

**City of Keene**  
**New Hampshire**

**FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE**  
**MEETING MINUTES**

**Thursday, May 12, 2016**

**6:30 PM**

**Council Chambers**

**Members Present:**

Mitchell Greenwald, Chairman  
Carl B. Jacobs  
Terry M. Clark  
Thomas Powers  
Jay Kahn

**Staff Present:**

City Manager, Medard Kopczynski  
Asst. City Manager/IT Director, Rebecca Landry  
Library Director, Nancy Vincent  
Library Head of Youth and Community Services, Gail Zachariah  
Fire Chief, Mark Howard  
Youth Services Director, LB Brown  
Deputy City Clerk/Records Manager Bill Dow  
Fire Chief Mark Howard  
Public Works Director, Kurt Blomquist  
Planner, Tara Kessler  
Human Resources Director, Beth Fox  
Public Works Director, Kurt Blomquist  
Police Captain, Steve Russo  
Finance Director, Steve Thornton

**Kendall Lane, Mayor**

**Councilors Present:**

George Hansel  
Robert O'Connor

Chair Greenwald called the meeting to order at 6:30 PM.

**1. MEMORANDUM: Campaign Manager for the Next Chapter Campaign Drive - Acceptance of Donations – Library Renovation Project through the Library Renovation Temporarily Restricted City Trust Fund**

Capital Campaign Manager for the Keene Public Library, Patty Farmer stated she was before the Committee regarding donations of \$53,765 listed in the February, March and

April 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. She indicated they are currently in the quiet phase where the Committee members are seeking donations from community members and the library will be back before the Finance Committee next month.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept donations of \$53,765 listed in the February, March and April statements of the Cambridge Trust Bank (See attached report) to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.

**2. MEMORANDUM: Head of Youth and Community Services – Donation for Summer Maker Corps Library Interns**

Head of Youth and Community Services of the Public Library, Gail Zachariah stated the library has been involved in the Summer Maker Corps program the past three years. The library has had interns who have come in and helped with building programs and building capacity. These interns are from a nationally recognized program and the program these interns help with involves engineering, math and art and is a learning approach through learn and play.

Councilor Kahn asked how many kids were involved in this program last year. Ms. Zachariah stated there were approximately 200 kids who participated last year and the kids are not charged to participate in these programs. Some programs had to be run multiple times to accommodate the demand.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a \$6,000 donation from the Friends of the Keene Public Library to be used for the hiring of two Summer Maker Corps Library Interns.

**3. MEMORANDUM: Human Services Manager on behalf of the Personnel Advisory Board - Acceptance of Donations – Community Day Open House**

Human Resources Director Beth Fox stated she was before the Committee on behalf of the Personnel Advisory Board seeking permission to accept donations for a program they are doing in conjunction with the Police Department. This is for Community Day. The program will be held at the City's Marlboro Street complex.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept grants and donations associated with the City Community Day/Open House scheduled for June 28, 2016, at the City's Marlboro Street complex.

**4. MEMORANDUM: Youth Services Manager – Acceptance of Cheshire County Funding for Youth Services**

Youth Services Manager Elisabeth Brown stated the \$23,100 referred to in this item is used for the Juvenile Court Diversion program and the Youth Intervention Program. The monies are used to offset the budget.

Councilor Jacobs asked whether these are taxpayer funds coming back to the City. Ms. Brown answered in the affirmative.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and administer funds provided by Cheshire County for Youth Services programs.

**5. MEMORADUM: Youth Services Manager – Acceptance of Award – Monadnock Alcohol and Drug Abuse Coalition**

Ms. Brown stated this donation is from the Monadnock Alcohol & Drug Coalition (MADAC) in the amount of \$2,000. This funding supports the City's website; MonadnockParents.org and MonadnockTeens.org.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept an award from Monadnock Alcohol & Drug Coalition in the amount of \$2,000 for use by Youth Services.

**6. MEMORANDUM: Fire Chief – FY 2015 State Homeland Security Exercise and Evaluation Program**

Fire Chief Mark Howard stated this item is in follow up to an item that came before the Committee last cycle. After review by staff, the Manager asked that this item be brought before the Committee for its approval. The Chief apologized for the confusion and explained acceptance of state funds can vary a great deal. He indicated under normal

circumstances there is an award letter and acceptance paperwork which needs to be signed by the Manager and Finance Director and in those cases he has come before the Committee. In some cases there is just an award letter with no acceptance paperwork and that is just an allocation of funds to the Department. The final kind is when fire personnel are sent to the Fire Academy for grant funded programs that are not awarded to the Department, but if members sign up for the class and are accepted into it and they complete the program the Department gets reimbursed for same.

The Chief explained the Department was awarded \$34,890 for which he came before the Board for acceptance. What he is before the Committee for now is another grant the Department applied for.

Councilor Clark asked how the Fire Department will be involved in a shooting incident. Chief Howard stated in the last ten years the reason for many deaths in an active shooter incident is because EMS couldn't get to them sooner. He stated that fire personnel will access areas which have been neutralized by the police and they will be escorted to those areas to treat patients and get those patients out. This is referred to as a warm zone. The equipment in this training is for that type of incident. The Chief went on to say this is a program recognized by the Association of Police Chiefs, Fire Chiefs and is a program adopted nationally and hence the reason the City is following this program in effort to ultimately keep the community safe.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the FY 2015 State Homeland Security Exercise program funds that have been assigned to the Keene Fire Department in the amount of \$14,100 to conduct active shooter warm zone training.

**7. MEMORANDUM: Police Captain – Homeland Security Exercise and Evaluation Program Grant Acceptance**

Police Captain Steve Russo stated this is a grant the Police Department received in the amount of \$5,300 to conduct an active shooter exercise in conjunction with Keene Public works, New Hampshire State Police, Keene High School and SAU 29 on June 16, 2016.

Councilor Clark asked for the actual cost for this training. Captain Russo stated they wouldn't know the cost until the training is completed. He added that historically this type of training has not cost the department any money.

Councilor Kahn felt this was a good exercise to pursue and asked whether something similar could be done with Keene State College. Captain Russo stated an exercise was done with the college last June and a workshop was held in December. He indicated the exercise done with the college was a little more advanced and the department tries to make these trainings available to everyone.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant of up to \$5,300.00 from the FY 2015 Homeland Security Grant program for the Keene Police Department and Keene Fire Department to conduct an active shooter table top exercise in conjunction with Keene Public Works, New Hampshire State Police, Keene High School and SAU 29.

**8. MEMORANDUM: Revenue Collector – Extension of Deed Waiver for Unpaid 2012 Property Taxes**

Revenue Collector Mary Alther stated staff is requesting a 30-day extension on the last two properties on the 2012 tax list. One of the properties is going through a reverse mortgage and the other is empty right now and they are actively selling the property.

Councilor Clark asked if staff will come back for another extension if Cross Street doesn't sell within 30 days. Ms. Alther answered in the affirmative.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to grant an additional 30-day extension, of the deed waiver granted by Council on March 17, 2016 for properties located at 334 Roxbury St. and 15 Cross St.

**9. MEMORANDUM: Records Manager/Deputy City Clerk – Records Storage and Management Services – Rate Increases for Customers**

Records Manager/Deputy City Clerk Bill Dow stated he was before the Committee regarding proposed rate increases for records storage and management services to outside customers effective July 1, 2016. During the budget review it was determined a rate increase was necessary. The last increase happened in August 2011.

Mr. Dow explained that NH RSA 5: 132 authorizes a municipality to provide records storage and management services to qualified non-profit and governmental organizations. Qualified outside customers are charged a monthly storage fee. Outside customers also pay incremental user fees based on requested management services such as: cataloging new deposits, processing requested retrievals, and providing transportation and delivery services. Resolution R-2016-02-A relating to Fiscal Policies requires that fees and charges that benefit a finite and defined sector of the community will be assessed for those services using a methodology for cost recovery set at full cost recovery or above. Hence this was the methodology staff used to determine these new prices. The revenue generated in FY 14/15 for these services was \$16,993 and it is projected that with the

proposed rate increases revenues will increase to approximately \$22,709. This revenue is placed in the general fund.

Chair Greenwald asked whether the City was marketing the storage to potential customers. Mr. Dow stated it is done through word of mouth but they are not pursuing a formal advertising route. Councilor Clark stated to further justify this expense there is also going to be new rack shelving purchased to increase the space (\$6,000) and it will take a few years to recoup this cost. Mr. Dow agreed. Councilor Jacobs asked whether the increase would be to cover the cost of operations. Mr. Dow stated it will also include some of the capital expenses which have accrued since 2003 as well as the new project.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends to the City Council that the proposed rate increases for records storage and management services to outside customers be approved with an effective date of July 1, 2016.

**10. MEMORANDUM: City Engineer – Airport Road Culvert Rehabilitation - Change Order #2**

City Engineer Don Lussier stated this item is in reference to a change order to the airport road culvert rehabilitation project. This project was sent out for construction last summer but could not be completed by the summer. The change order is for additional work which was discovered last summer. He went on to say the original contract contemplated the work being done in July and August. What was discovered was the existing pipe was not round shaped as was expected, it was oblong shaped. This required the work to be stopped to obtain material for this odd shaped pipe. The work restarted in September/October.

Because the project was designed for during low water conditions but was restarted when the water level had risen again, the water level the contractor had to control was a lot more than he anticipated. Efforts were made to control the water, but because the water level was so high it was forcing the water into the work zone much quicker than he could deal with. As a result the work was put on hold until the next dry season. Due to these unforeseen issues the contractor has asked for some additional funding to remobilize the site as well as for some additional water control measures. The contractor has agreed to rearrange his work schedule to work on this project when water levels are low.

Councilor Hansel asked whether there is a provision in these contracts for these types of events. Mr. Lussier stated in most circumstances that would be the case but in this case the level of the water which was the contemplated in the design and the level of water when he was trying to do the design was very different. The contract shows water control to be two to three feet of water but the water depth rose to six to seven feet when the contractor was trying to do the work; the contractor is entitled to compensation for changed conditions.

Chair Greenwald asked whether or not a contractor should be ready under a contract for the unforeseen circumstances. Mr. Lussier agreed there is a lot of risk placed on the contractor to do the agreed upon work. Where the City absorbs some of that risk is when the basis of the contract bids is found to be changed. It is not fair to tell a contractor he is responsible for things he could not have foreseen when he was preparing the bid. The Chair asked for the price of the original bid. Mr. Lussier stated it was \$83,000 and the current contract value is \$105,000. Chair Greenwald stated he understands the scenario and used an example of digging a foundation and a delay being caused by a rainstorm. Public Works Director Kurt Blomquist stated it has been determined even by the Court system that things of this nature become the owner's risk – it is all about risk assignment. Chair Greenwald stated this is the reason for contingencies.

Councilor Kahn asked what kind of contingency the City includes for its contracts. Mr. Blomquist stated it is typically 20% and then it is reduced to 5% to 10% and these kind of projects it is usually 10% because of unforeseen elements. Councilor Clark asked how this is different from the Washington Street change order. Mr. Lussier stated the contract is same but the change order proposes time and materials work which is different from unit bid price work.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a construction change order with Ted Berry Company for an amount not to exceed \$13,500.00 for the Airport Road Culvert Repair Project.

**11. MEMORANDUM: City Engineer – Babbidge Reservoir Dam Improvement – Change Order #1**

Mr. Lussier stated the good news is this change order is within the budget allocated by the City Council for this project. This is a design phase change order and it is mostly additional scope of work the State has directed the City to do; consisting of hydraulic analysis to verify and confirm the overflow channel of the dam. There is also additional scope of work for the preparation and presentation to the Council of the project.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a change order with Dubois & King, Inc. for an amount not to exceed \$11,500.00 for the design of the Babbidge Dam Improvements Project.

**12. COMMUNICATION: Mayor Lane/Special Committee on the Recruitment of the City Manager – Costs Associated with the Recruitment Effort**

Ms. Fox was the next speaker. Before Ms. Fox addressed the Committee the Chair explained that Mr. Kopczynski, who is the current City Manager, is on a limited contract with the City as a transition. The City already went through this process once to hire a permanent replacement but determined the final candidates were not suitable to fulfill the City's needs. As a result Mr. Kopczynski was hired on a temporary basis. The search needs to happen again but there are costs involved with this search. The last time lapsed salaries were used for the search but this search needs to be added into the budget as an expenditure.

Ms. Fox added there are various costs the City would incur with this search such as advertising (nationwide), travel costs for the chosen candidates, professional assistance with the search, and background searches. At this time the actual costs could vary and it is unknown until the City gets to the final item.

Councilor Clark asked whether this will come in as a supplemental item under the Human Resources budget. Councilor Powers stated the line item is already in the budget; there is a recruitment line item in the City Manager's section of the budget. The Chair felt \$30,000 seems like a good estimated amount. Councilor Jacobs felt the last time the position wasn't marketed very well and this is where a professional would be helpful which requires expenditure of funds. He felt finding a competent City Manager is vital for the City.

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

On a vote of 5-0, the Finance, Organization and Personnel Committee accepted the Mayor's communication as informational.

**13. MEMORANDUM: City Planner – Land Use Code Update Phase 1 – Consultant Selection**

City Planner Tara Kessler stated at the last meeting the Council granted authorization to the Manager to negotiate a scope of work and budget with Town Planning Urban Design Collaborative for the Land Use Code Update Phase 1 work. Since that time staff has been able to arrive at a scope of work and budget. Staff is asking that the Council authorize the City Manager to enter into a contract with this firm for an amount not to exceed \$65,945 for this work. They were one of ten firms who responded and were picked as the top ranking firm by the selection committee. It is expected the project will run from June through November of this year and the funding for the work will come from the Land Use Code Project Cost Center which has a current balance of \$200,000.

Councilor Powers clarified at the last meeting the Committee authorized the negotiation not the execution. Asst. City Manager, Rebecca Landry agreed.

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



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On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a professional services contract with Town Planning Urban Design Collaborative in an amount not to exceed \$65,945 for professional services for the first phase of the Land Use Code Update project.

The meeting adjourned at 7:22 PM.

Respectfully submitted by,  
Krishni Pahl

Additional edits by,  
Terri M. Hood