



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
March 6, 2025
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- February 20, 2025 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Presentation of Retirement Resolution - Merri B. Howe

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nomination - Bicycle, Pedestrian Path Advisory Committee

C. COMMUNICATIONS

1. Keene Swampbats - Discharge of Fireworks - Independence Eve Celebration - July 3, 2025
2. Farmers' Market of Keene - Request for Use of City Property - 2025 Farmer's Market
3. Copper Cannon Distillery - Request to Participate in the Keene Farmers' Market
4. Cabana Falls - Request to Participate in the Keene Farmers' Market
5. Councilor Bosley - Request for Reconsideration - Amendments to Keene Community Power Plan

D. REPORTS - COUNCIL COMMITTEES

1. NH Department of Transportation - Reconstruction of Route 101
2. Accelerated Tree Removal Timeline - Red Pine Scale

3. Unresolved Design Decisions for the Downtown Infrastructure Project
4. Proposal to Implement a "Protection of Streets" Program
5. 2025 Construction Season Update

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. 2025 Flyover and City Base Map Update Project - Final Scope and Fee

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

1. Relating to Master Boxes
Ordinance O-2025-03-A
2. Relating to Installation of a Stop Sign on Gilsum Street
Ordinance O-2025-06

K. RESOLUTIONS

1. In Appreciation of Thomas P. Mullins Upon His Retirement
Resolution R-2025-08

L. TABLED ITEMS

1. Energy and Climate Committee Recommendations for Phase 2 of Keene Community Power *and* Recommended Amendments to Keene Community Power Plan

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, February 20, 2025. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:01 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Randy L. Filiault, Robert C. Williams, Edward J. Haas, Philip M. Jones, Kris E. Roberts, Jacob R. Favolise, Bryan J. Lake, Bettina A. Chadbourne, Thomas F. Powers and Mitchell H. Greenwald were present. Andrew M. Madison, and Catherine I. Workman were absent. Michael J. Remy arrived at 9:00 pm during the recess before the Council went into a non-public session. Councilor Lake led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Kahn shared that Jennifer Carroll, Executive Director of the Historical Society of Cheshire County, expressed her gratitude for the opportunity to collaborate on Keene's 150th anniversary. The well-received exhibit was up until Saturday, February 15, 2025, for the community to view. The exhibit would now go on tour to Covenant Living before returning to the City Clerk's office. The Mayor thanked the Clerk's office for their assistance in the exhibit. The broadcast of the exhibit as well as the Mayors' panel will be publicized on the City website.

Next, the Mayor recognized Councilor Laura Tobin, who received the Spirit of Monadnock Award from the Monadnock United Way (MUW) for her sustained commitment and positive impact on the community. At the last MUW event, it celebrated the raising of over \$1.3 million in the last year. The Mayor thanked Councilor Tobin for her encouraging words and efforts to help raise that money. The Mayor also noted that Councilor Remy was absent from the Council meeting this evening because he was being honored by the MUW for concluding his six years of service on their Board of Directors.

Mayor Kahn announced that there are several vacancies on City Boards and Commissions, which will be compiled and published on the City website. He asked Councilors to promote the openings on your social media pages. The Mayor encouraged anyone interested in learning more about these volunteer opportunities to visit the City website to review the list of vacancies.

The Mayor's Youth Council at Keene High School started meeting again for the spring semester. Mayor Kahn said it was a great focus group of approximately 22, 10th–12th grade students. If any Councilors had topics of interest they wanted to explore with these long-term members of the community, the Mayor welcomed the opportunity to organize focus groups on those topics. For example, the City Manager arranged for Community Development Department staff to discuss the Master Plan with the students as a focus group.

Councilor Jones announced a Hazard Mitigation presentation on Thursday, February 27, 2025, at 5:30 PM at Heberton Hall. He and the Mayor saw the presentation from the City's Emergency Management Administrator, Kürt Blomquist, during the recent Master Plan Steering Committee meeting. Councilor Jones said it was a great presentation, so he encouraged as many people as possible to see it too.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the minutes of the February 6, 2025, meeting as presented was duly seconded by Councilor Bosley. The motion carried unanimously with 12 Councilors present and voting in favor.

PROCLAMATION / COMMUNITY RECOGNITION - ANNA DUMOND – GIRLS HIGH SCHOOL DIVISION 1 DOWNHILL SKIING CHAMPION

Mayor Kahn welcomed Anna DuMond and read a proclamation into the record honoring Ms. DuMond for winning the Division 1 Girls High School Downhill Skiing Championship. After beginning her skiing career at Granite Gorge at the age of two years old with the support of her parents, Robert and Colleen, Ms. DuMond quickly progressed to competitive racing, including competing against her brother, Nicholas. In 2024, during Ms. DuMond’s junior year, she experienced a skiing accident that caused her to be sidelined with a leg injury, resulting in one year of dedicated physical rehabilitation to end that season. After a full recovery, she returned to the Keene High School Girls Alpine Ski Team for her senior year, coached by her father. At the 2025 NH Division 1 Championship—facing over 90 skiers Statewide—Ms. DuMond captured the championship in the slalom and placed in the top 10 at the Meet of Champions in the slalom and grand slalom races. Mayor Kahn highlighted that Ms. DuMond’s training at Granite Gorge and teaching of students at Crotchet Mountain illustrated the community connections to her achievements that brought pride to her family, school, and the entire City of Keene. Mayor Kahn congratulated Ms. DuMond for her inspiring story and exceptional achievements and wished her continued success in the future. Ms. DuMond said she was really thankful for her comeback, and she recognized her dad, calling him the best coach she ever had. She also recognized Granite Gorge, calling it a good mountain that everyone should check out.

PROCLAMATION / COMMUNITY RECOGNITION - GAETANA MARTIN – INTERNATIONAL HONORS PERFORMING SERIES AT CARNEGIE HALL PARTICIPANT

Mayor Kahn welcomed Gaetana Martin to recognize her recent participation as a violist in the International Honors Performing Series at Carnegie Hall in NY City. The Mayor explained the story of how Ms. Martin came to be a nationally recognized young musician, meriting the recognition and pride of the Council and the entire community. He said there were many people to credit for Ms. Martin’s accomplishments, dating back to first grade at Symond’s School. Since then, Ms. Martin has not put the violin down for one day. Her parents helped introduce her to other musicians in the community, who taught Ms. Martin how to accept critical feedback. Ms. Martin was also tutored at the Apple Hill String Quartet and has performed with the KSC Orchestra and the Keene Chamber Orchestra at an early age. The Mayor described how much support Ms. Martin had from her parents over the years, who purchased many violins for her.

The Mayor invited Ms. Martin to play her violin solo for the Council and public, and her performance was applauded. Mayor Kahn summarized what he had stated into a Proclamation that he read into the record, formally recognizing and commending Ms. Martin’s outstanding achievements and dedication to musical excellence. The Mayor added that Ms. Martin was the only student representing NH on the stage at Carnegie Hall during that performance, and that she was a member of the Mayor’s Youth Council at Keene High School.

CONFIRMATIONS - HUMAN RIGHTS COMMITTEE, ZONING BOARD OF ADJUSTMENT

Mayor Kahn re-nominated the following individuals to the Human Rights Committee, all with terms to expire December 31, 2027: Debra Bowie, to change from an alternate to a regular member; David Morill, to change from an alternate to a regular member; and Mohammed Saleh, to change from a regular to an alternate member. Mayor Kahn also re-nominated Adam Burke to the Zoning Board of Adjustment, to change from an alternate to a regular member, with a term to expire December 31, 2027. A motion by Councilor Greenwald to confirm the nominations was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison and Workman were absent.

COMMUNICATIONS - COUNCILOR REMY - POTENTIAL IMPLEMENTATION OF CONSENT AGENDA BY COMMITTEE - CITY COUNCIL MEETINGS

A communication was received from Councilor Michael Remy, requesting that the City Council review the feasibility of implementing a consent agenda for the Council Committee reports in order to abbreviate the full City Council meetings. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee.

PLD REPORT - REQUEST FOR LETTER OF SUPPORT - HB250 ENABLING LOCAL GOVERNING BODIES TO REGULATE THE MUZZLING OF DOGS

A Planning, Licenses and Development Committee report read, unanimously recommending that the Mayor be authorized to write a letter to the State Legislature in support of HB250. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones.

Councilor Williams thought the Council would recall trying to do something about vicious dogs being involved in bite attacks but had been stopped by NH law. So, he said the Council should try to change the State law. He said there had been cooperation from several State Representatives. This House Bill was introduced by State Representative Jodi Newell and co-sponsored by State Representative, and City Councilor, Philip Jones. Councilor Williams said the goal was to prevent instances like the one in 2024, when a little dog was attacked by another dog that already had a record as being a vicious dog but which was not muzzled. However, at this time, the City was limited in preventing such attacks. Councilor Williams said that this action would ask the Mayor to write a letter to the State Legislature to make this small amendment to existing laws. HB250 will be going before the Environmental and Agricultural Committee on March 5 at 9:30 AM. Councilor Williams hoped his fellow Councilors would vote in favor.

Mayor Kahn said that this would be enabling legislation that would allow municipalities and towns to consider these changes to their ordinances. The Mayor said the City Attorney had pointed out to the City Council in the past that enabling legislation is hard to come by, so the Mayor thought this was a good start. The motion to carry out the intent of the report carried unanimously with 12 Councilors present and voting in favor.

PLD REPORT - POTENTIAL AMENDMENT TO LAND DEVELOPMENT CODE -
ANIMATED SIGNS IN THE INDUSTRIAL ZONE

A Planning, Licenses and Development Committee report read, unanimously recommending that the City Manager be directed to prepare an application for submittal to the City Council requesting amendments to the Land Development Code relating to animated signs in the Industrial Zones. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones.

Councilor Jones mentioned that at the public hearing and the PLD Committee meeting, some members of the public asked the Council to consider allowing these signs in the Commerce Zones as well. Councilor Jones thought the Council was right to start by allowing these in the Industrial Zones first to make sure it works well before moving on to other zones in the City. The motion to carry out the intent of the Committee report carried unanimously with 12 Councilors present and voting in favor.

PLD REPORT - RULES OF ORDER - SECTION 15. - VOTING AND CONFLICT OF
INTEREST

A Planning, Licenses, and Development Committee report read, recommending the adoption of the Rules of Order amendment – Section 15. “Voting and Conflict of Interest.” A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones.

Councilor Bosley began by summarizing the Committee report and her position. She recalled that the Council had been discussing variations of this Rule for some time, and she thought the Committee had finally arrived at something it could stand behind. She said that the changes at hand clearly define a Special Interest, eliminating ambiguity and aligning the Council’s Rule of Order with the State Legislature’s adopted language/definition. She said this would create transparency for the public regarding the Council’s Rule on Conflicts of Interest. There was a lot of conversation concerning the Special Interest form and the PLD background notes were clear that the Committee’s intention was to direct the Clerk’s Office to draft the form so that it creates anonymity for the topic of household members. She recalled that “household member” would be newly defined in this specific Rule, and the Special Interest form would be styled such that household members’ interests would be listed under an umbrella of the greater Special Interests of the Councilor. Councilor Bosley stated that to her that meant while the household members’ Special Interests are still very important to the public’s understanding and full transparency, this would create some protection for individuals in the households. So, the Councilors would report them as their own Special Interests. Since the Councilors had already completed their annual Special Interest Forms for 2025, Councilor Bosley suggested that the new form be introduced later this year and made available by the Clerk’s office for any Councilor who wants to update it voluntarily. Otherwise, she suggested that the new form be officially introduced in January 2026, per the Rule’s language.

Councilor Williams said that he was the dissenting vote at the PLD meeting. While he thought the changes to the Rule had improved a lot since the last amendment, he was still not comfortable with the household member provision. As this Rule has improved, he thought the information climate in the United States had worsened, with the very real weaponization of

information. He said it would be one thing for information to be used against Councilors, but he had real concerns about his spouse's employer information being weaponized, which is something that he said happens. Councilor Williams noted that he did not think he was the only one who had dealt with "trolls" on social media, some of whom could seem dangerous. He noted that this concern has led him to the position that he does not want his spouse's information to be public. Councilor Williams considered whether to amend this proposed Rule amendment, but instead, he urged his fellow Councilors to vote against it. Then, if the Mayor were to send the Rule back to the PLD Committee again, Councilor Williams said there was still a lot of good to work in the proposed language and the Committee could determine the good things to keep while taking out the "household" provision.

Mayor Kahn addressed the comments. He felt that the Council had discussed this extensively over the previous 13 months. He recalled past concerns that the definition of "family member" was too restrictive and not inclusive of the kinds of household relationships that Councilors might have. So, the definition was adjusted to not just a spousal relationship, but to include other adults in the household who contribute to the economic interests of the household. The Rule would not be specific to disclosing any household members' interests directly, but the influence that the interest might have on the Councilor. The Special Interest form would not expose any particular person. The household member's employers, committees, and organizations would be listed under the Councilor's name and not attributed to the specific household member. The Mayor provided some examples, such as a Councilor listing that they have a court appointed special advocate living in their household; he said that sort of transparency would be the goal. Additionally, by adopting the definitions that the State Legislature had adopted through its Ethics Commission—signed by the Governor and implemented in 2025—the Mayor thought it would set a standard for Keene's City Councilors that is no greater than the standard set for other local elected representatives. The Mayor added that there had been concern raised in the past about including tenants as household members, which had since been excluded. This update would also address concerns about unreported Special Interests of Councilors' spouses following the State Legislature's definitions. The Mayor hoped this would be a step toward transparency. Mayor Kahn reiterated what Councilor Bosley mentioned that for 2025, the Councilors had already completed their Special Interest Forms, so if there were additional items they needed to disclose, they could complete the new form when it becomes available from the City Clerk's office. However, there would be no requirement to use the new form in 2025. The Mayor hoped that the Council would support the work that went into this amendment with an affirmative vote, noting that it would require 10 votes in favor to adopt.

Councilor Jones thanked City staff, noting that this Rule had come a long way over the past year. He thanked the staff for the clear definitions within the rule. He also appreciated that leasehold interests were excluded, as he had asked for that all along.

Councilor Favolise wanted to reiterate the comments about the compromise that he thought had been reached here. He was opposed to this Rule change when he first saw it a few months prior. His opposition was largely because of concerns, that the Council could get into a discussion involving Councilors' household members and their Special Interests and who should or should not be voting in full view of the public. Councilor Favolise said he really appreciated the work that the PLD Committee did in consultation with City staff and the City Clerk's office to make sure this form would have that level of anonymity. Councilor Favolise did want to say that he

completely understood Councilor Williams' point about the political climate. Councilor Favolise thought that some of the conversations around this conflict of interest disclosure had been painted as a black-and-white decision between either being for transparency or against transparency. Councilor Favolise stated he did not think that was a fair characterization. He said he would be voting in favor of this Rule because of the compromises that had been reached through this process, which is how Councilor Favolise said the Council should be working as local government. He stated that he knew that Councilors who were voting against this Rule were not doing so because they did not think the community deserved transparency. Rather, he said they were doing so because of their genuine concerns about what this means in the current political climate.

The motion to carry out the intent of the report carried on a roll call vote with 12 Councilors present and 11 voting in favor. Councilor Williams voted in opposition. Councilors Remy, Madison and Workman were absent.

FOP REPORT - ENERGY AND CLIMATE COMMITTEE RECOMMENDATIONS FOR PHASE 2 OF KEENE COMMUNITY POWER AND RECOMMENDED AMENDMENTS TO KEENE COMMUNITY POWER PLAN

The City Clerk stated that the report contains three separate recommendations, each of which would be considered with individual motions.

Finance, Organization and Personnel Committee report read, recommending that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy). A motion by Councilor Powers to carry out the intent of the Committee report's first recommendation was duly seconded by Councilor Lake.

Councilor Haas said that some part of the percentage of renewable energy was State-mandated and asked for clarification as to what the City was obligating locally vs. what was being obligated upon the City. The City Manager, Elizabeth Ferland, said that the Basic plan would include a percentage (25%) of renewable energy required at the State level. Senior Planner, Mari Brunner, said that was correct, adding that the State of NH had a renewable portfolio standard of about 25%. After 2025, it would level out at 25%, and it would not keep increasing from there. All electricity supplied in NH would have to meet that 25% requirement. Ms. Brunner said this program would add additional renewable energy for some of the options, but not the Basic plan. Councilor Haas thought it would be important for the City to clarify and recognize that the Basic plan was the plan that some people may not want to participate in.

The City Manager clarified that the Basic plan, would require someone currently on the default to call in to downgrade to the Basic option. The default in the new plan would be going from a total of 35% renewable to 50% renewable. Mayor Kahn stated that these recommendations came from the City's Energy and Climate Committee (ECC) and their important clarifications for how the City should move forward with community power and toward its 2030 goal. The motion on the first recommendation carried unanimously with 12 Councilors present and voting in favor.

Finance, Organization and Personnel Committee report read, recommending that an Adder Fee be included for the City Manager to negotiate, which is recommended to be between 0.075 and 0.125 cents per kWh. A motion by Councilor Powers to carry out the intent of the second recommendation in the Committee report was duly seconded by Councilor Lake.

Councilor Powers summarized the key points, noting that this Adder Fee would pool money for future programs. The Adder Fee would be on the 2nd and 3rd tiers (Keene 50 and Keene 100). He said that the FOP Committee discussed rightful concerns about adding pieces that—although they seem small—that could begin to increase for everyone over time. He said the scale was between \$8/year and \$80/year, which he said may not seem like a lot to some but it could be a significant increase to others because of their situation. He said the ECC recommended the Adder Fee, but it would be the Council's decision, and he would let the FOP Committee members with concerns speak to those concerns.

Councilor Lake clarified that this would only be applied to the 50% and the 100% plans, and it would not be applied to the Basic plan. He added that people looking for something more cost effective could opt for the 25% plan. Councilor Lake knew that was a point of contention among the FOP Committee, so he wanted to clarify. He said the intent of this Adder Fee was to develop a fund to work toward more energy efficient appliances in the community. As well as helping community members work toward the goals the Council put in place for more renewable energy and energy efficiency. Councilor Lake recalled that a few years prior, the ECC had a very similar program working with community members to install window inserts in older homes with poor insulation or draft problems. This would result in homes capturing more heat in the winters and spending less money on fuel. So, he said the goal of this Adder Fee would be to create a fund to expand these energy efficiency programs and help the larger community. Councilor Lake thought it would be a benefit over time and he hoped his fellow Councilors would support it. He recalled the Mayor's point that it would still provide the choice to the consumer.

The City Manager pointed out that the second Committee recommendation did not specifically state that it was only for the Keene 50 and Keene 100 plans, so she thought there would need to be an amendment to clarify that the Basic plan would not be included.

The City Manager also clarified that staff struggled with where the decimal point belonged for the 0.1-cent. She said that for the Keene 50 and Keene 100, 0.1-cent would bring in about \$58,000/year, which would be deposited into an account. She noted this fund had already been established and it had a balance of about \$75,000 at this time. When the money comes forward to the Council, it would come as a recommendation from the ECC Committee through the City Manager's office, and until then any Adder Fees would be collected and would remain in this fund.

Councilor Favolise said he watched the FOP Committee meeting and read through the recommendations and background notes of the actual ECC meeting, and he really struggled with what he thought about this Adder Fee. Ultimately—and how he was going to vote on this—was that he would not have a problem with this Adder Fee if it were an opt *in*. Unfortunately, it was an opt *out*. Councilor Favolise thought the goals that Councilor Lake expressed about helping the community meet its goals for renewable and clean energy efficiency projects across the City were really noble and good faith goals. However, as Councilor Powers alluded to, for some constituents, this fee would be concerning. Councilor Favolise said he was slightly

uncomfortable with the idea of including this fee as a part of the default plan that residents needed to opt out of. Because participation in the Community Power Plan is important for the City he did not want to create an incentive for residents to opt out of the Community Power Plan. Councilor Favolise noted that he did not intend to amend the Committee report, but he was open to further discussion about what form this might take. He did not like the idea of adding an additional fee that people would have to take a step to get out of paying.

Councilor Bosley shared her personal experience with opting out of Keene Community Power and opting into the Cheshire County Community Power. She thought that as everyone got savvy and received increased electric bills, they would start looking at the best ways to control some of these costs. She said it became very clear to her that if she went to Cheshire County Community Power, she would save almost two cents/kWh, and there were no fees to opt in and out of. She feared that if Keene created a program with fees, people would opt out of Keene's Community Power Program and opt into Cheshire County's Community Power Program for a lower rate. Possibly this could mean that they could choose less clean energy because of that. She was nervous about a blanket policy adding a fee to all these rates, which was how the motion on the floor read, so she was open to a potential amendment. Otherwise, on the surface, Councilor Bosley thought the City would be setting itself up for a loss in program participants.

Councilor Greenwald shared two thoughts. First, he said he was waiting until February 2026 to escape a horrible contract he signed more than three years prior. Second, he said that before voting affirmatively, he was waiting to hear how this Adder Fee would do anything that the Eversource program was not already doing. He did not know if \$58,000 would do more than some mass mailings that would go into someone's recycling bin. So, Councilor Greenwald was not feeling favorable. Ms. Brunner mentioned that it would be up to the City Council to determine how these program funds would be spent. She said the ECC imagined this program layered on top of existing programs. For example, hypothetically, if a resident received a \$30 rebate from NHSaves for purchasing an energy-efficient refrigerator, this program could perhaps add another \$50 on top of that. Ultimately, she thought the goal would be to save more money than it costs to have the fee. Ms. Brunner said this was something that communities around the State of NH were doing at this time, including Cheshire County Community Power, on which she thought there was an Adder Fee as well. She said that the major component of the cost for the supply rate would not necessarily be this Adder Fee, which was actually be a very small component. The main component would be the cost of the electricity supply itself, a primary factor of which is the percentage of renewable energy in it. To claim the benefits of that renewable energy, in addition to buying the electricity, the City must also buy a renewable energy credit that is associated with that electricity. Therefore, Ms. Brunner said the only reason the renewable energy would cost more is because the City would have to essentially buy the rights to claim it. She said it is basically a way to create a market for renewable energy and that is actually a much larger impact on the cost of the electricity rate than the Adder Fee. For example, the City's consultants estimated that adding an additional 25% renewable electricity above the mandated 25% from the State would add one cent/kWh, whereas the Adder Fee would be 0.1-cent/kWh. Ms. Brunner noted that she wanted to clarify this point as she knew it could be confusing.

Councilor Favolise was not privy to all the conversations that staff or the ECC had with the consultant, and he knew that the Council had just (in the prior discussion) approved a specific three-tier plan with exact percentages of renewable energy associated with it. He asked if the

City had any sense from the consultant if there would be a percentage of renewable energy that could help balance out these concerns around the Adder Fee regarding the cost to constituents. Ms. Brunner said yes, she reached out to the consultants to let them know that some concerns had been raised about the Adder Fee, and asked how that could be balanced or if they had any recommendations, and to see what other communities they had worked with had done. The consultants told Ms. Brunner that no other communities they had worked with had put an Adder Fee on an optional product because the overhead cost of managing it is not worth what you get from it. So, they said that unless a large number of people opt into 100%, it might not be worth putting in the Adder Fee on the 100% optional product if it was not also included in the default plan. Ms. Brunner said she followed up to ask how these concerns could be balanced and one thing that the consultants recommended was doubling the amount of renewable energy in the City's current default. That would bring it up from 10% extra to 20% extra (or 45% total) for renewable energy. The default would more than offset the cost of the 0.1-cent Adder Fee.

Councilor Haas said he was uncomfortable with an Adder Fee. He wanted it to stand on its own. He said he would be much more comfortable with voting funds to the ECC for its use for these purposes. Councilor Haas thought that an Adder Fee would just be another means of likely government subterfuge. He reiterated that he would much rather support the fee outright.

Councilor Chadbourne recognized and appreciated the work and commitment of staff and the ECC on this. She said the City is very forward-thinking compared to many places and its energy goals are great. She also said these were incredibly uncertain times and many people in this community are on fixed incomes. As Councilor Bosley mentioned, this would be a default, and the middle one would come with this fee. Councilor Chadbourne also wanted to add that years ago the former City Manager looked at very creative ways to raise money without taxation using little fees. Former Councilor Chuck Redfern, came up with some fees (\$2 or \$3) that were added to vehicle registrations. Councilor Chadbourne said people are still angry about those fees today because they were hidden and not transparent until after payment. So, Councilor Chadbourne said she was wary of having an Adder Fee for many reasons: the opt in/out factor, the people on fixed incomes, and the people who feel like the City is not being transparent. She said that people might not read the literature explaining the Adder Fee even if the City sends out information. While she appreciated staff and the ECC's efforts, Councilor Chadbourne did not support the Adder Fee.

Councilor Jones heard Councilor Chadbourne mention the default at 50%, but he also heard Ms. Brunner mention the default at 25%, so he asked for clarification. Ms. Brunner said that in the first FOP Committee recommendation, the default was set at 50% renewable, which would be 25% extra renewable energy above the State-mandated minimum. Then, she said there would be a Basic option that would be 25%. However, if someone were to automatically be enrolled in the program, they would be at 50% renewable and they would have to either call or fill out an online form to go down to the 25% option. Councilor Jones recalled the City Manager mentioning that the Adder Fee funds would be used toward products and services—like the program the City Manager inherited through Honeywell. He asked if it would be products and services that people would benefit from. The City Manager said potentially, noting that there were a lot of ideas that the ECC (Energy and Climate Committee) had been discussing. She added that the City's current default at this time was 35%, so the default would only be increasing by 15% renewable with the

first vote regarding programs that could be put in place with the ECC's help. The City Manager said that one of the great things about the Adder Fee, if the Council supported it, is that it would be local. Whereas when Ms. Brunner spoke about changing the default rate to 50% renewable energy, the City would not be getting that locally; the City would be making a difference in the climate and reducing carbon, but it would not be local. The Adder Fee would be strictly for Keene residents and local programs that would benefit this community. Councilor Jones asked if the beneficiaries would only be those opted into the Keene 50 and Keene 100 plans or if all would benefit. Councilor Lake clarified that it would benefit all those enrolled in the program, not those outside the program.

Councilor Lake also addressed Councilor Haas' comment about potentially using the General Fund to finance these programs. Councilor Lake said the intent would be—as the City does with many other fees or self-funding programs—to take things coming from this energy initiative and to fund other energy initiatives. This was different than having the entirety of the community that may not be involved in this program pay for something that they do not benefit from directly. He thought it was an important clarification for why this program was recommended. Councilor Lake agreed with the comments about these uncertain times, stating that the future of inflation and energy costs were unknown, as were the future of the State and Federal government benefit programs. He noted that was why the City Manager said it would be important to keep this Adder Fee local so these local programs could help community members.

A motion by Councilor Lake to amend the second Committee recommendation to clarify that the Adder Fee is only applied to the Keene 50 and Keene 100 plans was duly seconded by Councilor Williams. The Mayor asked about the range that would apply. The City Manager explained she hoped for a range so that whatever number chosen would apply to both the Keene 50 and Keene 100 plans. The reason for the range depends on the pricing. She explained that the Council would choose a lower Adder Fee if the pricing was not what it hoped for, whereas if the pricing was aggressive, it might be able to go toward a higher Adder Fee. Thus, the range. So, Mayor Kahn said that this amendment would mean that the Adder Fee of 0.1-cent would be applied to the Keene 50 and Keene 100.

Councilor Bosley could not support the fact that there were currently people in the Keene Community Power Program who had opted into a 35% renewable energy plan that would be shifted by default to a 50% plan, probably at an increased rate, and then the City would add an Adder Fee. She did support the amendment and limiting the fee. Councilor Bosley said she would only support this if the default rate was 25%, so that people currently on the 35% rate would default down and could then opt to choose a higher percentage of renewable energy, and opt to pay the Adder Fee, or opt into another program if they do not like our program. She was unsure what would be required to reconsider the first vote under this item in the same meeting. She said she would support the amendment but not the program overall without reducing the default to 25%.

Councilor Chadbourne said the Council talked about this being a local program, but she said that there were many local programs at this time. She cited Southwestern Community Services offering energy audits, a Liberty Utilities program, and an Eversource program all for people on fixed or limited incomes. She said it all adds up during these uncertain times. Councilor

Chadbourne said she was sticking with the vote she took at Committee-level against this Adder fee.

Councilor Favolise posed a parliamentary inquiry to the City Attorney. Councilor Favolise asked if there was a reason that the Council could not suspend the Rules of Order and reconsider the its vote on the first recommendation this evening. The City Attorney replied that the Council could suspend the Rules with a two-thirds majority vote.

Councilor Williams called the question on the amendment on the floor.

On a vote of 12–0, the motion to amend the second Committee recommendation to clarify that the Adder Fee is only applied to the Keene 50 and Keene 100 plans carried unanimously.

Councilor Williams stated that he supported this amendment. Because rather than allocating taxes from the General Fund—the people who use the most electricity would pay the most. He thought that was the most important factor. Additionally, the money would go back into the community. So, overall, Councilor Williams expected that Keene as a whole would come out ahead, which was why he was supporting this.

A motion by Councilor Bosley to table this item to the next regular meeting was duly seconded by Councilor Favolise.

The City Attorney explained that Councilor Bosley’s was a preferential motion. If it passed, it would table the amended recommendation until the next City Council meeting. The motion to table carried on a vote of 7–5. Councilors Williams, Haas, Jones, Roberts, and Lake voted in the minority.

The Mayor asked about the third recommendation from the FOP Committee under this item (yet to be introduced by the City Clerk). The City Attorney said the third recommendation was dependent upon the second recommendation, which had just been tabled. Regarding the first vote the Council acted on under this item, the City Attorney suggested someone could move to reconsider that under the Rules at the next City Council meeting. He added the Councilor motioning to reconsider must file notice with the City Clerk in advance.

Councilor Haas asked if there was any time constraint on this; he thought there was. If so, he thought it would behoove the Council to come together. The City Manager replied that bidding out power is very time-sensitive; there are better times of the year to bid than others. She thought that waiting until the next meeting would be fine, but she did not want to push it much further than that because the consultants were monitoring the market. When the time was right, they would recommend that the City go out to bid. Councilor Haas urged his colleagues to come prepared to deal with this at the next meeting.

The City Manager stated her preference, which was the 50% default and not approving the Adder Fee. Her reasoning was that the majority of people on Keene’s Community Power Plan would be on the default plan, so therefore, the majority of the Keene electrical accounts would move to a higher percentage of renewable energy. She said the Adder Fee would be local and could be supported in the community, but if the Council was really focused on its energy goals, she said the 50% default would move the needle faster. The Mayor said that to act on the City Manager’s

preference, the tabled motion would have to come off the table and be defeated. The City Attorney agreed.

Councilor Favolise posed a parliamentary inquiry to the City Attorney. The Councilor heard Councilor Powers make a motion relative to the three tiers of the plan, it was seconded, the Council took a vote on that, and the Mayor reported the results of that vote. He said the Council then asked for a second separate motion from Councilor Powers. Councilor Favolise stated he was struggling with the parliamentary procedure. The City Attorney said that the Council acted on the amendment before the recommendation was tabled. So, the amendment was now attached to what was tabled. Councilor Favolise said he did not understand when that was attached. The City Attorney said as soon as the motion to amend was approved unanimously it became attached to the underlying question of the Community Power Plan. At this point, the City Attorney said that nothing had happened with the other two motions and they could be brought up again when this second recommendation is taken off the table. If there was a desire to change the first vote, the City Attorney said that a Councilor could file a motion for reconsideration of that action at the next Council meeting.

Mayor Kahn asked about the third FOP Committee recommendation under this item, which the City Attorney said was tabled along with the second recommendation. Mayor Kahn said the first recommendation was adopted, and the second regarding the Adder Fee was tabled, so he asked why the Council could not take up the third recommendation—which he said would essentially be adopting the Community Power Plan. He said that would create a Community Power Plan like the one the City Manager suggested. The City Attorney said it was correct that at this point, the Community Power Plan included the Adder Fee, so the two were somewhat connected. Therefore, the City Attorney said the third recommendation could not be changed to remove the Adder Fee while the second motion was tabled. The City Attorney reiterated that the City Council had the ultimate authority to decide, and he was advising on what he thought the process should be. Mayor Kahn asked if the third Committee recommendation under this item could be amended to strike the final clause mentioning the amendments made at the February 10 meeting. The City Attorney responded that he did not think so because more amendments were made at the February 10 meeting than just this Adder Fee provision.

Councilor Favolise posed another parliamentary inquiry because he thought there were two conversations happening. He understood the City Attorney's position on the third recommendation. Councilor Favolise said he did not understand how a motion that the Council had already acted on and had been dispensed with at this meeting could be followed by a separate motion to table. He heard Councilor Bosley inquire about suspending the Rules to reconsider the first vote the Council took as a part of this report. The City Attorney said the Council could suspend its Rules and reconsider the first vote at this meeting. However, from the City Attorney's perspective, all of these motions were attached to the underlying main question of what to do with the Community Power Plan. So, from the City Attorney's perspective, the motion to table should keep all of the other motions together. He thought that separating them out, which he understood the Mayor was trying to do would be a problem because these other motions would not be attached to anything. Councilor Favolise asked about the Council suspending the Rules to reconsider the first vote around what the tiers are, and after that, somebody moved to remove from the table the Adder Fee question. He asked—if the decisions

were made on both of those motions—if his understanding was correct that then in order to amend the actual Community Power Plan (the language itself), there could be a motion to re-refer this to the FOP Committee and the Council could just dispense with this at this meeting. He looked for guidance from City Attorney as to whether there was there a parliamentary reason why the Council could not dispense with it. The City Attorney replied that in thinking this through, his suggestion if a Councilor wanted to follow that course of action, was that they should move to suspend the Rule on reconsideration and reconsider the first vote. However, from the City Attorney’s perspective, to do so, the Council should take the whole thing back off the table again; the Council could move to take it from the table during this same meeting and start this conversation over again with a suspension of the Rules of Order.

Councilor Chadbourne had concerns about reconsidering the first vote because she felt like there was confusion amongst the Council. Due to that confusion, she wondered if the matter should be sent back to the Committee before the next Council meeting.

Discussion ensued briefly between the Mayor and City Attorney, restating parts of the conversation so far. The City Attorney explained that a main motion on the Community Power Plan as proposed (with or without amendments) needed to happen. He reiterated his position that when the motion to table the second FOP Committee recommendation was adopted earlier in this meeting, it took all of the other motions under this item with it; just because it was number two of the recommendations did not mean only that recommendation of the three was being tabled, from the City Attorney’s perspective. The Mayor summarized what the City Attorney just stated. The Mayor asked if referring the Plan back to Committee would also require removing the recommendation from the table. The City Attorney said yes, and all of that could happen during this same meeting. Councilor Chadbourne asked if that would be one motion to take off the table and move it to the committee. The City Attorney said no, there would have to be two motions.

The City Attorney returned to the Mayor’s point about trying to deal with this tonight. The City Attorney said that the final action would be adopting the Community Power Plan, and to deal with this, the third FOP Committee recommendation could be amended to reflect a change in the default rates.

Councilor Filiault said this was why everyone needed to learn the Rules of Order and not try to challenge the City Attorney on the Rules of Order. Once again, the Councilor said this was a Rules of Order issue and the Council had spent 40 minutes going nowhere on this. He said the motion to table was approved and he asked everyone to let it go and let it be tabled. While it might push things back one month, it was clearly going nowhere at this meeting; he cited the 3–2 vote out of Committee, stating that it was never going to be unanimous. Again, Councilor Filiault said the Council was struggling with its Rules of Order.

A motion by Councilor Chadbourne to remove from the table the second FOP Committee report recommending an Adder Fee was duly seconded by Councilor Jones. The motion failed on a vote of 5 in favor and 7 opposed. Councilors Bosley, Jones, Favolise, Chadbourne, and Greenwald voted in the minority.

Since Councilor Bosley stated her intention to reconsider the first vote and with the second motion tabled, Councilor Jones asked if it would now be proper to ask the Chair to bring forward

the third Committee recommendation and vote to table it. The Mayor deferred to the City Attorney, who said that while he and Councilor Favolise disagreed on this, from his perspective, the main motion to adopt the Community Power Plan had been placed on the table until the next City Council meeting. Mayor Kahn said that all three items under this FOP Committee report were tabled until the next City Council meeting on March 6, 2025.

CITY MANAGER COMMENTS

The City Manager, Elizabeth Ferland, reported some statistics from the Public Works Director, Don Lussier. So far, in the month of February, the City has had six separate storm events (totaling 21.8 inches of snow and ice) requiring the Public Works Department's response. Responding to these storms cost the City \$181,542, totaling 1,881 crew hours of work. Crews had used 892 tons (1,784,000 lbs) of salt in February and over the course of the entire winter, a total of 2,283 tons of salt (4,566,000 lbs). On average, crews use approximately 150 tons of salt per storm, but it varies depending on the conditions. At this time, the City had a salt stock of approximately 1,200 tons and Public Works hoped to be finished purchasing salt for the season.

Next, the City Manager shared exciting news following a meeting with Eversource the week of February 17. Keene was selected as a recipient for tree donations through the Eversource Energy Saving Tree Program in partnership with the Arbor Day Foundation. This initiative supports urban tree canopy expansion and increases green space in communities while providing energy-saving benefits to residents. Through this program, eligible Keene residents would be able to reserve a free tree, which they could plant strategically to reduce their energy costs by up to 20% and maximize environmental benefits. The program will offer an interactive web tool to guide homeowners in selecting the right tree for the right location. The City Manager thought it would be great event, which was tentatively planned for May 2025, with more details to come.

The City Manager also reminded everyone of the winter weather parking ban from 1:00 AM to 6:00 AM overnight on February 21 after this meeting. Vehicles must be moved to off-street parking locations to accommodate road maintenance operations. Public parking lots are available to provide alternative overnight parking options. Overnight parking is available in the Commercial Street parking lot Wednesday night (please do not park in the reserved spaces, only in the public spaces.) The parking ban allows the Public Works Department crew to clean up around parking stalls, parking meters, and other areas. The Mayor stated his appreciation for all that the busy Public Works Department had been doing to implement the parking bans, including the additional overtime hours to clean up for the next day's travel and parking conditions.

ORDINANCE FOR SECOND READING - AMENDMENT TO LAND DEVELOPMENT CODE - MINIMUM LOT SIZES - ORDINANCE O-2024-17-A

A Planning, Licenses and Development Committee report read, unanimously recommending the adoption of Ordinance O-2024-17-A. Mayor Kahn filed the memorandum. A motion by Councilor Bosley to adopt Ordinance O-2024-17-A was duly seconded by Councilor Jones. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

ORDINANCE FOR SECOND READING - AMENDMENT TO LAND DEVELOPMENT CODE - RESIDENTIAL PARKING REQUIREMENTS - ORDINANCE O-2024-20-A

A Planning, Licenses and Development Committee report read, unanimously recommending the adoption of Ordinance O-2024-20-A. Mayor Kahn filed the memorandum. A motion by Councilor Bosley to adopt Ordinance O-2024-20-A was duly seconded by Councilor Jones. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

ORDINANCE FOR SECOND READING - RELATING TO INTERIOR SIDE AND REAR SETBACK REQUIREMENTS IN THE DOWNTOWN EDGE ZONE - ORDINANCE O-2024-24-A

A Planning, Licenses and Development Committee report read, unanimously recommending the adoption of Ordinance O-2024-24-A. Mayor Kahn filed the memorandum. A motion by Councilor Bosley to adopt Ordinance O-2024-24-A was duly seconded by Councilor Jones. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

ORDINANCE FOR SECOND READING - RELATING TO FLOODPLAIN APPEALS AND VARIANCE PROCESS - ORDINANCE O-2025-05

A Planning, Licenses and Development Committee report read, unanimously recommending the adoption of Ordinance O-2025-05. Mayor Kahn filed the memorandum. A motion by Councilor Bosley to adopt Ordinance O-2025-05 was duly seconded by Councilor Jones.

Councilor Jones said this could all sound very complex, but he thanked Mike Hagan, City Floodplain Manager/Code Enforcement Officer, for the way he clearly presented this information to the PLD Committee and the Master Plan Steering Committee. The Councilor also heard Mr. Hagan talking about it on the radio. Councilor Jones said it was clearly presented that people would have to address these issues and the City would have to make these variances.

The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

RESOLUTION - RELATING TO APPROPRIATIONS FOR ADA RAMP AT RECREATION CENTER - RESOLUTION R-2025-04

A Finance, Organization and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2025-04. Mayor Kahn filed the memorandum. A motion by Councilor Powers to adopt Resolution R-2025-04 was duly seconded by Councilor Lake. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

RESOLUTION - RELATING TO APPROPRIATION OF FUNDS - SEWER MAIN LINING - RESOLUTION R-2025-05

A Finance, Organization and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2025-05. Mayor Kahn filed the memorandum. A motion by Councilor Powers to adopt Resolution R-2025-05 was duly seconded by Councilor Lake. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

RESOLUTION - RELATING TO APPROPRIATION OF FUNDS - SEWER MANHOLE LINING - RESOLUTION R-2025-06

A Finance, Organization and Personnel Committee report read, unanimously recommending the adoption of Resolution R-2025-06. Mayor Kahn filed the memorandum. A motion by Councilor Powers to adopt Resolution R-2025-06 was duly seconded by Councilor Lake. The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Remy, Madison, and Workman were absent.

RESOLUTION - APPROPRIATION OF FUNDS - PURCHASE OF SIDEWALK PAVER - RESOLUTION R-2025-07

A memorandum read from the Public Works Director, Don Lussier, recommending that Resolution R-2025-07 be referred to the Finance, Organization, and Personnel Committee. Mayor Kahn referred R-2025-07 to the Finance, Organization and Personnel Committee.

CITY ATTORNEY RECOGNITION

Before the end of the meeting, the Mayor notified the public that this was the City Attorney, Tom Mullins', last City Council meeting after his 17 years of service. As demonstrated during this meeting, the Council had leaned on the City Attorney many times during those years. The Mayor said that sometimes as a general standard, attorneys are difficult to understand, but Mr. Mullins was always very assertive, never one-dimensional, and one of his finer traits was presenting the Council with options and allowing it to decide for itself. Mr. Mullins had served with three City Managers, five Mayors, numerous Councilors, and 300 staff who had relied on him. The Mayor expressed sincere appreciation for the City Attorney's outstanding service to the City and Council on behalf of the entire Council and wished him well in his next chapter. Mr. Mullins thanked everyone, stating that he really appreciated the opportunity that the City Council provided to him 17 years ago, calling it a very interesting ride. While it had often been an intellectual challenge, he really appreciated working with the current and former Mayors, as well as the current and former Managers, the City Clerk, and all the Councilors. He thanked everyone again and said he would prioritize his time well in his next chapter.

NON PUBLIC SESSION

A 9:03 PM, a motion by Councilor Greenwald was duly seconded by Councilor Bosley to go into a non-public session to discuss land matters under RSA 91-A:3 II (d) and the consideration or negotiation of pending claims or litigation under RSA 91-A:3 II (e) and consideration of the release of non-public minutes under RSA 91-A:3 II (m). The motion carried unanimously on a roll call vote with 12 Councilors present and voting in favor. Councilors Madison and Workman

02/20/2025

were absent. The Mayor declared a brief recess. Councilor Remy arrived during the brief recess before the session commenced.

Discussion was limited to the subject matters. At 10:45 PM, the session ended, and the Council reconvened in public session. A motion by Councilor Greenwald to keep the minutes related to the land matters non-public, as disclosure would render the proposed action ineffective, was duly seconded by Councilor Bosley. On a roll call vote, the motion carried unanimously with 13 Councilors present and voting in favor. Councilors Madison and Workman were absent.

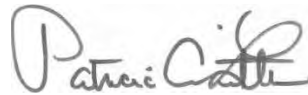
A motion by Councilor Greenwald to keep the minutes related to the negotiation of pending claims or litigation non-public, as disclosure would adversely affect the reputation of a person other than a member of the Board, was duly seconded by Councilor Bosley. On a roll call vote, the motion carried unanimously with 13 Councilors present and voting in favor. Councilors Madison and Workman were absent.

A motion by Councilor Greenwald to unseal the non-public minutes from February 17, 2022; March 17, 2022; November 2, 2023; November 9, 2023; the first and second discussion items from December 7, 2023; March 21, 2024; and the third and fourth discussion items from August 1, 2024, because the reason the minutes were originally sealed no longer applies. On a roll call vote, the motion carried unanimously with 13 Councilors present and voting in favor. Councilors Madison and Workman were absent.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 10:50 PM.

A true record, attest:



City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Mayor Jay V. Kahn
Through: Patricia Little, City Clerk
Subject: **Nomination - Bicycle, Pedestrian Path Advisory Committee**

Council Action:

**In City Council March 6, 2025.
Nominations tabled until the next regular meeting.**

Recommendation:

Attachments:

1. Holte, Andy_Redacted

Background:

I hereby nominate the following individuals to serve on the designated board or commission:

Bicycle, Pedestrian Path Advisory Committee

Andy Holte, Alternate (Slot 10)
74 Forrest Street

Term to expire Dec. 31, 2025

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: FW: Interested in serving on a City Board or Commission
Date: Thursday, February 6, 2025 12:06:02 PM

Please redact and save

Patricia A. Little

City Clerk

City of Keene

3 Washington Street

Keene, NH 03431

(603) 352-0133 x2 | [KeeneNH.gov](#)

Report Issues: [SeeClickFix/Keene](#)

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Thursday, February 6, 2025 11:52 AM
To: Nicole Howe <nhowe@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 02/06/2025 - 11:51</p>

<p>Submitted values are:</p>

First Name:

Andy

Last Name:

Holte

Address

74 Forest Street

How long have you resided in Keene?

7 months

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

Wise Planning

Occupation:

Financial Planner

Retired

No

Please list any organizations, groups, or other committees you are involved in

Master plan Livable Housing Task Force
Master plan Connected Mobility Task Force
Monadnock Habitat for Humanity
Hannah Grimes Center Board of Directors
Entrepreneurial Housing Solutions group under Monadnock Resource Alliance

Have you ever served on a public body before?

No

Please select the Boards or Commissions you would be most interested in serving on.

Bicycle/Pedestrian Path Advisory Committee, Partner City Committee, Planning Board, Zoning Board Adjustment

Please let us know the Board or Commission that you are most interested in serving on.

Bicycle/Pedestrian Path Advisory Committee

Optional - Please select your second choice of which Board or Commission you would like to serve on.

Partner City Committee

Optional - Please select your third choice of which Board or Commission you would like to serve on.

Planning Board

Please share what your interests are and your background or any skill sets that may apply.

I'm interested in the ways in which our built environment impacts the lives of city residents and how small improvements can have meaningful impacts on quality of life. I'm passionate about using my time and energy to help our city be the best it can be. I have experience and skill sets in the areas of finance, strategy, organizational planning, and team leadership. I'm also adaptable and ready to learn as necessary.

Please provide 2 personal references:

Julianna Dodson

[Redacted]

References #2:

Debbie Wise

[Redacted]



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Kevin Watterson
President/Keene Swamp Bats
Through: Patricia Little, City Clerk
Subject: Keene Swampbats - Discharge of Fireworks - Independence Eve
Celebration - July 3, 2025

Council Action:
In City Council March 6, 2025.
Referred to the Planning, License and Development Committee.

Recommendation:

Attachments:
1. KSB 2025 Letter to Council

Background:
Mr. Watterson is requesting the annual license to discharge fireworks at Alumni Field as part of the Independence Eve Celebration held at that evening's Swamp Bats Game. This is a Community Funded Event and a request for funding in the next fiscal year has been received from the applicant.



January 10th, 2025

Keene City Council
Mayor Kahn

Dear City Councilors and Mayor Kahn,

The Keene SwampBats request your approval to host a Class B fireworks display on Thursday July 3rd, 2025. This event is part of Keene's annual fireworks celebration, also known as Independence Eve.

The fireworks will take place at Alumni Field on Arch Street, immediately following the regularly scheduled SwampBats game. The fireworks display will begin at approximately 9:45pm, within minutes of the final out of the game. We will supply a letter of approval from the SAU29 and an insurance rider naming the City of Keene as a co-insured.

Thank you in advance for your consideration.

Respectfully,

Kevin D. Watterson, President
Keene SwampBats



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Kati Woodard/Keene Farmers' Market
Through: Patricia Little, City Clerk
Subject: **Farmers' Market of Keene - Request for Use of City Property - 2025
Farmer's Market**

Council Action:

In City Council March 6, 2025.

Referred to the Planning, License and Development Committee.

Recommendation:

Attachments:

1. FMK Letter to City signed 022825_Redacted

Background:

Ms. Woodard is requesting the annual license to operate the Keene Farmers' Market on Saturdays starting on April 26, 2025 through October 25, 2025 in their usual location on Gilbo Avenue/Commercial Street Parking Lot.

February 28, 2025

Attn: Honorable Mayor and City Council of Keene, New Hampshire
From: The Farmers' Market of Keene

The Farmers' Market of Keene would like to respectfully request a license to vend starting April 26th, 2025 through October 25th, 2025. We would like to continue to use our present location on Gilbo Ave and the Commercial St parking lot, which includes 40 parking spaces. Our hours of operation will continue to be the same, Saturdays from 9am-1pm, and we are requesting to use the space from 8am-2pm to accommodate set up and break down time. Given the challenges of the economy, we hope to keep the fees the same to be able to attract new farmers and retain current vendors without having to raise vendor dues. In addition, we would like to continue discussing public restroom options for both patrons and vendors of The Farmers' Market of Keene. We appreciate all that the city and the parking services do to accommodate our market in our current location.

Sincerely,



Kati Woodard



Market Coordinator
The Farmers' Market of Keene
PO Box 425
Keene, NH 03431



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Kevin Blake Amacker/Copper Cannon Distillery
Through: Patricia Little, City Clerk
Subject: **Copper Cannon Distillery - Request to Participate in the Keene Farmers' Market**

Council Action:

In City Council March 6, 2025.

Referred to the Planning, License and Development Committee.

Recommendation:

Attachments:

1. Cooper Cannon Distillery Letter to Council 022725_Redacted

Background:

Mr. Amacker is requesting annual permission to be a vendor at the Keene Farmers' Market in 2025. They provide alcohol tastings and have appropriate safeguards in place per the liquor commission. They sell retail alcohol and follow Liquor Commission rules.

2/27/2025

Copper Cannon Distillery
2 Lyman Way
West Chesterfield, NH 03466

Keene City Council,

We have submitted our application to be a vendor at the Keene Farmers Market in 2025.
We are Copper Cannon Distillery located in West Chesterfield, NH.
We would like to do tastings and retail at the Keene Farmers Market.

We are asking the council to give us approval to take part in the Keene Farmers Market.
We will have all of the appropriate safe guards in place when doing tastings per the liquor
commission.

Thanks you for your time,

Kevin Blake Amacker

A handwritten signature in black ink, appearing to read "Kevin Amacker". The signature is fluid and cursive, with a long horizontal stroke at the end.



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.4.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Alyson Lefebvre/Co Owner Cabana Falls
Through: Patricia Little, City Clerk
Subject: Cabana Falls - Request to Participate in the Keene Farmers' Market

Council Action:

In City Council March 6, 2025.

Referred to the Planning, License and Development Committee.

Recommendation:

Attachments:

1. Cabana Falls Letter to City signed 030425_Redacted

Background:

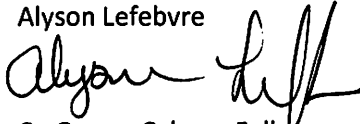
Ms. Lefebvre is requesting the annual permission to be a vendor at the Keene Farmers' Market in 2025. They sell retail wine and have all the safeguards in place to follow Liquor Commission rules.

3/4/25

Cabana Falls
11 Cabana Dr
Peterborough NH 03458

Dear Mayor and City Council,
Cabana Falls of Peterborough has been approved by The Keene Farmers Market as a returning vendor for 2025. We would like to continue selling our wine at the Farmers Market for this season April-October 2025 So we are asking that the Council to approve our participation at the Keene Farmers Market. We will follow all Laws and have all safeguards in place per our license #569430 with The NH Liquor Commission.

Sincerely
Alyson Lefebvre



Co Owner Cabana Falls





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.5.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Councilor Kate Bosley
Through: Patricia Little, City Clerk
Subject: **Councilor Bosley - Request for Reconsideration - Amendments to Keene Community Power Plan**

Council Action:

In City Council March 6, 2025.
Tabled until later on the agenda.

Recommendation:

Attachments:

1. Councilor Bosley_Reconsideration

Background:

Councilor Bosley is requesting a reconsideration of the February 20, 2025 City Council vote relative to the Keene Community Power Plan.

KATE MICHELLE BOSLEY

111 Gunn Rd • Keene, NH 03431 • Phone (603) 493-4586

Email: katebosley603@gmail.com * www.hendersonbosley.com

March 4th, 2025

Dear Mayor and City Council,

Please accept this letter as proof of my intent to ask for a reconsideration of the vote that we made at our last City Council meeting regarding the community power plan table. I would like this item to accompany the conversation we will have when the other community power items are taken off the table.

Thank you,



Kate Bosley

Keene City Councilor At-Large



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: NH Department of Transportation - Reconstruction of Route 101

Council Action:

**In City Council March 6, 2025.
Report filed as informational.**

Recommendation:

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends acceptance of the presentation on the NH Department of Transportation Reconstruction of Route 101 as informational.

Attachments:

None

Background:

Chair Greenwald asked to hear from staff from the NH Department of Transportation (NHDOT).

David Smith, Project Manager from NHDOT, introduced himself and teammates Ellen Moshier, Project Manager with CHA Consulting, and John Parrelli, Lead Highway Engineer with CHA Consulting. Mr. Smith stated that tonight's presentation is an update on the project's status. He continued that the team was here in the fall of 2023 to give a presentation of the project. They have made great progress since the fall of 2023.

Mr. Smith stated that the project is just southeast of Keene on Rt. 101. It starts just east of Optical Ave., progresses about one mile just past Branch Rd., and encompasses a portion of Swanzey Factory Rd. They are looking to improve the intersection there and address the bridge condition, roadway condition, and drainage challenges. They have worked with and collaborated with folks from the City of Keene, the Town of Swanzey, and the public/abutters. Tonight, they will give a project overview and talk about the studies to date; the preliminary design, the concept they have developed through public outreach and coordination with the project work group; the construction plan; and the schedule moving ahead.

Mr. Smith continued that not present tonight is Hans Weber, Design Engineer with NHDOT. Rob Faulkner, Principal with CHA Consulting, is in the audience tonight. The team has had great collaboration with Don Lussier, Keene's Public Works Director; J.B. Mack, Assistant Director from the Southwest Regional Planning Commission (SWRPC); and the Town of Swanzey's Stephon Mehu,

Assistant Town Planner. This is the working group that gives NHDOT and CHA the local knowledge and insight they need to guide the project, from a scope perspective, and to make sure NHDOT is getting the right solution for the needs along the corridor.

Mr. Smith stated that it has been about a year and a half since the team has been (before the MSFI Committee), and they have had a significant amount of public outreach. They had a public information meeting in February of 2024 and another in December of 2024 to share the project with the public and solicit the public's input on what improvements they need to capture. The team also met with the SWRPC this January, and with the Town of Swanzey two weeks ago. They have also had many meetings with abutters. This project will impact properties along the corridor, so as a means of goodwill and as part of their public outreach, the team has met with several property owners along the corridor. The team has had a lot of great collaboration with the public. They asked for public input on the concerns for this corridor, brought many solutions to the table, and asked the public for their perspective on those solutions.

Mr. Smith continued that (regarding public outreach), the team heard about the Swanzey Factory Rd. relocation, which is prompted by the challenging intersection location today. Site distance is very challenging for people looking back to the west, when trying to turn out of that intersection. They heard from the public that that is a challenge they need to address. They heard about the need for improved or enhanced bicycle and pedestrian accommodations, and they heard concerns about environmental resources. The Branch River parallels and goes underneath Rt. 101, and they have heard concerns about that, which they have worked to address and will continue to. They have worked to address the private property impacts they have heard about and continue to engage abutters. They have become aware of and appreciative of the Prowse Bridge and the City's vision for it, and concerns for the Rt. 101 bridge, which is on the State's Red List. They have also heard about people's perspective on the potential for roundabouts, the high travel speeds and relatively high volume of traffic on Rt. 101, and construction impacts to the Branch Rd. intersection. The team's goal is to work to respond and provide insight to the public and the Committee on each of these aspects. They feel that they have, and hope that they have, as they have progressed and reached out to and collaborated with the public.

Ellen Moshier from CHA Consulting stated that the project starts just east of Optical Ave. and continues a mile east to just past Branch Rd. She continued that there are two key intersections in the project road, the intersection of Swanzey Factory Rd. and the intersection of Branch Rd. They will discuss these tonight, as well as the bridge over the Branch River. She continued that the purpose of the project is to provide pavement rehabilitation. The concrete slab under the pavement is deteriorating; they need to remove and build back up the pavement surface. Drainage improvements are needed; currently there is no closed drainage system. They will improve pedestrian and bicycle accommodations along the corridor. They are looking to address the deficiencies at the bridge, and to make improvements at the Swanzey Factory Rd. intersection for safety. Rt. 101 is one lane in each direction today, with approximately 12-foot-wide travel lanes with varying shoulder widths. They will widen the road to maintain the 12-foot lanes and add five-foot shoulders on each side.

Ms. Moshier stated that a challenge with this project has been the proximity of the Branch River and the resource areas close to the pavement. In addition, the private properties abutting the side of the road give them a constrained right-of-way. As a result, the team is unable to provide sidewalks and bike lanes along this segment of roadway. They discussed it with the working group and the public and took a deep dive into it, but due to the right-of-way constraints and the fact that there are no connecting facilities at either end of the project, they decided to not provide sidewalks.

Ms. Moshier continued that during the team's first presentation to the MSFI Committee, they introduced some ideas to potentially realign Swanzey Factory Rd. This included three potential

bridge locations on the eastern end. They proposed keeping the road where it is today and providing a signal to improve sight distance lines or moving the road behind the Fastener Mill. Having vetted those options with the working group and through the public information meetings, the team heard that no one wanted a new bridge, so they eliminated those three options. No one wanted the road to close, since it is a regional connection. The team developed signal plans to vet. Alternative 1, keeping the road where it is today, but with the new bridge structure they propose and the proximity of the buildings at that intersection, they decided providing a signal was not really feasible, either. Thus, they moved ahead with looking at Alternative 2, which is moving the road behind the Fastener Mill. Along with property owner John Graves, they developed three concepts for the alignment. They ultimately decided on Alternative 2C, which follows some of the State's right-of-way along the railroad spur line that used to exist in this area.

Ms. Moshier stated that the Branch River Bridge is on the State's Red List. She continued that built in 1933, it is eligible for the National Register. CHA inspected the structure in August 2023 and generally found the concrete to be sound, but they found staining on the underside of the bridge and some signs of deterioration. Thus, they recommended some non-destructive testing. They took some concrete core samples, and the lab found high levels of chlorides on the decking and Alkali-Silica Reaction (ASR), which is "essentially a concrete cancer." Thus, they determined a full bridge replacement is needed here.

John Parrelli stated that he will now go over the plans, with the slides starting on the west end and gradually moving east. He noted that on the slides, north is up, yellow represents the proposed paved travel lanes, brown represents the shoulders, orange represents driveways and access points, green represents limits of earth work, red represents locations of homes and businesses, and blue hatching represents wetlands. On the slide, Mr. Parrelli showed the location of the existing Stone Arch Bridge, and Marlboro Rd. as it comes down and dead ends just before Rt. 101. He continued that the project starts just west of the Stone Arch Bridge, and will have, as Ms. Moshier mentioned, 12-foot lanes and 5-foot shoulders. He indicated the future location of the Transportation Heritage Trail as it crosses Rt. 101, utilizing the Prowse Bridge the City purchased from the State. Moving east past the Prowse Bridge location, they propose shifting Rt. 101 south three or four feet, trying to minimize impacts to the floodplain and wetlands. That will also help minimize the impact on the properties on the hillside to the north.

Mr. Parrelli continued that moving east, on the north side of the roadway is the Curran Building. A little further east is the Branch River crossing with the bridge, and as Mr. Smith mentioned, there are some sightline issues. Just east of the river is the existing Swanzey Factory Rd. location. Adjacent to Swanzey Factory Rd. is the Monadnock Housing building, and east of that is the Mighty Moose Mart. South along Swanzey Factory Rd. is the mill building. The team proposes closing Swanzey Factory Rd. from Rt. 101 to just south of the mill building. Swanzey Factory Rd. will head to the east of the mill, following an existing right-of-way for an old railroad spur line all the way to the new intersection east of the Mighty Moose Mart, where the team proposes a roundabout. The roundabout shown on the slide is about 130 feet, approximately the same size as the roundabout on the other end of Swanzey Factory Rd. It will be a single-lane roundabout, providing some speed mitigation through this section of Rt. 101.

Mr. Parrelli continued that moving further east, Keene Mini Storage is to the north of Rt. 101. The Branch River heads back, goes around the storage, and goes back adjacent to Rt. 101. In this stretch, they are holding the same horizontal alignment. However, with the next stretch, when the Branch River is still to the north of Rt. 101 along this stretch until Branch Rd., which is off to the right, they propose shifting the horizontal alignment three or four feet to the south here, too, to minimize impacts to the floodplain and wetlands along the river. Through this, they will probably need to add about five retaining walls in front of the homes in that area to minimize impacts to the residences.

Continuing east, Mr. Parrelli continued, they propose a left turn lane for eastbound traffic turning onto Branch Rd. Currently there is a wide shoulder people use to pass cars waiting to make that left turn, which is a little dangerous. The left turning lane will be a safer alternative. Then, the project ends just east of Branch Rd. as they taper back down from adding that turn lane.

Mr. Parrelli continued that regarding best management practices for potential stormwater mitigation, the slide shows the whole project area. A location to the west at the beginning of the project, near where Marlboro St. ends at Rt. 101, could have a treatment swale. For a couple of potential locations along the existing Swanzey Factory Rd. that is being discontinued, they could have treatment swales or detention basins of some sort. They also have a potential (location) to the east of Branch Rd., which will most likely be a basin. An existing stream continues in a closed system in the area of the Curran Building and they do not propose any changes to that system.

Ms. Moshier stated that they expect construction to start in the spring of 2027 and to last about two years. She continued that they have been working closely with Mr. Lussier and his team to discuss reconstructing the water line through this portion of road as well. During construction they anticipate being able to keep the road open to traffic. However, at times they will need to have alternating, one-way traffic. They expect to have a temporary signal to control traffic during these times. They might need to detour traffic, which they are just starting to look at. They would detour traffic down Swanzey Factory Rd. and back up to Main St. However, they understand the roundabout has limited capacity. Some people might use Branch Rd. if they are headed downtown, to bypass the construction, but this is something the team will continue to look at and continue to work with the City on.

Ms. Moshier continued that this summer, the team conducted a bat study with an acoustic survey. They found two species of concern, the northern long-eared bat, which is endangered; and the tri-color bat, which is proposed to be endangered. This means there will be limitations on when they can do clearing during construction. The project will include about 21,000 square feet of permanent wetland impacts and 490 linear feet of stream impacts.

Ms. Moshier continued that the work to date has also included an architectural survey plan. The properties noted (in the slide) potentially have some historic integrity. The team is moving forward with an additional survey of these properties. Right now, the project seeks to avoid any impacts to those properties and they will continue to be mindful of the properties as they move forward. They also conducted archeological assessments. The areas in yellow were shown to have some sensitivity. The team looked at these areas as part of the Swanzey Factory Rd. relocation. Once they decided on Alternative 2 behind the mill, they did some additional ground penetrating radar (GPR) studies, shown in the green areas. GPR Area 2 adjacent to the Branch River is filled area and there were no findings there. GPR Area 1 where the roundabout is might have structural remains associated with the former mill uses, so the team will continue to monitor that location during construction.

Mr. Smith stated that continuing along with environmental aspects, there are many requirements the team is complying with, due to the project's Federal funding. He continued that it is an 80/20 split between the Federal and State funding. One of the requirements is the development of a National Environmental Policy Act (NEPA) document, which captures all the project's environmental aspects to make sure the team has addressed all of them and are complying with all the rules and regulations. Section 106, the National Historic Preservation Act, offers the public the opportunity to be engaged in the project from a consulting party to guide the awareness and insights for that aspect of the project. The team solicits this opportunity at all public meetings. If anyone would like to be engaged from a Section 106 consulting party perspective, they can contact him. He would put the person in touch with the Federal Highway representative and there would be some coordination

related to that collaboration and involvement.

Mr. Smith continued that regarding the project schedule, they have done a lot of public outreach, and they have progressed with the design to a large degree. They feel that they have a preferred alternative, in their collaboration with the working group, which incorporates a broad set of improvements, addressing the bridge condition, the roadway condition, the drainage condition, and the safety at Swanzey Factory Rd. Introducing the roundabout will mitigate speeds on that corridor. They feel that this is a very impactful project, certainly justifying the funding they are dedicating to it.

Mr. Smith stated that this concludes the team's (presentation to the MSFI Committee), unless the Committee would like to have them back again before the public hearing. He continued that they are planning to have the public hearing later this summer. It is a formal meeting for the team, overseen by a commission of three members, that will ultimately determine the necessity of the project and allow the team, ideally, the progress to the final design phase of the project. The final design phase would run from 2026 into 2027 as they develop their right-of-way plans and construction plans, get their environmental permits in place, and acquire right-of-way for the improvements. Construction would start in the spring of 2027. The current project estimate is \$17 million. They welcome questions.

Chair Greenwald asked if there would be any taking of private property. Mr. Smith replied yes, they are widening the roadway itself along the whole corridor by four to six feet and introducing formal drainage ditches along the corridor. He continued that that alone will at least require a strip acquisition across the frontage of probably every property along Rt. 101. Due to the nature of the roadway and the river, there will likely be a need for easements as well, to accommodate the slope improvements of either cuts into the embankment or fills on the low side. For a good portion of the project, where the river sits low, the residences sit high, so they are threading the needle with the improvements and likely incorporating retaining walls. Those will require some construction and easements as well.

Mr. Smith continued that not to dismiss any of the strip acquisitions and the right-of-way acquisitions he mentioned, there are other, more significant right-of-way impacts. For the relocation of Swanzey Factory Rd. they will need to acquire properties from The Fastener Mill's owner. The team has talked with John (Graves) several times. They have also talked with Mr. J. Blanchard relative to the reconstruction and relocation of Swanzey Factory Rd. and the impact to his property. The footprint of the roundabout is right on Mr. Blanchard's building, so they have had a constructive discussion with him and his counsel about that. The team is assessing opportunities going forward. Knowing that that building is on a slab and not a full foundation, they talked about the opportunity to move it and try to make it whole in that current location. The team is still assessing other right-of-way impacts and locations as they work to finalize the roadway alignments, bridgework, and phasing. They will fine-tune it as they continue along.

Chair Greenwald asked if residents have been notified that this is going on. Mr. Smith replied yes, residents have been notified. He continued that for both public information meetings, the team sent out mailers to all properties along the corridor and even beyond. For the second public information meeting, they sent over 2,000 mailers to mail routes that were along the corridor and even extended into some of the downtown areas, because of the mail routes they were on.

Chair Greenwald stated that his question is really about the six or eight homes where people own land and the potential for eminent domain action. Mr. Smith replied that eminent domain is not a process that they would first be pursuing. Chair Greenwald asked if he means NHDOT wants to do it the friendly way first. Mr. Smith replied yes, absolutely. He continued that the team has met with several of the abutters, and they will continue to meet with abutters as they progress. All the

residents there have been contacted. They have not talked to every property owner on the corridor; there are probably 35 to 40 of them. The team will coordinate with folks who reach out to them, and certainly the folks the team thinks will be the most significantly impacted, like Mr. Graves and (the owners of) Keene Mini Storage. They have talked with people from Monadnock Affordable Housing, Prime Roast, and Mighty Moose Mart. The team is striving to do their due diligence relative to that outreach.

Councilor Favolise thanked the panel for the presentation and stated that he thinks it is timely for this stretch to have the increased shoulder, so he was happy to see that. He asked if the slide show will be available on the project website at <http://dot.nh.gov>. Mr. Smith replied yes, the presentation will be posted on the project website within the week. He continued that they also post meeting minutes for most meetings they have, and they post mailers and other information that is relevant to the presentation and the outreach.

Chair Greenwald asked for further questions or comments from the Committee or the public.

Councilor Ed Haas of 114 Jordan Rd. asked if the panel could advise the Committee on traffic control at Branch Rd. when this is completed. He continued that they are familiar with the hazards of left turn lanes, and as the road gets expanded, with the great sightlines there, the velocity through it will be significant. There is a full red light stop at Optical Ave., which does a good job there with that left turn lane, but Branch Rd. will be tough.

Ms. Moshier replied that they looked closely at Branch Rd., and they did hear concerns about speeding and safety at the intersection. She continued that they looked at potentially installing a signal at that location, but unfortunately, it does not meet signal warrants. They looked at potentially installing a roundabout, but due to the steep hillside opposite the road and the bridge structure that currently exists, they cannot. Then, they returned to their traffic model and assessed what they could do for improvements, and there were a couple. One is adding the left-turn lane, so going eastbound, there will be a left-turn lane added into Branch Rd. The other is to realign the center line on that road. Currently, you kind of veer to the right to make a left turn. Within the existing pavement width, they can realign that to improve visibility at that intersection as well as do extensive clearing. When they went out and looked at it, the team saw that many of the challenges at that location, in addition to the speeds, are the sightlines and the vegetation along that stretch. Thus, they will do some clearing. Again, having the roundabout installed at Swanzey Factory Rd. will change the character of this section of Rt. 101, and that should, in turn, reduce speeds and improve operations at Branch Rd. as well.

Vicky Morton of 275 Water St. asked the panel to review the plan for the sidewalk or bike lane. She continued that they talked about a portion of it. She asked them to repeat what they said about how far it will go, or if it is eliminated.

Mr. Smith replied that they do not have a formal sidewalk in the project right now. He continued that they have had coordination and discussion with the City relative to it, or at least, representatives from the City in the working group. The team knows there is a presence out there. They know the east end of the project has folks who need to walk into town, and they are aware of the fatality that happened a short while ago to the west of this project. Part of the purpose and need is to enhance bicycle and pedestrian opportunities. Given the restrictions they talked about, which are the river and the residences there, it is a challenge to put in a sidewalk. They have not fully dismissed it, but it would incur additional impacts, both from a right-of-way and/or residents' perspective, or a resource perspective. With the lack of connecting infrastructure, given the fact that there are no sidewalks that would connect to this (hypothetical) one mile of sidewalk, the team decided at this time to not implement sidewalks in the project. The five-foot shoulders will be more formal and offer some relief

for bicyclists and pedestrians, but not to the extent that a sidewalk would.

Mr. Smith continued that the team is also aware that the Transportation Heritage Trail progresses to the west end of the project. Their (NHDOT's) commitment to that project, from the City's perspective, the Prowse Bridge is not to preclude that from being built from their (NHDOT's) project improvements. The team has worked with Mr. Lussier and Mr. Ruoff relative to that. The team even tried to sync their project up with the implementation of that bridge project. They have committed to continue to progress together and to assess how funding comes ahead for the City's side of that.

Tim Jordan of 275 Water St. asked if the \$17 million figure is in today's dollars or projected out for when the construction is in 2027. He continued that his other question is relative to the political climate we are in today. The states are looking to cut their budget. He asked if there is a Plan B or Plan C if this does not go through due to a lack of funding. If so, he would like to hear about it. He would like to know if there has been any thinking about what they will do about the problems they are trying to solve, if the funding gets reduced or something happens.

Mr. Smith replied that the \$17 million is in today's dollars. He continued that relative to the availability of funding in the future, they (NHDOT) feel that they are stable at this point. Leadership in the NHDOT Executive Office is working with Federal Highway leadership as well to appreciate what the transition in national leadership means for them on a transportation level. At this point, he is still confident that they will have funding as they progress. They will continue to evaluate and continue to progress with the expectation that they will have construction funding in two to two and a half years to fund this project.

City Attorney Thomas Mullins stated that understanding the issues associated with land acquisitions and having had some experience with those and working through their negotiations, it is clear that NHDOT will need to have all those acquisitions in place before they can start construction. He asked if that is correct. Mr. Smith replied yes, absolutely. The City Attorney asked if NHDOT anticipates those will happen before the construction start date. Mr. Smith replied yes.

Councilor Favolise made the following motion, which was seconded by Councilor Filiault.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends acceptance of the presentation on the NH Department of Transportation Reconstruction of Route 101 as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Accelerated Tree Removal Timeline - Red Pine Scale

Council Action:
In City Council March 6, 2025.
Report filed as informational.

Recommendation:
On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee accepted the report as informational.

Attachments:
None

Background:
Carrah Fisk-Hennessey, Parks and Recreation Director, stated that the last time she was before the Committee, she gave an update on the Red Pine Scale, a current invasive species in Keene. She continued that it impacts the red pine trees, and Wheelock Park has a monoculture. Last Thursday, staff met with people from the NH Division of Forest and Land Foresters, who informed City staff that the best time to harvest is in the winter. They are not talking about removing all the red pine trees right now, but they are talking about accelerating the removal of the educational pilot tract, which is along the now-defunct roadway between the bike park and the ballfields. She has an aerial photo if the Committee wants to see what that looks like.

Ms. Fisk-Hennessey continued that what they are talking about is removing about 50 red pine trees from that one educational pilot tract. The reason the foresters recommend winter removal is that the red pine scale is dormant during the winter months, so they could take down the trees without spreading red pine scale. Once the trees are taken down, they plan to use sections of them for the City's bike park retaining walls' side structures. They will replace some of the red pine that they have already used for that in 15- or 20-foot sections, and they are able to chip the rest, at no impact to the rest of the park and the rest of the trees, as long as they get them down in the next couple of weeks.

Ms. Fisk-Hennessey continued that then, it comes to funding and timing. Next Wednesday, the foresters will run a chainsaw class with five members of the Parks and Recreation team and five members of the Public Works team, and they will take a handful of trees down at that point. They will meet with Phil's Tree within the next week to take care of the rest of the trees. That funding is made available through the additional funding that was secured by Public Works for the storm removal;

there is still funding available in that fund.

Chair Greenwald asked if the MSFI Committee needs to take an action on this. Ms. Fisk-Hennessey replied that this is just informational. Chair Greenwald asked if there were any questions or comments from the Committee or the public. Hearing none, he asked for a motion.

Councilor Filiault made the following motion, which was seconded by Councilor Tobin.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee accepted the report as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Unresolved Design Decisions for the Downtown Infrastructure Project

Council Action:

In City Council March 6, 2025.

Voted 11 in favor and four opposed to carry out the intent of the first recommendation of the report to have Railroad Square covered pavilion be a bid alternative with the design of a wood-framed structure with brick columns.

Voted unanimously to carry out the intent of the second recommendation of the report to have the design of the Central Square fountain be a fountain in the center of Central Square.

Voted unanimously to carry out the intent of the third recommendation of the report to have the design of bollards be deployable bollards to be purchased outside of the contract.

Recommendation:

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends that the City Manager be authorized to incorporate the following design preferences into the Downtown Infrastructure Project:

- For the Railroad Square covered pavilion, a wood-framed structure with brick columns;
- For the Central Square fountain, Option 1 in the center;
- For deployable bollards to be purchased outside of the contract.

Attachments:

None

Background:

Chair Greenwald stated that the Council has not decided on several items regarding the Downtown Infrastructure Project. He continued that in addition to the three that are up for discussion, they will not be talking about the color of the bike lanes tonight, and he has another item to bring up later. He asked to hear from staff.

Don Lussier, Public Works Director, stated that Bob Corning and Ed Roberge from Stantec, the City's design consultant for the project, will be with him tonight. He continued that a couple of items were discussed previously but have not been fully resolved, so they are here again to talk through those lingering details.

Mr. Corning stated that they have been working on several design refinements, following up on a

couple of discussions they had with the Committee and the Council. He continued that tonight they will look at some options for the fountain at the Central Square green, some paving design updates, and the pavilion structure at Railroad Square. Then, Mr. Lussier will give an update on the bollards, the trash receptacles, and the over-the-street banner signs.

Mr. Corning continued that starting with the Central Square fountain, an original concept was to have the fountain replaced with a design that was either through a design competition or an artist, but subsequently, it was decided that the fountain should be part of the project. Thus, Stantec has been looking at some alternatives for a revised or new fountain design. They were inspired by a historic photo Mr. Lussier found that had a rather Victorian historic fountain in the square. They looked at options for incorporating something similar into a proposed design. Option 1 would be a new fountain, located in the center of the square. They found an off-the-shelf product, called a Caesar fountain, produced by Robinson Iron, very similar to the historic fountain in the photograph. They are also considering reusing the original Einbeck stone, which is the whitish granite around the perimeter, the octagon shape in the existing fountain. The center portion would be removed and replaced with this cast iron feature. The water bubbles up through the top and cascades through the various bowls down into the fountain's base. He showed a photo.

Mr. Corning continued that they also propose including a semicircular seat wall along the eastern edge of the circle, providing a backdrop to the fountain. It also orients you to the gazebo, so if there were a performance happening at the gazebo, you could sit at the fountain wall or the seat wall.

Mr. Corning stated that Option 2 was relocating the fountain to the edge and incorporating it into the seat wall. Again, it would be very similar. They would relocate the existing granite at the fountain base and incorporate it into the seat wall they showed for Option 1. The cast iron fountain would be proposed as an option as well. Having the fountain off to the side frees up space and provides multi-use space in the circle's center. Some of the existing granite pieces on the fountain base are cracked, so they would have to look at whether they would be damaged further if they were removed and relocated. However, there was a lot of appeal to this in terms of having the fountain offset from the center and as a separate feature.

Mr. Lussier stated that he knows this was discussed previously during the project, and the Committee preferred having the fountain stay where it is. He thinks this concept (in Option 2) is very appealing in that it frees up the space in the plaza for events and creates a much more usable space for viewers to sit and watch the events happening in the gazebo. He knows the Committee has already expressed their opinion that the fountain should stay where it is, but he hopes these graphics will convince them to consider that option.

Chair Greenwald replied that he appreciates Mr. Lussier's comments but likes Option 1, as before, and even more now, hearing that it would retain the existing granite. He continued by saying that it sounds like a cost-saving option. Councilor Filiault replied that he agrees. Councilor Tobin stated that she likes the fountain off to the side but does not have a strong preference.

Chair Greenwald asked for public comment.

Brad Hutchinson of Marlboro St. stated that this is the first he has seen about this, and his initial reaction is that the fountain should be in the center. He continued by saying that, looking at the images of the fountain off to the side, he understands the idea of wanting to have more open space. That would facilitate larger crowds, and he questions whether they want to encourage larger crowds or if they want a more broken-up crowd with the fountain in the center. He does not want the fountain moved away from the center. With it in the center, you have to walk around it and cannot go through it. It is like a roundabout, in a way.

Vicky Morton of 275 Water St. encouraged them to leave the fountain where it is. She continued that she thinks they need to look at cost-cutting, and if they moved the fountain, they would have to move water lines. If any of those Einbeck stone pieces get destroyed, they would have to be fixed or replaced. Leaving it where it is would save money.

Councilor Tobin stated that she would like clarification from the Public Works Director about why he thinks the fountain would be better on the side. She asked if there is a structural issue. Mr. Lussier replied no, it is purely an aesthetic preference.

Councilor Favolise stated that he agrees with others who want to keep the fountain in the center. He continued that the Central Square fountain should be centered in Central Square. He asked if they would still be getting the new fountain design and what that cost looks like. Mr. Lussier replied that they have not gotten a quote for that particular fountain, but they heard previously that there is not a lot of love for the stone configuration there now. Thus, they planned to replace that with the cast iron fountain on either of these options.

Chair Greenwald made a motion to recommend Option 1. Councilor Filiault seconded the motion. Councilor Favolise agreed. Councilor Tobin stated that she could be on board. The consensus of the Committee is 4 to 0 in favor of recommending Option 1: A new fountain located in the center of Central Square.

Mr. Corning stated that the next topic is paving in the public open spaces, such as sidewalks and crosswalks. He continued that previously, the team proposed a combination of concrete sidewalks for the main pedestrian corridors and accent zones, buffers for the bike lane, and the commercial zones in front of buildings. For some of the crosswalks, they proposed different types of unit pavers, such as concrete, brick, or granite. This Committee, the Council, and Public Works raised concerns about maintenance and cost. Thus, the team went back and looked at opportunities to propose colored concrete and patterned concrete. It would be a concrete-based system that could be differentiated from standard concrete by different patterning or different coloring. He showed an enlarged image of the crossing at the rail trail. He continued that the team's preliminary idea was to have a series of different patterns and colors of concrete. Many colors and patterns are available. They were thinking of a traditional herringbone system, stamped and colored. They would do different colors and patterns for the different pedestrian zones. For example, the multi-use zones at the corners of the intersections, the buffer strip between the bike lane and parking, and the furnishing zone between the planters would each be a little different but be in the same vocabulary of color and patterns.

Mr. Corning continued that the team heard concerns about having the bike lanes painted the bright green color that is typical for bike lanes. There has been a lot of discussion. He thinks the vote was to have concrete. The question is whether there are opportunities to have it be colored concrete. Mr. Lussier is passing around samples of shades of green that are more muted.

Mr. Lussier stated that they are not asking the Committee to pick a color tonight. He continued that he intends to create some samples at Public Works so that in the future the Committee can see full-size samples and see exactly what it would look like. That will be in the spring or early summer. He handed out the samples from the vendor so the Committee could see what they are thinking. Regarding the different textures and patterns shown in the graphics, the team is not asking the Committee to pick anything tonight. All these patterning details are within the umbrella of what the Council has already decided. If anyone has strong opinions, the team would like to hear them; otherwise, he does not think the Committee needs to pick a specific pattern. The samples planned for this summer will include some patterns. They will be sections of about 5'x10' with different colors and patterns. Chair Greenwald asked if one sample will be natural/the base. Mr. Lussier replied yes, a

green, a couple of red-brown tones, and a plain gray concrete.

Councilor Filiault stated that when Public Works does those samples, he wants to know any cost differentials because it is time to tighten the belt on this project. He continued that his main concern is having a smooth surface for the sake of people with disabilities and people who use mobility devices, and his other concern is to keep the price in line.

No recommendations were made on the design of the paving in public open spaces, such as sidewalks and crosswalks, because the Committee will not be shown samples until summer.

Mr. Corning stated that the next item is the pavilion in Railroad Square. He continued that this was proposed previously. They had a small, square pavilion located in the center. The concern the team heard was that it was not large enough for fixed seating or covered bikes and thus was not useful. The team looked at several options. The option that rose to the top is an off-the-shelf item produced by Landscape Forms, a modular pavilion system. The modules are about 15'x15'. The roof could be louver or solid. The wall panels, of perforated metal, can be open or can have a louver system. Many accessories could be added, such as seating or leaning rails. The team proposes two modules, side by side but offset slightly for interest, along with a small, uncovered area with a free-standing rail, potentially with an interpretative panel included. That would provide some vertical separation between the bike path and this structure. The structure could include fixed or flexible seating and covered or uncovered bike racks. He showed a couple of different views.

Mr. Corning continued that another option is something a little more traditional in terms of its character and style. These (pavilions) would have a stone base with a wood structure, and metal or wood roofs. They would be more in keeping with the architectural style of downtown Keene. They are modular to some extent, and customizable. A (third) option would be tensile cover structures, which are fixed posts with canvas structures that span between them. Many colors, styles, and details are available to use with these types of systems. The (fourth) option is similar to the first, but a little simpler, just a wood structure with a metal frame. Many off-the-shelf items could be used for this option.

Councilor Filiault stated that, as he said in the Council meeting, he could not favor any of these. He continued that he thinks (pavilions) are unneeded expenses to the taxpayers. He thinks the Committee said they will do what needs to be done and not extend beyond to anything else. If a non-profit group wants to fundraise to build pavilions, that is fine, but he cannot justify this to the taxpayers, and he thinks this is a waste of money.

Mr. Lussier replied that he understands Councilor Filiault's hesitation. He continued that the Council voted to include this structure as a bid alternate, so the team is looking for guidance on which structure to include as the bid alternate.

Councilor Tobin stated that she likes Option 1, the modular one, with the leaning rail.

Councilor Favolise stated that he likes Option 4, which he thinks is the simplest. He continued that the Council was divided over including one shaded structure; he does not think they would be interested in having two, offset with the leaning rail. He does not think that including that as the bid alternate sets it up for a real conversation. He thinks the Council would be against that. He would like to see Option 4, which has just one structure.

Chair Greenwald stated that, in summary, Councilor Tobin and Councilor Favolise should agree on what they want because he and Councilor Filiault want none. Councilor Filiault replied that he suggests just having their comments on record and letting this go to the Council without a decision

since they are split. Chair Greenwald replied that something has to go forward. Mr. Lussier stated that the Council told them to put something forward as a bid alternative, but right now, he does not know what that “something” is. Chair Greenwald replied that that is why he is asking Councilor Tobin and Councilor Favolise to choose an option they both agree on.

Councilor Tobin stated that she liked the first two. She continued that she likes the one with sort of an archway, which she sees reflected in other architecture in the area. Option 4 looks to her like a picnic area, like it belongs in a park, so she struggles with it. Councilor Favolise replied that he understood, and of the two that Councilor Tobin likes, he liked the second one best. He continued that he thinks the Council would not accept the two shade structures offset with the rail (Option 1), so he hesitates to choose that. He could switch to the stone/brick column base with the covered structure if that is what is needed to move something forward to Council.

Chair Greenwald stated that the record will reflect that the two Committee members who want to see a shade structure are choosing Option 2 (with the stone/brick column base with a covered structure).

Two members of the Committee would recommend no pavilion in Railroad Square, and two members would recommend Option 2: A stone/brick column base pavilion with a covered structure in Railroad Square.

Mr. Lussier stated that the bollards are next. He continued that there was a clear desire from the Committee and the Council to include removable bollards as part of the project. They would be bollards that City staff could deploy for community events instead of the jersey barriers and trucks they park on the street for perimeter security for community events now. He thinks this originated with a business complaint that during the community event a dump truck was parked in front of their storefront all day, which hid their storefront from their customers, and they felt excluded from the event. The idea would be to have something a little more attractive that allows people to see the businesses and is less obstructive.

Mr. Lussier continued that the team met with Highway Department staff and KPD to look at what they needed to do to accommodate all the different events and have some flexibility. They looked at options. The solid red bars in the graphic show where they would install high-speed security bollards, which are rated to stop a truck going 50 mph. They would install them at the perimeter and at the head of Main St. The idea is to give flexibility for the different sizes of events that need to be accommodated. Some events might only require security around Central Square. Some might require Central Square and the northern part of Main St. Others, like the Food Fest, go all the way to Emerald St.

Mr. Lussier continued that the blue outline shapes like those seen on Church St. or Cypress St. are slightly lighter-weight versions, designed to stop an automobile going up to 30 mph. They are not quite as heavy duty, but they could be used in areas where a heavy-duty truck does not have an opportunity to get going 50 mph. They could save a little money there. The third thing is the areas with the dashed boxes, which are areas where it would be okay to have permanently installed, fixed bollards. These are places where they do not need to get vehicle traffic through; they are just for pedestrians and bicyclists, and a bollard in the middle of, for example, the bike trail next to the Transportation Center would solve that need. Altogether, they would require about 154 bollards to complete this plan as it was designed by the Highway and Police staff. Each (permanently installed) one is over \$3,600, just for the materials, not including installation. With installation, those bollards would add up to about \$715,000. He does not feel comfortable recommending that it be the way they go forward.

Mr. Lussier continued that thus they looked at other options. They found a portable system.

Unfortunately, he cannot give a quote tonight; he has reached out to the vendor but has not heard back yet. These (portable bollards) are stored off site. There is no construction below ground. They are large steel devices on wheels and can be rolled off a trailer and placed in the roadway, and they are chained together. They can still stop a truck with minimal intrusion into the event zone. They expect they will be considerably cheaper than the built-in models. (Bollards) were something they were directed to include in bid documents as a bid alternate. His suggestion for the Council is to eliminate the built-in bollards; they are cost prohibitive. If they want to go forward with the deployable version, there is no reason to have that as part of the bid for this project. They (the City) could buy a small number of them and try them out in a few locations, see how they like them, and if the Council wants to keep moving forward they could buy them over time. He cannot recommend spending nearly a million dollars on bollards. It would not even save a lot of labor. Each pipe is over 1,000 pounds, so it would still require a machine with a chain to put them in place.

Chair Greenwald replied that he understood. He continued that it is an amazing amount of money, and he never would have guessed that it was so complex. He thought it was a concrete-filled pipe they (the City) could do themselves. Mr. Lussier replied that they must be quite robust to get them to be crash-rated for event security, to protect against the kind of attack in New Orleans a few months ago.

Chair Greenwald asked what the Emergency Management staff say. Mr. Lussier replied that the system they are using right now, the jersey barriers and trucks parked across the roadway, satisfies the need for event security, just as well as the deployable, metal devices would. He continued that what they would be gaining with the deployable devices is something a little more aesthetic that does not obstruct views into the event or storefronts, which has been the concern.

Chair Greenwald replied that they could combine that deployable bollard and jersey barriers. Mr. Lussier replied that it was correct. He continued that if the Council wants to go forward with that, that is how he would suggest they do it. They can begin with a "starter kit" of these deployable bollards and use them in specific locations where they have had complaints about visibility being obstructed. Then, from there, they could add to them if the Council wants to do. They could implement them over time.

Chair Greenwald replied that there are also cost savings for not having dump trucks and Public Works staff there. Mr. Lussier replied that yes, these would be easier because they would not need to have staff on site during events to move them. He continued that they would probably just have one person with the equipment to move one of these bollards if they needed to, for example, get an ambulance into the event.

Councilor Filiault replied that he agrees. He continued that he was the one who asked for the estimate on the bollards, and those (built-in ones) certainly are cost prohibitive. He thinks the temporary ones fit the bill. There is a cost either way, but he thinks putting multi-million-dollar fire trucks there as jersey barriers is not a good use of fire trucks. He thinks it is a great idea to look at the deployable devices and maybe an occasional jersey barrier on the side streets. He recommends moving forward and coming back with a cost estimate on these (deployable bollards).

Chair Greenwald asked if there have been any further discussion from the Committee or the public. Hearing none, he stated that the Committee agrees to this one.

The consensus of the Committee is 4 to 0 in favor of recommending Temporary Deployable Bollards.

Mr. Lussier stated that the rest of the presentation is a verbal update. He continued that regarding the trash receptacles, the Council's direction was to bid out the trash compactors as a bid alternate, and

he will willingly admit that he was a proponent of the trash compactors. They got a quote for those. Each pair, one trash receptacle and one recycling container, which ship together as a unit, is \$8,580. He did some quick math. For those to pay for themselves, it would take 30 years of deferred staff time in the savings of not having to empty the containers as often. Thus, he cannot recommend those as a viable solution. He recommends they stay with the standard trash can that was selected as the base option.

Chair Greenwald and Councilor Filiault agreed. Chair Greenwald stated that the Committee agrees. Chair Greenwald asked about the City logo going on trash cans and benches. Mr. Lussier replied that as he recalls, the decision was related to bicycle racks, and the decision was to just do the bicycle racks and make it so they could add the logo at a future date. He continued that that is how they are moving forward with that.

Mr. Lussier stated that the next item is the over-the-street banner. He continued that the team evaluated what the banner would look like, how big it would have to be, what infrastructure would be needed to support it, and so on and so forth. Sometime in the next two or three weeks, they have a meeting scheduled with the person who originally requested the banner. They want to have that meeting first, and once the team makes sure that what they propose meets the requester's expectations, they will come forward with a recommendation on that. Chair Greenwald suggested they bring up the idea of (having a banner) maybe not across Main St., but maybe across Gilbo, Church, and Lamson Streets.

Mr. Lussier stated that the last topic is a catch-all for the next steps. He continued that right now there are four areas the team knows they need to coordinate with individual property owners on. In the next couple of weeks, he will get a letter out to everyone who owns property abutting this project. The first of those four areas is service connections. As with all infrastructure projects, they (the City) will replace, for example, the water service up to the property line. In the case of most of the project limits, the property line is essentially the building face. Something they want to coordinate with property owners is whether the property owner wants the City to take that service connection past the property line and bring it right up to their meter or through the building wall. The City is supposed to not spend public money on private property, but they would like to include in the contract an allowance for private work to be done on private property. For the building owners who want them (the construction team) to take the last three to ten feet into the building, the City would get an estimate from the contractor on how much extra it would cost them to go that last few feet with the new pipe, and if the property owner agrees to that, the City would have the contractor do it and would bill the property owner for that cost. The property owners will get the work done right into their basements, it will be a better product in the end, and the City will have resolved the problem of not using public funds on private property.

Mr. Lussier continued that the second (of the four) areas is roof drains. According to the Clean Water Act, you are not allowed to discharge stormwater, such as your roof drains, into sanitary sewers. The team strongly suspects that many of the historic buildings downtown have roof drains that are plumbed into their sewer lines. That being said, the City is not the agency in charge of enforcing the Clean Water Act. He does not want to start going into people's basements and start issuing fines for not having disconnected their storm drains. The City's approach to this will be that they will run a service connection up to the building face. They will tell the property owners, 'If you want to connect your interior storm drains to the storm drain, here's where you can do it. If you want to have some input on where we make that service connection available, let us know now, and we can put it where it is most convenient for your situation.' That is as far as the City will take that. If property owners want to work with them and make that connection during construction, great. Or they could come back later and make that connection. The City is not intending to mandate or require individual property owners re-plumb their buildings as part of this project.

Chair Greenwald stated that he does not want to get too deep into it, and this is why he was asking for this to be delineated as an agenda item, and for outreach to all the building owners. He continued that since Mr. Lussier brought it up, he will ask, what about sprinkler lines? Mr. Lussier replied that the fire lines are the same as the water services. Chair Greenwald replied not really. If you touch a fire line, you must put a backflow. He continued that that is a big to-do for the building owners. Mr. Lussier replied that backflow is a separate item on his agenda. He continued that the team is compiling a list of the properties that require backflow and do not have them. Those property owners will be notified of that. With the storm drain disconnection, yes there is a cost of having to treat water that should just be going to the storm drains, but it is not a life safety issue. With fire lines, not having a backflow does present a life safety issue for the rest of the water supply. If there is a problem with an individual property owner's fire suppression system, they can be flushing a slug of dirty, contaminated, rusty water into the City's water supply. Chair Greenwald replied that (he fully understands), but the City needs to tell the rest of downtown (property owners) who do not understand this. He continued that it is a substantial expense, and he does not want to see what happened with the merchants happen with the building owners, where the equipment shows up and they say, "I didn't know, I didn't know." They (the City) need to get aggressive (in informing them). Mr. Lussier replied that it will be part of the outreach that happens. He continued that right now they are still trying to sort out exactly who needs to have (backflow) and who already does or does not (need it).

Mr. Lussier stated that the fourth area is addressing accessibility. Again, the City cannot do work on private property with public money, but they want to make it as easy as possible for property owners to make accessibility improvements on their properties. He continued that to the extent they (the City) can coordinate with individual property owners to adjust the sidewalk elevation at a certain point to allow the property owner to make an ADA-compliant ramp into their building, and that sort of thing, (they will). Those are the conversations they want to have with property owners.

Mr. Lussier stated that those are the four big topics the team needs to coordinate with individual property owners on, and he hopes that happens in the next couple of weeks. He continued that that concludes his remarks. Chair Greenwald asked if the Committee had questions or comments. Hearing none, he thanked Mr. Lussier, Mr. Corning, and Mr. Roberge for their presentation.

Councilor Tobin asked for clarification on how to word the motion, regarding defining the options they talked about. Mr. Lussier replied with the suggested wording.

Councilor Tobin made a motion that the Municipal Services, Facilities and Infrastructure Committee to recommend that the City Manager be authorized to incorporate the following design preferences into the Downtown Infrastructure Project:

- For the Railroad Square covered pavilion, a wood frame structure with brick columns;
- For the Central Square fountain, Option 1 in the center;
- For deployable bollards to be purchased outside of the contract.

Councilor Filiault seconded the motion.

The City Attorney stated that he has some concerns that can be dealt with at the Council level. He continued that he knows Councilor Filiault and Chair Greenwald are not in favor of the covered pavilion at Railroad Square, but now all these items are included in one motion. He suggests they vote for this motion and then save their conversation about their opposition to certain items for the Council meeting. Otherwise, they have to bifurcate this out.

Mr. Lussier stated that he wonders if this is going to raise a concern with reconsideration of an item

during the same calendar year. He continued that maybe if the Council is okay with it, they could forget to include it as a bid alternate. The City Attorney replied no, they cannot do that. Chair Greenwald replied that they do not need to have it as part of this motion; they could go with the bid alternate. Mr. Lussier replied that they could include it as a bid alternate, which is easy enough. City Manager Elizabeth Ferland stated that she recommends they include it as a bid alternate, since that was the original decision. Chair Greenwald replied that his intention, when the time comes, is to delete the pavilion from the project. He continued that they do not need to divide the motion. It is fine as it is, as is Councilor Filiault's second.

The motion passed unanimously.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: **Proposal to Implement a "Protection of Streets" Program**

Council Action:

In City Council March 6, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to draft an Ordinance to disincentivize the cutting of newly paved roadways and sidewalks for a period of five years after construction.

Attachments:

None

Background:

Mr. Lussier stated that this is a continuation of last month's discussion, when he came to the Committee with a proposal to change the City's Ordinances related to the cutting of streets in the years immediately after a road gets repaved. He continued that as he mentioned, a number of municipalities in the state have implemented this sort of program. The Committee and the City Manager raised some excellent concerns about how this program could potentially impact individual property owners who might not have the foresight to know that their sewer line will fail in the next couple of years and do not have a lot of choice in terms of having to fix it. Thus, staff did more research and came up with more comparisons for the Committee. They looked at five municipalities with similar programs in their Ordinances. The agenda packet has a table comparing those five. Concord, Dover, and Manchester all have Ordinances so similar that they are almost verbatim; clearly, they were learning from each other as they went along, with some minor flavor differences. The biggest difference is with Dover; they added a refundable security deposit in addition to the damage fee they collect. It is a \$7-per-square-foot fee they collect on every excavation. If it is within two years of being paved, they multiply that damage fee by three. If it is within two and five years of being paved, they multiply that by two. They also charge a refundable deposit of seven dollars (per square foot).

Mr. Lussier continued that the City has a similar refundable deposit, of \$500. A year after the patch is completed, they go out and inspect it, and if everything is holding up the City returns that deposit to the contractor. Manchester and Concord do not have that refundable deposit. Portsmouth does it a little bit differently. They have a lump sum fee of \$250 for the permit. If there is cutting within two

years, they charge four times that amount. If there is cutting within one year, they charge five times that amount for the permit, and it graduates; Portsmouth has five different fees.

Mr. Lussier continued that Nashua is completely different. They do not have any damage fees, per se; instead, they make the contractor that is doing the excavation in the newly paved street do a much more extensive repair. He asked the City Engineer to go through and estimate how much it would cost to do that repair work for a typical trench of about four feet wide, 15 feet long, and he came up with an estimate of about \$6,000, under Nashua's fee structure. In order to excavate three feet in such a trench to replace all the material with new, imported gravel and mill and overlay the full width of the roadway for 50 feet in each direction. Thus, it is a hefty cost.

Mr. Lussier continued that compared to our peer communities, the City of Keene charges a modest amount for work within the roadway. That does not answer the question the City Manager raised about what the impact is to property owners. Concord and Dover both include in their Ordinances an incentive to do work proactively. If you are excavating in a street that is scheduled to be repaved within the next 12 months, they waive all damage fees. In that case, their fee would go from \$1,200 to the \$200 or \$250 permit fee. That is how they incentivize it. If the City were to do a program like this, he suggests extending that to two years. The City is able to lock in the paving list well in advance. Unless there are extreme circumstances, they do not change that list two years out. He suggests that within two years of a scheduled paving, they waive the fee. As part of this program, the City would be required to notify property owners who live on streets scheduled for paving as early as possible, not less than 12 months in advance. Residents can look at the CIP and see where their street is in the schedule, but the City would reach out to property owners with a letter at least 12 months in advance, trying for two years in advance. The letter would say when the City would be paving and recommend that property owners do any needed water, sewer, or drainage service connection before then so they could take advantage of the waiver period. That is a way the City could mitigate impacts to individual property owners.

Mr. Lussier continued that he is looking at another option, but he has not yet had a chance to have it vetted by the City Attorney's Office. He will not put the City Attorney on the spot tonight, but his (Mr. Lussier's) interpretation of Chapter 31 – Powers and Duties of Cities is that paragraphs in that would allow the City to finance the construction of repairs. The way he envisions this working would be a property owner knows the City will be paving their street and they know they need to replace their sewer line because it needs to be flushed every six months, so the property owner gets a price from a contractor to get it repaired. The contractor does the work, and the City pays the contractor for the work that is done. The contract will be selected and agreed to by the property owner, but the City makes the payment in the first instance. Then the City can bill the property owner over a course of time, such as three to five years, as part of their quarterly utility bill. This would not be spending public money on private property; the City would just act as a financing mechanism for the property owner to be able to make that repair before the City does the paving. If the Council is interested in moving forward with this plan, it would need to be looked at by the City Attorney and they would have more detailed conversations, and if it is possible to do this plan, staff would come forward with an update.

The City Attorney replied that the City has already done something similar to this in the past, so a model exists.

Chair Greenwald stated that this would answer his question about the Main St. buildings, too. Mr. Lussier replied that is correct. Chair Greenwald asked if there is an answer. The City Attorney replied that there is a model. He continued that the City has done this in the past for sewer and water infrastructure.

Chair Greenwald stated that his question for Mr. Lussier is what they are trying to do. He continued that people do not plan ahead that their sewer line is going to clog and collapse; they will find out (suddenly), and then in addition to the cost, now there will be a penalty. Mr. Lussier replied that that is a good point. He continued that the City is not trying to raise more revenue. He would prefer to not ever have to collect these penalties. The idea is to try to get property owners to make needed repairs in advance of the street paving to extend the life expectancy of the investment in the infrastructure.

Mr. Lussier continued that he asked the City Engineer to look into how frequently this situation comes up, because it seems like every time the City paves a road, it is cut within three months. The City Engineer looked at the last five years of data, and the estimate is that this situation only happens about once a year. It is probably true to say that it happens more frequently with water main breaks and City infrastructure failures that the City has to repair than it does with private infrastructure.

Councilor Favolise stated that his concern is that if they move forward with this Ordinance, the Ordinance assumes that utility companies or property owners are somehow being irresponsible and waiting until the roads and sidewalks are paved and then suddenly deciding to cut the road. He continued that the sewer and water line gods do not always follow the City's CIP timeline. Thus, he is concerned about property owners finding out they need to repair their sewer or water line and not only do they have that unexpected cost, but now the City is charging a fee as well. He understands that peer municipalities do this, and it is not a novel concept, but he struggles to see this is any other way, even as he understands the intent to preserve the lifetime of the roads and sidewalks that the City paves, than as just another hit to property owners.

Mr. Lussier replied that that was a fair comment. He continued that he does not think most people are doing this maliciously. During the previous nine years when he was in the City Engineer's Office, they had several instances where immediately after the City paves a road, a contractor comes in and says that they have been flushing a line every few months for the last three years and now it has completely collapsed and needs to be replaced. In some instances, it is true that property owners do know they have a problem with their service and are just putting off the replacement for as long as possible.

Councilor Tobin stated that she is sure people are not being malicious when they dig up (the road), just like it is not malicious that every time she moves to a new location, someone starts a construction project next to or across the street from her; it just happens that way. She continued that looking at the policies of other municipalities makes her think other municipalities have been struggling with the same thing. Even if the situation only happens occasionally, if that once-in-a-while situation can be prevented, she thinks it is worth considering.

Councilor Tobin stated that some of the municipalities' policies charge street damage fees based on square footage, such as \$5 per square foot. She asked what the typical cost would be to repair and pave a square foot of space. Mr. Lussier asked if she means for a typical 2-inch overlay. Councilor Tobin replied yes, for whatever they are required to do; she is just looking for an approximation. Mr. Lussier replied that the City Engineer will do some calculations while they are talking.

Councilor Tobin stated that her other question is whether Mr. Lussier thinks it is beneficial to treat all the streets the same, or if they should have different fee structures for different classes of streets, for example. Mr. Lussier replied that he thinks it would be very complicated (to treat different streets in different ways). He continued that it would be a lot to keep track of.

Mr. Ruoff stated that to answer Councilor Tobin's question, it would be about \$4 per square foot, depending on the amount of disturbance. He continued that if you do less paving, the per ton cost of paving increases. This is a defined area; a load of tonnage for asphalt is well defined. For smaller

patching, the cost per square foot “skyrockets.” There is some variability, but in general for what they are describing here, it is about \$4 per square foot.

Chair Greenwald asked if that is in addition to the contractor doing the work. Mr. Lussier replied yes, that is just the cost of restoring the surface. Chair Greenwald asked if that is in addition to the contractor himself doing the work, and this is a penalty. Mr. Ruoff replied that is correct. Mr. Lussier replied that he thinks what Mr. Ruoff is saying is that the cost of paving a patch is about \$4 per square foot. He continued that what the contractor charges the property owner for excavating, replacing the pipe, doing all that work, is a separate fee. Chair Greenwald replied that what they are talking about is in addition to that, a \$5 per foot penalty (or whatnot) to the City. Mr. Lussier replied that is correct.

Mr. Lussier continued that Concord and Manchester both charge \$5 per square foot as a damage fee penalty, for all patches, regardless of whether they are new pavement or not. For every excavation, they charge a pavement damage fee. That \$5 per square foot for a typical patch is right around the \$500 (the City charges) for, say, 13 feet, which has been the City’s typical average over the last few years, about four or five feet deep.

Chair Greenwald stated that he does not see any harm in having Mr. Lussier and the City Manager drafting an Ordinance for the Committee to consider. He continued that the Committee could then (recommend changes to it) or (recommend against the Ordinance). Councilor Filiault agreed.

Chair Greenwald asked for public comment.

Bradford Hutchinson stated that he thinks this is a good idea. He continued that when the City does a project, they do not want it to be torn up too soon; that obviously makes sense. He is in favor of this. Mr. Lussier mentioned other municipalities that have something similar. He asked if the City has information about those municipalities’ experiences with implementing this. For example, how many times they have had to use this program, how effective it is, how well the municipality is able to work with property owners in a win-win situation, whether there is resistance to the program, and so on and so forth. He is asking for a little more information. That would help the City Manager and Public Works.

Councilor Favolise made the following motion, which was seconded by Councilor Filiault.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to draft an Ordinance to disincentivize the cutting of newly paved roadways and sidewalks for a period of five years after construction.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: **2025 Construction Season Update**

Council Action:

**In City Council March 6, 2025.
Report filed as informational.**

Recommendation:

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the report as informational.

Attachments:

None

Background:

Bryan Ruoff, City Engineer, stated that he is here to update the Committee on projects that are either going into construction in 2025 or major construction projects that have updates. He continued that the Downtown Infrastructure Project is not listed because it was already discussed tonight.

Mr. Ruoff gave the following updates:

- The Marlboro St. and the Cheshire Rail Trail project is currently out to bid for construction. A bid opening is scheduled for Tuesday, March 4, with construction anticipated for the spring of 2025.
- The Island St. Road Reconstruction project involves water, sewer, sidewalk replacement, paving, and a traffic signal replacement in West St. at Island St. It is currently being publicly bid, with a bid opening scheduled for March 25. The project is funded by the City and anticipated to go forward in the spring of 2025.
- The Key Road Drainage Replacement project was built into the CIP under future fiscal funding years, but due to conditions that arose, sinkholes being created over the existing storm drain, this project was expedited. The project is in preliminary design with SLR Consulting and is scheduled and anticipated to be bid and go out to construction in the summer of 2025. Construction is expected to finish in the fall of 2025.
- The Lower Winchester St. project is not scheduled for construction this year. It is in preliminary design with the consultant, McFarland Johnson. They anticipate preliminary design to be complete in about June of 2025; then, NHDOT will perform the property assessment and acquisitions for the project in conjunction with McFarland Johnson performing the environmental permitting. They anticipate this to take about 18 months. The project is scheduled and anticipated to be bid for the

summer of 2027 construction.

- The Transportation Heritage Trail Phase I is in final design with Stantec Consulting. They are performing the right-of-way acquisitions for the project and received archeological and historic review approval for the project recently. They plan to go to bid for construction in the summer of 2025.
- The George Street Bridge Replacement project is in preliminary design and moving forward to final design. McFarland Johnson has an expected completion of final design date for summer 2025 bidding. This project is NHDOT funded, 80% federally funded with a 20% City match.

Mr. Ruoff stated that those are the major infrastructure projects. He continued that the remaining projects are ones that are executed by the City Engineering Division. The 2025 Road Rehabilitation Project has several roads throughout the city, including Bank St., Cedar St., Cone St., Hamden St., Iceland St., Needle St., Queens St., Robbins Rd., Robbins Ct., Russell St., Sawyer St., Stanhope St., Thornton St., Warren St., Wheelock St., Winchester St. for Main St. to Island St., and Worcester St. This project is currently out to bid with bid opening scheduled for next Thursday, March 6, for spring construction of the project. A similar pavement maintenance project out to bid is a City Surface Parking Lot – Shim Overlay. The City-maintained parking lots included in this are Gilbo East, the Library Annex, the Elm St. lot, the Wells St. lot, and Roxbury Plaza. Bid opening is Thursday, March 6. There are two types of road rehabilitation projects they are currently bidding on: a fog seal project and a micro-surfacing project, which is a very thin layer of asphalt that protects the pavement from further degradation. The fog seal project is more like a sealer and includes Adam Ct., Adam St., Avalon St., Bridge St., Elliot St., Gate St., Gilsum St., Kingsbury St., Moore Farm St., North Perham St., Proctor St., Richard St., River St., School St., South Sullivan Rd., Valley St., Village St., Woodburn St., and Woodbury St. The Preservation and Micro-surfacing project limits include Edgewood St., Greenwood St., Kenworth St., Lynwood St., Park St., Riverton St., Walker St., and West St. Both projects are currently out to bid with a bid opening scheduled for Thursday, March 13, with construction anticipated for late spring or early summer in 2025. Currently, three roads are scheduled for the Sidewalk Replacement Project this year: Gardner St., Jennison St., and Willow St. That project is currently out to bid with a bid opening scheduled for Thursday, March 6.

Mr. Ruoff stated that he would be remiss not to include two other projects they just received NHDOT approval to go to construction on, the Sewer Main Lining and Sewer Manhole Lining projects. Those will both be awarded probably within the next week. They expect construction will begin in April of 2025. That project will take about two years, given the amount of work involved. They will keep the Committee and Council updated monthly.

Chair Greenwald stated that he is stunned by how much work is planned for the summer. He continued that if anyone is wondering where their tax dollars are going, it will definitely be obvious. He asked if Mr. Ruoff could prepare his written update to be given to Councilors for the next Council meeting. Mr. Ruoff replied yes, the plan is to issue a monthly update on the major projects and projects during construction, to be delivered to Councilors' mailboxes. Chair Greenwald replied that Councilors get a lot of questions from constituents regarding what is happening and when, and it is great to have the answers. He continued that for the Council meeting, it would be easier to have the written update/list there in front of them, so Mr. Ruoff does not have to run down the list like this. He thanked Mr. Ruoff for a great presentation.

Chair Greenwald asked for public comment. Hearing none, he asked for a motion.

Councilor Tobin made the following motion, which was seconded by Councilor Filiault.

On a vote of 4-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the report as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Will Schoefmann, GIS Coordinator
Through: Elizabeth Ferland, City Manager
Subject: 2025 Flyover and City Base Map Update Project - Final Scope and Fee

Council Action:

In City Council March 6, 2025.

Voted unanimously to suspend the Rules of Order, Section 26 to consider and act upon a contract for the 2025 Flyover and City Base Map Update Project.

Voted unanimously to carry out the intent of the recommendation.

Recommendation:

That the City Manager be authorized to do all things necessary to negotiate and execute a contract with the selected firm, Kucera International Inc. for their professional services for an amount not to exceed \$150,000.00 and should negotiations fail, allow for negotiations with the next highest ranked firms in order.

Attachments:

1. 61894_Keene_Updated Cost Schedule(02242025)_ (003)
2. November 21, 2024 Council Action

Background:

This item went to the Finance, Organization and Personnel Committee, and was subsequently unanimously approved by the City Council at their regular meeting on November 21, 2024. The Council's action did not include the amount not to exceed \$150,000 as per the CIP allocation, although it was discussed at the Committee level and included in the background notes. The action of the Council is attached for reference.

After initial negotiations with Kucera, it was determined that everything the City was looking for, including the bid alternates, would be able to be accomplished for the cost of \$110,047.50, an amount still under the CIP allocation of \$150,000. The increase to the base bid and the total contract is due to a number of factors including: increased collection area around the airport to capture locations of their beacon and light arrays; additional specifications to the Lidar collection that will assist in development of the 3D building product the City's requested; important additions to the planimetric features being captured in this project including light and utility poles, street signs, guard rails and fences as requested by the Engineering division of Public Works.

City of Keene - Kucera Spring 2025 Flyover and Base Mapping Project	Original 279 tiles	New 286 tiles
Project Initiation, Flight, and Imagery Capture	\$12,000.00	\$12,300.00
Lidar Collection	\$13,000.00	\$13,325.00
Topographic Data Mapping	\$12,000.00	\$12,300.00
Image Products	\$5,000.00	\$5,125.00
Planimetric Products	\$28,000.00	\$28,700.00
Base Bid Sub Total	\$70,000.00	\$71,750.00
Alternative Three- Inch Aerial Imagery Additional Cost	\$13,000.00	\$13,325.00
Alternative Infrared Aerial Imagery Additional Cost	\$5,000.00	\$5,125.00
Alternative Lidar-Derived Slope and Hillshade Models Additional Cost	\$1,000.00	\$1,025.00
Alternative Lidar Downtown/Airport Color 3D Rendered Models Additional Cost	\$1,000.00	\$1,025.00
Alts Sub Total	\$20,000.00	\$20,500.00
Base and Alts Sub Total	\$90,000.00	\$92,250.00
Options: Additional lidar classifications (water, buildings, & vegetation)	\$3,000.00	\$3,075.00
Options: Vectorized 3D Building shapes for downtown and airport areas	\$7,500.00	\$7,687.50
Options: add light poles, utility poles, street signs, guard rails, and fences (City area only)	X	\$6,500.00
Options: add fences (airport area only)	X	\$535.00
Total cost, all alternatives and options included	\$100,500.00	\$110,047.50



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.10.

Meeting Date: November 21, 2024
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: 2025 Flyover and City Base Map Update Project - Bid Award Recommendation

Council Action:

In City Council November 21, 2024.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 roll call 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 the selected firm, Kucera International Inc. for their professional services; and should negotiations fail, allow for negotiations with the next highest ranked firms in order.

Attachments:

None

Background:

GIS Coordinator Will Schoefmann was the next to address the committee. Mr. Schoefmann stated he was before the Committee asking for a favorable motion regarding the selection team's recommendation for a firm to conduct the City's 2025 fly over for updates to the City base mapping for the GIS system.

He indicated the City received three bids on its RFP and the selection committee is recommending offering the contract to Kucera International Inc. Mr. Schoefmann stated this entity conducted the previous fly over for the City in 2020 and the City found them to be fiscally responsible and met all of the criteria the City was looking for.

Councilor Lake asked Mr. Schoefmann to provide a quick overview of some of the alternatives included in the RFP. Mr. Schoefmann stated to have an exact comparison which doesn't always work out; the bid alternatives get confusing because the firms like to respond in their own manner. The base bid was for 100 scale mapping which the City currently has. This proposal would increase that with some accuracy levels on the planometric features which are things like buildings, roadways, and other such features. For Wetlands, Infrared, Lidar/Slope and hill shade the City has a model that it uses.

He indicated the one item that the City did not get previously, but are intending to with this proposal is

to increase the level of its capabilities with 3D GIS, by adding that with the downtown and airport. The airport has many lease areas and there are many changes going on in the downtown.

Chair Powers asked for the price of the contract. Mr. Schoefmann stated at the present time with everything included it is approximately \$90,000. The City has funding available through the CIP is for \$150,000 which has been allocated. He added some of the 3D modeling that the City is interested might cost a little more, but staff has a directive not to exceed that budgeted amount.

Councilor Chadbourne noted one year on the assessing site they had everything such as water lines, fences in great detail etc, and asked whether this falls under planometrics. Mr. Schoefmann answered in the affirmative. The Councilor stated this is an expensive project, but she felt it was a worthy tool to have.

Councilor Lake asked whether the City expects to see any other costs outside of the \$90,000 estimate and asked whether the 3D modeling would be at an extra cost. Mr. Schoefmann stated the only additional cost would be staff time. With respect to 3D modeling, the City would get something that is 3D GIS in the form of Lidar Point Cloud, but there might be gaps in this because of how the collection occurs. However, for the true 3D view there is no estimate yet but the Manager would need authorization to negotiate that additional contract. The plan is to keep it within the budgeted \$150,000.

The Chair asked how often this work is done. Mr. Schoefmann stated the complete mapping project is done every ten years but there is interim project for imagery update and limited planometric which alternates every five years.

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

On a 5-0 roll call 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 the selected firm, Kucera International Inc. for their professional services; and should negotiations fail, allow for negotiations with the next highest ranked firms in order.



CITY OF KEENE NEW HAMPSHIRE

ITEM #J.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Relating to Master Boxes
Ordinance O-2025-03-A

Council Action:

In City Council March 6, 2025.

Report filed as informational. Voted unanimously to adopt Ordinance O-2025-03-A.

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2025-03-A.

Attachments:

1. O-2025-03-A Master Boxes
2. O-2025-03-A Master Boxes - Redlined Markup

Background:

Rick Wood, Fire Marshall and Building Official, introduced himself and Fire Chief Jason Martin. He continued that he and Chief Martin were here last month, so tonight, they will give a briefing on what has been updated and what they have done since then. At the last meeting, they had some questions from the public. He and Chief Martin met with that individual to explore the concerns, made some adjustments, and finished up with the A version (of the Ordinance) that the Committee has before them tonight. From his and Chief Martin's perspective, they are ready to go and they believe they have answered the questions. They welcome the Committee's questions.

Chair Greenwald stated that they answered a big question he asked them a couple of days ago. He continued that in essence, this is giving choice to the building owners in terms of how they communicate to the Firehouse. It sounds like more flexibility. He would ask, as a backwards question, what surprises are in (the Ordinance), such as new regulations.

Mr. Wood replied that the surprise is that they are reducing the regulations. He continued that he did not count the exact number of occupancy types, but for instance, instead of telling nine occupancy types that they must connect to the (Fire Department's) system, they will no longer do that. The decision of how to communicate to the Fire Department is now left to the building owner or building manager as long as it is in compliance with the National Fire Alarm Code as adopted. Chair Greenwald replied that that sounds good.

Councilor Filiault stated that he chaired that meeting (last month), and he wants to commend Mr. Wood, Chief Martin, and the public. He continued that it was amicable, with well-thought-out questions and well-thought-out answers, and he thanked them for a thorough presentation.

Chair Greenwald asked for public comment.

Jared Goodell of 39 Central Square stated that he was the member of the public who had concerns at the last meeting. He continued that many of his concerns were either answered in a way that he thinks is good for building owners or were addressed via changes that he thinks are good for building owners. He met with the Fire Chief and the Fire Marshall about this Ordinance, and he thinks that it is tuned up and makes sense for the City and for building owners.

Councilor Tobin made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2025-03-A.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Master Boxes

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 in various sections throughout Division 3 “Fire Alarms” and inserting the bolded text; and deleting in their entirety Section 34-98, “Occupancies Requiring Connection,” Section 34-99, “Aerial Connection,” Section 34-100 Underground (Direct Burial) Connections,” Section 34-101 “Same-Underground (Buried Conduit) Connections,” Section 23-102, “Lighting Protection,” Section 34-103 “Grounding,” Section 34-105 “Responsibility,” Section 34-106 “Exceptions,” and renumbering of the remaining sections in Division 3 as follows:

Sec. 34-91. Standards.

All alarms installed in the City pursuant to this division shall conform to the standards set forth in, NFPA 72 National Fire Alarm Code 2016 Edition, NFPA 1 Uniform Fire Code, and NFPA 101 Life Safety Code, as adopted **as part of the State Fire Code in accordance with NHRSA 153:5 and administered** in Chapter 42 of this Code, entitled Fire Prevention and Protection. Additional requirements for the installation of alarm initiating equipment in the City shall be as provided in this division. **Except as defined herein, applicable definitions contained in the referenced codes, statutes, or rules apply.**

Sec. 34-92. General requirements for installation.

- (a) Before the installation or expansion of any ~~interior~~ fire alarm system, ~~master box, or street boxes for new rights-of-way is begun,~~ the company responsible for the proposed system installation shall submit **a permit application with a** detailed set of plans, ~~blueprints,~~ specifications, **calculations, material cut sheets,** etc., outlining the system and its components **and intended operation** to the **City fire department** ~~marshal’s office~~ for review and approval.
- (b) A permit shall be obtained from the **City fire department** for the installation of any **fire alarm system or radio** master box. A fee as set forth in the schedule of fees in appendix B to this Code shall be paid upon application for the permit.

- (c) Installation of a knox box (key box) shall be required at all locations where a fire alarm system is being installed or is currently in use. Knox box shall be located next to the main entrance at the discretion of the **City** fire department. Apartment buildings with more than two floors will require a key in the box for each floor and therefore require a larger knox box. Multiple building complexes shall have a knox box on each building in the complex for rapid entry of emergency personnel and **location** shall be approved by the **City** fire **chief, or designee** department. Applications are available at the **City** fire department.
- ~~(d) All fire alarm equipment shall be new and shall be furnished and installed by the owner of the property protected and/or by the developer of the new right-of-way.~~
- (d e) If trouble or faults develop in any part of a private system, it shall be the prerogative of the **City** fire department to disconnect any part or all of the private system from the municipal circuits **or radio frequencies**. The owner or agent of the protected **premises** property shall be notified of the disconnection.
- ~~(e f) Any or all parts of existing fire alarm systems in a building undergoing renovation shall conform to the requirements for new installations.~~
- (f g) All installations shall conform to the requirements of **the state building code and state fire code as applicable, the adopted NFPA standards**, the International Municipal Signal Association (IMSA), or any applicable code in effect.
- ~~(g h) Access to the protected premises property shall be made available to the City fire department.~~
- (h i) Code wheel **Box** numbers for all **radio** master boxes shall be **assigned and/or** approved by the **City** fire department.
- (i j) A service charge per calendar year shall be assessed for each **radio** master box connected to the municipal **system** circuit. This shall include existing and new **radio** master boxes. New systems installed shall be charged a pro rata amount per month or part of a month, until ~~June~~ **December 3rd** of the installation year, after which the annual fee will take effect on ~~July~~ **January 1st**. The charges required in this subsection are as set forth in the schedule of fees in appendix B to this Code.

Sec. 34-93. ~~Supervisory Fire Alarm control~~ Control panel Unit (FACU).

- (a) A ~~supervisory control panel~~ **FACU** shall **include visual and audible annunciation** be installed with the fire alarm system for the purpose of identifying location, **acknowledging**, resetting and/or disabling alarms. **Keys for panel** Panel locks, **pull stations or other fire alarm system components** shall be **provided for installation in the knox box(s) servicing the location.** ~~eyed for "CAT-60" or "Simplex B" key.~~
- (b) The supervisory control panel shall, **at a minimum** feature the following:
 - (1) Zone/**address indication and description.**
 - (2) Alarm silence switch.
 - (3) System reset switch.
 - (4) Trouble buzzer and light.
 - (5) Trouble silence switch.
 - (6) ~~Ring back feature.~~ City bypass switch or soft key, when activated, disables transmission of all alarms to the radio box. **Radio box to transmit a supervisory alarm when city bypass is activated indicating off normal upon test.**
- (c) All controls shall be secured from use by **unauthorized** occupants of the protected **premises** property.

- (d) **Each installed fire alarm system will service no more than one building unless approved by the City fire chief, or designee marshal. In no case will a fire alarm system serve more than two buildings unless all buildings served are physically connected.**
- (e d) ~~In an installation where the fire alarm system is installed in (i) more than one building or (ii) more than one floor, an annunciator panel shall identify the location of all originating signals. Normally, one zone per floor is adequate. The fire department may require more zones depending on building size, occupancy or hazard protected.~~ **Conventional zoned fire alarm systems in buildings greater than 2000 SF aggregate require independent annunciation for each floor. Where floor area exceeds 9999 SF, multiple zones will be required on that floor covering areas no greater than 7500 SF per zone. Sprinkler flow zone annunciation shall be by floor level as a minimum.**
- (f) An annunciator shall be required in a multi-zoned property near the main fire department access to the ~~premises~~**property as approved by the City fire chief, or designee department.** This may either be the alarm control panel or a remote annunciator panel with control functions. In an installation where an additional fire alarm system is installed in new building additions and connected to the existing approved system in the original building, an annunciator panel shall be installed on the inside of the new building addition or at a location designated by the **City fire chief, or designee department.**
- (g e) ~~The supervisory control panel (FACU) shall conform to the requirements of the~~ **adopted edition of NFPA 72 and the following City fire department requirements:**
 - (1) Access to the control functions of the alarm system by **City** fire department, ~~and~~ alarm service personnel, **and site management personnel approved by the City fire chief, or designee, marshal** only.
 - (2) ~~When the panel is indicating zone trouble, activation of a pull station shall initiate the alarm.~~
 - (2 3) Upon activation of a detector or pull station, the panel shall lock on the initiating circuit with audible and visual indication. Silencing the audible shall not cause ~~the~~ **visual notification devices nor the panel FACU** to reset.
 - (3) **All duct smoke detection shall active a non-latching supervisor signal upon activation and cause the affiliated ventilation equipment to be shut down.**

Sec. 34-94. Connection to municipal circuits - master box. (mechanical or electronic)

- (a) ~~Effective with the passage~~**Upon the effective date of this ordinance, no additional master boxes will be permitted or added to the fire alarm system; provided, however, that master boxes connected to the fire alarm system as of that date shall be required to continue to function and shall be properly maintained until January 7, 2026. Installations within 2,000 linear feet of the area served by the municipal alarm system but not requiring direct fire department notification under section 34-98 of this Code may be connected to this system by a master fire alarm box if direct fire department notification is desired.**
- (b) ~~Within 30 days of passage, all owners of property with a master box connected will be notified in writing effective January 6, 2026, at 10:00 AM, the city will no longer be maintaining or monitoring the municipal wired fire alarm system. All connected fire alarm systems will be required to be modified to utilize another approved monitoring method indicated in the adopted edition of NFPA 101. Such modification shall require a permit from the city fire marshal and shall be complete and functioning~~

~~prior to 5:00 PM on January 2, 2026. The fire alarm master box for connection to municipal circuits shall be by Gamewell, either new or factory reconditioned, as approved by the fire department.~~

~~(c) — The master box shall be accessible year round from a walkway or entranceway. (see exceptions) —~~

~~EXCEPTION 1 — If a master box serves multiple buildings, a system of private roads and drives are required to access the property, a pedestal mounted box with remote annunciator shall be located at the entrance to the property, or, at the first road intersection in the development. —~~

~~EXCEPTION 2 — If a master box serves multiple buildings and if access to the development is by a single road, the master box with remote annunciator shall be located on the outside of the first building approached providing no roadway intersections have been crossed prior to reaching this annunciator, and the building is not in excess of 35 feet from the curb line. —~~

~~(d) The master box shall be mounted at a minimum of 42 inches and a maximum of 54 inches, measured vertically, from the finished grade to the activating handle or lever of the box. —~~

~~(e) The master fire alarm box shall be of the local energy type with the following features: —~~

~~(1) Noninterference. —~~

~~(2) Quick succession. —~~

~~(3) Automatic grounding under open municipal circuit. —~~

~~(4) Telegraph key (mechanical). —~~

~~(5) Tap bell (mechanical). —~~

~~(6) Lock and key (fire department specification). —~~

~~(7) Code wheel index (fire department specification). —~~

~~(8) Manual actuating level. —~~

~~(9) Timing one half second. —~~

~~(10) Shunt type boxes are not approved to be on the City of Keene Fire Alarm Circuits as of the adoption of this section. (Ref. NFPA 72 A.27.6.3.2.2.1(2)) —~~

~~(f) Flush mounted boxes shall be weatherproof. —~~

~~(g) A red beacon strobe shall be mounted above the master fire alarm box. This light shall flash upon activation of the interior fire protection system. Installation of these units will be at the discretion of the fire department. —~~

Sec. 34-95. Connections for radio box fire alarm system.

(a) The entire system shall be installed according to the following: manufacturer installation requirements, per NFPA 72 and NFPA 1221.

(b) The radio alarm box shall be SIGCOM DTX, 4 zone or 16 zone radio box or compatible to be received by the SIGCOM Vision 21 Receive Module and approved by the **City fire chief, or designee** department. The box shall meet NFPA 72 and be Factory Mutual approved.

(c) The radio alarm box shall be installed in the same location as the fire alarm control panel. If building size prevents the installation of the radio alarm box and **FACU/FACP** in the same location, due to radio antenna cable length, the **City fire chief, or designee, department shall may** approve an alternate location for the radio alarm box.

(d) The fire alarm control **unit (FACU) panel** shall be connected to the radio alarm box **and programmed to activate the radio box transmission in accordance with the submitted**

and approved sequence of operation matrix. ~~in such a way that when a zone is activated only the corresponding zone of the radio alarm box will be activated.~~ **At a minimum transmission shall include alarm, trouble, and supervisory signals.**

- (e) Radio alarm box zone assignments ~~will~~ **shall** be reviewed and approved by ~~made in consultation with the fire department~~ **the City fire department marshal's office.**
- (f) The **City fire chief, or designee,** ~~department~~ will issue the radio alarm box number.
- (g) Radio alarm boxes shall be programmed to self-test **at a frequency required for compliance with the adopted edition of NFPA 73** ~~once daily.~~ The **City fire chief, or designee** ~~department~~ shall ~~assign~~ **approve** the time of the daily test(s). The test time(s) will be listed on a sheet inside the radio box. **Any condition other than normal on the FACU shall cause the radio box to transmit a supervisory alarm indicating it is off normal upon test.**
- (h) Relay I/O boards are required for each zone in the radio alarm box.
- (i) ~~There shall be no means of disconnecting the fire alarm from the radio alarm box.~~ Any disconnection means preventing the alarm transmission may be approved in limited situations and at the sole discretion of the **City fire chief, or designee** ~~marshal.~~ Disconnection of the FACU transmission to the radio box will cause a supervisory signal to be displayed on the FACU and transmit a supervisory signal to the radio box.

Sec. 34-96. Radio alarm box antenna requirements.

- (a) Antennas for radio alarm boxes shall be installed according to the following: Manufacturer installation requirements.
- (b) Antenna location shall be determined during consultation with the **City fire chief, or designee** ~~department.~~
- (c) Antennas must be installed above the roof or flashing.
- (d) The antenna shall not be mounted within 20 feet of an air handling unit.
- (e) Antenna runs less than 100 feet shall meet or exceed RG213.
- (f) If an antenna cable run exceeds 100 feet, the contractor shall contact the distributor for an acceptable alternative solution.
- (g) A listed raceway ~~rigid aluminum~~ or galvanized steel conduit shall protect any antenna cable. ~~mounted outside.~~
- (h) A service box and weatherhead shall be installed at the antenna mounting location.

Sec. 34-97. Acceptance test.

- (a) The **City fire chief, or designee,** ~~department~~ shall inspect **and witness testing and commissioning** of the radio box system once installed.
- (b) ~~Once accepted, the radio alarm box shall not be opened by the installer, fire alarm system installer, sprinkler service contractor or by any other person.~~
- (b e) The **City fire department** shall be contacted **when no city bypass key or switch is present,** to take the radio box offline when maintenance or repair is required to be performed on the radio box.

Sec. 34-98. Occupancies requiring connection.

~~The following occupancies, if new or being introduced where no such occupancy previously existed, shall have fire alarm systems connected to the fire department via the municipal alarm~~

system if within 2,000 linear feet of the area served by the municipal alarm system or by way of radio alarm box. This requirement may be waived by the fire chief or his designee, if for technical reasons there is insufficient pole space to allow for municipal alarm system connection or the location does not allow for the use of a radio alarm box. If said waiver is granted, the installation shall employ an alternate monitoring system as approved by NFPA 72, as adopted. All waiver requests shall be made in writing to the fire department. All cost associated with a desired or required connection to the municipal fire alarm system shall be the responsibility of the property owner. Any occupancy that requires emergency forced notification shall submit an emergency call list to the Keene Fire Department on an annual basis with addresses and phone numbers where they can be reached 24 hours a day seven days a week.

- (1) Assembly occupancies with occupant load of 300.
- (2) Educational facilities with more than six students.
- (3) Daycare centers with more than 12 clients.
- (4) Hospitals, nursing homes, and limited care facilities.
- (5) Detention and correctional facilities.
- (6) Hotels, motels, and dormitories housing more than 16 persons.
- (7) Residential board and care facilities with four or more occupants having a slow evacuation capability.
- (8) Class A mercantile occupancies covered malls and covered mall buildings as defined by NFPA 101 Life Safety Code.
- (9) Industrial occupancies with total capacity of 100 or more persons or if more than 25 persons are above or below level of exit discharge.
- (10) Underground or windowless structures (excluding one or two family), occupied towers and high rise occupancies as defined by NFPA 101 Life Safety Code.
- (11) Any special hazard/extra hazard use or occupancy as determined by the fire chief and/or his designee.
- (12) Apartment buildings four or more stories in height or housing 12 or more units.

Sec. 34-99. Aerial connection.

Standards for aerial connections to municipal fire alarm circuits shall be as follows:

- (1) Provide a minimum of one half inch EMT terminated with a weatherhead, located a minimum of 16 feet above the finished grade from the master box.
- (2) Provide a utility grade eyebolt or similar approved device next to the weatherhead, properly secured to support the aerial cable.
- (3) The maximum allowed span for aerial cable is 200 feet. For distances from the weatherhead to the utility pole exceeding 200 feet, additional poles will be required.
- (4) Install two #12 AWG, THWN solid conductors from the master box to the weatherhead. These wires may not be the same color.
- (5) The path for the aerial service may not cross over buildings or through trees. Branches shall be cut to provide clear spaces for the aerial cable.

Sec. 34-100. Underground (direct burial) connections.

Standards for underground (direct burial) connections to municipal fire alarm circuits shall be as follows:

- (1) The connection shall be four conductor, #12 AWG solid conductor, shielded polyethylene jacket, ISMA certified, direct burial cable, in one unspliced length from the master box to the utility pole or splice box designated by the fire department.

- (2) Provide rigid steel conduit from 12 inches below the finished grade to the master box as protection for the cable. A bushing shall be used at the end of the conduit to protect the cable.
- (3) Provide a sweep ell of rigid steel and one ten-foot length of rigid steel conduit at the utility pole.
- (4) Extend the cable up the pole using schedule 40 PVC electrical grade conduit to a height approximately 18 inches above existing telephone cables. Terminate it using a weatherhead.
- (5) Provide a schedule 40 PVC sleeve under all traveled ways, including walkways, parking lots, driveways and patios.
- (6) The cable shall be bedded in screened sand completely surrounding the cable, a minimum of six inches on the top, bottom and sides.
- (7) The minimum depth of the cable below the finished grade shall be 24 inches.
- (8) Provide aerial fire alarm pole splice block.

Sec. 34-101. Same – Underground (buried conduit) connections.

Standards for underground (buried conduit) connections to municipal fire alarm circuits shall be as follows:

- (1) Provide an IMSA certified four conductor #12 AWG solid conductor polyethylene jacket duct cable installed in one-inch minimum schedule 40 PVC.
- (2) Conduit shall be cemented at all joints.
- (3) Conduit shall be buried to a depth of 18 inches minimum below the finished grade.
- (4) Termination of the conduit at the master box shall comply with section 34-105(b).
- (5) Provide a sweep ell of schedule 40 PVC and one ten-foot length of rigid steel conduit at the utility pole.
- (6) Extend conduit up the pole and terminate it per section 34-105(d).

Sec. 34-102. Lightning protection.

- (a) Lightning protection for connections to the municipal fire alarm service shall be provided by the contractor consisting of a TII Model 317A located inside the master box.
- (b) The fire department will install Additional protection at the utility pole as required.

Sec. 34-103. Grounding.

- (a) The fire alarm box and the lightning arrestor for connections to municipal circuits shall be grounded as follows:
 - (1) A common ground for both devices is acceptable.
 - (2) Ground wire shall not be run in the same conduit as fire alarm wire.
 - (3) An unenclosed no. 8 copper wire or equivalent shall be used to connect the ground terminal of the master box and/or street box to the suitable ground in order to provide mechanical strength.
 - (4) If enclosed in metal pipe, a no. 12 wire may be used.
- (b) Suitable grounds are as follows:
 - (1) Underground metallic water piping system.
 - (2) Ground rod not less than one-half inch in diameter and eight feet long driven into permanently wet soil.
- (c) The resistance of a ground connection shall not exceed 250 ohms.

~~(d) — Power company neutral conductors are not acceptable grounds.~~

Sec. 34-10498. Testing.

- (a) The fire alarm system and its components shall be tested, in its entirety, by the person responsible for the installation. This test shall be conducted in the presence of **the City fire chief, or designee**, a member of the fire department prior to the connection of the **radio master box**. ~~to the municipal circuit.~~
- (b) It shall be the responsibility of the owner of the protected **premises property** to completely test the fire alarm system once a year. This test shall be reported in writing to the **City fire chief, or designee** ~~department~~.
- (c) The owner/developer of any protected **premises property** connected to the municipal system by a **radio master fire alarm box** shall notify the **City fire chief, or designee**, ~~department~~ for disconnection prior to testing of the system.
- ~~(d) All master boxes and street boxes shall be tested for operation no less than required by NFPA 72 by the fire department during regularly scheduled work shifts.~~
- (d e) If an owner, **lessee**, or occupant of a protected **premises property** requests assistance from the **City Keene Fire Department** in conducting fire drills after normal business hours a fee will be charged as set forth in the schedule of fees in Appendix B.

Sec. 34-105. Responsibility.

- ~~(a) It is understood that the owner/developer of the property shall be responsible for all fire alarm line construction, whether aerial, underground, or Radio alarm box, from the fire alarm box to a fire alarm circuit designated by the fire department. This is to include all appropriate pole hardware and connection devices.~~
- ~~(b) All costs of equipment and installation, including extension of the municipal service, shall be the responsibility of the owner/developer at the time of installation and connection to the municipal system.~~
- ~~(c) Aerial extensions of the municipal service shall be installed by the fire department and shall be charged to the owner/developer on a time and material basis.~~
- ~~(d) Underground extensions of the municipal service shall be installed in accordance with the specifications of the fire department by the owner/developer.~~
- ~~(e) Upon completion of a satisfactory test of the fire alarm system by the fire department, the system shall be tied into the municipal fire alarm. No one shall make these tie ins but the fire department.~~
- ~~(f) After the tie in is made, the new line then becomes the property and responsibility of the fire department.~~

Sec. 34-106. Exceptions.

~~It is intended that the requirements in this division provide a basis for providing a reliable, cost effective means of meeting the protection goals of the city. It is expected that requests for clarification and for specific variances to this division may be made from time to time. Requests for clarifications and/or variances should be made in writing to the fire department. Every effort will be made by the fire department to provide solutions to individual problems. The fire department welcomes any input which may improve the system's reliability or provide an equal system at reduced cost. Such adjustments as may be made to this division will be made at the discretion of the fire chief.~~

Sec. 34-10799. Liability.

The city or any of its employees shall not, under any circumstances, be held liable for the failure of any of the **private fire alarm system** equipment to operate during the transmission of a fire alarm to the fire department console. ~~It is understood that the City fire department will do all that is possible to render trouble free, reliable service.~~

~~**Sec. 34-108. Disconnection.**~~

- ~~(a) *Fire alarm master boxes.* It shall be unlawful for any person to disable or alter the mode of operation of any fire alarm box connected with the municipal fire alarm system. If it becomes necessary for any user of the municipal fire alarm services to access any fire alarm box connected to the municipal fire alarm system in order to alter the mode of operation or disable any so-connected fire alarm box, application shall be made to the fire department.~~
- ~~(b) *Penalties.* For penalties, see section 1-15 et seq. pertaining to penalties and citations for violations of this Code.~~

~~**Sec. 34-109100. False fire alarms.**~~

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
 - Accidental alarm* means any activation of an alarm system to which the **City** fire department responds which is the result of an unintentional occurrence or mishap. This includes burned food, steam from showers, and good-faith assumptions of a fire fire condition.
 - False alarm* means any activation of an alarm system to which the **City** fire department responds which is not the result of a fire, emergency call for assistance, or accidental alarm. This includes alarms improperly or maliciously sounded or alarms that turn out to be groundless or system malfunctions.
- (b) *Prevention, payment of costs.* Any owner or lessee or person in control of property having an alarm system on the premises and any user of alarm services or equipment designed and installed with the intent of eliciting an emergency response shall pay to the city a service charge of \$100.00 for each and every false alarm to which the **City** fire department responds after the initial response within a ~~10~~-30-day period. It shall be the responsibility of the property owner to correct any and all ~~issues~~ **problems** resulting in the activation of false alarms. If the **City** fire ~~chief, or designee,~~ **chief, or designee,** department finds it necessary to disconnect an alarm device or system due to repeated activations, a fire watch may be ordered posted on the premises **at the expense of the owner**, until such time that the protection provided by the system or device can be restored.
- (c) *Appeals.* Any alarm user, owner, or lessee may appeal false alarm service charges in writing to the **City** fire ~~chief, or designee,~~ **chief, or designee,** ~~chief marshal~~ within ten days after receipt of the notice of the service charge. The fire chief may waive assessment of the service charge when, in their ~~his~~ judgment, reasonable attempts are being taken to discover and eliminate the cause of the false alarms.

- (d) *Liability.* ~~The fire department shall take every reasonable precaution to ensure that alarms received are given appropriate attention and are acted upon with dispatch. Nevertheless,~~ **†The City** fire department shall not be liable for any defects in the operation of alarm devices, for any failure or neglect to respond appropriately upon receipt of an alarm from such a source, nor for the failure or neglect of any person in connection with the installation and operation of alarms and systems.

Sec. 34-110101. System maintenance and testing.

(a) ~~No one will be allowed access into an active master box except fire department personnel.~~ **Fire alarm systems** shall be properly maintained in good working order. Systems shall be tested in accordance with frequency and methods as described in NFPA 72, as adopted. ~~The fire department shall be informed of the test prior to its performance.~~ Written documentation regarding test results shall be kept on file on the **protected** premises and forwarded to the **City fire chief, or designee,**~~department~~ **when any deficiencies are noted.** Competent and trained individuals shall complete testing and maintenance.

(b) Any person wishing to test the fire alarm or sprinkler system that is monitored by a master box must notify the **City** fire department at least 24 hours before any test is conducted provided that the master box cannot be disabled at the fire alarm control panel. The master boxes must be plugged out by **the City** fire department at its convenience. The **City** fire department may refuse to allow tests if busy with emergency calls.

(1) **It shall be the responsibility of the party holding the fire alarm access permit to notify the City fire chief, or designee, department before any service is done on alarm/sprinkler systems. It shall also be the party's responsibility to notify the City fire chief, or designee, department when work is completed.**

(2) Any false alarms received without prior knowledge of the **City** fire department are subject to fines per subsection 34-109(b) of this division and subject to permit suspension per subsection 34-111(b).

Sec. 34-111. Fire alarm access permit required.

(a) ~~Access to work on, disable or restore fire alarm systems connected to emergency force notification, excluding one and two family house whole warning fire alarm systems, shall be limited to authorized personnel who have acquired an alarm access permit. Said permits shall only be issued by the fire chief or his designee after an applicant has received and acknowledged that they have read and understand this fire alarm ordinance, have completed an alarm access permit application and have paid the annual permit fee as outlined in appendix B.~~

(b) ~~Unless renewed, all alarm access permits shall expire on December 31 of current year.~~

~~In addition, alarm access permits may be revoked by the fire chief or his designee without refund of the permit fee, if in the opinion of the fire chief or his designee the permit holder has placed protected property at risk, caused three or more false alarms in one calendar year, or violated any other provision of this chapter.~~

Sec. 34-112102. Two-way radio enhancement systems.

- (a) All new buildings shall be tested for adequate radio coverage for emergency responders within the building. Radio coverage is defined as the ability to transmit and receive from the interior of the building to the command vehicle and the dispatch center. Radio coverage must also be capable of transmitting and receiving from portable to portable radios while operating inside the facility to all areas of the building including elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge, mechanical rooms, boiler rooms and inside enclosed exit stairways. The system installation and components shall also comply with all applicable Federal Regulations, including but not limited to, Federal Communications Rules (47 CFR 90.219), as specified in the NFPA Two-Way Radio Enhancement Systems. These communications have to reach a voter site.
- (b) An application and permit is required for installation of or modification to two-way radio enhancement systems and related equipment. A fee as set forth in the schedule of fees Appendix B to this Code shall be paid upon application for the permit.
- (c) Emergency radio coverage shall include emergency services dispatch frequency and three tactical operations frequencies for the ~~City of Keene~~ Fire Department, emergency medical services and one dispatch and one tactical frequency for law enforcement. All equipment shall allow communication in analog, digital and encrypted mode.

(1) The emergency frequencies that will be approved to use are as follows:

Channel Name	Personality Type	Receive Freq.	Receive PL Freq.	Receive PL Code
WQCV921	Cnv	159.450	136.5	4Z
TAC 1	Cnv	154.38500	136.5	4Z
TAC 2	Cnv	154.28000	136.5	4Z
TAC 3	Cnv	153.83000	136.5	4Z
KPD				
Main		155.2500		4Z
Tactical		153.9500		4Z

- (d) Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system, a distributed antenna system with FCC certified signal boosters, or other system approved by the fire chief, or his designee, in order to achieve the required adequate radio coverage.
- (e) The system shall be inspected and tested per NFPA 72 Two-Way Radio Enhancement Systems.
- (f) The building owner shall notify or expand the two-way radio enhancement system at their expense in the event frequency changes are required by the FCC or additional frequencies are made available by the FCC. Prior approval of a two-way radio enhancement system on previous frequencies does not exempt this section.
- (g) **City fire department** Agency personnel shall have the right to enter onto the **protected premises** property at any reasonable time to conduct field-testing to verify the required level of radio coverage.

Jay V. Kahn, Mayor



CITY OF KEENE

In the Year of Our Lord Two Thousand and _____ Twenty Five

AN ORDINANCE _____ Relating to Master Boxes

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 in various sections throughout Division 3 “Fire Alarms” and inserting the bolded text; and deleting in their entirety Section 34-98, “Occupancies Requiring Connection,” Section 34-99, “Aerial Connection,” Section 34-100 Underground (Direct Burial) Connections,” Section 34-101 “Same-Underground (Buried Conduit) Connections,” Section 23-102, “Lighting Protection,” Section 34-103 “Grounding,” Section 34-105 “Responsibility,” Section 34-106 “Exceptions,” and renumbering of the remaining sections in Division 3 as follows:

Sec. 34-91. Standards.

All alarms installed in the City pursuant to this division shall conform to the standards set forth in, NFPA 72 National Fire Alarm Code 2016 Edition, NFPA 1 Uniform Fire Code, and NFPA 101 Life Safety Code, as adopted **as part of the State Fire Code in accordance with NHRSA 153:5 and administered** in Chapter 42 of this Code, entitled Fire Prevention and Protection. Additional requirements for the installation of alarm initiating equipment in the City shall be as provided in this division. Except as defined herein, applicable definitions contained in the referenced codes, statutes, or rules shall apply

Sec. 34-92. General requirements for installation.

- (a) Before the installation or expansion of any ~~interior~~ fire alarm system, ~~master box, or street boxes for new rights-of-way is begun,~~ the company responsible for the proposed system installation shall submit **a permit application with a** detailed set of plans, ~~blueprints,~~ specifications, **calculations, material cut sheets,** etc., outlining the system and its components **and intended operation** to the City fire department ~~department~~ **marshal's office** for review and approval.
- (b) A permit shall be obtained from the City fire department for the installation of any **fire alarm system or radio** master box. A fee as set forth in the schedule of fees in appendix B to this Code shall be paid upon application for the permit.

- (c) Installation of a knox box (key box) shall be required at all locations where a fire alarm system is being installed or is currently in use. Knox box shall be located next to the main entrance at the discretion of the City fire department. Apartment buildings with more than two floors will require a key in the box for each floor and therefore require a larger knox box. Multiple building complexes shall have a knox box on each building in the complex for rapid entry of emergency personnel and **location** shall be approved by the City fire chief, or designee department. Applications are available at the City fire department.
- ~~(d) All fire alarm equipment shall be new and shall be furnished and installed by the owner of the property protected and/or by the developer of the new right-of-way.~~
- (d e) If trouble or faults develop in any part of a private system, it shall be the prerogative of the City fire department to disconnect any part or all of the private system from the municipal circuits **or radio frequencies**. The owner or agent of the protected premisesproperty shall be notified of the disconnection.
- ~~(e f) Any or all parts of existing fire alarm systems in a building undergoing renovation shall conform to the requirements for new installations.~~
- (f g) All installations shall conform to the requirements of **the state building code and state fire code as applicable, the adopted NFPA standards**, the International Municipal Signal Association (IMSA), or any applicable code in effect.
- (g h) Access to the protected premisesproperty shall be made available to the City fire department.
- ~~(h i) Code wheel **Box** numbers for all **radio** master boxes shall be **assigned and/or** approved by the City fire department.~~
- (i j) A service charge per calendar year shall be assessed for each **radio** master box connected to the municipal **system circuit**. This shall include existing and new **radio** master boxes. New systems installed shall be charged a pro rata amount per month or part of a month, until ~~June~~ **December 3rd** of the installation year, after which the annual fee will take effect on ~~July~~ **January 1st**. The charges required in this subsection are as set forth in the schedule of fees in appendix B to this Code.

Sec. 34-93. ~~Supervisory Fire Alarm control~~ Control panel Unit (FACU).

- (a) A ~~supervisory control panel~~ **FACU** shall **include visual and audible annunciation** be installed with the fire alarm system for the purpose of identifying location, **acknowledging**, resetting and/or disabling alarms. **Keys for panel Panel locks, pull stations or other fire alarm system components** shall be provided for installation in the knox box(s) servicing **the location**. ~~eyed for "CAT-60" or "Simplex B" key.~~
- (b) The supervisory control panel shall, **at a minimum** feature the following:
 - (1) Zone/**address indication and description**.
 - (2) Alarm silence switch.
 - (3) System reset switch.
 - (4) Trouble buzzer and light.
 - (5) Trouble silence switch.
 - (6) ~~Ring back feature.~~ City bypass switch or soft key, when activated, disables transmission of all alarms to the radio box. **Radio box to transmit a supervisory alarm when city bypass is activated indicating off normal upon test.**
- (c) All controls shall be secured from use by **unauthorized** occupants of the protected premisesproperty.

- (d) Each installed fire alarm system will service no more than one building unless approved by the **City fire chief, or designee/marshal**. In no case will a fire alarm system serve more than two buildings unless all buildings served are physically connected.
- (e d) In an installation where the fire alarm system is installed in (i) more than one building or (ii) more than one floor, an annunciator panel shall identify the location of all originating signals. Normally, one zone per floor is adequate. The fire department may require more zones depending on building size, occupancy or hazard protected. **Conventional zoned fire alarm systems in buildings greater than 2000 SF aggregate require independent annunciation for each floor. Where floor area exceeds 9999 SF, multiple zones will be required on that floor covering areas no greater than 7500 SF per zone. Sprinkler flow zone annunciation shall be by floor level as a minimum.**
- (f) An annunciator shall be required in a multi-zoned property near the main fire department access to the ~~premises/property~~ **as approved by the City fire chief, or designee/department**. This may either be the alarm control panel or a remote annunciator panel with control functions. In an installation where an additional fire alarm system is installed in new building additions and connected to the existing approved system in the original building, an annunciator panel shall be installed on the inside of the new building addition or at a location designated by the **City fire chief, or designee/department**.
- (g e) The supervisory control panel (~~FACU~~) shall conform to the requirements of **the adopted edition of NFPA 72** and the following **City** fire department requirements:
 - (1) Access to the control functions of the alarm system by **City** fire department, and alarm service personnel, **and site management personnel approved by the Ceity fire chief, or designee/marshal** only.
 - (2) ~~When the panel is indicating zone trouble, activation of a pull station shall initiate the alarm.~~
 - (2 3) Upon activation of a detector or pull station, the panel shall lock on the initiating circuit with audible and visual indication. Silencing the audible shall not cause **the visual notification devices nor the panel FACU** to reset.
 - (3) **All duct smoke detection shall active a non-latching supervisor signal upon activation and cause the affiliated ventilation equipment to be shut down.**

Sec. 34-94. Connection to municipal circuits - master box. (mechanical or electronic)

- (a) ~~Upon the effective date~~**Effective with the passage of this ordinance, no additional master boxes will be permitted or added to the fire alarm system; provided, however, that master boxes connected to the fire alarm system as of that date shall be required to continue to function and shall be properly maintained until January 7, 2026.** Installations within 2,000 linear feet of the area served by the municipal alarm system but not requiring direct fire department notification under section 34-98 of this Code may be connected to this system by a master fire alarm box if direct fire department notification is desired.
- (b) ~~Within 30 days of passage, all owners of property with a master box connected will be notified in writing effective January 6, 2026, at 10:00 AM, the city will no longer be maintaining or monitoring the municipal wired fire alarm system. All connected fire alarm systems will be required to be modified to utilize another approved monitoring method indicated in the adopted edition of NFPA 101. Such modification shall require a permit from the city fire marshal and shall be complete and functioning~~

~~prior to 5:00 PM on January 2, 2026.~~ The fire alarm master box for connection to municipal circuits shall be by Gamewell, either new or factory reconditioned, as approved by the fire department.

~~(c) — The master box shall be accessible year round from a walkway or entranceway. (see exceptions) —~~

~~EXCEPTION 1 — If a master box serves multiple buildings, a system of private roads and drives are required to access the property, a pedestal mounted box with remote annunciator shall be located at the entrance to the property, or, at the first road intersection in the development. —~~

~~EXCEPTION 2 — If a master box serves multiple buildings and if access to the development is by a single road, the master box with remote annunciator shall be located on the outside of the first building approached providing no roadway intersections have been crossed prior to reaching this annunciator, and the building is not in excess of 35 feet from the curb line. —~~

~~(d) The master box shall be mounted at a minimum of 42 inches and a maximum of 54 inches, measured vertically, from the finished grade to the activating handle or lever of the box. —~~

~~(e) The master fire alarm box shall be of the local energy type with the following features: —~~

~~(1) Noninterference. —~~

~~(2) Quick succession. —~~

~~(3) Automatic grounding under open municipal circuit. —~~

~~(4) Telegraph key (mechanical). —~~

~~(5) Tap bell (mechanical). —~~

~~(6) Lock and key (fire department specification). —~~

~~(7) Code wheel index (fire department specification). —~~

~~(8) Manual actuating level. —~~

~~(9) Timing one half second. —~~

~~(10) Shunt type boxes are not approved to be on the City of Keene Fire Alarm Circuits as of the adoption of this section. (Ref. NFPA 72 A.27.6.3.2.2.1(2)) —~~

~~(f) Flush mounted boxes shall be weatherproof. —~~

~~(g) A red beacon strobe shall be mounted above the master fire alarm box. This light shall flash upon activation of the interior fire protection system. Installation of these units will be at the discretion of the fire department. —~~

Sec. 34-95. Connections for radio box fire alarm system.

(a) The entire system shall be installed according to the following: manufacturer installation requirements, per NFPA 72 and NFPA 1221.

(b) The radio alarm box shall be SIGCOM DTX, 4 zone or 16 zone radio box or compatible to be received by the SIGCOM Vision 21 Receive Module and approved by the City fire chief, or designee department. The box shall meet NFPA 72 and be Factory Mutual approved.

(c) The radio alarm box shall be installed in the same location as the fire alarm control panel. If building size prevents the installation of the radio alarm box and **FACUFACP** in the same location, due to radio antenna cable length, the City fire chief, or designee, department shall **may** approve an alternate location for the radio alarm box.

(d) The fire alarm control **unit (FACU)** panel shall be connected to the radio alarm box **and programmed to activate the radio box transmission in accordance with the submitted and approved sequence of operation matrix.** in such a way that when a zone is activated

only the corresponding zone of the radio alarm box will be activated. **At a minimum transmission shall include alarm, trouble, and supervisory signals.**

- (e) Radio alarm box zone assignments ~~will~~ **shall** be reviewed and approved by ~~made in consultation with the fire department~~ **the City fire department marshal's office.**
- (f) The City fire chief, or designee, ~~department~~ will issue the radio alarm box number.
- (g) Radio alarm boxes shall be programmed to self-test **at a frequency required for compliance with the adopted edition of NFPA 73** ~~once daily.~~ The City fire chief, or designee, ~~department~~ shall ~~assign~~ **approve** the time of the daily test(s). The test time(s) will be listed on a sheet inside the radio box. **Any condition other than normal on the FACU shall cause the radio box to transmit a supervisory alarm indicating it is off normal upon test.**
- (h) Relay I/O boards are required for each zone in the radio alarm box.
- (i) ~~There shall be no means of disconnecting the fire alarm from the radio alarm box.~~ Any disconnection means preventing the alarm transmission may be approved in limited situations and at the sole discretion of the City fire chief, or designee ~~marshal~~. Disconnection of the FACU transmission to the radio box will cause a supervisory signal to be displayed on the FACU and transmit a supervisory signal to the radio box.

Sec. 34-96. Radio alarm box antenna requirements.

- (a) Antennas for radio alarm boxes shall be installed according to the following: Manufacturer installation requirements.
- (b) Antenna location shall be determined during consultation with the City fire chief, or designee ~~department~~.
- (c) Antennas must be installed above the roof or flashing.
- (d) The antenna shall not be mounted within 20 feet of an air handling unit.
- (e) Antenna runs less than 100 feet shall meet or exceed RG213.
- (f) If an antenna cable run exceeds 100 feet, the contractor shall contact the distributor for an acceptable alternative solution.
- (g) A listed raceway ~~rigid aluminum~~ or galvanized steel conduit shall protect any antenna cable. ~~mounted outside.~~
- (h) A service box and weatherhead shall be installed at the antenna mounting location.

Sec. 34-97. Acceptance test.

- (a) The City fire chief, or designee, ~~department~~ shall inspect **and witness testing and commissioning** of the radio box system once installed.
- (b) ~~Once accepted, the radio alarm box shall not be opened by the installer, fire alarm system installer, sprinkler service contractor or by any other person.~~
- (b e) The City fire department shall be contacted **when no city bypass key or switch is present**, to take the radio box offline when maintenance or repair is required to be performed on the radio box.

Sec. 34-98. Occupancies requiring connection.

The following occupancies, if new or being introduced where no such occupancy previously existed, shall have fire alarm systems connected to the fire department via the municipal alarm system if within 2,000 linear feet of the area served by the municipal alarm system or by way of radio alarm box. This requirement may be waived by the fire chief or his designee, if for technical reasons there is insufficient pole space to allow for municipal alarm system connection or the location does not allow for the use of a radio alarm box. If said waiver is granted, the installation shall employ an alternate monitoring system as approved by NFPA 72, as adopted. All waiver requests shall be made in writing to the fire department. All cost associated with a desired or required connection to the municipal fire alarm system shall be the responsibility of the property owner. Any occupancy that requires emergency forced notification shall submit an emergency call list to the Keene Fire Department on an annual basis with addresses and phone numbers where they can be reached 24 hours a day seven days a week.

- (1) Assembly occupancies with occupant load of 300.
- (2) Educational facilities with more than six students.
- (3) Daycare centers with more than 12 clients.
- (4) Hospitals, nursing homes, and limited care facilities.
- (5) Detention and correctional facilities.
- (6) Hotels, motels, and dormitories housing more than 16 persons.
- (7) Residential board and care facilities with four or more occupants having a slow evacuation capability.
- (8) Class A mercantile occupancies covered malls and covered mall buildings as defined by NFPA 101 Life Safety Code.
- (9) Industrial occupancies with total capacity of 100 or more persons or if more than 25 persons are above or below level of exit discharge.
- (10) Underground or windowless structures (excluding one or two family), occupied towers and high-rise occupancies as defined by NFPA 101 Life Safety Code.
- (11) Any special hazard/extra hazard use or occupancy as determined by the fire chief and/or his designee.
- (12) Apartment buildings four or more stories in height or housing 12 or more units.

Sec. 34-99. Aerial connection.

Standards for aerial connections to municipal fire alarm circuits shall be as follows:

- (1) Provide a minimum of one-half inch EMT terminated with a weatherhead, located a minimum of 16 feet above the finished grade from the master box.
- (2) Provide a utility grade eyebolt or similar approved device next to the weatherhead, properly secured to support the aerial cable.
- (3) The maximum allowed span for aerial cable is 200 feet. For distances from the weatherhead to the utility pole exceeding 200 feet, additional poles will be required.
- (4) Install two #12 AWG, THWN solid conductors from the master box to the weatherhead. These wires may not be the same color.
- (5) The path for the aerial service may not cross over buildings or through trees. Branches shall be cut to provide clear spaces for the aerial cable.

Sec. 34-100. Underground (direct burial) connections.

Standards for underground (direct burial) connections to municipal fire alarm circuits shall be as follows:

- (1) The connection shall be four conductor, #12 AWG solid conductor, shielded polyethylene jacket, ISMA certified, direct burial cable, in one unspliced length from the master box to the utility pole or splice box designated by the fire department.
- (2) Provide rigid steel conduit from 12 inches below the finished grade to the master box as protection for the cable. A bushing shall be used at the end of the conduit to protect the cable.
- (3) Provide a sweep ell of rigid steel and one ten foot length of rigid steel conduit at the utility pole.
- (4) Extend the cable up the pole using schedule 40 PVC electrical grade conduit to a height approximately 18 inches above existing telephone cables. Terminate it using a weatherhead.
- (5) Provide a schedule 40 PVC sleeve under all traveled ways, including walkways, parking lots, driveways and patios.
- (6) The cable shall be bedded in screened sand completely surrounding the cable, a minimum of six inches on the top, bottom and sides.
- (7) The minimum depth of the cable below the finished grade shall be 24 inches.
- (8) Provide aerial fire alarm pole splice block.

Sec. 34-101. Same - Underground (buried conduit) connections.

Standards for underground (buried conduit) connections to municipal fire alarm circuits shall be as follows:

- (1) Provide an IMSA certified four conductor #12 AWG solid conductor polyethylene jacket duct cable installed in one inch minimum schedule 40 PVC.
- (2) Conduit shall be cemented at all joints.
- (3) Conduit shall be buried to a depth of 18 inches minimum below the finished grade.
- (4) Termination of the conduit at the master box shall comply with section 34-105(b).
- (5) Provide a sweep ell of schedule 40 PVC and one ten foot length of rigid steel conduit at the utility pole.
- (6) Extend conduit up the pole and terminate it per section 34-105(d).

Sec. 34-102. Lightning protection.

- (a) Lightning protection for connections to the municipal fire alarm service shall be provided by the contractor consisting of a TH Model 317A located inside the master box.
- (b) The fire department will install Additional protection at the utility pole as required.

Sec. 34-103. Grounding.

- (a) The fire alarm box and the lightning arrester for connections to municipal circuits shall be grounded as follows:
 - (1) A common ground for both devices is acceptable.
 - (2) Ground wire shall not be run in the same conduit as fire alarm wire.
 - (3) An unenclosed no. 8 copper wire or equivalent shall be used to connect the ground terminal of the master box and/or street box to the suitable ground in order to provide mechanical strength.
 - (4) If enclosed in metal pipe, a no. 12 wire may be used.
- (b) Suitable grounds are as follows:
 - (1) Underground metallic water piping system.

- (2) ~~Ground rod not less than one-half inch in diameter and eight feet long driven into permanently wet soil.~~
- (c) ~~The resistance of a ground connection shall not exceed 250 ohms.~~
- (d) ~~Power company neutral conductors are not acceptable grounds.~~

~~Sec. 34-10498. Testing.~~

- (a) The fire alarm system and its components shall be tested, in its entirety, by the person responsible for the installation. This test shall be conducted in the presence of the City fire chief, or designee, a member of the fire department prior to the connection of the **radio** master box. ~~to the municipal circuit.~~
- (b) It shall be the responsibility of the owner of the protected premises property to completely test the fire alarm system once a year. This test shall be reported in writing to the City fire chief, or designee ~~department.~~
- (c) The owner/developer of any protected premises property connected to the municipal system by a **radio** master fire alarm box shall notify the City fire chief, or designee, ~~department~~ for disconnection prior to testing of the system.
- (d) ~~All master boxes and street boxes shall be tested for operation no less than required by NFPA 72 by the fire department during regularly scheduled work shifts.~~
- (d e) If an owner, lessee, or occupant of a protected premises property requests assistance from the City Keene Fire Department in conducting fire drills after normal business hours a fee will be charged as set forth in the schedule of fees in Appendix B.

~~Sec. 34-105. Responsibility.~~

- (a) ~~It is understood that the owner/developer of the property shall be responsible for all fire alarm line construction, whether aerial, underground, or Radio alarm box, from the fire alarm box to a fire alarm circuit designated by the fire department. This is to include all appropriate pole hardware and connection devices.~~
- (b) ~~All costs of equipment and installation, including extension of the municipal service, shall be the responsibility of the owner/developer at the time of installation and connection to the municipal system.~~
- (c) ~~Aerial extensions of the municipal service shall be installed by the fire department and shall be charged to the owner/developer on a time and material basis.~~
- (d) ~~Underground extensions of the municipal service shall be installed in accordance with the specifications of the fire department by the owner/developer.~~
- (e) ~~Upon completion of a satisfactory test of the fire alarm system by the fire department, the system shall be tied into the municipal fire alarm. No one shall make these tie-ins but the fire department.~~
- (f) ~~After the tie in is made, the new line then becomes the property and responsibility of the fire department.~~

~~Sec. 34-106. Exceptions.~~

~~It is intended that the requirements in this division provide a basis for providing a reliable, cost effective means of meeting the protection goals of the city. It is expected that requests for clarification and for specific variances to this division may be made from time to time. Requests for clarifications and/or variances should be made in writing to the fire department. Every effort will be made by the fire department to provide solutions to individual problems. The fire~~

department welcomes any input which may improve the system's reliability or provide an equal system at reduced cost. Such adjustments as may be made to this division will be made at the discretion of the fire chief.

Sec. 34-10799. Liability.

The City or any of its employees shall not, under any circumstances, be held liable for the failure of any of the private fire alarm system equipment to operate during the transmission of a fire alarm to the City fire department console. ~~It is understood that the fire department will do all that is possible to render trouble free, reliable service.~~

Sec. 34-108. Disconnection.

- (a) *Fire alarm master boxes.* It shall be unlawful for any person to disable or alter the mode of operation of any fire alarm box connected with the municipal fire alarm system. If it becomes necessary for any user of the municipal fire alarm services to access any fire alarm box connected to the municipal fire alarm system in order to alter the mode of operation or disable any so-connected fire alarm box, application shall be made to the fire department.
- (b) *Penalties.* For penalties, see section 1-15 et seq. pertaining to penalties and citations for violations of this Code.

Sec. 34-109100. False fire alarms.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- Accidental alarm* means any activation of an alarm system to which the City fire department responds, which is the result of an unintentional occurrence or mishap. This includes burned food, steam from showers, and good-faith assumptions of a fire condition.
- False alarm* means any activation of an alarm system to which the City fire department responds which is not the result of a fire, emergency call for assistance, or accidental alarm. This includes alarms improperly or maliciously sounded or alarms that turn out to be groundless or system malfunctions.
- (b) *Prevention, payment of costs.* Any owner or lessee or person in control of property having an alarm system on the premises and any user of alarm services or equipment designed and installed with the intent of eliciting an emergency response shall pay to the city a service charge of \$100.00 for each and every false alarm to which the City fire department responds after the initial response within a 10-30-day period. It shall be the responsibility of the property owner to correct any and all issues **problems** resulting in the activation of false alarms. If the City fire chief, or designee, ~~department~~ finds it necessary to disconnect an alarm device or system due to repeated activations, a fire watch may be ordered posted on the premises at the expense of the owner until such time that the protection provided by the system or device can be restored.
- (c) *Appeals.* Any alarm user, owner, or lessee may appeal false alarm service charges in writing to the City fire chief, or designee, ~~chief marshal~~ within ten days after receipt of the notice of the service charge. The fire chief may waive assessment of the service charge when, in their

his judgment, reasonable attempts are being taken to discover and eliminate the cause of the false alarms.

- (d) *Liability.* ~~The fire department shall take every reasonable precaution to ensure that alarms received are given appropriate attention and are acted upon with dispatch. Nevertheless,~~ The City fire department shall not be liable for any defects in the operation of alarm devices, for any failure or neglect to respond appropriately upon receipt of an alarm from such a source, nor for the failure or neglect of any person in connection with the installation and operation of alarms and systems.

Sec. 34-110101. System maintenance and testing.

(a) ~~No one will be allowed access into an active master box except fire department personnel.~~ Fire alarm systems shall be properly maintained in good working order. Systems shall be tested in accordance with frequency and methods as described in NFPA 72, as adopted. ~~The fire department shall be informed of the test prior to its performance.~~ Written documentation regarding test results shall be kept on file on the protected premises and forwarded to the City fire chief, or designee, ~~department~~ **when any deficiencies are noted.** Competent and trained individuals shall complete testing and maintenance.

(b) Any person wishing to test the fire alarm or sprinkler system that is monitored by a master box must notify the City fire department at least 24 hours before any test is conducted provided that the master box cannot be disabled at the fire alarm control panel. The master boxes must be plugged out by the City fire department at its convenience. The City fire department may refuse to allow tests if busy with emergency calls.

(1) ~~It shall be the responsibility of the party holding the fire alarm access permit to notify City fire department before any service is done on alarm/sprinkler systems. It shall also be the party's responsibility to notify the City fire department when work is completed.~~

(2) Any false alarms received without prior knowledge of the City fire department are subject to fines per subsection 34-109(b) of this division and subject to permit suspension per subsection 34-111(b).

Sec. 34-111. Fire alarm access permit required.

(a) ~~Access to work on, disable or restore fire alarm systems connected to emergency force notification, excluding one and two family house whole warning fire alarm systems, shall be limited to authorized personnel who have acquired an alarm access permit. Said permits shall only be issued by the fire chief or his designee after an applicant has received and acknowledged that they have read and understand this fire alarm ordinance, have completed an alarm access permit application and have paid the annual permit fee as outlined in appendix B.~~

(b) ~~Unless renewed, all alarm access permits shall expire on December 31 of current year.~~

~~In addition, alarm access permits may be revoked by the fire chief or his designee without refund of the permit fee, if in the opinion of the fire chief or his designee the permit holder~~

has placed protected property at risk, caused three or more false alarms in one calendar year, or violated any other provision of this chapter.

Sec. 34-112102. Two-way radio enhancement systems.

- (a) All new buildings shall be tested for adequate radio coverage for emergency responders within the building. Radio coverage is defined as the ability to transmit and receive from the interior of the building to the command vehicle and the dispatch center. Radio coverage must also be capable of transmitting and receiving from portable to portable radios while operating inside the facility to all areas of the building including elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge, mechanical rooms, boiler rooms and inside enclosed exit stairways. The system installation and components shall also comply with all applicable Federal Regulations, including but not limited to, Federal Communications Rules (47 CFR 90.219), as specified in the NFPA Two-Way Radio Enhancement Systems. These communications have to reach a voter site.
- (b) An application and permit is required for installation of or modification to two-way radio enhancement systems and related equipment. A fee as set forth in the schedule of fees Appendix B to this Code shall be paid upon application for the permit.
- (c) Emergency radio coverage shall include emergency services dispatch frequency and three tactical operations frequencies for the ~~City~~ Keene Fire Department, emergency medical services and one dispatch and one tactical frequency for law enforcement. All equipment shall allow communication in analog, digital and encrypted mode.

(1) The emergency frequencies that will be approved to use are as follows:

Channel Name	Personality Type	Receive Freq.	Receive PL Freq.	Receive PL Code
WQCV921	Cnv	159.450	136.5	4Z
TAC 1	Cnv	154.38500	136.5	4Z
TAC 2	Cnv	154.28000	136.5	4Z
TAC 3	Cnv	153.83000	136.5	4Z
KPD				
Main		155.2500		4Z
Tactical		153.9500		4Z

- (d) Buildings and structures which cannot support the required level of radio coverage shall be equipped with a radiating cable system, a distributed antenna system with FCC certified signal boosters, or other system approved by the City fire chief, or ~~his~~ designee, in order to achieve the required adequate radio coverage.
- (e) The system shall be inspected and tested per NFPA 72 Two-Way Radio Enhancement Systems.
- (f) The building owner shall notify or expand the two-way radio enhancement system at their expense in the event frequency changes are required by the FCC or additional frequencies are made available by the FCC. Prior approval of a two-way radio enhancement system on previous frequencies does not exempt this section.
- (g) City fire department ~~Agency~~ personnel shall have the right to enter onto the protected premises ~~property~~ at any reasonable time to conduct field-testing to verify the required level of radio coverage.

Jay V. Kahn, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #J.2.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Relating to Installation of a Stop Sign on Gilsum Street
Ordinance O-2025-06

Council Action:

In City Council March 6, 2025.

Report filed as informational. Voted unanimously to adopt Ordinance O-2025-06.

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2025-06.

Attachments:

1. O-2025-06 Stop Sign on Gilsum St

Background:

Bryan Ruoff, City Engineer, stated that they were in front of the Committee on January 22 to discuss this topic. He continued that where Gilsum St. intersects with Washington St. is a red flashing light at which no one stops. A red flashing light is the equivalent to a stop sign and should be treated as such. In light of that, in the interest of public safety and based on a review of this intersection, they recommended that the City Manager be authorized to draft an Ordinance, which is included tonight for the Committee's review.

Mr. Ruoff continued that there are two parts to this. This intersection is currently listed as a yield sign, which it is not. Thus, because there is the addition of the stop sign and the deletion of the yield sign that is not there, Public Works coordinated with the City Clerk's Office to make sure they have the wording correct. He is happy to answer questions on the Ordinance.

Chair Greenwald asked if there were any questions. Hearing none, he asked for a motion.

Councilor Favolise made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Ordinance O-2025-06.



CITY OF KEENE

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

AN ORDINANCE Relating to the installation of a Stop Sign on Gilsum Street

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

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded underlined text to the provisions of Section 94-321, "Stop Signs" in Division 5, "Specific Street Regulations", and deleting the stricken text from the provisions of Section 94-346, "Yield Signs" in Division 6, "Specific Street Regulations" in Article IV of Chapter 94, entitled "TRAFFIC, PARKING AND PUBLIC WAYS" as follows.

Sec. 94-321. - Stop signs.

Gilsum Street for South bound traffic at the intersection with Washington St.

Sec. 94-346. - Yield signs.

~~Gilsum Street and Washington Street for southbound traffic on Gilsum Street~~

Jay V. Kahn, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Ferland, City Manager
Subject: **In Appreciation of Thomas P. Mullins Upon His Retirement
Resolution R-2025-08**

Council Action:

In City Council March 6, 2025.

Report filed as informational. Voted unanimously to adopt Resolution R-2025-08.

Recommendation:

Recommend the adoption of resolution R-2025-08 in Appreciation of Thomas P. Mullins Upon His Retirement.

Attachments:

1. R-2025-08 Retirement Thomas Mullins 2 28 2025

Background:

Thomas P. Mullins retired from the full-time position of City Attorney on February 29, 2024, but continued to serve as the City's Attorney in a part-time capacity for an additional year until February 28, 2025, for a total of 17 years of honorable service to the City.



CITY OF KEENE

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

A RESOLUTION In Appreciation of Thomas P. Mullins Upon His Retirement

Resolved by the City Council of the City of Keene, as follows:

WHEREAS: Thomas P. Mullins began his career with the City of Keene as the City Attorney, appointed by City Council February 11, 2008; and

WHEREAS: Tom has helped guide the City Council, other Charter Officers, boards and commissions, and department heads through a wide variety of specialized legal concerns, giving real answers to questions, articulating the legal basis for his recommendations, advising on best practices and ramifications of actions by City representatives, offering alternatives and innovative solutions in the most economical and efficient manner possible—all while operating under the highest ethics; and

WHEREAS: With his wealth of knowledge and experience, his impartial and evenhanded approach, his commitment to effective problem-solving, and his clear and thorough communications, Tom earned respect and helped all to understand the needs, requirements and processes that the City must follow to be successful in its mission as it relates to local, state and federal laws, to protecting the City’s legal interests; and

WHEREAS: He provided both advice and updates recommended actions in a comprehensible and comprehensive manner—explaining both sides of an issue with the proper amount of detail, defining what is known versus what is ambiguous, and always providing options—to assist Council to make informed decisions for long-term trends; and he worked proactively to navigate issues to avoid a problem ever making it to the Council level; and

WHEREAS: Tom assisted not only the City with many complicated and challenging projects, such as the federal New Market Tax Credit Program for the library expansion, the Keene Ice project, and the County Courthouse—projects vital to the economic vitality of our downtown, to name just three—along with helping us all better prepare with more confidence other difficult situations, such as Right-to-Know law and First Amendment, and COVID rules; and he also gave input to the State Legislature in Concord; and

WHEREAS: With his excellent team of Senior Paralegal and Assistant City Attorney, Tom consistently accomplished specific goals to keep the City current, efficient, transparent, and compliant; and he served as a strong partner to support innumerable challenges, opportunities, complex projects, and priorities—all the while advocating for the best interests of the organization, the community, and the taxpayers; and his important contributions to the community will have a lasting impact; and

WHEREAS: With his door always open, he was willing to listen and talk through the most difficult of situations, welcoming concerns, ideas, and constructive criticism; had productive relationships with City officials, staff, and the public and when viewpoints differed, moved forward in a respectful and productive manner; and participated in community events and organizations with a friendly, outgoing spirit; and

WHEREAS: Tom retired as a full-time charter officer on February 29, 2024, but continued to serve as City Attorney in a part-time capacity until February 28, 2025, for a total of 17 years of honorable service to the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Keene hereby extends its sincere thanks to Thomas P. Mullins for his dedication to the City of Keene and wishes him the very best for his retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Tom in appreciation of his years of service to the City of Keene and the greater Monadnock community.

Jay V. Kahn, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #L.1.

Meeting Date: March 6, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Energy and Climate Committee Recommendations for Phase 2 of Keene Community Power *and* Recommended Amendments to Keene Community Power Plan**

Council Action:

In City Council March 6, 2025.

Removed from the table.

Voted unanimously to reconsider the first recommendation relative to the option to have three levels.

The report was referred back to the Finance, Organization, and Personnel Committee.

In City Council February 20, 2025.

Voted unanimously to carry out the intent of the first recommendation of the report to have the next Community Power Program electricity options have three levels.

Voted unanimously to amend second recommendation to include language that the Adder Fee applies to the Keene 50% and Keene100% levels.

Voted seven in favor and five opposed to table the item to the next regular meeting.

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy).

On a 3-2 vote, the Finance, Organization and Personnel Committee recommends that an Adder Fee be included for the City Manager to negotiate, which is recommended to be between 0.075 and 0.125 cents per kWh. Councilors Remy and Chadbourne voted in opposition.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the Community Power Plan, with the amendments shown in the draft dated February 10, 2025, be adopted.

Attachments:

None

Background:

Senior Planner Mari Brunner addressed the Committee and said she would like to take the first two items together since they are closely related. Councilor Powers agreed.

Ms. Brunner stated that the Keene Community Power Program is an opt-out electric aggregation program. She explained this means that the city pools all its electricity needs to make a bulk purchase of electricity on behalf of the customers that are within the city. She indicated this is an opt-out program because everybody is automatically enrolled unless they choose to leave the program or if they have already chosen a third-party supplier.

The City's community power consultants manage the program. There are two companies that have teamed up to work with the City. The first one is Standard Power and the second is Good Energy. Patrick Roach from Good Energy was present at the meeting. Ms. Brunner stated these consultants are paid through a per kWh administrative rate component of .1 cent per kWh – the City does not pay them directly, they are paid entirely out of the program.

Ms. Brunner referred to a PowerPoint presentation and explained that this program is enabled by Revised Statute Annotated 53 E.

Ms. Brunner noted the main reason the City first became aware of this program is when it was looking into ways to achieve the City's renewable energy goals that had been adopted by City Council. In 2019, the City Council adopted a goal to transition to 100% renewable electricity by 2030 and 100% renewable energy for transportation, heating and cooling energy by 2050.

Before the program could be launched, the City had to go through a planning process. Staff worked with the community, worked with the power committee that was appointed by City Council, sent out surveys, held public information sessions and through that process created a Community Power Plan. The Community Power plan was adopted by the City Council. Because this is an opt-out program, it required approval from the New Hampshire Public Utilities Commission.

The plan sets up the operation of the program. The City Manager is the one who provides direct management and oversight of the program. The Manager issues, bids and executes power supply agreements, all within parameters that are set by City Council and then the Community Power Committee, which has morphed into the Energy and Climate Committee, is the body that advises City Council and the City Manager with respect to the plan.

Ms. Brunner noted the plan states as follows that the *vision for Keene Community Power is to launch a timely community power program that provides community members with attractive choices and substantially enhanced renewable energy options at competitive prices and opens a new promising community path to 100% Electricity in 2030.*

Ms. Brunner referred to a slide which shows the product offerings that are available to the City through the program. The program launched in June of 2023 with fixed pricing for 30 months. The program runs through December 2025 meter reads. There are currently four options the City offers:

** Keene Standard, which is the default option. This adds 10% extra renewable energy above the state minimum. 35% total, 25% for the state minimum plus the 10% extra. 11.47 cents per kWh. This is the default that people are automatically enrolled in. However, if someone wants to choose a different option or leave the program, they have to choose to opt out.

The other three options are optional. Customers have to choose to opt into them:

** Keene Basic. This option meets the minimum requirements of the state for renewable energy,

which was 25% by 2025. The cost is 11.1 cents per kWh.

** Keene 50 has 50% renewable energy at a cost of 12.05 cents per kWh.

**Keene 100 adds renewable energy to a total of 100%, and that costs 13.9 cents per kWh.

Ms. Brunner referred to the next slide which shows how many accounts there are in each of those options. The city has 7,132 accounts on the Keene standard option which is 93% of the accounts.

The Keene basic option has 317 customers which is 4% of the accounts.

Keene 50 has 59 accounts, which is less than 1%

Keene 100 has 173 accounts, which is about 2%.

Ms. Brunner stated this program is having an impact. The City has avoided to date roughly as of last month, over 6.4 million pounds of carbon dioxide, which is equivalent to 6,700 barrels of oil.

Ms. Brunner went on to say as this pricing runs through December 2025, staff is already looking to go out to bid for that next phase of the program. The City Manager has requested the Energy and Climate Committee to look at some options. The Energy and Climate Committee met in January and heard a presentation from the consultant.

At the February meeting, the group discussed it further and made some specific recommendations:

Ms. Brunner explained some of the considerations that went into this were whether to add and keep the renewable energy contents at what it is today or increase it. One thing to consider with renewable energy is that the impact is immediate; as soon as the new rate goes into effect, you are buying that amount of renewable energy, but it is an indirect impact and might be impacting or generating more renewable energy development somewhere else in the New England or the Northeast region, not necessarily locally.

Another option available to the City is that the City has a discretionary reserve fund referred to as the Community Power Fund. Money could be added to build up that fundis referred to as an "Adder Fee."

Another consideration that went into this discussion was the overall cost of the program. There is a goal to have competitive pricing.

Ms. Brunner referred to the Climate Committee's recommendations. They are recommending that the City go down to three product offerings. The standard product, which is the default, as well as an option that is cheaper. The second would be an option to pay a little bit more and go up to 100% renewable energy for the residents who are willing to pay more.

The committee is also recommending that the City increases the amount of renewable energy added to the defaults by 15%. At the present time, the city is adding 10% extra. The committee is recommending 15%, so it would be adding 25% extra for a total of 50% total renewable energy and to also collect a discretionary fee to build up that discretionary reserve fund at about a .10 cent per KWh. The range being recommended for the fee is .075 to .125 which will give the City Manager a little bit of flexibility.

Ms. Brunner then referred to what the consultants had provided as to what the impact would be for the added renewable energy contents that are being recommended: If the city adds 10% additional

New Hampshire Class 1 renewable energy in the default, the expected cost would be .41 cents per kWh, which comes out to about \$32 per year for the average household.

If that number is increased to 25%, which is the recommendation from the Energy and Climate Committee, a little over one cent per kWh would be the impact – this would be an annual average cost of \$80.00 for a typical household.

With respect to the discretionary reserve fund – Ms. Brunner stated the City already has a fund in place and it has been putting money into it from a virtual group net metering agreement with Standard Power and the mini Wawa Hydro Dam in Marlborough. She indicated there is about \$75,000 in the fund already.

The Energy and Climate Committee is recommending that the standard option and the 100% renewable option would both have a .10 cents Adder Fee, which the City would collect. The estimate is the City would collect about \$58,000 a year in Adder Fees. Over three years, this would account for around \$174,000. The annual cost to the average residential customer would be \$8 a year for that Adder Fee. This would help build up the fund and those funds could then be used to benefit program participants and support program goals.

Ms. Brunner reviewed some of those programs. One of the most popular ones is referred to as Electrify – to support residents and businesses that want to electrify by providing them with resources, rebates etc. Another available program is referred to as the New Hampshire Saves Program. The other one is the Heat Smart Plus Program - rebates are offered to residents who use heat pumps and other energy-efficient installations.

Ms. Brunner stated the Energy and Climate Committee with reference to the Adder Fee are recommending something more similar to the programs mentioned previously with the thought that the fund would be used to help residents and businesses who are participating in the program to reduce their energy costs.

Ms. Brunner next addressed what staff is proposing as amendments to the Energy Plan or to the Community Power Plan. The consultants suggest that they are confident collecting this fee is permitted but to make it clear in the plan that the city can collect this fee and what it would be used for in broad terms.

Ms. Brunner reviewed language as it pertains to this fee in the proposed amendments to the plan: *the program has the authority to collect a fee for discretionary energy reserve. The City would limit the uses of the discretionary energy reserve to providing benefits to program participants and supporting program goals.*

The plan also says that it would be the City Council who would decide how those funds get used.

It also states that the City Manager can set the amount of the fee, but within a pre-approved range set by City Council. This concluded Ms. Brunner's presentation.

The Chair asked for public comment.

Mr. Doug Hill of 123 Elm Street asked how the City rate compares to Eversource's rate. Ms. Brunner referred this question to Patrick Roche who stated Eversource was at \$0.08929 and Keene's default rate was at \$.114.

Mr. Hill asked whether anyone on the committee has invested in any solar array. Chair Powers stated

Councilor Greenwald has solar arrays on some of his commercial properties.

Councilor Remy asked how many customers have opted out. Ms. Brunner stated her recollection was that around 5% of the total accounts opted out at the beginning but now it is closer to 10%.

Ms. Brunner stated that some residents of Keene as well as some residents from other communities have launched their own program in Cheshire County. They have two community power programs to choose from, in addition to Eversource as the default and any third-party supplier. She stated that according to the Community Power Coalition of New Hampshire about 50 accounts in Keene are participating in the Cheshire Community Power Program. There are also third-party suppliers, and some customers have opted to stay with Eversource.

Councilor Remy asked if those who opted out previously would have to opt out again when the City going through this process again. Mr. Roche stated they would stay opted out.

Councilor Remy asked if the City was to make rate changes, moving the default to 50% and functionally choosing to raise the cost, how this would be communicated to customers. Mr. Roche stated it would probably be very similar to the launch where every participating customer would get a letter, approximately 30 days in advance. There would also be other communications such as press releases, social media, in person meetings (Council) to get the word out.

Councilor Remy stated he does not like adding the Adder Fee to the default rate. A fee that goes to the City is not something he supports. He stated he would like to keep from getting upside down versus the Eversource base rate because this happens for 24 of the 30 months. He also asked whether the City joined the county's program to increase their bandwidth. Ms. Brunner stated with respect to the last question, the City did reach out to the Community Power Coalition of New Hampshire to learn more about what they offer. Ms. Brunner stated she and the City Manager met with them, but staff feel there is no great benefit to joining them at this time, especially since the City has a program that is already available and residents and businesses in Keene can already choose the Cheshire Community Power program. She noted their rates change every six months but their price is below default utility. The trade off is that you do not get the stability in the pricing.

She went on to say there are customers who are proactive and change companies when rates change, but there are also others who are willing to pay more for the 30-month term because they want stability month to month and feel having more options is better. She also felt it would be good for the City to continue to do as much communication, outreach and education around the options that are available to customers.

Councilor Lake referred to the Adder Fee and stated he understands the hesitation to add that to the default plan but felt it was important to continue to build up the resources locally to improve our infrastructure. He added if the City does want to go along with the Adder Fee it is important for the City to be vocal and visible about the programs. To also make sure these fees are improving the energy costs of the people that are on the program in this community.

Councilor Chadbourne stated she does not feel very positive about the Adder Fee. The Councilor noted the rate for Cheshire right now is 8.9 cents. She added she knows of someone who just switched to back to Eversource, because their rates are much less than the City. The Councilor went on to say costs of living are increasing and the City needs to make sure it balances what its goals are and what it is doing for the community with the needs of the citizens. She stated she is concerned that the City will lose more people (in the program) if we are not careful.

Ms. Brunner stated one thing the Council could consider - as she had mentioned, a 10th of a cent,

would only add an average of \$8 a year to a household. The recommendation from the Energy and Climate Committee to add the 25% renewable energy would add a little over a cent which would be a cost of about \$80.00 a year to an average household. She felt this could be an area if Council wanted to give the city manager some direction on pricing and making sure that the City has competitive rates.

Councilor Lake stated he is partial to the recommendation that came out of the Committee. He stated he likes the 25%, 50% and 100% and felt it was good to have a more simplified plan. He felt it was important that the default goes to 50%. As the Senior Planner had mentioned, the 2030 goal of getting to 100% is the next negotiation cycle. He felt if the increase is not sufficient now the increase would have to be much greater in the future.

Councilor Remy stated he would like to split the motion and vote on the Adder Fee separately. Asst. City Attorney Palmeira agreed this was acceptable.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends to the City Council that the next Community Power Program electricity options have three levels. The levels would include Keene Basic (25% total renewable energy), Keene 50 (Default, 50% total renewable energy), and Keene 100 (100% total renewable energy).

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

That the Finance, Organization and Personnel Committee recommends to the City Council that an Adder Fee be included for the City Manager to negotiate, which is recommended to be between 0.075 and 0.125 cents per kWh.

Councilor Roberts stated he had an issue adding the Adder Fee to the basic plan because many senior households are already having trouble making ends meet. Councilor Lake noted the intent is not to apply the fee to the basic plan; the lowest plan will not have the Adder Fee, the fee would only be applied to the 50 and 100 Plan. Councilor Remy clarified the default customers who are signed up for the 50 Plan would include the Adder Fee. If someone does not know how to opt out they would be charged the Adder Fee. Councilor Roberts asked how the City plans on addressing this issue; how can customers be informed of this. The Councilor stated there was communication sent out to customers, and if someone does not see that then they are being charged that fee. Councilor Chadbourne stated these are unpredictable times and the City needs to strike a balance. There is only a small group of people who want to see this change. She stated she wanted to be conservative moving forward.

The motion carried on a 3-2 vote, with Councilors Remy and Chadbourne voting in opposition.

Councilor Lake referred to Ms. Brunner regarding an amendment to the intent part of the plan that included electrification and transportation centers. He stated the electrification portion makes sense but asked how the transportation piece ties into the transportation goals.

Ms. Brunner stated that this goes back to the overall vision of this program helping the City reach its overall energy goals. Based on the recommendation from the Energy and Climate Committee, there was mention of perhaps customers being able to use it as a rebate for a vehicle charging station or a heat pump, which would go into electrification and which would also support the heating, cooling and transportation renewable energy goals.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends to the City Council that the Community Power Plan with the amendments shown in the draft dated February 10, 2025 be adopted.