



FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
Council Chambers B, Keene City Hall
July 25, 2024
6:00 PM

A. AGENDA ITEMS

1. Contract Award - Fire Department - Spec Rescue International - Fire Chief
2. State Homeland Security Program Award - DHS Approved Training for Locals - Fire Chief
3. Professional Services Contract for Final Design of the Downtown Infrastructure Project - Public Works Director
4. Fire Damage Repair at Keene Transfer Station - Assistant Public Works Director
5. Relating to Board Memberships
Ordinance O-2024-05-A
6. Relating to Class Allocation and Salary Schedule
Ordinance O-2024-12
7. Relating to the City Attorney Functions and Powers
Ordinance O-2024-13

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.1.

Meeting Date: July 25, 2024
To: Mayor and Keene City Council
From: Jason Martin, Acting Fire Chief
Through: Elizabeth Dragon, City Manager
Subject: **Contract Award - Fire Department - Spec Rescue International - Fire Chief**

Recommendation:

Move to recommend that the City Council authorize the City Manager to execute a contract with SpecRescue International to provide specialty Trench Rescue Technician Training. The funding source is account #40G00222 (FD2022AFG Trench Rescue.)

Attachments:

None

Background:

The Fire Department, through a Request for Proposals, received a contract proposal for the purpose of conducting trench rescue technician training. The training is funded through the 2022 Assistance to Firefighters Grant (AFG) which has already been accepted by the Council. After review, the department recommends an award to SpecRescue International in the amount of \$80,001.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 25, 2024
To: Finance, Organization and Personnel Committee
From: Jason Martin, Acting Fire Chief
Through: Elizabeth Dragon, City Manager
Subject: **State Homeland Security Program Award - DHS Approved Training for Locals - Fire Chief**

Recommendation:

Move to recommend that the City Manager be authorized to do all things necessary to accept and expend the State Homeland Security Program Award - DHS Approved Training for Locals in the amount of up to \$2,925.00. The funding source is account #40G00224 (FDFY2024FSTEMS-Hazmat Training).

Attachments:

None

Background:

On Thursday, June 13, 2024, the fire department was notified that the department had been awarded no more than \$2,925.00 for members to attend OT/Backfill training. The grant is being awarded to local agencies across New Hampshire to attend training programs offered through Fire Standards and Training and Emergency Medical Services (FSTEMS), which are authorized under the Homeland Security Grant. These training programs are targeted at first responders to expand local capabilities in hazardous materials, technical rescue, incident command, and EMS in the Warm Zone. This grant reimburses the city for the cost of personnel salaries and benefits to either send students to authorized training programs on overtime or to backfill on-duty personnel to attend training. There is no match required by the city.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 25, 2024
To: Finance, Organization and Personnel Committee
From: Donald Lussier, Public Works Director
Through: Elizabeth Dragon, City Manager
Subject: **Professional Services Contract for Final Design of the Downtown Infrastructure Project - Public Works Director**

Recommendation:

Move to recommend that the City Manager be authorized to do all things necessary to negotiate and execute a professional services agreement with Stantec Consulting Services, Inc. for an amount not to exceed \$1,230,000 for the final design phase of the Downtown Infrastructure Project. The funding source will be split between the General Fund, Water Fund and Sewer Fund through the following accounts: Downtown Infrastructure Improvement (75J0034A), Sewer Improvements Program (32MI0222), and Water Distribution Improvements Program (34ML0222)

Attachments:

None

Background:

Stantec Consulting Services Inc. (Stantec) was selected using a qualifications-based selection process for the conceptual design phase of the Downtown Improvements Project in 2022. They completed that work and were retained for the Preliminary Design phase in November 2023. On July 18, 2024, The City Council approved a Preliminary Design plan for the upcoming Downtown Infrastructure Project. This milestone represented the culmination of more than 2 years of work geared towards deciding how the Downtown will be restored once all the required subsurface utility work is completed. The Preliminary Design establishes the major elements of the project as well as the allocation of space between those elements. Now that the Preliminary Design phase is drawing to a close, Public Works recommends that Stantec be retained to complete the design work through Final Design and Bid-phase services.

During the final design phase, the consulting team will refine the Preliminary Design plans and add significant detail to produce buildable construction documents. This effort includes obtaining various local, state and federal permits. Additional public engagement during the final design phase will focus on selection of specific materials (lighting, planters, waste receptacles, etc.) as well as refining construction management and traffic control plans with input from the public. In addition, Stantec will complete subsurface geotechnical investigations needed to support the design of the pavement, signal foundations and the proposed solar shade structure.

It should be noted that the Preliminary Design contract is expected to be concluded approximately

\$400,000 under budget. This is partially due to geotechnical work being shifted from the preliminary design to the final design phase and partially due to under-spent labor hours. Based on this anticipated savings, the total design fees for the project will be approximately 14.1% of the total project budget. This is in line with the typical NHDOT planning value of 15% for engineering fees.

Funding for this work will be split between the General Fund, Water Fund and Sewer Fund:

- Downtown Infrastructure Improvement (75J0034A)
- Sewer Improvements Program – Downtown (32MI0222)
- Water Distribution Improvements Program – Downtown (34MI0222)



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 25, 2024

To: Finance, Organization and Personnel Committee

From: Duncan Watson, Assistant Public Works Director

Through: Donald Lussier, Public Works Director
Elizabeth Dragon, City Manager

Subject: **Fire Damage Repair at Keene Transfer Station - Assistant Public Works Director**

Recommendation:

Move to recommend that the City Manager be authorized to do all things necessary to negotiate and execute a contract with Project Resource Group for repair of the fire damage at the Keene Transfer Station for an amount not to exceed four hundred forty thousand dollars (\$440,000). The funding source is the insurance proceeds, less the \$1,000 deductible.

Attachments:

None

Background:

In May 2024, the Transfer Station had a major fire, damaging the building and disrupting operations. The cause of the fire, while not specifically determined, is likely to have been caused by disposal of incompatible waste (e.g. lithium-ion batteries) that resulted in spontaneous combustion. The fire alarm system functioned properly, and the 30,000 gallon fire cistern and deluge sprinkler system was used to extinguish the fire.

A professional services contract has been awarded to CMA Engineers (the original design engineers of the solid waste facility) to provide repair design drawings and specifications. In addition, a professional services contract has been awarded to SCT Engineers to provide periodic construction inspection services to ensure the contractor is complying with project design and specifications.

The Solid Waste Division, with the concurrence of the Public Works Director, recommends issuing a sole source contract for the repair of the Transfer Station to Project Resource Group (PRG) for an amount not to exceed four hundred forty thousand dollars (\$440,000) based on engineer estimates plus a 10% contingency. PRG was engaged in 2021 to repair the fire damaged Transfer Station, and they have indicated availability to complete the repairs prior to the onset of winter conditions. The funding for the repairs will come from insurance proceeds, less a deductible. The City's insurance deductible of \$1,000 will be paid out of the FY25 building maintenance budget (21100082/523500)

It should be noted, that the Solid Waste Fund is completely separate from the General Fund in that

no tax dollars support the Solid Waste Fund. Revenues are primarily derived from the tipping fees from disposal of solid waste and the revenue received from the sale of recyclable commodities.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Four

AN ORDINANCE Relating to Boards and Commissions

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by removing the stricken text from Section 2-652 “Membership” of Division 3, “Ashuelot River Park Advisory Board;” by removing the stricken text and inserting the bolded text in Section 2-991 “Membership” of Section 2-991; by removing the stricken text and inserting the bolded text in Division 18, “Historic District Commission” by deleting Division 22, “Agricultural Commission” in its entirety; by deleting the stricken text and inserting the bolded text in Section 2-1110.4 “Membership” of Division 24, “Congregate Living and Social Services Licensing Board” of Article V. Boards and Commissions of Chapter 2 entitled “Administration” as follows:

DIVISION 3. ASHUELOT RIVER PARK ADVISORY BOARD

Sec. 2-652. - Membership

The Ashuelot River Park Advisory Board shall consist of seven regular voting members who shall have demonstrated interest in the park. One member shall represent the educational community, ~~one~~ **two** members shall represent the Friends of Ashuelot River Park, ~~one member shall be a city councilor~~, and three members shall represent the community at large and one member shall ~~may~~ **may** represent the conservation commission. **Members shall be appointed by the mayor as provided in the Charter, section 29.**

DIVISION 14. HUMAN RIGHTS COMMITTEE

Sec. 2-991. - Membership.

The human rights committee shall consist of nine regular members who have a demonstrated interest in the purpose of the committee. One member shall be an educator, ~~and~~ one member shall be ~~an ex-officio member~~ representing the Keene Public Library **and one member shall be a City Councilor. Members shall be appointed by the mayor as provided in the Charter, section 29.**

DIVISION 18. - HISTORIC DISTRICT COMMISSION

Sec. 2-1085. Establishment of historic district commission.

There is herein established an historic district commission with the functions and duties as set forth in this article, RSA: 674:46a, and as may be needed to carry out the purposes of this article.

- (1) *Organization.* The historic district commission shall consist of seven regular members and up to five alternate members, all of whom must be residents of the city and, consistent with RSA 673:4, must show interest and ability to understand, appreciate and promote the purposes of the historic district commission.
- (2) *Membership.* One member of the historic district commission ~~shall be a member of the city council and one member~~ shall be a member of the heritage commission. The appointing authority should also consider the following types of individuals for membership on the commission (including alternate membership) to the extent practicable:
 - a. A member of the planning board;
 - b. A member of another land use board;
 - c. A member of the Historical Society of Cheshire County or the Foundation for the Preservation of Historic Keene;
 - d. A licensed real estate broker;
 - e. A registered architect, professional engineer, or builder;
 - f. An owner of property within the historic district; and,
 - g. An owner of a firm or business within the historic district.

DIVISION 22. - AGRICULTURAL COMMISSION

~~• Sec. 2-1104. Purpose.~~

~~It is hereby declared as a matter of public policy that the proper recognition, promotion, enhancement, encouragement, use, management, and protection of agriculture and agricultural resources is required in the interest of the economic prosperity, cultural and aesthetic enrichment, natural resource protection, and general welfare of the community. The word "agriculture" shall include the entirety of RSA 21:34-a, which is the definition of farm, agriculture, and farming.~~

~~This purpose will be safeguarded by the establishment of an agricultural commission in accordance with RSA 673:4 b.~~

• ~~Sec. 2-1105.— Membership.~~

~~The agricultural commission shall consist of seven members. Each agricultural commission member shall be a resident of the city. One commission member shall be a member of the Keene City Council and one commission member may be a member of the planning board. No more than two alternate members may be appointed. In determining each member's qualifications, the mayor shall take into consideration the appointee's demonstrated interest and ability to understand, appreciate and promote the purpose of the agricultural commission. Members of the agricultural commission also may serve on other city boards and commissions, including but not limited to the conservation commission.~~

• ~~Sec. 2-1106.— Terms.~~

~~Initially three members shall have a three-year term, three members shall have a two-year term, and one member shall have a one-year term. After these initial terms, all members shall have a three-year term whose terms shall be staggered so that two board members shall be appointed in January of each year.~~

• ~~Sec. 2-1107.— Relation to department.~~

~~The planning department will provide staff support as it may be available to the agricultural commission. Other departments may be called upon as necessary.~~

• ~~Sec. 2-1108.— Powers, duties and guidelines.~~

~~In accordance with the provisions of RSA 674:44-e, the following powers, duties and guidelines are hereby established for the conduct of the board. The agricultural commission shall have advisory and review authority, specifically as follows:~~

- ~~(1) Survey and inventory all agricultural resources.~~
- ~~(2) Conduct activities to recognize, promote, enhance, and encourage agriculture, agricultural resources, and agricultural-based economic opportunities.~~
- ~~(3) Assist the planning board, as requested, in the development and review of those sections of the comprehensive master plan which address agricultural resources.~~
- ~~(4) Advise, upon request, city boards and commissions and other agencies in their review of requests on matters affecting or potentially affecting agricultural resources.~~
- ~~(5) Coordinate activities with appropriate service organizations and nonprofit groups.~~
- ~~(6) Publicize and report its activities.~~
- ~~(7) Hire consultants and contractors as needed.~~

~~(8) — Receive gifts of money and property, both real and personal, in the name of the City of Keene, subject to the approval of the city council, such gifts to be managed and controlled by the agricultural commission for its proper purposes.~~

~~(9) — Hold meetings and hearings necessary to carry out its duties.~~

DIVISION 24. CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD

Sec. 2-1110.4 Membership.

The congregate living and social services licensing board shall consist of five regular members. ~~At least three of the~~ All regular members shall be residents of Keene. ~~One member shall be an administrative official of the city who need not be a resident of the City of Keene. In no instance shall city staff in a code enforcement or law enforcement role serve on this board.~~ One member may be a member of the planning board.

Jay V. Kahn, Mayor



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Four

AN ORDINANCE Relating to Class Allocation and Salary Schedules

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

That the ordinances of the City of Keene, as amended, hereby are further amended by deleting the stricken text and inserting the bolded text in Section 62-194, “Administrative, Office, Technical and Management Personnel” of Chapter 62 entitled “Personnel” effective August 1, 2024, as follows:


Sec. 62-194. Administrative, office, technical and management personnel

- S 4 Library Aide
- S 5 Minute Taker
- S 6 Administrative Assistant; Records Clerk
- S 7 Administrative Assistant I
- S 8 NO POSITIONS ASSIGNED
- S 9 NO POSITIONS ASSIGNED
- S 10 Audio Video Production Specialist; Recreation Specialist
- S 11 Office Manager; Parking Services Technician
- S 12 Librarian I; Planning Technician; Executive Secretary; Staff Accountant;
-Purchasing Specialist; Human Resource Specialist
- S 13 NO POSITIONS ASSIGNED
- S 14 NO POSITIONS ASSIGNED
- S 15 Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth
Services Manager; Engineering Technician; Assistant City Clerk; Senior Paralegal; Police
Dispatch Supervisor; Social Worker; Fire Department Administrator; **Deputy Revenue Collector**
- S 16 Planner; Laboratory Supervisor; GIS Coordinator
- S 17 Property Appraiser; Recreation Programmer; Librarian III; Airport Maintenance & Operations
Manager; IT Systems Specialist; Parking Operations Manager; Recreation Facilities Manager
- S 18 Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue
Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services
Manager; Treatment Plant Manager; Deputy City Clerk
- S 19 Transportation/Stormwater Operations Manager; Senior Planner, Recreation Manager
Fleet Services Manager, Accounting & Fund Manager; Infrastructure Project Manager
- S 20 Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney;
Water/Sewer Operations Manager

- S 21 NO POSITIONS ASSIGNED
- S 22 NO POSITIONS ASSIGNED
- S 23 NO POSITIONS ASSIGNED
- S 24 City Engineer; Database Administrator; Building/Health Official
- S 25 Assistant Finance Director/Assistant Treasurer; Assistant Public Works Director/Division Head;
Airport Director
- S 26 City Assessor; Police Captain; Human Resources Director; Library Director; Deputy Fire Chief;
Parks & Recreation Director
- S 27 IT Director; Community Development Director
- S 28 Finance Director/Treasurer
- S 29 Police Chief; Fire Chief; Public Works Director
- S 30 NO POSTIONS ASSIGNED
- S 31 Deputy City Manager
- S 32 NO POSITIONS ASSIGNED

Jay V. Kahn, Mayor

In City Council July 18, 2024.
Referred to the Finance. Organization
and Personnel Committee.



City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-four

AN ORDINANCE Relative to the City Attorney Functions and Powers

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

That the City of Keene Code of Ordinances, as amended, are hereby further amended by deleting in its entirety Section 2-143, Function and Powers, of Chapter 2, Administration, Article III, Charter Officers, Division 3, City Attorney, and replaced with the following new Section 2-143:

Section 2-143, Functions and Powers:

The functions and powers of the City Attorney shall be as follows:

- (1) Represent the City, or supervise in the representation of the City, all matters in which the City has any interest before any court, tribunal, quasi-judicial body or administrative agency.
- (2) Call to the attention of the City Council and the City Manager all matters of law affecting the City.
- (3) Advise and assist the City Council, Mayor, City Manager, City Clerk, Department Heads, City Boards, Commissions and Committees, in circumstances when a legal opinion is requested, or legal advice is required.
- (4) Review and comment upon all deeds, leases, contracts and other legal instruments tendered to the City Attorney prior to their execution or acceptance.
- (5) Draft all deeds, obligations, contracts, leases, conveyances, agreements, and other legal instruments which may be required or necessary to carry out the business functions of the City.
- (6) Assist in the drafting of Charter Amendments, ordinances, resolutions, rules of procedure, department policies, and directives.
- (7) Commence either directly or as other arrangements may be made by the Council and the City Attorney, any litigation determined by the City Attorney to be necessary and prudent, either with prior consultation with the City Council, or in the event of exigency, as soon as possible after the commencement of the litigation.
- (8) Appear in, defend and advocate the rights and interests of the City in any suit or administrative action against the City, involving any estate, right, privilege, ordinance or act of the City government, or when any breach of any statute or ordinance may be brought into question, except in such cases as other arrangements may be made by the City Council and the City Attorney.
- (9) Enter into Settlement Agreements on behalf of the City; provided however that, with the exception of real property tax abatements, any Settlement Agreement

requiring the payment of funds by the City shall first be reviewed and approved by the City Council.

- (10) Appear and testify before the State Legislature, or before any committee or body thereof, and represent the interests of the City.
- (11) Provide advice, legal counsel, or other assistance to the City Manager and departments to support solutions advancing projects, improving business processes, resolve questions or concerns related to City operations, risks, liability, working with groups and/or residents and resolving issues.
- (12) Serve as a member of the City's leadership team.
- (13) Engage proactively to support City personnel to evaluate risks and to develop prudent solutions. Perform related duties as may be required by the City Council.

Jay V. Kahn, Mayor

In City Council July 18, 2024.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk