



City of Keene  
*New Hampshire*

**MUNICIPAL SERVICES,  
FACILITIES AND INFRASTRUCTURE  
COMMITTEE  
AGENDA  
Council Chambers B  
July 10, 2019  
6:00 PM**

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

- 
1. Katie Schwerin - Public Art Proposal - Peace Pole
  2. Water Monitoring at Closed Landfill - Public Works Department

**MORE TIME ITEMS:**

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

Non Public Session  
Adjournment



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

June 18, 2019

**TO:** Mayor and Keene City Council

**FROM:** Katie Schwerin/Monadnock Mindfulness Center

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

**ITEM:** 1.

**SUBJECT:** Katie Schwerin - Public Art Proposal - Peace Pole

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**COUNCIL ACTION:**

In City Council June 20, 2019.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

**ATTACHMENTS:**

Description

Communication - Schwerin

Resolution R-2018-22

**BACKGROUND:**

Katie Schwerin is submitting a public art proposal on behalf of the Monandock Mindfulness Center. The proposal is to locate a Peace Pole at the location of the Mt. Monadnock Labrynth. This will be a permanent art display.

## City of Keene

### Section 4 - Public Art Proposal

1. Name of artist, partners or organizations involved.

*Monadnock Mindfulness Center. Board Chair: Aylene Wozmak*

*Supported by Katie Schwerin, local artist and artist for Keene's Mt. Monadnock Labyrinth.*

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

*The Monadnock Mindfulness Center (MMC) commissioned Keene Monument Company to create a Peace pole for MMC to give to the City of Keene*

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

*This will be a permanent display.*

4. Identify the location.

*The Peace Pole will be located at the Keene Airport, on the right as you drive to the airport. There is a pull off area with some picnic tables across from a large open field where the Mt. Monadnock Labyrinth is located. The Peace pole would be to the right of the Labyrinth in an open area of the field.*

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

*The Peace Pole is approximately 8 feet in height and 1 foot square in width. It will be submerged 2'feet into the earth so that 6 feet is above the ground. It has these words written on it:*

*May all beings be happy*

*May all beings be healthy*

*May all beings be free from harm*

*May all beings be at Peace*

6. Are utility hookups needed?

*No.*

7. How is the project being funded?

*The Peace Pole and its installation costs were funded by the Monadnock Mindfulness Center Community.*

8. Expected general maintenance requirements.

*No maintenance required.*

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

*Not temporary.*

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

*This is an original piece of art/sculpture*

11. Comply with all City and State permitting.

*Yes.*

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

*Yes*

Plan for production

*Keene Monument will install the piece.*

Time line

*As soon as the city approves the project, we will work with Keene Monument company to set a date for installation.*

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

*Yes. The location is already a place the public goes with picnic tables and a parking area easily accessible.*

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

*For many years, we have had the Mayor speak on World Peace Day and they have read the Proclamation of Peace. We feel this sign of peace will compliment the cannons at the head of the square. The cannons depict how peace has been attained through the action of war and that the Peace Pole would depict how peace can be attained by the actions of each and everyone of us collectively by being mindful of our actions toward each other, to our community, to other communities, and ultimately to the World.*

15. Is the project designed for the proposed site and is commensurate in scale with its surroundings? *It was designed many years ago but the MMC just now found the right location to install it. It actually fits perfectly in a natural amphitheater location next to the Mt Monadnock Labyrinth with easy access by the public.*

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

*It does not require any maintenance.*

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

*Yes. Keene Monument Co. is a professional stone engraving and stone installation company.*

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

*Yes. It fits with the meditative, peaceful environment and it is set next to the Mt. Monadnock Labyrinth.*

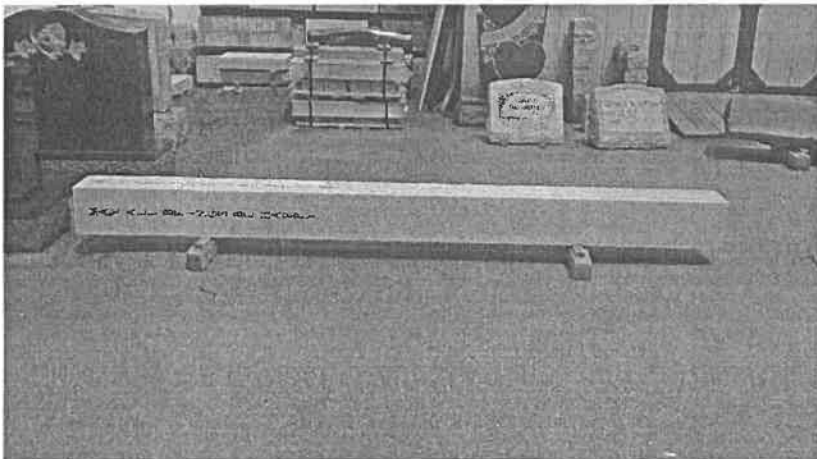
19. Does the project contribute to a sense of civic pride?

*Yes. It is about supporting Peace in the world.*

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

*No. The Peace Pole will be installed by Keene Monument Company*

Addendum: Attached image of the Peace Pole





# CITY OF KEENE

R-2018-22

In the Year of Our Lord Two Thousand and Eighteen

A RESOLUTION COUNCIL POLICY: RELATING TO THE ACCEPTANCE AND PLACEMENT OF PUBLIC ART

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

WHEREAS: Public Art plays an important role in increasing the understanding and enjoyment of art by the community. Art is more accessible and visible to people when displayed in public areas. A key feature of Public Art is the importance of integrating art into the fabric of the community in order to enrich and enhance the physical attractiveness of the community. Public Art transforms spaces and provides a valuable contribution to the appreciation of the community and the quality of public places; and

WHEREAS: The City of Keene desires to participate in the promotion and display of Public Art to contribute to the unique identity of the City; enhance the City's economic and cultural vitality; and to encourage Public Art that is accessible to the public visually and physically.

NOW, THEREFORE, BE IT RESOLVED: Public Art may be located on public property in areas that are frequently visited, viewed, or accessed by the public. Locations may include public right-of-ways, intersections, City parks, City-owned property, and City-owned buildings, and

BE IT FURTHER RESOLVED: Artists and/or organizations wanting to create, provide, or develop Public Art shall submit a proposal to the Keene City Council that provides sufficient information for consideration of each proposal. When the City Council is considering Public Art, temporary or permanent, to be installed on, or in, property under City ownership or control it may consider:

- Whether the Public Art reflect aspects of the City's history, unique environment, cultural identity, or community at-large;
- Whether the Public Art aesthetically enhances public spaces or environments to which it relates or interacts;
- Whether the Public Art is commensurate in scale with its surroundings;
- Whether the Public Art is technically feasible to produce and to display;
- Whether the Public Art is unique and original and not mass produced or standardized;
- Whether the Public Art is durable, constructed of materials that will survive in the environment in which it will be placed, and reasonable to maintain in terms of time and expense;
- Whether the artist(s) and/or organization(s) submitting a proposal for Public Art can demonstrate that the artist(s) and/or organization(s) is (are) recognized by critics and peers as one who produces works of art;

PASSED

- Whether the Public Art is in a location that allows for necessary maintenance;
- Whether the Public Art is designed to be reasonably protected from environmental degradation, damage, vandalism, or theft;
- Whether the Public Art is affixed to a structure or building and whether the structure or building is expected to remain in good condition for twenty (20) years;
- Whether the Public Art creates a public safety, health, or security concern.

BE IT FURTHER RESOLVED:

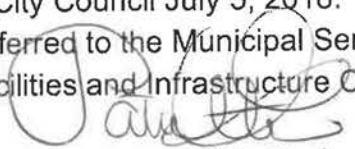
- Temporary Public Art is intended to not be owned by the City, to remain in the care, control, and ownership of the artist(s) and/or organization(s), to be easily installed and removed, to be displayed for a specific period of time or on loan for an undetermined period of time, and as specified in a Memorandum of Understanding between the artist(s) and/or organization(s) and the City Council prior to display.
- Permanent Public Art is intended to be owned by the City, is attached to a structure or property owned by the City, is of a size or type of construction that it cannot be easily removed, and which the artist(s) and/or organization(s) agree to relinquish and transfer all rights of ownership and control to the City of Keene.
- Public Art proposals will be in writing and shall include the following minimum information.
  - A description of the proposed Public Art, including but not limited to, the name of artist(s) and/or organization(s) involved, description of the experience of the artist(s) and/or organization(s) in the production of the type of artwork, and information establishing that the artist(s) and/or organization(s) is recognized by critics and peers as one who produces works of art.
  - Whether the Public Art will be temporary and on loan to the City, or permanent and owned by the City.
  - Identification of the location of the Public Art.
  - A description of the Public Art that includes a proposed design which is commensurate in scale with the intended location, the size to scale, the dimensions of the physical space required, the materials to be used, the intended theme or context, and if temporary, the length of time of the display, and how the Public Art will be accessible to the public for viewing and enjoying.
  - Whether utility hookups are required.
  - How the Public Art is funded.
  - The anticipated maintenance requirements of the Public Art, including recurring expenses.
  - If temporary, identify how the Public Art will be removed and how the space will be restored to its previous condition.



- How the Public Art will aesthetically enhance public spaces or environments to which it relates or interacts.
  - Provide appropriate certification that the Public Art does not infringe upon any copyright or trademark.
  - Provide documentation as required by the City with respect to construction or installation of the Public Art.
- The artist(s) and/or organization(s) proposing Public Art shall provide appropriate insurance certificates and indemnification to the City during construction/installation, and/or during display, as determined by the City Council, through a license for temporary Public Art or in the construction documents for Permanent Public Art.
  - If the Public Art is not owned by the City, the artist(s) and/or organization(s) proposing the Public Art will be responsible for the expenses of monitoring, operation, maintenance, repair, and removal.
  - The City shall have the right, in its sole discretion, to determine when or if it is necessary that Public Art be removed from public display.
  - The City Council, in its sole discretion, shall determine whether Public Art is accepted for ownership by the City.
  - The City Manager is authorized to develop and administer rules and procedures to determine whether a proposal for Public Art is acceptable and complete for submission to the City Council for consideration; for the management, monitoring, installation, maintenance, repair, operation, and removal of Public Art, and to prepare appropriate and necessary documents for the transfer of the ownership of permanent Public Art to the City; and to adopt City Ordinances as may be necessary and appropriate.
  - The City will establish an expendable trust for expenses associated with commissioning, installation, monitoring, maintenance, repair, operation, and removal of Public Art.
  - For any Public Art intended to be owned by the City, the donor shall contribute to the City a sum equal to one percent (1%) of the construction cost of the Public Art, to be deposited into the expendable trust and used by the City for the monitoring, operation, maintenance, repair, upkeep, relocation, removal, or other requirements related to the Public Art.

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

In City Council July 5, 2018.  
 Referred to the Municipal Services,  
 Facilities and Infrastructure Committee.

  
 City Clerk

A true copy:

Attest:



City Clerk





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

July 3, 2019

**TO:** Municipal Services, Facilities and Infrastructure Committee  
**FROM:** Duncan Watson, Assistant Public Works Director/Solid Waste Manager  
**THROUGH:** Elizabeth Fox, Assistant City Manager/Human Resources Director  
**ITEM:** 2.  
**SUBJECT:** Water Monitoring at Closed Landfill - Public Works Department

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**RECOMMENDATION:**

No recommendation, informational only

**ATTACHMENTS:**

Description

Groundwater Management Zone Overview

**BACKGROUND:**

The Keene Municipal Landfill was closed and capped in 1999. Per Environmental Protection Agency (EPA) and New Hampshire Department of Environmental Services (NHDES) regulations the City must monitor water quality (ground and surface water), within an established groundwater monitoring zone (see attached map of groundwater monitoring zone and location of testing sites), under the provisions of Groundwater Permit GWP-199009001-K-001. The most recent update to the Groundwater Permit was completed in 2017 and is valid through 2022. Generally, the length of closed landfill monitoring is thirty (30) years post closure.

Post-closure monitoring of the landfill has been performed in accordance with New Hampshire Department of Environmental Services (NHDES) Solid Waste Regulations Env-Wm-2507.05(i) *Post Closure Inspections, Monitoring, Maintenance and Reporting Requirements*, Solid Waste Regulations Env-Sw-800 *Landfill Requirements*, and the requirements as defined in New Hampshire Code of Administrative Rules Env-Or-600 *Contaminated Site Management*. Post-closure monitoring efforts include annual water quality monitoring in November of each year, semi-annual landfill gas monitoring in April and November of each year, and performing an annual inspection of the landfill cap in November of each year.

The closed Keene Municipal Landfill parcel is an approximately 20-acre closed, unlined municipal solid waste landfill owned and operated by the City of Keene. The property (identified as Lot 10-009 on the City of Keene Assessor's Map 919) is situated on the west side of Route 12 just south of the Keene-Surry town line. The majority of the properties abutting the landfill are undeveloped and heavily wooded. Old Summit Road is located to the north of the landfill. The Cheshire Rail Trail abuts the landfill along the east and northeast, and beyond that is Summit Road (NH Route 12).

Landfill contaminants are generally limited to on-site down gradient wells. Over the years the monitoring program has detected the following contaminants exceeding NHDES or EPA standards within the groundwater monitoring zone (GMZ):

- Iron
- Manganese
- 1,4-dioxane
- t-Butyl alcohol
- Arsenic

Historical groundwater and surface water data indicates the cap is generally effective in improving groundwater quality and there is no sign that contaminants are migrating outside of the established GMZ.

In 2016, the New Hampshire Department of Environmental Services (NHDES) established Ambient Groundwater Quality Standards (AGQS) of 70 nanograms per liter (ng/L, equivalent to parts per trillion [ppt]) for perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS). The purpose of the sampling requirement is to determine whether any drinking water sources may be at risk and to gain a better understanding of the presence of PFAS in groundwater in New Hampshire. It should be noted that every site within New Hampshire required to perform PFAS sampling based on a likelihood of detection has tested positive. Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that have been manufactured and used in a variety of industries around the globe since the 1940s, including stain repellents in fabrics, flame retardant carpets, nonstick coatings in cookware, foam used to fight fires at airports, and grease barriers in food packaging. As a class, PFAS includes thousands of compounds, many with useful properties.

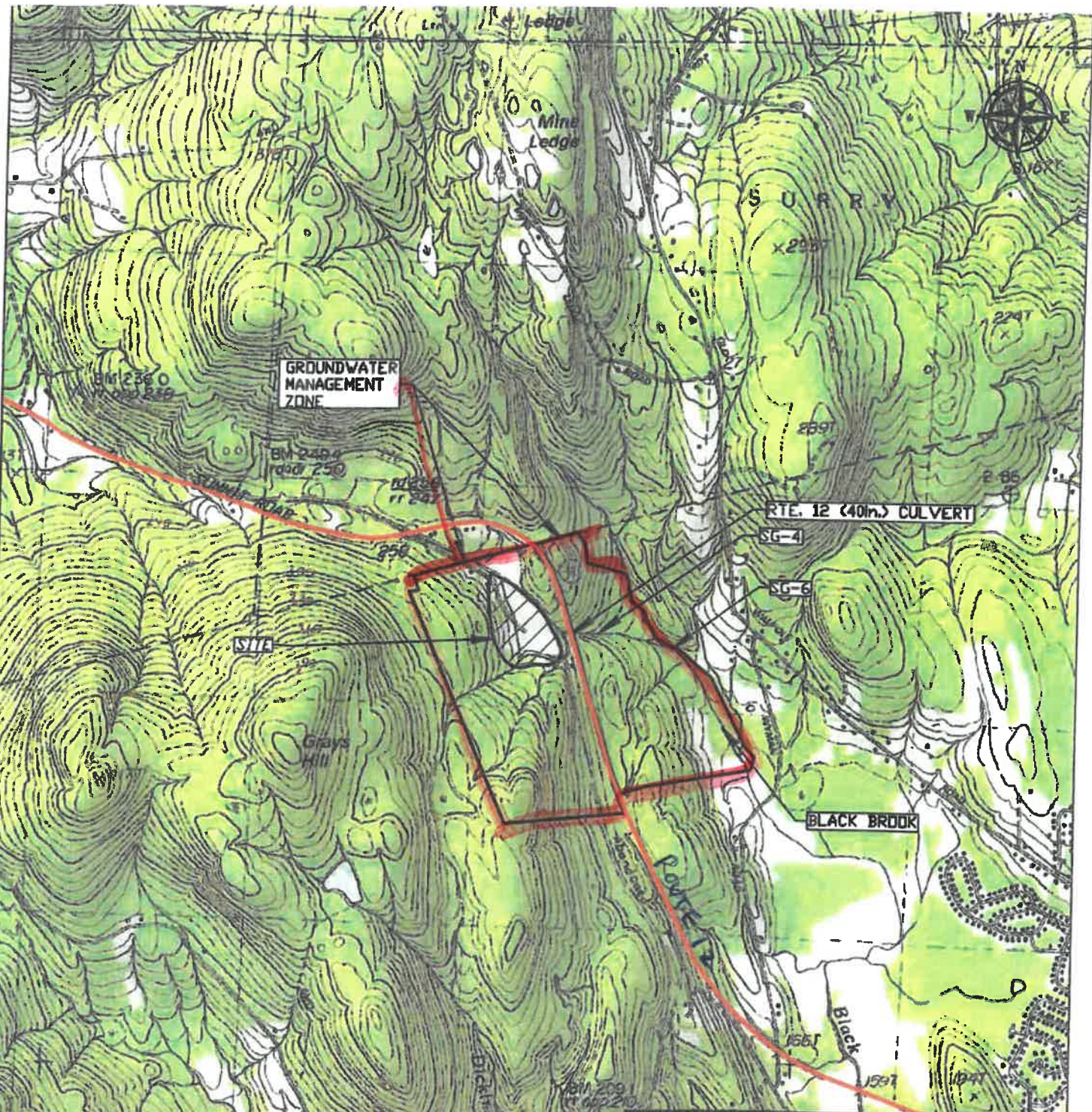
In January 2019, the City, through its current consultant EnviroTrac, submitted a required biennial report on the November 2018 water quality monitoring, and PFAS has been detected in both groundwater and surface water samples. A chain of carbon forms the backbone of PFAS to which fluorine atoms are attached.

Characterization of the type and levels of PFAS compounds will include determining whether the compounds are long-chain or short-chain, and whether there is migration beyond the established GMZ. It is believed that PFAS compounds can adversely impact human health, but the uptake mechanisms are not well understood and the extent to which any residents of Keene may be impacted has not been determined.

NHDES issued a letter in May 2019 outlining the next steps of PFAS characterization, which includes testing any domestic wells within 500 feet of the boundary of the groundwater management zone (GMZ). The testing of domestic wells within 500 feet of the GMZ, which number approximately 12 (subject to verification), must occur prior to the end of August 2019. Should a private well sample reveal the presence of PFAS compounds the NHDES requires immediate verbal notification to the property owner.

While there is no evidence to suggest that PFAS compounds have migrated beyond the established GMZ, testing is warranted, and the City of Keene Department of Public Works will continue to work closely with its consultant, EnviroTrac, as well as the NHDES to monitor the situation and report results as they become available.





**FIGURE 1 - SITE LOCUS MAP**  
**KEENE MUNICIPAL LANDFILL**  
**55 OLD SUMMIT ROAD, KEENE, NH**

Latitude: 42 97 96.0"N  
 Longitude: 72 23' 35.3"W



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