

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, January 12, 2017

6:30 PM

Council Chambers

Members Present:

Carl B. Jacobs, Vice-Chair
Thomas F. Powers
Terry M. Clark

Councilors Present

Mayor Kendall Lane

Councilors Absent

Mitchell H. Greenwald, Chair
At Large Council seat vacant

Staff Present:

City Manager Medard Kopczynski
Finance Director, Steve Thornton
Public Works Director, Kurt Blomquist
Police Chief, Brian Costa
Library Director, Nancy Vincent
Parks, Recreation and Facilities Director,
Andy Bohannon
Asst. Public Works Director, Duncan
Watson
Planner, Tara Kessler
Public Works Director, Kurt Blomquist

Vice-Chair Jacobs called the meeting to order at 6:30 PM.

1) Acceptance of Donation - Parks, Recreation and Facilities Department

Parks, Recreation and Facilities Director, Andy Bohannon stated this donation is for \$100 from Kevin Dremel for use of the Sumner Knight Chapel for the music series he conducts. To-date they have raised \$9,861 for the upkeep of the chapel.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept a donation of \$100.00 and that the money is used by the Parks, Recreation and Facilities Department.

2) Acceptance of Donations to Library Renovation Project - Campaign Manager for the Next Chapter Campaign

Patty Farmer, Capital Campaign Manager for the Library Renovation Project, stated that to-date community members have contributed \$4,079,456 which is 81% of the five

million dollar goal. Ms. Farmer stated the campaign has received word of an anonymous donor who has offered a \$400,000 matching challenge for all new gifts and increase to pledges already made to see the pledge realized. Councilor Jacobs asked what kind of impact this \$400,000 pledge would have on the campaign. Ms. Farmer stated this would come very close to closing their gap.

Councilor Powers asked whether there was a timeframe for the match. Ms. Farmer answered in the negative. Councilor Jacobs noted how remarkably generous this community is.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends the donations of \$511,320.70 listed in the October, November and December statements of the Cambridge Trust Bank to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.

3) Acceptance of Donation - Police Department

Police Chief Brian Costa stated the first donation before the Committee is a donation of \$100 from the Groth family in Keene, NH. Chief Costa stated the department received this donation and a nice note of gratitude from the family for services the family received from the Police Department involving one of their children.

The copy of the note was placed in the folders of the officers involved. Councilor Jacobs asked whether the Chief would like to identify the officers. It was Officer Jamie Phillips and Officer Tim Peloquin.

The City Manager recognized the quality work the Police Department does and this incident is just another example.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On vote of 3-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept a donation of \$100 from the Groth family of Old Walpole Road.

4) Acceptance of Case Number 2015117128 Forfeiture - Police Department

Chief Costa stated the forfeiture amount of \$1,762.60 consists of two separate items; one was for \$1,355 and the other was for \$406.80. The Chief went on to explain a while ago he was before the Committee regarding a Lexus which the Police Department received through the forfeiture process. The \$1,355 was part of that seizure. The \$406.80 is from an individual who was arrested again two years later because of a distribution incident.

Councilor Jacobs asked what these funds can be used for. Chief Costa stated they have very narrowly described uses as defined by the Department of Justice; potential uses include recovery programs, overtime, or equipment. He added \$5,000 has been taken from this account and used for recovery programs during this past year.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept forfeiture funds, in the amount of \$1,762.60, awarded to the Keene Police Department from the New Hampshire State Attorney General's Office.

5) **Acceptance of Bureau of Justice Assistance Ballistic Vest Partnership Grant - Police Department**

Chief Costa stated this 50/50 match program is for replacement of bullet proof vests used by officers. These vests are guaranteed for a five-year period by the manufacturer. Usually there are about eight to twelve vests replaced each year including any new hires. The Chief added anyone in uniform is required to wear these vests. Councilor Clark asked how much these vests cost. Chief Costa stated they cost about \$800.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept a Fiscal Year 2016 Bureau of Justice Assistance Bulletproof Vest Partnership grant of \$6,032.50.

6) **Waste Management Transportation and Disposal Contract Amendment Public Works Department**

Asst. Public Works Director/Solid Waste Manager Duncan Watson stated the City has been under contract with Waste Management since 2010. The most recent contract was signed in 2013 and was good for five years. However, Waste Management approached the City because of certain market share issues they were experiencing, which was affecting the waste they brought from outside of Keene.

Waste Management is under contract with the City to transport and dispose of solid waste and they are required to bring in 18,000 tons per year from outside of Keene. Mr. Watson stated Waste Management has asked the City to look at some lesser tonnage which he indicated could work for Keene for the exchange for a lower price. He added the contract before the Committee should not be referred to as an amendment as per the City Attorney but should be called a contract instead and in the current year, which is year three, staff is suggesting entering into a new five-year contract with an option to renew. He stated this

would give the City time to look at their business model at the end of the five years and decide how to move forward.

Councilor Jacobs stated he did not understand why there was an issue if less than 18,000 tons came into the city. Mr. Watson stated the reason is because the City makes a tipping fee based on the tonnage and what is paid to haul the waste away versus what is paid to support the operations at the transfer station. The Councilor asked whether the less tonnage equates to people being more careful with the waste they are disposing of. Mr. Watson stated it probably wasn't.

Councilor Powers asked about the price reduction mentioned in the Memorandum. Mr. Watson stated the tipping fee the City is charging will be reduced to meet the revenue gap.

Councilor Clark clarified if they bring in 17,000 tons whether they still get charged for 18,000 but are only paid for what they take out. Mr. Watson agreed. Mr. Watson added they are managing to bring in the 18,000 tons but are going to have difficulty going forward; this is the reason they are negotiating with the City. Their estimation is the amount will go down about 1,000 tons per year over the next five years. The Councilor asked how much the City would lose by stopping this contract and starting a new contract. Mr. Watson stated he did not have that figure – he felt it would be less than \$100,000. The Councilor expressed concern about cancelling this contract and felt the City does not get out of contracts and asked whether this would be the best option for Keene. Mr. Watson felt this would be the best option for the City at this time. Councilor Powers noted the business model is built around a certain amount of tipping fee and not having that would make it more difficult.

Councilor Jacobs felt if staff had a better option, what is before the Committee would not be proposed. Mr. Watson agreed.

The City Manager stated what staff is asking for is some extra time to explore other options while maintaining the relationship and staff believes this is the best solution for the present time. Councilor Jacobs asked why it could not be for a shorter period than five years. Mr. Watson stated the number would not work with a two-year agreement and what is before the City would work with the current business model.

Mr. Darryl Masterson of Willow Street asked what percentage of the 18,000 tons belonged to the City of Keene. Mr. Watson stated 18,000 tons represents 40% of what comes into the transfer station overall, but represents a fraction of the profit.

Councilor Jacobs clarified the taxpayers were not subsidizing towards the solid waste fund. Mr. Watson answered in the affirmative.

With reference to the motion, Councilor Clark asked whether language needed to be added so that the elimination of the current contract is reflected. Mr. Watson stated this is outlined in the "Whereas" portion of the agreement.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to execute a contract with Waste Management New Hampshire (WMNH) to provide transportation and disposal services for refuse received at the Keene Transfer Station for a period of five (5) years with options to renew for additional years.

7) Reallocation of Road Rehabilitation Funds - Roxbury Street Crosswalk - Public Works Department

City Engineer Don Lussier stated he was before the committee to discuss reallocating funds from the road rehabilitation program. Last summer we put out two construction contracts for road work and paving. These two contracts together encompassed everything that was left from the FY16 project list that had not been done yet, as well as everything in the FY17 project list, with the exception of Water Street. He continued that Water Street we are treating differently because it also includes sidewalk, curbing and some drainage work as well. Water Street will be a separate contract coming out this summer.

Mr. Lussier continued that at the close of this construction season, we have done all of the work that was proposed in the CIP for FY 16 and FY 17. After closing out these contracts and completing that work, there is still \$277,000 that was appropriated for those projects which hasn't been spent and is no longer designated to a specific purpose. He continued that there are projects we are working on that are in need of these funds. He is asking for reallocation of these funds to three specific purposes. The projects being proposed are as follows:

1. **Roxbury Street crosswalk** - this request came from a resident - went through the MSFI Committee and the Committee approved one of the options proposed by staff for this crosswalk. The estimate for this work would be about \$35,000 to get rid of two sub-standard crosswalks and build one ADA compliant, well-marked pedestrian activated crosswalk.
2. **Church Street** - Council has appropriated \$74,000 for sidewalk and curbing repair, as well as spot repair along Church Street. This plan is still valid and the budgeted amount will get this work done, however, staff is requesting additional funding to add to this scope of work for paving work between 93rd Street and Norway Avenue up to the Harrison Street intersection (600 feet).
3. **Emerald Street sidewalk** - \$209,000 for new concrete sidewalk between School Street and Main Street. Staff is proposing to expand the scope to add some streetscape amenities. Staff has met with residents and businesses and there is

more work which staff needs to do to move Emerald Street towards the Complete Street plan which the city has adopted.

Councilor Powers felt if it is being done it should be done right. He asked what kind of paving would happen on Church Street. Mr. Lussier stated it would be mill and overlay. He added Emerald Street was a good idea but wasn't sure whether the Council should wait for better numbers before anything is approved. Mr. Lussier stated once the design is finalized this project would go back before the MSFI Committee providing for added public input but costs cannot be estimated until the design work is done and he didn't want to spend staff time until he knows Council agrees that this is something they are interested in seeing happen.

Councilor Clark stated he would like the work on Emerald Street to be done and agreed there was good input received at the last public forum. He asked the Emerald Street work dovetail with the downtown beautification/reconfiguration work being proposed.

With respect to the Roxbury Street, the Councilor agreed the new crosswalk would be necessary especially with the Moco Arts new building coming up at this location. He added he however, could not understand adding a crosswalk for "dancers" but removing one that is used by the elderly; he stated he would like to see the third crosswalk. Mr. Lussier stated he would rather see one well lit, well-marked crosswalk rather than three mediocre crosswalks in close proximity where driver behavior and compliance become an issue.

Public Works Director Kurt Blomquist asked when the Emerald Street work is to be completed. Mr. Lussier stated the plan was for spring 2017 construction, work to begin on May 1, 2017. Mr. Blomquist stated he does not see any conflict between the work being proposed for Emerald Street versus to what is being planned. He referred to the new businesses being proposed for Emerald Street and felt any improvement to Emerald Street would be appreciated by these new businesses.

Councilor Jacobs stated there might be projects in the CIP that might not represent today's thinking and he hoped as the City looks at the CIP it is looking at projects and costs that represent today's thinking without carrying it forward from previous years. Mr. Lussier stated Emerald Street is an example of exactly that type of plan; there was plan which was adequately funded, but before the plan was funded staff stepped back to evaluate whether this actually met the City's current needs.

Councilor Clark expressed concern about the narrowing of Emerald Street from Main Street. Mr. Lussier stated he looked at this with the design engineer and felt minimal changes could be done to the radius while still meeting the project goals and objectives.

Councilor Powers noted Account 90018 being referred to here shows no balance. Finance Director Steve Thornton stated in August bonds was issued for FY16 and 17 and this money will be transferred to this account. Councilor Powers stated when working on

Harrison Street which is now a dead end street, he asked that it be made obvious it is a dead end street.

Mr. Lussier added the undesignated amount is \$277,000 however, what he is requesting is \$127,000; Mr. Lussier is working with the Finance Director to come up the plan for an expeditious use of these remaining funds.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to allocate \$127,000 of unspent funds from previously appropriated Roadway Rehabilitation projects (90018) as follows: to the Roxbury Street Crosswalk project \$35,000; to the Church Street Sidewalk project (90278) \$45,000; and, to the Emerald Street Sidewalk project (90032-17) \$47,000.

8) **An Ordinance to Establish a College City Commission Ordinance O-2016-21**

Planner Tara Kessler began by introducing Mayor Kendall Lane and Darryl Masterson of the College City Commission. Ms. Kessler stated this commission was created two years ago by the Mayor. The Commission's membership was formed by Mayor Lane and Dr. Huot to address concerns of mutual interests. They have addressed topics such as housing, parking and infrastructure, citizenship, and tax base. They have conducted research, invited experts to address topics and have put together a report. One of the recommendations in the report was to formalize this Commission through an Ordinance.

Mayor Lane stated the model used to create this commission is the same model used to create other special committees. However, this commission has members appointed by the College President and members appointed by the Mayor and hence it did not fit the model they have tried to make it fit into. Hence, creating a separate ordinance would be a better way to structure this commission. The Mayor went on to say the relationship between Keene State and the City has been extremely positive and he did not feel that relationship should be dependent upon who sits as the Mayor or the President and he felt this positive relationship should be continued into the future.

He stated he would like to amend language in this ordinance in Section 2-1114, where it talks about the Planning Department providing staff support. The Mayor stated the Planning Department has been providing staff support in the past but the Manager has been looking at the organization of the city and he felt if the language said "the city would provide staff support as it is available", it would be preferable.

Mr. Masterson felt there are three entities involved with this commission; the city, the college as well as city residents who are also represented on the commission,

working together to better the community. Councilor Jacobs asked whether Mr. Masterson was comfortable with the wording. Mr. Masterson answered in the affirmative. The Councilor noted language in the ordinance calls for the college to provide staff support and asked whether the city could mandate the college to provide this support. Mayor Lane stated it was not a mandate, but Keene State is providing this support as well the City of Keene; this is the contribution both entities are making toward this commission. Councilor Clark asked whether there was going to be a Memorandum of Understanding with the college regarding membership. Currently there are 14 members on the commission with three vacancies and asked whether 14 was going to be the membership number. Ms. Kessler stated there are 14 members currently and noted perhaps the city website had not been updated and stated she would check. There was a student who resigned from the commission due to his class schedule. The Mayor stated once this ordinance is approved by the city, Keene State would also pursue a similar ordinance, once that is complete a Memorandum of Understanding will be signed by all parties.

Councilor Powers stated he was in favor of this ordinance but raised concern with the term “commission” as he felt this implies a certain amount of authority. Councilor Clark stated he did not have an issue with this term and went on to say this is something that should have been done a long time ago because of the interaction the City and college have had. He felt it is time to formalize this process. Councilor Jacobs agreed with Councilor Clark and extended his appreciation for bringing this item forward. He felt the relationship the City and college have had recently has been positive.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2016-21A.

The meeting adjourned at 7:40 pm.

Respectfully submitted by,
Krishni Pahl, Minute Taker