

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, February 24, 2021

5:30 PM

Remote Meeting via Zoom

Members Present:

Janis O. Manwaring, Chair
Michael Giacomo, Vice Chair
Randy L. Filiault
Bettina A. Chadbourne
Robert C. Williams

Members Not Present:

George S. Hansel, Mayor

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Andy Bohannon, Director of Parks,
Recreation & Facilities
Kürt Blomquist, Director of Public
Works/Emergency Management Director
Don Lussier, City Engineer
Rebecca Landry, IT Director/Assistant City
Manager
Andrea Madaglia, Administrative Assistant

Chair Manwaring read the executive order authorizing a remote meeting: Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. Pursuant to this Order, the Chair called the meeting to order at 5:33 PM and Committee members stated their locations and whether alone.

1) Presentation – Annual ESCO Cost Avoidance Report Year 8 – 2020

Chair Manwaring welcomed the director of Parks, Recreation & Facilities, Andy Bohannon, who introduced consultants from Honeywell, Jonathan Kumi and James Lucy – the Measurement and Verification Specialist and Senior Business Consultant, respectively. Mr. Kumi and Mr. Lucy were present to share the eighth annual Honeywell post-construction report on cost avoidance. Mr. Bohannon stated that during the last year, the City continued taking proactive measures to enhance this program's two goals to reduce the City's energy use and carbon emissions. He said that investments made by City Council on recent projects for which energy conservation measures were taken would be demonstrated at this meeting and he said these measures were a reflection of work by various City employees. Mr. Bohannon credited Facilities Manager, Scott Martin, who has worked closely with Honeywell to achieve the greatest results for all projects.

Mr. Lucy shared a presentation describing this eighth annual report for activities during the October 2019—September 2020 period. Mr. Lucy recalled that in December 2010, the City executed a \$1.9 million contract with Honeywell to implement comprehensive energy efficiency improvements, with Honeywell guaranteeing a minimum annual energy cost savings to the City

of \$160,373, which would offset the contract cost over a 15-year contract term. Honeywell committed to demonstrating how they would meet that amount to the City through this annual reporting process. If Honeywell could not meet that amount, they would write the City a check for the difference. Mr. Lucy said that this had been a successful collaborative effort between the two organizations, which has resulted in exceeding the guarantee annually thus far. Mr. Lucy credited the determination of City Staff to curb energy costs across City facilities.

Mr. Lucy recalled the project's scope of work by presenting a list of the buildings included in the project: Airport Terminal, Airport SRE, Recreation Center, City Hall, City Hall parking garage, Public Library, Library Annex, Public Works Department, Police Department, Fleet Services, Martell Pumping Stations, Wastewater Treatment Plant, and Water Treatment Plant. Through this program, each of those buildings was to be improved with one or more of the following energy conservation measures: lighting upgrades, building envelope upgrades, energy management systems improvements, heating plant improvements, destratification fans for the Recreation Center gym, variable frequency drives, chiller replacement for City Hall, propane storage systems, and the solar PV for City Hall.

Next, Mr. Lucy discussed cumulative savings, saying that the annual report to the City includes a running scorecard of how Honeywell is doing compared to the guaranteed contractual savings amount of \$160,373, which was established as a baseline during Honeywell's audit. The cumulative savings report is to evaluate conditions compared to the contract in terms of weather, energy usage, and associate costs. Each of the eight years to date the City has had a better return on its investment totaling \$889,146 above the guarantee. In this most recent year, cumulative savings totaled \$218,818 compared to the guarantee of \$160,373.

Mr. Lucy discussed cost avoidance – or savings – stating that energy usage would never be the same annually in reality because variables changes, like weather. Before the contract was executed in 2010. Honeywell compiled multiple years' energy usage, modeled with weather projections, to create a baseline. Mr. Kumi continues collecting energy bills from the City and then uses a third party software, Metrix, to normalize the data based on heating degree days adjusted for changes in building use, to determine how much the City would be spending on electricity, propane, and fuel oil without this Honeywell contract. Mr. Lucy said that they account for things that they deserve credit for and if the City does their own initiatives, those savings are not counted in the Honeywell savings report.

Mr. Lucy explained that when Honeywell measures and verifies savings, they follow an international protocol. He summarized the annual cost avoidance breakdown for this past year: electric savings, which are not weather dependent – \$83,406; propane and fuel oil savings – \$101,904; annual adjustments post-construction at the airport of \$3,363; annual operational cost avoidance, primarily due to the large propane tank procurement that allowed buying bulk propane at a cheaper cost – \$30,146. Total past year cost avoidance of \$218,818. He used graphs to compare this year's usage savings to the prior years of the contract to demonstrate that the City's energy consumption and carbon emissions have been on the decline from the pre-

construction baseline. Mr. Lucy noted that in the 2010 contract, Honeywell guaranteed a baseline energy consumption based on fixed rates agreed upon by the City.

Vice Chair Giacomo said it was great to see the City exceeding the plan. He referred to figures presented for these first eight years and said during all but two years, savings were declining against a base year, which was interesting to him. He said he would understand if it were a year-over-year reduction change, but asked why the consultants thought the actual savings had declined since the base year, despite overall savings. He agreed it was great to be above the goal. Mr. Kumi referred to the figures for cumulative savings results for each year and said that annually, weather and other variables impact energy consumption, which he said impacted the baseline during the first two years, with net results of \$112,000-\$120,000 that started dipping year three he thought due to weather or adjustment variables. Mr. Lucy added that there are ebbs and flows based on rates and in early years the City was in a higher energy cost profile than recent years. He also recalled working with Staff in early years to ensure building schedules aligned to control occupied times, for example. In general, Mr. Lucy thought it was demonstrated that the program had to date accomplished what it set out to. Mr. Lucy offered to provide a more detailed written response. Vice Chair Giacomo seemed to indicate that a written response was unneeded, stating that the City was still saving anything and that it was more than anticipated, which overall was good. He was curious about the trend and appreciated the explanation.

Chair Manwaring said she was a new Councilor when this contract was initiated and it was exciting to see annual progress.

Mr. Bohannon thanked Mr. Lucy, who had consulted on this effort since the beginning to help the City work toward these cost savings and avoidances by advising on facility management changes as a part of this contract; he said it had been a pleasure working with him. Mr. Bohannon thanked Mr. Kumi as well for his help in recent years.

The City Attorney, Tom Mullins, said this was one of the first major projects he worked on with the City and he was pleased to see these positive results. He also thanked Mr. Lucy and Mr. Kumi for all of their work.

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

On a roll call vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends that the City Council accept the presentation on the annual ESCO Cost Avoidance Report as informational.

- 2) **Kevin Leary – Request for Property Access – Old Gilsum Road**
- 3) **Use of Old Gilsum Road - Public Works Director/Emergency Management Director**

Chair Manwaring heard agenda items two and three together, and welcomed Kevin Leary of 27 Meetinghouse Road to speak first.

Mr. Leary said that he had spoken with the Director of Parks, Recreation & Facilities, Andy Bohannon, about this a few times and had now submitted a formal request. Mr. Leary was new to the Drummer Hill Homeowners Association (DHHA) as of September 2020 and as an outdoorsman, he discovered properties at the top of the DHHA land, including a large private lot that he hoped to access. In spite of Covid-19, Mr. Leary said he contacted town members in an effort to discover the property owner – because nothing was posted identifying the land – to determine their interest in selling or a lease program for private access to those grounds. Ultimately, Mr. Leary discovered that the parcel in question is Lot #9, which was in a trust association for the Fontaine family and managed currently by Mark Fontaine. Mr. Fontaine responded to Mr. Leary's request, granting permission to use the lot as needed with the agreement that Mr. Leary would donate to Mr. Fontaine's favorite children's charity. Mr. Leary thought the DHHA maps dated to the 1930s when Old Gilsum Road was the access to all of the lots in question. He says the original clause says the property owners could continue using Old Gilsum Road as a public right-of-way by motorized vehicles to access their lands, but that does not include his lease with the Fontaine family without formal permission from City Council. Mr. Leary said that there is a different access point at the top of the neighborhood, which he said neighbors agreed would be a better point for Mr. Leary to access the property, there is a utility road associated with a now gated water tower that leads directly to the parcel without interfering with recreation areas. Mr. Leary concluded stating his hope to gain access to the Fontaine property using a motorized vehicle with one or two pieces of equipment for land maintenance. He hoped to avoid Old Gilsum Road if granted permission to use the access from the water tower.

Chair Manwaring welcomed the Director of Public Works/Emergency Management Director, Kürt Blomquist, who shared an image of the area that exhibited the few small lots along the Class V Timberlane Drive. He showed land owned by the Fontaine Trust. Mr. Blomquist explained that when the City Council discontinued Old Gilsum Road in the early 1960s, it was reclassified from a Class V to a Class VI roadway and the Council placed the following additional restrictions on the roadway in §94-238. – Closed Streets. "Old Gilsum Road, a class VI highway, closed subject to gates and bars, pursuant to the provisions of RSA 47:17(VIII) is closed to vehicular traffic unless otherwise permitted by the city council. Notwithstanding the fact that Old Gilsum Road is closed to vehicular traffic, owners of property abutting on Old Gilsum Road shall not be prohibited from using the right-of-way of such Old Gilsum Road for purposes of gaining access to their respective properties at their own risk."

Mr. Blomquist continued that as a Class VI roadway, any passive recreation is allowed that does not use motor vehicles, with special exceptions granted by City Council for the Keene Sno-Riders to use the upper portion of Old Gilsum Road under utility lines. The Public Works Department and Parks, Recreation and Facilities Department have managed access to Old Gilsum Road over time, with property owners provided access keys to individual locks for use as they please; the City maintains keys in case of emergencies. Mr. Blomquist said that because Mr. Leary is not the owner of the Fontaine Trust parcel, he is required to seek permission from the City Council for use of Old Gilsum Road by a motorized vehicle. If the Council permitted this

access, Mr. Leary would be provided keys to access the gates temporarily on the condition that use of Old Gilsum Road by roadway, but not motor vehicles, is only for access to the Fontaine Albert R. Revocable Trust property.

Chair Manwaring heard public comment.

Tad Dwyer of 16 Meetinghouse Road questioned whether the Committee had received letters from the DHHA President, Phil Gaiser, or the Treasurer with their stances. The Chair had not received those letters. Mr. Dwyer deferred to another DHHA member, James Kirby of 12 Meetinghouse Road. Mr. Kirby said he was asked by the DHHA President to speak as their representative and a member of the Board of Directors. Mr. Kirby said the concern was not about Mr. Leary but about continued access to Old Gilsum Road by motor vehicles for the sake of public safety. Mr. Kirby said that if another landowner chose a similar arrangement, then granting access to Mr. Leary could set future precedent, allowing more traffic on a road that is used heavily for passive recreation. Mr. Kirby expressed another concern on behalf of the DHHA that the access gate at Timberlane Drive and Old Gilsum Road is locked typically as it should be. However, since utility work last spring, Mr. Kirby said that the gate had been found unlocked consistently, and as of the day of this meeting, the gate was wide open. Mr. Kirbydogl understood that utility workers need access, as do property owners to work on their land, but the DHHA still hoped that lower Old Gilsum Road would remain safe for passive recreation.

Chair Manwaring recognized Mr. Dwyer again who stated that he liked Mr. Leary and that this had nothing to do with him personally. Still, Mr. Dwyer referenced Mr. Leary's letter to the City Council, questioning Mr. Leary's request to access the property by motorized vehicle only two or three times annually, given that he had already far exceeded that to date without permission. Mr. Dwyer had encountered Mr. Leary using his motorized vehicle two days in a row and others had complained to him about Mr. Leary's use. He said that Mr. Leary had been driving over the curbs and around the locked gate to access Old Gilsum Road. Perhaps Mr. Leary was unaware of the rules, but Mr. Dwyer said that this was still clearly not working before permission was even granted, and he was concerned if Mr. Leary were granted this permission.

Mr. Blomquist spoke to the gate being unlocked, and stated that communication was needed with the utility companies who have permanent access for night work to ensure they are locking the gate properly. He said that sometimes the property owners might forget to lock the gate or in some instances, the gate had been vandalized. He said that minimizing use of Class VI roads for motorized purposes is an ongoing challenge because they are still public ways. The Council closed Old Gilsum Road subject to the property owner's motorized use and public's own recreation risk, because the City does not maintain Class VI roads. Mr. Bohannon and Mr. Blomquist would follow-up to monitor the gate and ensure it remains closed and locked. The City Attorney said he would have a conversation with Mr. Blomquist and Mr. Bohannon about the status of Class VI roads and gates.

Councilor Filiault said it was clear hearing these testimonies from all parties that this matter was nowhere near a resolution, stating that more time should be granted for all involved to talk through this more because too many questions remained for a vote.

Having walked and biked Old Gilsum Road and the surrounding trails, Councilor Chadbourne said she had a sense of wanting to preserve the area's quality for passive recreation. A few years ago, she was a member of the Greater Goose Pond Forest Stewardship Plan development, which included public sessions that made clear how much those trails systems are used for passive recreation, and that there was what she called a general consensus that the public wanted those trails preserved from vehicles. Councilor Chadbourne noted her experience with vehicles eroding trails, among other impacts. If this matter were put on more time, she suggested that information from that Stewardship Plan process might be helpful for Council review. Councilor Chadbourne concluded that she did not take this matter lightly and she was not in favor. Mr. Bohannon said that the Greater Goose Pond Forest Stewardship Plan is a great document and that per recommendations in that plan, with support and recommendation from the Conservation Commission, Staff would be returning to Council in short order with a motion to establish a Greater Goose Pond Forest Stewardship Committee to execute actions the plan. He agreed that Old Gilsum Road and surrounding trail systems are used heavily for multiple passive recreation purposes.

Mr. Blomquist said that the majority of properties along Old Gilsum Road are private, meaning that there are technically no public trails off most of the roadway. From a trails perspective, he continued that Old Gilsum Road is technically a public highway and not a trail, but is often used as such because it is unmaintained by the City as Class VI.

Vice Chair Giacomo wanted to hear from Mr. Leary about the allegations. The Vice Chair continued that because representatives of the Fontaine Trust already have access to use motorized vehicles on Old Gilsum Road, Mr. Leary would have access if he were a guest of theirs, and there were no stipulations as to how often the Fontaine's could use vehicles on that road. When it came down to what the Committee was voting on, Vice Chair Giacomo said it seemed clear. He understood that people did not want vehicles on Old Gilsum Road and agreed that he would be scared if he encountered one there during recreation, but in terms of legality he did not see an issue granting Mr. Leary the same access that the owner would have.

Although it is a Class VI highway, Councilor Chadbourne said that all the trails around Goose Pond are connected and as a hiker/biker, Old Gilsum Road feels like one of those trails whether it is technically. She said it is very jarring when a motor vehicle suddenly approaches in that wilderness space.

Mr. Leary spoke to the allegations, stating that Mr. Dwyer was correct, and that he attempted to contact the City for more than the past month about access since the property owner granted him full rights; the property owner told him the access was through Old Gilsum Road. Before putting an ATV on Old Gilsum Road, Mr. Leary said he reached out to the City and as many people as possible to ensure he was not upsetting neighbors or recreation areas. He said that his access was not to joyride through the property for recreation but because he had permission to work there

and thought winter might be better with Old Gilsum Road less traveled. He did not think Old Gilsum Road was the best way to access the property, citing the water tower access again that would interfere with no recreation. As a father who also uses Old Gilsum Road for recreation with his children and pets, he too did not want dangerous misuse of the road by motor vehicles. Mr. Leary thought there was a miscommunication and he hoped to access the property directly from the safest point – the utility road at the water tower.

Chair Manwaring also suggested putting this item on more time to allow all parties to think and review the Greater Goose Pond Forest Stewardship Plan, not just because of Mr. Leary, but to consider further setting possible precedent.

Vice Chair Giacomo disagreed, stating that he thought the request should move forward and that this had nothing to do with the Greater Goose Pond Forest Stewardship Plan. He would not support more time.

Councilor Filiault made the following motion, which Councilor Chadbourne seconded.

On a vote of 4-1, the Municipal Services, Facilities and Infrastructure Committee recommended placing this item on more time for one Committee cycle while Staff and all other parties communicate and report back with their results in two weeks. Councilor Giacomo opposed.

4) Introducing a New Citizen Reporting System - City Engineer

Chair Manwaring welcomed the City Engineer, Don Lussier, and Public Works Department Administrative Assistant, Andrea Madaglia, who reminded everyone that his system is not for emergency use and that it is not monitored at all times. Until recently, Ms. Madaglia said that residents and visitors of Keene had been able to report non-emergency problems and maintenance needs using a cellular phone application (app) called "YourGov". This app is no longer supported, and so the City is launching a replacement reporting system. The new system is called "See-Click-Fix" and is available for both the Apple and Android operating systems. You can also submit requests on your computer directly from the City's website (<https://ci.keene.nh.us/>) or at <https://seeclickfix.com/keene>.

Ms. Madaglia used photos to demonstrate to the Committee how the new app works. When the app first opens on iPhone or IOS (it could differ slightly between the two), she said that the user would be prompted to sign-in or register. Once an account is created, the user could see the number of active and completed requests throughout the City, links to the City website and online services, as well as announcements that apply to one's location. If there is a complaint, users would first be asked if they want to submit a photo of the problem. They would then be prompted to provide the issue location (using the phone's services or entering the address manually), select the category of the request, and provide a brief description of the issue. Depending on the category selected, the user could be asked to answer more questions, such as whether there is a hazard to pedestrians. Users could choose to hide their identity from the request details that are visible to other members of the public, but City Staff would still see user names. After submitting a request, the user would be able to see the active request in their profile

and would receive emails confirming when the request was received, closed, and whether there were public comments. Users would always have access to a map that displays open and closed requests across the City.

The public were encouraged to download the See-Click-Fix app, which was live the date of this meeting, and is a great tool that Mr. Lussier hoped the City Council would promote as much as possible. There would be additional publicity through press releases and City social media.

Mr. Lussier reminded that this is for non-emergency issues. For immediate needs, like an overflowing sewer, the public should call the Public Works Department or the Police Department non-emergency afterhours line.

Chair Manwaring asked whether this was a free service and Mr. Lussier said yes. He continued that once resolved, the completed requests remain visible to all users for approximately 10 days before being archived for Staff records. Ms. Madaglia added that users could comments on others' open issues that they are familiar with too. Chair Manwaring asked whether it would be visible to users how City Staff resolved the issue. Mr. Lussier said that would not be available publically in the app but that the information would be stored for Staff access should there be a future public question. If an issue cannot be resolved right away, Staff might write an update in the issue's public comments.

Councilor Chadbourne asked why the switch and Mr. Lussier said it was a forced situation because the YourGov software was no longer supported. Staff sought an alternative that would still interface with the City's same work management system, which this would seamlessly.

Councilor Williams said nice work to Staff for this app that he looked forward to using.

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

On a roll call vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommended that the City Council accept the report on the New Citizen Reporting System as informational.

5) **Adjournment**

There being no further business, Chair Manwaring adjourned the meeting at 6:41 PM.

Respectfully submitted by,
Katrnya Kibler, Minute Taker
February 26, 2021