

**City of Keene
New Hampshire**

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, November 8, 2018

6:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chair
Carl B. Jacobs, Vice-Chair
Thomas F. Powers
Terry M. Clark
Bettina A. Chadbourne

Staff Present:

City Attorney, Thomas Mullins
Parks Recreation and Facilities Director,
Andrew Bohannon
Assistant City Manager/Community
Development Director Rhett Lamb
Asst. City Manager/HR Director Beth

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

**1) Acceptance of Donation in Memory of Howard Kerbaugh - Parks,
Recreation and Facilities Director**

Parks Recreation and Facilities Director, Andrew Bohannon stated Mr. Howard Kerbaugh grew up in Keene and participated in many activities connected with the Recreation Center. His family asked that donations be made in his honor and \$265 has been raised.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$265.00 in memory of Howard Kerbaugh to be used for general upkeep and maintenance of the Parks and Recreation Center.

**2) Acceptance of Donation - Youth Basketball - Parks, Recreation and Facilities
Department**

Mr. Bohannon stated Jeff Barden owner of Yankee Lanes is a longtime supporter of youth basketball and sports in Keene. Mr. Barden has donated \$3,000 to purchase basketball jerseys for the program – this is his fourth year for this donation. Mr. Bohannon stated he is pleased to indicate this program is close to filling up. Chair Greenwald asked whether this was the largest donation the department has received. Mr.

Bohannon stated Convenient MD has also made a large donation, but this is the biggest one for uniforms.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$3000.00 from Yankee Lanes and that the money is used to purchase youth basketball jerseys.

3) Land at 0 Apollo Avenue - Parks, Recreation and Facilities Director

Mr. Bohannon stated the Sweeney family brought this request forward to the city regarding the possibility for donating a piece of property located at 0 Apollo Avenue. Staff has reviewed the property and has made some recommendations that this lot will not serve a public purpose.

Attorney Mullins stated if this was property which could be used for its conservation value, staff would be making a different type of recommendation but this is a lot the city can't do much with; even though the city appreciates the offer, staff does not recommend acceptance of the property. The Chairman asked for public comment.

Mr. Chuck Sweeney of Swanzezy stated his name has been placed as having ownership of this land through a default situation. This land originally belonged to two of his aunts, one has since deceased. The surviving aunt who is 97 years old has no use for this land, but is continuing to pay taxes on same. Mr. Sweeney stated he is looking for ideas from the city as to what could be done with this land. Chair Greenwald asked whether the land has been offered to the abutters. Mr. Sweeney stated it has been – the abutters have already been using it and even though it was offered to them at no cost they turned it down.

Councilor Jacobs asked whether the owner ever had any value for this land and whether the city's actions have taken that value away. Mr. Sweeney stated it is not the actions of the city that has taken the value away, but felt it was the neighbors' actions that have taken the value away; the abutters have permitted drainage to end up onto this property which has now turned this property into a wetland.

Mr. Bohannon stated this lot is part of a larger lot which was purchased by Smith's Medical and this lot would have been part of the larger lot if Apollo Avenue was not in the way. This lot is 4/10's of an acre and is valued at approximately \$4,000. It was suggested to Mr. Sweeney his aunt default on the taxes so she eventually would cease to own the property. Mr. Sweeney stated he would not be able to convince his aunt to do so. Councilor Clark felt the City is likely to end up with this property and suggested it accept this donation. The Chairman asked for the City Attorney's comments. Attorney Mullins stated having the property gifted to the city gives the city the property with clean title.

Should the city end up having to take the property with a tax deed leaves a cloud on the title and hence his recommendation would be to accept the donation and this would provide the owner with a small tax donation.

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

That the Finance, Organization and Personnel Committee recommend that the City Council accept the donation of land at 0 (zero) Apollo Avenue.

Councilor Powers asked if the city was to accept the donation whether the city would have any liability. Attorney Mullins stated this would depend on what the abutters have dumped on the property. Mr. Sweeney stated from what he can see the neighbors have only dumped mowing clippings and doesn't feel there is anything negative on the property. However, added the land has not been tested.

Councilor Chadbourne felt the property owner has been paying taxes on a property she doesn't use and appreciates her integrity but did not want to accept a property without proper testing on it and in that case would like to put this item on more time.

Asst. City Manager/HR Director Beth Fox felt more time on this item would be prudent so the land could be looked at further.

Councilor Jacobs withdrew his motion and Councilor Powers withdrew his second.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time so city staff could perform investigation of this property.

Mr. Sweeney extended his appreciation to the council for their help with this item.

4. Monadnock Conservancy - Conservation Easement Fees for 105 Daniels Hill Road Property

Assistant City Manager/Community Development Director Rhett Lamb and Stacy Cibula from the Monadnock Conservancy were the next two speakers. Ms. Cibula explained the location of the properties on Daniels Hill Road and stated the Monadnock Conservancy has the opportunity to permanently conserve these two parcels of land and to that end have been working with the land owners.

She explained this property would be structured through a conservation easement which is a permanent deed restriction and ensures the land cannot be developed and has to be available for forestry, agricultural purposes and recreation. The land does remain in private ownership and property taxes will be paid on it. The Conservancy's role is to make sure the land meets the terms of the easement. Ms. Cibula went on to say the reason

the Monadnock Conservancy is interested in this property is the location of it – it is strategically placed in a location where close to 800 acres around it are conserved. The land also has a scenic view, it has some water resources and the land owners are donating the easement and are not being compensated for same; they are also contributing \$7,500 towards the project costs. Ms. Cibula stated the Conservancy is looking for \$15,000 from the City to go towards the project costs which would pay for a boundary survey, staff time and legal fees.

Councilor Chadbourne asked whether the existing walking trails will be extended. Ms. Cibula stated this would be up to the owners as to whether they want recreation to exist on this property.

Councilor Clark asked where the money would come from. Mr. Lamb stated the recommendation is that it comes from the Conservation Land Development Fund. Currently there is about \$140,000 in this fund which gets an annual appropriation of \$25,000 from City Council.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council authorize a \$15,000 contribution from the Land Use Change Tax Fund to the Monadnock Conservancy for the Domina property conservation easement project.

The meeting adjourned at 7:00 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker