



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
March 7, 2019  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- February 21, 2019

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Capital Improvement Program - 2020-2025

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

1. Confirmation  
Heritage Commission

**C. COMMUNICATIONS**

1. Dorrie Masten - Requesting a Discussion About Downtown Parking Options
2. Milone & MacBroom on Behalf of People's Linen - Request to Use City Property - Monitoring Well
3. Bruce Bickford/Farmer's Market - Request to Use City Property - Gilbo Avenue
4. Weston Liu/New England Aerobatic Club - Request to Use City Property - Dillant Hopkins Airport
5. Tim Zinn/Let It Shine - Request for Additional Funding - Pumpkin Festival
6. Councilors Greenwald, Manwaring, & Richards – Tax Deeding - Kingsbury Property
7. Toby Tousley - Request to Purchase City Property - Adjacent to Bicycle/Pedestrian Path - 160 Emerald Street

**D. REPORTS - COUNCIL COMMITTEES**

1. Periodic Report from Standing Boards and Commissions: Conservation Commission
2. Austin Reida/Street & Savory, LLC - Request to Vend on Gilbo Avenue While Changes to Vending Ordinances are Being Considered
3. Request for Approval to Solicit Donations to be Used as Prizes for City of Keene Fourth Grade Water Science Fairs - Public Works Department
4. Workplace Lactation Support Grant - Human Resources
5. Acquisition of Property – 0 Chapman Road Owned by Robert Beauregard Rev. Trust

6. Attorney Thomas Burack/560 Main Street, LLC - Expression of Interest in Acquiring City Property - 560 Main Street
7. Jehovah's Witness Land Lease - Airport Manager
8. Mayor Kendall Lane - Public Hearing Date on the Operating Budget

**E. CITY MANAGER COMMENTS**

**F. REPORTS - CITY OFFICERS AND DEPARTMENTS**

1. 79-E Application- 34 Court Street

**G. REPORTS - BOARDS AND COMMISSIONS**

1. HB 365 "Relative to Net Energy Metering Limits for Customer Generators" - Energy and Climate Committee

**H. REPORTS - MORE TIME**

1. Zach Luse/Paragon Digital Marketing - Application for Community Revitalization Tax Relief Incentive (79-E) - Former Grace Methodist Church at 34 Court Street

**I. ORDINANCES FOR FIRST READING**

**J. ORDINANCES FOR SECOND READING**

1. Relating to Vendors - Time Limitations for Certain Activities  
Ordinance O-2019-03

**K. RESOLUTIONS**

1. Appropriation of Funds for Drummer Hill Water Tank and Pump Station Replacement  
Resolution R-2019-06  
Resolution R-2019-07
2. Relating to Property Tax Exemptions for Solar, Wind & Wood Heating Energy Systems  
Resolution R-2017-18  
Resolution R-2019-05

**L. TABLED ITEMS**

1. Dubois & King Airport Management Contract - Airport Manager

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, February 21, 2019. The Deputy City Clerk called the regular meeting to order at 7:00 PM. The Deputy City Clerk asked for a motion to elect a Chair Pro Temp in the absence of the Mayor, Kendall W. Lane. A motion by Councilor Jones to nominate Councilor David C. Richards as Chair Pro Temp was duly seconded by Councilor Jacobs. On a roll call vote, with 13 Councilors present and voting in favor, the nomination was confirmed. Councilors Sapeta and Greenwald were absent. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Margaret M. Rice, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, and David C. Richards were present. Bartolmiej K. Sapeta and Mitchell H. Greenwald were absent. Councilor Lamoureux led the Pledge of Allegiance. A motion by Councilor Jones to accept the minutes from the February 7, 2019 regular meeting was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS – PRESIDING CHAIR

The Presiding Chair announced that the Capital Improvements Project Public Hearing at the City Council is scheduled for March 7, 2019 at 7:00 PM.

#### NOMINATION

The following nomination was received from the Mayor: Cauley Powell to serve as a regular member of Heritage Commission with a term to expire December 31, 2021. The nomination was tabled until the next regular meeting.

#### CONFIRMATIONS

A motion was made by Councilor Jones and duly seconded by Councilor Jacobs to confirm the following nominations: Louise Zerba to serve as an alternate member on the Zoning Board of Adjustment with a term to expire December 31, 2021; Dr. Steven Bill to serve as an alternate member of Conservation Commission with a term to expire December 31, 2019; Christine Houston to serve as a regular member of Heritage Commission with a term to expire December 31, 2021; Cary Gaunt to serve as an alternate member of Energy and Climate Committee with a term to expire December 31, 2020; Ely Thayer to serve as a regular member of College City Commission with a term to expire December 31, 2019; and Jennie Newcombe to serve as a regular member of Trustees of Trust Funds and Cemetery Trustees with a term to expire December 31, 2021. On a roll call vote, with 13 Councilors present and voting in favor, the nominations were confirmed. Councilors Sapeta and Greenwald were absent.

#### COMMUNICATION – FRANK RICHTER – RESIGNATION – PARTNER CITY COMMITTEE

A communication was received from Frank Richter resigning from the Partner City Committee. A motion by Councilor Jones to accept the resignation with regret and appreciation of service was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

COMMUNICATION – STEPHEN ROKES/LIBERTY UTILITIES – WITHDRAWAL REQUEST FOR EASEMENT – BENEATH HICKEY-DESILETS PARK – INSTALLATION AND OPERATION OF DISTRIBUTION LINE FOR PROPANE/AIR DISTRIBUTION SYSTEM

A communication was received from Stephen Rokes, on behalf of Liberty Utilities withdrawing their request for an easement beneath the Hickey-Desilets Park. The request was tabled until later in the meeting.

COMMUNICATION – ZACH LUSE/PARAGON DIGITAL MARKETING – APPLICATION FOR COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE (79-E) – FORMER GRACE METHODIST CHURCH AT 34 COURT STREET

A communication was received from Zach Luse, on behalf of Paragon Digital Marketing, submitting their application for Community Revitalization Tax Relief Incentive (RSA 79-E) and requesting that the City Council consider the maximum relief of 5 years that would allow for their successful investment in downtown Keene through the reuse of the former Grace Methodist Church at 34 Court Street. The request was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – ATTORNEY THOMAS BURACK/560 MAIN STREET, LLC – EXPRESSION OF INTEREST IN ACQUIRING CITY PROPERTY – 560 MAIN STREET

A communication was received from Attorney Thomas Burack, from Sheehan Phinney, expressing his client's interest in acquiring a parcel of land commonly known as the Keene Old City Landfill at 560 Main Street. The request was referred to the Finance, Organization and Personnel Committee.

REMOVED FROM THE TABLE - INSTALLATION AND OPERATION OF DISTRIBUTION LINE FOR PROPANE/AIR DISTRIBUTION SYSTEM

The Presiding Chair took the communication from Stephen Rokes, on behalf of Liberty Utilities off of the table. A motion by Councilor Jones to accept the withdrawal was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor. Planning, Licenses and Development Committee report, which recommended denial of the request was filed as informational.

PLD REPORT – PETITION FOR A LICENSE TO CONSTRUCT AND MAINTAIN A NATURAL GAS PIPELINE – COUNCILOR CLARK

Planning, Licenses and Development Committee report read recommending this item be accepted as informational. The report was filed into the record as informational.

FOP REPORT – DUBOIS & KING AIRPORT MANAGEMENT CONTRACT – AIRPORT MANAGER

The Presiding Chair tabled the Finance, Organization and Personnel Committee report until the next regular City Council Meeting.

**FOP REPORT – ACCEPTANCE OF DONATION – MONADNOCK SQUARES – PARKS, RECREATION AND FACILITIES DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept the donation of \$300.00 from the Monadnock Squares and that the money be used for any improvements needed at the Keene Recreation Center. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

**FOP REPORT – LICENSE FEES FOR EVENTS REQUIRING STAFF PROTOCOLS**

Finance, Organization and Personnel Committee report read recommending these items be accepted as informational. The report was filed into the record as informational.

**FOP REPORT – MARLBORO STREET – TRANSPORTATION ALTERNATIVES GRANT – PUBLIC WORKS**

Finance, Organization and Personnel Committee report read recommending: that the City Manager be authorized to do all things necessary to accept and execute a Transportation Alternatives Program (TAP) grant from the New Hampshire Department of Transportation (NHDOT) and to execute a Memorandum of Understanding for bicycle, pedestrian, streetscape, and roadway improvements on Marlboro Street corridor, including the construction of a connection to the Cheshire Rail Trail in the vicinity of Bartholomew Court; that the City Manager be authorized to do all things necessary to negotiate and execute a sole-source professional service contract with DuBois & King for engineering and technical services for grant-funded pedestrian, bicycle, streetscape and roadway improvements on the Marlboro Street corridor for an amount not to exceed \$119,600 with funding to come from the Marlboro Street and Utilities Reconstruction Project; and the City Manager be authorized to do all things necessary to negotiate and execute easements and access agreements required for the construction of pedestrian, bicycle, streetscape and roadway improvements on the Marlboro Street corridor. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

**CITY MANAGER COMMENTS**

The Assistant City Manager, Elizabeth Fox, announced that this week was National Engineer's Week. She encouraged everyone to express appreciation to an engineer for all of their contributions they make every day to the things that make our modern society work.

The Assistant City Manager went on to recognize the achievement of and to congratulate TJ O'Brien, code enforcement officer in our Community Development Department for earning his Bachelor's Degree in Construction Management from Keene State College.

The Assistant City Manager reported that the City has leased a vacant T-Hangar. It was one of 3 that were available at the airport.

The Assistant City Manager continued with Fire Chief Mark Howard shared that the new ambulance went into service on Wednesday, February 20, 2019. This ambulance is known as "Ambulance #3" and will be running out of Central Station. It has already been on a few calls. The Fire Chief and department really appreciate the support of the Council and the Mayor in this CIP Project.

#### MORE TIME

More time was granted by the Presiding Chair for the following items in Committee: Nancy Sheldon/Shalldu, Ltd. – Acquisition of the Rail Spur that Bisects Two Parcels of Property – Corner of Ralston and Emerald Streets; Tim Zinn/Let It Shine – Requests to Use City Property – 2019 Pumpkin Festival.

#### MEMORANDUM – CITY CLERK & BUILDING AND HEALTH OFFICIAL AND ORDINANCE O-2019-03: RELATING TO VENDORS – TIME LIMITATIONS FOR CERTAIN ACTIVITIES

A memorandum was received from the City Clerk and the Building and Health Official along with Ordinance O-2019-03: Relating to Vendors – Time Limitations for Certain Activities. The memorandum was filed into the record. Ordinance O-2019-03 was referred by the Presiding Chair to the Planning, Licenses and Development Committee.

#### FOP REPORT AND ORDINANCE O-2019-01: RELATING TO THE CONSERVATION COMMISSION

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2019-01: Relating to the Conservation Commission. The report was filed into the record. Ordinance O-2019-01 was read for the second time. A motion by Councilor Jacobs for adoption of the Ordinance was duly seconded by Councilor Powers. On roll call vote, 13 Councilors were present and voting in favor. Councilors Sapeta and Greenwald were absent. Ordinance O-2019-01 declared adopted.

#### MEMORANDUM – CITY ASSESSOR AND RESOLUTION R-2019-05: RELATING TO PROPERTY TAX EXEMPTIONS FOR SOLAR, WIND & WOOD HEATING ENERGY SYSTEMS

A memorandum was received from the City Assessor along with Resolution R-2019-05. The memorandum was filed into the record. Resolution R-2019-05 was referred by the Presiding Chair to the Finance, Organization and Personnel Committee.

#### FOP REPORT AND RESOLUTION R-2019-04: RELATING TO HUMAN RIGHTS AND THE MARTIN LUTHER KING, JR./JONATHAN DANIELS COMMITTEE

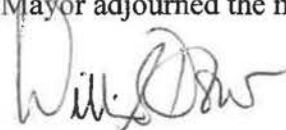
02/21/2019

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2019-04: Relating to Human Rights and the Martin Luther King, Jr./Jonathan Daniels Committee. The report was filed into the record. Resolution R-2019-04 was read for the second time. A motion by Councilor Jacobs for adoption of the Resolution was duly seconded by Councilor Powers. On show of hands vote, 13 Councilors were present and voting in favor. Councilors Councilors Sapeta and Greenwald were absent. Resolution R-2019-04 declared adopted.

ADJOURNMENT

At 7:26 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:



Deputy City Clerk



## PUBLIC HEARING

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to the proposed City of Keene Capital Improvement Program for the 6-year period starting July 1, 2019 and ending June 30, 2025. The plan identifies non-school capital projects and equipment acquisitions that are planned to be undertaken in the community and which calls for a financial investment totaling \$93,418,005 from local, State and Federal resources. The first year investment totals \$20,636,450.00 from all sources. The local portion of the program is funded by the sale of bonds, property taxes and other miscellaneous sources.

HEARING DATE: March 7, 2019

HEARING TIME: 7:00 pm

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and Councilors of the City of Keene, this seventh day of February, two thousand and nineteen.

Attest:

City Clerk





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

February 19, 2019

**TO:** Mayor and Keene City Council

**FROM:** Kendall W. Lane, Mayor

**ITEM:** B.1.

**SUBJECT:** Confirmation

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**COUNCIL ACTION:**

In City Council February 21, 2019.  
Tabled until the next regular meeting.

**RECOMMENDATION:**

I hereby nominate the following individual to serve on the designated Board or Commission:

Heritage Commission

Cauley Powell, slot 2  
95 Main Street

Term to expire Dec. 31, 2021

**ATTACHMENTS:**

Description

Nomination\_Powell

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FLORENTINE FILMS (American Documentaries, Inc.)  
Walpole, NH

ASSISTANT TO THE DIRECTOR  
August 2012-current

*Grover Cleveland, Again! A Treasury of American Presidents*

**Co-author and project manager**, Fall 2013 – Summer 2016

Contributions included: primary research, creative and content input, and coordination with publisher and editor through writing, editing, layout, design, printing, and marketing.

New York Times Bestseller, Middle Grade Hardcover Fiction

*American Prairie Reserve, Ken Burns American Heritage Prize*

**Liaison on behalf of Ken Burns**, Fall 2016 – Present

Contributions include: approval of physical materials/branding, coordination of correspondence to jury and nominating committee members, event day logistical management, and ongoing stewardship with APR reps.

Prize winners: David McCullough (2017), Maya Lin (2018), Dr. N. Scott Momaday (2019)

*Florentine Films, ongoing responsibilities:*

**Event Management:** Coordinator and onsite manager of all NH based consultant and advisor screenings, third party shoots, company parties, and other non-company events held in our facilities (fundraisers, etc.)

Includes: Event designing; logistical arrangements with vendors and hired staff; tech coordination; advance purchasing; site set-up and break-down.

**Photo Database/Promotional Image Requests:** Maintain and distribute photos for use in promotion (by film and by producer) in coordination with PBS engaged publicity firm and presenting station WETA for both press and website use. Also manage a company image database of behind the scenes production stills, signature film images, and event and staff photos.

**The Better Angels Society/Future Projects:** Steward the working relationship with the 501(c)3 fundraising organization and fiscal sponsor for Ken Burns/Florentine Films. Includes the maintenance of future project proposal materials, synchronization of content from between the two organizations, and individualized fundraising outreach preparation.

**Awards:** Spearhead Primetime Emmy/News & Documentary Emmy Award submissions, including FYC campaigns. Led submissions for: *The Central Park Five*; *The Address*; *The Roosevelts: An Intimate History*; *Jackie Robinson*; *The Sharps' War: Two Who Defied the Nazis*; *The Vietnam War*; and *The Mayo Clinic: Faith-Hope-Science*.

**Company Archive:** Manage the collection and aggregation of archived files across four offices. Includes: The creation of a digitization protocol and workflow; implementation of new conventions for in-production films while retroactively applying it to past projects; management and organization of off-site storage.

**Permission Requests:** Coordinate as needed on requests, including screenings and license requests. Direct work with legal representation to draft contracts and negotiate limitations of third party agreements.

**Interns:** Train and directly manage seasonal interns. Includes: Preparing tasks, reviewing work, offering feedback, and, when appropriate, completing paperwork for academic credit.

**Accounting (previously):** Served for two years in an associate financial position, assisting CFO with quarterly residual allocations, work/location tracking for tax purposes, credit card billing, and maintenance of the invoice filing system. Trained three subsequent financial team hires on various protocols.

**Other Responsibilities:** Correspondence, end of project fulfillment, inter-company merchandise management and ordering, general office operational needs, ongoing maintenance of property insurance catalog, including antique quilt collection. Served two years as NH property manager, which included the care and maintenance of seven buildings, coordinating amongst three cleaning teams, a housekeeper, contractors, utility and other vendors, staff, and tenants.

# CAULEY POWELL

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## PROFESSIONAL SKILLS & COMMUNITY INVOLVEMENT

- Fluent in the Microsoft Office Suite (particularly Word and Excel), Google Suite (particularly Docs and Pages), and Filemaker Pro (version 11-16). Can do minor apple scripting for Filemaker. Comfortable with Zoom H4N.
- Avid reader, decent bowler, great at Tetris, hit or miss on plant ownership—though I always try my best. Consistent blood and platelet donor, Co-op member, and enthusiastic outdoors person.
- Ten years of administrative experience in four unique offices. Exceptionally comfortable with phones, having often acted as the ‘face/ voice’ of an organization. Have proven skill in multitasking, troubleshooting problems, and am a quick learner with rapid comprehension skills. Thrive in fast-paced, multi-faceted environments.

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## EDUCATION

**Bennington College**  
Bennington, VT

Bachelor of the Arts  
2007-2011

Social Science concentration; advanced work in history, political science, and sound design. Non-traditional school with a focus on practical field experience. Campus involvement included under “Additional Experience.”

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## ADDITIONAL EXPERIENCE

**Dialysis Clinic Incorporated**, *Boston MA (June 2011-August 2012)* ASSISTANT TO THE SOCIAL WORKER

Worked at a NFP clinic that hosted an outpatient rotation of over 100 individuals. Assisted patients with Mass Health and Medicare paperwork to maximize benefits and resolve access issues. Administered federally required surveys and liaised with hospital nephrology team and DCI Outcomes Monitoring Program.

**Hungry Mother Restaurant**, *Cambridge MA (August 2011-August 2012)* BACKWAITER

**Student Educational Policies Committee**, *Bennington College, Bennington VT (2010)* SOCIAL SCIENCE REP.

Voting member of the SEPC body. Represented the student body in issues affecting academic life at Bennington College. Served as a liaison among students, faculty and administration while considering questions and making changes to academic policy.

**Budget Allocation Committee**, *Bennington College, Bennington VT (Fall 2009-Spring 2011)* COMMITTEE MEMBER

Served as founding member by request of the Dean of the Office of Student Life. Responsible for allocating the Bennington College annual budget to clubs, events, and organizations on campus. Read funding proposals and kept track of funds.

**Office of Admissions**, *Bennington College, Bennington VT (Fall 2008-Spring 2011)* INTERN LEADER

Responsible for scheduling all potential student campus visits. Represented college through phone, email, and face-to-face exchanges. Was responsible for delegating work to junior staff, facilitating conversations, and giving tours as needed.

**Bennington Free Press**, *Bennington College, Bennington VT (Winter/Spring 2011)* NEWS EDITOR

Worked as News Editor for the Bennington College newspaper. Served as BFP senior staff for one year. Wrote copy for two years.

**Bennington Radio Project**, *Bennington College, Bennington VT (2011)* COFOUNDER, PRODUCER and HOST

Co-creator of the Bennington Radio Project, a sound design experiment and course of study. Built website, created podcasts, and organized structure of BRP management with dean. Recorded performances, live events, interviews, and readings.

**KBOO Community Radio**, *Portland OR (Winter 2010-Spring 2011)* NEWSROOM INTERN

Wrote copy on local, national, and international news topics for daily evening news broadcasts. Executed interviews and produced news packages. Held the role of newsreader for duration of internship. Participated in on air fundraising drive.

# CAULEY POWELL

**MA Governor Deval Patrick Re-election Campaign**, *Boston MA (Summer 2010) INTERN DATA COORDINATOR*  
Intern leader tasked with overseeing data collection for regional heads as well as overall campaign progress. Trained staff and interns on proper database search technique. Participated in GOTV events and one-on-one voter work.

**BBC Radio Manchester**, *Manchester UK (Winter 2009-Spring 2010) INTERN*  
Worked with production teams on content including arranging guests and scheduling air time. Assisted local work for BBC National '100 Items in History' project. Completed training on ENPS, Radioman, and the Legal Online and Safeguarding Trust programs.

**Planned Parenthood League of Massachusetts**, *Boston MA (Summer 2010) VOTER ACTION PROJECT INTERN*  
Was educated through the Planned Parenthood Advocacy Fund on campaign strategy, technique, and involving women in politics.

**Chicago Blackhawks NHL Team**, *Chicago IL (Winter 2009-Spring 2009) COMMUNITY RELATIONS INTERN*  
Worked with Blackhawk Charities to engage fans at games. Completed filing and paperwork related to charitable requests received and given. Acted as an assistant during private events for the team and assisted Blackhawks senior staff.

**Chicago Dramatists**, *Chicago, IL (Summer 2008) OUTREACH INTERN*  
Completed administrative work for the theatre and outreach program. Organized and ran the annual Many Voices Project (a playwriting competition for minority playwrights) at the Chicago Dramatists theatre.

**Sisters of Rwanda**, *Kigali, Rwanda (Winter 2008) INTERN*  
Recorded and transcribed interviews with sex workers and those infected with HIV/AIDS during the genocide. Researched woman's education and compiled data for a baseline study with the goal of legislative reform.

**Never Again Rwanda**, *Kigali, Rwanda (Winter 2008) INTERN*  
Worked with youth clubs on projects regarding post-genocidal Rwanda. Researched the genocide of 1994.

**Office of Student Life**, *Bennington College, Bennington VT (Spring 2008-Fall 2010) ADMINISTRATIVE ASSISTANT*

**Meyer Recreation Barn**, *Bennington College, Bennington VT (Spring 2008-Spring 2011) MONITOR*



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

February 21, 2019

**TO:** Mayor and Keene City Council

**FROM:** Dorrie Masten/Keene Apartments, LLC

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

**ITEM:** C.1.

**SUBJECT:** Dorrie Masten - Requesting a Discussion About Downtown Parking Options

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**ATTACHMENTS:**

Description

Communication - Masten

**BACKGROUND:**

Dorrie Masten is looking to have a discussion regarding downtown parking options.

Keene Apartments, LLC.  
39 Central Square  
Keene, New Hampshire 03431

Dorrie L. Masten  
603-313-4869

City of Keene  
3 Washington St.  
Keene NH 03431

February 21, 2019

Re: MSFI Meeting Request

Dear Sirs:

I would like the opportunity to have an open discussion with MSFI about the downtown parking and which options are best for our city. The current payment method has been and continues to be inconvenient and problematic with our customers, employees and tenants. Please let us know when the meeting is so that we can ensure that it is well attended.

Sincerely,



Dorrie Masten



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

March 5, 2019

**TO:** Mayor and Keene City Council

**FROM:** Charles Teale & Patrick Massicotte, Milone & MacBroom

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

**ITEM:** C.2.

**SUBJECT:** Milone & MacBroom on Behalf of People's Linen - Request to Use City Property - Monitoring Well

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**ATTACHMENTS:**

**Description**

Communication - Milone & MacBroom

**BACKGROUND:**

The engineering firm, Milone & MacBroom is requesting permission, on behalf of People's Linen, to install a groundwater monitoring well on the northwestern portion of City property at 300 N. Lincoln Street property, adjacent to Beaver Brook. The monitoring well is intended to aid in the characterization process of tetrachloroethylene (PCE) in impacted groundwater from historic dry cleaning operations at the People's Linen Facility at 9 Giffin Street.

MAR 05 2019

OFFICE OF  
CITY CLERK

March 4, 2019

Mayor Kendall W. Lane & City Council  
City of Keene, NH  
3 Washington Street  
Keene, NH 03431

**RE: Environmental Investigations at People's Linen Facility (9 Giffin Street) &  
City of Keene Parcel 534-004 (300 N. Lincoln Street)  
Keene, NH  
MMI #6536-01-02**

Dear Mayor Lane and Members of the City Council:

Milone & MacBroom, Inc. (MMI) is writing to request your authorization to install a proposed groundwater monitoring well on the northwestern portion of the 300 N. Lincoln Street property, adjacent to Beaver Brook, to aid in the characterization process for the People's Linen facility at 9 Giffin Street (the "Site") regarding tetrachloroethylene (PCE) impacted groundwater from historic dry cleaning operations. This environmental investigatory work is being requested in accordance with the New Hampshire Department of Environmental Services (NHDES).

Environmental work to date has involved creating a network of on-Site groundwater monitoring wells to demarcate the extents of the PCE impacted groundwater; however, the down-gradient extent has not yet been delineated. Hence our proposed efforts to install a groundwater monitoring well on the City of Keene property (300 N. Lincoln Street), just south of the 43 George Street residence (see enclosed figures).

Access for drilling the proposed well would be through the People's Linen-owned undeveloped lot (Parcel 535-025), located adjacent to 43 George Street, using a track-mounted ATV drill rig. The plan would be to have the well installed during this 2019 winter season, if possible, while the ground is frozen to alleviate impacts to the ground surface by the drill rig. The groundwater monitoring well would be completed with a 3± foot vertical, 4± inch diameter steel standpipe to protect the 2-inch diameter polyvinyl chloride (PVC) well pipe at the ground surface. Sampling of the well would likely be conducted in the spring and fall of each year in accordance with an anticipated Groundwater Management Permit (GMP) to be issued by the NHDES for the Site. The well would likely be included in the GMP sampling program for a number of years until such a time when groundwater impacts at the Site are observed to be below the state regulations for PCE impacted groundwater. The NHDES would ultimately decide when sampling should cease, as well as the frequency of the sampling.

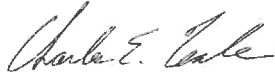
It should also be noted that once this groundwater monitoring well is no longer needed, as determined by the NHDES, the well can be decommissioned, which involves the removal of the well components and filling the associated borehole with bentonite, a water absorbent clay material used as a plug to prevent other media from entering the subsurface at this location.



We look forward to hearing your response regarding the above-mentioned scope of work, and we appreciate your consideration in this matter.

Very truly yours,

MILONE & MACBROOM, INC.

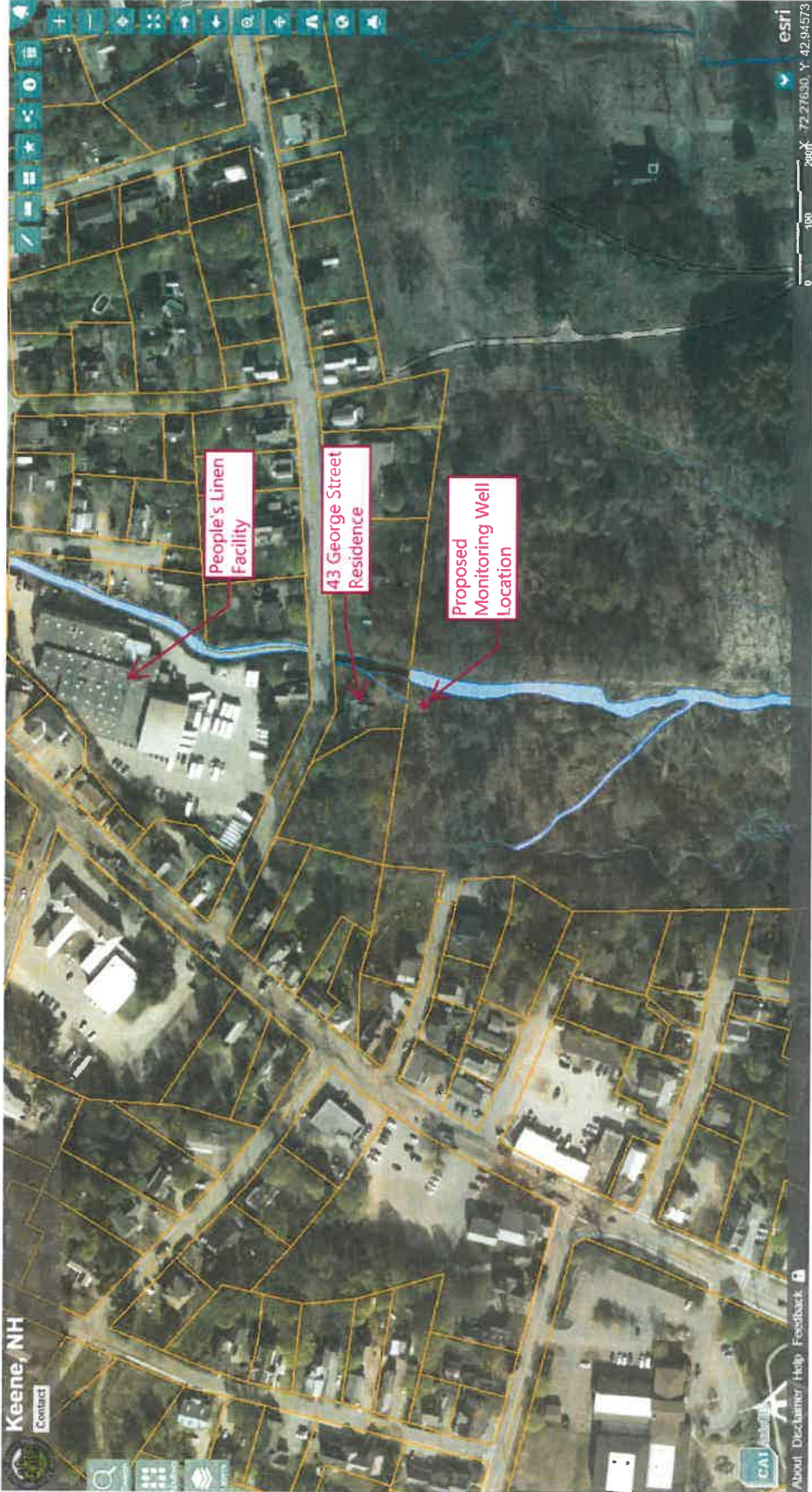


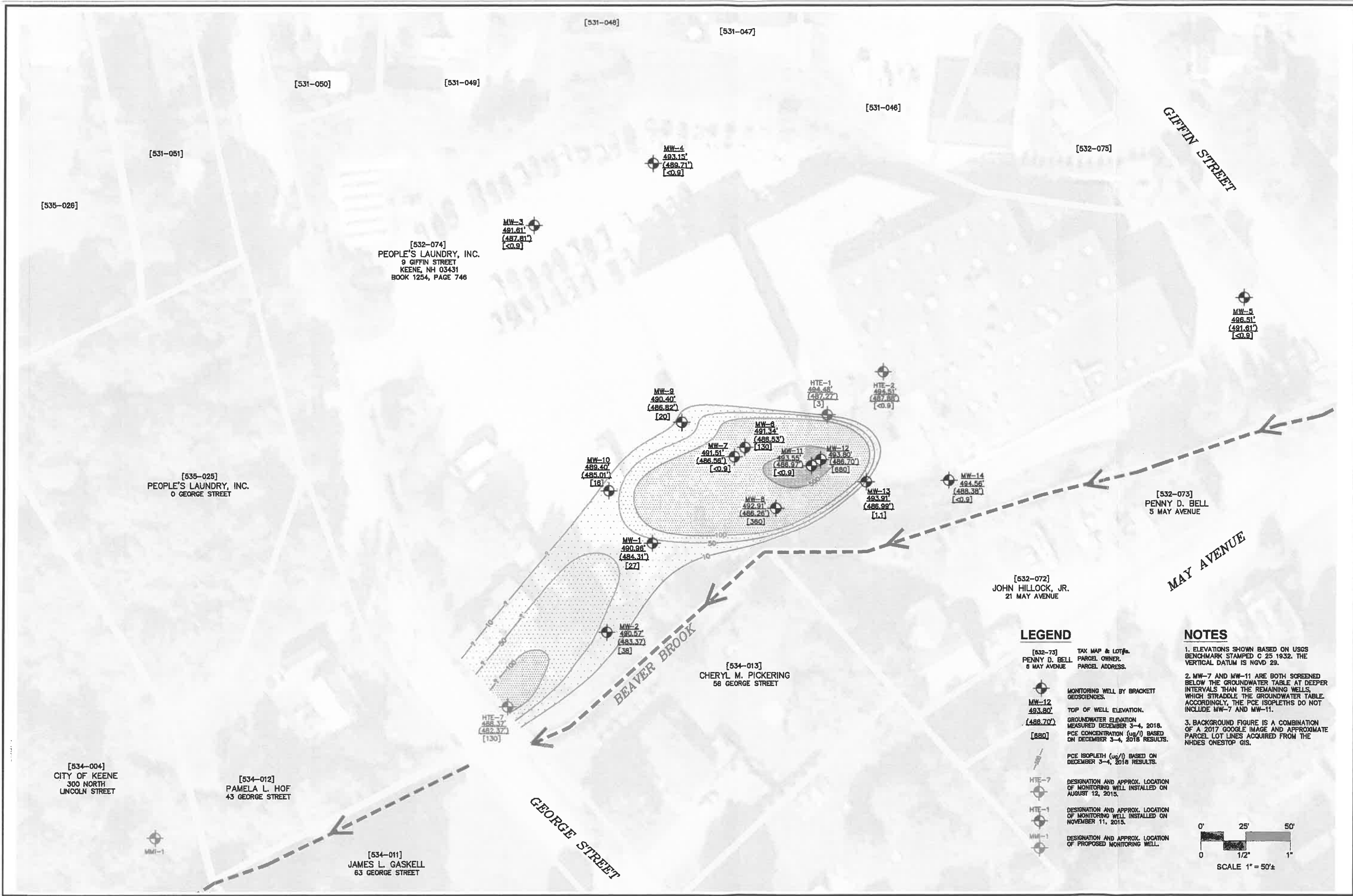
Charles E. Teale, PE, LSP, LEP  
Manager of Geotechnical Engineering  
& Environmental Services



Patrick J. Massicotte, EIT  
Environmental Engineer

Enclosures:     MMI's Figure 3 – PCE Isopleth Plan  
                      Aerial Photograph of Proposed Monitoring Well Location





[532-074]  
**PEOPLE'S LAUNDRY, INC.**  
 9 GIFFIN STREET  
 KEENE, NH 03431  
 BOOK 1254, PAGE 746

[535-025]  
**PEOPLE'S LAUNDRY, INC.**  
 0 GEORGE STREET

[534-004]  
**CITY OF KEENE**  
 300 NORTH  
 LINCOLN STREET

[534-012]  
**PAMELA L. HOF**  
 43 GEORGE STREET

[534-011]  
**JAMES L. GASKELL**  
 63 GEORGE STREET

[534-013]  
**CHERYL M. PICKERING**  
 58 GEORGE STREET

[532-072]  
**JOHN HILLOCK, JR.**  
 21 MAY AVENUE

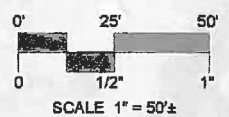
[532-073]  
**PENNY D. BELL**  
 5 MAY AVENUE

**LEGEND**

- [532-73] TAX MAP & LOT#-  
 PENNY D. BELL PARCEL OWNER,  
 5 MAY AVENUE PARCEL ADDRESS.
- MONITORING WELL BY BRACKET  
 GEOSCIENCES.
- MW-12  
 493.80'  
 (486.70')  
 [680] TOP OF WELL ELEVATION.  
 GROUNDWATER ELEVATION  
 MEASURED DECEMBER 3-4, 2018.  
 PCE CONCENTRATION (ug/l) BASED  
 ON DECEMBER 3-4, 2018 RESULTS.
- PCE ISOPLETH (ug/l) BASED ON  
 DECEMBER 3-4, 2018 RESULTS.
- HTE-7  
 DESIGNATION AND APPROX. LOCATION  
 OF MONITORING WELL INSTALLED ON  
 AUGUST 12, 2015.
- HTE-1  
 DESIGNATION AND APPROX. LOCATION  
 OF MONITORING WELL INSTALLED ON  
 NOVEMBER 11, 2015.
- MW-1  
 DESIGNATION AND APPROX. LOCATION  
 OF PROPOSED MONITORING WELL.

**NOTES**

1. ELEVATIONS SHOWN BASED ON USGS  
 BENCHMARK STAMPED C 25 1932. THE  
 VERTICAL DATUM IS NGVD 29.
2. MW-7 AND MW-11 ARE BOTH SCREENED  
 BELOW THE GROUNDWATER TABLE AT DEEPER  
 INTERVALS THAN THE REMAINING WELLS,  
 WHICH STRADDLE THE GROUNDWATER TABLE.  
 ACCORDINGLY, THE PCE ISOPLETHS DO NOT  
 INCLUDE MW-7 AND MW-11.
3. BACKGROUND FIGURE IS A COMBINATION  
 OF A 2017 GOOGLE IMAGE AND APPROXIMATE  
 PARCEL LOT LINES ACQUIRED FROM THE  
 NHDES ONESTOP GIS.



**MILONE & MACBROOM**  
 99 REALTY DRIVE  
 CHESHIRE, CT 06460  
 203.271.7773  
 WWW.MMINC.COM

REVISIONS

NO.	DATE	DESCRIPTION

**PCE ISOPLETH PLAN**  
**PEOPLE'S LAUNDRY FACILITY**  
**NHDES #199802052**  
 9 GIFFIN STREET  
 KEENE, NEW HAMPSHIRE

DESIGNED	DRAWN	CHECKED
PJM	PJM	CET

SCALE  
**AS SHOWN**  
 DATE  
**February 8, 2019**  
 PROJECT NO.  
**6536-01-02**

**FIG. 3**



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

February 25, 2019

**TO:** Mayor and Keene City Council

**FROM:** Bruce Bickford, Market Coordinator

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

**ITEM:** C.3.

**SUBJECT:** Bruce Bickford/Farmer's Market - Request to Use City Property - Gilbo Avenue

---

**ATTACHMENTS:**

Description

Communication - Bickford

**BACKGROUND:**

The Farmer's Market of Keene is requesting use of City property along Gilbo Avenue as well as parking spaces in the Commercial Street Parking Lot for their annual farmer's market from mid April through October, 2019.

Farmers Market of Keene  
P.O. Box 425  
Keene, NH

2/25/2019

To the Mayor and City Councilors of Keene

The Farmers Market of Keene respectfully requests the renewal of the leased space on Gilbo Ave used for the 2018 season for the upcoming season of 2019 to vend locally produced agricultural products and artisan wares.

We would like to ask for some additional changes, The first being the addition of the last two Saturdays in April, the 20<sup>th</sup> and 27<sup>th</sup>. Opening on Earth Day we think would be a great addition to the downtown festivities and a great opening day kick off.

Secondly we would like to investigate with the City of Keene the potential of changing our Tuesday Hours from 9<sup>am</sup> to 1<sup>pm</sup> to 4<sup>pm</sup> to 7<sup>pm</sup>. There are no other Tuesday evening markets in the area and possibly this would be a better time to serve more of the community and benefit the downtown experience.

Respectfully,

603-209-7100

Bruce Bickford  
Coordinator



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

January 27, 2019

**TO:** Mayor and Keene City Council

**FROM:** Weston Liu, New England Aerobatic Club

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

**ITEM:** C.4.

**SUBJECT:** Weston Liu/New England Aerobatic Club - Request to Use City Property - Dillant Hopkins Airport

---

**ATTACHMENTS:**

Description

Communication - Liu

**BACKGROUND:**

The New England Aerobatic Club is requesting a license to hold aerobatic practice sessions at the Dillant-Hopkins Airport once per month starting in May 2019.

105 Mason Rd  
Brookline, NH, 03033

January 27, 2019

City Council  
City of Keene  
3 Washington St.  
Keene, NH 03431

Dear Keene City Council,

2018 was another year of aerobatic flying at the Dillant-Hopkins Keene airport for myself and the New England Aerobatic Club. We thank you for your hospitality. Thanks to Jack Wozmak, the Airport Director, Mike Moriarty and the rest of the airport staff, Beth Bendel at Monadnock Aviation, and Tracy Keating at The Flight Deck for their enthusiastic support. The feedback that we continue to receive is that the aerobatics has been a positive for business at the airport.

Mother nature and the airport construction schedule was not entirely cooperative in 2018 but we were able to fly at Keene once in June and once in September. Both visits were valuable practice towards the competitions we fly.

The aerobatic practice at Keene helped myself fly at the US National Aerobatic Championships to a top 10 finish in my Intermediate Category. My peers in the New England Aerobatic Club were able to earn trophies at regional contests across the northeast US.

The NEAC and I request the renewal of our airport agreement with the City for 2019. We hope to be able to schedule aerobatic practice days starting in late May. We anticipate attempting to fly about once a month, depending on weather and the International Aerobatic Club's schedule of contests.

The New England Aerobatic Club and I look forward to another successful year of flying at Keene.

Sincerely,



Weston Liu

For the New England Aerobatic Club



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

March 3, 2019

**TO:** Mayor and Keene City Council

**FROM:** Tim Zinn, Let It Shine

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

**ITEM:** C.5.

**SUBJECT:** Tim Zinn/Let It Shine - Request for Additional Funding - Pumpkin Festival

---

**ATTACHMENTS:**

Description

Communication\_Zinn

**BACKGROUND:**

Let It Shine is asking for an additional \$2,000 in funding from the City for the Pumpkin Festival.



March 3, 2019

Honorable Mayor and Keene City Council,

The Let It Shine board would like to thank you for your contribution of \$5,000 to The Keene Pumpkin Festival in 2018. It was appreciated and helped to defray the costs associated with City services in support of the event. Together, we put many smiles on many faces, and it was rewarding to see our downtown full of happy families and flowing with people.

We are writing to request consideration for a contribution of \$7,000 this year. We appreciate that you are tasked with using funds judiciously and for the benefit of the community as a whole. We feel this increase will help the community in the following ways:

- We anticipate additional schools participating in the event this year. With that, come additional costs for pumpkins and disposal. (5k limit)
- We are considering that city costs will likely increase due to inflation.
- We are encouraged by feedback from downtown businesses that they are seeing increased foot traffic and business during the festival. Promoting our city's downtown was the original reason for the festival's founding.
- We are excited to have had good conversations with PLD and soon with the Protocol team with regards to adding 4 youth-oriented nonprofits to the event. As you know, the festival was a major source for nonprofits to fundraise over the years. We look forward to adding back this community focused benefit: Supporting the festival supports non-profits.

A \$7,000 contribution would benefit the community by supporting an event that celebrates our downtown, creates foot traffic that benefits downtown businesses, creates a platform for nonprofits to fundraise and last but not least, puts smiles on thousands of faces. We think Keene Pumpkin Festival creates an opportunity that is a win for all involved but it can't happen without funding. Let it Shine has succeeded in attracting wonderful sponsors (more than 35 last year!) but we are hearing from employers and businesses that finances are very tight. We have two major expenses: City costs and pumpkin costs. Through the generosity of the Putnam Foundation's matching grant challenge in 2018, we got help with pumpkin costs but we could really use some help with City services.

Thank you for considering our request among the many you receive.

Sincerely,

The Let It Shine Board,



Tim Zinn

Chairman of The Board, Let It Shine



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

February 25, 2019

**TO:** Mayor and Keene City Council

**FROM:** Councilor Mitchell H. Greenwald, Councilor Janis O. Manwaring & Councilor David C. Richards

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

**ITEM:** C.6.

**SUBJECT:** Councilors Greenwald, Manwaring, & Richards – Tax Deeding - Kingsbury Property

---

**ATTACHMENTS:**

**Description**

Communication - Councilors Greenwald, Manwaring, & Richards

**BACKGROUND:**

Councilors Greenwald, Manwaring, and Richards are requesting the City initiate the tax deeding process on the Kingsbury property.

February 25, 2019

To: Mayor and City Council

From: Councilors Greenwald, Manwaring and Richards

We have observed for too long and heard from many of our constituents, that the "Kingsbury Property" on Marlboro Street, has been in arrears for property taxes.

The City has been extremely cooperative with the current owner, with little results.

Therefore, we recommend that the City initiate the tax deeding process.

Respectfully,



Councilor Mitchell H. Greenwald



Councilor Janis O. Manwaring



Councilor David C. Richards



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

March 6, 2019

**TO:** Mayor and Keene City Council

**FROM:** Toby Tousley

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

**ITEM:** C.7.

**SUBJECT:** Toby Tousley - Request to Purchase City Property - Adjacent to Bicycle/Pedestrian Path - 160  
Emerald Street

---

**ATTACHMENTS:**

Description

Communication\_Tousley

**BACKGROUND:**

Mr. Tousley is requesting to purchase City land that is situated between his building at 160 Emerald Street and the bicycle/pedestrian path.

Toby Tousley  
PO BOX 626  
Keene, NH 03431

February 18, 2019

Mayor Kendall W. Lane  
and Keene City Council  
3 Washington Street  
Keene, NH 03431

Honorable Mayor and City Council:

I would like to acquire a piece of the Railroad Corridor land that is situated between my building on 160 Emerald Street and the bicycle/pedestrian path.

In 2011 the City expressed interest in selling some of this property, which in turn would put the property back on the tax roll. At that time I went to the Bicycle/Pedestrian Path Advisory Committee who in turn recommended that the City sell the property to me.

Unfortunately the matter never came before the Council as there were questions of ownership. Recent developments have shown that the City does own this part of the Railroad Corridor.

I have included a map showing a proposed subdivision. The proposed taxable piece of land would be approximately .25 acres.

I would suggest that the boundary be 6' west of the existing paved path and follow the path, with the 6' buffer, from Emerald Street to a point in line with my existing southerly boarder.

Sincerely,

Toby Tousley





Keene, NH



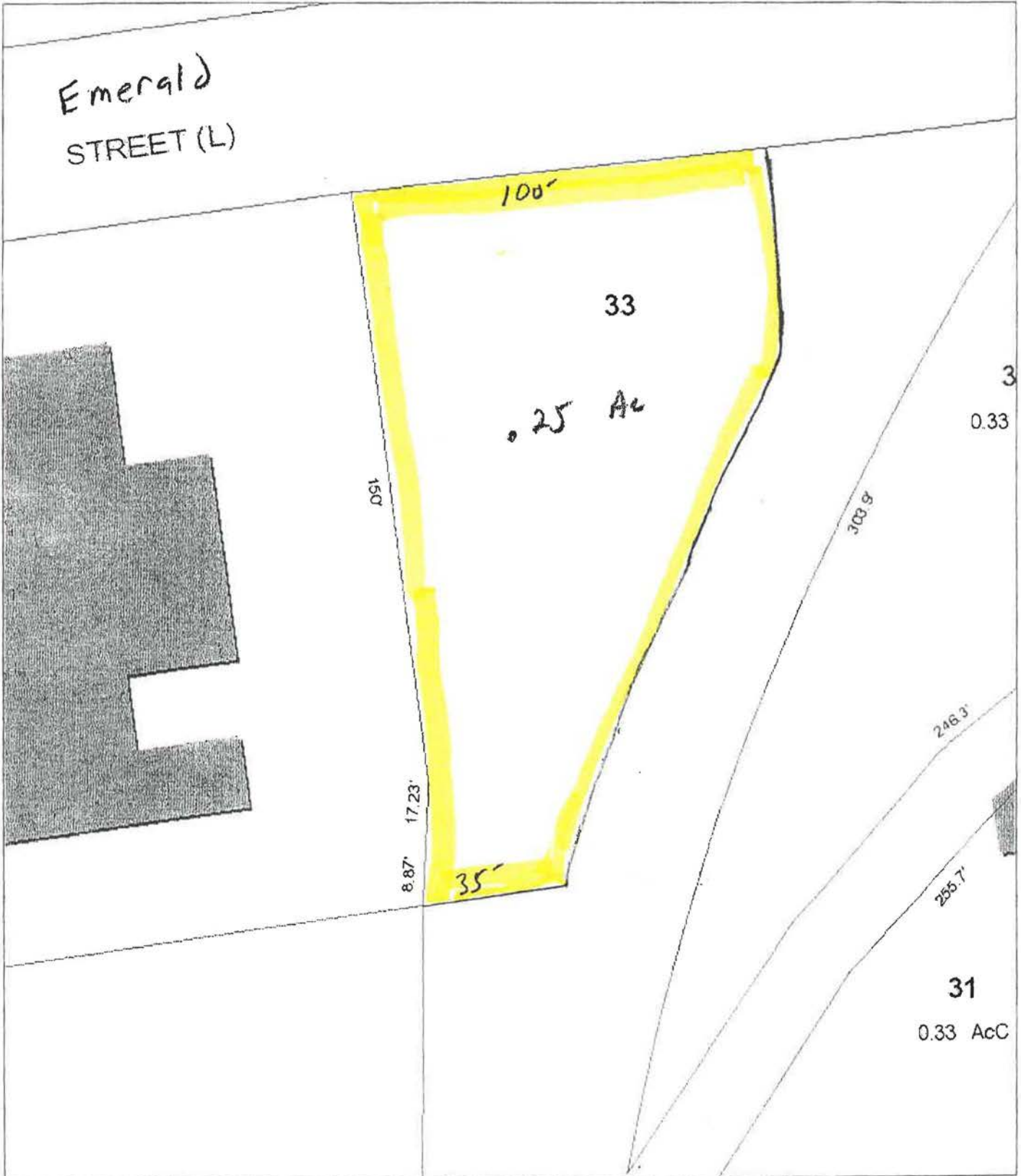
February 17, 2019

1 inch = 33 Feet

www.cai-tech.com



Emerald  
STREET (L)



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



Keene, NH



February 17, 2019

1 inch = 134 Feet

www.cai-tech.com



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

February 27, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.1.

**SUBJECT:** Periodic Report from Standing Boards and Commissions: Conservation Commission

---

**RECOMMENDATION:**

On a vote of 4-0, the Planning, Licenses and Development Committee moves to recommend the presentation be accepted as informational.

**BACKGROUND:**

Rhett Lamb, ACM/Community Development Director reported we are back on the cycle of your Advisory Committees providing periodic updates. Mr. Lamb introduced Sparky Von Plinsky, Chairperson, and Tom Haynes, former Chairperson, of the Conservation Commission.

Mr. Von Plinsky, of 18 Allen Court said he would cover what the Commission has done over the past 12 to 18 months and then where they see themselves being productive and helpful in the next year or two. Mr. Von Plinsky noted some of these things happened before he joined the Commission.

Greater Goose Pond Forest Stewardship Plan – This project moved from an RFP to a completed forestry plan over the past 18 months. Moosewood Ecological did the biological survey, forestry study, and trails survey. The initial public hearing attracted over 100 people. There were four walking tours of the property in the spring of 2018. The plan is almost ready for a second public hearing. The Commission is still working on the final report.

Aquatic Resource Mitigation Fund (ARM Fund) subcommittee – This subcommittee was formed with the purpose of aligning State ARM Funds with City Capital Improvement Projects (CIP's). The first project was the idea to protect Tenant Swamp with a conservation easement. After that idea was dropped, Commission members began meeting with City Engineers to identify "shovel ready" projects ARM funds could be applied toward. To that end five or six projects have been identified.

Conservation Master Plan - A retreat was held with Barbara Richter, Director of the NH Association of Conservation Commissions to learn about steps toward developing a Conservation Master Plan. She strongly suggested updating the City's Natural Resource Inventory for 2009. The latest Wildlife Action Plan should inform this process.

Public Outreach and Education – The four walks at Goose Pond that Mr. Haynes did a lot of work on and the Commission feels is a valuable mission moving forward.

Donations for Conservation Easements from Land Use Change Tax funds – The Commission approved funds for closing costs on two easements with the Monadnock Conservancy; a 130 acre parcel abutting the Gilsom town line near Goose Pond and a 60 acre parcel on Daniels Hill that abuts 800 acres of conserved land.



West Street Dam project – The Commission has been working with Dr. Emily Vogler from the Rhode Island School of Design ( RISDE) regarding a charette she wants to conduct with landscape architecture students regarding options for West Street dam removal.

Wetlands Permits and working with other groups – Mr. Von Plinsky was unsure of the exact number of permits the Commission worked on. He noted working with Friends of Open Space, the Ashuelot River Advisory Committee, and the Climate and Energy Committee.

Mr. Von Plinsky noted the Commission's priorities moving forward as:

- Easement Monitoring of the five properties owned by the City
- Build on Success of Goose Pond Stewardship Plan and apply it to further such plans
- Proactive involvement in projects where possible through the CIP and ARM Fund
- Build on the Outreach Successes to raise the profile of the Commission

Suggesting he had nothing further to add, Mr. Von Plinsky deferred to Mr. Lamb. Mr. Lamb reported working on a date for a public forum regarding the Goose Pond Stewardship Plan. The forum is planned for the third week in March. Mr. Lamb noted the attendance at the April forum was upwards of 100 people and they are hoping for the same again in March.

Chair Richards asked Mr. Von Plinsky to explain the monitoring of the five parcels. Mr. Von Plinsky explained the City owns conservation easements on five properties around town and the Commission is the monitoring agent for the City. Mr. Von Plinsky said it has not been getting done as it should and he would like to get some training so the members know what they are supposed to do. At that point the properties could be walked (monitored) on an annual basis. Chair Richards also asked about expanding the parking at Goose Pond. Mr. Haynes replied it is in process. He explained they are doing some repairs to the dams and spillway. In order to get equipment in they need to improve the road so that road will be kept a little more permanent to allow access. It will be handicap accessible as well. Chair Richards continued asking if this is part of the CIP. Mr. Lamb replied it is part of the Dam Improvement project already funded. Mr. Haynes added it will increase parking by 10 or 12 spaces.

Chair Richards asked for Committee questions/comments.

Councilor Sapeta thanked the Commission for the great work it does. He noted his interest in their outreach efforts and asked if could be increased to further include the younger generations. Mr. Von Plinsky agreed with Councilor Sapeta on the importance of this idea.

Councilor Hansel noted he is a member of the Commission. He noted one of the unique things the Commission does is serve as an interface for other non-profits in the City. Addressing Councilor Sapeta's question Councilor Hansel explained the Conservation Commission's role in the new Middle School's walkway into the wetlands area. Councilor Hansel also commented on the level of expertise on the Commission.

Chair Richards thanked the Commission for all the work it does and thanked Mr. Von Plinsky and Mr. Haynes for their presentation. Mr. Von Plinsky commented the Commission would like to be very helpful to the City.

There being no further questions from the Committee or public Chair Richards asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Rice.

On a vote of 4-0, the Planning, Licenses and Development Committee moves to recommend the presentation be accepted as informational.



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

February 27, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.2.

**SUBJECT:** Austin Reida/Street & Savory, LLC - Request to Vend on Gilbo Avenue While Changes to Vending Ordinances are Being Considered

---

**RECOMMENDATION:**

On a vote of 4-0, the Planning, Licenses and Development Committee moves to recommend that the City Clerk be authorized to amend the existing license issued to Austin Reida d/b/a Street and Savory to allow mobile food vending in city parking spaces at locations designated by City staff, excluding any usage during those times when said locations are licensed for other activities. Further, pursuant to section 94-153 (9) of the City Code, the City Council suspends section 94-152 (b) (1) relating to parking time restrictions for metered spaces associated with this use. Be it further recommended that the petitioners request to be open until 10:00 PM be granted.

**BACKGROUND:**

The applicant, Austin Reida, of 548 Alstead Center Road, Alstead was present. Chair Richards deferred to Elizabeth Dragon, City Manager for comments.

The City Manager said Mr. Reida is looking for some temporary relief while we work on ordinance changes. Providing a summary of where we are at the City Manager said once this was brought to our attention we did an invitation to all those holding Hawker and Peddler licenses. A meeting was held on February 7, 2019 to get an understanding of their business model, their operating challenges, and how we might be able to help them. There was not a lot of attendance; Mr. Reida attended and we did get some emails. Tonight we have what will be the first of several ordinance changes.

- Expanding the business hours – the issue before Committee this evening
- Identify mobile vending locations throughout the City – this will come to Committee next

The City Manager explained the final two changes are related to Zoning.

- Repeal language in the Zoning Ordinance relative to site plan review for mobile vendors occupying private property for more than one hour
- Incorporating the site plan review language in Chapter 46

The City Manager went on to explain the challenges Mr. Reida has faced since his last appearance before this Committee. She explained he was allowed to temporarily vend on Gilbo Avenue as a resolution to that situation. Continuing the City Manager said in order to address this we suggested we needed to come back to the Committee and amend his license; the reason we are here this evening. The amendment would address the issue of time, so he does not have to wait for our ordinances to be complete, and the issue of having a parking space as we have restrictions that do not allow for it. We wanted to be flexible but really did not have the tools.

Mr. Reida said how appreciative he was of the City's efforts in working with them. He continued the Gilbo Avenue spot would be tremendous for us as a secondary option. Mr. Reida also recommended it as a future spot for long-term food truck parking. Mr. Reida also shared they did not utilize the offer of Gilbo Avenue because the news came to them too late in the day. He noted Ted's has offered three parking spaces and we actually need four. Mr. Reida explained someone had parked in one of the spaces and left the area; essentially making the site nonfunctional for him. The Gilbo Avenue space would alleviate that concern. Mr. Reida also addressed the three spaces in front of the Transportation Center that could always be available, adding he certainly would pay the meters.

John Rogers, Building Official explained the mobile vendors we have traditionally seen around town are more of a fixed type vendor. We are learning the new mobile vendor wants to go where the people are. He noted there are tentacles throughout the Code regarding mobile vendors and we do not want to miss anything. Mr. Rogers said this is why we are taking this in bites. He also mentioned the Zoning process is a bit longer. Mr. Rogers noted the hour and definition changes that will be presented this evening. Mr. Rogers commented on the City's willingness to do all it can to help people like Mr. Reida succeed in Keene.

Patty Little, City Clerk said she would add another dimension to this business model that she finds exciting. Mr. Reida has the designated space at Ted's Shoe which is in his license and he is looking for some flexibility if an issue arises there. Mr. Reida also co-sponsors events with other commercial entities. Noting locations he has been found at the City Clerk explained how the use of social media has made these special events. She said we do not want to burden him with having to come and ask for a license for each time he is at a co-sponsored event. The City Clerk also mentioned Mr. Reida is interested in accepting invitations for private parties; much like a cash bar, another opportunity for a mobile vendor we had never thought of. Because ordinances take a while, the City Clerk said what we are looking for is some temporary relief for Mr. Reida while we are going through ordinance introduction and adoption process. It was recommended by the City Manager and City Attorney to amend Mr. Reida's license. She continued there is a restriction in Chapter 94 that we need to suspend; the restriction that says you cannot plug a parking meter. The motion in front of the Committee will suspend that restriction so that it remains a legal activity. Chair Richards commented this all makes sense and agreed the process would take time.

Councilor Hansel asked the City Clerk how the plugging suspension works and is it just related to this license. The City Clerk replied in the affirmative noting this is his temporary solution. It will be added to an ordinance that will apply to any mobile vendor. She continued by license you can suspend an ordinance. Councilor Hansel clarified this is just us doing what is needed for economic development for any business.

Councilor Sapeta commented great idea and welcomed Mr. Reida to Keene. Councilor Sapeta suggested he was interested in a map of mobile vendors for Keene so that people know where the trucks are. Mr. Reida commented that is a great idea and noted in other areas trucks are required to have trackers on them. He also explained Google calendar coincides with their websites. Mr. Reida also discussed briefly the potential for Uber Eats and Grub Hub to align with local restaurants.

Councilor Rice asked if Mr. Reida would like to plug his social media handles while we are on television. Mr. Reida provided the following:

- Street & Savory food truck
- Street & Savory Food Truck on Facebook
- @savoryfoodtruck on Twitter
- @savory.online on Instagram
- streetsavory.com is his website

Chair Richards asked if Mr. Reida forgets to plug the meters does he get three tickets. Mr. Lamb replied in the affirmative.

There being no questions from the Committee or public Chair Richards asked for a motion.

Councilor Rice made the following motion which was seconded by Councilor Hansel.

On a vote of 4-0, the Planning, Licenses and Development Committee moves to recommend that the City Clerk be authorized to amend the existing license issued to Austin Reida d/b/a Street and Savory to allow mobile food vending in city parking spaces at locations designated by City staff, excluding any usage during those times when said locations are licensed for other activities. Further, pursuant to section 94-153 (9) of the City Code, the City Council suspends section 94-152 (b) (1) relating to parking time restrictions for metered spaces associated with this use. Be it further recommended that the petitioners request to be open until 10:00 PM be granted.

Chair Richards thanked staff for stepping up to get Mr. Reida some help so he could function in his business.



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.3.

**SUBJECT:** Request for Approval to Solicit Donations to be Used as Prizes for City of Keene Fourth Grade Water Science Fairs - Public Works Department

---

**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to solicit and accept donations to be used as prizes for the Fourth Grade Water Science Fairs from local and regional businesses.

**BACKGROUND:**

Industrial Pre-Treatment Coordinator Eric Swope was the first to address the Committee. Mr. Swope stated since 1997 the water science fair has been part of this community. Since that time close to 1900 children have gone through this program, which is well supported by teachers, parents and local businesses.

Mr. Swope stated what typically happens is that he presents the idea of the science fair to the various elementary schools. A few months later, each school conducts its own science fair. The top two from each school compete at the City level and the top two from the City attend the State Fair. Mr. Swope acknowledged the exemplary work these students put into this event.

Mr. Swope stated last year close to 15 businesses donated a variety of prizes which were used at the fairs. Last year, Keene took home the first two places in the State as well as honorable mention in 2018. The students have a really good time with this program and they become the 4th grade experts on their subjects.

Vice-Chair Jacobs commended the program and noted the winners always come to a Council meeting for recognition.

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 solicit and accept donations to be used as prizes for the Fourth Grade Water Science Fairs from local and regional businesses.



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.4.  
**SUBJECT:** Workplace Lactation Support Grant - Human Resources

---

**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept a worksite lactation mini-grant of up to \$5,000 through a partnership between Keene State College's Public Health Faculty, NH Department of Health and Human Services and the Centers for Disease Control and Prevention .

**BACKGROUND:**

Asst. City Manager/Human Resources Director Beth Fox stated the City has been fortunate enough to receive the worksite lactation mini-grant in the amount of \$5,000. Ms. Fox stated this is a proactive step to help families with children, and to help mothers who come back to work after having a child. Ms. Fox stated the City will be working with Keene State College which will be providing technical assistance.

Vice-Chair Jacobs asked whether this grant is for the purpose of coming up with a policy. Ms. Fox stated it is to create a policy, develop a space in City Hall and to purchase equipment.

Councilor Jacobs stated he hoped this could be something that could also help new fathers. Ms. Fox stated this is a discussion she has had with the interns from Keene State College – about having a broader impact not a space just for new mothers.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept a worksite lactation mini-grant of up to \$5,000 through a partnership between Keene State College's Public Health Faculty, NH Department of Health and Human Services and the Centers for Disease Control and Prevention .



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.5.

**SUBJECT:** Acquisition of Property – 0 Chapman Road Owned by Robert Beauregard Rev. Trust

---

**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to purchase the 27.5 acre property at 0 Chapman Road TMP# 241-018-000-000-000 from the Robert Beauregard Rev. Trust for an amount not to exceed \$58,000.00.

**BACKGROUND:**

City Manager Elizabeth Dragon was the next speaker. Ms. Dragon stated in September 2018, Mr. Bill Beauregard approached the Council regarding selling a piece of property, which was part of his father's estate. The property abuts City land on Beech Hill. Ms. Dragon stated the Conservation Commission is in support of this purchase. She indicated the property has been appraised and the value of the property came in at \$58,000. Mr. Beauregard has agreed to accept this price. The funds for the purchase will come from the conservation land use change tax. This fund has a balance of a little over \$144,000.

Councilor Clark noted he has a piece of property that abuts this parcel of land for sale. He stated the proposed sale would not have any effect on the property he has for sale.

Councilor Powers felt this purchase would add to the conservation land in this area.

Councilor Chadbourne 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 purchase the 27.5 acre property at 0 Chapman Road TMP# 241-018-000-000-000 from the Robert Beauregard Rev. Trust for an amount not to exceed \$58,000.00.



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.6.

**SUBJECT:** Attorney Thomas Burack/560 Main Street, LLC - Expression of Interest in Acquiring City Property - 560 Main Street

---

**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate the subdivision and sale of a portion of City owned property located at 560 Main Street to 560 Main Street LLC.

**BACKGROUND:**

Attorney Thomas Burack and Mark Froling of Froling Energy addressed the Committee next. Attorney Burack stated they are before the Committee to negotiate an agreement to acquire a portion of property located at 560 Main Street. The property would be used to relocate Mr. Froling's rapidly growing business to Keene.

Mr. Froling stated he owns and operates Froling Energy in Peterborough. He described his business as a full-service biomass boiler systems contractor specializing in the installation of wood chip and wood pellet boiler systems. They are outgrowing the property they currently lease. Attorney Burack stated his client's desire is to purchase approximately 10 acres located on the westerly edge of 560 Main Street. The first phase would be to construct a facility so that Froling Energy could process wood chips and turn them into a fuel source.

The second phase would be the construction of an office area and boiler showroom. He felt this is a good use for a property that is zoned industrial

Councilor Chadbourne stated she welcomes any new business coming to Keene.

Councilor Clark clarified the entrance would be on Manchester Street. The Manager answered in the affirmative.

Councilor Powers stated he was glad to see something being done with this property, but questioned what happens to the operations the City undertakes at this site. Ms. Dragon stated these are discussions that would continue, but noted the applicant is proposing to only purchase the front piece of the property. The Public Works Department uses the rear of the property. The salt shed is in the front and this would need to be transitioned over time to another location and this is part of the proposal staff will be bringing forward. The Councilor asked how soon this site can be transferred to the applicant. Ms. Dragon stated this is a complicated site, and things would have to be worked out with the Brownsfield Program. Staff plans to move things along as soon as they can.

Vice-Chair Jacobs asked whether there would be any pollutants caused by this operation. Mr. Froling stated



they essentially run a boiler (operated by wood chips) which dry the wet wood chips and make the product lighter to truck around. The emissions are that of a one megawatt boiler. Attorney Burack stated they would need a permit through DES and added the emission would be very low, most of what would be seen is steam.

Councilor Hansel asked where they purchase their chips from. Mr. Froling stated 90% of the chips come from a 25 mile radius, he stated they don't have to travel too far to purchase these chips. Councilor Hansel referred to the wood chip boiler installed in his company and spoke how efficiently this system works.

Councilor Powers asked whether this item will come back after negotiations are complete. Ms. Dragon stated it would.

Councilor Chadbourne asked about the traffic volume. Mr. Froling stated they have three in bound tractor trailer trucks per day and about four out bound smaller trucks. They are also a mechanical company hence they also own about ten vans. 50% of these vans come into the facility on a daily basis. The Councilor expressed concern for the residential properties located on this street. Attorney Mullins noted not all of the properties are occupied. Mr. Froling stated Manchester Street veers off to a dead end street where the residential properties are located and they would not be accessing that street.

Councilor Clark 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 negotiate the subdivision and sale of a portion of City owned property located at 560 Main Street to 560 Main Street LLC.



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.7.  
**SUBJECT:** Jehovah's Witness Land Lease - Airport Manager

---

**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a land lease with the Jehovah's Witness church for purposes of vehicle parking.

**BACKGROUND:**

Asst. City Manager/IT Director Rebecca Landry stated the original request for this item was written by Jack Wozmak. The Jehovah's Witness Church has been leasing this property from the City and is requesting a renewal of that lease. She indicated there are new provisions in the lease, which will make this able to be automatically renewed and there is a 3% escalator included on a yearly basis.

Councilor Chadbourne asked how the lease amount and space is determined. Ms. Landry stated it is lease on a prescribed space 100 feet x 132 feet and the applicant uses it for overflow parking.

Councilor Chadbourne 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 execute a land lease with the Jehovah's Witness church for purposes of vehicle parking.



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

February 28, 2019

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.8.

**SUBJECT:** Mayor Kendall Lane - Public Hearing Date on the Operating Budget

---

**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.

**BACKGROUND:**

Mayor Lane addressed the committee next. The Mayor stated under the statute the City is required to hold a public hearing on the operating budget. The statute is silent as to when the public hearing should happen. The Mayor added there is also confusion as to what budget (the City Manager's or the budget as recommended by the Finance, Organization and Personnel Committee) the public hearing is being held for. He indicated the last several years the public hearing was held on the City Manager's budget before the Finance Committee's made its recommendation.

Mayor Lane stated the schedule he is proposing would schedule the public hearing after the Finance Committee has made its recommendation on the budget. Once the public hearing is completed the budget would go before the City Council and if changes need to be made based on information given during the public hearing, the Council would have the opportunity to make those modifications.

The Mayor stated this schedule would give the public the opportunity to respond to the budget on changes recommended by the Finance Committee. The changes the committee often makes are in relation to outside agencies or community events. If the public hearing is held prior to the Finance Committee making its changes the public has no way of responding to them.

Councilor Clark asked whether the time period given to the public to submit their comments on the budget would still remain the same. Mayor Lane stated that schedule would remain the same and added if the Finance Committee is comfortable with these changes, he plans on sitting down with the City Clerk to make sure the Rules of Order are consistent with this change.

At the present time there is a week between the public hearing and the Council meeting and the Council has five days should it want to make any changes based on the public hearing.

Vice-Chair Jacobs clarified the public has the opportunity to make changes when the Finance Committee makes its recommendation. The Mayor agreed it does.

Councilor Powers raised concern about not having the public hearing at a regular City Council meeting.

Councilor Clark asked whether the public hearing will be on the same day of the Finance Committee meeting. Mayor Lane stated May has a 5th week and the public hearing would be on that week which will give the public the opportunity to focus on the budget. The Councilor asked whether this would be how it is scheduled every year. Mayor Lane stated May won't have a 5th every year and they would have to wait to see how this year works out. Councilor Powers stated he would be opposed to not having it being consistent with the Council meeting; he did not feel having it on a separate night when there has already not been much participation would be effective. Mayor Lane stated there was attempt made to not schedule this on a separate night but the seven day notice requirement for the public hearing was not possible to meet.

Councilor Chadbourne stated she was all about transparency and felt it should be tried and if the public doesn't show up it doesn't have to be done next year.

Councilor Clark asked if staff presence would be required for this meeting when there might not be too much public participation. Mayor Lane stated he would not expect all staff to be present, except if one particular department has a change that department head is likely to be present. The Manager stated she would like department heads present as this is a public hearing and you never know what concerns are going to be raised and it would be helpful to have staff present as a resource. Councilor Chadbourne stated she is glad to hear this as she would like to have staff present to address concerns the Finance Committee might not have answers to.

Councilor Powers stated his concerns is dramatically changing something that has worked well all these years and noted the public makes their concerns known without attending a meeting. The Mayor reminded Councilor Powers that when he was the Police Chief, the Finance Committee made its recommendations prior to the public hearing (that meeting was held on a Saturday). The Mayor felt what he is proposing should be tried at least for this one year.

Vice-Chair Jacobs felt there hasn't been too much opposition to what the Mayor has proposed and the Mayor does have prerogative to schedule such the public hearing date. The Mayor stated he was trying to be transparent with this issue.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.



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

**TO:** Mayor and Keene City Council

**FROM:** Dan Langille, City Assessor

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

**ITEM:** F.1.

**SUBJECT:** 79-E Application- 34 Court Street

---

**RECOMMENDATION:**

That the Mayor set a public hearing regarding a 79-E Community Revitalization Tax Relief application for property owned by 34 Court LLC and submitted by Zachary Luse.

**ATTACHMENTS:**

Description

79E Committee Summary Report

**BACKGROUND:**

The 79-E Committee has completed its review of the application submitted by Zachary Luse on behalf of 34 Court LLC for the purposes of Community Revitalization Tax Relief. As a result of our review it has been determined that the application is complete and a public hearing should be scheduled in accordance with RSA 79-E:4, II. The property is the former Grace Methodist Church and the proposed project is to adapt the building for office and meeting space.

**CITY OF KEENE RSA 79-E COMMITTEE REPORT**

**Property Owner:** 34 Court LLC

**Property Location:** 34 Court Street

**Applicant:** Zachary Luse

**Date application submitted:** 2/11/2019

**Date of Committee Review:** 2/25/2019

- **Is property located within the 79-E district?**  YES  NO
- **Is property located within a TIF District?**  YES  NO
- **Does the project require additional infrastructure by the City?**  YES  NO
- **Is the property listed or eligible to be listed on the national or state register of historic places and a copy of historic designation submitted?**  YES  NO
- **If yes, does the project devote at least \$5,000 to energy efficiency?**  YES  NO  N/A
- **Does project replace or redevelop an existing structure?**  REPLACE  REDEVELOP
- **If a replacement, has HDC approval been obtained?**  YES  NO  N/A
- **Are project cost estimates provided?**  YES  NO
- **Does the estimated project cost exceed the 75,000 minimum?**  YES  NO  
*Summary of work: Exterior and interior renovations, solar energy system installation,*
- **What is the proposed use of the building?** 1st floor office space and meeting rooms
- **Does the project include one or more required public benefit(s)?**  YES  NO
- **Does the project comply with the Master Plan?**  YES  NO
- **Does the proposed use meet current zoning regulations?**  YES  NO  
*Notes:*
- **Is the application complete with necessary documentation?**  YES  NO
- **Has the owner agreed to the execution and recording of a covenant?**  YES  NO

**SUMMARY OF PUBLIC BENEFITS (as proposed by the applicant):**

*See application for full details*

- Operating a business in downtown area while also supporting other downtown businesses
- Building is on National Register of Historic Places/ listed as one of NH Preservation Alliance's Seven to Save
- Energy efficient upgrades
- Preserves historic building, while adapting to modern use
- Creates new jobs



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

February 27, 2019

**TO:** Mayor and Keene City Council

**FROM:** Energy and Climate Committee

**THROUGH:** City Manager

**ITEM:** G.1.

**SUBJECT:** HB 365 “Relative to Net Energy Metering Limits for Customer Generators” - Energy and Climate Committee

---

**RECOMMENDATION:**

That the City Council draft a letter to the state legislature stating they support HB 365 “Relative to net energy metering limits for customer generators”

**ATTACHMENTS:**

Description

HB 365 text

**BACKGROUND:**

Included below is an excerpt from the February 6, 2019 Energy and Climate Committee meeting minutes under agenda item #6.b regarding House Bill 365, "Relative to net energy metering limits for customer generators."

"Chair Shedd stated that the text of the bill for HB 365 is included in the packet. She said that last year a similar bill had bipartisan support to increase the net metering cap for individual projects from 1 to 5 megawatts, and then the governor vetoed it. It came back in the fall of 2018 for a veto override vote; however, there were not enough votes to override the veto at that time. She said the bill is back again. Ms. Brunner stated that she reached out to Clean Energy NH to see if they had any summaries or talking points that relate to these bills and she received some information that she will share with the committee.

Chair Shedd said this bill was not specifically commented on by the City last year because they had already asked the City to support maintaining the renewable portfolio standard and RGGI funding, and this bill came to their attention a little bit later when it was too late to get through City channels. However, this bill will clearly impact what Keene can do. For example, the wastewater treatment plant (WWTP) is the largest electricity user in the county. Ms. Brunner noted the WWTP has already done a significant amount of work to reduce their energy usage, but even so would probably need a larger system than 1 megawatt. Chair Shedd said there has been discussion off and on about the possibility of installing a solar system to offset the WWTP electrical usage, which would probably need to be bigger than 1 megawatt, but the City could not do that with the current 1 megawatt limit. She said raising the cap to 5 megawatts would directly impact what the City can do, much less what residents and businesses can do. She asked the committee if the group is in favor of asking City Council to have the City submit comment to the legislature and the Governor. She asked Ms. Brunner to summarize the talking points from Clean Energy New Hampshire.

Ms. Brunner said the talking points from Clean Energy NH state that the bill would do the following:

*-Raise project cap for net-metered projects from 1 megawatt to 5 megawatts*

*-Require utilities to account for net-metered power in such a way that maximizes rate payer savings and minimizes rate-payer costs.*

*-Would allow large energy users like municipalities, schools and business to invest in renewable energy projects that are properly sized for their needs (which gets to the point that Chair Shedd made about the WWTP, which would need a system that is larger than 1 MW)*

Ms. Brunner noted that the talking points also include some general information about the overall benefits of renewable energy to the state, such as creating renewable energy jobs, reducing fossil fuel use from out of state and keeping energy dollars in the state. Ms. Brunner said she would be happy to share the talking points with the committee if people are interested.

Vice Chair Hansel asked if this bill would affect group-net metering. Ms. Brunner said there is a bill that would affect group-net metering, which is the low-income community solar bill. Vice Chair Hansel asked if they put in a facility that is bigger than they needed themselves, could the City then group-net meter that extra energy. Mr. Lamb said there have been several concepts developed for the airport and one of them is a small energy micro-grid that the City would then own and operate, however, there are some limitations because they would become a power generator which puts them in a new class. However, he said, it is likely that if there would be more energy produced in the WWTP, they could potentially take advantage of group net metering. Mr. Lamb said anytime they can use energy behind the meter it is a better deal financially than putting it back into the grid.

Ms. Brunner said SB 165 is a bill that would modify group net metering in a couple of ways. First, it will allow for members of a group-net metered system to receive on-bill crediting for their share of the net-metered generation. She believes that currently, the utility will send a check to the head of the group net-metered system and then that entity has to distribute the money. The current proposal is to change this to on bill crediting, which makes it a simpler process. It includes a 3% per kilowatt per hour adder for low income, community solar projects and it requires that there are three new moderate or low income community solar projects to be added to each utility service area per year beginning in 2020.

Chair Shedd said the SB 165 group net-metering bill is different than the energy cap bill (HB 365) and perhaps they should pay attention to that right now. She asked members again if they want to ask Council to support the bill. Ms. Baum and Councilor Clark said they are in favor of asking City Council to support the bill. Councilor Clark noted that the City had weighed in on the statewide cap on net metering in the past. Chair Shedd clarified that this bill is to raise the cap for individual projects; the previous bill that the City commented on was for a cap on all projects throughout the state. This bill would allow larger institutions, such as schools, municipalities, and other large electric users, to install systems that are the proper size.

Councilor Clark reviewed several process options and asked about the best way to make this request. Mr. Lamb said he thinks it is important for ECC to take a vote and make a recommendation for the Mayor or City Council to draft a letter. He said if the committee makes a vote today, it may be referred to either the PLD or MSFI committee and at that point public input will be solicited. ECC members could provide input at this point in the process which would allow City Council to hear their story. The PLD/MSFI will make their recommendation and then it will go back to Full Council, possibly by March 5th. Chair Shedd this is a reasonable timing for the process, because bills crossover from the senate to the house and vice versa in April.

***Ms. Baum motioned that ECC make a recommendation to City Council to draft a letter to the legislature stating they support HB 365 "Relative to net energy metering limits for customer generators", Councilor Clark seconded and motion passed unanimously."***



## HB 365 - AS INTRODUCED

2019 SESSION

19-0090  
06/08

### HOUSE BILL **365**

AN ACT relative to net energy metering limits for customer generators.

SPONSORS: Rep. Moffett, Merr. 9; Rep. Backus, Hills. 19; Rep. Suzanne Smith, Graf. 8; Rep. P. Schmidt, Straf. 19; Rep. Danielson, Hills. 7; Rep. Wolf, Merr. 5; Rep. McWilliams, Merr. 27; Rep. O'Connor, Rock. 6; Rep. Hennessey, Graf. 1; Sen. Bradley, Dist 3

COMMITTEE: Science, Technology and Energy

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### ANALYSIS

This bill increases the electric generating capacity of customer generators who may participate in net energy metering and modifies the transition of tariffs applicable to certain customer-generators. The bill also clarifies the definition of eligible customer-generator for purposes of the utility property tax.

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Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

19-0090  
06/08

### STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Nineteen*

AN ACT relative to net energy metering limits for customer generators.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 Findings. The general court finds that:

I. New Hampshire's electricity consumers, including municipalities, manufacturers, commercial businesses, and other large users, strongly support more competitive retail options to lower their energy costs.

II. These same consumers deserve the freedom to invest their own capital to become more self-sufficient and energy independent and less reliant on out-of-state electricity companies that control our high electricity rates.

III. ISO-New England, Inc., the independent, nonprofit regional transmission organization that oversees the operation of New England's bulk electric power system and transmission lines, has stated that infrastructure constraints could pose a challenge to the reliable operation of the regional power grid,

create price increases and volatility, and contribute to increased air emissions, all of which would adversely impact New Hampshire's citizens, businesses, and economy.

IV. The current size limit of one megawatt on customer-generators that may participate in net energy metering is an unnecessary barrier that denies larger electricity users the same rights that smaller users already have to produce and use local renewable power that reduces their energy costs, increases supply, and insulates all New Hampshire ratepayers from electric price volatility and higher transmission costs.

V. The current size limit is also a barrier to significant investment in existing and new small renewable energy projects, which would help keep our energy dollars in-state, drive economic activity, support good-paying jobs, and increase state and local business and property tax revenues.

VI. It is in the best interests of all citizens of New Hampshire that the size limit on customer-generators that may participate in net energy metering be increased from one megawatt to 5 megawatts to help mitigate the cost of electric service in the state, reduce the price volatility of that service, and reduce the potential for disruptions in electricity supply due to inadequate wholesale generating capacity in the New England marketplace.

2 Definition; Customer-generator. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns, operates, or purchases power from an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of up to and including [~~one megawatt,~~] **5 megawatts and** that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used to offset the customer's own electricity requirements. Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.

3 Net Energy Metering; Net Effects. Amend RSA 362-A:9, VII to read as follows:

VII. A distribution utility may perform an annual calculation to determine the net effect this section had on its default service and distribution revenues and expenses in the prior calendar year. The method of performing the calculation and applying the results, as well as a reconciliation mechanism to collect or credit any such net effects with appropriate carrying charges and credits applied, shall be determined by the commission. ***Regardless of whether or not an annual calculation is performed, a distribution utility shall take any and all steps necessary to eliminate or mitigate the creation of any ratepayer costs that could otherwise arise as a result of the utility's handling or accounting of kilowatt-hours generated by a customer-generator and fed into the electric distribution system. Furthermore, a distribution utility shall take any and all steps necessary to handle or account for kilowatt-hours generated by a customer-generator and fed into the electric distribution system in ways that maximize ratepayer savings, including, but not limited to, peak demand savings and transmission-related savings. Such steps shall include, but not be limited to, filing new state or federal tariffs if necessary to minimize ratepayer costs and maximize ratepayer savings. A distribution utility shall demonstrate to the commission that it has taken any and all such steps to minimize ratepayer costs and maximize ratepayer savings. Such demonstration shall also be a condition of commission approval of any request to collect or credit the net effects of this section.***

4 Net Energy Metering; Transition of Tariffs. Amend RSA 362-A:9, XV to read as follows:

XV. Standard tariffs that are available to eligible customer-generators under this section shall terminate on December 31, 2040 and such customer-generators shall transition to tariffs that are in effect at that time. ***Customer-generators with a total peak generating capacity of more than one megawatt***

*and not exceeding 5 megawatts shall be grandfathered with the net metering design and structure specified in this section through December 31, 2040 if the customer-generator's electrical generating facility first becomes operational on or after July 1, 2019. After December 31, 2040, those customer-generators shall transition to tariffs that are in effect at that time.*

5 Utility Property Tax; Definition of Eligible Customer-Generator; Exclusion Clarified. Amend RSA 83-F:1, V(d) to read as follows:

(d) The electrical generation, production, and supply equipment of an "eligible customer-generator" as defined in RSA 362-A:1-a, II-b, *up to and including one megawatt, or up to and including 5 megawatts if the customer-generator's electrical generating facility first becomes operational on or after July 1, 2019;*

6 Effective Date. This act shall take effect 60 days after its passage.



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** H.1.

**SUBJECT:** Zach Luse/Paragon Digital Marketing - Application for Community Revitalization Tax Relief Incentive (79-E) - Former Grace Methodist Church at 34 Court Street

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**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the item be placed on more time to allow for 79-E application to be qualified.

**BACKGROUND:**

Mr. Zach Luse owner of Paragon Digital Marketing addressed the Committee next. Mr. Luse stated he operates a 13 person website development company. They are currently housed above the Bank of America building, but they are fast outgrowing this space. In September 2018, he purchased the Grace Methodist Church building. He noted this building is on the Historic Register as well as on the New Hampshire Preservation Alliance's "Seven to Save" list and currently stands as it was built 150 years ago. Mr. Luse stated he is glad to be able to save this building and use it for a modern use and to continue his company to grow downtown.

Mr. Luse stated he plans on preserving as much of this historic building as possible and turn it into an energy efficient building. He stated the plan is to replace the first floor windows but preserve the stain glass windows, installing insulation, replacing the south facing roof, installing a 37.4 kw solar array on the roof to heat and cool the building. Mr. Luse stated this application meets six of the nine items required under 79-E.

Vice-Chair Jacobs asked what the term "qualified" means with reference to putting this item on more time. Ms. Dragon stated this is an exciting item for the city as it is the 1<sup>st</sup> 79-E application. The next step in the process is a review of the application by a three-member staff committee. After their review, a report from that committee will go before the City Council and a public hearing will be scheduled.

Councilor Clark asked whether the solar exemption under this application falls under the existing solar exemption. Ms. Dragon stated the item before Council at this time is for an entire solar installation on a building to be exempt and if that moves forward it would apply to this building. Councilor Clark asked for added clarification on the solar exemption.

City Assessor Dan Langille stated the City's current exemption is \$30,000 and any additional value will be taxed. The new proposal being considered is to exempt an entire solar installation regardless of its value and the exemption would last as long as the installation is functional. Councilor Clark asked whether for the first five years most of this property was going to be tax exempt? Mr. Langille responded the value of this property is as of the date of the 79-E application. The current assessed value (at the point of the application) would remain for the first five years.

Attorney Mullins explained the entire 79-E process is not complete until the improvements are complete and a covenant with respect to those improvements and the public benefits generated from these improvements is recorded at the Registry of Deeds. He added all these numbers might not be in place at the public hearing; the numbers will be finalized only after the Assessor reviews the property. The purpose of the public hearing is to allow the 79E application to go forward, but the numbers won't be finalized until the City Assessor finishes his revaluation.

Councilor Clark commended this project and stated this is the most complete renovation project he has seen with respect to sustainable energy in the City.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the item be placed on more time to allow for 79-E application to be qualified.



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

February 27, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** J.1.  
**SUBJECT:** Relating to Vendors - Time Limitations for Certain Activities

---

**RECOMMENDATION:**

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends the adoption of Ordinance O-2019-03.

**ATTACHMENTS:**

**Description**

Ordinance O-2019-03

**BACKGROUND:**

The City Clerk introduced Terri Hood, Assistant City Clerk who would go through the details of the ordinance. She reiterated this is one of many to come before this Committee.

Ms. Hood commented this is Ordinance O-2019-03 which was prompted by a communication from Councilor Filiault. Ms. Hood said to date we have researched regulations in New Hampshire and then expanded sort of nationwide where food trucks are very popular. We found most are regulating hours of operation in some fashion through code or administrative process. What we are proposing is an ordinance that strikes a balance between allowing vendors to operate whenever they please versus regulating it to some degree; allowing for some regulatory authority and flexibility. We are proposing to extend the hours later in the evening on a day to day basis, but anything that deviates from that would still come to the Council for permission. Continuing Ms. Hood said we did create some definitions for the activities that are occurring. We have provided definitions for mobile food vendors, fixed location food vendors, and frozen confection vendors. Ms. Hood explained the ordinance provides greater flexibility by allowing the vendors to stay open until 10:00 PM Sunday through Wednesday, and until 11:00 PM Thursday through Saturday. There have been no changes to the hours for frozen confection vendors. Vendors do have the opportunity to come back to Council if they need further hour extensions.

Chair Richards clarified staff talked to the existing vendors and Council still has the ability to change hours on a case by case basis. Ms. Hood affirmed.

Chair Richards asked for Committee questions/comments.

Councilor Hansel clarified the Council has the opportunity to extend the hours but not to reduce them. Chair Richards reiterated he thinks we have had five requests in the past and we granted all of them. The City Clerk agreed and added extending can also mean earlier in the day; before 7:00 AM.

Councilor Sapeta asked if we are checking their health licenses. The City Clerk noted the coordination with John Rogers and explained they do not get a vendor license until they have a health license.

Chair Richards asked for public comments/questions.

Councilor Filiault applauded the City Manager and staff for handling this so rapidly. Noting his issue with the ordinance Councilor Filiault asked the Committee to consider amending it so that the hours are unrestricted. He continued as Council always says yes; why even have the requirement for them to come back in? Councilor Filiault explained there is a market in Keene from 10:00 PM to 1:00 AM as most of the restaurant kitchens close at 9:00 PM. He also mentioned he has heard some would like to go out at 5:00 AM in the summer to do coffee and breakfast sandwiches. Councilor Filiault further noted that any disturbances are handled and licenses can be revoked.

Chair Richards said he would support the ordinance the way it is for now and explained his reasoning.

Chair Richards asked for public comments or questions.

Mr. Reida noted it is impossible to get something to eat after 9:00 PM in Keene. He provided a scenario where he partnered with three or four different bars that do not serve food beyond 9:00 or 10:00 PM and they had the opportunity to partner with them on a rotational basis; say one per month. Mr. Reida then asked would we be able to come to Council and ask for that extension of hours on our license being non-site specific. Chair Richards commented replied in the affirmative adding now that we are talking about it, as staff has always taken care of this and just presented it to us he wonders if it has to come to Council or can it go to the City Clerk or Code. The City Manager replied you could do that by amending this ordinance to make it an administrative decision instead of Council. She also noted we would have to have a process in order to treat each vendor and request equally. Chair Richards agreed continuing as is was probably best as it would provide staff a chance to look at this possibility.

Councilor Hansel clarified as proposed this corresponds with the Noise Ordinance. He suggested you could not have an event after 11:00 PM in accordance with the ordinance. The City Attorney explained there are exceptions in the Noise Ordinance for activities that are otherwise permitted by the City through a license or permit. Councilor Hansel suggested the intent of the Noise Ordinance was to kind of shut things down in the City at 11:00 PM; he added he likes it being consistent. The City Manager explained we tried to mirror the Noise Ordinance and noted it is difficult to enforce. She continued the concern is noise and gathering. She provided a scenario of what happens after the bars and restaurants close and people return to their dwellings rather than gathering in outside places. The City Manager explained these gatherings would extend the activity in the downtown core and likely the Police activity as well. Mr. Reida said is it fair to assume that if we identify three or four spots that fall into all the other criteria that you would always consider granting that variance. The City Manager replied she is unsure if Council has ever extended a vendor until 1:00 AM. We are recommending between the 10:00 and 11:00 PM timeframe for extending the hours. She continued you do have the ability to ask Council for further extensions of those hours but that is another conversation that needs to be had. Chair Richards commented we have probably given staff more to think about tonight. This is just step one and we are trying to get everybody in a better place while these ordinances are developed.

Councilor Hansel said he did not want to put the responsibility on staff's shoulders and then have all the neighbors coming to them. He continued coming to Council gives more opportunities for neighbors to speak.

Councilor Sapeta commented our role is to balance. He recommends taking it slow; going step by step to test the waters. Councilor Sapeta supports the ordinance as is with more to come in the future.

Councilor Rice clarified Mr. Reida's question; if he applies for an extension and has three areas identified that he can go to, is it correct to say we do not have the answer to that right now. The City Manager replied we do

not have the three locations.

Mr. Reida commented he does not in any way disagree with the proposed changes. He is trying to identify potential issues for the future.

Terry Clark, Councilor Ward 3 noted his memories of downtown at night and asked when and why did the time limitation start. The City Clerk advised her office would locate this information and report back. There being no further questions or comments from the Committee or public Chair Richards asked for a motion.

Councilor Sapeta made the following motion which was seconded by Councilor Rice.

On a vote of 4-0, the Planning, Licenses, and Development Committee moves to recommend the adoption of Ordinance O-2019-03.





# CITY OF KEENE

O-2019-03

In the Year of Our Lord Two Thousand and ~~.....~~ **Nineteen**.....

AN ORDINANCE ~~.....~~ **Relating to Vendors - Time Limitations for Certain Activities**.....

*Be it ordained by the City Council of the City of Keene, as follows:*

That the Ordinances of the City of Keene, as amended, be and are hereby further amended by adding the bolded underlined text and deleting the stricken text in the following sections: In Article I. "In General" - Section 46-1 "Definitions"; and, in Article II. "Licensing Generally" - Section 46-121. "Time Limitations for Certain Activities", as follows:

## ARTICLE I. - IN GENERAL

Sec. 46-1. - Definitions.

**Mobile Food Vendor** means a self-contained food service operation, located in a licensed readily movable motorized wheeled or towed vehicle, used to store, prepare, and sell food items to the general public that operates on a temporary basis at various locations on private property with property owner consent, or at locations designated by the city.

**Fixed Location Food Vendor** means a self-contained food service operation, located in an approved cart, movable motorized wheeled or towed vehicle, used to store, prepare and sell food items to the general public that operates from a fixed location on private property with consent of the property owner, or on city property designated by the city.

**Frozen Confections Vendor** means a self-contained food service operation, located in a licensed readily movable motorized wheeled or towed vehicle, used for the sale of frozen confections to the general public that operates on a temporary basis at various locations on private property with property owner consent, or at locations designated by the city.

PASSED

## ARTICLE II. - LICENSING GENERALLY

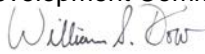
Sec. 46-121. - Time limitations for certain activities.

- (c) With respect to any license issued under division 2, of article VIII, of this chapter pertaining to frozen confections vendors, activities shall not commence prior to 9:00 a.m. nor continue after 9:00 p.m. during Daylight Saving Time or 7:00 p.m. Eastern Standard Time.
- ~~(e)~~ (d) With respect to any license issued under division 2, of article VIII, of this chapter pertaining to mobile food vendors, and fixed location food vendors, activities shall not commence prior to ~~9:00~~ 7:00 a.m. nor continue after ~~9:00~~ 10:00 p.m. ~~during Daylight Saving Time~~ Sunday through Wednesday or ~~7:00~~ 11:00 p.m. ~~Eastern Standard Time~~ Thursday through Saturday unless otherwise authorized by city council in accordance with subsection ~~(d)~~ (e) below.
- ~~(d)~~ (e) Any mobile food vendor or fixed location food vendor requesting permission to commence activities prior to ~~9:00~~ 7:00 a.m. or after ~~9:00~~ 10:00 p.m. ~~during Daylight Saving Time~~ Sunday through Wednesday or ~~7:00~~ 11:00 p.m. ~~Eastern Standard Time~~ Thursday through Saturday shall do so in writing to the city council. City council may grant said permission with reasonable conditions and terms deemed necessary for public convenience and safety.

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Kendall W. Lane, Mayor

In City Council February 21, 2019.  
Referred to the Planning, Licenses  
and Development Committee.

  
Deputy City Clerk



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

March 4, 2019

**TO:** Mayor and Keene City Council

**FROM:** Kürt D. Blomquist, PE, Public Works Director/Emergency Management Director

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

**ITEM:** K.1.

**SUBJECT:** Appropriation of Funds for Drummer Hill Water Tank and Pump Station Replacement

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**RECOMMENDATION:**

Forward Resolutions R-2019-06, Related to an appropriation for the Replacement of the Drummer Hill Water Tank and Pump Station, and R-2019-07, Relating to the Reallocation of funds from the Water Infrastructure Capital Reserve to replace the Drummer Hill water pump station, for first reading and referral to the Finance, Organization and Personnel Committee.

**ATTACHMENTS:**

**Description**

Resolution R-2019-06

Resolution R-2019-07

**BACKGROUND:**

A leak was discovered in the 100,000 gallon Drummer Hill water storage tank in February 2018. As a result of this failure the tank has been off line and the pump station has been meeting the basic water needs for the properties within the high pressure zone. The existing pump station is not capable of providing water flows for fire protection.

Funding had been previously appropriated for the evaluation of options for repair of the tank. The City contracted with Tighe and Bond Engineers to perform the evaluation, reviewing options to repair the existing tank; replace the existing tank and pump station; or replace the tank with a pump station only. The review included addressing water quality issues, provision of fire flow to meet current standards, and providing adequate pressures to all the customers within the high pressure zone. Based upon this review the recommendation coming forward will be to replace the existing tank and pump station. The work has an estimated cost of \$2.215M with \$.8M previously appropriated, leaving a requirement of an additional \$1.415M

This failure was an unplanned event it is recommended that the \$1.415M be appropriated from the Water Fund unappropriated fund balance to the Water Infrastructure Capital Reserve and the funds be dedicated for the replacement project.



# CITY OF KEENE

R-2019-06

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

A RESOLUTION .....Related to an appropriation for the Replacement of the Drummer Hill  
Water Tank and Pump Station. ....

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

That the sum of one million four hundred and fifteen thousand dollars (\$1,415,000) is hereby appropriated in the 2018/2019 Fiscal Year and allocated into the Water Infrastructure Capital Reserve for the purpose of Replacing the Drummer Hill Water Tank and Pump Station.

Said appropriation to be funded by the Water Fund unappropriated fund balance.

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Kendall W. Lane, Mayor



# CITY OF KEENE

R-2019-07

Nineteen

In the Year of Our Lord Two Thousand and .....  
Relating to the Reallocation of funds from the Water Infrastructure Capital  
A RESOLUTION ..... Reserve to replace the Drummer Hill water pump station. ....

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

That the sum of one million four hundred and fifteen thousand dollars (\$1,415,000) be allocated from the Water Infrastructure Capital Reserve fund (05019) to replace the Drummer Hill Water Tank and Pump Station.

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Kendall W. Lane, Mayor



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

February 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** K.2.

**SUBJECT:** Relating to Property Tax Exemptions for Solar, Wind & Wood Heating Energy Systems

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**RECOMMENDATION:**

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the rescission of Resolution R-2017 and the adoption of Resolution R-2019-05

**ATTACHMENTS:**

**Description**

Resolution R-2017-08

Resolution R-2019-05

**BACKGROUND:**

Mr. Langille addressed the Committee and stated this Resolution was before the Committee recently. He noted the City currently has a solar, wind and wood exemption for the City. This proposed Resolution removes the cap of \$30,000 the City currently has and to completely exempt those systems. Mr. Langille went on to say there is current legislation in place which is looking at the definition for this exemption. Staff is working with the New Hampshire Municipal Association to make sure it meets the criteria the City is looking at.

This Resolution takes effect as of April 1, 2019.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends the rescission of Resolution R-2017 and the adoption of Resolution R-2019-05



# CITY OF KEENE

R-2017-18

In the Year of Our Lord Two Thousand and ..... 2017 .....

A RESOLUTION ..... RELATING TO PROPERTY TAX EXEMPTIONS FOR SOLAR, WIND  
POWERED & WOOD HEATING ENERGY SYSTEMS .....

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

**Whereas**, in 1975 the legislature enacted RSA 72:62, an Exemption for Solar Energy Systems, and RSA 72:66, an Exemption for Wind Powered Energy Systems, and RSA 72:70, an Exemption for Wood heating Energy Systems and

**Whereas**, the City of Keene is a active participant and leader in the “Cities for Climate Protection” and

**Whereas**, the Council of the City of Keene wishes to modify the Exemption for Solar Energy, Wind Powered Energy and Wood-heating Energy Systems in recognition of energy conservation.

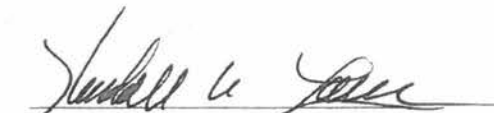
**Now Therefore Be It Resolved** by the Council of the City of Keene that Resolution R-2007-11 adopted March 15, 2007, is rescinded.

**And Be It Further Resolved** by the Council of the City of Keene that it hereby wishes to comply with the modifications as set out in RSA 72:27-a, by responding in the affirmative to the following:

“Shall the Council of the City of Keene adopt the provisions of RSA 72:62 for a property tax exemption on real property equipped with a solar energy system in an amount equal to the assessed value of the solar energy systems, up to 30,000 in value.”

“Shall the Council of the City of Keene adopt the provisions of RSA 72:66 for a property tax exemption on real property equipped with a wind powered energy system in an amount equal to the cost, including installation, of the wind powered energy systems, up to 10,000 in value.”

“Shall the Council of the City of Keene adopt the provisions of RSA 72:70 for a property tax exemption on real property equipped with a wood heating energy system in an amount equal to the cost, including installation, of the wood heating energy systems, up to 10,000 in value.”

  
Kendall W. Lane, Mayor

A true copy;  
Attest:



City Clerk



# CITY OF KEENE

R-2019-05

Nineteen

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

## RELATING TO PROPERTY TAX EXEMPTIONS

A RESOLUTION .....~~FOR SOLAR, WIND-POWERED & WOOD HEATING ENERGY SYSTEMS~~.....

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

**Whereas**, in 1975 the legislature enacted RSA 72:62, an Exemption for Solar Energy Systems, and RSA 72:66, an Exemption for Wind Powered Energy Systems, and RSA 72:70, an Exemption for Wood heating Energy Systems, as amended from time to time; and

**Whereas**, the City of Keene is an active participant and leader in the “Cities for Climate Protection Program;” and

**Whereas**, the City Council of the City of Keene wishes to modify the Exemption for Solar Energy, Wind Powered Energy and Wood-heating Energy Systems in recognition of energy conservation;

**Now Therefore, Be It Resolved** by the City Council of the City of Keene that Resolution R-2017-18 adopted May 4, 2017, is hereby rescinded through the adoption of this Resolution.

**And Be It Further Resolved** by the City Council of the City of Keene that, in accordance with the requirements of RSA 72:27-a, the following exemptions are hereby adopted:

“The provisions of RSA 72:62 for a property tax exemption on real property equipped with a solar energy system in an amount equal to the assessed value of the solar energy system.”

“The provisions of RSA 72:66 for a property tax exemption on real property equipped with a wind powered energy system in an amount equal to the assessed value of the wind powered energy system.”

“The provisions of RSA 72:70 for a property tax exemption on real property equipped with a wood heating energy system in an amount equal to the cost, including installation, of the wood heating energy systems, up to \$10,000.00 in value.”

This Resolution shall be effective as of April 1, 2019.

In City Council February 21, 2019.  
Referred to the Finance, Organization  
and Personnel Committee.

Deputy City Clerk

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





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

February 14, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** L.1.

**SUBJECT:** Dubois & King Airport Management Contract - Airport Manager

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**COUNCIL ACTION:**

In City Council February 21, 2019.  
Report tabled until the next regular meeting.

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to enter into a management contract with Dubois & King for up to one-year to provide day to day management of airport operations, in accordance with the Scope of Services, for an amount not to exceed \$100,000 and to allow the use of airport budget personnel wage and benefit lines to fund this contract.

**BACKGROUND:**

Airport Manager Jack Wozmak began by introducing Guy Ruelle from Dubois & King. Mr. Wozmak stated he was at the end of his management contract period with the City. Mr. Wozmak noted that he became the Airport Director 3 years ago and was asked to accomplish specific tasks including the 10 Year Master Plan, the removal of obstructions from trees, and the reconstruction of the 14-32 runway.

He continued that during his tenure, landing fees, fuel sales and tenant rents have increased. The City has seen quite a successful uptick at the airport and quite a bit of renovations has occurred. Working with the Airport Development and Marketing Committee they have been looking more at the next phase of the development of the airport and specifically whether there was any opportunity to establish commercial air service (Part 139 Certified).

Mr. Wozmak continued it is appropriate to go through a transition and to introduce a level of airport management to engage other experts to gather data and potential undertake schedule air service. Mr. Wozmak stated to that end he has recommended Dubois & King take on this management role. Mr. Wozmak talked about Mr. Ruelle's experience with airport management. He has overseen ten airports in Vermont and has experience in creating airports for development and bringing them up to a level where they can support commercial air traffic. Mr. Wozmak felt Mr. Ruelle would be the best choice for the next year. Mr. Wozmak stated this is a choice the City Manager is in support of and it is a choice that is appropriate until the City is able to fill the role of the Airport Manager, which could take some time. He felt having Mr. Ruelle at the airport could also help with this search process.

Mr. Ruelle stated he is happy to be present at today's meeting and began by saying that he worked for 15 years

with the State of Vermont as their Aeronautics Administrator managing airports (taking under-performing airports to an acceptable stage). Mr. Ruelle stated he has learned a lot working alongside Mr. Wozmak for the past 19 months. Mr. Ruelle stated his company already has a contract with the airport to move capital projects forward, but his expertise is in airport management, flight instruction, air traffic control and other facets of aviation and felt this expertise can benefit the airport.

Councilor Jacobs verified the City is not appropriating additional monies for this position. Mr. Wozmak agreed this does not change the airport budget at all.

Councilor Powers asked whether this would be a full time position. The City Manager stated there will not be a full time presence at the airport - it will be Monday, Wednesday and Friday, but Mr. Ruelle will be assigned other special projects as well. Mr. Wozmak noted the airport will not want for coverage as there is a layer of people who will be able to respond in any emergency situation. Mr. Wozmak felt the change will be seamless and did not think the public will see any gaps.

Councilor Powers asked whether the Manager feels a recruitment process will take a year. Ms. Dragon stated she hoped it would not take a year, but this contract gives the City the flexibility to terminate the services of Dubois & King once a permanent person is hired.

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 enter into a management contract with Dubois & King for up to one-year to provide day to day management of airport operations, in accordance with the Scope of Services, for an amount not to exceed \$100,000 and to allow the use of airport budget personnel wage and benefit lines to fund this contract.