



City of Keene  
*New Hampshire*

**MUNICIPAL SERVICES,  
FACILITIES AND INFRASTRUCTURE  
COMMITTEE  
AGENDA  
Council Chambers B  
July 25, 2018  
6:00 PM**

Janis O. Manwaring  
Randy L. Filiault  
Stephen L. Hooper  
Gary P. Lamoureux  
Robert B. Sutherland

- 
1. Katie Schwerin - Proposal for Permanent Public Art Installation - Airport Property
  2. Kate McNally/Cheshire Coalition for Tobacco Free Communities - Raising the Legal Minimum Age for the Sale and Possession of all Tobacco and Nicotine Products
  3. 48 Stanhope Avenue - Release of Easement - Public Works Department
  4. Councilors Hansel, Hooper & Manwaring - Installation of Receptacle for Lead Fishing Tackle Disposal - Keene Transfer Station
  5. Relating to the Use of the City Park Lands  
Resolution R-2015-30  
Resolution R-2018-27

**MORE TIME ITEMS:**

- A. Ashuelot Court Homeowners – Request to Partner in the Installation of Water and Sewer Lines on Ashuelot Court, a Designated Private Road

Non Public Session  
Adjournment



*Transmittal Form*

July 16, 2018

**TO:** Mayor and Keene City Council

**FROM:** Katie Schwerin

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** 1.

**SUBJECT:** Katie Schwerin - Proposal for Permanent Public Art Installation - Airport Property

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**COUNCIL ACTION:**

In City Council July 19, 2018.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

**ATTACHMENTS:**

**Description**

Communication - Schwerin

Public Art Proposal

**BACKGROUND:**

Katie Schwerin is requesting permission for a permanent public art installation to be placed on the Dillant-Hopkins Airport property.

To: Keene City Council  
From: Katie Schwerin, local artist  
In reference to: Public Arts Project - Labyrinth and Sculpture Pathway

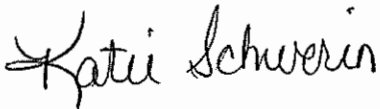
I would like to present a proposal for a public arts project to be located on Keene City land along Airport Road in Swanzey. I have been in touch with Jack Wozmak at the airport and he has received provisional approval for the project from NHDOT.

From an e-mail Jack Wozmak sent May 31st to Elizabeth A. Dragon, Councilor Carl Jacobs, Andrew Bohannon, and Kurt Blomquist:

“I met with NHDOT on Wednesday (5/30) to review the proposed concept for a Labyrinth and Sculpture Pathway. This concept has been provisionally approved with some caveats about height of any sculpture (which I doubt would be an issue but I can work with Katie on that) and to assure NHDOT that this will not adversely impact airport resources (i.e. maintenance). NHDOT does not want labor or resources of the airport to be diverted or used to maintain this area. I advised NHDOT that depending upon the materials used (such as asphalt grindings that we already have) it may actually reduce staff time currently spent on mowing the subject area. But in any event, this can move along the process now that NHDOT has no firm objections.”

Attached is detail of the project using the draft Public Arts Policy. I would be happy to offer further information if needed.

Thank-you.



Katie Schwerin

In City Council July 19, 2018.  
Referred to the Municipal Services,  
Facilities and Infrastructure Committee.

  
**City Clerk**

## Section 4 - Public Art Proposal

1. Name of artist, partners or organizations involved.

*Katie Schwerin - local artist and co-owner of the WS Badger Company*

*Danya Landis - Co-Founder, Machina Arts and Board member for Monadnock Arts Alive, Council member of the Governor's Millennial Council*

2. Demonstration of the experience of the artist(s) and/or organization in the production of the type of artwork and the provision of documents that demonstrate the artist(s) and/or organization is recognized by critics and by his or her peers as one who produces works of art.

*Katie Schwerin is a local artist recognized for her work at the WS Badger Co. Ecology Center workshop series which includes yearly workshops on designing and building labyrinths. She built the labyrinth at the Badger company site. She is currently a student in the MFA-IA program at Goddard College. This project will be her cap stone project, if it is approved. She is supported in this application by Machina Arts who will be her support and can provide a reference for her work.*

3. Identify whether it will be a temporary or permanent display.

*This will be a permanent display.*

4. Identify the location.

*The labyrinth and sculpture walkway will be located at the Keene Airport, on the right as you drive into the airport. Image below shows the proposed area in the upper right corner, the indented area in the green. It is connected to a pathway system that starts at the airport parking area (lower left corner) and branches off*



*to this location.*

5. A description of the public art includes but is not be limited to: size, expected amount of space to be required, materials to be used, theme or context. If temporary, length of time of the display, drawings, design documents, etc.

*Project idea - Labyrinth and Sculpture Pathway:*

*The plan is to create a labyrinth using the form of Mt. Monadnock as the design feature. This shape will be made with large boulders, approx. 8 feet high at the highest point and tapering down to about 3 feet high at the ends. The rest of the labyrinth will be made with rocks easily place by hand to designate pathways.*

*The Mt. Monadnock labyrinth will be the central figure for a sculpture park with the theme of “climb the mountain”. The sculptures will be forms that show wind (things that move in the wind) and forms that create passive sounds (echo chambers or fluted forms that sound when the wind passes through them). The idea is to give the sense impressions of being at the top of the mountain.*

6. Are utility hookups needed?

*No.*

7. How is the project being funded?

*Funding*

*We will do a kickstarter campaign as our main fundraising effort.*

*Estimated cost for the project: \$12,500*

- *Excavation services quote (prep. ground, transport rocks and boulders and place boulders): \$5,000*
- *Three Sculpture pieces (includes materials and installation costs @ \$2,500 each): \$7,500*
- *Marketing material and outreach to the community: costs donated by the artist.*

8. Expected general maintenance requirements.

*The airport grounds will maintain the surrounding area. The location is perfectly situated on sandy soil so the walkway will not require maintenance.*

9. If temporary, how will the public art be removed and the space restored?

*Not temporary.*

10. Assurance the art does not infringe upon the any copyright and agrees to hold the City harmless for any copyright infringement.

*The authorities at the airport have been engaged in the planning if this project and are enthusiastic.*

11. Comply with all City and State permitting.

*Yes.*

12. Is the project technically feasible to produce and display?

*Plan for production*

- *Work with site work contractor to prepare land, transport boulders, and place major boulders. The contractor will also provide a load of smaller rocks for hand placement.*
- *Invite the local community for a weekend day to set the smaller stones to designate pathways.*
- *Put out a call for sculpture artists to give proposals that follow the theme.*
- *Work with sculpture artists to design the sculpture park.*

13. Will the project be accessible to the public for viewing and enjoying?

*Yes.*

14. Does the project reflect aspects of the City's history, culture, or Comprehensive Master Plan?

*The project reflects the important local land feature, Mt. Monadnock. It also creates an easy way to "climb" the mountain by walking the pathway, for those unable to climb the actual mountain.*

15. Is the project designed for the proposed site and is commensurate in scale with its surroundings?

*Yes. It actually fits perfectly in a natural amphitheater location with easy access to the network of paths already there.*

16. Is the project durable (where applicable) and reasonable to maintain in terms of time and expense?

*Yes.*

17. Is the project designed and to be constructed by persons experienced in the production of such artwork?

*Yes.*

18. Does the project aesthetically enhance the public space or built environment to which it relates or otherwise interacts with its surroundings?

*Yes. It fits in with the walkways system already at the airport that attract people who want a simple walk in the woods and field.*

19. Does the project contribute to a sense of civic pride?

*Yes. It honors the landmark that gave our region its name, the Monadnock Region.*

20. Does the project create a public safety or security concern?

*No. The boulders will be very stable, and the sculptures will be built with public safety in mind.*



*Transmittal Form*

June 19, 2018

**TO:** Mayor and Keene City Council

**FROM:** Kate McNally, Program Manager - Cheshire Coalition for Tobacco Free Communities

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** 2.

**SUBJECT:** Kate McNally/Cheshire Coalition for Tobacco Free Communities - Raising the Legal Minimum Age for the Sale and Possession of all Tobacco and Nicotine Products

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**COUNCIL ACTION:**

In City Council July 19, 2018.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

**ATTACHMENTS:**

Description

Communication - McNally

**BACKGROUND:**

The Cheshire Coalition for Tobacco Free Communities is requesting that the City consider the adoption of an Ordinance that raises the legal minimum age for the sale and possession of all tobacco and nicotine products from 18 to 21.



Cheshire Coalition for Tobacco Free Communities  
 Cheshire Medical Center  
 580 Court Street  
 Keene, NH 03431



Mayor Kendall Lane  
 City of Keene  
 3 Washington Street  
 Keene, NH 03431

June 19, 2018

Dear Mayor and City Council:

On behalf of the Cheshire Coalition for Tobacco Free Communities, I am writing to urge you to adopt a city ordinance that raises the legal minimum age of sale and possession of all tobacco and nicotine products from 18 to 21. Thus far, over 320 localities including New York City, Kansas City, Chicago, Cleveland, Boston, and San Francisco, as well as five states including Hawaii, California, and Maine have taken this important step in protecting our children. The City of Dover, NH is also currently considering the adoption of an ordinance.

For years, adolescent smoking rates have been coming down, although nearly one in five high school seniors still use tobacco. Now, however, adolescents' use of e-cigarettes, nicotine vapor devices, hookahs and small cigars has gone up dramatically, threatening to completely erase a decade of progress.

The enormously powerful tobacco industry lobby has derailed initiatives in Congress and our state legislature. But, where federal and state governance fails, local leadership has succeeded. Virtually all statewide workplace and public smoking bans began with local government regulations, including Keene's Smoke Free Dining Ordinance in 2002.


During the years from ages 18-21, youthful experimentation often accelerates into daily use. It's a time when the adolescent brain is highly vulnerable to the effects of a powerful addictive agent like nicotine. Exposure during this period may result in permanent neurological receptor changes that lead to a lifetime nicotine addiction and resulting illness. Raising the minimum age to purchase nicotine and tobacco better protects younger teens, as 90% of those who provide cigarettes to kids under 18 are themselves under 21. As a result, raising the tobacco sales age to 21 has been shown to reduce high school smoking by over 50%.

Smoking results in \$729 million in healthcare costs in New Hampshire each year, of which over \$139 million come from Medicaid. This results in a state and federal tax burden on New Hampshire residents of \$875 per household. Taking action against tobacco use will help all of our taxpayers.

The City of Keene has always been a leader in policy, systems and environmental changes that help our community to be the healthiest it can be.

We would very much appreciate your support for this effort. Attached, please find a sample ordinance for your consideration.

Kind regards,

  
 Kate McNally, Program Manager  
 Cheshire Coalition for Tobacco Free Communities  
 Center for Population Health  
 Cheshire Medical Center  
 580 Court Street  
 Keene, NH 03431  
 603-354-6513

In City Council July 19, 2018.  
 Referred to the Municipal Services,  
 Facilities and Infrastructure Committee.

  
 City Clerk

Sample Tobacco 21 Ordinance for Keene

Offered by:

ORDINANCE NO. \_\_\_\_\_ supplementing the Codified Ordinances of the City of Keene to prohibit the sale of cigarettes, other tobacco products, and tobacco product paraphernalia to individuals under the age of twenty-one,

WHEREAS, tobacco use is the leading cause of preventable death in the United States, resulting in approximately 480,000 deaths a year, or one in five of all deaths in the United States; and

WHEREAS, more than 1900 deaths occur each year in New Hampshire due to smoking-related illness, and the burden of tobacco related illness leads to annual healthcare costs of \$729 million and an average state and federal tax burden of \$875 per household; and

WHEREAS, 17% of all adults in Cheshire County and 10.32% of high school students in the Greater Monadnock Public Health Region are current smokers; and

WHEREAS, 37% of all high school students in the Greater Monadnock Public Health Region have used an electronic vapor product at least once in their life and 18% are current users of electronic vapor products; and

WHEREAS, if current rates of youth tobacco continue, there are an estimated 22,000 children in New Hampshire who are currently under 18 that will eventually die from tobacco-related illness; and

WHEREAS, smoking during pregnancy can cause adverse health outcomes for the baby including low birth weight and premature birth, while 1 in 4 women ages 15-24 in Cheshire County reported smoking during pregnancy; and

WHEREAS, national data show that 95% of adult smokers began smoking before the age of 21; and

WHEREAS, the Tobacco 21 movement is gaining popularity, with 5 states and over 320 localities that have issued ordinances raising the purchasing age of tobacco to 21, including the state of Maine and over 175 towns in Massachusetts; and

WHEREAS, military leaders are supportive of raising the age of tobacco consumption to 21 due to its negative impact on military readiness; and

WHEREAS, the City of Keene seeks to promote the health and well-being of all its citizens.

NOW, THEREFORE, BE IT ENACTED by the Council of the City of Keene:

Section 1. That Chapter 6, Article III of the Code of Ordinances of the City of Keene be and is supplemented to add the following definitions:

**DIVISION 4 – ILLEGAL DISTRIBUTION AND POSSESSION OF CIGARETTES, TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA**

**SECTION 6-109 - DEFINITIONS**

**THE FOLLOWING WORDS, TERMS AND PHRASES, WHEN USED IN THIS DIVISION, SHALL HAVE THE MEANINGS ASCRIBED TO THEM IN THIS SECTION, EXCEPT WHERE THE CONTEXT CLEARLY INDICATES A DIFFERENT MEANING:**

**“ELECTRONIC SMOKING DEVICE” ANY DEVICE THAT CAN BE USED TO DELIVER AEROSOLIZED OR VAPORIZED NICOTINE TO THE PERSON INHALING FROM THE DEVICE, INCLUDING, BUT NOT LIMITED TO, AN E-CIGARETTE, E-CIGAR, E-PIPE, VAPE PEN OR E-HOOKAH. ELECTRONIC SMOKING DEVICES INCLUDES ANY COMPONENT, PART, OR ACCESSORY OF SUCH A DEVICE WHETHER OR NOT SOLD SEPARATELY, AND INCLUDES ANY SUBSTANCE INTENDED TO BE AEROSOLIZED OR VAPORIZED DURING THE USE OF THE DEVICE. ELECTRONIC SMOKING DEVICE DOES NOT INCLUDE DRUGS, DEVICES, OR COMBINATION PRODUCTED AUTHORIZED FOR SALE BY THE U.S. FOOD AND DRUG ADMINISTRATION. AS THOSE TERMS ARE DEFINED IN THE FEDERAL FOOD, DRUG AND COSMETIC ACT.**

**“TOBACCO PRODUCT PARAPHERNALIA” ANY PRODUCT THAT IS USED TO ASSIST IN CHEWING, SMOKING, ABSORBING, DISSOLVING, INHALING, OR ANY OTHER CONSUMPTION OF NICOTINE TO INCLUDE, BUT NOT LIMITED TO PIPES ROLLING PAPERS, AND ELECTRONIC CIGARETTE CASES.**

**“TOBACCO PRODUCT” ANY PRODUCT THAT IS MADE FROM OR DERIVED FROM TOBACCO, AND IS INTENDED FOR HUMAN CONSUMPTION OR IS LIKELY TO BE CONSUMED, WHETHER SMOKED, HEATED, CHEWED, ABSORBED, DISSOLVED, INHALED OR INGESTED BY ANY OTHER MEANS, INCLUDING, BUT NOT LIMITED TO, A CIGARETTE, A CIGAR, PIPE TOBACCO, CHEWING TOBACCO, SNUFF, OR SNUS. THE TERM ALSO INCLUDES TOBACCO PRODUCT PARAPHERNALIA, INCLUDING BUT NOT LIMITED TO, ELECTRONIC SMOKING DEVICES AND ANY COMPONENT OR ACCESSORY USED IN THE CONSUMPTION OF A TOBACCO PRODUCT, SUCH AS FILTERS, ROLLING PAPERS, PIPES, OR LIQUIDS USED IN ELECTRONIC SMOKING DEVICES, WHETHER OR NOT THEY CONTAIN NICOTINE, TOBACCO PRODUCT DOES NOT INCLUDE DRUGS, DEVICES, OR COMBINATION PRODUCTS AUTHORIZED FOR SALE BY THE U.S. FOOD AND DRUG ADMINISTRATION, AS THOSE TERMS ARE DEFINED IN THE FEDERAL FOOD, DRUG AND COSMETIC ACT.**

Section 2. That Chapter 6, Article III of the Code of Ordinance of the City of Keene be and is amended and supplemented to read as follows:

**SECTION 6-110 – RESTRICTIONS ON SALE**

**NO MANUFACTURER, PRODUCER, DISTRIBUTOR, WHOLESALER, OR RETAILER OF CIGARETTES, ELECTRONIC SMOKING DEVICES, OTHER TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA OR ANY AGENT, EMPLOYEE, OR REPRESENTATIVE OF A MANUFACTURER, PRODUCER, DISTRIBUTOR, WHOLESALER, OR RETAILER OF CIGARETTES, ELECTRONIC SMOKING DEVICES, OTHER TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA SHALL DO ANY OF THE FOLLOWING:**

- 1. GIVE, SELL, OR OTHERWISE DISTRIBUTE CIGARETTES, ELECTRONIC SMOKING DEVICES, OTHER TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA TO ANY PERSON UNDER TWENTY-ONE YEARS OF AGE;**
- 2. GIVE AWAY, SELL, OR DISTRIBUTE CIGARETTES, OTHER TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA IN ANY PLACE THAT DOES NOT HAVE POSTED IN A CONSPICIOUS**

**PLACE SIGNAGE STATING THAT GIVING, SELLING, OR OTHERWISE DISTRIBUTING CIGARETTES, ELECTRONIC SMOKING DEVICES, OTHER TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA TO A PERSON UNDER TWENTY-ONE YEARS OF AGE IS PROHIBITED BY LAW.**

**SECTION 6-111 – RESTRICTIONS ON POSSESSION**

**NO PERSON UNDER THE AGE OF 21 MAY BE IN THE POSSESSION OF CIGARETTES, ELECTRONIC SMOKING DEVICES, OTHER TOBACCO PRODUCTS, OR TOBACCO PRODUCT PARAPHERNALIA AT ANY TIME FOR ANY REASON WITHIN THE CITY OF KEENE.**

**SECTION 6-112 – COMPLIANCE**

**ALL MANUFACTURERS, PRODUCERS, DISTRIBUTORS, WHOLESALERS, RETAILERS, OR OTHER PERSONS OR PLACES THAT SELL CIGARETTES, ELECTRONIC SMOKING DEVICES, OTHER TOBACCO PRODUCTS, AND/OR TOBACCO PRODUCT PARAPHERNALIA ARE REQUIRED TO POST IN A CONSPICUOUS LOCATION THE LEGAL AGE OF PURCHASE AND POSSESSION OF TOBACCO PRODUCTS AS ESTABLISHED IN SECTIONS 6-111 AND 6-112 FOR THE CITY OF KEENE.**



City of Keene, N.H.  
*Transmittal Form*

July 20, 2018

**TO:** Municipal Services, Facilities and Infrastructure Committee

**FROM:** Donald R. Lussier, P.E., City Engineer

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** 3.

**SUBJECT:** 48 Stanhope Avenue - Release of Easement - Public Works Department

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**RECOMMENDATION:**

Move that the Municipal Services, Facilities and Infrastructure Committee recommend that the City Manager be authorized to do all things necessary to release an easement across 48 Stanhope Avenue.

**ATTACHMENTS:**

Description

Letter from Property Owner

Photos of 48 & 54 Stanhope

**BACKGROUND:**

The City Manager received a letter (attached) from Ms. Susan L. Gilbert, owner of 48 Stanhope Avenue, on July 3rd, 2018. The letter references an easement for a shared driveway (right to use in common) for the benefit of 54 Stanhope Avenue. The City of Keene recently acquired the property at 54 Stanhope Avenue through a tax lien process. Ms. Gilbert has requested that the easement be released.

The City Attorney and City Engineer visited the properties on July 12, 2018. It is our opinion that the shared driveway easement is of no further value to the City's property. It was specifically noted that the property at 54 Stanhope has constructed a garage on the opposite side of the residence. Furthermore, an addition in the rear of the home would preclude vehicular access from the easement area. Attached for your reference are several photos of the properties.

We recommend that this easement be released.

Susan L. Gilbert  
48 Stanhope Avenue  
Keene, NH 03431

June 27, 2018

City of Keene  
ATTN: Elizabeth Dragon, Manager  
3 Washington Street, 3<sup>rd</sup> Floor  
Keene, NH 03431

Dear Ms. Dragon:

My husband, Richard Gilbert, and I own real estate located at 48 Stanhope Avenue, Keene, NH. The real estate located next to us at 54 Stanhope Avenue, I understand, has been taken by the City of Keene for back taxes owed by Thelma Trybulski who is deceased.

Since I purchased my property on June 19, 2001 (Vol. 1812, Pg. 632 at Cheshire County Registry of Deeds), I have been aware of an "easement" existing concerning a strip of land between the Trybulski property and my property although my Warranty Deed does not make reference to this easement. Please see Warranty Deed at Vol. 952, Pg. 960 (dated 5-8-1978) from Medvidofsky to Thelma Trybulski which references this 6 X 60 foot piece of land as a "right to use in common" with the Trybulski property. My real estate is Lot No. 9 referenced in that paragraph.

Realizing that Thelma Trybulski has died, I am assuming that the property located at 54 Stanhope Avenue will eventually be sold. I would like to request that, when the new deed is done to the future owners, the "easement" reference shown in Vol. 952, Pg. 960 concerning my real estate at 48 Stanhope Avenue ("Lot No. 9") be omitted from that deed.

Thank you for your consideration of this matter.

Respectfully,



SUSAN L. GILBERT

SLG/tlt



**View of the City's property at 54 Stanhope Avenue**

Subject easement is on the left, garage and driveway have been constructed on the right side of the residence (away from the easement).



**Boundary between 48 Stanhope (left) and 54 Stanhope (right)**

The orange line in the foreground marks the Boundary line. The white line is the approximate limit of the easement.



*Transmittal Form*

July 16, 2018

**TO:** Mayor and Keene City Council

**FROM:** Councilors Hansel, Hooper & Manwaring

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** 4.

**SUBJECT:** Councilors Hansel, Hooper & Manwaring - Installation of Receptacle for Lead Fishing Tackle Disposal - Keene Transfer Station

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**COUNCIL ACTION:**

In City Council July 19, 2018.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

**ATTACHMENTS:**

Description

Communication - Councilors Hansel, Hooper & Manwaring

**BACKGROUND:**

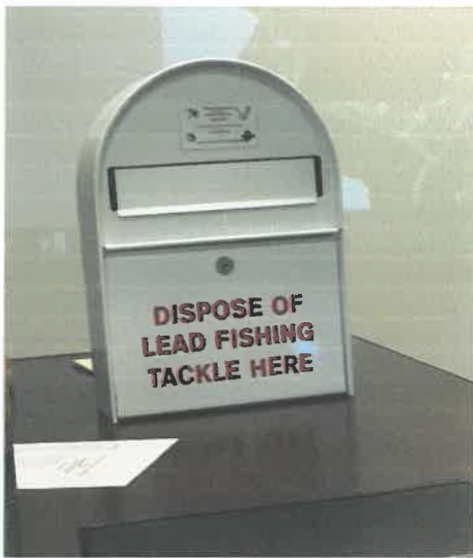
Councilors Hansel, Hooper and Manwaring are requesting that a lockbox for disposal of lead fishing tackle be made available to the public at the Keene Transfer Station for proper disposal of these items, which are hazardous when ingested by local wildlife.



July 16, 2018

**To: the Honorable Mayor Kendall Lane and City Councilors**

There was recently an article in the Keene Sentinel about the terrible effects of lead fishing tackle when ingested by loons. Ingestion usually results in death of the loon. We all know that loons are just one step down from being an endangered species.



The article introduced the initiative of Maria Colby, the director of Wings of the Dawn, a wildlife rehabilitation center in Henniker,. She has purchased the \$40 metal lockboxes and is sending letters to municipalities, offering the boxes at no charge to be placed in local transfer stations and recycling centers.

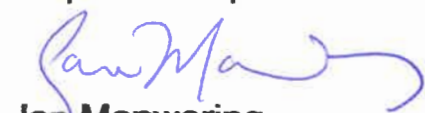
We are requesting that a free box as shown below be placed at the Keene Landfill. There is no cost, and the material would be included with other metals that the City recycles. Let's do what we can to care for

our loons.

Thank you for your consideration.

  
George Hansel

  
Stephen Hooper

  
Jan Manwaring

In City Council July 19, 2018.  
Referred to the Municipal Services, Facilities  
and Infrastructure Committee.

**City Clerk** 



# CITY OF KEENE

R-2015-30

Fifteen

In the Year of Our Lord Two Thousand and .....

Relating to Use of City Park Lands

A RESOLUTION .....

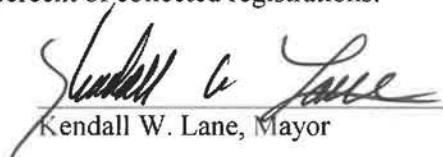
*Resolved by the City Council of the City of Keene, as follows:*

- WHEREAS: It is understood that while all parklands are available to the general public; there are uses for portions of these parks that would result in exclusive availability for specific groups for periods of time through the issuance of a reservation at the discretion of the Parks, Recreation and Facilities Director; and
- WHEREAS: Any portion of any park not reserved for a group's exclusive use must be kept accessible to the general public during that use; and
- WHEREAS: It will not be acceptable for any group or individual reserving an area to deny the general public the use of all paths, walks or roadways available that connect with an unreserved park area; and
- WHEREAS: City park lands are under the authority and control of the Parks, Recreation and Facilities Department in accordance with Chapter 2 "Parks, Recreation and Facilities;" and
- WHEREAS: Central Square Common and Railroad Square are subject to the rules and regulations contained in Resolution R-2015-29: Relating to Central Square and Railroad Square and Article XXI "Use of Central Square Common and Railroad Square" of Chapter 46, "Licenses and Permits."

NOW THEREFORE BE IT RESOLVED THAT

The City Council agrees that charitable solicitation, educational, instructional recreational or recreational activities, whether non-profit or commercial, are acceptable uses for exclusive use determined by the Parks, Recreation and Cemeteries Director for portions of the Ashuelot River Park, Carpenter Street Field, Court Street Stone Arch Bridge parklands, Edgewood Avenue Park, Ellis Harrison Park, Hickey Desilets Park, Fuller Park, Keene Skate Park, Ladies Wildwood Park, Robin Hood Park, Water Street Basketball Courts and Wheelock Park.

AND BE IT FURTHER RESOLVED that necessary charges for any reservations for any permitted activities shall be set by the Director of the Keene Parks, Recreation and Facilities Department to reflect the City's expense for maintenance for each event and to cover costs for wear and tear on City property. In addition to such charges, fee based, instructional recreational uses shall pay the City of Keene twenty (20) percent of collected registrations.

  
 Kendall W. Lane, Mayor

July 2, 2015

PASSED



# CITY OF KEENE

R-2018-27

Eighteen

In the Year of Our Lord Two Thousand and .....

Relating to Use of City Park Lands

A RESOLUTION .....

*Resolved by the City Council of the City of Keene, as follows:*

WHEREAS: It is understood that while all parklands are available to the general public; there are uses for portions of these parks that would result in exclusive availability for specific groups for periods of time through the issuance of a reservation at the discretion of the Parks, Recreation and Facilities Director; and

WHEREAS: Any portion of any park not reserved for a group's exclusive use must be kept accessible to the general public during that use; and

WHEREAS: It will not be acceptable for any group or individual reserving an area to deny the general public the use of all paths, walks or roadways available that connect with an unreserved park area; and

WHEREAS: City park lands are under the authority and control of the Parks, Recreation and Facilities Department in accordance with Chapter 2 "Parks, Recreation and Facilities;" and

WHEREAS: Central Square Common and Railroad Square are subject to the rules and regulations contained in Resolution R-2015-29: Relating to Central Square and Railroad Square and Article XXI "Use of Central Square Common and Railroad Square" of Chapter 46, "Licenses and Permits."

NOW THEREFORE BE IT RESOLVED THAT

The City Council agrees that charitable solicitation, educational, instructional recreational or recreational activities, whether non-profit or commercial, are acceptable uses for exclusive use determined by the Parks, Recreation and Facilities Director for portions of the Ashuelot River Park, Church Street Park, Patricia T. Russell Park, Court Street Stone Arch Bridge parklands, Edgewood Avenue Park, Ellis Harrison Park, Hickey Desilets Park, Fuller Park, Keene Skate Park, Ladies Wildwood Park, Robin Hood Park, Water Street Basketball Courts and Wheelock Park.

AND BE IT FURTHER RESOLVED that necessary charges for any reservations for any permitted activities shall be set by the Director of the Keene Parks, Recreation and Facilities Department to reflect the City's expense for maintenance for each event and to cover costs for wear and tear on City property. In addition to such charges, fee based, instructional recreational uses shall pay the City of Keene twenty (20) percent of collected registrations.

\_\_\_\_\_  
Kendall W. Lane, Mayor