

**City of Keene**  
**New Hampshire**

**FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE**  
**MEETING MINUTES**

**Thursday, February 11, 2021**

**6:30 PM**

**Remote Meeting via Zoom**

**Members Present:**

Thomas F. Powers, Chair  
Stephen L. Hooper, Vice Chair  
Michael J. Remy  
Raleigh C. Ormerod

**Members Not Present:**

**Staff Present:**

Elizabeth A. Dragon, City Manager  
Thomas P. Mullins, City Attorney  
Parks, Recreation and Facilities, Andrew  
Bohannon  
Police Chief Steve Russo  
City Engineer, Don Lussier  
Police Prosecutor Christopher Simonds

Chair Powers called the meeting to order at 6:30 PM.

**1) Acceptance of Donations - Parks, Recreation and Facilities**

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

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

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

**2) Acceptance of Donations - Parks, Recreation and Facilities**

Mr. Bohannon stated that based on the presentations he has been making in front of different civic groups in the City regarding the Ashuelot River Park, Louise Zerba who is a member of the Rotary Club approached him and asked about any projects the City might have within the park

system that the Interact Kids could participate in as they will not be going to Central America for their annual Habitat for Humanity efforts. The group was anxious that any project they undertook would leave a legacy in the community.

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

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

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

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

### **3) Body Worn Cameras - Police Chief**

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

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

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

- Each year thereafter: \$127,785, includes para-legal
- Five year cost: \$781,246

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

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

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

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

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

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

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

HB 253 currently provides no funding or cost estimate of this legislation. The LEACT (Commission on Law Enforcement Accountability, Community and Transparency) recommends all Law Enforcement Agencies employ BWC's. The Governor supports this and has directed the

NH State Police to begin implementation, and funding is being evaluated to assist with this for non-State agencies.

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

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

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

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

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

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

The Manager went on to say she agrees with the Police Chief that body worn cameras and in car videos are things municipalities are going to see and is pleased to see the Chief in support of this program which aligns with transparency. She noted however, the challenge is funding and she would hate to miss the opportunity of getting funding from the State. She felt the chance of State

funding is better than it ever has been because of the Governor's support. The Manager noted she will be looking at the increased cost to training in the Police Department's budget.

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

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

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

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

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

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

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

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

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

**4) Roxbury Street Sewer Replacement - Funding Request - City Engineer**

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

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

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

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

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

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

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

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

#### **5. Continued Discussion - Evaluation Process for Charter Employees**

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

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

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

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

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

There being no further business, the Chairman adjourned the meeting at 7:37 PM.

Respectfully submitted by,  
Krishni Pahl, Minute Taker

Additional Edits by,  
Terri M. Hood, Assistant City Clerk