

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, October 12, 2017

7:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chair
Carl B. Jacobs, Vice-Chair
Thomas F. Powers
Terry M. Clark
Bettina Chadbourne

Mayor Kendall Lane

Staff Present:

City Manager, Elizabeth Dragon
Thomas Mullins, City Attorney
City Clerk Patty Little
Finance Director, Steve Thornton
Police Chief Steve Russo
Asst. City Manager/IT Director, Rebecca Landry
Assistant Public Works Director, Donna Hanscom
Youth Services Manager, Elisabeth Brown
Acting Health Director John Rogers

Chair Greenwald called the meeting to order at 6:30 PM and moved the agenda around to accommodate all items on the agenda.

1) Acceptance of Donations to Library Renovation Project - Next Chapter Campaign Chairs - Keene Public Library

Judy Putnam of 168 Court Street addressed the Committee as the Co-Chair of the Library Capital Campaign. Ms. Putnam stated she was before the Committee to ask the Committee to accept funds that have been donated to the Library Renovation Trust fund between the period of August 24th and September 30th in the amount of \$30,934.82. The fundraising will continue with an anticipation of a closing date on the project as of mid-November and will be accepting funds on a more frequent basis using Cambridge Trust's monthly report.

Chair Greenwald noted to the large variety of donations. He asked for the total raised to date. Ms. Putnam stated they are between 98% to 99%.

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

On a 5-0 vote, Finance, Organization and Personnel Committee recommends that the City Council accepts donations of \$30,934.82 as listed in the August Cambridge Trust

Statement and the August 24th - September 30th Donor List to be deposited the Library Renovation Temporarily Restricted City Trust as part of the Next Campaign Drive.

2) Acceptance of Grant for Water Monitoring Equipment - Public Works Department

Assistant Public Works Director Donna Hanscom was the next speaker. Ms. Hanscom stated this matter is regarding funding from the state for equipment. She explained the city depends on its reservoirs for half of the city's water supply. These reservoirs have not had a problem with algae growth in the past; she noted staff is currently doing a watershed management plan and felt it would be a good idea to start keeping track of a baseline for water quality parameters.

The State has offered a grant opportunity to many of its drinking water suppliers. The city is looking to purchase equipment to check for blue green algae (Cyano Bacteria) which can produce toxins in large amounts. This funding will provide for testing throughout the year at both reservoirs.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept and execute a Cyanotoxin Monitoring Equipment and Training grant from the New Hampshire Department of Environmental Services in the amount of six thousand one hundred forty six dollars (\$6,146) for the purchase of equipment to sample and monitor water quality in Babbage and Woodward reservoirs.

3) Antioch Grant - Training Funding - Youth Services Department

Youth Services Manager Elisabeth Brown stated this is a grant opportunity from Antioch University New England Graduate School. The University is offering the city \$1,000 for the city's site supervisor to attend four trainings. This is in appreciation of the city being a graduate training site and added it is a great collaboration.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant from Antioch of New England in the amount of \$1,000.00 for use by Youth Services.

4) Relating to the Building Permit Fee Increase - Code Department Ordinance O-2017-09

Acting Health Director John Rogers stated this item is in reference to an amendment to Appendix B, Fee Schedule for Building Permits and Plan Review. Based on Fiscal Policy

for cost recovery there is a need to conduct ongoing review of permits and fees and the process itself. Since 2012, the number of permits issued has stayed consistent at about 400. The issue that stood out is the minimum fee permits. Currently there is a \$75 fee for valuation of work being done (minimum number being \$2,400), anything over that would be \$8 added to that based on \$1,000 per valuation. 50% of the fees are this minimum fee permit, but these too require the application to be processed, plans to be reviewed and inspections to occur. Staff is recommending that this fee be increased from \$75 to \$100 and the valuation to be increased from \$2,400 to \$5,000

Mr. Rogers went on to say there are also some incentives that have been added. Currently, if there is third party review that happens, there will be a 40% discount given. There is also an incentive for a residence to hire the services of a licensed architect (15% discount). If it's an owner-occupied house, a license electrician or plumber are not required – however, if a licensed plumber or electrician is hired there would be a 10% discount given.

Chair Greenwald asked why the architect discount is just for single-family and not for small commercial. Mr. Rogers stated small commercial is an item that already exists in the fee schedule.

Councilor Jacobs asked what third party review was. Mr. Rogers stated for larger jobs that are more than 5,000 square feet and are complex projects, the city sends it out to companies that perform plan reviews. The city has three approved such inspectors. Such large jobs would take staff a very long time to complete.

Councilor Chadbourne recognized how user friendly this process has become as this now is a step towards the goals outlined by City Council and had asked staff to implement same.

Councilor Chadbourne made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of O-2017-09, Relating to Building Permit Fee Increase.

5) Joe Schapiro/Keene Immigrant and Refugee Partnership - Encouraging the Consideration of a Resolution Aimed at Making Keene a Welcoming Environment for Immigrants

Chair Greenwald explained this is an item that is not within the normal scope of the Finance Committee's purview. He asked those who address the committee to be concise and went over certain parameters he would like presenters to keep in mind. He noted this was just an information gathering meeting.

The Chair went on to say several weeks ago he forwarded a draft Resolution to the City Council regarding taking a position and speaking out against hate, intolerance and

intimidation. He referred to language from this Resolution R-2017-35:

WHEREAS, the United States was founded by immigrants many feeling persecution, who threw off the yoke of tyranny, and who enshrined justice and freedom into the nation's fundamental legal and ethical principles; ...

- 1. The City of Keene strongly and unequivocally reaffirms its commitment to be an inclusive, tolerant, respectful and just City that is proud of its mosaic of people of diverse cultures, faiths, beliefs and identities.*
- 2. The City of Keene I committed to making Keene an inviting, equitable, just, and safe community for everyone, and to celebrate both our individuality and out commonality.*
- 3. The City of Keene condemns, in the strongest possible language, the totalitarian impulses, violent terrorism, xenophobic biases, and bigoted ideologies that are promoted and acted upon by hate groups.*
- 4. The City of Keene calls upon leadership at the local, state, and federal levels to act in a manner that provides no quarter, no endorsement, and no safe haven for groups that are antithetical to the principles upon which this Great Nation was founded, and who besmirch the lives of those who have sacrificed all to protect those principles.*

The Chair stated this Resolution was accepted unanimously by the Council and adopted by the Council.

With that the Chair recognized the City Manager for her comments. City Manager Elizabeth Dragon was the next speaker. Ms. Dragon stated staff has had an opportunity to review the proposed Resolution for this evening and noted some of the words in the Resolution are somewhat problematic with reference to directing the Police Department, specifically police officers to certain activities. State Law RSA 105 directs the City that police activity cannot be directed in such a way. Because this is a complex subject, and refers to US Immigration Law, staff is concerned there could be some unintended consequences should this Resolution move forward.

The Chair then recognized Mr. Joe Shapiro of 288 Church Street and Ms. Susan Hay of 33 Pine Avenue addressed next. Mr. Shapiro began by reading the following statement for the record:

I am a member of Keene Immigration and Refugee Partnership, otherwise known as KIRP. We are a small group of residents who joined together in response to the increase in hostile rhetoric aimed at immigrants subsequent to the last presidential election. We view the demonizing of people who look different, speak a different language, or practice a different religion as extremely dangerous for our country.

KIRP's mission is to create a safe and welcoming community for immigrants and, eventually, to work toward increasing the number of immigrants in our community.

Toward these ends we have:

- *Created a public awareness campaign consisting of lawn signs and posters, some of which you see here tonight.*
- *Worked to learn about the immigrants that live in our area currently and to assess how we might be helpful in supporting them.*
- *We have hosted an immigrant get-together and we have provided rides to students in the Community Ed English Language Learners program.*
- *We have put on a public forum for community leaders, which some of you attended.*
- *Finally, we have brought this resolution that you have before you.*

Let me start with a cautionary tale. On August 4 Eleazar Lopez Ayala, a 40 year old Manchester resident of Honduran decent left his work place with a coworker to get a cold drink. They were heading for a store in Deerfield when they got a flat tire. Lacking cell service they knocked on the door of a nearby home to make a call. The resident called the police. The police brought them to the station. ICE was called and today Mr. Ayala remains in detention awaiting a hearing and probable deportation.

Mr. Ayala came to this country 20 years ago as a 17 year old. His only police record is one instance of driving without a license. He is married with four children; all of them born in this country. Mr. Ayala was working to support his family. Now they are separated from him and without his critical financial support.

This would not have occurred in Manchester where police department policy precludes asking about immigration status. This will no longer happen in Deerfield, where just weeks after this incident the police chief proposed a similar policy, which was quickly approved by the Board of Selectmen. But this could happen in Keene where the police department is without a specific policy dealing with undocumented immigrants. This is what we seek to prevent.

Please understand that we are not saying that Keene is a toxic or hostile environment for immigrants. Nor are we accusing the KPD of wrongdoing. But clearly times are changing. We do not know what situations will arise, nor do we know what kind of requests or pressure will come from the federal government. Therefore, we must act proactively.

These policies will protect the privacy of residents, clarify the responsibilities of and limitations on the KPD's involvement in federal immigration enforcement, and prevent unwarranted detention beyond the norm for any given infraction. Toward this end we have spoken to many of you on the Council and have met with Chief Russo and Mayor Lane as well. In fact, we have changed some of the wording in this resolution at the suggestion of certain Councilors. Please say yes to this resolution. It will move us one step closer to the goal of balancing adequate protection, justice and dignity for undocumented immigrants while, at the same time, maintaining public safety.

Thank you,

Ms. Hay was the next speaker. Ms. Hay began by thanking everyone with who they have had a conversation about this issue. She echoed what Mr. Shapiro said in that this is not a critique of the Police Department and thanked the Chief and his staff for being engaged and does understand the importance of solid police work.

Ms. Hay then talked about a certain legal immigrant and the unfortunate experience this person had and his feeling toward the police force because of the rhetoric that currently exists in this country. She felt this type of situation creates an unhealthy situation to do good police work. She felt if something happens to this individual it is unlikely that this person would contact the police or report a crime he has been a witness to.

Ms. Hay stated she understand the City Council cannot direct the police force but what they are asking is to take a stand for certain policies. She said all they are asking for is for the Council to create a safer and more humane environment for immigrants and refugees.

Ms. Sandra Neal Wallace stated she became a citizen in 2016 and she is also a daughter of a refugee; her grandparents were concentration camp survivors. She talked about her experiences with immigrants in this region and how hard some of them work and how much Keene benefits from these immigrants. She indicated she wants these immigrants to feel as safe as she does in this community and this Resolution would accomplish that.

Mr. Peter Majoy of 143 South Lincoln Street was the next speaker. Mr. Majoy thanked the Committee for all their work. Mr. Majoy read the following for the record:

The KIRP petition before you is an opportunity for the City of Keene, NH to continue to move forward with its respecting and honoring immigrants and refugees from around the world. I hope that when the time comes for your vote that this opportunity will get a positive response.

There would be no America without immigrants from the past, the present and in the future. The Family Search Blog has an article, The Melting Pot of America: Tracing Your Immigrant Ancestors, by Katy Barnes. The piece opens as follows: "Immigration, always a hot topic in the United States, has been a common part of the historical and political discourse since the founding of our nation, largely because immigrants make up such an enormous part of our history and heritage as Americans". I reference this just as a way of expressing the incredible role that immigrants have played in the forward motion of American life.

If you go to Citizen Path, you can read this quote from Robert F. Kennedy: "Our attitudes towards immigration reflects our faith in the American ideal. We have always believed it possible for men and women who start at the bottom to rise as far as the talent and energy allow. Neither race nor place of birth should affect their chances. Lastly I would like to read to you a short poem I wrote about the general meaning of and simple truth regarding what it means to honor immigrants from the past, present and the future with the hope that this KIRP petition will be positively added to the wonderful

*multicultural atmosphere evolving here in the City of Keene.
Thank you for all you do*

Immigrant Foundation of America

*Part Italian, part Irish and also part Spanish
Fills my memory giving a birth to a deep wish
That we understood all of our DNA ancestors
Who became our always eternal co-existers.
America the beautiful could not have been born
Had our elders not awakened each and every morn
Which became basic history that kept us so alive
Helping us dance to the music and also slap five.
Ancestral immigration to our land where we live
Gave us a home that we love and want to give
Our deepest respect and much thankfulness
That for show today's immigrants whom we bless.
Because of their settling into all parts of our land
We must always offer immigrants a helping hand.*

Mr. Will Coley of 659 Marlboro Street addressed the Committee next. Mr. Coley stated he is the husband of an immigrant and stated he knows what it is like to be an outsider but talked about the warm welcome he has received in this community. He talked about the prejudices his family has experienced. He hoped this community would unlike other communities would stand up for his family.

Ms. Jane Shapiro of 140 Peg Shop Road stated as follows:

Thank you for the opportunity to speak. There are numerous reasons to welcoming immigrants to our area and making our community safe for them. The one I would like to address is economic. New York Times columnist David Brooks, states "one doesn't even have to make the humanitarian case that immigration reform would be a great victory for human dignity. The cold economic case by itself is so strong".

I offered three points for your consideration.

1. Demographics:

New Hampshire has a workforce shortage crisis because our population is aging-and aging faster than the rest of the country-coupled with the fact that young people are leaving the state. The shortage of young workers has serious impact on economic growth.

Experts predict that perhaps the most important component of National Broadcasting Company age population over the next two decades will be the arrival of immigrants.

2. Immigrants strengthen our economy:

Immigrant worker spend their wages in local businesses. And immigrants 30% more likely than the native born to start their own business. The end result is more jobs billions of dollars in tax revenue and consumer purchasing power.

3. The argument that immigrants take jobs away from native-born workers is a fallacy that research has disproven.

There is no direct correlation between immigration and unemployment.

Immigrants and native-born workers fill different kinds of jobs that require different skills. Immigrants and native on workers usually complement each other rather than compete.

Native-born workers are not directly competing for jobs with immigrants because they're in different parts of the labor market. It turns out that immigrant workers in some cases push the native born upwards into jobs that require more communication skills.

In conclusion I offer a quote from economist Giovanni Perry of the University of California, Davis "immigrants expand the US economy's productive capacity, stimulate investment, and promote specialization in the long run boost productivity and there is no evidence that these effects take place at the expense of jobs for workers born in the United States.

Mr. Larry Welkowitz of 37 Church Street stated from a practical point of view - he teaches at Keene State College and stated his concern is regarding agents from ICE, Custom Enforcement coming onto campuses which campuses have rules regarding FERPA and HEPA and this can get quite complicated. He stated through this Resolution what they are asking is to stop and think of what the implications can be.

From a personal point he talked about his daughter's friend who happened to be an immigrant died unexpectedly but her family was not permitted entry into the country to bury their daughter

Mr. Mohamed Salay of 240 Darling Road addressed the Committee and stated he arrived in this country in 1988 as a green card holder and later became a naturalized citizen. He talked about the prejudices he has experienced in his own country, but noted to the acceptance he has experienced in this community. Mr. Salay talked about his two children who would be affected if this Resolution does not pass and felt his children could be subject to being questioned because of the color of their skin. He also noted to a prejudiced comment made to his daughter who happens to be a US citizen which affected his daughter very much.

Mr. Salay stated this Resolution would have a greater impact on many people's lives; separating families and hoped the Council would support this Resolution.

Wendy Scott Keeney of Marlboro, NH was the next speaker. She began by saying that she is an immigrant from Canada and her mother is an immigrant from London, the father

of her children is an immigrant from Pakistan and her daughter married an immigrant from Ghana and all these people have added to the greatness of this country. Ms. Scott Keeney then read the following email for the record:

Thank you for including me in this most admirable effort that I support. I am unavailable on the essential dates you provided and among them I will be in Atlanta and DC advocating for improved criminal justice policy in the US.

You may be aware that I wrote a letter to the editor of the Keene Sentinel in support of Sheriff Rivera's position on immigration as it relates to law-enforcement.

While I am not a resident of Keene, I understand that my role as the correction superintendent in our community is relevant.

Our citizens and politicians do not seem to be clear on the criminal justice process in our community. I try to convey to everyone that if an illegal immigrant who was a dangerous criminal were detained by the police for a justifiable misdemeanor, the jail will process finger prints through the automated fingerprint identification system which will immediately identify the subject as an illegal alien and a detainer will be put in effect immediately. Immigration and customs enforcement will then process the individual soon thereafter. This all means that the resolution is presented will not increase harm in any way to our community or prevent law-enforcement from doing their job in anyway.

I apologize for not being available, but you can represent my support for the resolution. Please let me know if I can help further.

Kind regards

*Rick Van Wickler
Superintendent, Cheshire County Department of Corrections*

Mr. Ed Tomey of 472 Hurricane Road addressed the Committee next and stated he represents the millions of Syrian refugees who are scattered around the world except in this country and noted between 2011 to 2016 only 18,000 were allowed into this country. Mr. Tomey talked about his maternal and paternal grandmothers who arrived in this country in 1898 and 1912, from Lebanon. He talked about how hard these women worked to raise their families. Mr. Tomey talked about his many contributions to various companies. He felt if today's national policies existed in 1898 and 1912 he would not be here today. He talked about his recent visit to Lebanon where he met his extended family.

Mr. Tomey went on to say his interaction with the local police and sheriff have been always very good and does not expect that to change with refugees. He stated the current federal laws are not friendly towards refugees and felt any guidance we can provide to the police would be beneficial and added he did not want law enforcement to have to choose between upholding federal law and doing the right thing. He asked if language needs to be cleaned up, it should be done.

Mr. Riley Hay stated he attended Keene High School, attended higher education in New York but still calls Keene his home. He noted many young people are leaving this community for many reasons and felt people coming from abroad is a good antidote for people like him leaving this community. He stated it takes two reasons to flee one's home; putting your child on a boat because it is safer to do so and to be brave to attempt such an action and if those two reasons are not good enough for people to live in this city, he didn't know where this city was going. He felt all this Resolution would do is send a message; this generation responds to messages and asked the Committee to pass this Resolution.

Ms. Tasha Nadeau of 5 Grant Street stated she attends Monadnock Waldorf High School and can relate to what the previous speaker said. She talked about an internship she attended at ACLU in Washington DC this summer and talked about the many different people she met where she learned a lot about social injustices and police brutality they had experienced. She felt the issue of immigration is much more important than what it seems and felt it affects people in much deeper level than you can understand.

Mr. Ian Freeman of 73 Leverett Street asked who the police should be protecting and felt it should be primarily the people who live in this community, not the federal government. Mr. Freeman stated it was nice to see a city council trying to do the right thing.

Councilor Phil Jones addressed the Committee next and began by thanking Mr. Shapiro for bringing this item forward. He stated he understands the Council can't dictate what the police is permitted to do in this community. The Councilor talked about a recent conversation he had with a constituent where he had addressed the different diversity groups that exist in this community and the close connection he has with the Spanish speaking people in the community. The Councilor circulated a copy of a page from the master plan and asked whether diversity is something that has been on the minds of the Council.

Mr. Shapiro stated he wanted to make one clarifying comment – the first City Councilor KIRP talked to advised them that the Council cannot dictate police policies and this Resolution was written with this understanding and the Resolution was written using the term “promote”.

Councilor Bart Sapeta stated he is an immigrant and extended his appreciation for all the comments that were made this evening. He stated he would save his comments for the Council meeting.

Ms. Hay stated it was possible for the Council to send a message to the greater community and the police department and not violate any of the policies.

Mr. Leonard Weldon of 165 South Lincoln Street stated of his three children one comes from Peru and the other from China and felt if we don't travel the high road we are missing the point of really living.

Ms. Lindsay Bartlett of 342 Water Street was the next speaker. Ms. Bartlett stated she too is an immigrant from England but has white privilege and had been an illegal alien for many years. She felt every immigrant who comes to this community should have the same rights she did.

Councilor Chadbourne extended her appreciation for the respect that has been displayed tonight.

Councilor Jacobs stated this is what democracy looks like and hoped this matter can be moved forward with the language properly modified.

Councilor Clark stated it has been reminded Keene has a rich history of immigrants. He felt this community would not be as thriving without its immigrant population.

Councilor Jacobs made the following motion which was seconded by Chair Greenwald.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends this item be placed on more time so staff can work with the Keene Immigrant Refugee Partnership so language can be refined and be brought back to the council for consideration.

The meeting adjourned at 8:55 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker