



City of Keene
New Hampshire

**FINANCE, ORGANIZATION
AND PERSONNEL COMMITTEE
AGENDA
Council Chambers B
June 24, 2021
6:30 PM**

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

1. Presentation - Melanson FY20 Audit
2. Councilor Jones - Requesting a Declaration of Inclusion on Behalf of Keene City Councilors
3. Redistricting of Ward Lines - City Clerk
4. PFAS Detection at 173 Wyman Road - Asst. Public Works Director/Solid Waste Manager
5. Martell Court Pump Station-Engineering Services - Change Order 2 - WWTP Operations Manager
6. Laboratory Renovation - Engineering - Change Order 2 - WWTP Operations Manager
7. Aeration Piping Replacement-Engineering Services - Change Order 1 - WWTP Operations Manager
8. Professional Services Contract - Emergency Response Plan for the City's Waste Water Pump Stations - Utilities Maintenance Manager
9. 2021 Sewer Main Lining Project - Construction Change Order - City Engineer
10. Municipal Services Agreement - Keene State College - City Manager
11. Petition to Acquire Property by Eminent Domain for Highway Purposes - City Engineer
Resolution R-2021-19-A

12. Relating to Approving an Application for CDBG Funds

Resolution R-2021-31

13. Relating to the Establishment of an Opioid Litigation Settlement Revolving Fund Pursuant to RSA 31:95-h for the Purpose of Receiving Opioid Litigation Settlement Funds and Expending Said Funds for Abatement Purposes to Fight an Opioid Epidemic

Resolution R-2021-32

MORE TIME ITEMS:

A. Councilors Remy, Bosley and Giacomo - Continued Remote Participation

B. Continued Discussion - Evaluation Process for Charter Employees

Non Public Session
Adjournment



City of Keene
Transmittal Form

June 15, 2021

TO: Mayor and Keene City Council

FROM: Councilor Philip Jones

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: Councilor Jones - Requesting a Declaration of Inclusion on Behalf of Keene City Councilors

COUNCIL ACTION:

In City Council June 17, 2021.

Referred to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description


Communication_Jones

Resolution R-2017-40

BACKGROUND:

Councilor Jones is recommending that a Resolution be drafted that would serve as a Declaration of Inclusion of the City Council.

June 15, 2021

FROM: Councilor Philip M. Jones 
TO: The Honorable Mayor and City Council
SUBJECT: Endorsing the City of Keene Declaration of Inclusion

Recommendation:

The Keene City Council request the City Manager to draft a resolution endorsing the City of Keene Declaration of Inclusion.

BACKGROUND:

- The attached declaration document (not the resolution) can then be printed using American Scribe font on parchment paper.
- The Mayor and all City Councilors can sign the declaration as a show of unity.
- Copies can be made for all requesting elected officials.
- The document should be framed and strategically placed in a place of prominence such as city hall or the library, or both.
- The Mayor and Council can have an unveiling ceremony to signify the importance of the document.

SUPPORTING DOCUMENTS:

This document is truly complimentary to the report submitted to the City Council by the Ad Hoc Racial Justice and Community Safety Committee.

This document also conforms to the goals of the City's Human Rights Committee.

The City Council Goals were adopted by the City Council in 2017. Goal number four states that the Council should encourage a diverse and inclusive culture.

Page 112 of the Keene Comprehensive Master Plan calls for the City to celebrate and educate about diversity. It also suggests creating an environment of tolerance.

The City of Keene Economic Development Action Plan suggests that diversity and multiculturalism are just some of many tools that can be used toward economic development.

Before the Keene, New Hampshire City Council on the nineteenth day of August 2021

Declaration of the City of Keene, New Hampshire as an Inclusive and Welcoming City

We the governing body of Keene, New Hampshire do hereby declare that the City of Keene is an inclusive city. We as a city truly welcome people of all colors, creeds, beliefs, lifestyles, nationalities, physical abilities, and mental abilities to live, work, play, worship, and shop in our welcoming city. We vow to condemn and never ignore acts of racism, bigotry, oppression, and hatred. We truly believe that diversity makes us stronger.



CITY OF KEENE

R-2017-40

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

A RESOLUTION TO ENSURE THAT KEENE IS A SAFE AND
WELCOMING COMMUNITY FOR ALL PEOPLE REGARDLESS OF RACE,
CREED, ETHNICITY, RELIGION OR IMMIGRATION STATUS

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

WHEREAS, the City of Keene has a long and rich history of welcoming and successfully integrating diverse groups of people, including various immigrant groups, into its civic life; and

WHEREAS, immigrants can in particular contribute essential skills as employees and entrepreneurs, thereby strengthening both our local economy and our cultural diversity, which is especially important in a state where the population is aging and many young people look elsewhere for economic and cultural opportunity; and

WHEREAS, the resources of the City are limited, and the funding of City services through local property taxes are an issue of extraordinary concern; and

WHEREAS, recent studies have shown that humane treatment of immigrants by local governments, including local law enforcement agencies, enhances cooperation, contributes to economic and social wellbeing, and lowers crime rates; and

WHEREAS, there have been a number of recent events involving racist intolerant behavior in our community which were addressed in a letter signed by community leaders including the Mayor, the Cheshire County Sheriff, the former Police Chief, and the SAU 29 Superintendent of Schools; and

WHEREAS, the City of Keene, acting through the City Council, adopted a Resolution Embracing Diversity and Denouncing Activities of Hate, Intolerance, and Intimidation in any form or manner; and

WHEREAS, the City of Keene is blessed with the legacy of Jonathan Daniels and the example he provided of fighting for justice and offering compassion for those in need; and

WHEREAS, The City of Keene Comprehensive Master Plan encourages us to work to provide outreach and education to all citizens to create an ethic of tolerance and general respect for others; and

WHEREAS, individuals may not be arrested, or detained except in accordance with the requirements of the Fourth Amendment to the United States Constitution, and Part 1, Article 19 of the New Hampshire Constitution, both of which prohibit the arrest, or the prolonged detention of an individual in the absence of a properly issued criminal

warrant, or probable cause that the individual has committed a criminal offense as defined by federal, state or local law; and

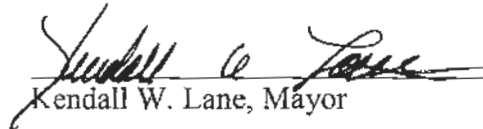
WHEREAS, individuals may not be temporarily detained or questioned except in accordance with the requirements of the Fourth Amendment to the United States Constitution, and Part 1, Article 19 of the New Hampshire Constitution, both of which require a reasonable suspicion, based on specific articulable facts, that the individual has been, or is about to be engaged in, criminal activity; and

WHEREAS, the Tenth Amendment to the United States Constitution prohibits the Federal Government from compelling States, and by extension the political subdivisions thereof, from employing local resources to administer and enforce Federal programs, including Federal immigration and naturalization programs;

NOW, THEREFORE, BE IT RESOLVED, THAT THE CITY OF KEENE:

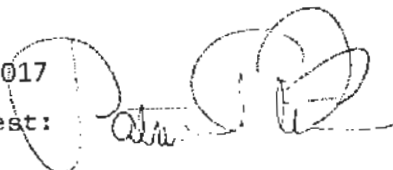
Will encourage that the following policies be adopted within the City of Keene:

1. To only inquire into the immigration or citizenship status of an individual where the inquiry relates to a legitimate City purpose as required by federal, state, or local law that is otherwise unrelated to the enforcement of a civil immigration law.
2. To only assist U.S. Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP) in actions intended to enforce federal immigration statutes when required to do so by a federal, state or local law that has been deemed enforceable against the City, or required of the City, by a judicial court with competent jurisdiction over the City.
3. To only cooperate with ICE or CBP in a request to detain or to report an individual when required to do so by a federal, state or local law that has been deemed enforceable against the City, or required of the City, by a judicial court with competent jurisdiction over the City.


Kendall W. Lane, Mayor

PASSED November 16, 2017

A true copy, attest:


City Clerk



City of Keene
Transmittal Form

June 16, 2021

TO: Mayor and Keene City Council

FROM: Patricia A. Little, City Clerk

ITEM: 3.

SUBJECT: Redistricting of Ward Lines - City Clerk

COUNCIL ACTION:

In City Council June 17, 2021.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

Recommend that the City Council under RSA 49-B propose an amendment to the City Charter to remove the street by street descriptions of the ward boundaries and to identify the City Council as the authority to make future ward line adjustments as required by the Federal Census. This charter amendment will require a public hearing, a review by various State agencies of the ballot question and an affirmative vote at the Nov. 2, 2021 Municipal General Election. Instead of the street descriptions of the ward boundaries being in the City Charter, the descriptions will appear in the City Code and will be adopted by Ordinance.

Recommend that upon receipt of the Federal census data, that the Mayor appoint an ad hoc Redistricting Committee to review the census data and to make recommendations that would equalize the ward populations. The Committee's recommended ward line adjustments would be considered and acted upon by the City Council and they would become effective the day before the filing period for the State General Election.

BACKGROUND:

Every ten years, there is a statutory redistricting process based on updated Federal census data of current populations. This redistricting effort impacts lines for Federal and State Officials and ward lines for City Council and election officials.

Just recently, the Census Bureau announced that the State population data for the purpose of redistricting will be delayed until September 30, 2021. Typically this effort starts in early June and concludes in early August with an ad-hoc redistricting committee appointed by the Mayor making recommendations to adjust ward line boundaries. There is a similar process that occurs at the State level for the Federal and State offices.

Locally, the redistricting process requires an amendment to the City Charter with a ballot question presented to Keene's registered voters at the Municipal General Election. Amendments to the City Charter as well as notice requirements for the 2021 Municipal General Election *also* follow a statutory timeline. This announced delay by the Federal Census and the necessary time required to analyze the data and identify the necessary adjustments *cannot* accommodate the statutory timeline and notice requirements for a Charter amendment or a General Election.

A preliminary timeline for the charter amendment includes:

| | |
|--------------------|--|
| June 17, 2021 | Memorandum to the City Council regarding Charter amendment |
| July 15, 2021 | FOP Committee recommendation to set public hearing |
| August 5, 2021 | Public Hearing on Charter amendment |
| August 12, 2021 | Referral of the ballot question to the State Attorney General and Secretary of State |
| September 18, 2021 | Final approval of ballot question by State agencies |
| October 7, 2021 | City Council authorizes ballot question |
| October 18, 2021 | Posting of the warrant containing the ballot question |
| November 2, 2021 | Municipal General Election |

A preliminary timeline for the redistricting effort includes:

| | |
|--------------------|--|
| September 2, 2021 | Appointment of ad hoc Redistricting Committee |
| September 16, 2021 | Organizational Meeting of Committee and identification of criteria |
| September 30, 2021 | Receipt of census data |
| October 7, 2021 | Meeting of Committee preliminary review of data |
| October 14, 2021 | Meeting of the Committee to finalize ward lines |
| October 21, 2021 | Memorandum to City Council regarding ward line changes |
| October 28, 2021 | Finance, Organization and Personnel Committee |
| November 4, 2021 | City Council adoption of FOP recommendation |
| November 18, 2021 | Ordinance for 1 st reading |
| December 2, 2021 | Ordinance for 2 nd reading |



City of Keene
Transmittal Form

June 8, 2021

TO: Finance, Organization and Personnel Committee

FROM: Duncan Watson, Assistant Public Works Director/Solid Waste Manager

THROUGH: Elizabeth Dragon, City Manager

ITEM: 4.

SUBJECT: PFAS Detection at 173 Wyman Road - Asst. Public Works Director/Solid Waste Manager

RECOMMENDATION:

The Finance, Organization and Personnel Committee recommend that the City Council authorize the City Manager to do all things necessary to negotiate and execute an agreement with the property owner of 173 Wyman Road to provide access and a carbon-based point of entry water filtration system for an initial term of three (3) years beginning in July 2021 as part of an initial perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFAS) protocol.

BACKGROUND:

The Keene Municipal Landfill was closed and capped in 1999. Per Environmental Protection Agency (EPA) and New Hampshire Department of Environmental Services (NHDES) regulations the City must monitor water quality (ground and surface water), within an established groundwater monitoring zone (see attached map of groundwater monitoring zone and location of testing sites), under the provisions of Groundwater Permit GWP-199009001-K-001. The most recent update to the Groundwater Permit was completed in 2017 and is valid through 2022. Generally, the length of closed landfill monitoring is thirty (30) years post closure.

Post-closure monitoring of the landfill has been performed in accordance with New Hampshire Department of Environmental Services (NHDES) Solid Waste Regulations Env-Wm-2507.05(i) Post Closure Inspections, Monitoring, Maintenance and Reporting Requirements, Solid Waste Regulations Env-Sw-800 Landfill Requirements, and the requirements as defined in New Hampshire Code of Administrative Rules Env-Or-600 Contaminated Site Management. Post-closure monitoring efforts include annual water quality monitoring in November of each year, semi-annual landfill gas monitoring in April and November of each year, and performing an annual inspection of the landfill cap in November of each year.

The closed Keene Municipal Landfill parcel is an approximately 20-acre closed, unlined municipal solid waste landfill owned and operated by the City of Keene. The property (identified as Lot 10-009 on the City of Keene Assessor's Map 919) is situated on the west side of Route 12 just south of the Keene-Surry town line. The majority of the properties abutting the landfill are undeveloped and heavily wooded. Old Summit Road is located to the north of the landfill. The Cheshire Rail Trail abuts the landfill along the east and northeast, and beyond that is Summit Road (NH Route 12).

Landfill contaminants are generally limited to on-site down gradient wells. Over the years the monitoring

program has detected the following contaminants exceeding NHDES or EPA standards within the groundwater monitoring zone (GMZ):

- Iron
- Manganese
- 1,4-dioxane
- t-Butyl alcohol
- Arsenic

Historical groundwater and surface water data indicates the cap is generally effective in improving groundwater quality and there is no sign that contaminants are migrating outside of the established GMZ.

In 2016, the New Hampshire Department of Environmental Services (NHDES) established Ambient Groundwater Quality Standards (AGQS) of 70 nanograms per liter (ng/L, equivalent to parts per trillion [ppt]) for perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS). The purpose of the sampling requirement is to determine whether any drinking water sources may be at risk and to gain a better understanding of the presence of PFAS in groundwater in New Hampshire. It should be noted that every site within New Hampshire required to perform PFAS sampling based on a likelihood of detection has tested positive. Per- and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals that have been manufactured and used in a variety of industries around the globe since the 1940s, including stain repellents in fabrics, flame retardant carpets, nonstick coatings in cookware, foam used to fight fires at airports, and grease barriers in food packaging. As a class, PFAS includes thousands of compounds, many with useful properties.

In January 2019, the City, through its current consultant EnviroTrac, submitted a required biennial report on the November 2018 water quality monitoring, and PFAS have been detected in both groundwater and surface water samples. A chain of carbon forms the backbone of PFAS to which fluorine atoms are attached. Because of this detection, the NHDES required additional testing to determine whether there is migration beyond the established GMZ. The first round of sampling was conducted on September 6, 2019 by EnviroTrac and indicated the presence of PFAS chemicals at 173 Wyman Road. The most recent sampling of domestic water supplies in an area 500 feet beyond the established GMZ in April 2021 again revealed the presence of PFAS chemicals.

When testing was initially conducted in 2019 the New Hampshire acceptable standard for PFAS chemicals was 70 parts per trillion. In July 2020 the standard was reduced to 12 parts per trillion. Sampling in 2019 at 173 Wyman Road indicated concentrations of PFAS of 17.8 parts per trillion, and subsequent testing in April of this year indicated concentrations of PFAS of 20 parts per trillion. The human health effects from exposure to low environmental levels of PFAS are unknown. The exact source of PFAS substances in the domestic well at 173 Wyman Road are unknown, however, in the eyes of the NHDES, the City is the responsible party with regard to PFAS levels above groundwater standards.

Out of an abundance of caution, due to the detection of PFOA at concentrations that exceed the newly established Ambient Groundwater Quality Standards established by the New Hampshire Department of Environmental Services, the City of Keene is providing the resident of 173 Wyman Road with bottled water for their use for cooking and drinking in the short term (several weeks). Further, the City is proposing to install a carbon-based point of entry (POE) water filtration system in conjunction with monthly/quarterly monitoring for up to 3 years (dependent on determination of effectiveness).

POE systems have proven to be effective at removing PFAS to non-detectable levels and typically consist of the following components connected in series:

- Five-micron particulate filter for pre-filtering.
- Two treatment vessels (two cubic feet each) in series with a test port installed after the lead treatment unit

(the exact size and number of carbon vessels required depends on flow rate and flow volume associated with the home).

- Five-micron particulate filter for post-filtering.
- Totalizer meter.
- Ultra-violet treatment system and associated controllers if untreated water from the well exhibits bacteria contamination.
- Connection to the household plumbing.

The cost to provide bottled water in the short term, and the carbon-based point of entry water filtration system, associated labor, subcontractors, filter changes, laboratory testing, etc. over the coming three (3) years, July 2021-June 2024 is expected to run approximately \$38,000. The current operating budget in the Solid Waste Division will absorb these costs as part of the Landfill Monitoring cost center. The Solid Waste Division is working with the City Attorney's office to develop an access and provision of services agreement with the owner of 173 Wyman Road.

To date this is the only domestic well that has shown PFAS contamination above groundwater standards. It is likely the NHDES will expand the scope of testing to determine the limits of potential PFAS contamination. Correspondence between the City's consultant, EnviroTrac and NHDES are ongoing. If the PFAS contamination proves to be more widespread than is currently known, the option of extending the City's water distribution system into this area might be advisable, but it is too soon to know whether this is necessary. An internal basic engineering estimate of extending the water distribution system into the area of concern indicates costs north of \$500,000.



City of Keene
Transmittal Form

June 15, 2021

TO: Finance, Organization and Personnel Committee

FROM: Aaron Costa, Operations Manager & Kurt D. Blomquist, P.E., Public Works Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 5.

SUBJECT: Martell Court Pump Station-Engineering Services - Change Order 2 - WWTP Operations Manager

RECOMMENDATION:

Move that the Finance, Organization, and Personnel Committee recommend the City Manager be authorized to do all things necessary to execute Change Order 2 with Aldrich & Elliot Engineers, to perform construction phased engineering and technical services for the Headwork's Screening Project at the Martell Court Pump Station for an amount not to exceed \$163,400 for contract 04-20-23.

BACKGROUND:

As part of the Capital Improvement Program the City has a project to replace antiquated grinding equipment with new screening equipment to address the ever growing problem related to non-flushable materials in the collection system.

The grinders have been in service for many years and their primary function is to grind material into smaller pieces so that it may pass through pumps and pipes. However, this technology can no longer handle the volume of non-flushable material which consists of wipes, hygiene products and other items not intended to be flushed down the toilet. These non-flushable items cause pumping issues at the pump station and at the Wastewater Treatment Plant (WWTP).

The screening equipment will remove wipes and other trash from the waste stream prior to passing through any pumps and will prevent them from traveling to the WWTP. The screened material will be washed, compacted and deposited in a dumpster and handled as regular trash.

Aldrich and Elliot (A&E) performed the screening equipment selection evaluation, completed the design and is assisting the City with bid phase services. Staff recommends A&E also perform construction phase engineering services because of their technical understanding of the project.

Total Engineering Cost = \$272,150 (including this change order)

Total Project Budget = \$1,416,486

Aldrich and Elliot has provided a scope of work for construction related engineering services which includes

the following.

- Administrative services
- Submittal review and design modifications
- Construction Oversight
- Prepare record drawings

The cost of the change order exceeds the City Manager's 10% authority and therefore staff recommends the City Manager be authorized to do all things necessary to execute change order 2 with Aldrich & Elliot Engineers for an amount not to exceed \$163,400. Funding for this project is available in the Martell Court Headwork's project cost center 08072.



City of Keene
Transmittal Form

June 15, 2021

TO: Finance, Organization and Personnel Committee

FROM: Aaron Costa, Operations Manager & Kurt D. Blomquist, P.E., Public Works Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 6.

SUBJECT: Laboratory Renovation - Engineering - Change Order 2 - WWTP Operations Manager

RECOMMENDATION:

Move that the Finance, Organization, and Personnel Committee recommend the City Manager be authorized to do all things necessary to execute Change Order 2 with Underwood Engineers to perform construction phase engineering and technical services for the Laboratory Renovation Project for an amount not to exceed \$12,800 for contract 04-21-22.

BACKGROUND:

The Wastewater Treatment Plant (WWTP) came online in 1985 and treats approximately 3 million gallons of wastewater every day. The Laboratory Division of Public Works is located at the WWTP and is responsible for analyzing compliance and process control samples for both wastewater and drinking water.

The laboratory itself is vintage, early 1980's, with minimal changes occurring to the interior since the plant was built. The laboratory has continued to keep up with industry standards with regards to its analytical equipment, but the cabinets, benches, shelving and portions of the HVAC are original to the plant and have reached the end of their useful life.

As part of the Capital Improvement Program (CIP) the City has a project to renovate the existing laboratory. The design is nearly complete, only a minor, localized structural evaluation of the roof is needed at the supply air duct penetration before the construction documents can be finalized.

The scope, which consists mostly of construction phase engineering services, includes the following:

- Evaluate structural integrity of the roof in order to provide a new penetration for the supply air duct
- Attend pre-bid meeting, respond to questions and issue addendum
- Review bids and recommend award
- Attend pre-construction meeting, review submittals and shop drawings
- Provide additional 16 hours of construction oversight and inspection
- Prepare record drawings

The cost of the change order exceeds the City Manager's 10% authority. Staff recommends the City Manager be authorized to do all things necessary to sign a change order with Underwood Engineers for an amount not to

exceed \$12,800. Funds for this work are available in the Laboratory Renovation Project cost center 08106.



June 16, 2021

TO: Finance, Organization and Personnel Committee

FROM: Aaron Costa, Operations Manager & Kurt D. Blomquist, P.E., Public Works Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 7.

SUBJECT: Aeration Piping Replacement-Engineering Services - Change Order 1 - WWTP Operations Manager

RECOMMENDATION:

Move that the Finance, Organization, and Personnel Committee recommend the City Manager be authorized to do all things necessary to execute Change Order 1 with Aldrich & Elliot Engineers to perform engineering and technical services for the Aeration Piping Replacement project at the Wastewater Treatment Plant for an amount not to exceed \$22,500 for contract 04-19-04.

BACKGROUND:

The Wastewater Treatment Plant (WWTP) is a conventional activated sludge treatment facility that treats approximately 3 million gallons of wastewater every day. This project replaces approximately 170 feet of 16 inch ductile iron pipe that conveys air from the blower system to the aeration basin. The existing piping is over 20 years old, has numerous leaks and has reached the end of its useful life.

In September 2018, the City executed a professional services contract with Aldrich & Elliot Engineers for \$13,900 for engineering services to design and prepare contract documents for replacement of the existing piping.

In April 2020, the City solicited a Request for Bids for construction services for this project and received only one bid for \$391,000; it exceeded the project budget and was therefore rejected. The original specifications required the pipe material be constructed of stainless steel.

However, due to increasing costs of stainless steel, it's recommended that the City rebid the project using High-Density Polyethylene (HDPE) piping. HDPE is a plastic material that is being used more frequently in water/sewer utilities, it's less expensive than stainless steel, resistant to corrosion and because the pipe is fused together there are no joints that can fail in the future.

Aldrich and Elliot has provided a scope of work for updating the drawings and specifications using HDPE pipe material and bid phase services which account for \$2,500 of this change order. The remaining \$20,000 will be for construction related engineering services which includes the following.

- Administrative services
- Submittal review
- Construction Oversight
- Substantial completion review
- Prepare record drawings

The cost of the change order exceeds the City Manager's 10% authority and therefore staff recommends the City Manager be authorized to do all things necessary to execute change order 1 with Aldrich & Elliot Engineers for an amount not to exceed \$22,500. Funding for this project is available in the Aeration Piping Replacement project cost center 08080-B.



City of Keene
Transmittal Form

June 16, 2021

TO: Finance, Organization and Personnel Committee

FROM: Christian Tarr, Utilities Maintenance Manager & Kurt Blomquist, P.E., Public Works Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 8.

SUBJECT: Professional Services Contract - Emergency Response Plan for the City's Waste Water Pump Stations - Utilities Maintenance Manager

RECOMMENDATION:

Move that the Finance, Organization, and Personnel committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Wright-Pierce for planning, engineering and technical services for the completion of an Emergency Response Plan for the City's Wastewater Pump Stations for an amount not to exceed \$44,990. If a contract cannot be negotiated, the City Manager is authorized to negotiate with the next ranked firm.

BACKGROUND:

The City of Keene owns and operates a conventional activated sludge wastewater treatment plant (WWTP). It's designed to treat an average daily flow of 6 million gallons per day (MGD), with peak flows up to 20 MGD. However, the average daily flow is approximately 3 MGD.

In addition, the City has five wastewater pump stations. The main station, Martell Court, collects an average of 3 million gallons a day of wastewater from Keene and portions of Marlborough and pumps to the wastewater through a 30" diameter, 2-mile long, ductile iron force main to the treatment plant. The pump station and force main were built in 1985 and have been identified as potential vulnerability points for the wastewater system. The other four (4) stations pump between 1,400 and 30,000 gallons per day.

The project deliverables will include an Emergency Response Plan and report for the five pump stations and will provide recommendations and cost estimates to address action items. The firm will present the findings and recommendation to City Council.

The City received six responses to a March 2021 Request for Proposals. A review team consisting of Aaron Costa, Operations Manager, Christian Tarr, Utilities Maintenance Manager, Don Lussier, City Engineer, Neil Goodell, City Electrician, independently rated the initial proposals. For this phase of the review, the firms were rated on criteria including their understanding of the project, experience of the firm and assigned personnel, and overall quality of the submission, total cost and hours of work, proposed schedule and client references.

Two firms were invited to meet for an interview via Zoom. The interview team consisted of the original

proposal review team with the exception of Neil Goodell. Each firm was given the opportunity to identify their project team, describe the team members and company experience with similar projects, summarize their approach and present.

The firms were rated using the following criteria:

- the proposed engineering teams' and firm's experience
- understanding of the project, project approach
- quality of the interview

Each interviewer ranked the firms zero through seventy based on their numeric score, with seventy being the highest rank. The ranking numbers were added together to reach the firm's interview scores, with a higher number indicating a higher ranking.

The following table summarizes the interview team's composite scores:

| Firm Name | Interview Score |
|---------------|-----------------|
| Wright-Pierce | 201 |

| | |
|--------------------|-----|
| Weston and Sampson | 191 |
|--------------------|-----|

Based on the above-described scoring matrix, Wright-Pierce was judged by the interview team to be the best consultant for this project.

It is recommended that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Wright-Pierce to complete the Emergency Response Plan for the City's Wastewater Pump Stations for an amount not to exceed \$44,990. If the City Manager cannot reach an agreement, the City Manager is authorized to negotiate with the next ranked firm. Funds are available in capital project

Cost Center, 08098-17



City of Keene
Transmittal Form

June 17, 2021

TO: Finance, Organization and Personnel Committee

FROM: Donald R. Lussier, P.E., City Engineer

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 9.

SUBJECT: 2021 Sewer Main Lining Project - Construction Change Order - City Engineer

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to execute a Construction Change Order with Insituform Technologies, LLC. in an amount not to exceed \$115,000 for additional sewer main lining work to be completed as part of the 2021 Sewer Main Lining Project (08066).

BACKGROUND:

Sewer main lining has been a very successful program for many years. This technology allows us to greatly extend the life of existing sewer mains at a fraction of the cost of open-trench replacement. In recent years, the bid prices for this work have been very competitive. This year continued the trend, with 5 firms submitting bids. The low bid was approximately \$139,000 below the Engineer's estimate for the project.

This year's contract includes approximately 2,600 feet of the Beaver Brook interceptor, from Beaver Street to Water Street. This is one of our largest sewer trunk lines, ranging from 12" near Chase Place to 24" south of Marlboro Street. The interceptor runs parallel and in close proximity to Beaver Brook. This makes it a significant source of groundwater infiltration and concern for the potential discharges to surface water.

The requested change order will allow us to extend this year's scope an additional 1,600 feet, from Water Street to Marlboro Street. This will accelerate a portion of the work planned for 2022. No additional funding is requested. The Change Order is covered by the amounts previously approved for Cost Center 08066.



City of Keene
Transmittal Form

June 21, 2021

TO: Finance, Organization and Personnel Committee

FROM: Elizabeth A. Dragon, City Manager

ITEM: 10.

SUBJECT: Municipal Services Agreement - Keene State College - City Manager

RECOMMENDATION:

That the attached Fourth Amendment to Municipal Services Agreement between the City of Keene and Keene State College be forwarded to the City Council with a recommendation to extend the term of the agreement for one additional year.

ATTACHMENTS:

Description

MSA agreement KSC

BACKGROUND:

In March 2015, the City and Keene State College entered into a Municipal Services Agreement relative to the cost of life safety services provided to the College by the City. The term of the original agreement expired on June 30, 2019; however, due to ongoing changes at KSC the parties wish to further extend the term of the agreement to June 30, 2022.

**FOURTH AMENDMENT TO
MUNICIPAL SERVICES AGREEMENT**

WHEREAS, **CITY OF KEENE** (the "City") and **KEENE STATE COLLEGE** (the "College") entered into a Municipal Services Agreement dated March 19, 2015 ("Agreement"), relative to the costs of life safety services provided to the College by the City; and

WHEREAS, the Agreement between the parties terminated on June 30, 2019; and

WHEREAS, the parties entered into First and Second Amendments ultimately extending the term of the Agreement to June 30, 2021; and

WHEREAS, the parties also entered into a Third Amendment further amending the Agreement to include the sharing of the cost to the City of a City employee to provide job related services beneficial to the City and to the College; and

WHEREAS, the parties wish for further extend the term of the Agreement for one (1) additional year ending on June 30, 2022.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the City and the College agree as follows:

1. Amend Paragraph 8 of the Agreement, as amended, by deleting it in its entirety and replacing it with the following new paragraph:

8. The term of this Agreement, as amended, shall be for one (1) year commencing on July 1, 2021, and terminating on June 30, 2022. The City and the College will work cooperatively to have a successor agreement negotiated and executed no later than June 30, 2022.

2. All other provisions of said Agreement shall remain in effect and be binding to the parties hereto.

IN WITNESS WHEREOF, the City and the College have signed this Fourth Amendment to Municipal Services Agreement between the City of Keene and Keene State College on this the ____ day of _____, 2021, in duplicate.

CITY OF KEENE

Witness

By: _____
Elizabeth A. Dragon, City Manager
Duly authorized

KEENE STATE COLLEGE

Witness

B: _____
Dr. Melinda Treadwell, President
Duly authorized



CITY OF KEENE

R-2021-19A

Nineteen

In the Year of Our Lord Two Thousand and
Authorizing the Condemnation of Land for the Winchester Street

A RESOLUTION
Reconstruction Project

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

WHEREAS, the Keene City Council has determined that Winchester Street, between New Hampshire Route 10/12/101 and the Winchester Street bridge over the Ashuelot River, including the intersection with Pearl Street and Island Street and the Island Street bridge over the Ashuelot River, is in need of improvement; and

WHEREAS, Mayor Kendall Lane nominated, and the Council accepted, an ad-hoc steering committee on July 7, 2016 to provide planning, guidance and general direction for the Winchester Street Reconstruction Project, in partnership with affected residents, local business interests, the city staff and the New Hampshire Department of Transportation; and

WHEREAS, the Winchester Street Reconstruction Project Ad-Hoc Steering Committee conducted several public meetings between August 2, 2016 and December 13, 2016 to obtain public input, review the design consultant’s work product and develop a recommendation to the City Council; and

WHEREAS, on December 13, 2016, the Winchester Street Reconstruction Project Ad- Hoc Steering Committee voted unanimously to recommend a roundabout alternative as the preferred method of reconstructing the Key Road and Island Street / Pearl Street intersections; and

WHEREAS, the Keene City Council and the Council Standing Committees known as the Municipal Service, Facilities and Infrastructure Committee, met on several occasions between January 19, 2017 and February 2, 2017 in order to review and hold public discussion on the reconstruction of the Winchester Street; and

WHEREAS, as a result of such review and discussion on February 2, 2017, the Keene City Council voted to select roundabouts as the appropriate design to provide the necessary improvement to Winchester Street, and authorized the City Manager to do all things necessary for the implementation of that design; and

Whereas, a necessity exists to acquire land for the reconstruction of Winchester Street, as designed; and

WHEREAS, pursuant to such authority the City Manager, acting through the City’s consultant, entered into negotiations with the owners of twelve (12) parcels of land impacted by the project, said parcels and impacts being more particularly described in a plan prepared by GM2 Associates, Inc., dated 7/8/2020, and certified 8/11/2020, entitled “Right of Way Plan of a portion of Winchester St. in Keene, NH”, a copy of which is attached hereto; and

PASSED

WHEREAS, as a result of said negotiations, the City Manager has acquired, or has been informed of the property owner's intent to provide, the necessary property rights from the owners of eight (8) of the twelve impacted parcels; and

WHEREAS, the required property rights over portions of the following properties were acquired through the Eminent Domain procedure pursuant to Resolution R-2020-36:

| Owner | Parcel No | Required Property Rights |
|------------------------|-----------|--|
| A.R. Sandri Trust, LLC | 111/026 | 55 square feet (permanent) 605 square feet (temporary) |
| A.R. Sandri Trust, LLC | 111/027 | 1,005 square feet (permanent) 3,155 square feet (temporary) |
| Keene Retail, LLC | 111/028 | 605 square feet (permanent) 735 square feet (temporary) |

and;

WHEREAS, the City Manager made every reasonable effort to negotiate with the owner of the following parcel, but has been informed that they are unable to voluntarily sell the required property rights due to lease and mortgage restrictions

| Owner | Parcel No | Required Property Rights |
|-----------------------------|-----------|---|
| Riverside Improvements, LLC | 111/004 | 740 square feet (permanent) 14,605 square feet (temporary) |

and;

WHEREAS, the design of the reconstruction project makes it necessary to acquire said property rights from the remaining property in order to complete the project without increasing the overall impacts on adjacent property owners; and

WHEREAS, on May 6, 2021, the Keene City Council, at its regularly scheduled meeting, received a Petition to Acquire Property by Eminent Domain for Highway Purposes; and

WHEREAS, on May 6, 2021, the Mayor scheduled a public hearing of the Keene City Council to be held on June 17, 2021, in order to hear testimony of interested parties relative to whether the Keene City Council shall exercise its authority to acquire the necessary property rights by condemnation for highway purposes, pursuant to RSA 498-A, and the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231.

WHEREAS, the Keene City Council held a duly noticed public hearing on June 17, 2021, at the site of the proposed condemnation and at City Hall, 3 Washington Street, Keene, New Hampshire, in order to hear testimony from interested parties relative to whether there exists the necessity to acquire property rights by condemnation, if necessary, for highway purposes, pursuant to the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231; and

WHEREAS, the Keene City Council heard testimony from interested parties at the public hearing; and

WHEREAS, based upon the testimony received at the June 17, 2021 public hearing, the Petition to Acquire Property by Eminent Domain for Highway Purposes, and the prior and subsequent review and public discussion regarding the reconstruction of the Winchester Street, the Keene City Council has voted to find that necessity exists to acquire land by condemnation, for the above-stated purpose, pursuant to RSA 498-A, and the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231; and

WHEREAS, based upon the testimony received at the June 17, 2021 public hearing, the aforementioned Petition, and the prior and subsequent review and public discussion regarding the reconstruction of Winchester Street, the Keene City Council has also voted to find that the property rights to be so acquired, and the improvements to be constructed thereon, constitute a public use and provide a net public benefit;

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

- a. That there is a necessity to take portions of the above-referenced land for a public purpose; and
- b. That the taking of portions of the above referenced land will provide a net-public benefit; and
- c. That the City Manager has made reasonable efforts to negotiate with owners of said parcels for the voluntary acquisition of said property rights; and
- d. That the City Manager is hereby authorized to initiate eminent domain proceedings pursuant to RSA 498-A, and under the authority granted by RSA 31:92, and in accordance with the procedures set forth in RSA 231, in order to condemn portions of the above-listed parcels for the reconstruction of Winchester Street; and
- e. That, in exercising the authority herein granted, the City Manager is directed to:
 1. Follow the procedure defined in RSA 498-A:4 thru 7, effecting the acquisition of land, including, but not limited to, RSA 498-A:4, III(b); and
 2. Cause a Declaration of Taking to be filed with the New Hampshire Board of Tax and Land Appeals and a Notice of Condemnation to be filed in the Cheshire County Registry of Deeds; and
 3. Do all things necessary in accordance with RSA 498-A in order to perfect the acquisition of the aforementioned property by eminent domain, unless the Condemnees shall, prior to such filings, consent to the voluntary transfer of said property rights by suitable conveyance to the City of Keene.

George Hansel, Mayor



City of Keene
Transmittal Form

June 15, 2021

TO: Mayor and Keene City Council

FROM: James Weatherly, Southwest Region Planning Commission

THROUGH: Patricia A. Little, City Clerk

ITEM: 12.

SUBJECT: Relating to Approving an Application for CDBG Funds

COUNCIL ACTION:

In City Council June 17, 2021.

Referred to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description

Communication_Weatherly

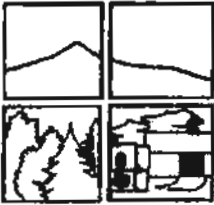
Resolution R-2021-31

Housing and Community Development Plan

Anti-Displacement and Relocation Assistance Plan

BACKGROUND:

The Southwest Region Planning Commission has submitted an application for Federal Community Development Block Grant funds to the NH Community Development Finance Authority to be sub-granted, less administration costs, to Monadnock Family Services to assist with the relocation and centralization of their services in Keene.




Southwest Region Planning Commission

37 Ashuelot Street, Keene, NH 03431 603-357-0557 Voice 603-357-7440 Fax

DATE: JUNE 15, 2021

TO: THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM:  JAMES WEATHERLY, PLANNING TECHNICIAN

THROUGH: ELIZABETH A. DRAGON, CITY MANAGER

RE: PROPOSED APPLICATION FOR CDBG FUNDS: MONADNOCK FAMILY SERVICES RELOCATION

Recommendation: That the City Council adopt the attached resolution approving an application for federal Community Development Block Grant (CDBG) funds to the NH Community Development Finance Authority (CDFA); and further, to adopt the Anti-Displacement and Relocation Assistance Plan specific to this project and re-adopt the City's Housing and Community Development Plan as updated.

Proposed application: The proposal is to request up to \$500,000 in CDBG Public Facility funds to be sub-granted, less administration costs, to Monadnock Family Services to assist with the relocation and centralization of their services in Keene. The project will provide funds for the acquisition of a property in the City of Keene to centralize the organization's behavioral health services increasing efficiency for the over 2,500 clients served each year. The total project budget is estimated at \$6.5 million.

Public Hearing and Schedule: The CDBG application is due on July 26, 2021. Three public hearings will be scheduled for July 1, 2021 for the following purposes:

1. Public hearing for the Monandock Family Services Relocation project.
2. Public hearing to adopt the Anti-Displacement and Relocation Assistance Plan specific to this project.
3. Public hearing to re-adopt the City's Housing and Community Development Plan.



CITY OF KEENE

R-2021-31

Twenty-One

In the Year of Our Lord Two Thousand and

APPROVING AN APPLICATION FOR CDBG FUNDS

A RESOLUTION

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

WHEREAS, the City of Keene has stated as one of its Community Goals to make available, efficiently delivered and coordinated supportive services to meet the needs of its citizenry; and

WHEREAS, Monadnock Family Services provides crucial mental health and behavioral health services to primarily low- and moderate-income residents of the Monadnock Region; and

WHEREAS, the U.S. Department of Housing and Urban Development has established a Community Development Block Grant Program which is administered within the State of New Hampshire by the Community Development Finance Authority; and

WHEREAS, if awarded, the Community Development Block Grant would provide up to \$500,000 to be sub-granted, less administration costs, to Monadnock Family Services for the acquisition and rehabilitation of a centralized facility for their services in Keene.

NOW, THEREFORE, BE IT RESOLVED that the City Council approves and supports the City's grant application to the New Hampshire Community Development Finance Authority for an amount up to \$500,000 in Community Development Block Grant funds; that the City will adopt the Residential Anti-Displacement and Relocation Assistance Plan specific to this project; that the City will re-adopt the Housing and Community Development Plan, as updated; and that the City will accept the grant if it is approved and enter into a contract with the New Hampshire Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the contract.

In City Council June 17, 2021.
Referred to the Finance, Organization
and Personnel Committee.

George S. Hansel, Mayor


Patricia Cuthbert
City Clerk

CITY OF KEENE

HOUSING AND COMMUNITY DEVELOPMENT PLAN

The Housing and Community Development Plan goals reflect those goals outlined in the City's past community visioning exercises, community goal statements, and planning documents. The Housing and Community Development Plan is divided into five sections: the Downtown, Housing, Economic Development, Health and Human Services, and CDBG Impact Area. Each section describes the existing conditions, and specific short and long-term actions which would be implemented to alleviate the needs.

The Plan's goals and objectives are identified below and are consistent with the National Housing and Community Development Act of 1974, as amended, and the State's objectives listed in the Community Development Block Grant Program Rules (Cdfa 305.01 and 310.01.) Both short- and long-term goals and objectives are included. Priority will be given to the needs of low- and moderate-income persons, minorities and disadvantaged persons.

THE DOWNTOWN

The Downtown Section of the Comprehensive Master Plan emphasizes the long-term goal of preserving the downtown as the social, economic and cultural center of the community:

"We will maintain the distinctive, historic and scenic character of our downtown while ensuring that it remains the heart of our community and the region." This includes having a downtown "that consists of a mix of uses where people can socialize, have access to services and retail that creates a vibrant city core."

The importance of Keene's downtown indicates that activities which support and enhance the vitality of the area will receive priority in the City budget process, and where possible, in Community Development projects.

The land use plan for the downtown area revolves around the basic concept of retail and service center flanked to the north by a government center, and to the south by Keene State College (KSC). The downtown area should be surrounded by and integrated with high-density residential uses that complement the downtown area, fulfill the demand for residential units within walking distance of services, and create 24-hour activity. The warehousing and industrial uses in the immediate downtown area are continuing to convert to uses more compatible with the central business district.

The development of Keene's downtown area has followed the Plan. Main Street remains the central shopping core-the service and retail area with parking facilities located behind the stores. The ground floors are occupied by retail shops. The north end has many offices, government facilities, and the Greater Keene Chamber of Commerce. Public improvements to

Main Street have been accomplished. This work, which included improvements to traffic flow, sidewalks, lighting, and landscaping, has stimulated and been accompanied by major private improvements to the buildings on Main Street. The rehabilitation of buildings of historic significance, such as the Cheshire County Courthouse, City Hall, the United Church of Christ, the Chamberlain Block, and the Colony Block (Central Square Terrace), has contributed significantly to maintaining Central Square as the focal point of the community.

Substantial renovation of existing storefronts and downtown buildings began during the 1980's, and has continued since then. Formerly vacant space such as the Woodward building and two industrial buildings on Emerald Street were rehabilitated for residential, commercial or office use. Monadnock Economic Development Corporation (MEDC) rehabilitated the former Woolworths' building into office and retail space. In addition, it assisted a hotel developer to rehabilitate the adjacent E. F. Lane Block into a downtown hotel.

Keene's downtown area is a major source of housing for city residents. From 1975 through 2016, a variety of federal funding programs were used to greatly increase the amount of affordable and subsidized housing for elderly and disabled persons and families in the downtown area. These include: the Cleveland Building, Central Square Terrace, Eastside Housing, Bennett Block, the Chamberlain Block, Railroad Square Senior Housing, and CitySide Family Housing.

A major short-term goal for the downtown area is the completion of the redevelopment of the railroad yard which was acquired by the City, and then sold to MEDC in 2006. MEDC has undertaken an ambitious project for this area and has completed the development of a new hotel, an office building with residential condominiums, and the infrastructure necessary to support these uses. Southwestern Community Services has developed Railroad Square Senior Housing and CitySide Apartments, creating a total of 48 new apartments for low and moderate income households. In 2013, the Monadnock Food Cooperative opened on this site creating 35 new jobs. The railroad yard is being reclaimed from a neglected and deteriorating site to a mix of successful residential and commercial opportunities. Short-term goals include additional residential and commercial development creating both housing and employment opportunities.

The Plan also included the redevelopment of the former Wright Silver Polish building adjacent to the railroad yard. This building was rehabilitated and is now occupied by the offices and Head Start program of Southwestern Community Services. The City developed an Industrial Heritage trail along the former railroad tracks. The City continues to monitor the parking situation in the downtown area. A two-level parking garage was constructed on the east side of Main Street in the late 1990's.

HOUSING

For many years, Keene's biggest housing problem was the severe shortage and resulting high costs of housing in Keene. During the 1980's, Keene's vacancy rate was at 1% or 2%. The unusually tight housing market was caused by the lack of on-campus housing for KSC students and strong commercial growth accompanied by the state's lowest unemployment figures. As a result, it had been relatively easy to find a job in Keene (although it might be a low-paying job with no benefits) but very difficult to find affordable housing.

During 1990, that situation changed slightly with the construction of a 300-bed dormitory by KSC and a softening commercial sector with fewer jobs. For a time, the apartment vacancy rate was a more normal 5% or 6%, but many families and individuals still had great difficulty paying for their housing. Rents leveled off, but never decreased significantly except in the highly inflated apartments surrounding KSC. Because there was a high turnover of apartment buildings during the late 1980's, many landlords had high mortgage payments and could not afford to reduce rents.

By 1999, the situation had reversed itself and the housing shortage was again as severe as it was during the 1980's. The vacancy rate went down and rents increased. A fourth transitional housing shelter was opened for families. CDBG funds were used in 2000 to rehabilitate an attractive historic property for use as a men's shelter; this property has since undergone a more extensive rehabilitation using CDBG funds. In 2010, CDBG funds were used to open transitional housing for formerly incarcerated persons. The shelters and the transitional housing are full at all times.

Since 1988, the City has emphasized the concept of "permanently affordable" housing. While this does not rule out all assistance to private landlords, it places a much higher priority on funding projects owned by nonprofit organizations or Keene Housing. Since 1988, several CDBG housing grants have been utilized to assist Cheshire Housing Trust, an organization created to acquire and create permanently affordable housing for lower income persons. This includes a 19-unit rooming house located in downtown Keene. Beaver Mills is another example of the use of CDBG funds to assist in the development of permanently affordable housing. Since 2000, Southwestern Community Services has developed 40 apartments at Highlands, and Keene Housing has developed 57 apartments at Stone Arch Village, both using CDBG and Low Income Housing Tax Credits. Monadnock Family Services has used CDBG funds to build three apartments for families affected by mental illness. Southwestern Community Services has utilized CDBG and Low Income Housing Tax Credits to build 24 units each of senior and family housing in the railroad area.

A more recent problem is the need and difficulty of maintaining permanently affordable housing, especially when it is located in older or historic properties. Cheshire Housing Trust has successfully completed a CDBG program to make improvements to some of its affordable

housing located in older buildings. Keene Housing completed a project to transform its public housing for seniors and families with a new funding source, thus gaining money for necessary improvements and escaping the funding problems of the public housing program. The former Cheshire Homes has completed a redevelopment, now known as Brookbend East and Brookbend West. These 75 subsidized and affordable units could not be brought up to current standards and were, therefore, in need of complete replacement on the existing site. Both the Brookbend West and Brookbend East sites are completed and occupied. CDBG funds have been used to make essential improvements at Central Square Terrace and Meadow Road Apartments. Maintenance of permanently affordable housing continues to be both a short-term and long-term goal.

CDBG funds were used for a Feasibility Study in 2010 of the utilities at the Base Hill Cooperative, a resident-owned manufactured housing park. During the feasibility study, it became apparent that the principal problem was the substandard and deteriorating on-site sewer system. CDBG funds were awarded to the Cooperative in 2013 to replace the on-site failing sewer system. The CDBG project made a permanent improvement to the Cooperative's system, making it code compliant and eliminating health and sanitation issues. In a separate project, the City replaced the City-owned sewer connection line. This project was successfully completed in 2014.

In 2010, the Planning Board adopted a new Housing Plan which is incorporated herein by reference. Goals in the Plan includes:

- Have a variety of housing options available that are affordable, accessible, eco-efficient, and supportive of varied lifestyles.
- Have housing that is located in proximity to basic services and transportation options and is adaptable, over time, to changes in technology, climate and demographics.
- Have housing that uses innovative technologies and green building standards that improve energy efficiency and conserve resources.
- Have a majority of rental housing be locally owned and maintained.
- Increase owner-occupied housing.
- Achieve, with the support of the institutions of higher education, a balanced ratio between student and citizen housing in neighborhoods which surround these institutions. Improve student rental stock in surrounding neighborhoods so that they are well maintained and a benefit to neighborhood quality of life.

ECONOMIC DEVELOPMENT

As a long-term Community Development goal, land that lends itself to manufacturing should be preserved to provide areas for this use which add value to a product, provide labor intensive employment and bring dollars into the community. For a strong economic base, a balance between non-manufacturing and manufacturing industries needs to be maintained. In

accordance with the Land Use Plan, the City installed sewer, water and roads to open up development of 300 acres in the Black Brook area for corporate park use. MEDC has been extraordinarily successful in locating businesses for this area. Short-term goals now include filling the remaining industrial sites at Black Brook, and filling the few remaining privately owned industrial sites and buildings. In order to help attract C & S to Black Brook, the City seriously examined the need for childcare in the Black Brook corporate park. This was accomplished by the YMCA development of a new recreation and childcare facility on land donated by C & S.

Samson Manufacturing moved its manufacturing to Black Brook North renting an existing building owned by MEDC. CDBG funds were used to make leasehold improvements and to purchase equipment for Samson to relocate to Keene and for the business expansion. This grant successfully brought 10 jobs with the company and created an additional 25 new jobs in Keene. MEDC has used CDBG funds to expand the building at 4 Forge Street, Keene. The additional space has allowed Samson to introduce a new process (anodizing), expand their business offerings, and create an additional 25 new jobs. Construction was completed in 2015, and the project has met its job creation goal. In 2015, MEDC used CDBG funds to make a loan to help Tree Free Greetings renovate an existing empty manufacturing building on Krif Road in Keene. Tree Free Greetings had purchased the building but needed a loan to make it suitable for its greeting card business. This project resulted in 15 new jobs and allowed the company to expand its products.

Another economic development goal is the expansion of training opportunities, especially for at-risk or disabled individuals and for youth who do not go to college. This needs to be coordinated with the needs of local employers.

An additional economic development goal is to assist new and existing businesses obtain financing to start up and/or expand, increasing the number of jobs available.

The 1993 Economic Development Plan made a number of findings and recommendations. Some, including the development of the Black Brook corporate park, have been largely accomplished, but others are still relevant:

- The public and private sector need to work together in a concerted, professional effort to attract new industries and to encourage those industries already located here to remain and expand.
- Orderly retail and other commercial growth should be encouraged within the highway bypass system.
- The City should work with Cheshire Medical, Keene Clinic, Keene State College, Antioch University and others to allow their expansion to meet growing needs of these

institutions in the community.

- Keene should cooperate with other towns in Cheshire County to address regional issues including traffic, solid waste disposal and housing which have a bearing on the economic development of the area.
- The City should support the private sector in its tourism outreach.
- The City should keep up with technological advances in communication and other fields.

The 2010 Vision process resulted in additional short and long-term goals for economic development and employment:

- Have a vibrant, resilient, environmentally sound and sustainable economy that fosters individual economic well-being.
- Provide investment programs for small business development, to allow them to grow and thrive.
- Have a strong, local food-based sector of our economy that connects local farms to businesses and the community in various ways, such as through a food co-op and farmers market.

HEALTH AND HUMAN SERVICES

The major goal listed in the Health and Human Services section of the Community Goals Statement is:

To make available to all the people in the region the best possible health care and comprehensive, efficiently delivered and coordinated preventive and supportive services and opportunities, all designed to nurture and meet the needs of our citizenry and to encourage and allow all people to live with dignity and self-sufficiency.

Included in this goal is prevention education in areas such as sanitation, nutrition, substance abuse, smoking HIV/AIDS, dental care, and parenting.

CDBG funds have been used to improve public service facilities for low and moderate-income residents of the entire county, including the completion of the Community Kitchen, and improvements at Keene Day Care Center, the YMCA's day care program, Southwestern Community Services' program for developmentally disabled persons, and the Keene Senior Center. In addition, *Rise...for baby and family* completed the construction and rehabilitation of its facility on Washington Street. Home Health Care, Hospice and Community Services (HCS) completed the rehabilitation of an old mill into a 30,000 s.f. center for its offices, the program to provide day care to elderly and disabled persons in need of that service (Castle Center) and a

hospice center. Monadnock Family Services purchased a building on Main Street to provide a stable place from which to provide services. Monadnock Developmental Services leased and then purchased a large space in Beaver Mills in order to provide its services for developmentally disabled persons. A transitional housing facility for persons leaving Cheshire County House of Correction opened in 2013.

Short-term and long-term objectives for additional public service facilities improvements include:

- Adequate, permanent and stable facilities for Keene’s mental health and substance abuse programs, including but not limited to transitional housing;
- improvements to the Community Kitchen;
- increased and accessible space for service organizations to accommodate need, preferably coordinated with Monadnock United Way.

CDBG IMPACT AREA

As part of its Housing and Community Development Plan, the City established a “CDBG Impact Area” in the downtown area and the neighborhoods to the immediate east and north of the downtown. This area has a large percentage of low- and moderate-income residents, has seen substantial benefits from CDBG and other federally funded projects, and is the likely location of many future CDBG and other redevelopment projects. The characteristics of this area are outlined below:

Location

The boundaries of the area are shown on the attached map. In general, the area includes both sides of Main Street in the downtown area. It extends north a few blocks into the neighborhood bounded by Washington and Court Streets, and it extends into the multi-family areas located east of the downtown area. Based on the need for continuing rehabilitation and redevelopment, the City designated this area as a CDBG Impact Area. The attached map also shows the location of the Community Kitchen facility for an application in the January 2020 Public Facilities round.

Low and Moderate Income Residents

As described in the Downtown section of the Plan, federal funds have been used on numerous occasions over a period of thirty plus years to construct and rehabilitate housing for low and moderate-income persons in this area, especially elderly and disabled persons. Although millions have been invested in building and street improvements, the area has not been gentrified; it has a far higher concentration of low and moderate-income residents than it did when the process began.

There are at least 740 households in this area. Including both permanent housing and the two housing shelters in the area, at least 322 low or moderate income households are in this area. Due to the number of subsidized and affordable units in the CDBG impact area, documentation of low or moderate income residents can be established Keene Housing and used as necessary to provide documentation for grant applications for projects in this area. Updated low and moderate income information for the CDBG impact area will be updated and submitted for future CDBG applications as needed.

Subsidized housing in this area includes the following properties owned or managed by Keene Housing: Central Square Terrace, Bennett Block, and 17-19 Roxbury Court. Two shelters are also located in this area at on Water Street and Roxbury Street, which are owned and operated by Southwestern Community Services. In addition, the Cleveland Building is a privately-owned subsidized apartment building. Southwestern Community Services has acquired a property on Elm Street for use as transitional housing, and Cheshire Housing Trust owns a building rehabilitated with CDBG funds at 86 Winter Street. Southwestern Community Services owns 30 apartments at Beaver Mills developed with Low Income Tax Funds and CDBG funds, 24 apartments at Railroad Square Senior Housing, and 24 workforce apartments at the CitySide development on Water Street. Cheshire Housing Opportunities owns group homes on Emerald Street and Spring Street. CDBG funds have been used to rehabilitate privately owned apartments on Spring Street, Main Street, Church Street, Elm Street, Water Street, and Roxbury Street.

Characteristics of Buildings in the Area

This area contains much of the oldest housing in Keene, with many units built before 1900. Until the Beaver Brook Dam was built in 1984, the area east of Main Street suffered from flooding once or twice a decade. Many of the properties in this area have participated in CDBG programs--and there is still a substantial need for rehabilitation. The same is true of Central Square and Main Street where most of the presently existing structures were built between 1880 and 1920. The area which has seen the most recent redevelopment is the railroad yard and adjacent buildings and formerly vacant lots on Water Street. The most problematic building was the rear of the Latchis Theater, but this has been razed and was redeveloped by the County into a parking area to serve the Courthouse. The current area most in need of redevelopment is the former Keene Middle School on Washington Street and the former Keene Family YMCA on Roxbury St. The area also contains many fine historic buildings.

Economic Development and Social Services in area

The CDBG Impact Area has many social services for families and individuals of all ages, including but not limited to those shown on the following table:

| Economic Development and Social Services in project area | Address | Type of service |
|--|---------------------|--|
| Monadnock Family Services | 64 Main Street | Mental health services and administrative offices |
| Monadnock Family Services | 93rd Street | Services for persons with long-term mental illness |
| Monadnock Developmental Services | Railroad Street | Services for persons with developmental disabilities |
| Community Kitchen | 37 Mechanic Street | Meals and pantry boxes for low-income persons |
| Center for Violence Prevention | 12 Court Street | Services for victims of domestic abuse |
| City of Keene Human Services Dept | 3 Washington Street | Cash assistance and services for low-income persons |
| Men’s shelter | 139 Roxbury Street | Emergency shelter for males |
| Transitional family | 29 Elm Street | Transitional housing for families and women |
| Salvation Army | Roxbury Place | Assistance for low income persons |
| Marathon House of Keene | Roxbury Street | Services for persons with substance abuse problems |
| AIDS Services of Monadnock | Center Street | Prevention and services for HIV-positive persons |
| Samaritans | Roxbury Street | Suicide prevention agency |
| Phoenix House | Roxbury Street | Substance abuse programs |
| Rise for Baby and Family | Washington Street | Special education services |
| Familystrength | Roxbury Street | Human Services |
| Southwestern Community Services | Community Way | Housing, Child Care, Fuel Assistance |
| Monadnock Economic Development Corp | Railroad Street | Economic Development |
| NH FastRoads | Railroad Street | Open Access Internet Network |
| Monadnock Food Cooperative | Cypress Street | Community Centered Market |
| Head Start | Community Way | Pre School low-mod families |
| MAPS Counseling Services | 19 Federal Street | Assisting families to find answers to life’s problems |
| Monadnock United Way | 23 Center Street | Works with providers to identify and address emerging issues |
| New Hope New Horizons | Community Way | Assistance developmentally disabled adults |
| Hannah Grimes Center | Roxbury Street | Assists development of small business & entrepreneurs |

Other Public Services in Area

In addition to economic and social services, the area has many other public services and governmental agencies:

| | |
|---|---|
| Keene Fire Department (new in 2013) | Vernon Street |
| Keene District Court | Winter Street—relocated to new Courthouse in 2014 |
| Cheshire County Superior and Probate Courts | Winter Street—relocated to new Courthouse in 2014 |
| Victims advocates | Court Street |
| Cheshire County Human Services | West Street |
| Public Defender Program | West Street |
| Social Security Administration | Mechanic Street |

Past CDBG Projects in CDBG Impact Area

| CDBG Year | Project | Purpose |
|-----------|------------------------|--|
| 1982 | Central Square Terrace | 90-unit Section 8 elderly rehabilitation |
| 1984 | Housing Rehabilitation | Rehabilitation of privately owned apartments |
| 1984 | Beaver Brook Dam | Reduce flood damage in east Keene |

| | | |
|---------|-------------------------------|---|
| 1985 | Social Service building | Not funded; would have moved Monadnock Family Services and Southwestern Community services to railroad yard; this has since been accomplished |
| 1986 | Housing Rehabilitation | Includes mental health group home at 139 Roxbury St, Church Street, Main St, and Water Street |
| 1988 | Housing Rehabilitation | Cheshire Housing Trust: Dover Street |
| 1991 | Affordable housing | CHT Latchis, shelter |
| 1993 | Bagel Works | Economic Development for downtown business |
| 1994 | Chamberlain Block | Rehabilitation of downtown block with 12 apartments |
| 1995 | Social Service facilities | Community Kitchen, YMCA child care |
| 1996 | Keene Senior Center | Immediately outside area but serves residents |
| 1997 | Community Kitchen | Construction of pantry for community kitchen |
| 1998-99 | Beaver Mills | Rehabilitation of old mill to create 30 senior apartments |
| 2000 | Two Group Homes | Rehab of group home and men's shelter |
| 2001 | Hampshire House | CHT: Acquisition and rehab of rooming house |
| 2003 | Vision Financial | Economic development for downtown business |
| 2007 | SCS Senior Housing | SCS: Railroad Square Senior Housing |
| 2007 | SCS Head Start | Cheshire County: SCS Head Start in Wright building |
| 2005 | Railroad yard/Hotel | MEDC: Development of infrastructure and hotel |
| 2006 | Wright/First Course | MEDC: Purchase of Wright Silver Polish/First Course |
| 2008 | Central Square Terrace | KHA: Rehab of 90 units of elderly housing |
| 2009 | CitySide Family Housing | SCS: Construction of 24 affordable units for families |
| 2010 | Cheshire Housing Trust | Rehabilitation of permanently affordable apartments |
| 2010 | Vision Financial | MEDC: Loan to Vision Financial Corporation |
| 2010 | EF Lane Hotel | MEDC: Rehabilitation of EF Lane Hotel |
| 2011 | Hannah Grimes MicroEnterprise | Training and technical assistance to microentrepreneurs |
| 2011 | Monadnock Food Cooperative | MEDC: Construction and Lease of Food Coop Building |
| 2012 | Hannah Grimes MicroEnterprise | Training and technical assistance to microentrepreneurs |
| 2016 | MAPS Counseling Relocation | Relocation of MAPS Counseling to the UCC building |
| 2017 | The Community Kitchen | Improvements to the Community Kitchen facility |
| 2017 | Hannah Grimes MicroEnterprise | Training and technical assistance to microentrepreneurs |

DISPLACEMENT AND RELOCATION POLICY FOR THE CITY OF KEENE

It is the policy of the City of Keene that the involuntary displacement of households from their neighborhoods should be minimized. The City of Keene does not usually undertake activities that would cause the permanent displacement of households or businesses. When it is impossible to accomplish the project without permanent or temporary displacement and relocation, the City certifies that it shall comply with the Uniform Relocation Act and Section 104(d) of the Housing and Community Development Act of 1974, as amended.

Elizabeth A. Dragon
City Manager

Signature: _____

Date adopted by City Council: July 1, 2021

History of Housing and Community Development Plan

Originally prepared by Keene Planning Department and adopted by City Council, about 1984
This version updated: July, 2021

Most recent date adopted or readopted by City Council and submitted to CDFA:

1. December 17, 2009, submitted with YMCA application.
2. March 18, 2010, submitted with Vision application.
3. May 20, 2010, submitted with FastRoads application.
4. July 15, 2010, submitted with Cheshire Housing Trust application.
5. January 20, 2011, submitted with Brookbend (Cheshire Homes) application.
6. April 2011, submitted with Monadnock Community Market Cooperative application.
7. May 2011, submitted with Hannah Grimes Micro Enterprise application.
8. December, 2011, submitted with Hannah Grimes 2012 application.
9. January, 2012, submitted with Base Hill Cooperative application.
10. July, 2012, submitted with Base Hill Cooperative application.
11. January 2013, submitted with Base Hill Cooperative application.
12. September 2013, approved by City Council for Samson Manufacturing application.
13. November 2013, submitted with Meadow Road Apartments application.
14. February 2014, submitted with Samson Manufacturing Expansion application.
15. October 2014, submitted with MEDC: Social Services Building planning application.
16. October 2014, submitted with MAPS Counseling Services planning application.
17. December 2014, submitted with Keene Housing Shelter Rehabilitation application.
18. April, 2015 submitted with MEDC Tree Free Greetings revised application.

19. December, 2015, submitted with MAPS Counseling Services application.
20. April, 2016, submitted with Monadnock Area Peer Support Agency Feasibility study
21. August, 2016, submitted with MamaSezz application.
22. November, 2016, submitted with Community Kitchen application.
23. December, 2019, submitted with the Community Kitchen application.
24. July, 2021, to be submitted with an application for Monandock Family Services.

CITY OF KEENE
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Every effort will be made to minimize temporary or permanent displacement of persons due to a project undertaken by the municipality.

However, in the event of displacement as a result of a federally funded award, the City of Keene will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntary and permanently displaced.

If the property is acquired, converted, or demolished, but will not be used for low/moderate income housing under 104 (d) of the Housing and Community Development Act of 1974, as amended, the Residential Anti-Displacement and Relocation Assistance Plan shall provide that before obligating and spending funds that will directly result in such demolition or conversion, the City will make public and submit to CDFA the following information:

- a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;
- b. A description of the proposed activity;
- c. The general location on a map and approximate number of dwelling units by number of bedrooms that will be demolished is converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
- d. A time schedule for the commencement and completion of the demolition or conversion;
- e. The general location on a map and approximate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;
- f. The source of funding and a time schedule for the provision of replacement dwelling units;
- g. The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;
- h. Relocation benefits for all low- and moderate-income persons shall be provided, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:
 1. Sufficient compensation to ensure that, for at least five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or
 2. If elected by a family, a lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above to permit the household to secure participation in a housing cooperative or mutual housing association, or a Section 8 certificate or voucher for rental assistance provided through New Hampshire Housing Finance Authority.
- i. Persons displaced shall be relocated into comparable replacement housing that is decent, safe, and sanitary, adequate in size to accommodate the occupants, functionally equivalent, and in an area not subject to unreasonably adverse environmental conditions;
- j. Provide that person displaced have the right to elect, as an alternative to the benefits in subparagraph 2. Above, to receive benefits under the Uniform Relocation Assistance and Real Property acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so.
- k. The right of appeal to the executive director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.

- I. Paragraph a. through k. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

CERTIFICATION OF COMPLIANCE

The City of Keene anticipates no residential displacement or relocation activities will be necessitated by this project.

Should some unforeseen need arise, the City certifies that it will comply and will require the Subrecipient to comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.

| | |
|--------------------------|------------------|
| Municipal Official Name: | Elizabeth Dragon |
| Title: | City Manager |
| Signature: | _____ |
| Date of Adoption: | July 1, 2021 |



City of Keene
Transmittal Form

June 15, 2021

TO: Mayor and Keene City Council

FROM: Merri Howe, Finance Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 13.

SUBJECT: Relating to the Establishment of an Opioid Litigation Settlement Revolving Fund Pursuant to RSA 31:95-h for the Purpose of Receiving Opioid Litigation Settlement Funds and Expending Said Funds for Abatement Purposes to Fight an Opioid Epidemic

COUNCIL ACTION:

In City Council June 17, 2021.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

That Resolution R-2021-32 relating to the Creation of an Opioid Litigation Settlement Revolving Fund and acceptance of related revenue by the City Manager have a first reading in front of the City Council and that it be referred to the Finance, Organization and Personnel Committee.

ATTACHMENTS:

Description

Resolution R-2021-32

BACKGROUND:

The City of Keene has received the first opioid litigation settlement payment relating to the State of New Hampshire v. McKinsey & Company, Inc. in the amount of \$7,357.59. RSA 126-A:83, II requires 15 % of the \$2,762,394.75 received by the State of New Hampshire be distributed to those political subdivisions that filed their own complaint against opioid companies prior to September 1, 2019. Distribution amounts to the political subdivisions are based on the 2010 census figures.

In order to meet the settlement expectations of utilizing these funds for abatement purposes to fight an opioid epidemic, an Opioid Litigation Settlement Revolving Fund is needed to receive and expend the funds. The creation of a revolving fund will allow the revenues and expenditures associated with the settlement distribution to accumulate from year to year and are not considered part of the general fund.



CITY OF KEENE

R-2021-32

Twenty-one

In the Year of Our Lord Two Thousand and

Relating to the establishment of an Opioid Litigation Settlement Revolving Fund

A RESOLUTION pursuant to RSA 31:95-h for the purpose of receiving opioid litigation settlement funds and expending said funds for abatement purposes to fight an opioid epidemic.

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

That all revenues received in connection with the Opioid Litigation Settlement Fund Distribution pursuant to RSA 126-A:83, II as it relates to State of New Hampshire v. McKinsey & Company, Inc., et al., be accepted by the City Manager and deposited into the revolving fund for the purpose of paying expenses associated with fighting the local opioid epidemic. The Opioid Litigation Settlement Revolving Fund shall be allowed to accumulate from year to year, and shall not be considered part of the City's general fund balance.

George S. Hansel, Mayor

In City Council June 17, 2021.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk