



Due to the COVID-2019 State of Emergency, the City Council will be holding its meetings remotely using the web-based program, Zoom. City Councilors will be participating in this meeting remotely. Members of the public will be able to access this public meeting through a variety of options, described below. If you encounter any issues accessing this meeting, please call 603-757-0622 during the meeting.

To view the City Council meeting, please navigate to [www.zoom.us](http://www.zoom.us) and enter the Meeting ID# 892 6927 2909. To listen via telephone call 877-853-5257 and enter the Meeting ID # 892 6927 2909.

City of Keene

*New Hampshire*

KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
December 17, 2020  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- November 19, 2020 Minutes

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Relative to the Public Necessity to Take Land for a Public Purpose - Reconstruction of Winchester Street and Replacement of the Island Street Bridge  
Resolution R-2020-36
2. Relative to the Complete Discontinuance of a Portion of the Commercial Street Parking Lot  
Resolution R-2020-38

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

1. Nominations  
Airport Development and Marketing Committee  
Ashuelot River Park Advisory Board  
Bicycle/Pedestrian Path Advisory Committee  
Conservation Commission  
Energy and Climate Committee  
Historic District Commission  
Housing Standards Board of Appeal  
Partner City Committee  
Planning Board  
Trustees of Trust Funds and Cemetery Trustees  
Zoning Board of Adjustment
2. Nominations  
Planning Board  
Keene Housing Authority  
Climate and Energy Committee

**C. COMMUNICATIONS**

1. Rodney Bouchard - Resignation - Energy & Climate Committee
2. Michael Burke - Resignation - Planning Board
3. Resignation - Jeffrey Titus - ad hoc Community Power Committee

#### **D. REPORTS - COUNCIL COMMITTEES**

1. Deteriorating Conditions on Thompson Road – Public Works Department
2. Councilor Filiault – Proposed Reduction in Rooms and Meals Tax Rate by Governor Sununu
3. The Addition of Ashuelot River Mills to the ERZ Tax Credit Program - Economic Development Director
4. Keene Sustainable Energy Program – Energy and Climate Committee
5. Art Roberts/MEDC - Request to Retain an Allocation to the City of Keene
6. Fire Department Acceptance of Donation - Fire Department
7. Highway Safety Agency Grant- Keene - Police Department
8. Conceptual Design for West Keene Fire Station – Consultant Selection - Parks, Recreation and Facilities Department
9. Water Supply Master Plan and Well Facilities Evaluation - Public Works Department
10. Martell Court Pump Station Design Engineering Change Order - Public Works Department
11. Wastewater Treatment Plant Gate Replacement Project - Public Works Department
12. Babbidge and Woodward Dam Projects – Budget Reallocation - Public Works Department
13. Marlboro Street Corridor Improvements Project – Design Change Order - Public Works Department

#### **E. CITY MANAGER COMMENTS**

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

#### **G. REPORTS - BOARDS AND COMMISSIONS**

#### **H. REPORTS - MORE TIME**

1. Councilor Manwaring - Evaluation Process for Charter Employees
2. The Downtown Re-Opening Committee and Keene Young Professionals Network - Keene Food Festival

#### **I. ORDINANCES FOR FIRST READING**

#### **J. ORDINANCES FOR SECOND READING**

1. Relating to Speed Limits – Eastern Avenue  
Ordinance O-2020-13-A

#### **K. RESOLUTIONS**

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held on Thursday, November 19, 2020. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Mayor Hansel read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued that the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their online presence and whether there are others with them in the room. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Terry M. Clark, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers. Gladys Johnsen was absent. The Mayor led the Pledge of Allegiance.

#### ANNOUNCEMENTS

The Mayor announced that the Planning, Licenses and Development Committee and the Municipal Services, Facilities and Infrastructure Committee meetings were canceled for the week of Thanksgiving. The Finance, Organization and Personnel Committee would be moved to that Tuesday, but it could be canceled if there is no need to meet.

#### MINUTES

The Mayor recognized the City Clerk to comment on the minutes of October 15<sup>th</sup>. The City Clerk noted that Councilor Clark had proposed a correction to that set of minutes to reflect that the City Council had voted nine to five to set a meeting on the Council goals for the *Council as a whole* and not to schedule a meeting after conferring with staff on the best forum, as stated in the minutes. Ms. Little stated she had reviewed the audio tape of the meeting and the motion as well as the vote were correct. She continued, however; that the minutes could be clearer in terms of the phrasing for the vote. She explained her intent to correct the October 15<sup>th</sup> minutes as follows: "On a roll call vote with 14 present, 9 voted to overturn the Mayor's ruling to refer this matter to the City Manager. Councilors Hooper, Remy, Giacomo, Johnsen and Powers voted to sustain the ruling of the Chair.

A motion by Councilor Powers to accept the minutes of the November 5, 2020 meeting was duly seconded by Councilor Bosley. The motion passed with a unanimous vote in favor.

#### PROCLAMATION – SMALL BUSINESSES

Mayor Hansel read a proclamation in support of small businesses. The proclamation declared the Saturday after Thanksgiving as Small Business Saturday, and encouraged consumers to frequent small businesses.

#### PETER STARKEY – RESIGNATION – COLLEGE CITY COMMISSION

A communication was received from Peter Starkey resigning from the College City Commission. A motion by Councilor Powers to accept the resignation with regret and appreciation for service was duly seconded by Councilor Bosley. The motion passed with a unanimous vote in favor. Councilor Johnsen was absent.

COMMUNICATION – PETER ESPIEFS – CONGREGATE CARE PROVISIONS IN THE LAND DEVELOPMENT CODE

A communication was received from Peter Espiefs expressing his concern with the congregate care provisions of the Land Development Code and suggesting that the City establish a Community Services and Care Planning Board pursuant to RSA Chapter 678. The communication was accepted as informational.

COUNCILOR HOOPER - RESIGNATION – ASHUELOT RIVER PARK ADVISORY BOARD

A communication was received from Councilor Stephen L. Hooper resigning from the Ashuelot River Park Advisory Board. A motion by Councilor Powers to accept the resignation with regret and appreciation for service was duly seconded by Councilor Bosley. The motion passed with a unanimous vote in favor. Councilor Johnsen was absent.

COUNCILOR FILIAULT - ROOMS AND MEALS TAX

A communication was received from Councilor Randy L. Filiault requesting a letter be sent to Governor Sununu opposing his proposed reduction to the Rooms and Meals Tax. The Mayor referred to the communication to Planning, Licenses and Development Committee.

MSFI REPORT - KATIE SCHERWIN – PROPOSAL FOR PERMANENT PUBLIC ART INSTALLATION – AIRPORT PROPERTY

A Municipal Services, Facilities and Infrastructure Committee report read recommending on vote of 4-0 that the City Manager be authorized to do all things necessary to accept and install the proposed Public Art Piece by Adam Schepker to be placed at the Dillant-Hopkins Airport in accordance with Resolution R-2018-22. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Giacomo. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent.

MSFI REPORT – MAINTENANCE OF THE WILSON POND DAM – CITY MANAGER

A Municipal Services, Facilities and Infrastructure Committee report read recommending on a vote of 4-0 that the communication from Councilor Jones relative to maintenance of the Wilson Pond Dam be reported out of Committee. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded by Councilor Giacomo. A motion by Councilor Jones to refer this item back to Committee was duly seconded by Councilor Clark. On roll call vote, 14 Councilors were present and 8 voting in favor and Councilors Manwaring, Giacomo, Williams, Bosley and Powers voted in opposition to sending the item back to Committee to be placed on more time. Councilor Johnsen was absent. Councilor Remy indicated that he misunderstood the motion on the floor and wondered whether his vote could be corrected. The City Attorney stated this would require a motion to suspend the Rules of Order to allow a motion to reconsider.

**FOP REPORT – ACCEPTANCE KIWANIS CLUB DECORATIVE LIGHTING – PUBLIC WORKS/EMERGENCY MANAGEMENT DIRECTOR**

A Finance, Organization and Personnel Committee report read recommending on a vote of 5-0 that the City Manager be authorized to do all things necessary to accept decorative lights and associated apparatus placed on decorative light poles located on Main Street from the Keene Kiwanis Club. Councilor Powers affirmed that the consensus of the Committee was that the lights remain lit year-round. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent.

**FOP REPORT – TAX DEEDS FOR UNPAID 2017 PROPERTY TAXES – REVENUE COLLECTOR**

A Finance, Organization and Personnel Committee report read recommending on 5-0 roll call vote that the City Manager be authorized to instruct the Revenue Collector to waive until February 26, 2021, the tax deeding for the 15 properties identified in the November 5, 2020, memorandum from the Revenue Collector as being contrary to the public interest; and after such date to provide further recommendations with respect to the payment status of the properties; and further that the City Manager be authorized to accept the tax deed from the Revenue Collector for the two properties identified in the November 5, 2020 memorandum. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent.

**ITEM BROUGHT FORWARD – FOP REPORT AND RESOLUTION R-2020-39: RELATING TO THE ACCEPTANCE OF FUNDS FROM KEENE STATE COLLEGE**

A Finance, Organization and Personnel Committee report read recommending on 5-0 roll call vote that Resolution R-2020-39 relating to the acceptance and use of funds from Keene State College be adopted. The Mayor filed the report as informational. A motion by Councilor Powers to adopt Resolution R-2020-39 was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and 13 voting in favor and one opposed, Councilor Manwaring. Resolution R-2020-39 was adopted. Councilor Johnsen was absent.

**FOP REPORT – THIRD AMENDMENT TO MUNICIPAL SERVICES AGREEMENT WITH KSC – CITY MANAGER**

A Finance, Organization and Personnel Committee report read recommending on 5-0 roll call vote that the attached Third Amendment to the Municipal Services Agreement between the City of Keene and Keene State College be forwarded with a recommendation that the City Manager be authorized to execute the amendment. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and 12 voting in favor and two opposed, Councilors Manwaring and Clark. Councilor Johnsen was absent.

FOP REPORT – TRANSFER OF FUNDS WITHIN GENERAL FUND OPERATING BUDGET – FINANCE DIRECTOR

A Finance, Organization and Personnel Committee report read recommending on 5-0 roll call vote that the City Manager be authorized to re-appropriate and transfer funds from Marketing and Development to Police Admin Part Time Wages and Social Security Taxes as a funding source for fifty percent (50%) of the cost and related job expenses incurred to employ a Community Specialist. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. On roll call vote, 14 Councilors were present and 12 voting in favor and two opposed, Councilors Manwaring and Clark. Councilor Johnsen was absent.

ITEM CALLED FROM COMMITTEE: KEENE SNORIDERS – REQUEST TO USE CITY PROPERTY – 2020/2021 SNOWMOBILE SEASON

The Mayor called from Committee the communication from Keene Snoriders – Request to Use City Property – 2020/2021 Snowmobile Season that was forwarded to the Planning, Licenses and Development Committee for action by the Council.

A motion by Councilor Bosley was duly seconded by Councilor Greenwald to recommend the Keene SnoRiders be granted permission to use the following locations on City property for a snowmobile trail: the right-of-way along the north side of Krif Road from Krif Court to Winchester Street; City property identified by tax map numbers 911-26-015, 909- 05-012, 909-03-210 and 707-02-009; the crossing of Winchester Street at Krif Road; and, The crossing of Production Avenue approximately 200 +/- feet south of NH Route 9. As well as access to the Class VI Portion of the Old Gilsum Road starting approximately one mile from the Gilsum Town Line and going north, (“Premises”) for the following purpose: for a snowmobile trail, and under the following conditions:

Said use shall commence on December 15, 2020, and expire on March 30, 2021, and is subject to the following conditions: the signing of a revocable license and indemnification agreement; and the submittal of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured.

In addition, the Keene SnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will be in accordance with Snowmobile Trail Standards published by NH Business and Economic Affairs; that all signage/markings installed shall be removed from the City right-of-way and City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on City property; no parking of motor vehicles or trailers and no catering servicing activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of the City Street (paved surfaces) may be used by off-highway recreational vehicles (OHRV) or their operators for any purpose, other than direct crossing; and that Keene SnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right-of-way and property shall only be used when there is snow

cover. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent.

#### CITY MANAGER COMMENTS

The City Manager recognized the work of City crews who responded to a couple of EMS calls on November 11, 2020. The crews responded to Bretwood Golf Course for a reported person in cardiac arrest. Crews from both stations responded including Captain Staples, Lt. Nowill, Firefighter/Medic Lang, Firefighter/AEMT Olson, Firefighter/AEMT MacLean. Efforts to resuscitate the patient had already started when crews arrived with CPR being performed and the automated external defibrillator (AED) was applied to the patient with no shock advised. Our crew took over the care of the patient and provided advanced care on the scene. While being transported to Cheshire Hospital, the patient was awake and talking to the crew. The efforts of staff at Bretwood and the KFD crews providing this advance life support care, saved this patient's life. This successful resuscitation showed the importance of community involvement during cardiac arrest by calling 911, starting CPR and applying and using an AED when available. She gave kudos to all involved.

She went on that later in the day, crews responded to a second cardiac arrest at a private residence. Crews from the Central Station responded including Captain Staples, Lt. Phillips, Firefighter/Medic Riley, Firefighter/AEMT MacLean, Firefighter/AEMT Fuller, Firefighter/AEMT McKenna, and Probationary Firefighter/AEMT Snowden. Crews again were able to resuscitate the patient on scene and transport the patient to Cheshire Hospital for further care. The Manager continued that the Keene Fire Department responds to many cardiac arrests throughout the year. The department members work hard to provide the best care possible using advanced training, advanced care skills, advanced equipment and teamwork.

The City Manager congratulated John Bates. He was promoted from Lt. Fire Prevention to the rank of Captain.

The City Manager congratulated the Finance Department about a recent achievement, second year in a row. The City was notified on Friday, November 13, 2020 that our Comprehensive Annual Financial Report (CAFR) has been awarded the certificate of achievement for excellence in financial reporting for FY 2019. The financial reports were judged by an impartial panel to meet the high standards of the program which included demonstrating a constructive spirit of full disclosure to clearly communicate its financial story and motivate potential users and user groups to read the financial report. The certificate of achievement is the highest form of recognition in the area of governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management. In essence, in our world of government financial reporting this is the standard everyone should be striving to achieve.

The City Manager acknowledged that the State's positivity rate is increasing, now over 2%, and hospitalizations have doubled. She went on that Governor Sununu announced a statewide mask mandate is in effect through January 15, 2021, for both inside and outside of buildings in situations where social distancing is not possible. This mandate will become effective, November 20, 2020.

She continued that in a meeting earlier this week with the hospital, college, and the SAU, Dr. Caruso shared that the amount of testing they are conducting has increased 35%. Here in Cheshire County, the positivity rate is 2.05%. Currently the hospital has no PPE concerns and has adequate testing capacity. They have been speaking with the State about plans for vaccination of our most at risk individuals: health care workers, first responders, and nursing home nurses and residents. Dr. Treadwell, Keene State College President, has offered to move their on campus COVID testing if the hospital needed to stand up the Alternative Care site. She reported that KSC's most recent positivity was still very low at .35%. However, it is increasing and that represented 12 positive in their last round of testing. Students will be getting a Covid test before returning home for the break. KSC will continue surveillance testing for any on-campus students and staff that remain. Off-campus students are not part of surveillance testing, however, if they become symptomatic they still have access to the wellness testing and the ability to be tested.

On November 13, 2020, Governor Sununu extended the safer at home order and the State issued travel guidance on November 12, 2020. The travel quarantine guidance is being applied by the City for its employees that may be traveling. Travelers and visitors need to self-quarantine for 14 days following the last date of any high risk travel internationally, on a cruise ship, or domestically outside of New England. The 14 day requirement to self-quarantine is shortened by a negative test, must be a PCR based test, on day 7; antigen tests are not accepted for this purpose. If they test negative they can end their quarantine early but continue to self-observe for symptoms of Covid-19.

The City Manager stated that the City has started the voluntary first responder testing. 11 volunteers from the Fire Department were tested and all were negative. Next week 8 individuals from the Police Department will be tested.

Lastly, the City Manager announced Monadnock Ford donated 10,000 masks for our community. This was a very generous donation and another example of our community stepping up in this time of need. With the increase in community transmission the timing could not be better. She thanked Monadnock Ford and Councilor Filiault for facilitating this donation.

#### AD HOC RACIAL JUSTICE AND COMMUNITY SAFETY COMMITTEE - RESIGNATION JULIA ATKINS

A memorandum from Rebecca Landry reported that Julia Atkins had resigned from her membership on the Ad hoc Racial Justice and Community Safety Committee. A motion by Councilor Powers to accept the resignation with regret was seconded by Councilor Bosley. On roll call vote, 14 Councilors were present and voting in favor. Councilor Johnsen was absent. The Mayor has been pleased with the significant amount of work that has already been completed by the Committee, he reduced the membership of the Committee from ten to eight to assist in the ability to achieve a quorum.



11/19/2020

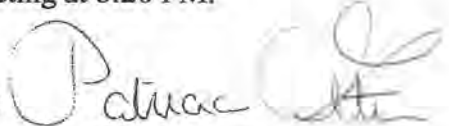
MEMORANDUM – POLICE CHIEF – AND ORDINANCE O-2020-13: RELATING TO  
SPEED LIMITS – EASTERN AVE

A memorandum was received from the Police Chief, along with Ordinance O-2020-13 relating to Speed Limits – Eastern Ave. The memorandum was filed and Ordinance O-2020-13 was referred to the Municipal Services, Facilities and Infrastructure Committee.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 8:20 PM.

A true record, attest:



City Clerk



## PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to a petition from the Keene Public Works Director that there is public necessity to take land for a public purpose, said purpose being the reconstruction of Winchester Street, between State Route 101, and the Winchester Street bridge over the Ashuelot River, including the Winchester Street/Island Street/Pearl Street intersection and replacement of the Island Street bridge, in order to improve vehicular and pedestrian safety and to allow for a more efficient flow of traffic through the corridor pursuant to the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231, et seq. The Keene City Council held a site visit at the intersection of Key Road and Winchester Street on November 5, 2020 at 5:45 PM.

Despite the City Manager's reasonable efforts to negotiate the necessary purchase of their property rights, the owners of the following impacted parcels have not at present agreed to sell their property rights:

Tax Map/Block 111/026 345 Winchester Street RE Sandri TVE, LLC

Tax Map/Block 111/027 345 Winchester Street RE Sandri TVE, LLC

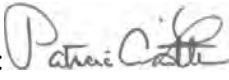
Tax Map/Block 111/028 333 Winchester Street Keene Retail, LLC

Should the City Council find that a public necessity exists to acquire the aforementioned property rights by condemnation for highway purposes, then the City Manager is authorized to do all things necessary to carry out eminent domain proceedings in accordance with RSA 498-A, et seq., with specific reference to RSA 498-A:4-7.

Due to the COVID-19 State of Emergency, the City Council will be holding this public hearing remotely. Members of the public will be able to access this public hearing by navigating to [www.zoom.us/join](http://www.zoom.us/join) and entering the meeting ID #892 6927 2909. To listen via telephone, call toll free 877-853-5257 and enter the meeting ID #892 6927 2909. When the meeting is open for public comments, callers may press \*9 if interested in commenting or asking questions. To report a technical issue call (603) 757-0622, during the meeting. The Ordinance as well as background documents are available on the City of Keene website under Public Notices at <http://www.ci.keene.nh.us>.

**PUBLIC HEARING: December 17, 2020 at 7:00 PM**

Per order of the Mayor and City Councilors, this 5th day of November, Two Thousand and Twenty.

Attest:   
Patricia A. Little, City Clerk



# CITY OF KEENE

R-2020-36

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

A RESOLUTION .....Authorizing the Condemnation of Land for the Winchester Street  
.....Reconstruction Project.....

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

WHEREAS, the Keene City Council has determined that Winchester Street, between New Hampshire Route 10/12/101 and the Winchester Street bridge over the Ashuelot River, including the intersection with Pearl Street and Island Street and the Island Street bridge over the Ashuelot River, is in need of improvement; and

WHEREAS, Mayor Kendall Lane nominated, and the Council accepted, an ad-hoc steering committee on July 7, 2016 to provide planning, guidance and general direction for the Winchester Street Reconstruction Project, in partnership with affected residents, local business interests, the city staff and the New Hampshire Department of Transportation; and

WHEREAS, the Winchester Street Reconstruction Project Ad-Hoc Steering Committee conducted several public meetings between August 2, 2016 and December 13, 2016 to obtain public input, review the design consultant’s work product and develop a recommendation to the City Council; and

WHEREAS, on December 13, 2016, the Winchester Street Reconstruction Project Ad-Hoc Steering Committee voted unanimously to recommend a roundabout alternative as the preferred method of reconstructing the Key Road and Island Street / Pearl Street intersections; and

WHEREAS, the Keene City Council and the Council Standing Committees known as the Municipal Service, Facilities and Infrastructure Committee, met on several occasions between January 19, 2017 and February 2, 2017 in order to review and hold public discussion on the reconstruction of the Winchester Street; and

WHEREAS, as a result of such review and discussion on February 2, 2017, the Keene City Council voted to select roundabouts as the appropriate design to provide the necessary improvement to Winchester Street, and authorized the City Manager to do all things necessary for the implementation of that design; and

Whereas, a necessity exists to acquire land for the reconstruction of Winchester Street, as designed; and

WHEREAS, pursuant to such authority the City Manager, acting through the City’s consultant, entered into negotiations with the owners of twelve (12) parcels of land impacted by the project, said parcels and impacts being more particularly described in a plan prepared by GM2 Associates, Inc., dated 7/8/2020, and certified 8/11/2020, entitled “Right of Way Plan of a portion of Winchester St. in Keene, NH”, a copy of which is attached hereto; and

PASSED

WHEREAS, as a result of said negotiations, the City Manager has acquired, or has been informed of the property owner's intent to provide, the necessary property rights from the owners of nine (9) of the twelve impacted parcels; and

WHEREAS, the following property owners have not indicated their intent to provide the necessary property rights:

Owner	Parcel No	Required Property Rights
A.R. Sandri Trust, LLC	111/026	55 square feet (permanent) 605 square feet (temporary)
A.R. Sandri Trust, LLC	111/027	1,005 square feet (permanent) 3,155 square feet (temporary)
Keene Retail, LLC	111/028	605 square feet (permanent) 735 square feet (temporary)

and;

WHEREAS, the City Manager made every reasonable effort to negotiate with the remaining property owners; however, the negotiations have not, to date, resulted in the voluntary acquisition of the property rights necessary to reconstruct Winchester Street; and

WHEREAS, the design of the reconstruction project makes it necessary to acquire said property rights from the remaining property owners in order to complete the project without increasing the overall impacts on adjacent property owners; and

WHEREAS, on September 17, 2020, the Keene City Council, at its regularly scheduled meeting, received a Petition to Acquire Property by Eminent Domain for Highway Purposes; and

WHEREAS, on September 17, 2020, the Mayor scheduled a public hearing of the Keene City Council to be held on November 5, 2020, in order to hear testimony of interested parties relative to whether the Keene City Council shall exercise its authority to acquire the necessary property rights by condemnation for highway purposes, pursuant to RSA 498-A, and the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231.

WHEREAS, the Keene City Council held a duly noticed public hearing on November 5, 2020, at the site of the proposed condemnation and at City Hall, 3 Washington Street, Keene, New Hampshire, in order to hear testimony from interested parties relative to whether there exists the necessity to acquire property rights by condemnation, if necessary, for highway purposes, pursuant to the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231; and

WHEREAS, the Keene City Council heard testimony from interested parties at the public hearing; and

WHEREAS, based upon the testimony received at the November 5, 2020 public hearing, the Petition to Acquire Property by Eminent Domain for Highway Purposes, and the prior and subsequent review and public discussion regarding the reconstruction of the Winchester Street, the Keene City Council has voted to find that necessity exists to acquire land by condemnation,

for the above-stated purpose, pursuant to RSA 498-A, and the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231; and

WHEREAS, based upon the testimony received at the November 5 2020 public hearing, the aforementioned Petition, and the prior and subsequent review and public discussion regarding the reconstruction of Winchester Street, the Keene City Council has also voted to find that the property rights to be so acquired, and the improvements to be constructed thereon, constitute a public use and provide a net public benefit;

NOW, THEREFORE, BE IT RESOLVED by the Keene City Council:

- a. That there is a necessity to take portions of the above-referenced land for a public purpose; and
- b. That the taking of portions of the above referenced land will provide a net-public benefit; and
- c. That the City Manager has made reasonable efforts to negotiate with owners of said parcels for the voluntary acquisition of said property rights; and
- d. That the City Manager is hereby authorized to initiate eminent domain proceedings pursuant to RSA 498-A, and under the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231, in order to condemn portions of the above-listed parcels for the reconstruction of Winchester Street; and
- e. That, in exercising the authority herein granted, the City Manager is directed to:
  1. Follow the procedure defined in RSA 498-A:4 thru 7, effecting the acquisition of land, including, but not limited to, RSA 498-A:4, III(b); and
  2. Cause a Declaration of Taking to be filed with the New Hampshire Board of Tax and Land Appeals and a Notice of Condemnation to be filed in the Cheshire County Registry of Deeds; and
  3. Do all things necessary in accordance with RSA 498-A in order to perfect the acquisition of the aforementioned property by eminent domain, unless the Condemnees shall, prior to such filings, consent to the voluntary transfer of said property rights by suitable conveyance to the City of Keene.

In City Council September 17, 2020.

Referred the Petition and Resolution R-2020-36 to the Finance, Organization and Personnel Committee.

Site visit set for November 5, 2020 at 5:45 PM.

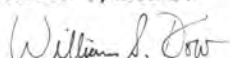
Public Hearing set for November 5, 2020 at 7:00 PM.



Assistant City Clerk

In City Council October 1, 2020.

More time grant.



Deputy City Clerk

\_\_\_\_\_  
George Hansel, Mayor



## PUBLIC HEARING NOTICE

Notice is hereby given that a Public Hearing will be held before the Keene City Council pursuant to a Petition from the Colonial Theatre Group, Inc. a non-profit corporation with a principal place of business at 95 Main Street, to consider **Resolution R-2020-38, relative to the complete discontinuance of a portion of the Commercial Street Parking Lot.** The City Council will hear all parties interested who may attend and any evidence they may offer. The discontinuance plan is available for viewing at the City Clerk's Office. The Keene City Council held a site visit at the Commercial Street Parking Lot on November 5, 2020 at 5:15 PM.

Due to the COVID-19 State of Emergency, the City Council will be holding this public hearing remotely. Members of the public will be able to access this public hearing by navigating to [www.zoom.us/join](http://www.zoom.us/join) and entering the meeting ID #892 6927 2909. To listen via telephone, call toll free 877-853-5257 and enter the meeting ID #892 6927 2909. When the meeting is open for public comments, callers may press \*9 if interested in commenting or asking questions. To report a technical issue call (603) 757-0622, during the meeting. The Ordinance as well as background documents are available on the City of Keene website under Public Notices at <http://www.ci.keene.nh.us>.

**PUBLIC HEARING: December 17, 2020 at 7:10 PM**

Per order of the Mayor and City Councilors, this 5th day of November, Two Thousand and Twenty.

Attest:   
Patricia A. Little, City Clerk



# CITY OF KEENE

R-2020-38

Twenty

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

A RESOLUTION ..... Relating to the Complete Discontinuance of a Portion  
..... of the Commercial Street Parking Area

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

That the Keene City Council is of the opinion that there is no further need to use a portion of the Commercial Street Parking Area for the accommodation of the public and that there is occasion for the complete discontinuance of said portion of the Commercial Street Parking Area, as described in the attached Description of Complete Discontinuance, subject to the following conditions:

1. All affected property owners associated and in connection with the discontinuance agree to the discontinuance and waive their rights to any damages and sign an agreement to such; and
2. That petitioners indemnify and defend the City of Keene from any claims or damages arising from said discontinuances; and
3. All documentation is in a content and form acceptable to the City Attorney, City Engineer, and Planning Director; and
4. All expenses, including any damages associated and in connection with the discontinuance, shall be borne by the petitioner.

\_\_\_\_\_  
Mayor George S. Hansel



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

December 14, 2020

**TO:** Mayor and Keene City Council

**FROM:** Mayor George Hansel

**ITEM:** B.1.

**SUBJECT:** Nominations

---

**BACKGROUND:**

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

Airport Development and Marketing Committee

Brian Johnson, re-nomination, slot 2	Term to expire Dec. 31, 2023
Richard Blood, re-nomination, slot 3	Term to expire Dec. 31, 2023
Curt Hansen, re-nomination, slot 5	Term to expire Dec. 31, 2023

Ashuelot River Park Advisory Board

Paul Bocko, re-nomination, slot 6	Term to expire Dec. 31, 2023
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Bicycle/Pedestrian Path Advisory Committee

Todd Horner, re-nomination, slot 1	Term to expire Dec. 31, 2023
Drew Bryenton, re-nomination, slot 5	Term to expire Dec. 31, 2023

Conservation Commission

Eloise Clark, re-nomination, slot 4	Term to expire Dec. 31, 2023
Steven Bill, alternate, re-nomination, slot 8	Term to expire Dec. 31, 2023
Brian Reilly, moving from regular to alternate member, slot 5	Term to expire Dec. 31, 2023

Energy and Climate Committee

Paul Roth, moving from regular to alternate member, slot 6	Term to expire Dec. 31, 2023
Jake Pipp, re-nomination, slot 2	Term to expire Dec. 31, 2023

Historic District Commission

Russ Fleming, re-nomination, slot 4	Term to expire Dec. 31, 2023
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Housing Standards Board of Appeal

Donald Flibotte, re-nomination, slot 5	Term to expire Dec. 31, 2023
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Partner City Committee

Mari Brunner, re-nomination, slot 1

Term to expire Dec. 31, 2023

Planning Board

Emily Lavigne-Bernier, moving from alternate to regular member, slot 1

Term to expire Dec. 31, 2023

Tammy Adams, alternate, re-nomination, slot 12

Term to expire Dec. 31, 2023

Trustees of Trust Funds and Cemetery Trustees

Michael Forrest, re-nomination, slot 1

Term to expire Dec. 31, 2023

Zoning Board of Adjustment

Michael Welsh, re-nomination, slot 3

Term to expire Dec. 31, 2023

Arthur Gaudio, moving from alternate to regular slot 5

Term to expire Dec. 31, 2023



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

December 14, 2020

**TO:** Mayor and Keene City Council

**FROM:** Mayor George Hansel

**ITEM:** B.2.

**SUBJECT:** Nominations

---

**RECOMMENDATION:**

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

Planning Board

Roberta Mastrogiovanni, slot 4  
267 East Surry Road

Term to expire Dec. 31, 2023

Keene Housing Authority

Robert J. Elliot, slot 3  
110 Arch Street, Unit 21

Term to expire Dec. 31, 2025

Energy & Climate Committee

Claire Oursler, alternate, slot 13  
21 Roxbury Plaza

Term to expire Dec. 31, 2023

**ATTACHMENTS:**

Description

Background\_Mastrovannangi

Background\_Elliott

Background\_Oursler

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**Patty Little**

**From:** Terri Hood  
**Sent:** Tuesday, December 15, 2020 8:10 AM  
**To:** Patty Little  
**Subject:** FW: Interested in serving on a City Board or Commission

**From:** helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>  
**Sent:** Monday, December 14, 2020 8:09 PM  
**To:** Helen Mattson <hmattson@ci.keene.nh.us>  
**Cc:** Patty Little <plittle@ci.keene.nh.us>; Terri Hood <thood@ci.keene.nh.us>  
**Subject:** Interested in serving on a City Board or Commission

<p>Submitted on Mon, 12/14/2020 - 20:08</p>  
<p>Submitted values are:</p>

**First Name:**  
ROBERTA

**Last Name:**  
MASTROGIOVANNI

**Address**  
267 East Surry Rd.  
Keene, NH 03431

**Email:**



**Cell Phone:**  
16034995590

**Please select the Boards or Commissions you would be interested in serving on:**  
Planning Board

**Employer:**  
self

**Occupation:**  
Owner of The Corner News

**Education:**  
Some College

**Have you ever served on a public body before?**  
No

**Other Information/Relevant Experience:**

I have been a business owner, property owner, and Mom, in Keene for over 30 years. I would like to serve on the Planning Board and think my years of ties to the area would make me a valuable member.

**Please provide some references:**

Pam Russell Slack

603-762-4045

**References #2:**

Richard N. Van Wickler

603-903-1610

# Robert J. Elliott

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## Experience

2010 - May 2020 Monadnock Economic Development Services

Chief Financial Officer

- *Managed cash flow and financing for this 65 Million dollar non-profit*
- *Co-developed Real Estate Projects in the Monadnock Region*
- *Managed Assets and prepared assets for sale when necessary*
- *Managed the IT requirements of the business*
- *Managed Construction Projects with the assistance of a Construction Manager securing financing and submitting Requisitions for Payment*
- *Managed the loan process to small businesses in the Monadnock Region*
- *Submitted Financial Support for HUD Community Development Block Grant funding*

2004 - 2010 Monadnock Developmental Services

Chief Financial Officer

- *Managed the Accounting Department and Financial requirements of this 10 Million dollar non-profit service provider*
- *Budgeted and worked with State of New Hampshire Health and Human Service Personal re: Financial and Program Regulations*

1997 – 2004

IniNet, Inc.

Keene, NH

Owner/CEO

- *Negotiated Strategic Alliances with business partners, analyzed new services and products that could profitably contribute to the growth of the company*
- *Presided over all facets of operations with ultimate responsibility for Profit and Loss and Annual Budgets*
- *Developed objectives for managers and sales goals based on budgets including financial analysis and reporting to Senior Staff weekly*
- *Managed daily financial operations and produced sources of cash and financial support as required*

1990 - 1997

DocuNet, Inc.

Lebanon, NH

Owner/CEO

- *Responsible for negotiations of new services and products for state-of-the-art digital printing company*
- *Became Beta site for Xerox Corporation's Docutech machine, successfully scanned and sent large document files over the Internet from Site A to printer at Site B*
- *Presided over all facets of operations and management of rapidly changing and dynamic technology with ultimate responsibility of Profit and Loss and Annual Budgets*

1984 - 1990                      Community Resource Group, Inc.                      Keene, NH  
Owner/CEO

- *Responsible for new construction and major renovation work of six elderly & family residential projects from Ashland, NH to Hinsdale, NH, including high-end condos in downtown Keene, NH*
- *Studied and complied with Federal Government Regulations of Rural Development and supervised the implementation of regulations and reporting requirements as property manager for 105 units*

1981 – 1984                      Emile J. Legere Mgmt Co.                      Keene, NH  
Controller/CFO

- *Presided over Accounting Department and coordinated cash requirements, working directly with banking relationships and funding sources*
- *Negotiated with owner and interested investors to fund the development of the Colony Mill Marketplace*
- *Managed 500 plus Subsidized and Market Rent housing units*

1977 – 1981                      Pneumo Precision, Inc.                      Keene, NH  
Controller/CFO

- *Supervised Accounting Department with emphasis in implementing Cost Accounting System in fast-growing precision manufacturing environment*
- *Reported to International Board of Directors on all aspects of financial reports and analysis of budgets and costs*

1973 – 1977                      Smith, Batchelder & Rugg, CPA's                      Keene, NH  
Accounting Manager

- *Performed Audits and Income Tax reviews with emphasis on non-profit accounting (Fund Accounting).*

## Education

### **1985 New Hampshire College, Hooksett, NH**

- M.B.A. Graduate School of Business
- Certificate in Decision Support Systems

### **1980 State of New Hampshire Board of Accountancy, Concord, NH**

- Certified Public Accountant

### **1973 Bentley College, Waltham, MA**

- B.S. in Accounting

Other Education  
and  
Achievements

**18 Month Program at Boston University, Tyngsboro, MA**

*Network Technologies and Novell Certification (CNE)*

**47 Years of Continuing Professional Education (CPE) (40 hrs/year)**

*Including: Microsoft Certified Professional (MCP); Seminars in Finance's Role in Process Improvement, Quality Management & Re-Engineering; Best Practice in Finance & Accounting: Building a World-Class Organization, Excel University, Purchasing a Small Business, Selling a Small Business, Federal Tax updates, etc.*

**27 Courses Taught at Franklin Pierce College – Evening Division**

*Accounting I & II; Advanced Accounting, Cost Accounting & Managerial Accounting classes*

Affiliations &  
Volunteer Work

**Monadnock Waldorf School Board of Directors: 2017-2020**

**Monadnock Economic Development Corp. Board of Directors: 2004-2010**

**Greater Keene Chamber of Commerce Board of Directors: 2001 – 2004**

**NH Developmental Disabilities Council: 2001 – 2007**

**Monadnock Developmental Services Board of Directors: 1994 – 2001**

**American Red Cross NH West Chapter Board of Directors: 1989 – 1994**

Interests

Sailing, Woodworking, Golf, Skiing, Travel, Reading and Cooking



To Whom It May Concern:

Clair Oursler was born in 1940 in Cheyenne Wyoming. Clair attended high school and graduated in 1958. That summer he went to work on ICBM nuclear missile bases. In the 70's, Clair worked for his Uncle who was a soil conservation contractor building farm ponds, terracing and contouring farmland and restoring riparian habitat. He also ran a 300 acre dairy farm. In the 90's Clair worked in the private sector as an environmental consultant doing NPDES phase I and II assessments and complying with the Connecticut Transfer ACT which included soil sampling and submitting written reports. Clair also worked briefly for the Bureau of Land Management in Lander, Wyoming, participating in the first scientific assessment of wild horse grazing patterns which was compiled in a resource management plan as a final environmental impact statement. He testified and submitted both oral and written testimony for public and congressional hearings concerning multiple land use patterns which included assessment of wilderness study areas, mining issues and wildlife and livestock grazing patterns.

Clair hopes to bring to this committee my broad and varied background on land use issues and climate change. Clair has a double BS degree in environmental sciences and sociology from Utah State University (1985) and was a certified soil scientist and also has a technical degree in environmental protection technology from Colorado Mountain College in Ledville, Colorado (1981)

Clair has lived in Keene, NH area for the past <sup>24</sup>~~17~~ years. He completed 1 semester at Antioch Graduate School in Natural Resource Management.



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

December 11, 2020

**TO:** Mayor and Keene City Council

**FROM:** Rodney Bouchard

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

**ITEM:** C.1.

**SUBJECT:** Rodney Bouchard - Resignation - Energy & Climate Committee

---

**ATTACHMENTS:**

Description

Communication\_Bouchard

**BACKGROUND:**

Mr. Bouchard is resigning his membership on the Energy and Climate Committee. He has been a member since August of 2019.



# County of Cheshire

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12 Court Street, Keene, NH 03431  
[www.co.cheshire.nh.us](http://www.co.cheshire.nh.us)

December 11, 2020

Mayor George S. Hansel  
3 Washington St.  
Keene, NH 03431

Dear George,

It is with regret that I offer my resignation from the City of Keene's Energy and Climate Committee.

As the County's Assistant County Administrator, I find that my schedule is being rapidly filled with many new and exciting projects that I must devote my time to as we approach 2021.

I would respectfully suggest that Charles "Chuck" Weed be considered for the seat that has been designated on the Committee for the County. Chuck has been actively following the Committee's work and progress over the past few years and is very familiar and interested in seeing the work continue.

As you know, Mr. Weed is transitioning from his time as a County Commissioner to County Treasurer in the coming year. As an elected official and a resident of Keene, he has a vested interest in shepherding the work that remains to be accomplished as the Committee's recommendations enter the implementation phase pending Council approvals.

Thank you for allowing me to participate in the Committee's important work over the past year.

Best regards,

Rod Bouchard

Rodney (Rod) A. Bouchard  
Assistant County Administrator  
County of Cheshire  
12 Court Street  
Keene, NH 03431  
[rbouchard@co.cheshire.nh.us](mailto:rbouchard@co.cheshire.nh.us)  
Office: 603.283.3304

PLEASE NOTE: OFFICIAL ELECTRONIC MAIL SENT VIA EMAIL. HARD COPY TO FOLLOW.

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**Area Code 603**

♦ **County Commissioners** 352-8215/Fax 355-3026 ♦ **Registry of Deeds** 352-0403/Fax 352-7678 ♦ **Finance Department** 355-0154/Fax 355-3000 – 12 Court Street, Keene, NH 03431 ♦ **County Sheriff** 352-4238/Fax 355-3020 ♦ **County Attorney** 352-0056/Fax 355-3012 – 12 Court Street, Keene, NH 03431 ♦ **Behavioral Health Court** 355-0160/Fax 355-0159 – 33 West St. Keene N.H. ♦ **Department of Corrections** 825 Marlboro Street, Keene, 03431 - 903-1600/Fax 352-4044 ♦ **Maplewood Nursing Home & Assisted Living** 399-4912/Fax 399-7005 - TTY Access 1-800-735-2964 ♦ **Facilities** 399-7300/Fax 399-7357 ♦ **Human Resources** 399-7317/399-7378/Fax 399-4429 - 201 River Rd, Westmoreland, NH 03467



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

December 11, 2020

**TO:** Mayor and Keene City Council

**FROM:** Michael Burke

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

**ITEM:** C.2.

**SUBJECT:** Michael Burke - Resignation - Planning Board

---

**ATTACHMENTS:**

Description

Communication\_Burke

**BACKGROUND:**

Michael Burke is resigning as the ex-officio administrative official to the Planning Board. Mr. Burke has served on the Planning Board since April of 2018.

December 10, 2020

City of Keene  
3 Washington Street  
Keene, NH 03431

To whom it may concern,

Please accept this as my resignation from the Planning Board effective January 1, 2021.

Kind Regards,

Michael A. Burke

A handwritten signature in black ink, appearing to read "MB", is written over the printed name "Michael A. Burke".



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

December 11, 2020

**TO:** Mayor and Keene City Council

**FROM:** Jeffrey Titus

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

**ITEM:** C.3.

**SUBJECT:** Resignation - Jeffrey Titus - ad hoc Community Power Committee

---

**ATTACHMENTS:**

Description

Communication\_Titus

**BACKGROUND:**

Jeff Titus is resigning from the ad hoc Community Power Committee. Mr. Titus has been a member of the ad hoc committee since its creation in June of 2020.

**JEFFREY W. TITUS**


**CHESTERFIELD, NEW HAMPSHIRE**

Monday, December 7th, 2020

To: George Hansel  
Mayor  
City of Keene

I hereby resign from the City of Keene Community Power Ad Hoc Committee, effective immediately, due to my forthcoming retirement from city service.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jeffrey W. Titus".

Jeffrey W. Titus



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

December 9, 2020

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.1.

**SUBJECT:** Deteriorating Conditions on Thompson Road – Public Works Department

---

**RECOMMENDATION:**

On a roll call vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended accepting the report on deteriorating conditions at Thompson Road as informational.

**BACKGROUND:**

Chair Manwaring welcomed the Public Works Director Kürt Blomquist, who updated the Committee on the deteriorating conditions on Thompson Road, an issue that concerned residents brought to Staff and discussed before this Committee.

Kürt Blomquist recalled that both the City Engineer and residents identified the road as Deteriorating. Going north from RT-101, on the east side of Thompson Road, there is a steep slope going down and away from the roadway and on the west side a steep slope going up the hill. The eastern slope has begun sloughing away over time as trees have failed and drainage issues occurred, resulting in the pavement there beginning to fail. The Public Works Director recalled residents also raising concern about conditions at the bottom of the hill on Thompson Road, where it connects to RT-101. He said that the Public Works Department hired a geotechnical engineer, who provided a preliminary report on the roadway conditions and slope stability, and the Public Works Director reported those findings to this Committee at a prior meeting. The geotechnical report found that the slope is stable at this time and at no risk of imminent failure, though it would continue to slough and fail over time. As a result of these conditions, the Public Works Department placed barricades along the east side of Thompson Road that narrowed the already constricted roadway from 12-14 feet to approximately 10 feet, which is insufficient for two cars to pass, and so the Public Works Department installed stop signs to keep traffic from going up and down the hill at the same time. The Public Works Department also performed some asphalt repair work at the base of Thompson Road at RT-101 to improve conditions there. The consultant presented options to stabilize the slope in question and what the Public Works Director called a *very* preliminary report was submitted to the City Engineer, Don Lussier, estimating costs to stabilize the roadway between \$1.05 million - \$1.2 million. The Public Works Director recalled other challenges posed including the fact that all land on the eastern downslope side of Thompson Road is owned by Antioch University as a conservation easement. Repairing Thompson Road would require the City to purchase some of that land and the Public Works Director was unsure of the cost in acquiring conservation land for development. There is an additional steep slope on the west side of the roadway composed of bedrock and so any proposal to keep the road at 14 feet in width would require removing some of that bedrock as well.

The Public Works Director recommended accepting this update as informational until the City Engineer could present more details from the very preliminary geotechnical report to the Committee and the public at a January meeting. Chair Manwaring requested at that time a broader view of the project. The Public Works Director



added that ultimately this project would need to go into the Capital Improvement Program and the Council would have to decide where to place it in the program and if it is placed in the upcoming several years, what project(s) would be pushed from the program to allow for that more than \$1 million likely solution.

There were no public comments.

Councilor Filiault made the following motion, which Vice Chair Giacomo seconded.

On a roll call vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended accepting the report on deteriorating conditions at Thompson Road as informational.



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

December 9, 2020

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

**SUBJECT:** Councilor Filiault – Proposed Reduction in Rooms and Meals Tax Rate by Governor Sununu

---

**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends the Mayor draft a letter to the Governor opposing any reduction in municipal revenues including reducing the State's meals and rooms tax.

**BACKGROUND:**

Chair Bosley asked Councilor Filiault to speak to this agenda item. Councilor Filiault stated that there has been talk in the Governor's Office for a potential cut in the rooms and meals tax. He continued that we can ill afford to have any revenue to the City cut at this time. He thinks it is more grandstanding, because realistically, cutting the rooms and meals tax by 2%, which would basically save someone 20 cents on a \$10 lunch, will not cause people to decide to not go out to eat based on 20 cents. However, over time, that 2% adds up. In previous years, the State has reneged on the monies owed to the City by the rooms and meals tax every year. By law they are supposed to send it, but they send less and less every year. They can ill afford to have any more revenues reduced from the State. The revenues that do not come in, that the State owes the City, are ones the City has to make up by cutting services or raising property taxes.

Councilor Filiault stated that what he is asking is for the City Council to write a letter to the Governor and to our State delegation indicating that the City opposes any cuts in the rooms and meals tax, because once again, the State will not be sending the promised revenues. There are other revenues the State plans on cutting also but he thinks the City Council should address things one at a time. There is another delegation that has sent a letter protesting the proposed cuts that the State has been making in various revenues, but he thinks the City Council should address one issue at a time rather than making it too broad. The broader they make it the more difficult it becomes. Simply put, it would be a letter saying we cannot afford to have any revenues cut to the cities at this time.

Councilor Jones thanked Councilor Filiault for bringing this forward and stated that he thinks the City Council should do this letter. He asked if Councilor Filiault knows where this stands. Is it at the legislature, or in the committee? Councilor Filiault replied that as far as he knows it is not at the legislature right now, but the Governor has made some serious comments that he plans on doing this. That is why he wants the City Council to send a letter sooner than later. He realizes the new delegation has just been sworn in, so he does not think the Governor is going to waste a lot of time. It looks good when the Governor says he is cutting taxes, but we really know that is not true. It is just a case of reallocating them and making cities responsible for them.

Councilor Jones stated that back in 2008 and 2009 when times were tough the State tried to make themselves look good by making a lot of tax cuts, and what happened was the revenue to the City went down – they were down 1.7 million dollars at one point. The State wants to look good, but the City had to pass that cost on to

the taxpayer. Councilor Filiault replied that Councilor Jones is correct; this happens all too often. The headlines look good when Concord cuts taxes but that is not the truth. The taxes have just been redistributed and the responsibility falls on the cities and towns. Money does not just disappear; it has to come from somewhere.

Councilor Workman thanked Councilor Filiault for sending this issue to the PLD Committee and letting them all consider it. She continued that this is right in line with the City Council Goals they talked about yesterday at their workshop and what they are trying to accomplish by getting more revenue from sources other than their own constituents. If they can get more money from Concord, she is all for it. Councilor Filiault stated that just to clarify, they are not even looking for more money; it would be about getting the money that the State owes to the City. He continued that he would love it if Concord sent extra, but they should not hold their breath on that. Councilor Workman replied that she agrees, and it sends a positive message that they are not just resting back and waiting for the check to come in the mail; they are actively advocating for the City and its residents.

Councilor Johnsen thanked Councilor Filiault and stated that she appreciates how he is always right on top of these issues. She continued that her hope is that they would not really be starting until January because this new group does not come in until then. She wants to take a step back to acknowledge that the House Speaker, Representative Hinch, passed away today. He gave many years to the House and she wants the City Council to send their condolences. Having said that, yes, the State is very quick to cut. Her first year (in the House) was 2008 and she gave them eight years and they had a group that really believed that cutting taxes made them look good, but it is as Councilor Filiault says – it looks good but is not the whole truth.

Councilor Greenwald stated that he requests to move the question.

Chair Bosley asked if there were comments from the public. Hearing none, she asked if Staff have any comments.

City Manager Elizabeth Dragon stated that last year, the meals and room revenue for the City was over 1.18 million dollars.

Councilor Jones asked if the Municipal Association is taking a stand on this. The City Manager replied that if there is a bill that is written to reduce rooms and meals tax she is fairly certain that the Municipal Association will oppose that. They have standing policies against any sort of revenue reduction to towns and cities.

Chair Bosley asked if there were further comments from the committee. Hearing none, she asked for a motion.

Councilor Jones made the following motion, which was seconded by Councilor Greenwald.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends the Mayor draft a letter to the Governor opposing any reduction in municipal revenues including reducing the State's meals and rooms tax.



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

December 9, 2020

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** D.3.

**SUBJECT:** The Addition of Ashuelot River Mills to the ERZ Tax Credit Program - Economic Development Director

---

**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends to the City Council the addition of the “Ashuelot Mills” to the Economic Revitalization Zone (ERZ) tax credit program.

**ATTACHMENTS:**

Description

Map

**BACKGROUND:**

Chair Bosley asked Med Kopczynski, Director of Economic Development to speak. Mr. Kopczynski stated that Staff is requesting the addition of a fourth Economic Revitalization Zone (ERZ), which is a tax credit program. He continued that it offers short term business tax credit for projects that improve infrastructure and create jobs in designated areas. The three that they have now are Black Brook Corporate Park, Black Brook North Park, and the Marlboro Street corridor. The latter was the latest one that was approved in 2017. ERZs were established to stimulate economic redevelopment and expand commercial and industrial bases, and create new jobs. To be eligible it has to be designated per RSA 162-N, which is what the City is doing right now. They are having the elected body do the designation. And they have to have certain characteristics, such as unused or underutilized industrial parks or vacant land or structures previously used for industrial, commercial, or retail purposes, but currently not used, due to demolition, age, relocation, and so on and so forth.

Mr. Kopczynski continued that the area that they are talking about – which can be called a different name, if they like – seemed appropriate because it is centered on the mill area along the railroad corridor. Its core, which a lot of people recognize as an extension of the downtown, originally was rail and manufacturing. The impetus for this actually came to him from a couple of businesses in this area. They are looking to do some business expansion. And he was directly contacted by the State, asking him to run this through the City Council so that they can get this designation. Clearly this is something that should be relatively easy, from the standpoint of the City Council and will probably result in some expansion of the manufacturing businesses in this corridor. It could even potentially end up providing some revitalization beyond what they have been thinking in some of the areas along Emerald St. and places like that.

Mr. Kopczynski showed a slide with a map of the area they are talking about. He continued that it is mostly the Commerce District. If you are familiar with the buildings in this district you will recognize why he has set it on Ashuelot River Mills and the railroad itself, and you will know of some of the businesses located in this section. He continued that he is happy to answer questions.

Councilor Jones stated that he thinks this is a great idea. He continued that he thinks the newer Councilors should be reminded that this has nothing to do with City taxes. It just a reduction in the State tax until they are built and ready to run. Is that correct? Mr. Kopczynski replied yes, there is a forgiveness period; it varies a bit, from what he understands, but there is a forgiveness period involved and that is set at the State. It is a business tax relaxation.

Councilor Jones stated that Mr. Kopczynski made an important comment about this being an extension of downtown. He asked, wouldn't that also qualify that area for 79-E? Mr. Kopczynski replied that they would have to take a look at 79-E and see if it would fit, as far as an extension in that regard. He thinks it probably is as far as the railroad is concerned. If they are going to talk about that, he would rather do that after they adopt the Land Use Code, because the Land Use Code will affect some of the properties that they are talking about tonight as well. Councilor Jones stated that he is not asking to do it now, he is just asking if they could talk about that in the future. Mr. Kopczynski replied yes, he thinks they can.

Councilor Greenwald asked why the area was not extended all the way up to St. James St. and up Emerald St. to behind or including the Curry Copy building. He continued that that is pretty much in the same basic theme of this. Mr. Kopczynski replied that it is, but it is in a different district. He continued that what he did was mirror pretty much what they did in the Marlboro St. area, where they took the Historic Downtown, basically the Central Business District and extended it from there down Marlboro St. He basically did it on the other side of the Central Business District in the Commerce District. If there is a desire to extend it they can and there are two ways they could do that: they can take a look at just changing the map, or once they have adopted this, they have the ability to expand the boundaries more or less via emails to the State, from what he understands. The reason the district is the way it is, is because it did not include the Central Business District, which he does think is a little bit different. It does include the Commerce District which had a lot of these existing buildings. Some communities take their entire town or city and make them ERZs but Staff is not proposing to do that.

Councilor Greenwald stated that it strikes him that the redevelopment of Gilbo all the way up as far as they can justify, which would be behind Curry Copy, is pretty much the same theme and it does not really matter what zone it is for this purpose. The State does not care. And where they are moving zoning districts around with the Land Use Plan, he does not want to make it an amendment or something that formal, but he thinks it would make a lot of sense.

Mr. Kopczynski stated to Mr. Lamb that if the committee wants they can amend the map, because that is what is really providing the basis for this. He continued that they could probably include the Central Business Limited District and parts of the Central Business District in a changed map by the time this goes to the City Council. He asked if that would make sense. Mr. Lamb replied yes, he does not see any reason why they could not do that.

Chair Bosley asked how far down that would capture. Mr. Kopczynski replied probably Emerald St. on the north side up to probably Main St. and then probably to West St. He asked if Mr. Lamb agrees. Mr. Lamb replied yes. Chair Bosley asked if that makes sense to Councilor Greenwald. Councilor Greenwald replied that it totally makes sense and he does not see any reason not to do this.

Councilor Greenwald stated that he was going to ask what the negative to doing this is. Mr. Kopczynski replied that he does not think there is a negative, but he is trying to be as ambitious and as fruitful as he can for the City Council and the public in trying to move these types of things, and he is taking bites as he can and he thought this was a pretty good bite. He has actually been working on this for quite a while, but many things had gotten in the way.

Councilor Greenwald stated that considering what Mr. Kopczynski just said, he sees no reason not to make it

as inclusive as possible. Chair Bosley stated that she agrees. She continued that they see a lot of development down there and if they can provide another tool that is helpful.

City Attorney Tom Mullins stated that just to be clear, this was to expand the proposed ERZ Zone into those areas, is that right? Mr. Kopczynski replied that it was to expand the proposed ERZ Zone into those areas. the City Attorney stated that the City Council can make the request upon the State, but ultimately it is up to the State to decide whether or not they are going to, under the statute, and basically this a State program. The City can make a request of the State but ultimately it will be up to the State and under the State's rule-making process whether or not to grant the tax relief in those areas. He just wants to caution them about that.

Chair Bosley stated that it sounds like the State had approached the City with their agreement to see some sort of proposal from the City. The City Attorney replied yes, in that particular area that Mr. Kopczynski identified. We have just expanded it out. Chair Bosley replied yes, she does hear what the City Attorney is saying, but she thinks it is worth putting the proposal out there. Would they throw the baby out with the bathwater, or would they just reduce? The City Attorney replied that they probably would go back to what they had suggested in the first place.

Councilor Johnsen stated that she asked if Mr. Kopczynski would give more information about what this is and how it comes from the State, since she is a relatively new Councilor and members of the public might want to know as well. Mr. Kopczynski stated that this is a tax credit program that involves State business taxes itself. He continued that there have been some recent changes in the State business tax structure at the State level. What this does is reduce the taxes for a designated period of time at the State level itself; it does not affect City government or City taxes at all. It is about State revenue. If more detail is needed he or the City Attorney can give that to the City Council.

Chair Bosley asked if committee members had further questions. Hearing none, she asked if there were questions from members of the public. Hearing none, she stated that she would entertain a motion.

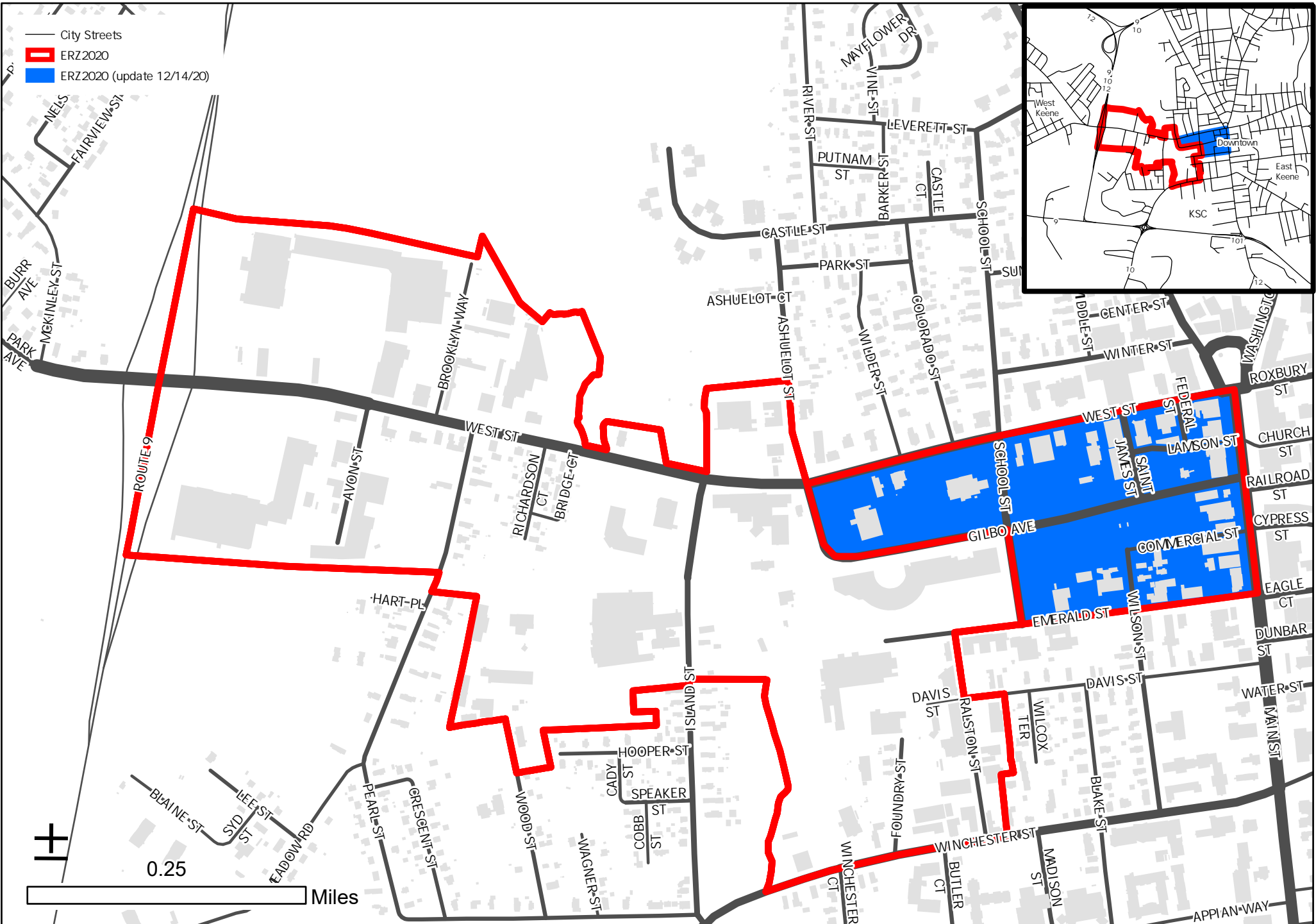
Councilor Greenwald made the following motion, which was seconded by Councilor Workman.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends to the City Council the addition of the "Ashuelot Mills" to the Economic Revitalization Zone (ERZ) tax credit program.



# Ashuelot Mills Economic Revitalization Zone (ERZ)

Prepared:  
12/14/2020  
WS, KGIS2020  
City of Keene, NH  
Community Development





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

December 9, 2020

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** D.4.

**SUBJECT:** Keene Sustainable Energy Program – Energy and Climate Committee

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**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Council adopt the Keene, NH Sustainable Energy Plan dated November 2020.

**BACKGROUND:**

Chair Bosley asked to hear from Staff from the Community Development Department. Community Development Director Rhett Lamb stated that he will introduce this and give a little bit of background before turning it over to Mari Brunner. He continued that it is a remarkable task that has been undertaken for the last several months, particularly on the part of the Energy and Climate Committee (ECC). Several members are in attendance tonight. There is a lot in motion on this subject right now and it is an exciting time. When the City Council adopted these goals in early 2019, even though the City had by that point been working for 15 or 20 years on carbon reduction, energy efficiency, and providing more opportunities for energy and addressing costs for Keene's citizens and for the City, he was actually a little bit concerned about what it would take to go to the next step. They had had tremendous success in the early years, from about 1995 to 2015, where the City operations and City buildings reduced the carbon emissions by more than 20%, meeting their goal, even in at a time when they were bringing new buildings on line and introducing new programs and operations. Even though they had this good track record they realized it was not just City operations and City buildings. They also had to expand this across Keene's entire population, all businesses and residents. Even though they did not meet those goals in that time period then, they did take a leadership position in the state and in some cases, a leadership position across the country. Former Mayor Blastos was invited to speak to Senate committees on work the City of Keene was doing, in the mid-2000s. As they took this on they recognized that it was an important next step. What this plan represents is exactly that. It is intended to provide people with a specific road map to pursue the next level of goals that the City Council has established. He turned the presentation over to Ms. Brunner.

Ms. Brunner gave a slide show presentation. She stated that her intention is to give an overview of the Energy Plan, both the process that was used to develop it and an overview of the structure. It began in January 2019 when the City Council adopted Resolution R-2018-36, the Sustainable Energy Resolution, which set three different energy goals. The first was to achieve 100% renewable energy for all electricity in the city by 2030. The second goal is to achieve 100% renewable energy for heating and cooling by 2050, and the third is to achieve 100% renewable energy for transportation for 2050.

Ms. Brunner continued that following the adoption of that resolution in January 2019, later that same month, the ECC had its first retreat where the committee began talking about their vision and values for this plan. They did a lot of work on it throughout that winter and early spring, coming up with a public outreach plan. The City had



an intern who interviewed 18 different stakeholders in the community and helped devise a really good plan. Starting in the summer they began some outreach. They had their first focus group with local landlords and an in-person community workshop at KSC, with about 35 participants. In the fall and winter they began kicking off a lot of outreach. They had volunteers from the ECC, the Clean Energy Team, Monadnock Interfaith Project, and various other community groups who volunteered to go out in the community and facilitate group discussions about the City's energy goals and what people wanted to see the City do to achieve those goals. There were about 14 of those. In addition, Staff were presenting the energy plan to different community groups and schools and other organizations. In the early winter of 2020, before COVID-19, they had a few more focus groups with businesses and some larger institutions like Cheshire Medical Center and KSC. Once COVID-19 hit they had to adjust their outreach plan and started doing more virtual outreach. They worked with a KSC student team to do a resident energy cost survey to help the ECC understand how much people in the community are paying for energy and whether there is anything the City can do to help reduce costs. In the summer they launched a project website and did a couple online polls. This past October they had a virtual community forum, which was pretty well attended and they received a lot of good feedback.

Ms. Brunner stated that throughout this whole process and the overall strategy for coming up with the plan, they wanted to start with collecting data and developing baselines for electricity, thermal, and transportation energy use, with a particular focus on electricity, since that is the 2030 goal and is coming up much faster than the other two. The City hired the Cadmus Group as consultants to help them do the electricity baseline and get the data there. They also helped identify some of the most effective strategies they could pursue to reach the electricity goal.

Ms. Brunner stated that the ECC did a lot of work here, brainstorming a list of strategies and actions and tools that the City could use to reach the energy goals, and using that feedback from the public that they were getting through all those community energy conversations and the forums, the ECC evaluated those strategies based on different evaluation criteria in order to prioritize them and focus on the ones that would have the biggest impact. Through that process the ECC identified 17 priority strategies and for each of those they worked on identifying best practices, relevant examples from other communities, and what the major implementation steps would be for each strategy. They came out with a draft plan in October and put it out to the public for about two to three weeks. The draft the PLD Committee has before them has incorporated the feedback from the public.

Ms. Brunner continued that as part of the planning process the ECC worked on developing an energy vision for this plan: "In 2050 Keene will be a thriving and resilient community powered by affordable, clean, and renewable energy. All electricity and energy use for heating, cooling, and transportation will come from renewable energy sources." She continued that the intention was to develop a vision statement that really captured the goals of the plan but was also a concise statement of where they are hoping to go.

Ms. Brunner stated that another important piece was to define what they meant by "clean and renewable." The ECC spent a good deal of time talking about this. That was one of the online poll questions and they got feedback from the public. Ultimately, the committee decided to propose that the City use the definition of green power that is on the US EPA's "What is Green Power?" webpage: renewable energy sources that have the most environmental benefit and the fewest adverse impacts. An example of a renewable energy source that is not considered a green power source is large hydropower, mostly because of its land use impacts and impacts on fisheries. Examples of green power are wind, solar, biomass, geothermal, biogas, and low impact hydropower.

She continued that within the Energy Plan there are four pathways to get to the energy goals. Each of the four pathways were applied to get to those three goals – electricity, thermal, and transportation. These include reducing energy use as the first and most critical step. In order to reduce the total amount of energy we consume as a community and help control cost, the second pathway is to generate and store renewable energy locally as much as possible and take advantage of the co-benefits there with job creation and keeping money circulating in the local economy. The third pathway is to switch any remaining demand for energy that they

cannot meet through energy efficiency and local generation to renewable sources generated outside our region. Throughout this whole process, the fourth pathway is to conduct ongoing advocacy and information sharing both to increase community buy-in and make sure people are aware of the options out there but also to reduce barriers at the state and federal level to renewable technology adoption.

Ms. Brunner continued that she will briefly go through each of the three sectors and the priority strategies within them. The electricity sector is first because it has the 2030 goal. Priority action strategies in this sector include establishing a community power program, in which they aggregate the community's electricity load and then go out to bid and purchase electricity from a third-party supplier on behalf of the city's residents. This is probably the top priority in the electricity sector. The City is already in the process of pursuing it. The City has a Community Power Committee that has been meeting since July, and the City is currently in the process with working with consultants to develop a community power plan. The second strategy is a virtual power purchase agreement. This means entering into a long-term, fixed-price contract for renewable energy from a specific project. This is sometimes referred to as a "contract for differences," but the key here is that they would not necessarily be buying the electricity directly, but purchasing the environmental benefits associated with that electricity generation. The third strategy is to adopt solar photovoltaic (PV) and electric vehicle (EV) ready guidelines. This is meant to encourage new development occurring within the city to be built in a way that accommodates future installations of solar and EV charging stations, because that is much more cost effective way to do those. Of the last two, one is to offer renewable energy loans, which is an opportunity where the City could partner with a local financial institution to create a loan product to finance renewable energy installations. This type of program could be targeted at residents, businesses, or both. The example she recalls is a program called Milwaukee Shines – there are other communities that have done this. Finally, the last one is to collaborate with our utility, Eversource, to see if they can provide a pilot battery storage program, for residents and businesses, in order to help particularly the businesses to reduce their demand charges and help them control costs that way.

Ms. Brunner moved on to the thermal sector. She stated that the priority strategies are to establish a home energy labeling program. This type of program would require homes to disclose their energy efficiency and their energy use for existing and new residential properties at the time that a property is listed for rent or for sale. The goal is to make the energy use of that property transparent to consumers, so that when people are choosing where they want to live that is one more piece of information they can use in making that decision. It is also a good reminder to people when they are buying a home that there are programs that can increase their home's energy efficiency, and things they can do to reduce energy use. Second is a benchmarking ordinance. The City could adopt this, and it could be mandatory or voluntary, or start out voluntary and transition to mandatory. It would require owners of buildings of certain sizes or potentially in certain zoning districts to report their energy use data to the City. Then the City could report that data back out to the public, if they wanted to. It could be done in a way so that you could not tie back to individual properties but would give the community an idea of the overall energy use. And the individual property owners would be able to see how much energy their building is using in comparison to other buildings in the city of similar size. The third priority action strategy is to help promote and enhance existing weatherization programs, which includes partnering with NH Saves or other weatherization programs through Southwestern Community Services, to help enhance their outreach and public education and amplify their impact and increase their capacity. The next one is a Heat-smart Campaign, which is the same idea as the Solarize Campaign, except instead of Solar PV it is with renewable thermal technologies. She has seen it most often done with air source heat pumps. It is meant to encourage the installation of renewable thermal technologies for space heating or cooling or for hot water heating through local outreach efforts. Hopefully if you are able to get together a big enough group you can offer a bulk purchase discount. The last one is a little different from the rest, because most of the other priority strategies here are more short-term. Even though this is more long term, the committee felt it was important to include because it has a potential to have a pretty high impact: to explore the feasibility of implementing a renewable district heating system in Keene. It would begin by commissioning a study to assess the potential for that in Keene in order to understand where in the city this could make sense. Considerations would be seeing if there is enough demand from businesses or homes to justify the creation of a system, as well as what local

renewable sources are available, and what it would likely cost.

Ms. Brunner stated that finally, with the transportation sector, out of the priority action strategies that the committee identified, the number one strategy was to accelerate the shift to electric vehicles. Within that, they have been installing public EV charging stations (both level 2 and fast charge), in on-street parking areas or in public parking lots or structures, and work with the KSD and the local school bus company and Home Healthcare Community Services (HCS) which operates the City Express and the Friendly Bus to encourage them to switch to electric busses. The second strategy is to continue the City's Complete Streets program. The City already has a Complete Streets program but the committee felt it was important to really formalize it as much as possible and incorporate the adopted Complete Streets design guidelines into the City's street standards, and develop Complete Streets standards for reconstruction of existing streets. The guidelines are really geared toward brand new roads, which the City is not building a lot of these days. Of the last few strategies here, one is to enhance public transit in Keene and they would do that by increasing the financial support for the City Express and Friendly Bus programs, and also working with HCS and encouraging them expand their services and routes in order to increase usage of those bus programs. Another strategy is to work with community partners to construct a multi-modal transportation center in Keene in order to promote interstate transportation options. There is currently a study underway that she believes is on hold right now with the Southwest Regional Planning Commission to look at potential sites in Keene for that. Because of that, the committee felt that it was important to include this strategy, since there is already work being done on it. Finally, there is a strategy to advocate at the federal and state level for more funding to support public transportation, active transportation, and EVs and other alternative fuel technologies. A lot of the infrastructure for transportation is expensive so we really do need more assistance at the state and federal level to build and maintain our infrastructure.

Ms. Brunner concluded her presentation and asked if anyone had any questions. She reminded the PLD Committee that members of the ECC are present and able to answer questions as well. Chair Bosley thanked Ms. Brunner for the well-organized presentation.

Councilor Greenwald thanked Ms. Brunner. He continued that the report is 230-something pages and he looks forward to reading it. He asked, regarding a district heating zone – there was a proposal for something like this a couple years ago, when City Manager was just coming in. What happened to that? Is that feasible? He does not want to see them run down the same dead end.

Mr. Lamb stated that he is probably talking about the project called Hot Zero, which was a proposal to build a biomass district heating plant. He continued that the location was on City property, behind a former Public Works yard. That project did go quite a distance toward reality; however, they came in at a time when there was a significant reduction in natural gas and other fossil fuel opportunities. They ended up not being competitive over the longer term. He thinks they did start a program in either Claremont or another city. He is not sure if it ever got off the ground. The City wants to have a placeholder for an idea like that because it has the potential to be a game-changer for local generation – heating, primarily, which is one of the tougher nuts to crack, from the point of view of renewability, in our region, when almost exclusively heated by number 2 fuel in most people's residences. It has a great opportunity potential; they wanted to identify that in the plan. It is not specifically related to that former project from several years ago.

Councilor Greenwald replied that he thought it was a great idea. He continued that overall he is supportive of the whole plan and the whole goal. He works with the philosophy of "If you don't shoot for the moon you're never going to get off the ground." There are a lot of very aspirational issues in there that he really questions whether are going to happen. What goes on in 2030 he has interest in and what happens in 2050 his grandchildren has interest in. He wishes them well with it.

Councilor Greenwald continued that there is another issue that they brought up: reporting the energy consumption of different properties. He is wondering why. What would that really do? They will find out that

some building is consuming more, or less? What does that mean? Ms. Brunner replied that the benchmarking idea was driven by the need for better data around how much energy and water buildings use in the city. She continued that right now they do not have a good data source for that. And what they have seen in other communities when they have implemented these types of programs, which some communities have had for a long time and thus have a good amount of data from, is that when you implement a program like this, even if all you are asking the building owners to do is report their energy use, the effect of that – even though you are not requiring anyone to reduce their energy use or do anything other than report the data – it tends to make people realize, “Oh, wait a minute, I’m using way more water than I should be using, compared to other buildings. I should figure out why and fix that.” Over time, you will see a decrease in energy use and water use. That is a trend that other communities have been able to show. You can also tie it to incentives and use it to help drive participation in energy efficiency programs and weatherization programs.

Councilor Greenwald stated that he thinks it is a great idea, but every building owner he knows is trying to use as little water and fuel as possible. He continued that he does not really know where this is going, but if it points out that someone’s neighbor is using a lot less water than they are and it causes them to look into it, that is good. He goes back to the free enterprise and he is trying to run his business, and as a property owner, be as efficient as possible, which is all working toward the same goal that this presentation is proposing. It is all good. He applauds what Staff is doing. If they have other suggestions he knows property owners downtown will be willing to listen.

Chair Bosley stated that they should have access to all that water data, for any business that is on public water. Ms. Brunner replied that is correct, and she was speaking more specifically to heating and cooling energy use, which is a tricky nut to crack, in terms of data, because there are so many different providers of fuel oil and some people are on city gas and others are on propane and so on and so forth. Chair Bosley replied that since Staff has access to the water data without asking anyone to do any work outside of Staff, potentially, they could maybe provide access for individuals to search the database to see if they had factory buildings of a certain size or other multi-family apartment buildings when the water usage differs. That might do the same thing without asking residents to have to be forthcoming with any information, and it might incentivize them to want to participate in another program.

Councilor Jones thanked Ms. Brunner for the presentation. He continued that he thinks there is more they can do to help implement things, especially the 2030 goal. The city probably has 1000 vendors that service the city. They can be asking those vendors, how can you help us achieve that goal? They might take a look at it, and they might already be doing something that we do not know about, and that would help the City get more data. Also, when they do an RFP, they should mention the City goal and make that something the City might be considering as part of an RFP, because it would help them meet that goal. There are people who *will* do something to help meet that goal. Lastly, outside agencies are asking the City for money, and the City should be asking them, how can you help us achieve this goal? They can all be doing something to help. Ms. Brunner mentioned that HCS runs the city’s bus service – besides expanding the service, maybe they can be looking at renewable energy also. Their buses could be running with clean gas or electric vehicles. There is a lot we can do to implement this and get more data back. You cannot manage what you cannot measure, so they would like to measure it more.

Councilor Johnsen stated that she can see that Ms. Brunner, Staff, and the ECC worked very hard on this. She continued that she appreciates what people who run businesses are saying because this gives her such hope for the future, and as Councilor Greenwald said, it is hope for our grandchildren. She thanks them for the hard work and the presentation; it means a lot to her as a citizen of Keene and to her constituents.

Chair Bosley asked if anyone from the ECC wants to speak or add anything.

Dr. Ann Shedd of 59 Greenwood Ave. stated that she is Chair of the ECC for a few more weeks before her term ends. She continued that she thanks Staff for all of their hard work to bring this plan to the PLD

Committee by the deadline that was set in the resolution of January 2019. It has been quite a process, and really just a continuation of a journey the City has been on for 20 or more years, taking leadership as Mr. Lamb alluded to in climate action, and adaptation, recognizing that we already are underway with changes that we will need to adapt to. She also thanks the other members of the ECC and many local residents who have been part of this process, coming to meetings, joining focus groups, giving feedback, responding to polls. The resolution called for a transparent and inclusive process to develop the plan and she commends the City on the work it has put into that, especially during this challenging time of 2020.

Dr. Shedd continued that she wants to point out how well the various strategies outlined in this plan contribute to the visions that were defined by the City's Comprehensive Master Plan (CMP). It is an opportunity for the City to exercise proactive leadership. Many communities are just stumbling into the future and waiting to see what happens. This is an opportunity for the City to take active steps to meet the future and the changes and opportunities that are coming. It is an opportunity for citizens to be educated and engaged, and be the active citizens that the CMP calls for, to understand and modify our energy use and to understand our energy supply, and in some cases to own our energy supply. Certainly the measures to keep energy dollars local through energy generation can contribute to the vision of a vibrant economy and there is potential for job creation, particularly in the energy efficiency and weatherization realm. The measures to decrease our collective vehicle miles traveled by augmenting our public transportation options and to decrease our tailpipe emissions by the switch to EVs will contribute to the healthy community that the CMP envisions. Over the long term, all of these measures will help to protect Keene's unique natural environment.

Dr. Shedd continued that she heard questions about the implementation of the plan. It will not be easy. There are a lot of different steps and steps not outlined in this plan that they will eventually need to confront. Some of the measures will require some Staff time and developing deeper collaborations with other entities, certainly with our utility. Over time it will require a lot of citizen education and engagement. Some of the measures outlined will be driven by market forces that are happening already anyway, like the increase in the adoption of EVs by manufacturers who have committed to transitioning away from internal combustion engines in the near future and the increasing number of EVs that are being sold. Keene can be positioned to have the charging infrastructure to support that transition. As has been alluded to, just tracking our progress is going to be a project in and of itself.

Will the measures outlined in this plan be enough to meet the challenges that we are all facing? It is difficult to see the many ways that our energy and transportation landscapes are going to evolve over the coming decades and all the ways that the changing climate is impacting and will impact our lives. Thus, the plan will need to be flexible and will need to be revisited from time to time as we see what the impacts of climate change are, and as we see what emerging technologies are. This is a start. She is counting on as much energy and enthusiasm from the PLD Committee in supporting this resolution as there has been for some of the other measures before them tonight. This is potentially quite transformative for the city and its residents. The ECC encourages them to move this forward to the full City Council and they look forward to the City Council's support in the coming years to do everything possible to consider the impacts of climate change in everything that comes before the City Council and to do everything they can to see that this plan and other measures are implemented.

Peter Hansel of 61 Bradford Rd. stated that he is a member of the ECC and the Chair of the Community Power Committee. He continued that Dr. Shedd is correct that a lot of the credit for this plan goes to City Staff and the interns that worked with them, and Ms. Brunner and Mr. Lamb in particular have done a fantastic job on this Energy Plan. When they first started this they looked all around NH and New England and even throughout the country, to see what other communities had done in regard to energy plans. They found some plans that were a few pages long and others that were longer, but they did not find any that are as comprehensive as the one that they have prepared. It is a little shorter than what Councilor Greenwald said, though, if you take away all the addendums, but it is comprehensive. The City of Keene can be very proud to put this out as an example of what a community can do. It is a very clear road map to the future. As Dr. Shedd said, it also has to be flexible; they do not have a crystal ball telling them how technology is going to

change or what market forces are going to do, so built into this plan is some flexibility. Also, the ECC will have to be reviewing this going into the future to make sure the city responds to the changes that come. He thinks the City of Keene has taken a great leadership role in the community power aggregate process. They jumped on it with both feet and got way ahead of other communities in the state. Keene is on track to become the first NH community that has one of these plans going forward, so that is exciting. That is a key component of this energy plan. As Ms. Brunner said, a lot of the strategy they are banking on is converting fossil fuel energy use to electrical energy use, but that is only good if you can buy electrical energy that is renewable. That part of the plan is critical to the whole success of this. He thanks the City for taking a leadership role, and he encourages the PLD Committee to recommend this plan for adoption by the City Council.

Chair Bosley stated that she agrees that the community power energy plan is very exciting and she cannot wait to find out the details of that as it comes forward. She welcomed comments from the public.

Suzanne Butcher of 44 Felt Rd. stated that she is speaking on behalf of the Clean Energy Team, the group of citizens who first brought the idea of 100% clean energy to the Mayor and City Council. She continued that they want to congratulate the City on this excellent plan and to express their appreciation for the process that created it. They appreciate the work of the ECC led by Dr. Shedd and Peter Hansel, and City Staff, especially Mari Brunner, Rhett Lamb, Elizabeth Dragon, and so many professionals throughout the City government who contributed. As they developed the plan, the ECC and Staff reached out to citizens with a variety of opportunities to get input and involvement. They drew on that citizen input, crunched a lot of data, gathered information and advice from a lot of experts, and listened to the experiences of other communities. While residents and businesses were participating in the development of the plan, the whole community continued to make progress toward the goal. For example, with energy efficiency initiatives for home owners; commercial and residential solar installations and a solar tour highlighting them, which can be seen on the Clean Energy Team's website; and fuel efficient vehicles. The ECC and Staff worked long and hard to create this ambitious but realistic plan, with specific, do-able steps that will set Keene on the course to reach the 100% goal. The whole world is transitioning away from fossil fuels. This plan is a well-considered set of measures and programs that will make Keene a clean energy leader.

Chair Bosley asked if there were further questions from members of the public or the committee. Hearing none, she stated that she would entertain a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Workman.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Council adopt the Keene, NH Sustainable Energy Plan dated November 2020.

Councilor Greenwald stated that he has a question for Assistant City Manager Lamb – regarding the ERZ issue, as the motion sits, have they enlarged the zone, or was it as presented? Mr. Lamb replied that as he understood the motion, he and Mr. Kopczynski would return to the PLD Committee with a revised map for the vote as it reaches City Council next week. Councilor Greenwald asked if that means it would be unnecessary to ask that the motion be reconsidered to enlarge the zone to perhaps West St., Main St., Winchester St., or Emerald St. Is it clear the way the discussion went, or do they need a revised motion? The City Attorney replied that Councilor Greenwald can amend it on the floor. He continued that the intent was for Mr. Kopczynski and Mr. Lamb to come back with the map, present it at the time of the City Council meeting, and then the motion can be amended on the floor to incorporate the new spaces. Councilor Greenwald replied that he will be ready.



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

December 10, 2020

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

**SUBJECT:** Art Roberts/MEDC - Request to Retain an Allocation to the City of Keene

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to pay over to Monadnock Economic Development Corporation the \$10,000 settlement payment to be made by Preti Flaherty to the City in connection with the conclusion of the financing of the courthouse project.

**BACKGROUND:**

Mr. Art Roberts, President of Monadnock Economic Development Corporation (MEDC), addressed the Committee first. Mr. Roberts stated this request is for MEDC to retain \$10,000 from a settlement with the law firm of Preti Flaherty relating to the County Courthouse project. This was a 10 million dollar project which began in 2012. Mr. Roberts noted this project required financing from different entities which MEDC helped pull together as well as pulling together a New Markets Tax Credit. The purpose at that time was to retain the courthouse downtown and to retain Keene's role in the county seat.

He stated he was not part of this effort but it is his understanding there were many last minute payments on the part of the City and County to close this project. He thanked the City for helping close this project. The Agreement reflects an investigation regarding the law firm that represented MEDC, Preti Flaherty and the negotiation between all parties involved. The investigation was coordinated by MEDC's counsel Gary Kinyon which led to the agreement. The agreement is for the law firm to pay \$25,000; \$10,000 City of Keene, \$10,000 for the County and \$5,000 to MEDC.

He noted this ask represents a financial situation MEDC is up against today. This money will eventually put them in a sustainable business plan to continue its important work. To that end they have formed an Advisory Board consisting of various local and regional business leaders, established a fund raising campaign – Mr. Roberts added he is not looking to gain anything from these efforts and as of next month he will be stepping down to a part time position. Mr. Robert noted the same ask has also been made of the County Commissioners.

Attorney Mullins stated his advice is for the payment to be made to the City in the first instance and then it will be up to the committee as to what it wants to do with those funds.

Councilor Clark explained the attorney who was hired by MEDC, who has since passed forgot an important aspect of the payoff - \$780,000 early payoff. The bank involved was able to negotiate this amount down to \$250,000; the City and the County divided this amount between themselves. The Councilor felt the settlement being offered was nowhere near reasonable. The County Commissioners voted 2-1 to allow MEDC to retain

\$10,000. The City is now being asked to do the same thing for monies it advanced because of an error by a lawyer hired by MEDC. He felt the taxpayers seem to be getting penalized for this error and asked why the City settled so quickly for \$25,000. Attorney Mullins responded by saying the underlying terms were just that – how the repayment terms were going to be handled. Unfortunately, when the commitment letter was transmitted by the bank to MEDC the commitment letter contained in it that payment provision where this payment was to be made to the bank and this payment provision was not supposed to be in the loan commitment. So as far as the law firm was concerned, they provided to their client what they understood to be the terms and conditions of the negotiation and the client signed off on that commitment letter. Preti Flaherty's perspective is that they did not commit any malpractice with respect to the transaction and hence do not owe anything but to avoid any further litigation they offered \$25,000.

Councilor Clark clarified the reason MEDC is asking for this \$10,000 is because they have accumulated substantial amount of debt from prior projects and asked how this relates to the City's involvement with the court house project. Mr. Roberts stated because of MEDC's role in driving economic development in the region, they are asking for the city's assistance. MEDC is at a crossroad and in addition to the debt that was mentioned earlier, MEDC has not had a significant real estate project where development monies are obtained since 2018. To be able to produce the kind of courthouse project, MEDC needs to diversify going forward.

Councilor Clark noted the last significant project MEDC worked on was the library project and asked whether this project was in any danger. He noted \$25,000 doesn't seem like a lot of money to make much of a difference to MEDC. The City Manager stated in terms of the library project, this project has closed. The issue before the committee today, happened when the City was closing on the Court House and during the unwinding of the New Markets Tax Credit. She noted the City has seven years to unwind another project to purchase the library project back to the City; as the addition is technically owned by MEDC. Ms. Dragon stated she has not been made aware of any concern with the library project and asked for clarification from the City Attorney. Attorney Mullins stated there is nothing of concern at this point, but added the reality is, it is not over until it is over. The attorney noted the funding for the library project was very different to that of the court house. The court house had other entities involved, such as the county and the state.

Councilor Clark asked how many more years tax payers have to pay for the courthouse. Ms. Dragon stated it was approximately 12 or 13 payments, through 2034. The Councilor asked whether there was any more room to recuperate for the error that was made. Attorney Mullins stated that was the purpose of the release and added the City had an indirect role in this issue, more like a third party. Councilor Clark expressed concern the City is unable to recuperate some of the \$114,000 paid out by the taxpayers and now the City is being asked to give back the \$10,000. He also noted the Council was not apprised of this settlement offer. Attorney Mullins stated there was a discussion regarding this settlement.

Councilor Ormerod asked whether it would not be prudent for the City to accept the money and then decide how much to reimburse to MEDC. He felt it could be more than \$10,000 the City could end up contributing. Attorney Mullins felt this would be the prerogative of the Council if it wants to do something later with respect to MEDC. What is before the committee today are these funds and what the City would like to do with them.

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

That the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to pay over to Monadnock Economic Development Corporation the \$10,000 settlement payment to be made by Preti Flaherty to the City in connection with the conclusion of the financing of the courthouse project.

Councilor Clark stated even though he has more questions and is unhappy with what is before the committee, it is not a lot of money and MEDC seems to need funds to continue and would not want to see them flounder. He will as a result, support the motion but felt the City needs to hear more about what MEDC is doing because of



the amount of interest the City has in this organization. He felt the City should have been apprised of what was going on with MEDC before it was published in the newspaper.

The Committee approved this motion on a 4-0 roll call vote



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

December 10, 2020

**TO:** Mayor and Keene City Council

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

**ITEM:** D.6.

**SUBJECT:** Fire Department Acceptance of Donation - Fire Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a donation of fitness equipment from the Professional Firefighters of Keene.

**BACKGROUND:**

Fire Chief Mark Howard addressed the Committee next. Chief Howard stated \$30,000 worth of fitness equipment is being donated to the Professional Firefighters of Keene by Liberty Mutual. The union then donated the equipment to the department to outfit the wellness rooms at both fire stations. Such donations have been made and accepted in the past to coincide with the Joint Wellness Labor Management Agreement in place between the union and the City. The department will continue annual maintenance of the equipment for use by all members in the department.

Councilor Clark asked about the nautilus equipment the Police Department received a while ago which was accepted in a different manner and asked for clarification. Councilor Powers stated he recalls this was from the Rinaud Fund (a Trust) put in place many years ago to benefit police officers. Attorney Mullins agreed. Councilor Clark asked whether the City has to maintain this equipment. It was indicated the City does maintain this equipment.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a donation of fitness equipment from the Professional Firefighters of Keene.



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

December 10, 2020

**TO:** Mayor and Keene City Council

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

**ITEM:** D.7.

**SUBJECT:** Highway Safety Agency Grant- Keene - Police Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant- Keene.

**BACKGROUND:**

Police Captain Todd Lawrence stated that the Police Department applies for the Highway Safety Grant each year and have been doing so for the past ten years. In the past, the grant was divided into sub categories but the Highway Safety Agency has combined all categories into one. Starting this year all items fall under one application.

The purpose of the grant is to reduce driving while intoxicated and to reduce alcohol related accidents and to combat other driving infractions like wearing seat belts, distracted driving. The campaign itself runs from 10/1/20 – 9/30/21 and the total cost of the operation is \$18,833, which will be reimbursed by the New Hampshire Highway Safety Agency which also includes payroll deductions.

Councilor Ormerod noted there are specific dollar amounts for each activity and clarified this was the case and asked whether DWI patrol is going to be secondary. Captain Lawrence responded by saying the way the grant is applied for is based on prior years and last year due to COVID the department was asked to cease certain patrols and the department also did the same. The patrols are outlined on an overtime basis, and the department outlines what they can accomplish based on their goals.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant- Keene.



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

December 10, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.8.

**SUBJECT:** Conceptual Design for West Keene Fire Station – Consultant Selection - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with Lavalley/Brensinger Architects for the program and conceptual design services for the West Keene Fire Station project for an amount not to exceed \$20,000; and if an agreement cannot be reached, to negotiate and execute an agreement with the next highest scoring service provider.

**BACKGROUND:**

Parks, Recreation Director Andrew Bohannon addressed the Committee next. Mr. Bohannon stated this item is regarding a professional services contract with Lavalley/Brensinger Architects for the program and conceptual design services for the West Keene Fire Station project for an amount not to exceed \$20,000. If an agreement cannot be reached, to negotiate and execute an agreement with the next highest scoring service provider.

Mr. Bohannon went on to say the need for extra fire protection and emergency services for the west side of Keene started a few years ago. This operation has been happening out of the Old Armory. In 2018, the City acquired this property from the NH Adjutant General's office. The property had been deeded to the State of NH Army National Guard in 1958 for the new Armory with the clause that if the facility and property was no longer needed to meet their mission it was required to deed the land and property back to the City of Keene. In 2019, the City conducted an extensive GIS survey to review the current station location.

The primary goal is to evaluate the current building to determine if it is economically feasible to renovate or if the City needs to build something new. A secondary goal will be to determine the cost effectiveness to relocate the City's Emergency Operations Center from City Hall to the Hastings Avenue location.

There were six responses received from the RFQ. Staff reviewed the proposals and virtually met with the applicants. Staff looked at what these applicants had provided to fire service and emergency services buildings. It has been unanimously agreed the proposal be offered to Lavalley/Brensinger Architects.

Councilor Clark asked whether the City has a scope of what the building should accommodate and asked when that determination was made. Mr. Bohannon stated there are certain national safety standards that are required for fire stations and these will be incorporated into the design. The Councilor asked whether the City was looking at a full fire station or whether an EMT Station with some fire protection should be considered instead. Mr. Bohannon stated ambulance, fire protection and related emergency services were all part of the GIS study. The program with this firm will look at what the needs are at that station in working with the Fire Department

and staff. They will look at the data staff has been collecting over the past five years.

Chair Powers asked what this consultant's experience was. Mr. Bohannon stated they have three other offices in Manchester, NH, Boston, MA and in Portland, OR. This is their primary focus, predominantly constructing municipal buildings and have designed over 40 fire buildings in the New England region and are currently working in Lebanon, NH.

Chief Howard added as to what their needs are, the programming review of the current and future structure will play a large role in the first phase.

Councilor Ormerod made the following motion, which was seconded by Councilor Remy.

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with Lavalley/Brensinger Architects for the program and conceptual design services for the West Keene Fire Station project for an amount not to exceed \$20,000; and if an agreement cannot be reached, to negotiate and execute an agreement with the next highest scoring service provider.



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

December 10, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.9.

**SUBJECT:** Water Supply Master Plan and Well Facilities Evaluation - Public Works Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with GZA to perform a Water Supply Master Plan and Well Facilities Evaluation for an amount not to exceed \$135,024. If the negotiations are unsuccessful, the City Manager is authorized to negotiate and execute a contract with the next ranked firm.

**BACKGROUND:**

Operations Manager, Treatment Facilities, Aaron Costa addressed the Committee. Mr. Costa stated the residents, businesses, and industries in Keene use on average approximately 2.25 million gallons of water per day. To meet this demand, the City has three separate water supplies, none of which can meet the daily needs alone. Combined the three supplies are adequate for the current daily demand under average precipitation conditions. He noted there are two surface water reservoirs, located in Roxbury, NH and four groundwater wells – one on West Street and three on Court Street. These wells were constructed in the 60's and 70's with two corrosion control buildings, constructed in the 80's.

Mr. Costa stated the current Water Supply Master Plan dates back to 1992 and changes in infrastructure, climate, and drinking water regulations indicate it is time to update the plan. The proposed Water Supply Plan would evaluate additional groundwater and surface water supplies, potential capacities and water quality. The evaluation will also consider the City's current and future water demands and provide recommendations that will improve the future reliability and flexibility as the City responds to water quality regulations and plans for the likelihood of frequent periods of regional drought as a result of climate change, as seen this year as well as in 2016.

This project also includes an in-depth, detailed evaluation of the four wells and two corrosion control facilities. It will provide a business case and recommendations as to whether repair, replace, relocation of the City's well facilities.

The City sent out a Request for Proposals, received four responses and all four firms were invited for an interview. The firms were rated based on proposed engineering teams' experience, project approach, quality of the presentation and cost/hours of work. Based on the interview, staff recommends offering the contract to Emery & Garret Groundwater Investigations.

As staff got into more of the scope of work, GZA recommended staff include a contingency of up to \$25,000 to perform additional work, if needed for water quality data collection, monitoring of source water, geophysical surveys, or other work related efforts that were not included in the original proposal. The City budgeted

\$175,000 for this project and funding is available in the FY20 Capital Improvement Plan.

Councilor Ormerod felt it was important to complete this work now as the general trends seem to indicate northeast is looking at getting a lot wetter and if there is a drought, this region will be looking at a drought or a flood and clarified all contingencies were being looked at. Mr. Costa agreed climate change is being looked at as part of this project.

Chair Powers noted GZA has done work for the City in the past. Mr. Costa agreed they were a local firm with an office located on West Street.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with /GZA to perform a Water Supply Master Plan and Well Facilities Evaluation for an amount not to exceed \$135,024. If the negotiations are unsuccessful, the City Manager is authorized to negotiate and execute a contract with the next ranked firm.



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

December 10, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.10.

**SUBJECT:** Martell Court Pump Station Design Engineering Change Order - Public Works Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to execute Change Order 1 with Aldrich & Elliot Engineers to perform engineering services for upgrades to the existing heating and ventilation system at the Martell Court Pump Station for an amount not to exceed \$28,750 for contract 04-20-23.

**BACKGROUND:**

Mr. Costa addressed the Committee again. Mr. Costa stated as part of the Capital Improvement Program, the City has a project to replace antiquated grinding equipment with new screening equipment to address the ever growing problem related to non-flushable materials in the collection system.

The grinders have been in service for many years and their primary function is to grind material into smaller pieces so that it may pass through pumps and pipes. However, this technology can no longer handle the trash coming into the collection system, made up of wipes, hygiene products etc. These non-flushable items cause pumping issues at the pump station and at the Wastewater Treatment Plant. This is not only a maintenance issue but also an energy efficiency issue. Mr. Costa stated in 2013, the City upgraded the pump station and added new pumps and added a smaller one with lower flows which would have been great to run during the summer; this is a 50 hp motor versus a 200 hp motor. However, because of all the trash that is coming into the plant this small pump is unable to keep up.

In December 2016, staff executed a professional services contract with Aldrich & Elliot to perform an initial review of screening technologies and to develop a short list of potential screen types and manufacturers.

In April 2020, the City executed a contract with Aldrich & Elliot for \$80,000 to perform design upgrades to include a new building addition, a driveway, flood plain development and permitting, installation of a new multi-rake screening system and bid phase services.

Mr. Costa went on to say that the Martell Court Pump Station is a multi-level building, is divided into two separate sections, a wet side and a dry side. The wet side is where open channels of wastewater come into the building and where the grinding equipment is located. The dry side of the station is where the pumps, motors, electrical gear, controls and the emergency generator are located. The new building and the screening equipment will be connected to and installed on the wet side and it was realized the HVAC system had to be upgraded on the wet side as well.

Mr. Costa noted when staff came before the Committee in the spring to execute a contract, the HVAC



component was included in it. Due to miscommunication, this item was not included in the first design contract. The item before the Committee today is for Change Order 1 to address the needed upgrades to the HVAC system for the wet side only.

Change Order 1 is to address needed modifications to the existing heating and ventilation system on the wet side only, this work was not included in the original design contract. The HVAC system on the dry side does not require modification at this time.

The scope of engineering services includes the following: upper and lower level screening room heating, ventilation and control system upgrades, domestic hot water system upgrade, associated electrical and control upgrades and new above ground liquid propane tank.

Staff recommends the City Manager be authorized to do all things necessary to sign a Change Order with Aldrich & Elliot for an amount not to exceed \$28,750. Funds for this work are available in the Headwork's Replacement project. The total project balance is 1.5 million dollars. \$200,000 was allocated for engineering work, so far a contract has been executed with Aldrich & Elliot for \$80,000. This change order for \$30,000 will bring the project balance up to about \$110,000, leaving about \$90,000 for construction engineering services.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to execute Change Order 1 with Aldrich & Elliot Engineers to perform engineering services for upgrades to the existing heating and ventilation system at the Martell Court Pump Station for an amount not to exceed \$28,750 for contract 04-20-23.



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

December 10, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.11.

**SUBJECT:** Wastewater Treatment Plant Gate Replacement Project - Public Works Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to reallocate \$37,018 in remaining funds from the Solids Dewatering Upgrade project (08030) and move these funds to the Gate Replacement project (08095).

**BACKGROUND:**

Mr. Costa stated city staff has been working on a Capital Improvement Program project at the wastewater treatment plant titled "Gate and Mixer Replacement." This project replaces two mixers and eight manually operated gates. The gates and mixers are original equipment (circa 1985) and are at the end of their useful life.

To date, the mixers have been replaced and the gates have been purchased and are scheduled to arrive in the next two weeks. Engineering contract for the gates was executed with Underwood Engineering.

The last portion for this project, is the contract for construction services for gate installation. Mr. Costa referred to Table 1 in the committee packet which is the total project budget which is around \$210,000. Mixer equipment installation is about \$43,000 (completed last summer). Engineering work for the gates \$40,400. Purchase of eight gates for \$67,000 – leaving a total project balance at \$59,385.

In November 2020, bids were received for gate construction services. The low bid was \$69,191, as well as a bid alternate to remove old, unused spray foam control piping that if not removed will obstruct the installation of the new gates.

The engineer's estimate for the gate construction work was \$81,500 and for the gate construction services and \$22,212 for the bid alternate totaling \$91,403. The City previously advertised a bid for gate construction services in August 2020 and received only one bid for \$437,614. Based on the engineer's estimate the bid price was deemed too costly and was rejected. This bid had an elaborate bypass system. Mr. Costa noted there is a shortfall of \$37,018 and hence staff is requesting to reallocate \$37,018 in remaining funds from the Solids Dewatering Upgrade project (completed in 2016-2017) and move these funds to the Gate Replacement project.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to reallocate \$37,018 in remaining funds from the Solids Dewatering Upgrade project (08030) and move these funds to the Gate Replacement project (08095).



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

December 10, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.12.

**SUBJECT:** Babbidge and Woodward Dam Projects – Budget Reallocation - Public Works Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to reallocate the unspent project balance from the Babbidge Dam Rehabilitation Project (05034-B) to the Woodward Dam Improvements Project (05034-C).

**BACKGROUND:**

City Engineer Don Lussier addressed the Committee next. Mr. Lussier stated this item is in reference to significant rehabilitation projects on the City's five high hazard dams. Work began in 2010 based on letter of deficiency from the state. The work done recently is based on the change to design standards from the state. In 2019, the City completed work on the Babbidge Dam, when this project is completed it will be about \$40,000 less than was estimated.

This spring, the City started work on the Woodward Dam, last of the five high hazard dams. Mr. Lussier stated this dam work did run into some issues, the biggest being rock excavation. Rock excavation is much most costly and time consuming than earth excavation. He indicated the final number has not been estimated yet. The estimate is about \$42,000 increase to the contract.

Mr. Lussier stated staff is requesting unspent money from Babbidge Dam Rehabilitation Project be moved to the Woodward Dam Improvements Project.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to reallocate the unspent project balance from the Babbidge Dam Rehabilitation Project (05034-B) to the Woodward Dam Improvements Project (05034-C).



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

December 10, 2020

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.13.

**SUBJECT:** Marlboro Street Corridor Improvements Project – Design Change Order - Public Works Department

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute an engineering services Change Order with DuBois & King for additional services required for the design of the Marlboro Street Corridor Improvements project for an amount not to exceed \$13,500 with funding from the Marlboro Street Corridor Improvements project (90305).

**BACKGROUND:**

Mr. Lussier stated in 2018 the City applied for a grant from the Federal Highway Administration for complete streets improvements; bike lanes, sidewalk repair, connection to the Industrial Heritage Trail through the Public Works facility. In December 2019, first phase of design was submitted to DOT for their review. DOT asked for additional analysis as follows:

Extending analysis of traffic signage and pavement markings onto adjacent side streets. Additional traffic counts and analysis for the proposed changes to the Groove Street intersection. Review of the design for compliance with “Public Right-of-Way Accessibility Guidelines” Collection and analysis of corridor crash data.

This additional analysis was not included in the consultant’s original scope and hence a change order is required at this time. The additional money being requested is within the amount appropriated by Council for this project but noted staff is likely going to be back for additional funds for this project.

Chair Powers asked when construction is scheduled to begin. Mr. Lussier stated this project is funded in DOT’s FY 2024.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute an engineering services Change Order with DuBois & King for additional services required for the design of the Marlboro Street Corridor Improvements project for an amount not to exceed \$13,500 with funding from the Marlboro Street Corridor Improvements project (90305).

The City Manager noted Tom Moran has been with the City for 31 years and will be retiring from the City on December 18. The committee thanked Mr. Moran for his services with the City.



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

December 10, 2020

**TO:** Mayor and Keene City Council

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

**ITEM:** H.1.

**SUBJECT:** Councilor Manwaring - Evaluation Process for Charter Employees

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**RECOMMENDATION:**

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

**BACKGROUND:**

Councilor Manwaring stated what she is requesting is a review of evaluation for charter officers; City Attorney, City Manager and City Clerk. The current process is the Committee Chairs who receive feedback from their members sit down and review the feedback and then perform the evaluation with the charter officer. She noted as a Chair she is noticing fewer and fewer remarks and concerns.

Councilor Manwaring stated what she is asking is to first perform a survey and then discuss the feedback based on the survey.

Councilor Clark stated he always felt it was a not a good idea to take this process out of FOP but it was done so because of a certain incident and the process was changed at that time. He did not feel it has quite worked out since that time. He stated the survey would be acceptable but he would like to make a motion tonight to move this process back to FOP. Under that forum all Councilors were able to sit in on the discussion and the Council was fully involved. Councilor Manwaring stated she would like to hear from the entire Council. The Chair felt it would be prudent to hear from the entire Council. He stated he agrees with Councilor Manwaring and stated the way he is reading the letter, Councilor Manwaring is not looking for a decision tonight.

Councilor Ormerod stated he favors options 2 and 3; Council involvement is necessary but was not sure how this can be managed during an entire Council setting. He asked how the process should be handled tonight. Chair Powers stated as requested by Councilor Manwaring, she was looking for more time on this item, to place it on more time to look at suggestions.

The City Manager agreed there are some gaps in the current process. She noted there are a lot of different models and felt they could look at some best practices and determine how this process can unfold.

Councilor Clark noted this committee has “personnel” in its title.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.



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

December 9, 2020

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** H.2.

**SUBJECT:** The Downtown Re-Opening Committee and Keene Young Professionals Network - Keene Food Festival

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**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses, and Development Committee placed this item on more time, pending review by City staff.

**BACKGROUND:**

Chair Bosley asked to hear from the Petitioner. Councilor Giacomo stated that this started as part of the City Manager's Downtown Re-Opening Committee. A lot of ideas were thrown around there, including the idea of a food festival. They soon realized that was not a good project for a big format with a lot of people so he and Luca from Luca's Kitchen broke off and started talking on their own. They thought that the City itself should not own this food festival. The Keene Young Professionals Network (KYPN) decided to get involved and were open to hosting the event and being the liaison for it, and working with the City to figure it out. They are thinking of this as a grand re-opening of downtown, hopefully in May, if everything is okay by then. They would like the May 15-16 weekend and are still figuring out a lot of details, especially how exactly it will be structured. The dates are flexible; they are designing this to be a "lift and shift" – if they are not ready in May, it can shift to September.

Councilor Giacomo stated that they are coming in front of the PLD Committee tonight to see if this is something the City is willing to support. They are looking to close Central Square for this event, and allow restaurants to set up around Central Square, with two parking spaces per restaurant. A guest would walk into downtown, pay \$20 for 20 tokens, and walk to, say, Luca's booth and give him three tokens for a sample of whatever he is making, then walk over to The Stage's booth and give them four tokens for whatever they are making, then give Denise from CC&D two tokens to try what she has, and so on and so forth. Luca is also planning on trying to organize food/cooking demos in the gazebo area. That is the bulk of the plan at this point.

Councilor Giacomo stated that the piece that they are hoping for the City's help with is: they are hopeful the City would be willing to spend some of the unused funds from this year that were meant to go toward community events toward this re-opening event, to offset the cost that the City normally would have billed to the organization. The event will be net neutral to KYPN, the way it is intended. They are not trying to make money off of this; they are just trying to act as an agent to help organize it.

Chair Bosley asked if the KYPN has started to speak with the City to have any protocol meetings. Councilor Giacomo replied that they have started some of those conversations but they have not had formal protocol meetings. Staff came to speak with them as part of the Re-Opening Committee to talk about pluses and minuses.

Councilor Greenwald stated that he definitely supports this and thinks it is a great idea. He continued that he would like to request that it be expanded as such so that restaurants that are downtown that can expand into their parking spaces out front, like Margaritas and Amicci's, be able to participate right in front of their places.

Chair Bosley stated that she loves this idea, and she thinks that anything they can do to bring energy back downtown and support our restaurants is fantastic. She continued that she does not want the group to think small; she wants them to think bigger. She thinks back to the days of the street fair. She would love to see them think about the Gilbo Ave. corridor. The City is talking about an Arts Corridor potentially down there. What could they use that space for? How could they combine it? If the event was on a Saturday, could the Keene Farmer's Market be involved? Could there be others involved? They will have to get with the City on all the protocol meetings, what goes into closing downtown, Central Square, and some of the other locations they are talking about. Also, the funds he was questioning are ear-marked for businesses that are non-profits that have been in existence providing some activity in the past, so that will probably be a question for the Finance, Organization, and Personnel Committee. She thinks the KYPN has support from the PLD Committee and will need to get some of the questions answered and then come back with a plan for the PLD Committee.

Chair Bosley asked if there were questions from members of the public. Hearing none, she called on the City Manager.

The City Manager stated that Staff wants to have some protocol meetings. She continued that they did have a preliminary conversation at the committee level but really have not gotten into the details. It will be important to understand the scope of the event to be able to plan for the City's needs around that event, and also to understand the costs. Before they know how much money is needed to help support the event they need to know the cost associated with the services from the City. She would like this to be placed on more time and for the protocol meetings/conversations to start. Chair Bosley stated that she completely agrees.

Councilor Johnsen stated that these events are wonderful, and it would be great to include music. She continued that if the schools are reopened it might be an opportunity to invite bands from the local schools or the college, although the college students might be gone then. This could be something that could involve that many more people.

Chair Bosley stated that she thinks everyone is craving being back together downtown. She continued that she would like to see a list of events come before the PLD Committee. She would love to see a monthly event happening downtown that really brings people down there and reminds people that downtown needs to be alive. This is a great start.

Councilor Jones asked Councilor Giacomo: he was not at the last Downtown Re-Opening Committee meeting, but at the one before that, Public Works Director Kürt Blomquist was present. He continued that Mr. Blomquist was indicating that they need to keep the footprint north of Roxbury St. because there was something going on there. He asked if that is still the case. Councilor Giacomo replied yes, Roxbury St. will be closed for construction at this time. He continued that the event does not really effect Roxbury St. It was more about an area they could close at the bottom of Roxbury St. and allow that space to be included in it, which would allow the space Twenty One is in to be included pretty easily. They would kind of be in the footprint anyway because Roxbury St. would be closed.

Councilor Giacomo stated that he appreciates all the ideas about this. He continued that KYPN is one group, so if anyone wants to help, they are always looking for more people.

Councilor Greenwald made the following motion, which was seconded by Councilor Johnsen.

On a vote of 5-0, the Planning, Licenses, and Development Committee placed this item on more time, pending review by City staff.

Chair Bosley stated that the PLD Committee hopes the KYPN gets those meetings underway and they look forward to hearing back from Councilor Giacomo about where things are at.





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

December 9, 2020

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** J.1.

**SUBJECT:** Relating to Speed Limits – Eastern Avenue

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**RECOMMENDATION:**

On a roll call vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended to full Council the adoption of Ordinance O-2020-13-A.

**ATTACHMENTS:**

**Description**

Ordinance O-2020-13-A

**BACKGROUND:**

Chair Manwaring welcomed Police Chief Steve Russo, who recalled that the City Council asked Staff to look into lowering speed limits on Eastern Avenue after communication from residents. Based on resident feedback and data showing a slight increase in speed on Eastern Avenue since speed data was collected there last in 2016, this Committee voted unanimously to lower the speed limit from 30 to 25 miles per hour (mph) on Eastern Avenue, which received unanimous Council support, and so Ordinance O-2020-13-A resulted.

Councilor Williams noticed that the text of the Ordinance referenced speed limit to 93<sup>rd</sup> Street as opposed to Church Street, with regard to Railroad Street. Chief Russo said an error was discovered in the Ordinance that referred to Railroad Street being 25mph to Church Street, but Railroad Street does not connect to Church Street, it connects to 93<sup>rd</sup> Street. Without the correction the Councilors saw in the Ordinance, the speed limit on Railroad Street would have reverted back to 30mph. Councilor Williams said the correction made sense to him. Chair Manwaring added that correcting the aforementioned error is why there was an "A" version of this Ordinance presented.

There were no public comments.

Councilor Filiault made the following motion, which Vice Chair Giacomo seconded.

On a roll call vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended to full Council the adoption of Ordinance O-2020-13-A.



# CITY OF KEENE

O-2020-13-A

In the Year of Our Lord Two Thousand and Twenty

AN ORDINANCE AN ORDINANCE Relating to – Specific Street Regulation – Speed Limits

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

That the City Code of the City of Keene, New Hampshire, as amended is hereby further amended by adding the bolded italic text to the following provisions of Article IV, "Specific Street Regulations", of Chapter 94, entitled "TRAFFIC, PARKING AND PUBLIC WAYS" as follows;

Article IV, "Specific Street Regulations", Division 8, "Speed Limits", Section 94-372 "Twenty-five miles per hour" by adding the following;

**Sec. 94-372. - *Twenty-five miles per hour.***

It shall be unlawful for any person to operate a motor vehicle on the following public ways in the city at a speed greater than 25 miles per hour:

American Avenue.

Apollo Avenue.

Autumn Hill Road.

Butternut Drive.

~~Castle Street Extension (Harper Acres) from Ashuelot Street to dead end.~~

Clark Circle.

Colonial Drive.

Court Street from Central Square to Union Street.

Dale Drive.

***Eastern Avenue.***

Garrison Avenue.

Gemini Drive.

Kennedy Drive.

Laura Lane.

Liberty Lane.

Main Street from Route 101 to Central Square.  
Marlboro Street from Grove Street to Main Street.  
Meetinghouse Road.  
North Lincoln Street from George Street to Beaver Street.  
Pako Avenue.  
Railroad Street from Main to **93<sup>rd</sup> Street**. ~~Church Street.~~  
Roxbury Street from Central Square to Harrison Street.  
Sesame Street.  
Skyline Drive  
Timberlane Drive.  
Timberlane Drive Extension.  
Ward Circle.  
Washington Street from Central Square to Beaver Street.  
West Street from Central Square to School Street.  
Winchester Street from Ralston Street to Main Street.

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George S. Hansel, Mayor