

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, June 13, 2024

6:00 PM

**Council Chamber,
City Hall**

Members Present:

Thomas F. Powers, Chair
Michael J. Remy, Vice Chair
Bettina A. Chadbourne
Bryan J. Lake
Kris E. Roberts

Staff Present:

Rebecca Landry, Deputy City Manager
Jason Martin Acting Fire Chief
Amanda Palmeira Asst. City Attorney
Don Lussier, Public Works Director
Aaron Costa Assistant Public Works
Director/Operations Manager

Members Not Present:

All Present

Chair Powers called the meeting to order at 6:00 PM.

1) Attorney Daniel S. Rich/PretiFlaherty Beliveau & Pachois, PLLP - Requesting that the City Quitclaim Any Interest - Former Railroad Easement - 120 Emerald Street

Attorney Dan Rich of PretiFlaherty Beliveau & Pachois representing 120 Emerald Street LLC addressed the committee. He indicated his client owns Arcadia Apartments. He stated they are in the process of selling that building to the current property manager. As part of that process, the buyer has found a railroad sidetrack that borders the front of the apartment complex. The buyers' request tonight is for the City who is the current owner of the right of way to consider relinquishing that right and quitclaiming any interest it may have to the current owner, 120 Emerald Street LLC. Attorney Rich stated in exchange the City is requesting a sidewalk easement for the northwest corner of the property, which the buyer is amicable in providing.

Councilor Roberts asked whether that easement was part of the bike path. Public Works Director Don Lussier agreed and added a few years ago the City acquired the rail trail that runs from Winchester Street to Emerald Street, and this is a spur that came off that corridor to service historic properties that had access to that rail spur. The easement the applicant is requesting the City quit claim was designed to benefit both Arcadia Apartments and also the next parcel on Emerald Street. He noted a portion of this easement is actually inside the building and a portion of it is their front parking lot. Mr. Lussier stated the City has no need to ever use or turn that back into a rail spur and the quitclaim of the City's interest will clean up this title issue. He noted there is a small encroachment of City sidewalk on to the subject property. Don Lussier concluded his remarks by stating that the Public Works Department is in support of this request.

Chair Powers asked whether this meets the needs of the City Attorney's office. Asst. Attorney Palmeira agreed it does.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and to execute a release deed of the City's interest in real property, aka a railroad easement, impacting the property at 120 Emerald Street more particularly depicted on a certain plan entitled Right of way and Track map Connecticut River RR Company operated by the Boston and Maine Railroad Station 1108 + 80 to Station 1143 + 724 and being a portion of the property interest conveyed to the City in the quitclaim deed recorded at the Cheshire County Registry of Deeds, Book 1259 Page 0808 and further to authorize the City Manager to negotiate and to accept a sidewalk easement in a form acceptable to the City Engineer and the City Attorney.

2) Engineering Services - 3 Million Gallon Water Storage Tank Repair Project - Assistant Public Works Director/Operations Manager

Assistant Public Works Director/Operations Manager Aaron Costa addressed the committee next. Mr. Costa stated this item is for the consultant selection for the 3,000,000 gallon water storage tank repair project. He explained the City owns a 3,000,000 gallon water storage tank located behind Robin Hood Park. It is a welded steel tank that was constructed in 1962 and is due for refurbishment. In 2013, Tighe & Bond Engineers did a preliminary evaluation and cited certain deficiencies. In 2019, the City had Tata and Howard Engineers conduct a more in depth evaluation of the tank and develop a business case as to whether it was prudent to tear that tank down and rebuild a new one or go ahead and rehabilitate the existing structure. The consultant's recommendation was to rehabilitate the existing structure.

Mr. Costa noted the steel is in good condition and the bulk of the work is just the coding system inside and out that needs to be redone along with some other minor deficiencies. The City advertised an RFP for consulting services and received two proposals. A review team evaluated those proposals, but the team could not make a selection just based on the proposals. He noted both Tighe & Bond and Weston Sampson are good firms. Both firms were invited to attend interviews. After which the team rated Weston and Sampson to be the best consultant for this project and they are the lesser cost of those two proposals.

Councilor Lake made the following motion, which was seconded by Councilor Roberts.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a contract with Weston & Sampson, Inc. for engineering services for the 3 million gallon water storage tank repair project for an amount not to exceed \$127,550.00.

3) Aid Grant Funding -Sludge Pump Replacement Project - Assistant Public Works Director/Operations Manager

Mr. Costa addressed the next item on the agenda. This item is to request authority for the City Manager to execute the State Aid Grant documentation. He explained the City recently completed a sludge pump replacement project at the wastewater plant. This replaced five original sludge pumps. This project was budgeted for in the CIP Plan. The project is now complete.

Mr. Costa stated the City had applied for the State Aid Grant and they were eligible for it if the City complied with all DES requirements. He stated it looks like this project may be eligible for up to 20% of grant funds which is approximately \$100,000. The authority given to the Manager would be for executing those project closeout documents as it pertains to the State Aid Grant.

Councilor Remy made the following motion, which was seconded by Councilor Roberts

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute, accept, and expend a State Aid Grant Funds from the New Hampshire Department of Environmental Services for the Sludge Pump Replacement Project.

4) Sale of City Property - Map 552 Lot 035, 270 Beaver Street - City Assessor

City Assessor Dan Langille was the next to address the committee. Mr. Langille stated this item is in reference to a parcel of land the City owns on Beaver Street. The City acquired this parcel of land through a tax deed in March of 2016 and was not successful in trying to sell the land in 2016 because the winning bidder chose not to go forward. At that time there was also a house on the property. This house was built in the early 1900's, it was in poor condition and the City deemed it to be hazardous and also a liability risk. The house has since been torn down and the property is now a vacant piece of land.

Mr. Langille stated it is a good-sized lot but has some potential topography issues on the right side of the lot, as well as some access issues. The City will sell the property "as is" with no warranties. Any buyer would have to do due diligence as far as what they could do with the property.

Mr. Langille stated his office has been contacted by two separate parties expressing interest in purchasing the property. They are looking to build a small home on it. The City is in favor of selling the property, which would put the property back on the tax rolls.

Councilor Chadbourne asked how the City would decide who to sell the property as there are two parties showing interest and also asked whether the property would be opened to others to bid on. Mr. Langille stated the sale would be through a seal bid process and will be advertised through the purchasing department. The City would be open to anyone to bid on the property. The Councilor asked in addition to the advertisement in the Keene Sentinel, whether the property would also be available online.

Mr. Langille stated in the past it has been advertised on the city website, through social media, and the purchasing office contacts contractors who may be interested.

Councilor Roberts asked whether the City has a reserved price. Mr. Langille stated the City does reserve the right to reject any bid it doesn't deem to be in the best interest of the City. He stated typically the City would try to recover its costs for back taxes and any expenses it has put into the property. However, the City cannot make a profit on the property as it was taken by tax deed, but would like to recover what has been lost.

Councilor Chadbourne asked how much the City has lost on this property. Mr. Langille stated the back taxes are approximately \$22,000. Demolition was another \$15,000; in total the cost was around \$40,000. The Councilor asked what the value of this property would be. Mr. Langille stated at the present time it is assessed for \$36,000 on the land but the city's assessment is below market value. \$30,000 to \$40,000 would be a reasonable price for this property.

Councilor Roberts made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City sell 270 Beaver Street, Map 552 Lot 035 through a sealed bid process and authorize the City Manager to negotiate and execute the sale with the chosen bidder.

5) Relating to the City of Keene Organizational Chart Ordinance O-2024-10

Deputy City Manager Rebecca Landry stated this item came up due to the salary changes completed through Council process. There have also been some changes made to the positions of Assistant City Managers to Deputy City Managers. The organizational chart is included in the City Code so any amendments would need to be accomplished through an Ordinance.

Ms. Landry referred to the various changes to the chart to include the Deputy City Managers. She added there may also be some changes to the section depicting Boards and Commissions because of the abolishment of the Agricultural Commission.

Chair Powers stated what he hears the most is "what is facilities" and asked whether this has been ironed out. Ms. Landry stated this used to be Parks, Recreation and Facilities. Ms. Landry stated she can investigate this, but in the past, facilities has been about anything that went through facilities assessment, but stated she will come back with added clarification before next Thursday.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2024-10.

6) Rescission of Resolutions Relating to Special Equipment Purchase Standardization - Acting Fire Chief

Acting Fire Chief Jason Martin stated the item before the committee tonight is to request the Finance Organization and Personnel Committee recommend that Resolutions R-2010-33, R-2010-34, R-2010-35 and R-2010-39 relating to special equipment purchase standardization be rescinded. Chief Martin explained recently, the Fire Department has been evaluating these special equipment purchase standardization resolutions and it was determined that the four current resolutions prevent the Fire Department from competitively purchasing the best equipment available on the market.

He stated since the adoption of these sole source resolutions, technology has changed. They have also seen an increased number of manufacturers and vendors resulting in better competitive pricing. The Department needs a more flexible procurement process and is therefore asking that these Resolutions.

Councilor Remy stated he could not go back in the minutes to see why this was placed on the books; he could only go back to 2015. He stated he is glad to get rid of sole source but is curious to see why these Resolutions were placed on the books as sole source. Ms. Landry stated she is certain the City Clerk would be able to go back to minutes from 2010. She went on to say she could not speak for the Fire Department, but from the IT Department's perspective there were standards that made sense back then because of the availability and price of buying things in quantities, but she can look into why it was done for the Fire Department.

Chair Powers noted it became apparent over time that certain items became difficult to purchase.. He indicated the prior Purchasing Manager came up with a number of different schemes that were very much akin to the federal procurement process where you could standardize which was the principle behind it at that time. However, since that time everything has changed and you can achieve the same thing, such as going through the bid process.

Councilor Roberts stated he was on the Finance Committee at that time and one of the things they were doing was applying for multi-year grants for safety equipment that needed to be replaced and standardized and there were only a few companies you could obtain this equipment from.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council rescind Resolutions R-2010-33, R-2010-34, R-2010-35 and R-2010-39 relating to special equipment purchase standardization.

ADJOURNMENT

There being no further business, Chair Powers adjourned the meeting at 6:26 PM.

FOP Meeting Minutes
June 13, 2024

ADOPTED

Respectfully submitted by,
Krishni Pahl, Minute Taker

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