

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, June 24 , 2021

6:30 PM

Council Chambers B

Members Present:

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

Members Not Present:

All Present

George S. Hansel, Mayor

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Merri Howe, Finance Director
Patty Little, City Clerk
Duncan Watson, Asst. Public Works
Director/Solid Waste Manager
Aaron Costa, WWTP Operations Manager
Christian Tarr, Maintenance Manager,
Utilities Maintenance Division
Don Lussier, City Engineer

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

1) Presentation - Melanson FY20 Audit

Finance Director Merri Howe began by introducing Ed Boyd CPA from Melanson Health. Mr. Boyd stated he is before the committee to discuss the results of the FY 2020 audit. He thanked all city staff for this audit especially completing the audit during a pandemic.

Mr. Boyd stated the books and records were in good working order, key accounts were reconciled on a timely basis and there was no disagreements in the application of generally accepted accounting principles. There were also no material weaknesses or significant deficiencies in internal controls. He noted the accountants issued an unmodified opinion, which means the financial statements are in accordance with generally accepted accounting principles.

Mr. Boyd stated based on the Comprehensive Annual Financial Reports this is the second year the City has received the certificate of excellence award.

Mr. Boys went on to say the City has a \$13.1 million fund balance in its general fund which is up over the prior year but this number is consistent across New England for the last fiscal year. In addition, the City continued to fund and utilize capital reserves netting to an increase in that reserve fund balance at about \$400,000. The City put in approximately 1.2 million and used about \$900,000 on fire equipment and recycling equipment.

The city's debt burden was very manageable. No new debt was issued during FY20. 92% of the City's governmental funds is going to be paid out over 10 years as well as 87% of the enterprise fund debt will also be paid out over 10 years. Mr. Boyd noted for credit rating agencies 75% is typically the good number.

For 2020, the net pension liability stayed flat at about \$34 million. Mr. Boyd explained what the net pension liability represents; it is the City's perspective unfunded portion of the financial retirement system liability. This is not represented in the general fund but on the long term accrual basis financial statements. With respect to these long term liabilities there is a plan in place; for the pension there is a funding schedule as of today that does go up to 2039 and the hope is that this liability will continue to go down as we get closer to that date.

Other Post-Employment Benefits (OPEB) which is primarily retiree health care went down to about 7.7 million, and even though retirees pay 100%, there is what is called an implicit subsidy which means essentially retirees bring on an added cost to the plan because of their participant data. Essentially it is an accounting mechanism to recognize that expense and the overall liability to the City.

From a short-term perspective and a long term perspective, as of June 30 2020 the City ended-up in a very favorable position. Mr. Boyd added entities such as Moody's and S&P have been changing their models and their focus has been on reserves, debt management and managing long term liabilities.

Chair Powers noted to page 122 and indicated the number of traffic lights has diminished greatly. Over time, so that's a little bit off which will certainly save the City some money in the long run.

Councilor Jones noted city councilors received two reports in their mailboxes at the same time and one talked about the City's collection rate for taxes, which was 98.6%. He felt this was an amazing number in the midst of a pandemic.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to accept the Melanson FY 20 Audit as informational.

2) Councilor Jones - Requesting a Declaration of Inclusion on Behalf of Keene City Councilors

Councilor Phil Jones noted last month the Council accepted a report from the Ad Hoc Racial Justice and Community Safety Committee. There was no objection from anyone from the public of this report. He also indicated there is also a Human Rights Committee of the City which has its goals outlined on the website and there are no objection raised regarding these goals. In 2017 the City Council adopted Council goals; Goal 4, specifically states the Council should encourage a diverse and inclusive culture. Page 112 of the City's Master Plan refers to diversity and diversity strategies, celebrating education about diversity, and creating an environment of tolerance. He noted the City's economic development plan also talks about using diversity as an economic tool.

He felt this topic is nothing new, the Declaration of Inclusion has been put in cities out west as well as in three cities in Vermont. The Councilor noted if this is approved, Keene will be the first in New Hampshire.

Councilor Jones explained how he envisioned the declaration of inclusion to be posted in various locations in the City. He indicated he would like this Declaration on a poster size piece of parchment paper. This Declaration will be signed by all 15 councilors and the Mayor and it would be part of a historical document. He suggested a copy of this Declaration hang in City Hall and one be given to Dottie Morris, Chief Officer Diversity and Multiculturalism, at Keene State College.

The language of the Declaration is as follows:

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 truly believe diversity makes us stronger.

Councilor Ormerod suggested adding diversity, equity and inclusion.

Councilor Jones referred to the supporting documents and asked based on those documents was the message received – he felt all of these past invitations were done with good intentions, but the word never really got out but felt this Declaration will have an impact.

He indicated what he is asking today is for staff to be directed to draft a Resolution endorsing the Declaration as presented.

Councilor Remy asked whether the Councilor will be open to this being referred to the Racial Justice and Community Safety Committee for comment. Councilor Jones stated the committee has already reviewed same.

Councilor Ormerod asked whether the Resolution would have the “Wherefore” and “Therefore” terms included in it. Councilor Jones stated this would be up to the City Attorney. Councilor Ormerod asked whether the supporting documents would be also be included. City Attorney Tom Mullins stated that would be the prerogative of this committee and the City Council as to how they want to draft the document; there is no particular requirement to have “whereas” statements. He indicated it seem like the intent is not to have this read less like a legal document, and hence leaving those terms out would be acceptable.

Councilor Jones noted the supporting documents were already on a public agenda that went before full City Council, hence the public has seen those documents.

Councilor Chadbourne stated her reaction was the same as Councilor Remy to have Dottie Morris and the Human Rights Commission weigh in on it. The Councilor noted this takes what we have talked about in the past one step further, and if it is placed in public areas, it raises

consciousness; it is a statement about not just this Council but the City. Having it displayed would be a constant reminder of what this City values. Councilor Jones felt it could be a historic document as well as a marketing tool for the college, companies etc.

Mayor George Hansel stated he wanted some background about what is going on since the Racial Justice Community Safety Committee issued their report. He indicated there is a lot of interest in diversity, equity and inclusion from all over the community. He indicated the report shows this is a community wide issue. He indicated one of the things they are working on which is being led by the hospital and the YMCA is to create a diversity, equity and inclusion coalition. All the members of the Racial Justice Community Safety Committee have been rolled into this new initiative and the goal is to hire a full time person to be working on this as a community wide initiative. The Mayor stated, his point to the Council is that this is about a decade or more of work that needs to happen in all kinds of different places in our community. He indicated making an anti-racist statement as a City Council is a good idea and commended Councilor Jones for bringing this forward.

He however, cautioned the Council that this is a community wide initiative. The City has allowed some really amazing leaders in the community to step up and lay out a path for diversity, equity and inclusion in Keene and he wanted to be cautious in and saying the Council is leading the way here as he did not feel that would be appropriate. The Mayor stated he could see adopting a Resolution or another way to make an anti-racist statement but he would be careful about the language. The Mayor suggested, instead of “we the City Council” perhaps to say “representatives of the entire community” or somehow more community based language be built in.

He stated he would also like to reiterate what Councilors Remy and Chadbourne said to put this in front of this new coalition as there are some who felt it should be tweaked. He commended Councilor Jones for proposing this item, but felt this is something important for the community.

Councilor Jones stated he has no issue with amending the language.

Councilor Hooper stated the important issue is educating the public about the importance of diversity. The problems that exists is the lack of education on the importance of diversity. He stated he agreed with the Mayor that this should be a message from the community as well as the Council. The Councilor felt Keene could be a leader in the State of New Hampshire on expressing the importance of treating everyone equally. He commended Councilor Jones for bringing this item forward.

Councilor Jones stated the manner in which this item could become an action item – he indicated for many years he has been invited to talk to 4th graders when they start learning about state and local politics. He indicated he talks about police, fire and DPW and felt this could be a document that he would also like to start presenting to those 4th graders and perhaps schools could start writing their own Declarations regarding diversity.

Councilor Remy stated he likes the Mayor's idea of bringing this in front of the new group that is coming. Councilor Chadbourne agreed and felt that body would be more in tune or in sync with

the broader community.

Councilor Ormerod stated he would like to go before this new committee to learn their thoughts and opinions so we can be better examples of how this works. He asked for clarification on timing. Mayor Hansel stated that group meets every two weeks, they have convened this week so he can put this on their agenda for two weeks and can invite this committee to attend.

The City Attorney asked whether the Mayor has a name for this committee, so it can be made part of the motion. The Mayor stated it is a working name, it is currently referred to as the Monadnock DEI Coalition.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend this item be referred to the tentatively named group Monadnock DEI Coalition for comment on form and language and who should be part of this process.

3) Relating to Approving an Application for CDBG Funds Resolution R-2021-31

This item was moved up in the agenda.

James Weatherly from Southwest Regional Planning Commission addressed the committee next and introduced Phil Isaac from Monadnock Family Services. Mr. Weatherly explained the item before the committee is an application for Community Development Block Grant funding, which would be submitted by the City of Keene. The applicant is requesting support of a project by Monadnock Family Services. These grant funds are distributed via competitive application process, administered by the state to municipalities and counties. The grant ask is \$500,000 and the deadline is July 26.

He explained this project includes the property acquisition and rehabilitation to provide a centralized home for Monadnock Family Services (MFS). This has been a goal of MFS for many years and is an important project.

Mr. Phil Isaac addressed the committee next and stated MFS is one of 10 community mental health centers in the state and their largest footprint is located in Keene. This organization consists of about 185 employees and a budget of approximately \$13 million per year. Their work is predominantly for people who are struggling with poverty and disabling conditions brought about by their mental health situation. He stated for many years their organization has struggled with figuring out its strategic plan pertaining to its facilities. Currently they own two properties in Keene at 64 Main Street and 17, 93rd Street. They just recently sold a property on Vernon Street and are struggling with what to do with these old buildings, which come with many issues. For example 64 Main Street property is not handicapped accessible, and does not have fire suppression. The buildings have no room for growth and expansion for programs the future. The pandemic has taught them they have no room to properly socially distance.

Looking to the future they see elevator repairs, window repairs, and a number of large capital expenditures. He noted a number of years ago their Board of Directors performed a capital needs

assessment and came to realize it would be better for the operation in Keene to be under one roof.

A year ago an opportunity presented itself with a seller. However, the seller has made MFS sign a nondisclosure agreement, because they want to control their business interests carefully. MFS is honoring the seller's request

The property in question is located in Keene and is large enough to house all MFS employees in Keene under one roof. It creates space enough for the growth they see in the future. The programming they see for the future is non-traditional programming such as eye movement desensitization treatment, brain spotting and other cutting edge services that are just proving themselves to be valuable for people recovering from mental illness, particularly in trauma. They also need accommodations to provide for telehealth services. He added that the new space will create the capacity for them to have an academic partner that can help employees advance their professional career as well as attract potential graduates. The space will also provide overflow space to use as rental property for other service organizations who want to join MFS.

Mr. Isaac went on to say that they have started architectural work and a feasibility study for financing. They have also started a feasibility study for a capital campaign and are fairly confident about the results of that capital campaign. They are asking for CDBG funding because that is one of the blended sources of revenues they will need for this project. Mr. Isaac stated their financial modeling indicates the purchase and renovation of this property will not add to ongoing expenses; the existing costs will be the same as they move into the new facility. This concluded Mr. Isaac's presentation.

City Manager Elizabeth Dragon stated she and the two presenters have discussed this project and she felt it was a great project. The Manager noted, as she has stated in the past, mental health services in our area are in desperate need of staffing and Mr. Isaac's has spent a lot of time talking to our Police Department in terms of ways the City can strengthen the relationship between the City of Keene and MFS. She indicated she was excited about this project as it also provides for future growth opportunity and is glad MFS brought this project forward.

The Chairman noted this item will be moved to a public hearing on July 1 which is a requirement for the CDBG grant process and then a Resolution will be required from the City Council. He indicated it is a great project.

Attorney Mullins noted this item will be placed on more time until the public hearing has been held. Because of time constraints, after the hearing has concluded the rules will be suspended to allow action on the Resolution and other associated documents.

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

On 5-0 vote, the Finance, Organization and Personnel Committee request the Mayor set three public hearings for July 1, 2021 at 7:00 P.M. to allow the public to hear additional details and comment on the proposed grant application and related planning documents.

4) Redistricting of Ward Lines - City Clerk

City Clerk Patty Little addressed the committee next. Ms. Little explained every ten years there is a statutory redistricting process that occurs across the nation using Federal census data on current populations. At the local level that redistricting effort, affects ward lines for the city council, moderators, selectmen, and ward clerks. At the state level there is district lines that mirror city ward lines for the federal and state offices.

Approximately two weeks ago the Census Bureau notified the City, they would be delaying the release of that data until September 30. The redistricting process typically starts in early June and concludes by August and there is a ballot question on the November ballot to address those ward lines. This process also involves the appointment of an ad hoc redistricting committee by the Mayor. The ad hoc committee works with the City staff to move census blocks between wards to see if they are getting appropriate equalization population numbers of the wards. Ms. Little noted it is important for municipalities to be in sync with the state. It is also important to conclude this process before the filing period for the state offices is held.

The redistricting process requires an amendment to the City's Charter that contains a street by street description of the boundary of the five wards. Any amendments to those descriptions is contained in a ballot question submitted to the voters in November.

With this announcement of a delay to September 30, the City will be unable to comply with the statutory process for charter amendments and statutory process in terms of conducting an election.

Hence, what staff is recommending is that a charter amendment be authorized that would remove the descriptions of the ward boundaries. Some cities have already done this. This charter amendment would also identify the City Council as the new authority to make ward line adjustments for future charter redistricting efforts as required by this Federal census. It would also include language in the charter that would protect any incumbent ward councilor from losing their elected seat because their street address had been redistricted to another ward.

When the City receives the data in September, staff would recommend the mayor be requested to appoint a redistricting committee. That committee would then, with the data and with the GIS technicians' assistance move the track numbers around to get the optimum equalization of population between the wards. That committee would make recommendations back to the City Council as to adjustments to make. The Council would adopt those through an ordinance and it would be codified in the City Code. From that point on every 10 years, the City Council would make adjustments to the ward line descriptions.

Ms. Little went on to say originally when she wrote this memo, about two weeks ago she had an effective date of these ward line changes as the date before the filing period starts. Subsequent to her memo, she was contacted by the Chair of the House Redistricting Committee inquiring of the process that Keene would follow. She understands that the House is looking for an effective date of the ward lines to be January 1, 2022.

This earlier date might have something to do with the legislation which appears to be headed to the Governor to change the State election date to earlier in the year. To give the State as much opportunity as possible to work with the City's ward lines for their district efforts. Ms. Little stated she does not see an issue having January 1, 2022 as the effective date of the ward line changes.

Ms. Little noted the City of Dover is already a few steps ahead of Keene, they have their ballot question already written and it being reviewed by the Attorney General and the Secretary of State. Ms. Little indicated even though the City will get some relief by removing the ward line descriptions from the Charter, this is an extremely tight timeframe and there is a lot of work to be done by the City Attorney and herself. She indicated even though she provided a tentative timeline, she would like this item to be placed on more time to allow an opportunity to meet the City Attorney and return back to the Committee's next meeting with ballot language that would be sent to the State for their review.

Councilor Remy asked how this affects the municipal elections that are going to be happening in November and if new ward line changes were to happen on January 1 and if a ward councilor was to be elected – he asked whether they will then be moved out of their ward.

Ms. Little stated this is something that is going to be a very delicate thing that will need to be worked through. Ms. Little added when this redistricting committee convenes their first task would be to put in place some priorities of focus areas and added it has never been since she has been involved with this process ever a priority of the redistricting committee to keep city councilors in their wards. If a ward line does impact the residency of an incumbent, those councilors who are affected continue their service until their term ends.

In the past, the priority to the redistricting committee was to keep moderators in their wards and to keep polling locations in their wards.

Councilor Chadbourne stated she was redistricting out of her ward ten years ago and she was grandfathered in so she could finish her term as a ward 2 councilor. She was three houses away from the ward line and hence had to run at large or run for ward 3.

Ms. Little added ward selectmen and ward clerks could be redistricted out of their wards. Any vacancies resulting from the redistricting would be appointed by other election officials.

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

On 5-0 vote, the Finance, Organization and Personnel Committee move to recommend the Redistricting of Ward Lines be placed on more time to allow the City Clerk and the City Attorney to prepare the wording of the charter amendment.

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

Asst. Public Works Director/Solid Waste Manager Duncan Watson addressed the committee next. Mr. Watson stated he is before the committee to talk about perfluorooctanoic acid (PFOA) and perfluorooctane sulfonate (PFAS). These are chemicals that are newly regulated that are

ubiquitous in our modern society. As part of our annual groundwater monitoring testing at the landfill, there was some detections just outside of the established groundwater management zone in a domestic well located at 173 Wyman Road. Mr. Watson noted a couple years ago this testing would have revealed there was PFOA and PFAS in the system, but the standards would not have been met for triggering any action. Now the standards for detection have been reduced from 70 parts per trillion down to 20 parts per trillion and therefore, the detectable levels that we discovered in the well at 173 Wyman Road triggered an action that requires the City to do something to ameliorate the situation.

In the short term, some bottled water has been provided to the residents to help with their drinking and domestic needs. What staff is proposing is to install a carbon filtration system located in the household basement, which will provide filtration of the PFOA type chemicals to non-detectable levels. The filtration system will be left in place for several years while the City looks for a longer term solution.

Mr. Watson stated the PFOA PFAS are not just used in petroleum fuels but in hundreds and thousands of consumer products and hence are going to be showing up more and more. Mr. Watson stated he is on the Waste Management Council for the State of New Hampshire and received an update from the Waste Management Director who had indicated that there was an accumulating pool of money that is going to help communities deal with the PFOA PFAS situations. Staff will be monitoring the availability of such funds so that other solutions could be looked at including extending municipal water lines two areas that may have these levels. It is not 100% determined that this PFOA PFAS contamination is coming from the Keene landfill, but because the City has a closed landfill that is subject to monitoring, the state basically considers the City the responsible party and hence has to act as part of the groundwater management permit.

This evening staff is looking for authorization for the City Manager to enter into an access agreement and provide a point of entry filtration system to help the resident make their domestic water supply below the ambient groundwater standards for PFAS and PFOS.

Chair Powers asked geographically whether this particular piece of property is. Mr. Watson stated it is located on the western side of Wyman Road.

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

On 5-0 vote, 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.

6) Martell Court Pump Station- -Engineering Services - Change Order 2 - WWTP Operations Manager

WWTP Operations Manager Aaron Costa addressed the committee with reference to construction and engineering services for wastewater. The first item is for the Martel Court Pump Station change order with Aldridge and Elliot Engineers to perform construction related services for the headworks screening project at the Martel Court pump station for approximately \$163,000. Mr. Costa explained Martell Court is the City's main pumping station. It pumps wastewater collected from Keene and portions of Marlboro to the wastewater treatment plant. Over the years the City has had grinders at the station that grind up products into smaller materials and then it gets pumped to the wastewater plant. However, as wipes and other products become more popular, the grinders are more of an antiquated piece of technology.

This project is to install screening at Martel Court, which is going to remove these wipes and other non-flushable materials before they get to the pumping system. This material will be washed and compacted and removed as regular garbage.

This project is currently out for bid. The consultant has performed the equipment selection evaluation and have completed the design. They are assisting the City with bid phase services. Mr. Costa stated the City will like to continue working with them for the construction phase portion of this project. They provided a scope of work and a cost estimate. The cost of this change order exceeds the City Managers 10% authority and therefore staff is requesting that the Manager be authorized and do all things necessary to execute this change order with Aldridge and Elliot Engineers.

Councilor Ormerod asked where this money is coming from. Mr. Costa stated the City has an existing capital project and there is money available in that project – the number is 08072. So far, including this change order the engineering cost is about \$272,000. The total project budget is about 1.4 million dollars.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Council authorize the City Manager to do all things necessary 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.

7) Laboratory Renovation - Engineering - Change Order 2 - WWTP Operations Manager

Mr. Costa stated this item is for laboratory renovation construction services engineering contract change order. This is for change order two with Underwood Engineers to perform engineering services for the laboratory renovation project for an amount not to exceed \$12,800.

Mr. Costa explained the laboratory is located at the wastewater treatment plant. The wastewater treatment plant was constructed in the early 1980s and its infrastructure has remained unchanged since the 1980s and is outdated. The City currently has a CIP project to perform renovations of the existing laboratory; the design is nearly complete and documents will be ready shortly. Underwood provided a scope of work for that small design work which is about \$2500 of this

particular change order and the rest is for construction oversight during the project. This change order exceeds the City Managers 10% authority. Hence, staff is recommending the City Manager be authorized to do all things necessary to execute this change order. Funds for this work are available in the laboratory renovation project 08106.

Councilor Hooper agreed this renovation is overdue.

Chair Powers clarified this is the second change order for this project and this completes the work that was uncovered when staff did their second analysis. Mr. Costa answered in the affirmative.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Council authorize the City Manager to do all things necessary 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.

8) Aeration Piping Replacement-Engineering Services - Change Order 1 - WWTP Operations Manager

Mr. Costa addressed his last item which was in reference to change order one with Aldrich and Elliot Engineers to perform engineering services for the aeration piping replacement project at the wastewater treatment plant for an amount not to exceed \$22,500. Mr. Costa explained the wastewater treatment plant is a conventional activated sludge plant which means microorganisms are used to break down pollutants. The City discharges about 3 million gallons of wastewater which has been treated and discharged into the river every day and the City has a permit that dictates all those specific parameters that have to be met.

One section of the plant has blowers that provide air which is conveyed through 170 foot long 16 inch diameter pipe, from where they are located at the plant to this specific tank. The piping is over 20 years old and has numerous leaks which have been repaired many times. It has now reached the end of its useful life.

In 2018, the City executed a professional services contract with Aldridge and Elliot to design its replacement. In April of 2020, the City went out for bid for construction and only received one bid for \$391,000. This price exceeded the project budget and was therefore rejected. The original specifications required the pipe material to be stainless steel because stainless steel is corrosion resistant, whereas ductile iron will corrode over time. However, due to the increase in costs of stainless steel it is recommended the City rebid this project using high density polyethylene piping which is a plastic material which becoming more popular and more frequently used in the water and sewer utilities. It is less expensive than stainless steel, it is resistant to corrosion and one of the good benefits is it doesn't have any joints.

Aldridge and Elliot have provided a scope of work for updating the drawings and specifications so the project can be rebid. To do that part of the work it is about \$2500 of this particular change

order and the remaining \$20,000 will be for the construction related engineering services, which will include submittal reviews and construction oversight. This change order also exceeds 10% of the City Managers authority and therefore staff is asking to be authorized do everything necessary to execute this change order and funding for this project. Funding for this work is available in the aeration piping replacement project 08080-B.

Councilor Ormerod stated he is glad about the alternative product that can be used for this work and asked if staff will be back with a request for installation. Mr. Costa stated the project is being sent out to bid.

Councilor Remy asked whether the City has to pay fees on change orders. Mr. Costa stated not in this particular case.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Council authorize the City Manager to do all things necessary 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.

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

Utilities Maintenance Manager Christian Tarr addressed the committee next and stated he was before the committee to request authorization for the Manager to execute a professional services contract with Wright-Pierce to complete an emergency response plan for the City Keene's wastewater pumping system. He noted the Martel Court Pump station handles about 3 million gallons a day. In addition to that, it has a 30 inch ductile iron force main to the wastewater plant which about two miles long. The City also has four other pump stations that range anywhere between 1,400 to 3,000 gallons a day. What the City is looking to do is an emergency response plan built which will actually provide reports of all five stations; vulnerabilities of those stations, cost estimates of items that needed to be addressed, and the firm will also generate a report and give those recommendations to the City Council.

There were six firms that provided bids of which two were invited for an interview. Wright-Pierce was selected by the matrix staff used as the highest scoring firm. Funds for this project are available in capital project 08098-17.

Councilor Hooper asked where the suggestion for an emergency response plan came from. Mr. Tarr stated he did not have an answer for this – he indicated it is a CIP project that has been place years ago and was tied together with several other projects. Before anything was done the projects were separated out, which included generator work, backup power sources. The backup generator power sources was one particular group. The emergency response plan was probably initiated by a different group. He wasn't sure who came up with the idea, but noted this equipment is old for instance the force main dates back to 1985.

Public Works Director Kurt Blomquist stated this project has been in development for a number of years. He noted if the City ever has a failure, the community will be asked to stop flushing. This project has been long overdue through the emergency planning process.

Councilor Ormerod asked why there is a need to hire a consultant to replace a few motors; \$45,000 to tell us what we already know. Mr. Tarr stated the City is definitely going to need a consulting firm to advise them where to put this in the ground or how many feet is needed. The firm will come back and let the City know where there is a potential failure, the consequences of that failure and the recommendations to avoid that critical failure. This is a preliminary step to make the plan for replacement.

Mr. Tarr stated this could work to prioritize future capital improvement projects based on the severity of vulnerability.

Chair Powers noted the City has so many requirements to meet and it can only do so much and felt the City was really great at operations. The City does not have the kind of engineering staff that is able to build these kinds of programs to keep the City moving.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Council authorize the City Manager to do all things necessary 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.

10) 2021 Sewer Main Lining Project - Construction Change Order - City Engineer

City Engineer Don Lussier stated this item is a request for change order for the annual sewer main lining project. This program has been with the City and has been a successful and productive program. This program does allow the City to go into some of the older sewer mains that are still in acceptable condition, but are showing their age; they are leaking and there are sources of groundwater infiltration. The pipe is cleaned, the leaks are fixed by injecting grout into the joints. Then a new pipe is located within the existing pipe referred to as the cured in place pipe. This adds both structure and life expectancy to the existing pipe, but it is much more cost effective than doing an open trench excavation and installing a new pipe.

In recent years the pricing has been very competitive. This year the City received five bids of which the lowest was approximately \$139,000 below the engineers estimate. The proposal before the committee is to extend the contract to add an additional 1,600 feet.

Beaverbrook interceptor would be the next project which is one of the larger diameter mains, but is also one of the older mains and intercepts all the neighborhood sewers that surround Beaverbrook and it conveys them down to the Martell Pump Station.

Councilor Hooper asked if these pipes are still examined with cameras. Mr. Lussier stated all of the city's sewers were inspected between 2008 and 2010 using the pipe camera. The City has since acquired its own camera equipment and are able to confirm the pipe needs to be lined, but in some cases that is not the case. This year the pipe between Beaver Street and Brooke Street is not a good candidate for lining and will eventually need to be replaced.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Council authorize the City Manager to do all things necessary 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).

11) Municipal Services Agreement - Keene State College - City Manager

The City Manager stated she is seeking a fourth amendment which is extending the current agreement with Keene State College for their payment in lieu of taxes. The Manager stated she had a conversation with President Melinda Treadwell last week and given the changes at the college she has not been able to sit down and talk about negotiating a new agreement. The Manager stated this works well for the City as it maintains the revenue and budget without any sort of lapse.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend 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.

12) Petition to Acquire Property by Eminent Domain for Highway Purposes - City Engineer Resolution R-2021-19-A

Mr. Lussier addressed the committee again and stated this item is reference to the eminent domain process that the City began last week at the Council meeting.

He indicated he has already made a lengthy presentation and for tonight would like to highlight a few elements that are required by the legislative body to act and that they find these elements are in place and existing.

First there has to be a necessity. The Purpose and Need for the project has been discussed. The need statement outlines the problems with both traffic and pedestrian accessibility, as well as the aesthetics of the situation.

The Council has to find the property will be put to public use . There is going to be a road built. The Council also has to find there will be a net public benefit. The burden to the individual property owner is less than the benefit to the community.

The Council has to find that the City in this case through the Manager has made reasonable efforts to negotiate a settlement. Mr. Lussier noted that good faith efforts have been made. Finally, the Council has to take a vote. He explained the manner in which the RSA is written Councilors have to be present at the site visit in order to vote on this action. Three members of this committee were not at the site visit. So tonight staff is suggesting if the two members who were at the site visit would like to discuss the item in any way. Otherwise the matter would go back to City Council without a recommendation from the Committee.

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

On 5-0 vote, the Finance, Organization and Personnel Committee refer the issue back to the City Council without a recommendation.

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

Finance Director Merri Howe stated this item is for the City Manager to be given authority to receive settlement of funds from an opioid litigation settlement the City received in order to create a revolving fund to deposit these funds into. So that the funds could be used according to the criteria that is established by the settlement agreement. By creating the revolving fund, it will allow the City to put the money in the fund, it won't lapse at the end of the year and won't be considered part of the general fund.

She continued the City received its first opioid litigation settlement a few weeks ago. It was for the lawsuit that resulted between the State of New Hampshire vs McKinsey and Company, Inc. The City received \$7,357.59. RSA 126-A:3 II requires 15% of the \$2 million received by the State of New Hampshire be distributed to the political subdivisions that filed their own complaint against the opioid companies prior to September 1, 2019, and the distributions are based on the census back in 2010.

In order to meet the settlement expectations and utilize these funds for the abatement purposes to fight the opioid epidemic, the revolving fund will help the City meet those needs and track the appropriate expenditures.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend the adoption of R-2021-32

Chair Powers noted this is last meeting for the fiscal year. He noted the committee has two more time items: Continued remote participation which is going to be addressed at the council workshop.

Second is the continued discussion about the evaluation process. Discussion will start the next time the committee meets.

The Manager stated the City just heard from Senator Kuster's office that two of the City's projects are likely to be funded; George Street Bridge project for \$729,000, and the Marlboro Street Cheshire Rail Trail for \$681,000. These were two out of three projects the City put forward for the transportation allocation and they had to be on the 10 year plan.

Councilor Remy stated the Chamber of Commerce has a new President, Luca Paris.

There being no further business, Chair Powers adjourned the meeting at 8:30 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Edits submitted by the City Clerk's Office