



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
January 16, 2020
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- December 19, 2019
- January 1, 2020

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations
 - Airport Development and Marketing Committee
 - Ashuelot River Park Advisory Board
 - Assessors Board
 - Bicycle Pedestrian Path Advisory Committee
 - Building Board of Appeal
 - Housing Standards Board of Appeal
 - College City Commission
 - Conservation Commission
 - Energy and Climate Committee
 - Historic District Commission
 - Planning Board
 - Partner City Committee
 - Trustees of Trust Funds and Cemetery Trustees
 - Zoning Board of Adjustment
2. Nominations
 - Keene Housing Authority
 - Trustees of Trust Funds and Cemetery Trustees
 - Conservation Commission
 - Planning Board
 - Human Rights Committee
 - Bicycle Pedestrian Path Advisory Board

C. COMMUNICATIONS

1. Petition - Requesting that the City of Keene Recognize Indigenous People's Day in Place of Columbus Day
2. Brett Amy Thelen/Harris Center for Conservation Education - Temporary Road Closures -

Amphibian Crossings

3. Susan Hoffmann - Political Sign on City Rights-of-Way and Public Property
4. Councilor Filiault - Regularly Scheduled Meetings between the Mayor, Standing Committee Chairs and the Charter Officers
5. Councilor Williams - Accessibility Access at City Facilities
6. The Colonial Theatre - Request to Use City Property
7. United Church of Christ - Application for Renewal of Lodging House License
8. Hundred Nights - Application for Renewal of a Lodging House License

D. REPORTS - COUNCIL COMMITTEES

1. Body & Soul Road Runners – Request to Use City Property – Community Sponsored Event
2. Continued Discussion: Relating to Small Wireless Facility Deployments in the Public Right-of-Way - Ordinance O-2019-18
3. Acceptance of Donations – Parks, Recreation and Facilities
4. Acceptance of Funds from Cheshire County – Youth Services
5. Professional Services Contract for Airport Market Study – Asst. City Manager/IT Director

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

1. Resignation - David Souther - Bicycle Pedestrian Path Advisory Committee
2. Resignation - Pam Knight - Human Rights Committee
3. Resignation – Chris Brehme – Energy and Climate Committee
4. Resignation – Paul Cooper – Historic District Commission

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

1. Sewer Service and Industrial Pretreatment
Ordinance O-2020-01

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. In Appreciation of Charles Russell Harris Upon His Retirement
Resolution R-2020-02

Non Public Session
Adjournment

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A regular meeting of the Keene City Council was held Thursday, December 19, 2019. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Kate M. Bosley, Robert J. O'Connor, Robert B. Sutherland, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilor George S. Hansel was absent. Councilor Filiault led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the December 5, 2019 regular meeting was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

ANNOUNCEMENTS – MAYOR

The Mayor announced the Standing Committees scheduled for December 25, 2019 and December 26, 2019 have been canceled. The inauguration for the 2020 Keene City Council is scheduled to take place at noon on Wednesday, January 1, 2020.

PROCLAMATION – NATIONAL AWARDS FOR CHEERLEADERS

The Mayor presented a proclamation to the Division 8, 12, and 18 Cheerleaders recognizing their national cheerleading championship winnings.

PROCLAMATION – MOMENT OF SILENCE

The Mayor read a proclamation to proclaim December 21, 2019 at 4PM, for one minute of silence calling global cooperation for peace and freedom.

PRESENTATION OF RETIREMENT RESOLUTION – RON CLACE

The Mayor presented a Retirement Resolution to Ron Clace in honor of his recent retirement. The Resolution noted his many accomplishments during his tenure with the City and expressed gratitude for his years of service.

PRESENTATION OF RETIREMENT RESOLUTION – STEVEN BOUTWELL

The Mayor presented a Retirement Resolution to Steven Boutwell in honor of his recent retirement. The Resolution noted his many accomplishments during his tenure with the City and expressed gratitude for his years of service.

PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – SOUTHWESTERN COMMUNITY SERVICES – KEENE COMMUNITY KITCHEN

The Mayor opened the first public hearing to address a proposed Community Development Block Grant application at 7:22 PM. Mayor Lane stated he would like to go over the process to be followed. The Community Development Financing Authority has very specific protocols on how these public hearings are handled. Accordingly, this hearing will be handled differently than what the Council is accustomed to. The hearing notice identifies three separate

components. The actual CDBG application, the Housing and Community Development Plan and the Residential Anti-displacement and Relocation Assistance Plan. Each hearing will be opened and closed separately. He noted that upon the close of the final hearing, he will call forward the Finance, Organization and Personnel Committee's recommendation and Resolution R-2019-41. Finally, as the filing deadline for this application is approaching, he will be looking for a suspension of the Rules of Order to allow action upon the Resolution.

The Notice of Hearing and Certificate of Publication were read. The Mayor went on to recognize James Weatherly from Southwest Region Planning Commission to address the grant request.

Mr. Weatherly identified himself as a Planning Technician with Southwest Region Planning Commission. He began with a brief overview of the CDBG program. He noted that CDBG funds are available to municipalities for economic development, public facility and housing rehabilitation projects that primarily benefit low and moderate income persons. The City of Keene is eligible to receive up to \$500,000 per year for public facility or housing rehabilitation projects; up to \$500,000 per year for economic development projects; as well as up to \$500,000 per year in emergency funds. Feasibility studies are available for up to \$12,000. Mr. Weatherly continued he has provided a handout describing the CDBG eligibility criteria, which includes the area HUD income limits.

Mr. Weatherly continued that the proposed application to Community Development Finance Authority is for up to \$500,000 in CDBG funds for the Community Kitchen to make renovations to its facility located at 37 Mechanic Street in Keene. The Community Kitchen has owned this building since 1994. The property was the subject of CDBG applications in 1996, 1998 and again in 2018. The renovations completed in 2018 addressed critical capital needs in the building, but there is still a list of work that needs to be done to make the building withstand 20 years or more of service to low and moderate income residents. The building at 37 Mechanic Street is old. The southern room on the second floor needs to be air-sealed and insulated, as does the roof. In addition, the organization wishes to install a solar array on the roof to offset utility costs. The office suite needs to be updated, reconfigured and made more relevant to the needs of a 21st century organization. The project would involve the City of Keene as a grantee, sub-granting CDBG funds, less any administrative costs to the Community Kitchen to make these improvements to 37 Mechanic Street. The project would reduce operating costs by lowering utility expenses and by addressing capital improvements not addressed in 2018.

The Mayor recognized Ms. Phoebe Bray of the Keene Community Kitchen to address the specifics of this proposal. Ms. Bray explained that the project they are requesting funding for would put our building at 37 Mechanic Street in a good place to allow the organization to continue its mission for decades to come. She continued that it is imperative the Community Kitchen cuts operating costs wherever they can. The current methods for both heating and cooling are barely adequate. The plan is to create autonomous smaller zones to save costs and make the areas more comfortable and controllable for both staff and clients. The plans also include insulating and air-sealing the second floor. There are productivity challenges currently from excess heat in the summer and cold in the winter. Ms. Bray continued they are working with HVAC engineers who are trying to bring the building into the 21st century. This will be

done with options like reclaiming the heat given off the compressors on the second floor and using that as a primary heat source for the water going into their water heater, and extending a new hood over the range and convection ovens in the kitchen that will bring air back into the building. The solar array on the roof has the potential to save the organization 40% on electricity costs. This grant will secure the integrity of the building and it is the only practical way the work can be done. The organization works efficiently and diligently, but does not have the capacity to fund capital projects such as this. Ms. Bray noted she is confident the City Council will recognize the importance of the Community Kitchen – the work they do and the service they provide to residents of Keene who need them.

The Mayor opened the floor to public comments and questions about the proposed CDBG project. There being none, closed the public hearing for the proposed Community Development Block Grant application at 7:31 PM.

The Mayor opened the second public hearing for discussion of the Housing and Community Development Plan at 7:31 PM. Mayor Lane went on to recognize James Weatherly for comment.

Mr. Weatherly explained the second public hearing has to do with the Housing and Community Development Plan. He explained that the Housing and Community Development was last adopted by the City of Keene on April 18, 2019 and is required to reviewed and readopted every three years to qualify for CDBG funds. The plan has been updated to improve consistency, reflect completed and upcoming project, and to provide more versatile language in the CDBG impact area of the plan. He continued the proposed CDBG project conforms with the City of Keene's Housing and Community Development Plan's priorities to make available supportive services and opportunities designed to nurture and meet the needs of the citizenry.

The Mayor opened the floor to public comments and questions about the proposed Housing and Community Development Plan. There being none, the Mayor closed the public hearing for the Housing and Community Development Plan at 7:33 PM.

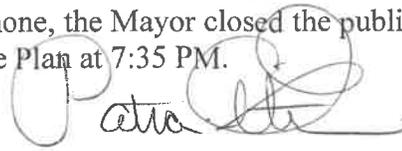
The Mayor opened the third public hearing for discussion of the Residential Anti-Displacement Plan at 7:33 PM. Mayor Lane went on to recognize James Weatherly for comment.

Mr. Weatherly explained that if any displacement takes place as a result of the proposed CDBG project the Uniform Relocation Act must be followed, which requires that any displaced household or business in a project using Federal funds must be found comparable housing or commercial space in a comparable neighborhood at a comparable price. Under the certification section of the application for CDBG funds, the City will certify that the Residential Anti-displacement and Relocation Assistance Plan is in place and in the event it is discovered this specific project does displace persons or households, the Residential Anti-displacement and Relocation Assistance Plan must be submitted to CDFA prior to obligating or expending funds. Mr. Weatherly continued that because of the nature of the proposed project, displacement is not anticipated as a result of the project. Should some unforeseen need arise, the City of Keene certifies that it will require the Community Kitchen as the recipient, to comply with Uniform Relocation Act and section 104-D of the Housing and Community Development Plan of 1974, as amended.

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The Mayor opened the floor to public comments and questions about Residential Anti-displacement and Relocation Assistance Plan. There being none, the Mayor closed the public hearing for the Anti-displacement and Relocation Assistance Plan at 7:35 PM.

A true record, attest:



City Clerk

ITEM BROUGHT FORWARD FOR ACTION – FOP REPORT AND RESOLUTION R-2019-41: APPROVING AN APPLICATION FOR CDBG FUNDS – COMMUNITY KITCHEN PROJECT

The Mayor brought forward item K.1., a Finance, Organization and Personnel Committee report and Resolution R-2019-41 Approving an Application for CDG Funds. He recognized Councilor Greenwald for a motion, noting acting on the item would require a suspension of the Council Rules of Order to allow action the same evening as the public hearing. A motion by Councilor Greenwald to suspend Section 27 of the Rules of Order, which restricts the City Council from considering a matter the same day as the hearing was duly seconded by Councilor Filiault. On a roll call vote, with 14 Councilors present and voting in favor, the Rules of Order were declared suspended. Councilor Hansel was absent.

Finance Organization and Personnel Committee report read accepting the presentation on the CDBG grant application for the Community Kitchen and recommending the report be accepted as informational. The report was filed as informational. Resolution R-2019-41 read for the first time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor. Resolution R-2019-41 declared adopted.

CONFIRMATION

A motion was made by Councilor Greenwald and duly seconded by Councilor Jones to confirm the following nomination: Cory Watkins to serve as a regular member of the Airport Development and Marketing Committee with a term to expire December 31, 2021. On a roll call vote, with 14 Councilors present and voting in favor, the nomination was confirmed. Councilor Hansel was absent.

PLD REPORT – PAUL KRAUTMANN – REQUEST FOR RESERVED PARKING SPACES – EAST SIDE OF CENTRAL SQUARE

Planning, Licenses and Development Committee report read recommending the letter from Paul Krautmann be accepted as informational. The report was filed into the record as informational.

PLD REPORT – YEAR ROUND LIGHTING DECORATIONS – KEENE KIWANIS CLUB

Planning, Licenses and Development Committee report read recommending that the Keene Kiwanis Club be authorized to maintain decorative lighting on the City-owned light poles on

Main Street for a year and that the City Manager be authorized to negotiate and execute an agreement with the Keene Kiwanis for the maintenance and operations of the lights. A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

PLD REPORT – KEENE SOLARIZE CAMPAIGN – ENERGY AND CLIMATE COMMITTEE

Planning, Licenses and Development Committee report read recommending that the City Council endorse the Keene Solarize Campaign. A motion by Councilor Richards to carry out the intent of the report was duly seconded by Councilor Greenwald. The motion passed with a unanimous vote in favor.

FOP REPORT – CONTINUED DISCUSSION – CAMPAING FINANCE ORDINANCE

Finance, Organization and Personnel Committee report read recommending the report on this item be accepted as informational. The report was filed into the record as informational.

FOP REPORT – 2020 LAW ENFORCEMENT OPIOID ABUSE REDUCTION GRANT – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept the NH Department of Safety 2020 Law Enforcement Opioid Abuse Reduction Grant in the amount of \$30,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a donation of \$85.00 and that the money is used for the Recreation Department scholarship fund. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – COUNCILOR GREENWALD – CONFLICT OF INTERST – REAL ESTATE RFQ

Finance, Organization and Personnel Committee report read indicating the Committee had granted the Chair's request for recusal. The report was filed into the record. A motion by Councilor Jacobs to grant Councilor Greenwald's request to abstain from the discussion and vote on the Real Estate RFQ was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor with Councilor Greenwald abstaining.

FOP REPORT – REAL ESTATE RFQ – ECONOMIC DEVELOPMENT DIRECTOR

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to all things necessary to negotiate and execute a contract for professional services with Government Services at KW Commercial – Keller Williams Coastal Realty whose proposal is determined to be in the “best interest” of the City. A motion by Councilor Jacobs to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor with Councilor Greenwald abstaining.

FOP REPORT - RECYCLING CENTER EQUIPMENT REBUILD – BALER INFEED CONVEYOR – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that a sole source contract be awarded for the rebuilding of the in-feed conveyor at the Recycling Center/Transfer Station and that the City Manager be authorized to do all things necessary to use Solid Waste Fund Equipment Replacement Capital Reserve Funds and FY20 Solid Waste Operating Budget Funds to rebuild the baler in-feed conveyor in conjunction with the Primary Baler Replacement Project. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT - RADIO COMMUNICATION EQUIPMENT UPGRADE – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Council as per City Code Section 2-1336 authorize the City Manager to do all things necessary to sole source the purchase of radio equipment and services from TCS Communications Corporation. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – ROXBURY STREET BRIDGE OVER BEAVER BROOK PROJECT – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute a sole-source professional services contract with McFarland Johnson, Inc. of Concord, NH, for the construction phase of the Roxbury Street Bridge over Beaver Brook Project (90186-A) for an amount not to exceed \$167,650.00. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Jacobs. The motion passed with a unanimous vote in favor.

FOP REPORT – DESIGN CONTRACT FOR MARTELL COURT HEADWORKS TREATMENT PROJECT – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Council authorize the City Manager to do all things necessary to negotiate and execute a professional services contract with Aldrich & Elliott Water Resources Engineers (AE) to perform Final

Design on the Martell Court Headworks Treatment project for an amount not to exceed \$80,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Filiault. The motion passed with a unanimous vote in favor.

CITY MANAGER COMMENTS

The City Manager began her comments by speaking about the efforts of the Fire Station 2 Study Committee, which has been meeting and working closely with the Community Development Department. Specifically they are utilizing the GSI technology with the assistance of our IT Department to locate four years' worth of EMS calls. The data will represent the response time associated with each call on a map. This allows the committee to analyze the location of Station 2 as it relates to our EMS demands in the City. In addition to staff, committee membership also included the Mayor, Councilor Manwaring, and Councilor Lamoureux. This committee concluded its work this week and the presentation of their findings will be made to the full City Council in January.

The City Manager also pointed out to the Council that in their Council boxes they had an invitation from Hundred Nights. They are holding an open house on Saturday, January 11, 2020 from 10:00 AM to 12:00 PM.

The City Manager reminded everyone about the complementary holiday parking in downtown. This will continue until December 25, 2019. Time limits at each parking space will still be enforced. She encouraged everyone to come downtown and support the local economy.

The City Manager took a moment to thank the Mayor and Council for putting their faith in her for a little over two years and the support every day since then. She recognized that the current Council was the one that hired her in September of 2017. She appreciates their vote of confidence in her and their continued support. She hopes that she can continue to make them all proud. She thanked the Mayor for how much he has dedicated himself to the office of Mayor for the betterment of the community, the countless days, nights and weekends. The City has been really fortunate to have had the Mayor in this leadership role for so long.

MORE TIME

More time was granted by the Chair for the following items in Committee: Discussion – Establishment of Free Downtown Parking – Economic Development Director; and Relating to Small Wireless Facility Deployments in the Public Right-of-Way.

CITY OFFICERS AND DEPARTMENTS

The Mayor read his farewell speech.

Tonight is my final City Council meeting as your Mayor. It has been 41 years since Mayor George Rossiter appointed me to serve as a Commissioner of the Keene Housing Authority. It has been 34 years since I first took the oath of office as a Keene City Councilor. It

has been 8 years since I became Mayor. When I started, my hair was brown, I did not need glasses to see and I could hear everything that was said to me. I have grown old in your service.

There have been many changes and advances in the City since I became Mayor. We have worked hard to improve our relationship with Keene State College. We have established the College/City Commission, which has worked on neighborhood issues, diversity and inclusion issues, and ways to better incorporate the college into the downtown. We have created a foundation to build upon as the City and Keene State College go forward.

We have worked on issues of inclusion and diversity. We have created the Human Rights Committee and we have spoken out as a community on issues of racial and gender equality. Keene along with communities' across the county is rated annually on our efforts to this area. When I became Mayor, our rating was 27 out of 100. It is now 69 and we are 2nd only to Durham in New Hampshire. There is more work to be done but we are moving forward.

We have continued to work to adapt to climate change. We invested over \$1 million after the flooding 2012 to clear Beaver Brook and to clean and upgrade the storm drains. We have seen a 25% reduction in carbon emissions by the City and we installed 2,010 solar panels on the Public Works garage, the one of the largest municipal solar array in New Hampshire. The ESCO project has saved the city hundreds of thousands of dollars in energy efficiency. We have recently issued an RFP for a solar field at the airport.

We have integrated climate adaptation into municipal decision-making and we have established a sustainable energy goal that by 2030 all electricity used in Keene will come from renewable sources and by 2050, all energy for transportation will come from renewable sources.

We have continued our work on the drug addiction crisis by actively participating in the committee on Treating Mental Health and Substance Use Disorders in our region – a discussion among providers, which meets quarterly.

We have built a new central fire station, kept the Court House downtown, expanded the library and seen the construction of a new ice arena. We have expanded our world-class trail system and seen the construction of both North Bridge and South Bridge. The next major advance will be installation of a bridge across Route 101 connecting the Stone Arch Bridge to the trail system. This past year, Keene hosted the Wall Dogs and the Radically Rural conference.

Housing opportunities have been expanded with the construction of new student housing on Ralston Street, the construction of Washington Square, the repurposing of the Colony Mill and the construction of Hillside Village. Now we must work to improve the housing opportunities at all economic levels.

The Ad Hoc Economic Development Committee has created goals and a road map for our future economic growth. This is only the first step. We must work to follow up on the promise that has been made – creating a more business friendly community.

We have completed the rezoning of Marlboro Street and are currently upgrading the street and we are nearing completion of the new Form Based Zoning Ordinance that will simplify and clarify the regulatory development codes for the city.

This has been a period of accomplishments and economic growth for the City of Keene. However, there are challenges ahead for the new Mayor and the incoming Council. They will have to resolve the Kingsbury property and the extension of Victoria Street. They will have to oversee the creation of the Arts and Culture corridor, a new Transportation Center and the revitalizing of downtown as a pedestrian friendly, cultural and residential center. Much work remains to support our local economy and expand our tax base. The city has a revenue problem and the challenge will be to recognize the cause and correct it. Because the CIP will only be

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revised every other year, the new Council will have to face the challenge of planning for a 2-year cycle and in determining how to include a new salt shed, Victoria Street and the new Robin Hood swimming pool in that program.

We are fortunate to live in Keene. The people here have many unique strengths. This is a City with a daytime population approaching 50,000 with a strong sense of community, a willingness to collaborate and a desire to be part of the solution for the issues we face together.

Keene's governance is strong with a stability that is a major asset for the community and is the envy of many other municipalities.

I want to conclude by thanking the voters for giving me the opportunity to serve as Mayor for the past 8 years. It has been a pleasure and I am very grateful for having had this opportunity.

I want to thank the City Council. My success is total dependent on your support and I very much appreciate the opportunity I have had to work with each of you.

I want to thank the City staff. They have been supportive and responsive to the community and to the Council and they give so much to make Keene a great place to live, work and play.

Finally, I want to thank my wife, Molly, who has made it possible for me to serve. Her patience, her tolerance, her willingness to sit home alone night after night while I am at meetings. Her understanding when those meetings go for later than expected. Her advice and support have been invaluable in making my time as Mayor possible. Therefore, I want to say thank you and offer best wishes to everyone going forward.

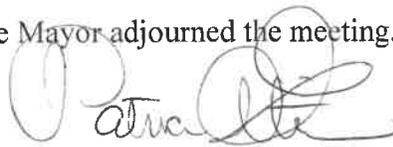
FAREWELL TO COUNCILOR ROBERT J. O'CONNOR, ROBERT B. SUTHERLAND,
GARY P. LAMOUREUX, CARL B. JACOBS, AND DAVID C. RICHARDS

The Mayor invited Councilor O'Connor, Robert B. Sutherland, Gary P. Lamoureux, Carl B. Jacobs, David C. Richards to come forward. The Mayor allowed each of the Councilors to say their own farewells.

ADJOURNMENT

At 8:18 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:



City Clerk

Pursuant to Section 20 of the City Charter, a special meeting of the Keene City Council was held on Wednesday, January 1, 2020 for the purpose of swearing in the Mayor and City Councilors-elect. The meeting was called to order at 12:00 Noon by the City Clerk, Patricia A. Little. The City Clerk announced that George S. Hansel was present to take the oath of office as Mayor of the City of Keene. Kendall W. Lane administered the oath of office to the Mayor-elect. The Mayor directed the City Clerk to call the roll of the Councilors-elect: Steven L. Hooper, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Gladys Johnsen, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Kate M. Bosley, and Thomas F. Powers City Attorney, Thomas P. Mullins administer the oath to the Councilors-elect. Mayor Hansel welcomed each new Councilor with a lapel pin of the City of Keene.

The Mayor directed the Clerk to call the roll of the 2020-2021 City Council. Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Randy L. Filiault, Robert C. Williams, Gladys Johnsen, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Kate M. Bosley and Thomas F. Powers were present. Michael Giacomo was absent.

The Mayor recognized Melanie Zalman McDonald, the Executive Director of the Jewish Federation of New Hampshire for greetings. He then recognized Pastor Albie Powers for the invocation. The pledge of allegiance was led by Shrihan Budakoti, and Ruby Mishra of the Keene India Association.

INAUGURATION SPEECH

Mayor Hansel welcomed Keene's former Mayor, Kendall Lane, the City Manager Elizabeth Dragon, Patty Little, the City Clerk, City Attorney Tom Mullins, as well as attending Department Heads and staff, City Councilors, and importantly the voters in Keene. Thank you for the honor of serving as your Mayor.

This election was one of the most contested in recent memory. The passion and enthusiasm exhibited by all of those who ran for Council seats, and for Mayor, highlighted that our City is rich in both leadership and individuals willing to work incredibly hard to make Keene a better place to live. Mayor Hansel thanked Councilor Greenwald, his family and supporters, for helping to frame the important issues for our city. He noted he looked forward to working closely with Mitch as a friend and colleague over the next two years, and beyond.

The Mayor also took a moment to acknowledge and thank his friends, neighbors, and family, who have supported him so far. Your job is not done and I'm thankful every day to have such talented and giving people around me.

Today begins the next City Council session. Today also marks the beginning of a new decade and a new chapter for the Elm City. Looking around the Council Chambers, there are 6 new Councilors. These additions are certain to bring new ideas and energy to the table.

The Mayor pointed out that we have the highest number of women on the Council in decades. This is something to celebrate, and we should be mindful that there is even more work to do to ensure that the representatives in this chamber are a close reflection of the community at large.

As our City grows and becomes more diverse, we need to work extra hard to invite representatives of that diversity to the table. The Mayor continued that he would like to offer a new year's challenge to the new City Council and the staff. The people of Keene voted for change: we must deliver it.

Over the next few months, as we settle into the business of local government, let us not be satisfied with the status quo. Let us look boldly towards the next decade and make Keene the best small city in America: a place where everyone feels welcome, where large and small businesses can thrive, and where a responsive City government takes care of its citizens' needs efficiently.

The success or failure of this Council will rely on everyone working together. One mayor, one councilor cannot accomplish very much. Ultimately, it takes consensus to move something forward in this chamber. The Mayor instructed the Council to work together, get to know each other, listen to their constituents, and let him know how he can help.

Mayor Hansel continued after the election, he received several hand-written letters from people in the community. Some of whom he knew, a few he did not. One letter reminded him of something that he thinks is important for all of us to hear. The letter advised him to always build relationships on trust and mutual respect. It advised him to enable the many smart and dedicated people in Keene who are ready to give back to the community they love. As elected officials, we do not lead this City in a vacuum. That is advice I will keep in the front of my mind as your Mayor.

We must also be forthright and honest in confronting the challenges ahead. Several of our neighborhoods, especially those on the southeast side of the City, are struggling. Looking ahead, we should be proactive in ensuring that every neighborhood in the City provides the highest quality of life possible. We need to ensure that every home in Keene is a good investment, and every street is one that you would be proud to grow up on. It will not take much to get there. A few strategic investments, some elbow grease, tackling one house at a time and we will get there.

Despite some inherent challenges, I am convinced that Keene is the City of opportunity in the State of New Hampshire. We boast access to four institutions of higher learning; a diverse group of internationally relevant, high-tech manufacturers that consistently lead their peers in both innovation and social responsibility. We have a budding arts scene anchored by institutions such as MOCO Arts and the Colonial Theater. We also have a proven commitment to environmental sustainability, self-reliance, and innovation. We are a community that does not back down when confronted with big ideas. Instead, we encourage and embrace them. We get together and make big things happen.

Over the coming years, we will show the world what we can do. Look for us to be proactive in addressing workforce housing, homelessness, and environmental sustainability, attracting businesses, maintaining and expanding our vibrant and active downtown core, and creating a welcoming environment for people of all backgrounds.

There is no excuse for inaction. The leadership of this community must come together, utilize and enhance each other's strengths, and fill in for any weaknesses. This includes bringing together leaders at the State level, the County, surrounding towns, regional institutions of higher learning, and the business community. Effective leadership is in place at all of these institutions. It is a matter of communication and coordination. It is a matter of focusing on results, and not worrying about who gets the credit.

Here in the Monadnock Region, we're often forgotten about, and we rarely receive the attention we need or deserve. That trend ends now. Starting with a legislative delegation meeting in the next couple of weeks, we are going to be much more proactive in advocating for ourselves and our needs. We'll support those doing good work on our behalf and we'll build on our reputation as an innovative community that leads the rest of New Hampshire.

This attitude and posture will attract other change makers. We will attract the innovative and socially conscious businesses, young people and families that we need to help our economy and our community thrive for the next few decades.

The people of Keene voted for change. My challenge to the city's leaders is to work together with me to help deliver it. The Mayor closed his remarks with "Let's get to work."

RESOLUTION R-2020-01: RELATING TO THE RULES OF ORDER

Resolution R-2020-01 was read first time by title only. A motion by Councilor Bosley to move for adoption of the Resolution was duly seconded by Councilor Powers. A motion by Councilor Clark to amend the Resolution by striking the phrase "rise is in his or her place," in Section 11 entitled "Right of Floor." The motion to amend failed with 9 votes in opposition. Councilors Williams, Jones, Johnsen, Clark and Ormerod voted in favor. Referring to the motion to adopt, on roll call vote, 14 Councilors were present and voting in favor. Councilor Giacomo was absent.

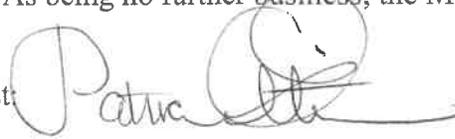
ANNOUNCEMENT OF STANDING COMMITTEES

The City clerk read the Mayor's appointments to the City Council's Standing Committees. To the Municipal Services, Facilities and Infrastructure Committee: Janis O. Manwaring, Michel Giacomo, Randy L. Filiault, Bettina A. Chadbourne, and Robert C. Williams. To the Planning, Licenses and Development Committee: Kate M. Bosley, Mitchell H. Greenwald, Philip M. Jones, Gladys Johnsen and Catherine I. Workman. To the Finance, Organization and Personnel Committee: Thomas F. Powers, Stephen L. Hooper, Terry M. Clark, Michael J. Remy and Raleigh C. Ormerod. The appointments were filed into the record.

01-01-2020

The Reverend Elsa Worth gave the benediction. As being no further business, the Mayor adjourned the meeting at 12:41 PM.

A true record, attest:

A handwritten signature in cursive script, appearing to read "Patricia", written in black ink.

City Clerk



City of Keene, N.H.
Transmittal Form

January 15, 2020

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.1.

SUBJECT: Nominations

COUNCIL ACTION:

In City Council January 16, 2020.
Tabled until the next regular meeting.

RECOMMENDATION:

I hereby nominate the following individuals to serve on the designated Board or Commission:

Airport Development and Marketing Committee

Nathan Jacobs, slot 10
renomination

Term to expire Dec. 31, 2022

Ashuelot River Park Advisory Board

Dave Whaley, slot 2
renomination

Term to expire Dec. 31, 2022

Assessors Board

John Newcombe, slot 1
renomination

Term to expire Dec. 31, 2022

Bicycle Pedestrian Path Advisory Committee

Charles Redfern, slot 8 alternate
regular to alternate

Term to expire Dec. 31, 2022

Building Board of Appeals

Katie Sutherland, slot 1
renomination

Term to expire Dec. 31, 2022

Malcolm Katz, slot 2
renomination

Term to expire Dec. 31, 2022

Steven Walsh, slot 4
renomination

Term to expire Dec. 31, 2022

Housing Standards Board of Appeal

Katie Sutherland, slot 1
renomination

Term to expire Dec. 31, 2022

Malcolm Katz, slot 2
renomination

Term to expire Dec. 31, 2022

Steven Walsh, slot 4
renomination

Term to expire Dec. 31, 2022

College City Commission

Phil Jones, Councilor - ex-officio slot 3
renomination

Term to expire Dec. 31, 2021

Ely Thayer, slot 6
renomination

Term to expire Dec. 31, 2022

Conservation Commission

Art Walker, slot 2
renomination

Term to expire Dec. 31, 2022

Energy and Climate Committee

Peter Hansel, slot 5
renomination

Term to expire Dec. 31, 2022

Terry Clark, Councilor - ex-officio slot 3
renomination

Term to expire Dec. 31, 2021

Cary Gaunt, slot 8
renomination

Term to expire Dec. 31, 2022

Historic District Commission

Andrew Weglinski, slot 1
renomination

Term to expire Dec. 31, 2022

Sam Temple, slot 2
renomination

Term to expire Dec. 31, 2022

Nancy Proctor, slot 5
renomination

Term to expire Dec. 31, 2022

Hanspeter Weber, alternate slot 11
regular to alternate membership

Term to expire Dec. 31, 2022

Planning Board

Pamela Russell Slack, slot 3
renomination

Term to expire Dec. 31, 2022

Partner City Committee

John Mitchell, slot 5
renomination

Term to expire Dec. 31, 2022

Irene Davis, slot 8
renomination

Term to expire Dec. 31, 2022

Will Schoefmann, slot 9
renomination

Term to expire Dec. 31, 2022

Kurt Blomquist, administrative staff,
ex-officio slot 3
renomination

Term to expire Dec. 31, 2021

Trustees of Trust Funds and Cemetery

Trustees

Susan Silver, slot 4
renomination

Term to expire Dec. 31, 2022

Zoning Board of Adjustment

Josh Gorman, slot 2
renomination

Term to expire Dec. 31, 2022



City of Keene, N.H.
Transmittal Form

January 15, 2020

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.2.

SUBJECT: Nominations

COUNCIL ACTION:

In City Council January 16, 2020.
Tabled until the next regular meeting.

RECOMMENDATION:

I hereby nominate the following individuals to serve on the designated Board or Commission:

Keene Housing Authority

Susan Shaw, slot 4
835 Court Street

Term to expire Dec. 31, 2024

Trustees of Trust Funds and Cemetery

Trustees

Marilyn Gemmell, slot 3
40D Stonehouse Lane

Term to expire Dec. 31, 2022

Conservation Commission

Andrew Madison, slot 7
14 Carroll Street

Term to expire Dec. 31, 2022

Planning Board

Michael Remy, Councilor, ex-officio, slot 9

Term to expire Dec. 31, 2021

Human Rights Committee

Shawn Filiault, slot 7
40B Stonehouse Lane

Term to expire Dec. 31, 2021

Bicycle Pedestrian Path Advisory Committee

Aaron Shields, slot 3
573 West Street

Term to expire Dec. 31, 2022

Michael Davern, slot 6
733 Hurricane Road

Term to expire Dec. 31, 2022

Jan Manwaring, slot 4

Term to expire Dec. 31, 2022

ATTACHMENTS:

Description

Background Gemmell

Background Shaw

Background Madison

Background Filiault

Background Shields

Background Davern

Experience

City of Keene-(Elected)

2018-2019 Ward Clerk for Ward 5

City of Keene-(Volunteer)

2013-2018 City of Keene Trustees of Trust Funds committee

- Maintain custody of all trust funds held by the City of Keene and determine investment strategies and responsible uses for these funds.

Friends of the Keene Public Library Treasurer-(Volunteer)

2013-present Friends of the Keene Public Library

- Maintain records that ensure the accountability of all revenue and expense items using a cash accounting system.
- Manage all vendor payments, using a pro-forma board approved budget, in support of the Keene Public Library.
- Prepared all work papers for use by external accountants insuring compliance of all State and Federal filing requirements.

Monadnock United Way

1993-2013 Financial and Funds Distribution Director

- Maintain and ensure the accountability of the revenue, expenses, accounts receivable, accounts payable, general ledger, payroll and audit.
- Manage process of distributing funds raised in the annual campaign, grants and fiscal agent program.
- Manage financial aspects of donor database, campaign reporting, donations, pledge receivables and donor restricted donations.

Monadnock United Way

1989-1993 Financial Manager

- Responsible for tracking and maintaining approved financial operations on a day to day basis.
- Prepared all Board, local, state and federal reports required on monthly, quarterly and yearly basis.
- Prepared all work papers for use by external auditors.

Family Planning Services of SWNH

1987-1989 Executive Director

- Responsible for the overall fiscal and administrative functioning of a reproductive health agency serving 2000 women.
- Supervision and evaluation of seven medical and service staff.
- Responsible for proposal writing, program planning, recruitment of new personnel.

Family Planning Services of SWNH

1973-1987 Administrative Assistant for Finance

- Worked with agency Treasurer and agency Director to develop pro-forma budgets.
- Maintained approved functional budgets for agency and line item budgets for programs by funding sources.
- Prepared all Board, local, state and federal reports required on monthly, quarterly and yearly basis.
- Prepared all work papers for use by external auditors.

Education

Franklin Pierce College, Rindge NH 1982-1986 Bachelor of Science with dual major in Business Management and Accounting.

835 Court Street #202
Keene, NH 03431

December 31, 2019

Mayor-elect George Hansel
38 Elm Street
Keene, NH 03431

Re: Appointment to Keene Housing Authority Board of Commissioners

Dear Mr. Hansel,

I have been invited to serve a five year term on KHA board of commissioners and want to express my interest in serving. It will be an opportunity to use my experiences and training (and passion), here in my community.

I am a Keene native, and over the years have volunteered and served on The Colonial Theatre board and Cedarcrest Advisory board, and as founding member of AIDS Services of the Monadnock Region.

My career has been in housing and services for older people; BA in Interdisciplinary Gerontology, Executive Director of The Woodward on Court Street, national delegate to the National Association of Homes and Services for the Aging, (NAHSA) Washington, DC. President of Northern New England Association (NEASHA), and I have a certification as Retirement Housing Specialist from (NAHSA).

Please consider appointing me to the KHA Board of Commissioners.

Yours truly,

A handwritten signature in cursive script that reads "Susan Lane Shaw". The signature is written in black ink and is positioned below the "Yours truly," text.

Susan Lane Shaw

CC: Joshua Meehan

Helen Mattson

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Sunday, December 01, 2019 10:29 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Sun, 12/01/2019 - 22:16</p>

<p>Submitted values are:</p>

First Name:

Andrew

Last Name:

Madison

Address

14 Carroll St
Apt 2

Email:

Cell Phone:

38920679

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

Conservation Commission, Zoning Board Adjustment

Employer:

NH Department of Environmental Services

Occupation:

Investigator

Education:

B.S. in Geography from Salem State University, M.S. in Environmental Science from Indiana University

Have you ever served on a public body before?

Yes

If you answered yes above, please provide what public body you served on and where.

City of Keene Conservation Commission

Other Information/Relevant Experience:

I served on the Keene Conservation Commission from April 2016 to November 2018 including several months as Vice Chair. I also have 11 years of professional experience in natural resource management, five of which included experience providing technical assistance to NH municipalities regarding land use planning and the creation/implementation of municipal ordinances related to the protection of natural resources.

Please provide some references:

Michael Giacomo

References #2:

Michael Remy

If would like to, please provide your resume

AMadison_Resume.docx

Andrew Madison

14 Carroll St. Apt #2

Keene, NH 03431

603-892-0679

SUMMARY:

Natural resource planner with experience in assisting rural municipalities in addressing drinking water quality concerns related to land use. Experienced in stakeholder engagement, grant writing, program management, creating and reviewing technical reports, and public speaking.

EXPERIENCE:

New Hampshire Department of Environmental Services – Source Protection Coordinator

April 2018 – Present

- Manage and administer a \$250,000 annual grant program to support drinking water source protection initiatives throughout the state.
- Provide guidance and technical assistance to local and regional planners regarding drinking water source related topics, including the creation of model ordinances.
- Organize and host trainings, conferences, and workshops for local and regional drinking water stakeholders.
- Coordinate drinking water source protection planning initiatives between state, local, and federal agencies.

Granite State Rural Water Association, Walpole NH- Source Water Protection Specialist

June 2014- April 2018.

- Manage a USDA-funded local source water protection program with a goal of creating and implementing three source protection plans protecting five or more public water sources annually.
- Assist communities with reviewing land use codes and municipal ordinances and offer input on how to align with drinking water protection needs.
- Review current and historic land uses and identify potential sources of groundwater contamination.
- Coordinate local source water stakeholder committees and assisted in building their capacity to advocate for the protection of drinking water resources.
- Assist communities with creating, or updating groundwater protection ordinances.
- Apply for, and manage grants from government and non-government sources for source protection projects.

Indiana University, Bloomington IN- Graduate Research Assistant.

September 2012 – June 2014

- Managed a water quality monitoring project in support of the Mississippi River Basin Healthy Watersheds Initiative while performing independent research.
- Analyzed water quality, and benthic sediment samples for nutrient concentrations.
- Prepared project reports and presentations for stakeholders, professional groups and project funders.

Curecanti National Recreation Area, Gunnison CO- Biological Science Technician

May 2010-August 2012

- Performed all water quality sample collection, shipping and data entry for the park's water quality monitoring program.

Andrew Madison

14 Carroll St. Apt #2
Keene, NH 03431
603-892-0679

- Oversaw aquatics program field crew during field operations on the water and in remote locations.
- Assisted with the park's aquatic invasive species management program.

Uncompahgre Watershed Partnership, Ridgway CO – AmeriCorps Volunteer In Service To America (VISTA)

April 2009-April 2010

- Assisted in the creation of an EPA funded watershed plan and water quality summary for the Uncompahgre River in Western Colorado.
- Coordinated outreach activities including planning public events, writing press releases and communicating with stakeholders including government agencies, businesses, and private land owners.
- Coordinated fundraising activities such as grant writing, funding requests to local governments and collaborative fundraisers.

Massachusetts Department of Conservation and Recreation, Belchertown MA – Park Interpreter

May 2008-April 2009

- Organized and conducted environmental education programs for organized groups and individuals
- Created educational displays on the ecology and local history of the park

Volunteer Work:

Sassafras Audubon Society- Conservation Chair, Bloomington Indiana.

January 2013-June 2014

Greater Keene Chamber of Commerce- Programs Committee Member, Chair of the Keene Young Professionals Network

January 2016-April 2018

City of Keene, NH Conservation Commission- Vice Chair

May 2016-November 2018

City of Keene, NH Goose Pond Forestry Management Plan Committee- Member

December 2017- November 2018

EDUCATION:

Indiana University- Bloomington, IN

M.S. in Environmental Science, 2014

Research: *Land cover impacts on stream nutrient dynamics in a Midwestern agricultural watershed.*

Salem State University- Salem, MA

B.S. in Geography, 2008

Awards

John L. George Award for Scholarship and Service in Geography- *April, 2007*

Business Monadnock Trendsetter Award- *March, 2017*

Leadership Monadnock Graduate- *June, 2017*

SHAUN M. FILIAULT

40B Stonehouse Ln ♦ Keene, New Hampshire 03431 ♦ 603-355-7890 ♦

EDUCATION:

Univ. of New Hampshire (<i>Concord, NH</i>)	Juris Doctor (2020)(e)
Boston University (<i>Boston, MA</i>)	Master of Laws (2016)
Charles Darwin University (<i>Australia</i>)	Bachelor of Laws (2015)
University of South Australia (<i>Australia</i>)	Doctor of Philosophy (2009)
Boston University (<i>Boston, MA</i>)	Bachelor of Arts (2004)

HIGHLIGHTED LEGAL EXPERIENCE:

Bragdon, Baron & Kossayda (*Keene, NH*) *Jan. 2020 – present*

- Will conduct legal research and draft legal documents for Keene-based law firm

Vermont Attorney General (Consumer Protection) (*Montpelier, VT*) *June 2019 – Aug. 2019*

American Bar Association Steiger Fellowship

- Analyzed discovery, helped write complaint about medical technology not yet addressed by FDA
- Drafted a Civil Investigative Demand about multistate tax issue regarding “Fortune 500” company
- Developed discussion paper used by state government about blockchain and consumer data privacy

New Hampshire Bureau of Securities Regulation (*Concord, NH*) *2018-2019*

- Assisted State secure \$1.1 million judgment in administrative hearing as third chair
- Analyzed brokerage documents for churning/missed breakpoints; secured \$450,000 judgment for State
- Negotiated with licensees regarding Blue Sky law violations and drafted Consent Orders for State

New Hampshire Attorney General (Consumer Protection) (*Concord, NH*) *2018*

- Deposed target in criminal consumer protection case under guidance of assistant attorney general
- Developed civil consumer protection complaints filed by Attorney General in state court

United States District Court, Massachusetts (Hon. William G. Young) (*Boston, MA*) *2016-2017*

- Wrote orders such as *Markman* constructions, trademark priority, and *Gartenberg* fee analysis
- Researched federal and state law pertaining to cases pending before U.S. District Court

Massachusetts Attorney General (Civil Rights) (*Boston, MA*) *2016*

- Investigated complaints lodged by LGBTQ students about alleged mistreatment by university
- Liaised with large Massachusetts employer about complaints concern treatment of service animals
- Wrote discussion paper for Attorney General about Second Amendment’s coverage of ammunition

HIGHLIGHTED TEACHING AND ADMINISTRATION EXPERIENCE:

River Valley Community College (*New Hampshire*) *Adjunct Professor* *2014 – present*

- Deliver undergraduate psychology courses for New Hampshire Community College System

Flinders University, School of Education (*Australia*) *Assistant Dean of Under. Studies* *2009-2013*

- Taught undergraduate and graduate courses in psychology, education, and health promotion
- Administered and advised portfolio of several thousand undergraduate students
- Led restructure and revision of all courses and degrees in School of Education as co-chair of School’s multi-year Course and Curriculum Restructuring and Revision program
- Reviewed and approved research proposals as member of Institutional Ethics Review Board
- Provided expert reports to state and federal governments on health promotion initiatives
- Published numerous peer-reviewed journal articles and book chapters about health promotion

Patty Little

From: Patty Little
Sent: Sunday, January 05, 2020 6:52 AM
To: Patty Little
Subject: Fw: Interested in serving on a City Board or Commission

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us> on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, December 12, 2019 9:53 AM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 12/12/2019 - 09:53</p>

<p>Submitted values are:</p>

First Name:

Aaron

Last Name:

Shields

Address

573 West St. Apt. 3
Keene, NH 03431

Email:

Cell Phone:

6039034221

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

Bicycle/Pedestrian Path Advisory Committee

Employer:

Self Employed - Mudita Massage & Wellness

Occupation:

Massage Therapist

Education:

BS in GeoEnvironmental Studies from Shippensburg University of Pennsylvania

Have you ever served on a public body before?

No

Other Information/Relevant Experience:

business owner, completed geography coursework including a GIS certificate for bachelors degree.

Please provide some references:

Chris Brehme

6039035901

References #2:

Wink Faulkner

6034995458

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Wednesday, January 08, 2020 11:09 AM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Wed, 01/08/2020 - 11:09</p>

<p>Submitted values are:</p>

First Name:

Michael

Last Name:

Davern

Address

733 Hurricane Rd

Keene, NH

Email:

Cell Phone:

603-359-7474

Home Phone:

603-357-7443

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

Bicycle/Pedestrian Path Advisory Committee

Employer:

TomTom

Occupation:

GIS Engineer

Education:

MA Geography, Binghamton University

Have you ever served on a public body before?

No

Other Information/Relevant Experience:

Current President of the Brattleboro-Keene chapter of the New England Mountain Bike Association (BK-NEMBA).

Please provide some references:

Ted McGreer

References #2:
Peter Poanessa



City of Keene, N.H.
Transmittal Form

January 9, 2020

TO: Mayor and Keene City Council

FROM: Peter W. Majoy

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Petition - Requesting that the City of Keene Recognize Indigenous People's Day in Place of Columbus Day

COUNCIL ACTION:

In City Council January 16, 2020.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

ATTACHMENTS:

Description

Petition

BACKGROUND:

Peter W. Majoy is submitting a petition containing 55 other signatures requesting that the City recognize Indigenous People's Day in place of Christopher Columbus Day.

In City Council January 16, 2020.
Referred to the Finance, Organization
and Personnel Committee.

Patrie C. C. C.

City Council

January 7, 2020

Mayor &
City Council
Keene, N.H. 03431

Dear Mayor and City Council,

Contained here is my Petition signed by me and other folk who also live in Keene. As you can see, the Petition would like the City of Keene to celebrate Indigenous Peoples day in place of Christopher Columbus Day. The Petition references Christopher Columbus as "responsible for the suffering and death of a large portion of the Indigenous People who were already living here". There is much more horror created and performed by Columbus. Attached is part of my workshop presentation regarding the real Columbus.

In addition to the above, what follows is a quote from ***Goodbye Columbus, Hello Indigenous Peoples Day*** by Amy Goodman & Denis Moynihan at the program, *Democracy Now* which is also attached: "Indigenous Peoples Day is increasingly being celebrated across the U.S. in place of Christopher Columbus Day, as the myth of Columbus as beneficent discoverer is debunked and as the critical role of indigenous people protecting the planet becomes more recognized. Indigenous defenders of Mother Earth are often at the front lines of environmental destruction, confronting militarized state and corporate power against enormous odds, with courage and determination. Columbus arrived at the Bahamas 527 years ago, unleashing a brutal genocide that killed tens of millions of native people across the hemisphere. Now, as the sixth great extinction accelerates and the planet catastrophically heats up, it may well be indigenous peoples who save us all."

I am hoping that the City of Keene decides to replace Christopher Columbus Day with Indigenous People's Day. I look forward to when I must appear before the City Council for a discussion and a vote.

Thank you.

Peter W. Majoy

Peter W. Majoy
143 S. Lincoln St.
Keene, NH 03431
603-352-4438

PETITION TO THE CITY OF KEENE, N.H. TO
REPLACE COLUMBUS DAY WITH INDIGENOUS PEOPLES DAY

We, the citizens of the city of Keene, N.H., petition the city to replace Columbus Day with Indigenous Peoples Day.

There is an enormous amount of historical proof that Christopher Columbus was responsible for the suffering and death of a large portion of the Indigenous People who were already living here. Columbus Day is based on fraudulent information that must be the basis for ending any further celebration of Columbus Day in a true Democracy. Furthermore, the celebration needs to be focused on and for Indigenous People whom we must honor, recognize as part of our community and stand up for their human and civil rights. Already 8 states (including Vermont) and 130 cities (including Durham, N.H.) have done so and the number of states and cities is increasing every year.

Petition Signers Below

DATE	NAME	ADDRESS IN KEENE, N.H.	PHONE #	SIGNATURE
11/6/19	Donna Weldon	266 MAIN St	603-352-3704	Donna Weldon
11-6-19	Susan Foster	82 Meadow Rd	603-465-8166	Susan M. Foster
11-6-19	Patti Schuman	33 Shadow Ln Keene	603-357-4409	Patti Schuman
11-7-19	TERESA Majoy	143 So Lincoln	03431 (603) 352-4438	Teresa Majoy
11-7-19	Clare Casey	135 Base Hill Rd, Keene	(603) 852-2911	Clare Casey
11-7-19	Man Miller	268 W Hill Rd Keene	603 357-2821	Man Miller
11-7-19	Sam Geller	18 Lee St	Keene, 603 449-0849	Sam Geller
11/16/19	Gerhard Bedding	25 Ing Pitt #43, Keene	603-355-2202	Gerhard Bedding
11-16-19	Chyde DeLong	25 IVY #5 KEENE NH	903-274-9183	Chyde DeLong
12/20/19	Jon Hasbrod	401 Terrace St. Keene, NH	03431	Jon Hasbrod

56 Signatures.

REAL CHRISTOPHER COLUMBUS WORKSHOP

1.

The Goals of this workshop

- (a) To understand the historical context of racism in the United States of America;
- (b) To encourage ending Columbus Day and replacing it with Indigenous People's Day.

2.

Reading quotes from Howard Zinn's Article, The Real Christopher Columbus

- (a) Respond to and discuss the Zinn quotes.

3.

View small pictures with writing on them regarding Columbus

- (a) Share the one that you connect to the best and explain why.

4.

The Real Christopher Columbus

- (a) Discuss the following data from the film at the website, ed.ted.com/lessons/history-vs-christopher-columbus-alex-gendler. These are the six pieces of info:

- (One) Withdraw from Columbus Day
- (Two) Columbus discovered nothing;
- (Three) Millions of Native Americans did not survive and still suffer from what he did;

(Four) Sexual slavery;

(Five) 3 million people perished from the effect of Columbus on the Americas;

(Six) Need to get real history on track.

© To add to the above, we will read quotes from 9
Reasons Christopher Columbus Was a Murderer, Tyrant, and Scoundrel by Dylan Matthews.

HZ—TRCC

Note: What follows are quotes from Howard Zinn's article, "The Real Christopher Columbus"

1. "There was no heroic adventure, only bloodshed. Columbus Day should not be a celebration."
2. "In the year 1495, they went on a great slave raid, rounded up 1,500 Arawak men, women and children, put them in pens guarded by Spaniards and dogs, then picked the 500 best specimens to load onto ships. Of those 500, 200 died en route."
3. "Too many of the slaves died in captivity. And so Columbus, to pay back dividends to those who had invested, had to make good his promise to fill the ships with gold. In the province of Cicao on Haiti, where he and his men imagined huge gold fields to exist, they ordered all persons fourteen years or older to collect a certain quantity of gold every three months. When they brought it, they were given copper tokens to hang around their necks. Indians found without a copper token had their hands cut off and bled to death."
4. The Indians had been given an impossible task. The only gold around was bits of dust garnered from the streams. So they fled, were hunted down with dogs, and were killed. When it became clear that there was no gold left, the Indians were taken as slave labor on huge estates, known later as *encomiendas*. They were worked at a ferocious pace, and died by the thousands. By the year 1515, there were perhaps 50,000 Indians left. By 1550, there were 500. A report of the year 1650 shows none of the original Arawaks or their descendants left on the island."
5. "When he arrived on Hispaniola in 1508, Las Casas says, 'there were 60,000 people living on this island, including the Indians; so that from 1494 to 1508, over three million people had perished from war, slavery and the mines. Who in future generations will believe this? I myself writing it as a knowledgeable eyewitness can hardly believe it.'" (NOTE: Howard Zinn states this about Las Casas: "The chief source---and , on many matters the only source----of information about what happened on the islands after Columbus came is Bartolome de las Casas, who, as a young priest, participated in the conquest of Cuba. For a time he owned a plantation on which Indian slaves worked, but he gave that up and became a vehement critic of Spanish cruelty. Las Casas transcribed Columbus's journal and, in his fifties, began a multi-volume *History of the Indies*.")
6. "What Columbus did to the Arawaks of the Bahamas, Cortes did to the Aztecs of Mexico, Pizarro to the Incas of Peru, and the English settlers of Virginia and Massachusetts to the Powhatans and the Pequots. They used the same tactics, and for the same reasons---the frenzy in the early capitalist states of Europe for gold, for slaves, for products of the soil, to pay the bondholders and stockholders of the

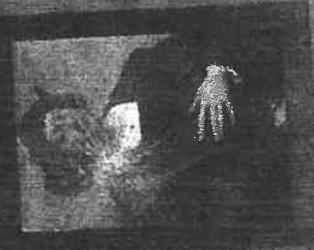
expeditions, to finance the monarchical bureaucracies rising in Western Europe, to spur the growth of the new money economy rising out of feudalism, to participate in what Karl Marx would later call 'the primitive accumulation of capital'. These were the violent beginnings of an intricate system of technology, business, politics, and culture that would dominate the world for the next five centuries."

7. "Thus began the history of the European invasion of the Indian settlements in the Americas. That beginning is conquest, slavery, death. When we read the history books given to children in the United States, it all starts with heroic adventure--- there is no bloodshed---and Columbus Day is a celebration."

ZINN EDUCATION PROJECT

ABOLISH COLUMBUS DAY

SOLIDARITY WITH
INDIGENOUS PEOPLES



RESOURCES • INFORMATION • CONNECT
www.zinnedproject.org/ABOLISH



When your people came to
our land, it was not with
open arms, but with Bibles
and guns and disease. You
took our land. You killed
us with your guns and
disease, then had the
arrogance to call us
Godless savages.

CAFE

CELEBRATING COLUMBUS: HONORS
GENOCIDE TERRORISM RAPE
MURDER THEFT and LIES

WANTED

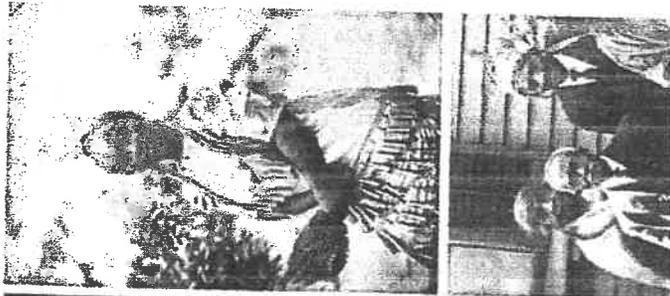


CHRISTOPHER COLUMBUS

GRAND THEFT, GENOCIDE, RACISM
INITIATING THE DESTRUCTION OF A CULTURE
RAPE, TORTURE, AND MARRIAGE OF
INDIGENOUS PEOPLE AND DESTROYER OF THE 9/10 ARE.

500 YEARS OF TOURISM

We weren't all brought on ships called *jesus*, liberty, grace, justice & mercy, our ancestors were already natives of the land long before the Columbus lies.
#ImHotep



did you know?

Christopher Columbus was not the first to discover America, but he was the first to introduce transatlantic slavery to the New World. In 1492, he described Caribbean Island natives in his journal, noting "I could conquer the whole of them with 50 men and govern them as I please." Within a year, he'd initiated the enslavement, transport, abuse, mutilation, rape, and murder of millions of natives in what was probably the biggest slave trade of its time.



PHOTO: THE GALLERY COLLECTION/ODDPIX © DUSTYBOWLETS.COM

Christopher Columbus introduced two phenomena that revolutionized race relations and transformed the modern world: the taking of land, wealth, and labor from indigenous people in the Western Hemisphere, leading to their near extermination, and the transatlantic slave trade, which created a racial underclass.

— James H. Loewen —

AZ QUOTES

CHRISTOPHER COLUMBUS: MURDERER, TYRANT, AND SCOUNDREL

Note: the following are quotes from *9 reasons Christopher Columbus was a murderer, tyrant, and scoundrel* by Dylan Matthews.

1. "Columbus kidnapped a Carib woman and gave her to a crew member to rape"
2. "On Hispaniola, a member of Columbus's crew publicly cut off an Indian's ears to shock others into submission"
3. "Columbus kidnapped and enslaved more than a thousand people on Hispaniola"
4. "Columbus forced Indians to collect gold for him or else die"
5. "About 50,000 Indians committed mass suicide rather than comply with the Spanish"
6. "56 years after Columbus's first voyage, only 500 out of 300,000 Indians remained on Hispaniola"
7. "Columbus was also horrible to the Spanish under his rule"
8. "Settlers under Columbus sold 9- and 10- year- old girls into sexual slavery" ...
9. "Indian slaves were beheaded when their Spanish captors couldn't be bothered to untie them"

Note: There are three copies of the full 6 page article available to take.

Goodbye Columbus, Hello Indigenous Peoples Day

TOPICS

Indigenous

Native American

By Amy Goodman & Denis Moynihan

Indigenous Peoples Day is increasingly being celebrated across the U.S. in place of Christopher Columbus Day, as the myth of Columbus as beneficent discoverer is debunked and as the critical role of indigenous people in protecting the planet becomes more recognized. Indigenous defenders of Mother Earth are often at the front lines of environmental destruction, confronting militarized state and corporate power against enormous odds, with courage and determination. Columbus arrived in the Bahamas 527 years ago, unleashing a brutal genocide that killed tens of millions of native people across the hemisphere. Now, as the sixth great extinction accelerates and the planet catastrophically heats up, it may well be indigenous peoples who save us all.

Official recognition of Indigenous Peoples Day has occurred in at least eight states: Alaska, Maine, Minnesota, New Mexico, North Carolina, South Dakota, Vermont and Wisconsin. Over 130 cities and counties have adopted the holiday as well, from big cities like Los Angeles, San Francisco, and Dallas, to smaller places like Livingston, Kentucky, and Harpers Ferry, West Virginia.

Washington, D.C., the District of Columbia, the name of which derives from Columbus, just passed a resolution recognizing Indigenous Peoples Day. “Columbus Day was officially designated as a federal holiday in 1937 despite the fact that Columbus did not discover North America, despite the fact that millions of people were already living in North America upon his arrival in the Americas, and despite the fact that Columbus never set foot on the shores of the current United States,” D.C. Councilmember at-large David Grosso said in a statement before the vote. “Columbus enslaved, colonized, mutilated and massacred thousands of Indigenous People in the Americas.”

The movement to replace Columbus Day gained momentum in 1992, the 500th anniversary of Columbus’ arrival, with Berkeley, California, becoming the first city to make the change. Earlier protests inspired the movement, including the annual National Day of Mourning in Plymouth, Massachusetts, held on Thanksgiving to challenge the myth of peaceful coexistence between native people and the English settlers, the Pilgrims. UnThanksgiving is an annual event in San Francisco, where hundreds travel by boat to Alcatraz Island, once the site of a notorious prison, for a sunrise ceremony. Native American activists occupied the island 50 years ago to protest the plight of indigenous peoples in the United States.

Across the Americas, indigenous communities are standing up against unrestrained exploitation of their land, extractive industries, violence and racism. In Ecuador, indigenous-led protests against International Monetary Fund-imposed austerity measures, as well as against ongoing oil extraction and mining, have forced President Lenin Moreno to relocate his government from Quito to the city of Guayaquil.

Ecuadorian law professor David Cordero Heredia described the role of indigenous activism on the “Democracy Now!” news hour: “Indigenous people are offering us a sustainable alternative. They want to protect their jungles, their territories. They’ve got another way to see the world.”

Indigenous tribes in the Amazon in Brazil are confronting racist government policies as well as the life-threatening forest fires largely set on purpose with the blessings of President Jair Bolsonaro. The indigenous rights group Survival International said the president “wants to open up indigenous territories across Brazil to loggers, miners and ranchers. He doesn’t care how many indigenous people die in the process, and has openly expressed his racist contempt for them on many occasions.”

As she makes her way across North America, 16-year-old Swedish climate activist Greta Thunberg spent this week visiting indigenous youth activists in the Dakotas, on the Pine Ridge Reservation and on the Standing Rock Sioux Reservation, where hundreds of tribes gathered in 2016-17 to oppose the Dakota Access Pipeline. In his first days in office, President Donald Trump greenlighted both the Dakota Access Pipeline and the Keystone XL pipeline.

In a video produced by the Lakota People’s Law Project urging Congress to stop the Keystone XL pipeline, Tokata Iron Eyes, also 16 years old, standing next to Greta, said: “Indigenous peoples have been on the front lines of the climate crisis, and we know how to live in balance with the Earth. When we’re talking about solutions, we have to include indigenous peoples in the conversation. Let’s protect our indigenous peoples, their rights, their communities, their way of life, because that’s what we’re

going to need when we go into this battle.”

Columbus was a native of Genoa, Italy. But the movement to rename Columbus Day is not a slight against the Italian American community. It is a denunciation of genocide, and a celebration of indigenous peoples and their central role in our history and in our future.

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City of Keene, N.H.
Transmittal Form

January 14, 2020

TO: Mayor and Keene City Council

FROM: Brett Amy Thelen, Science Director - Harris Center for Conservation Education

THROUGH: Patricia A. Little

ITEM: C.2.

SUBJECT: Brett Amy Thelen/Harris Center for Conservation Education - Temporary Road Closures - Amphibian Crossings

COUNCIL ACTION:

In City Council January 16, 2020.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

Communication_Harris Center

BACKGROUND:

This is the annual request from the Harris Center for Conservation Education for the temporary closure of a portion of North Lincoln Street for approximately six nights between March and April to ensure the safety of migrating amphibians and the many families who come out to watch them. In addition, the Center is requesting - as an experimental closure a small section of Jordan Road for up to two nights in March and April for the Jefferson Salamander.

Finally, the Center is requesting that the North Lincoln Street amphibian closures become a regular part of city operations instead of something that requires City Council approval.



HARRIS CENTER
FOR CONSERVATION EDUCATION

January 9, 2020

Mayor George Hansel and City Council
3 Washington Street
Keene, NH 03431

To the Honorable Mayor and City Council,

I am writing to once again request the temporary closure of a portion of North Lincoln Street for approximately six nights during a six-week period in March and April, in order to ensure the safety of migrating amphibians and the many families who come out to watch them. With two successful seasons under our belt and in the interest of efficiency, I'd also like to request that the North Lincoln Street amphibian closures become a regular part of City operations, instead of something that requires annual approval by Council – with the understanding that Council could rescind such approval at any time.

In addition, I'd like to request the experimental closure of a small section of Jordan Road for up to two nights in March and April, for the protection of migrating Jefferson Salamanders, which are listed as a "Species in Greatest Need of Conservation" in New Hampshire.

As you may remember, thousands of salamanders and frogs make their way to breeding wetlands – including the wetland adjacent to Woodland Cemetery and North Lincoln Street, and the vernal pool complex in the upper reaches of Robin Hood Park, near Jordan Road – on the first warm, rainy nights of spring. Many are killed when they must cross roads. Studies have shown that even modest vehicle traffic can have a significant negative impact on local amphibian populations.

For the past two springs, the Harris Center for Conservation Education has worked with City staff to institute temporary detours around the North Lincoln Street amphibian crossing site on migration nights, facilitating the safe passage of more than 3,500 frogs and salamanders. On any given migration night, 20 to 50 people also visit the site to see the amphibians, including dozens of families with young children who've never experienced a "Big Night" before.

One mom, who brought her elementary-school-aged son to the North Lincoln Street road closure for the first time in 2019, wrote us to say, "It's all amphibians all the time in our house now.... Thank you so much for taking care of the tiniest creatures while teaching the kids to do the same. It's just incredible."

In 2019, the road closures made national news as a featured story in the *Washington Post* and *Yankee* magazine. In 2018, the City's social media posts on the detours reached nearly 78,000 people – orders of magnitude higher than any of the Public Works Department's other posts – and the vast majority of comments were supportive.

Closing this section of North Lincoln Street on migration nights, and expanding the road closures to include a portion of Jordan Road in 2020, would ensure the safety of thousands of animals, as well as the hundreds of people who visit these sites to observe the spectacle of the migration. The North Lincoln Street detour does not impact anyone wishing to travel to their home, as the closure spans the section of road bounded to the east by Robin Hood Park and to the west by Woodland Cemetery. In addition, the Department of Public Works has developed a detour plan for the Jordan Road crossing site that would minimize inconvenience to residents of Jordan Road, as they'd still be able to drive to their homes during the road closures. Emergency vehicles would continue to have access to both roads, as necessary.

As a reminder, the amphibian migration is a weather-dependent phenomenon, so I cannot provide specific dates for the requested road closures at this time. However, last spring we worked successfully with the Department of Public Works and the Parks, Recreation, and Cemetery Department to implement the road closures and to inform the public about them. We anticipate a similarly smooth road closure and notification process in 2020.

I've spoken with Duncan Watson, Assistant Public Works Director, who affirmed that the closures represent a minor impact in terms of labor and resources dedicated to installing the detour. According to Duncan, "the Public Works Department is pleased to join in the enthusiastic public support for this important project."

Thank you for your consideration of this request, which would benefit both wildlife and people in Keene. I would be more than happy to meet with you, or to make a brief presentation to whichever subcommittee is assigned this request, to provide more information and to answer any questions you have.

Sincerely,



Brett Amy Thelen
Science Director
Harris Center for Conservation Education
thelen@harriscenter.org

In City Council January 16, 2020.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.


Patricia Cuthbert
City Clerk



City of Keene, N.H.
Transmittal Form

January 14, 2020

TO: Mayor and Keene City Council

FROM: Susan Hoffmann through Councilor Philip M. Jones

THROUGH: Patricia A. Little, City Clerk

ITEM: C.3.

SUBJECT: Susan Hoffmann - Political Sign on City Rights-of-Way and Public Property

COUNCIL ACTION:

In City Council January 16, 2020.

Referred to staff to be handled administratively.

ATTACHMENTS:

Description

Communication_Hoffman

BACKGROUND:

Ms. Hoffmann is seeking consideration for an Ordinance that would limit placement of political signs on Public property.



Susan Hoffmann

603-357-0434

svhnh@ne.rr.com

4 Arch Street, Keene NH 03431

January 8, 2020

Mr. Philip Jones
Keene Ward 5 Councilor
40A Stonehouse Lane
Keene, NH 03431

Dear Councilor Jones,

I hope you and your family enjoyed a wonderful Christmas, and you are now looking forward to all the New Year has to offer.

Because 2020 is an election year, one of the things that I, personally, do not enjoy is the large group of political hopefuls and the proliferation of signs they feel they must place on every open space in Keene. And the closer we get to primaries, and eventually the election, itself, the more compelled the candidates seem to be to put more than one of their signs in the same area.

I am writing to you, to ask you to consider spearheading a City ordinance that will limit the placement of political signs to highway entrance and exit ramps or to the front yards of individual homeowners who want to show their support for a particular candidate. I live at the corner of Arch and Park Avenue. Part of the green space in front of my home is owned by the city and often times becomes a prime spot for lots of political signs. As a tax payer, I don't feel that I should have to look out of my home for weeks (and sometimes months) at all of these signs that litter the landscape! An ordinance limiting placement of political signs and the length of time they can be displayed would be a huge benefit to homeowners such as myself.

Please, Councilor Jones, help homeowners who take pride in our homes keep our curb appeal by putting an ordinance in place such as I've described above. Thank you for your help with this issue.

Sincerely yours,


Susan Hoffmann

In City Council January 16, 2020.

Referred to staff to be handled administratively.


Patricia C. Smith

City Clerk



City of Keene, N.H.
Transmittal Form

January 1, 2020

TO: Mayor and Keene City Council

FROM: Councilor Randy L. Filiault

THROUGH: Patricia A. Little, City Clerk

ITEM: C.4.

SUBJECT: Councilor Filiault - Regularly Scheduled Meetings between the Mayor, Standing Committee Chairs and the Charter Officers

COUNCIL ACTION:

In City Council January 16, 2020.

Communication filed as informational. A motion challenging the ruling of the Chair failed with eight Councilors sustaining the ruling and seven Councilors voting opposed.

RECOMMENDATION:

ATTACHMENTS:

Description

Communication_Filiault

BACKGROUND:

Councilor Filiault is expressing his opposition to the practice of the Mayor along with the three Standing Committee Chairs meeting on a regular basis with the Charter officers. Councilor Filiault is requesting that the practice be discontinued.

To: Mayor Hansel and Keene City Council
From: City Councilor Randy L. Filiault
Re: Transparency and Accountability in Committee
Chair and City Staff Meetings
Date: January 1, 2020

I write in opposition to a current practice involving the mayor, the three city council committee chairs, and city staff. This practice began at the request of a former city manager. It evolved into a non-noticed, non-transparent and non-accountable, bi-weekly meeting on the Monday following city council meetings.

This practice is contrary to democratic open government and not viable.

I believe that any regularly scheduled meeting involving the mayor, city councilors, and city staff which is not posted, not available to the public or to the other city councilors is also not transparent, not accountable and not ethical.

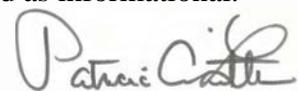
Therefore, for the reasons stated in this letter, I respectfully request Mayor Hansel discontinue this practice immediately.

Sincerely,



Randy L. Filiault
Keene City Councilor

In City Council January 16, 2020.
Communication filed as informational.



City Clerk



City of Keene, N.H.
Transmittal Form

January 2, 2020

TO: Mayor and Keene City Council

FROM: Councilor Robert C. Williams

THROUGH: Patricia A. Little, City Clerk

ITEM: C.5.

SUBJECT: Councilor Williams - Accessibility Access at City Facilities

COUNCIL ACTION:

In City Council January 16, 2020.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

RECOMMENDATION:

ATTACHMENTS:

Description

Communication_Williams

Keene Recreation Center

BACKGROUND:

Councilor Williams is requesting that additional curb cuts be installed on the sidewalks approaching the Keene Recreation Center as a measure to improve accessibility. In addition, the Councilor is requesting that a review of all City-owned properties be conducted to ensure accessibility compliance.

2 January 2020

Bobby Williams
66 North Lincoln Street
Keene, New Hampshire 03431

Keene City Council
3 Washington Street
Keene, New Hampshire 03431

To the Honorable Mayor and City Council,

I am writing to request that curb cuts be installed on the sidewalks approaching the Keene Recreation Center on Washington Street, as a measure to improve accessibility for people with mobility impairments. I have personally witnessed several people encounter difficulties at this location.

I am further requesting that the city undertake an investigation to identify any other city-owned properties that fall short of having appropriate accessibility features, with special consideration given to facilities used as voting precincts, facilities used as places of public gathering, and bus stops.

Sincerely,



Robert Crane Williams
City Councilor, Ward 2

In City Council January 16, 2020.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.



Patricia Castle
City Clerk





City of Keene, N.H.
Transmittal Form

January 15, 2020

TO: Mayor and Keene City Council

FROM: Greg Moore, Director of Production and Facility - The Colonial Theatre

THROUGH: Patricia A. Little, City Clerk

ITEM: C.6.

SUBJECT: The Colonial Theatre - Request to Use City Property

COUNCIL ACTION:

In City Council January 16, 2020.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication_Colonial Theatre

BACKGROUND:

The Colonial Theatre is requesting use of certain parking spaces in the Commercial Street Parking Lot for their spring events.

THE COLONIAL
PERFORMING ARTS CENTER

January 6, 2020

Mayor George S. Hansel and Keene City Council,
c/o Patty Little
City Clerk's Office
City Hall, First Floor
3 Washington Street
Keene, NH 03431

SUBJECT: USE OF CITY OWNED PARKING SPACES

Dear Mayor Hansel and Members of the Keene City Council,

On behalf of The Colonial Theatre Group, thank you City of Keene, Mayor Hansel, and the Keene City Council members for consideration and generosity in allowing The Colonial Theatre Group use of City property during past theatre seasons. As we confirm the events of this spring, we again seek your permission for use of City owned spaces in the Commercial Street parking lot.

The following list of dates is respectfully submitted requesting the use of 6 parking spaces on each of these dates:

1/24/2020 3/7/2020 3/10/2020 3/24/2020

In addition, the use of 13 parking spaces for each of these dates:

1/31/2020 2/8/2020 2/22/2020 2/28/2020 3/13/2020
3/14/2020 4/1/2020 4/2/2020 4/8/2020 4/9/2020

Also, the use of 20 parking spaces on this date:
3/8/2020

In addition, the use of 28 parking spaces for the following dates:
2/29/2020 3/26/2020 3/28/2020

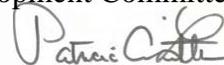
Thank you for your attention and consideration in this matter.

Sincerely,



Greg Moore
Director of Production & Facility
Colonial Theatre Group, Inc

In City Council January 16, 2020.
Referred to the Planning, Licenses
and Development Committee.



City Clerk

Cc: *Alec Doyle, Executive Director*
Brian Warner, Assistant Director of Production & Facility
Katie Folts, Administrative Manager



City of Keene, N.H.
Transmittal Form

January 15, 2020

TO: Mayor and Keene City Council

FROM: Julie White, Church Administrator, United Church of Christ

THROUGH: Patricia A. Little, City Clerk

ITEM: C.7.

SUBJECT: United Church of Christ - Application for Renewal of Lodging House License

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to suspend the Rules of Order to allow action on the application for a renewal of a lodging house license for the United Church of Christ. Voted unanimously to recommend that a lodging house license be issued to the United Church of Christ to engage in the operation of a lodging house at 23 Central Square subject to the following conditions: said lodging house license shall only be used as an overflow for the Hundred Nights Shelter; and managed by the Hundred Nights Shelter; no more than **16** persons may reside at any one time on the premises; compliance with all applicable sections of the City Code; and compliance with any requirements or recommendations of City staff. Said license will expire on the 17th day of January, 2021 and may be revoked by the City Council in accordance with Section 26-590 "Suspension or Revocation."

ATTACHMENTS:

Description

Lodging House License_United Church of Christ

BACKGROUND:

This is the annual request for a lodging house license from the United Church of Christ, which operates as a overflow for Hundred Nights. Their current license expired January 3, 2020.



UNITED CHURCH OF CHRIST IN KEENE

The Heart of the City, at the Head of the Square

www.ucckeene.org

603-352-4136

January 13, 2020

Rev. Cindy E. Bagley
Senior Minister

Julie White
Church Administrator

Beverly Caldon
Director of Music

Diantha Dorman
Handbell Director

Megan Butterfield
Youth Director

Vickie Giguere
Church Bookkeeper

To: The Keene City Council
3 Washington Street
Keene, NH 03431

RE: Renewal of Lodging House License; Overflow Shelter for HN

Dear Honorable Mayor Hansel and City Council Members:

We are renewing our application to the City Council for a Lodging House License in order to provide space for an overflow for homeless people from the Hundred Nights Shelter. This letter will serve as our request for this license. We will have an inspection by the Keene Fire Department and by the City of Keene to ensure that we comply with the City's regulations.

We are providing this shelter on an overflow basis only, and not for any more days than the Hundred Nights Shelter is open; usually for less. We use a process by which people asking for shelter must check in at Hundred Nights, and comply with their procedures before being escorted to our church. Church volunteers are contacted by the Shelter in order to admit people to the overflow shelter in our downstairs meeting space. When it is in operation, we have an average of 6 to 9 guests, not including the two supervisors, one from Hundred Nights, and one a Church volunteer. There is always at least one person awake overnight.

We would like the license to allow for 10 people seeking shelter overnight plus the two supervisors in the church at any one time.

The check for \$165 and application is included.

Thank you for your consideration.

We wish you the Peace of Christ,

Julie White
Church Administrator
On behalf of
Rev. Cynthia E. Bagley
Senior Minister
And
UCC in Keene Church Council

RECEIVED
CITY OF KEENE

JAN 14 2020

OFFICE OF
CITY CLERK





APPLICATION FOR OPERATION OF A LODGINGHOUSE

(Please print or type)

as Overflow Shelter, Hundred Nights

Date 1/14/2020 Location of Lodginghouse The United Church of Christ in Keene

23 Central Square, Keene

Identify local or national Fraternity or Sorority that members are pledged to (if applicable) _____

Property Owner UCC in Keene Business Phone 603-352-4136

Address 23 Central Square Home Phone _____

Operator/Resident Agent Keene NH 03431 Business Phone 603-352-4136

Address Julie White Home Phone 603-320-1820
Church Administrator

Number of Persons Authorized to reside on premises 12

I hereby certify that the information listed above is complete and accurate:
Hundred Night Overflow

For UCC Keene
Julie A White
Signature of Property Owner

Julie A White
Name (Printed or Typed)

Julie A White
Signature of Operator/Resident Agent

Julie A White
Name (Printed or Typed)
Church Administrator

I hereby certify that the above named Sorority or Fraternity is duly recognized by Keene State College, and is in good standing with the College:

N/A

Signature of College Representative

Name and Title (Printed or Typed)

(For Office Use Only)

Date Received _____ Action Taken _____

Recommendations/Requirements

Police _____

Fire _____

Code Enforcement _____

City Clerk



APPLICATION FOR OPERATION OF A LODGINGHOUSE

(Please print or type)

Date 12/27/2018 Location of Lodginghouse The United Church of Christ
in Keene
23 Central Square
Keene, NH 03431

Identify local or national Fraternity or Sorority that members are pledged to (if applicable) N/A

Property Owner Kathryn Blair, Chair Business Phone 603-352-4136

Address 175 West Surry Rd, Keene, NH Home Phone 603-357-2084

Operator/Resident Agent Julie White Business Phone 603-352-4136

Address 23 Central Square, Keene, NH Home Phone 603-320-1820

Number of Persons Authorized to reside on premises 12
Hundred Nights Winter Overflow Shelter

I hereby certify that the information listed above is complete and accurate:

Kathryn Blair
Signature of Property Owner

Church Council Chairperson
Name (Printed or Typed)

Julie White
Signature of Operator/Resident Agent

Julie White
Name (Printed or Typed)

I hereby certify that the above named Sorority or Fraternity is duly recognized by Keene State College, and is in good standing with the College:

NA
Signature of College Representative

Name and Title (Printed or Typed)

(For Office Use Only)

Date Received Dec. 28, 2018 Action Taken _____

Recommendations/Requirements

Police _____

Fire _____

Code Enforcement _____

City Clerk

Patricia C. [Signature]



City of Keene, N.H.
Transmittal Form

January 15, 2020

TO: Mayor and Keene City Council

FROM: Mindy Cambiar, Executive Director - Hundred Nights, Inc.

ITEM: C.8.

SUBJECT: Hundred Nights - Application for Renewal of a Lodging House License

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to suspend the Rules of Order to allow action on the application for a renewal of a lodging house license for Hundred Nights. Voted with one opposed to recommend that a lodging house license be issued to the Timoleon Chakalos/successor to engage in the operation of a lodging house at 15 Lamson Street subject to the following conditions: no more than 26 persons may reside on the premises at any one time; compliance with all applicable sections of the City Code; compliance with any requirements or recommendations of City staff. Said license will expire on the 17th day of January, 2021 and may be revoked by the City Council in accordance with Section 46-590 "Suspension or Revocation."

ATTACHMENTS:

Description

Hundred Nights

BACKGROUND:

This is the annual request for a lodging house license from Hundred Nights. Their current license expired January 3, 2020.



HUNDRED NIGHTS INC.
Cold Weather Shelter Open Doors Resource Center

P.O. Box 833
17 Lamson Street
Keene, NH 03431
(603) 352-5197
www.hundrednightsinc.org
Tax ID: 45-2798171

Keene City Council
3 Washington St
Keene, NH 03431

January 9, 2020

Re: Renewal Application for Operation of a Lodging House
Hundred Nights Inc. Cold Weather Shelter

Dear City Council Members,

Enclosed is our application and a check in the amount of \$165.00 to renew our Lodging House License at Hundred Nights Inc., 15 Lamson Street in Keene.

The Shelter opened for the season on November 11, 2019, although we had 20 beds open from May to November. Between January 1 and December 31, 2019 there were 219 unique guests, 136 male, 83 female, including 25 children, 28 people over the age of 55 and 14 Veterans who received 8,339 bed-nights of shelter.

Please let me know if you need any other information. Thank you for your time and consideration in the renewal of our license.

Sincerely,

Mindy Cambiar
Executive Director
Hundred Nights, Inc

In City Council January 16, 2020.

Voted unanimously to suspend the Rules of Order to allow action on the application for a renewal of a lodging house license for Hundred Nights. Voted with one opposed to recommend that a lodging house license be issued to the Timoleon Chakalos/successor to engage in the operation of a lodging house at 15 Lamson Street subject to the following conditions: no more than 26 persons may reside on the premises at any one time; compliance with all applicable sections of the City Code; compliance with any requirements or recommendations of City staff. Said license will expire on the 17th day of January, 2021 and may be revoked by the City Council in accordance with Section 46-590 "Suspension or Revocation."

City Clerk



The mission of Hundred Nights, Inc. is to provide a cold weather shelter offering clean beds in a safe and warm space to our neighbors in need, to operate the Open Doors Resource Center, which provides a welcoming space for people to gather for sustenance of body and spirit on a year-round basis and hold a free medical clinic on a regular basis for the uninsured and homeless people in our community.



APPLICATION FOR OPERATION OF A LODGINGHOUSE

(Please print or type)

Date 1/10/2020 Location of Lodginghouse 15 Lamson St Keene

Identify local or national Fraternity or Sorority that members are pledged to (if applicable) _____

Property Owner Patricia Moreno Business Phone 617-980-1860

Address Eighty eight Lambert Trust Home Phone _____
177 Roxbury St Keene NH 03431

Operator/Resident Agent Mindy Cambiar Business Phone 352 5797

Address 17 Lamson St Keene NH Home Phone 667 1481

Number of Persons Authorized to reside on premises 26

I hereby certify that the information listed above is complete and accurate:

[Signature]
Signature of Property Owner

Patricia Moreno
Name (Printed or Typed)

[Signature]
Signature of Operator/Resident Agent

Mindy Cambiar
Name (Printed or Typed)

I hereby certify that the above named Sorority or Fraternity is duly recognized by Keene State College, and is in good standing with the College:

Signature of College Representative

Name and Title (Printed or Typed)

(For Office Use Only)

Date Received 01/13/2020 Action Taken _____

Recommendations/Requirements

Police _____

Fire _____

Code Enforcement _____

City Clerk



City of Keene, N.H.
Transmittal Form

January 8, 2020

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: D.1.

SUBJECT: Body & Soul Road Runners – Request to Use City Property – Community Sponsored Event

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses, and Development Committee recommended that the City Council grant permission to Body & Soul Road Runners to sponsor a running race on February 8, 2020, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget, and agrees to remit said payment within 30 days of the date of invoicing.

BACKGROUND:

Chair Bosley recognized the petitioner. Sara Alderfer, of 563 West Street, stated that she is here to ask permission to run the annual road race on February 8, known as the Red Cap Run. This year the race will benefit the Melendy family. Chair Bosley asked Ms. Alderfer to share some of the history of this race, and share information about what is going on with the Melendy family.

Ms. Alderfer stated that the Red Cap Run has been run for six years. She continued that it is held to benefit a family in crisis. Each year a different family is selected. The Body & Soul Road Runners club is a non-profit organization with a board of directors. They utilize a criteria to narrow down the decision of which local family facing a one-time crisis the event will support. The goal is for the family to receive financial support and to feel the support of the community at large. This year the race is to support the Melendy family. The family's youngest daughter, Bella, had a traumatic brain injury from a sledding accident. Her skull was fractured in 14 places and she will never fully recover. The brain injury has affected her fine and gross motor abilities and cognitive abilities, and she has ongoing migraines, and ongoing doctors' appointments. It is difficult for her family to meet her needs. The Road Runners hope to give some relief, with financial support with money raised from the race.

Chair Bosley asked if City staff wanted to comment on the request.

Fire Chief Mark Howard stated that City staff met with the sponsor for the normal protocol meeting. He continued that everything went well. The need to close or limit traffic on Railroad Street was eliminated from this year's race. Some parking that is normally not permitted in that area will not be needed this year, so the

special regulations related to that were taken out of the protocol requirements. The race averages 200 to 300 participants, children and adults, and that is what they expect this year, too. Staff's recommendation is for the committee to allow this to move forward, based on the conditions from staff.

Chair Bosley asked for comments from the committee.

Councilor Jones asked if there is no need for street closing, which he does not see included in the recommended motion. Ms. Alderfer replied that that is correct. She continued that that changed from previous years. They changed the course slightly to start on the bike path instead of on Railroad Street. Last year they kept the road closure in place but realized they did not need it.

Chair Bosley asked for public comment. Hearing none, she asked for a motion.

Councilor Workman made the following motion, which was seconded by Councilor Greenwald.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommended that the City Council grant permission to Body & Soul Road Runners to sponsor a running race on February 8, 2020, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget, and agrees to remit said payment within 30 days of the date of invoicing.

Chair Bosley asked how people can sign up for the race. Ms. Alderfer replied that people can pick up paper registration forms at the Body and Soul Personalized Fitness, Ted's Shoe and Sport, or the Marriott; or people can register online.



City of Keene, N.H.
Transmittal Form

January 8, 2020

TO: Mayor and Keene City Council
FROM: Planning, Licenses and Development Committee
ITEM: D.2.

SUBJECT: Continued Discussion: Relating to Small Wireless Facility Deployments in the Public Right-of-Way - Ordinance O-2019-18

COUNCIL ACTION:

In City Council January 16, 2020.

Public Hearing set for February 6, 2020 at 7:00 PM. More time granted.

RECOMMENDATION:

On a vote of 5-0, the Planning, Licenses, and Development Committee recommended a full public hearing before the City Council to be set by the Mayor.

On a vote of 5-0, the Planning, Licenses, and Development Committee placed Ordinance O-2019-18 on more time.

BACKGROUND:

Rhett Lamb, Community Development Director, and Mari Brunner, Planner, introduced themselves. Mr. Lamb stated that tonight they will be talking about Ordinance O-2019-18. He continued that they want to give a review and update. There are Councilors here tonight who were not here when this ordinance was introduced, so it is good to give a high-level overview of why they are doing this and provide some background information about the ordinance. Also, a key staff member is not here tonight. At the end of this discussion he and Ms. Brunner will recommend placing this on more time, and they will come back with a more thorough analysis and presentation with details of the proposal.

Mr. Lamb stated that the question is, why are they doing this? And why now? He continued that communities across the country are reacting to a 2018 order from the Federal Communications Commission (FCC) that changed the way communities control or manage telecommunications in city streets and rights-of-ways. The FCC created a big incentive for telecommunications companies to put their installations in the rights-of-way. Part of the reason is the roll-out of new technologies. Staff is not focused specifically on 5G or 4G or any generation of telecommunications, but the FCC order created the opportunity and incentive to install this type of facility in municipal rights-of-way. Tonight's agenda packet includes the City's current telecommunications ordinance, but it does not cover installations in the right-of-way. It almost exclusively addresses the big telecommunications towers up on hillsides on private property. Those have been the common types of telecommunications facilities for the past 15 or 20 years. With the change that is coming, the City's current ordinance is not adequate to manage the transition to any newer technology.

Mr. Lamb continued that the terms being used are: "small cell facilities" or "small wireless facilities." This could be 4G, which is common today, or 5G installation. In 2018, the City was approached by Tilson Technologies, representing US Cellular, asking the City Manager to sign application forms so they could submit applications

to the City, through the telecommunications ordinance, for four installations in the right-of-way. The City Council gave The City Manager that authorization. Tilson/US Cellular has not made that application yet, and are telling the City that because their proposal is just for installations in the right-of-way, they are waiting for the City to have a proper ordinance that addresses that. The staff is aware that there are proposals waiting to come forward.

Mr. Lamb continued that the proposed ordinance sets up a license process and a review process that addresses a range of community interests. The interests include safety in the right-of-way, to manage the placement of things so as to avoid obstruction or visibility problems and so that drivers and pedestrians remain safe. The City's interest will also address the location of the device, any size limitations as well as some aesthetic standards.

He continued that these installations have the potential for a fairly significant impact. For example, Keene's wonderful downtown has been preserved. There are no big towers, and utilities are underground. Poles in the right-of-way are almost exclusively the City's and the City builds them to an aesthetic standard. If telecommunications companies want to locate small cell facilities downtown, staff wants to make sure they fit the design pattern of downtown, and that is part of what this ordinance would address. The Director continued staff thinks reasonable standards are really important as this technology becomes more prevalent. Without local standards or some sort of process, the City does not have an opportunity to manage this change and there is nothing that would place limits on providers to do installations based on what the FCC provided.

Mr. Lamb continued that staff knows there are many questions that need to get worked out. They have heard people talk about health impacts with any new technology, which was discussed at the committee's previous meeting. There is a State legislative commission that started its work in the fall of 2019 and they are currently reviewing any health impacts of 5G, with a report forthcoming in November 2020. There is also a challenge to the FCC order ongoing in Federal court. There are these larger topics out there that have a potential impact on the City's implementation of this ordinance over time. Despite that, and the change that could come with the resolution of some of these topics, City staff believe that the City is better off with an ordinance adopted and in place than they are without it, as this transition in telecommunications technology moves forward.

Ms. Brunner stated that to give a brief overview of the regulatory landscape, there are laws, rules, and orders at the federal, state, and local level. She continued that at the Federal level, there is the Federal Telecommunications Act of 1996, and the FCC Small Cell Order. At the State level, there is RSA 12-K – Deployment of Personal Wireless Service Facilities. At the local level, the City regulates telecommunications through its zoning ordinance. However, the City's current ordinance was not intended or designed for the right-of-way. Rather, it anticipates applications for tall cell towers, which were more common when the Ordinance was adopted in 2001.

Ms. Brunner continued that a few laws and orders at the Federal level that have direct bearing on the proposed small cell facilities ordinance include the Telecommunications Act of 1996, which is interpreted and enforced by the FCC; and the Aug 2, 2018 FCC Moratoria Order, which states that all moratoria, express or de facto, on small cell, other wireless, or wire-lined facilities would violate Federal law. It states that moratoria or local actions or requirements that would prevent or suspend the acceptance of, processing of, or approval of applications or permits for telecommunications facilities or services are not allowed at the local level. She continued that there is also the September FCC Small Cell Order, which is intended to speed the transition to the next generation of wireless services, known as 5G. Despite the intention, currently most companies are taking advantage of it with 4G applications.

Ms. Brunner continued that the definition of "small wireless facility" is a facility that has an antenna no more than three cubic feet in volume, with associated equipment no more than 28 cubic feet in volume. They have to be put on structures no taller than 50 feet, or mounted on a structure no more than 10% taller than adjacent structures. Also, the antennas cannot extend to the full height of the structure they are mounted on or be more than 50 feet tall or increase the height by more than 10%.

She showed photos of some small wireless facilities as examples, stating that they are usually installed on street lights and utility infrastructures. She continued that in some cases they are a new facility. That is what Tilson was proposing for Keene. One of the example photos shows that type. She showed another slide with more examples provided by Verizon, attaching small cell facilities to decorative poles.

Ms. Brunner concluded that as Mr. Lamb went over earlier, staff recommends that the City create a license that

would be issued by the Public Works Director or his designee. It would establish location, design, and siting standards, and the procedures for application intake and review. The goals are to preserve and protect the public right-of-way and municipal infrastructures, maintain the balance between public and private interests, establish location standards, establish aesthetic standards, establish application intake procedures and reasonable fees, and create the opportunity for high-quality, advanced wireless services for the City's residents, businesses, and visitors.

Chair Bosley asked for questions or comments from the committee.

Councilor Jones stated that he has a few questions. He continued that the proposed ordinance says "review by the director," but who is the director?

Ms. Brunner replied the Public Works Director.

Councilor Jones replied that the ordinance should say that, to make it clear. He continued that the FCC says small cell facilities can be up to 50 feet tall but the City's definition is 35 feet. He asked, could a company override the City's guidelines because of the FCC's guidelines?

Ms. Brunner replied that the reason staff proposed limiting it to structures 35 feet in height is because in NH, under RSA 12-K:10, once the structure is in the right-of-way it can be extended by another ten percent without having to go through any review. So if a 35-foot tall facility is increased by six feet then it is at 41 feet and then it could be extended more under the RSA. But this topic is up for discussion. If the committee thinks they should increase the allowed height, they can.

Councilor Jones replied that he definitely does not want to increase it. He continued that he wants to know if a company would be able to come in and say "Well, the FCC says we can use 50 feet."

Mr. Lamb replied that it is a cap, not a low limit. He continued that he thinks they can go below 50 feet, but staff will take a look at this.

Councilor Jones stated that his last question is: the "colors and finishes" section of the proposed ordinance says "...match the underlying support structure and blend with the surrounding environment" but the original telecommunications ordinance used the word "camouflage." Is that the same?

Mr. Lamb replied that small cell facilities will be more obvious because they will be closer to people, so it will not be possible to fully camouflage them. For example, they cannot make small cell facilities look like trees, the way they could with larger towers. He continued that they want these facilities to blend in, so it is more about matching them to the surroundings.

Chair Bosley asked for comments or questions from the public.

Lori Schreier, of 916 River Road, Westmoreland, read the following prepared statement:

"I am testifying today to request that Ordinance 0-2019-18, Relating to Small Wireless Facilities Deployments in the Public Right-of-Way, be put on long term hold and that the City of Keene join with others calling for a moratorium on 5G and small cell deployments at this time.

I attest and affirm that the following statements are true, accurate and within personal knowledge derived from published peer reviewed scientific studies, reported court cases, and current events. All of the following statements are backed by the evidentiary materials and links annexed to my testimony.

The radiation from small cells is not small: Wireless antennas emit microwaves — non-ionizing radiofrequency radiation — and essentially function as cell towers. Each installation can have over a thousand antennas that are transmitting simultaneously. The Federal Communications Commission estimates that millions of these wireless transmitters will be built in our rights-of-way, directly in front of our homes. 5G will add to — not replace — our current wireless technology: 5G will not only utilize current 3G and 4G wireless frequencies already in use but also add higher frequency — submillimeter and millimeter waves — in order to transmit data at superfast speeds. Communities should not be stripped of their right to make decisions about this new technology. 'Streamlining' means almost automatic approval. Public notice and public hearings should not be eliminated.

Scientists worldwide are calling for a halt to the 5G Roll-out: Over 200 scientists and doctors issued a declaration calling for a moratorium on the increase of 5G cell antennas citing human health effects and impacts to wildlife, especially birds and bees.

Cumulative daily radiation exposure poses serious public health risks: Peer reviewed, published science indicates that exposures to wireless radiation can increase cancer risk, alter brain development and damage sperm. Most people are unaware that wireless technology was never tested for long-term safety, that children are more vulnerable and that the accumulated scientific evidence shows harm.

5G Frequencies are absorbed into the skin. Physicians found that higher millimeter frequencies intended for 5G use are preferentially absorbed into the sweat ducts at much higher rates than other organ tissues and are absorbed more than lower frequencies. 5G frequencies are used as weapons by the Department of Defense and have the capacity to cause severe skin, ear, and eye damage. The landmark US Toxicology Program study found clear evidence of cancer and DNA damage in rats from wireless radio frequencies and that was from earlier 2G and 3G technologies. Other studies found wireless radiation associated with damage to human blood, neurological and neuropsychological effects endocrine and hormonal damage, tumors, visual and hearing disturbances, many chronic diseases and infertility. Microwave sickness is no longer just experienced by people who work with radar. Symptoms include burning sensations, tingling in face and hands, dryness of mucous membranes, swelling of ears, throat, nose and sinuses, concentration and memory problems, headaches, nausea, teeth and jaw pain, muscle and joint aches, depression and sleep issues.

Studies show property values drop up to 20% on homes near cell towers. Would you buy a home with a mini cell tower in the yard?

Microwave antennas in front yards present several worker and public safety issues: Unions have already filed comments that workers were injured, unaware they were working near transmitting antennas. How will HVAC workers, window washers, and tree cutters be protected? The heavy large equipment cabinets mounted on poles along our sidewalks also present new hazards. Cars run into utility poles, often, what then?

Fiber to the premises is the safe alternative: Worldwide, many regions are investing in wired fiberoptic connections, which are safer, faster, more reliable, provide greater capacity, and are more cyber-secure.

Over 46 cities are suing the FCC for pre-empting local control over placement and reduced payment for use of public rights of way for 5G small cell towers. The case is now in the 9th Circuit Court of Appeals. There is also a case exposing and prosecuting a vast financial scandal behind 5G promoters for illegally using publicly funded fiber. City Councils and public pushback across the country are either rejecting small cell applications that do not meet their criteria or refusing to adopt ordinances that do not protect public health and the public rights of way.

The NH 5G Commission to study the health and environmental impact of 5G has a report due out in November 2020 and current lawsuits challenging the FCC order to strip cities of their rights to protect the public welfare will be heard in 2020. I urge the Council to delay any action on this Ordinance and applications for 5G small cells until further guidance is provided by the Commission and the Courts.

If the Council votes to approve an Ordinance at this time I urge the Council to incorporate into the ordinance the August 2019 DC Circuit Court of Appeals decision requiring that all small cell applications be reviewed and approved under the National Environmental Policy and Historic Preservation Acts. It would also be prudent to allow for revision and recession of any Ordinance as the legal landscape changes.

In the spirit of Healthy Monadnock I also urge the Council if it adopts this Ordinance allowing small cells, that they only be placed far away from residences, schools, daycare centers, and hospitals. Some cities in California have required distances between small cells of up to 1500 feet for aesthetic reasons and also require evidence of need, including demonstration that existing facilities do not provide adequate coverage

and/or adequate capacity to the area.

I have expressed no matter of mere concern but solely matters of substance, fact and law. Everything stated here is documented herein. Thank you."

Councilor Greenwald asked The City Attorney, how much latitude does the City Council really have in dealing with this matter? He continued that his understanding is that the FCC says 5G will be [approved] if requested. Can the City Council really stop it?

The City Attorney replied that right now the FCC order is in place. He continued that as was pointed out, there is litigation with respect to the order, initiated in a number of federal jurisdictions around the country, now consolidated in the 9th Circuit Court of Appeal. The order is not subject to an injunctive action from the courts, saying "You don't have to do this until we've decided as a court what we're going to allow the FCC to do or not do." So technically, the order is in place. Oral arguments are scheduled in the 9th Circuit for February 10, and they will see what happens with that, but right now the order is in place. The City Council has a lot of latitude with respect to what it wants to do, either with the ordinance or with not adopting any ordinance, but staff is saying that not doing anything is not the recommendation they are making to the City Council. The problem becomes clear if an application comes in and the City has not put some parameters around the application process, where these can be sited, what the aesthetics are, and so on and so forth. If the City says "no" or has no process, the applicant can decide to present a proposal to the Federal District Court about how they want to site the small cell facilities and that takes the control of the City away.

The City Attorney continued that at a previous meeting his comments were slightly misconstrued. Staff is not suggesting that RF (radiofrequency radiation) issues are not important and should not be considered. City staff does not have the expertise to make a decision with respect to the health effects of RF radiation. If the Council wants to explore that issue, it would be necessary to get expert advice. Also, as pointed out, there is a study commission at the state level to look at the health effects, but its report will not be out until [November] 2020. The suggestion was made to craft the ordinance in such a way as to provide some leeway to the City in the event that A) the FCC Small Cell Order is overturned by the Federal District Court, to have language saying "If that happens, we're out," or B) if there will be substantive changes later on, that the ordinance says that the changes necessary from the City's perspective be retroactive, trying to deal with the grandfathering question that has come up.

The City Attorney concluded that the short answer to Councilor Greenwald's question is: they obviously are not going to do anything tonight, since this is being placed on more time, but they will be going into more detail and the Council will be hearing the suggestion from City staff that having some ordinance in this context is better than having nothing, so the Federal District Court does not decide what the City should do or not do.

Through Chair Bosley, Councilor Jones asked Lori Schreier to repeat the full name of a national environmental policy she referenced, which he was only able to write down a portion of. Ms. Schreier replied that all of the information is in the packet she provided, and it is the National Environmental Policy Act (NEPA).

Councilor Jones thanked Ms. Schreier for referencing Healthy Monadnock. He stated that the City is a partner. Chair Bosley asked if anyone else from the public wished to speak, and recognized Bradford Hutchinson, of 305 Marlboro Street.

Mr. Hutchinson stated that he is glad he came tonight, because this is an issue he has been reading a lot about, from many sources online. He continued that he is concerned by what he hears from people, such as the information Ms. Schreier gave. He cannot speak to the technical details, but in general, he recognizes some of the court cases Ms. Schreier was talking about. There is a lot happening very quickly. There are a lot of players, and billions or trillions of dollars "chomping at the bit to ram 5G down our throats whether we like it or not, with zero testing." He continued that he has an old flip phone with 3G, or third generation technology. But what people have right now is 4G and it works just fine. People do not really need 5G. They want to push 5G

through as fast as they can so they can connect every single device on the planet in real time. People's current phones would then be microphones and used in real time to track them. That is just the beginning. He continued that he wants to be careful, because some of what he reads from some sources is alarmist and he does not know how valid it is because he is not an electrical engineer.

Mr. Hutchinson continued that The City Attorney mentioned RF. He studied World War II history, and that time saw an explosion in technology – radar, microwave, high energy radio, and more that was brand new - and it was needed for the war so it was rammed through. What was suppressed were the many workers injured and killed by the radiation by the equipment because no one knew what they were doing. It was so new. No one could have foreseen the incidents because the technology was getting pushed through so quickly and no one was listening to the doctors trying to set limits. That is what he sees now. People do not know enough about 5G, and so much is happening so fast. He heard that January 23 at the Keene Public Library the Monadnock Progressive Alliance is having a free showing of the film “Generation Zap.” That film is available online, too. He continued that late last year he saw something about this ordinance going in with some instruction for not looking at the health effects. That is wrong. They have to look at the health effects. He suggests to the City Council and staff that they use a division of labor type approach – for example, ask the City Attorney's Office to look at the legal challenges and issues. They need to have good questions so they can get good answers. He was encouraged by Councilor Jones's questions. Why this is important is: a couple years ago he was at a City Council meeting when a telecommunications company wanted to put a tower in a cupola at Keene State College and one or two more in the city, for 4G communications. After the meeting he spoke with the man who brought the proposal from the company, which the City Council approved, and asked, “Is this 5G compatible, and is it part of the rollout?” The man did not know and could not answer the question. This was a person from the company putting in the tower. So what he is seeing is that the industry does not want people to ask questions. Mr. Hutchinson continued that there are some people who do not really understand the technology and they are alarmist. They have to be careful of that, too. The middle ground is: they need more information. What about having an ad hoc committee of Councilors? Mayor Hansel might want to create an ad hoc 5G study committee. He suggests they move with deliberate speed but no undue haste to ask questions and understand the answers. It should have an educational component, learning the acronyms, language, and technical aspects. A division of labor approach would be to have, for example, The City Attorney's Office look at the legal aspects, and someone connected to Cheshire Medical Center look into the health aspects, and someone from the Public Works Department look into siting, and so on and so forth. Regarding the siting of small cell facilities and “camouflage,” near the Colonial Theatre is a big electrical panel covered in photo-realistic brick that matches the brick behind it; if you take a few steps back, it just looks like a brick wall. That is the kind of thing needed in Keene.

Councilor Bosley thanked Mr. Hutchinson for his comments. She stated that some of the intention of this ordinance is to purposefully integrate small cell facilities into the community without it being an eyesore; that is a big reason staff is looking into this. The way it sits now, the City has no control. If a company brought the City Council a proposal, the City has no control over the design, spacing, size, structure, and so on and so forth. Without any ordinance, they do not have any way to deny the application. But through this process, which includes taking information from citizens, they can begin creating situations like Mr. Hutchinson is talking about.

Chair Bosley asked for further comments from the public. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Johnsen.

On a vote of 5-0, the Planning, Licenses, and Development Committee placed Ordinance O-2019-18 on more time.

Councilor Jones made the following motion, which was seconded by Councilor Greenwald.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommended a full public hearing before the City Council to be set by the Mayor.

Councilor Greenwald asked if only Keene residents can speak at the public hearing. The City Attorney replied that anyone can speak.



City of Keene, N.H.
Transmittal Form

January 9, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.3.
SUBJECT: Acceptance of Donations – Parks, Recreation and Facilities

COUNCIL ACTION:

In City Council January 16, 2020.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$500.00 and that the money is used for the Recreation Department scholarship fund.

BACKGROUND:

Parks, Recreation and Facilities Director Andrew Bohannon and Recreation Programmer Brianne Rafford-Varley addressed the Committee. Ms. Rafford-Varley stated this \$500 donation is because of numerous new events the Recreation Department organized this year such as a glow party, breakfast with Santa free, paint night and these events were all free to the public but some had suggested donation options as well as snacks sold at events.

Councilor Remy made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$500.00 and that the money is used for the Recreation Department scholarship fund.



City of Keene, N.H.
Transmittal Form

January 9, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.4.

SUBJECT: Acceptance of Funds from Cheshire County – Youth Services

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept \$23,100.00 and to administer the funds provided by Cheshire County for Youth Service programs.

BACKGROUND:

Parks Recreation and Facilities Director Andrew Bohannon Services and Youth Services Manager Dimitria Kirby addressed the Committee next. Ms. Kirby stated her department has two programs that not only serve Keene but also surrounding towns; the Intervention Program that addresses problematic adolescent behavior and the Diversion Program for first time youth offenders.

Councilor Hooper asked whether this was an annual amount. Mr. Bohannon answered in the affirmative. Councilor Ormerod asked how effective these programs were – the impact that has been seen. Ms. Kirby stated the local program is part of the Statewide network. Studies are done every three years, the most recent information received is that it was 95% effective overall - 95 cases graduated the program successfully.

The Chair asked Mr. Bohannon to explain is funding is dispersed in the budget. Mr. Bohannon explained the County funds help pay for the Youth Services Manager to help her travel outside of Keene.

Councilor Clark made the following motion which was seconded by Councilor Hooper.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept \$23,100.00 and to administer the funds provided by Cheshire County for Youth Service programs.



City of Keene, N.H.
Transmittal Form

January 9, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.5.

SUBJECT: Professional Services Contract for Airport Market Study – Asst. City Manager/IT Director

COUNCIL ACTION:

In City Council January 16, 2020.
Voted with one opposed to carry out the intent of the report.

RECOMMENDATION:

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Crawford, Murphy, & Tilly, Inc. for the development of a commercial service market study for the Keene Dillant-Hopkins Airport or in the absence of reaching an agreement to negotiate and execute an agreement with Volaire.

BACKGROUND:

Asst. City Manager/IT Director, Rebecca Landry stated this Airport Market Study is a study the Airport has been looking forward to since last year. This was an item included in the Airport budget last year. She explained this study is to determine if commercial airlines are a good idea for the airport and what interest the city could garner from any commercial airlines to use the airport.

Ms. Landry stated the city issued an RFP and received five responses. A team of four people looked over the proposals and there were two clear winners who stood out as being able to meet the expectations. The team in the end chose Crawford, Murphy, & Tilly, Inc. (CMT) who went above and beyond and thought of ideas the team did not think of. Their proposal also came at or under the airport's budget.

Ms. Landry noted staff would like to recommend the committee authorize the Manager to negotiate and execute a contract with CMT. She further stated this Memo was written prior to Christmas, since that time the city has made an offer to the new Airport Manager who has accepted the city's offer. The Airport Manager has worked in the past with the runner up – Volair, who is also a strong candidate and asked the committee to add language at the end of the proposed motion for the Manager to negotiate with Volair should negotiations fail with CMT.

Councilor Clark asked what the expected term was. Ms. Landry stated it should take about six months at the most.

Councilor Hooper asked how the consultant would move the study forward. Ms. Landry stated the consultant will be working with city management as well as local business leaders to determine how their customers and employees travel; there will be a number of reports and a final report forwarded to the Manager.

Councilor Ormerod asked whether the consultant will have autonomy on design parameters or whether the parameters were already set. Ms. Landry stated the consultant will be designing their own parameters. The required data for this study is not easy to come by it is obtained from purchasing records, social media records, travel and tourism records etc.

The Councilor asked whether the new Airport Director would add more value in his new position or if he needs more time to weigh in. Ms. Landry stated his start date is early February and this item going through the Council process will take as long as the Airport Director's start date.

Chair Powers explained the funding for this project was approved and was placed in the budget last year. Once the city went through the RFP process, City staff established a committee to review the RFP's and in some cases a recommendation does not come forward and the process needs to start over. Once the Manager eventually approves the recommendation, the item comes before the Finance Committee for their approval and to be forwarded to the City Council.

Mr. Bradford Hutchinson of Marlboro Street addressed the Committee. Mr. Hutchinson talked about a conversation he had had with a pilot who was flying his private plane out of the airport – he reported the positive things this individual had to say about the airport. The only suggestion he had was to be able to have access to rental cars at the airport

Councilor Hooper made the following motion which was seconded by Councilor Ormerod.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Crawford, Murphy, & Tilly, Inc. for the development of a commercial service market study for the Keene Dillant-Hopkins Airport, and in the absence of reaching an agreement to negotiate and execute an agreement with Volaire.



City of Keene, N.H.
Transmittal Form

12/23/2019

TO: Mayor and Keene City Council

FROM: Will Schoefmann on Behalf of Bicycle Pedestrian Path Advisory Committee

THROUGH: Patricia A. Little, City Clerk

ITEM: G.1.

SUBJECT: Resignation - David Souther - Bicycle Pedestrian Path Advisory Committee

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to accept the resignation with regret and appreciation for service.

RECOMMENDATION:

Accept the Resignation Letter from David Souther, Member of the Bicycle Pedestrian Path Advisory Committee.

ATTACHMENTS:

Description

Resignation Souther

BACKGROUND:

David Souther served as an alternate member for the past year and a half and was recently appointed to fill a full member slot vacated unexpectedly by Thom Little. David respectfully submits his resignation and thanks the Mayor and Council for the opportunity to serve the community.

(please see attached email)

William Schoefmann

From:
Sent: Tuesday, December 17, 2019 2:11 PM
To: William Schoefmann
Subject: Resignation - David Souther



Dear Will,

It is with regret I tender my resignation from the Bicycle Pedestrian Path Advisory Committee, effective immediately.

I am very grateful for the opportunity to serve and the connections I have made these past years unfortunately I cannot effectively balance my responsibilities here and give my personal life the necessary attention it currently needs. I would like to thank and wish you all the best of luck.

Sincerely

David Souther



External Communication
Transmittal Form

December 31, 2019

TO: Mayor and Keene City Council

FROM: Andy Bohannon, Parks, Recreation and Facilities Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: G.2.

SUBJECT: Resignation - Pam Knight - Human Rights Committee

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to accept the resignation with regret and appreciation for service.

RECOMMENDATION:

Accept the resignation of Pam Knight from the Human Rights Committee with regret and gratitude.

ATTACHMENTS:

Description

Knight Resignation

BACKGROUND:

Pam Knight has submitted her resignation from the Human Rights Committee, effective December 31, 2019. Pam has been a member since January 2019.

Pamela Damron Knight

158 High Street Keene, NH 03431 • Phone: (918) 906-4226 •

December 3, 2019

Andy Bohannon, Director
Parks, Recreation and Facilities Department
312 Washington Street
Keene, NH 03431

Dear Andy,

I regret that I need to resign from the City of Keene Human Rights Committee. My husband and I are moving back to Tulsa next week (the moving van is scheduled for Dec. 13-15), so I will be unable to attend the rescheduled December meeting on the 16th.

I enjoyed my time on this committee and hope I can continue these types of efforts in Tulsa. Thank you so much for including me in this valuable work.

Cordially,

A handwritten signature in cursive script that reads "Pamela D. Knight". The ink is dark and the signature is fluid and legible.

Pamela D. Knight



City of Keene, N.H.
Transmittal Form

January 3, 2020

TO: Mayor and Keene City Council

FROM: Mari Brunner, on Behalf of the Energy and Climate Committee

THROUGH: Patricia A. Little, City Clerk

ITEM: G.3.

SUBJECT: Resignation – Chris Brehme – Energy and Climate Committee

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to accept the resignation with regret and appreciation for service.

RECOMMENDATION:

To accept the Resignation of Chris Brehme, Member of the Energy and Climate Committee.

ATTACHMENTS:

Description

Brehm Resignation

BACKGROUND:

Chris Brehme has served as a regular member of the Energy and Climate Committee for the past three years. Chris respectfully submits his resignation and thanks the Mayor and Council for the opportunity to serve the community. (please see attached email)

From: [Brehme, Christopher](#)
To: [Mari Brunner](#)
Cc: [Ann Shedd](#)
Subject: ECC term
Date: Thursday, January 2, 2020 8:48:53 PM

Hi Mari,

I hope you had an enjoyable holiday season. I'm writing to let you know I need to withdraw from the Energy and Climate Committee. I enjoyed serving the past three years, but I feel like I need to focus on fewer things going forward. Given that Cary Gaunt is now on board, I feel like the Keene State representation is in great hands. I'm happy to help the committee in other ways, especially via student projects.

Best regards,

Chris

Christopher Brehme, PhD
Professor of Geography and Chair,
Department of Geography, Outdoor Recreation, and Planning
Keene State College
Keene, NH USA 03435-2001



City of Keene, N.H.
Transmittal Form

January 10, 2020

TO: Mayor and Keene City Council

FROM: Mari Brunner on Behalf of the Historic District Commission

THROUGH: Patricia A. Little, City Clerk

ITEM: G.4.

SUBJECT: Resignation – Paul Cooper – Historic District Commission

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously to accept the resignation with regret and appreciation for service.

RECOMMENDATION:

To accept the Resignation of Paul Cooper, Alternate Member of the Historic District Commission.

ATTACHMENTS:

Description

Cooper Resignation

BACKGROUND:

Paul Cooper is currently listed as an “Alternate Member” of the Historic District Commission. In a correspondence with staff dated January 2, 2020, Paul noted that he no longer lives in Keene and respectfully submits his resignation (please see attached email).

From: [Paul Cooper](#)
To: [Mari Brunner](#)
Subject: Re: Keene Historic District Commission - Alternate position
Date: Thursday, January 2, 2020 12:00:32 PM

Hi Mari

I moved to Portland Maine a couple of years ago so I'm probably a poor candidate as an alternative member of the historic district commission.

Sorry

Paul

Sent from my iPhone

On Jan 2, 2020, at 11:45 AM, Mari Brunner <mbrunner@ci.keene.nh.us> wrote:

Hello Paul,

I'm reaching out to you on behalf of the Historic District Commission for the City of Keene. We have you listed as an alternate member for the Board. [Are you still interested in serving as an alternate for the upcoming year?](#) If so, could you please share the best phone number to reach you?

As the staff liaison, I occasionally reach out to alternates if they are needed to make quorum. I would only reach out to you if / when you are needed (unless you would like me to include you on my regular communications with the HDC).

Thank you, and Happy New Year!

Mari

Mari Brunner, Planner
(603) 352-5440
mbrunner@ci.keene.nh.us

City of Keene Community Development Department
City Hall, Fourth Floor
3 Washington Street
Keene, NH 03431

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City of Keene, N.H.
Transmittal Form

January 7, 2020

TO: Mayor and Keene City Council

FROM: Eric Swope, Industrial Pretreatment Coordinator, Tom Moran, Assistant Public Works Director

THROUGH: Elizabeth Dragon, City Manager, Kurt Blomquist, Public Works Director/Emergency Management Director

ITEM: I.1.

SUBJECT: Sewer Service and Industrial Pretreatment

COUNCIL ACTION:

In City Council January 16, 2020.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

RECOMMENDATION:

Recommend that Ordinance O-2020-01 be submitted to the Municipal Services, Facilities and Infrastructure Committee for their review and recommendation.

ATTACHMENTS:

Description

Ordinance O-2020-01

BACKGROUND:

On August 2, 2019 the NH Department of Environmental Services (NHDES) conducted a compliance inspection of the City of Keene's Industrial Pretreatment Program (IPP). Findings indicated that "...overall the IPP is properly structured and implemented." NHDES did find two items that must be addressed by the IPP:

1. The State of NH's Industrial Pretreatment Rule, Env-Wq 305.04(f)(2) requires a municipal Sewer Use Ordinance (SUO) to stipulate that records of an Industrial User(IU) relating to pretreatment must be maintained by the IU for at least 5 years. Section 98-427 of the Keene City Code requires that these records be maintained for a minimum of three years.
2. The control mechanism used for regulating industrial discharge is referred to as, Industrial Discharge Agreement (IDA) in the Keene City Code. NHDES noted that the term "Agreement" implies a form of contract between the two parties rather than a set of mandatory requirements imposed by the IPP. The Keene City Attorney had previously expressed the same concern.

Both of these items were addressed as part of a more comprehensive set of proposed changes to the City Code that the City submitted to the US Environmental Protection Agency in 2008 for approval. Thus far, the City has not received comment nor approval of the proposed changes. NHDES is requiring that the City move forward on these two minor changes rather than continue waiting for a response from EPA.

Staff recommends the City Council approve Ordinance O-2020-01, which will be submitted to the United States Environmental Protection Agency (USEPA) for approval.



CITY OF KEENE

O-2020-01

Twenty

In the Year of Our Lord Two Thousand and

Relating to Sewer Service and Industrial Pretreatment

AN ORDINANCE

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 deleting the stricken text and adding the bolded text to the following provisions of Article V, "Sewer Service", Division 4, "Prohibited Discharges"; and of Article VI, "Industrial Pretreatment," Division 2, "Reporting Requirements," and Division 4, "Industrial Discharge Agreements (IDA)" of Chapter 98, entitled "UTILITIES" as follows;

ARTICLE V. SEWER SERVICE

Division 4. Prohibited Discharges

Sec. 98-359. - Annual fee for industrial users.

Industrial users will be assessed an annual fee by the city to defray the administrative costs of the industrial discharge ~~agreements~~ **permits** (~~IDA~~) (IDP) program. The fee shall be calculated as set forth in the schedule of fees in appendix B to this Code.

Sec. 98-360. - Violations

(f) *Nondischarge violation penalties.* Any nondischarge violations of the industrial discharge ~~agreements~~ **permits** are subject but not limited to the following penalties:

ARTICLE VI. INDUSTRIAL PRETREATMENT

Division 2. Reporting Requirements

Sec. 98-427. - Monitoring records.

Industrial users subject to the reporting requirements under this article shall maintain records of information resulting from monitoring activities required to prepare such reports. Such records shall be maintained for a minimum of ~~three~~ **five** years and shall be made available for inspection and copying by the city. Such reports shall include the following:

1. The date, exact place, method and time of the sampling and the name of the person taking the sample.
2. The dates analyses were performed.
3. The laboratory performing the analyses.
4. The analytical techniques and methods used.
5. The results of such analyses.

Division 4. Industrial Discharge Agreements Permits (IDA) (IDP)

Sec. 98-476. - Required.

The discharge of any industrial process waste to the city's wastewater treatment plant or to a public or private sewer connected to the city's wastewater treatment plant is prohibited without a valid industrial discharge ~~agreement permit~~ (IDA) (IDP).

Sec. 98-477. - Application.

Persons subject to this division shall submit an application for an industrial discharge ~~agreements~~ **permits** containing information required under applicable federal and state industrial pretreatment reporting regulations. Such information, at a minimum, shall include the following:

- (1) The name and address of the facility, including the names of the operator and owner.
- (2) A list of all environmental permits held by or for the facility.
- (3) A brief description of the nature, average rate of production, and Standard Industrial Classification of the operations carried out at such facility.
- (4) An identification of the categorical pretreatment standards applicable to each regulated process.
- (5) An analysis identifying the nature and concentration of pollutants in the discharge.
- (6) Information showing the measured average daily and maximum daily flow, in gallons per day, to the public sewer from regulated process streams and from other streams.
- (7) A schedule of actions to be taken to comply with discharge limitations.
- (8) Additional information as determined by the pretreatment coordinator may also be required.

Sec. 98-478. - Amendment required.

An industrial user subject to categorical pretreatment standards shall not discharge wastewater directly or indirectly to the city wastewater treatment plant after the compliance date of such standards unless an amendment to its industrial discharge ~~agreement permit~~ has been issued by the city.

Sec. 98-479. - Application for amendment.

Within 90 days after the effective date of a categorical pretreatment standard, an industry subject to such standards shall submit an application for an industrial discharge ~~agreement permit~~ amendment. The application shall contain the information outlined under section 98-477, except that the compliance certification for pretreatment or operation and maintenance statement must be signed by a qualified professional and must contain the following statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Sec. 98-480. - Conditions.

- (a) The industrial discharge ~~agreement~~ **permit** will outline the general and specific conditions under which the industrial process waste is accepted for treatment at the city's wastewater treatment plant. Specifically, included in the ~~agreement~~ **permit** are the following:
- (1) Pretreatment and self-monitoring facilities required.
 - (2) Type, number of samples, and sampling frequency required.
 - (3) Effluent limitation on the industrial process waste.
 - (4) Listing of applicable civil and criminal penalties.
- (b) The ~~agreement~~ **permit** will be in effect for five years. A new application will be filed with the pretreatment coordinator by the industry 180 days before the ~~agreement~~ **permit** expires.
- (c) The ~~agreement~~ **permit** is nontransferable and may be revoked by the city for noncompliance or modified so as to conform to discharge limitation requirements that are enacted by federal or state rules and/or regulations.

Sec. 98-481. - Proposals for new discharge.

An industry proposing a new discharge or a change in volume or character of its existing discharge must submit a completed application for an industrial discharge ~~agreement~~ **permit** to the pretreatment coordinator at least 60 days prior to the commencement of such discharge. The submitted application must include plans and engineering drawings, stamped by a registered professional engineer, of the proposed pretreatment facilities. Upon approval of the application by the city, a discharge permit request is submitted by the community to the water supply and pollution control division of the state department of environmental services on behalf of the industry. Upon approval of the discharge permit request by the water supply and pollution control division of the state department of environmental services, the industry and the city will enter into a new or amended industrial discharge ~~agreement~~ **permit** in accordance with the procedure outlined in this division.

Appendix B- 98-359. Fee for industrial users to defray the administrative costs of the industrial discharge ~~agreements~~ **permits** (~~IDA~~) (IDP) program

Mayor George S. Hansel

In City Council January 16, 2020.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.

City Clerk



City of Keene, N.H.
Transmittal Form

January 16, 2020

TO: Mayor and Keene City Council

FROM: Beth Fox, ACM/Human Resources Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: K.1.

SUBJECT: In Appreciation of Charles Russell Harris Upon His Retirement

COUNCIL ACTION:

In City Council January 16, 2020.

Voted unanimously for the adoption of Resolution R-2020-02.

RECOMMENDATION:

That Resolution R-2020-02 be adopted by the City Council.

ATTACHMENTS:

Description

Resolution R-2020-02

BACKGROUND:

Mr. Harris retired from the Keene Fire Department effective December 31, 2019, with over 35 years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty.....

A RESOLUTION In Appreciation of Charles Russell Harris Upon His Retirement.....

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

WHEREAS: Charles R. Harris first began his firefighting career in 1957, joined the Keene Fire Department as a Call Operations auxiliary member 1 October 1984, and was elected a member of Keene Steam Fire Engine and Hose Company #1 for six months' probation, subject to approval of the Board of Engineers, effective 18 February 1985; and

WHEREAS: A very active member of the Call Company who earned the respect of fellow members of the department, Charlie was promoted to Second Lieutenant 30 January 1997, then became Lieutenant, and has responded proudly for 35 years—24/7—to emergency calls as a member of both the Steamer and Ladder Companies and, most recently, of Special Services; and

WHEREAS: Charlie has been a valuable resource to command staff, working all multi-alarm fire ground scenes the past several years, handling the critical role of accounting for all personnel assigned to the incident in a calm, focused effort to provide a high level of safety; and

WHEREAS: He has demonstrated his commitment to KFD by making significant contributions over the years, under a variety of hats, sometimes with his wife, to organize department functions and community events, always willing to help "make it happen"—Color Guard formation, children's Christmas parties, retirement parties, funeral services, parades, pumpkin carving for kids, Memorial Day flag planting, annual Inspection Dinner, "Grumpy's Grille" and other Activities Committee fund drives, Y2K efforts, and even assisting members at their homes with projects in progress; and

WHEREAS: With a total fire service career spanning six decades, beginning with the Winchendon, Massachusetts, department and including the Cheshire County Forest Fire Wardens' Association, Charlie was honored with selection by the Chief to serve as Fire Prevention Parade Marshal in 2017; and

WHEREAS: Charlie retired from the Keene Fire Department 31 December 2019, with over 35 years of dignified and honorable service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Keene hereby extends its sincere thanks to Charles R. Harris for his dedication to the City of Keene and wishes him the very best through all his retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Charlie in appreciation of his many years of service to the residents of Keene and the Monadnock Region.

PASSED January 16, 2020

A true copy;

Attest:

City Clerk

George S. Hansel, Mayor