

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, September 12, 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

Members Not Present:

All Present

Mayor Jay Kahn

Staff Present:

Rebecca Landry, Asst. Manager/IT Director
Steve Tenney, Police Captain
Carrah Fisk-Hennessey, Parks and Recreation
Director
Alyssa, Bender, Youth Services Manager/JCC
Coordinator
Patty Little, City Clerk
Don Lussier, Public Works Director
Jesse Rounds, Community Development
Director

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

**1) 2025 Law Enforcement Substance Abuse Reduction Initiative Grant – Police
Captain Steve Tenney, Police Captain**

Police Captain Steve Tenney addressed the committee. Captain Tenney stated he has two items for the committee tonight and they are reoccurring annual grants. The first one is a substance abuse grant. He indicated this is the 2025 Law Enforcement Substance Abuse Reduction Initiative grant. This year’s award is for \$25,000 and the money is used for overtime reimbursements for officers and detectives for drug investigations. Specifically, dealing with bigger cases.

Mr. Joe “Keene” of Keene addressed the committee and stated he felt these “drug drops” happen right before an event which pushes the homeless population conveniently to a side. Captain Tenney stated there is no correlation and indicated most of these cases culminate over several months and does not happen overnight. Mr. “Keene” stressed what he stated previously.

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 accept and expend the NH Department of Safety 2025 Law Enforcement Substance Abuse Reduction Initiative Grant in the amount of \$25,000.00. (FY25 Project Account # 70G01225).

2) FY24 DOJ Byrne Justice Assistance Grant (JAG) - Police Captain Steve Tenney, Police Captain

Captain Tenney stated the city applies for this grant with the county. It is called the DOJ Byrne Justice Assistance Grant, Jag Grant. The city has participated with the county on this grant since 2007. This year's award is \$4,684 and the money is used to help pay for cruiser cell phones and other cellular devices the department uses. Captain Tenney noted this year's award is slightly low due to federal allotment.

Mr. Joe "Keene" stated he does not see why the state should be funding cell phones and noted body camera batteries only last seven or eight hours and felt the city should be getting body cameras that last longer. He also did not feel police officers should be allowed to use their cell phones for recording.

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 co-apply with the County of Cheshire, NH, and to accept and expend the U.S. Department of Justice FY24 Byrne JAG in the amount allocated to the city in the amount of \$4,684.00. (Acct # 70G00225)

3) Relating to the Acceptance of a Donation: Greater Keene Youth Baseball and Softball Association Pavilion - Parks and Recreation Director Carrah Fisk-Hennessey, Parks and Recreation Director

Parks and Recreation Director Carrah Fisk-Hennessey stated she is before the committee this evening to bring forward a donation of a pavilion that is to be built by the Greater Keene Youth Baseball and Softball Association and donated to the city once construction is complete. She stated the idea behind it is to make sure that the city has the same kinds of facility amenities that other youth baseball and softball organizations have throughout the state which will enable the city to host larger scale tournaments.

Ms. Fisk-Hennessey stated one of the requirements to host larger tournaments is to have some kind of sheltered pavilion type building where everybody can gather and listen to people, hand out awards and make sure that families feel comfortable in one common space. She noted the area being looked at is very conducive for this structure to be built.

Councilor Remy extended his appreciation for this donation.

Councilor Lake clarified that this structure will be constructed at the end of the dirt parking lot. Ms. Fisk-Hennessey stated the proposed site is in the area where the cook shack is located, a triangular piece of property. Patrons who use this pavilion would have a view of two fields.

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 accept the donation of a 27' x 22' pavilion, estimated at nearly \$40,000 of work - and gifts – in-kind, by the Greater Keene Youth Baseball & Softball Association. This donated pavilion will be located at the far end of the parking lot near the Wheelock Park youth ballfields.

4) Acceptance of New Hampshire Juvenile Court Diversion Network SBIRT funding for Youth Services - Youth Services Manager/JCC Coordinator Alyssa Bender

Youth Services Manager/JCC Coordinator Alyssa Bender stated that each year the department receives a subcontract from the state network. This network is overarching for accredited programs in the State of New Hampshire, approximately 17 entities. Ms. Bender noted these funds are specifically provided for substance abuse screening offered to every youth that comes into the Juvenile Court Diversion Program. The screening uses questions from the PHQ, which is around mental health, and then also questions in regard to the amount of frequency that youth are using certain substances.

Typically funding ranges between \$5,000 to \$6,000. However, this year the city has been offered \$56,488.00, which is a large increase. Ms. Bender stated the reason for this increase is because the city has actually doubled the number of cases it had in previous years, as well as increasing the new level of training that all divergent programs and staff has to undergo.

It was indicated by the City Attorney that a dollar figure should be included in the motion.

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 Manager be authorized to do all things necessary to accept and administer funds in the amount of \$56,488.04 provided by the New Hampshire Juvenile Court Diversion Network for Youth Services programs.

5) Acceptance of a Grant - Election Equipment - City Clerk Patricia Little

City Clerk Patty Little stated she is before the committee regarding a grant for election support. Ms. Little stated Keene received notification that it qualified for a grant in the amount of \$20,000 to support its elections, and it is from the Center for Tech and Civic Life; a non-partisan 501-C3 organization. This is the second grant the city has received from this group. During COVID the city applied and received a grant which was used for sanitation efforts and additional security at the elections.

Ms. Little stated this grant has an equipment focus. She noted the city has three main objectives, two of them deal with statutory changes. The city would like to purchase laptops for the checklist supervisors to use at polling locations so they can access the statewide voter database from the polls. This would give them the opportunity to verify qualifications of voters who are coming from other communities where they might have proved their citizenship. This would be important, especially considering the Governor's passage of a pretty significant legislative

change today that removes the ability for a voter to be able to sign an affidavit in lieu of documentation. The other change in state law is around local and school elections. The city must now provide to the voters the same accessible voting system that you see at state elections. She mentioned the large white tent seen in all voting locations which has an accessible voting system that voters with disabilities can use. This recent change in law would require that the city have that same ability for local elections. The state expects the city to purchase its own equipment within the year. Hence, this money would be utilized to purchase five or six of these devices.

The third purpose has to do with Wi-Fi connectivity. Ms. Little stated they have been having trouble with Wi-Fi connectivity in Wards 3 and 4 (Keene Middle School and Symonds School). During the summer, the school system has improved their Wi-Fi capability and have offered the city password connectivity into their Wi-Fi system.

Ms. Little went on to say communities have been given a lot of flexibility in how to use the grant funds. There are however, reporting requirements. She noted what is before the committee is a generalized motion which provides staff the flexibility to spend every penny of these grant funds.

Councilor Chadbourne asked how the city located this grant Ms. Little stated one of the city's election vendors notified communities of this grant opportunity. She went on to say since 2020, 28 states have prohibited the use of these outside funds for elections. New Hampshire, however, is not one of those states.

Mr. Joe "Keene" felt anyone could make up these grants and offer these tablets and felt paper voter registration should not be eliminated. Ms. Little stated New Hampshire will never move away from paper registration and the State of New Hampshire is concerned about technology – hence, proper protocols will be put in place.

Councilor Chadbourne 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 accept and expend the 2024 Rural and Nonmetro Election Infrastructure Grant from the Center for Tech and Civic Life in the amount of \$20,000 to be used for qualifying expenses in the categories of equipment and materials, technological components or key human components that support the security of elections.

6) Jared Goodell - Pledge of Donation for the Purchase and Installation of a Safe Haven Baby Box

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

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

7) **Professional Services Contract for Final Design of the Lower Winchester Street Reconstruction Project - Public Works Director Donald Lussier**

Public Works Director Donald Lussier addressed the committee next. Mr. Lussier stated this item is for the preliminary and final designs phase of the Lower Winchester Street Reconstruction. He reminded the committee that a few months ago, staff brought in an engineering study report with a recommended proposed action. The Council ended up approving that proposed action for the corridor. This project will extend from Route 101 to the Swanzey Town line. As part of the project, the city is cooperating with the Town of Swanzey so the project will go down to Market Basket. Swanzey will pay for the portion of the work that is in their town.

Mr. Lussier stated this request is to negotiate and execute an engineering contract. The first contract that was done with Clough Harbour and Associates (CHA) was just for the engineering study phase. Once the scope of work for designing was better understood then they could scope out the amount of effort that it is going to take to do the detailed design. This is the stage the city is in right now. The city has negotiated with them and staff is requesting to execute that contract.

Mr. Lussier noted the city cost of that project is being funded with federal funds (80/20) split would \$274,000 with a small percentage of approximately 3% of the total design fee will be borne by the Town of Swanzey which is based on the proportion of the estimated construction costs to the city versus the proportion that is in Swanzey.

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 negotiate and execute a professional services agreement with McFarland Johnson, Inc. for an amount not to exceed \$1,371,000 for the preliminary and final design phase of the Lower Winchester Street Reconstruction Project. The funding source will be split between the General Fund Water Fund and Sewer Fund through the following accounts: 75J0026B, 34JI016B, and 32JIO10B.

8) **Professional Services Contract for the Design of Water Distribution Improvements on Rt. 101 - Public Works Director Donald Lussier, Public Works Director**

Mr. Lussier addressed this item as well. He indicated NHDOT has in their CIP their ten-year plan to reconstruct Route 101 from about Optical Avenue. East of Optical Avenue to Branch Road. The plan is to widen the road and add some shoulders. As part of that project DOT is also planning to reconfigure the Swanzey Factory Road intersection which has been the source of a lot of accidents over the years. This will be done by reconfiguring or relocating that intersection. Mr. Lussier stated staff will bring an update to City Council through the MSFI Committee sometime in October.

As part of that work, Mr. Lussier stated it makes sense for the city to do its infrastructure at the same time. The sewer main in that area is relatively new - installed in the mid-80s. The water main, however, is quite old and staff is recommending that it be replaced at this time. This

project has been included in the CIP process, so the funds are available right now. There is about \$160,000 in FY25 to pay for the design phase of the project.

Mr. Lussier went on to say, ordinarily the city would go through a selection process for a project like this; An RFP would be put out, competitive proposals would be reviewed, and consultants will be interviewed. However, staff is recommending this project be awarded as a sole source contract to CHA as CHA has already gone through that competitive bidding process with DOT, and DOT has selected them to design their project. Mr. Lussier stated it is much more efficient and cost effective if the same engineer who is designing the water main work is already designing the drainage and the roadway work. He added this is the first of what they expect to be two contracts; this is only the preliminary engineering phase. There is still quite a bit of discussion and questions about the scope of the final project, mostly for the DOT side. The city's scope is well defined.

DOT is still weighing alternatives in terms of how they are going to reconstruct the intersection of Swanzy Factory Road. What they are going to do with the bridge over the Branch River. Because DOT's scope is not yet well-defined CHA isn't really comfortable estimating how much it is going to cost to design the water main work right now. Staff expects to come back in late 2025 for a design contract for the final design phase.

Mr. Joe "Keene" felt \$125,000 was a lot of money for assessment. He added the intersection that exists currently next to the bridge is dangerous and having it up the road on the gravel is highly recommended.

Councilor Roberts 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 Manager be authorized to negotiate and execute a professional services agreement with Clough, Harbour & Associates for an amount not to exceed \$60,000.00 for the Preliminary Design of water distribution system replacement on Route 101 and Swanzy Factory Road.

9) Reallocation of Capital Funds – Recreation Center - Deputy City Manager Andy Bohannon

Deputy City Manager Andy Bohannon stated this request is to move some funds related to the Brian Mattson Recreation Center project. Mr. Bohannon stated the city received a grant in 2023. He indicated some of the bids were rejected for this project because of pricing. He indicated all the windows in the Recreation Center are going to be replaced and the initial bid came in at \$150,000 over what was anticipated. It was discussed whether combining the windows along with the lobby would make the project more enticing to get better pricing. The price was still significantly over. As a result, staff worked with a potential contractor who was the low bid to reduce the project and scope to a degree where changing some of the windows on the second level, changing some of the fixtures in the lobby but not going away from the original intent of the whole project - reduced the scope by about \$86,257.00. However, additional funds are needed from the municipal building capital projects to push this project forward. Mr. Bohannon stated receiving the CDFA grant was helpful.

Chair Powers clarified none of the important parts are being left out. Mr. Bohannon stated the staff is looking at a different marquee. In addition, the ADA compliant ramp from the parking lot down to the Veterans Memorial with the initial bid was over what was anticipated. Staff is working with the Public Works Department to rethink this design. Lee Dexter in Public Works has come up with an alternate solution which is going to be sent out to bid.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Council reallocate \$174,334 from the Municipal Building Capital Maintenance Projects (65J0002) to the Brian A. Mattson Recreation Center Renovation Project (65M0004).

10) Invest NH Housing Opportunity Planning (HOP) Grant Application - Senior Planner Jesse Rounds, Community Development Director

Community Development Director Jesse Rounds stated he was before the committee to discuss the Invest NH proposals. The first item is a request for a letter of support to seek a grant to study possible regulations of short-term rental housing in the city. The consultant will be looking at regulations around the state, state rules regarding regulation, and other programs around the country. This is an effort to support the community's need for additional housing, while also allowing this use to continue in locations where it is appropriate.

Councilor Lake referred to the recent housing study and asked how many short-term rentals are in Keene and what its percentage is based on available housing. Mr. Rounds stated the housing study stated that there were 50 such units in the city. However, in subsequent conversations with sources, it sounds like there are sometimes up to 100 units and this number does fluctuate. He added at the present time it is not a huge proportion of the city's housing stock. The proposed study would be looking ahead at a potential issue. In staff's perspective it is a potential issue and would like to see how they can get ahead of it and understand how to write the regulations. He added the state's regulations are complicated when it comes to short-term rentals.

Councilor Lake asked if the city was to receive this grant whether this would fully fund the consultant or would the city have to expend additional funds. Mr. Rounds stated the plan is to have the work fully funded by the grant.

Councilor Remy stated this item came before the Planning Board before it came before the Finance Committee – he stated he does have a rental property which he at times he advertises as short term rental, but it is primarily on longer terms; three month minimum, which is not normally what people consider short term. He stated this grant could be applied to any number of different things, but the city chose short-term rental as the issue to spend those funds. He stated he did not feel this was a great place to target considering the housing study which was done last year showed a range in the spring from 40 up to 54 units in the winter. The city's own survey showed 30% of those to be private room rentals within somebody else's unit. So, 60% of them were actually apartments which reduces that number even more. 40% of them were longer than 90 days, which he noted is not what people are trying to regulate against. The Councilor

noted this seems to be a shrinking pool of what is actually in play here and did not feel this was a good use of funds. He stated he would rather use the funds for the second portion of the proposed study; opportunity space. He also noted there is a recommendation in the housing study on how to address this issue, which is to put together a rental registration.

Mr. Joe “Keene” questioned whether Councilor Remy could have a conflict with this item.

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

That the Finance, Organization and Personnel Committee recommends that City Council write a letter of support for an application to the InvestNH HOP Grant program to hire a consultant to assist the City with developing regulations for short-term rental properties.

Councilor Lake asked whether it is the Mayor who should be writing this letter and not the Council. Attorney Palmeira stated it would be up to the grant. Mr. Rounds stated the grant calls for a letter from the legislative body. The attorney stated the Council could designate someone to write the letter.

Councilor Chadbourne clarified a letter from the Council is usually written by the attorney’s office.

Mayor Kahn stated he could certainly write a letter on behalf of the City Council indicating the Council took action on a particular date.

Councilor Roberts stated he agrees with what has been stated about the effectiveness of the grant but stated he was going to support the motion, but it doesn’t mean if we do get accepted, it is not going to come across as being effective.

Councilor Remy stated he will be voting in support of the grant but when it comes back for support for expending funds for this particular item he would have an issue with it; spending city money on something that has already been done.

Rebecca Landry, Deputy City Manager stated in the grant documentation it says *All applications must include a letter of support from the Planning Board and local governing body*. She stated staff has done this before and can do it again if staff gets the vote of the Council.

The motion carried on a unanimous vote.

11) InvestNH Housing Opportunity Planning (HOP) Grant Application – Housing Opportunity Zones – Community Development Jesse Rounds, Community Development Director

Mr. Rounds addressed this item as well and indicated this is also a letter to study and develop a program around a new portion of the 79 E tax abatement program; housing opportunity zones. This would be focused on the downtown portion of the city, trying to identify opportunities where people could redevelop or expand housing opportunities in the downtown using this tax program.

He stated this is yet another tool to look at housing opportunities. Putting as many tools on the table for developers to use.

Councilor Roberts asked whether this program would look at how buildings are developed. Mr. Rounds stated this program would look at ways to reduce the cost for developers.

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 Council write a letter of support for an application to the InvestNH HOP Grant program to hire a consultant to assist the City with developing and promoting a Housing Opportunity Zone program in the city.

There being no further business, Chair Powers adjourned the meeting at 6:56 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

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