



City of Keene
New Hampshire

**FINANCE, ORGANIZATION
AND PERSONNEL COMMITTEE
AGENDA
Council Chambers B
March 28, 2019
6:30 PM**

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

-
1. Melanson & Heath - Audit for Fiscal Year Ended June 2018
 2. Application and Acceptance of Grant - Taxiway A Reconstruction and Extension - Public Works Department
 3. Homeland Security Grant Program - Police Department
 4. Acceptance of Drug Forfeiture Distribution - Police Department
 5. Request to Accept a Monetary Donation - Police Department
 6. Attorney Gary Kinyon/372 Marlboro Street, LLC - Purchase Proposal for City Property - Adjacent to 372 Marlboro Street
 7. Zach Luse/Paragon Digital Marketing - Application for Community Revitalization Tax Relief Incentive (79-E) - Former Grace Methodist Church at 34 Court Street
 8. Acquisition of the Rail Spur that Bisects Two Parcels of Property - Corner of Ralston and Emerald Streets - Planning Department
 9. Relating to an Appropriation for the Main Street Crosswalk Improvements Project
Resolution R-2019-13
 10. Appropriation of Funds - Water/Sewer Rate Study & Acceptance of Grant - Public Works Department
Resolution R-2019-14

MORE TIME ITEMS:

- A. Toby Tousley - Request to Purchase City Property - Adjacent to Bicycle/Pedestrian Path -
160 Emerald Street
- B. Appropriation of Funds for Drummer Hill Water Tank and Pump Station Replacement
Resolution R-2019-06
Resolution R-2019-07

Non Public Session
Adjournment



City of Keene, N.H.
Transmittal Form

March 13, 2019

TO: Finance, Organization and Personnel Committee

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

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 2.

SUBJECT: Application and Acceptance of Grant - Taxiway A Reconstruction and Extension - Public Works Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to apply for, accept and execute a grant offering from the New Hampshire Department of Transportation, Bureau of Aeronautics and/or the Federal Aviation Administration for the design and construction phases of the Taxiway A Reconstruction/Extension Project at the Dillant-Hopkins Airport.

BACKGROUND:

The City participates in the Airport Improvement Program through the State of New Hampshire. This program provides funding for identified Capital Improvements with 90% funding coming from the Federal government through the Federal Aviation Administration (FAA), 5% from the New Hampshire Department of Transportation (NHDT), Bureau of Aeronautics, and a 5% local match.

The City identified the reconstruction and extension of Taxiway A in the City's FY19-24 Capital Improvement program. On February 7, 2019, the City Council approved a professional services agreement for the design and construction administration of this project. It is therefore recommended that the City Manager be authorized to do all things necessary to apply for, accept and execute the Grant Offer once it is received by the City.



City of Keene, N.H.
Transmittal Form

March 19, 2019

TO: Finance, Organization and Personnel Committee

FROM: Todd B. Lawrence, Captain

THROUGH: Steven Russo, Police Chief, Elizabeth A. Dragon, City Manager

ITEM: 3.

SUBJECT: Homeland Security Grant Program - Police Department

RECOMMENDATION:

Move that the Finance, Organization, and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a grant of up to \$851.99 from the FY 2016 Homeland and Security Law Enforcement Terrorism Prevention Program (LETTP) to send one member of the police department to the 2019 New York Tactical Officers Association conference in April, 2019.

BACKGROUND:

The State of NH recognized the need to provide advanced tactics training for active threat situations to Law Enforcement. Attendance at this conference will provide a network to share best practices, sound tactics, and training and operational experiences for New Hampshire special operations team participants. The knowledge and skills gained will enable teams to enhance identified gaps in training, exercises, and planning for an active threat or hostile event. 2016 Homeland Security funds are available specifically for New Hampshire tactical teams to conduct multi-department and multi-agency training, as well as attend certain Homeland Security sponsored training conferences and seminars.

These grant funds will be used to pay the registration fee and hotel costs for one KPD tactical team member to attend this training.



City of Keene, N.H.
Transmittal Form

March 20, 2019

TO: Finance, Organization and Personnel Committee

FROM: Steve Stewart, Police Captain

THROUGH: Steve Russo, Police Chief, Elizabeth A. Dragon, City Manager

ITEM: 4.

SUBJECT: Acceptance of Drug Forfeiture Distribution - Police Department

RECOMMENDATION:

Move that Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a monetary State drug forfeiture in the amount of \$604.25.

BACKGROUND:

This distribution represents the City's portion of funds seized pursuant to a narcotics investigation that culminated on 2/18/18 (18-125-AR).



City of Keene, N.H.
Transmittal Form

March 20, 2019

TO: Finance, Organization and Personnel Committee

FROM: Steve Stewart, Police Captain

THROUGH: Steve Russo, Police Chief, Elizabeth A. Dragon, City Manager

ITEM: 5.

SUBJECT: Request to Accept a Monetary Donation - Police Department

RECOMMENDATION:

Move that the Finance, Organization, and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a \$50 donation to be used for the Keene Police Department K-9 program.

BACKGROUND:

This donation is being made by Ed and Krishni Pahl; in memory of Brian Costa and in appreciation of his service to the community.



City of Keene, N.H.
Transmittal Form

March 12, 2019

TO: Mayor and Keene City Council

FROM: Attorney Gary Kinyon

THROUGH: Patricia A. Little, City Clerk

ITEM: 6.

SUBJECT: Attorney Gary Kinyon/372 Marlboro Street, LLC - Purchase Proposal for City Property -
Adjacent to 372 Marlboro Street

COUNCIL ACTION:

In City Council March 21, 2019.

Referred to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description

Communication - Kinyon

BACKGROUND:

Attorney Gary Kinyon is representing 372 Marlboro Street, LLC, the new owners of the former Knights of Columbus property. His client is interested in purchasing two parcels of City property adjacent to 372 Marlboro Street.

MAR 6 - 2019

BRADLEY & FAULKNER, PC

ATTORNEYS AT LAW

Homer S. Bradley, Jr.

Rand S. Burnett

Gary J. Kinyon

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DIRECT DIAL
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March 6, 2019

Honorable Mayor and City Council
City Hall
3 Washington Street
Keene, NH 03431

Re: Marlboro Street Purchase Proposal – Land Adjacent to 372 Marlboro Street

Ladies and Gentlemen:

I represent 372 Marlboro St, LLC, the owner of real estate at 372 Marlboro Street (the former Knights of Columbus building) which abuts the City's 350 Marlboro Street property. My client acquired title to the land by deed recorded October 12, 2018 and recorded in Book 3043, Page 810 of the Cheshire County Registry of Deeds. In researching the title history to the property, it was discovered that Knights of Columbus formerly owned a small, rectangular abutting parcel containing 3,770 square foot. Knights of Columbus subdivided the 3,770 square foot parcel in 1983 and conveyed that small parcel to Wetterau, Inc. by deed dated October 28, 1983 (Book 1048, Page 770). Enclosed for reference is the subdivision plan showing both parcels, with the 3,770 foot parcel highlighted in yellow. The City acquired this smaller parcel (along with the other abutting Wetterau real estate) by deed dated January 29, 2002 and recorded at Book 1869, Page 841.


In addition, there is another small parcel of land abutting (and east of) the 372 Marlboro Street parcel, between the 372 Marlboro Street parcel and the most easterly access into 350 Marlboro Street.

Please accept this letter as the request of 372 Marlboro St, LLC to purchase from the City the 3,770 SF parcel and the parcel east of 372 Marlboro Street, with the plan to annex either or both to, and utilize either or both with, the 372 Marlboro Street parcel. This proposal to purchase would not include the acquisition of the access easement reserved to the City which abuts the 3,770 SF parcel. Any proposed purchase would be with the expectation that any costs and expenses related to the sale would be borne by the buyer.

Honorable Mayor and City Council
March 6, 2019
Page 2

Thank you for your consideration of this request.

Very truly yours,



Gary J. Kinyon

GJK/bas
Enclosure
cc: Thomas Mullins, Esq.
Client

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



Patricia Castle
City Clerk

IN THE CITY OF KEENE
 PLAN OF SUBDIVISION FOR
 KNIGHTS OF COLUMBUS HOME ASSOCIATION

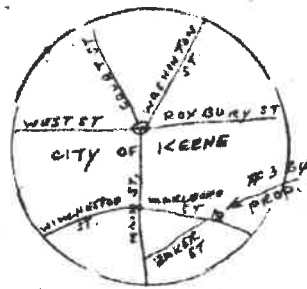
SCALE: 1 in. = 50 ft.

APPROVED KEENE PLANNING BOARD
 Chairman: *Nick Russell*
 Date: *April 18, 1983*

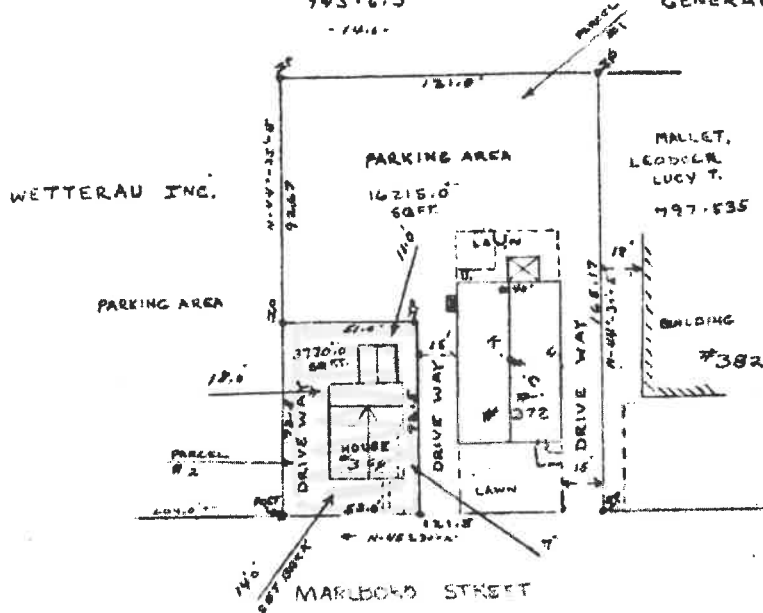
The approval to subdivide this land is on the basis of the information furnished by WETTERAU INC.
 The property or other interests in which it is located is as follows:

Recorded 5/11/83

- 838-865
- 838-344
- 914-21
- 944-710
- 945-613
- 1411 -

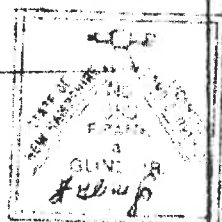


GENERAL LOCATION



I hereby certify that we are the sole owners of all the land contained herein.
1. Victor Dentone President

• 48-748 City 5-11-83 Keene Assessors





CITY OF KEENE

R-2018-33

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

A RESOLUTION RELATING TO ADOPTING THE PROVISIONS OF RSA 79-E
“COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE”.....

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

WHEREAS, RSA 79-E “Community Revitalization Tax Relief Incentive” (hereinafter “RSA 79-E) declares it a public benefit to enhance downtown and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality; and

WHEREAS, RSA 79-E further declares it a public benefit to encourage the rehabilitation of underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.; and

WHEREAS, RSA 79-E also declares it a public benefit to provide short-term property assessment tax relief and a related covenant to protect public benefit in order to encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of qualifying structures, as described herein; and

WHEREAS, RSA 79-E:3 permits municipalities to adopt modifications of the provisions of RSA 79-E, as set forth within the Statute.

WHEREAS, on December 21, 2017 the City Council adopted RSA 79-E within certain districts located within the City as defined in R-2017-41; and

WHEREAS, the City Council hereby rescinds R-2017-41, and readopts and expands RSA 79-E in accordance with this Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Keene that the Council hereby readopts and re-implements the provisions of RSA 79-E, with certain modifications, as follows:

A. For purposes of administering a RSA 79-E program within Keene, the City hereby defines that a “qualifying structure” shall mean a non-residential building, a mixed use building with residential uses occupying less than 50% of the gross living area, or a residential use building, being located within the area depicted on the map labeled “City of Keene Community Revitalization Tax Relief Incentive (RSA 79-E) District” dated _____ attached hereto and made part of this Resolution.

B. For purposes of administering a RSA 79-E program within Keene, the City Council shall ensure that the proposed substantial rehabilitation provides one or more of the following public benefits, or that the proposed replacement provides one or more of the public benefits to a greater degree than would substantial rehabilitation of the same qualifying structure:

- I. It enhances the economic vitality of downtown areas;
- II. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;
- III. It promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation;
- IV. It promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan;
- V. It will add to the City's employment base by creating at least one new, full-time job in Keene's downtown area;
- VI. It directly supports the integration of public art in the downtown; or
- VII. It promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard (e.g. LEED, Green Globes, National Green Building Standard, and International Green Construction Code).
- VIII. It maintains owner occupancy of a residential building or it returns a residential building to owner occupancy;
- IX. It results in an increase in energy sustainability in conformance with the City adopted greenhouse gas initiatives as determined by a home energy score of at least six (6), and demonstrated carbon emission reduction of at least 10%.

C. "Substantial Rehabilitation" shall mean rehabilitation of a qualifying structure which costs at least \$75,000 and, in certain cases, replacement of a qualifying structure which costs at least \$75,000;

D. "Tax Relief Period" shall mean that for a period of up to five (5) years the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation or reconstruction thereof, beginning only upon completion of substantial rehabilitation or, in the case of a replacement structure, upon completion of its construction;

E. In accordance with RSA 79-E:5, the duration of the tax relief period for applications filed in Keene shall be considered in the context of each specific application and shall only provide that level of tax relief necessary in the discretion of the City Council to effectuate the specific targeted public benefit(s) outlined as determined by the City Council. By way of example, a qualifying project that is deemed by the City Council to provide one or two of the public

benefits listed above may be granted a tax relief period of up to two years, and a qualifying project that provides three or more public benefits may be granted a tax relief period of up to five years; provided, however, that in determining what, if any, tax relief duration to provide, the City Council may consider the impact the proposed substantial rehabilitation will have on existing, or required, City infrastructure.

BE IT FURTHER RESOLVED that a property owner, as a condition of being granted such tax relief, shall

A. Document the proposed public benefit(s) at the time of the application for tax relief under the Keene RSA 79-E program; and

B. Provide the City promptly with all information and documentation that the City may deem relevant for review of the application for such tax relief, as well as for review of the rehabilitation or replacement project under federal, state, and local laws, codes and regulations, as may be applicable; and

C. Grant to the City a Covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefit(s) for which the property tax relief was granted and shall require the property owner to obtain casualty insurance, and flood insurance, if appropriate, for twice the term of the tax relief granted; and

D. Grant to the City a lien against the property for the purpose of ensuring proper restoration or demolition of damaged structures and property; and

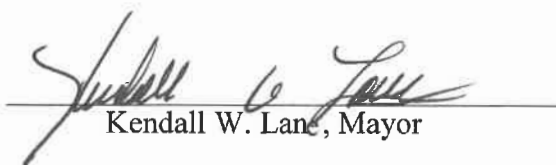
E. Maintain the property as taxable, regardless of whether the property owner is otherwise subject to property taxes under RSA Chapter 72; and

BE IT FURTHER RESOLVED that if the Covenant is terminated for any reason, the City shall assess all current and arrears taxes, with interest, to the property owner as though no tax relief was granted in accordance with RSA 79-E:9,II; and

BE IT FURTHER RESOLVED that the City Manager or her or his designee, is hereby authorized to execute all documents and undertake all actions as may be required to implement this resolution.

This resolution shall take effect upon sixty (60) days following approval by City Council.

PASSED: November 15, 2018


Kendall W. Lane, Mayor

In City Council November 1, 2018.
Referred to the Planning, Licenses
and Development Committee.

A true copy,
Attest:


Patricia Calkins
City Clerk

City Clerk





City of Keene, N.H.
Transmittal Form

March 13, 2019

TO: Mayor and Keene City Council

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

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 9.

SUBJECT: Relating to an Appropriation for the Main Street Crosswalk Improvements Project

COUNCIL ACTION:

In City Council March 21, 2019.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

That Resolution R-2019-13, Related to an Appropriation for the Main Street Crosswalk Improvements Project, be referred to the Finance, Organization and Personnel Committee for consideration with a recommendation back to City Council.

ATTACHMENTS:

Description

Resolution R-2019-13

BACKGROUND:

In the FY19-24 Capital Improvement Program (CIP), the City Council identified the need to improve the interim crosswalks between Elliot Street and the Westwood Center on Main Street. The proposed project includes the installation of a median with granite curbing, construction of bump out areas at the crosswalks and the installation of pedestrian activated flashing signals. The project was scheduled for completion in FY23.

In the spring of 2019, Keene State College expressed an interest in moving this work forward. Keene State College came forward and offered to donate to the City, half of the cost of this project up to \$120,000, if the project could be moved forward to the 2018 construction season. The estimated cost of the project was \$240,000. On June 7TH, 2018, the Council voted unanimously to appropriate \$120,000 for the project in the FY18.

On July 26, 2018, the City received one bid for the construction work. The total bid price was \$398,460. Staff recommended against awarding the contract at that time. During the Fall and winter of 2018-2019, the Engineering Division revised the plans to lower construction cost while still achieving the goals of the project. The work was rebid and on February 19TH, we received one bid. The bid price was \$343,009.

On March 6, Keene State College pledged an additional \$55,000 towards the project. The requested appropriation (\$55,000) will fund the current bid and provide a small contingency (\$6,991) for use under the

City Manager's authority.



CITY OF KEENE

R-2019-13

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

A RESOLUTIONRelated to an Appropriation for the Main Street Crosswalk Improvements Project.....

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

That the sum of fifty five thousand dollars (\$55,000) is hereby appropriated in the 2018-2019 fiscal year for the purpose of providing funding for Lower Main Street crosswalk improvements.

Said appropriation to be funded by the Downtown Infrastructure Capital Reserve (\$55,000).

Kendall W. Lane, Mayor

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


City Clerk



City of Keene, N.H.
Transmittal Form

March 22, 2019

TO: Finance, Organization and Personnel Committee

FROM: Aaron Costa, Operations Manager; Kurt D. Blomquist, P.E., Public Works Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 10.

SUBJECT: Appropriation of Funds - Water/Sewer Rate Study & Acceptance of Grant - Public Works Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee approve the reallocation of funds from the existing Water Supply Protection, \$37,000 and Water Treatment Facility Design capital project, \$13,792, and accept and executive a grant in the amount of \$20,000 from the New Hampshire Department of Environmental Services for the water/sewer rate study. Further that the Committee move for the adoption of Resolution R-2019-14, which would also reallocate funds from the Sewer Infrastructure Capital Reserve for the water/sewer rate study.

ATTACHMENTS:

Description

Background_Blomquist

Resolution R-2019-14

BACKGROUND:

Water and sewer fees provide the primary sources of revenue for the Water and Sewer utility enterprise funds. The current rate structure is based on meter size and volume. The last time the City performed a rate study was in 2004. The purpose of this study is to ensure the utility rates cover the true cost of providing water and sewer services to the City's customers.

This study takes into account all aspects of the water/sewer utility services including costs associated with treatment, operations and maintenance, equipment repair and replacement, maintaining appropriate working capital and cash balances, debt services requirements as well as identifying capital improvement needs.

The City applied for, and was awarded, an Asset Management grant through the New Hampshire Department of Environmental Services in the amount of \$20,000 for this rate study. Requirements of the grant are;

- The City is required to match 100% of the grant
- The City must submit the final rate analysis to NHDES
- Submit the asset management plan and informational pamphlet sent to users
- Invite NHDES to all meetings and workshops

- Submit quarterly progress reports

The total estimated cost for this project is approximately \$110,000 and will take 6 to 12 months to complete. A consultant will be selected through the City's RFP process. Staff is recommending \$40,000 from the Sewer Infrastructure Capital Reserve, \$37,000 from the existing Water Supply Protection capital project, \$13,792 from Water Treatment Facility Design/Construction capital project and \$20,000 from the New Hampshire Department of Environmental Services grant to fund this rate study.

It is recommended the Finance, Organization and Personnel Committee authorize acceptance of the grant as well as the reallocation of funds from the sewer capital reserve and existing water capital projects as described.



City of Keene, N.H.
Transmittal Form

March 15, 2019

TO: Mayor and Keene City Council

FROM: Aaron Costa, Operations Manager

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: K.2.

SUBJECT: Appropriation of Funds for Water/Sewer Rate Study

COUNCIL ACTION:

In City Council March 21, 2019.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

Forward Resolution R-2019-14, relating to reallocation of funds from the Sewer Infrastructure Capital Reserve to fund a Water/Sewer rate study, for first reading and referral to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description

Resolution R-2019-14

BACKGROUND:

Water and sewer fees provide the primary source of revenue for the Water and Sewer utility enterprise funds. The current rate structure is based on meter size and volume. The last time the City performed a rate study was in 2004. The purpose of this study is to ensure the utility rates cover the true cost of providing water and sewer services to the City's customers.

This study takes into account all aspects of the water/sewer utility services including costs associated with treatment, operations and maintenance, equipment repair and replacement, maintaining appropriate working capital and cash balances, debt services requirements as well as identify capital improvement needs.

In addition, the City completed a Water Facilities Evaluation in 2013, an Asset Management Plan for the water system in 2016 and will be completing with an Asset Management Plan for sewer and storm systems in 2019. The proposed rate study is intended to build off of those reports and develop a sustainable rate structure.

The total estimated cost for this project is \$110,000. The City received an Asset Management Planning Grant from the State of New Hampshire's Department of Environmental Services for \$20,000 for this important rate study. \$50,000 is recommended to come from two existing water fund capital projects with the remaining \$40,000 being reallocated from the Sewer Infrastructure Capital Reserve fund.



CITY OF KEENE

R-2019-14

Nineteen

In the Year of Our Lord Two Thousand and
Relating to the Reallocation of funds from the Sewer Infrastructure Capital
A RESOLUTION Reserve to fund a portion of a water/sewer rate study.

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

That the sum of forty thousand dollars (\$40,000) be allocated from the Sewer Infrastructure Capital Reserve fund (08024) to fund a portion of a water/sewer rate study.

Kendall W. Lane, Mayor

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


City Clerk

PASSED