

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, October 8, 2015

7:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chairman
Terry M. Clark
Thomas F. Powers
Randy L. Filiault
Kris E. Roberts

Staff Present:

Acting City Manager, Medard Kopczynski
City Attorney, Thomas Mullins
Asst. City Manager/IMS Director, Rebecca Landry
City Clerk, Patty Little
Police Chief, Brian Costa
Fire Chief, Mark Howard
Parks, Recreation and Facilities Director, Andrew Bohannon
Human Resources Director, Beth Fox
Finance Director, Steve Thornton
Facilities Manager, Scott Martin

Councilors Present:

Bettina A. Chadbourne

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

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

- **Recreation Program Scholarships**
- **Sumner Knight Chapel**
- **Youth Basketball Uniforms**

Parks, Recreation and Facilities Director Andrew Bohannon stated the first donation he has for the Committee is a donation of \$210 from Bulldog Design towards the afterschool program. Bulldog Design sold several tee shirts and for every one that sold there was a \$5 contribution made towards the scholarship fund.

The second donation is for \$675 for the Sumner Knight Chapel. Kevin Dremel hosted a concert and raised this money. The next concert is on Saturday, October 17 as part of the Sumner Knight series. The concert is from 7 pm to 9 pm, more information can be found on keenemusicfestival.org.

The final donation is from Yankee Lanes in the amount of \$3,000 for the purchase of youth basketball jerseys. Jeff Barden, owner of Yankee Lanes has been a longtime supporter of youth sports and basketball in the community. Mr. Bohannon stated this year the

Department will be introducing a new program for children 6th – 8th grade with the Police Athletic League and this donation has helped secure uniforms for this program.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Acting City Manager be authorized to do all things necessary to accept a donation of \$210.00 and that the money be used for scholarships for recreation programs; to accept a donation of \$675.00 and that the money be used for the care and maintenance of Sumner Knight Chapel; and, further to accept a donation of \$3,000.00 from Yankee Lanes and that the money be used to purchase youth basketball jerseys.

Councilor Filiault applauded the Police Department for putting together the Police Athletic League so middle school aged children could come in contact with the police in a positive situation.

2. MEMORANDUM: Parks, Recreation and Facilities Director – Beyond Pesticides Turf Management Training

Mr. Bohannon stated this item is a donation of professional services work from Osborne Organics. He explained that Osborne Organics partners with Beyond Pesticides and they work with municipalities to help them gain an understanding of sustainable practices for turf management. It is a one day training valued at \$3,500 to help staff understand organic turf practices. Mr. Bohannon stated this is something which will be opened to the public, the school district, the college as well as other recreational facilities. This organization comes highly recommended and staff feels this is something that could be very beneficial.

Mr. Bohannon noted this is in keeping with the Active and Passive Recreational Management Plan and the goals set forth in same. The training is set to happen on October 27.

Chair Greenwald clarified this organization is not a vendor that is selling fertilizers, pesticides etc. Mr. Bohannon explained Osborne Organics is based out of Massachusetts which helps towns and cities incorporate this practice into their operations. They take a few soil samples from a few different parks and make recommendation for alternatives to fertilizers and then the City would go forward if they are able to do so.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Acting City Manager be authorized to do all things necessary to accept a donation for professional services and execute an agreement to host a one day eight hour training day with Osborne Organics.

3. MEMORANDUM: Fire Chief -Acceptance of 2015 Homeland Security HazMat Grant

Fire Chief Mark Howard stated the Department has received a grant in the amount of \$30,000. In February 2015, the Fire Department was authorized by the City Manager to apply for this grant which has no local contribution.

Chief Howard referred to the items which are going to be purchased by this grant.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Acting City Manager be authorized to do all things necessary to accept a grant in the amount of \$30,000.00 from the 2015 State of New Hampshire Homeland Security Program (SHSP) HazMat Grant.

4. MEMORANDUM: Police Captain - Court Ordered Seizure of Funds Toward Department Forfeiture Fund

Police Chief Brian Costa stated the Cheshire County Attorney's Office has directed the Cheshire County Superior Court to dispose of the forfeiture funds by placing them into the Department's forfeiture fund. These monies were seized during a drug transaction and are therefore considered to be contraband.

Chair Greenwald asked what this money could be used for. Chief Costa stated it could be used for any number of things but they have to fall under the US Department of Justice Forfeiture Fund Program. In the past it has been used for field training and the most recent amount was used by the local based drug awareness group to purchase t-shirts with their logo on it.

Councilor Clark noted the drug problem in this area is much larger than anyone thought it would be and asked whether a standalone fund could be established for money brought in to be used for things like the diversion program. Chief Costa stated it was a possibility, but stressed the forfeiture fund the department currently has, needs to operate under stringent guidelines. The Councilor asked whether the Chief could set up such an account or whether Council approval would be required. Chief Costa stated this would have to be separate from the forfeiture fund and hence would need to be a separate line item. He stated he would need to speak with the Finance Director, but ultimately any expenditure would have to go through the City Council.

Councilor Powers noted the forfeiture fund does not usually have a lot of funds and if the City was looking to fund a particular program a different source should be looked at. Chief Costa added this is not regular income and is not a steady revenue source.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Acting City Manager be authorized to do all things necessary to accept \$240.00 in seized funds to be transferred into the Keene Police Departments forfeiture fund.

5. MEMORANDUM: Police Captain - Acceptance of Bureau of Justice Assistance Ballistic Vest Partnership Grant

Chief Costa stated this is an annual grant which provides near matching funds of just over 40% to purchase ballistic vests for the Department. Federal regulations call for these vests to be rotated out every five years and these funds enable the department to do that. This grant only allows for what is commonly referred to as a patrol ballistic vest and the department is required to purchase a new one for every officer hired. The Department purchases about eight to twelve vests a year.

Councilor Filiault clarified the new vests are lighter and stronger for officers to use. Chief Costa stated there is a big difference to what officers used to use.

Chief Greenwald asked what the department does with the old ones. Chief Costa stated in the past they have been used as an extra protection for cruisers. They cannot be donated because it is an outdated product that won't serve for the purpose they were purchased for and hence they are mostly disposed of.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Acting City Manager be authorized to do all things necessary accept a FY 2015 Bureau of Justice Assistance Bulletproof Vest Partnership grant of \$2,904.83.

6. DISCUSSION: Airport Issues - Status Update:

- Terminal Restaurant Space
- Hangar/Office Space Lease Negotiations
- Terminal Electrical Repairs/Stand-by Generator
- Former Hillside Pizza Restaurant Space
- Swanzey Amusements Lease

Acting City Manager Medard Kopczynski stated he had met with the Airport Director, Planning Director, and IMS Director to get an update on what was happening on the airport. He indicated IMS Director Rebecca Landry has been asked to get involved with the airport master plan process because having a purpose for the airport is important. Ms. Landry has also been asked to help with the negotiation with the future tenant which should happen once the former tenant leaves in about two weeks. Facilities Manager Scott Martin has also been asked to bring in estimates for work that would need to be done at the airport.

Chair Greenwald asked when Green River will be vacating the site. Mr. Kopczynski stated his understanding is that they will be out by November 2nd, they were given 90 days and he is already moving things out of the building and a peaceful situation is anticipated.

Terminal Restaurant Space – Airport Director Ed Mattern stated the Council directed staff to engage the services of Masiello Real Estate to assist the city in finding a tenant for the buildings. Their efforts have yielded five individuals - unfortunately no-one at this point is willing to sign a lease. However, one person is willing to lease the space in the spring but was not willing to put down any money. Hence, the City is moving forward with the next option.

Another party was also interested but they are undercapitalized and are looking for funding sources. The third party would like to lease the space for a whole sale food production facility. Those discussions are being moved forward for further consideration.

Chair Greenwald asked how long the space has been empty. Mr. Mattern stated he wasn't sure but thinks it is about a year and noted the space was left in a dire state and the City has spent time and money to update the facility. Chair Greenwald asked about the timeframe for the listing with Masiello Real Estate. Mr. Mattern stated it was a one year and the City is probably six or seven months into it. The Chair asked the Airport Director to get the exact timeframe for next time.

Chair Greenwald felt this is not a big commission effort for any realtor and he felt the city should probably issue another RFP and try to market it themselves.

Former Hillside Pizza Restaurant Space – Mr. Mattern stated the commercial agreement with the realtor working on this space did not yield any results. There was a prospective tenant who was brought forward but they failed to sign the lease agreement. This listing agreement has expired and an RFP for this space is probably in order. Councilor Powers asked how long ago this listing agreement with Craig Johnson expired. Mr. Mattern stated it expired about a year ago. Chair Greenwald asked whether the Go-Kart track and miniature golf space are functional. Mr. Mattern answered in the affirmative and added Swanzey Amusements is current with their obligation.

Hangar/Office Space Lease Negotiations – Mr. Mattern stated this space has been a challenge as Green River is still occupying the space; they have been issued a notice to vacate and have indicated they will be vacating by the time listed in the notice. The other challenge is Monadnock Aviation being permitted access to evaluate the space. Staff needs to coordinate a time with Green River to be able to do this but his availability has been extremely sporadic and it is difficult to get in contact with this individual.

The Chair asked the City Attorney whether the City as the landlord has authority to access the space to show it to prospective tenants. Attorney Mullins stated this is generally the case with any lease but wasn't sure of the lease terms and added he will be surprised if those terms were not included in the lease. Chair Greenwald noted it has been 90 days since

the Council voted for negotiations to happen with the new party, but if the new party cannot access the space there is going to be additional time delay.

Councilor Filiault stated the pictures he has seen a while ago of this hangar showed much needed repair and asked whether the City is going to be forced to put money into this space as well. Mr. Mattern stated according to lease terms it is the responsibility of the tenant to maintain the leased space. The space was in pretty bad shape when the City took over the space and the City is trying to figure out what work needs to be done. The City is having the same issue trying to gain access to this space to figure out what needs to be done. The contractors the City hired are not willing to provide a written estimate especially for the roof repair. Chair Greenwald expressed frustration about the time all of this is taking.

Mr. Mattern stated the current efforts at updating the Master Plan calls for the evaluation of these buildings through an architectural study and a determination of whether the city should be putting any money into these facilities. This initiative is underway as part of the master plan and it applies to this building and the terminal building.

Councilor Clark asked whether the new lease has been negotiated. Mr. Mattern stated it has not been. The Councilor asked whether the administration building should not be included in this negotiation as well. Mr. Mattern stated the administration building is in very poor shape and he wasn't sure whether it would be of service to anyone but the space is being further evaluated and staff feels it might work for the Civil Air Patrol currently occupying the terminal building. Councilor Clark stated he doesn't recall hearing about the condition of this building 90 days ago.

Councilor Filiault stated he is frustrated the Committee is just hearing all these buildings are in rough shape and questioned why the Committee is just hearing about this. Mr. Mattern explained the restaurant was house-keeping on the part of the prior tenant. Councilor Filiault asked whether it was not the City's responsibility to follow-up to make sure its buildings are properly being taken care of. Mr. Mattern agreed it is.

Mr. Mattern continued that with regard to the administration building, the City took over a deficient building in the first place when it acquired the property from the Town of Swanzey which had acquired it for the non-payment of taxes. The lease the City entered into had required the new tenant to invest \$30,000 for repairs to make the facility serviceable. It was the tenant's obligation to keep up this building and the tenant had done so until recently. Unfortunately, the \$30,000 dollars' worth of repairs has gone through its useful life and it is now time to consider what to do with this building and look at some other option. Councilor Filiault asked what Mr. Mattern means by some other option. Mr. Mattern stated this would mean perhaps removing the structures and replacing them with something else.

Councilor Powers stated it was at least two years ago when the Council authorized negotiation of this lease and he felt at that point the Council should have been advised as to the condition of these buildings. He recalls a special finance committee meeting and now

90 days later the Council is being advised of this issue. He indicated he was not sure where we go from here.

Chair Greenwald asked the Acting City Manager for a timeline to address these issues. Mr. Kopczynski stated he had not yet had a discussion with Masiello Real Estate, which he will be doing shortly. As far as the old Alps Restaurant, staff would like to see what sort of advertising they can do internally. As far as the building conditions, when money is not put into buildings they start to deteriorate. In terms of the hangar space, it has been at least 20 plus years since money was invested. What its exact condition is the Facilities staff is looking into. The thought process is in relation to the Master Plan as to whether the City wants to invest in these buildings at all and the other is whether the Master Plan supports having this building for the viability of the airport.

Mr. Kopczynski stated staff's plan is to determine the condition of these buildings as soon as the tenant moves out. He noted the airport terminal building is in good condition and is probably not suitable to be used as a terminal and could probably be repurposed and the question is whether the city wants to invest money in same. He indicated at the first FOP meeting after November 2nd he could provide the Committee with an update at that time.

Standby Generator – Mr. Mattern stated the airport had a power failure in mid-September due to failure of a cable underneath the parking lot. This interrupted service to the terminal building. The generator located at the building is to provide backup power for air field lighting and navigation systems but it is not equipped to provide power to the terminal.

Eversoure did respond and installed temporary power until permanent repairs could be made. The loss of power happened on a Wednesday and permanent repairs were made on Saturday and as part of the repairs they did provide backup generators and portable AC units. This work also called for some tree trimming on the north side of the parking lot. Residents who live on Edgewood Avenue were notified. Chair Greenwald asked why the generator could not power the terminal building. Mr. Mattern stated it is because of its capacity. He added emergency power supply is not something there is a grant available for through the FAA and hence staff is looking at other options. However, if the terminal building was used as a shelter there might be better options.

Councilor Roberts stated the condition of the restaurant was brought before the Council about two years ago and he felt at times some of these things do get lost in the shuffle. As far as the safety condition on any facility, doesn't the landlord have the right to go check on this issue? Mr. Kopczynski stated safety is not a concern; for instance the hangar is structurally strong, but the roof does leak, the electrical system is old but it is not unsafe.

Councilor Filiault stated he is very frustrated at how these issues have been handled.

Councilor Chadbourne stated she is frustrated and is embarrassed for the City. She noted there is someone who is trying to move in with whom the city has an agreement but is unable to do so. She felt the City as a landlord has to provide 24 hour notice and should be

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able to access the building. The Councilor felt this is unacceptable and the City should not have to wait.

Mr. Kopczynski stated the City does not have an agreement with Monadnock Aviation but is working towards that. The subject of the condition of this building is part of the negotiation with the new tenant and the RFP calls for investment by this new tenant. Until staff is able to evaluate the building this is not something that could be decided.

Darryl Masterson of Willow Street stated he has the highest respect for the Acting City Manager with whom he has had conversation regarding student rentals. The City of Keene has been adamant about landlords keeping their rental units to certain standards and felt the City should be setting a better example with its buildings as well.

Councilor Roberts asked whether Green River made up their arrears and the City is giving them until November 2nd. Mr. Kopczynski stated the City is not giving Green River anything and they are still in arrears. The City's plan is take action at the appropriate time while allowing the building to be vacated. There are legal considerations related to this the City Attorney could advise the Committee on. He added staff will look at the possibility of marketing some of this vacant space and if this is something that cannot be done the Council will be so advised.

Councilor Chadbourne stated she meant to say negotiation not agreement with Monadnock Aviation. She asked whether this Committee could direct staff to enter the building before November 2nd and come back with an estimate. Chair Greenwald felt staff heard the Committee's desire and is confident they will do the best they can.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Council accept this update on airport issues as informational.

The meeting adjourned at 8:25 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker