

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, July 23, 2020

6:30 PM

Remote Meeting via Zoom

Members Present:

Thomas F. Powers, Chair
Stephen L. Hooper, Vice-Chair
Terry M. Clark
Michael J. Remy
Raleigh C. Ormerod

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Merri Howe, Finance Director
Don Lussier, City Engineer
Rebecca Landry, IT Director
Asst. Public Works Director, Tom Moran
PW Operations Manager, Aaron Costa
Parks Recreation and Facilities Director,
Andrew Bohannon

Members Not Present:

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

1) Acceptance of Donations - Parks, Recreation and Facilities

Parks Recreation and Facilities Director Andrew Bohannon addressed the committee first and stated this item is in reference to a \$280 donation from Bulldog Design's Great Grey Tee campaign for the purpose of raising money for the Recreation Department scholarship fund. He added 350 businesses participated, 9873 tees were sold, and \$100,000 was given back to local businesses. Mr. Bohannon thanked Bulldog Design for this contribution.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$280.00 from Bulldog Design's Great Grey Tee campaign and that the money is used for the Recreation Department scholarship fund.

2) BJA Coronavirus Emergency Supplemental Funding Grant - Police Department

Captain Steve Stewart of the Keene Police Department addressed the next item, which is a BJA grant for \$41,418. The department was awarded the grant on June 7 and the project period for this award is from January 2020 to January 2022. The funds are to be used for efforts to help

prevent the spread of the Coronavirus in the form of funding overtime, reimbursing wages and purchasing supplies.

Councilor Clark asked whether this money would replace any monies in the budget, which can then be used for other projects. Captain Stewart answered in the negative.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a Bureau of Justice Assistance (BJA) Coronavirus Emergency Supplemental Funding grant in the amount of \$41,418.

3) Sale of Tax Deeded Property- 198 Baker Street - Assessing Department

City Assessor Dan Langille addressed the committee next. Mr. Langille explained this item is authorization to sell city owned property. This property is located at 198 Baker Street, it is a 3 bedroom, 2 bath, 1,673 square foot single family home with .23 acres of land.

Mr. Langille stated on November 8, 2019 the City took ownership of the property by tax deed for unpaid 2016 property taxes. He indicated when the final tax bill in December is unpaid the Revenue Collector can send out a delinquent notice for any amount that is outstanding at that time, plus interest. The city is also required to place a tax lien by September. Two years after the lien has been placed, the deeding process can begin. The entire process can take up to three years. During this entire time staff is working with the property owners to find a resolution and avoid the deed process. An additional 90 day time period is allotted for the prior owner to take back ownership of the property as well before the city looks to sell.

Councilor Ormerod asked when a lien has been placed, whether the owner could sell the property with full disclosure that there is a lien on it. Mr. Langille stated he did not believe they could – the back taxes would have to be paid and ownership of the property would have to be taken first. The Councilor asked if a property is not saleable what the city could do. Mr. Langille explained the property is sold through a sealed bid process at that point. If no one wants the property the city could see if an abutter would like the property sold to sealed bid process, the city can also tear it down. At that point it would be up to the City Council. The Councilor asked why the city chose the sealed bid option. Mr. Langille stated according to State Statute, this is the option the city is afforded.

Councilor Clark noted this is a double lot and felt the city should not have trouble getting rid of it.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to sell the following tax deeded property by sealed bid: 198 Baker Street, Map 595 - Lot 71.

4) Flowbird Pay Station Color Touch Screens - Economic Development, Initiatives and Special Projects

Director of Economic Development and Special Projects Medard Kopczynski addressed the committee. Mr. Kopczynski stated this item is in reference to the upgrade of 11 parking pay stations and to change out the cabinet front to a color touch screen, which looks and operates like a tablet or mobile phone. It should resolve much of the concerns and complaints that people have expressed with the pay stations. Mr. Kopczynski then showed the committee a short video of how this is used.

Mr. Kopczynski went on to say that the color touch screen moves all controls on to the display allowing for very flexible interfaces maximizing the potential of the pay station to do things beyond parking (such as maps, points of interest, advertising) on the pay stations. He added Portsmouth has converted one of theirs to touch screens, Nashua is getting ready to install these, and Concord is planning to upgrade all 85 of their old meters to touch screen. He stated last year when the city sold Cypress Street lot to the Monadnock Food Co-op the parking fund received \$49,384.00, which was added to the parking fund balance. At that time, it was not earmarked. When the city has completed the upgrade, there will still be \$15,339 left in the parking fund balance from this sale that could be used for other parking operations purposes.

Councilor Clark asked how durable these units were. Mr. Kopczynski stated in speaking with Portsmouth and Concord, they have nothing but high regard for this product.

Councilor Remy asked why the city would not test one or two units first before purchasing all 11. Mr. Kopczynski agreed one could be tested first but felt Portsmouth has had no issues. He further stated coming out of Covid-19 he is trying to get away from having to touch meters, deal with coins etc. but added one could be tested first. He pointed out there are pay stations in 11 spots and they have not had any issues.

Councilor Ormerod stated if the city was to go to a test market, we should have about two or three and not locate them next to each other.

Councilor Hooper stated especially with Covid-19 felt this would be a good safety option.

City Manager Elizabeth Dragon stated if the Council was to approve this purchase, perhaps staff could implement just the first part of it, which is to bring in two or three of these pay stations for a period and see if there are any complaints or concerns. Councilor Remy felt this was a good option and asked whether the Council could have a report before the remaining are brought in.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City council that \$34,045.00 be allocated from parking fund balance to purchase and install 11 Pay stations from CWT (Calle Web Terminal) S2 (our present system) to CWT Color Touch Screens. This upgrade includes all necessary hardware and software to convert a CWTS2 meter

to CWT Color Touch Screen.

5) Professional Services Contract for Wastewater Permitting Assistance - Public Works Department

Asst. Public Works Director Tom Moran stated the city has been working with Weston and Sampson since 2016 regarding the National Pollution Discharge Elimination and have finally received the draft permit in May (700 pages). There are seven parameters within this draft, which the city has gone back to the EPA with and required the assistance of Weston and Sampson for a cost of \$25,000. The funds will be taken from the left over 2020 sewer funds. The final response should be received sometime in September and the hope is that this is the last time staff has to come before Council. He noted the last permit cost the city \$300,000.

Councilor Clark asked whether this item is in the current CIP Budget. Mr. Moran answered in the affirmative.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a contract amendment with Weston and Sampson Engineers for \$25,000 for National Pollution Discharge Elimination System (NPDES) permitting services.

6) Rebate from Eversource Energy - Public Works Department

Mr. Moran addressed the committee again. Mr. Moran stated in 2014 a large project was completed at the Wastewater Treatment Plant; two (2) 150 HP turbo blowers were installed which was a successful project. There were also three hp mixers to replace the existing original 30 hp mixers in the aeration basin. In working with Eversource's commercial retrofit program, they provided the city with a rebate for \$18,124.65.

Mr. Moran stated Eversource also has a Commercial and Industrial Lighting incentive in which they have worked in conjunction with Hamblett Electric for the replacement of the existing lighting at the Wastewater Plant to LED fixtures. Eversource was able to get an extra 25% enhanced incentive added to the original program. This will cause a savings of 332,875 kWhs with an 8.2 year payback.

Mr. Moran stated staff's request is to accept this rebate check and use that to perform an LED lighting project at the Wastewater Treatment Plant.

Councilor Remy asked whether the LED Lighting project was going to be put out to bid. Mr. Moran stated it was going to be sole source. The Councilor asked for the reason for sole source. Mr. Moran stated Eversource has worked with Hamblett on this project and if it was to be put out to bid each light has a rebate number assigned to the specific light and separating them out would be difficult. The Councilor felt 8.2 years seemed like a long payback period. Mr. Moran noted

these lights are only used during the daytime.

Chair Powers noted he believed Hamblett Electric has been the electrical contractor on this project for the past four to five years. Mr. Moran agreed they have.

Councilor Clark noted if this was going to be sole sourced whether that language should be included in the motion. The City Attorney agreed it should be included in the motion.

Councilor Ormerod also felt 8.2 years was a long payback period, but noted the rebate check was going to be used for this LED project, which he felt, was a good idea and the city will start saving money immediately.

Councilor Remy asked whether the 8.2 year payback is based on a discounted rate. Mr. Moran stated this is based on allocating \$18,124.65 towards the project. Councilor Remy stated he was not comfortable sole sourcing but understands the complexity of the project.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a rebate check in the amount of \$18,124.65 from Eversource Energy for the energy saving equipment installed at the Wastewater Treatment Plant and to use the rebate to perform a sole source LED lighting project with Hamblett Electric at the Wastewater Treatment Plant.

7) Radio Communications - PLC Upgrade and SCADA Programming - Public Works Department

Public Works Water Treatment Facility Operations Manager Aaron Costa addressed the committee and began by addressing Councilor Remy's concern about sole sourcing and noted he has come before the committee in the past many times with reference to sole sourcing. The project Mr. Moran just discussed and the component in that item with reference to the three hp mixers, Mr. Costa stated this was a sole source project brought before the committee in August 2018. He added staff takes sole sourcing very seriously and always takes into consideration Council's concern with sole sourcing.

With reference to this item, Mr. Costa stated the Wastewater and Water Treatment Facility has 27 radios to communicate with the outstations, which are not manned. Information from these outstations are obtained by radio. He indicated there is a CIP item for radios for the Wastewater component in FY25. In May 2019, the city was informed the radio manufacturer was going out of business, which would be an issue for the city to obtain radio or replacement parts.

Because this project was now unexpectedly accelerated, 2019 fiscal year funds were used to purchase this radio equipment. Mr. Costa noted in December 2019 City Council authorized sole sourcing TCS Communication to provide the radio hardware, radio programming and FCC licensing services. That phase of the project is complete, for a total cost of about \$73,000.

For the next phase of the project, staff recommends that LCS Controls Inc. provide SCADA programming so that the radios may communicate with and transfer data to both treatment plant's SCADA systems through the Programmable Logic Controllers. The City will purchase the necessary PLC hardware at a total cost of \$27,196.23. Mr. Costa noted the city standardized with Alan Bradley PLC, which is essentially the brains of all the communication to avoid compatibility issues. LCS Controls will provide installation and programming services.

Because this project serves both Water and Sewer and was not funded through an existing capital project. A variety of funding strategies is being used to fund the second half of this project. For the water portion, funds will come from two completed capital projects, and the remaining \$4,558.41 needed to complete the work for the water utilities has been requested via carryover from the FY20 Operating Budget.

For the sewer side would come from \$11,900.70 the FY20 Operating Budget. There is an existing capital project at Martell Court to complete the PLC and SCADA work, which meets the original purpose of the project.

Mr. Costa stated the only item being requested from the Council is the reallocation of \$2,922.48 in remaining funds from the Water Treatment Facility PLC Replacement Project to the Radio & PLC Upgrade Project.

Councilor Ormerod noted that it seems like the SCADA systems are dated and this is why several companies are going out of business because of upgrade to technology. He felt getting PLC to work with the existing infrastructure was a good idea and asked whether this new PLC controller is going to be compatible with the new technology that would be coming in the next ten years. Mr. Costa stated this is a difficult question to answer with respect to the length of time as technology changes fast but because the municipal industry is continuing to use SCADA as its main communication, the PLC's should be valid in ten years and added not all 27 are being ungraded; only the four that are obsolete.

Councilor Remy asked whether there was a reason the city is doing sole sourcing for the installer. Mr. Costa stated it is because there are not many in the industry that do this work; LCS did all the major work at the wastewater treatment plant as well as built the logic at the water treatment plant when it came online in 1993. They are the most familiar with the city's automated system and equipment. Chair Powers added this work is specialized and LCS is talented when it comes to this work and they come with a lot of experience. He felt the city should think of having them as a contractor of record for a certain period, as the city does with its electricians and plumbers.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary reallocate \$29,449.09 in remaining funds from the Water/Sewer Rate Study Project and \$2,922.48 in remaining funds from the Water Treatment Facility PLC Replacement Project to the Radio & PLC Upgrade Project, 05038-21.

The Committee further recommends that the City Manager be authorized to do all things necessary to sole source purchase technical services from LCS Controls, Inc., for SCADA & PLC installation and programming for an amount not to exceed \$41,100.00.

8) City Council Support for MAST 2020 Complete Streets Grant Submission - Community Development Department

City Engineer Don Lussier stated the Monadnock Alliance for Sustainable Transportation sponsors a grant program every year. Their goal is to encourage communities to adopt complete streets infrastructure. The city is planning on submitting an application for this and have found some small improvements they would like to make; Cheshire Rail Trail/Gilbo/School Streets installation of concrete pads to enhance access to the cross walk signals; improved overhead lighting at the intersection of the Cheshire/Ashuelot Rail Trails on Emerald Street; Improved pedestrian striping and space at West Street/Island Street intersection; and a pilot wayfinding study and temporary signage placement focusing on the core of the City's trail system specifically in the project area to guide public input and investment into a formalized wayfinding system for the trails.

The amount of the grant is unknown as staff is still working through cost estimates. This is a 100% grant program and the city's contribution would be in kind. Another component of the grant is to report out on its success.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to support Staff's submission of a Monadnock Alliance for Sustainable Transportation (MAST) Complete Streets Grant proposal by signing a letter of support.

9) Marlboro Street Rehabilitation Project - Budget Adjustment - Public Works Department

Mr. Lussier stated the Marlboro Street project is almost complete and the estimated timing of completion should be during the month of August.

Mr. Lussier stated 2.6 million was appropriated for this project; comprised by a combination of water, sewer and general funds. Up until this point, the project has been moving along within the budget. However, during work on the sewer line between Adams Street and Jennison Street a thin layer of clay silty material was encountered. Placing infrastructure on top of clay does not work as it tends to absorb water and would sink causing pipes to separate and other such issues. The only solution is to over excavate and replace this area with better material. This extra work will be at cost of approximately \$78,000. Staff's suggestion is to increase the project budget by reallocating unspent Sewer Improvement project funds. He explained the reason for this project balance is in 2016 and 2017 there was to be a full sewer replacement project (Silent Way and Perham Way). However, through inspection it was realized that just lining would take care of the

issues, which resulted in savings of about 1.1 million dollars.

Councilor Remy asked why the city would not want to return this capital balance to the general fund. Mr. Lussier stated if it is to be returned, it will be returned to the sewer fund. He referred this question to the Finance Director. Ms. Howe explained the project balances role from year to year and do not close out. Usually such funds are used for similar projects if funding is short. If it is to be moved to the sewer fund, it will be considered unassigned fund balance in the sewer fund.

Councilor Clark asked whether the city does not have soils maps for this area, which would have shown clay, and the cost could have been anticipated. Mr. Lussier there are GIS maps available, which show large areas but not specific locations on a street. He stated there are geo technical borings that could have been done, but unfortunately, that was not done. The Councilor asked whether Southwest Regional Planning Commission does not have such maps. Mr. Lussier stated he was not sure but DES does have mapping, which can be downloaded.

Chair Powers asked whether there was still concrete left on Marlboro Street. Mr. Lussier stated there would still be some concrete pavement left.

The City Manager added that the monies are in a capital reserve account and not in a project balance and added the city has been using its project balances down to a zero and there is not a lot left, which staff will be looking at.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to reallocate \$78,000 from the project balance of the Sewer Main Improvement Capital Project (08055) to the Marlboro Street Utility Improvement Project.

10) Councilors Remy, Bosley and Giacomo - Continued Remote Participation in Public Meetings

Councilor Remy addressed the committee and stated remote participation is something he had discussed with the City Attorney and City Manager during his election process. He noted this is something that has recently proven to be working, even though it is not perfect and according to State Statute, in-person quorums will always be required. However, he felt there are definite advantages to remote participation; people who have to travel for work, young parents, people who are disabled in some way. He felt this is both for councilors and for committees. Councilor Remy stated he has listened to more sessions of other bodies now that they are broadcast online.

Councilor Remy stated he would like this type of participation to continue even after Covid-19.

Councilor Clark felt this was a great idea if it can be worked out in keeping with State Statute.

Councilor Hooper felt the city needs to do all it can to make sure the public is able to participate and get them involved in what is going on.

Councilor Ormerod asked whether the intent is to allow the public to join offline in committee meetings. Councilor Remy stated this is for continued simultaneous access for meeting participation but he agreed this does add complexity for the city and hence the reason for more time on this item.

Councilor Ormerod noted a quorum for a committee will be three people physically present in the room and two can join remotely. Councilor Remy agreed but the preference is always in-person unless there are unavoidable circumstances. He stated this would be for elected and appointed committees.

Chair Powers asked for the Attorney's comment with reference to RSA 91-A, as it relates to this item. Attorney Mullins explained when Executive Order #12 eventually gets removed and in-person meetings need to resume, under 91-A it has always allowed for committee participation remotely as long as it was not a quorum that was taking place remotely. The technology requirement is providing for a conference telephone line.

The City Manager added this is a great idea but it is a complex solution. At present time, the meeting is happening via zoom and is being broadcast by Cheshire TV. The complexity begins when in-person and remote are put in place where mics need to work; Cheshire TV should be able to broadcast etc. She added there are some committees, which the Council cannot dictate they meet this way as they function under their own statute and can decide if they want remote participation. These committees do not offer the option to be viewed but the Planning Board is broadcast over Facebook. Our meetings are broadcast live online and via Cheshire TV. The complicating piece will be when in-person meetings resume to make technology continue and how to integrate multiple people calling in. She indicated it is possible but there are certain processes that need to be put in place.

IT Director Rebecca Landry added when social distancing is integrated with mic it creates an issue; it is not impossible but equipment would need to be purchased and a staff person would need to be in charge of muting to prevent echoing.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

11) Acceptance of CARES Act, GOFERR, FEMA, Homeland Security Emergency Management, and Other Funding Sources - Finance Department

Finance Director Merri Howe noted a correction to the motion, which has been changed below. The change was to remove GOFERR as it had its own authorization on May 23.

Ms. Howe stated this memo is for the Manager to accept funding related to Covid-19 in order to reimburse the city for expenses incurred. This covers funding sources such as FEMA, Public Assistance and does not require specific council acceptance such as GOFERR. She indicated in

the future a memo would be prepared for Council information. Ms. Howe went on to say FEMA public assistance reimburses up to 75% for emergency protective measures. Through end of June the expenses incurred and reimbursed has been \$27,267.

Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary accept receipt of funds from the CARES Act, such as, FEMA, Homeland Security Emergency Management, and other funding sources pertaining to the COVID19 pandemic under RSA 21-P:43 which states that gifts, grants or loans for emergency management purposes may be accepted by the City Council.

There being no further business, Chair Powers adjourned the meeting at 8:10 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Additional Edits by,
Terri M. Hood, Assistant City Clerk