

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES, AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, May 27, 2015

6:00 pm

**City Hall, 2nd Floor, Council
Chambers**

Members Present:

James P. Duffy, Chair
Janis O. Manwaring
Sheryl A. Redfern
Robert J. O'Connor
Philip M. Jones

Staff Present:

City Manager John MacLean
Assistant City Manager Med Kopczynski
City Attorney Tom Mullins
Public Works Director Kürt Blomquist

Mayor Kendall Lane

Others Present:

Councilor David R. Meader
Councilor Bettina A. Chadbourne
Councilor Terry M. Clark

Members Absent:

Chair Duffy called the meeting to order at 6:00 PM and explained the procedures of the meeting.

**1. COMMUNICATION – Robert Hackerott – Request to Remove Tree on City
Property – Fairfield Court**

Mr. Hackerott, of 10 Fairfield Court, stated he wrote the letter to the City on April 21, indicating that there is a tree in front of his property on City property, about 2.5 feet in diameter that he would like to see removed. He continued the City arborist came to look at the tree, and thinks it is a shag or silver maple. The arborist indicated the tree is not diseased. Mr. Hackerott continued he cannot debate that because he is not an arborist, but the tree is in bad shape with peeling bark. It is a maple of some sort, right in front of his property in the side yard. The roots from the tree come to the surface quite a lot and it is dangerous to walk on, especially after mowing. Numerous dead limbs fall down periodically. The night before Thanksgiving with the heavy snow, a heavy limb came down and went across his driveway, grazing the house. Limbs come down regularly.

Mr. Hackerott continued if they experience a severe storm it could really cause havoc with his neighbors' house. One limb is close to grazing his house regularly. There are power lines running to his house right through the tree. He spoke with this neighbor, Brian Houghton at 16 Fairfield Court, who could not make it tonight. The tree has a lot of surface roots, and they are entering Mr. Houghton's cellar and going into the foundation. He is also concerned because the roots are encroaching on his sewer system. Mr. Hackerott concluded he is requesting this tree be removed because it is hazardous.

Chair Duffy asked if any members of the committee or public had questions or comments. Hearing none, he asked for staff's thoughts.

Public Works Director Kürt Blomquist stated this is an older shag maple tree in general good health. He continued it does not have significant health issues right now. It is about 50 years old. This type of situation is not unusual. There are trees of similar sizes throughout the community in similar circumstances, adjacent to homes. This tree is not diseased and it is not an imminent public safety issue. Yes, it could come down in a storm. But if they take that view, many, many trees in the city would theoretically have to come down. They never know when a storm like that could happen. The service wires do go through the tree's canopy, and that is not uncommon. The Director added staff could contact Eversource Energy in regards to clearing around the lines. The main line is across the street and goes through a tree on another property. Mr. Blomquist concluded that he does not recommend that the City remove the tree.

Councilor Manwaring asked if the City could do trimming. She continued there is one limb that looks like it is almost on their roof. Mr. Blomquist replied they could have the City's staff remove several leaders to back it off away from the roof somewhat.

Councilor Jones stated that he looked at the tree – it has matured and has seen better days. He continued that on the south side there is a major limb that would do a lot of damage if it came down. Mr. Blomquist replied yes, it is a mature tree, as are many trees in the city and on this street. He continued that there is a leader that they could look to remove to get it away from the house somewhat. But overall, this is not unusual and staff does not see it as an imminent danger.

Councilor Jones stated that if it falls to the west, the whole block would lose service. He continued that the roots are going into the neighbors' sewer system. Mr. Blomquist replied that Public Works Department is not aware of reports about that. He continued that if roots are entering into services it means the services and mains have failed. The sewage is leaking out, if the roots are going into the system. Mr. Houghton would need to have the service repaired. This is not unusual, for older houses to have these issues.

Councilor Jones stated that he would like to have Eversource's arborist come out. He continued that when he had a similar situation, Eversource paid for removing the tree. Mr. Blomquist replied that he can ask them to come out. He continued that their position is probably going to be that the property owners are responsible for the services. Councilor Jones asked if it is the City's responsibility to contact Eversource. Mr. Blomquist replied no, not for individual services. He continued that he can make the contact, but it is not a requirement that the City do it.

Councilor Redfern asked about the roots going through the wall. Mr. Blomquist replied that the tree root would be seeking moisture, so it implies that the basement has water in it. Similarly, if you have a tight sewer, the tree would not go into the system because the roots would not sense water. Councilor Redfern asked if it is the property owner's responsibility to take care of it. Mr. Blomquist replied yes, he has not seen the basement but typically roots go in search of water.

Mr. Hackerott stated that the tree is closer to his neighbors' house than to his. He continued that he contacted PSNH about six years ago and they came and "slaughtered" the tree, cutting out what they thought was the problem and it has since gotten much worse.

Chair Duffy stated that he had problems with a maple and he contacted PSNH; they determined that it was PSNH's responsibility. They have certain criteria. Mr. Hackerott replied that PSNH had a contractor come out, and they trimmed the problem area but it did not solve the big problem. He continued that he doubts the neighbors have water in their basement.

Chair Duffy asked if committee members had questions or comments. Hearing none, he asked if any members of the public had questions or comments.

Chair Duffy asked, if the roots are in the part of the sewer system that's City property, would the City take responsibility? Mr. Blomquist replied yes. Chair Duffy asked if it is true that lines to the house are 80+ years old. Mr. Blomquist replied that the lines would be as old as the house is. Chair Duffy replied that that is the property owner's responsibility. Mr. Blomquist replied that is correct, property owners are responsible for their sewer services from the building to the main.

Chair Duffy asked if committee members had questions or comments. Hearing none, he continued that the roots in question are not on Mr. Hackerott's property and the MSFI Committee has not heard directly from the neighbors. He feels it is not an issue they need to deliberate and decide on. It sounds like it would be helpful to look at the particular limb previously discussed.

Chair Duffy asked what the usual life expectancy is of a maple. Mr. Blomquist replied probably around 70 to 75 years in an urban environment. He continued that he can bring in City staff to do some trimming. Chair Duffy asked about their methods – would the result not be as severe as what Mr. Hackerott experienced? Mr. Blomquist replied that the utility companies have a standard, typically an 8'x8' box around the lines. The City would look at it from a different perspective and look for imminent danger kinds of issues. It makes sense to trim some leaders.

Chair Duffy asked Mr. Hackeroff if what Mr. Blomquist is proposing seems reasonable at this point. Mr. Hackeroff replied that he cleans up under that tree many times a year, and he cleans up what falls into the street. He continued that it is the type of tree where the roots are right on the surface. He proposes that the tree be removed because he thinks it is a hazard. Chair Duffy asked if he is asking for the City to remove it and pay for that. Mr. Hackeroff replied yes.

Councilor Manwaring stated that she has a tree like this and she understands about the roots at the surface. She continued that she thinks the best they can do is recommend trimming and hope for the best. Mr. Blomquist replied Keene is a tree city with many beautiful, mature trees and you could make a case for any one of them that they need to come down because it might fall down on something. He continued that the City will take down unhealthy or clearly dangerous trees or ones that damage property. Other folks have asked the MSFI Committee to have the City remove trees, and the committee has recommended authorizing them to remove the trees at the property owners' expense. The question is where to stop.

Councilor Manwaring stated she was thinking about the most recent three or four people who have asked the MSFI Committee to recommend that the City remove trees - in those situations the MSFI Committee recommended the property owners pay for their removal. Mr. Blomquist replied yes, they were healthy trees, and in some cases the City had already trimmed them, but those folks still felt that the trees were problems, shading their property and causing damages. He continued that under those circumstances the committee recommended that the trees be removed, but that it be at property owners' expense.

Councilor Jones made the following motion, which was seconded by Councilor Manwaring.

Move that the Municipal Services, Facilities, and Infrastructure Committee recommends that City staff check the maple tree at 10 Fairfield Court for imminent danger issues and contact Eversource Energy's arborist for a referral.

Chair Duffy asked if it should read "recommend that the City Manager direct City staff." Mr. Blomquist replied no, it is okay to recommend that City staff administratively handle it this way. He continued that he also wants to clarify that Eversource needs to determine whether it is an issue for them.

Chair Duffy began to amend the motion to add that the MSFI Committee recommends directing City staff to not just check the tree but *do* something, too. Mr. Blomquist replied that that is not necessary; the background notes say that the City will review the tree and then do some trimming, removing dead leaders and other leaders as appropriate.

Chair Duffy asked if any members of the public had questions or comments. Hearing none, he called for a vote.

On a vote of 5 - 0, the Municipal Services, Facilities, and Infrastructure Committee recommends that City staff check the maple tree at 10 Fairfield Court for imminent danger issues and contact Eversource Energy's arborist for a referral.

2. COMMUNICATION – Dorrie O'Meara – Sidewalk Concerns – Central Square

Dorrie O'Meara, of 326 Matthews Road in Swanzey, stated that she owns property downtown on the west side of Central Square. As stated in her letter, she is requesting the median strip along this side of Central Square be removed. In the past, the City has made medians with the original intention of them being grassy and beautiful, but after a few years, they are not working. The City tried putting bark mulch in them. She thinks it looks awful. It is not working, because people just walk/trample on it, like they did with the grass. She showed photos of this. She continued in addition, the arborist says that all four trees on this side of Central Square are dying and need to be removed. She does not care how or when that gets done. The tree on the end, in front of the jewelry store is actually tethered to her building with a wire. She does not mind this until the brick falls off. Many people are concerned that there will be shock if the City takes them all down at once. She proposes two at a time, with the outer two first since one is tethered to the building.

Ms. O'Meara continued that in front of EF Lane they recently took out a piece of median and put in brick, two chairs, and flowers. Originally it looked beautiful. But now, people walk on it and it looks awful. She showed a photo of a City drain and stated that last year it was clogged with grass, and now it is clogged with mulch. The mulch is all the way up to the store fronts and all over the sidewalks. Ms. O'Meara continued that when she first spoke with Highway Superintendent Bill Byrnes, she thought the City could take the medians out, make the ground level sidewalk, and go around the trees. She showed a photo of the lower end of Main Street by Local Burger, and a photo of the area by the church and The Stage, where there is no green median at all.

Ms. O'Meara continued that she knows trees are important to the city. After her conversation with Mr. Byrnes, she wonders if they can create a median in pieces, similar to the one near Fritz's - which she showed a photo of. She continued that they could make breaks in that long median that goes down in front of Pedraza's, the Chamber of Commerce, the jewelry store, etc. She and the jewelry store owners would be willing to adopt the green space in front of their properties to make sure the area looks nice.

Ms. O'Meara asked the MSFI Committee to please consider the issue with this layout where cars are parked. She continued that this sidewalk is supposed to be available for people to use to get to the stores. However, when people pull up to the curb they pull up until their tire hits. This means that there is no room to push a baby stroller on the sidewalk or use a walker and you have to walk in the street or go on the median. It is not safe. In the winter, the sidewalk plow the City owns does not fit on the sidewalk with or without cars. City staff plows the sidewalk at night and part of it hangs over the edge. The City plow does not fit by the handicapped ramp at her property. She has to shovel the City sidewalk. She would not mind but it is creating a berm over the green area. When you get out of your car in the winter you have to climb over the snow bank, which is really dangerous. If they take out the median and give it breaks when people get out of their cars they will have options without having to squeeze by bumpers or climb over the snow.

Per Chair Duffy's request, Ms. O'Meara gave the photos to the Minute-taker. The City Attorney stated that they will make copies of the photos so the originals can be returned to Ms. O'Meara if she wants them.

Mr. Blomquist stated that he appreciates Ms. O'Meara's comments. He continued that downtown is the heart of the community and where the City focuses a lot of resources. This particular configuration was designed in the 1980s. The design was before that. They are going on about 30 years. Mr. Byrnes and Public Works Assistant Director Duncan Watson oversee the area. They are working on a plan for the aging trees. They are now in a harsh environment, in narrow areas, but were designed as best as possible 30 years ago. Mr. Byrnes and Mr. Watson will bring the MSFI Committee a plan. Downtown will change. Today they have 14 inch trees that are 20 feet high, with 25 foot cross-spans. He continued that even if they were to buy the largest size possible trees to put in, three to four-inch diameter, it will be a change.

Mr. Blomquist continued that Ms. O'Meara is talking about a lot of things that staff have been talking about. The downtown area was designed in the 1980s for a different way of having the

community interact. There were more retail places, and less outdoor seating. How we use the downtown has changed over the years and the design may no longer meet the needs of the community. In the Capital Improvement Program (CIP) for FY 17-18 staff have proposed a study phase of a project of bringing in the downtown folks to help decide what they want downtown to be, and whether and how to change the configuration to meet the types of activities that people are doing today and will do for the next 30 years. For example, Railroad Square is a space we have been struggling with as we determine what amenities to put there and how to configure it so the community can have the types of activities and behaviors they want to have. Mr. Byrnes and the highway crew try to meet the needs from these changing issues. Yes, the grass is more difficult to maintain, because people walk on it so much. It is because of sidewalk cafes that people no longer walk linearly. The City has heard concern from other merchants – for example, that there is a lack of trees by Cypress Street. Most of the work City staff have done has been to reconfigure what is there. In the EF Lane area it is still elevated and you have to step up. The staff created a space people were interested in being in. City staff are working on it and trying to meet the needs as they go. Maybe mulch is not working as well as they hoped, and yes, it does clog drains. The City was trying to meet some of the interests.

Mr. Blomquist continued that he and the staff recommend looking at the project that is on the books, to begin the process of talking with the downtown community about how they want downtown to be – for example, do they want wide open sidewalks and smaller green belts? That is the process they are going through.

Chair Duffy asked if any members of the public had questions or comments. Hearing none, he asked if committee members had questions or comments.

Councilor O'Connor asked when the tree in front of the building was tethered. Mr. Blomquist replied about 10 years ago, when the arborist recommended tethering it. He continued that the people in the building gave that permission because they did not want the tree removed.

Councilor Manwaring asked about the four trees that Ms. O'Meara mentioned that are not in good shape. Mr. Blomquist replied that a couple years ago they had an arborist look at all the trees in the downtown area. He continued that the four in the area of Central Square are in the worst shape and need to be replaced. They are talking about how to do it. He suggests a plan that removes two one year, skips a year, then removes two more the next year. They will be talking about which types of trees to use; maybe they want to use something different from what they have. They are also talking about, as they go forward, not doing all the trees at once. If they did that, someone 30 years from now would have to deal with the issue of the trees needing replacement all at once.

Chair Duffy asked if there is a timeline, to which Mr. Blomquist replied no, there is no set timeline. Chair Duffy asked if there is imminent danger to anyone right now. Mr. Blomquist replied no. He continued that they use funds from the Downtown Memorial Tree fund yearly for focused trimming and maintenance in the downtown area. Tree planting is typically in the spring or fall, so any removal or replacement at this point would be done in the fall, since spring has almost passed.

Councilor Jones asked about the money in the CIP for the downtown project. Mr. Blomquist replied that it is a total of \$75,000 for design, but right now, based on funding guidelines, it is spread out over two years – FY 2017 and FY 2018. It will be a substantial project to redo the downtown, but this will begin the discussion and allow the community to decide how they want it to look.

Chair Duffy stated that he appreciates Ms. O’Meara bringing this to their attention. He continued that it has been said, “It is all about the trees,” but there is much more to the downtown. The trees are aesthetically pleasing, cool things off, suck up water to prevent floods, filter substances that are not healthy for people to breathe, and give us oxygen to breathe. The plan that begins design work in FY 2017 is contemplating this. Certainly, everything Ms. O’Meara brought up will be contemplated. He asked if the project will also include bicycle and pedestrian safety. Mr. Blomquist replied that he assumes that is all in the mix.

Councilor Jones stated that Mayor Lane was on the City Council back in the 1980s when they did the revitalization and he has spoken about how the City has strayed from the original policies. He asked what the original policy was for medians. Mayor Lane replied that his involvement with the renovations downtown began in 1984. He continued that the City had received Federal money for the Main Street Phase I project, from Gilbo Avenue south – the Federal government would not give money for Gilbo Avenue north. He set up a group, raised money, and came up with a design for redeveloping the area from Railroad Square north to Central Square. He became a City Council member in 1985 and the project was his original reason for joining. The City spent about \$2.2 million to renovate Gilbo Avenue north to Central Square. The design created the unity of design in downtown that made it an iconic place within the northeast. He continued that many towns in the northeast take ideas from Keene’s design. The American Planning Association named Keene’s Central Square as one of the top 10 open spaces in the nation. It is an important area to this community, the glue that holds it together.

Mayor Lane continued that downtown was very different in the mid-1980s. Then, Sears and similar stores were closing. Today that type of shopping is no longer prevalent. Pedestrian traffic has increased considerably. Some of the unity of design has been lost over the years, which is an unfortunate side effect. Chair Duffy is correct that when they look at the downtown they are looking at more than the trees. Those are not the critical issue. They need to look at pedestrian access, width of street, bike access, etc. There needs to be changes. When downtown was originally designed in the 1980s, sidewalk cafes were unheard of. Now they are a main part of downtown. They need to make sure sidewalks are wide enough for those uses, and able to accommodate pedestrians, and wheelchairs. He looks at travel lanes – why do they have coming north and only two coming south? That space could be utilized for wider sidewalks. People crossing by the flag pole have to run because it is so dangerous. There are many issues relating to downtown and Main Street that they have to take a strong, hard look at and be prepared to invest a lot of money in, to maintain it and keep it as an iconic place. He continued that he speaks in favor of what Ms. O’Meara is advocating – looking at the downtown area. But, it has to be done comprehensively; they cannot just address this or that section of sidewalk. They need to make sure the \$75,000 stays in the CIP so they are prepared to fund it next year, set up a committee of pedestrians and business owners and people who use the downtown, and really look at it. The first time, they brought in a consultant who videoed every traffic pattern and activity downtown

and they used the video to analyze what worked and what needed changing. They need to do that again. They need to figure out how to re-design so it meets the needs for the 21st century.

Councilor Manwaring stated that Ms. O'Meara mentioned the long median in the area she has concerns about, which is unlike the other side of the street where there are breaks in the median to go in between. She asked if they can do something. Design takes two years, so that is three years of waiting with that long median that you have to either go over or through. She asked if they can break it up. Mr. Blomquist replied that there are things they might be able to do, but he cannot say what tonight. He continued that he can have staff take a look at it.

Chair Duffy stated that right now there are flagstones to give people the cue that they can walk. He continued that that some may interfere with what is happening on the sidewalks with the cafes, but people are trampling all over. He asked, what about putting a little fence up, so that people have to go all the way to the end or use the flagstones.

Mr. Blomquist replied that the flagstones were their first attempt to give people an idea of where they can walk, but they found that people ignored the flagstones. He continued that they tried putting up little fencing. They continue to try strategies. It is a challenge. The key is to create a space that people will naturally use, instead of fighting the current and trying to get people to walk three feet to one side to get to a path that leads them to a certain place, when they naturally feel like just walking directly to that place. He knows of an architect who does not put in sidewalks right away – first he puts in grass, then waits for paths in the grass to appear that show the route people naturally take, then puts sidewalks there.

Mayor Lane stated that he has just a word of caution – many of the water and sewer lines are underground, under the sidewalks downtown, so they need to be careful. He continued that changing the downtown might affect the underground lines. Many of the areas downtown were created specifically because of what was created underneath.

Chair Duffy asked if any members of the public had questions or comments. Hearing none, he asked for a motion.

Councilor Manwaring made a motion for the MSFI Committee to put this on more time to see what the Public Works Director comes up with regarding making ways to get across this long median.

Chair Duffy asked if her motion is to put it on more time and have staff assess and report back on the immediate, short term concerns. Councilor Manwaring replied yes.

Councilor Jones seconded the motion. He stated that the background notes reflect what Councilor Manwaring said. He continued that he does not like to put items on more time unless they are giving staff direction, so he wants the committee to be clear on what directions they are giving.

Chair Duffy asked if staff is clear on the directions and the motion.

Mr. Blomquist stated that he understands the direction is for staff to take a look and come back if there are some short term things they can do. He continued that he wants to caution – this is not something he can do in two weeks. He will talk with staff and the City Manager and come back with a plan. Chair Duffy replied that when they were talking about the trees that needed to be removed, it sounded like there was at least a decision about what to do pending this autumn. He asked if that is enough time to come back. Mr. Blomquist asked if he means coming back in the fall with a plan. Chair Duffy stated that he thought the motion was “to see if anything could be done” but Mr. Blomquist is saying two weeks is not enough. Mr. Blomquist replied that it is construction season and his engineering staff is flat out doing the projects you see going on in the city. He continued that the Public Works Department needs support from others departments on this. They know what the Mayor says about the lines underneath the sidewalk - nothing is simple anymore, as he talks about with his staff. He can come back in two weeks with a plan and timeline of how they will look at this.

Councilor Manwaring stated that as she listened to Ms. O’Meara’s ideas it seemed like the median that goes through the whole block was something they could do something about in the short term. She continued that she was not asking about the trees or anything else.

Chair Duffy stated that he understands the concerns but there is no imminent safety danger that has been identified; there is inconvenience. He continued that there are trees that need to be dealt with soon because they are dying. They have heard about focusing in on certain areas, when they have a comprehensive approach (or a plan for one, funded in FY 17) that will include and integrate all of downtown, and create a form and function that is the most beneficial for everyone. Sometimes doing it right takes a little more time.

Chair Duffy asked if the motion satisfies Councilor Manwaring’s concerns. Councilor Manwaring replied that she supports the long term plan so downtown has a theme and it flows together, but no action will be taken with that for three years, and some of the issues brought up are valid. She continued that she never sees people walking on the outside part and people in a wheelchair would not be able to go in that area nearest the cars. Chair Duffy replied that yes, he understands that staff will come back with more detail in two weeks, not necessarily an action plan, as that is not the intent of the motion. He continued that he does not think Councilor Manwaring’s concerns are being ignored. They will hear back from staff.

Chair Duffy asked if committee members are clear on the motion. Councilor Jones stated that he agrees with Councilor Manwaring that the motion recommends a short-term plan for safety concerns. Chair Duffy replied that they should clarify this. He asked Mr. Blomquist if there are really safety concerns.

Mr. Blomquist stated that with the sidewalk section by the coffee place, there is a similar situation with a narrower sidewalk out in the street. It is similar in that it is not an imminent safety hazard, but they have had to work with it since it was installed. The uses have changed and that probably highlights it more. Cars are different now. They have the same issue starting at Central Square at Roxbury Street all the way to Railroad Street. There is a long median, starting where Wells Street comes out, all the way to Railroad Square. He suggests that in two weeks he come back with a plan with ideas to develop ideas for this section. He only has until

next Friday to come up with a plan if he is asked to report back in two weeks and his staff is flat out with the work they have. He can work with other staff members in other departments. Maybe they could do something this summer, but he does not know. He does not know how much it would cost. Would they need to replace the entire 12 feet of concrete, for example? The costs of even a simple project are costs they have not budgeted for.

Chair Duffy asked if any members of the public had questions or comments.

Ms. O'Meara stated that the safety concern is a serious one, which is why she took photos. She continued that safety is a concern in front of Ingenuity Country Store, where parents go with children and strollers. She keeps the stroller in the back of her car, so when she parks, she opens the hatch to take out the stroller then tries to get the baby in the stroller in between cars. You have to walk on the outside behind cars to get to the handicapped access. She understands that redoing downtown takes time, and she is not asking for a miracle. She wants the elements of downtown to match and come together. But, they need a temporary resolution on this. She is not sure about the width of the other areas, but this is pretty narrow. Any help would be appreciated. She did not realize this was in the plans for three years from now.

Chair Duffy replied that they will hear back from staff about Ms. O'Meara's concerns. He continued that he is satisfied with the motion. It is important to keep in mind the overall context of how they will deal with the downtown area.

Ms. O'Meara stated that she knows they will take their time with the trees. She continued that she knows they are aware that the Chamber has had issues with roots going into their sewer system and had to totally re-gut the system. She and others in that block on Central Square have had problems with tree roots, too. That is a time-sensitive issue as well.

Chair Duffy called for a vote on the motion, which passed on a vote of 5 to 0.

On a vote of 5 – 0, the Municipal Services, Facilities and Infrastructure Committee recommends the item be placed on more time to allow the Public Works Department to assess the situation and report back on immediate, short term solutions regarding sidewalk medians.

3. RESOLUTION – R-2015-17 – Outdoor Lighting Within the Right-of-way

Mr. Blomquist stated that the MSFI Committee has before them the proposed resolution for outdoor lighting in the right-of-way. He continued this is a follow-up to the Memorandum of Understanding (MOU) that was executed with Eversource. Part of that MOU was regarding how the City would be notified if a private entity wanted to put up a light in the right-of-way or on City property. The poles installed by a utility company remain the property of the utility company and the utility company regulates their attachments. When the MOU was authorized for execution, the MSFI Committee was interested in having a policy describing how the City would handle the notifications. In response, Resolution R-2015-17 has been presented to outline a proposed process. When Eversource receives a request from a private person for a light within the right-of-way or on public land, they would require that person notify the City of the request.

The request would go through the City Council. When the City Council receives the notification they would refer it to the Public Works Department. The Public Works Department would notify abutting property owners that the City has received the request. The policy sets up two standards – one is a 1000-foot circle around the light in a rural, agricultural, or corporate park zone, and the other is a 400-foot circle in all other zones. Four hundred feet is the current standard for distances between street lights, and seems to fit for the more urban areas. The City would notify the property owners and they would have 21 calendar days from receipt of the letter to give comments or concerns to the City Council and the City Council can review those and talk with Eversource.

Chair Duffy asked if committee members had questions or comments. Hearing none, he asked if any members of the public had questions or comments.

Richard Berry, of 8 Moore Farm Road, thanked the MSFI Committee, the City Manager, and City staff. He continued that the neighborhood appreciates this. Chair Duffy replied that he is welcome and the MSFI Committee thanks him as well for helping bring this issue to them.

Councilor Redfern made the following motion, which was seconded by Councilor O'Connor.

On a vote of 5 - 0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2015-17: Outdoor Lighting Within the Right-of-way.

4. Adjournment

The meeting adjourned at 7:13 PM.

Respectfully submitted by
Britta Reida, Minute-taker

Additional edits by
Terri M. Hood, CMC
Assistant City Clerk