Village Street Bridge over the Contocook River, streetscape/landscape design and bridge structural assessment services were requested from our consultant design team of CMA Engineers, Inc.

Given that this phase of the corridor project includes Penacook Village, it was important to staff to host a number of public meetings to review project alternatives and solicit public comment. Public meetings dating back to October 8, 2011 and January 14, 2012 focused primarily on roadway alignment, utilities, and streetscape improvements. Well over 40

12-41
1-38(I)

1-48 TPA

residents, City Councilors, and staff attended both meetings. As a result of public comment from those meetings, City staff coordinated two comprehensive design charrettes held in Penacook Village in March and April 2012. The March 10, 2012 design charette focused on the US Route 3 Corridor Improvement Project with specific focus on streets and intersections, parking, pedestrian and bike access, and parks and open spaces. The April 19, 2012 design charette featured discussions focused on the Penacook Village itself including re-use of the Tannery site, re-use of the Rivco site, re-use of the Merrimack Valley School District (MVSD) properties at Washington Street and Summer Street, as well as connections to parks and open spaces. Both design review meetings included well over 50 residents, City Councilors, and staff participating and a significant amount of public comment was generated. In all, the Penacook residents appreciated the opportunity to review plans and options for the neighborhood and were encouraged and supportive of the improvement projects to come.

Following the spring public meetings, staff informed the residents that design would begin in mid-year and staff would be back to review preliminary and final design elements for the Village Street improvements. On October 13, 2012, staff once again met with residents of Penacook Village to review design elements of the project. Staff presented plans of the Phase 5 work limits at the well-attended meeting and outlined several key aspects to this phase of the project. First, presenting from south to north, the overall project maintains the same typical street cross-section as constructed in previous phases (11' travel lanes with 5' bike lanes) with full roadway reconstruction including the removal of the concrete road base. New curbing will be introduced throughout the project area where there is currently none and all existing sidewalks will be reconstructed. On-street parking will generally be maintained throughout the project area except immediate adjacent to intersection areas and crosswalks where compliance setbacks apply.

With respect to design alternatives, the intersection of Village Street, Lilac Street, and Meter Street is an excessively wide open area of pavement which is proposed to be realigned to eliminate the straight, high-speed, southbound approach from Village Street to Lilac Street through the intersection. Essentially the intersection of Meter Street will be perpendicularly aligned with Village Street while Lilac Street is perpendicularly aligned with Meter Street. This eliminates the straight through movement which will slow turning traffic and greatly enhance intersection safety. This design proposal alternative was unanimously endorsed at the public meeting.

Further north, the typical roadway section from Meter Street to Washington Street maintains two travel lanes with bike lanes and on-street parking along the west side of Village Street. This section also features full roadway reconstruction including the removal of the concrete road base, resetting of existing curbing, and reconstruction of the sidewalk along the west side. The narrow curb panel and retaining wall along the east side remains unchanged. This road section was also unanimously endorsed at the public meeting.

Through the core of the downtown village (generally Washington Street to the Contoocook River Bridge), two travel lanes with bike lanes, sidewalks, and on-street parking have been substantially maintained. Any remaining concrete road base will be removed and reconstructed.

Within the downtown village section itself, Engineering staff outlined three alternatives for the intersections at Washington Street and Canal Street including stop-sign controlled intersections, traffic signal controlled intersections, and roundabouts. The presentation included review of conceptual plans as well as Synchro digital traffic modeling. Staff also considered the "do nothing" alternative and noted that even this alternative would require minor changes to be compliant with intersection, crosswalk, and parking setbacks.

Stop-Sign Controlled Intersection Alternatives

This alternative assumes similar stop-sign controlled operations at the Washington Street and Canal Street intersections. Village Street remains under free movement while the side streets require stopping. Traffic modeling in the base year (2013) and future year (2033) indicate significant delay on the Washington and Canal side streets during the peak traffic periods likely resulting in increased neighborhood cut-thru traffic. While this alternative has little to no impact on on-street parking, it has no effect on reducing traffic speeds or improving pedestrian safety, two of the greatest concerns expressed by residents.

A similar stop-sign controlled alternative introducing traffic calming features such as narrow travel lanes and sidewalk/crosswalk bumpouts was presented. This option has a potential for reducing traffic speeds, improving pedestrian safety, implementing streetscape enhancements, and improving neighborhood livability. While this alternative results in a nominal reduction of on-street parking, there are no changes to side street delay during the peak periods.

Traffic Signal Controlled Intersection Alternatives

Engineering staff presented Synchro digital traffic model runs of two traffic signal controlled alternatives. The major difference between the two traffic signal alternatives was that one included multiple lanes for turning and straight-thru traffic while the other featured single lane approaches. While both alternatives improve performance and level of service compared to the stop-sign controlled alternatives, final lane configurations can have considerable impact. The traffic signal alternative with multiple approach lanes has considerable impact on on-street parking but provides a higher level of service for base year and future year traffic. The alternative with single lane approaches has little impact to on-street parking but performs at a lower level of service, with left-turning vehicles increasing delays and extending traffic queues. As with all traffic signals, queuing near the signals introduces delay and can complicate on-street parking movements. It is expected that both traffic signal alternatives greatly reduce side street delay. While the signals would introduce a stop condition along Village Street, the two signals may act to increase running speeds between the intersections if both green times align.

Roundabout Intersection Alternatives

Staff presented Synchro digital traffic model runs of an alternative that featured roundabout intersections at both Washington Street and Canal Street. This alternative improves performance and levels of service in the base year and future year. Roundabouts provide strong traffic calming elements such as reduced speeds and improved pedestrian safety, and act to create gateway opportunities. In this case, staff noted the benefits of

enhanced streetscapes, landscaped areas and better visibility. A roundabout at the Canal Street intersection, however, was considered not feasible given the limited right-of-way width and proximity to adjacent buildings. A Washington Street roundabout fits in available right-of-way but has some on-street parking impacts in the vicinity of the intersection.

Public Comment

Once the prepared presentation concluded, public comment included concerns with traffic speeds, pedestrian safety, lighting, on-street parking, cut-thru neighborhood traffic, and opportunities for sidewalk improvements and landscaped areas. Of the three alternatives reviewed (stop-sign controlled, traffic signals, and roundabouts), staff received public comment both in support and in concern with each. Through discussion, the general consensus of the group remained focused on reducing traffic speeds through the downtown village, improving pedestrian safety, and maintaining nearly all of the existing on-street parking in the village. Of those that would support traffic signal options, all expressed concern with the traffic signal alternative with multiple lanes that would impact on-street parking. Of those that seem to support roundabouts, all concurred that a roundabout at Canal Street was not feasible given the significance of the right-of-way impacts required to build it. Those that would consider a roundabout at Washington Street expressed concern with the parking impacts immediately nearest the intersection. There were none that indicated support to do nothing.

Staff noted that some of the favored features of each of the alternatives could be mixed and matched as a solution such as including traffic calming features in both stop controlled and signal controlled intersections which limit on-street parking impacts or a roundabout at Washington Street and signals or future signals at Canal Street.

Further Public Review

To summarize the October 2012 meeting, staff noted the interests and concerns addressed by the public and concluded the following:

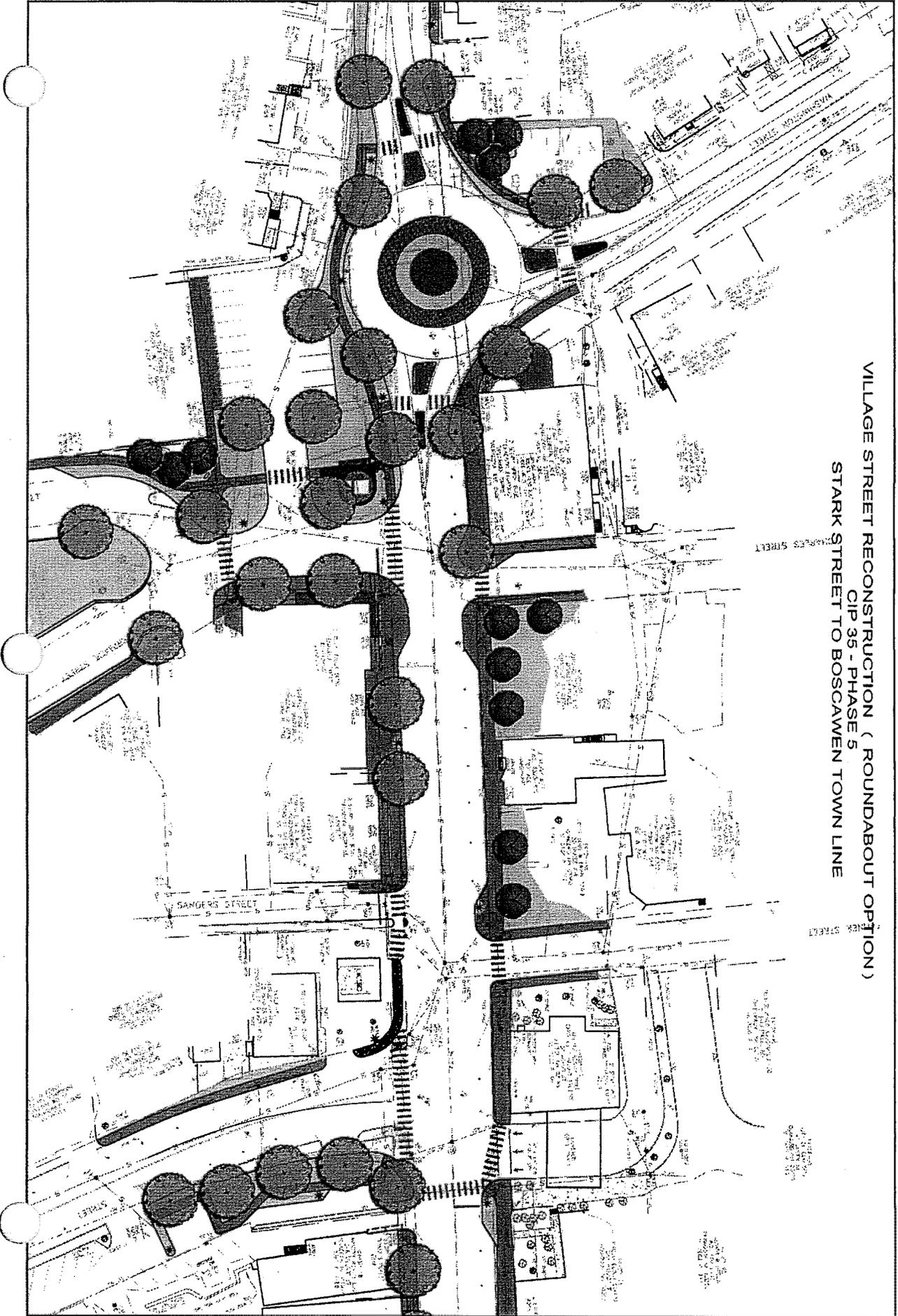
- General consensus to support the typical roadway section including travel lanes, bike lanes, on-street parking and reconstruction of sidewalks;
- General consensus to support the design alternative to realign at the intersection of Village Street, Meter Street, and Lilac Street;
- Given the various public comments on the intersection design alternatives, staff agreed to further develop three intersection alternatives for final consideration, including a stop-sign controlled corridor with traffic calming measures, a single lane traffic signal alternative, and a roundabout intersection alternative. With respect to the traffic signal alternative, the design will be presented as a single lane alternative with the capability to expand to multi-lane in the future. The roundabout alternative includes a roundabout at the Washington Street intersection with Canal Street featuring either stop-sign or traffic signal controls.

A public meeting has been scheduled for Saturday, December 8, 2012 from 9:00 to 11:00 AM at the First United Church in Penacook to review final design alternatives and offer comment. The results of that meeting will be reported to City Council at the December 10th meeting where a final recommendation will be sought.

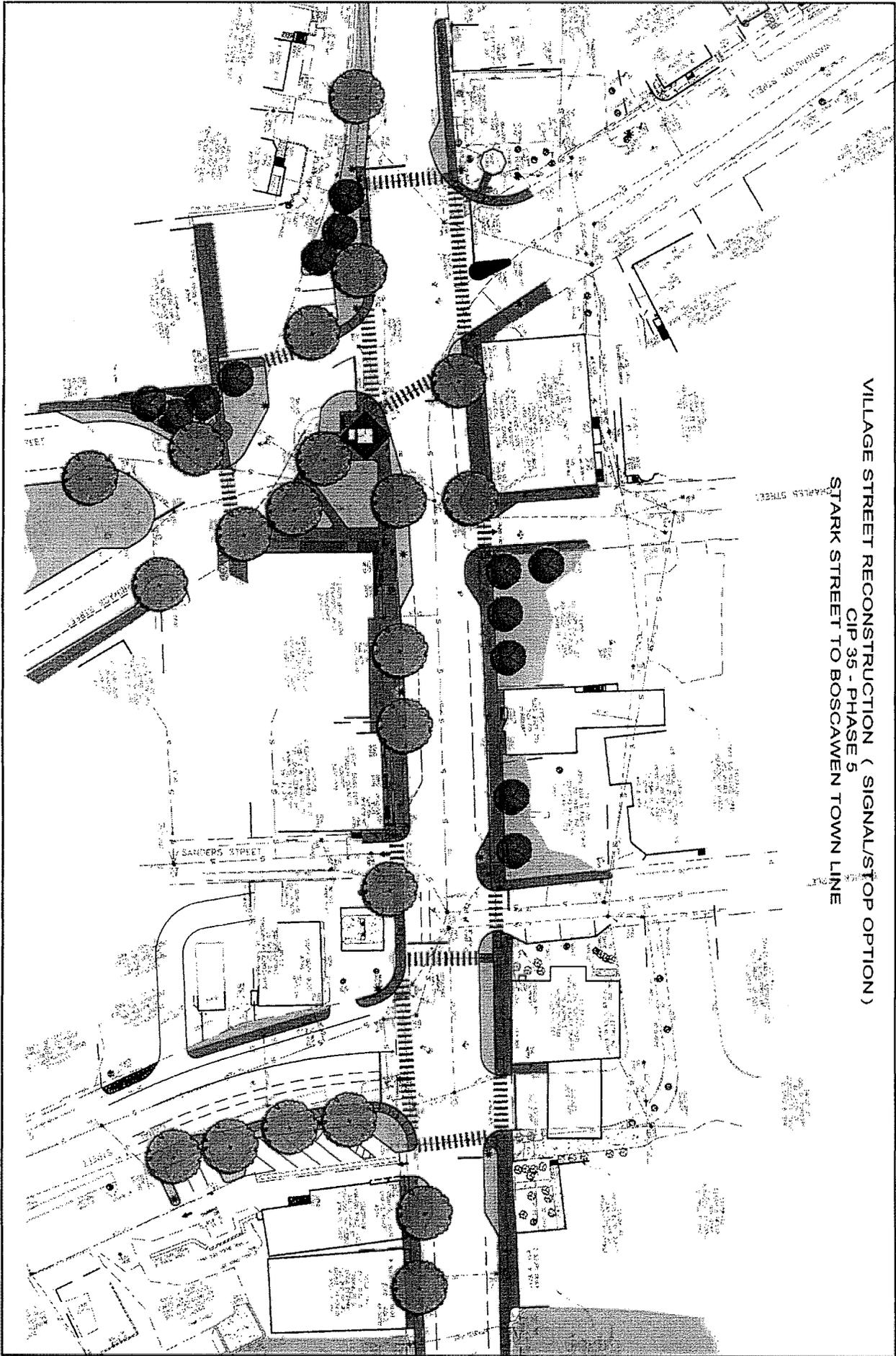
Attached are two plan renderings of the Village Street downtown core outlining a stop-sign/traffic signal controlled option and a roundabout option. These graphics will be presented in detail to the public for comment. Staff will provide an update to the results of the December 8th public meeting at the December 10th Council meeting where a final alternative recommendation will be sought.

elr/E
attachments

VILLAGE STREET RECONSTRUCTION (ROUNDABOUT OPTION)
CIP 35 - PHASE 5
STARK STREET TO BOSCAWEN TOWN LINE



VILLAGE STREET RECONSTRUCTION (SIGNAL/STOP OPTION)
CIP 35 - PHASE 5
STARK STREET TO BOSCAWEN TOWN LINE



1-39
B 10-25-12
11-12
12-34(B)
12-36

CITY OF CONCORD

In the year two thousand and twelve

RESOLUTION AMENDING AND RESTATING THE DEVELOPMENT PROGRAM AND FINANCING PLAN FOR THE NORTH END OPPORTUNITY CORRIDOR TAX INCREMENT FINANCE (NEOCTIF) DISTRICT

Page 1 of 2

The City of Concord resolves as follows:

WHEREAS, by Resolution No. 6761, adopted October 20, 1997, the City Council adopted the provisions of NH RSA 162-K, as amended, for the purposes of establishing one or more tax increment financing districts; and

WHEREAS, the City adopted Resolution No. 6802 on March 23, 1998, amended by Resolution No. 7036 on March 13, 2000, Resolution No. 7063 on June 19, 2000 and Resolution No. 7130 on November 13, 2000, and Resolution No. 8540 on March 12, 2012 establishing the North End Opportunity Tax Increment Finance District Boundaries and enacting the Development Program and Financing Plan; and

WHEREAS, the City adopted Resolution No. 8473 on June 13, 2011 which amended, restated, and readopted the NEOCTIF District in order to complete certain actions associated with revenues derived from the sale of the so-called "Fish Hook Lot" located at 11 Constitution Avenue; and

WHEREAS, the City adopted Resolution No. 8540 on March 12, 2012 which amended, restated, and readopted the NEOCTIF District in order to complete certain actions associated with expansion of the District to include certain properties located between Constitution Avenue and Storrs Street, as well as, acquisition of the former Agway / Concord Crop Center at 6-9 South Commercial Street; and

WHEREAS, the City desires to further amend and re-adopt the NEOCTIF District's Development Program and Financing Plan for the purpose of further modifying the geography of the NEOCTIF District, as previously amended by Resolution No. 8540; and

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

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

CITY OF CONCORD

In the year two thousand and twelve

**RESOLUTION AMENDING AND RESTATING THE DEVELOPMENT PROGRAM
AND FINANCING PLAN FOR THE NORTH END OPPORTUNITY
CORRIDOR TAX INCREMENT FINANCE (NEOCTIF) DISTRICT**

Page 2 of 2

1. In accordance with NH RSA 162-K:6, 162-K:9, and 162-K:10, the City Council hereby amends and restates in its entirety the North End Opportunity Tax Increment Finance District Boundaries, Development Program, and Finance Plan adopted by Resolution No. 6802 on March 23, 1998, amended by Resolution No. 7036 on March 13, 2000, Resolution No. 7063 on June 19, 2000, Resolution No. 7130 on November 13, 2000, Resolution No. 8473 on June 13, 2011, Resolution No. 8540 on March 12, 2012; and,
2. The following properties are hereby removed from the NEOCTIF District: City Assessor's Parcel ID Map 55 Block 5 Lot 14 (10 Ferry Street) and Map 46 Block 4 Lot 13 (196 North Main Street, Rear).
3. This resolution shall take effect upon passage.



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Assistant for Special Projects

DATE: October 23, 2012

SUBJECT: North-End Opportunity Corridor Tax Increment Finance
("NEOCTIF") District Geographic Amendment

Handwritten initials: MW

Recommendation:

- Accept the following report; and,
- Set for public hearing on December 10, 2012 the attached resolution adopting and an amendment and restated Development Program and Financing Plan for the North End Opportunity Corridor Tax Increment Finance District; however delay final action until January 14, 2013 per RSA 162-K:4.

Background:

The North End Opportunity Corridor Tax Increment Finance ("NEOCTIF") District was established in 1998 to facilitate acquisition, cleanup, and redevelopment of the area now known as Corporate Park at Horseshoe Pond.

On March 12, 2012, the City Council approved Resolution 8540. Among other things, this resolution expanded the geography of the NEOCTIF District southerly in order to incorporate various properties located between Constitution Avenue and Storrs Street near the Holiday Inn. The goal of this expansion was to lay the groundwork for future extension of Storrs Street to Constitution Avenue.

Discussion:

Recently, it was discovered that the expanded geography of the NEOCTIF District, as created by Resolution 8540, inadvertently bisected property located at 10 Ferry Street, City Assessor's ID Map 55 Block 5 Lot 14 (known as the Concord Center or "former" Rumford Press Building). If this circumstance was allowed to continue, it would create complications with respect to various assessing calculations for the City's General Fund and NEOCTIF District.

Because of this, the City Administration proposes to amend the NEOCTIF District Geography in order to remove the 10 Ferry Street parcel, as well as an adjacent property owned by Prescott Oil located at 196 North Main Street (rear), Assessor's ID Map 46 Block 4 Lot 13. The Prescott property would be removed as it would no longer be contiguous to the District due to removal of 10 Ferry Street.

These proposed changes to the NEOCTIF District's geography will not have any material impact on the finances or operation of the District.

**NORTH END OPPORTUNITY CORRIDOR TAX INCREMENT
DEVELOPMENT PROGRAM AND FINANCING PLAN**

Adopted by Resolution 6802, March 23, 1998

Amended by Resolution 7036, March 13, 2000

Amended by Resolution 7063, June 19, 2000

Amended by Resolution 7130, November 13, 2000

Amended by Resolution 8473 June 13, 2011

Amended by Resolution 8540 on March 12, 2012

Amended by Resolution _____ on January 14, 2013

INTRODUCTION:

The North End Opportunity Corridor Tax Increment Finance Advisory Board has developed the following Development Program and Financing Plan to encourage the redevelopment of approximately 68 +/- acres of the North End of the Opportunity Corridor. The components of the Development Program and Financing Plan include:

- I. Statement of Objectives
- II. District Boundaries
- III. Statutory Compliance
- IV. Development Program
- V. Financing Plan
- VI. District Administration
- VII. Advisory Board Responsibilities

The amendment retains all the original objectives, boundaries, development program, financing plan, district administration, and advisory board responsibilities, as well as the activities and expenses under Section IV, Development Plan and Section V, Financing Plan as previously enacted by Resolutions 6802, 7036, 7063, 7130, 8473, 8540, and 8541 unless otherwise noted.

I. STATEMENT OF OBJECTIVES:

The City Council has identified economic development, expansion of the property tax base, job opportunities, and redevelopment of the "Opportunity Corridor" as top priority goals for a number of years. The adoption of the North End Opportunity Corridor Tax Increment Finance District and the Development Program and Financing Plan provides a valuable legislative tool for implementing redevelopment activities to address those priorities. The initiative of creating the North End Opportunity Corridor Tax Increment Finance District aggressively pursues the following Objectives:

- Create redevelopment opportunities;
- Improve visual image of northerly and easterly entranceway to downtown;
- Expand real estate tax base;
- Expand employment opportunities;
- Preserve important historical, environmental, and architectural character of city;

- Construct, expand, and rehabilitate public roads, utilities, meeting facilities, open spaces, and pedestrian ways to provide improved access and expanded capacities sufficient to encourage private investment in property within the district;
- Remove obsolete, deteriorating, and blighted land uses;
- Relocate transportation components to permit efficient use of land for redevelopment; and,
- Implementation of the “Special Design Criteria” in the provision of the Redevelopment District (RDV) Zoning Ordinance (later replaced in 2001 with the adoption of the Opportunity Corridor Performance (“OCP”) Zoning District).

II. DISTRICT BOUNDARIES:

The boundary of the North End Opportunity Corridor Tax Increment Finance District shall be as established by Resolution # [REDACTED], adopted by the City Council on January 14, 2013 which included the following legal description:

Beginning at a point in the westerly sideline of the Interstate Route 93 right of way at the northeast corner of a parcel known as Map 56A, Block 1, Lot 2; thence

1. Westerly along the northerly line of Map 56A, Block 1, Lot 2 to the easterly sideline of the State of New Hampshire Concord to Lincoln Railroad Line at the northwest corner of Map 56A, Block 1, Lot 2; thence
2. Continuing westerly and crossing the State of New Hampshire Concord to Lincoln Railroad Line right of way to a point in the easterly sideline of the Commercial Street right of way; thence
3. Continuing westerly and crossing the Commercial Street right of way to a point being 10 feet westerly of the westerly sideline of the Commercial Street right of way; thence
4. Southerly and westerly along a line which is parallel to and is offset 10 feet from the westerly and northerly side line of Commercial Street and the northerly side line of a portion of the Horseshoe Pond Lane right of way to a point in the easterly side line of the B&M Railroad Northern right of way; thence
5. Southerly along the easterly side line of the B&M Railroad Northern right of way to the northerly side line of the Horseshoe Pond Lane right of way; thence
6. Continuing southerly and crossing the Horseshoe Pond Lane right of way to the northwest corner of Map 58, Block 1, Lot 1; thence
7. Southerly along the easterly side line of the B&M Railroad Northern right of way and the westerly line of Map 58, Block 1, Lot 1 to the southwest corner of Map 58, Block 1,

- Lot 1 and the northerly side line of the Interstate Route 393 right of way; thence
8. Continuing southerly and crossing the Interstate Route 393 right of way to the northwest corner of Map 56, Block 1, Lot 3; thence
 9. Easterly along the southerly side line of the Interstate Route 393 right of way and the northerly line of Map 56, Block 1, Lot 3 to the northeasterly corner of Map 56, Block 1, Lot 3 and the westerly side line of the S. Commercial Street right of way; thence
 10. Southerly, easterly, and southerly along the westerly sideline of the S. Commercial Street right of way to the southeasterly corner of Map 56, Block 1, Lot 3 and the northeasterly corner of Map 55, Block 6, Lot 2; thence
 11. Northwesterly along the southerly line of Map 56, Block 1, Lot 3 and the northerly line of Map 55, Block 6, Lot 2 to the southwest corner of Map 56, Block 1, Lot 3 and the northwesterly corner of Map 55, Block 6, Lot 2 at the easterly side line of the B&M Railroad Northern right of way; thence
 12. Continuing northwesterly along the same course across the B&M Railroad Northern right of way to the westerly line of the B&M Railroad Northern right of way and the easterly line of Map 55, Block 5, Lot 14; thence
 13. Southerly along the westerly line of the B&M Railroad Northern right of way and the easterly line of Map 55, Block 5, Lot 14 to the northeasterly corner of Map 46, Block 5, Lot 3 at the southeasterly corner of Map 55, Block 5, Lot 14; thence
 14. Westerly along the northerly line of Map 46, Block 5, Lot 3 and the southerly line of Map 55, Block 5, Lot 14 to the northwesterly corner of Map 46, Block 5, Lot 3 and the easterly line of Map 46, Block 4, Lot 11; thence
 15. Northerly along the southerly line of Map 55, Block 5, Lot 14 and the easterly line of Map 46, Block 4, Lot 11 to the northeasterly corner of Map 46, Block 4, Lot 11; thence
 16. Westerly along the southerly line of Map 55, Block 5, Lot 14 and the northerly line of Map 46, Block 4, Lot 11 to the northwesterly corner of Map 46, Block 4, Lot 11 and the easterly line of Map 46, Block 4, Lot 6; thence
 17. Southerly along the westerly line of Map 46, Block 4, Lot 11 and the easterly line of Map 46, Block 4, Lot 6 to the southeasterly corner of Map 46, Block 4, Lot 6 and the northeasterly corner of Map 46, Block 4, Lot 7; thence
 18. Southerly along the westerly line of Map 46, Block 4, Lot 11 and the easterly line of Map 46, Block 4, Lot 7 to the southeasterly corner of Map 46, Block 4, Lot 7 and the northeasterly corner of Map 46, Block 4, Lot 8; thence

19. Southerly along the westerly line of Map 46, Block 4, Lot 11 and the easterly line of Map 46, Block 4, Lot 8 to the southeasterly corner of Map 46, Block 4, Lot 8 and the northeasterly corner of Map 46, Block 4, Lot 9; thence
20. Southerly along the westerly line of Map 46, Block 4, Lot 11, the westerly line of Map 46, Block 4, Lot 10, and the easterly line of Map 46, Block 4, Lot 9 to the southeasterly corner of Map 46, Block 4, Lot 9 and the southwesterly corner of Map 46, Block 4, Lot 10 at the easterly sideline of Storrs Street; thence
21. Southerly along the easterly sideline of Storrs Street, the southerly line of Map 46, Block 4, Lot 10, the southerly line of Map 46, Block 4, Lot 12, and the westerly line of Map 46, Block 5, Lot 3 to a point at the northerly sideline of Loudon Road; thence
22. Easterly along the southerly line of Map 46, Block 5, Lot 3 and the northerly sideline of Loudon Road, crossing the New Hampshire Maine Railroad Line right of way, to the southeast corner of Map 46, Block 5, Lot 3 and the southwest corner of Map 46A, Block 2, Lot 1; thence
23. Northerly, westerly, and northerly along the easterly line of Map 46, Block 5, Lot 3 and the westerly line of Map 46A, Block 2, Lot 1 to the northwest corner of Map 46A, Block 2, Lot 1 and the southwest corner of Map 46A, Block 2, Lot 2; thence
24. Northerly along the easterly line of Map 46, Block 5, Lot 3 and the westerly line of Map 46A, Block 2, Lot 2 to the northwest corner of Map 46A, Block 2, Lot 2; thence
25. Easterly along the easterly line of Map 46, Block 5, Lot 3 and the northerly line of Map 46A, Block 2, Lot 2 to a point at the westerly terminus of the Higgins Place right of way; thence
26. Northerly and easterly along the easterly line of Map 46, Block 5, Lot 3 and the westerly and northerly right of way of Higgins Place to a point at the southwest corner of Map 56, Block 2, Lot 1; thence
27. Northerly along the easterly line of Map 46, Block 5, Lot 3 and the westerly line of Map 56, Block 2, Lot 1 to the easterly sideline of the State of New Hampshire Concord to Lincoln Railroad Line right of way; thence
28. Northerly along the easterly sideline of the State of New Hampshire Concord to Lincoln Railroad Line right of way and the westerly lines of Map 56, Block 2, Lot 1, Map 56, Block 2, Lot 4, and Map 56, Block 2, Lot 10 to the northwest corner of Map 56, Block 2, Lot 10 at the southerly sideline of the Interstate Route 393 right of way; thence
29. Continuing northerly across the Interstate Route 393 right of way, the easterly sideline of the State of New Hampshire Concord to Lincoln Railroad Line right of way, and the westerly sideline of the Interstate Route 93 right of way to the northerly sideline of the

Interstate Route 393 right of way; thence

30. Continuing northerly along the easterly sideline of the State of New Hampshire Concord to Lincoln Railroad Line right of way and the westerly sideline of the Interstate Route 93 right of way to the southerly corner of Map 56A, Block 1, Lot 6; thence
31. Continuing northerly along the easterly line of Map 56A, Block 1, Lot 6 and the westerly sideline of the Interstate Route 93 right of way to the northerly corner of Map 56A, Block 1, Lot 6; thence
32. Continuing northerly along the easterly sideline of the State of New Hampshire Concord to Lincoln Railroad Line right of way and the westerly sideline of the Interstate Route 93 right of way to the most southerly corner of Map 56A, Block 1, Lots 7, 10, 11, 12, 13, and 14; thence
33. Northerly along the easterly line of Map 56A, Block 1, Lots 7, 10, 11, 12, 13, and 14 and the westerly sideline of the Interstate Route 93 right of way to the northeast corner of Map 56A, Block 1, Lots 7, 10, 11, 12, 13, and 14 at the southerly sideline of the Delta Drive right of way; thence
34. Continuing northerly across the Delta Drive right of way along the westerly sideline of the Interstate Route 93 right of way to the northerly sideline of the Delta Drive right of way and the southeast corner of Map 56A, Block 1, Lot 2; thence
35. Northerly along the easterly line of Map 56A, Block 1, Lot 2 and the westerly sideline of the Interstate Route 93 right of way to the northeast corner of Map 56A, Block 1, Lot 2 and the point of beginning.

Meaning and intending to describe a Tax Increment Finance District as shown on a plan titled: "North End Opportunity Corridor – Tax Increment Finance District," dated October 18, 2012, and prepared by the City of Concord, N.H.

III. STATUTORY COMPLIANCE:

- A. **General:** The following is inserted to demonstrate compliance with certain legal requirements and thresholds set forth within RSA 162-K:5. Please note that at the time of original adoption on March 23, 1998 by Resolution #6802, the NEOCTIF District was the only Tax Increment Finance District within the City of Concord. Therefore, this section was originally omitted from the Development Program and Financing Plan when initially established in 1998.
 1. **Total Acreage:** Per RSA 162-K:5, I, the total acreage included in any one development district when designated shall not exceed 5 percent of the total acreage of the municipality, and when added to the total current acreage

within the development districts for which bonds remain outstanding shall not exceed 10 percent of the total acreage of the municipality.

Total Land Area of the City	41,100 Acres
5%	2,055 Acres
10%	4,110 Acres
Sears Block TIF District	21.00 Acres
NEOCTIF District	67.70 Acres*
Penacook Village TIF District	47.09 Acres
Combined Total All TIF Districts	135.79 Acres

*Includes acreage adjustment resulting from the January 2013 amendment. Prior to the January 2013 amendment, the NEOCTIF District contained 68.3 acres.

2. **Total Assessed Value:** Per RSA 162-K:5, II, the total assessed value of taxable real property of any one development district when designated shall not exceed 8 percent of the most recent total assessed value of taxable real property in the municipality, and when added to the current total assessed value of taxable real property within development districts for which bonds remain outstanding, shall not exceed 16 percent of the most recent total assessed value of taxable real property in the municipality.

Total Taxable Value of the City	\$4,321,396,542
8%	\$345,711,723
16%	\$691,423,477
Sears Block TIF District	\$51,418,000
NEOCTIF TIF District	\$51,165,100*
Penacook Village TIF District	\$11,149,600
Combined Total All TIF Districts	\$113,732,700

*Reflects assessed value of the District per January 2013 change in geography. Prior to the January 2013 amendment, the District the District had an assessed value of \$49,810,100.

Finding: The proposed TIF District and combination of districts do not exceed the taxable value or land area limitations. Please note that significant capacity remains, both in terms of allowable value and allowable land area, for the creation of additional tax increment finance districts as deemed necessary by the City Council.

IV. DEVELOPMENT PROGRAM:

A. Public Facilities

1. **Construction:** The following improvements shall be constructed as part of the NEOCTIF District:

- i. Connector Street (Constitution Avenue): A new street connecting Commercial with South Commercial Street through the railroad underpass under I-393 and I-93 Southbound on-ramp, including realignment of South Commercial Street. **March 2012 Amendment Update: This improvement completed during the period of 1998 and 2001 and is presently known as Constitution Avenue.**
 - ii. Intersection Reconstruction: The signalization of I-393 and the intersection of Commercial and South Commercial Streets shall be removed and a new barrier median prohibiting left hand turns shall be constructed to provide for right hand turns only. **March 2012 Amendment Update: This improvement was completed during the period of 1998-2001.**
 - iii. Commercial Street Reconstruction: Reconstruct Commercial Street from its intersection with I-393 to its intersection with Fan Road, including all slopes, retaining walls, drainage, sidewalks, street widening, landscaping, street furniture and subsurface and above ground utilities. **March 2012 Amendment Update: This improvement was completed during the period of 1998-2001.**
 - iv. Utilities: Relocate the overhead electric, telephone, cable television and alarm system utility wires existing from the intersection of Commercial Street and Horseshoe Pond Lane northerly along the edge of Horseshoe Pond and the westerly side of Commercial Street to a point approximately 100 feet north of the intersection of Fan Road, to an **underground** location on the East side of and parallel to Commercial Street. **March 2012 Amendment Update: This improvement was completed during the period of 2000-2001.**
2. **Open Space Created:** Through private development of property, redevelopment of the NEOCTIF District will provide enhancement to existing important open space elements, including:
- i. Enhancement of the Horseshoe Pond shore along Commercial Street and Horseshoe Island by eliminating deteriorating and blighted buildings and debris from adjacent and nearby properties and reducing migration of subsurface environmental contamination, thereby improving the quality of the habitat for existing flora and fauna;
 - ii. Preparation of undeveloped flood storage areas to mitigate for developed flood plain in District;
 - iii. Construction of storm water retention areas which, in effect, creates new wetlands; and,

- iv. Implementation of special design criteria provisions in the Redevelopment District (RDV) Zoning Ordinance throughout the District.
3. **Environmental Controls Applied:** The City and private developers shall be required to comply with the various Environmental Controls to assure the redevelopment of the NEOCTIF District adheres to the highest of standards and regulations including, but not limited to, the following:
- i. Flood plain zoning regulations; flood storage requirements;
 - ii. Oversight of storm water designs and retention areas;
 - iii. Compliance with State of New Hampshire State Specific Permits (now known as Alteration of Terrain Permits);
 - iv. Compliance with State regulations for hazardous waste clean-up and monitoring;
 - v. Compliance with BOCA building codes and national Life Safety Code; and,
 - vi. Implementation of US EPA Brownfields Program.
4. **Re-Use of Private Property:** The NEOCTIF District is intended to be a redevelopment area for the conversion of older industrial, warehouse and wholesale properties into higher quality commercial, hospitality, medical, and office uses. The following private properties will be acquired and used in the following fashion:
- i. City-owned Concord Lumber Site: The 19 acre City-owned Concord Lumber land shall be transferred to a private or not-for-profit development group for redevelopment for tax revenue generating commercial uses.
 - ii. Riviera, Inc. (Greenland's Corporation): Approximately 11,500 square feet of the 2.5 acre Riviera, Inc. (Greenland's Corporation) land will be acquired in fee simple or easement and will be utilized as street right-of-way across the south "gateway"/entrance to the District.
 - iii. Lockwood-Young Site: Approximately 30,000 sq. ft. of the Lockwood-Young site will be used for street right-of-way. The residual 2.3 acres might be partially retained for future rights-of-way and/or offered for redevelopment purposes and/or possible assembly with other area properties for redevelopment purposes.
 - iv. GPP Properties (Goulet Supply Co. Inc.): Approximately 400 square feet of GPP Properties land will be acquired for construction of Constitution Avenue. The balance of the property, 34,448 square feet

of land and 20,197 square feet of buildings, will be acquired in fee simple title for the widening and redevelopment of Commercial Street. The residual 0.79 acres maybe partially retained for future rights-of-way and/or offered for redevelopment purposes and/or possible assembly with other area properties for redevelopment purposes.

- v. #9 South Commercial Street (Map 55 Block 6 Lot 2): It is anticipated that the majority of this 1.61 +/- acre parcel will be used for future right-of-way associated with construction of a new highway connecting Storrs Street to Constitution Avenue. The City may retain any residual acreage not encumbered by the designation of said right-of-way for a public purpose, or may divest of said real estate for private redevelopment.
- vi. Tsunis Property (Map 46 Block 5 Lot 3): It is anticipated that the majority of this 4.04 +/- acre parcel will be used for future right-of-way associated with construction of a new highway connecting Storrs Street to Constitution Avenue. The City may retain any residual acreage not encumbered by the designation of said right-of-way for a public purpose, or may divest of said real estate for private redevelopment.
- vii. Storrs Street Avenue Parking Associate Parcel (Map 46 Block 4 Lot II): It is anticipated that the majority of this 0.3 +/- acre parcel might be used for future right-of-way associated with construction of a new highway connecting Storrs Street to Constitution Avenue. The City may retain any residual acreage not encumbered by the designation of said right-of-way for a public purpose, or may divest of said real estate for private redevelopment.

5. Operation and Maintenance of the TIF District:

- i. Operation and Maintenance: When the redevelopment project in the TIF District is completed, the City will maintain, plow, and sweep approximately 2,300 linear feet of new streets as described herein; will oversee maintenance of the upgraded storm water system; will maintain landscaped areas, and shall maintain approximately 4,600 linear feet of public sidewalks. It has been determined that the redevelopment of the district will place no additional cost on the provision of City services, such as Police and Fire protection. It has been determined that the new improvements have a general public benefit and that no individual assessments shall be levied against district properties. If Tax Increment proceeds are not sufficient to cover the operations and maintenance costs of the district, these costs shall become an obligation of the City's General Fund.

- ii. Cost: The cost of maintenance and operation of the improvements shall be charged against the incremental tax revenues generated by new development in the TIF.
- iii. Records and Reports: The City will maintain records of the financial activity of the District in accordance with GAAP. It will include the financial reporting requirements in the Comprehensive Annual Financial Report.

B. Relocation and Displacement:

1. **General**: The City shall endeavor to comply with the provisions of NH RSA 162-K:15 and 162-K:6 concerning the relocation of persons displaced by the City's acquisition of property or construction of infrastructure only, unless 1) otherwise waived by said property owners or tenants or 2) tenants relocate for other reasons unrelated to the City's proposed activities 3) the city is acquiring the property after it has been put on the market by the owner for reasons unrelated to the City's activities. However, this provision shall not be construed to apply to acquisition of property by private parties through "arms-length" transactions, or construction of development projects by the private sector. The City shall utilize the Uniform Relocation Act of 1970 (as amended) as a general guide when displacing persons for the purpose of acquiring private property for municipal use, or construction of infrastructure to further redevelopment of the District, as applicable.
 - i. Coastal Concrete: It is anticipated that the only business displacement created by this TIF District, in order to construct the Commercial Street connector, is the relocation of the Coastal Concrete Company that leases the buildings and property. The City will assist the owner in finding a suitable appropriately zoned parcel. Costs to relocate the business will be part of the property Purchase and Sales Agreement financed by TIF bonds as described in Section V Financing Plan.
 - ii. Riviera, Inc. (Greenland's Corporation): The acquisition of Rights-of-Way to cross Riviera, Inc. (Greenland's Corporation) will not adversely affect the future use of that property. No business relocation is anticipated. This improvement will provide frontage on a City street that the property does not currently enjoy.
 - iii. Railroad Relocation: The State of New Hampshire is in the process of acquiring the railroad right-of-way and tracks that pass through the TIF District. After acquisition, the track will be relocated easterly of its present locations, from the Interstate 393 bridge to the Fan Road crossing, as part of this Development Program. This relocation cost

will be part of the redevelopment expenses assigned to the TIF District as outlined within Section V Financing Plan.

iv. Utility Relocation:

1. The relocation of the electric utility lines is proposed so that the City-owned land, which is currently bisected by the utility wires, may be united as one parcel. Electric and municipal sewer and water utilities will be similarly relocated, as necessary, through the site.
2. Relocate the overhead electric, telephone, cable television and alarm system utility wires existing from the intersection of Commercial Street and Horseshoe Pond Lane northerly along the edge of Horseshoe Pond and the westerly side of Commercial Street to a point approximately 100 feet north of the intersection of Fan Road, to an underground location on the East side of and parallel to Commercial Street.

v. GPP Properties (Goulet Supply Co. Inc.): Due to the necessity of taking Goulet's entire street frontage on Commercial and Constitutional Avenue, the property will no longer have adequate parking or access and will no longer be economically viable as a retail/wholesale storefront and distribution center. Therefore, it shall be necessary for the City to take the entire property and assist Goulet with a relocation benefit as defined by New Hampshire RSA 124-A, Relocation Assistance and Real Property Acquisition Policy.

vi. #9 South Commercial Street (Map 55 Block 6 Lot 2): The City shall acquire this property for the future construction of a new roadway, together with associated utility improvements, sidewalks, and streetscape improvements, in order to facilitate connection of Storrs Street to Constitution Avenue, as well as possible relocation of railroad lines as part of said improvement. The City shall follow the provisions of this Section relative to relocation of displaced persons, as applicable.

vii. Tnunis Property (Map 46 Block 5 Lot 3): The City shall acquire this property for the future construction of a new roadway, together with associated utility improvements, sidewalks, and streetscape improvements, in order to facilitate connection of Storrs Street to Constitution Avenue, as well as possible relocation of railroad lines as part of said improvement. This acquisition shall also include purchase of any escheated rights which may have reverted to the State of New

Hampshire. This property is undeveloped and, therefore, there are no tenants subject to relocation.

- viii. Storrs Street Avenue Parking Associate Parcel (Map 46 Block 4 Lot 11): Pending final design of the connector road between Storrs Street and Constitution Avenue, the City may acquire this property for the future construction of a new roadway, together with associated utility improvements, sidewalks, and streetscape improvements, in order to facilitate connection of Storrs Street to Constitution Avenue, as well as possible relocation of railroad lines as part of said improvement. The City shall follow the provisions of this Section relative to relocation of displaced persons, as applicable.

C. Other Program Activities

1. **Acquisition of Land, Easements, and Rights-of-Way**: The City will acquire the following land or easements through negotiations or through powers of eminent domain, including:
 - i. City-owned Former Concord Lumber Site: Land previously acquired by the City of Concord General Funds is included in the Tax Increment Financing (TIF) District Development Program. The General Fund will be reimbursed from proceeds of the TIF bond as described in Section V (Financing Plan). The 19 acre property will be offered for redevelopment. The property will be transferred to a private or not-for-profit development group for redevelopment for tax revenue generating commercial uses.
 - ii. Lockwood-Young: Approximately 3.0 acres of land currently owned by Lockwood-Young Corporation and occupied by the Coastal Concrete plant on South Commercial Street will be acquired from TIF bond proceeds. Approximately 30,000SF shall be utilized for right-of-way for the proposed connector street. The residual 2.3 acres may be partially retained for future rights-of-way and/or offered for redevelopment.
 - iii. Riviera, Inc. (Greenland's Corporation): Approximately 11,500 sq. ft. of the property owned by Riviera, Inc. will be acquired with TIF bond proceeds and utilized for a street and utility right-of-way.
 - iv. Construction and Maintenance Easements: Additional highway, sidewalk, drainage, and utility construction and maintenance easements may be required as necessary in order to facilitate construction of highway related improvements.

- v. Railroad Right-of-Way: The State Department of Transportation is in the process of acquiring the railroad right-of-way and track that passes through the District. Once the State Department of Transportation completes acquisition and the tracks are relocated, the district may acquire the land not needed for railroad right-of-way for development purposes or utility rights-of-way.
- vi. GPP Properties (Goulet Supply Co. Inc.): Approximately 400 square feet of GPP Properties land will need to be acquired for construction Constitution Avenue. The balance of the property, 34,448 square feet of land and 20,197 square feet of buildings will need to be acquired in fee simple title for the widening and redevelopment of Commercial Street.
- vii. Utility and Slope Easements: Right-of way, utility, drainage and slope easements may need to be acquired from Concord Historic Associates LP (Page Belting), New Hampshire Distributors Inc., the Society for the Protection of New Hampshire Forests, and Timothy Woodman.

2. Pedestrian & Streetscape Improvements, Transportation Connectivity to Areas Outside of the NEOCTIF District: The City shall undertake the following activities or construct the following improvements as part of its development activities within the NEOCTIF District:

- i. Streetscape Amenities: During the redevelopment of the TIF District, North Commercial Street shall be reconstructed to meet contemporary street standards including installation of lighting systems, street signs, and street furniture, landscaping of street and public property, and other systems compatible with the character of the district. Cost of constructing this improvement will come from TIF bond proceeds.
- ii. Sidewalks: Sidewalks may be constructed or reconstructed connecting the NEOCTIF District to Horseshoe Pond Lane, the adjacent North Main Street Historic District, Commercial Street, South Commercial Street, Stickney Avenue, Storrs Street, and I-393, North Main Street, and ultimately to Fan Road, the McAuliffe-Sheppard Planetarium, and the New Hampshire Technical Institute. The cost of constructing these improvements may be funded through a combination of TIF bonds, grants, and private contributions.
- iii. Downtown Highway and Pedestrian Connection: The City Council hereby affirms that it shall be a City priority to make a physical transportation connection between the Downtown and development within the NEOCTIF District. Said connection shall be the construction of a new highway, complete with sidewalks, utilities, and

streetscape amenities, roughly situated between Storrs Street and Constitution Avenue / South Commercial Street.

In order to facilitate said connection, the City Council approved Resolution 8540 on March 12, 2012 for the purpose of expanding the geography of the NEOCTIF District to include parcels which shall need to be acquired in order to provide future right-of-way for said roadway.

The City, with input from the NEOCTIF Advisory Committee, shall endeavor to acquire private real estate as opportunities arise to carry out this purpose.

Due to the need to acquire multiple private parcels, as well as secure rights to cross the high-speed rail corridor, it is anticipated that the design and construction of said roadway will require a partnership with the NH Department of Transportation, possibly in conjunction with the future widening of Interstate 93.

In the interim, the North End Opportunity Corridor Tax Increment Finance District will explore alternative options for connecting the District with the downtown to encourage vehicular and pedestrian movement back and forth, such as:

1. Well lighted and landscaped walkways along Commercial and Storrs Streets, Stickney Avenue, I-393, Horseshoe Pond Lane, and North Main Street through the Historic District.
 2. Shuttle Bus Service including Trolley-like vehicles by private providers.
 3. Rail trolleys along existing railroad tracks by private providers.
- 3. Property Clean Up and Removal of Blighted & Derelict Structures:** The City shall undertake environmental cleanup, remediation, and demolition activities within the NEOCTIF District in order to prepare property for public improvements or private redevelopment:

i. Environmental Pollutants:

1. City Owned Concord Lumber Site: The land owned by the City of Concord, and proposed to be offered for redevelopment, shall require remediation of environmental pollutants to satisfy New Hampshire Department of Environmental Services prior to, or as a condition of, any City planning, zoning, or building

permit approvals. The cost of remediation may be funded through a combination of TIF bonds, grants, and private contributions.

2. Lockwood-Young Site: Prior to construction of Commercial Street Connector or redevelopment of the residual land, the City will need to have a Level 2 Environmental Assessment conducted and remediate environmental pollutants to satisfy New Hampshire Department of Environmental Services. The cost of assessment and remediation may be funded through a combination of TIF bonds, grants, and private contributions.

Prior to reconstruction of Commercial Street or redevelopment of the residual land, the City will need to have a Level 2 Environmental Assessment conducted and remediate environmental pollutants to satisfy New Hampshire Department of Environmental Services. The cost of assessment and remediation will be funded through a reduction in the acquisition price, the TIF bonds and/or the proceeds from the resale of the residual property.

ii. Buildings, Structures, and Improvements:

1. City-owned Concord Lumber Site: The land owned by the City of Concord (formerly Concord Lumber), and offered for redevelopment, is to be cleared of buildings, structures, and improvements prior to conveyance.
2. Lockwood-Young Site: The land owned by Lockwood-Young, and offered for redevelopment, is to be cleared of buildings, structures, and improvements prior to conveyance.

4. Property Disposition:

- i. City-owned Concord Lumber Site*: The City-owned former Concord Lumber property will be transferred to a private or non-profit corporation for redevelopment for hotel, conference and trade centers, office, medical, high quality retail use, and/or other commercial uses in accordance with adopted City plans and ordinances. Revenues derived from the sale of properties subdivided from the former Concord Lumber Property shall be reimbursed to the City's Economic Development Reserve Fund in order to reimburse said fund for investments in the NEOCTIF District per Resolution #6808. Said reimbursement was accomplished by Resolutions #6774, 6799, 6963, 6987, 6994 and 7162.

- ii. Lockwood-Young Site: Upon completion of the connector street from Commercial to South Commercial, the City will have 2 parcels of surplus property for potential redevelopment. The first is a 1.22 acre parcel known as the so-called Fish Hook Lot located at #11 Constitution Avenue. The second is a 0.79 acre parcel located at 1 South Commercial Street. The property may be partially retained for future rights-of-way and/or transferred to a private or non-profit corporation for redevelopment for office, medical, retail use, and/or other commercial uses in accordance with adopted City plans and ordinances. Revenues derived from the sale of these properties shall be either 1) deposited into the NEOCTIF District project budget for defeasement of TIF supported bonds and notes sold in accordance with Resolution #6807, 2) used to fund the District's annual operating and maintenance expenses, or 3) any other legal purpose.
 - iii. GPP Properties (Goulet Supply Co. Inc.): Upon completion of the redevelopment of Commercial Street, the City will have surplus land for potential redevelopment. The property may be partially retained for future rights-of-way and/or transferred to a private or non-profit corporation for redevelopment for office, medical, retail use, and/or other commercial uses in accordance with adopted City plans and ordinances.
5. **Ordinance Changes**: The City shall endeavor to amend, modify, or otherwise adopt changes to the City's Code of Ordinances in order to support redevelopment of the NEOCTIF District as might be deemed prudent by the City Council.
 6. **Grants**: The City may apply for, accept, and appropriate the use of private foundation grants and/or state and federal grants such as HUD Community Development Block Grants, Economic Development Administration, Environmental Protection Agency, Department of Transportation, and/or other state and federal funds as they become available to assist with on-site and off-site improvements to make the project economically feasible and to assure all improvements are in compliance with city, state, and federal regulations.

V. **FINANCING PLAN:**

A. **Statement of Objectives:** (See Section I)

B. **Estimated cost of the Development Program:** The following is a summary of costs associated with various activities within the NEOCTIF District relative to design and construction of public improvements:

Table 1: Summary of Development Costs

<u>Appropriation Number</u>	<u>1</u>	<u>2</u>	<u>3 & 4</u>	<u>5</u>	<u>6</u>	<u>Summary</u>
<u>Resolution Number</u>	<u>6808, 6809</u>	<u>6807</u>	<u>6993 & 7037</u>	<u>7064 & 7065</u>	<u>8540 & 8541</u>	
<u>Date Appropriated</u>	April 13, 1998	April 13, 1998	March 13, 2000	June 19, 2000	March 12, 2012	
<u>Development Activity</u>						
Property, Easements, & Right-Of-Way Acquisition	\$550,000	\$800,000	\$20,000			\$1,370,000
Goulet Property Acquisition			\$310,000			\$310,000
Goulet Supply Relocation Benefit			\$20,000			\$20,000
# 9 South Commercial Street Acquisition, Relocation, & Demolition					\$230,000	\$230,000
Utility Relocation		\$250,000		\$770,700		\$1,020,700
Building Demolition / Environmental Cleanup (1)						
Railroad Relocation		\$500,000				\$500,000
Highway Improvements		\$1,000,000				\$1,000,000
Commercial St. Improvements Including Inspections & Administration			\$1,265,000			\$1,265,000
Design Services			\$100,000			\$100,000
Legal Services	\$49,500					\$49,500
Contingency / Overruns		\$90,000	\$250,000			\$340,000
Bond Costs			\$10,000			\$10,000
Capitalized Interest		\$145,000				\$145,000
Total	\$599,500	\$2,785,000	\$1,975,000	\$770,700	\$230,000	\$6,360,200
(1) CRDC Pledged				\$100,000		\$100,000
(2) Donal Associates Underground Utilities				In Kind Donation		

- C. Proposed sources of revenue to meet cost of Development Program:** The following is a summary of funding sources and amounts appropriated for costs incurred by the NEOCTIF District:

Table 2: Summary of Appropriations

Original TIF Appropriation (1998 Original Appropriation)	\$2,785,000
Commercial Street Improvements Supplemental Appropriation	\$1,725,000
Economic Development Reserve Transfer*	\$849,500
Underground Wiring TIF Amendment	\$670,700
CRDC Pledge for Underground Utilities	\$100,000
Donal Associates Pledge to Trench & Install Conduits	In Kind
9 South Commercial Street Acquisition & Demolition March 2012	\$230,000
Total Project Appropriation	\$6,360,200

**(Includes Conference Center / Trade Show appropriations prior to TIF Enactment for activities included within this Development Program and Financing Plan)*

- D. Estimated annual cost of Development District:** The following is a summary of estimated annual debt service and operating costs for the NEOCTIF District:

Table 3: Summary of Estimated Annual Debt Service & Operating Costs

Annual Average Debt Service (1998 Appropriation)	\$265,157
Annual Average Debt Service (March 2000 Appropriation)	\$177,610
Average Annual Debt Service (Underground Wiring June 2000)	\$69,040
Annual Operating & Maintenance Costs*	\$4,800
Total Estimated Annual Cost **	\$516,607

***This amount represents the original estimate circa 1998 for annual O&M Costs. Actual costs for FY 2012 are projected at \$87,220.**

****For FY 2012, the project actual total debt service and operating costs for the District is \$497,420.**

- E. Estimated sources of revenue to meet annual cost of Development District:** The following is a summary of estimated average annual revenues for the NEOCTIF District. This figure was not updated as part of the March 2012 amendment process. However, the projected total revenue for the NEOCTIF District in FY2012, including interest earnings, was \$437,500. Annual short falls in revenue shall be supplemented with additional funds from the NEOCTIF District Undesignated Fund Balance or the City's General Fund as circumstances warrant.

Estimated Tax Increment Yield (11 Year Payoff circa FY 2001 estimate)	\$487,861
--	-----------

Estimated Average Tax Increment Yield (13 Year Payoff circa FY 2001 estimate)	\$538,848
--	-----------

F. Duration of the Program's Existence: The NEOCTIF District shall remain in place until both of the following occur:

1. The activities described within the Development Program are accomplished, and,
2. All debt service issued to construct improvements set forth within the Development Plan and supported by the NEOCTIF District is retired or other legally defeased. Debt service shall include, but not be limited to; all TIF supported general obligation bonds and notes, as well as appropriations from the City's Economic Development Reserve ("EDR") Fund. All moneys appropriated from the EDR Fund are to be reimbursed to the EDR Fund by the NEOCTIF District, with interest.

G. Estimated Impact of Tax Increment Financing Upon All Related Taxing

Jurisdictions: It is estimated there will be an initial reduction in the assessed value of the District equal to the value of the Lockwood-Young, Inc. property, Assessor's parcel number 56-1-2 in the amount of \$420,400. This results from the City's purchase of this parcel for right-of-way purposes.

The amended TIF District will create an additional reduction in the assessed value of the district equal to the value of the GPP Properties (Goulet Supply Co. Inc.) property, Assessor's parcel number 58-2-5, in the amount of \$271,400. This results from the City's purchase of this parcel for right-of-way purposes.

After the first year, the assessed value of the District resulting from the Development program is estimated to replace the reduced value and provide additional increment or captured value adequate to meet the intended purpose of this financing plan as identified in Sections D and E above.

In any event, an agreement with the proposed developer will be negotiated to compensate and otherwise provide surety against any reduction in general tax revenues occasioned by the development program and any shortfall in the tax increment necessary to meet the annual cost of the District.

H. Captured value dedicated towards retirement of TIF supported bonds and notes and repayment of contributions from the City's Economic Development Reserve

Fund: Up to 100% of the captured value of the District shall be dedicated for retirement of bonds and notes as well as repayment of appropriations from the City's Economic Development Reserve Fund. (RSA 162-K:10 IIa)

I. Annual Allocation of Captured Value: In regard to 162-K:10 IIb, the Advisory Board, at its quarterly meeting, shall make a recommendation to City Council for consideration no later than at its regular September City Council meeting, for the

portion of the captured value in excess of that necessary for the purpose of tax increment financing to be:

1. Issued to fully finance the development program, including servicing debt, meeting costs of operations and maintenance, and early defeasement of debt; or,
2. Allocated to finance the development program as per #1 immediately preceding, and allocated with other general tax revenues.

VI. DISTRICT ADMINISTRATION:

The administration of the Development District shall be by the City Manager who shall make an annual financial report to the Council.

VII. ADVISORY BOARD RESPONSIBILITIES:

In accordance with RSA 162-K:14, the City Council passed Resolution #6681 on February 18, 1997, delineating the respective powers and duties of the Advisory Board. The Advisory Board consisting of seven people, the majority of whom are landowners or tenants within or adjacent to the tax increment district, was appointed by the City Manager and confirmed by the City Council. The Advisory Board shall have 30 days to appeal any decision by the District Administration to the City Council for a final decision. The Advisory Board shall meet as frequently as circumstances require, as deemed necessary by the City Manager or the membership of the Advisory Board.

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

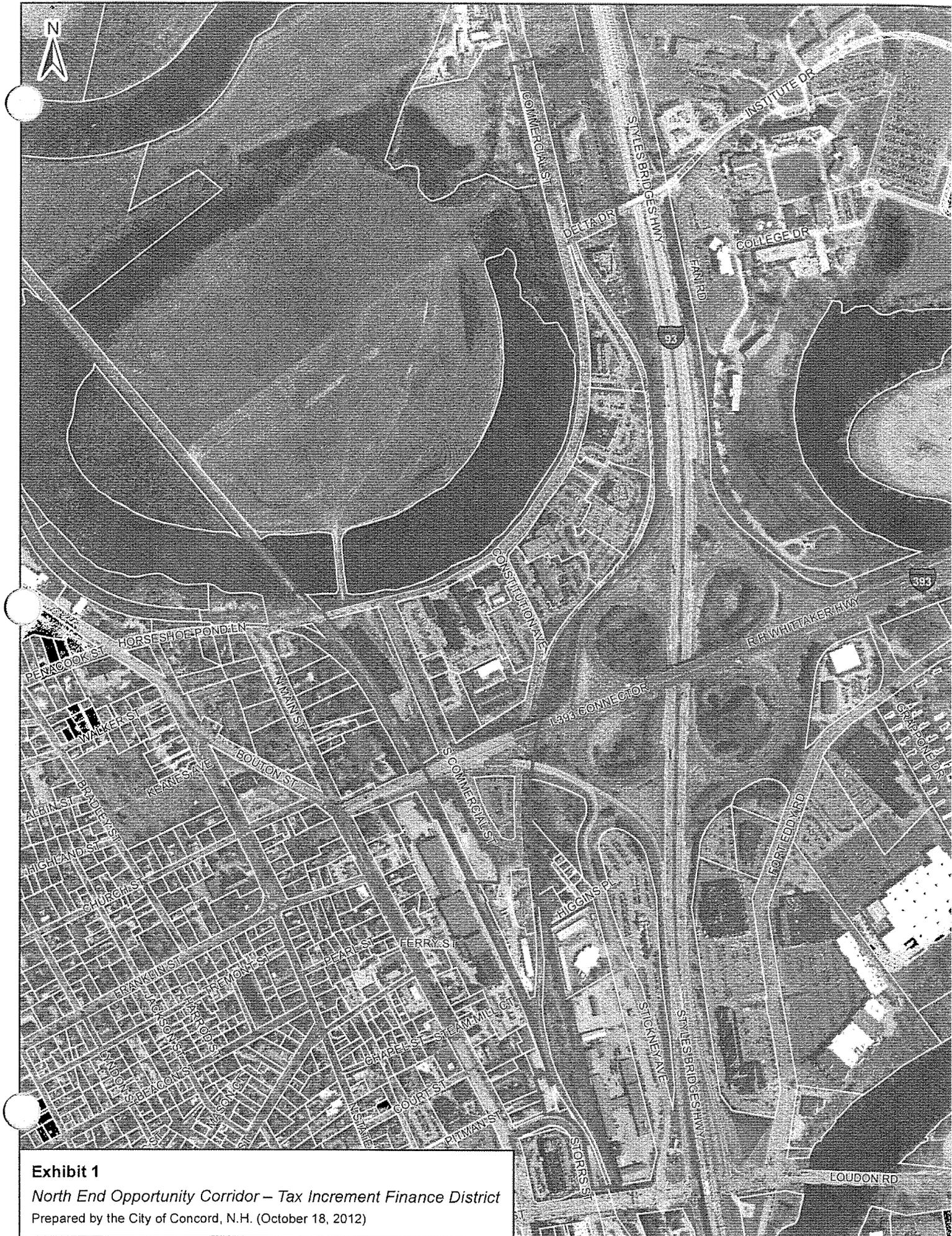
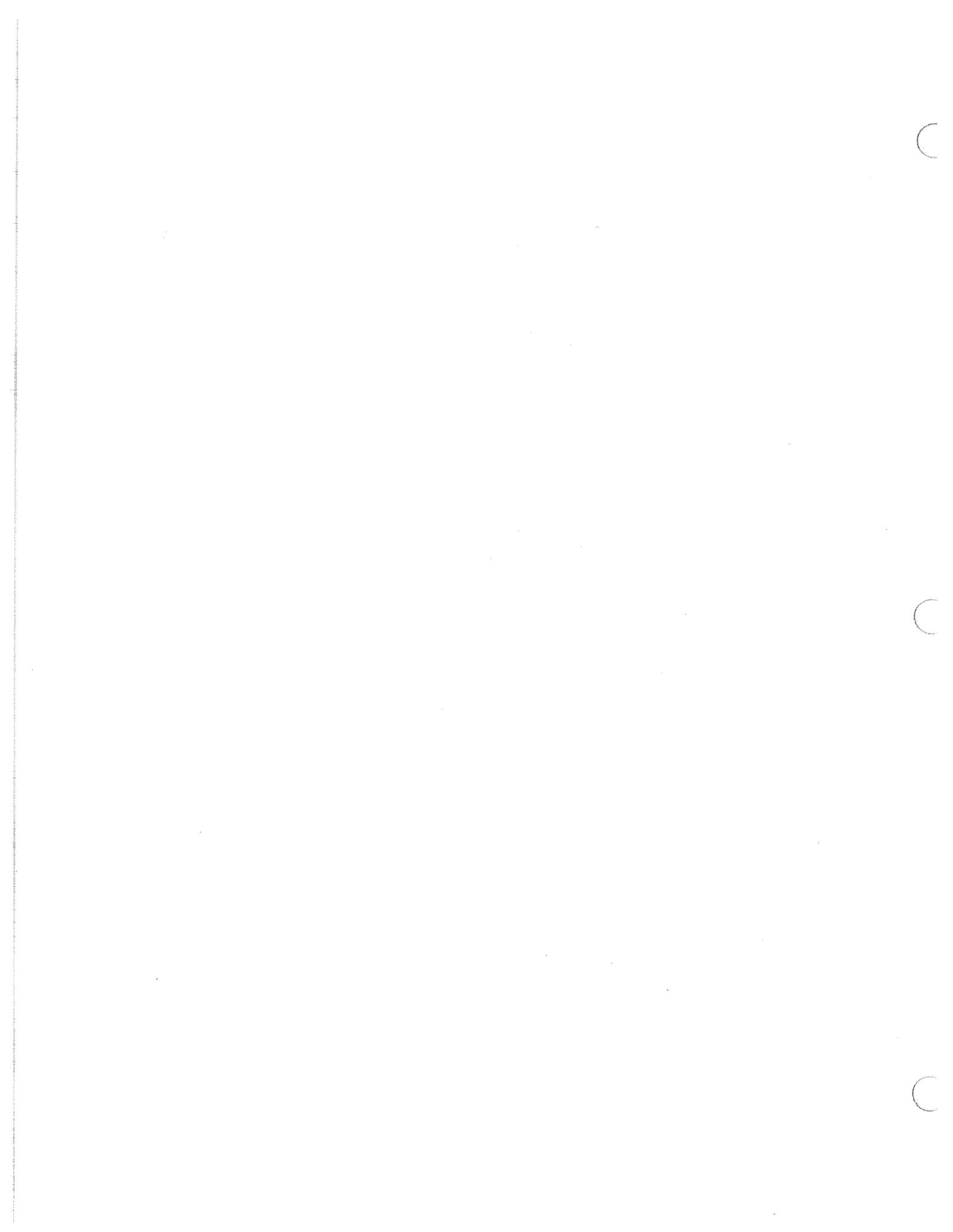


Exhibit 1

North End Opportunity Corridor – Tax Increment Finance District
Prepared by the City of Concord, N.H. (October 18, 2012)



1-49
TJA



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Edward L. Roberge, PE, City Engineer

DATE: December 28, 2012

SUBJECT: Status report on the Sewalls Falls Bridge Replacement Project (CIP22)

Recommendation

Accept the attached report by Clough, Harbour & Associates (CHA) summarizing the re-evaluation of preliminary design alternatives, and:

1. accept the City Engineer's recommendation that Alternative 8 (Online Bridge Replacement) is the best project alternative in terms of its overall safety benefits, limited impacts to natural resources, limited need for additional public right-of-way, and lowest construction and life-cycle maintenance costs, and authorize staff to advance Alternative 8 to final design; or
2. affirm the City Council's previously selected preferred alternative (Alternative H - Rehabilitation of the Existing Bridge with the addition of a Second One-Way, One-Lane Bridge on the Upstream Side) and authorize staff to advance Alternative H to final design.

Background

On October 11, 2011, the City Council passed Resolution No. 8507 appropriating funds for project administration, design, permitting, and right-of-way acquisition required for the Sewalls Falls Bridge Replacement Project (CIP #22). Shortly thereafter, the City entered into a municipal managed project agreement with the NH Department of Transportation (NHDOT) and began coordinating the completion of a detailed structural inspection and load rating analysis of the existing truss bridge, the first step required prior to advancing to the final design phase.

Based on the findings of the detailed structural inspection and load rating analysis, City Council authorized staff at its meeting on September 10, 2012 to review previous preliminary design alternatives with the appropriate reviewing authorities and agencies in order to evaluate those alternatives based upon results of the analysis and return to City Council with a final project recommendation.

Discussion

The Council will recall that the previously selected preferred alternative (Alternative H) includes rehabilitating the existing truss bridge as a one-lane bridge for eastbound travel and constructing a new one-lane bridge for westbound travel just upstream or north of the existing bridge. As previously reported, the detailed structural inspection was completed in early March 2012 concluding in a load rating analysis report that was submitted to City Council in September 2012. Where the analysis concludes that the rehabilitation and strengthening of the truss structure will require significant modification or replacement of existing steel elements and the remaining steel elements have limited fatigue life, staff expressed its concerns with the long term safety and structural stability of the truss bridge. The previous evaluation of preliminary design alternatives did not include the findings of this report. In that, serious concerns with condition, capacity, safety, limited structural life due to fatigue, and project capital and life-cycle costs were not completely considered.

At its September 2012 meeting, City Council authorized staff to review the preferred alternative as well as other preliminary design alternatives considered with the appropriate reviewing authorities and agencies involved in the process prior to proceeding to the final design phase. The Council may recall that some 10 to 12 alternatives were developed through the project planning phase where 3 alternatives were considered most compatible with the City's long term goals. Those alternatives include the previously selected preferred alternative (Alternative H), an off-line bridge replacement alternative consisting of constructing a new two-lane bridge upstream of the existing bridge and retaining the existing truss bridge for pedestrian or recreational use or abandoned as a static structure (Alternative 4), and an on-line bridge replacement alternative where a new two-lane bridge would be constructed on the same roadway alignment following the removal of the existing bridge (Alternative 8). All three design alternatives were evaluated based on common design elements and design approach using criteria such as horizontal and vertical alignment, construction complexity and phasing, utilities, right-of-way impacts, natural, cultural, and environmental resource impacts, and capital and life-cycle costs. Other evaluation considerations included remaining service life of the existing steel truss structure as a result of the fatigue analysis, and future growth and traffic use of the bridge.

The detailed report concluded that Alternative 8 (on-line replacement) offers the best opportunity to improve horizontal and vertical alignment, has the least impact to environmental resources, reduces the need for extensive right-of-way, and has the lowest construction and long-term life-cycle costs. However, this alternative would require the removal of the existing truss structure considered historic.

The project team including Engineering staff and CHA met with representatives of NH Department of Transportation (NHDOT), Federal Highway Administration (FHWA), cultural and natural resource review agencies, the Concord Heritage Commission, and others involved in the project development to present the detailed report. Meetings in September, October, and December concluded that the final project alternative must meet the City's immediate, and most importantly, the long-term needs and goals. This includes preservation of cultural and natural resources, controlling initial and long-term costs as well as factors that affect project costs, safety, and the future growth of the Sewalls Falls

Road/Whitney Road project area and the potential for utility extension in northeast Concord and an I-93 interchange.

In order to meet the City's long-term needs and goals, Engineering staff remains concerned with any alternative that maintains the existing truss bridge in a functional capacity to carry legal highway loads. Given that the non-redundant truss structure has a limited remaining fatigue life and extensive modifications are required to meet current service codes, the factors that most control the decision to determine the best project alternative is safety and structural stability. In this case, Alternative 8 is the best project alternative that meets those criteria while addressing the City's immediate and long-term needs and goals.

As this recommendation differs from the previous design alternative preferred by City Council, a public meeting has been scheduled on Wednesday, January 23, 2013 at 6:00 PM at the Beaver Meadow Golf Course Club House to outline the findings of the structural inspection and load rating analysis report to the public and accept comments on the bridge alternatives. Additionally, staff will present the same findings to the Concord Heritage Commission at its meeting on January 3, 2013. The comments generated by those meetings will be reported by staff at the February 2013 City Council presentation.

Therefore, it is recommended that City Council accept the attached report by Clough, Harbour & Associates (CHA) summarizing the re-evaluation of preliminary design alternatives, and accept the City Engineer's recommendation that Alternative 8 (Online Bridge Replacement) is the best project alternative in terms of its limited impacts to natural resources, limited need for additional public right-of-way, lowest capital and life-cycle maintenance costs, as well as its overall safety improvements, and authorize staff to advance Alternative 8 to final design.

/elr

attachments

cc: Tom Aspell, City Manager
Carlos Baía, Deputy City Manager - Development
Brian LeBrun, Deputy City Manager - Finance
Martha Drukker, Associate Engineer
Jeff Warner, Project Manager
Nancy Mayville, NHDOT
Tom Jameson, NHDOT



TJA

November 28, 2012

Martha Drukker
Associate Engineer
City of Concord
41 Green Street
Concord, NH 03301

***Re: Sewalls Falls Bridge Rehabilitation over the Merrimack River
NHDOT Project No.: Concord 12004;
CHA Project No.: 23968
Re-Evaluation Summary of Preliminary Design Alternatives***

Dear Ms. Drukker:

At your request as a result of CHA's detailed inspection and load rating analysis of the existing Sewalls Falls Road Bridge, we have re-evaluated the current preferred Alternative H, as well as two previously developed alternatives, 4 and 8. All three of these Alternatives were developed and evaluated through NHDOT Preliminary Design Phase. The purpose of this re-evaluation is to assess whether or not the current Preferred Alternative H should be progressed through final design and ultimately construction or if Alternatives 4 or 8 would better meet the long-term needs of the City. Factors that were considered in these evaluations included immediate and long term costs for construction and maintenance of the bridge(s), environmental and Right of Way (ROW) impacts, historic preservation of the existing truss bridge, as well as potential future development and increased traffic demands on the bridge(s).

As part of this re-evaluation, CHA retained the services of Historic Documentation Company (HDC) to review the inspection and load rating analysis of the existing bridge and assess whether or not the amount of required rehabilitation of the bridge to carry legal highway loads would adversely impact the historic significance of the bridge. HDC's full memo report is attached and summarized below.

Because Alternatives 4 and 8 were developed in Metric units (the standard at the time of their initial investigation) and Alternative H was developed in English units, the narratives below are presented in dual units. In addition, because the ROW abstracting information on the three alternatives differ due to the time that each alternative was developed, ROW impacts will reference the parcel number and not the property owner name as shown on the respective plans. Cost comparisons are based on English units per 2012 NHDOT weighted unit costs.

Written descriptions of the three Preliminary Design Alternatives under consideration are as follows:

Common Design Elements

All three (3) alternatives are based on a common design criteria and design approach. The proposed roadway geometry includes providing 2 – 12' (3.6 m') travel lanes with 5' (1.5 m) shoulders and 5' (1.5 m) sidewalk(s). The roadway alignments are based on a 35 MPH (60 KPH) design speed. The proposed sidewalk extends from the Fish and Game Park (Parcel 4) driveway to the Concord Monitor (Parcel 1) driveway. A general description of each of the proposed alternatives follows:

Alternative 4 – Offline Upstream Replacement

Alternative 4 consists of constructing a new two lane steel girder bridge immediately upstream of the existing bridge with the existing bridge either being retained for pedestrian or recreational use or abandoned in place as a static structure.

Horizontal Alignment: This Alternative consists of an upstream alignment shift with the entire proposed bridge on a horizontal tangent. This tangent continues through the southern approach to a 600m (1969') radius curve which transitions into the existing roadway at the southern limits with two 1520m (4,987') radius reverse curves with normal crowned section. The northern approach consists of a 150m (490') radius curve with the remainder of the approach along the existing horizontal alignment. Some superelevation transition is required over the north span of the bridge due to proximity of the northern approach horizontal curve.

Vertical Alignment: The southern approach essentially matches existing grade up to the existing approach spans, with the elevation increasing across the bridge. At the southern abutment the proposed elevation is approximately 1m (3') higher than existing with the northern abutment being approximately 3m (10') higher. This increase in elevation is a result of meeting minimum vertical geometry design criteria while limiting the vertical curves to the roadway approaches and not the bridge. This increase in elevation requires significantly higher abutments and wingwalls than the existing. However the alignment does help to minimize the impacts to Parcels 1 and 2.

Construction Phasing: This Alternative allows for the construction of the proposed bridge while utilizing the existing bridge and approach span to maintain the current alternating one-way traffic patterns. The south abutment can be constructed in a single phase. Due to the proximity of the proposed northern abutment and pier to the existing substructure and roadway, however, phased construction will be required to complete these portions of the bridge. Adequate bridge width constructed under Phase 1 would provide for two-way traffic on the proposed bridge during the construction of the east portion of the abutment, wingwall and pier, provided the proposed sidewalk was not constructed until the completion of this phase. A temporary roadway



profile with short term closure at +/- Sta. 6+00 will be required to transition from the proposed roadway grade to the existing grade. In addition, short term closures at the tie-in point will be required. It is estimated at this time that two (2) construction seasons will be necessary to construct this Alternative.

Utilities: The proposed horizontal and vertical alignments for Alternative 4 provide sufficient setbacks to allow the existing bridge to remain in place. As such, the existing sewer and gas mains located on the existing structure can remain. The existing 600mm (24") storm drain at the southwest quadrant would be impacted as a result of the proposed alignments.

Right of Way Impacts: This Alternative results in substantial Right of Way (ROW) impacts to the LCIP land located in the southwest quadrant (Parcel 5) as well as the Concord Monitor (Parcel 1) property located in the northwest quadrant. Impacts to the Concord Monitor parcel will include reconstruction / reconfiguration of their existing water quality basin as a result of slope impacts. Minimal ROW impacts, limited to easements, will be required at Parcel 2. In addition, we are anticipating that a stormwater quality basin, similar to that shown in Alternative H, will be constructed on the Fish and Game property (Parcel 5) at the southeast quadrant.

Resource / Environmental Impacts: Several environmental and cultural resources have been identified in the project corridor. The following is a summary of the impacts to these resources related to Alternative 4:

- The existing historically significant bridge can remain in place and can either be rehabilitated for recreational trail purposes or abandoned in place as a static display. If used for recreational trail purposes, while not necessary to provide pedestrian / bicycle access across the river, a connecting structure from the proposed sidewalk to the bridge would be necessary at the southern end or a pedestrian underpass would need to be constructed under the southern approach similar to that shown in Alternative H.
- The existing Fish and Game boat ramp is not impacted other than installation of a new drainage outfall from the proposed treatment area.
- The Alternative does create limited impacts to the floodway / floodplain of the Merrimack River.
- Based on a survey of the river in October 2001, State endangered Brook Floater Mussels are within the project limits. This Alternative may create minimal disturbance / impacts to these mussels.
- Moderate impacts to potential eagle perch trees will result due to the extents of clearing and slope work to the east.
- As noted above, substantial ROW impacts to the LCIP land will result due to the proposed alignment and limits of slope work and clearing.

Alternative 8 – Online Replacement

Alternative 8 constructs a new two lane steel beam bridge along the existing alignment replacing the existing structure.

Horizontal Alignment: Alternative 8 maintains the existing alignment with the entire proposed bridge on a tangent. This tangent continues through the southern approach which is tied into the existing roadway at the southern limits with a 5000m (16,400') radius curve and a normal crowned section. The northern approach consists of a 150m (490') radius curve. As currently proposed, this alternative requires superelevation transition over the bridge which is undesirable. Through Final Design refinements, this superelevation transition should be able to be limited to the roadway approach.

Vertical Alignment: The southern approach essentially matches existing grade in the vicinity of the Fish and Game Park driveway and increases across the bridge to the Concord Monitor driveway. At the southern abutment, the proposed elevation is approximately 3m (10') higher than existing with the northern abutment being approximately 5m (16') higher. While the profile is significantly higher than existing, it does provide for a smooth vertical geometry, with vertical curve lengths and profile grades greater than the minimum required. This vertical geometry also minimizes impacts to parcels 1 and 2 on the northern approach.

Construction Issues: Because this bridge replacement alternative is on-line, the existing bridge would need to be closed and removed during construction. This closure would result in an approximate six (6) mile detour from one side of the bridge to the other. In addition, due to the location of the proposed horizontal curve at the north approach, superelevation transition would need to occur across the north span. This transition may be difficult to construct in the field. As noted above, refinements in Final Design should be able to eliminate this transition across the bridge. It is estimated at this time that two (2) construction seasons will be necessary to construct this Alternative.

Utilities: The proposed horizontal and vertical alignments for Alternative 8 require that the existing bridge be removed. Therefore, the existing sewer and gas mains located on the existing structure will need to be relocated. Provisions for maintaining these utilities during construction would need to be incorporated into the Final Design. In addition, the existing 600 mm (24") storm drain at the southwest quadrant would need to be relocated as well.

Right of Way Impacts: As currently proposed, this Alternative does not require any property acquisitions but will require moderate slope easements from each of the properties adjacent to the bridge. A permanent drainage easement will likely be required at the Fish and Game parcel for a water quality basin, similar to that shown in Alternative H.

Resource / Environmental Impacts: The following is a summary of impacts to cultural and environmental resources related to Alternative 8:

- The existing historically significant bridge needs to be removed.
- The existing Fish and Game boat ramp is not impacted but may need to be closed for a period during construction as well as for construction of a new drainage outfall from the proposed water quality basin.
- The Alternative creates minimal impacts to the floodway / floodplain of the Merrimack River.
- Based on a survey of the river in October 2001, State endangered Brook Floater Mussels are within the project limits. This alternative may create minimal disturbance / impacts to these mussels.
- Minimal impacts to potential eagle perch trees will result due to the extents of clearing and slope work to the east.
- As noted above, moderate ROW impacts to the LCIP land will result due to the proposed alignment and limits of slope work and clearing.

**Alternative H – Rehabilitation of Existing Bridge with Addition of
Second One-Way Bridge on the Upstream Side**

This alternative consists of rehabilitating the existing Sewalls Falls Road Bridge to carry one lane of northbound traffic and constructing a new single lane steel beam bridge just upstream of the existing bridge to carry a single lane of southbound traffic. Both structures will be placed on new cast-in-place concrete substructures.

Horizontal Alignment: The northbound lane / southern approach essentially remains on the existing tangent alignment through the bridge and transitions to a 500 ft. radius curve through the northern approach matching the existing roadway alignment. The southbound lane / northern approach begins to diverge from the existing roadway with a 470 ft. radius onto the new single lane structure and continues across the bridge at which point it merges with the existing roadway through a 4,000 ft. radius curve. In addition, a pedestrian underpass is proposed under the southern approach to provide connectivity to the existing trail network.

A cantilevered sidewalk was originally proposed to be constructed along the downstream fascia of the existing truss bridge. However, based on the detailed inspection and load rating of the bridge, it was determined that this alternative was not viable due to the extensive replacement and strengthening of the entire downstream truss. Therefore, this Alternative now includes the construction of a sidewalk along the west side of Sewalls Falls Road beginning at the Fish and Game Park driveway and extending across the new single lane bridge to the Concord Monitor driveway. Mid-block crosswalks at the terminus of the sidewalk limits will be required to provide connectivity to the existing trail network. These mid-block crosswalks raise pedestrian

safety concerns and are undesirable. In addition, the relocation of the sidewalk to the west side of the road increases the slope impacts to the LCIP property, encroaching approximately 7 ft. further into the parcel than the original alternative.

Vertical Alignment: Both structures and approaches will parallel each other. The southern approach essentially matches existing grade up to the existing approach spans (to be removed), with the elevation increasing across the bridge. At the southern abutment the proposed elevation is approximately the same as existing with the northern abutment being approximately 5 ft. higher. This increase in elevation is a result of improving vertical geometry while limiting the vertical curves to the roadway approaches and not the bridge. This increase in elevation requires significantly higher abutments and wingwalls than the existing. However the alignment does help to minimize the impacts to the Parcels 1 and 2 on the northern approach.

Construction Phasing: The proposed parallel alignment offers benefits related to traffic control, since the new bridge construction can be completed while traffic is maintained on the existing bridge. Following the completion of the parallel bridge, alternating one-way traffic would be relocated to the new bridge and the rehabilitation of the existing bridge would commence. During roadway construction, traffic may be shifted using short term lane closures.

The existing truss will need to be supported during rehabilitation which will require a temporary support system or to be disassembled for necessary repairs.

Utilities: The proposed horizontal and vertical alignments for Alternative H provide sufficient setbacks to allow the existing bridge to remain in place. As such, the existing sewer and gas mains located on the existing structure can remain or be relocated to the new bridge. The existing 24 inch storm drain at the southwest quadrant would be impacted as a result of the proposed alignments.

Right of Way Impacts: This Alternative results in substantial Right of Way (ROW) impacts to the LCIP land located in the southwest quadrant as well as to the Concord Monitor property located in the northwest quadrant. The ROW impacts to the Concord Monitor property will include the reconstruction / reconfiguration of their existing water quality basin in the northwest quadrant which are the result of the sidewalk construction and associated slope limits along west side of roadway. Minimal ROW impacts, limited to easements, will be required at Parcel 2 in the northeast quadrant. In addition to some slope impacts to the Fish and Game parcel, a water quality basin is proposed adjacent to Sewalls Falls Road which will require a permanent drainage easement.

Resource / Environmental Impacts: Several environmental and cultural resources have been identified in the project corridor. The following is a summary of the impacts to these resources related to Alternative H:

- The existing historically significant bridge can remain in place. Based on the rehabilitation review performed by HDC, the current extents of rehabilitation can be accomplished while retaining the bridge's historic integrity and eligibility.
- The existing Fish and Game boat ramp is not impacted. However, a permanent drainage easement will be required adjacent to Sewalls Falls Road.
- The Alternative does create limited impacts to the floodway / floodplain of the Merrimack River.
- Based on a survey of the river in October 2001, State endangered Brook Floater Mussels are within the project limits. This alternative may create minimal disturbance / impacts to these mussels.
- Moderate impacts to potential eagle perch trees will result due to the extents of clearing and slope work to the east.
- As noted above, substantial ROW impacts to the LCIP land will result due to the proposed alignment and limits of slope work and clearing.

Other Considerations

Questions and concerns have been raised as to the remaining service life of the existing truss bridge once it has been rehabilitated which was based on a fatigue analysis performed by CHA as part of the load rating. The validity of that fatigue analysis has also been questioned and we offer the following for consideration:

CHA noted in the Load Rating analysis that the minimum finite life calculated for the diagonals is about 145 years, and their remaining fatigue life is approximately 45 years being that the bridge is approximately 100 years old. CHA also noted that this can be increased with the strengthening of the members and gussets required to bring the bridge up to legal load capacity. CHA's fatigue analysis was based on an HS20 loading and the 1994 AADT traffic data.

Metal fatigue failure in bridges has been a known phenomenon for decades. All bridges, old and new, are subject to metal fatigue. Fatigue failure occurs when members are repeatedly subjected to tension forces. The molecules in the steel will reorient themselves when subject to deformations resulting from high stresses. When the molecules can no longer reorient themselves, deformations are accommodated by breaking bonds between molecules. The breaking of bonds leads to the formation of cracks in the steel. The number of cycles before cracks occur depends on the stress. The higher the stress the more rapidly cracks form.

The current code requires consideration of fatigue in the design. Current knowledge allows Engineers to design new bridges for fatigue so that they can be repeatedly subjected to tension

without breaking molecular bonds that will lead to formation of cracks. This is done by limiting the stress in members. The result are bridges with an infinite fatigue life when used as designed.

The Sewalls Falls truss bridge is a specific type of structure called non-redundant. This means if one member fails, the bridge could collapse. Because the weight of trucks has increased since the bridge was originally built, the stress in the members has increased. As stated previously, the higher the stress, the sooner cracks can form.

There are many factors used in calculating the fatigue life. Two of the significant factors are the number of times the member has been stressed and the value of the stress. It is impossible to determine the actual number of stress cycles the bridge has experienced since it was built and it is equally impossible to determine the weight of each truck that has crossed the bridge.

CHA used annual daily truck traffic supplied by the NHDOT for 1994 as the basis of the analysis. CHA conservatively assumed the weight of the trucks equaled the current legal highway loads and was not based on the load postings over time. Absent actual data, these are assumptions that allow the calculation of remaining fatigue life. It is true that the bridge may not immediately fail exactly at the calculated fatigue life. However, it is an accepted statistically based approach to provide information. A more detailed inspection of the truss members could be performed which would include X-rays and inspection of the element's metallurgy to more accurately determine the remaining fatigue life, but these inspections are costly and time consuming.

Because catastrophic collapse can be the result of fatigue cracks in the Sewalls Falls Bridge, special attention is needed when approaching the estimated fatigue life. The special attention can consist of increased frequency of inspection. Alternatively, the chance of fatigue cracking can be eliminated by not subjecting the bridge to loads.

Conclusions

As the City further considers which Alternative to proceed with through final design and construction, various factors should be evaluated and weighed in order to select a preferred Alternative that will best meet the immediate, and more importantly the long term, needs and goals of the City. This includes preservation of cultural and natural resources, initial and long term costs and factors that influence those costs, safety, as well as consideration of improvements and development in the Sewalls Falls Road Bridge area which include commercial development and the potential of a new I-93 interchange, which will likely increase the traffic demands along Sewalls Falls Road. Below is a summary of each Alternative in regards to alignments, construction complexity, cost and impacts which are also reflected in part in the attached Alternative Summary Matrix:

Alternative 4 - Off-Line Upstream

1. Vertical & Horizontal Alignment: The construction of a two-lane bridge built upstream of



the existing bridge provides the horizontal and vertical alignments meeting the 35 mph design speed. However, it requires the addition of reverse horizontal curves to match in at the southern limits of the project.

2. Construction complexity / risk: Alternative 4 has relatively minimal complexity to build which would be done using primarily traditional industry standard bridge construction methods. The separation distance between the two structures does add some complexity to the construction. In addition, there is some additional complexity and risk to cost escalation which is inherent in historic bridge rehabilitation. This risk includes the discovery of additional corrosion or members requiring to be replaced or strengthened during construction. This risk can be mitigated to a certain degree by providing appropriate contingencies in the design documents and construction cost estimates. Cost contingencies have been accounted for to a certain degree in the estimated cost shown in the Matrix for the Truss Rehabilitation.
3. Construction Cost and Long Term Maintenance: The initial cost of this alternative is approximately 10% higher than the On-line Alternative, assuming that the existing truss bridge is rehabilitated for pedestrian / recreational use. In addition, the approximate maintenance cost of the truss over 25 years would be approximately \$81,000. There may be additional cost initially or in the future depending on how much restoration the City is interested in doing to the existing bridge such as cleaning and repainting the entire bridge. In addition, as noted above, due to the potential complexity of the truss rehabilitation, the degree of certainty of construction costs would need to include an estimated contingency which may or may not be realized and possibly exceeded.
4. Community Identity / Cultural / Historic / Environmental Impacts: This alternative would preserve the historic bridge but not under its intended use. This alternative requires the most environmental impacts due to the addition of the two-lane bridge.

Alternative 8 - On-Line Replacement

1. Vertical & Horizontal Alignment: Due to the removal of the existing bridge, this alternative allows for the best horizontal and vertical alignments.
2. Construction complexity / risk: Alternative 8 has the least complexity to build and would be constructed using traditional industry standard bridge construction methods. The only additional component to this alternative would be the removal of the existing bridge.
3. Construction Cost and Long Term Maintenance: This is the lowest cost alternative and requires the lowest estimated long term maintenance costs. Due to the limited complexity of construction, construction costs can be estimated to a higher degree of certainty.

4. Community Identity / Cultural / Historic / Environmental Impacts: Alternative 8 would remove the historic bridge but has the least amount of environmental and ROW impacts. Some mitigation would be required as a result of the truss removal which would likely include Historic American Engineering Record (HAER) Documentation as well as some interpretive signing at the site.

Alternative H - Rehabilitation of Existing Bridge with addition of a Second One-Way Bridge on the Upstream Side:

1. Vertical & Horizontal Alignment: This is the least ideal alternative in regards to the vertical and horizontal alignment. The construction of the one-lane bridge built upstream while rehabilitating the existing bridge creates the need to split traffic along the bridge approaches and would require guardrail in the bridge approach “medians”. The alignment also includes the addition of reverse horizontal curves to match in at the southern limits of the project. To meet the 35 mph design speed, street lighting would be required at the vertical curve just north of the bridge in order to provide the necessary Stopping Sight Distance at night.
2. Construction complexity / risk: While the construction of the new single lane bridge would be done using traditional industry standard bridge construction methods, the rehabilitation of the existing truss to carry legal highway loads makes this alternative the most complex to build and carries a higher degree of risk which includes:
 - a. The rehabilitation efforts include strengthening or replacement of a significant amount of the existing members or elements as well as replacement of the existing horizontal top lateral bracing to increase the vertical clearance of the bridge to meet current standards.
 - b. There is additional complexity and risk to cost escalation which is inherent in the nature of historic bridge rehabilitation. This risk includes the discovery of additional corrosion or members requiring to be replaced or strengthened during construction which was not evident during the detailed inspection. This risk can be mitigated to a certain degree by providing appropriate contingencies in the design documents and construction cost estimates. Cost contingencies have been accounted for to a certain degree in the estimated cost shown in the Matrix for the Truss Rehabilitation.
 - c. There may be a limited base of contractors having the experience and expertise in historic steel truss rehabilitation. Therefore the number of qualified contractors bidding on the project may be limited and result in higher bid prices.
 - d. Additionally, as stated above, this type of truss bridge is considered a non-redundant structure which could lead to more significant and possibly catastrophic modes of failure if the bridge is not properly maintained and inspected on a regular basis.

3. **Construction Cost and Long Term Maintenance:** This is the highest initial cost alternative and is almost 25% higher than the On Line Replacement Alternative. In addition, in order to maintain the truss in a functional capacity to carry legal highway loads, this Alternative has the highest long term maintenance costs. The maintenance costs for the truss over a 25 year period are estimated at over \$1.9 million.
4. **Community Identity / Cultural / Historic / Environmental Impacts:** This alternative would preserve the historic bridge and its intended use. This alternative also has somewhat higher environmental impacts than the On Line Replacement Alternative due to the addition of the one-lane bridge.

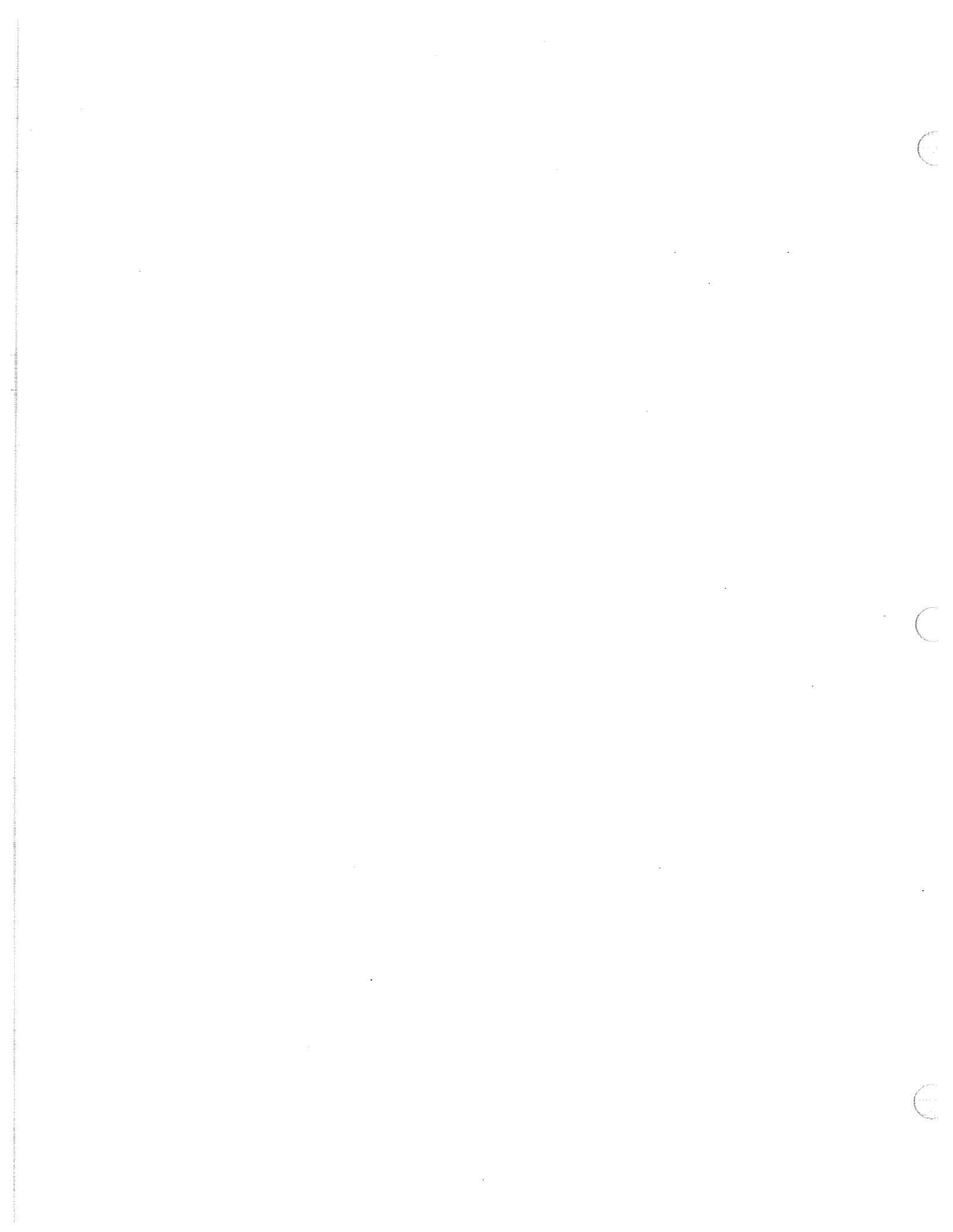
The attached matrix provides an additional summary of the narrative above as well as estimated costs for each Alternative. Please review this summary at your convenience.

If you have any questions, please contact me at your earliest convenience at either 603-357-2445 or email me at rfaulkner@chacompanies.com.

Sincerely,

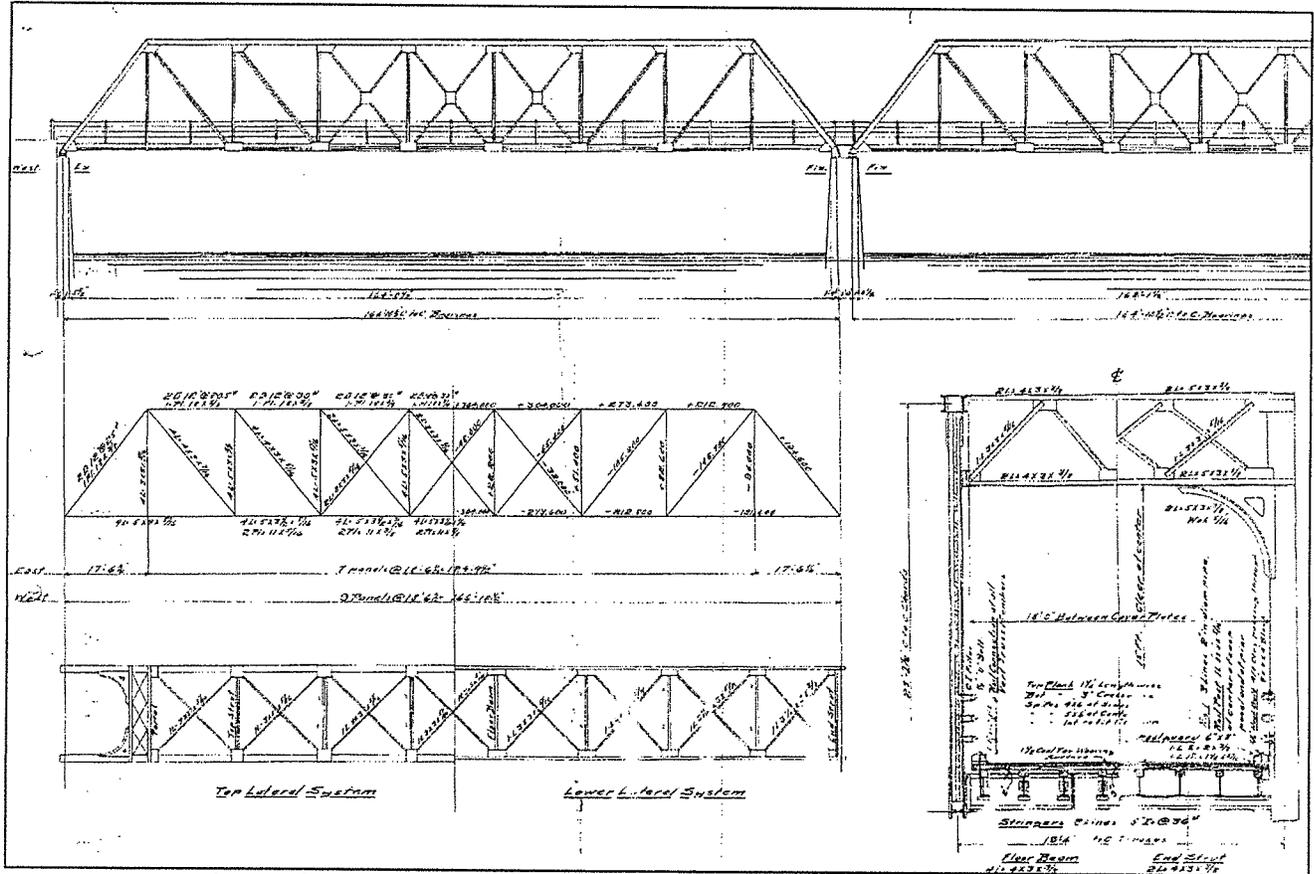


Robert J. Faulkner
Project Manager, Vice President



Sewells (or Sewalls) Falls Bridge Concord, New Hampshire

Effects of Proposed Rehabilitation Alternatives on Historic Characteristics of Bridge



Portion of Original Bridge Drawing by Storrs & Storrs, Bridge Engineers, Concord, NH, 1915.

Report Prepared for

CHA Consulting, Inc.
11 King Court
Keene, New Hampshire 03431

by

Historic Documentation Company, Inc.
490 Water Street
Portsmouth, Rhode Island 02871

November 2012

1.0 INTRODUCTION

The purpose of this report is to review two recent reports, *Sewalls Falls Bridge 2012 In-Depth Inspection* and *Sewalls Falls Bridge 2012 Load Rating*,¹ and provide an assessment of the findings and recommendations of those reports as they pertain to the potential treatment and historic integrity of the historic Sewalls Fall Bridge (Bridge). The general finding of both engineering reports is that the Bridge is in worse physical and structural condition than previously estimated, raising two issues: certain aspects of the *Preferred Alternative Plan* for the Sewalls Falls Bridge Replacement Project, adopted and approved by the Concord City Council in 2010, may no longer be feasible, and repairs to the trusses may be so extensive or intrusive that the historic integrity of the bridge is lost. The Preferred Alternative Plan calls for the rehabilitation of the existing truss bridge as a one-lane eastbound bridge with a new sidewalk added and extended off the downstream side. A new one-lane bridge for westbound traffic will be constructed upstream and alongside the existing truss.

Because the Sewalls Falls Bridge is a historic structure that has been determined eligible for listing in the National Register of Historic Places,² the truss must be rehabilitated in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties (SOI Standards)³ if federal funding is to be used for the project. The SOI Standards for Rehabilitation projects, while intentionally general in nature to enable broad interpretation to fit the particular circumstances of each historic property, were conceived with buildings in mind, not bridges. The result has been wide variations in historic bridge rehabilitation practice among different states and a lack of clear consensus on the limits to which specific bridge features can be repaired and replaced without destroying the historic integrity of the bridge, and hence, its eligibility for the National Register. In 2001, the Virginia Transportation Research Council studied the problem and published *The Secretary's Standards Interpreted for Bridge Repair, Rehabilitation, and Replacement Situations* (see Appendix A). The VTRC standards serve as perhaps the best available guidelines for engineers to follow, however, they have not been officially adopted or codified by the regulating agencies.

The actual determination of the effects of a rehabilitation design on the integrity and eligibility of the Bridge will be arrived at thru consultation meetings of the NHDOT Cultural Resource Committee between representatives of NHDOT, FHWA, NESHPO, the City and its engineering consultant, CHA. Typically, the preparation of relatively specific bridge rehabilitation plans or intentions must be provided in order for the Committee to best appraise the effects of each type of repair. Before the City expends further monies to prepare detailed rehabilitation plans, it seeks to gauge the feasibility of making the necessary repairs without destroying the integrity of the Bridge, and thus losing the source of federal funding.

¹ Reports prepared by Clough Harbour & Associates (CHA), Keene, NH for the City of Concord Engineering Services Division, March 2012, and June 2012, respectively.

² *New Hampshire Division of Historical Resources Determination of Eligibility (DOE), Sewalls Falls Bridge over Merrimack River, Inventory Number CON0278, July 6, 2008.* On file at NHDHR, Concord. The DOE determined the bridge to be eligible for the National Register under Criterion A - History, and Criterion C - Engineering.

³ The Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation (1995). Cited as Rehabilitation Standards. See: http://www.cr.nps.gov/local-law/arch_stnds_8_2.htm Guidelines.

2.0 CHARACTER DEFINING FEATURES

Character defining features are those physical components and elements of the resource, which are special or unique to the particular resource in design, materials or construction. The character defining features must be present and retain a reasonable degree or level of physical integrity for the resource to be eligible for listing in the National and /or State Register of Historic Places. The character defining features of High Pratt Truss Bridges have been identified in a previous study⁴ from which the following table is taken:

Elements of the High Pratt Truss

Component/Feature	Character Defining Feature (CDF)? Yes/No. Why
Panel point connections	Yes. The type of panel connection, pin or riveted, have evolved in design and reflect the technological development and evolution of the truss type.
Configuration of truss design	Yes. The layout of the truss members define the truss type and subtypes.
Upper chord	Yes. Upper (top) Chord design has evolved and reflects engineering development of the truss type. Earlier truss upper chords were built-up members with channels, cover plates, tie-plates and/or lattice bars; later trusses may have single rolled member top chord.
Lower chord	Yes. Lower (bottom) Chord design has evolved and reflects engineering development of the truss type. Earlier truss lower chords were eyebars; later trusses generally have built-up members with channels or angles and tie plates.
Vertical members	Yes. Design of verticals has evolved and reflects engineering development of the truss type. Earlier trusses have built-up members; later trusses use single rolled wide-flange members.
Diagonal members	Yes. Design of diagonals has evolved the same as the vertical members and reflects engineering development of the truss type.
Floor beams and stringers	Yes and No. Floor beams and stringers from earlier pin-connected bridges typically have important design, material and connection details related to the truss design. Later riveted trusses are generally not defined in any important way by their floor beams and stringers. Riveted floorbeam-to-post connections are a defining feature and considered above under panel point connections.
Lateral top bracing	Yes. Top bracing methods have evolved and reflects engineering development of the truss type.
Portal	Yes. Portal design has evolved & reflects engineering development of the truss type.
Bearings	Yes. Bearing types have evolved and contribute to then understanding of the bridge type.
Sway bracing	Yes. Sway bracing has evolved in different forms depending on the designer and fabricator.
Lower lateral bracing	Yes and No. Lower lateral bracing on the early pin-connected bridges is often wrought iron with varying section shapes and end attachment fittings and are a CDF. Nearly all riveted bridges utilize steel angle lateral braces that do not possess design features other than section size and are not a CDF.

⁴ *New Hampshire Historic Bridge Management Plan for High Pratt Truss Bridges*. Prepared by Historic Documentation Company, Inc., Portsmouth, Rhode Island for New Hampshire Department of Transportation Bureau of the Environment, Concord, New Hampshire, June 2011.

Elements of the High Pratt Truss

Component/Feature	Character Defining Feature (CDF)? Yes/No. Why
Deck	Yes and No. Deck systems such as concrete slab are typical of many bridge types and are generally unrelated to truss design and not considered a CDF. Lightweight floors such as timber, open steel grid, solid bridge plank with wearing-course overlay can typically be related to design variations in the truss for economy such as lighter structural members and may be considered a CDF.
Sidewalk supports	Yes and No. Early bridges may have unique built-up, shaped, fabricator-specific or decorative sidewalk supports that can be considered a CDF. Later bridges typically all have simple angle or T-section braces of utilitarian design and are not a CDF.
Railings	Yes and No. Early bridges may have unique built-up, shaped, fabricator-specific or decorative railings that can be considered a CDF. Later bridges typically all have simple horizontal runs of pipe, angle or channel that are not a CDF.
Substructure	Yes and No. Generally the substructure is not directly related in any important way to the particular features of the Pratt Truss type. However early bridges may have a stone masonry or an early concrete substructure (before 1910) that possesses engineering significance in its own right; in which case may be considered as contributing to the overall significance of the resource. Unusual substructure elements such as riveted pipe piers, early pre-cast concrete pilings, open or decorative concrete piers or abutments can also be significant. Later bridges with simple standard-design concrete abutments and piers should be considered as non-CDFs.
Rivets and Bolts	Yes and No. Rivets as a whole define the engineering of individual riveted members of pin-connected trusses, and the members as well as the joint connections of all riveted trusses. The use of bolted connections for field splices was also typical. The significance of riveted vs. bolted connections in a particular truss design should be evaluated in each case for any relative importance to the overall truss design.
Composition / Dimension / Strength of structural members	Yes. Early bridges built before 1910 may use wrought iron tension members with specialized end connections and adjusting nuts. Specialized high-strength steel alloy may be used for long spans and reflect special engineering design practice. New structural member shapes such as wide-flange beams used for columns and braces reflect the design evolution of the type.

3.0 REHABILITATION FEASIBILITY

3.1 CHA Load Rating Report Findings

The Load Rating Report states: "The results of the analysis indicate the bridge is understrength for current legal highway loads with all diagonals and most gussets having insufficient capacity. CHA believes the bridge can be rehabilitated and strengthened to support legal highway loads (HL93). The gusset plates control the capacity at about 50% of the legal load. CHA believes these members can be strengthened to achieve the full legal highway capacity by replacing rivets with high strength bolts and lengthening the connection. The previous engineering report included the addition of a sidewalk cantilevered outside of the truss. This can be done but will require additional strengthening of the top and bottom chords. Rehabilitating the truss to support

a sidewalk requires the strengthening of every member of the truss. CHA believes this exceeds the practical limits of rehabilitation."

CHA estimates the work to rehabilitate the trusses to full legal capacity without a sidewalk will consist of the following repairs:

Description	Number Repaired	Total Number In Bridge	Percent Replaced
1. Replace diagonals bent from vehicular impact	7	40	17.5%
2. Strengthen tension diagonals	25	40	62.3%
3. Strengthen lower chord members	17	36	47.2%
4. Strengthen verticals	7	32	21.9%
5. Strengthen gussets	40	72	55.6%
6. Replace Floorbeams	20	20	100%
7. Replace Stringers	144	144	100%
8. Replace bottom lateral Bracing	36	36	100%

The Load Rating Report notes that the information above was based on the following:

"The inspection was limited to the two truss spans superstructure elements only. The substructure and existing bridge flooring members are contemplated for complete replacement in the various bridge rehab/replacement schemes under consideration. The main members and gusset plates were analyzed. The floor beams and stringers were assumed to be replaced in kind and were not analyzed."

Section 4.0 below examines the effect of eliminating the added sidewalk from the plan, the complete replacement of the floor system, and the selective repair and/or replacement of each truss member type listed in the table above.

2.2 Integrity Considerations for Rehabilitation⁵

High Pratt truss bridges like Sewells Falls that are eligible for the National Register under Criterion C for engineering significance, "should always possess several, and usually most, of the [seven] aspects of integrity: location, design, setting, materials, workmanship, feeling and association."⁶ Bridges should be intact, with an identifiable truss system, the majority of which should be original members or members replaced in-kind. The truss system should be capable of functioning, with or without structural reinforcement, but need not be in use for carrying traffic. Additions such as sidewalks, guide rails, replaced flooring and decking, and new abutments are acceptable as long as the truss system is in place.

According to the American Society of Civil Engineers (ASCE), engineers have a duty to seek cost effective methods to rehabilitate historic bridges so they remain on line. "Vehicular use is the best

⁵ From: *New Hampshire Historic Bridge Management Plan for High Pratt Truss Bridges*.

⁶ "How to Evaluate the Integrity of a Property" [Section VIII] *National Register Bulletin 15, How to Apply the National Register Criteria for Evaluation*. Washington, DC: US Department of the Interior, 1997, p. 44.

preservation because it keeps the bridge in highway maintenance, inspection and funding programs" (see Appendix C for the complete ASCE policy statement on historic bridges).

4.0 PROPOSED REHABILITATION TREATMENTS & EFFECTS

4.1 Elimination of Proposed Sidewalk

Description: According to CHA, "rehabilitating the truss to support a sidewalk requires the strengthening of every member of the truss... [and] that would exceed the practical limits of rehabilitation."⁷

Proposed Treatment: Do not add the cantilevered sidewalk to truss bridge.

Effect of Treatment: Since the sidewalk is not an original feature of the bridge, its elimination from the rehabilitation plan removes an alteration that would have diminished the integrity of the original design.

4.2 Replacement of Floor System.

Description: According to CHA, "The Stringers are rolled beams; their date of origin was not determined, but they have the same staggered holes in the top flanges (for fastening timber nailers), as shown in the 1915 shop drawings. Floorbeams are built-up riveted sections with separate web plates and flange angles. Both the stringers and the floorbeams have been extensively modified; they have welded flange cover plates and web repair plates, possibly from multiple generations of rehabs and retrofit construction."

Proposed Treatment: Floor beams and stringers are assumed to be 100% replaced in kind.

Effect of Treatment: As noted in Section 2.1 above, the floor systems of *riveted* Pratt truss bridges such as Sewells Falls, including the floor beams, stringers and lateral bracing, do not typically contribute significantly to the technology of the truss design. Riveted floorbeam-to-post connections can be a defining feature and are considered under panel point connections. The term "replacement in-kind" can be open to interpretation. Since the new replacement floor beams and stringers must "fit" the existing truss connections, it is assumed for the purposes of this report that they will be of very similar overall dimensions to the existing members, but varying in section as required to meet load requirements. The new floor beams will likely be rolled or welded instead of built-up riveted.

Evidence in the form of the old bolt holes and the repair work suggests that the existing floor beams and stringers are probably original. Their complete removal would be considered an adverse effect under S106 Standards but their advanced deterioration and numerous ad-hoc repairs has rendered them unsuitable for further repairs. If repairs to existing members can be

⁷ "Practical limits" is not defined in the Load Rating report but presumably means that the cost of strengthening every member of the truss would grossly exceed the cost of a new bridge and therefore fail to meet the eligibility requirement of "reasonable costs" under the Federal Highways Historic Bridge Program (see Appendix B).

shown to be not feasible, then the Rehabilitation Standards allows full replacement of members in-kind as the "least degree of intervention."

4.3 Top Chords

Description: The top chords are built-up member consisting of two 12" channels with their legs turned out, joined with 18"x3/8" cover plates on top and double lacing bars on bottom. The channels are in four weights: 20.5, 25, 30 and 35 p.l.f.

According to the CHA Inspection Report: "top chords of the truss exhibit minor deterioration in their top plates due to crevice corrosion ("pack rust")...typically present between the horizontal bracing gusset plates and the top plates of the upper chords at each panel point...a conservative estimate of 33% section loss in the top plates of the upper chords is recommended for load rating purposes. Because this loss typically occurs over very short lengths along the member (<1"), it applies only to local bearing/compression stress, and not to slenderness or buckling modes of analysis. No losses were evident in the channel components of the chords, so the resulting weighted maximum effect of the top plate losses on the gross section is 12% for the section with the lightest channels."

Top chords are essentially in good serviceable condition with minor areas of corrosion. Providing that the cantilevered sidewalk is not added to the truss, the upper chords meet intended design loads (as a single lane bridge) as originally designed without repair or strengthening.

Proposed Treatment: No treatment other than blasting and painting and perhaps small localized weld fills in areas of deep corrosion pitting.

Effect of Treatment: The proposed treatment is regular maintenance and complies with the Rehabilitation Standards as and the least degree of intervention. Maintenance that can be considered typical for a particular resource or feature does not constitute an adverse effect by S106 standards.

4.4 Bottom Chords

Description: Built-up member consisting of four angles joined with tie plates to form an I-section member, installed with the web axis oriented horizontal. Angles are 5x3" or 5x3-1/2", in thicknesses of 5/16, 7/16, or 1/2". Web tie plates are 11" wide by 5/16 or 3/8" thick. Bottom chords are joined with gusset plates at the panel points to vertical and diagonal members.

According to CHA Inspection and LR reports, the lower chords as originally designed are of adequate capacity for the intended loading. Where vertical and diagonal truss members intersect gusset plates at the lower-chord panel points, there is minor to moderate crevice corrosion and localized section loss, typically greater at the inside gusset plates. A total of 17 of the 36 lower chord members were determined to exhibit enough potential section loss (up to 27%) to require repair.

Proposed Treatment: Strengthen 17 of the 36 lower chord members. Since all loss of section in the lower chords is localized at the gusset plates, repair can be made by increasing the size of the gusset plates to obtain several new bolt connections points beyond the areas of section loss. This could be done with new larger plates, or by adding cover and filler plates over the existing plates. Alternatively, strengthening plates the size of the chord angle legs could be welded or bolted directly to the chord members. The advantage of the gusset plate repair is that at many panel point locations the plates can also be designed with longer connections to the deficient vertical and/or diagonal members at that node, thereby accomplishing multiple repairs with one design and construction action.

Effect of Treatment: Either new larger plates or added cover plates will alter the appearance of the panel point connection – a character defining feature of riveted truss bridges – to some degree. An increase in connection length using cover plates sized to the width of the members to be strengthened would be the least noticeable, retain the original gussets, and would meet the SOI Standards. As long as the altered gusset plates do not significantly alter the overall appearance of the truss or disguise the intended purpose or function of its character defining features, the alteration would not constitute an adverse effect under S106 Standards. Gusset plates are further discussed in section 4.7 below.

4.5 Verticals

Description: Built-up member consisting of four angles joined with single lacing bars to form an I-section member. Angles are 5x3" or 3x3", in thicknesses of 5/16 or 5/8".

According to CHA Inspection report, where vertical and diagonal truss members intersect gusset plates at the lower-chord panel points, there is minor to moderate crevice corrosion and localized section loss, typically greater at the inside gusset plates. The greatest section losses found among all truss verticals was 15% on Span 1 Right Truss member U3L3.

Proposed Treatment: Strengthen 7 of the 32 verticals. Again, the most practical repair methods in terms of engineering, constructability and cost will be determined during the rehabilitation design. The needed repairs for the verticals can be accomplished in the same manner as for the lower chords by altering the connection length of the gusset plates. The alternative is to repair members by welding or bolting-on additional steel (sistering), and this is a suitable option as well. In the design phase it may be determined that a combination of sistering and gusset plate modification may be most cost-effective at certain panel points.

Effect of Treatment: The effects of repairs to the diagonals will be essentially the same as those discussed above for the lower chords. Special effort should be made by the engineer to design the least visually intrusive repairs as possible in order to meet the Rehabilitation Standards of least intervention.

4.6 Diagonals

Description: Built-up member consisting of either two angles joined with tie plates or four angles joined with lacing bars. Angles are 3x3, 4x3, or 5x3", in thicknesses of 5/16, 3/8 or 1/2".

According to the CHA Inspection Report, deterioration of the diagonals is found at the lower-chord panel points where they are riveted to the gusset plates. As with the verticals, there is "minor to moderate crevice corrosion and localized loss of cross-sectional area...the greatest section losses found among all truss diagonals was 9% on Span 2 Left Truss member U1L2."

There are also seven diagonals that have been damaged in some way by impacts of vehicles or snow plow blades.

Proposed Treatment:

Replace the 7 diagonals damaged from vehicular impact and strengthen 25 tension diagonals to meet loading requirements. The diagonals are the controlling member in achieving the required design load, with seven out of the ten in each truss falling below the required strength as originally designed, and 25 showing some loss of section. Several options are available for repair and/or replacement of both the impact-damaged and the under-rated diagonal members that can be designed to meet SOI Standards:

- Sister partial or full-length strengthening plates onto existing angle members by welding or bolting.
- Fabricate entire new built-up welded member of similar and compatible design, with greater section if needed. Tie plates could be substituted for lacing bars to reduce cost provided some original lacing bar diagonals are retained on the bridge.
- Increase gusset plate connection length as previously described.

Effect of Treatment: The use of bolts or welding is an obvious visual difference from riveting, but there is no reason to assume that such repairs would fail to meet the SOI Standards. Large wood beams in historic buildings are routinely reinforced with columns or through-bolted steel sister plates in SOI-approved historic tax credit rehabilitation projects as the repair method constituting the least degree of intervention. Similar repairs can be allowed on bridges. The use of tie plates instead of lacing bars on the tension diagonals can be justified by their original use on the counter diagonals and vertical members. It can be assumed that cost effective repairs to the diagonals can be designed to meet the SOI Standards with minor adverse effect.

4.7 Gusset Plates (Panel Point Connections)

Description: Structural members of riveted trusses are joined together where they intersect at the panel points with steel plates of varying size, shape and thickness called gusset plates. The plates extend out from the center of the intersection point a calculated distance to provide the connection length and number of rivets structurally required. The dimensions and shape of the plates is dictated in part by the connection length, and for purposes of material savings the plates are multi-angled polygons that roughly conform to the loading stresses they bear. As discussed in the Inspection Report, corrosion typically occurs at gusset plates where water and other corrosion facilitators penetrate between the layers of steel in spite of their tight riveted bond.

Proposed Treatment:

The gussets are also controlling members in the load rating analysis and over half, 40 out of 72, will require strengthening or replacement to meet design loads. As previously noted, the strengthening of the gusset plates and lengthening of the connections the plates make with the members they are joining, also remedies most of the structural deficiencies in those members as well. Because the section losses are relatively small in all but a few of the gusset plates and the members they join, nearly all truss members are good candidates for repair and strengthening.

Effect of Treatment:

The impact of new oversized gusset plates, should that be the preferred engineering design, would need to be evaluated with a scale elevation drawing of the truss with the new plates superimposed over the old plates. New plates cut to the same polygonal shape of the old plates, with connection length extensions cut to the width of the member they were strengthening, might be considered less visually incongruent with the original design. The application of cover plates, bolted through existing gusset plate rivet holes, and extended up the diagonal members and attached with bolts thru new holes, would not be a significance adverse effect if shown to offer the least degree of intervention.

4.8 BRACING SYSTEMS

Description: Upper and lower bracing systems form rigid connection between the two trusses above the roadway and below the floor. Lower lateral bracing consists of 3x3" or 3x3-1/2" angles, two per panel crossing in an X to join diagonally opposite panel connections at gusset plates riveted to the floorbeams. Upper laterals are crossed 3x3" angles, diagonally joining the upper panel points at gusset plates riveted to the top chord cover plates. Sway bracing consist of light triangular trusses built entirely of angles. According to the CHA Inspection Report: "the upper lateral (horizontal-plane) and sway (vertical-plane) bracing exhibit only minor pack rust and no significant distortions...at the intermediate sway bracing, several low chords exhibit minor to moderate bends, with little effect on other components..."

Proposed Treatment: Lower laterals will be replaced in-kind along with the other components of the floor system. The portal bracing and upper sway bracing will require alteration in order to meet vertical clearance requirements. This work will require disassembly of portions of the portal and sway bracing in order to shorten the diagonal members of the bracing and raise the bottom bracing members by roughly 18 inches. Because the overall depth of the bracing assembly will be decreased, heavier members and connections will likely be required.

Effect of Treatment: Laterals are all angle members without any significant historic design or material characteristics for their time. Laterals can be replaced entirely in-kind without any effect on the character defining features of the bridge. Alteration of the portal and sway bracing assemblies to meet clearance requirements will require their reconstruction with stronger members. If reconstruction of the portal bracing follows the same original member layout and resembles the original design as closely as possible, adverse effects can be minimized or eliminated.

5.0 CONCLUSIONS

The CHA Load Rating Report finds rehabilitation of the Sewells Falls Bridge practical, and based on the information presented in the Inspection and Load Rating Reports, there is nothing to suggest that the rehabilitation can't be done in accordance with the Secretary of the Interior's Standards for Rehabilitation. Compliance with those standards, as elaborated in Virginia's *Secretary's Standards Interpreted for Bridge Repair, Rehabilitation, and Replacement Situations*, will insure that the bridge retains the necessary integrity of its historic design and materials required for listing in the National Register of Historic Places.

Three types of repairs require strengthening roughly half of the total number of members in the type group: diagonals, 62.3%, lower chords, 47.2%, and gusset plates, 55.6%. These percentages suggest that roughly 50 percent of the members require replacement, which is not necessarily a correct assumption. The members in question are in most cases in good condition with relatively small section losses making them good candidates for cost-effective repair and strengthening to meet the intended loading.

The high percentage of certain members needing repair or replacement raises a question regarding the amount of historic integrity that would be left after the rehabilitation of the bridge. There is no rule or standard of practice that establishes 50%, or any other percentage of materials or members repaired or replaced, as a historic integrity cutoff point. Integrity is a measure of multiple factors with varying weights of importance depending on the resource and the nature of the repairs.

Conversion of the bridge to carry a single lane of traffic has made the job of rehabilitating the bridge to carry modern loads feasible from the standpoint of maintaining the historic integrity of the bridge.

The use of high strength bolts in place of rivets, modified gusset plates, "in kind" replacement members, sistering plates, and welding, can all be used to rehabilitate historic bridges. Although some member repairs or replacement alternatives may by necessity stray from the original design, the effects will be considered acceptable under the Rehabilitation Standards providing the designing engineer can show the chosen alternative will have the least degree of intervention.

APPENDIX A

THE SECRETARY'S STANDARDS INTERPRETED FOR BRIDGE REPAIR, REHABILITATION, AND REPLACEMENT SITUATIONS

[Adapted from Miller, A.B., K.M. Clark, and M.C. Grimes. 2001. A Management Plan for Historic Bridges in Virginia. VTRC 01-R11. Virginia Transportation Research Council, Charlottesville]

The Secretary of the Interior's Standards for Treatment of Historic Properties (Weeks and Grimmer, 1995) were first codified in 1979 in response to a federal mandate requiring the establishment of policies for all programs under the authority of the Department of the Interior. The Secretary's Standards are used in review of all federal projects involving historic properties listed on or eligible for listing on the National Register of Historic Places. Compliance with the Secretary's Standards provides for the preservation of the historic and architectural integrity of properties being rehabilitated. The Secretary's Standards were most recently revised in 1992. The Department of the Interior regulations (36 C.F.R. 67.7(b)) states that the Secretary's Standards are to be applied in a reasonable manner, taking into consideration economic and technical feasibility.

Since their identification, the Secretary's Standards have been interpreted and applied in response overwhelmingly to one type of historic resource: buildings. Although the philosophy of the Secretary's Standards can be applied to bridges, the fundamental differences between buildings and structures must be considered. Newlon (1985) argued that the purpose of buildings is the organization and control of space, providing for a wide and flexible range of functions. Engineering structures such as bridges are designed primarily to control loads and forces to accomplish more limited functions such as the transport of people and goods on roads and bridges, retention of water by dams, or support of cables by towers. The more restrictive function of engineering structures is reflected in their design and construction, and this imposes limitations on continued or alternative uses that do not apply in the same degree to buildings.

The following wording of the Secretary's Standards addresses the unique requirements of historic bridges. This text closely follows the similar section that appeared in A Management Plan for Historic Bridges in Virginia (Miller et al., 2001).

1. Every reasonable effort shall be made to continue a historic bridge in useful transportation service. Primary consideration shall be given to rehabilitation of the bridge on site. Only when this option has been considered shall other alternatives be explored.

Bridges are designed to carry roadways over obstructing conditions: ravines, waterways, and other roadways. Bridges are best suited for this type of use. The first priority should always be retention of a bridge in its existing location and in its existing function. In many instances, contemporary vehicular traffic demands may exceed the capacity of an old bridge, and programmatic modifications, such as reduced transportation service, should be considered. Limiting the loads and types of vehicles that may use a bridge will require minimal change to the defining characteristics of the bridge. Under some circumstances, bridges may be suitable for adaptive re-use. Zuk, Newlon, and McKeel (1980) described some approaches for adapting metal truss bridges for alternative uses, including housing, commerce, etc. Alternative uses may be considered for bridges left in their original locations and for bridges that are re-located. Some metal truss bridge types were designed so that relocation would be readily achievable, and many smaller trusses have served at several locations in Virginia. One example is a Fink Truss located in Lynchburg. This bridge, when taken out of service, was relocated to a park, where it is visible, accessible, and presented in context with a locomotive and other transportation resources.

2. The original character-defining qualities or elements of a bridge, its site, and its environment should be respected. The removal, concealment, or alteration of any historic material or distinctive engineering or architectural features shall be avoided.

The character-defining features of a historic bridge must be identified so that these physical features can be retained and preserved. The bridge surveys completed by the Virginia Transportation Research Council (see, for example, Miller and Clark, 1997) are the primary means of identifying important bridges and their character-defining features.

1 All bridges shall be recognized as products of their own time. Alterations that have no historical basis and that seek to create a false historical appearance shall not be undertaken.

2 Most properties change over time; those changes that have acquired historic significance in their own right

shall be retained and preserved.

3 Distinctive engineering and stylistic features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

Characteristic features, finishes, and construction techniques must be identified so that they can be preserved. In most bridges, the most important character-defining features will be the primary structural components: trusses, girders, T-beams, slabs, concrete arches, etc. Operating mechanisms for moveable spans should also be considered primary character-defining features. Secondary characteristic features may include Phoenix columns, pinned truss connections, lattice beams, cork rails, and curbs. Abutments, piers, approaches, and other features of the crossing may be identified as primary or secondary character-defining features. In many cases, decking and roadbeds will not be considered significant character-defining features.

6. Deteriorated structural members and architectural features shall be retained and repaired, rather than replaced. Where the severity of deterioration requires replacement of a distinctive element, the new element should match the old in design, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The Secretary's Standards recommend retention and repair of existing historic features, rather than replacement. They also acknowledge the limited life-span of most building materials. When bridge components are deteriorated beyond a reasonable prospect of retention and repair, replacement can be considered. Although replacement in kind is generally recommended, alternative materials can be considered.

Modern metals with superior resistance to deterioration (stainless steel, for example) may be used to replace missing or severely deteriorated historic members provided they are galvanically compatible with the surviving original members.

7. Chemical or physical treatments that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

Materials typically used in bridge construction are generally selected for their ability to resist harsh conditions. Aggressive chemical or physical treatments may be appropriate for cleaning of some common bridge materials and components. In *Metals in America's Historic Buildings*, Gayle, Look, and Waite (1992) describe appropriate measures for proper surface preparation of iron and iron alloys, including flame cleaning, pickling, sandblasting, and other abrasive processes. Dismantling of truss bridges and galvanizing or metallizing the component chords is suggested as a sound means of preserving the historic features and configuration without damage.

8. Significant archaeological and cultural resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

Associated resources may include fords, abutments, piers, and other features associated with earlier crossings. They may also include structures that are adjacent to, but not culturally related to the bridge: canals, sluices, mills, raceways, shipwrecks, fish-traps, and power plants.

9. New additions, exterior alterations, structural reinforcements, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Structural reinforcement may be necessary to allow a historic bridge to continue in service. In extreme cases, new structural components that supersede the historic components may be necessary. Priority must be given, in all such cases, to retaining significant historic structural components, even if their load-carrying function is reduced or eliminated. New structural elements should be designed so that the historic components remain visible and so that the historic structural configuration remains evident. A valid approach is the method of superimposing structural steel arches in truss bridges, which relieves the critical historical connections and members of much of the stresses imposed by modern traffic (Kim and Kim, 1988).

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

APPENDIX B

TITLE 23 – UNITED STATES CODE – HIGHWAYS [As Amended Through P.L. 106-347, October 13, 2000]

CHAPTER 1, FEDERAL-AID HIGHWAYS

SECTION 144: Highway Bridge Replacement and Rehabilitation Program

(o) Historic Bridge Program.

(1) **Coordination.**— The Secretary shall, in cooperation with the States, implement the programs described in this section in a manner that encourages the inventory, retention, rehabilitation, adaptive reuse, and future study of historic bridges.

(2) **State inventory.**— The Secretary shall require each State to complete an inventory of all bridges on and off Federal-aid highways to determine their historic significance.

(3) **Eligibility.**— Reasonable costs associated with actions to preserve, or reduce the impact of a project under this chapter on, the historic integrity of historic bridges shall be eligible as reimbursable project costs under this title (including this section) if the load capacity and safety features of the bridge are adequate to serve the intended use for the life of the bridge; except that in the case of a bridge which is no longer used for motorized vehicular traffic, the costs eligible as reimbursable project costs pursuant to this subsection shall not exceed the estimated cost of demolition of such bridge.

(4) **Preservation.**— Any State which proposes to demolish a historic bridge for a replacement project with funds made available to carry out this section shall first make the bridge available for donation to a State, locality, or responsible private entity if such State, locality, or responsible entity enters into an agreement to—

(A) maintain the bridge and the features that give it its historic significance; and

(B) assume all future legal and financial responsibility for the bridge, which may include an agreement to hold the State transportation department harmless in any liability action.

Costs incurred by the State to preserve the historic bridge, including funds made available to the State, locality, or private entity to enable it to accept the bridge, shall be eligible as reimbursable project costs under this chapter up to an amount not to exceed the cost of demolition. Any bridge preserved pursuant to this paragraph shall thereafter not be eligible for any other funds authorized pursuant to this title.

(5) **Historic bridge defined.**— As used in this subsection, “historic bridge” means any bridge that is listed on, or eligible for listing on, the National Register of Historic Places.

APPENDIX C

Policy Statement of the American Society of Civil Engineers for the

REHABILITATION OF HISTORIC BRIDGES

Policy:

The American Society of Civil Engineers (ASCE) supports the maintenance, repair and rehabilitation of historic bridges preferably in continued vehicular use, and when that is not possible, some alternative transportation means such as a pedestrian or bike bridge.

Rationale:

Historic bridges are important links to our past, serve as safe and vital transportation routes in the present, and can represent significant resources for the future. Rehabilitation maintains these important engineering structures in service and can represent significant cost savings. Bridges are the single most visible icons of the civil engineer's art. By demonstrating interest in the rehabilitation and reuse of historic bridges, the civil engineering profession acknowledges concern with these resources and an awareness of the historic built environment.

Justification:

Many historic bridges can still serve the nation's transportation needs given appropriate repair, maintenance and flexibility in interpreting transportation standards as suggested by national transportation policy. Due to perceived functional obsolescence, lack of cyclical maintenance, and any funding priority, historic bridges are a heritage at risk. Over half the historic bridges of the United States have been destroyed during the last twenty years - a startling and alarming statistic. Certainly no one can argue that outstanding and representative examples of the nation's historic bridges shouldn't be preserved.

Vehicular use is the best preservation because it keeps the bridge in highway maintenance, inspection and funding programs. When not possible to continue in vehicular use on primary roads, consideration must be given to relocating historic bridges to roads receiving lighter volumes of traffic or alternative means of transportation such as hiking trails and bikeways. America is developing a comprehensive network of scenic highways and byways. Tandem to this is a network of hiking trails and bikeways. Maintaining and relocating historic bridges to these systems sustains the scale, character and feeling of these historic, recreational and scenic corridors.

There is growing public interest in historic bridges. Citizens groups throughout the country are working to save historic bridges. We, as civil engineers, need to help lead and support these efforts. Bridges are engineered resources thus requiring the skills of engineers. There is little chance that the historic bridges of the United States can be saved without the interest and skills of engineers, until they become part of everyday transportation policy, receive the support of transportation officials at all levels, and the continued interests of citizen groups.

Source: Eric DeLony and Terry Klein, *Historic Bridges: A Heritage at Risk. A Report on a Workshop on the Preservation and Management of Historic Bridges, Washington, D.C., 2003.* Find at: http://www.srifoundation.org/pdf/bridge_report.pdf

Concord 12004
Sewalls Falls Road Bridge over the Merrimack River
Alternatives Summary Matrix - Nov. 28, 2012

Typical Section Sidewalk	5' Shlder -12' Lane -12' Lane -5' Shlder 5 feet on both sides		18' Existing - 20' New One 5' wide sidewalk
	Alternative 4	Alternative 8	Alternative H
	Off-Line Upstream	On-Line	Rehab-Exist Add 2nd One-Way Steel Girder/Concrete Deck on Upstream Side
Engineering Issues			
Design Speed	35 mph	35 mph	35 mph w/Lighting
Profile	35 mph	35 mph	20 mph
Maintenance of Traffic	On existing bridge	Bridge closed during construction	On existing bridge
Phased bridge construction?	No	No	No
Approx. construction duration	2 seasons	2 seasons	3-4 seasons
Sewer and gas lines	Can remain on exist bridge	Relocated	Can remain on exist bridge
Right-of-Way Impacts			
Fish & Game property	Moderate (E)	Moderate (E)	Moderate (E)
State LCIP property	Substantial (A)	Moderate (E)	Substantial (A)
Concord Monitor	Substantial (A)	Moderate (E)	Substantial (A)
Residential property opposite Concord Monitor	Minimal (E)	Moderate (E)	Minimal (E)
Resource/Environmental Impacts			
Existing historic bridge	Can remain in place	Removed	Can remain in place
Fish & Game boat ramp	None	Minimal**	None
LCIP property	Substantial	Moderate	Substantial
Floodplain/floodway	Minimal	Minimal	Minimal
Potential eagle perch trees	Moderate	Minimal	Moderate
Brook Floater mussels	Minimal	Minimal	Minimal
Community Resource Impacts			
Emergency Response Time During Construction	Minimal	Substantial	Minimal
Bicycle/Pedestrian Safety Improvement	Substantial	Substantial	Minimal
Aesthetic Impact	Substantial	Substantial	Moderate
Recreational Impacts	Minimal	Moderate	Minimal
Neighborhood Impacts	Moderate	Moderate	Moderate
City Cost	Standard****	Standard****	High Initial*

(E) - Easement only

(A) - Acquisition of Right-of-Way required

**** Assumes bridge type to be Steel Girder/RC Deck

*** Impacts to the boat ramp can be mitigated by constructing a flanking span across the ramp, cantilevering the proposed sidewalk over the ramp, or relocating the ramp

** Boat ramp may need to be closed temporarily during construction

* Alternate funding will be required for rehabilitation of the existing bridge

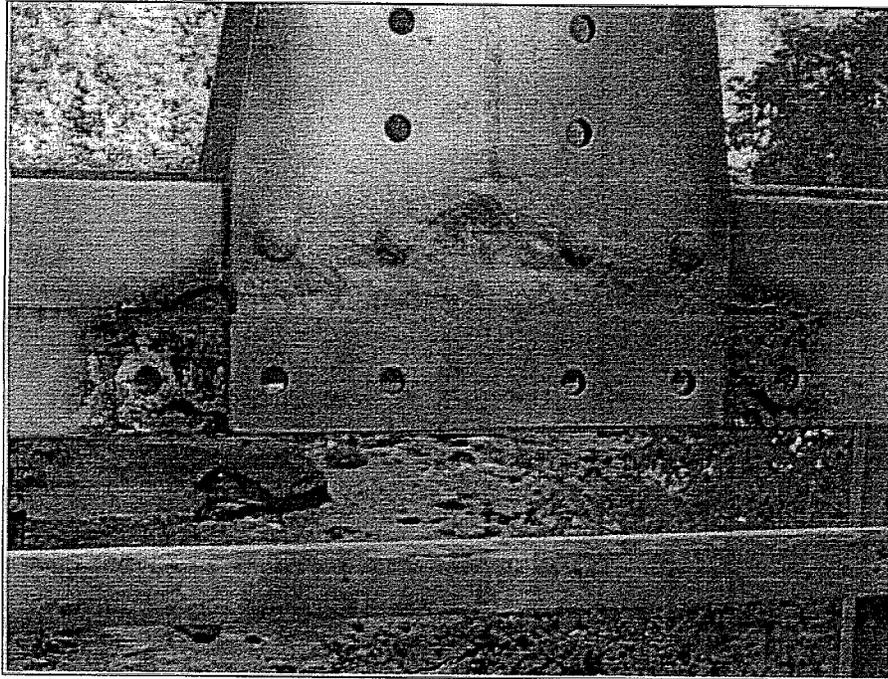
Cost			
Steel Girder/ Reinforced Concrete Deck			
Bridge Construction	\$ 5,324,000.00	\$ 5,324,000.00	
Removal of Exist. Truss Bridge	\$ -	\$ 400,000.00	
Removal of Exist. Approach Spans	\$ 430,000.00	\$ 430,000.00	
10' Wide Culvert in West Approach Fill	\$ 150,000.00		
Roadway Construction	\$ 3,187,000.00	\$ 2,954,000.00	
Right-of-Way	\$ 250,000.00	\$ 150,000.00	
Engineering	\$ 670,000.00	\$ 575,000.00	
Existing Bridge Rehabilitation for Pedestrian Use**	\$ 600,000.00	\$ -	
Utility Relocations*			
Total	\$ 10,611,000.00	\$ 9,833,000.00	

Rehab Existing Truss and Add 2nd One-Lane Bridge			
Bridge Construction			\$ 4,310,000.00
Rehabilitation of Exist. Truss Bridge			\$ 3,106,000.00
Painting of Existing Truss			\$ 888,100.00
Removal of Exist. Approach Spans			\$ 430,000.00
10' Wide Culvert in West Approach Fill			\$ 150,000.00
Roadway Construction			\$ 3,119,000.00
Right-of-Way			\$ 250,000.00
Engineering			\$ 670,000.00
Utility Relocations*			\$ -
Total			\$ 12,923,100.00

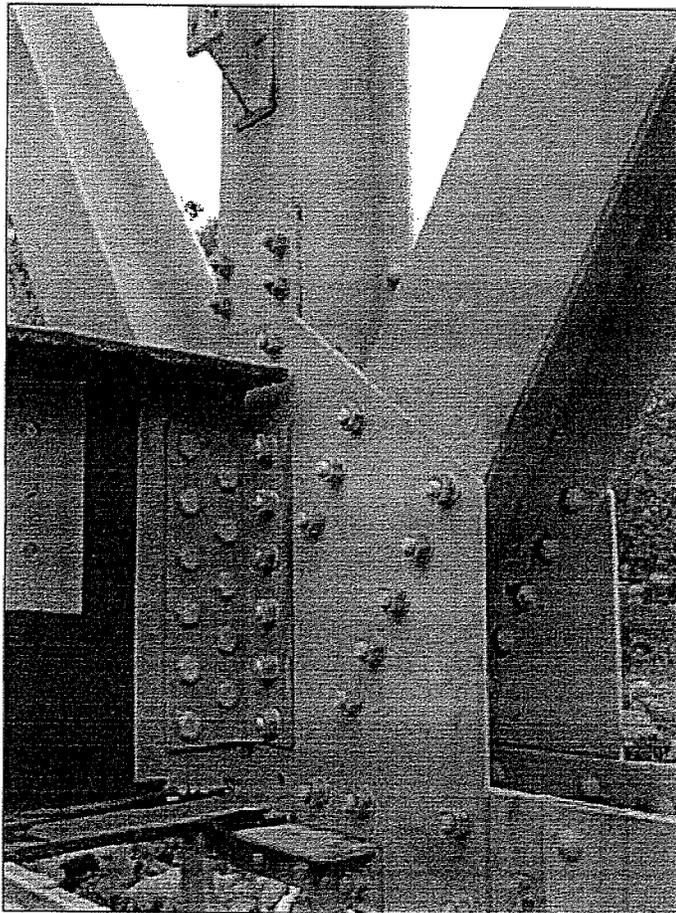
* does not include utility relocation costs

** - Cost could be eliminated if bridge were to remain in place as a static structure

Approximate Maintenance costs of truss over 25 years	\$ 81,000.00	\$ -	\$ 1,903,000.00
Approximate maintenance of new bridge over 25 years	\$ 534,980.00	\$ 534,980.00	\$ 534,980.00



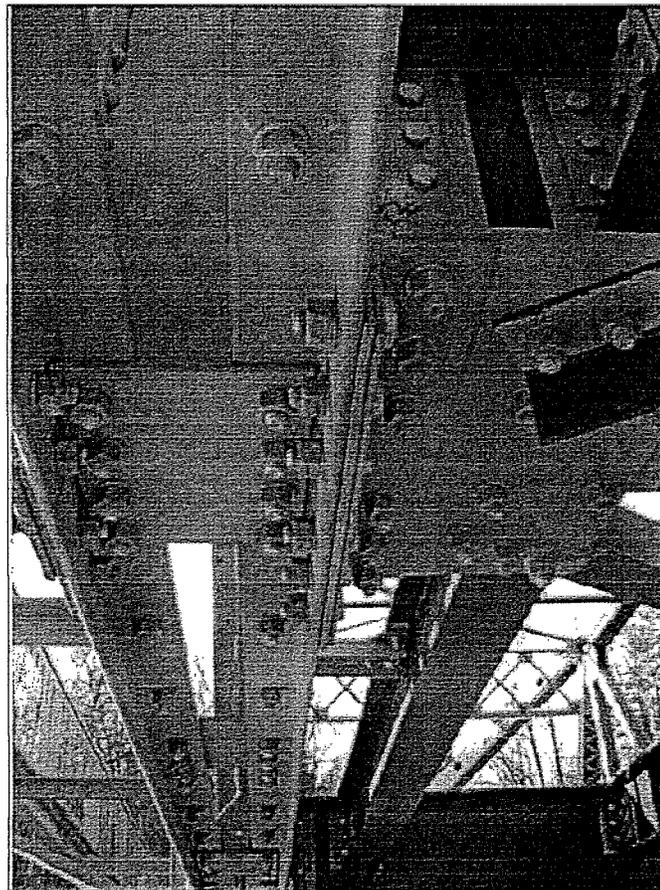
Bottom chord and gusset plate section loss hidden by floor framing. NHDOT Bridge Henniker 123/106 - Ramsdell Road Truss Rehabilitation. Photo and information provided by Matthew J. Low, Hoyle Tanner & Associates, Inc.



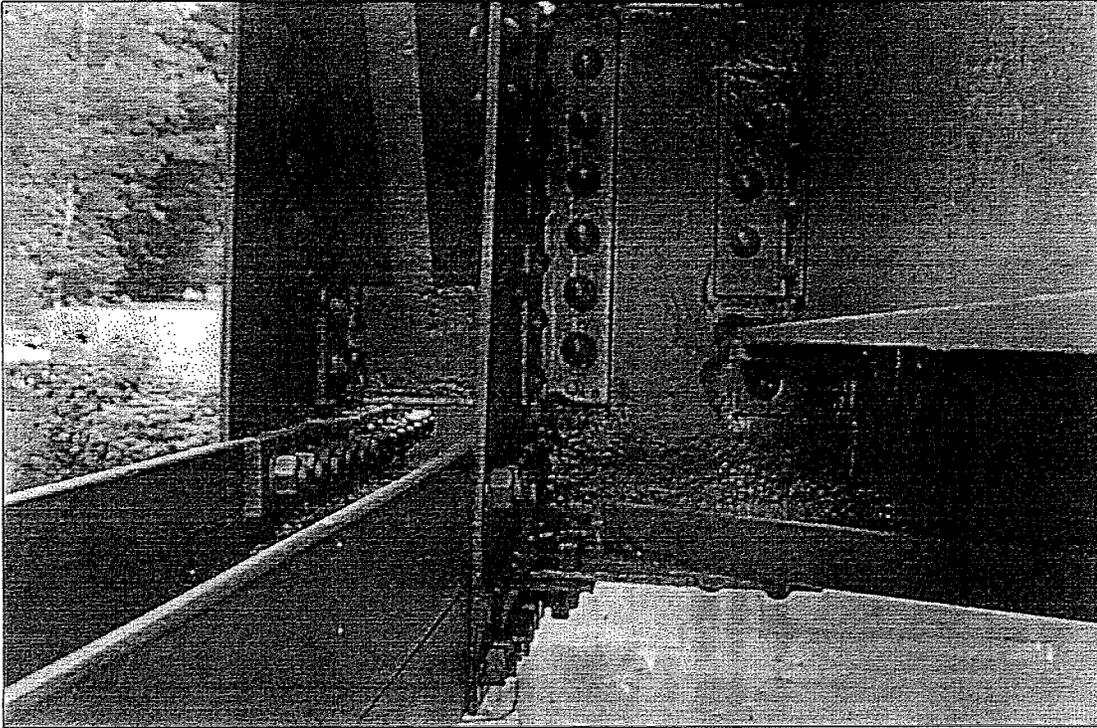
New interior gusset plate installed. NHDOT Bridge Henniker 123/106 - Ramsdell Road Truss Rehabilitation. Photo and information provided by Matthew J. Low, Hoyle Tanner & Associates, Inc.



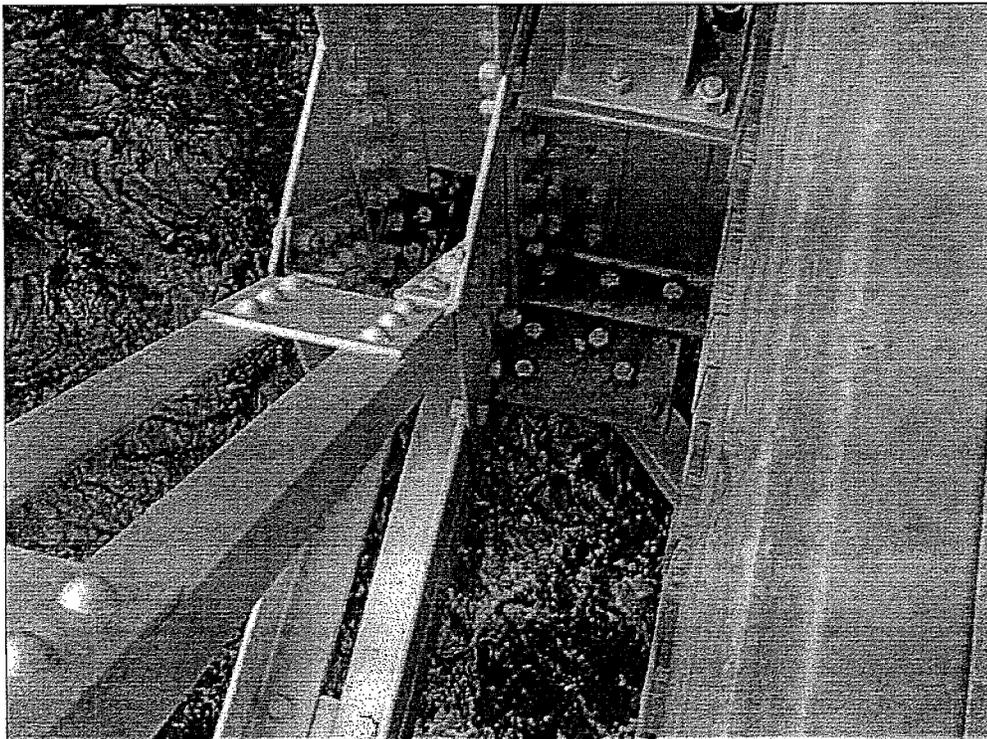
New bottom chord installation. NHDOT Bridge Henniker 123/106 - Ramsdell Road Truss Rehabilitation. Photo and information provided by Matthew J. Low, Hoyle Tanner & Associates, Inc.



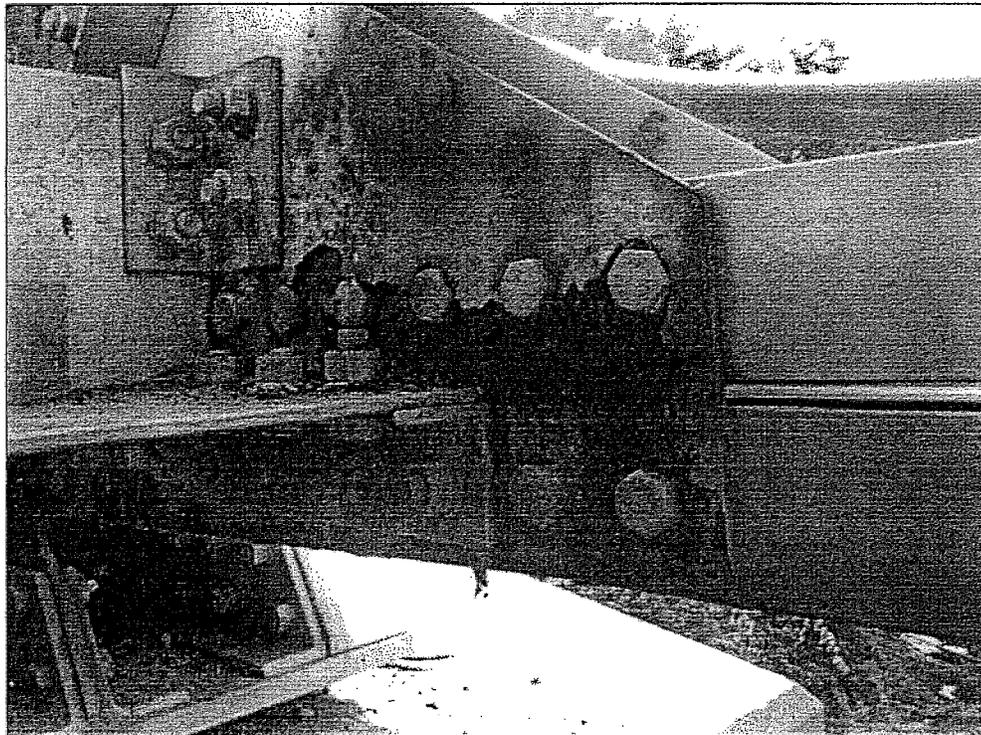
New bottom chord installed. NHDOT Bridge Henniker 123/106 - Ramsdell Road Truss Rehabilitation. Photo and information provided by Matthew J. Low, Hoyle Tanner & Associates, Inc.



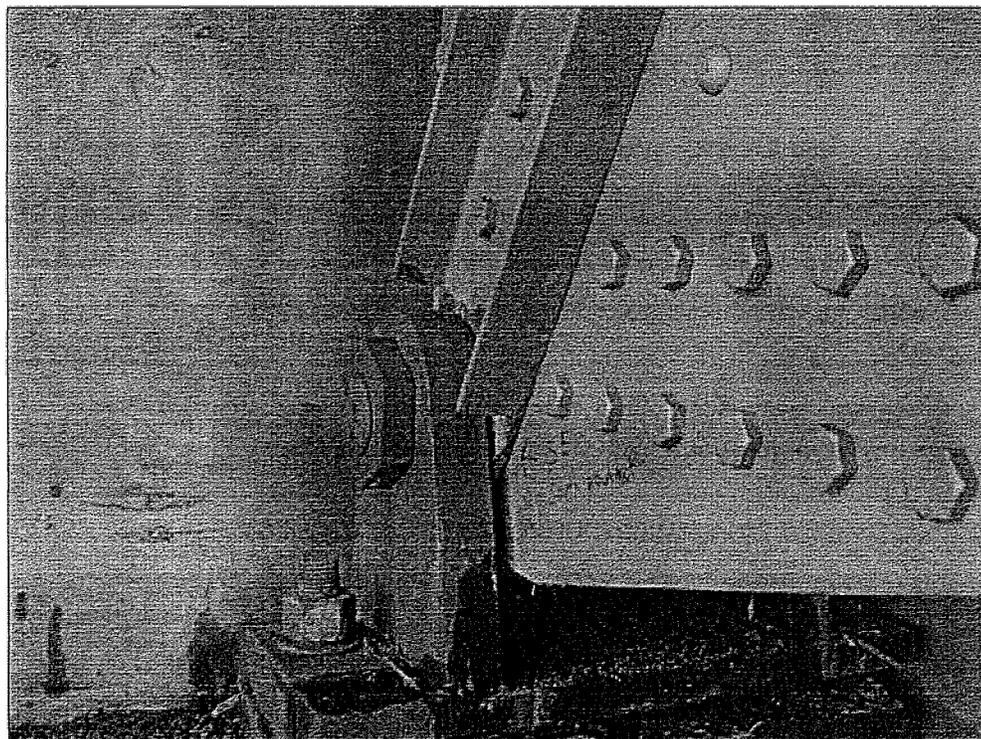
Lower chord replacement bolted to existing gusset plate (Source: Dave Powelson, NHDOT; A092-015)



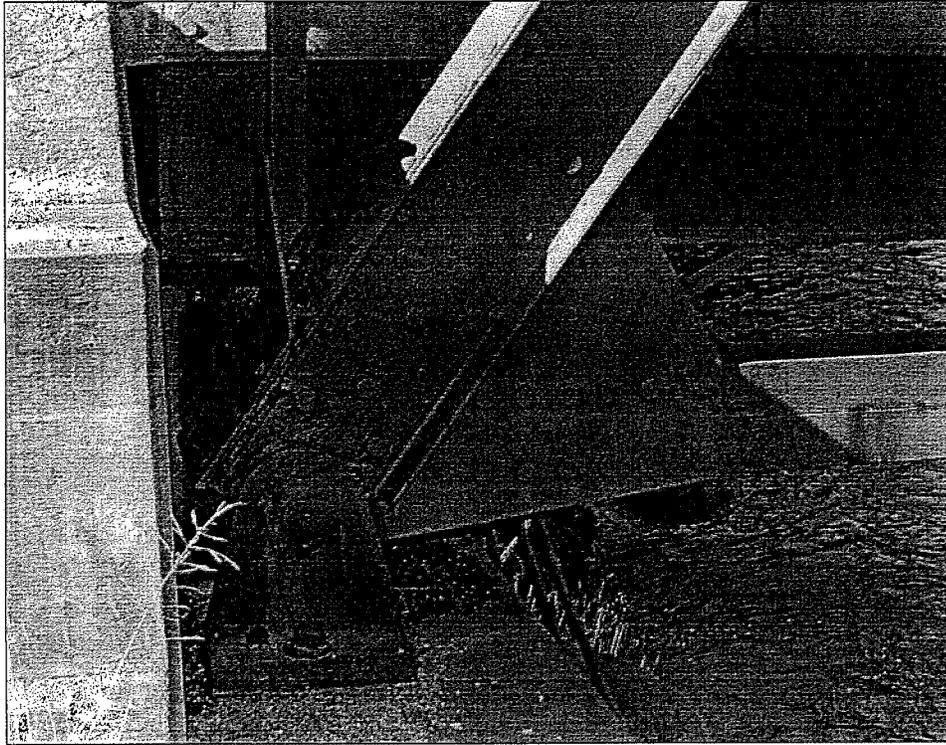
Lower chord and gusset plates replaced (Source: Dave Powelson, NHDOT; B188-010)



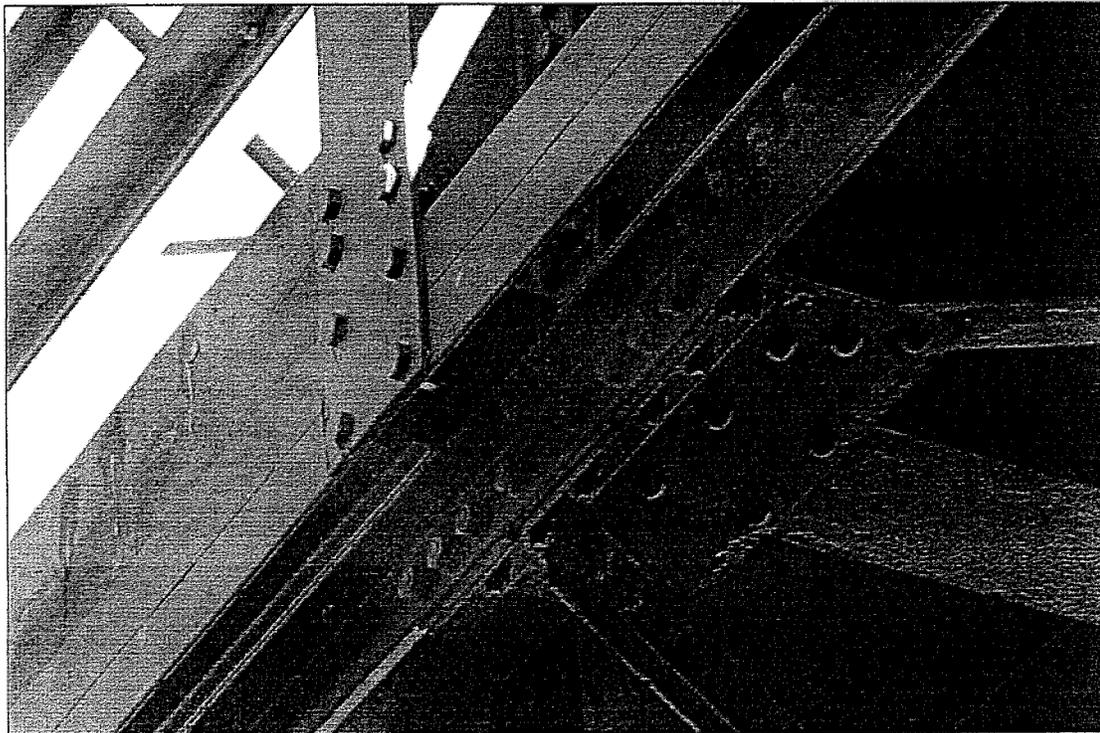
(Source: Dave Powelson, NHDOT; D078-007)



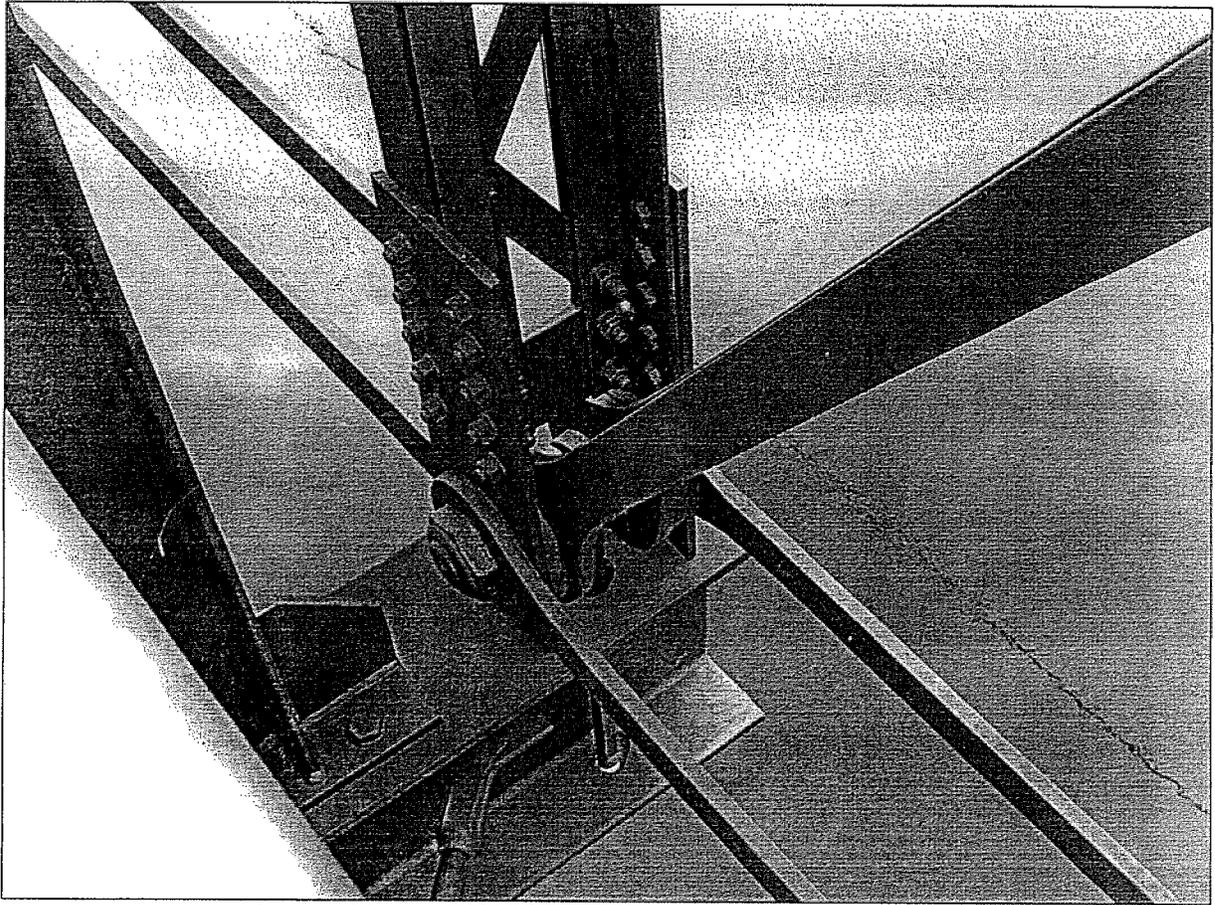
(Source: Dave Powelson, NHDOT; D078-010)



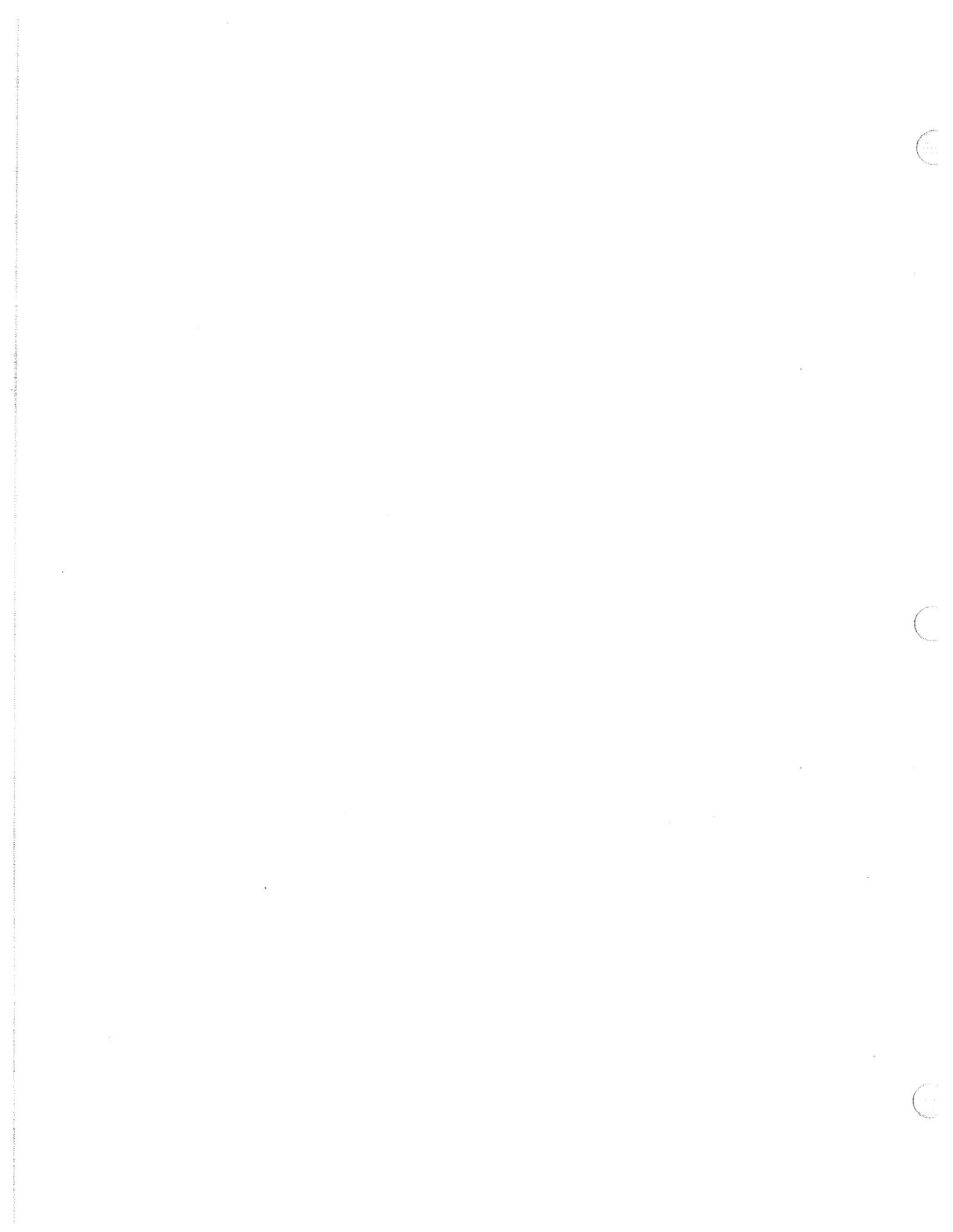
Bethlehem 099/152: Bearing, chords, gusset plate repair (Source: HDC).



Bethlehem 099/152: Chord replacement, post & connection strengthening (Source: HDC).



Stratford Maidstone 098/064: Vertical strengthening (Source: HDC).



TAA



CITY OF CONCORD

Report to Council, Recommendation From FPAC

FROM: Brian LeBrun – Deputy City Manager Finance

DATE: December 15, 2012

SUBJECT: FPAC Recommendation on FY 2014 Tax Rate Target

Recommendation

Accept and approve this report on providing the City Manager discretion to present a fiscally conservative budget that is in keeping with the City and FPAC goals for FY2013-14 as recommended by the Fiscal Policy Advisory Committee.

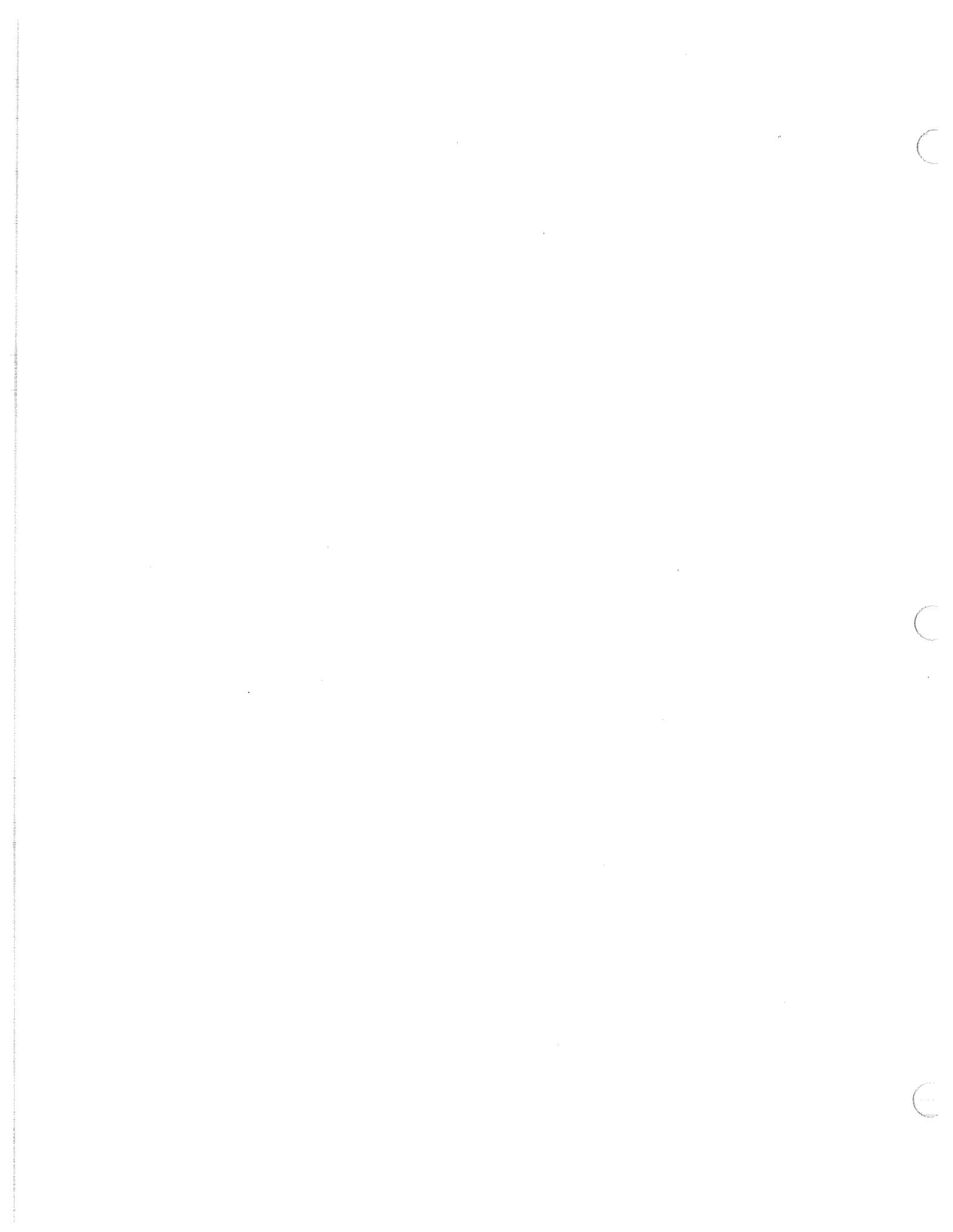
Background

In Fiscal Year 2013, FPAC has recommended providing the City Manager discretion to present a fiscally conservative budget that is in keeping with the City and FPAC goals. Again for the FY 2014 budget, FPAC has recommended to keep the same process and provide the City Manager with the latitude to present a fiscally responsible budget without a specific tax rate target.

Discussion

The Fiscal Policy Advisory Committee discussed the outcome of not providing the City Manager with a specific tax rate target for the FY 2013 budget. The consensus was that the process during the last budget deliberations went very well and that the City should use the same process again for Fiscal Year 2014. The committee did acknowledge that one of the biggest challenges for fiscal year 2014 will be the looming estimated \$1.1 million increase in the New Hampshire Retirement System costs for the City. The committee also commented that the City Manager kept the City Council well informed during the budget development and they anticipate the same for FY 2014.

cc: City Manager





CITY OF CONCORD

8 Sus 3

9-40

10-32 TFA

11-44

12-43

1-53

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Matthew R. Walsh, Assistant for Special Projects

DATE: August 10, 2012

SUBJECT: Dame School Interim Use

Recommendation:

- Accept the following report; and,
- Select one of the options presented herein concerning interim use of the property for implementation by City Administration.

Background:

Dame School is a 46,590 SF elementary school which was constructed in 1941 and subsequently expanded in 1965. The facility is located on a 5.4 acre parcel which abuts Keach Park.

On April 9, 2012, the City Council approved Resolution #8551 authorizing the acquisition of Dame School from the Concord School District for the sum of \$1 and other consideration. The City desires to acquire the property in order to combine it with Keach Park for future construction of a new city-wide community center (CIP #443). Pending the results of due diligence, and final arrangements with the School District, City Administration plans to close on the purchase in September.

The FY2013 Capital Budget included funding in the amount of \$875,000 for design of the new community center (including \$215,000 in donations). Construction of the facility is currently programmed for FY2015. Construction is anticipated to cost approximately \$10.8 million, with approximately \$1.675 million to be raised from donations, grants, and other sources.

During its June 2012 meeting, the City Council considered two options for the property during the interim period between date of acquisition (September 2012) and anticipated start of construction of the new City-Wide Multi-Generational Community Center (tentatively set for April 2015). The two basic options were as follows:

- 1) Make the facility available for community use on an interim basis; or,
- 2) Secure and "mothball" the facility until start of construction for the new community center.

During its July meeting, the City Council authorized the City Administration to seek interim tenants to occupy the property to help defray operating costs for the building. As noted last month, the City needed to lease at least 6 classrooms in order to make interim use of the school financially viable.

As part of the FY2013 budget, the City Council appropriated \$192,500 for interim use of Dame School as a community center. This appropriation included \$84,000 in offsetting revenues from to be derived from leases to interim tenants, thereby reducing the City's net investment to \$108,500 for FY2013.

Discussion:

Over the past several months, the City Parks and Recreation Department has attempted to secure interim lease agreements with approximately 10 different entities. While the majority of these entities are interested in having a future presence at the property once the new community center is built, none wished to enter into leases for the interim 30 month period due to a variety of factors. These factors have included cost of rent, limited financial capacity of some entities, the short duration of leases (30 months), as well as the requirement for entities to vacate the premises in April 2015 for an 18-month period in order to facilitate construction of the new facility.

Given the inability to secure partnerships for interim use, the City must re-visit its two basic options, as follows, and select an option to implement.

- Option 1: Proceed with interim use of the facility without \$270,000 in lease revenues to in offset the City's cost to operate the facility over the 30 month interim period; or,
- Option 2: Close and "mothball" the facility until construction of the new Community Center Project (CIP 443) in FY2015.

Option 1: Under this approach, the City would continue to use Dame School on an interim basis. Interim use could include relocation of the Parks and Recreation Department offices to the facility; however, maintenance and equipment storage would remain at White Park. In addition, the public would be allowed to use certain portions of the facility on a first come, first served basis. After minor repairs and renovations to the roof, restrooms, and some doorways, the property would be ready for occupancy in October 2012.

The estimated total cost of this option for the full 30 month duration is \$531,400. Please see the table below for cost estimates for specific fiscal years.

Option 1: Interim Use Cost Estimate

	FY 2013	FY 2014	FY 2015	Total
Option 1 Total Cost	\$192,500*	\$180,800	\$158,100**	\$531,400

*FY2013 includes \$45,000 for capital improvements and furnishings.

** FY2015 estimate assumes start of construction for new city-wide center in April 2015.

Advantages and disadvantages of this option are as follows:

Advantages:

- 1) The facility would be available for community use.
- 2) Risk of vandalism or property damage would be reduced.

Disadvantages:

- 1) Costs of operating the facility are significant and revenues from per-diem rental charges are likely to be negligible.
- 2) There are no offsetting revenues from interim leases to help defray the cost of operating the property as a community center. This will result in a net increase of cost to the City of \$84,000 in FY2013 alone. Over the 30 month interim period, the City's total net investment in the property to operate it as an "interim community center" will increase \$261,000 to \$531,400. This represents a total increase of \$270,400 over the 30 month period that the facility would be used as an "interim" community center.
- 3) Short-term relocation of the Parks & Recreation Department for 30 months will likely prove not cost effective as the Department will have to vacate the property in April 2015 to for approximately 18 months in order to facilitate construction of the new city-wide facility.
- 4) It is unlikely that any other community center facilities could be closed during this interim period, thus eliminating the possibility of offsetting savings of using the facility at this time.
- 5) Interim use of the facility could generate a certain level of "complacency" among the public and community leaders that Dame School, in its unaltered condition, is "good enough" to meet the needs of the City. This could result in the City never pursuing the new city-wide facility as envisioned in the 2011 Feasibility Study. As a result, consolidation of the community center system would likely not occur (thus forgoing potential cost savings to the General Fund). In addition, the capacity and quality of recreational offerings would not be expanded as desired.

Option 2: Under this approach, the City would close Dame School and "mothball" the facility in order to protect and preserve the building so as portions of it can be adapted and renovated for the future city-wide community center. Specifically, the City would undertake the following scope of work in order to mothball the building:

- 1) Relocate 790' of chain link fence in order to secure the perimeter of the building;
- 2) Board up all windows and doors with corrugated metal in order to protect windows and prevent illegal entry;
- 3) Drain and remove the underground storage tank which supplies the property with heating oil;
- 4) Remove water from all plumbing within the building and inject anti-freeze into the plumbing system;

- 5) Decommission the heating system, dismantle and drain boilers, and pump anti-freeze into forced hot water baseboard;
- 6) Convert the sprinkler system from a “wet” to “dry” system and modify the fire alarm system as necessary;
- 7) Install small area heaters and insulation in two mechanical rooms.

The total cost of this effort is approximately \$145,000. Work will take approximately 60 days to complete. It is important to note that the contractor’s original estimate for mothballing the property recommended \$30,000 in temporary roof repairs. City Administration recommends delaying repairs due to budgetary considerations at this time. However, if construction of the new city-wide facility is delayed, or in the event the roof begins to deteriorate move rapidly than anticipated, repairs might become necessary over the next 30 months. This will be an added project expense.

In addition to one-time capital costs to mothball the facility, the City will also have recurring annual operating expenses for such items as insurance, snow removal, lawn care, and some utilities. The property will be sufficiently maintained so as it will not become an attractive nuisance or “eye sore” for the neighborhood.

The estimated cost of this option over the 30 month interim period is estimated to be approximately \$225,900. Please see the table below for estimated cost by fiscal year.

Option 2: “Mothball” Cost Estimate

	FY 2013	FY 2014	FY 2015	Total
Option 2 Total Cost	\$169,500*	\$30,800	\$25,600**	\$225,900

*FY2013 includes \$24,415 in operating and maintenance costs for the facility.

** FY2015 estimate assumes start of construction for new city-wide center in April 2015.

Advantages:

- 1) This is the most cost effective option for the 30 month interim period between date of acquisition and anticipated start of construction for the new city-wide facility in April 2015.
- 2) The building will be adequately protected and preserved so as portions of the existing structure could be incorporated into the new city-wide facility, per the recommendations of the 2011 Feasibility Study.
- 3) Forgoing use of the school as an “interim community center” will keep the community focused on fully implementing the vision for the new city-wide community center at the site, thus creating tangible long-term recreational benefits for citizens of Concord.

Disadvantages:

- 1) The community would forgo immediate using the facility. Parks and Recreation summer camps currently operating at the Dame School location might have to be relocated to other facilities in the City.

- 2) While the property will be fenced and doors / windows boarded up, the building may periodically suffer from vandalism.

Recommendation:

City Administration recommends proceeding with Option 2 (“mothballing”) as it is the most financially viable alternative at the present time and will allow the City to preserve the building so as portions can be later adapted for the new city-wide community center (CIP #443). In addition, the total cost of this option is \$169,500, which is \$23,000 under the available FY2013 budgeted amount of \$192,500.



1 Inf 1

CA

Public Safety Board

Minutes

March 26, 2012

3:00 p.m.

City Council Chambers

Members present: Councilor Amanda Grady Sexton (Chair), Councilor Fred Keach, Councilor Stephen Shurtleff, Councilor Jennifer Kretovic, Mr. Anthony Bourque, Mr. Jim Cotsana, Mr. Jim O'Neill, Mr. Michael Russell, Mr. Steve Edwards,

City Staff Present: Mr. James Kennedy (City Solicitor), Mr. David Gill (Director of Parks and Recreation), Mr. Michael Santa (Director of Code Enforcement), Chief John Duval (Police Department), Chief Dan Andrus (Fire Department)

Excused: Councilor Richard Patten

Absent: Mr. Robert Chaisson

Other Guests: Ms. Kim Murdoch (InTown Concord), Mr. Andrew Hatch (InTown Concord), Lt. Valerie Smith (New Hampshire State Police), Ms. Kelly Collins, Ms. Alanna Chetaneo

Call to Order

Councilor Grady Sexton called the meeting to order at 3:02 p.m. Board members and guests introduced themselves.

Approval of Meeting Minutes

Mr. Cotsana moved to approve the minutes of April 4, 2011 as amended. Mr. Bourque seconded the motion. The motion passed unanimously.

InTown Concord Request-“Beer Tent” for Market Days

Ms. Murdoch and Mr. Hatch introduced themselves as the interim executive director and president of InTown Concord, respectively. They presented the mission and a short history of InTown Concord and said this was the 40th anniversary of Market Days. They stated they were looking for a location for a tent where beer, wine, and food from local restaurants could be served during Market Days in front of the Concord Cooperative Market. A survey of their members indicated interest in shaded seating and increasing the flow of revenue to local businesses and the economy. They said that they had

checked with the Fire Department and a tent of the size they were proposing could accommodate 480 people. Wrist bands would be used to control entry.

Councilor Keach asked if they had liability insurance. Ms. Murdoch said they do. Councilor Kretovic asked who would staff the tent. Ms. Murdoch said that a variety of people would provide staffing, including people from local establishments. Mr. O'Neill asked who actually got the license. Ms. Murdoch said that Intown Concord did. Mr. O'Neill asked how that meshed with the Barley House and other establishments and if other licensees had a problem with this. Ms. Murdoch said that the crowd should be large enough to not draw business from other establishments and that the owner of the Barley House is on the board and does not oppose this. Mr. Cotsana asked how critical beer and wine were to the event. Ms. Murdoch said that staff would be trained to recognize "overserving."

Councilor Keach asked about practices in other communities. Ms. Murdoch said that Chris Brown manages an event in Hampton which includes a large beer tent and this has been very successful. Councilor Keach said that it has been done successfully in Portsmouth. Mr. Hatch said that it has also been done in Nashua. Mr. Bourque asked about a copy of the policy for Hampton. Ms. Murdoch said that she would research that and understands that it is an ordinance.

Mr. Kennedy said that City ordinances forbid serving alcohol in streets and parks and there is not ordinance that would allow a beer tent to exist. A license would be contingent on having insurance and an approval process and that he had come up with a draft procedure. Mr. Cotsana asked if there was something similar for the Black Pond Ice Hockey Tournament. Councilor Shurtleff said that alcohol is not permitted in White Park.

Chief Duval said there have been no issues with Black Pond Ice Hockey. Councilor Keach said there is a need for an overall ordinance so that we are not cherry picking certain events. Councilor Kretovic said that there was a state RSA that covered the approval of alcohol events. Mr. Kennedy passed out a draft ordinance and said that he would include the Police Chief and the Fire Chief in the approval process. Councilor Keach asked about liability insurance and bonding. Mr. Kennedy said that they would work with the insurance carrier for an appropriate amount of insurance. Mr. O'Neill asked if Section 4 included selling alcohol. Mr. Kennedy said that he would seek some policy direction on what "serve" constitutes. Councilor Grady Sexton asked who determines prices. Mr. Kennedy said that suggestions could be made on times and prices. He suggested between 10:00 a.m. and 10:00 p.m. for City streets. He said that he would need to check on other ordinances. Councilor Grady-Sexton asked Chief Duval for his opinion. Chief Duval replied that he was not opposed to the direction being taken. He talked about the type of event. Many events take place on private property with little or no problem. Problems could include lateness, noise, loitering and littering. Councilor Grady Sexton asked about times. Chief Duval said that he would support 9:00 or 10:00 p.m., maybe later if not in a residential area. InTown Concord has additional staff and regular patrol staff. Chief Andrus said that fire department concerns include those

pertaining to a place of assembly, including occupant load control, exiting, and related issues. Mr. Kennedy stated that insurance was a major concern. Chief Duval said that Lt. Smith provides server training.

Lt. Smith stated that at least one person must attend server training. The RSA needs to be met; a non profit or organization approved by the commissioner. Councilor Kretovic said that we should go slowly before this is opened up. She stated that she liked Chief Duval's thoughts regarding concerns in residential neighborhoods. Mr. Santa stated that this is very much like the current event permit. It can be modified to include additional departments. Councilor Grady Sexton asked the preference of the board. Mr. Gill stated that it would need RPAC approval.

Mr. O'Neill moved to approve the report and send it back to the Administration to draft an ordinance and set a date for a public hearing. Councilor Keach seconded the motion. The motion passed unanimously.

Annual Report to the City Council

Chief Duval presented an overview of the written report that he had submitted which covered Part I and Part II crime, traffic enforcement, and a summary of the state of the department. Councilor Kretovic asked if there were any concerns about the budget. Chief Duval replied that budget requests had been submitted regarding an evidence technician and the management of physical space, as well as a dispatch position. He said that there are currently seven vacancies and eight or nine employees could leave at any time. He said that recruitment and retention would be a focus in the coming year. Mr. Edwards asked if there were any trends worth noting. Chief Duval said that incidents involving prescription drugs, i.e., percocet, are a concern. People will do desperate things to support their addictions.

Chief Andrus presented an overview of the written report that he had submitted which covered an overview of emergency operations, noting a 7.46% increase in call volume. He also reviewed National Fire Protection Association standards regarding deployment and the Department's compliance with those standards. Finally, there is a list of accomplishments in 2011. Chief Andrus expressed concern with the increase of calls and the Department's ability to maintain the level of service with current resources if increases continue to occur.

Mr. Bourque moved to accept the Police Department report as written. Mr. O'Neill seconded the motion. The motion passed unanimously.

Mr. Bourque said that he would like to see a statement in the Fire Department report similar to the Police Department report with respect to staffing. Mr. O'Neill moved to have the Fire Chief revise the report. Mr. Edwards seconded the motion. Councilor Shurtleff said that he thinks the Fire Department report is acceptable as written. The motion to revise the report failed, with Councilor Keach, Councilor Shurtleff, Mr. Edwards, Mr Russell, and Mr. Cotsana voting in the negative. The original motion to

accept the reports passed, with Councilor Kretovic and Mr. Bourque voting in the negative.

Next Meeting

The next meeting will occur at the call of the Chair.

Adjournment

Mr. O'Neill moved to adjourn the meeting. The motion was duly seconded and passed unanimously. The meeting was adjourned at 4:20 p.m.

Public Safety Board

1/21

Draft Minutes

December 17, 2012

3:00 p.m.

Police Department Training Room

Members present: Councilor Amanda Grady Sexton (Chair), Councilor Jennifer Kretovic, Mr. Anthony Bourque, Mr. Jim Cotsana, Mr. Jim O'Neill, Mr. Michael Tardiff, Mr. Michael Russell, Mr. Steve Edwards,

City Staff Present: Mr. James Kennedy (City Solicitor), Ms. Danielle Pacik (Deputy City Solicitor), Mr. Eugene Blake (Health and Licensing Officer), Chief John Duval (Police Department), Chief Dan Andrus (Fire Department)

Excused: Councilor Fred Keach, Councilor Richard Patten, Councilor Stephen Shurtleff

Call to Order

Councilor Grady Sexton called the meeting to order at 3:04 p.m. Board members and City staff introduced themselves.

Consultation with Legal Counsel

Solicitor Kennedy explained the RSA regulating a non meeting for the purposes of consultation with legal counsel. Chief Duval moved to go into a non meeting. Councilor Kretovic seconded the motion. The motion passed unanimously.

At the conclusion of the consultation, Mr. O'Neill moved to go back into a public session. The motion was seconded by Councilor Kretovic and passed unanimously.

Approval of Meeting Minutes

Mr. O'Neill moved to approve the minutes of March 26, 2012 as amended. Mr. Tardiff seconded the motion. The motion passed unanimously.

Council Referral on Solicitation

Councilor Grady Sexton explained that the ordinance regulates the hours during which solicitation can be conducted. Councilor Kretovic explained that the existing ordinance was passed after a person was raped. Mr. Russell stated that he supports the current ordinance and the hours when solicitation may be conducted. Mr. Blake stated that he has received requests for extensions, and that these types of solicitations often pose other

problems. He stated that the company bringing this request is not permitted to solicit in homes in their home state of Utah.

Mr. Edwards asked how many registrations there are. Mr. Blake replied that there are about 30 registrations, including magazines and other products, environmental organizations, and financial services. Mr. O'Neill asked what the fee is. Mr. Blake replied that there is no fee, except if they are delivering the product on the same day. In that case, they are classified as a peddler and pay \$52.50 per week. Councilor Kretovic asked about the difference between selling products and representing religious organizations. Mr. Blake explained that the primary focus was on magazine sales and that other types do not require a license. Deputy Solicitor Pacik explained that the solicitor's presence can not have been invited by the resident. Mr. Edwards asked about the police calls for service to answer complaints about solicitations. Chief Duval said that it depends very much on the time of day. He reviewed statistics from 2008-2012 that showed that 35.3% occurred during evening hours.

Mr. Blake distributed applications to Board members. Mr. Edwards asked about legal liability. Solicitor Kennedy explained the difference between public speech and commercial speech and considerations of public safety. Mr. O'Neill asked if applicants could be asked if they have approval from the Better Business Bureau. Mr. Blake said that they could do that. He reviewed the components of the application. Councilor Grady Sexton asked what other jurisdictions have done with respect to the Better Business Bureau. Mr. Blake said that it can take a month or longer to get a criminal background check and that the results apply only to New Hampshire.

Councilor Grady Sexton asked if there were any proposals regarding the time limits. Chief Duval said that he is ok with going to 8:00 p.m., but 9:00 p.m. would be pushing it. He said that the teeth for enforcement is having a badge and having it displayed. Councilor Grady Sexton said that solicitors would need to conform to badging requirements. Councilor Grady Sexton asked if we can treat different types of solicitors differently. Mr. Blake said that Girl Scout troops are licensed to sell in front of stores and that all troops are registered. Mr. Tardiff said that he saw no difference between 7:00 p.m. and 8:00 p.m. and that it would be ok to stop at 8:00. Councilor Kretovic said that she prefers more restrictive hours.

Mr. Russell moved to recommend that the hours of solicitation be changed to 9:00 a.m. to 8:00 p.m. Mr. O'Neill seconded the motion. The motion passed unanimously.

Councilor Grady Sexton said that the next issue is a badge. Councilor Kretovic stated that she likes the badge idea, that it is one more level to go through. Mr. Blake said that they can issue a license on the same day now, but a badge would take a couple of days. Mr. Russell asked if they could be required to have company identification. Councilor Kretovic recommended a badge issued by the City of Concord. Chief Duval said that gun permits take ten days. Councilor Grady Sexton asked if we would be badging Girl Scouts and Boy Scouts. Deputy Solicitor Pacik said that the ordinance now requires registration. Councilor Kretovic asked about moving the fee for badging to the fee schedule.

Councilor Kretovic moved to recommend that City staff recommend a fee to cover the costs. Mr. Russell seconded the motion. The motion passed unanimously.

Councilor Grady Sexton said that the next issue involves the time for renewal. Councilor Kretovic moved to recommend to extend the time limit for a license to thirty (30) days. Mr. Russell seconded the motion. Chief Duval asked if provisions for revocation could be included. Deputy Solicitor Pacik stated they could incorporate that language. Councilor Kretovic said that it should be separated from peddlers.

Councilor Kretovic amended her motion to recommend licensing for a thirty (30) day time frame rather than one (1) week. Mr. Russell seconded the amended motion. The motion passed unanimously.

Councilor Kretovic moved to recommend the separation of this ordinance from the ordinance for peddlers and other vendors. Mr. O'Neill seconded this motion. The motion passed unanimously.

Non Meeting for Legal Consultation

Councilor Kretovic moved to discontinue the public meeting in order to have a consultation with legal counsel. Mr. O'Neill seconded the motion, which passed unanimously.

At the conclusion of the consultation, Mr. O'Neill moved to return to a public session. Mr. Russell seconded the motion, which passed unanimously.

Proposed Panhandling Ordinance

Chief Duval spoke strongly in favor of an ordinance to address aggressive panhandling. He cited the safety concerns of having individuals soliciting near traffic, such as intersections and medians. Mr. O'Neill moved to recommend that the City Administration explore an ordinance of aggressive panhandling. Councilor Kretovic seconded the motion. The motion passed unanimously.

Next Meeting

The next meeting will occur at the call of the Chair.

Adjournment

Mr. O'Neill moved to adjourn the meeting. The motion was duly seconded by Mr. Bourque and passed unanimously. The meeting was adjourned at 4:45 p.m.

1 Inf2

1/2A

City of Concord
Transportation Policy Advisory Committee

Meeting Minutes

Thursday, September 27, 2012 - 6:00pm to 8:30pm
City Hall, 2nd Floor Conference Room

1. Call to Order/Introductions

Dick Lemieux called the meeting to order. Those in attendance included:

Committee Members Present:

- Dick Lemieux (Downtown - Chair)
- Jennifer Kretovic (City Council)
- Brent Todd (Penacook)
- Ursula Maldonado (At-Large)
- Alex Vogt (Pedestrian Community)
- Jim Sudak (Concord Area Transit) (Public Transit)

Committee Members Not Present:

- Keith Nyhan, City Council
- Rob Werner, City Council
- Tom Irwin (North/West Concord)
- Craig Tufts, (Bike Community)
- Ed Roberge, City Engineer - Staff Representative

Staff, Visitors and Guests Present:

- Robert Baker - Guest
- Rob Mack, Traffic Engineer - Staff Representative

Dick Lemieux noted that the Project Advisory Committee (PAC) for the Main Street Complete Streets Project was holding its first meeting in Council Chambers tonight at 7:00 PM. He noted that he had been appointed to the PAC and would have to leave the TPAC meeting at 7:00 PM in order to attend the other meeting. He requested that attending members complete consideration of tonight's agenda items, if needed, beyond the 7:00 PM time. Most members also expressed interest in also attending the PAC meeting afterwards.

2. Approval of July 26, 2012 and August 23, 2012 meeting minutes

Jennifer Kretovic made a motion to approve both the July 26 and August 23, 2012 meeting minutes as submitted. Motion was seconded by Ursula Maldonado and unanimously approved.

3. Public Comment

Robert Baker spoke regarding the Main Street Complete Streets Project and the need to accommodate bicyclists of all ages. A concern is that many design alternatives envisioned for Main Street include on-street bicycle lanes, shared-use lanes, or even use of alternative streets to Main Street; such options may be adequate for experienced cyclists, but may be

inappropriate for very young bicyclists or the elderly. He stressed that TPAC's consideration of a 'consensus alternative' should strive to accommodate bicycle users of all ages and abilities.

4. New Business

a. FY2014-FY2023 CIP Project Priority Review

Worksheets summarizing upcoming CIP projects for intersections, street corridors, new street construction and sidewalks/streetscapes were distributed in the agenda package. Rob Mack summarized that, as was done in past years, TPAC would work to make a consolidated opinion on the ranking of projects in terms of need and priority; TPAC's recommendation would complement similar rankings to be developed by staff and TOC. Staff would submit these overall recommendations to City Council prior to their consideration and approval of next year's CIP program and adoption of the FY2014 budget. Due to constraints of time available tonight, the Chair suggested that blank worksheets be distributed electronically to members prior to the next meeting with instructions for each member to consider his/her project priority rankings in terms of 'low, medium or high'. Individual rankings would be submitted back to staff a few days before the next meeting for consolidation into a draft overall ranking to facilitate TPAC's discussion.

5. Staff Updates

a. CIP 460 Downtown Complete Streets Improvement Project - TIGER 2012

Dick Lemieux noted that this will be one of the most important transportation improvement projects in the city in years, and recommended that TPAC articulate its position to the PAC regarding key design aspects of the project. The PAC is meeting on a compressed schedule with objective to develop a consensus-design recommendation for City Council consideration in late November. The Pedestrian and Bicycle committees have already submitted individual recommendations, but a consolidated recommendation from TPAC would be highly beneficial for PAC's consideration. Attendees concurred.

In order to provide TPAC input to the PAC as soon as possible, TPAC members concurred to set up special meetings to discuss the project over the next three Wednesdays (October 3, 10 and 17 at about 6:00 PM). Rob Mack will confirm meeting time/place in the coming days. To facilitate that discussion, a copy of the Consensus Design alternative from the Rethinking Main Street study was distributed to attendees. Full electronic copies of that report as well as the TIGER Grant application would be distributed to members in the coming days.

Attendees discussed aspects of TPAC's upcoming main street deliberations. It was felt that the group's recommendation should focus on the 'complete streets' aspects of the project. Brent Todd offered to consolidate current recommendations from TPAC subcommittees into a draft document that could be used to facilitate TPAC's discussions, and with refinements, evolve into a final document for presentation to the PAC. It was suggested that perhaps two representatives from TPAC would present to the PAC in mid-October.

b. CIP 40 Langley Parkway

Rob Mack noted that corridor alternatives through the hospital campus were recently developed including coordination with Concord Hospital staff. Neighborhood input on the corridor concepts was anticipated later in the fall.

6. Presentations

There were no presentations.

7. Consent Reports

a. Approval of Subcommittee Minutes (Pedestrian, Bicycle, Traffic Operations)

Alex Vogt made a motion to approve, as submitted, the: August 17, 2012 minutes of the Pedestrian Committee; the August 6, 2012 minutes of the Bicycle Committee; the May 15, 2012 minutes of the Public Transit Committee and the August 21, 2012 minutes of the Traffic Operations Committee. Motion was seconded by Ursula Maldonado and unanimously approved.

8. TPAC Referrals from City Council, Staff and Chair

Jennifer Kretovic reported that the Public Transit Committee is considering a request from Horseshoe Pond residents to reinstate the 15-minute trolley service in that area as opposed to the recently-implemented 1-hour service loops.

9. Status report on subcommittees

a. Pedestrian Committee, Alex Vogt

Alex Vogt reported that the Pedestrian Committee met on September 20, 2012 and discussed 'Walk Friendly Report Card' priorities, field data collection on sidewalk lighting levels, and the Main Street Complete Streets Project.

b. Bike Committee, Craig Tufts

Rob Mack relayed a note from Craig Tufts that the Bike Committee met on September 25, 2012 and reviewed a plan of 'recommended bike loops' for recreational rides in and around Concord. There was further discussion of the Main Street improvement project with objective to consider bicycle-related recommendations for the project in the near future. Regarding the prior referral on the N-S Bike route and potential rerouting of the route through the N. State/Rumford intersection, it was decided to leave the bike route designation where it currently is for now, pending future improvements in this locale related to the Langley Parkway project. It was noted that CNHBC placed inverted U bike racks in one of the downtown parking garages.

c. Public Transit Committee, Jennifer Kretovic

Jennifer Kretovic reported that CAT has installed all but 15 of the 118 new bus stop signs. The 15 are problematic in that conditions at the respective bus stops make location of the signs difficult. The Public Transit Committee would next meet on October 16, 2012.

d. Traffic Operations Committee, Rob Mack

Rob Mack reported that the Traffic Operation Committee met on September 18, 2012. Discussion included a staff visit to S. Burlington Vermont to observe the recent lane conversion (4 to 3 lanes) on Williston Road which services about

20,000 cars per day. TOC also considered requests for: shoulder markings at the Clinton/Langley intersection; location of a No Outlet sign on Roy Street; placement of a weeble on N. State Street at Lake Street; and a cut-through traffic concern on Winthrop and Fernald Streets.

10. Old Business

There was no old business to consider.

11. Adjourn

Rob Mack noted changes in the TPAC regular meeting venue due to room availability. The October 25 meeting will be at 6:00 PM in the Concord Library Auditorium, and the November 15 meeting will be at 6:00 PM in the City Hall 2nd Floor Conference Room. Venues for supplemental Wednesday meeting dates for the Main Street project discussion will be announced when determined.

With no further items to discuss, Brent Todd made a motion to adjourn the meeting. The motion was seconded by Ursula Maldonado. The motion carried unanimously and the meeting adjourned.

City of Concord
Transportation Policy Advisory Committee

1/10

Meeting Minutes
Special Meeting to Consider Concord Downtown Complete Streets Project

Wednesday, October 3, 2012 - 6:30pm to 9:00pm
City Hall 2nd Floor Conference Room

1. Call to Order/Introductions

Dick Lemieux called the meeting to order. Those in attendance included:

Committee Members Present:

Dick Lemieux (Downtown - Chair)
Jennifer Kretovic (City Council)
Alex Vogt (Pedestrian Community)
Brent Todd (Penacook)
Ursula Maldonado (At-Large)
Tom Irwin (North/West Concord)
Ed Roberge, City Engineer - Staff Representative

Committee Members Not Present:

Keith Nyhan, City Council
Rob Werner, City Council
Jim Sudak (Concord Area Transit) (Public Transit)
Craig Tufts, (Bike Community)

Staff, Visitors and Guests Present:

Rob Mack, Traffic Engineer - Staff Representative
Greg Bakos (TPAC bike)
Robert Baker (Guest)

2. Overview

This is the first of three TPAC special meetings scheduled to discuss the Downtown Complete Streets Project and formulate a recommendation(s) to the Mayor's Downtown Complete Streets Advisory Committee on conceptual street cross-section (number of lanes, sidewalk width/pedestrian crossings, parking layout, bike lanes, and public transit). TPAC's recommendation will generally consider the transportation-user aspects of the corridor and its compliance with the City's Complete Streets Policy. The objective of TPAC's effort will be to provide the advisory committee with a range of potential street cross-sections, coupled with a comparative analysis of the vehicle, pedestrian, bicycle and public transit modes of travel. A TPAC recommendation on preferred alternatives, coupled with the comparative analysis, is anticipated to be presented to the advisory committee in late October 2012.

3. Discussion

Meeting discussion items included:

- a. TPAC members received and reviewed copies of the June 2011 Re-thinking Main Street Final Report, as well as the City's 2012 application for the FY2012 TIGER Discretionary Grant. Ed Roberge led a detailed discussion of the goals and objectives of both the study and the TIGER application. There was substantial discussion on aspects of the City's Complete Streets Policy and how it applied to elements envisioned in both of the above documents.
- b. Dick Lemieux charged TPAC with the development of a comparative matrix that would include a range of potential cross sections for Main Street, together with a comparative assessment of transportation elements for each alternative insofar as the ability to meet goals of the Complete Streets Policy. As an example, the 2008 comparative matrix developed by the Solid Waste Advisory Committee in their evaluation of solid waste collection alternatives ('purple bag' collection) was distributed to TPAC members.
- c. Members, staff and guests participated in a detailed discussion of key elements of a complete street (vehicle, pedestrian, bicycle and bus), including: lane-use arrangement and widths necessary to promote effective and safe travel and access to parking; effects of sidewalk width as related to accessibility and livability; use of bike lanes or shared-use lanes and appropriate widths for bicycle travel; and various arrangements/ dimensions for on-street parking (angle, back-in angle or parallel). Discussion included: input from the TPAC subcommittees on pedestrian, bicycle and public transit; staff input on national design standards, guidelines and best practices; and individual input from members and guests.
- d. Members, staff and guests spent considerable time envisioning a list of potential cross sections for Main Street, beginning with the five alternatives suggested in the Rethinking Main Street Study. As the five initial alternatives did not generally accommodate bicycle travel, a key aspect of the TIGER grant, additional alternatives that varied street, sidewalk and parking width were developed for further consideration in the matrix. An initial total of nine potential alternatives were drafted. Staff would formulate a spreadsheet with these alternatives, and potentially other, along with a methodology for documenting a comparative analysis of complete street factors to facilitate continued TPAC discussion at the next meeting.

4. Adjourn

Meeting to be continued on October 10, 2012 at 6:00 PM in the Fire Department Training Room.

120

City of Concord
Transportation Policy Advisory Committee

Meeting Minutes
Special Meeting to Consider Concord Downtown Complete Streets Project

Wednesday, October 10, 2012 - 6:00pm to 9:00pm
Fire Department Training Room

1. Call to Order/Introductions

Dick Lemieux called the meeting to order. Those in attendance included:

Committee Members Present:

Dick Lemieux (Downtown - Chair)
Jennifer Kretovic (City Council)
Keith Nyhan, City Council
Ursula Maldonado (At-Large)
Alex Vogt (Pedestrian Community)
Craig Tufts, (Bike Community)
Brent Todd (Penacook)
Tom Irwin (North/West Concord)
Ed Roberge, City Engineer - Staff Representative

Committee Members Not Present:

Rob Werner, City Council
Jim Sudak (Concord Area Transit) (Public Transit)

Staff, Visitors and Guests Present:

Robert Baker (Guest)
Sam Brown (NH Bicycle Coalition)
Rob Mack, Traffic Engineer - Staff Representative
Gloria McPherson, City Planner - Staff Representative

2. Overview

This is the second of three TPAC special meetings scheduled to discuss the Downtown Complete Streets Project and formulate a recommendation(s) to the Mayor's Downtown Complete Streets Advisory Committee on conceptual street cross-section (number of lanes, sidewalk width/pedestrian crossings, parking layout, bike lanes, and public transit). TPAC's recommendation will generally consider the transportation-user aspects of the corridor and its compliance with the City's Complete Streets Policy. The objective of TPAC's effort will be to provide the advisory committee with a range of potential street cross-sections, coupled with a comparative analysis of the vehicle, pedestrian, bicycle and public transit modes of travel. A TPAC recommendation on preferred alternatives, coupled with the comparative analysis, is anticipated to be presented to the advisory committee in late October 2012.

3. Discussion

Meeting discussion items included:

- a. Staff presented a draft matrix spreadsheet that included 16 potential Main Street cross-sectional alternatives. Alternatives included the eight initial alternatives envisioned by TPAC at the last meeting, as well as additional alternatives and sub-alternatives that TPAC might want to further consider. The matrix included alternative descriptions, space for recording comments, and columns of comparative factors that could assist in rating/ranking individual alternatives insofar as complying with complete street objectives and TIGER grant objectives.
- b. TPAC members, staff and guests had considerable discussion of each of the 16 alternatives. Minor adjustments/refinements to select alternatives were considered. A comparative rating system was refined and attendees came to consensus on a draft rating of each alternative regarding ability to meet (minimally or exceptionally) complete street objectives. Following a general overview of the completed matrix ratings, TPAC came to consensus on six of the 16 alternatives that reasonably met complete street objectives. Staff would refine this matrix to document TPAC's considerations on each of the 16 potential alternatives.
- c. Staff will develop an additional matrix highlighting the comparative assessment of the six acceptable alternatives, above. TPAC will continue its discussion of these alternatives next week with goal of refining the list and providing a TPAC-preferred ranking of each. TPAC members felt that its rankings should be focused on meeting complete street objectives. Consideration of compliance with TIGER Grant requirements, while included in TPAC's deliberation, would not be detailed in the comparative matrix. Staff would provide estimates (or approximate ranges) of potential impacts on numbers of parking spaces for each alternative. TPAC concurred that availability/quantity of on-street parking, while a very important consideration for the overall project, was not a complete street objective and thus would not be directly factored into the matrix rankings.
- d. Brent Todd offered to prepare a draft report summarizing TPAC's findings and recommendations. This report will be refined by TPAC members over the coming weeks and will provide the basis for TPAC's formal presentation of findings to the Downtown Complete Streets Advisory Committee (anticipated October 25, 2012 meeting).

4. Adjourn

Meeting to be continued on October 17, 2012 at 6:00 PM in the City Hall 2nd Floor Conference Room.

City of Concord
Transportation Policy Advisory Committee

TPAC

Meeting Minutes
Special Meeting to Consider Concord Downtown Complete Streets Project

Wednesday, October 17, 2012 - 6:30pm to 9:30pm
City Hall 2nd Floor Conference Room

1. Call to Order/Introductions

Dick Lemieux called the meeting to order. Those in attendance included:

Committee Members Present:

Dick Lemieux (Downtown - Chair)
Jennifer Kretovic (City Council)
Ursula Maldonado (At-Large)
Alex Vogt (Pedestrian Community)
Craig Tufts, (Bike Community)
Brent Todd (Penacook)
Tom Irwin (North/West Concord)
Jim Sudak (Concord Area Transit) (Public Transit)
Ed Roberge, City Engineer - Staff Representative

Committee Members Not Present:

Keith Nyhan, City Council
Rob Werner, City Council

Staff, Visitors and Guests Present:

Robert Baker (Guest)
Collette Vogt (TPAC Pedestrian)
Rob Mack, Traffic Engineer - Staff Representative

2. Overview

This is the third of three TPAC special meetings scheduled to discuss the Downtown Complete Streets Project and formulate a recommendation(s) to the Mayor's Downtown Complete Streets Advisory Committee on conceptual street cross-section (number of lanes, sidewalk width/pedestrian crossings, parking layout, bike lanes, and public transit). TPAC's recommendation will generally consider the transportation-user aspects of the corridor and its compliance with the City's Complete Streets Policy. The objective of TPAC's effort will be to provide the advisory committee with a range of potential street cross-sections, coupled with a comparative analysis of the vehicle, pedestrian, bicycle and public transit modes of travel. A TPAC recommendation on preferred alternatives, coupled with the comparative analysis, is anticipated to be presented to the advisory committee on October 25, 2012.

3. Discussion

Meeting discussion items included:

- a. Staff presented a draft matrix spreadsheet that included the six potential Main Street cross-sectional alternatives decided by TPAC last week as meeting complete street objectives. After considerable discussion, TPAC members came to consensus on four alternatives (Alternatives 9a, 5a, 6a and 9; from first to fourth in preference, respectively) to be recommended to the Downtown Complete Streets Advisory Committee as 'complete street compliant' and best meeting TPAC's vision for this project. Two remaining alternatives (Alternatives 4c and 4b) were considered to be 'compliant with modification', but not TPAC-recommended due to no change in existing sidewalk width. The comparative matrix was revised to indication the four recommended alternatives as noted above. The original comparative matrix with all 16 alternatives would highlight the overall analysis of all alternatives considered.
- b. Brent Todd moved that TPAC endorse the four recommended alternatives noted above, and in that order of preference, for recommendation to the Downtown Complete Streets Advisory Committee. The motion included endorsement of the matrix worksheets referenced above and as amended tonight. Motion was seconded by Jim Sudak and approved by unanimous vote.
- c. Attendees continued discussion/refinement of a draft final report that will accompany the approved matrices and detail TPAC's recommendations. Brent Todd offered to take the lead in continuing the refinement of this final report, with final TPAC reviews and comments to be made via email in the coming days. TPAC recommended that Tom Irwin and Ed Roberge present TPAC's final report and recommendations to the Downtown Complete Streets Advisory Committee at their October 25 meeting.
- d. As TPAC's next regular meeting is scheduled for the same October 25 evening, and that there are no pressing items for TPAC to act on, the Chair suggested that TPAC cancel its regular October meeting and reconvene again at its next scheduled meeting on November 15, 2012. TPAC members concurred in that most would prefer to be in attendance at the Main Street meeting on October 25.

4. Adjourn

The meeting was adjourned by unanimous consent.

1/20

**City of Concord
Transportation Policy Advisory Committee**

Meeting Minutes

Thursday, November 29, 2012 - 6:00pm to 8:30pm
City Hall - 2nd Floor Conference Room

1. Call to Order/Introductions

In Dick Lemieux's absence, Ed Roberge called the meeting to order. Those in attendance included:

Committee Members Present:

Tom Irwin (North/West Concord)
Craig Tufts, (Bike Community)
Brent Todd (Penacook)
Ursula Maldonado (At-Large)
Alex Vogt (Pedestrian Community)
Ed Roberge, City Engineer - Staff Representative

Committee Members Not Present:

Dick Lemieux (Downtown - Chair)
Jennifer Kretovic (City Council)
Keith Nyhan, City Council
Jim Sudak (Concord Area Transit) (Public Transit)
Rob Werner, City Council

Staff, Visitors and Guests Present:

Rob Mack, Traffic Engineer - Staff Representative

- 2. Approval of September 27, October 3, October 10 and October 17, 2012 meeting minutes**
Given the lack of quorum for this meeting, approval of the September and October meeting minutes was deferred to the December TPAC meeting.

3. Presentations

- a. **US Route 3 Corridor (North) Improvement Project - Phase 5, Ed Roberge**
Ed Roberge presented the Phase 5 improvements of the US Route 3 Corridor (North) Improvement Project referring to several graphic plans displayed on the wall board. This phase of the 6-phase US Route 3 project includes improvements from the Boscawen Town Line to Stark Street. Ed Roberge noted that staff has sponsored four public meetings and a fifth meeting is scheduled for Saturday, December 8th in Penacook at the United Church on Canal Street.

The rendered concept plans depict corridor improvements including two travel lanes, bikes lanes, and reconstruction of sidewalks. The scope of work includes removal and recycling of the concrete roadway base as has been done in previous phases of the project. The main focus at the public meetings has been on improvements at the Village/Lilac/Meter intersection, the Village/Washington

intersection, and the Village/Canal intersection. Staff has developed a detailed and extensive traffic model on the Synchro software depicting the existing conditions, a STOP sign condition, traffic signals, and roundabouts.

Concept plans outline intersection alternatives including the realignment of the Village/Lilac/Meter intersection, a stop-sign controlled, a traffic signal controlled, and a roundabout alternative at the Village/Washington intersection, and a stop-sign and traffic signal controlled alternative at the Village/Canal intersection. Staff reported that a roundabout alternative is not feasible at the Village/Canal intersection given the limited right-of-way and proximity to adjacent buildings.

Ed Roberge reported that at previous public meetings, including the last meeting on October 6th, the public consensus supported the realignment of the Village/Lilac/Meter intersection. While no formal consensus on the two other intersections was sought, the public weighed in on both traffic signals and roundabout options. With respect to traffic signals, the general consensus if traffic signals were considered was to limit the consideration to single-lane approaches noting that multi-lane facilities for turning lanes would remove too much parking, although future traffic signal performance would be reduced without adding left-turn lanes. Additionally, while some of the public supported the traffic calming benefits of a roundabout, the initial concept sketch presented depicted a considerable loss of parking. Based on comment, staff agreed to further refine the concept plans of the three alternatives, 1) a traffic calming alternative with stop-sign controls, 2) a traffic signal alternative with single-lane approaches, and 3) a roundabout alternative. The plans presented at TPAC – although not complete – will be similar to those presented at the December 8th meeting.

Following discussion, TPAC members noted the overall benefits to traffic speed reduction, capacity, and pedestrian safety that the roundabout option offers and unanimously endorsed the roundabout alternative. A summary of the December 8th public meeting will be provided at the December TPAC meeting.

4. Public Comment

There were no members of the public in attendance to comment.

5. Consent Reports

- a. **Approval of Subcommittee Minutes (Pedestrian, Bicycle, Traffic Operations)**
Given the lack of quorum for this meeting, approval of the subcommittee meeting notes was deferred to the December TPAC meeting.

6. TPAC Referrals from City Council, Staff and Chair

- a. **Referral from City Council following a request by the residents of Horseshoe Pond Place to consider bus route schedule and stop changes that would reduce overall delay between route transfers. (Council: 8/29/2012).**
Ed Roberge noted that this matter is under consideration by the Public Transit subcommittee and a final action report has yet to be developed.

b. **Referral from City Council to consider establishing a No Parking, Standing, Stopping zone along Conant Drive between South Street and Rundlett Street to mitigate adverse effects of parking for traffic related to school drop-offs/pick-ups at the Abbott-Downing Elementary School. (Council: 10/9/12).** Rob Mack reported that the Traffic Operations Committee (TOC) has reviewed this referral and has been monitoring parking within the neighborhood over the past 2 years. Rob Mack noted that the new school drop-off/pick-up process is now in place and the School District is monitoring its effectiveness and considering changes. Engineering staff will continue to work with school district staff which clearly needs more encouragement to use the new driveway instead of dropping students off on the neighborhood streets. A formal TOC response will be presented to TPAC for their consideration.

c. **Referral from City Council to consider installing Multi-Way STOP at the intersections of Broadway and Allison Street, and Broadway and Pillsbury Street. (Council: 10/9/12).** Rob Mack reported that the Traffic Operations Committee (TOC) has reviewed this referral and has prepared a report to City Council for their December meeting outlining that warrants for the use of stops signs along Broadway at the subject intersections have not been met and therefore is not appropriate to install the stop signs. The TOC considered traffic volumes, speeds, crash history, and pedestrian crossings, in its determination. No further action is required on this referral.

d. **Referral from City Council to consider removal and installation of STOP signs at Heather Lane intersections, including: installation of a STOP sign on the New Meadow Road eastbound approach to Heather Lane; installation of a STOP sign on the Gabby Lane eastbound approach to Heather Lane; and removal of the STOP sign on the Heather Lane northbound approach to Gabby Lane. (Council: 10/9/12).** Rob Mack reported that the Traffic Operations Committee (TOC) has reviewed this referral and developed a sketch depicting the stop sign request. Rob Mack indicated that as required in the City's Traffic Management Policy, the next step would be to convene a public meeting to consider such requests. In discussions with Councilor Nyhan, a public meeting would not likely be convened until after the holiday season. An update on this referral will be provided at the December TPAC meeting.

7. Status report on subcommittees

a. Pedestrian Committee, Alex Vogt

Alex Vogt reported that the Pedestrian Committee did not meet in November but that its next meeting is scheduled for Thursday, December 6th.

b. Bike Committee, Craig Tufts

Craig Tufts reported that the Bike Committee met on November 5th and continued its discussion on recreational bike routes and spent a considerable amount of time discussing the Main Street project. The next Bike Committee meeting is scheduled for Monday, December 3rd.

- c. **Public Transit Committee, Councilor Jennifer Kretovic**
In Councilor Kretovic's absence, there was no Public Transit Committee report.
- d. **Traffic Operations Committee, Rob Mack**
Rob Mack reported that the Traffic Operations Committee (TOC) met on November 20th and considered the above referrals. Additionally, TOC considered the list of CIP projects and began prioritizing them. TOC also considered a request to remove the flashing beacon at the intersection of Pembroke Road and Canterbury Road.

8. Staff Updates

- a. **CIP460 Downtown Complete Streets Improvement Project - TIGER 2012**
Ed Roberge provided a brief update on the Main Street Improvement Project. City Council at its meeting on November 26th accepted the report from the Main Street Project Advisory Committee (PAC) outlining recommendations for design criteria for the project. These recommendations allow staff to work with the project design team and offers flexibility for options.

Ed Roberge also noted that staff met with the consultant design team to specifically develop a project website. Development is underway with anticipation to go live with a new website by mid-January. More detail to follow.

9. Old Business

- a. **FY2014-FY2023 CIP Project Priority Review**
As in previous years, Ed Roberge distributed CIP project priority worksheets to TPAC for their annual capital program evaluation. Given the lack of a quorum, it was agreed that worksheets will be forwarded to committee members and will be due back by December 17th for consideration at the December 20th TPAC meeting. Staff will prepare and distribute the worksheets to members by the early part of the week of December 3rd.

10. New business

- a. **Nomination of David Newall**
Ed Roberge noted that the nomination of David Newall to TPAC had been pulled from the City Council consent agenda by Councilor Kretovic. David Newall had contacted Council and staff that given a recent change in another voluntary group that he participates with, he would not be able to adequately dedicate the time to TPAC and therefore needed to withdraw his nomination.
- b. **Loudon Road Traffic Signals at Post Office Plaza**
Brent Todd noted he has observed on several occasions in the evening that the traffic signals at the driveway to the post office plaza on Loudon Road tend to hold on green on Loudon Road for what seems to be quite a long time - and at times when there is no traffic along Loudon Road. He noted that the purpose of this report was to express concern that he observed motorist violations in running the red light through the intersection on several occasions.

Rob Mack noted that others have made a similar comment and the green time along Loudon Road is part of the overall traffic coordination of the 11 traffic

signals along that busy arterial corridor. Rob Mack indicated that staff will review the coordination timing and perhaps consider some changes. Brent Todd recalled the time was between 8:00 - 8:30 PM on the weekday when he was delayed.

c. Washington/Centre Street Intersection Concerns

Tom Irwin noted that he has noticed difficulty at the intersection of Washington Street and Centre Street where traffic speeds are high and the crosswalk width is long at this skewed intersection. Ed Roberge indicated that this matter was previously reviewed by TOC and was identified as an improvement location as part of the White Park Master Plan. The idea is to relocate Washington Street to be perpendicular to Centre Street which would reduce the crosswalk widths along Centre and Washington Street.

Although no specific CIP project has been created for that intersection improvement, Ed Roberge note CIP520 Intersection Improvement generally couple funds with the city-wide paving program to complete intersection improvements such as that considered. Ed Roberge suggested that TPAC could identify this intersection as more a priority and place it in an upcoming program year.

d. TPAC Meeting Day and Location

Ed Roberge noted that TPAC has discussed potential changes to the meeting day - currently the 4th Thursday of the month (Except November and December) as well as the meeting location - currently Council Chambers. This meeting was held in the City Hall 2nd Floor Conference Room which seems to work out well. These items will be considered at the December TPAC meeting.

11. Adjourn

With no further items to discuss; Ursula Maldonado made a motion to adjourn the meeting. The motion was seconded by Craig Tufts. The motion carried unanimously and the meeting adjourned.



1 Inf3

CITY OF CONCORD
NEW HAMPSHIRE

City Hall • 41 Green Street • Concord, NH 03301 • tel. 603/225-8595 • fax 603/228-2701

APPROVED
12/7/12
NA

Revised 12/7/12

**ECONOMIC DEVELOPMENT ADVISORY COUNCIL
MINUTES
OCTOBER 26, 2012
7:30 A.M.**

The meeting convened at 7:30 A.M. in the City Council Chambers, 37 Green Street, Concord, NH.

PRESENT: Allen Bennett, Tim Bernier, Christopher Carley, Byron Champlin, Mark Coen, Larry Gloekler, Stephen Heavener, John Hoyt, Jan McClure, William Norton, Keith Nyhan, Dan St. Hilaire, and Claudia Walker

ABSENT: Walter Chapin, Peter Cook, Brad Hosmer, and Connie Rosemont

STAFF: Carlos P. Baía, Deputy City Manager – Development
Bev Rafferty, Administrative Assistant

GUEST: Mayor James Bouley (arrived 8:30 A.M.)

1. MINUTES FROM THE SEPTEMBER 7, 2012 MEETING

Allen Bennett made a motion to accept the minutes as submitted; seconded by Byron Champlin; motion passed unanimously.

2. DOWNTOWN COMPLETE STREETS PROJECT

The Downtown Complete Streets Improvement Project (DTCSIP) committee has asked several groups to provide input on the project and EDAC is one of those groups. Chairperson Carley asked what recommendations would EDAC like to make to the committee.

Carlos Baía provided a brief synopsis of what has transpired thus far. He noted that the committee had set up a page on the City's web site where e-mails and other documents are posted for the public viewing. Byron Champlin noted it is very helpful to see everyone's comments.

The DTCSIP Committee has examined a variety of issues pertinent to the Main Street project including lane configuration and parking. The application that was sent to the federal government to contemplated the creation of a complete street accommodating multiple modes of transportation (cars, bikes, pedestrians, and transit). Mr. Baía explained several concepts ranging from three lanes with parallel parking and dedicated bike lanes to two lanes modified with angle or parallel parking on both sides or three lanes with both parallel and angle parking but shared travel lanes for bikes. He explained the sidewalk widths, median buffer size and noted that if the entirety of the project corridor were converted to parallel parking, there would be a loss of up to 100 parking spaces. He continued that some parking spaces could be gained from Storrs Street or some other side streets but even with pull-in angle parking, some spaces could still be lost. He also noted that some of the spaces here today are not ADA compliant.

Mr. Baía explained that the benefit of back-in angle parking, as was done in Concord in the early 20th century, has benefits for ease of unloading, i.e. children and goods when unloading now are in travel lanes; back-in parking would have the sidewalks there instead. Vision with back-in parking is also better as when starting to pull out of the parking space, drivers would have a clear view of oncoming traffic including bicyclists.

There was lengthy discussion on this issue. Mr. Baía noted the complete streets policy went to City Council two years ago. The Transportation Policy Advisory Committee (TPAC) created it. Concord is one of the few communities taking that direction.

Jan McClure inquired if with the spaces we may lose, can the parking garages make up for them and it was noted there is capacity in the garages and on the side streets if we had to lose some of the parking on Main Street.

Jan McClure left the meeting at 8:00 A.M.

Chairperson Carley inquired how this project is being funded. Mr. Baía noted there is a \$4.7M grant which represents 60% of the complete cost, 20% is the city's responsibility, and the other 20% (\$1.57M) will be private sector cash. Mr. Baía also noted the Community Development Investment Program is one avenue that may be a viable piece for funding purposes.

Mark Coen inquired what is the end result as far as economic development is concerned. What does it do to incentivize people to move to the upper floors downtown? Would the goal be to reenergize the downtown? Mr. Baía noted the argument has been made that a complete street means the community is more livable.

Byron Champlin noted as far as the parking goes, people stop, run in and get what they want, and leave. This project invites people to stay; it's an experience for people to enjoy; it creates an environment for shopping, dining and living downtown.

Tim Bernier noted that the DTCSIP Committee needs to come up with broad ideas on what they want to do so the engineering company does not have to keep redesigning concepts. Staff needs to define and better the approach to move forward. Guidelines need to be established.

Stephen Heavener inquired if there is a checklist to follow. Carlos Baía noted the Mayor's objectives that were provided the DTCSIP Committee in the beginning of this process. Some EDAC members were of the opinion that the Mayor did not want to lose any parking spaces. Parking is a tension the community is dealing with at this time.

Keith Nyhan noted from an economic perspective, if we eliminate parking it will draw more people but then we have the political backlash. What would be best for Concord? If we spend \$7M to do the project and Main Street does not look any different, why spend the money?

There was discussion about other communities, i.e. Keene, Littleton, Portsmouth, Manchester. Byron Champlin noted that if people are going to pay high rents for space downtown, we should give them something to work with. Claudia Walker noted we need to be sure there is some way we are going to have a strong, sustainable retail downtown.

Bill Norton observed that Portsmouth is based on tourism which is not applicable here. Keene has been redeveloped four times over the last 34 years with the help of the Monadnock Regional Development Council.

Byron Champlin mentioned side street development and how nothing is being done to help those businesses but other members noted it seems side business are doing fine now. There are some businesses not doing so well and they are scared.

Bike lanes were discussed at length. Some members felt it was a waste of resources to include bike lanes as there is an incredibly small percentage of people who bicycle downtown. Keith Nyhan noted it was TPAC's decision to include a bike lane and some members felt there had to be a better way for bikers than creating a specific lane for them.

Carlos Baía showed the TPAC concepts which included (1) parallel parking with bike lane, median strip, and 22' wide sidewalks; (2) parallel parking with a 10' center turn lane, bike lane, and 21' wide sidewalks; and (3) parallel parking on one side and back-in angle parking on the other with a 10' center turn lane, shared bike lanes both sides, 16' wide sidewalks; and (4) pull-in angle parking both sides, 14' wide sidewalks, 4' wide median strip, and shared bike lanes.

Some members felt the bikers should share lanes and not have designated lanes. Some members questioned the affect these changes would make on steps in to businesses and Mr. Baía noted that the project was not going to reduce accessibility.

It was asked if the bike lanes were diverted elsewhere would the project still comply to receive federal funding. Tim Bernier noted that in his opinion bicycling is a fad and questioned why the project would incorporate bicycle infrastructure into a limited area. Mr. Bernier also criticized the City's management of the project to date.

Tim Bernier left the meeting at 8:30 A.M.

Mark Coen asked if there is an ideal time when construction can be done. It was noted that the plan is to do the bulk of the work at night. We also need to set up something to let people know Main Street is still open during reconstruction. A lot of things were noted regarding this project: wider sidewalks, bike lanes, real estate, and more.

The report from the DTCSIP Committee is due to City Council November 16th with a public hearing on November 26th. The engineering consulting team would need to start doing surveys, bid specs would have to be prepared and approved by the federal government, and the project cannot go beyond September 30, 2013 as that is the end of the federal fiscal year so funds must be committed by then. It was also asked what would happen to this preliminary timeframe if someone were to put in an injunction to stop the project and, as of this date, the DTCSIP Committee had not thought of that.

Mark Coen recommended having a Main Street Bike Lane but noted it should not diminish the quality of the design and make Main Street less likely to be economically successful. Byron Champlin noted to maximize the infrastructure (i.e. heated sidewalks, heated streets, WI-FI, etc.), energize the downtown environment for shopping and living, and some members felt bike paths would do significant damage to the design so provide bike paths somewhere else.

It was also noted that a significant amount of resources are going to be needed to preserve businesses on Main Street and make sure people on Main Street know it is reasonable to stay on Main Street.

Stephen Heavener noted there will be damage to some of the businesses so there will be casualties. It was asked if there is some way to help them. Keith Nyhan mentioned businesses offering parking vouchers during construction in order to get people in. The loan and grant program from the city was also mentioned.

Claudia Walker inquired about maintenance being critical because if we are going to do this project, we will need to maintain it to keep it looking good for years to come. Business Improvement Districts were mentioned and Special Assessment Districts were noted for the capital piece of this project.

There is going to be a workshop by *NH Listens* on Wednesday, November 7th at 5:30 P.M. (tentative time) at the Grappone Conference Center and anyone can come and talk about the project.

It was agreed that this project is a good idea but with conditions. The bulleted items EDAC would like to present to the DTCSIP Committee are as follows:

- (1) Parking is extremely important but if the design does not increase the width of the sidewalks, is there any value in doing this project;
- (2) Bike lanes may damage the design of the streets;
- (3) Disruption during construction will need to be addressed;
- (4) Collateral damage to existing businesses; and
- (5) Enhance the infrastructure (heated streets and sidewalks, etc.).

EDAC reached a consensus on these items.

Keith Nyhan left the meeting at 8:45 A.M.

Discussion also noted that the premise is that Concord's downtown is in a good state, however, the Hoyle-Tanner report states just the opposite – that it is in a fragile state. People are investing in the South end but not so much in the North end.

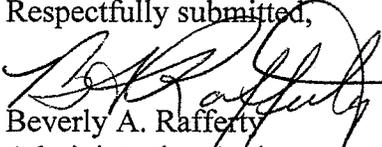
3. OTHER BUSINESS

- There will not be a November EDAC meeting – the next regularly scheduled meeting will be Friday, December 7th at The Nature Conservancy, hosted by Jan McClure.
- Byron Champlin, referring back to an earlier comment about what could be done to help the business casualties on Main Street, asked if at a future EDAC meeting could staff provide information on what the city has to offer to help start-up businesses/entrepreneurs and are we doing what we can to help economic development in Concord? Carlos Bafa will add that to the December 7th EDAC agenda.

4. ADJOURNMENT

There being no further business and upon a motion duly made and seconded, the meeting adjourned at 8:55 A.M.

Respectfully submitted,


Beverly A. Rafferty
Administrative Assistant

Concord Public Library Trustee Meeting

December 3, 2012

Present: Marian Akey, Megan De Vorsey, Marilyn Fraser, Inez McDermott, Elizabeth Mulholland, Mary Beth Robinson, Lisa Sands, Library Director Patricia Immen and guest, Tom Aspell, City Manager

The meeting was called to order at 7:05 p.m.

Because of Mr. Aspell's visit, the Old Business portion of the meeting was conducted first. Mr. Aspell met with the trustees to discuss new developments pertinent to the library. He updated the board on the Allied Leather Tannery Project in Penacook and the possibility of moving the branch library to a building on that site, recent progress and thoughts on developing the Dame School site, and the status of the sale of the Employment Security Building on South Main Street.

Minutes of November 5, 2012 meeting were approved.

Library Director's Update:

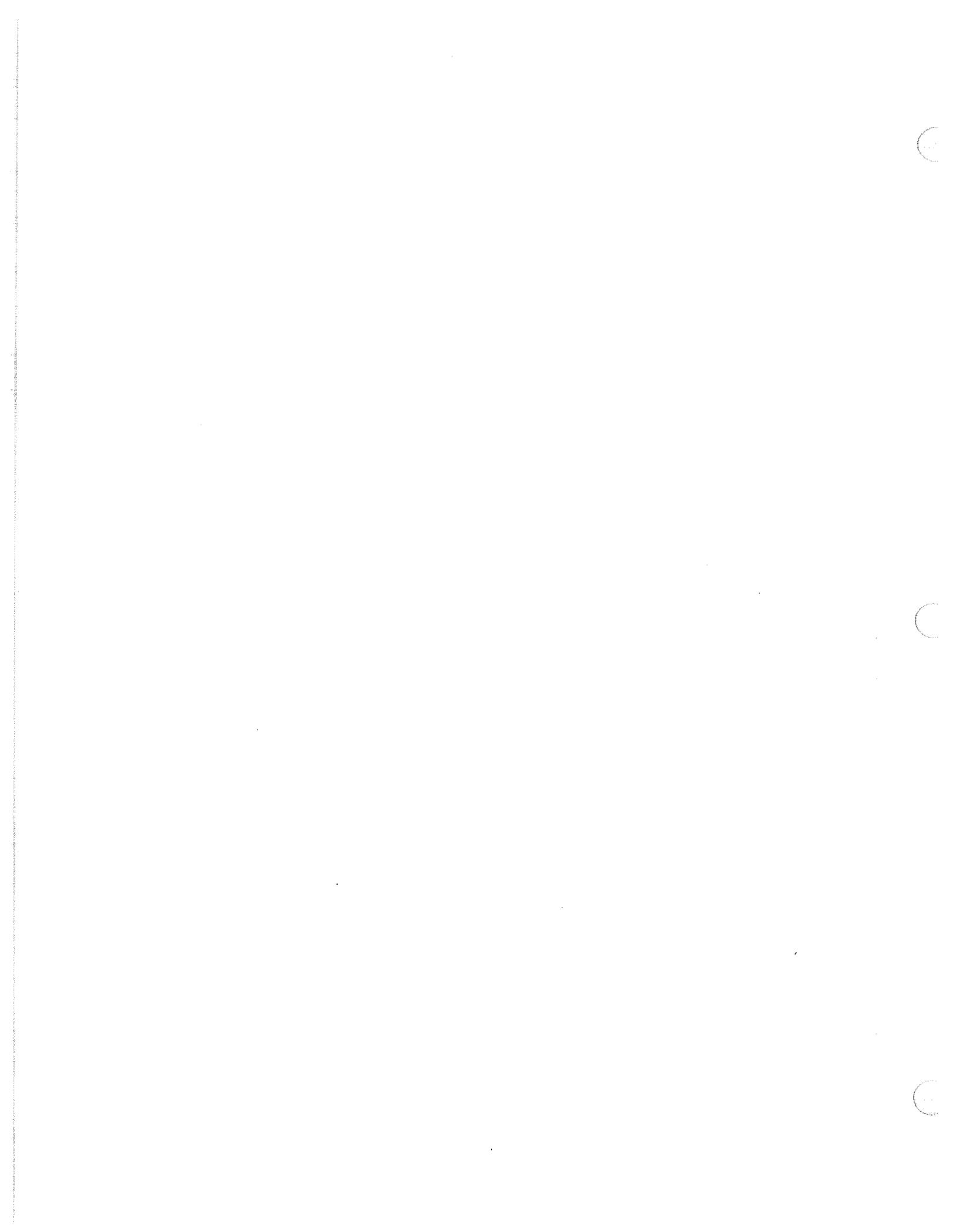
- There are a large number of applications expected for the Administrative Specialist position. Interviews will commence after the first of the year (2013).
- A Library Page position (20 hours per week) will be advertised this week.
- A recent volunteer recruitment effort resulted in 6-8 people expressing interest in volunteering on a regular basis. Another recruitment effort will take place in the spring.
- The program schedule for the first quarter of 2013 will be published shortly.
- The Elizabeth Yates award ceremony honoring the "Paws for Pages" program participants was a great success. The two dogs and their handlers plus their dog friends and lots of human friends attended.

Notes of appreciation written on behalf of the trustees by Mary Beth Robinson to the library staff and to the Concord Reads committee were shared with the trustees. They will be delivered to these constituencies this week.

New Business: A short discussion was held regarding the trustees' need to be present and testify at the next City Council meeting in which the CIP out -years planning is discussed.

Meeting adjourned 8:22 p.m.

Respectfully submitted,
Inez McDermott, Secretary





Engineering Services Division

Traffic Operations Committee

Meeting Minutes – December 18, 2012

Attendees: Rob Mack, PE, PTOE, Engineering Services
 Ed Roberge, PE, Engineering Services
 Steve Henninger, Planning
 Jim Major, General Services
 Greg Taylor, Concord Police Department
 Rick Wollert, Concord Fire Department
 Terry Crotty, Concord School District
 Dick Lemieux, TPAC Chair

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 November 2012 was reviewed. There were 98 reportable accidents in November 2012. This compares with 88 and 110 reportable accidents in November 2011 and 2010, respectively. 23 accidents resulted in total of 35 people injured, 13 of which occurred on Loudon Road. There were no fatalities.

There were two accidents involving pedestrians: a pedestrian aged 54 years standing on Bow Street and being struck by a vehicle backing out of a driveway while making a U-turn (minor injury, driver at fault); and a pedestrian aged 83 years crossing N. Main Street in the crosswalk near Depot Street and being struck by a vehicle backing out of parking space on the east side of N. Main Street (minor injury, driver at fault).

There were no accidents involving bicyclists.

- 2) City Council meeting update.

DISCUSSION / ACTIONS: Council accepted the TOC report on potential Broadway stop signs at Allison and Pillsbury Streets at their December 10, 2012 meeting.

- 3) Transportation Policy Advisory Committee (TPAC) update.

DISCUSSION / ACTIONS: At their November 29, 2012 meeting, TPAC discussed the TOC referral on potential Broadway stop signs, the US 3 North Improvement Project-Phase 5 Village Street (CIP 35) and the Main Street Complete Streets Project (CIP 460).

B. On-going Discussion and Action Items.

- 1) **Referral from City Council to consider establishing a No Parking/Standing/Stopping zone along Conant Drive between South Street and Rundlett Street to mitigate adverse effects of parking for traffic related to school drop-offs/pick-ups at the Abbott-Downing Elementary School. (Council: 10/9/12).**

DISCUSSION / ACTIONS: Rob Mack reported that Engineering staff continues to coordinate with Concord School District (CSD) staff to look at options to improve on-campus traffic operations and parking during school pick-up times, thus encouraging parents to park on-campus versus along surrounding neighborhood streets. Recent staff observations at both schools indicate that significant off-campus parking is still evident despite some initial efforts by Matt Cashman (CSD) to modify bus parking practice. Vehicles were also observed on several occasions to park along Conant Drive between South and Rundlett Streets and causing a restriction to two-way traffic movement (a primary issue in this referral item). This referral was discussed at TPAC's November 29 meeting and the Parking Committee's December 17 meeting. Both committees indicated a first preference for staff to work with CSD to develop measures that attracted school parkers to on-campus locations, as opposed to considering potential prohibition of parking in abutting neighborhoods.

Terry Crotty announced that he will be the CSD representative working with TOC on addressing the school parking issues at both school campuses. Rob and Terry will coordinate to set up site visits to observe on- and off-site parking issues and consider potential remedies. These visits will be scheduled when school session resumes after the holidays.

- 2) **Referral from City Council to consider removal and installation of STOP signs at Heather Lane intersections, including: installation of a STOP sign on the New Meadow Road eastbound approach to Heather Lane; installation of a STOP sign on the Gabby Lane eastbound approach to Heather Lane; and removal of the STOP sign on the Heather Lane northbound approach to Gabby Lane. (Council: 10/9/12).**

DISCUSSION / ACTIONS: Engineering Services will coordinate with the Ward Councilor to solicit neighborhood feedback on the request per the City's Traffic Management Policy after the holidays.

- 3) **Request from Riverbend Community Mental Health, Inc. to establish an exclusive pedestrian crossing phase at the State/Pleasant signalized intersection. (Engineering: 10/9/12).**

DISCUSSION / ACTIONS: Discussion deferred pending additional evaluation by Engineering.

C. New Discussion and Action Items

- 1) **Referral from City Council regarding a resident request to install traffic signals or a roundabout at the N. State Street/Washington Street intersection. (Council: 12/10/12).**

DISCUSSION / ACTIONS: Rob Mack summarized the history of the N. State Street Improvements Project that constructed the present intersection configuration in 2009. During the 2006 design efforts for the N. State Street Improvements project, two alternatives were evaluated for the N. State Street/Washington

Street intersection: a reconfigured compact intersection with traffic calming features and signalization; and a roundabout configuration. The roundabout configuration was deemed infeasible due to right-of-way limitations. The intersection reconfiguration with traffic calming features was the preferred alternative, however the installation of traffic signals was omitted from the project following public support to retain the two-way STOP control and accept some peak-period traffic delays. It was felt that Washington Street was attracting substantial commuter traffic between I-393/N. State Street and the medical campuses to the west, and that signalization might act to attract even more traffic to use this route through the neighborhood. Thus retaining the two-STOP control and accepting some peak-period delay on Washington Street became the approved traffic control design.

Regarding safety, the intersection experienced an average 4.0 reported crashes per year during the 2004 to 2007 period prior to intersection reconstruction. From July 2009 through November 2012 (post-construction), there has been an average of 2.6 reported crashes per year. The crash rate reduction indicates success, thus far, in the project's intended goal to improve intersection safety. Regarding speeds along Washington Street, TOC has received feedback from residents that the bump-outs on Washington Street at both N. State Street and Rollins Street have had a positive effect on reducing travel speeds along this street segment.

It is anticipated that the planned northern extension of Langley Parkway to N. State Street (CIP 40, FY2017-18) will act to remove a substantial volume of traffic that currently uses Washington Street as a commuting route between the hospital campus area and I-393. Such a traffic reduction will ultimately act to reduce peak-period delay for local Washington Street vehicles approaching and crossing at the N. State Street intersection.

The TOC concurred that the 2009 improvements to the intersection appear to be meeting the intended goals of the former project to improve vehicle and pedestrian safety. While the Washington Street eastbound approach to N. State Street still experiences some delay in waiting for gaps to cross N. State Street, this delay is generally limited to peak traffic periods. TOC feels these peak delays are as intended by the decision to retain two-way STOP sign control so as to not attract more traffic to use Washington Street as a commuting route through the neighborhood. Ultimately, the proposed northern extension of the Langley Parkway will act to reduce the volume of traffic using Washington Street with potential to lessen delays. Thus TOC endorses the current intersection configuration and stop sign control. Installation of traffic signals is not recommended at this time, and potential for a roundabout has been determined infeasible.

- 2) **Request from a resident to remove the weeble presently located in the S. Main Street crosswalk at Sanel Auto Parts as it interferes with traffic movement. (Administration: 12/12/12).**

DISCUSSION / ACTIONS: During non-winter season, a crosswalk weeble is located at the S. Main Street crosswalk at Sanel Auto Parts. At issue is an occasional occurrence when vehicles park right next to the crosswalk in front of Sanel Auto Parts and, because of the width of parked car/truck or the opening of car doors, insufficient space is left for northbound vehicles on S. Main Street to travel between the parked vehicle and the crosswalk weeble located on the yellow centerline.

An option to mitigate the problem is to keep vehicles from parking on or next to the crosswalk where the weeble is located. Federal guidelines in the Manual on Uniform Traffic Control Devices specify a minimum 20-foot separation between a marked crosswalk and on-street parking. If this were the case, then there would be an approximately 50-foot area near the weeble with no potential width restriction due to parked vehicles. TOC members concurred with an option to repaint the white shoulder/parking lines to be diagonal

for 20 feet on each side of the crosswalk to better indicate to drivers to not park too close to the crosswalk. This option was preferred as a first step to solving the issue rather than the more-expensive installation of NO PARKING signs. General Services will paint the diagonal lines in the spring when the long-line pavement markings are repainted.

D. Open Discussion Items

1) Staff update on CIP35 (US3/Village Street Improvements) and CIP40 (Langley Parkway North).

DISCUSSION / ACTIONS: Rob Mack presented graphics of the several alternatives for Village Street improvements being discussed with the Penacook Village Association. Included was the realignment of the Village/Lilac/Meter intersection, potential traffic calming features such as bump-outs and gateway islands in the area between Coral Street and Boscawen town line, options for realigning Merrimack and Summer Streets at Boudreau Square, options for either traffic signals or a roundabout at the Village/Merrimack intersection, and realignment of the Village/Canal intersection with potential for future signals. TOC members endorsed the proposed realignment of the Lilac/Meter intersection. There was preference for roundabout intersection control rather than signalization given the village location. General Services noted concern on increased difficulty of winter street maintenance with potential construction of corner bump-outs and gateway islands. Fire Alarm noted concern on potential street blockage during utility pole work if the bucket truck had to be parked in the travel lane next to one of the proposed 'gateway island' features.

Rob Mack presented potential options being evaluated by the City's engineering consultant for the southern segment of the proposed Langley Parkway North in the hospital campus area. Institutional driveway access to Langley Parkway within the campus area would be consolidated into a few well-defined intersections with turning lanes and controlled by signals, roundabouts or 2-way stop signs. An option to signalize the existing Pleasant Street/East Hospital Driveway was also being considered to provide an alternative access point for the campus area and alleviate future traffic demands at the Pleasant/Langley intersection.

2) Staff response to miscellaneous inquiries (refer to correspondence in agenda packet).

DISCUSSION / ACTIONS: None.

Respectfully submitted,



Robert J. Mack, PE, PTOE, Traffic Engineer
Chair, Traffic Operations Committee

**The next Traffic Operations Committee meeting will be held on
Tuesday, January 15, 2013 @ 12:00 PM in the 2ND Floor Conference Room.**

1 Info

120

THE STATE OF NEW HAMPSHIRE
EXECUTIVE COUNCIL



DANIEL I. ST. HILAIRE
EXECUTIVE COUNCILOR
DISTRICT TWO

STATE HOUSE ROOM 207
107 NORTH MAIN STREET
CONCORD, N.H. 03301
(603) 271-3632

TO: All District Two Cities and Towns
FROM: Executive Councilor Daniel St. Hilaire
DATE: December 5, 2012

The Governor and Executive Council met on Wednesday, December 5, 2012 in the Executive Council Chamber at the State House, Concord, NH and considered an agenda of approximately 88 items.

The next scheduled Governor and Executive Council Meeting will be held on Wednesday, December 19, 2012 at 10:00 a.m. in the Executive Council Chamber, at the State House, Concord, NH.

The following Authorized items might be of interest to District Two constituents. Note: The items in the boxes are specific to District Two:

**#1 CONSENT CALENDAR - DONATIONS:
DEPARTMENT OF ADMINISTRATIVE SERVICES**

- A. Authorized to accept two Christmas trees to be placed at the Bridges House on Mountain Road and the State House in Concord, NH. The trees are being donated by Noel's Tree Farm from Litchfield NH, with an approximate value of \$130.
- B. Authorized to accept a portrait of former Governor and Senator Henry Wilder Keyes to be placed in the State House. The portrait is donated by family and friends of the late Governor and US Senator Henry Wilder Keyes, with an approximate value of \$25,000.

GOVERNOR'S COMMISSION ON DISABILITY

- C. Authorized to accept a \$1,000 monetary stipend from University System of NH, Durham, NH, to support the participation of Executive Director, John Richards in the Disability and Public Health Project, Year 1. Effective upon G&C approval. **100% Other Funds (private donation).**

DEPARTMENT OF SAFETY

- D. Authorized the Division of Fire Standards and Training and Emergency Medical Service to accept the donation of computer equipment with a value of approximately \$9,000 from the IVantage Health Analytics. Effective upon G&C approval.
- E. Authorized the Division of State Police to accept the donation of three Labrador Retrievers from the US Marine Corps Military Working Dog Program. The animals are valued at approximately \$3,000 and meet the criteria for explosive detection. Effective upon G&C approval.

BUSINESS FINANCE AUTHORITY

- #2 Authorized to hold a Public Hearing to approve an award of a State Guarantee under RSA 162-A:13-a with respect to a loan from Centrix Bank & Trust to Atlas Advanced Pyrotechnics, Inc. located in Jaffrey, New Hampshire. Action will Authorized a Resolution under RSA 162-A:18 to determine the financing will serve a public use, provide public benefit and is within the policy and authority of the Act.
- #3 Authorized to accept and place on file the annual financial statement for FY 2012.

COMMUNITY DEVELOPMENT FINANCE AUTHORITY

- #4 Authorized to amend a grant agreement with the County of Sullivan, Newport, NH (originally approved by G&C on 11-9-11, item #4, in the amount of \$220,000), to allow for finalization of job

creation goals, by extending the completion date to December 31, 2013. No Additional Funding. **100% Federal Funds.**

DEPARTMENT OF STATE

#4A Authorized to accept and place on file the report of return of votes cast at the biennial election held on November 6, 2012 in the several towns and wards of the State for Presidential Electors and Representatives in Congress from the First and Second Districts.

OFFICE OF THE ADJUTANT GENERAL

#5 Authorized the confirmation of Mark J. Curdo, Wilmington, MA, for promotion to the rank of Major, NH Air National Guard.

#6 Authorized the confirmation of Major Paul M. Kell, Durham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#7 Authorized the confirmation of Major Jeffrey M. Denton, Stratham, NH, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#8 Authorized the confirmation of Major Brian G. Waters, York, ME, for promotion to the rank of Lieutenant Colonel, NH Air National Guard.

#9 Authorized the confirmation of Captain Brian M. Carloni, Exeter, NH, for promotion to the rank of Major NH Air National Guard.

#10 Authorized the nomination of Thomas G. Behling, Brooklyn Park, MN, for promotion to the rank of Colonel, NH Army National Guard. This officer meets all prerequisites for this grade having been found to be physically, mentally, and professionally qualified.

#11 Authorized the nomination of Robert J. Burnham, Manchester, NH, for promotion to the rank of Major, NH Army National Guard. This officer meets all prerequisites for this grade having been found to be physically, mentally, and professionally qualified.

#12 Authorized the nomination of Captain Adam A. Bourassa, Hilliard, OH, for promotion to the rank of Major, NH Air National Guard. This officer meets all prerequisites for this grade having been found to be physically, mentally, morally, and professionally qualified.

DEPARTMENT OF ADMINISTRATIVE SERVICES

#13 Authorized the Bureau of Court Facilities to enter into a **sole source** contract with Merrimack Valley Corp-Merrimack Sheet Metal, Methuen, MA, for a total maintenance and repair program for the cooling tower and chiller at the Hillsborough County Superior Court North facility, Manchester, NH, in an amount not to exceed \$23,155.66. Effective upon G&C approval through September 30, 2013. **100% Transfer Funds - transfer from AOC.**

#14 Authorized the Bureau of Facilities and Asset Management to make a onetime **retroactive** payment from SFY 2013 funds to Markus Scandalis, full time Building Services Supervisor in the amount of \$2,175.66 to compensate for wages that should have been paid during the SFY 2011 and 2012. **100% Other Funds (Rental Income).**

#15 Authorized the Division of Personnel's request for a waiver of the classification decisions as detailed in letter dated November 21, 2012. Effective upon G&C approval.

#16 Authorized to amend a temporary full-time Administrator IV position (originally approved by G&C on 11-4-09, item # 9B), to complete the second phase of the NH First effort for Human Resources and Asset Management, as well as to continue the back office consolidation effort, by extending the position through December 31, 2013. **100% Capital (General) Funds.**

#17 Authorized the Bureau of Court Facilities to amend the current 20-month holdover amendment with the City of Keene, NH, (originally approved by G&C on 6-7-06, item #21), which will increase the current square footage of the Keene Circuit Court from 4,586 to 4,794. Effective upon G&C approval through February 28, 2014. No Additional Funds.

#18 Authorized the Bureau of Public Works Design and Construction to enter into a contract with Harvey Construction, Bedford, NH, for the Tobey Building Renovations and Parking Deck - NH Hospital Campus, Concord, NH, for a price not to exceed \$16,799,000. (2)Further Authorized a contingency in the amount of \$1,008,000 for unanticipated expense, bringing the total to \$17,807,000. (3)Further Authorized the amount of \$175,500 for payment to the Department of Administrative Services, Bureau of Public Works Design and Construction, for engineering services provided, bringing the total to \$17,982,500. Effective upon G&C approval through December 29, 2013. **100% Other Funds Employment Security.**

#18A Authorized to **retroactively** amend a contract with MGI of America Inc., Tallahassee, FL (originally approved by G&C on 7-11-12, item #15, for a cost not to exceed \$171,347), for the provision of consulting services for the evaluation and analysis of certain proposals received as a result of several facilities' driven request for proposals, by extending the term through February 28, 2013. No Additional Funding.

#18B Authorized to retroactively amend an agreement with the Local Government Center, Health Trust LLC, Concord, NH, (originally approved by G&C on 11-17-10, item #34A), for the provision of a revised minimum rebate guarantee and a revised minimum generic dispensing rate guarantee. The current total price of the agreement of \$188,138,958 is reduced by approximately \$6.8 million as a result of recent plan design and administrative changes, for a revised total price of \$181,338,958 million. Effective November 1, 2011 through December 31, 2013. 40% General, 16% Federal, 26% Enterprise, 16% Highway, 2% Turnpike Funds.

#18C Authorized the Risk Management Unit to enter into a contract with Anthem Health Plans of NH Inc., d/b/a Anthem Blue Cross and Blue Shield, Manchester, NH, for the administration of the medical benefit provided to state employees and retirees, in the amount of \$20,526,000. Effective January 1, 2013 through December 31, 2015, with the option to renew for an additional two-year period. **40% General, 16% Federal, 26% Enterprise, 16% Highway, 2% Turnpike Funds.**

STATE TREASURY

#19 Authorized to issue a warrant from funds not otherwise appropriated in the amount of \$84,157 and the State Treasurer to issue checks in the amount of \$84,156.94 to the rightful owners of abandoned or unclaimed funds.

DEPARTMENT OF REVENUE ADMINISTRATION

#20 Authorized to accept and place on file the Annual Report for the fiscal year ending June 30, 2012.

DEPARTMENT OF CULTURAL RESOURCES

#21 Authorized to transfer Fiscal Year 2013 appropriations in the amount of \$82,557 between classes and create a new class for the accounting unit as detailed in letter dated October 16, 2012. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#22 Authorized the Division of Arts to award an Arts In Healthcare Grant in the amount of \$3,375 to Behavioral Health and Developmental Services of Strafford County. Effective upon G&C approval through June 30, 2013. 100% Federal Funds.

#23 Authorized the Division of Historical Resources to award a Certified Local Government Grant to the Town of Goffstown, in the amount of \$7,830, to include markers for properties eligible for the National Register of Historic Places, to emphasize the history of the community. Effective upon G&C approval through September 30, 2013. **100% Federal Funds.**

#24 Authorized the Division of Arts to award a Conservation Number Plate Grant in the amount of \$5,000 to the Town of Wilmot, for the conservation of two stage curtains purchased by the Town during its centennial year of 1907, and to display. Effective upon G&C approval through June 30, 2013. 100% Conservation Plate Funds.

#25 Authorized the Division of Arts to award a Youth Arts Project grant in the amount of \$4,500 to the Winchester School District, to present a two week rock chorus residency with musician Judy Fine for their ACCESS (All Children, Cared for, Educated, Supported & Successful) after school programming. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#26 Authorized the Division of Historical Resources to award a Conservation Number Plate Grant to the Town of Allenstown in the amount of \$10,000, to stabilize the humidity in the Old Allenstown Meeting House building by restoring the ceiling above the meeting room. Effective upon G&C approval through October 31, 2014. 100% Conservation Plate Funds.

#27 Authorized the Division of Arts to award an Arts in Healthcare grant in the amount of \$2,925 to the Littleton Studio School, to present a drawing for the seniors program at the Littleton Senior Center. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#28 Authorized the Division of Arts to award a Cultural Facilities Grant in the amount of \$7,200 to the Winnepesaukee Playhouse for installation of removable theatre seats to provide wheelchair access,

three accessible restrooms and a ramp in their facility, the former Annalee complex. Effective upon G&C approval through June 30, 2013. **100% General Funds.**

ATTORNEY GENERAL – DEPARTMENT OF JUSTICE

#29 Authorized to accept and expend a grant in the amount of \$129,580 from the Federal Bureau of Justice Statistics, federal fiscal year 2012 National Criminal History Improvement Program, to be utilized to improve the functioning of the criminal justice system. Effective upon G&C approval through June 30, 2013. (2)Further Authorized to enter into a sub grant with the NH Department of Safety in the amount of \$129,450 to be utilized to enhance the criminal history records system. Effective upon G&C approval through September 30, 2013. **100% Federal Funding. Fiscal Committee approved.**

#30 Authorized to enter into a **sole source** contract with Dr. Carolyn Kappen, Bronx, NY, as a substitute medical examiner for a total not to exceed \$20,000 to conduct autopsies as needed in the absence of the State Medical Examiner and the Deputy Chief Medical Examiner. Effective upon G&C approval through March 31, 2013. **100% General Funds.**

#31 Authorized to enter into subgrants with the agencies as detailed in letter dated November 19, 2012, totaling \$701,625 from the Federal Fiscal Year 2012 Violence Against Women Formula Grant, for the purpose of providing services for women in NH who are victims of violent crimes. (2)Further Authorized to enter into subgrants with the agencies as detailed in letter dated November 19, 2012, totaling \$242,000 from the Federal Fiscal Year 2011 Violence Against Women Formula Grant, for the purposes of providing services for women in NH who are victims of violent crimes. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

NEW HAMPSHIRE EMPLOYMENT SECURITY

#32 Authorized to amend a contract with SymbioSys Solutions Inc., Nashua, NH (originally approved by G&C on 6-22-11, item #60), for modifications and improvements to the NH Unemployment Insurance System, by increasing the amount by \$1,684,564 from \$7,961,080 to \$9,645,644. Effective upon G&C approval through December 31, 2016. **100% Federal Funds.**

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Medicaid Business and Policy

#33 Authorized to enter into a **sole source** contract with Milliman Inc., Brookfield, WI, to provide all actuarial services and technical support relative to Medicaid Care Management in an amount not to exceed \$2,701,560. Effective upon G&C approval through June 30, 2015. **50% Federal, 50% General Funds.**

Bureau of Homeless and Housing Services

#34 Authorized to enter into an agreement with Families in Transition, Manchester, NH, to provide services to homeless individuals within the Greater Manchester, Concord, and surrounding areas in an amount not to exceed \$166,904. Effective upon G&C approval through June 30, 2014. **100% Federal Funds.**

#35 Authorized to amend a **sole source** contract with Harbor Homes Inc., Nashua, NH (originally approved by G&C on 7-11-12, item #43A), for homeless assistance services, by increasing the price by \$32,568 from \$141,219 to \$173,787. Effective upon G&C approval through July 31, 2013. **100% Federal Funds.**

#36 Authorized to enter into a sole source agreement with Merrimack Valley Assistance Program, Concord, NH, to provide housing assistance and supportive services to individuals with HIV/AIDS and their families, in an amount not to exceed \$714,731. Effective March 1, 2013 or upon G&C approval, whichever is later, through February 29, 2016. 100% Federal Funds.

Division of Public Health Services

#37 Authorized the Bureau of Infectious Disease Control, Infectious Disease Surveillance Section, Emergency Preparedness Surveillance Program to accept and expend federal funds in the amount of \$150,275 from the Centers for Disease Control and Prevention to fund the BioSense 2.0 initiative for public health Situational awareness. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#38 Authorized the Bureau of Population Health and Community Services to accept and expend Federal Funds in the amount of \$45,584 from the Department of Health and Human Services, Centers for Disease Control and Prevention to fund the NH Tobacco Prevention and Control Program. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#39 Authorized the Bureau of Population Health and Community Services, Maternal and Child Health Section to accept and expend federal funds in the amount of \$5,761 from the Centers for Disease Control and Prevention to fund the NH Sudden Unexpected Infant Death Case Registry: Building Capacity. (2)Further Authorized to enter a memorandum of agreement with the Department of Justice, Concord, NH, to continue the development of the Sudden Unexpected Infant Death Case Registry: Building Capacity. (3)Further Authorized the Department of Justice to accept and expend federal funds in the amount of \$14,950 from DHHS, to fund the NH Sudden Unexpected Infant Death research. Effective **retroactive** to September 1, 2012 through June 30, 2013. **100% Federal Funds.**

#40 Authorized the Bureau of Public Health Systems, Policy and Performance, Rural Health and Primary Care Section and DHHS, to exercise a contract renew and amend option with Dr. Nii Norte Lokko, Doctor of Dental Medicine (originally approved by G&C on 11-18-09, item #54), to receive reimbursement for payment of educational loans through the State Loan Repayment program, by increasing the price by \$40,000 from \$70,000 to \$110,000, and by extending the end date to December 31, 2014. **100% General Funds.**

Division of Community Based Care Services

#41 Authorized to accept and expend System of Care Implementation federal funds from the Substance Abuse and Mental Health Services Administration in the amount of \$749,879. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#42 Authorized to accept and expend Balancing Incentive Payment Program federal funds from the Centers for Medicare and Medicaid Services in the amount of \$4,730,040. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

Bureau of Behavioral Health

#43 Authorized to accept and expend Medicaid Incentive for Prevention of Chronic Diseases grant federal funds of \$1,752,753. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

Bureau of Drug and Alcohol Services

#44 Authorized to enter into an agreement with The Research Group Inc., Northampton, MA, to provide questionnaire printing, scanning and delivery of a clean data set for the NH Youth Risk Behavior Survey, in an amount not to exceed \$35,890. Effective upon G&C approval through December 31, 2013. **30% Federal, 70% Other (Client Fees) Funds.**

NEW HAMPSHIRE LIQUOR COMMISSION

#44A Authorized to grant a 20 x 464 foot utility easement to Public Service of NH to construct (bury) a 464 foot, three-phase line extension from Route 9, W. Chesterfield to the new retail store's transformer. **100% Liquor Funds.**

DEPARTMENT OF CORRECTIONS

#44B Authorized to transfer \$1,472 within the account entitled Safe Streets Task Force to re-align appropriated funds that will be used to provide certified Probation/Parole Officers to increase officer presence with the primary focus in the City of Manchester. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.** (2)Further Authorized to accept and expend additional grant funding from the Federal Bureau of Investigation in the amount of \$714 and the Drug Forfeiture-State fund in the amount of \$3,681 for a total of \$4,395 to support the "NH Safe Streets Task Force" initiative by providing certified Probation/Parole Officer to increase officer presence with the primary focus in the City of Manchester. Effective upon G&C approval through June 30, 2013. **16.3% Federal, 83.7% Agency Income (Drug Forfeiture-State). Fiscal Committee approved.**

PUBLIC UTILITIES COMMISSION

#45 Authorized to enter into a contract with Gorham Gold Greenwich & Associates LLC, Leawood, KS, to monitor the ongoing development, testing and deployment of information technology systems for Liberty Energy Utilities (Liberty), in an amount not to exceed \$300,000. Effective upon G&C approval through February 28, 2014. **100% Utility Assessment.**

DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT

#46 Authorized the Division of Forests and Lands, Natural Heritage Bureau to enter a memorandum of agreement with the Department of Environmental Services, for the development of outreach materials, including a vernal pool website and enhanced field guide materials which is in the compliance with a grant awarded by the US Environmental Protection Agency, in the amount of \$33,736. (2)Further

Authorized to enter into a memorandum of agreement with NH Fish and Game, for upgrading their Wildlife Sightings website to better accommodate vernal pool data which is in compliance with a grant awarded by the EPA, in the amount of \$30,000. Effective upon G&C approval through April 30, 2014. **100% Federal Funds.**

#47 Authorized the Bureau of Trails to enter into Grant-in-Aid Trail Maintenance Contracts, (Winter Trail Grooming), with the Snowmobile clubs as detailed in letter dated November 9, 2012, for a total amount of \$1,512,844.35. Effective upon G&C approval through May 1, 2013. **100% OHRV and Snowmobile Fund.**

#47A Authorized the Division of Parks and Recreation and the Department of Administrative Services, Risk Management Unit to make a **retroactive** payment to Wells Fargo Special Risks Inc., Dover, NH, (originally approved by G&C on 10-17-07, item #54), in the amount of \$57,504 for adjusted liability insurance premiums owned through an audit of actual revenue generated at Cannon Mountain Aerial Tramway and Ski Area (Cannon Mountain) during the contract periods of November 1, 2007 through February 1, 2011 and February 1, 2011 through February 1, 2012. **100% Ski Area Funds.**

#47B Authorized to assign vehicle D1 on a 24 hour, seven day a week basis to the DRED Commissioner.

NEW HAMPSHIRE FISH AND GAME DEPARTMENT

#48 Authorized to transfer \$100,000 of unexpended funds from Excess Registration Fees to the Fish and Game OHRV Fiscal Year 2013 Operating Budget. **100% Agency Income. Fiscal Committee approved.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

#49 Authorized to accept and expend \$485,719 in federal funds from the Department of Defense for purposes of funding remediation efforts at DoD sites. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#50 Authorized to transfer funds in the amount of \$775,000 between classes within accounting unit, NPDES Permit Implementation, for better use of appropriated funds. Effective upon G&C approval through June 30, 2013. **100% Winnepesaukee River Basin Program Funds. Fiscal Committee approved.**

#51 Authorized to award an Aquatic Resource Mitigation Fund grant to the Trust for Public Land, Montpelier, VT, in the amount of \$89,000 for the acquisition of a fee interest in 938 acres in Wentworth Location and Errol, NH. Effective upon G&C approval through December 31, 2013. **100% Aquatic Resource Mitigation Funds.**

#52 Authorized to award a grant to the Blue Ocean Society for Marine Conservation Inc., Portsmouth, NH, in the amount of \$27,917 to conduct marine debris cleanups, monitoring and education in the NH seacoast. Effective upon G&C approval through December 31, 2013. **100% Federal Funds.**

#53 Authorized to amend a **sole source** agreement with the Town of Exeter, NH (originally approved by G&C on 6-23-10, item #78), for the Exeter River Restoration Project: Evaluating the Impacts of Dam Removal for the Great Dam project, by extending the completion date to June 30, 2013 from December 31, 2012. No Additional Funding. **100% Federal Funds.**

#54 Authorized a Supplemental Loan Agreement with the Town of Hillsborough, in the amount of \$214,258.47, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. 50% ARRA, 50% Drinking Water State Revolving Loan Fund (DWSRF) Repayment Funds.

#55 Authorized a Supplemental Loan Agreement with the Greenville Estates Village District in Greenville, NH, in the amount of \$2,500,000, which finalizes the loan amount used to finance the water system improvements project. Effective upon G&C approval. **50% ARRA, 50% Drinking Water State Revolving Loan Fund (DWSRF) Repayment Funds.**

#56 Authorized Christian D. McCauley's request to perform work on Lake Winnepesaukee in Laconia.

#57 Authorized Barvel Whang Association's request to perform work on Lake Winnepesaukee in Tuftonboro.

#58 Authorized to accept and place on file the 2012 annual report.

DEPARTMENT OF EDUCATION

#59 Authorized to expend funds in excess of 110 percent of budgeted amounts, as necessary, to fund the projected obligations to the State's charter schools, for current fiscal year chartered public school

payments, in an estimated amount of \$4,451,563. Effective upon G&C approval through June 30, 2013. **100% Education Trust Funds. Fiscal Committee approved.**

#60 Authorized to amend a grant (originally approved by G&C on 6-23-10, item #158F), to strengthen education, drive reforms, and improve results for students from early learning through college, by **retroactively** extending the grant period from July 1, 2012 through January 31, 2013, to best utilize the remaining funds balance of \$789,626.68. **100% Federal Funds. Fiscal Committee approved.**

#61 Authorized to hold an awards banquet to recognize the NH Teacher of the Year, the NH Teacher of the Year Semi-Finalists and Finalists, the Milken Educator, the NH Presidential Award for Excellence in Mathematics and Science Teaching Recipient, and the NH Blue Ribbon School, for a total cost not to exceed \$4,461. (2) Further Authorized to enter into a contract with The Common Man Inn Inc., Plymouth, NH, to provide necessary conference facilities, and food services for the banquet for up to 150 attendees on December 11, 2012, in an amount not to exceed \$4,461 which is the total cost above. **100% Private Grant Funds.**

NEW HAMPSHIRE BOARD OF NURSING

#62 Authorized to enter into a **retroactive sole source** contract with the National Council of State Boards of Nursing, Chicago, IL, in the amount of \$3,000 for the Board's participation in the National Licensing Compact Administrators. Effective October 1, 2012 through September 30, 2013. **100% General Funds.**

DEPARTMENT OF SAFETY

#63 Authorized the Division of State Police to pay annual membership dues of \$5,300 to the Commercial Vehicle Safety Alliance, Greenbelt, MD, for the period of January 1, 2013 through December 31, 2013. **80% Federal, 20% Highway Funds.**

#64 Authorized the Division of Fire Safety to **retroactively** enter into a memorandum of understanding with the Division of Fire Standards and Training and EMS, for the continued statewide hazardous material required training, in the amount of \$54,600. Effective October 1, 2012 through September 30, 2013. **100% Federal Funds.**

#65 Authorized the Division of State Police to **retroactively** accept and expend \$88,836 of federal funds from the NH Highway Safety Agency that will be used to conduct patrols known as "Operation Safe Commute". Effective October 26, 2012 through September 15, 2013. **100% Agency Income.**

#66 Authorized the Division of Motor Vehicles to amend a **sole source** contract with Xerox State & Local Solutions Inc., formerly ACS State & Local Solutions Inc., Phoenix, AZ, (originally approved by G&C on 1-12-05, item #64), to provide International Registration Plan VISTA/RS & Performance and Registration System Management VISTA/SE systems maintenance and intellectual property licensing including a one-time cost of \$8,910 for an enhancement required by the Federal Motor Carrier Safety Administration, increasing the amount of \$158,922 to \$1,359,018. Effective January 1, 2013 through December 31, 2013. **100% Highway Funds.**

#67 Authorized the Division of Motor Vehicles to exercise an option to amend a contract with Marquis Consulting Services Inc., d/b/a Marquis ID Systems Inc., Fort Wayne, IN (originally approved by G&C on 1-30-08, item #178), by extending the end date from January 15, 2013 to January 15, 2015, increasing the total price by \$1,846,750 from \$4,834,000 to \$6,680,750, including the funds to add two additional Marquis Consulting Services Inc., workstations at a one time cost of \$34,000. **100% Highway Funds.**

DEPARTMENT OF TRANSPORTATION

#68 Authorized to transfer \$1,395,437 between Highway Fund accounts and classes. Effective upon G&C approval through June 30, 2013. **Fiscal Committee approved.**

#69 Authorized the Bureau of Planning and Community Assistance to accept and expend Federal Highway Funds in the amount of \$1,266,067 to (1) reconstruct Hutchins Street from Napert Street to Bridge Street in Berlin, and (2) rehabilitate approximately 2,700 feet of two-lane roadway including sidewalk upgrades on Main Street in Claremont. Effective upon G&C approval through June 30, 2013. **100% Federal Funds. Fiscal Committee approved.**

#70 Authorized the Bureau of Highway Design to budget and expend prior year carry-forward funds in the amount of \$169,500, to further fund the wildflower program. Effective upon G&C approval through June 30, 2013. **100% Agency Income. Fiscal Committee approved.**

#71 Authorized the Division of Operations to transfer \$7,842 from Highway Surplus to fund safety and environmental training. Effective upon G&C approval through June 30, 2013. **100% Highway Funds. Fiscal Committee approved.**

#72 Authorized the Bureau of Human Resources to enter into a **sole source** agreement with Federal Highway Administration Finance Division, National Highway Institute, Arlington, VA, for training, in an amount not to exceed \$83,600. Effective upon G&C approval through June 30, 2013. **100% Federal Funds.**

#73 Authorized the Bureau of Aeronautics to pay membership dues in the amount of \$9,097.29 to the National Association of State Aviation Officials, Washington, DC. Effective upon G&C approval through November 30, 2013. **100% General Funds.**

#74 Authorized the Bureau of Right of Way to sell a State owned property improved with a single-family home on an 8.17 acre parcel of land located at 30 Fitzwilliam Road in Troy, to Robert J. Kemp Jr. and Valerie S. Kemp for \$80,000 plus a \$1,100 Administrative Fee. (2)Further Authorized to compensate Better Homes and Gardens/The Massiello Group, Keene, NH, from the proceeds of the sale in the amount of \$4,000 for real estate services. Effective upon G&C approval. This parcel was originally purchased with **91.75% Federal Funds.**

#75 Authorized the Bureau of Highway Design to amend an agreement with Vanasse Hangen Brustlin, Inc., Bedford, NH, and Watertown, MA, (originally approved by G&C on 4-19-06, item #112), for final design for the reconstruction and widening of a 6.0 miles section of NH 125 in Plaistow and Kingston, by extending the completion date from January 31, 2013 to May 30, 2014. No Additional Funding.

#76 Authorized the Bureau of Highway Design to amend an agreement with Vanasse Hangen Brustlin Inc., Bedford, NH, and Watertown, MA, (originally approved by G&C on 12-18-08, item #77), for the final design for the widening of the Spaulding Turnpike in the Town of Newington and City of Dover, by increasing the amount by \$1,408,409.12 from \$14,962,127 to \$16,370,536.12 for additional design services that were not anticipated in the original agreement. Effective upon G&C approval through December 31, 2013. **100% Turnpike Funds.**

#77 Authorized the Bureau of Construction to enter into a contract with Beck & Bellucci Inc., Franklin, NH, for bridge rehabilitation on NH Route 11 over the Blackwater River in the town of Andover, on the basis of a low bid of \$1,572,548.18. Effective upon G&C approval through October 25, 2013. 100% Federal Funds.

#78 Authorized the Bureau of Construction to enter into a contract with Delucca Fence Company Inc., Methuen, MA, for replacement of 133 terminal "F" guardrail end units with current standard W-beam guardrail end units at various locations throughout the State, on the basis of a low bid of \$927,875.76. (2)Further Authorized a contingency in the amount of \$92,787.58 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through July 26, 2013. **100% Federal Funds.**

#79 Authorized the Bureau of Construction to enter into a contract with Pike Industries Inc., Belmont, NH, for 8.6 miles of pavement rehabilitation and rehabilitation work on 5 bridges on US Route 2 between the Town of Randolph and the Maine state border, on the basis of a low bid of \$3,888,122.14. (2)Further Authorized a contingency in the amount of \$272,168.55 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 20, 2013. **100% Federal Funds.**

#80 Authorized the Bureau of Highway Design to amend an agreement with McFarland-Johnson Inc., Concord, NH and Binghamton, NY (originally approved by G& Con 3-24-10, item #123), for the final design for the replacement or removal of 6 red list bridges over the US Rte 1 Bypass in the City of Portsmouth, by increasing the amount by \$166,241.51 from \$2,244,746.28 to \$2,410,987.79 for additional design services that were not anticipated in the original agreement. Effective upon G&C approval through December 31, 2013. 100% Federal Funds.

#81 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for widening and reconstruction of US Route 3/NH Route 28 in Hooksett, on the basis of a low bid of \$4,074,351.95. (2)Further Authorized a contingency in the amount of \$285,204.64 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 17, 2014. **100% Federal Funds.**

#82 Authorized the Bureau of Construction to enter into a contract with American Excavating Corp., Derry, NH, for intersection improvements on NH 125 at Toldend Road / Greenhill Road in Barrington and modifications on NH 43 at the Exit 3 interchange with NH 101 in the Town of Candia, on the basis of a low bid of \$594,897.72. (2)Further Authorized a contingency in the amount of \$29,744.89 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through August 23, 2013. **100% Federal Funds.**

#83 Authorized the Bureau of Construction to enter into a contract with Continental Paving Inc., Londonderry, NH, for cold planning and repaving 7 roadway segments / locations in the City of Concord and the Towns of Bow, Hopkinton, and Warner, on the basis of a low bid of \$1,124,130. (2)Further Authorized a contingency in the amount of \$78,689.10 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through September 20, 2013. **100% Federal Funds.**

#84 Authorized the Bureau of Construction to enter into a contract with Weaver Brothers Construction Co., Inc., Concord, NH, for roadway and bridge rehabilitation on NH 25 at the bridges over the Baker River in the Towns of Wentworth and Rumney, on the basis of a low bid of \$7,154,845.64. (2)Further Authorized a contingency in the amount of \$357,742.28 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through June 20, 2014. 100% Federal Funds.

#85 Authorized the Bureau of Construction to enter into a contract with Liddell Brothers Inc., Halifax, MA, for replacing various signs of poor retroreflectivity on Interstate 93 and NH Route 101, on the basis of a low bid of \$548,868. Effective upon G&C approval through August 23, 2013. **100% Federal Funds.**

#86 Authorized the Bureau of Construction to enter into a contract with Jay-Mor Enterprises Inc., Pelham, NH, for demolition of buildings on two State owned parcels in the City of Keene and Town of Troy, on the basis of a low bid of \$57,800. Effective upon G&C approval through May 31, 2013. **100% Federal Funds.**

#87 Authorized the Bureau of Construction to enter into a contract with R.S. Audley Inc., Bow, NH, for replacing the concrete bridge deck on the Ocean Road Bridge over I-95 in Greenland, on the basis of a low bid of \$1,625,078.75. (2)Further Authorized a contingency in the amount of \$81,253.94 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through May 30, 2014. 100% Turnpike Funds.

#88 Authorized the Bureau of Construction to enter into a contract with Evroks Corporation, Winnisquam, NH, for bridge rehabilitation work on NH Route 12 / NH Route 101 over the Ashuelot River in the City of Keene, on the basis of a low bid of \$662,198.70. (2)Further Authorized a contingency in the amount of \$66,219.87 for payment of latent conditions which may appear during the construction of the project. Effective upon G&C approval through October 4, 2013. **100% Federal Funds.**

TABLED ITEMS

DEPARTMENT OF INFORMATION TECHNOLOGY *(Tabled at G&C 10-17-12)*

#11 **TABLED**—The Governor and Council on motion of Councilor Wheeler, seconded by Councilor Burton, voted to **table** the request to amend a **sole source** contract with Information Management Corporation d/b/a IMC Solutions of North Grafton, MA, (originally approved by G&C on 6-22-05, item #6A), for software support and maintenance of IMC Public Safety Software required by the NH Liquor Commission, Bureau of Liquor Enforcement in the amount of \$31,350, increasing the total from \$71,285 to \$102,635, and by extending the expiration date from January 31, 2013 to December 31, 2015. **100% Other/Liquor Funds.**

The Following individuals from District 2 were nominated by Governor Lynch to serve on Boards and Commissions:

Rebecca Ewing, Hopkinton, NH to the Alcohol and Drug Abuse prevention, Intervention and Treatment Commission

S. David Siff, Concord, NH to the Compensation Appeals Board

Jason B. Lyon, Wilnot, NH to the Fire Standards and Training Commission

Michael Sochat, Weare, NH to the Medical Review Subcommittee

David E. Biss, Concord, NH to the Board of Registration of Podiatrists

Brian R. Foucher, Harrisville, NH to the Telecommunications Planning and Development Advisory Committee

James H. Adams, Pittsfield, NH to the State Veteran's Council

Charles R. Lloyd, Concord, NH to the Volunteer NH Board of Directors

**The Executive Council welcomes public input on nominations
that are brought forward by the Governor for consideration and confirmation.**

If you have interest in serving on any of the 300+ State Boards or Commissions please send a letter of interest along with a resume, to Jennifer Kuzma in care of the Governor's office and a copy to Executive Councilor St. Hilaire.

Please feel free to contact me with concerns or support for any of the above individuals or any other issues you might have.

A listing of the Boards and Commissions, along with the qualifications required, can be found at <http://www.sos.nh.gov/redbook/index.htm>

Concord School District 2013-2014 Student/Staff Calendar

August/September

M	T	W	T	F
(26)	27	28	29	X
X	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	27	27
30				

23 Days

February

M	T	W	T	F
3	4	5	6	7
10	11	12*	13	14
17	18	19	20	21
X	X	X	X	X

15 Days

October

M	T	W	T	F
	1	2	3	4
7	8	9	10	(11)
X	15	16	17	18
21	22	23	24	25
28	29	30	31	

21 Days

March

M	T	W	T	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25*	26	27	28
31				

21 Days

November

M	T	W	T	F
				1
4	5	6	7	8
X	12	13	14	15
18	19	20	21	22
25	26	X	X	X

17 Days

April

M	T	W	T	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
X	X	X	X	X
28	29	30		

17 Days

December

M	T	W	T	F
2	3	4	5	6
9	10	11*	12	13
16	17	18	19	20
X	X	X	X	X
X	X			

15 Days

May

M	T	W	T	F
			1	2
5	6	7	8	9
12	13*	14	15	16
19	20	21	22	23
X	27	28	29	30

21 Days

January

M	T	W	T	F
		X	X	X
6	7	8*	9	10
13	14	15	16	17
X	21	22	23	24
27	28	29	30	31

19 Days

June

M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27

11 Days

- 95 Days
- Aug. 26 Staff Meeting
 - Aug. 27 Students Start School
 - Aug 30 - Sept. 2 Labor Day Recess
 - Oct. 11 Professional Day
 - Oct. 14 Columbus Day
 - Nov. 11 Veteran's Day
 - Nov. 27 - 29 Thanksgiving Recess
 - Dec. 23 - Jan. 3 Holiday Recess

- 85 Days
- Jan. 20 Martin Luther King Day
 - Jan. 24 Semester I Ends
 - Feb. 24 - 28 Winter Recess
 - Apr. 21 - 25 Spring Recess
 - May 26 Memorial Day
 - June 16 Last Day of School for Students
 - June 21 Graduation Day

Sept. 24, Oct. 23, Jan. 28, Apr. 9: Curriculum Work Time (90 minutes between 3:00-5:00 PM)
 *Dec. 11, *Jan. 8, *Feb. 12, *Mar. 25, *May 13: Early Dismissal (students released 90 minutes earlier than regular schedule)
 Nov. 21 & 25 - Parent-Teacher conferences (4:30-8:00 PM)

() = Professional Day - no school for students X = Days out for students and staff
 Note: Additional school days needed due to inclement weather will be completed in June.

1 INF 8

1/20

CRSW/RRC
"The Cooperative"

Concord Regional Solid Waste /Resource Recovery Cooperative 347-B Village St., Penacook, NH 03303
Phone: 603/753-9265 Fax: 603/753-8534 email: crswrrc@aol.com

December 10, 2012

Mr. John Lariviere, Plant Manager
Wheelabrator Concord Company, LP
11 Whitney Road
Concord, NH 03301
Re: Solid Waste Disposal Agreement Termination Option

Dear Mr. Lariviere:

The purpose of this letter is to notify Wheelabrator Concord Company, LP ("WCC"), in accordance with Section 10.1(b) of the Solid Waste Disposal Agreement between WCC and the Concord Regional Solid Waste Resource Recovery Cooperative ("the Cooperative") dated July 5, 2006, ("SWDA") that the Cooperative hereby exercises its option to terminate the existing agreement as of December 31, 2014. The structure of the SWDA and the continuing tonnage decline has rendered the cost of service under the SWDA not competitive in comparison to other options available to the Cooperative communities after 2014.

We would note that the option for WCC to continue to dispose of residue at the Cooperative landfill after 2014 as provided in Section 12.4 of the SWDA is not applicable since that option was conditional upon the permitting and construction of a Cooperative landfill in Canterbury. The Cooperative subsequently determined that the permitting and construction of this facility was not feasible. The land has since been sold and is in conservation.

The Cooperative continues to be interested in negotiating an alternative arrangement which provides reasonable terms to include the period beyond 2014. We are fully committed to completing our negotiations on that concept with WCC and presenting such an alternative to the Cooperative's member municipalities soon, hopefully in early 2013.

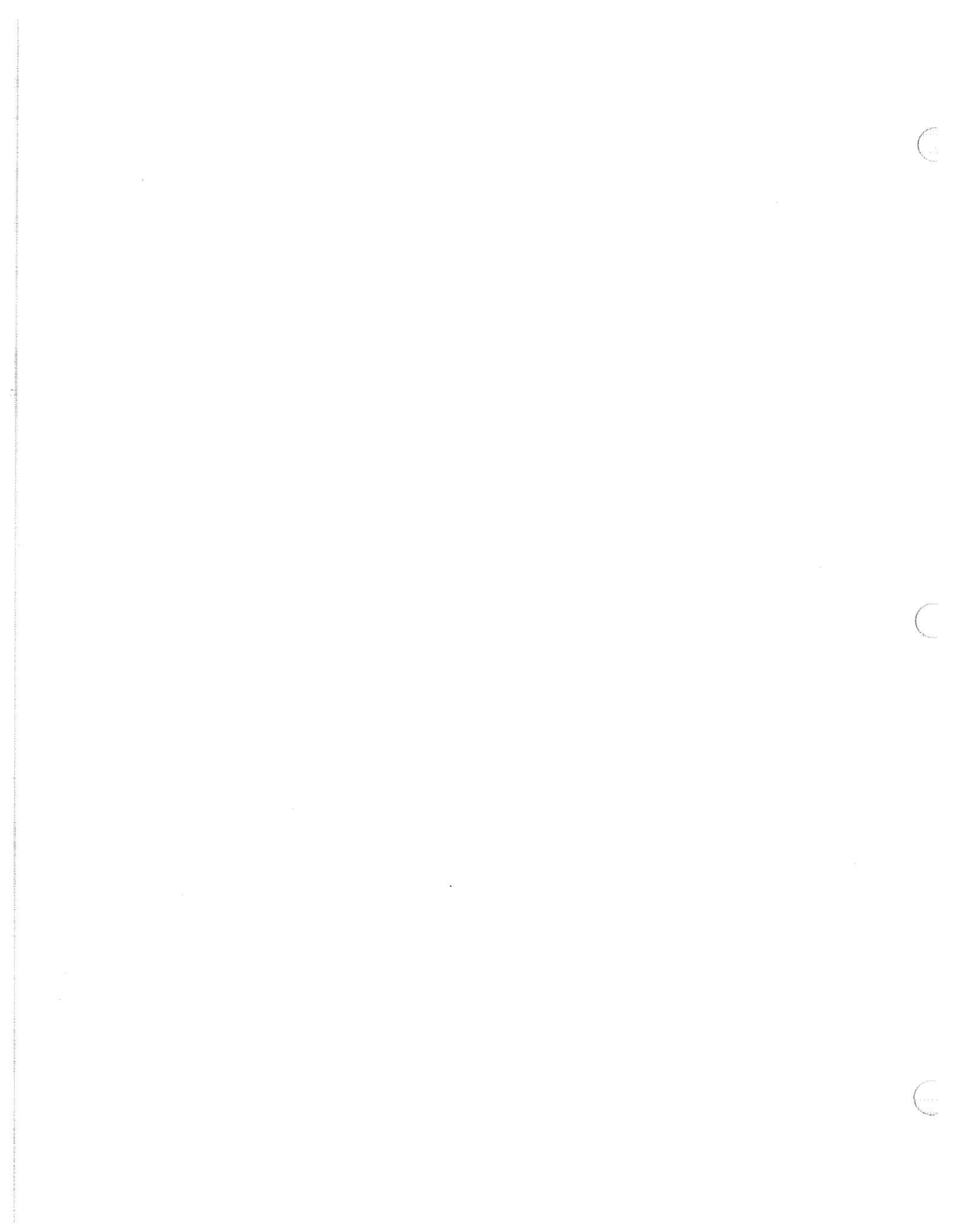
If you have any questions concerning this letter, please don't hesitate to contact us.

Very truly yours,



William G. Herman, CPM, Chairman Concord Regional Solid Waste/ Resource Recovery Cooperative

Cc: WCC General Counsel, Hampton, NH
James R. Presher
William H. Wilson
Craig N. Musselman





December 19, 2012

Via Ups

The Honorable James Bouley
Office of the Mayor
City of Concord
41 Green Street
Concord, NH 03301

RE: Important Price Adjustment Information

Dear Mayor Bouley:

As part of our commitment to provide our customers in your community with the best entertainment and communications experience, we continue to invest in making our services even better. Here are some highlights of the many services available to our customers, as well as some of the improvements we've made in the past year:

- XFINITY On Demand™ – with thousands of top shows, hit movies™ and more - with 90% FREE.
- We now offer many free help and how-to videos. Customers may visit www.youtube.com/xfinity to learn how to program a remote control or DVR, manage parental controls, sign up for paperless billing, and so much more.
- We've improved our online experience. Visit our new and improved website at www.comcast.com/myaccount, where customers can login or set up a user name. Through the website, customers can manage account preferences, equipment settings, pay their bill, manage appointments and get help whenever they need it. Customers can also watch favorite programs online, set their DVR, and add favorite shows to their queue. Customers can also use our mobile site at m.comcast.com from a smartphone to manage appointments, check their balance, and receive text alerts.

While we continue to make these and other investments, we periodically need to adjust prices due to increases we incur in programming and other business costs. Starting January 22, 2013, new prices will apply to select* Video and Internet services and equipment as indicated in the attached.

Should have any questions regarding this information please do not hesitate to contact me at 603-224-1871, ext. 202.

Sincerely,

Bryan Christiansen

Bryan Christiansen, Sr. Manager
Government & Regulatory Affairs

**If a customer is currently receiving services on a promotional basis, under a minimum term agreement associated with a specific rate, or in the guaranteed period of one of our SurePrice™ plans, the prices for those specific services will not be affected during the applicable period.*

IMPORTANT PRICE ADJUSTMENT INFORMATION for Allenstown, Boscawen, Bow, Canterbury, Chichester, Concord, Epsom, Hopkinton, Loudon & Pembroke, NH

December 2012

Dear Valued Customer:

At Comcast we are committed to improving your entertainment communications experience, and we continue to invest in making our services even better. While we continue to make these and other investments, we periodically need to adjust prices due to increases we incur in programming and other business costs. Starting January 22, 2013, or with your next bill thereafter, new prices will apply to select* Video and Internet services and equipment as indicated in this notice.

We want to make sure you are getting the most out of your XFINITY® services. Here are some highlights of the many services available to you, as well as some of the recent improvements we've made in the past year:

- XFINITY On Demand™ gives you thousands of top shows, hit movies and more—with 90% FREE.
- XFINITY delivers the fastest Internet. You get **reliably fast speed—even during peak use periods**—so you have the speed you need to connect all your devices at the same time.
- We now offer many **free help and how-to videos**. Visit www.youtube.com/xfinity to learn how to program your remote control or your DVR, manage parental controls, sign up for paperless billing, and so much more.
- We've improved the **online experience**. We invite you to visit our new and improved website at www.comcast.com/myaccount to login or set up your user name. You can manage your account preferences, equipment settings, pay your bill, manage appointments, and get help whenever you need it. You can also watch your favorite programs online, set your DVR, and add your favorite shows to your Queue. Plus, visit our mobile site at m.comcast.com from your smartphone to manage appointments, check your balance, and receive text alerts.

Still have questions? Visit us at www.comcast.com/questions. Thank you for choosing Comcast. We value you as a customer, and we look forward to continuing to serve you.

**If you are currently receiving services on a promotional basis, under a minimum term agreement associated with a specific rate, or in the guaranteed period of one of our SurePrice™ plans, the prices for those specific services will not be affected during the applicable period.*

XF TRIPLE PLAY PACKAGES ¹	Current Price	New Price Eff. 01/22/13
Starter XF Triple Play Bundle	\$136.99/mo.	\$141.99/mo.
Includes Digital Starter for primary outlet, Performance Internet and XFINITY Voice Unlimited SurePrice ²		
	\$119.99/mo.	No Change
Preferred XF Triple Play Bundle	\$149.99/mo.	\$154.99/mo.
Includes Digital Starter for primary outlet, Digital Preferred, Performance Internet and XFINITY Voice Unlimited SurePrice ²		
	\$129.99/mo.	No Change
HD Preferred XF Triple Play Bundle	\$159.99/mo.	\$164.99/mo.
Includes Digital Starter for primary outlet, Digital Preferred, HD Technology Fee, Starz®, Performance Internet and XFINITY Voice Unlimited SurePrice ²		
	\$139.99/mo.	No Change
HD Preferred Plus XF Triple Play Bundle	\$179.99/mo.	\$184.99/mo.
Includes Digital Starter for primary outlet, Digital Preferred, HD Technology Fee, HBO®, Starz®, Blast! Internet and XFINITY Voice Unlimited SurePrice ²		
	\$159.99/mo.	No Change
HD Premier XF Triple Play Bundle	\$204.99/mo.	\$209.99/mo.
Includes Digital Starter and Digital Premier with HD DVR service or AnyRoom DVR service for primary outlet, HD Technology Fee, Blast! Internet and XFINITY Voice Unlimited SurePrice ²		
	\$179.99/mo.	No Change

XF TRIPLE PLAY PACKAGES ¹	Current Price	New Price Eff. 01/22/13
HD Complete XF Triple Play Bundle	\$234.99/mo.	\$239.99/mo.
Includes Digital Starter and Digital Premier with AnyRoom DVR service for primary outlet, three Digital Additional Outlets with HD digital converters and remotes, HD Technology Fee, The Movie Channel®, Blast! Internet, Wireless Gateway, XFINITY Wireless Networking Signature Support and XFINITY Voice Unlimited SurePrice ²		
	\$219.99/mo.	No Change

MULTILATINO PAQUETE TRIPLE ¹	Current Price	New Price Eff. 01/22/13
MultiLatino Max Paquete Triple	\$136.99/mo.	No Change
Includes MultiLatino Max for primary outlet, Performance Internet, and XFINITY Voice Unlimited SurePrice ²		
	\$119.99/mo.	No Change
MultiLatino Ultra Paquete Triple	\$149.99/mo.	No Change
Includes MultiLatino Ultra for primary outlet, Performance Internet, and XFINITY Voice Unlimited SurePrice ²		
	\$129.99/mo.	No Change
MultiLatino Ultra HD Paquete Triple	\$159.99/mo.	No Change
Includes MultiLatino Ultra for primary outlet, HD Technology Fee, Starz®, Performance Internet, and XFINITY Voice Unlimited SurePrice ²		
	\$139.99/mo.	No Change
MultiLatino Ultra HD Plus Paquete Triple	\$179.99/mo.	No Change
Includes MultiLatino Ultra for primary outlet, HD Technology Fee, HBO®, Starz®, Blast! Internet, and XFINITY Voice Unlimited SurePrice ²		
	\$159.99/mo.	No Change
MultiLatino Total HD Paquete Triple	\$204.99/mo.	No Change
Includes MultiLatino Ultra and HD DVR Service or AnyRoom DVR for primary outlet, HD Technology Fee, HBO®, Showtime®, Starz®, Cinemax®, Sports Entertainment Package®, Blast! Internet, and XFINITY Voice Unlimited SurePrice ²		
	\$179.99/mo.	No Change

TRIPLE PLAY AND DOUBLE PLAY PACKAGES ¹	Current Price	New Price Eff. 01/22/13
Economy Triple Play XF	\$ 84.85	\$ 89.85
Includes Digital Economy for primary outlet, Economy Plus Internet and XFINITY Voice Local With More		
MultiLatino Plus Bundle XF	\$ 79.85	No Change
Includes MultiLatino Plus for primary outlet, Economy Plus Internet, and XFINITY Voice Local With More		
MultiLatino Extra Bundle XF	\$ 94.85	No Change
Includes MultiLatino Extra for primary outlet, Economy Plus Internet, and XFINITY Voice Local With More		
Blast Plus	\$ 79.95	\$ 82.95
Includes Digital Economy for primary outlet, Streampix and Blast! Internet		
Blast Plus with HBO®	\$ 89.95	No Change
Includes Digital Economy, HBO® and Streampix for primary outlet and Blast! Internet		
	\$ 69.99	No Change
Preferred XF Double Play	\$136.03	\$139.85
Includes Digital Starter for primary outlet, Digital Preferred and Performance Internet		
	\$109.99/mo.	No Change

BASIC SERVICES	Current Price	New Price Eff. 01/22/13
Allenstown, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Boscawen, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Bow, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		

SA9CF0PB

BASIC SERVICES

	Current Price	New Price Eff. 01/22/13
Canterbury, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Chichester, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Concord, NH⁴⁰		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Franchise Related Cost ⁹	\$ 0.42	\$0.43
Epsom, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Hopkinton, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Loudon, NH		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Pembroke, NH⁴⁰		
Limited Basic	\$23.02	\$24.60
Expanded Basic ⁸	\$46.11	\$45.35
Includes standard definition digital converter and remote for primary outlet		
Franchise Related Cost ⁹	\$ 0.16	\$0.11

DIGITAL SERVICES

	Current Price	New Price Eff. 01/22/13
Digital Economy	\$39.95	No Change
Includes Limited Basic, Digital Economy channels, and a standard definition digital converter and remote for the primary outlet, access to Pay-Per-View programming and Music Choice [®] With XFINITY Voice or Internet Service.		
Digital Starter	\$69.13	\$69.95
Includes Limited Basic, Expanded Basic, Digital Starter channels, movieplex, access to Pay-Per-View and On Demand programming and Music Choice [®]		
Digital Preferred plus One Premium ¹¹	\$32.45	No Change
Includes Digital Preferred and choice of HBO [®] , Showtime [®] , Starz [®] , Cinemax [®] or The Movie Channel [®]		
Digital Preferred plus Two Premiums ¹¹	\$43.45	No Change
Includes Digital Preferred and choices of two of HBO [®] , Showtime [®] , Starz [®] , Cinemax [®] or The Movie Channel [®]		
Digital Preferred Plus ¹¹	\$43.45	No Change
Includes Digital Preferred, HBO [®] and Starz [®]		
Digital Premier ¹¹	\$57.45	No Change
Includes Digital Preferred, HBO [®] , Showtime [®] , Starz [®] , Cinemax [®] and Sports Entertainment Package [®]		
MultiLatino Plus	\$24.95	\$26.95
Includes Limited Basic, MultiLatino, standard definition digital converter and remote for primary outlet		
MultiLatino Extra	\$39.95	No Change
Includes Digital Economy and MultiLatino		
MultiLatino Max	\$59.95	No Change
Includes MultiLatino Extra, MultiLatino Max channels, access to Pay-Per-View and On Demand programming		
MultiLatino Ultra	\$76.90	No Change
Includes MultiLatino Max and Digital Preferred		

BASIC AND DIGITAL ANCILLARY SERVICES

	Current Price	New Price Eff. 01/22/13
HBO ^{® 10}	\$19.95	No Change
Showtime ^{® 10}	\$19.95	No Change
Starz ^{® 10}	\$19.95	No Change
Cinemax ^{® 10}	\$19.95	No Change
The Movie Channel ^{® 10}	\$19.95	No Change
Playboy ^{® 10}	\$19.95	No Change

BASIC AND DIGITAL ANCILLARY SERVICES

	Current Price	New Price Eff. 01/22/13
Digital Preferred ¹²	\$17.95	No Change
MultiLatino ¹⁰	\$14.95	\$16.95
Family Tier ¹³	\$14.95	No Change
Sports Entertainment Package ^{® 11}	\$ 7.95	\$ 8.95
HD Technology Fee ⁴¹ (whole house)	\$ 9.95	No Change
3D Technology Fee ¹⁴ HD Technology Fee (whole house)	\$ 0.00	No Change
is required at an additional charge of \$9.95		
DVR Service ^{5, 15} HD Technology Fee (whole house)	\$ 7.00	\$ 8.00
is required at an additional charge of \$9.95		
AnyRoom DVR Service ^{6, 15} HD Technology Fee (whole house)	\$10.00	\$11.00
is required at an additional charge of \$9.95		
Digital Additional Outlet Service ¹⁶ (per outlet)	\$ 9.95	No Change
with Standard Definition Digital Converter		
with HD Digital Converter ¹⁴		
with CableCARD ¹⁷		
Digital Adapter Additional Outlet Service ¹⁸ (per outlet)	\$ 0.00	\$ 1.99
1 st and 2 nd additional outlet		
(subscribed to before July 1, 2012)		
Digital Adapter Additional Outlet Service ¹⁸ (per outlet)	\$ 1.99	No Change

INTERNATIONAL SELECTIONS¹⁰

	Current Price	New Price Eff. 01/22/13
Rai Italia (Italian)	\$ 9.99	No Change
TV5 MONDE (French)	\$ 9.99	No Change
CTI-Zhong Tian Channel (Chinese/Mandarin)	\$11.99	No Change
RTN (Russian)	\$14.99	No Change
NEO Cricket (South Asian)	\$14.99	No Change
Zee TV (South Asian)	\$14.99	No Change
SIC (Portuguese)	\$ 9.99	No Change
TV Globo (Portuguese/Brazilian)	\$19.99	No Change
PFC (Portuguese/Brazilian)	\$19.99	No Change

PAY-PER-VIEW AND ON DEMAND

SUBSCRIPTION SERVICES ¹⁵ (monthly except as noted)	Current Price	New Price Eff. 01/22/13
Bollywood Hits On Demand	\$ 12.99	No Change
Bollywood Hits On Demand (w/a South Asian international premium)	\$ 9.99	No Change
Howard Stern On Demand	\$ 10.99	No Change
Howard Stern On Demand (one year subscription)	\$119.99	No Change
WWE Classics On Demand	\$ 7.99	No Change
here! TV On Demand	\$ 7.99	No Change
Filipino On Demand	\$ 7.99	No Change
Filipino On Demand (w/a Filipino international premium)	\$ 5.99	No Change
Too Much for TV On Demand	\$ 14.99	No Change
Disney Family Movies On Demand	\$ 5.99	No Change
The Jewish Channel On Demand	\$ 6.99	No Change
Pay-Per-View and On Demand Movies and Events ¹⁹ (per title or event)	Prices Vary	
Streampix ^{™ 20}	\$ 4.99	No Change

SPORTS PACKAGES^{15, 21}

MLB Extra Innings, MLS Direct Kick, NHL Center Ice, NBA League Pass, ESPN Game Plan, ESPN Full Court... Call 1-800-XFINITY for pricing

VIDEO EQUIPMENT

	Current Price	New Price Eff. 01/22/13
Limited Basic Only Converter	\$ 0.60	No Change
Digital Converter	\$ 2.15	No Change
Remote Control	\$ 0.20	No Change
HD Digital Converter (Limited Basic Only)	\$ 2.15	No Change
Digital Adapter (Limited Basic Only) ²²	\$ 0.00	No Change
(1st, 2nd, 3rd outlet)		
(4th, 5th, 6th, etc. outlet)		
CableCARD (first card in device)	\$ 0.00	No Change
CableCARD (second card in same device)	\$ 1.15	No Change
Customer-Owned Video Equipment Credit	\$ 2.50	No Change

(See www.comcast.com/equipmentpolicy for additional information)

INSTALLATION FEES ²³
(per occurrence unless noted)

	Current Price	New Price Eff. 01/22/13
One Product ²⁴		
Initial Installation of Service	\$50.00	No Change
After Initial Installation of Service	N/A	N/A
Two Product ²⁴		
Initial Installation of Service	\$80.00	No Change
After Initial Installation of Service	N/A	N/A
Three Product ²⁴		
Initial Installation of Service	\$90.00	No Change
After Initial Installation of Service	N/A	N/A
Installation of each Additional Outlet		
Initial Installation of Service	\$14.15	No Change
After Initial Installation of Service	\$31.50	No Change
Activation of each Additional Outlet		
Initial Installation of Service	\$ 7.75	No Change
After Initial Installation of Service	\$21.75	No Change
Relocate Additional Outlet		
Initial Installation of Service	\$13.60	No Change
After Initial Installation of Service	\$13.60	No Change
Connection of VCR/DVD		
Initial Installation of Service	\$ 8.55	No Change
After Initial Installation of Service	\$19.10	No Change
Upgrade/Downgrade of Service (No in-home visit required)	\$ 1.99	No Change
Upgrade Standard Definition DVR or HD DVR Service	\$20.05	No Change
Upgrade of Service (in-home visit required)	\$20.05	No Change
Downgrade of Service (in-home visit required)	\$12.05	No Change
Hourly Service Charge (For custom installation work)	\$33.60	No Change
In-Home Service Visit	\$33.55	No Change

REACTIVATION FEES (No in-home visit required)—per occurrence unless noted

	Current Price	New Price Eff. 01/22/13
Office reactivation for XFINITY Internet	\$ 5.00	No Change
Office reactivation for XFINITY Voice	\$ 5.00	No Change
Office reactivation for XFINITY TV	\$ 5.00	No Change

MISCELLANEOUS FEES
(per occurrence unless noted)

	Current Price	New Price Eff. 01/22/13
Service Protection Plan ²⁵ (per month; covers all products)	\$3.95	No Change
Inside home wiring protection for your cable TV, high-speed Internet and phone services.		
Protection Plus ³⁰ (per month)	\$14.95	No Change
Protection for flat panel television. Includes Service Protection Plan.		
Complete Protection ³¹ (per month)	\$19.95	No Change
Protection for computers, laptops, tablets, flat panel televisions and home phones. Includes Service Protection Plan.		
Field Collection Charge	\$20.00	No Change
Visit to customer's residence required to collect past due balance or unreturned equipment		
Returned Payment Item (each)	\$20.00	No Change
Late Fee	\$8.00	No Change
Name Change Fee	\$1.99	No Change
Convenience Fee — Agent	\$5.99	No Change
For payment made by phone with a Customer Care Representative		
Bill Statement Reprint — Agent	\$5.00	No Change
For bill statement copy requested by phone or in person		
Unreturned or Damaged Equipment Fees ³² (per piece)	Replacement Cost	
Signal Amplifier	\$35.00	No Change
Self Install Kit ³³	\$10.00	\$15.00
Self Install Kit Shipping and Handling (Standard Shipping)	\$10.00	\$9.95
Self Install Kit Shipping and Handling (Priority Shipping)	\$30.00	\$29.95
Shipping and Handling — Remotes (Separate Shipping)	\$5.95	No Change
TV Guide SM Weekly Magazine (per month)	\$4.20	No Change

XF TRIPLE PLAY PACKAGE / MULTILATINO PAQUETE TRIPLE REWARDS

	Regular Price	Starter XF/ MultiLatino Max	Preferred XF/ MultiLatino Ultra	HD Preferred XF/ MultiLatino Ultra HD	HD Preferred Plus XF/ MultiLatino Ultra HD Plus	HD Premier XF/ MultiLatino Total HD ⁴	HD Complete XF Triple Play Bundle ⁴
HBO® 10	\$19.95	\$15.00	\$15.00	\$15.00	Included	Included	Included
Showtime® 10	\$19.95	\$10.00	\$10.00	\$10.00	\$10.00	Included	Included
Starz® 10	\$19.95	\$10.00	\$10.00	Included	Included	Included	Included
Cinemax® 10	\$19.95	\$10.00	\$10.00	\$10.00	\$10.00	Included	Included
The Movie Channel® 10	\$19.95	\$10.00	\$10.00	\$10.00	\$10.00	\$10.00	Included
DVR Service ^{5, 15} HD Technology Fee (whole house) is required at an additional charge of \$9.95	\$8.00	\$8.00	\$8.00	\$8.00	\$8.00	Included	Included
AnyRoom DVR Service ^{6, 15} HD Technology Fee (whole house) is required at an additional charge of \$9.95	\$11.00	\$11.00	\$11.00	\$11.00	\$11.00	Included	Included
Digital Additional Outlet Service ¹⁶	\$9.95	\$9.95	\$9.95	\$9.95	\$9.95	\$9.95	Included (up to 3)
HD Technology Fee ⁴¹	\$9.95	\$9.95	\$9.95	Included	Included	Included	Included
3D Technology Fee ¹⁴ HD Technology Fee (whole house) is required at an additional charge of \$9.95	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Certain services available separately or as a part of other levels of service. Comcast service is subject to Comcast's standard terms and conditions of service. Unless otherwise specified, prices shown are the monthly charge for the corresponding service, equipment or package. Prices shown do not include applicable taxes, franchise fees, FCC fees, Regulatory Recovery Fee, Public Access fees, other state or local fees or other applicable charges (e.g., per-call toll or international charges). Prices, services and features are subject to change. If you are a video service customer and you own a compatible digital converter or CableCARD device, please call 1-800-XFINITY for pricing information or visit www.comcast.com/equipmentpolicy.

- 1 Requires a Voice/Data Modem, except for HD Complete Triple Play.
- 2 SurePrice only available for 12 months to XF Triple Play or MultiLatino Paquete Triple Play customers after 12 month promotional package.
- 3 SurePrice only available for 12 months to Preferred XF Double Play customers after 12 month promotional package.
- 4 AnyRoom DVR service is included with HD Premier Triple Play, MultiLatino Total HD Paquete Triple and HD Complete Triple Play if AnyRoom DVR service is installed on primary outlet.
- 5 Subject to availability.
- 6 Sold only with one or more Digital Additional Outlet Service with HD Converter, maximum 3 clients per household. Requires professional installation.
- 8 Requires purchase of Limited Basic.
- 9 Franchise Related Costs are costs associated with providing public, educational and/or government access facilities and equipment and/or other related costs in your community.
- 10 Requires digital converter or CableCARD and Limited Basic.
- 11 Requires Digital Starter.
- 12 Requires Digital Starter or MultiLatino Max.
- 13 Requires digital converter and purchase of Limited Basic and cannot be combined with Expanded Basic. Family Tier programming included in Digital services except for MultiLatino.
- 14 Requires HD Technology Fee.
- 15 Requires digital converter and Limited Basic.
- 16 Not available to Limited Basic only customers. Digital service tier on additional outlet corresponds to digital service tier on primary outlet.
- 17 Applicable with a subscription to any level of digital service. Includes a customer-owned video equipment credit. An additional charge will apply for additional CableCARDS in the same device.
- 18 Includes digital adapter and remote. Not available to customers with Limited Basic only.
- 19 Price of Pay-Per-View and On Demand Movie or Event is displayed prior to the completion of the Pay-Per-View or On Demand ordering process.
- 20 Requires digital converter and Limited Basic to receive Streampix on television. Streampix included with the following tiers of service: Blast Plus™, HD Preferred Plus XF Triple Play, HD Premier XF Triple Play or HD Complete XF Triple Play. HD content requires subscription to HD Technology Fee. Streaming to iOS device requires Xfinity TV app, internet service with bandwidth of at least 600 Kbps and a subscription to Limited Basic. Streaming to laptop/computer requires equipment meeting minimum requirements posted at <http://customer.comcast.com/help-and-support/internet/requirements-to-run-xfinity-internet-service/>,

Internet service with bandwidth of at least 600 Kbps and a subscription to Limited Basic.

- 21 Please call 1-800-XFINITY for current pricing.
 - 22 Not available to customers with Expanded Basic.
 - 23 Does not include Extreme 105 Internet Service installation charge, wireless networking, professional internet installation, Voice installation fees or activation fees.
 - 24 Product installations include installations up to 125 feet from existing Comcast plant, unless noted differently in the local franchise agreement. Custom installations include installations which require in-wall wiring or installations in extensive drop ceilings, basements or crawl spaces.
 - 25 See <http://www.comcast.com/spp> for information on Service Protection Plan.
 - 36 Does not include PowerBoost.
 - 40 Discount of \$2.00 off of Digital Starter available to qualified seniors age 65+ who are head of household and Medicaid or SSI eligible. Restrictions apply.
 - 41 HD converter replaces standard definition converter on primary outlet. Not available to customers with Limited Basic only.
 - 42 SurePrice only available for 12 months to Blast Plus with HBO® customers after 6 month promotional package.
- ©2012 Comcast. All rights reserved.

XFINITY TV Channel Lineup

Limited Basic

- 2 NHPTV (PBS) /
NHPTV Prime HD - HD 802
- 3 HSN
- 4 **WBZ-4 (CBS) / HD 804**
WCVB-5 (ABC) / **HD 805**
Educational Access
- 7 **WHDH-7 (NBC) / HD 807**
- 8 **WUNI-27 (UNI) / HD 816**
- 9 **WMUR-9 (ABC) / HD 809**
- 10 WWDP-DT
- 11 NHPTV Explore /
NHPTV Explore HD - HD 801
- 12 **WLVI-56 (CW) / HD 808**
- 13 **WFXT-25 (FOX) / HD 806**
- 14 **WSBK myTV38 (MyTV) / HD 814**
- 15 **WPXG-21 (ION) / HD 803**
- 16 NECN
- 17 Government Access 4
- 18 **WBIN (IND) / HD 811**
- 19 **WNEU-60 (Telemundo) / HD 815**
- 20 **WMFP-62 (IND)**
- 21 **WUTF-66 (Telefutura) / HD 817**
- 22 **WNNE-31 (NBC)**
- 22 Government Access 5
- 44 C-SPAN
- 58 QVC
- 95/295 **WYDN-48 (Daystar)**
- 183 Jewelry TV
- 209 NHPTV World
- 217 NHPTV Kids
- 229 Trinity Broadcasting Network
- 237 NHPTV Create
- 268 CatholicTV
- 283 Leased Access
- 288 **WBIN-Live Well Network**
- 289 **WBIN-COOL TV**
- 290 **WNEU-Exits**
- 291 **WLVI-TCN**
- WCVB MeTV
- WHDH-This TV
- WMUR-MeTV
- 299/724 **WUNI-LATV**
- 300/721 **WFXZ-24 (Mundo Fox)**

Expanded Basic

- 24 Disney Channel
- 25 Nickelodeon
- 26 ABC Family Channel
- 28 MTV
- 29 VH1
- 30 FX
- 31 TBS
- 32 HGTV
- 33 TNT
- 34 E!
- 35 USA Network
- 36 Lifetime
- 37 A&E
- 38 TLC
- 39 Discovery Channel
- 41 Fox News
- 42 CNN
- 43 CNN Headline News
- 46 CNBC
- 47 The Weather Channel
- 49 ESPN
- 50 ESPN2
- 51 NESN
- 52 Comcast SportsNet
- 53 Bravo
- 54 Food Network
- 55 Spike TV

- 59 AMC
- 60 Cartoon Network
- 61 Comedy Central
- 62 Syfy
- 63 Animal Planet
- 64 TV Land
- 65 NBC Sports Network
- 66 History
- 67 Travel Channel
- 68 BET
- 69 Golf Channel
- 71 Product Information Network
- 186 truTV
- 208 Hallmark Channel
- 234 Inspirational Network
- 238 EWTN
- 251 MSNBC
- 270 Lifetime Movie Network
- 284 Fox Business Network

Family Tier (Includes Limited Basic)

- 24 Disney Channel
- 25 Nickelodeon
- 32 HGTV
- 43 CNN Headline News
- 47 The Weather Channel
- 54 Food Network
- 210 National Geographic Channel
- 218 PBS Kids Sprout
- 221 The Hub
- 222 Disney XD
- 224 TeenNick
- 227 Science Channel
- 229 Trinity Broadcasting Network
- 240 DIY
- 247 C-SPAN2

Digital Economy (Includes Limited Basic)

- 3 HSN
- 24 Disney Channel
- 34 E!
- 35 USA Network
- 36 Lifetime
- 37 A&E
- 39 Discovery Channel
- 41 Fox News
- 42 CNN
- 47 The Weather Channel
- 54 Food Network
- 58 QVC
- 59 AMC
- 60 Cartoon Network
- 61 Comedy Central
- 63 Animal Planet
- 64 TV Land
- 66 History
- 68 BET
- 186 truTV
- 208 Hallmark Channel
- 238 EWTN
- 242 H2
- 247 C-SPAN2
- 823 Discovery HD
- 824 Disney HD
- 835 USA Network HD
- 837 A&E HD
- 841 Fox News HD
- 842 CNN HD
- 854 Food Network HD
- 859 AMC HD
- 863 Animal Planet HD

- 872 History HD
- 905 BET HD
- 906 HSN HD
- 907 Hallmark HD
- 910 H2 HD

Digital Starter (Includes Limited Basic and Expanded Basic)

- 1 On Demand
- 45/246 Bloomberg Television
- 199 Hallmark Movie Channel
- 200 movieplex
- 211 style.
- 218 PBS Kids Sprout
- 219 G4
- 235 gmc
- 241 BBC America
- 242 H2
- 243 bio.
- 247 C-SPAN2
- 249 C-SPAN3
- 252 Investigation Discovery
- 267 GSN
- 333 XFINITY 3D 3
- 334 ESPN 3D 3
- 784 Travel Channel HD
- 786 G4 HD
- 788 Lifetime Movie Network HD
- 789 Fox Business Network HD
- 790 Hallmark Movie Channel HD
- 791 QVC HD
- 794 Bravo HD
- 795 CNBC HD
- 797 bio. HD
- 810 NECN HD
- 823 Discovery HD
- 824 Disney HD
- 825 Nick HD
- 826 ABC Family HD
- 827 MTV HD
- 828 Palladia
- 829 VH1 HD
- 830 FX HD
- 831 TBS HD
- 832 HGTV HD
- 833 TNT HD
- 834 E! HD
- 835 USA Network HD
- 836 Lifetime HD
- 837 A&E HD
- 839 Velocity HD
- 841 Fox News HD
- 842 CNN HD
- 843 CNN Headline News HD
- 846 Universal HD
- 847 The Weather Channel HD
- 848 Golf Channel HD
- 849 ESPN HD
- 850 ESPN2 HD
- 851 NESN HD
- 852 Comcast SportsNet HD
- 854 Food Network HD
- 855 Spike TV HD
- 858 Comedy Central HD
- 859 AMC HD
- 860 Cartoon Network HD
- 862 Syfy HD
- 863 Animal Planet HD
- 865 NBC Sports Network HD
- 867 TLC HD
- 872 History HD
- 901 MSNBC HD

- 902 truTV HD
- 905 BET HD
- 906 HSN HD
- 907 Hallmark HD
- 908 GMC HD
- 909 Investigation Discovery HD
- 910 H2 HD
- 916 Bloomberg Television HD
- 918 BBC America HD

MultiLatino Max

- 25 Nickelodeon
- 28 MTV
- 29 VH1
- 31 TBS
- 33 TNT
- 38 TLC
- 49 ESPN
- 50 ESPN2
- 51 NESN
- 52 Comcast SportsNet
- 53 Bravo
- 55 Spike TV
- 62 Syfy
- 65 NBC Sports Network
- 69 Golf Channel
- 218 PBS Kids Sprout
- 270 Lifetime Movie Network
- 788 Lifetime Movie Network HD
- 794 Bravo HD
- 825 Nick HD
- 827 MTV HD
- 829 VH1 HD
- 831 TBS HD
- 833 TNT HD
- 848 Golf Channel HD
- 849 ESPN HD
- 850 ESPN2 HD
- 851 NESN HD
- 852 Comcast SportsNet HD
- 862 Syfy HD
- 865 NBC Sports Network HD
- 867 TLC HD

Digital Preferred

- 1 On Demand
- 125 RLTV
- 176 Ovation
- 190 BBC World
- 191 Baby First TV America
- 193 Smithsonian Channel
- 196 Jewish Life TV (JLTV)
- 197 Encore Family
- 198 ReelzChannel
- 201 Sundance Channel
- 202 Flix
- 203 Encore Action
- 204 Encore Love
- 205 Encore Suspense
- 206 indieplex
- 207 Encore Westerns
- 208 Hallmark Channel
- 210 National Geographic Channel
- 211 style.
- 212 IFC
- 214 TV One
- 215 WE tv
- 216 Oxygen
- 220 Nicktoons
- 221 The Hub
- 222 Disney XD
- 223 Nick Jr.
- 224 TeenNick

XFINITY TV Channel Lineup (continued)

Digital Preferred (continued)		Sports Entertainment Package		Sports Pay-Per-View		MultiLatino	
225	retroplex	913	NBA TV HD	452	Juicy	688	TV5MONDE
226	OWN (Oprah Winfrey Network)	914	MLB Network HD	457	TEN	701	Zee TV
227	Science Channel	915	Ovation HD	459	REAL	702	CTI Zhong Tian
228	Nick Too	921	Oxygen HD	800	In Demand HD	703	RTN
230	Discovery Fit and Health	922	Nat Geo Wild HD	Digital Premium			
231	Halogen TV			591-596	ESPN Fullcourt/Gameplan	641	TBN Enlace USA
232	Nat Geo WILD	126	Crime and Investigation	600	NBA LP PRE	642	Telefe Internacional
233	Destination America	127	Military History Channel	601-610	MLS - NBA TEAM 1-10	643	TeleFórmula
236	The Word Network	128	SportsNet NY (OOM)	612	TEAM HD	644	TeleRitmo
238	EWTN	130	Comcast SportsNet Chicago (OOM)	621-634	MLB-NHL GAME	645	TV Chile
239	Cooking Channel	133	Comcast SportsNet Bay Area (OOM)	635	GAME HD	646	TV Colombia
240	DIY	135	ESPN Goal Line	636	GAME 2 HD	647	VideoRola
244	Disney Junior	194	PAC 12			648	Utilísima
245	Weatherscan Local	195	Outside TV			649	TVE East
248	ESPNews	213	Turner Classic Movies	301	HBO	650	TV Venezuela
253	Military Channel	248	ESPNews	302	HBO2	652	Telehit
254	Current TV	250	Speed Channel	303	HBO Signature	653	Ritmoson Latino
255	Outdoor Channel	255	Outdoor Channel	304	HBO Family	654	Bandamax
257	NBA TV	256	Fox Soccer	305	HBO Comedy	655	De Película
259	NHL Network	257	NBA TV	306	HBO Zone	656	De Película Clásico
260	TVG	258	ESPN Classic	307	HBO Latino	657	SUR Perú
261	CBS Sports Network	259	NHL Network	321	Starz	658	México TV
265	NFL Network	260	TVG	322	Starz Edge	659	Canal SUR
269	MLB Network	261	CBS Sports Network	323	Starz InBlack	660	Once México
271	fuse	262	FCS Atlantic	324	Starz Kids & Family	661	Multimedios
272	MTV Hits	263	FCS Central	325	Starz Cinema	662	Mexicana!
273	MTV2	264	FCS Pacific	327	Starz Comedy	663	La Familia Cosmovision
274	Centric	265	NFL Network	338	5StarMax	664	Infinito
275	VH1 Soul	266	Tennis Channel	339	OuterMax	665	HTV
276	CMT Pure Country	269	MLB Network	340	WMax	666	HITN
277	VH1 Classic	278	Fox Movie Channel	341	Cinemax	667	Gran Cine
279	GAC	285	Big Ten Network	342	MoreMax	668	EWTN Español
280	MTV Jams	286	ESPNU	343	ActionMax	669	El Garage TV
281	LOGO	287	NFL RedZone	344	ThrillerMax	670	Ecuavisa Internacional
282	CMT	599	NBA TV	361	Showtime	671	Viendo Movies - West
286	ESPNU	714	Go!TV	362	Showtime 2	672	CB Tu Televisión Michoacán
326	Encore	715	NFL Network	363	Showtime Showcase	673	Caracol TV
599	NBA TV	726	beIN Sport	364	Showtime Extreme	674	Canal 52MX
686	Mnet	796	ESPNews HD	365	Showtime Beyond	675	Canal 24 Horas
705	Mun2	822	NHL Network HD	366	Flix	676	Canal 22 Internacional
711	Tr3s	838	Tennis Channel HD	381	The Movie Channel	677	Cable Noticias
715	NFL Network	853	NFL Network HD	382	TMC Xtra	678	AYM Sports
719	Galavisión	856	CBS Sports Network HD	451	Playboy Channel ¹	704	Supercanal Caribe
783	AXS TV	885	Big Ten Network HD	773	HBO Latino HD	705	Mun2
785	Encore HD	899	NFL RedZone HD	775	HBO Zone HD	706	Discovery en español
787	Style HD	900	ESPNU HD	868	Cinemax HD	707	Cine Latino
792	Disney XD HD	903	Turner Classic Movies HD	870	HBO HD	708	FOX Deportes
793	Fuse HD	913	NBA TV HD	871	HBO2 HD	709	CNN en Español
796	ESPNews HD	914	MLB Network HD	875	Starz HD	711	Tr3s
798	IFC HD	924	Fox Soccer HD	877	Showtime HD	712	Viendo Movies
799	WE tv HD	Music Choice®		878	Showtime 2 HD	713	Cine Mexicano
821	National Geographic HD	Requires Digital Economy or Digital Starter.		880	Showtime Extreme HD	714	Go!TV (English)
822	NHL Network HD	501-546 Channel Information available on musicchoice.com		883	TMC HD	716	History en español
853	NFL Network HD	Pay-Per-View		884	TMC Xtra HD	717	WAPA America
856	CBS Sports Network HD	399	In Demand HD	International Channels ²		718	Telemicro Internacional
864	CMT HD	401-403	Home Theater	134	Neo Cricket	719	Galavisión
866	Science Channel HD	435	Penthouse TV	679	Rai Italia	720	ESPN Deportes
900	ESPNU HD	451	Playboy	680	TV Globo	722	¡Sorpresa!
904	MGM HD			681	SIC	723	Latele Novela NETWORK
907	Hallmark HD			682	PFC	725	Discovery Familia
911	Destination America HD			685	Neo Cricket	726	beIN Sport
912	TV One HD					757	Televisión Dominicana

Some restrictions apply. Not all programming is available in all areas. Digital capable equipment is required to receive any channel. High-definition capable equipment is required to receive high-definition channels. Additional equipment fees may apply.

- 1 A subscription to Playboy Channel digital service is required to receive this channel.
- 2 Available for individual purchase only.
- 3 Requires 3D TV, Comcast digital converter and subscription to 3D Technology Fee.
- 4 Not available in Canterbury.
- 5 Available in Concord only.

IMPORTANT Information about your Cable Service

December 22, 2012

Dear Valued Customer:

Comcast is committed to keeping you informed about our products and services. Periodically, we must adjust prices due to increases in programming and business costs. **Starting January 22, 2013, the monthly price for the following bundles will increase as follows:**

	Current Price	New Price 01/22/2013
Value Plus Bundle	\$124.99	\$129.99
Value Plus LD Bundle	\$124.99	\$129.99
HD Starter	\$144.99	\$149.99
HD Plus	\$169.99	\$174.99
HD Premier Bundle	\$209.99	\$214.99
Performance Extra	\$59.95	\$62.95
Blast Extra	\$69.95	\$72.95
Canales Selecto	\$8.95	\$11.95

If you currently have services on a promotional price or a minimum term agreement, the prices for those services will not be affected during the promotion or minimum term period.

Thanks for being a Comcast customer.



Prices shown are for residential service only and do not include federal, state and local taxes, FCC user and franchise fees or Regulatory Recovery fees or other related costs. Prices and services are subject to change. Call 1-800-COMCAST for additional details. ©2012 Comcast.

X33049



December 21, 2012

The Honorable James Bouley
Office of the Mayor
City of Concord
41 Green Street
Concord, NH 03301

Re: Price Adjustment - Correction

Dear Mayor Bouley:

On December 19, 2012 we wrote to inform you of certain price adjustments that will take effect on January 23, 2013 for Comcast customers in your community.

Please be advised that the notice inadvertently indicated the monthly price for AnyRoom DVR service (primary outlet) will increase from \$10.00 to \$11.00 per month, which is incorrect. AnyRoom DVR (primary outlet) will remain at \$10.00 per month.

In addition, the Sports Entertainment Package for the following XF Triple Play packages will increase from \$5.95 to \$6.95 per month, plus applicable fees and taxes: Starter XF/MultiLatino Max, Preferred XF/MultiLatino Ultra, HD Preferred XF/MultiLatino Ultra HD, and HD Preferred Plus XF/MultiLatino Ultra HD Plus.

We are in the process of informing customers of this inadvertent error by way of bill message. If you have any questions, please feel free to contact me at 603-224-1871, ext. 202.

Sincerely,

Bryan Christiansen

Bryan Christiansen, Sr. Manager
Government & Regulatory Affairs



**New Hampshire
Municipal Association**

1 Inf 10

TAA

December 20, 2012

Re: Return of Balance of 28-a Contribution

Greetings:

As you probably know, the retirement funding lawsuit, *City of Concord, et al. v. State of New Hampshire*, filed on behalf of several hundred New Hampshire towns, cities, school districts, and counties ended recently with an adverse result. The New Hampshire Supreme Court ruled that the state's abandonment of its obligation to pay a share of the employer costs, and the corresponding increase in the local government obligations, did not constitute an unfunded mandate in violation of Part I, Article 28-a of the New Hampshire Constitution. The court ruled that the constitution prohibits only new "substantive" obligations, and that mandating a "mere financial obligation" -- even one amounting to tens of millions of dollars a year -- is not unconstitutional.

The plaintiff political subdivisions filed a motion for reconsideration of the court's decision, which was denied. Thus, there is nothing more that can be done to challenge the state's action in court, although we will continue to advocate for a legislative change.

The participating political subdivisions contributed \$ 305,276.59 toward legal fees and expenses in this matter. All fees and expenses have been paid, and there is a balance of \$148,890.34 remaining. We are returning the balance to the participating municipalities, districts, and counties in proportion to the amounts contributed. You will find a check for your political subdivision's share enclosed.

We certainly regret that this action did not end in a better result, but we believe that everything that could have been done has been done. Again, we will continue to advocate for legislative change, and we hope you will, too.

Thank you very much for your support and your participation in this matter. If you have any questions about the case or about the return of your contribution, please do not hesitate to contact Cordell Johnston, Government Affairs Counsel, or me.

Sincerely,

Judy A. Silva
Deputy Director for Legal, Advocacy, and
Communications Services

New Hampshire Municipal Association, LLC

VENDOR ID	NAME	PAYMENT NUMBER	CHECK DATE				
201228032	City of Concord	0007925	12/19/2012	002024			
OUR VOUCHER NUMBER	YOUR INVOICE NUMBER	DATE	AMOUNT	AMOUNT PAID	DISCOUNT	WRITE-OFF	NET
0008275	28A DIST						\$5,464.78
							\$5,464.7

COMMENT 28a Contribution Distribution

<p>New Hampshire Municipal Association, LLC P.O. BOX 617 CONCORD, NEW HAMPSHIRE 03302-0617</p>		<p>Citizens Bank New Hampshire 54-153/114 641</p>	<p>002024</p>
		<p>DATE</p> <p>12/19/2012</p>	<p>AMOUNT</p> <p>\$5,464.78</p>
<p>PAY</p>	<p>Five Thousand Four Hundred Sixty Four Dollars and 78 Cents</p>		
<p>TO THE ORDER OF</p>	<p>City of Concord 41 Green Street Concord, NH 03301</p>		
			
<p>⑈002024⑈ ⑆01401533⑆ 3303178528⑈</p>			



120

UNH Cooperative Extension Merrimack County

We served citizens in every community in Merrimack County through our diverse programming such as 4-H, Nutrition Connections, Food & Agriculture, Community & Economic Development, and Youth & Family, from October 2011 to September 2012, reaching residents in all 27 towns in the county.

Who we are:

UNH Cooperative Extension, the public outreach arm of the University of New Hampshire, has engaged New Hampshire residents for 98 years with a broad variety of non-formal educational offerings.

What we do:

UNH Cooperative Extension provides a direct link between UNH and people throughout the state. In partnership with local residents and volunteers, Cooperative Extension plans and conducts educational programs responsive to N.H. people and the issues they identify that are important to them.

How we do it:

County Extension field staff bring these programs to county residents through hands-on workshops, site visits, seminars, conferences, phone consultations, video-conferences, printed materials, correspondence courses, a statewide toll free Info Line, and a large statewide Web site, as well as partnering with other programs to bring the best to the citizens of Merrimack County. Our program areas include:

- **Food & Agriculture:** UNHCE, part of the Land Grant University, provides educational programs and applied research to promote safe and local food production, dairy and small-scale livestock and poultry production, and the state's large and diverse ornamental horticulture industry. Programs are offered in food safety for homeowners, farmers markets, and food service industries, as well as, Pesticide Applicator Training, soil and plant diagnostic services and livestock production.
- **Natural Resources:** Managing and protecting N.H.'s natural resources is critical to a healthy environment, our quality of life and the tourism industry, as well as for current and future economic opportunities. Our Natural Resources Team provide research, education and stewardship throughout the state with a "boots on the ground" approach in extending state-wide programs in forestry and wildlife, natural resource development, land and water conservation, and marine fisheries.
- **Community & Economic Development:** UNHCE has a long history of supporting N.H.'s economy through its agriculture, forestry and fishing industry efforts. In addition to this, UNHCE has become well-known and appreciated for our staff's ability to convene and facilitate community members and groups, helping them to develop leadership skills and make sound decisions regarding the future. UNHCE's Community and Economic Development team (CED) will continue providing research-based education and assistance to individuals, families, businesses and communities to help them identify opportunities to enhance their competitive advantage, build upon their assets and create conditions that foster local and regional economic growth.
- **Youth & Family:** Preparing youth to become caring and productive citizens is critical to N.H.'s future. We will pursue this goal through community-based positive youth development, utilizing the 4-H program as a primary vehicle. UNHCE has always been well-known and is highly regarded for nutrition education programs for families and children across the state. Federal funding from USDA provides resources for continued support to programs that focus on the specific needs of limited resource families (Supplemental and Nutrition Assistance Program and the Expanded Food and Nutrition Education Program). We will address high priority issues including obesity as both a personal health and public health/economic issue. Educational resources for parents and families will be provided through creative delivery mechanisms, including web-based outreach, e-newsletters and train-the-trainer programs. UNHCE will provide N.H. citizens with research-based education and information, enhancing their ability to make informed decisions that strengthen families.

UNH Extension trains and supports more than 5,000 volunteers statewide: 4-H leaders, master gardeners, wildlife coverts, community tree stewards, water quality monitors, marine docents, and others, who extend the reach of Extension programs into many domains of New Hampshire life.

Our state-wide Home & Garden Center toll-free Info Line staffed by volunteers fielded 420 calls alone from Merrimack County residents.

Our efforts contribute to the good health of our state and its people – helping foster a strong economy, healthy environment, productive youth and the vibrant communities that make New Hampshire a great place to live, visit and work.

Connect with us:

UNH Cooperative Extension
315 Daniel Webster Highway
Boscawen, NH 03303
Phone: 603-796-2151 Fax: 603-796-2271

UNH Cooperative Extension operates a statewide Education Center and Info Line (toll-free at 1-877-398-4769) which is staffed Monday through Friday, 9:00 a.m. – 2:00 p.m.

Extension also distributes a wide range of information from our Web site: www.extension.unh.edu.