

City of Keene  
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE  
MEETING MINUTES

Thursday, July 23, 2015

6:30 PM

Council Chambers

**Members Present:**

Mitchell Greenwald, Chairman  
Terry M. Clark  
Thomas Powers  
Randy Filiault

**Staff Present:**

City Attorney, Thomas Mullins  
Asst. City Manager/IMS Director,  
Rebecca Landry  
City Clerk, Patty Little  
Public Works Director, Kurt Blomquist  
Facilities Manager, Scott Martin

Kendall Lane, Mayor

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

**1. PRESENTATION: Trustees of Trust Funds & Cemetery Trustees**

Martha Curtis Chair of the Trustees stated for over 100 years, community minded citizens of Keene have established trusts for various charitable purposes to benefit the residents of our city. These include charitable funds, library funds, park funds, cemetery funds, and scholarships. Each trust is a separate entity and the funds are not co-mingled between the trusts. Each trust has its own trust document and its own intent.

The Trustees act as the custodians of the funds and act as fiduciaries to review the investment receipts and disbursements of funds under the trusts.

She continued there are five trustees who meet monthly to review any requests for funds from the trusts. The trustees must be residents of Keene and serve a three-year term with a six-year limit. Their role is to ensure the request adhere to the wishes of the fund's grantor in both intent as well as the amount that can be disbursed (income only or income and principal). The requests are voted upon and withdrawals approved in writing for each request. Funds are transferred from the investment to the city for disbursement. The meetings and minutes are open to the public.

Ms. Curtis continued in addition to reviewing requests, they oversee the investment of the trust funds. They have an investment policy that is reviewed annually and governs the investment decisions. As these are long term funds they are able to invest the funds with a

longer term strategy to maximize income as well as safety. Their investment strategy is a mix of stocks and bonds and using the “prudent investor” strategy. The Trustees use the services of Cambridge Trust Company to manage the funds according to the investment policy. They provide monthly statements and work closely with the finance staff of the city to disburse funds to the city as approved by the trustees.

In addition to the trust funds, the Trustees are also responsible for approval of the capital reserve funds disbursements. These funds are separate from the Trust funds. These funds are raised through taxes and managed for longer term projects such as equipment replacement, infrastructure, sewer infrastructure etc. The intent for these funds is more short term than the trust funds. In addition as these are tax funded accounts, safety is of utmost importance. The Trustees utilize Cambridge Trust Funds to manage these accounts as well. As the primary goals for these funds are liquidity and safety, these funds are invested in bank certificates of deposits. Multiple banks are used to keep the certificates within the FDIC insured limits to protect these funds. Capital fund disbursements are approved by the trustees by vote and signed for in the same manner as the trust funds.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the report be accepted as informational.

**2. MEMORANDUM: Parks, Recreation and Facilities Director – Acceptance of Donations**

- **Sumner Knight Chapel**
- **Swing Set at Robin Hood Park**

Parks, Recreation and Facilities Director, Andrew Bohannon stated the first donation is from Mr. Kevin Dremel who has once again raised funds for the care and maintenance of Sumner Knight Chapel. The latest donation is in the amount of \$330. The next concert on July 26 will be held at 206 Washington Street which is an 1897 Queen Anne Style home which was originally built by a former Mayor of Keene as a wedding gift for his daughter. The concert will feature classical and jazz guitarist, David Williams Ross. The host for the event will be Lifelight Center. This is part of the Sunday social events and has been very successful.

The second donation is for \$295 raised by the southeast Keene neighborhood group for the purchase of the swing set at Robinhood Park. The last few donations came from Keene Kiwanis Club \$100.00, SE Keene Neighborhood Group members \$195.00. In total, the group has raised \$3,481.00 and the swing set has been purchased. It is red in color and has four swings and should be delivered within the next month.

Chair Greenwald asked whether this is the total that was needed. Mr. Bohannon stated what has been collected will take care of the installation but the City would need to

purchase the mulch that goes around swing set which is a necessary purchase for other playgrounds in the City as well. City staff will be in charge of installation.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept a donation of \$330.00 and that the money be used for the care and maintenance of Sumner Knight Chapel. The Committee further recommends the City Manager be authorized to do all things necessary to accept a donation(s) of \$295.00 collected by the Southeast Keene Neighborhood Group to purchase a swing set at Robin Hood Park.

**3. MEMORANDUM: ACM/Health & Building Safety Director - FEMA Mitigation Grant**

Code Enforcement Superintendent Med Kopczynski recalled the many flooding incidents the City has dealt with in the recent past. He noted there are two properties in the City referred to as the repetitive loss properties and one of those property owners approached the City about applying for a FEMA grant. The manner in which the FEMA grant works is that the City becomes the grant holder. The conditions of the grant are the property will be removed; and the lot becomes the property of the City to be held in perpetuity as a green space.

Mr. Kopczynski explained this is a long process, the grant before the Committee took about two years to go through. This is a reimbursable grant but he did not feel this is the way in which the City should move forward with it.

He explained what staff would like to do is to set everything up that needs to occur for the execution of the grant. Then approach the Governor and Council and request the money up front, execute everything which needs to be done and then prove to the State and FEMA what the City spent the money on.

This type of grant is unique it has been exercised in Massachusetts a couple of times. Mr. Kopczynski indicated Mr. Kiser the owner of the property is present tonight and has some pictures he would like to share with the Committee.

Chair Greenwald clarified no city time will be spent on this item. Mr. Kopczynski stated there will be staff time spent by himself and the City Attorney. Attorney Mullins added the City will need to perform some legal work before the funds are in hand and hence he will need to expend funds first.

Councilor Clark asked for a breakdown of the costs. Mr. Kopczynski explained based on the benefit cost analysis FEMA the acquisition cost was \$355,146 which is more than what the property is worth but this amount also takes into consideration the other attributable assets inside the property and the detailed losses that go along with the property. Demolition is \$38,000, legal is \$2,500, grant administration is \$3,000, asbestos

testing is \$500, and survey work is \$2,500; for a total grant amount of \$401,645.24. Mr. Kiser is responsible for 25% of these costs.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to prepare for and accept the FEMA Mitigation Grant for property located at 238 Church Street, Keene.

**4. MEMORANDUM: Public Works Director- Water Main Connection Project- Marlboro Street Through the City Municipal Complex - Construction Award**

Public Works Director, Kurt Blomquist indicated this item was in reference to the reconnection of the eight inch main that goes through the Municipal complex. A year or so ago there was a failure in the PC Connection parking lot and the main has been shut off. Mr. Blomquist noted there are two critical operations in the Municipal complex – the Police Department on one end and the Public Works Department at the other end. In the middle of this complex is the new ice rink which would be a public gathering place. This main not only provides surface water for this complex but also provides fire protection for this complex.

Mr. Blomquist went on to say this item was sent out to bids and bids were open on June 24<sup>th</sup> but none were received. As a result, staff talked to some of the City's vendors and one vendor who is doing several projects for the City at this time has expressed an interest. This vendor came back with a proposal of \$54,282, which is within the project balance of \$55,000. The City Engineer did bring this matter before the Council before his departure and it was approved. Staff's plan is to have this work done in conjunction with the construction of the ice rink.

Chair Greenwald asked why there were no responses to the bid. Mr. Blomquist stated this is a busy season and the City has put a lot of pressure on local contractors this year. There were about 20 projects sent out this winter and there were strict timelines attached to some of them. Over the last few years there has also been a reduction in the number of contractors in the area; there are only two contractors doing utility work, Park Construction and SUR Construction. Park Construction also downsized recently.

Chair Greenwald asked what projects this contractor is working on for the City at the present time. Mr. Blomquist stated it is a sewer spot repair project and some water work. He is a small contractor who is working his way up. Councilor Powers verified this contractor has the right credentials. Mr. Blomquist answered in the affirmative. Councilor Power noted that a license is required for either water or sewer work and asked for clarification. Mr. Blomquist explained you do not need a license to install water and sewer but you need a license to operate same.

Councilor Clark asked whether this failure could have anything to do with the excavation and construction of that parking lot. Mr. Blomquist stated he did not think so but is not something that they will really know.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a contract with MME Construction LLC for the Water Main Connection Project from Marlboro Street through the City Municipal Complex for an amount not to exceed \$54,283.

**5. MEMORANDUM: Public Works Director- 2013 Infrastructure Project Summer, Winter, Middle and Center Streets Reconstruction**

Mr. Blomquist stated this item is in reference to the 2013 Infrastructure project which has some outstanding components. The engineer on record is Underwood Engineering and they were being used on a part-time basis. However, now with the City being short on engineers, the City is requesting that Underwood Engineering provide full-time engineering work and this is a change order to accomplish that work.

Chair Greenwald asked where the money is coming from. Mr. Blomquist stated it was coming from the project contingency fund.

Councilor Powers clarified this work will be completed by fall. Mr. Blomquist stated that it will be.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a change order with Underwood Engineers to increase their resident engineering services to full time and provide other technical services for an amount not to exceed \$16,000 for 2013 Infrastructure Project Summer, Winter, Middle, and Center Streets Reconstruction.

**6. MEMORANDUM: Public Works Director - 2014 Infrastructure project Washington Street Reconstruction Phase 2- Construction Administration and Resident Engineering Services**

Mr. Blomquist was the next speaker who noted that this again is a project where Underwood Engineering was the designer who was being used on a part time basis for observation capacity as well as for part-time construction administration. The City has now requested Underwood Engineering to perform full-time construction observation and construction administration. He noted this project is going well and the work is scheduled to be completed by November. Funding is within the overall project funding.

Councilor Powers asked whether Larry Crowder is helping out with this project. Mr. Blomquist stated that the City has 22 construction projects going on right now and Mr. Crowder is helping out with these other projects.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a change order with Underwood Engineers to increase their resident engineering services to full time and provide other technical services for an amount not to exceed \$60,500 for the 2014 Infrastructure Project- Washington Street Reconstruction Phase 2.

**7. MEMORANDUM: Parks, Recreation and Facilities Director & Facilities Manager - Custodial Service Contract**

Mr. Bohannon stated this item is in reference to a proposed contract with Coll's Cleaning Service for multiple City facilities. Mr. Bohannon explained that during the last 18 months they have tried out cleaning contracts on one building at a time and as retirements occurred those positions were filled with custodial services. Through the FY16 budget those services were expanded to include Public Works, Fleet Services, Transfer Station and the Police Department. Utilizing this contract helps the three building mechanics the City currently has on staff, one of which will be retiring soon.

An RFP was sent out and three bids came in. Mr. Bohannon explained with this process staff is trying to contain costs and expand operation which is something the Council has been discussing recently.

Councilor Filiault noted one bid seems considerably less and asked for clarification. Facilities Manager, Scott Martin indicated staff has talked to all their reference and anyone who has worked with this company has been pleased with their services. Councilor Powers asked about the company the City currently is using. Mr. Martin stated they were one of those who sent in a bid but they were not one of the lower bidders. Councilor Powers asked where the three mechanics are located at the present time. Mr. Bohannon stated one is at Police and Public Works, the other two are at City Hall, Parks & Rec, and the Library.

Councilor Clark asked whether employees at Coll's are full time employees. Mr. Martin stated he was not sure. The Councilor indicated based on the numbers provided it estimates the City will be paying this company \$15 an hour which would equate to the workers being paid \$9 an hour. He went on to say when retirement happens in the City we are taking the lowest paid employee and contracting their services out and every year two to three managers are being added to the payroll. He felt if the City is going to hire a firm then it should be a firm that pays their employees well and asked whether this was part of the criteria. Mr. Bohannon stated it was not.

Councilor Powers stated he agrees with Councilor Clark to a certain extent and hopes the City is helping people make a good living. At the same time the community asks the City to stop spending money. He went on to say from what he sees being proposed here - 88 hours of work is being split between three employees who are most likely doing this as a second job. He felt the City is meeting its mission and doing the best it can.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to execute a contract with Coll's Cleaning Service, LLC for custodial services for multiple City facilities.

**8. DISCUSSION: Appointment of an Interim City Manager  
Possible Non-public Session**

Chair Greenwald explained the City Manager is leaving the City's employ in October and there needs to be someone to fill in the gap until someone is hired on a permanent basis. He explained he has laid out some points to help the Committee on this issue

Do we need an interim Manager? The Committee's answer was a yes

The Chair inquired whether the interim should be selected from "in house" or from outside? Chair Greenwald explained Municipal Resources Inc. is a firm that the City could contract with to hire someone. The other issue is if someone from within the City is being elevated to the Manager's position, what happens to their current position during the interim.

Councilor Clark felt whoever the interim is there needs to be continuity and he felt it should be someone in-house. Chair Greenwald agreed stability is necessary as there are a good number of employees who rely on this position. Councilor Powers felt the Committee should approach the Assistant City Managers and see if any one of them would like to step up and take the position and from that point if there is no interest, move to a department head next. He also felt someone from within the organization would be much better for the organization. He also felt having three people sharing the job could become unwieldy and he felt moving towards one person would be much better. Chair Greenwald agreed that he wanted to make the three-person leadership was an option the Committee could consider but is not something he was advocating for.

Councilor Filiault agreed with everything that has been said and added when a new Manager is hired things will change but until then it is necessary to keep things running smoothly. Chair Greenwald stressed this is a recommendation the Council on the whole will be dealing with.

Chair Greenwald explained the interim would have all the powers and responsibilities of the actual City Manager. However, because this is a transition period frequent meetings are necessary with Committee Chairs and Charter Officers. He also noted to the many tasks the

City Manager has to handle at one particular time. He also talked about the overlap time between hiring the permanent City Manager and the interim having to transition this person to the new role.

Chair Greenwald stated according to City Code when someone is hired to take on responsibilities that are higher than their own job for a period longer than five days the employee is compensated at a step higher than they are is right now. Another way to do this is by stipend. Councilor Powers felt if this is going to be an in-house person they are in the classification and he felt the City should follow its own rules. He felt Councilors might have to do some extra work during this interim period.

In response to the question as to whether the interim could apply for the City Manager's job; Councilor Clark stated this usually doesn't happen, as this interim person should focus on doing that job and not worry about applying for the new job.

Chair Greenwald stated he will talk to the Assistant Managers and if there is no interest there, then the Committee will have to move to the next plan.

Mr. David Crawford of Marlboro Street asked if this position is filled in-house and people are moved up whether there could end up being a position left vacant. Chair Greenwald stated there will be some shuffling around and explained the process that happened with the hiring of the President at Keene State College where Jay Kahn was hired on as the interim and there was reshuffling of duties. He agreed it will be a challenging six to nine months.

Chair Greenwald asked what kind of a motion should be made for this item. Attorney Mullins explained the language he has drafted so far called for an interim manager to be sought from in house candidates and failing which the interim position be advertised and selected. He felt the issue of compensation needs to be addressed based on which one of these choices the Council moves forward with. If the Council goes with an outside candidate then the City Code does not apply. Chair Greenwald felt this could always be a negotiation point. Attorney Mullins noted while he appreciates the Council looking at the City Code as it pertains to this issue, the Council is not bound by that provision.

Chair Greenwald pointed out the next Council meeting is on August 6<sup>th</sup> and the hope would be that a confirmation could be made at that meeting. Councilor Powers suggested the Chair talks to the three Assistant City Managers over the course of this week and prepare a motion in time for the July 30<sup>th</sup> meeting.

Mayor Lane felt the process laid out is appropriate. Talking to the three Assistant City Managers maintains the stability of the organization. If more than one is interested, then he suggested bringing that back to the Finance Committee for their consideration. Once the Council determines who they want to go with then a salary could be negotiated.

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



FOP Meeting Minutes

On 4-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

The meeting adjourned at 7:28 PM.

Respectfully submitted by,  
Krishni Pahl, Minute Taker