



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
February 18, 2021
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- February 4, 2021

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmation
Energy & Climate Committee
2. Nomination
Energy & Climate Committee

C. COMMUNICATIONS

1. Terri O'Rorke - NH Resolution for Fair Nonpartisan Redistricting
2. Kevin Leary - Request for Property Access

D. REPORTS - COUNCIL COMMITTEES

1. Roxbury Street Flood Improvement Project – Project Update
2. Weston Liu – New England Aerobic Club – Request to Use City Property
3. Councilor Johnsen – Request of Governor Sununu that Teachers Be Moved Up in Phase 1B for COVID vaccine
4. HB 315 – Relative to the Aggregation of Electric Customers – Energy and Climate Committee
5. Acceptance of Donations - Parks, Recreation and Facilities
6. Acceptance of Donations - Parks, Recreation and Facilities
7. Roxbury Street Sewer Replacement - Funding Request - City Engineer
8. Continued Discussion - Evaluation Process for Charter Employees

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Body Worn Cameras - Police Chief

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. Relating to "Bee City USA" – Resolution R-2021-06

Non Public Session

Adjournment

A regular meeting of the Keene City Council was held on Thursday, February 4, 2021. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Mayor Hansel read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued that the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their online presence and whether there are others with them in the room. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Gladys Johnsen, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers. Terry M. Clark was absent. A motion by Councilor Powers to accept the minutes from the January 21, 2021 regular meeting was duly seconded by Councilor Bosley and the motion passed on a roll call vote with 14 Councilors present and voting in favor. The Mayor led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel provided a reminder that February 5 at 8:30 AM there was an optional meeting to discuss several legislative bills dealing with State Education and Retirement System Funding. These two issues stand out with potential to impact local taxpayers. Mayor Hansel had invited Cheshire County School Board members, other Mayors from across NH, and the Cheshire County Delegation. Also joining would be Senator Kahn and the Director of the NH Retirement System, of which many local employees are involved.

The Mayor recognized Keene's own Councilor Catherine Workman, who was selected as one of 10 up-and-coming professionals for 2021 by the Business Journal of Greater Keene, Brattleboro, and Peterborough. Councilor Workman was also recognized by the New Hampshire Union Leader's "40 Under 40." Mayor Hansel said that recognition by both groups was well-deserved. The Mayor also recognized Shaun Filiault who was also recognized by the Business Journal of Greater Keene, Brattleboro, and Peterborough as one of 10 up-and-coming professionals for 2021. Mr. Filiault was at the time of this meeting serving as a member of the Human Rights Committee.

PROCLAMATION – KEENE HIGH SCHOOL VARSITY SENIORS

The Mayor recognized that many in the community love going to Keene High School hockey games. Due to a few disrupted seasons, the City was unable to recognize the achievements of varsity seniors and so this proclamation recognized this year and last. As such, Mayor Hansel into the record a Proclamation recognizing Keene High School Hockey Varsity Seniors. Specifically, the Mayor recognized and wished luck to the following individuals: Taylor Panek – Goalie # 1, Peter Haas – Defenseman # 9, Ethan Russell – Left Wing # 6, and Jacob Russell – Goalie # 31.

RESOLUTION – IN APPRECIATION OF JEFFREY W. TITUS UPON HIS RETIREMENT – RESOLUTION R-2021-05

With appreciation, Mayor Hansel read into the record Resolution R-2021-05. A motion by Councilor Powers to adopt Resolution R-2021-05 was duly seconded by Councilor Bosley. The City Attorney said that he worked closely with Mr. Titus and appreciated his attention to detail and extensive municipal knowledge. The City Attorney stated that he would miss Mr. Titus and wished him great luck in retirement, when he would have more time to pursue his excellent photography.

On a roll call vote, 14 Councilors were present and voting in favor. Councilor Clark was absent.

CONFIRMATIONS

Before the Mayor recognized Councilor Powers for a motion, the City Clerk noted that there was a correction on the term expiration for the Mayor's nominee of Harold Farrington as an alternate to the Planning Board. The Clerk noted that Mr. Farrington would be completing the term of Emily Lavigne-Bernier who moved from an alternate to a regular member. The Clerk noted the corrected end date of the term should be December 31, 2022. A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Bosley. On a roll call vote with 14 Councilors present and voting in favor, the nominations of Harrold Farrington as an alternate to the Planning Board, with a corrected term to expire December 31, 2022 and to the Energy and Climate Committee, Jude Nuru, with a term to expire December 31, 2023 were confirmed.

NOMINATION

The Mayor submitted for consideration the following nomination. To the Energy & Climate Committee, Denise Thomas to serve as a regular member with a term to expire December 31, 2023. The nomination was tabled until the next regular meeting.

COMMUNICATION – COUNCILOR TERRY CLARK – RESIGNATION – WARD 3 COUNCILOR

Councilor Terry Clark submitted on February 3, 2021 his resignation from the City Council effective immediately. Before accepting Councilor Clark's letter of resignation, Mayor Hansel expressed the City's appreciation for his 10 years of service as the Ward Three Councilor. Mayor Hansel would be setting the filing period at the next regular Council meeting. Pursuant to Section 37 of the Rules of Order, Mayor Hansel declared the Ward Three Council seat vacant.

MSFI REPORT – VERBAL UPDATE – DETERIORATING CONDITIONS ON THOMPSON ROAD – CITY ENGINEER

A Municipal Services, Facilities & Infrastructure Committee report read recommending on a 4-0 roll call vote to accept the update about deteriorating conditions on Thompson Road as informational. Mayor Hansel filed the report as informational.

FOP REPORT – ACCEPTANCE OF GRANT FUNDING – COMPLETE STREET INFRASTRUCTURE – PARKS, RECREATION AND FACILITIES DIRECTOR

A Finance, Organization & Personnel Committee report read recommending on 5-0 roll call vote that the City Manager be authorized to do all things necessary to execute the Project Agreement with Southwest Regional Planning Commission for the award of the Monadnock Alliance for Sustainable Transportation (MAST) 2020 Complete Streets Implementation Grant and recommend the acceptance of the grant in the amount of \$41,000.00 for the complete streets infrastructure. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed unanimously on a roll call vote with 14 Councilors present and voting in favor. Ward Three Council seat vacant.

FOP REPORT – LEASE AGREEMENT WITH SENATOR SHAHEEN AT 12 GILBO AVENUE – PARKS, RECREATION AND FACILITIES DIRECTOR

A Finance, Organization & Personnel Committee report read recommending on 5-0 roll call vote that the City Manager be authorized to do all things necessary to negotiate and execute a lease renewal with United States Senator Jeanne Shaheen for the office space located at 12 Gilbo Avenue. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper. The motion passed unanimously on a roll call vote with 14 Councilors present and voting in favor. Ward Three Council seat vacant.

FOP REPORT – UPGRADES TO HVAC SYSTEMS AT CITY HALL – PARKS, RECREATION AND FACILITIES DIRECTOR

A Finance, Organization & Personnel Committee report read recommending on a 5-0 roll call vote that the City Manager be authorized to do all things necessary to award and execute a contract with KPMB Enterprises LLC for specifications to upgrade the ventilation and HVAC system at City Hall in the amount of \$165,500.00. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper.

Councilor Jones asked whether this project would result in credits to the City's annual EcoHealth Report Card. Councilor Powers replied that this would result in more efficient energy consumption at City Hall that would result in such credits. Beyond that, Councilor Powers anticipated credits to employee productivity and fewer illnesses because good air impacts the body. He anticipated only positive results. Councilor Greenwald posed a question about project costs that was meant actually for the next agenda item. The motion passed unanimously on a roll call vote with 14 Councilors present and voting in favor. Ward Three Council seat vacant.

FOP REPORT – CITY HALL REAR WALL PROJECT, – CONSULTANT SELECTION – CITY ENGINEER

A Finance, Organization & Personnel Committee report read recommending on a 5-0 roll call vote that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with DuBois & King, Inc., in an amount not to exceed \$140,000 for engineering and technical services for the City Hall Rear Wall Project. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper.

Councilor Greenwald expressed concern and asked if there was a rough estimate of the total project cost. Councilor Powers replied no, adding that any estimate at this time would be a wild guess and in his opinion an unrealistic expectation before knowing what the project is. He said this planning and study phase was the most prudent way to determine future needs. The City Manager added that in addition to flooding of City Hall and cracks now in the wall, there were also signs of flood damage to neighboring properties, such as Central Square Terrace, due to Town Brook. Exploring a solution to this problem would benefit neighbors too.

Councilor Bosley recalled conversations over time as to whether City Hall should remain in its present location. Without yet knowing the results of this study, she asked whether it was prudent to spend the \$165,000 on the new HVAC equipment if there is a chance that the results would show that it is best to move City Hall. Councilor Powers understood Councilor Bosley's point but said that it was a time to be prudent because he did not expect that City Hall would be moving any time in the near future and if more space was needed, there could be other solutions. In his opinion, this recurring problem should have been addressed many years ago. A quality ventilation system would have significant benefits for employees now and would increase property value if and when the building sold. The motion passed unanimously on a roll call vote with 14 Councilors present and voting in favor. Ward Three Council seat vacant.

CITY MANAGER'S COMMENTS

The City Manager reported that the week of this meeting the City amended its sick leave policy for full time probationary employees to allow them to advance up to six days of sick leave for an absence related to Covid-19 or quarantine. This was done to assist probationary employees not yet eligible for sick leave. Prior to December 31, 2020, the Federal Government created Emergency Paid Sick leave through the Families First Coronavirus Response Act related to Covid-19 but the program had since expired.

The City Manager shared that the road rehabilitation projects for 2021 were scheduled tentatively to begin in June. These projects resurface streets identified through the City's asset management plan and funded through the Capital Improvement Program. This year, streets include the neighborhoods of: Cady Street, Hooper Street, and Speaker Street; Federal Street, Lamson Street, and St. James Street; Martin Street; Roxbury Street from Beaver Brook to Water Street; School Street and West Street to Gilbo Avenue.

The City Manager was very pleased to share that Police Chief Steve Russo was appointed by the Governor to the Police Standards and Training Council for the term ending Jan 2023. She was grateful for Chief Russo's willingness to serve. It is more important than ever given the nationwide and NH focus on policing, and the various changes coming forward. It is great that Keene is able to add its voice from this region to the conversation. The Police Standards and Training Council was created by the New Hampshire Legislature in 1971. It is the sole source of basic training, and the primary source of in-service training, for all law enforcement officers in the State of New Hampshire. The Mission of The Police Standards and Training Council is to shape, sustain, and strengthen the competency and professionalism of New Hampshire law enforcement in service to our State. The City Manager said that the Governor could not have selected a better professional to add to the Council.

Also regarding the Police Department, the City Manager directed the Council's attention to the annual recruiting analysis for the Police Department had been posted for calendar year 2020. Each year, the Police Department provides a detailed analysis of recruitment efforts, including demographic information for the City and County, and they post this [report on the Keene Police Department website](#), which the City Manager encouraged everyone to visit.

Lastly on the Police Department, the City Manager shared with the full Council that Chief Russo was ready to bring forward the results of the body-worn camera and in-car video testing and evaluation period. The Department did a great job conducting a very thorough evaluation and would be sharing all of the information at the next FOP meeting on February 11.

On Covid-19, the City Manager provided a very encouraging update that as of February 3, statewide hospitalizations were down to approximately 200. Only a few weeks prior, the State was close to maximum capacity at 400 hospitalizations. The local percent positive rate had also dropped from 9.3% the prior week to 5.9%. The vaccination site at Krif Road was expected to operate seven days per week in the near future and rumors were that the Astrazeneca vaccine would likely become available soon in larger quantities.

The City Manager discussed SB99, relative to the amount of Meals and Rooms Tax revenue that is distributed to municipalities, and said that it would return municipalities to the 40% amount of annual revenues, a percentage that had not been seen since 2010. For 2021, that would be an additional \$929,157 dollars to the City of Keene. The City Manager said this was something that deserved everyone's attention. If this bill goes without adoption, the City would have since 2011 been shorted \$8,823,389. There was a hearing on this bill Monday, February 8 at 9:45 AM. The City intended to submit testimony in support of SB99, including a copy of the letter sent by the Mayor on behalf of the City this year, which would also be shared our Senator.

On January 22, 2021, the City Manager sent notice to Cheshire TV through Certified Mail that per Section 23B of the City's agreement with them, the City was providing 120 days written notice of termination of our contractual relationship with them. Reserving the City's ability to cancel with a 30-day notice for breach of the agreement or loss of their 501(c)3 non-profit status. The 120 day clause requires no reason for termination by either party. However, the letter sent does reference violations of articles of incorporations and bylaws. As well as a real concern that those involved in orchestrating an effort to remove members of the prior board are now benefiting financially. It was the City Manager's understanding that she would be likely receiving a communication back from Cheshire TV in the near future.

The City Manager concluded sharing some good news related to the most recent Monadnock United Way workplace campaign, which this year City employees pledged almost \$21,000 through a combination of cash/checks and payroll deductions. It was a very successful campaign. This year Monadnock United Way met their campaign goal of \$1,277, 000.

REPORT – HB 314 – RELATIVE TO THE AGGREGATION OF ELECTRIC CUSTOMERS – ENERGY & CLIMATE COMMITTEE

02/04/2021

The report from the Energy & Climate Committee was referred for review to the Planning, Licenses & Development Committee.

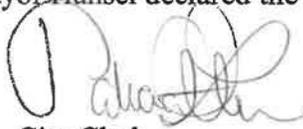
RESOLUTION – RELATION TO "BEE CITY USA" – RESOLUTION R-2021-06

A memorandum was received from the Conservation Commission requesting that Resolution R-2021-06 be referred to the Municipal Services, Facilities and Infrastructure Committee for their review and recommendation. Resolution was referred for review to the Municipal Services, Facilities & Infrastructure Committee.

ADJOURNMENT

There being no further business, Mayor Hansel declared the meeting adjourned at 7:50 PM.

A true record, attest:


City Clerk



City of Keene, N.H.
Transmittal Form

February 1, 2021

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.1.

SUBJECT: Confirmation

COUNCIL ACTION:

In City Council February 18, 2021.

Voted unanimously to confirm the nominations.

In City Council February 4, 2021.

Tabled to the next regular meeting.

RECOMMENDATION:

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

Energy & Climate Committee

Denise Thomas, slot 10

59 Maple Avenue #93

Term to expire Dec. 31, 2023

ATTACHMENTS:

Description

Background_Thomas

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, January 14, 2021 12:33 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 01/14/2021 - 12:32</p>
<p>Submitted values are:</p>

First Name:
Denise

Last Name:
Thomas

Address
59 Maple ave #93, Keene

Email:
[REDACTED]

Cell Phone:
603-381-8850

Home Phone:
same

Please select the Boards or Commissions you would be interested in serving on:
Energy and Climate Committee

Employer:
self - BHG The Masiello Group

Occupation:
Realtor

Education:

Some college

Have you ever served on a public body before?

No

Other Information/Relevant Experience:

Organizer for sustainable growth in business and the community, adept at bringing people and projects together in a wide variety of situations.

Specialize in residential sales and relocation, advocating for clients in all aspects of the buying and selling process including contract writing, negotiations, mortgages, inspections, and appraisals. Provide area tours, education and resources on the Monadnock Region and individual communities.

Clarence DeMar Marathon (2012 to present)

The DeMar Marathon, organized by Keene Elm City Rotary Club, is the Club's signature fundraiser, bringing in over \$65K. The DeMar holds the coveted "City Event" status as recognized by the City of Keene. There are over 1100 local kids, seniors, half-marathoners and volunteers, plus another 250 marathoners from around the world that participate in this event.

- o Co-Chair.
- o Board Member.
- o Implemented a hydration station, designed by Filtrine Mfg, reducing the quantity of plastic water bottles used at the finish line and the carbon footprint of the event.
- o Implemented reusable, branded bags for runner SWAG reducing the carbon footprint of the event.
- o Finish line setup and race official ensuring smooth-running event.
- o Liaison to Keene State College and Sodexo, coordinating facility arrangements including mapping of the Quad for ideal runner comfort and organizer management, plus food order and placement.
- o Coordinate, research and negotiate orders for signs.
- o Fundraiser of in-kind and monetary donations.

Keene Elm City Rotary (2004 to present)

- o Five-time Paul Harris Fellowship recipient.
- o Responsible for the Follow ME (move everyday) project which awards over 700 pairs of sneakers to every second grader in Cheshire County as part of an initiative to inspire physical movement every day.

Men Who Cook Event Coordinator (2006 to present)

Organized an annual event of more than 100 volunteer cooks as a major fundraiser for MFS.

Monadnock Family Service Incorporator (2007 to present)
Advocate for multiple human services and community support programs under the MFS umbrella.

Ladies Charitable Society (2012 to present)
Participating in a selective philanthropic community awarding scholarships to local students.

Please provide some references:

Alan Strohine

603-812-5682

References #2:

Kathy Collinsworth

kathy@humanecommunity.org

603-852-8878



City of Keene, N.H.
Transmittal Form

February 17, 2021

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.2.

SUBJECT: Nomination

COUNCIL ACTION:

In City Council February 18, 2021.

Tabled to the next regular meeting.

RECOMMENDATION:

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

Energy & Climate Committee

Councilor Raleigh Ormerod, slot 4
4 Monadnock Court

Term to expire Dec. 31, 2021



City of Keene, N.H.
Transmittal Form

February 11, 2021

TO: Mayor and Keene City Council

FROM: Terri O'Rorke

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Terri O'Rorke - NH Resolution for Fair Nonpartisan Redistricting

COUNCIL ACTION:

In City Council February 18, 2021.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication - O'Rorke

Proposed City of Keene Resolution for NH Fair Nonpartisan Redistricting

BACKGROUND:

Terri O'Rorke is looking to put the "NH Resolution for Fair Nonpartisan Redistricting" up for consideration in Keene. She believes this will send a message to legislative leaders that Keene is wanting our redistricting process to be fair, nonpartisan and transparent.

Feb. 11, 2021

Mr. Mayor and Council members,

You may be aware that when the U.S. Census numbers arrive in a month or so, the state legislature will start to re-map the voting districts for the next 10 years.

I believe in voters choosing their politicians rather than politicians choosing their voters. Gerrymandering is a national problem on both sides of the political spectrum. Electoral districts should be formed in a fair and open process in the best interest of all Granite Staters. Sadly, faith in government has been shaken, and creating a fair and transparent system of redistricting would help restore the public's confidence.

So, to prevent that from happening again, I'm helping to put the "NH Resolution for Fair Nonpartisan Redistricting" up for consideration in Keene. This sends a message to our legislative leaders that we want our redistricting process to be fair, nonpartisan and transparent.

Thank you,

Terri O'Rourke

Resolution No. _____

Keene, New Hampshire City Council

In the year of our Lord two thousand and twenty one

RESOLUTION:

To adopt a **RESOLUTION FOR NONPARTISAN FAIR REDISTRICTING**

The City of Keene resolves as follows:

WHEREAS, the U.S. Census will be completed in 2021; and

WHEREAS, the New Hampshire General Court is obligated to redraw the maps of political districts within the state for state and federal elected positions; and

WHEREAS, the City of Keene is obligated to redistrict the voting wards for elected positions within the City of; and

WHEREAS, the NH General Court conducted the 2010 census redistricting in secret; and

WHEREAS, the public was not able to view the proposed redistricting maps at public hearings in 2010, and additional maps created by the public were ignored; and

WHEREAS, 2010 proposed redistricting maps were created to benefit one political party over another

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keene urges that :

- 1) Redistricting shall be fair, nonpartisan, and ensure effective representation; and
- 2) Voting maps shall not be gerrymandered to favor a political party or candidate; and
- 3) Communities of interest shall be considered when redistricting; and
- 4) The process of redistricting shall be transparent and open to public input at all stages; and
- 5) The City of Keene shall call upon its elected state legislators, in writing, to uphold these fair redistricting principles when creating state redistricting maps; and
- 6) The City of Keene shall also adhere to these fair redistricting principles when creating city ward redistricting maps.
- 7) This resolution shall take effect upon its passage.

Adopted in the Keene City Council on this date:



City of Keene, N.H.
Transmittal Form

February 6, 2021

TO: Mayor and Keene City Council

FROM: Kevin Leary

THROUGH: Patricia A. Little, City Clerk

ITEM: C.2.

SUBJECT: Kevin Leary - Request for Property Access

COUNCIL ACTION:

In City Council February 18, 2021.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

Communication - Leary

BACKGROUND:

Kevin Leary is requesting to have access to parcel#218-009-000-000 owned by the Fontaine Family Trust using the original right of way access which is Old Gilsum Road.

2/6/2021

City of Keene

Formal request for property access:

Dear City Council,

I am writing you in regards to a formal request to access parcel# 218-009-000-000 owned by the Fontaine family trust and now under the control of Mark Fontaine. I am asking for formal approval to access the property using the original right of way access which is Old Gilsum Road. The town already states the owner has permission to access this property using Old Gilsum Rd, but because I am not the actual owner I do not have the towns approval. And because of the now established parks and rec trail systems there is no other way to access the property.

The owner has given me formal permission to access the land, and now I am looking for the town's approval to access the land 2-3 times per year through Old Gilsum Road.

Thank You for your time

Sincerely,

Kevin Leary

27 Meetinghouse Rd,

Keene, NH, 03431

Handwritten signature of Kevin Leary and the date 2/6/21.



City of Keene, N.H.
Transmittal Form

February 10, 2021

TO: Mayor and Keene City Council
FROM: Municipal Services, Facilities and Infrastructure Committee
ITEM: D.1.
SUBJECT: Roxbury Street Flood Improvement Project – Project Update

COUNCIL ACTION:

In City Council February 18, 2021.
Report was filed as informational.

RECOMMENDATION:

On a roll call vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Roxbury Street Flood Improvement Project update as informational.

BACKGROUND:

Chair Manwaring welcomed the City Engineer, Don Lussier, and Public Works Department Civil Engineer, Lee Dexter, to present an update on this project that would occur during summer 2021.

The City Engineer began with some background for the project that was driven by the need to correct repetitive localized flooding in the neighborhood of Elm and Vernon Streets. This is one in a series of flood improvement projects that resulted from a comprehensive City study in 2012 to determine how to fix these flooding issues. Other projects in this series included work to Ralston and Winchester Streets and before that work on Rule and Sullivan Streets. The primary purpose of the project is flood management, but the opportunity would be used to address any other infrastructure needs simultaneously, as with all City projects.

The City Engineer continued describing the scope of work. In total, this approximately \$1.8 million project is funded in Fiscal Years (FY) 2020 and 2021 in the Capital Improvement Program (CIP) through several sources for work on road rehabilitation, curbing, sidewalk replacement, drainage improvements, water distribution, and water main replacements. Sewer main replacements are still pending Council approval as funds were not included originally for this work; Staff would recommend allocating the additional \$215,000 in the CIP during the budget process. Councilors would notice in the current FY20-21 CIP that road rehabilitation was allocated approximately \$472,000 and all project work west of the Roxbury Street Bridge would be funded through this source. Work east of the Roxbury Street bridge would be funded as a normal road rehabilitation project and pooled with other paving work this summer. The City Engineer showed a photo of what this summer disruption might look like.

Mr. Dexter provided more details on the scope of work. A 60-inch drain pipe would be continued from Beaver Brook up Roxbury Street to tie into an existing 48-inch pipe coming from the exit of the City Hall parking garage, where Town Brook was relocated previously. This would add significant capacity to the drain system. A 30-inch pipe would be installed through Town Brook that would connect to the 36-inch pipe at the former location of Town Brook, and finally a 24-inch pipe would continue to Central Square, which Mr. Dexter

thought would alleviate many backwater problems in the areas. The original brick storm water line from Central Square to Beaver Brook was constructed in 1891/1899 and the proposed upgrade of the existing main from 36-inch hand-built brick to 60-inch plastic pipe would increase local capacity greatly. Approximately 700 feet of 60-inch drain pipe would be installed, with five eight-foot diameter structures to set in Roxbury Street that would require large excavations. All other drain structures in the roadway would also be upgraded – approximately 18 drain inlets and 15-inch pipe in a number of locations to improve conditions during rain events. The cast iron water mains to be replaced were installed in 1928. The nature of this work, size of pipes, and trying to minimize disruption of services all require replacing the water mains. Ideally at the end of this project, water, sewer, and drainage would be located conveniently to avoid conflicts. During construction, businesses and residents would be provided temporary water. Fire hydrants in the corridor are stuck into curb lines and are therefore prone to being hit by vehicles. Those hydrants would be relocated more optimally to protect them. Valves would also be relocated to allow easier flushing of the water system to improve water quality. Approximately 1,000 feet 12-inch water main would be installed. Mr. Dexter said there are two lines of sewer main, one from Roxbury Plaza to Central Square, and the other from the Washington Park building going east to Harrison Street. Replacing the sewer mains also ties into recent work at Beaver Brook. The existing 6-inch clay tile sewer mains were placed in 1903/1928 and recent video inspection showed cracks, sags, and abandoned services. Sags in the mains make them prone to grease build-up and working in close proximity to these clay tiles makes them apt to shatter during construction. In total, 760 feet of eight-inch PVC sewer pipe was proposed in addition to five manholes, including one on Central Square. This concluded work planned for underground utilities.

Regarding the scope of work for sidewalks, Mr. Dexter explained that there are unserviceable sidewalks, which are uneven and unattractive, and utility work in these locations would leave no choice but to remove those sidewalks. Concrete sidewalks with granite curbs in good condition would be retained throughout the corridor, like the new crosswalks at MoCo Arts and City Hall. The minimum work required would occur to ensure the corridor blends aesthetically with the bridge replacement.

On the road layout scope of work, Mr. Dexter said that Staff was looking at opportunities to maximize parking where possible, but in reality there is insufficient space to add new parking. A loading zone would be added in front of Green Energy Options because it is an area already used by many surrounding businesses. Mr. Dexter said that road paving would occur from Central Square to the Roxbury Street bridge funded through Roxbury Street Flood Mitigation project that the City Engineer mentioned. From Beaver Brook moving east to Water Street, the rehabilitation project would fund milling, shimming, and the overlay of the road and reshaping any uneven spots, as well as raising the center of the road to enhance drainage performance so water reaches catch basins more readily during heavy storm events. Finally, Mr. Dexter returned to the topic of utilities replacement and explained the process to "box-out." The existing concrete roadway's base would be removed in chunks to replace the underground utilities. The road base would be reconstructed with 22 inches of crushed gravel, which helps prevent the asphalt overlay from cracking and therefore lasts longer.

Chair Manwaring asked if there would be space in the corridor for bike lanes or other amenities. The Chair's question allowed the City Engineer to segue to the next topic – what is not included in the project. The City Engineer began saying that some sidewalks throughout the corridor must be replaced due to adjacent work and that replacing other deteriorated sidewalks is a priority where the budget allows; he anticipated being about to replace all sidewalks that need work in that area but he could not guarantee complete replacement throughout. Next, he said that bike lanes and other goals of complete streets improvements were not included with this project due to both the budget and physical constraints of the roadway, especially in the right-of-way of the western project area. Next, the City Engineer explained that where possible, existing parking would be retained and there would be a few other incremental improvements like the loading zone Mr. Dexter mentioned. Finally, he said that aesthetic improvements that the City tries to include in such projects, like street trees and rain gardens, would also not be possible due to the budget and physical constraints.

Next, the City Engineer described challenges of this project. This project would occur in a busy, high-density commercial and residential area, where there are limited detour options. Roxbury Street is one of the primary

access points between eastern neighborhoods and downtown, and therefore cutting off the access would cause some traffic disruptions. Additionally, the underground utilities in this corridor are very crowded and Staff would put measures in place to minimize disruption of customers' utility services. Finally, removing the concrete roadway would be particularly expensive due to the need to limit vibrations that could damage surrounding brick buildings, dust, and other disruptions that would inevitably create some extra inconvenience for the surrounding neighborhoods.

The City Engineer described how Staff would take proactive steps to hold the contractor responsible for managing the project's inherent risks. First, traffic control is the greatest issue for the surrounding neighborhoods and the City Engineer assured that while it would not always be convenient, access would be maintained at all times. The detour pattern would be similar to that used during the bridge replacement, though a pedestrian detour is unneeded for this project. While regular users of the area would inevitably find alternate routes, the official designated detour that would be particularly important for commercial truck traffic use – posted on signs approaching the corridor from all directions – would direct drivers to Washington, Beaver, and Franklin Streets. Users should be aware that the location of access would change throughout the project phases. The City Engineer said that staff would communicate with some users directly through email communications as well as issuing press releases and posting to messages boards around town. Property owners with multiple driveways have been notified to expect times during the project when they would be limited to only one driveway access. Additionally, the City Engineer described significant impacts to on-street parking, which would be closed essentially in total through the area for the project duration because there is insufficient City land available nearby where the contractor could store equipment and materials, which would be instead stockpiled in the on-street parking areas. He noted that school busses and the Friendly Bus would be impacted and their routes need to be adjusted; both operators have already been contacted about the project.

The City Engineer continued explaining risk management for sensitive surrounding architecture. As mentioned previously, vibrations from modifications to the concrete roadway pose concerns for older buildings with sensitive bricks and so Staff has built-in controls to dissipate the damage. As a result, no jack hammering would be allowed during the project and instead the concrete would be cut in pieces, lifted, and placed on a truck; this is a more expensive alternative. Additionally, Staff sent pre-construction surveys to property owners in the corridor, requesting building access for a specific third-party firm to enter and document conditions, which would result in a maximum allowable vibration recommendation issued to the contractor, and so if construction vibrations cause damage, then the contractor could be held accountable. The City Engineer said that another third-party firm would install vibration detectors at fixed points in the corridor to record amplitude of the construction vibrations throughout the project. Vibrations would only be limited to those that could damage buildings, not all vibrations are felt by the human body and so residents would still experience some disruptions.

Mr. Dexter continued on the topic of risk management during utility disruption. Staff would ensure that the contractor proceeds with construction in three main phases to minimize disturbance. The first phase would be from Beaver Brook to Washington Park/Jake's Five Star Market. The roadway would be removed to complete the underground utility work, then the road would be graded and graveled, including at least an initial asphalt binding, which would allow vehicle passage through this area during construction of the other phases. There could still be equipment and materials stockpiled in this area when phase one completes but the intent is to only have construction occur during one phase at a time, which also keeps the contractor more accountable to clean-up and dust control. As mentioned, temporary water would be provided in each phase and so if there are service issues during the work, there are fewer connections to address because of the smaller disruption areas, meaning less risk. Mr. Dexter said that phase two would continue from Washington Park/Jake's Five Star Market to approximately the location of Hanna Grimes and the Elm City Barber Shop; the work would progress as in phase one. As the project moves west with the same process for phase three, Mr. Dexter said the work area is tighter but that this would be the shortest phase. Mr. Dexter concluded that final project work such as curb setting, top paving, sidewalk construction, pavement marking, and new crossings with flashing beacons would be completed simultaneously across all phases to be more practical. The goal is to contain activities in each phase to limit disturbance.

Councilor Chadbourne asked how many on-street parking spots would be unavailable during the project and what efforts were underway to offset those losses. Mr. Dexter said that the Public Works Department had been working with the Parking Operations Manager, Beth Wood, to coordinate with businesses. From surveying the area, Mr. Dexter was aware of unique situations such as for deliveries and accessible access for pick-ups. Generally, on-street parking would be closed for the duration, but he would like to permit parking anywhere safe to do so as the phases continue. The City Engineer agreed that loss of parking would be mitigated during construction for each phase as much as possible, but he said that neighborhoods should expect significant parking impacts up to and including all on-street parking during project phases. He said that many displaced parkers would likely find less convenient places like Norway Avenue or further down Roxbury Street. The City Engineer said he could not assert that parking would not be a hassle, but he thought it would be tolerable. Councilor Chadbourne asked whether users would be advised with signage as to where else to park. The City Engineer thought the Councilor's point about informing the community was a good one because to this point there was no advice to users on where else to park; he would include this information with other community updates throughout the project.

Councilor Filiault noted that there are Housing Authority apartments on Roxbury Street for those needing assistance and he wondered how fire and ambulance services would be able to access residents in need during construction. The City Engineer said he had some preliminary communications with the Fire Department and staff would need to communicate daily on traffic patterns and advise the best routes for access for both emergency services and busses. During the majority of the project, services would be able to access Central Square Terrace as normal, but at some points access would need to utilize Beaver Street to Franklin Street.

Councilor Williams expressed concern about inevitable overflow traffic onto Beaver Street. Constituents complain to him often about vehicle speeds on Beaver Street and residents have brought this concern to Council in the past, but there was insufficient data to warrant lowering the speed and no permanent traffic calming actions were taken. The Councilor was also concerned about the ability of this overflow traffic to turn from Beaver Street onto Washington Street, which is already challenging due to limited visibility around Washington Street parking. During this construction, he suggested placing the City's temporary radar signs that remind drivers of their speeds and to be more courteous to the neighborhood. In general outside this project, Councilor Williams hoped for future traffic calming measures on Beaver Street – such as a speed hump at the bottom of the hill – in response to residents' expressed concerns. The City Engineer thought it was a good idea to place flashing speed signs during construction. The City Engineer shared the Councilor's underlying concern about volume and speed of traffic pushed to Beaver Street but the only thing the City Engineer said he could offer was that this same detour pattern was used in summer 2020 for the Roxbury Street Bridge replacement and there were very few complaints. Councilor Williams agreed that the detour worked well, but reminded the City Engineer that the bridge was replaced during the height of Covid-19 shut-downs and there would be likely more traffic during this project.

Vice Chair Giacomo asked whether there was a rough timeline for the phases. The City Engineer said he anticipated advertising construction at the beginning of March, which is open for 30 days, and then bids open at beginning of April also lasting nearly one month to contract. He anticipated construction beginning at the beginning of May. The City Engineer could not comment yet on the anticipated duration of each phase, which would be driven by the contractor.

The City Engineer concluded by explaining public engagement efforts that would include:

?* Letters to property owners

?* Beth Wood to serve as the liaison to businesses

?* A presentation like this one was made to the general public in January, which was well attended with good feedback

?* Project mailing list established to communicate weekly with property owners

?* Direct mail to residents/tenants

?* Project management during construction by Mr. Dexter

?* Signage and message boards

Due to meeting time constraints, the Chair was unable to accept public questions or comments. She advised members of the public to submit comments to the Clerk's Office or to contact the City Engineer directly.

Vice Chair Giacomo made the following motion which was seconded by Councilor Filiault.

On a roll call vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Roxbury Street Flood Improvement Project update as informational.



City of Keene, N.H.
Transmittal Form

February 10, 2021

TO: Mayor and Keene City Council

FROM: Planning, Licenses, and Development Committee

ITEM: D.2.

SUBJECT: Weston Liu – New England Aerobic Club – Request to Use City Property

COUNCIL ACTION:

In City Council February 18, 2021.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobic Club from the date of issuance through December 31, 2021, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million naming the City as an additional insured and all other requirements of City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than 5 for the year, there will be no Sunday practice sessions, aerobic activity shall not occur below 1,500 MSL, limit aerobic activity to the southern portion of the aerobic box established by the FAA, restrict use of the aerobics box until after 10:00 AM, and invite neighbors to the mandatory safety briefings held on practice days.

BACKGROUND:

Mr. Liu stated that last year the New England Aerobic Club (NEAC) managed to have a pretty successful set of visits to the Keene Airport. He continued that as he said in his letter, the NEAC appreciates all the hospitality, especially given the circumstances. The NEAC was happy to support local businesses, and aerobatics is an activity that is good at social distancing. The NEAC would like to repeat their visits to the Keene Airport in 2021. They hope to have another successful year. He is happy to answer questions. He does not know if any of the City's officials were able to come by and see the NEAC; they are always welcome to do so and he hopes they introduce themselves if they see him.

Chair Bosley thanked Mr. Liu for his letter. She asked if it is correct that last year the NEAC made this request in person. Mr. Liu replied yes, and they have been doing it in person since about 2007.

Councilor Greenwald stated that as a representative to the Airport Development and Marketing Committee (ADMC), he wants to say that the ADMC is all in favor of this activity, and has discussed it, and has received no negative comments.

Chair Bosley asked to hear from Airport Director David Hickling.

Mr. Hickling stated that the Airport wholeheartedly support this. He continued that last summer was the first

time he got to work with the NEAC. They are a very professional organization, focused first and foremost on safety. They do a great job. They do a lot for the Airport businesses, and a lot of committee members really enjoy it. They definitely support the request.

Chair Bosley asked if there were any further questions from the committee or the public. Hearing none, she stated that she would entertain a motion.

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

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobatic Club from the date of issuance through December 31, 2021, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million naming the City as an additional insured and all other requirements of City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than 5 for the year, there will be no Sunday practice sessions, aerobatic activity shall not occur below 1,500 MSL, limit aerobatic activity to the southern portion of the aerobatic box established by the FAA, restrict use of the aerobatics box until after 10:00 AM, and invite neighbors to the mandatory safety briefings held on practice days.



City of Keene, N.H.
Transmittal Form

February 10, 2021

TO: Mayor and Keene City Council

FROM: Planning, Licenses, and Development Committee

ITEM: D.3.

SUBJECT: Councilor Johnsen – Request of Governor Sununu that Teachers Be Moved Up in Phase 1B for COVID vaccine

COUNCIL ACTION:

In City Council February 18, 2021.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the Mayor send a letter to the Governor, our State Senator and State Representatives requesting that teachers be moved up to phase 1B for COVID vaccinations.

BACKGROUND:

Councilor Johnsen asked if committee members received a copy of the letter. Chair Bosley replied yes. Councilor Johnsen stated that she will email them some of the information she has about this. She continued that she is a retired educator and taught for 36 years, Kindergarten through graduate. When school starts, whether it is a new semester or a new year, teachers get sick, because the students get sick. Now there is COVID-19. Her daughter is a teacher in Colorado and the governor there had teachers moved to phase 1B (for COVID-19 vaccinations) so teachers are protected. Keene Superintendent Robert Malay wrote a letter and gave her permission to say his name and refer the committee to his letter. It reads: “Students returned to hybrid classes this past week. Even though the school administration has prepared all that can be done to make the classrooms safe, there is still an important need. The teachers are not considered as yet to be essential workers, who should be vaccinated against COVID-19. Rather they are further down in the phasing process.”

Councilor Johnsen continued that she connected with Mayor Hansel and City Attorney Tom Mullins before starting this; she wants folks to know she has been through the channels. Many students in Keene come from two- and three-generation households such as hers. She knows Dartmouth-Hitchcock and MAPS have created programs to help seniors who are helping to raise children, often as a result of the opioid crisis. Children and teenagers, whose forebrains have not yet fully developed, have to be reminded repeatedly to wash their hands and wear a mask. She is glad her teenaged grandson is back in school two days a week, but she remains very concerned because students are not protected from COVID-19.

Councilor Johnsen continued that she did some research. In August of 2020 the Federal Government, including the former Vice President, as part of a committee of over 25 Democrat and Republican governors, declared that teachers are considered essential workers. She did not want this to be political, but it is very hard to discuss it without sounding political. Twenty-five states have gotten in on this, if not more. Our NH Governor has laughed at this and said online: “Teachers are using this as a political issue; they just don’t want to get back in

the classroom.” That could not be further from the truth. This has nothing to do with politics; it has to do with the health of our teachers. They are our children’s first responders in this city. She believes they should support Keene’s teachers.

She continued that she has the Superintendent’s letter and will email it to the PLD Committee. He said the purpose of the letter is to “advocate for our frontline workers to be included in group 1B scheduled to receive the COVID-19 vaccine” before the end of January. It goes on to say “Even though you know our schools are safe, we want our workforce to be as safe as possible while they are facilitating the essential operations of teaching.” She continued that our teachers are placed in a lower phase and he wants them in 1B, which is the group she is in, as a senior, and she still cannot get a shot until March. Superintendent Malay’s letter continues, “The staff in the classrooms directly interact with our student population and should be considered as first responders. It is the frontline teachers and support staff who are on the scene providing care and attention... Our districts have put in safety procedures similar to those in other school districts around the state, and we believe in our procedures and work diligently to ensure that everyone is complying with them. I’m asking that you reconsider putting the following school-based staff in group 1B to be included in this next phase: teachers, related service providers and support staff, nurses, counselors, social workers, bus drivers, food services and buildings and grounds staff [and so on and so forth]. There are additional personnel that are equally important to our operations but these are the individuals who are primarily on the frontlines interacting with large numbers of people. Even though I’m empathetic with the decisions you have to make, I’m respectfully asking that you please reconsider where our essential workers should be moved up on this vaccine list.”

Councilor Johnsen continued that that NH Representatives Mel Myler, David Luneau, and Mary Heath also wrote a letter, and they were far more expressive in their political backgrounds. Although it is not what she read in her documentation, those four Representatives say that NH is one of only two states that is not vaccinating teachers, and they start their letter with “We were shocked when we learned last week that...members of the ski patrol were moved to the front of the line. New Hampshire is already falling behind regionally when it comes to administering the COVID vaccine. Now parents, students, and teachers are rightly concerned. Governor Sununu’s decision to exclude K-12 educators in phase 1 of the vaccine roll-out defies CDC guidelines, which recommend prioritizing frontline educators in phase 1B. This decision not to vaccinate our teachers also contradicts repeated calls the Governor has made for schools to reopen. By not prioritizing vaccines for our teachers and school staff, our teachers are on the frontline facing this pandemic.” Councilor Johnsen continued that the letter goes on. She will send copies of it to the committee. She would like Mayor Hansel to, if he would, write a letter to Governor Sununu on behalf of the City Council, recommending that Keene teachers are supported by being moved to phase 1B. It is crucial. If she does not stick up for the teachers, then her career is not worth what she did.

Chair Bosley stated that as a mother of a 9- and 11-year-old, she is absolutely in support of anything they can do to get kids back into an environment where they are being educated full-time. She continued that if vaccinating our teachers makes that happen, they need to be in support of that. It is really crucial. It is hard to see the damage being done to children when they should be with their educators, learning and absorbing material, and for parents to be not working and trying to step into this role as substitute teachers when they are not educated to do and may be dealing with special needs and special circumstances. It is a terrible cycle. She is definitely in support of what Councilor Johnsen is asking for and hopes it helps move things along and makes things better for everyone.

Councilor Jones thanked Councilor Johnsen for what she has done. He continued that he already sent his letter in and supports a letter coming from the City Council also. Councilor Johnsen does not need to email them the Superintendent’s letter because it is public on the Education Association’s website, along with a lot of other input.

Councilor Greenwald stated that his wife is a retired teacher and his daughter is a current teacher, who is struggling with this whole issue. He continued that he thinks he heard on the radio today that the Governor said

something about teachers being essential workers kind of the same as ski lift operators. He asked if the City Manager has heard anything about this. The City Manager replied no, she had not heard about that, but in preparation for tonight, she looked again at the phases. She continued that teachers are scheduled to be a part of phase A, which is the next phase, after the phase that is currently being vaccinated. One of her questions is: since most people in phase B have either signed up to be vaccinated or are in the process for getting an appointment, even moving teachers to phase 1B is not really going to change the timeline, because they are next anyway. Thus, if someone were to go into the system right now and register, they would get the next available appointment. She is not saying one way or another whether a letter should be sent, but just talking about where we are in the vaccination phase and where the teachers are coming in, and right now they are coming in to be scheduled next. She believes a majority of people in phase 1 have already registered, if the numbers are accurate from the State. They will fall after the people who are currently registered, even if they are moved to phase 1B.

Councilor Greenwald stated that that makes sense. He continued that regardless, he thinks this letter should go to the Governor, our State Senator and State Representatives, to show the consensus of the City Council that they need to move teachers and indicate that they are highly valued, primary resources, and valued employees of our children.

Councilor Johnsen's connection was lost at 7:40 PM.

Chair Bosley stated that she seconds Councilor Greenwald's words. She continued that to add on to what the City Manager said, she read today that there are an additional 3,400 vaccines per week coming into the State. It sounds like Walgreens might be set up to distribute those and they will be trying to move all of the current applications along faster than they had originally been able to schedule those, so if there is a possibility that they can get the teachers' applications in and get them vaccinated sooner, that would be fabulous. She is in support of this all around.

Chair Bosley asked if there were any more questions from the public. Hearing none, she stated that she would entertain a motion.

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

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends that the Mayor send a letter to the Governor, our State Senator and State Representatives requesting that teachers be moved up to phase 1B for COVID vaccinations.



City of Keene, N.H.
Transmittal Form

February 10, 2021

TO: Mayor and Keene City Council
FROM: Planning, Licenses, and Development Committee
ITEM: D.4.

SUBJECT: HB 315 – Relative to the Aggregation of Electric Customers – Energy and Climate Committee

COUNCIL ACTION:

In City Council February 18, 2021.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On a vote of 5 – 0, the Planning, Licenses and Development Committee recommend that the City Council take a formal position in opposition to House Bill 315 and communicate such to the Governor, our State Senator and the State Representatives.

BACKGROUND:

Chair Bosley moved agenda item 3) ahead of item 2), due to Councilor Johnsen's absence. She asked Planner Mari Brunner to speak, and Peter Hansel, Chair of the Energy and Climate Committee (ECC).

Ms. Brunner stated that she will have Mr. Hansel begin, to explain the ECC's discussion and why the ECC recommends the City Council oppose HB 315.

Mr. Hansel stated that the information in the agenda packet says a lot about what Keene is facing. He continued that a number of House Bills are before the State legislature and a number of them would affect the Keene community's ability to go forward with Keene's sustainable energy plan. To touch on a couple of highlights: HB 315, which goes before the State Legislature committee on Friday, would restrict or eliminate access to customer data, which is definitely needed for Keene to proceed with its Community Power program.

Councilor Johnsen joined the meeting at 7:12 PM.

Mr. Hansel continued that Keene would not be able to get addresses of customers in order to communicate with them. The only addresses they would have would be what the City has in their records, which is incomplete and does not have individual customers of electricity throughout the community. It has landlords, maybe, but they might be absentee landlords, and they are not the ones who are paying the bills, in many cases. HB 315 would also restrict municipalities and counties from spending any tax dollars on this program. It would mean that any time that Ms. Brunner, Mr. Lamb, or anyone else in the City has spent in the past (or in the future) on developing this plan or helping implement it would have to be isolated and separated out from all of the other expenses that the City pays. That would be unrealistic and pretty much a deal-breaker for the City. HB 315 also adds layers of regulatory review, mainly that the Public Utilities Commission (PUC) would have to review any plan and any changes to the plan going forward. Judging from the fact that the PUC is very busy, this would needlessly delay any implementation of our Community Power program. It would also stifle any

innovation portions that are being worked on with the consultant to try and make this plan as flexible as possible and accomplish the objectives moving forward. It is for those reasons that the ECC recommended that the City get involved in trying to influence this committee at the legislature. The ECC also authorized him, as the Chair, to write a letter on the ECC's behalf directly to the legislative committee. That reads as follows:

"I'm writing on behalf of the City of Keene's Energy and Climate Committee and we respectfully ask you to vote 'no' on House Bill 315. Our ECC committee has recently completed, and our City Council unanimously approved, a 2021 Sustainable Energy Plan, which will help our community transition to 100% renewable energy for electricity by 2030 and for thermal and transportation uses by 2050. One of the linchpins of this plan is for Keene to develop a Community Power Aggregation Program in order to offer Keene electric users low rates for their energy supply and more choice as to where their electricity comes from. Last fall, the City hired a consultant to help us develop a Community Power Plan. This plan was recently completed and submitted to the City for approval. Passage of HB 315 would have serious consequences on our ability to pursue the community power aggregation and place our whole energy plan in jeopardy. I submit that it would ultimately be bad for our electric utility, Eversource, because it would make it more difficult for our residents and businesses to make the transition toward electric vehicles and electric heating systems, such as heat pumps. Over 20 years ago, New Hampshire began to deregulate the electric power industry, a process that has saved rate payers millions of dollars by allowing competition into the marketplace. In 2019 the passage of legislation enabling municipalities and counties to provide community power aggregation was in essence an extension of the deregulation process. HB 315 would be a step backwards to increase monopoly control of the electric utilities in our state. Please allow us to continue the good work we have begun and vote 'no' on HB 315."

Chair Bosley thanked Mr. Hansel and asked if Ms. Brunner had anything to add. Ms. Brunner stated that Mr. Hansel covered it, and the key here is that HB 315 strips away a lot of the options that people currently have under the law. It takes away a lot of future possibilities that the City of Keene probably would not be doing right away but were hoping to do down the line. She continued it restricts what programs they could even use for energy conservation. The legislation also takes away a lot of the City's control and adds a lot of regulatory review and cost. What the City wants to do is Community Power, and what they heard from the community through the Community Power survey is a lot of innovative things they could be doing with this program, which would no longer be possible if this bill passes as written.

Community Development Director Rhett Lamb stated that Ms. Brunner and Mr. Hansel have covered the majority of the issues, but he would add that there were two parts to this that caught his eye: one, if these amendments were to pass, the City and any other town preparing a community power plan has to send that plan to the PUC to get it approved. As far he is aware, that is unprecedented in the State of NH. He continued that there is no other circumstance that he is aware of where the work they do on the local level has to get approval by a State agency, from the point of view of a plan or even Ordinance adoption. [Second], the City cannot if these amendments were to pass spend any community money to forward its plan, and the City would be subject to review process by the PUC and would not even be able to send City Staff to present. Those two things are, in his view, remarkable and unprecedented and indicate the intent of this legislation to stop the development of community power in municipalities.

Councilor Jones stated that the memorandum from Ms. Brunner shows the recommendation of the ECC's Vice Chair, but it is very generalized. He continued that he is not sure if the ECC is looking for a Resolution, or a letter, or who they want the letter to go to. Does the ECC want the letter to go to the Keene legislators or all the State legislators? The Governor? He asked if the PLD Committee can get some direction on that.

Ms. Brunner stated that the House's Science, Technology, and Energy Committee is reviewing this bill. She continued that the public hearing is this Friday. She is not sure if the PLD Committee will have time to get something to them in time for that, but it is still worth sending a letter to the legislature as a whole, because if it gets through the committee the whole House will be looking at it. They definitely would want to copy their local

representatives on that letter as well. She asked if Mr. Hansel had anything to add. Mr. Hansel replied no, what she said is true – he does not know the timing. He continued that the hearing is on Friday and they would have to get the letter to the committee 24 hours in advance. Thus, the letter would have to go out tomorrow in order to get there in time. Ms. Brunner is right – if the PLD Committee has to go to the City Council for approval, their letter would have to go to the full Legislature.

City Manager Elizabeth Dragon stated that she is registered to speak in opposition to this bill on Friday afternoon and is submitting a letter talking about some of these concerns. She continued that she knows the Mayor is also planning to speak, and she thinks Mr. Hansel, too. Thus, they will have some representation in this process on Friday, but it would be great to have the full City Council behind this, if this moves forward to the next step in the process.

Councilor Workman stated that she wants to voice her support for a letter being sent. She continued that she thinks the City Staff and the ECC did a fantastic job putting the plan together and she would hate to see legislation impede implementation of it. Along with supporting other municipalities and showing our support to the State for such changes, when they have the opportunity to come together as a city and voice that, they should do so.

Councilor Greenwald stated that hearing the City Manager say that the discussion is on Friday, at most, if there is affirmative vote of this committee they can communicate that and say that the PLD Committee is unanimously in favor of the letter, because the rest of the City Council will not speak until next Thursday. He continued that he intends to add on to the motion that the letter be sent to all Representatives and State Senators and the Governor.

Chair Bosley asked if members of the public wished to speak. Hearing none, she recognized Councilor Johnsen.

Councilor Johnsen stated that she has been in touch with some fellow former Representatives. She continued that she served for eight years, and she got the sense that sometimes the legislature does not think about Keene. Keene is doing a wonderful job and she is so proud of the Mayor's work and this Energy Plan, and she wants to reinforce what her colleagues just said: Keene needs to be as assertive as they can be, because there are some strange issues going on in Concord. She likes what Councilor Greenwald just said, about everything Keene can send along as reinforcement.

Councilor Jones asked the City Manager if the NH Municipal Association (NHMA) has taken a position on this bill. The City Manager replied that she does not think that they have. Mr. Lamb stated that it is a relatively new statute altogether, adopted fairly recently in 2019, and only a handful of communities are starting to move in that direction. He continued that it may not have risen to the level of NHMA at this point.

Mayor George Hansel stated that Keene's voice will certainly be heard on this issue because they discussed this at length at a meeting of all 13 mayors in NH. He continued that they discussed a lot of legislation; for this one in particular, he offered to take the lead on drafting a letter that all the mayors would sign. There is Keene's voice, along with the City Council and the ECC, and his voice, and they are reaching out to all the other mayors, who will also be supporting Keene's advocacy efforts on this. That is all great. To Councilor Johnsen's point, Keene's voice will definitely be heard in this case.

Chair Bosley stated that she also supports all of the work that Keene has been doing and she feels that they have been doing a very good job in making sure Concord knows that Keene is part of the state and here trying to make a difference.

Councilor Greenwald made a motion for the Planning, Licenses, and Development Committee to recommend that the City Council take a formal position in opposition to House Bill 315 and communicate such to the

Governor, the State Senate, and State Representatives. Councilor Jones seconded the motion.

Councilor Johnsen stated that she thinks Senator Jay Kahn will be helpful if they need it.

On a vote of 5 – 0, the Planning, Licenses and Development Committee recommend that the City Council take a formal position in opposition to House Bill 315 and communicate such to the Governor, our State Senator and the State Representatives.



City of Keene, N.H.
Transmittal Form

February 11, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: Acceptance of Donations - Parks, Recreation and Facilities

COUNCIL ACTION:

In City Council February 18, 2021.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the that the City Manager be authorized to do all things necessary to accept a donation of \$687.98 from the Friends of Open Space in Keene for the care and maintenance of the Church Street pocket park.

BACKGROUND:

Parks, Recreation and Facilities Director, Andrew Bohannon addressed the committee first and stated this donation of \$687.98 is from the Friends of Open Space in Keene, which is a non-profit organization. The Director continued that the Council may remember that the Friends and the Keene Rotary Club had come forward when the City took over a small piece of land on Church Street to create a pocket park. These two organizations assisted with the initial development of this pocket park. Unfortunately, due to lack of membership interest the Board of Directors of the Friends of Open Space have decided to disband the organization. As part of their disposition they have earmarked their remaining funds back to this pocket park that they had previously worked on. Mr. Bohannon thanked this little known group for all their efforts to the community over the years. Councilor Hooper made the following motion, which was seconded by Councilor Remy.

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the that the City Manager be authorized to do all things necessary to accept a donation of \$687.98 from the Friends of Open Space in Keene for the care and maintenance of the Church Street pocket park.



City of Keene, N.H.
Transmittal Form

February 11, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.6.

SUBJECT: Acceptance of Donations - Parks, Recreation and Facilities

COUNCIL ACTION:

In City Council February 18, 2021.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$10,000 for the construction of a pergola in the Ashuelot River Park from the Keene High School Interact Club and the Monadnock Regional High School Interact Club, and to award a contract to Bensonwood for the design and materials.

BACKGROUND:

Mr. Bohannon stated that based on the presentations he has been making in front of different civic groups in the City regarding the Ashuelot River Park, Louise Zerba who is a member of the Rotary Club approached him and asked about any projects the City might have within the park system that the Interact Kids could participate in as they will not be going to Central America for their annual Habitat for Humanity efforts. The group was anxious that any project they undertook would leave a legacy in the community.

The Ashuelot Park Advisory Committee had been discussing the possibility of removing the current gazebo and replacing it with a pergola. The City raised this possibility with Bensonwood which was in support of these efforts with the caveat that they would help with volunteering and with the possibility of working with some of students on a possible career path.

Mr. Bohannon stated that all appropriate waivers will be signed and all proper youth labor laws will be followed and that everyone will be appropriately socially distanced. Both Keene High School and Monadnock High School have donated \$5,000 each and together with the City's match of \$5,000 a total of \$15,000 has been appropriated. The City will be signing a contract with Bensonwood for this amount. In closing, Mr. Bohannon thanked Councilor Hooper who had recently resigned from the Ashuelot River Park Advisory Board for his participation over the years. Councilor Hooper encouraged support for this project.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$10,000 for the construction of a pergola in the Ashuelot River Park from the Keene High School Interact Club and the Monadnock Regional High School Interact Club, and to award a contract to Bensonwood for the design and materials.



City of Keene, N.H.
Transmittal Form

February 11, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.7.

SUBJECT: Roxbury Street Sewer Replacement - Funding Request - City Engineer

COUNCIL ACTION:

In City Council February 18, 2021.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to reallocate \$215,000 of unspent project balance from the Sewer Improvements Project (08055) to the Roxbury Street Flood Improvement Project for the replacement of sewer mains on Roxbury Street between Central Square and Beaver Brook.

BACKGROUND:

City Engineer Don Lussier addressed the committee next. Mr. Lussier stated this is a significant project during the next construction season. The purpose of this project is to address repetitive flooding in the Vernon Street and Elm Street neighborhoods. The reason for this flooding is because of a lack of capacity in the downstream drainage system. Mr. Lussier stated what was historically known as the "Town Brook" has long since been put into a piped system, which flows underneath City Hall and between the adjacent buildings on Roxbury Street encased within a 4 foot diameter pipe system. When it enters Roxbury Street, it enters a 36-inch brick pipe, which was built between 1891 and 1899. The real issue is how small this pipe is and the amount of storm water it is being asked to convey.

Because this is a large project, the City will also be looking at other work that needs to be completed. In the FY 20-21 CIP there is funding provided for a number of projects. In addition to floodway management, there are funds aimed at roadways, curb and sidewalk repair as well water main installation and replacement. What was not included in the CIP funding were monies for sewer replacement, which is now acknowledged by staff as short-sighted.

Mr. Lussier stated it is clear that this work cannot be completed without impacting the existing sewer pipes. He went on to say there were a couple of sewer projects in the past that were completed at much lower cost than planned which has resulted in a significant amount of unspent monies in the sewer improvement program. Some of these funds have been used for projects such as on Blossom Street and Winchester Court. Staff's request is to use \$215,000 of these unspent project balances to replace the sewer main on Roxbury Street, specifically between Central Square and Beaver Brook.

Councilor Ormerod asked whether monies from sidewalk and curb replacement will be used for the sewer work. Mr. Lussier answered in the negative and noted the table in the memorandum outlines the total scope of

the project. The City Council had previously allocated 1.6 million dollars for this specific project. This request is for an additional \$215,000 from the sewer fund, which will raise the total project balance to 1.87 million dollars. The Councilor clarified there will be sidewalk and curb repair work after the storm sewers are replaced. Mr. Lussier stated it will not involve a comprehensive repair of all the sidewalk and curbing within the corridor, but the project will address ones that are in disrepair and ones that will be disturbed.

Chair Powers clarified this is an appropriation versus a transfer. Mr. Lussier stated it would be a reallocation of monies already appropriated by the Council. He further stated these monies were allocated for sewer improvement work (Account 08055) and this is still going to be used within this account. The money is going to now be used for sewer work in another area.

Attorney Mullins asked whether staff is anticipating any temporary or permanent easements for this project. Mr. Lussier stated there will not be any permanent easements, but there might be some temporary impact which has not been nailed down yet.

Councilor Hooper made the following motion, which was seconded by Councilor Ormerod. On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to reallocate \$215,000 of unspent project balance from the Sewer Improvements Project (08055) to the Roxbury Street Flood Improvement Project for the replacement of sewer mains on Roxbury Street between Central Square and Beaver Brook.



City of Keene, N.H.
Transmittal Form

February 11, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.8.

SUBJECT: Continued Discussion - Evaluation Process for Charter Employees

COUNCIL ACTION:

In City Council February 18, 2021.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends continuing to move forward with the evaluation process for charter employees.

BACKGROUND:

Chair Powers addressed this item related to the three Charter employees hired by the Council; the City Manager, the City Clerk and the City Attorney and how these positions are evaluated. He indicated Councilor Manwaring had asked for a review of how these employees are evaluated. In the Councilor's communication, there were three evaluation options proposed by Councilor Manwaring. In the memorandum before the Committee the Chair noted he had added another option. He indicated the overall objective is to come up with the appropriate procedure to conduct a good evaluation process.

Councilor Manwaring addressed the committee next and thanked Chair Powers for compiling this information and coming up with another choice. She indicated the reason she brought this item forward is because in the past it has been difficult to get feedback from Councilors because some Councilors were not certain what happens with their feedback.

Councilor Ormerod asked whether this survey will go to the City Councilors and the Charter Officers. Chair Powers stated the survey will be sent to the Council and the Mayor – the Charter Officers have added their input.

Councilor Hooper made the following motion, which was seconded by Councilor Remy.
On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends continuing to move forward with the evaluation process for charter employees.



City of Keene, N.H.
Transmittal Form

February 11, 2021

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: H.1.
SUBJECT: Body Worn Cameras - Police Chief

COUNCIL ACTION:

In City Council February 18, 2021.
More time granted.

RECOMMENDATION:

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that any decision on the Body Worn Camera program be delayed until current legislation is voted upon and proposed State or Federal funding sources are identified.

BACKGROUND:

Police Chief Russo and Police Prosecutor Christopher Simonds were the next two presenters. Chief Russo Stated he will be talking about two options for Body Worn Cameras (BWC) which has been previously discussed by the Committee.

The Chief displayed a PowerPoint presentation during this remarks. For the body worn camera, it is a smart phone with a camera built in and a sim card. This camera gets mounted inside the police officer's uniform. The Chief broke down the cost of the body camera system as follows:

- \$321,600 over five years
 - \$160,800 year one
 - \$40,200 annually next four years
 - This would be a five-year contract
- Training: \$9,120 one-time cost – approximately \$4,600 has been spent on training so far.
- Para-legal
 - \$87,585 annually and PAB increases
 - \$437,925 over five years
- Start-up costs: \$12,600
- Total Cost Year one: \$270,105 (to include paralegal services)
 - System, Training, Para-legal position & start-up costs
 - Each year thereafter: \$127,785, includes para-legal
- Five year cost: \$781,246

The Chief talked about the Body Worn Camera and the in car video system and stated this is what staff would like to recommend. It will outfit the 16 vehicles the department uses with both a front and rear camera. He noted to the cost for that system as follows:

- \$392,995 Over five years
 - \$190,099 year one
 - \$47,524 annually over next four years
- Training: Remains same: \$9,120
- Para-legal: Remains Same
 - \$87,585 Annually and PAB increases
 - \$437,925 over five years
- Start-up costs: Remain same \$12,600
- Total Cost Year one: \$299,404
 - System, Training & Para-legal position
 - Each year thereafter: \$135,109
- Five year cost: \$840,041

He noted the cost difference is \$71,395 between the two options presented (Body Worn Cameras v. Body Worn Camera and In Car Video).

The Chief went on to say there is some initial startup equipment that is required at a cost of approximately \$12,600 for the following items: Computer system (stand alone to run the system as well as for use by the legal department). This is a cloud based system with unlimited cloud storage. Wireless Access Point – three need to be installed within the building. Molly Clips to use external equipment officers will be authorized to wear and Vest Carriers

- Total Body Worn Camera (BWC) with initial start-up costs: \$781,246
- Total Body Worn Camera and In Car Video (ICV) with initial start-up costs will be \$840,041

Re-occurring Annual Costs which the department will not be able to absorb into its budget would be \$3,250. The needed items are replacement vest carriers and a uniform shirt replacement cost increase.

The Chief then talked about funding. HB 253 would require law enforcement agencies to implement BWC systems. It will create a funding stream from the penalty assessment fund (24% of every motor vehicle summons and any court issued fines). These funds would be placed into a new non-lapsing public safety enhancement fund. This new fund would then provide grants to agencies that elect to implement BWC systems.

HB 253 currently provides no funding or cost estimate of this legislation. The LEACT (Commission on Law Enforcement Accountability, Community and Transparency) recommends all Law Enforcement Agencies employ BWC's. The Governor supports this and has directed the NH State Police to begin implementation, and funding is being evaluated to assist with this for non-State agencies.

The Chief then talked about SB 96 which would require several things, one of which is establishing a body-worn and dashboard camera fund and making an appropriation therefore. This bill establishes a non-lapsing fund within the Department of Safety. The funds are intended to provide grants to local law enforcement agencies to assist them with the purchase, maintenance, and replacement of BWC and ICV systems and ongoing costs. Though neither of these bills currently appear to list funding, it is encouraging that funding sources as well as mechanisms to assist local law enforcement agencies in acquiring these high cost systems are being looked at.

The Chief went on to say that another item they felt was necessary to talk about competing needs. He indicated one of the findings would be an increase to training (the hours are likely to triple). This will take effect in January 2024. The current budgets falls short on meeting these training needs. The Governor has approved all 48 recommendations in the LEACT. In fiscal FY23 that cost will be \$56,680 and in FY24 the additional cost will be \$115,328.

Another competing issue is Right to Know (RTK) requests and finding a solution to this real and growing problem that the department cannot handle internally. The Chief noted there are over 100 such requests made to the City annually. He added with the BWC the RTK requests are likely to increase.

With Policing and Mental Health initiatives, this is something the department has been working on for many years in collaboration with Monadnock Family Services. The Chief added there are likely other City needs and priorities that he is not aware of.

Chief Russo went on to say he has no doubt at some point in the future the department will employ BWC systems, it is the right thing to do for a variety of reasons. He indicated he supports them both personally and professionally and he would like to take advantage of any opportunity for funding at the State level when and if it becomes available. Therefore, staff recommends delaying this initiative until they know the results of pending legislation and competing needs, such as the cost of LEACT requirements and the RTK issues.

Councilor Ormerod Stated he had read somewhere that the City needs right to know assistance currently and inquired whether some sort of emergency action will need to be taken to address this item. The City Manager agreed this assistance is required currently but what staff is requesting is to delay the body worn camera program until the City knows the result of the legislation that is pending and consider the right to know request as part of the budget process. However, if the body worn camera program is not delayed the right to know request assistance will be required at the same time as that program.

The Manager went on to say she agrees with the Police Chief that body worn cameras and in car videos are things municipalities are going to see and is pleased to see the Chief in support of this program which aligns with transparency. She noted however, the challenge is funding and she would hate to miss the opportunity of getting funding from the State. She felt the chance of State funding is better than it ever has been because of the Governor's support. The Manager noted she will be looking at the increased cost to training in the Police Department's budget.

The City Manager stated the Chief has also looked at ways to address mental health services and tie it in to how the department responds. However, the real issue is that there are not enough mental health providers in the region to address the need. She noted the Chief has some creative ideas which will be addressed as part of the budget process.

The Manager went on to say the City does get a large volume of right to know requests. Some of the issues the City faces is the time to process these requests. The City often faces criticism from people waiting for these requests. Ms. Dragon pointed out, processing these requests is in addition to a City employee's regular duties. The Manager asked for the City Attorney's comments on Right to Know.

Attorney Mullins stated he needs to emphasize that the right to know requests are becoming difficult for his office to keep up with. He noted for instance his assistant has been working on one request for close to three days. This particular request involves records from multiple departments. His staff has to decide what information needs to be redacted, such as social security numbers, and license plate numbers. The Attorney continued that a staff member has to read through each document and decide if privacy issues exist that require redaction.

Attorney Mullins went on to say, the City of Concord is currently advertising for an attorney to come on board and assist with right to know issues. He indicated the Police Chief is suggesting a paralegal, but the City Attorney felt for the same cost they might be able to hire an attorney. He added he agrees with the recommendation of the Police Chief and City Manager about waiting on the body camera legislation, but he felt the staff position itself is something the City should move forward with at this time.

Mayor Hansel addressed the committee and began by thanking the Chief for the information he presented as

this information will be important as funding opportunities come forward. The Mayor asked about the timing for the legislation versus the budget adoption. The Manager agreed the legislation timing is not going to align well with the City's budget process, but she felt staff will know more as they get closer to the final adoption of the budget. She indicated she will be bringing forward the right to know position during the budget process and added should the legislation not get approved, there are always ways in which monies can be appropriated.

Chief Russo stated the vendor for the body camera system might respond faster than the right to know individual is hired, but stressed this program cannot be put in place without having someone on board.

The Chairman agreed with delaying the purchase of this product and added delaying the purchase could bring some improvements with the product. He thanked staff for all the work that has gone into this research.

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

On 4-0 roll call vote, the Finance, Organization and Personnel Committee recommends that any decision on the Body Worn Camera program be delayed until current legislation is voted upon and proposed State or Federal funding sources are identified.



City of Keene, N.H.
Transmittal Form

February 10, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: K.1.

SUBJECT: Relating to "Bee City USA" – Resolution R-2021-06

COUNCIL ACTION:

In City Council February 18, 2021.

Report filed as informational. Voted unanimously for the adoption of Resolution R-2021-06.

RECOMMENDATION:

On a roll call vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2021-06.

ATTACHMENTS:

Description

Resolution R-2021-06

BACKGROUND:

Chair Manwaring welcomed Community Development Director/Assistant City Manager, Rhett Lamb, who recalled presenting this matter to the Council last year, which has since gone through the Conservation Commission process to determine how the Bee City USA program could work in Keene. The organization that oversees this program, the Xerces Society, has recommended resolution language for uniformity and that language was adapted to Keene by Staff and with the help of John Therriault, who first brought this idea to the City and now serves as an alternate member of the Conservation Commission to aid this effort. The Xerces Society has approved the draft resolution, which now only awaits Council adoption, which the Council recommended in 2020 pending review of the draft resolution. Mr. Therriault was present, he concurred with the Community Development Director's summary, and stated that he was ready to complete the final step and submit the application and fee once the Council approves.

The Chair asked for a summary of what it means for Keene to be a Bee City. Mr. Therriault explained that a \$200 application fee would be due to the Xerces Society upon submission of the resolution signed by City Council; Mr. Therriault recalled that he offered to donate this fee. As a Bee City, the City of Keene commits to exploring ways to improve the amount of pollinator habitat in the City, to consider ways to reduce and improve use of pesticides and other chemicals to have the minimum impact possible on pollinators, to lead educational events like walks through pollinator meadows or school presentations, and finally (in response to a question from Councilor Chadbourne) to submit an annual summary of the City's efforts to the Xerces Society along with a renewal fee, which is referenced at the end of the Resolution.

Chair Manwaring recalled that City Council already recommended moving forward to create this resolution and this was the concluding step. The Chair asked whether the Conservation Commission would be in charge of

these activities. The Community Development Department replied in the affirmative, noting that the Conservation Commission was listed in the resolution as the Bee City USA sponsor, with the Community Development Department responsible for its administration as the Commission's Staff Liaison. The Conservation Commission does have a budget to cover the annual renewal fee. Mr. Therriault had offered to help with the annual reporting through his role on the Commission. Chair Manwaring thanked the Conservation Commission for taking charge of this initiative.

As a representative of the Conservation Commission, Councilor Williams thanked Mr. Therriault for his work to make this happen and for answering tough questions along the way as the Commission worked to determine how this program could work in the City.

Vice Chair Giacomo made the following motion which was seconded by Councilor Filiault.

On a roll call vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2021-06.



CITY OF KEENE

R-2021-06

Twenty-one

In the Year of Our Lord Two Thousand and

Relating to Bee City USA

A RESOLUTION

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

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

WHEREAS: the mission of *BEE CITY USA* is to galvanize communities to sustain pollinators, responsible for the reproduction of 90% of the world’s wild plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS: insect pollinators, including wild native bees and European honey bees, are vital to a healthy ecosystem and agricultural production, worldwide; and

WHEREAS: bees and other pollinators have experienced population declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases; and

WHEREAS: pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local nurseries and growers; and

WHEREAS: ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession throughout the growing season;
- Provides water for drinking, nest building, hive cooling, diluting stored honey, and butterfly puddling;
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen trees and other dead wood) for nesting and overwintering for wild pollinators;
- Is pesticide free or has pesticide use carried out with least ill effects on pollinators;
- Is comprised of mostly, if not all native species of annual and perennial forbs, grasses, vines, shrubs, and trees in landscapes because many wild pollinators prefer or depend on the native plants with which they co-adapted;
- Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness; and
- Provides for safe and humane removal of honey bees when required.

WHEREAS: supporting pollinators fosters environmental awareness and sustainability, and increases interaction among community stewards, including commercial and backyard beekeepers, farmers, children, educators, University researchers, Master Naturalists, Master

- Provides for safe and humane removal of honey bees when required.

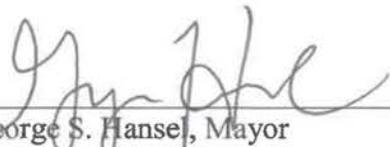
WHEREAS: supporting pollinators fosters environmental awareness and sustainability, and increases interaction among community stewards, including commercial and backyard beekeepers, farmers, children, educators, University researchers, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, garden suppliers and clubs; and

WHEREAS: in order to enhance understand among City staff and City residents about the vital role that pollinators play and what each of us can do to sustain them, the City of Keene, New Hampshire chooses to support and encourage pollinator habitat creation and enhancement on both public and private land; and

NOW, THEREFORE BE IT RESOLVED, that the City Council, the governing legislative body of the City of Keene, New Hampshire does hereby approve Resolution R-2021-06 accepting the City of Keene's designation as a "Bee City USA" community and committing to the standards of said designation as follows:

1. The City of Keene Conservation Commission is hereby designated as the *BEE CITY USA* sponsor.
2. The Community Development Director, City of Keene is designated as the *BEE CITY USA* liaison
3. Facilitation of the City of Keene *BEE CITY USA* program is assigned to the City of Keene Conservation Commission
4. The City of Keene Conservation Commission is authorized to and should:
 - a. Celebration: Annually celebrate National Pollinator Week (third full week of June), pollinator habitat plantings or restoration, proclamations or promotions that showcase the City of Keene's commitment to enhancing pollinator health and habitat
 - b. Publicity & Information: Install and maintain at least one authorized *BEE CITY USA* street sign in a prominent location, and create and maintain a webpage on the City of Keene website which includes, at a minimum, a copy of this resolution, links to the national *BEE CITY USA* website, contact information for the local government's *BEE CITY USA* liaison and contact information for the City of Keene Conservation Commission, and reports of the pollinator friendly activities the community has accomplished the previous year(s)
 - c. Habitat: Develop and implement a program to create or expand pollinator friendly habitat, which can include, but is not limited to:
 - i. Identification and inventory of the City of Keene real property that can be enhanced with pollinator friendly plantings

- ii. Creation of a recommended locally native species list to include forbs, grasses, vines and shrubs and trees and a list of local suppliers for those species
 - iii. Creation of a least toxic pesticide management plan
 - iv. Dissemination of informational and educational materials to the public
 - v. Tracking annual area of pollinator habitat created or enhanced by square footage and/or acreage
- d. Policy: Encourage, through the Open Spaces & Greenway Connections Chapter of the City of Keene's Master Plan, acknowledgement and commitment to the *BEE CITY USA* designation
 - e. Plan Review: Review the Land Stewardship Plan for specific city properties, and other relevant documents to review pesticide management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator friendly plantings, and consider other appropriate measures
 - f. Renewal: After completing the first full year as a *BEE CITY USA* affiliate, each January, apply for renewal of the City of Keene's *BEE CITY USA* designation following the format provided by *BEE CITY USA*, including a report of the previous year's *BEE CITY USA* activities, and paying the renewal fee based on the City of Keene's population


George S. Hansel, Mayor

In City Council February 4, 2021.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.


Patricia Cottle
City Clerk

PASSED February 18, 2020