

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, October 24, 2024

6:00 PM

**Council Chamber,
City Hall**

Members Present:

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

Members Not Present:

Michael J. Remy, Vice Chair

Staff Present:

Deputy City Manager, Rebecca Landry
Thomas P. Mullins, City Attorney
Beth Fox, Assistant City Manager/HR
Director
Duncan Watson, Asst. Public Works
Director/Solid Waste
Manager
Merri Howe, Finance Director

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

1) Sale of City Property at 0 Grove Street - Deputy City Manager Landry

Deputy City Manager Rebecca Landry addressed the committee first. Ms. Landry stated this item is in reference to the sale and development of property at 0 Grove Street located at the corner of Grove Street and Water Street. Ms. Landry stated the sale of this parcel supports the City's effort at selling City owned land in support of the City's housing goals.

This property was acquired by tax deed in 2019. Staff has done a thorough review of what can be done with this property. She noted the motion has language that helps meet the requirements of RSA 80:80.

The property is a vacant parcel of land in the residential preservation zone where "cottage court" development would be permitted, subject to obtaining a conditional use permit. The purpose of the RFP would be to enter into a contract with a developer who has the experience and financial capacity to undertake the project.

Councilor Chadbourne inquired why the proposed motion refers to *development agreement or agreements* and asked why it would be agreements on such a small lot as it would only be one purchaser. City Attorney Mullins stated this would be the expectation, but the City doesn't know if there might be a situation where they would have to consider other agreements that may be necessary.

The following motion was made by Councilor Chadbourne and seconded by Councilor Lake.

On a vote of 4 – 0, the Finance, Organization and Personnel Committee recommends that the City Council finds that it is within the public interest to authorize and does therefore authorize the City Manager to do all things necessary to sell, as justice may require and through a public Request For Proposal process, City property located at 0 Grove Street, parcel # 585-057-000-000-000, and to negotiate and execute a purchase, sale, and development agreement or agreements for said property for a purpose to include residential development. The authority to sell and to negotiate the required documents shall continue indefinitely unless rescinded.

2) LWCF Grant Round 34 Acceptance - Robin Hood Renovation Project - Deputy City Manager Bohannon Andy Bohannon, Deputy City Manager

Assistant City Manager/HR Director Beth Fox stated she is before the Committee regarding acceptance of an LWCF grant for the Robin Hood Park project in the amount of \$500,000 for redevelopment of this park in FY27. Ms. Fox noted there is currently a conceptual planning process that is expected to be completed soon. The National Park Service has approved the Robin Hood Park project, awarding the City \$500,000 with a three-year execution window and a one-year extensions if needed.

Ms. Fox went on to say the concept plan was developed with continued community input which was the driver. The City's commitment to the public process around this project helped secure the full LWCF award and noted the diligent efforts of City staff should not go unrecognized.

The timeline for this project is to have a draft scope of work by January of 2026. In late spring of 2026, the scope of work will be reviewed with engineering and purchasing staff working on the bidding and interviewing processes which will happen in March 2026. The project is expected to begin in August 2026. The purpose of the project is to replace aging infrastructure while recognizing the diverse natural features of the park, including trails, pond, glacier boulders and other items.

The first year of the project will focus on the demolition and reconstruction of the pool. The second year will encompass the rest of the park's redevelopment which includes a new playground, pavilion, restrooms, multi-sport court, additional parking and ADA compliance items. Ms. Fox stated this project is in the Capital Improvements Program funded in FY27 and this grant is a component of the funding that the City was hoping for.

Chair Powers noted this has been a long process, but the efforts have paid off.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept, execute and expend a Land and Water Conservation Fund Grant Round 34 award for \$500,000.00 for the Robin Hood Renovation Project.

3) 2024 Homeland Security Grant Program Award – Hazardous Materials Allocation - Fire Chief Jason Martin, Fire Chief

Fire Chief Martin was the next speaker. He stated the reason he is before the Committee pertains to the acceptance of the 2024 Homeland Security Grant program. This allocation is for hazardous materials, training and equipment. There is no local contribution or match required from the City. The Fire Department intends to use these funds for combustible gas training and purchase of new equipment.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept, execute and expend the 2024 Homeland Security Grant Program Award – Hazardous Materials Allocation in the amount of \$25,000.

4) Relating to FY25 Fiscal Policies Resolution R-2024-32 Merri Howe, Finance Director/Treasurer

Finance Director Merri Howe addressed the Committee and stated she was present to discuss the FY24 fiscal policies which set forth the fiscal guidelines for the next budget process. Ms. Howe stated fiscal policy documents sets the boundaries from which both the CIP and the operating budget are formed. It is used as a decision-making tool that will help provide consistency and stability in the City's financial operations. The policies are an essential component of long-range financial planning while taking into consideration the financial and economic impacts of taxpayers in the community.

Ms. Howe stated in September, there was a workshop with City Council to review and discuss this year's proposed changes and asked if the Committee had any questions from that workshop.

Councilor Lake clarified that the City would be utilizing the Northeast Regional-New England Consumer Price Index which is trending lower than the Boston Cambridge Newton. Ms. Howe concurred and noted the Boston Cambridge Newton only comes out every other month and the Northeast Regional-New England Consumer Price Index comes out monthly. It is trending for the month of July at 4.3% versus Boston Cambridge which was at 4.4 %. Deputy City Manager, Landry pointed out it was a rolling three-year average.

Chair Powers stated at the workshop there were some questions raised. One of them had to do with the Deputy City Manager title and this is in reference to the first section starting with the word "Whereas." In the past the policy did not address the role of the Deputy City Managers and the assumption was that it was whoever the City Managers appoints and gives that authority to, but this does define it. Chair Powers asked on behalf of Councilor Remy if this was ok or should it just say Acting City Manager. The Chair asked for legal comment on this issue.

Attorney Mullins agreed this is a new process. It was something that was highlighted by Bond Council. Deputy City Managers are now part of the organizational structure of the City. He stated he understands the desire to be a little bit more specific about it but also to broaden it out.

He indicated Councilor Remy's comment was that it was a good to have Deputy City Managers but perhaps the Manager should be given broader discretion with respect to designating someone. He indicated what he was going to suggest (this change does not need to be an A version as it is a clarification language issue) in the 7th Whereas clause to have it read *the Deputy City Manager, or other designee, designated by the City Manager as the Acting City Manager shall be vested with all the powers* – this clarifies the question as to making sure that person is acting with that authority.

Chair Powers asked whether by adding the authority of the Deputy City Managers to the fiscal policy accomplishes what is required or does it have to be added in other areas as well. Attorney Mullins stated if this is the rule of the City Council with respect to Resolutions generally, but he felt it should be looked at more broadly with respect to the Code of Ordinances. However, for at least this moment, it addresses Bond Council's concern.

Councilor Roberts stated he is not comfortable with this because there are two Deputy City Managers and the City Manager and it is being suggested that the policy needs to have a contingency for someone else to be designated. He added the purpose of having two deputies and one City Manager is to make sure someone would always be available as it pertains to the chain of command and legal authority to make any decision. Attorney Mullins stated he agrees with the Councilor. This was just a suggestion, and ultimately it is up to the City Council

Chair Powers stated another issue raised by Councilor Remy was in Section 4, Item H which refers to competitive sales on bond issues. It currently says the *competitive sale or New Hampshire Bond bank are the preferred methods of sales. However, negotiated sales may occur for current or advance refunding or for other appropriated reasons*. His question is whether the City is making sure it gets the best rate in this situation. The Committee indicated they were satisfied with this language.

Chair Powers noted the issue with respect to monthly reports was not addressed. Ms. Howe stated the wording can be changed to monthly and there could be an explanation that goes along with it. It was decided to leave the text as is

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2024-32.

5) Relating to an Appropriation of Funds from the Solid Waste Fund Resolution R-2024-34

Asst. Public Works Director/Solid Waste Manager addressed the Committee and explained this Resolution is a result of issues regarding the landfill gas system. He stated starting in 2015 there hasn't been sufficient methane being processed from the closed landfill to operate the prime power generator. Also, there is no three phase power lines that travel up to the recycling center. Since the landfill system started having issues, staff started looking at other options and settled on Climate Showcase Communities grant that enabled the City to purchase a biofuel generator. This is a generator that provides three phase power which runs on 100% biofuel instead on petroleum diesel.

Mr. Watson stated this is a first in the nation system providing prime power. It was meant to be a demonstration project and staff had to work through some technical issues. In the event that the prime power was unavailable to operate the landfill, the backup diesel generator would. Mr. Watson noted if neither the prime power, or the backup system was not operational, the site could not process the recyclables from the facility.

Decisions were made at the time to run the backup diesel generator without realizing that the City was violating New Hampshire DES air permits with regard to the length of time the backup generator ran. Due to that, the City ended up in negotiations with the State of New Hampshire which resulted in a Consent Decree where the City agreed to pay a fine, which is approximately \$177,283.

The City would also have emissions fees that it should have paid if it had been filing emissions reports which totaled around \$5,957. As part of the negotiations with the State, the City proposed an environmental project to offset a portion of the fine that was not ultimately included in the Consent Decree - tree planting as part of settling of this issue. The funding for the tree planting would come from the solid waste fund. The project would plant approximately 30 trees of significant caliper at a cost of \$44,321.00. Councilor Lake stated he was happy to see funding going towards planting trees.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2024-32

There being no further business, the Chair adjourned the meeting at 6:29 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker