



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
September 3, 2020
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- August 6, 2020

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations
Bicycle Pedestrian Path Advisory Committee
Historic District Commission
Library Board of Trustees

C. COMMUNICATIONS

1. Petition - In Support of a Social Host Ordinance

D. REPORTS - COUNCIL COMMITTEES

1. Ashuelot Court Sewer & Water Main Replacement – Amendment to Property Owner Agreement – Public Works Director/Emergency Management Director
2. Licenses and Leases – The Colonial Theater Group Request - Public Works Director/Emergency Management Director
3. Adopt a Bench - Parks, Recreation and Facilities
4. Engineering Agreement with DuBois & King for the Design and Construction Administration for the Fuel Farm Replacement Project - Airport Director
5. Acceptance of FAA AIP Grant for Airport – Airport Taxiway 'A' Extension; Acceptance of FAA AIP Grant for Airport – Airport Taxiway 'A' Reconstruction; Acceptance of FAA AIP Grant for Airport – FAA Reimbursable Agreement; Taxiway 'A' Engineering Contract – Taxiway 'A' Extension and Reconstruction - Airport Director
6. Road Condition Survey - Consultant Selection - City Engineer
7. Waiver of Purchasing Requirements - Wildlife Firefighting Vehicles - Fire Department
8. Acceptance of FY20 Byrne Justice Assistance Grant (JAG) - Police Department
9. Update - Calling for the KPD to be Outfitted with Body Cameras

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Petition – Deteriorating Conditions on Thompson Road

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. Relating to Funding for the Flowbird Pay Station Color Touch Screens
Resolution R-2020-29
2. Relating to the Refunding of Bonds
Resolution R-2020-33

L. TABLED ITEMS

1. Relating to an Appropriation of Funds for Gilbo Avenue Infrastructure Improvements
Resolution R-2020-06-A

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held Thursday, August 6, 2020. 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 the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their on-line presence and if 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, Terry M. Clark, Raleigh C. Ormerod, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley and Thomas F. Powers were present. Councilor Bettina A. Chadbourne was absent. A motion by Councilor Powers to accept the minutes from the July 16, 2020 regular meeting was duly seconded by Councilor Bosley. 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 reminded the City Council's summer vacation schedule will start with the cancelation of the Standing Committees for Wednesday, August 12, 2020 and Thursday, August 13, 2020 and the cancelation of City Council meeting on August 20, 2020. The Standing Committees for Wednesday, August 26, 2020 and Thursday, August 27, 2020 will remain as scheduled. Mayor Hansel announced a fiscal policy workshop is scheduled for Tuesday, September 1, 2020 at 6:00 PM.

PRESENTATION – A NEIGHBORHOODS CONCEPT: 21 IN 21

Med Kopczynski, Assistant City Manager and Director of Economic Development and Special Projects, addressed the City Council. He began by explaining that *A Neighborhoods Concept: 21 in 21*, was developed jointly between himself, Rhett Lamb, Assistant City Manager and Community Development Director, Keith Thibeault, Southwestern Community Services Chief Development Officer, and George Hansel, Mayor. Previously, an analysis of housing inventory was presented to the City Council to determine compliance with the State definition of "affordable housing." By definition, Keene has a "solid stock of affordable housing." And, that in Keene, close to downtown, there are what is called "middle neighborhoods." These neighborhoods, while not in deep distress, exist somewhere between growth and decline, where housing is typically affordable, employment, schools, and crime rates are good enough; new homeowners are buying, but the challenge is maintaining stability and fighting decline. These neighborhoods may be on the edge of transition.

In 2019, a second series of plans related to economic development was adopted. The first three goals and recommendations were presented. *21 in 21* presents broad goals for improved communities and opportunities for home ownership. The intention is to renovate block by block, not one by one, thus raising the confidence level of these middle neighborhoods thereby raising values and attracting workforce. Partnerships need to be developed with local and statewide agencies and utilities for funding and project management. Neighborhoods need to be identified. Renovations would be accomplished using local project managers and local contractors.

The project is intended to capitalize on existing initiatives such as Marlboro Street improvements and the proposed Russell Park, with Russell Park being the centerpiece around the building of sustainable neighborhoods. Hopefully, results will be broad scaled improvements promoting renewable energy that draw investment, improved housing, and opportunity for Keene's residents, reinforcing stronger and safer neighborhoods, with more owner occupied homes.

Various partners and funding sources were identified. Next steps are to develop partnerships and funding sources, create an RFP to select a consultant, and contact property owners to assist in the program. Mr. Kopczynski concluded that at this time, *21 in 21*, is a conceptual program and there is currently no role yet for the City Council.

There being no questions from the City Council, the Mayor concluded the presentation.

COMMUNICATION – JASON HORNE – THE SALE OF THE SO CALLED “GREEN HANGAR” AT DILLANT-HOPKINS AIRPORT

A communication was received from Jason Horne expressing his concern about the sell of the so-called Green Hangar at the Dillant-Hopkins Airport without the opportunity for the public to bid or have the hangar appraised. The Mayor explained that this action was authorized by City Council on September 19, 2019. The purchase and sale agreement has been executed. The communication was accepted as informational.

COMMUNICATION – PETITION – DETERIORATING CONDITIONS ON THE THOMPSON RD

A petition was receive from the residents on Thompson Road requesting immediate action to correct the rapidly deteriorating conditions on their road. The petition was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – PETITION – OBJECTING TO LAND USE CODE DISCUSSIONS OVER THE ZOOM PLATFORM

A petition was receive from Peter Espiefs and 11 property owners who are objecting to the Land Development Code process being conducted over the Zoom platform. The petition is requesting that any further review be postponed indefinitely until such time as the threats of COVID-19 pandemic are over and municipal government has returned back to its normal face-to-face meetings. The petition was referred to the Joint Planning Board/Planning, Licenses and Development Committee.

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

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a donation of \$280.00 from Bulldog Design's Great Grey Tee campaign and that the money is used for the Recreation Department scholarship fund. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – BJA CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT – POLICE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a Bureau of Justice Assistance (BJA) Coronavirus Emergency Supplemental Funding grant in the amount of \$41,418. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – SALE OF TAX DEEDED PROPERTY – 198 BAKER STREET - ASSESSING DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to sell the following tax deeded property by sealed bid:198 Baker Street, Map 595 - Lot 71. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – PROFESSIONAL SERVICES CONTRACT FOR WASTEWATER PERMITTING ASSISTANCE – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to execute a contract amendment with Weston and Sampson Engineers for \$25,000 for National Pollution Discharge Elimination System (NPDES) permitting services. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – FLOWBIRD PAY STATION COLOR TOUCH SCREENS – ECONOMIC DEVELOPMENT, INITIATIVES AND SPECIAL PROJECTS

Finance, Organization and Personnel Committee report read recommending that the City Council that \$34,045.00 be allocated from parking fund balance to purchase and install 11 Pay stations from CWT (Calle Web Terminal) S2 (our present system) to CWT Color Touch Screens. This upgrade includes all necessary hardware and software to convert a CWTS2 meter to CWT Color Touch Screen. Mayor Hansel expressed that this issue is the subject of a Resolution which is further on the agenda. The report was filed as informational.

FOP REPORT – REBATE FROM EVERSOURCE ENERGY – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to accept a rebate check in the amount of \$18,124.65 from Eversource Energy for the energy saving equipment installed at the Wastewater Treatment Plant and to use the rebate to perform a sole source LED lighting project with Hamblett Electric at the Wastewater Treatment Plant. A motion by Councilor Powers to carry

out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – RADIO COMMUNICATION – PLC UPGRADE AND SCADA PROGRAMMING – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to reallocate \$29,449.09 in remaining funds from the Water/Sewer Rate Study Project and \$2,922.48 in remaining funds from the Water Treatment Facility PLC Replacement Project to the Radio & PLC Upgrade Project, 05038-21. The Committee further recommends that the City Manager be authorized to do all things necessary to sole source purchase technical services from LCS Controls, Inc., for SCADA & PLC installation and programming for an amount not to exceed \$41,100.00. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – CITY COUNCIL SUPPORT FOR MAST 2020 COMPLETE STREETS GRANT SUBMISSION – COMMUNITY DEVELOPMENT DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to support Staff's submission of a Monadnock Alliance for Sustainable Transportation (MAST) Complete Streets Grant proposal by signing a letter of support. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – MARLBORO STREET REHABILITATION PROJECT – BUDGET ADJUSTMENT – PUBLIC WORKS DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to reallocate \$78,000 from the project balance of the Sewer Main Improvement Capital Project (08055) to the Marlboro Street Utility Improvement Project. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF CARES ACT, FEMA, HOMELAND SECURITY EMERGENCY MANAGEMENT – FINANCE DEPARTMENT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary accept receipt of funds from the CARES Act, such as, FEMA, Homeland Security Emergency Management, and other funding sources pertaining to the COVID19 pandemic under RSA 21-P:43 which states that gifts, grants or loans for emergency management purposes may be accepted by the City Council. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Council Hooper. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

CITY MANAGER COMMENTS

Elizabeth Fox, Acting City Manager, addressed the City Council. Ms. Fox announced that the City Clerk's office is reopened after renovations to its customer service area to allow for more social distancing and protection to the public and City staff.

In July, the City was recognized in by The Green Electronic's Council as a leader in sustainable electronic procurement thanks to the efforts by two IT Department employees, Deb McLaughlin and Harry McKelvey, and the City's Green Team. The City received a 2020 EPEAT Purchaser Award, celebrating the City's sustainable electronic procurement that considers life cycle impacts of electronics purchased including computers, display monitors, copiers, mobile phones, and servers. This award demonstrates the City's continued commitment to sustainability and how it may be accomplished through procurement.

Lastly, Ms. Fox shared some recent promotions: T.J. Obrien was promoted to Commercial Inspector in the Community Development Department; Beth Butler was promoted to the position of Account Clerk II in the Finance Department; and in the City's Public Works Department, Highway Division, Michael Warner was promoted to Motor Equipment Operator I.

This concluded City Manager's comments.

MEMORANDUM – FY 19 ASSISTANCE TO FIREFIGHTERS GRANT (AFG) AWARD – FIRE DEPARTMENT

A memorandum from the Mark Howard, Fire Chief, recommending that the City Council Suspend Section 35 of the City Council Rules of Order to act upon the request to authorize the City Manager to apply for, accept, and expend a FY19 Assistance to Firefighters Grant. A motion by Councilor Powers to Suspend the Rules of Order was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 14 Councilors present and voting in favor. A motion by Councilor Powers to recommend the City Council to authorize the City Manager to do all things necessary to apply for, accept, and expend a FY 19 Assistance to Firefighters Grant totaling \$369,090.91 in accordance with the terms, conditions, and limitations of the grant was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 14 Councilors present and voting in favor.

BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE RESIGNATION – AARON SHIELDS

A memorandum from William Schoefmann reported that Aaron Shields had resigned from his membership on the Bicycle Pedestrian Path Advisory Committee. A motion by Councilor Powers to accept the resignation with regret was seconded by Councilor Bosley. On roll call vote, 14 Councilors were present and voting in favor.

MORE TIME

More time was granted by the Mayor for the following item in Committee: Councilors Remy, Bosley and Giacomo – Continued Remote Participation. The Mayor noted that the Relating to

08/06/2020

the Wearing of Face Coverings was filed into the record as informational. The final recommendation of the Committee on the Ordinance is the next item of business.

PLD REPORT AND ORDINANCE O-2020-09-A: RELATING TO THE WEARING OF FACE COVERINGS

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2020-09-A: Relating to the Wearing of Face Coverings. Ordinance O-2020-09-A was read for the second time. A motion by Councilor Bosley to carry out the intent of the report was duly seconded by Councilor Greenwald. A brief discussion took place. An amendment motion from Councilor Giacomo 9089808098098 was duly seconded by Councilor Remy. The amendment failed. On roll call vote, with 12 Councilors present and voting in favor the motion passed. Councilors Manwaring and Powers were opposed. The Ordinance O-2020-09-A declared adopted.

RESOLUTION R-2020-30: IN APPRECIATION OF DOROTHY FARRAR UPON HER RETIREMENT

Resolution R-2020-30: In Appreciation of Dorothy Farrar Upon Her Retirement was read in its entirety. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Resolution R-2020-30 declared adopted.

RESOLUTION R-2020-31: IN APPRECIATION OF CHRISTOPHER THOMAS MILTON UPON HIS RETIREMENT

Resolution R-2020-31: In Appreciation of Timothy I. Read Upon His Retirement was read in its entirety. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 14 Councilors present and voting in favor. Resolution R-2020-31 declared adopted.

RESOLUTION R-2020-29: RELATING TO FUNDING FOR THE FLOWBIRD PAY STATION COLOR TOUCH SCREENS

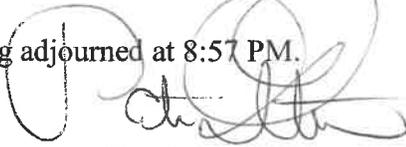
Resolution R-2020-29: Relating to Funding for the Flowbird Pay Station Color Touch Screens was read by title only. Resolution R-2020-29 was referred to the Finance, Organization and Personnel Committee.

RESOLUTION R-2020-33: RELATING TO THE REFUNDING OF BONDS

Resolution R-2020-33: Relating to the Refunding of Bonds was read by title only. Resolution R-2020-33 was referred to the Finance, Organization and Personnel Committee.

As there was no further business, the meeting adjourned at 8:57 PM.

A true record, attest:


City Clerk



City of Keene, N.H.
Transmittal Form

September 1, 2020

TO: Mayor and Keene City Council

FROM: Mayor Hansel

ITEM: B.1.

SUBJECT: Nominations

COUNCIL ACTION:

In City Council September 3, 2020.
Tabled until the next regular meeting.

RECOMMENDATION:

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

Bicycle Pedestrian Path Advisory Committee

Rowland Russell, slot 3
77 High Street

Term to expire Dec. 31, 2022

Historic District Commission

Russ Fleming, slot 4
157 School Street

Term to expire Dec. 31, 2020

Library Board of Trustees
Charles H. Redfern, slot 4

Term to expire June 30, 2023

ATTACHMENTS:

Description

Background_Fleming

Background_Russell

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Friday, June 19, 2020 10:49 AM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Fri, 06/19/2020 - 10:49</p>

<p>Submitted values are:</p>

First Name:

Russell

Last Name:

Fleming

Address

157 School St.
PO Box 435
Keene, NH 03431

Email:

Cell Phone:

9142825081

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

Historic District Commission

Employer:

Semi-retired as self-employed consultant - Northeast Fire Suppression Associates, LLC

Occupation:

Fire protection systems consultant

Education:

B.S.in Civil Engineering with minor in Architecture, M. Eng. in Civil Engineering, both from Rensselaer Polytechnic Institute, Troy, NY

Have you ever served on a public body before?

Yes

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

Town of Kent, NY, Planning Board 1999-2013; chair 2009-2013

Other Information/Relevant Experience:

Served as a member of the National Fire Protection Association's Technical Committee on Cultural Resources from approximately 2005 until 2016, responsible for the 2007, 2010 and 2015 editions of NFPA 914 - Code for

the Protection of Historic Structures.

Please provide some references:

Sally Rinehart

[REDACTED]

203-770-3681

References #2:

Debbie Bowie

[REDACTED]

603-229-2125

Rowland S. Russell

77 High St., Apt. B, Keene, NH 03431

Phone: (c) 603.903.4700, (w) 603.283.2377

Email: [REDACTED] web site: www.ecorowland.com

EDUCATION

- **Ph.D. Environmental Studies, Antioch University New England**, Keene NH, 2008
 - Dissertation: *The Ecology of Paradox: Disturbance and Restoration in Land and Soul*
- **M.A. Whole Systems Design, Antioch University Seattle**, Seattle WA, 1998
 - Thesis: *Knowing Home: A Study in Place and Relationship*
- **B.A. Mathematics**, with additional course work in writing, art and environmental studies, **Binghamton University**, Binghamton NY, 1979

PROFESSIONAL

Educational

- **Adjunct Faculty, Antioch University New England: Environmental Studies**, Keene NH, 2003-present: Curricula in Environmental Literature, Writing, Internship Advising
- **Co-organizer, Communicating Science Weekend**, Keene NH, 2012
- **Associate Faculty, Antioch University New England: Interdisciplinary Studies**, 2005-07: Development of Learning Center and Academic Technology resources
- **Co-organizer, Community, Nature & Spirit Conference**, Keene NH, 2009-2010
- **Adjunct Faculty, Antioch University Seattle: B.A. Completion and M.A. Psychology**, Seattle WA, 1993-98: Curricula in Natural History, Urban Ecology and Ecopsychology
- **Training/Curriculum Development, Nature's Classroom**, Charlton MA, 1985-86
- **Co-founder/Upper School Coordinator, Phoenix School**, Cambridge MA, 1982-85
- **Coordinator of Hiking/Nature Program, Camp Thoreau-in-Vermont**, Thetford VT, 1981-88
- **Environmental Educator, Nature's Classroom**, Ivoryton CT, 1979-82

Organizational/Information Systems

- **Founder, Communitas Consulting**, 2007-present: strategic planning, program development, event coordination, grants writing, fundraising
- **Analyst - Special Projects, Antioch University**, 2010-present
- **Integrated Technology Administrator, Antioch University**, 2007-09
- **Information Technology Coordinator, Antioch University New England**, 1998-2007
- **Founder, Oikos Educational Training/Consulting**, 1993-98: strategic planning, board development
- **Data Manager, Antioch University Seattle**, 1986-98

Literary/Arts

- **Managing Editor, *Whole Terrain: Journal of Reflective Environmental Practice***, 2005-present

- **Co-coordinator, Glen Brook Writers Retreat**, Marlborough NH, 2005-present
- **Co-facilitator, Cape Cod Writing Retreat**, Truro MA, 2009-present
- **Coordinator, Feeding the Writer**, Keene NH, 2005-2015
- **Co-organizer, Glen Brook Literary & Arts Festival**, Marlborough NH, 2009-2010

Selected Board/Service

- **Friends of Public Art:** founding board chair, facilitating public art throughout the Monadnock region, Keene NH, 2014-present
- **Walldogs in Keene Mural Festival:** executive committee/grants committee, Keene NH, 2018-present, raised \$250,000+ to bring over 200 artists to Keene to complete 16 permanent murals in 4 days time
- **Ashuelot Rail Trail:** planning committee, Southwest Region Planning Commission NH, 2018-present
- **Cheshire Rail Trail:** liaison to City of Keene's Bike Path Adoption, Keene NH, 2017-present
- **Monadnock Farm and Community Connections:** steering group for development of Cheshire County sustainable agriculture initiatives and the Monadnock food co-op, Keene NH, 2008-2009
- **Compassionate Connections/AIM High:** board of directors; youth apprenticeship, internship, and mentorship with tradespeople, Keene NH, 2005-06
- **Seattle Youth Garden Works:** board of directors, community gardening and support services for homeless teenagers, Seattle WA, 1996-98
- **Belltown P-Patch:** community garden accentuated with public art, Seattle WA, 1995-98
- **Cascadia Quest:** co-founding board of directors, environmental restoration with mixed international and local crews, Seattle WA, 1993-98 (renamed **King County World Conservation Corps**)

Creative

- **Writer:** creative non-fiction, poetry
 - *Radical Slowness* (essays, manuscript in progress)
 - *Thinking Like A Prairie* (manuscript in progress)
 - *Ecology of Paradox: Disturbance and Restoration in Land and Soul* (manuscript in progress)
 - *Memoir of a Reader: Place-based Writers* (manuscript in progress)
 - *Many Crows: Selected Poetry* (manuscript in progress)
- **Artist:** pastels, charcoal, mixed media
- **Musician:** autoharp, Appalachian dulcimer, mandolin, bowed psaltery
- **Curator:** exhibitions at various sites in Keene NH and Seattle WA
- **Co-organizer, Atrium Thursday's:** music and spoken word performance series', Keene NH, 2015-2016
- **Organizer, MuseTopia and Science Soiree:** place-based literary, performance and science education series', Keene NH, 2010-2012
- **Writer-in-Residence, Death Valley National Park:** accompanied 2 artists-in-residence, California, 2006, 2008
- **Member, AJR Collective:** guerilla art group, 1994-1998
- **Member, Art-Not-Terminal:** collective art gallery, Seattle WA, 1991-1998

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Tuesday, June 16, 2020 1:32 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 06/16/2020 - 13:32</p>

<p>Submitted values are:</p>

First Name:

Charles

Last Name:

Redfern

Address

9 Colby St.

Email:

Cell Phone:

6037244565

Home Phone:

6033574982

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

Library Board of Trustees

Employer:

Retired

Occupation:

Retired

Education:

Bachelors of Science in Management with emphasis in Public Administration, Florida State University (Dean's List)

Have you ever served on a public body before?

Yes

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

Keene Library Board of Trustees, Keene Bicycle Pedestrian Committee, and Keene City Council.

Other Information/Relevant Experience:

New Hampshire Department of Safety- Div. of Homeland Security & Emergency Management, 9/2011 -

10/2012

New Hampshire Department of Revenue Administration- Audit Div., Multi-state Bureau, Field Audit Team Leader, 1/86 - 6/2011

Florida Department of Revenue- Audit Div., Sale & Use Tax Auditor, 9/83 - 10/85

Multi-state Tax Commission- 1/90 -10/03., Representative for the State of New Hampshire

Pathways for Keene, Inc., co-founder, past president & director, 7/94 - present

Please provide some references:

Sally Miller

[REDACTED]

603-352-7567

References #2:

Phil Jones

[REDACTED]

6034913967



City of Keene, N.H.
Transmittal Form

September 1, 2020

TO: Mayor and Keene City Council

FROM: Peter Moran

ITEM: C.1.

SUBJECT: Petition - In Support of a Social Host Ordinance

COUNCIL ACTION:

In City Council September 3, 2020.
Communication filed as informational.

ATTACHMENTS:

Description

Petition - Social Host Ordinance

BACKGROUND:

A petition in support of a proposed social host ordinance.

August 31, 2020

Dear Mayor and Counselors,

My name is Peter Moran. I live at 38 Myrtle St. I went around the neighborhood first leaving information on doors about the ordinance with my contact information. If they wished to sign they were to text or call. I returned to collect signatures in support of the proposed Social Host Ordinance and also received referrals to stop by other neighbors. I met wonderful citizens of Keene who have lived here from 6 months to 61 years and everywhere in between. All have suffered from abuse by college students. It just amazes me how they've endured so much for so long with little or no support from the college or city. Yet each thanked me for what I was doing—even those too fearful to sign. The online signatures were collected on the site Change.org. A draft of the SHO was listed with several facts as to why we felt the Ordinance is necessary. We received 20 online signatures.

I am only a small part of this proposal as many wonderful people have had lead the way. I thank these for helping all of us.

As this ordinance is debated there will be many thoughts as there should be. Nothing is simple. However, if those who are unsure about the benefits of this proposal would reach out to any of the folks who have signed, there is more than just a name and address—a story is told. These are the folks who call Keene home. We ask for the full support of the Council in favor of the Social Host Ordinance

Sincerely,

A handwritten signature in cursive script that reads "Peter Moran". The signature is written in black ink and is positioned below the word "Sincerely,".

Pete Moran

SOCIAL HOST ORDINANCE PETITION:

We are a group of Concerned East Side Neighbors (CESN) who has been meeting for several years to try to improve our neighborhoods and improve relations with the students of Keene State College. We have worked with KSC, the Keene Police Department, The Keene Fire Department, The Mayor and City Council to spur conversations and actions to engage those involved with students to come to an agreement as to how best to identify and deter bad student behavior. Many neighbors have incurred disturbing late night noise, underage drinking, public urination, large hordes of students wandering from party to party, trash, large (150+) inside gatherings with blocked exits, rude comments from students, outside fires, upholstered furniture on lawns, and parking on lawns to name some. This behavior has escalated and has been endured in this neighborhood for 30 years. The students use a scanner app and easily become aware when police have been called because of noise at their parties, making the Noise Ordinance ineffective. The current Noise Ordinance does not address the large groups of students wandering around our neighborhoods until 3AM yelling and dropping empty drink containers.

We are proposing a new Social Host Ordinance and are asking for your signature and support to bring peace and quiet to our neighborhoods

The Social Host Ordinance would give the KPD better tools to enforce and address these issues

- Underage drinking and carding
- Ability to enter a dwelling where needed
- Define noise levels
- Use of encryption for phone apps to counter the use of monitoring scanners
- Progressive penalty structure if violations are reoccurring
- Landlords are contacted and expected to get involved building better communication between landlords, city and tenants.

We have been encouraged that Elizabeth Dragon, City Manager and George Hansel, Mayor have met with Melinda Treadwell, KSC President to discuss how the Social Host Ordinance would and could fit into the disciplinary agenda at Keene State College. The President supports and has suggested that KSC would help fund a position that would work with the College, the City and Police to coordinate communication between students, college, coaches, landlords, neighbors, and courts to make sure that violations are addressed and everyone is aware of individual violations and responsibilities. Landlords could possibly face fines if they do not respond and help to deter large noisy parties at their rental units. We are hopeful that housing stock can be improved with this process. We are further hopeful that the Social Host Ordinance might create better neighbors as well as better neighborhoods.

1/10/20

WORKING DRAFT (Rev. 01/10/2020)
Proposed Social Host Ordinance (SHO)
Presented by the Concerned Eastside Neighbors, Keene NH

We are a group of neighbors who have experienced the harm, fear, and annoyance of large and unruly parties and their consequences. We have experienced noise at all hours of the night, urination on our property, garbage strewn on our lawns, vandalism and intimidation. Although the City of Keene Police Department responds quickly to our calls, we feel that the root of the problem has not been addressed. We are concerned for the safety of all people affected. Many other college communities have implemented a Social Host Ordinance. This tool has been embraced by and works well for the police departments in these college communities. We would like the City of Keene to consider adopting a Social Host Ordinance designed specifically for our community. Throughout the process of drafting such an Ordinance we wish to create a partnership with the City Of Keene, Keene State College, Landlords, Tenants, and Neighbors. Landlords would be encouraged to incorporate behavioral standards and ordinance information in their lease agreements.

A Social Host Ordinance primarily holds hosts of gatherings responsible for their behavior and the behavior of their guests. It is initiated when behaviors of gatherings are defined as **Unruly Gatherings**.

Unruly Gathering: a party or gathering where alcohol and/or illegal substances are served or consumed and/or where any two or more of the following **Offensive Behaviors** occur by hosts or guests on the property where the gathering takes place. (Some communities use a defined number of people to help quantify a "gathering".)

Offensive Behaviors: Any violation of state laws relating to the sale, service, possession or consumption of alcoholic beverages and/or illegal substances, assault, menacing, harassment, intimidation, disorderly conduct, noise disturbance, criminal mischief, public urination and defecation, indecent or obscene conduct or exposure, littering, parking violations, rioting, destruction of property, vandalism.

Possible Consequences:

First offense: Hosts are educated about the Social Host Ordinance and a fine is levied in accordance with the terms of the Social Host Ordinance supported by the enabling legislation of NH RSA 31:39 & NH RSA 47:17. It could be subjective or fixed based on the severity of the violation. Community service and/or restorative justice may be an alternative if deemed applicable. (Landlords are informed about all incidences and offenses and expected to assist in mitigating their tenant's behavior.) (An appeal process would be included in the SHO)

Second offense: The hosts would be subject to progressive fines and/or community service as determined by the Social Host Ordinance and supporting legislation.

Third and subsequent violations during a 12 month period:

The hosts will be held responsible for the maximum fine in accordance with the terms of the Social Host Ordinance and supporting legislation.

City of Keene:

How do we get you (the City) on board with the Social Host Ordinance so that it is created, enforced, and gives us the peace we need in our neighborhoods?

All suggestions above are open for discussion and subject to change. These examples are taken from existing Social Host Ordinances that have been implemented in other college communities.

SOCIAL HOST ORDINANCE PETITION PRESENTED BY CONCERNED EAST SIDE NEIGHBORS

DATE	NAME	KEENE NH ADDRESS
8.21.20	Peter T. Moran PETER T. MORAN	38 MYRTLE ST.
8.21.20	Susan H. Moran SUSAN H. MORAN	38 MYRTLE ST
8/21/20	Paul J. Moraw	37 MYRTLE ST
8/21/20	Barbara Cote	37 MYRTLE ST
8/21/20	Ann Marie Blinn	30 Blake St
08/21/20	[Signature]	30 Blake St
08/21/2020	[Signature]	51 Blake St
8/21/2020	Linda M. Kenyon	60 Grove St
8/21/2020	Holly Smith	60 Grove Street
8/21/20	Dan O'Garra	12 Holt Pl
8/21/20	Pete [Signature]	19 Holt Place
8/22/2020	Travis Cole	44 Grove St
8/24/2020	Robert S. Crowell	24 Grove St.
8/24/2020	Kris Roberts	58 Grove St
8/24/20	Larry Roberts	58 Grove St
8-24-20	Mary Ann	156 MARLBORO ST.
8-24-20	ELAINE BOST	156 MARLBORO ST
8/24/20	Darcie Caspersen	132 Marlboro St
8-24-20	Barb Martell	Barbara J Martell 7 Jennison St
8-24-20	Elizabeth C. Sayre	Elizabeth C. Sayre 290 Main St.
8-24-20	Greg [Signature]	50 Davis St APT 2
8/24/20	Ed J. O'Leary	69 South St. Keene, NH 03431
8-24-20	[Signature]	32 Monadnock St. NH 03401
8/24/20	Phil + Beth	Monadnock Rd - 42 South St.
8/24/20	Jan Regent	45 South St
8/25/20	[Signature]	50 JENNISON ST.
8/25/20	Dan + Becky Curran	53 South St
8/26/20	Kathryn C. Harper	279 Marlboro St, Keene

1	Keene NH Social Host Ordinance Petition									
2										
3	Name	address	City	State	Zip	Country	Signed On	Signature		
4	Andrew Oram	390 Main St	Keene	NH	03431	US	7/8/20	Online Signature		
5	Leatrice Oram	390 Main St	Keene	NH	03431	US	7/8/20	Online Signature		
6	Nancy Weststrate	27 Gates St	Keene	NH	03431	US	7/8/20	Online Signature		
7	Catherine Vaughan	148 Eastern Ave	Keene	NH	03431	US	7/8/20	Online Signature		
8	Michael Induni	95 Adams St	Keene	NH	03431	US	7/8/20	Online Signature		
9	Sarah Franklin	95 Adams St	Keene	NH	03431	US	7/8/20	Online Signature		
10	Carin Torp	531 Marlboro St	Keene	NH	03431	US	7/8/20	Online Signature		
11	Vicky Pittman	11 Pine Ave (Colonial Theater)	Keene	NH	03431	US	7/8/20	Online Signature		
12	Jacob Weststrate	27 Gates St	Keene	NH	03431	US	7/8/20	Online Signature		
13	Martine Fiske	10 Adams Ct	Keene	NH	03431	US	7/9/20	Online Signature		
14	carolyn jones	14 Monadhock St	keene	NH	03431	US	7/9/20	Online Signature		
15	TIMOTHY ZINN	43 Grove St	Keene	NH	03431	US	7/11/20	Online Signature		
16	John Hayes	320 Roxbury St	Keene	NH	03431	US	7/11/20	Online Signature		
17	Ruth Sterling	214 Washington St	Keene	NH	03431	US	7/11/20	Online Signature		
18	Nancy Sporborg	8 Sugar Maple Lane	Keene	NH	03431	US	7/12/20	Online Signature		
19	Douglas Stewart	52 Royal Ave	Keene	NH	3431	US	7/13/20	Online Signature		
20	Katie Houston	346 Main St	Keene	NH	03431	US	7/17/20	Online Signature		
21	Jaclyn Headings	15 Ashuelot Ct	Keene	NH	03431	US	7/21/20	Online Signature		
22	Jennifer Bidwell	19 Citizens Way Apt 2	Keene	NH	03431	US	8/14/20	Online Signature		
23	Nancy Vincent	24 Gates St	Keene	NH	03431	US	8/17/20	Online Signature		



City of Keene, N.H.
Transmittal Form

August 26, 2020

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.1.

SUBJECT: Ashuelot Court Sewer & Water Main Replacement – Amendment to Property Owner Agreement
– Public Works Director/Emergency Management Director

COUNCIL ACTION:

In City Council September 3, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

With a vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended that the November 6, 2019 Ashuelot Court property owners' approved payment plan for the financing of the replacement of existing sewer and water mains be amended to decrease the annual interest rate to 0.25%.

BACKGROUND:

Chair Manwaring recognized Rich Kalich of 15-17 Ashuelot Court. Mr. Kalich recalled this matter before the MSFI Committee previously and summarized the situation on Ashuelot Court, a privately owned street. The water and sewer mains under Ashuelot Court date to the 1930s as a part of the original Faulkner-Colony complex. He said there are three parcels on Ashuelot Court, though one has been subdivided into two residential properties in use. Dating back to 1993, residents of Ashuelot Court have requested assistance from the City to replace water and sewer lines there, but never reached a final agreement. In 2018, residents of Ashuelot Court returned to City Council again requesting that the City work with them to replace the deteriorated mains, which would involve turning the infrastructure over to City ownership for continued upkeep. On June 27, 2018, the MSFI Committee voted unanimously recommending that the request to have the City partner in water and sewer lines on Ashuelot Court, a designated private road, be placed on more time. On October 23, 2019, the MSFI Committee voted unanimously again recommending that the City Manager be authorized do all things necessary to negotiate and execute agreements with the property owners of Ashuelot Court for the purpose of financing the replacement of the existing sewer and water mains and to accept the mains after work is completed. Any payment plan was to be up to 20 years with an annual interest rate of 2.25%. Further, the City Manager was authorized to do all things necessary to use Water and Sewer Fund unallocated fund balance to fund the design and construction of the sewer and water main replacement work. The City Council affirmed this recommendation in November 2019.

Mr. Kalich recalled that when approaching City Council in 2018, the property owners on Ashuelot Court offered to contribute \$10,000 upfront to be split between the water and sewer components, and thus showing their willingness to participate in this with the City. In 2019, the Director of Public Works, Kurt Blomquist, provided an estimate of what residents would see in cost on top of their normal water and sewer bills. Based on Don Lussier, the City Engineer's, preliminary design, estimated the sewer costs at \$33,800 and the water costs

at \$50,500 for a total cost of \$82,000. A 20-year loan with the 2.25% interest rate negotiated for the highest of the City Engineer's estimates would result in an annual monthly payment for each property ranging from \$995-\$1,300 annually for 20 years. These estimates were dependent on ultimate construction costs. Mr. Kalich said that since this agreement in October 2019, the City put this project out for bid and the final contract selected was for a total cost of \$115,000. Thus, in addition to the initial \$10,000 they offered to contribute, the owners would now owe an additional \$1,300-\$1,700 annually, which is \$130-\$150 added to their normal water and sewer rates monthly for the next 20 years. Mr. Kalich reminded the Committee that these property owners have paid water and sewer bills to the City since the pipes were placed, despite Ashuelot Court being owned and maintained privately by the citizens. With all this in mind, Mr. Kalich said the residents of Ashuelot Court requested that the City lower the agreed upon 2.25% interest rate to offset the ultimate construction bid.

Chair Manwaring recognized Beth Ann Barrett of 27 Ashuelot Court, who agreed with Mr. Kalich and added that with this final construction bid, homeowners are projected to pay \$40,000 each over the next 20 years, in addition to their \$10,000 initial contribution to the project and their continued monthly sewer and water bill payments to the City for those 20 years, as they have to-date. Having bought the home from her parents – who paid City water and sewer bills for 34 years despite the road being owned privately, Ms. Barrett questioned where the incentive is now for residents to execute this agreement with the City at a quote much higher than residents received to remain a private road as individual home owners. Mr. Kalich agreed, saying what began as a \$10,000 contribution, with the logic that the City could take ownership of the street, is now quite different and has implications for any property owner there, from financial hardship for young families, to a deterrent to resale. The residents sought minimally a reduction in the agreed upon interest rate.

Chair Manwaring requested comments from the Director of Public Works, Kurt Blomquist, who added to the history that Mr. Kalich provided. He recalled that there is no evidence whether the City installed these sewer and water mains, because the two-inch black pipes located under Ashuelot Court are not historically common in the City; more likely they were laid by the Faulkner-Colony Mill. There are other private streets in Keene dating to the 1980s when the City still allowed their construction. He said that paying water and sewer rates is based upon connection to the City's distribution and treatment system, as Ashuelot Court is. He added that per City Code, for the City to accept a private roadway, it must first be improved to meet City street standards. He recalled that in 2019, in response to the most recent property owners' request, City Staff explained to this Committee that City Code allows for acquisition of private streets and utilities when they are at City standard. He referenced the section of code for sewer improvements, which allows the City to act as a bank for a loan for sewer improvements that can be repaid over 20 years; that section also creates a lien on the property if not repaid.

He referenced NH RSA-38 for water utilities, with similar language allowing City Council to assess on persons served by the water system and for those assessments then to create a lien on the property. Upon completion of agreed upon work, the City would obtain ownership of Ashuelot Court. In November 2019, the City Council affirmed this Committee's recommendation and Staff proceeded to advertise the project, which received bids ranging from \$115,000-\$230,000. The Director of Public Works recalled that the 2.25% interest rate agreed upon in 2019 was based on the City's general investment/financing process. He said that this Committee could recommend that City Council reduce the interest rate and it is Council's purview to do so at any rate they choose. He stated that lowering the interest rate to 0.25% would return the residents' long-term costs to what would have been for the initial \$84,000 estimate; and this was his recommendation to the Committee. He agreed that the residents can still deny to execute this agreement, to remain private, and contract this work themselves. That decision needed to happen soon though, as the City's preferred bid was expiring and they would be requesting an extension. It is a straight-forward project estimated to take 30-days.

Councilor Chadbourne asked whether property owners of a private street have ever before requested that the City take ownership and if so, what the process was. The Director of Public Works said yes, particularly for subdivisions off Darling Road, usually due to a dislike for paying full property taxes while still having to maintain the road themselves. The typical process is the one taken by the Ashuelot Court residents, which is to petition City Council to take ownership of the utilities with the requirement per City Code that the street be

brought to City standard, at which point the City would take over ownership and maintenance of the road and utilities. A challenge for property owners is that the cost of bringing infrastructure to City standard can be significant, which is why this lien option was established. No resident or association has gone through this process during the Director of Public Works' tenure.

Councilor Williams asked how many homes are on the Court. The Director of Public Works said there are three buildings on four separate properties, and two of those buildings have two units. Mr. Kalich added that there are only three owners of the four properties. Councilor Williams asked whether there was information on how private versus City ownership of the utilities would impact the assessed property values. The Director of Public Works deferred to the Assessor but he imagined the impact to be minimal because the properties are already connected to the City distribution/treatment system, but that connection happens to be through private facilities. Councilor Williams questioned why this matter was before this Committee and not the Finance, Organization & Personnel Committee. The Director of Public Works said that the MSFI Committee addressed this matter historically and so he continues bringing it here.

Vice Chair Giacomo made the following motion, which Councilor Filiault seconded, and the roll call vote proceeded.

With a vote of 5-0, the Municipal Services, Facilities & Infrastructure Committee recommended that the November 6, 2019 Ashuelot Court property owners' approved payment plan for the financing of the replacement of existing sewer and water mains be amended to decrease the annual interest rate to 0.25%.



City of Keene, N.H.
Transmittal Form

August 26, 2020

TO: Mayor and Keene City Council

FROM: Planning, Licenses and Development Committee

ITEM: D.2.

SUBJECT: Licenses and Leases – The Colonial Theater Group Request - Public Works
Director/Emergency Management Director

COUNCIL ACTION:

In City Council September 3, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

By a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute leases and licenses with the Colonial Theater Group for:

- An American with Disabilities Act (ADA) ramp along the southern side of Commercial Street and Commercial Street Parking Lot
- Relocating existing utilities and parking lot lights
- Installation and maintenance of underground electric and telecommunication infrastructure
- A canopy extending over the southern side of Commercial Street and Commercial Street Parking Lot for the placement of a dumpster on City property

BACKGROUND:

Chair Bosley asked if Tad Schrantz or Alec Doyle were present. She continued that she sees both of them in the attendees list. She asked Mr. Schrantz to speak to his request. Mr. Schrantz replied that he would like Mr. Doyle to start.

Alec Doyle stated that he will start with background information for people who are not familiar with the project. He continued that The Colonial Theater has undertaken a three-part project, which he calls the three-legged stool. The three major parts are: 1) front of house, which includes the ticketing area, concessions area, and what is now the lobby, to make a major expansion of that within the envelope of the building; 2) back of house/stage house, to expand the stage house back to the edge of The Colonial Theater's footprint, and to improve what goes on inside there, which is currently 19th century technology, and to build an up-to-date machine within that envelope; and 3) a second venue, an intimate venue for presentations that do not make sense in the other theater but that there is a big audience for, which they want to support the community with. It would be for local productions and smaller, touring, niche artists. That project has been underway since April. It is on 20 Commercial Street, immediately behind the theater. The project is nearing completion. They expect everything to be in place by the end of September for opening in October, for socially-distanced tours for donors,

members, and the public. Mr. Doyle concluded that those are the three parts, and Mr. Schrantz can now speak more to the specifics.

Chair Bosley asked Tad Schrantz to speak. Mr. Schrantz stated that Mr. Blomquist sent out information for the committee to review. He continued that he thought he would use that document and go down that list. Then they can talk about anything specific that PLD Committee members want to review. The background area of the document has eight items listed, which he will go through.

He continued that the first is the foundation design extending onto City property right-of-way. The Colonial Theater Group is working with the Finance, Organization, and Personnel (FOP) Committee and the City to determine the best approach with regards to the foundations for this extension for the back-of-house addition. The back-of-house is the area where the stage is and also where they intend to expand the theater to provide green rooms and more space for the visiting artists as well as a variety of other functions that support the theater's ability to provide shows that they have not been able to do in the past. That is the way Mr. Blomquist has described it, on a separate path. They will be providing additional information and that will move forward as they go through this approval process. Because they are in the Central Business District they are allowed to build to the property line, but foundations below the property extend into the adjacent property. What the City has recommended, based on the most recent input from a couple days ago, is to make a transfer of property for that foundation to go in the ground. They will be requesting that transfer of property for those two to four feet, from the City to the Colonial Theater to make that installation of the addition. They will make a survey and get very specific boundary requirements but that has not happened yet.

Chair Bosley asked if the committee has questions on the first item. Hearing none, she asked him to continue.

Mr. Schrantz continued that that the second item is the discontinuance of a public layout, located where the proposed addition is going. This is a historic issue. They had to do the same thing for the 20 Commercial St. property. This goes back to the 1970s. There was property that was conveyed but the actual documentation between the City and property owner was not completed. For 20 Commercial St., that has now been completed. The Colonial worked with Attorney Mullins and the City to make sure that was in place. They also have to do that for the Colonial Theater, for some property behind the theater. That is in process. That has been submitted by their attorney Gary Kinyon. He and the City Attorney are in conversation.

Chair Bosley asked if the committee members had questions about that item. Hearing none, she asked Mr. Schrantz to continue.

Mr. Schrantz stated that the third item is the Americans with Disabilities (ADA) ramp on City property. He continued that previously, last fall, the Colonial Theater Group had shared with the PLD Committee some plans and requirements for access to the building. On the north side of the building, which is between the Colonial Theater and what is now Mon Amie, in that drive space they are looking to install a handicapped ramp to provide accessibility to the back-of-house to the addition to the theater. It does not impact the sidewalk or any parking areas or other things that might impact people's ability to move around the space. They need the ramp in order to provide an accessible route out of the new addition at the back-of-house.

Chair Bosley asked if the committee members had questions about that item. Hearing none, she asked Mr. Schrantz to continue.

Mr. Schrantz stated that fourth item is the canopy extending over the City's right-of-way. He continued that that is in direct relationship to the ramp. They propose a canopy over the ramp area, which would be an air rights lease. All of these documents have been drafted and submitted to the City by Attorney Kinyon. The canopy over the handicapped ramp would provide protection from inclement weather and help prevent slips and falls.

Chair Bosley asked if the committee members had questions or comments about that item. Hearing none, she

asked Mr. Schrantz to continue.

Mr. Schrantz stated that the fifth item is the relocation of existing utilities and parking lot lights. He continued that on the previously submitted plan, there is a light on City property that is in question, which the Colonial Theater believes is on Colonial Theater property. In order to do the construction for the addition to the back-of-house, they would take the light out and use lighting on the building to provide enough light in that area to provide safe passage for people there.

Chair Bosley asked if the committee members had questions about that item. Hearing none, she asked Mr. Schrantz to continue.

Mr. Schrantz stated that the sixth item is installation of underground electric and telecommunications infrastructure. He continued that they are working with Eversource and other utility providers in that area to make sure that as construction moves forward, assuming they are approved for construction, they can make any adjustments or rerouting as necessary. Based on their current plan they do not think there will be dramatic impacts to the theater or the neighboring properties, but anytime you dig below grade you have to put that on the table and figure that out.

Chair Bosley asked if the committee members had questions about that item. Hearing none, she asked Mr. Schrantz to continue.

Mr. Schrantz stated that the seventh item is use of City property right-of-way for a dumpster. Currently the Colonial's dumpster is in a fenced-in area in the back of the house. He continued that in that fenced in area is where the addition will go, and then they will not have a fenced-in area. They request the ability to use the dumpster area behind Mon Amie, which is designated for Mon Amie. Mon Amie uses about half of it right now. The Colonial would like to be able to place a dumpster in that area as well.

Chair Bosley asked if the committee members had questions about that item.

Councilor Johnsen asked if they have been in touch with the Mon Amie people to get that permission. Mr. Schrantz replied that they are in conversation with their neighbors and have not received this specific confirmation but are continuing the conversations.

Councilor Greenwald stated that regarding the dumpsters, to minimize the number of dumpsters out there it would make sense to share a dumpster with Miller Brothers and Mon Amie. That has worked well for him with his building. It is one less unsightly can. That is just a suggestion. There is an alleyway between the fitness building and the parking lot and the theater. He asked who maintains that. Who would be responsible for the large potholes? The Colonial Theater, or Miller Brothers, or someone else?

Kürt Blomquist, Public Works Director/Emergency Management Director, replied that that is a private right-of-way that belongs to all the adjacent property owners in the area. It belongs to the Wichland Co. that owns Miller Brothers. That area has a very unique history going back over 100 years. The City owns where the fresh pavement is. Outside of that it is the privately-owned right-of-way.

Councilor Greenwald replied that someone needs to take control of it. He continued that that alleyway is in terrible condition and now there will be more traffic. If the Wichland building owns it and everyone uses it, it would not take much to fill in the potholes and make it passable. He tosses the ball back to the City Manager to try and mediate this. There are so many abutters that use it and it is in deplorable condition. Mr. Blomquist replied that the City has talked with them before. He continued that it is an issue of expending property tax dollars on private property. Councilor Greenwald replied that he is sure the City Manager could negotiate something amongst all the abutters, to take care of what is essentially private property used for a public purpose.

The City Attorney stated that he appreciates Councilor Greenwald's comments. He continued that as Mr. Blomquist pointed out "there is a lot of spaghetti" in this location at this point. They are still trying to figure out the different rights and agreements that were executed. The City is trying to locate an agreement of significance that was executed in the early 1970s; it was an agreement with the City and reportedly one of the deeds. One of the tasks is to establish what those easement rights are, what the responsibilities are, and who they run to. This is an open question. The City will be looking at it as they move forward with the Colonial Theater.

Chair Bosley asked if there were further questions about this item. Hearing none, she asked Mr. Schrantz to continue.

Mr. Schrantz stated that the eighth item is use of City property/parking/right-of-way for construction. He continued that they are currently working with Economic Development Director Med Kopczynski to make a request for certain areas directly behind the Colonial Theater. There is a parking lot due west of the theater and they would request use of that area during construction. They provided preliminary information to Mr. Kopczynski and will give additional information in the coming weeks to talk about the use of those spaces and any cost associated with those, for the renovation.

Chair Bosley asked if the committee members had questions about that item. Hearing none, she asked Mr. Blomquist to respond to all eight items.

Mr. Blomquist stated that Mr. Schrantz covered it very well. He continued that as Mr. Schrantz indicated, the reason they are going through the FOP Committee is because there could potentially be property exchange. Regarding the discontinuance of a public layout, what that goes back to is that in 1969 the City laid out the Commercial St. parking lot as a public way. At that time, certain existing property owners wanted certain access, so the layout was done such to include their property. Then 10 months later in 1970 the property owners did not wish to continue on with what was approved so the City Council quickly adopted a different layout, thinking it would supersede the one done in 1969. Unfortunately the City Council did not do it correctly. They left the 1969 layout in place. Memories faded and time went on. It is very similar to what the City dealt with regarding the former Hamblet property. They will be going through the same process, through the City Council. There will be a public hearing set, site visits, and so on and so forth. The only other item here is the use of City property during construction. At this point there is no City Council action because if the Colonial compensates the rate that the Parking Manager can charge for those spaces, which there is no waiver for, that will be handled through the administrative process.

Mr. Blomquist continued that the dumpster Mr. Schrantz was referring to is on City property. When the City reconstructed the Commercial Street parking lot they built it to provide two spaces. At that point Heidi's Hallmark was in there, and they got a license for one of the spaces, and there is another space open there, which is the one the Colonial is interested in. The City has a number of these licenses around the downtown area for the dumpsters and other things. Because, as Mr. Schrantz talked about, property owners can build lot line to lot line and that does not leave a lot of space for things that become needed over time. The ADA license will be given in accordance with a City Council policy. The City Council adopted a policy in 2008 that deals with ADA ramps on public property within the downtown. So there is already a guidance document that sets up what the license will be looking at.

Mr. Blomquist continued that staff recommends the PLD Committee authorize the City Manager to negotiate and execute these various licenses and leases with the Colonial for all the various items. Some people may wonder why the canopy needs to have an air rights lease. It extends over City property and the City has rights up [in the air]. The Marriott has a lease for their canopy extending over the sidewalk there. These are not uncommon in a downtown, dense area.

Chair Bosley asked if the committee had any questions. Hearing none, she asked if anyone from the public had

questions or comments. Hearing none, she called on the City Attorney.

The City Attorney stated that to clarify about the air rights: there was a comment some time ago about the extent of the City's rights to the air above public ways. It is a reasonable height. He continued that it does not extend up to the atmosphere. It is a pretty low standard.

Chair Bosley stated that hearing no further questions, she would entertain a motion.

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

By a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute leases and licenses with the Colonial Theater Group for:

- An American with Disabilities Act (ADA) ramp along the southern side of Commercial Street and Commercial Street Parking Lot
- Relocating existing utilities and parking lot lights
- Installation and maintenance of underground electric and telecommunication infrastructure
- A canopy extending over the southern side of Commercial Street and Commercial Street Parking Lot
- For the placement of a dumpster on City property



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.3.
SUBJECT: Adopt a Bench - Parks, Recreation and Facilities

COUNCIL ACTION:

In City Council September 3, 2020.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept the donation of \$1,200.00 for a bench from John and Doris Laurent and that the bench be placed along the Cheshire Rail Trail.

BACKGROUND:

Parks, Recreation and Facilities Director Andrew Bohannon addressed the committee first and stated this donation is from John and Doris Laurent in the amount of \$1,200 for a bench to be installed along the Rail Trail. The donors walk the Rail Trail near Pitcher Street and Bradford Road and wanted to install a bench for someone who walked this area and did not wish to cross West Street. Councilor Hooper made the following motion, which was seconded by Councilor Clark. On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept the donation of \$1,200.00 for a bench from John and Doris Laurent and that the bench be placed along the Cheshire Rail Trail.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.4.

SUBJECT: Engineering Agreement with DuBois & King for the Design and Construction Administration for the Fuel Farm Replacement Project - Airport Director

COUNCIL ACTION:

In City Council September 3, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to execute a Professional Engineering Services contract with Dubois & King for the design and construction administration of the airport fuel farm replacement project.

BACKGROUND:

Airport Director David Hickling was the next to address the committee. Mr. Hickling stated this item goes along with the next four items on the agenda. This item relates authorizes Dubois & King to perform the design and do the installation of the fuel tanks. These tanks are over 20 years and the new tanks will be above ground tanks.

Councilor Hooper asked whether Dubois & King have a multi-year contract with the city. Mr. Hickling stated they are the Engineer of Record for the airport.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to execute a Professional Engineering Services contract with Dubois & King for the design and construction administration of the airport fuel farm replacement project.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: Acceptance of FAA AIP Grant for Airport – Airport Taxiway 'A' Extension; Acceptance of FAA AIP Grant for Airport – Airport Taxiway 'A' Reconstruction; Acceptance of FAA AIP Grant for Airport – FAA Reimbursable Agreement; Taxiway 'A' Engineering Contract – Taxiway 'A' Extension and Reconstruction - Airport Director

COUNCIL ACTION:

In City Council September 3, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$2,938,393.24 from the Federal Aviation Administration Airport Improvement Program; and

that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$1,611,111 from the Federal Aviation Administration Airport Improvement Program; and

that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$33,300 from the Federal Aviation Administration Airport Improvement Program; and

that the City Manager be authorized to do all things necessary to accept execute a Professional Engineering Services contract with Dubois & King for the construction administration of the Taxiway 'A' design and construction administration of the Taxiway 'A' Extension and Reconstruction project.

BACKGROUND:

Mr. Hickling stated this work was divided into two phases, the current phase and the reconstruction in 2023. He indicated Dubois & King, staff and DOT saw an opportunity with the FAA's Supplemental Discretionary Program where if money is allocated for airport projects anywhere in the country and if that project cannot happen the money goes back into a pool and anyone could apply to use those funds. Keene applied for those supplemental funds and have received a little over 1.6 million dollars. As a result, the airport is able to do both phases this year.

As part of the Cares Act, the FAA made a determination that all AIP projects for this year will be 100% funded. In the past, the city has had to contribute 5% towards such projects.

The third grant is a reimbursable agreement. As part of this project, the navigational aids can only be worked on

by FAA staff and they charge municipalities for this work. However, there is another grant from FAA that would pay for this work. Mr. Hickling noted the smaller grant however, has a 5% contribution from the City, which leaves the city to pay out about \$1,800, which would come from airport-generated revenue.

Councilor Clark asked whether there are any footnotes attached to these grants, which call for additional restrictions regarding use of airport property. Mr. Hickling there is nothing additional than what already exists.

Councilor Ormerod asked what Dubois & King's contribution was in securing these grants. Mr. Hickling stated he does not recall whether it was Dubois & King or DOT who identified this grant during one of their conference calls. Councilor Ormerod noted the Council is nervous about sole source contracts but Dubois & King seem to be acting like a strategic partner if they are looking out for the best interest of the city and are helping secure funding.

The Councilor asked if this is found money, whether this would reduce the CIP for this and next year – the Councilor directed this question to the Manager. The City Manager agreed this is found money and when the construction costs came in staff moved items around in the CIP to accommodate this project. Mr. Hickling stated local share for phase 1 would have been \$210,000 and for the 2023 portion, it would have been \$125,000. Councilor Ormerod asked how these savings would be used for other projects. Mr. Hickling asked for clarification from the Manager that these monies will be used for another capital project related to the airport and could be used for local share for other projects. Councilor Ormerod clarified the city looks at the CIP not every two years, which would mean the CIP budget will be handled again until 2022. The Manager agreed the CIP is reviewed every other year, but this year when the budget is reviewed the CIP will also be reviewed to see if any of the current projects need to be adjusted.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$2,938,393.24 from the Federal Aviation Administration Airport Improvement Program; and that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$1,611,111 from the Federal Aviation Administration Airport Improvement Program; and that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$33,300 from the Federal Aviation Administration Airport Improvement Program; and that the City Manager be authorized to do all things necessary to accept execute a Professional Engineering Services contract with Dubois & King for the construction administration of the Taxiway 'A' design and construction administration of the Taxiway 'A' Extension and Reconstruction project.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.6.
SUBJECT: Road Condition Survey - Consultant Selection - City Engineer

COUNCIL ACTION:

In City Council September 3, 2020.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to negotiate and execute a professional service contract with ARRB Group, Inc. for road condition survey services in an amount not to exceed \$40,000; and if an agreement cannot be reached, to negotiate and execute an agreement with the next highest scoring service provider.

BACKGROUND:

City Engineer Jim Donison was the next to address the committee and reminded the committee of the 2016 road condition survey completed by the city. This information has been used the last several years to select and prioritize road improvement projects. This survey has also been used to look at alternative road repair methods, as well as since 2019 for a pavement preservation program in an effort to extend the life of pavements. This survey is four years old and in the 2021 CIP, there is a proposal to conduct another survey.

An RFP was sent out, eight responses were received, and after staff review of the proposals there is a recommendation to offer the contract to the ARRB Group, Inc.

This year in addition to collecting information on the condition of the roadway, the consultant will also be collecting information on the depths of crack, individual rotting etc. This information will be used for the next few CIP cycles.

Councilor Ormerod commended this program and went on to say he has been assured by Public Works when a road is worked on, at the same time sidewalks will be looked at. He noted he has seen a lot of work during the summer but sidewalks have not been addressed at the same time. Mr. Donison stated the city has an employee performing a sidewalk inventory and inspection program and so far, 52 miles of sidewalk has been inspected.

Based on this an asset management plan which is being worked on will be brought to Council in short order. He agreed sidewalks are looked at as part of road rehab and added the funds in the CIP are not always sufficient to also address sidewalks. However, the money is prioritized – the FY20 funds are being allocated for Roxbury Street and FY19 funds are being used currently for the Marlboro Street work. The Roxbury Street project would include replacement of pipes, curbing, sidewalk work, road resurfacing as well as water and sewer work. For FY21 there are few areas being looked at and they are not all being driven by the road program (St. James, Federal and Lamson Streets).

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be

authorized to negotiate and execute a professional service contract with ARRB Group, Inc. for road condition survey services in an amount not to exceed \$40,000; and if an agreement cannot be reached, to negotiate and execute an agreement with the next highest scoring service provider.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization, and Personnel Committee
ITEM: D.7.

SUBJECT: Waiver of Purchasing Requirements - Wildlife Firefighting Vehicles - Fire Department

COUNCIL ACTION:

In City Council September 3, 2020.

Voted with 13 in favor and 2 opposed to carry out the intent of the report.

RECOMMENDATION:

On 4-1 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to authorize a waiver of the purchasing requirements [Ordinance No. O-2009-10, Section 2-1336] and designate Gunseth's 4X4 located in Surry, NH, as a "sole-source" provider for all work to be performed on the FY21 and FY23 Capital Improvement Projects of refurbishing our 2002 and 2003 wildland firefighting vehicles.

BACKGROUND:

Deputy Chickering stated this is in reference to refurbishment of the brush truck and the request is to waive the bid process and sole source with local vendor Gunseth's 4x4 of Surry, NH. Deputy Chickering indicated this vendor has been heavily involved with this refurbishment and has much experience in this field. The refurbishment would focus on the off road capabilities of this vehicle. He stated the reason staff is recommending Gunseth is because they are local facility, they will be directly involved, and would focus on cost saving methods. The city will also be supporting a local business, and Fleet Services has recommended this purchase.

Councilor Clark agreed Gunseth's would be the best option but felt the bid process keeps all vendors involved.

Deputy Chickering stated with reference to this staff consulted with HGSC which the city is familiar with and they use all the bid processes throughout the country. HGSC does not do a specific refurbishment but parts of the vehicle were used for price comparison and the price came up much higher.

Councilor Ormerod clarified what staff is saying is due diligence has been done on this item but the city does not have many options. Deputy Chickering agreed. The Councilor asked what if the city was to go back to other contractors for a price comparison and asked what that process would look like. Chair Powers felt this would be a better question for the Purchasing Agent and asked the Manager for her comments. Ms. Dragon stated the issue here is, this is a custom item that is being created and what staff did was to price out parts of the vehicle and quoted it using the same process used by the purchasing department to make sure the city was getting the right prices. Councilor Ormerod felt this was a practical solution and hoped in the future when councilors and citizens come forward with practical solutions we can be an open mind when reviewing what is presented.

Councilor Remy stated he was not in support of moving forward with sole source on this item but agreed Gunseth is a great vendor and would do good work. He stated he would be in support of having one of the qualifications to be a local vendor.

Chief Howard responded by saying his staff spent over 100 hours in doing their due diligence. The reason for using a local vendor is familiarity of their work. The next best option was the HGSC process and note the exact pieces were used for comparison.

Councilor Ormerod stated when sole source items are brought before the council he always looks at whether there are other options. In this case, this was not an external vendor who quoted a price – there is initiative within the department to do the work, which he felt was commendable.

Councilor Remy stated he did not want this to be standard practice this is more about principal.

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

On 4-1 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to authorize a waiver of the purchasing requirements [Ordinance No. O-2009-10, Section 2-1336] and designate Gunseth's 4X4 located in Surry, NH, a "sole-source" provider for all work to be performed on the FY21 and FY23 Capital Improvement Projects of refurbishing our 2002 and 2003 wildland firefighting vehicles.

Councilor Remy voted in opposition.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.8.

SUBJECT: Acceptance of FY20 Byrne Justice Assistance Grant (JAG) - Police Department

COUNCIL ACTION:

In City Council September 3, 2020.

Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to co-apply with the County of Cheshire, and to accept, the U.S. Department of Justice FY20 JAG grant in the amount allocated to the city of \$5,007.

BACKGROUND:

Police Chief Steve Russo addressed the committee next. The Chief explained for this grant the County of Cheshire would be fiscal agent and the City of Keene would be the sub-recipient of this proposed grant that goes from October 1, 2019 – September 30, 2021. This is the sixth year the city has collaborated with the County on this grant. These funds would be used for the continued deployment of smartphones in ten police cruisers and within two of the Bureau of Criminal Investigations.

The Chief added by approving the recommendation, the City Council is approving the submission of the grant application and entering into a Memorandum of Understanding with the County of Cheshire for allocation of these funds. He added approval has to be sought before the Manager and Attorney could sign off on this grant, and then wait 30 days and come back before the Council again.

Councilor Clark asked the Chief whether this agreement also contains a join warranty program. Chief Russo stated he was not familiar with this agreement.

Councilor Hooper felt any time grants are received by the city; it saves the city taxpayers money.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to co-apply with the County of Cheshire, and to accept, the U.S. Department of Justice FY20 JAG grant in the amount allocated to the city of \$5,007.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council
FROM: Finance, Organization and Personnel Committee
ITEM: D.9.

SUBJECT: Update - Calling for the KPD to be Outfitted with Body Cameras

COUNCIL ACTION:

In City Council September 3, 2020.
Voted unanimously to carry out the intent of the report.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommend that the City Manager work with the Police Chief to implement a testing and evaluation program for Body Worn Cameras and In Car Video systems.

BACKGROUND:

Chief Russo stated a few weeks ago staff was tasked with this item and since that time, a research group was formed from the department to look into it. Since the original point when this item was looked at in 2015, positive improvements were noted, specifically with software, usability and cost. He stated he wanted it to be clear as a department they are not opposed to body cameras, car video systems or any such item.

Chief Russo stated besides a handful of small departments throughout the State of New Hampshire, only Manchester and Hanover have body cameras. Cities such as Portsmouth have chosen not to use body cameras due to cost or other such reasons. Dover, Concord and Derry are looking into these systems. The Chief noted the Governor's Commission for Law Enforcement Accountability plans to recommend departments wear body cameras.

Chief Russo went on to say as they looked at the value of these systems to the community, the petition brought forward was signed by 0.37% of the community. He also asked the question would be how the city measures the value of these systems. One is transparency but this comes with a cost and other programs the city would have to sacrifice to put this item in place.

The Chief then referred to a power point presentation. He stated since this discussion started, three vendors have come in to make presentations. The one staff is presenting today is what they feel would be suitable for the department. The first is just a body worn system and the other would be a body worn camera and an in car video system.

The Body Worn Camera System would be at a cost of \$321,600 over five years. Year 1 would be \$160,800 for the equipment and \$40,200 for the next four years. Training would be at \$14,000 - one-time cost. The right to know requests currently are over flowing the City Attorney's office and there has been discussion as to the Police Department taking over this work but the lack of personnel to accomplish this work is a concern. As a result, there is a proposal to hire a System Administrator: Para-legal, to perform the body camera work, discoveries as well as right to know items at a cost of \$87,585 Annually and PAB increases. Total Cost Year one: \$262,135 (System, Training, & Administrator position). Each year thereafter: \$127,785, which includes the

system administrator position.

Councilor Clark asked why the system administrator position would be included in the Police Department and not in the Clerk's Office where the rest of the record keeping is done. Chief Russo stated the right to know can be done separately but the Police Department needs someone to run the body camera system and the discovery requests that come in – they need to be sorted through and redacted. He further stated the under staffed records department at the police department would be able to pass discoveries on to this person and relieve some of that work.

Chief Russo then addressed BWC & in Car Video System (ICV): This system will be at a cost of \$380,195 over five years, \$190,099 year one, \$47,524 over next four years. The cost of training remains same at \$14,000. System Administrator remains the same at \$87,585 annually and PAB increases. Total Cost Year one: \$291,434. Each year thereafter \$135,109.

Chief Russo went on to say when reviewing this item; the department has reached out to stakeholders like the Public Defender's Office, County Attorney's Office, and Attorneys from ACLU. He indicated there is a lot that goes into it and it needs to be done properly, not something that can be thrown together, which could set the city up for failure.

Chief Russo stated what staff is proposing as a next step is to move into a test and evaluation period before any more resources are spent but before that he would like to get some feedback from the council as to how they would like to move forward with this. It will take about four to six weeks to move into the test and evaluation period. He added the initial training would be at a cost of approximately \$4,700 (overtime costs), which has not been budgeted for. The results and findings will be brought back to the FOP in December. This concluded the Chief's presentation.

The City Manager address this item next. She indicated this type of a program would cost a significant amount of contribution from the community. She noted the first year cost of \$291,434 would have a .16-cent impact on the tax rate which she indicated could be taken from fund balance but years two through five will remain in the budget for \$135,109 which would be a .07 cent increase on the tax rate. Ms. Dragon went on to say that the Governor's Office is going through a review right now regarding policing in New Hampshire and body cameras is one of the items raised. Part of their training is also going to be required training for all police departments. For Keene, in year 1 it will add \$20,000 to the Police Department budget, in year 2 a little over \$40,000. It is unknown what other police requirements the state is going to require and added it would be good when the state places such requirements, funding is provided to go along with the requirement.

Ms. Dragon went on to say in weighing the cost versus the benefit of the program, the city needs to understand the goals – what does success look like. The conversation around the country when it pertains to this topic has been about increasing accountability of Police Departments, especially when they want to build back a relationship between a particular police department and a community. It is also about lessening the use of excessive force by police officers. Last year there were four complaints against the Keene Police Department against 4,155 custodial arrests which resulted 228 use of force (.05%). During the recent accreditation process the commission commended the department's low use of force. In 2018, there was one use force complaint and two in 2017. This report also refers to the positive relationship the department has with the community.

The Manager went on to say, if the council choses to move forward with this item, as indicated by the Chief the department would move to the next step which is testing and evaluation, this would involve outfitting four cruisers and six officers for a trial period. The Manager noted this trial period would require overtime costs, for approximately \$4,700. She noted should this trial not work out with this vendor there is the likelihood staff could come back with the next proposal from another vendor.

Councilor Clark felt these cameras could also help gauge citizen behavior and reduce escalation of their behavior. He agreed the price is higher than he thought, but stated he would like to move forward and asked for a packet of information the committee could review.

Councilor Hooper agreed the conversation should be moved forward and agreed the price is high and there are many issues that need to be addressed before deciding anything permanent.

Councilor Ormerod stated he wasn't sure whether this was a high cost and questioned what one major public relationship incident would cost the city. He wasn't sure whether this approach meets the objective raised by citizens, which is transparency. The Councilor noted if there is a counter agent, being hired to redact what is being presented it won't provide the city with transparency. He felt this item should be more about an objective;

what Keene stands for to reach that objective – a culture of de-escalation on both sides, transparency, and use the best technology to do that. He felt there needs to be a lot more vision than we have at this point.

Chair Powers stated he would like the City Attorney's comments with respect to the requirements for redaction. Attorney Mullins stated transparency to one person is invasion of privacy to another. He explained even though RSA91-A:5 contains exemptions with respect to video and audio recordings made with respect to this process, there is a caveat to that. It can be disclosed unless there are invasion of privacy issues. He indicated this is at times difficult to conclude. It is a labor-intensive process to disclose the information properly.

Councilor Clark asked the Attorney asked whether these videos fall under the public domain under 91-A or is this something only available to a Judge in a court case. Attorney Mullins referred to the following:

91-A:5 Exemptions. – The following governmental records are exempted from the provisions of this chapter: which means they are exempt from disclosure.

Video and audio recordings made by a law enforcement officer using a body-worn camera pursuant to RSA 105-D except where such recordings depict any of the following: Attorney Mullins explained based on this statute, video recordings are disclosable.

(a) Any restraint or use of force by a law enforcement officer; provided, however, that this exemption shall not include those portions of recordings which constitute an invasion of privacy.

(b) The discharge of a firearm, provided that this exemption shall not include those portions of recordings which constitute an invasion of privacy.

(c) An encounter that results in an arrest for a felony-level offense, provided, there isn't an invasion of privacy. And hence, these recordings are disclosable under 91-A – this is the purpose; it is a transparency issue.

Chief Russo stated the department has approximately 1,500 arrests per year, which means there are 1,500 videos of one officer and if there are three officers, there are three videos that need to be redacted and released to include the audio. He stated not every lawyer would agree as to what should be disclosed, it can be done but it is time consuming.

Councilor Remy asked when the Governor's recommendations are expected to come out on this issue. Chief Russo stated it is going to be a recommendation because it is not going to be funded, but a majority of the municipalities are not going to be able to afford it. The next question is who would be overseeing that this is being done properly.

Chair Powers stated this is a project that is worthwhile but it is expensive. He felt if it is going to be done, it needs to be done correctly and make sure the right vendor is selected.

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

That the Finance, Organization and Personnel Committee recommend that the City Manager work with the Police Chief to implement a testing and evaluation program for be authorized to do all things necessary to implement a testing and evaluation program for Body Worn Cameras and In Car Video systems.

Councilor Clark clarified staff will come back before a testing program is put in place and then Council recommend whether it should be moved forward. The Manager stated the initial evaluation has been done and the city is ready to complete the testing and evaluation which will take a few months. Once that phase is completed, sometime end of December, early January staff will be back before the committee to provide a report as to what has been learned from the testing and evaluation. The only impact on the budget for the testing phase is about \$4,700 (overtime for officers and dispatchers). The Manager indicated this amount is not budgeted, but it could be funded.

Councilor Ormerod stated during this testing phase, he wants to be mindful about safety officers and how this affects them and how it better enables them to serve the community; people first, technology second.

Councilor Remy asked whether the new Social Justice Committee has been consulted with respect to this issue. The Manager stated she had attended their last meeting and advised them this discussion was happening – there was no-one from that committee present tonight. She did not feel it would be difficult to get their input during the testing phase.

The motion made by Councilor Hooper carried on a unanimous roll call vote.



City of Keene, N.H.
Transmittal Form

August 26, 2020

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: H.1.

SUBJECT: Petition – Deteriorating Conditions on Thompson Road

COUNCIL ACTION:

In City Council September 3, 2020.
More time granted.

RECOMMENDATION:

Vice Chair Giacomo moved to recommend that this matter be placed on more time, which Councilor Chadbourne seconded, and the motion passed by unanimous roll call vote.

BACKGROUND:

Chair Manwaring recognized petitioner Patricia Walker of 17 Thompson Road. Ms. Walker explained that the deteriorating conditions on Thompson Road have been reported to the Public Works Department for years but said that little had been done in response. She said there are presently 11 jersey barriers placed on the road making it one-way, with a stop at the top and bottom of the hill. She believes those barriers did little to fix the drainage issues and might be weakening the roadsides further.

Vice Chair Giacomo stated that he visited Thompson Road, and said it was hard to believe it is a road in Keene, and that the photos did not do it justice. He added that the guard rails have been undermined and the jersey barriers are protecting cars from going off the road there.

Chair Manwaring welcomed the City Engineer, Don Lussier, who explained that Thompson Road is in the southeast corner of Keene off RT-101 near Swanzey Factory Road, where the Ciardelli Fuel Company facility was built recently. Thompson Road is a dead end road, approximately 1/3-mile long. The road is most notably the steepest road slope in the City, with the lower section of most concern at approximately 23% grade. It was built in 1826. For comparison, today's City Code allows a maximum street grade of 7% and therefore construction of Thompson Road as it exists would not be permitted now. Mr. Lussier could not deny the rough conditions have there for some time, which have become an ongoing maintenance concern for the City, as it is hard to plow and prone to icing. In addition to the unusually steep slope, Thompson Road is extremely narrow, laid out at 33 feet but in some cases today is as narrow as 12.5 feet due to the deterioration, barriers, and guardrails. There are currently five residential properties on Thompson Road, but 13 parcels with frontage, several of which are protected for conservation and not subject to development. Therefore based on the parcels, topography, and road conditions, Mr. Lussier anticipated Thompson Road was as near to, if not developed fully.

Mr. Lussier explained that City Staff first heard concern about Thompson Road in January 2018, when a

resident visited the Public Works Department with information of leaves blocking a catch basin there, plowing not as wide as it should be, and cracking on the road edge. As a result, in the spring 2018 after the ice melted, the Highway Division patched cracks and cleaned catch basins. After a snow event in fall 2019, the Highway Division notified Mr. Lussier of their concern for the road condition and guardrail. Mr. Lussier used photos from fall 2019 to confirm the concern that the pavement surface has dropped six to nine inches, demonstrating possibly both erosion and soil settling under the roadway. As a result of those conditions, Mr. Lussier was concerned at the time that more traffic close to the guardrails could cause a section of the roadway to slough off and down the hill. The jersey barriers were placed to not only secure the guardrails, but to also move traffic further from the roadway edge and closer to the uphill side of the road, thus stabilizing the slope temporarily.

The City hired a geotechnical engineer to bore in the middle of Thompson Road on April 1, 2020 to determine whether the primary concern is erosion or global slope stability. The resulting preliminary geotechnical report documented the slope having a Factor of Safety of 1.0. Typically, Mr. Lussier said geotechnical engineers seek a Factor of Safety of 1.3 at minimum, which provides some redundancy in the system. Therefore, anything weakening the roadway and causing more soil settlement and instability – poor soil conditions, high groundwater table, heavy trucks, or loads close to the edge – could overload the slope and cause more sediment failure. This report proved concerns about Thompson Road and preempted placing the jersey barriers. The geotechnical engineer was tasked to analyze the options and respective costs for fixing the slope. Within the next month or so, Staff would report back to Council with those costs and long-term recommendation. Unfortunately, Mr. Lussier said those costs would be very expensive, with Staff anticipating figures in the hundreds of thousands.

Vice Chair Giacomo noticed that the adjacent conservation land on the right side heading uphill on Thompson Road is owned by Antioch University New England and asked if that land being protected would factor into repair types and costs. Mr. Lussier said it could be a factor and that the long-term solution might require encroaching onto abutting private property. Staff awaits further geotechnical information before beginning conversations with Antioch.

Councilor Chadbourne asked whether this extensive work could be performed in-house. Mr. Lussier said no, this work (e.g., driving steel sheet piling or building concrete cast retaining walls) is beyond the Highway Division's capabilities and therefore this project would be advertised to bid. An additional issue would prove to be temporary access for residents and crews with the roadway already so narrow.

Chair Manwaring asked whether this work was anticipated in the Capital Improvement Program (CIP) and the City Manager, Elizabeth Dragon, said no.

Mr. Lussier explained that the Highway Division would do some temporary work in-house before the upcoming winter season, particularly patching sections near to RT-101 and making clear to the public that a corner of the RT-101 intersection is not drivable. Staff would have to revisit with Council the longer-term costs in the hundreds of thousands within the context of the CIP or whether Council would want to expand the road program, and if so, which roads prioritized in that program would be demoted.

Chair Manwaring recognized Councilor Terry Clark, who said there are four vacant house lots on Thompson Road and a new road would benefit the City by opening more land for future residential growth, and he urged Council to consider that as this project moves forward.

Ms. Walker asked who provided Antioch permission to use the top and bottom of the hill next to Thompson Road and why that land was not taken by the City's because of this situation. The Director of Public Works, Kùrt Blomquist, recalled that Thompson Road was constructed in the 1820s and said that Antioch is a relatively new owner of that parcel. Ms. Walker thought Antioch bought the parcel in the last 5-10 years and asked why this issue was not considered then. Chair Manwaring said the City does not have control over the sale of private property and she suggested that the petitioners contact Antioch with questions. Chair Manwaring recognized

Councilor Clark, who said records show that Antioch bought the property in 2004 from the Harris Center for Conservation Education, and before that it was owned by Paul Luthier.

Vice Chair Giacomo moved to recommend that this matter be placed on more time, which Councilor Chadbourne seconded, and the motion passed by unanimous roll call vote.



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: K.1.

SUBJECT: Relating to Funding for the Flowbird Pay Station Color Touch Screens

COUNCIL ACTION:

In City Council September 3, 2020.

Report filed as informational.

Voted unanimously for the adoption of Resolution R-2020-29.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2020-29.

ATTACHMENTS:

Description

Resolution R-2020-29

BACKGROUND:

Director Economic Development and Special Projects Med Kopczynski was the next speaker. Mr. Kopczynski stated it was agreed at the last FOP meeting that this item should be moved forward. This Resolution is an effort to place funds into the budget for this item. There are two units that would be available in about 90 days. Councilor Remy asked whether these units are tied to Park Mobile. Mr. Kopczynski stated in the affirmative. Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2020-29.



CITY OF KEENE

R-2020-29

In the Year of Our Lord Two Thousand andTwenty.....

A RESOLUTION Relating to an appropriation for the Flowbird Pay Station Color Touch
Screens

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

That the sum of thirty-four thousand forty-five dollars (\$34,045.00) is hereby appropriated in the 2020-2021 fiscal year for the purpose of providing funding for the Flowbird Pay Station Color Touch Screens. Said appropriation to be funded by the Parking Fund unassigned fund balance.

George S. Hansel, Mayor

In City Council August 6, 2020.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk

PASSED September 3, 2020

A true copy;
Attest: 
City Clerk



City of Keene, N.H.
Transmittal Form

August 27, 2020

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: K.2.

SUBJECT: Relating to the Refunding of Bonds

COUNCIL ACTION:

In City Council September 3, 2020.
Report filed as informational.
Voted unanimously for the adoption of Resolution R-2020-33.

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2020-33.

ATTACHMENTS:

Description

Resolution R-2020-33

BACKGROUND:

Finance Director Merri Howe stated the Resolution before the Committee is for the refunding of 2010 and 2013 bonds. The city's financial advisors, PFM Financial identified a way to reduce debt service cost by refinancing a series of bonds dated October 15, 2010 and May 1, 2013. The savings would be through lower interest rates and by reducing the number of payments toward the 2013 bonds. The bonds to be refunded were originally issued by the City for the development and construction of the central fire station, Robin Hood Dam, and the Cheshire County Courthouse. Not all bonds were recalled in May 2020. By using current market rates to refund these bonds, the City will reduce the remaining term of the courthouse bond by three years and reduce the interest rate by about 1.65%. The average cost of these bonds when they went to market in 2010 and 2013 average 3.079%. The approximate savings by this refinance will be about \$203,373. Ms. Howe introduced Casey Fox from PFM Financial who was present today.

Councilor Clark clarified prepayment figures have already been calculated. Mr. Fox answered in the affirmative. Councilor Ormerod asked whether the \$203,373 includes all fees. Mr. Fox stated this number is net of all fees. Councilor Hooper made the following motion, which was seconded by Councilor Clark.

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2020-33.



CITY OF KEENE

R-2020-33

In the Year of Our Lord Two Thousand and Twenty

A RESOLUTION Authorizing the Issuance of up to Three Million Three Hundred Thousand dollars (\$3,300,000) in Refunding Bonds.....

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

WHEREAS, the City of Keene, New Hampshire (the "City") issued its \$9,295,000 General Obligation Bond, dated October 15, 2010 (the "2010 Bonds"), which 2010 Bonds that mature on October 15 of the years 2021 through 2030, inclusive, in the aggregate principal amount of \$2,800,000 are eligible to be refunded at par on any interest payment date on or after October 15, 2020 (the "2010 Refunded Bonds"); and

WHEREAS, the City issued its \$1,629,000 General Obligation Courthouse Bonds of 2013, Series B, dated May 2, 2013, (the "2013 Bonds"), which 2013 Bonds that mature on May 1 of the years 2027 and 2033, in the aggregate principal amount of \$320,000 are eligible to be refunded at par on any interest payment date on or after May 1, 2020 (the "2013 Refunded Bonds" and together with the 2010 Refunded Bonds, the "Refunded Bonds"); and

WHEREAS, it appears likely that bonds issued today would have a net interest cost less than the net interest cost on the Refunded Bonds; and

WHEREAS, the City may be able to realize debt service savings by issuing certain refunding bonds (the "Refunding Bonds"), the proceeds of which would be utilized to current refund or advance refund the Refunded Bonds and to pay certain other costs relating thereto;

Now, Therefore, Be It Resolved by the City Council of the City of Keene, as follows:

- 1) That the City, acting by and through its City Council, hereby authorizes the issuance of up to Three Million Three Hundred Thousand dollars (\$3,300,000) in Refunding Bonds pursuant to the provisions of RSA 33:3-d, the proceeds of which shall be utilized to current refund or advance refund the Refunded Bonds, to pay the redemption premium, if any, applicable thereto, any principal and interest coming due on the Refunded Bonds prior to any redemption date, and to pay the costs of issuance of the Refunding Bonds, including any costs of credit enhancement; and
- 2) That the City Treasurer, with the approval of the City Manager, is hereby authorized to issue the aforesaid Refunding Bonds by entering into a Bond Purchase Contract with such bond purchaser or underwriter as they may deem

appropriate in connection with the issuance of the Refunding Bonds to evidence the City's approval of the terms and conditions of the Refunding Bonds; and

- 3) That an Escrow Contract and such other documents as shall be required in connection with the issuance of the Refunding Bonds shall be signed on behalf of the City by the aforementioned individuals, or such other individuals as may be required by state law or as may be specified by bond counsel; and
- 4) That the City is authorized to enter into such other documents, to engage such other professionals (including a Financial Advisor, Escrow Agent, Verification Agent and Paying Agent), and to do such other things as are necessary to consummate the aforesaid refunding; and
- 5) That all actions heretofore taken by the City consistent with the foregoing are hereby confirmed, ratified and approved.

George S. Hansel, Mayor

In City Council August 6, 2020.
Referred to the Finance, Organization
and Personnel Committee.



City Clerk