



CITY OF KEENE

R-88-3A

In the Year of Our Lord One Thousand Nine Hundred ~~xxx~~ Eighty-Eight.....

A RESOLUTION..... RELATING TO CONSERVATION GIFT AND DONATION POLICY.....


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

WHEREAS: from time to time gifts are given to the City and/or the City Conservation Commission to be used for Conservation purposes; and

WHEREAS: RSA 36-A:4 does in fact provide that Conservation Commissions can accept funds or properties with the approval of the City Council; and

WHEREAS: the City has previously approved gifts received by the Conservation Commission which were added to the Conservation Reserve Fund; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Keene that it establishes as policy in accordance with RSA 36-A:4 that monetary donations or property given to the City for Conservation purposes shall individually require the approval of the City Council. The expenditure of any such donated funds will be approved by the City Council through the normal request process.



Aaron A. Lipsky, Mayor

PASSED: January 21, 1988

CITY OF KEENE
Keene, New Hampshire

FINANCE COMMITTEE MEETING MINUTES

January 14, 1988

7:00 P.M.

CITY COUNCIL CHAMBERS

Attendance: Robert E. Williams, Chairman
Kendall W. Lane
Mary F. Penny
Dean J. Eaton
Roger T. Zerba

STAFF: Patrick MacQueen, City Manager
Ray Tracy, Finance Director
Laurence Shaffer, City Assessor
Keith Damon, I.M.S. Director
Maurice Barrett, Tax Collector

1. Resolution R-88-2: Approval of the 1988 Community Development Block Grant Application.

The representative of the Keene Housing Authority, Linda Mangones, explained to the Finance Committee that the application for \$500,000.00 in CDBG funding included a request for funding for the Cheshire Housing Trust project. That project is involved with the Base Hill Road affordable housing development currently being proposed. Ms. Mangones explained that it would be important that the Council support this portion of the grant request if the proposal was to receive consideration at the state level. The Keene Housing Authority does not wish to be in the position of submitting a grant for CDBG funding for a project that does not have the strong support of the City Council. Ms. Mangones explained that a public hearing was conducted and that Councilman Bishop entered certain reservations regarding the portion of the grant application that applied to the Base Hill Road affordable housing project.

On a vote of 5-0, the Finance Committee recommended to the Council that the Community Development Block Grant Application approval for \$500,000.00 be approved by the passage of R-88-2.

2. Resolution R-88-3 - Relating Conservation Gift and Donation Policy.

The City Manager explained that a policy statement had been created for the review of the Finance Committee and Council. That policy addresses the procedures outlined for the acceptance of conservation gifts in the form of money or property. Essentially, the policy states that Council needs to approve the acceptance of any gift that is worth \$1,000.00 or more while the Conservation

Committee has the authority to accept gifts of less than \$1,000.00 in value. Robert Williams explained that he would wish to have Council approve of all gifts made to the City.

On a motion, the resolution was amended, on a vote of 5-0, to delete the portion within the policy that allows the Conservation Committee the authority to accept gifts in behalf of the City.

On a vote of 5-0, the Committee recommended approval of amended Resolution R-88-3-A, amended to provide that the Council approve all conservation gifts of money or property. The amended resolution is R-88-3A.

3. Report - State Retirement System

The Finance Director outlined certain impacts upon the budget of the proposed revisions being considered by the legislature for the State Retirement System brought on by the new Federal tax law. These proposed revisions have an estimated impact of approximately \$36,000.00 in additional costs to the City for providing retirement benefits.

The Committee requests more time on this item in order to gather more information regarding the funding of the proposed revision to the State Retirement System.

4. Report - Personnel Change Request, Finance Department.

The Finance Director explained that the current half time position authorized by Council has not been sufficient to meet the needs of the Finance Department. Additional secretarial duties, in conjunction with the need to cross train individuals along with the difficulty of attracting a long term part time employee, results in the request to upgrade the part time position to a full time position as it was prior to this budget. Enough funding is available for the full-time position.

The Committee voted 5-0 to recommend to the Council that the current half time position budgeted in the Finance Department be eliminated and that a full time position be created in it's place.

5. Ordinance 0-87-39A - Relating to Adoption of NHRSA 80:58-86. The Tax Collector explained that this amended ordinance essentially adopts the provisions of RSA 80:58-86 which will allow the City the exclusive right to purchase the tax liens for property tax. In the past, private investors had the opportunity to bid on the available tax liens. The amended ordinance reflects a change in the wording of the ordinance replacing the word "require" with "acquire".

On a vote of 5-0, the Committee recommends that the Council approve Ordinance 0-87-39A.

City of Keene
New Hampshire

3A4

In City Council October 19, 2000.
Report accepted and filed as informational.

October 12, 2000

TO: Mayor and Council Deputy City Clerk

FROM: Finance, Organization, and Personnel Committee

SUBJECT: MEMORANDUM – Finance Director – Conservation Land Acquisition Fund

Chairman Thompson stated that the Communication would be accepted as informational.

Dale E Thompson
Chairman/Designee

Background Notes:

Finance Director Martha Landry reported to the Committee on the findings regarding the Conservation Land Acquisition Fund. She stated that she and the City Attorney have reviewed the state laws relating to funds allocated to conservation commissions. She further stated that the review included the funding of conservation efforts, either through appropriations of the governing body or the receipt of donations or proceeds from sale of property, and the expenditure of those funds.

Ms. Landry stated that it was found that monies either received as a donation or appropriated by the City Council could, after the appropriate Council action of acceptance or appropriation, be expended by the Conservation Commission with no further authorization. The law is silent on the expenditures of funds resulting from the sale of property. However, there is a City Resolution (R-88-16A) which addresses funds acquired in this manner. The resolution states that upon the sale of conservation land, the Conservation Commission has six months to develop a list of possible property acquisitions for presentation to the City Council, after which the funds may go back to the City General Fund.

Ms. Landry reported that the current available balance in the Conservation Land Acquisition project (cost center 90007) is \$48,483.70. She further reported that the project balance is comprised of proceeds from the sale of City owned land to Cedarcrest, which took place in FY87/88, and donations for reprinting the open space brochures. Ms. Landry stated that expenditures of the proceeds of the sale of land to Cedarcrest were for preliminary legal and appraisal work associated with potential property acquisition, acquisition of properties adjacent to Goose Pond and at Beech Hill, an appraisal of a property that was donated to the City and a site assessment for a parcel that will be donated to the City, total \$197,340.80. This leaves a balance of \$47,659.20 from the sale of property and \$824.50 from donations.

Ms. Landry explained that an expenditure of the proceeds for a study, such as a bio-inventory of land that is already owned by the City, would require an appropriation of the City Council in the form of a budget amendment. This amendment would be in the form of a Resolution; the resolution must define the purpose of the appropriation and a funding source of the appropriation. The funding for such a study could be the Conservation Land Acquisition Fund (cost center 90007).

Mayor Blastos expressed surprise that the City Council does not have the final say on all matters regarding the Conservation Land Acquisition Fund. Ms. Landry stated that the City Council has input for the appropriation of funds and the acceptance of donations to the fund, and that if an expenditure was requested that did not related to the acquisition of conservation land, that it must be in the form of a Resolution with an affirmative vote of the City Council.

City Manager MacLean stated that he is hopeful that the Conservation Commission would use the procurement process that is in place to utilize the City staff to keep the projects updated to the City Council at the appropriate juncture.

Chairman Thompson agreed that the Commission should not be able to spend money without the knowledge and approval of the City Council. Carl Jacobs, Chairman for the Conservation Commission, stated that the Commission is not looking for the authority to spend money, they are simply looking to outline the process and establish the guidelines within which the money could be used.

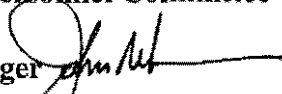
Ms. Landry stated that it is her understanding that the Conservation Commission is looking to do a bio-inventory of City owned properties. Mr. Jacobs stated that the Commission was wondering if the project could be funded using the Conservation Land Acquisition fund. Ms. Landry stated that such an expenditure was not within the authority of the Commission, and that Council approval would need to be obtained, and that it would take the form of a Resolution, with the Conservation Land Acquisition fund named as the funding source.


**CITY OF KEENE
NEW HAMPSHIRE**

FINANCE DEPARTMENT

DATE: September 26, 2000

MEMO TO: Finance, Organization & Personnel Committee

THROUGH: John MacLean, City Manager 

FROM: Martha Matson Landry, ACM/Finance Director 

RE: conservation land acquisition fund (cost center 90007)

RECOMMENDATION:

That this report be accepted as informational.

BACKGROUND:

The Finance Director and the City Attorney have reviewed the state laws related to funds allocated to conservation commissions. This review included the funding of conservation efforts, either through appropriations of the governing body or the receipt of donations or proceeds from sale of property, and the expenditure of those funds.

It was found that monies either received as a donation or appropriated by the City Council can, after the appropriate Council action of acceptance or appropriation, be expended by the Conservation Commission with no further authorization. The law is silent on the expenditures of funds resulting from the sale of property. However, there is a City Resolution (R-88-16A) which addresses funds acquired in this manner. The resolution states that upon the sale of conservation land, the Conservation Commission has six months to develop a list of possible property acquisitions for presentation to the City Council, after which the funds may go back to the City General Fund.

The total amount currently available in what is named the Conservation Land Acquisition project (cost center 90007) is \$48,483.70. This project balance is comprised of proceeds from the sale of City owned land to Cedarcrest, which took place in FY87/88, and donations for reprinting the open space brochures. Expenditures of the proceeds of the sale of land to Cedarcrest were for preliminary legal and appraisal work associated with potential property acquisition, acquisition of properties adjacent to Goose Pond and at Beech Hill, an appraisal of a property that was donated to the City, and a site assessment for a parcel that will be donated to the City, total \$197,340.80. This leaves a balance of \$47,659.20 from the sale of property, and \$824.50 from donations.

Expenditure of the proceeds for a study, such as a bio-inventory of land that is already owned by the City, would require an appropriation of the City Council in the form of a budget amendment. This amendment would be in the form of a Resolution; the resolution must define the purpose of the appropriation, and a funding source of the appropriation. The funding for such a study could be the Conservation Land Acquisition Fund (cost center 90007).

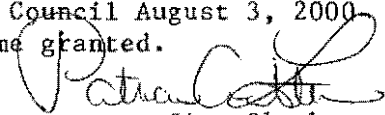
Cc: Gerald Carney, City Attorney
Steve Thornton, Asst. Finance Director
Russell Cloutier, Fund Manager

City of Keene
New Hampshire

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July 27, 2000

In City Council August 3, 2000
More time granted.



Patricia Costa
City Clerk

TO: Mayor and Council

FROM: Finance, Organization and Personnel Committee

SUBJECT: MEMORANDUM – Conservation Commission Chairman – Conservation
land Acquisition Capital Project Fund

On a vote 5-0 the Finance, Organization and Personnel Committee recommends that the Memorandum be placed on more time pending information from the Finance Director and the City Attorney.



Dale E. Thompson
Chairman/Designee

Background Notes:

Carl Jacobs reported to the Committee regarding funds for a number of conservation projects in the community. Councilor Wilkinson located \$52,000 in a land conservation fund from conservation activities and she feels the money should continue to be used for conservation efforts. Mr. Jacobs stated that the Conservation Commission is looking for clarity on how to move forward with this and future projects.

Chairman Thompson stated that the control currently lies with the City Council.

Finance Director, Martha Landry stated that after speaking with the City Attorney, they determined that State law and City ordinance provide differing directions for the use of available funding. She asked for additional time to look into the funding and the ways in which it can be used. She stated that it appears that if the City Council appropriates the money to the Conservation Commission then they can spend it. But if another source donates the money to the City, then the City Council may have control over how it is spent.



Chairman Thompson stated that \$52,000 would not fund very much. Mr. Jacobs stated that it will fund a land inventory and other initial projects that will help the City be better stewards of the land the City owns.

Chairman Thompson asked if an intern could inventory the land. Mr. Jacobs stated that there would still be expenses such as supervising the project. The inventory will involve more than just the property, it includes the wildlife, plants, and geology and how they work together.

Councilor Greenwald asked about the Chapman Road lots that are part of the cluster development. City Manager, John A. MacLean stated that he is unaware of the status, but he will check on it.

City of Keene
New Hampshire

Memorandum

To: Finance, Organization and Personnel Committee
From: Carl Jacobs, Chairman Conservation Commission
Through: John MacLean, City Manager  
Date: July 18, 2000
Subject: Request to Discuss Conservation Land Acquisition Capital Project Fund

The Keene Conservation Commission is currently in the process of developing a number of conservation projects for the community. Given the lack of designated funding for these activities, an interest in the availability and use of the Conservation Land Acquisition Fund has developed.

At the July 17th meeting of the Commission, Councilor Nancy Wilkinson suggested that a discussion with the Finance, Organization and Personnel Committee be sought to obtain further information and clarification regarding the purpose, intent and use of the City's Conservation Land Acquisition Fund.

In recent discussions with Martha Mattson, Finance Director, two Resolutions related to the fund have been identified (see attached copies). Resolution R-88-3A establishes a Conservation Gift and Donation Policy regarding the nature of gifts to the fund and Resolution R-88-16A provides that all funds obtained through the sale of City owned conservation land shall be deposited in the fund.

At this time, no other known official records are available regarding the nature, purpose, intent, and use of these funds.

Attached is a Summary of Revenue and Expenses FY 87 - FY96 showing all the activity which has occurred with respect to this fund over the past ten years. It appears that there have been significant donations to the fund, including general fund appropriations and grants and that the fund has been used for a number of activities, including consulting services, Goose Pond, surveys, land purchases and land appraisals. At present, there is a balance of \$55,342.70 available in the fund.