

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

**MUNICIPAL SERVICES, FACILITIES & INFRASTRUCTURE COMMITTEE**  
**MEETING MINUTES**

**Wednesday, July 7, 2021**

**5:30 PM**

**Council Chambers**

**Members Present:**

Janis O. Manwaring, Chair  
Michael Giacomo, Vice Chair  
Randy L. Filiault  
Robert C. Williams  
Andrew M. Madison

**Members Not Present:**

*All Present*

**Staff Present:**

Elizabeth A. Dragon, City Manager  
Thomas P. Mullins, City Attorney  
Patricia A. Little, City Clerk  
Kürt Blomquist, Director of Public Works  
Andy Bohannon, Director of Parks,  
Recreation & Facilities  
Brianna Rafford-Varley, Recreation Manager  
Don Lussier, City Engineer

Chair Manwaring called the meeting to order at 5:30 PM.

**1) Warrant for Unlicensed Dogs – City Clerk**

Chair Manwaring welcomed the City Clerk, Patty Little, to discuss dog licenses as she does before this Committee each year to meet statutory requirements. By statute, the City Clerk must appear before this governing body for authority; this is not something that can be initiated administratively. The City Council granted authorization to issue forfeiture warrants for unlicensed dogs in 2020. However, Covid-19 ensued and ultimately, the Clerk's Office chose to not issues civil forfeitures and therefore, those who did not license their dogs in 2020 are carried over to this year's warrant, which is why the list is longer than typical. The civil forfeiture is essentially a \$25 fine to dog owners who fail to license their dogs with the Clerk's office by April 30 each year. It could proceed to a complaint issued to the Circuit Court for individuals who fail to pay the \$25 or do not contact the Clerk's office to notify that the dog either no longer lives in Keene or had passed away. The warrant is typically issued in June, which was why the City Clerk was before the Committee, and since the list before the Committee was printed, 80 owners had come to license and so the warrant was slightly shorter than presented. The City Clerk also explained that throughout the prior two months, her office had been transitioning to a new dog licensing software, which allows dog owners to register their pets online, though Staff were still working through a reconciliation process for online card payments and so the online opportunity had not been promoted yet to the public. She thought a solution to this reconciliation was imminent. She said it would take several more months to close the forfeiture process before noncomplying individuals are issued a complaint to appear before the Circuit Court and with the online possibility, she thought the resulting number would be quite low. The City Clerk said

there is typically good compliance. Dog licensing is a laborious, long-term process for the Clerk's Staff. The Clerk's recommendation was for the Committee to authorize issuance of the warrant and direct the Animal Control Officers to issue the forfeitures to dog owners who fail to license by April 30. The City Clerk welcomed questions.

Chair Manwaring asked the process the Clerk's office goes through to contact owners before forfeitures are issued. The Clerk replied that they are not required by statute to notify dog owners, but her office does so via repeated emails, which is a lot of effort from Staff to encourage compliance and urging owners to not wait until forfeitures are issued. In addition, any owner without email on file receives a personal phone call reminding them of the obligation to license their pet.

In response to Councilor Filiault, the Clerk confirmed that this process is required by NH law and can therefore not be initiated administratively; the City Council must authorize issuance of the warrant. Councilor Filiault asked how the Clerk's office is notified when pets have passed away. The City Clerk said that people typically call the office to notify after getting an email reminder to license and Staff are empathetic because people love their pets. Councilor Filiault stated that he does not look forward to this process each year because, "there is just no way to come out looking good in this particular situation," and he hopes the State hands this authority back to the Clerk's office in the future. He would second the subsequent motion "reluctantly."

Councilor Williams was pleased to hear there was new software in place and as an IT professional, was unsurprised that it was taking time to get it running. Regarding the credit card technical challenges, he asked if there are other City processes for which the City uses online card payments. The City Clerk could not speak to all the processes but knew there were many across all Departments.

Vice Chair Giacomo asked the Clerk to confirm that Council authorization is just another step in the process, directing the Animal Control Officer to proceed with issuing civil forfeitures to owners of unlicensed dogs; this does not mean someone will take your dog. He said this is the City getting more aggressive and reaching out with fines, which would ideally get people to license their dogs. The City Clerk said that was a correct understanding.

There were no public comments or questions.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and the Animal Control Officer be directed to issue a civil forfeiture to those dog owners who have failed to license their dog by April 30, 2021.

**2) Municipal Pool Operations for 2021 – Parks, Recreation, & Facilities Director**

Director of Parks, Recreation, & Facilities, Andy Bohannon, provided the Committee a handout on this year's summer recreation programs. He also introduced Brianne Rafford-Varley, Recreation Manager, who had overseen much of the pool operations now for 1.5 years.

Mr. Bohannon would present on three aspects of pool operations occurring simultaneously this year: staffing, construction, and maintenance. He began by discussing staffing concerns, which he said were related to how things went last year. He said that pool staffing is not just a Keene or NH challenge, it is a national trend for lifeguards in general. For example, WMUR recently reported on the issue statewide and some communities have resorted to not having lifeguards for town beaches or closing their pools; Good Morning America also did a related segment on the national issue on June 22. He said this staffing trend had continued for several years and to develop a plan for this year, Parks & Recreation Staff began discussing this summer during January—April, when Covid-19 was still unpredictable, and everyone hoped things would be opening like they are today. Mr. Bohannon said that human capital continues as a challenge, and Keene must compete with talent choosing Swanzey, Spofford, or the Keene Country Club, and other regional summer camps, which pay more. He said that having a lifeguard certification is a commodity and Mr. Bohannon said that some Keene lifeguards had already been “poached” this year by competitors offering much higher wages than Keene is able to pay. Luckily, he said that many lifeguards have chosen to stay with the Keene municipal pools and so he was grateful.

In February, Mr. Bohannon said that seasonal jobs were posted to Parks & Recreation social media; he hopes everyone follows them on Facebook, Twitter, and Instagram. Flyers were sent to the college and high schools in addition to other advertising efforts, including a unique radio advertisement this year, for which it never seemed wise to spend on in the past. In April, there were four returning lifeguards, one of which was the head lifeguard. From all the advertisements and recruitment, there was one applicant. Interviews resulted in hiring one collection attendant at the pool entrance; this person is usually 15—16 years-old. Mr. Bohannon explained that many people applied for one position, like camp counselor, and Parks & Recreation Staff convinced them to be lifeguards instead on condition of passing the certification, which the City would pay for. He said these position changes require sufficient training, though, for a Staff member to transition from a fast-paced environment with kids at a camp to sitting for hours and focusing on saving lives, which is a significant change in job responsibility. In May, advertising continued, and Mr. Bohannon hired three more lifeguards, several of whom went to Claremont for certification at \$325 each; Parks & Recreation rented the Claremont school pool for the training and paid all certifications. All lifeguards passed their tests. Therefore, by May 10, Parks & Recreation had hired a total 10 certified lifeguards, including one head lifeguard. On May 12, one pool supervisor and two more lifeguards were hired who passed their certifications less successfully, likely due to age and experience, but they are preparing to take on more responsibility next summer under the lead of the more experienced lifeguards. Several lifeguards' certifications expired in 2019/2020 but the American Red Cross carried those over until renewal in 2021 due to Covid-19. Therefore, several lifeguards could not work until their certifications were renewed this year at much less than the initial \$325 fee. When Wheelock Pool

opened on June 22, there was one pool supervisor who worked with the City dating to 2017 and a head lifeguard who was the only former swim instructor and therefore the only one on Staff who could teach swim lessons. Six of the eight new lifeguards are 15 years-old and this year would be their first experience with the pool environment, and they need additional training.

Ms. Rafford-Varley discussed her approach to the swim Staff this year. The rookie lifeguards are encouraged to jump-in and start learning how to teach swim lessons so they are better equipped next year, because you must be able to demonstrate a number of hours taught before certification as a swim instructor. In response to the staffing crisis, Ms. Rafford-Varley worked with contacts statewide and brainstormed with the head lifeguard to develop the swim program model for 2021 that was depicted in the handouts provided to the Committee. Particularly, Ms. Rafford-Varley launched a new model for swim lessons, strategically investing in on-the-job training this year and encouraging all lifeguards to train as swim instructors. Thus, Parks & Recreation is staffing more lifeguards than typical this year in hopes that they will return and comprise a more experienced Staff next year. She said this effort of lifeguards attending swim lessons was already increasing their confidences; the new lifeguards are learning soft skills needed to teach lessons that are very different than lifeguarding. Therefore, Ms. Varley said that the new model had launched with great success. She referred to the packet of information provided to the Committee and said that the organization of the pool program and swim lessons therein breaks down the lessons by experience, which the administrative Staff in Parks & Recreation can use to guide parents who call interested in scheduling their kids for lessons. As of this meeting, there were 112 kids signed-up to participate in pool programs this summer and a few spots remained open for sessions three and four. Registration is for the whole summer, but not all children show-up daily.

Mr. Bohannon transitioned to the issue of pool construction. In January 2021, Parks & Recreation Department contracted with Weston & Sampson Engineering, Inc. to write a bid specification for work related to the 2019 feasibility study that was presented through the Capital Improvement Program (CIP) to essentially replace the Robin Hood Pool in Fiscal Year (FY) 2027. The project is estimated currently to cost \$3.5 million, allocated in FY-27. He said that there are immediate repairs needed to meet American Disability Association (ADA) standards and funding had been limited. However, there had been spikes in construction costs due to Covid-19. Parks, Recreation, & Facilities is making sure to utilize every penny available to get things done and by the end of this construction, the Robin Hood Pool would be fully ADA compliant.

Mr. Bohannon continued explaining that on May 24, he presented before the Finance, Organization, & Personnel (FOP) Committee about the timeline for pool construction and it was announced at that meeting that the Robin Hood Pool would be closed for summer 2021. On June 3, the City Council approved construction funding and a construction award was signed recently. Mr. Bohannon said that demolition could begin by the end of July because once the fiscal year began on July 1, \$50,000 were released from the CIP for this project and other needed pool maintenance. Therefore, construction on the Robin Hood Pool was set to begin at the end of July

2021, with some demolition and maintenance in the meantime by Staff. Mr. Bohannon reminded the Committee that there was a retirement in February, and that person was a key cog in Parks, Recreation, & Facilities operations. The position was filled the week before this meeting.

Mr. Bohannon continued discussing the third pool operations issue this year, maintenance. On May 24, Staff began opening the Wheelock Pool, which had not been used during Covid-19 and therefore the pool cover had not been removed in two years. He said that opening the pool cover and draining the pool unveiled a lot of damage, from broken pipes to smashed pipes in the pump room; either something wrong must have occurred when the pool was closed in fall 2019, this is the result of the pool staying closed for two years, or some of the pipes had aged. In June, Staff repaired or replaced all the broken pipes, with limited Staff also maintaining ball fields and more. Also, on June 7, Staff discovered that the splash pad at Wheelock was not operational due to several broken pipes; Staff are working to determine whether it could be operational in 2021 because of how the pipes need to be replaced. Due to a shortage of seasonal maintenance Staff this year who would typically maintain pools each morning, lifeguards are coming in early for shifts to vacuum the pools while lead maintenance Staff maintain responsibility to measure pool chemicals, etc. Therefore, the Wheelock Pool opened on June 22 with a full Staff.

Mr. Bohannon continued explaining that playground operations are typically split between Wheelock and Robin Hood parks. Last year due to Covid-19, all operations were at Wheelock Park, which was a successful program and model that is maintained this year, because when planning in January and February, the outlook for Covid-19 was still unclear. This year, children are still grouped into pods of 60 and cohorts of 30. Children attending the programs are not vaccinated and protocols for indoor spaces are still relevant for the age group. Wheelock provides the opportunity for the children to spread out in the open with safety zones and shelters for immediate emergencies. He said all decisions are based on safety for Staff and the public using facilities. When things started opening more on June 1 in response to low Covid-19 rates, he said it would have been difficult for the Parks, Recreation, & Facilities Staff to pivot back to full operations. When things started to reopen, there was deliberation on opening Robin Hood Pool. First, there was insufficient pool staffing. Second, there was insufficient maintenance Staff to ensure Robin Hood Pool could open within two weeks; Mr. Bohannon also mentioned the national chlorine shortage due to Covid-19. He stated that Keene's public parks are drowning in overdue maintenance that must be addressed through the CIP process. He said the problems were compounded by the pool feasibility study from Weston & Sampson.

In closing, Mr. Bohannon said he wanted the Committee to know that Ms. Rafford-Varley was doing an amazing job to build a culture that makes people want to return and continue participating with Parks & Recreation. Despite the first few tough weeks of operations, summer Staff are already expressing interests in working with Parks & Recreation in other roles this fall. Mr. Bohannon could not say enough good things about Ms. Rafford-Varley and the Staff and programs she developed through the challenges of Covid-19. Mr. Bohannon wanted everyone to know that pool operations in general are about public and Staff safety first, always. He

welcomed questions.

Councilor Williams asked the hourly wage the City pays to lifeguards and Mr. Bohannon replied \$10/hour for first year Staff. That rate seemed low to Councilor Williams, and he thought \$15 sounded more reasonable if there is a true staffing problem; if we need to bring people in then there is a need to spend more. Mr. Bohannon stated that he did not disagree with Councilor Williams. There was a significant increase to the staffing budget for pool operations a few years ago and Mr. Bohannon pays attention to what others are paying, and Keene is certainly on the low end compared to offers of \$15/hour elsewhere. For example, in 2019 a lifeguard who worked for Keene for a few years was hired away by the Brattleboro Retreat for \$18/hour. He said Keene cannot compete with higher rates at the Country Club or in Swanzey and Spofford.

Vice Chair Giacomo asked the number of children per session at a given time on playgrounds for programmed activities. Ms. Rafford-Varley stated that there are 120 registered campers for the whole summer split into two separate camps of 60 each by age, and those 60 are split into two groups of 30. Not all registered children come each day. Vice Chair Giacomo said he understood that understaffing complicated any efforts at split activities but suggested that Parks & Recreation work to have some programming in east Keene this year. He understood that the programming process was well underway but asked the possibility of programming at Robin Hood Park this summer for residents of that part of Keene. Mr. Bohannon stated that there is other programming at Robin Hood Park. There is a new outdoor program for children who want to experience more outdoor education led by a volunteer teacher from the Keene Middle School for three sessions over six weeks.

Councilor Williams commented on the recent heat wave and stated his concern for eastern Keene residents having no escape with the pool closed. He asked if there were other things the City could do to support eastern Keene residents cooling off, like sprinklers, or if people could swim in the Robin Hood Reservoir. Mr. Bohannon did not recommend swimming in the Reservoir because it is not maintained, not tested for components dangerous to humans, and there are no lifeguards. He said there are small brooks in the Robin Hood woods that people could dip their feet into. Mr. Bohannon encouraged anyone in eastern Keene to use the City Express bus for free transportation to the Wheelock Pool by waving down the bus anywhere on its route; they will receive a free voucher with the fees paid by the City. He noted that the City Express would be changing route on June 15 or 22 and people should be attentive to those changes.

Councilor Madison noted the damage due to Wheelock Pool sitting dormant for two years and asked if anything preventative was occurring at Robin Hood to ensure no further damage with an additional dormant year. Mr. Bohannon said yes.

The IT Director/Assistant City Manager also complimented Ms. Rafford-Varley and her team for doing a great job with their extensive team-building efforts that help young people to like their jobs and want to come back.

Chair Manwaring welcomed public comments.

John Hayes of 320 Roxbury Street spoke about a letter he has recent submitted to the City Council Hayes on this matter. Mr. Hayes thanked the Committee for this opportunity to speak on this important issue. He has lived five minutes from Robin Hood Park for approximately 20 years. He has swum at the pool after work on hot days, his daughters have taken swim lessons, and he has socialized and reconnected with neighbors at the pool, until this year. He said these were the only two seasons he remembered the Robin Hood pool being closed. He understood that the Director of Parks, Recreation, & Facilities have a difficult job facing dual challenges of assuring lifeguards and planning during these uncertain times. Still, Mr. Hayes said he had an alternate proposal that he called very simple to be fair to the citizens, taxpayers, and children of east Keene. First, Mr. Hayes cited statistics for childhood drownings to make the point of how important access to swim lessons is for kids; drowning is the leading cause of death in children aged one to four and is the third leading cause of unintended injury and related deaths in children five to 19. Mr. Hayes believed that was sufficient reason to ensure swim lessons are offered at Robin Hood Pool. His proposal was to split operations, with programs at the Wheelock Pool three to four days weekly, and programs an equal number of days at Robin Hood Pool. He said that would ensure resources are available fairly to everyone. Mr. Hayes stated that the swim season is only eight weeks and therefore the capital improvements could work around that schedule; from what he heard at this meeting it sounded as though this would only cause a three-week delay to construction at Robin Hood. He said that was not a huge burden considering what citizens would get from the time of the pool open. He understood it took work to open a pool but said that opening the pool later than typical would still be advantageous for the kids of east Keene to experience the joy of the neighborhood pool opening and have access to lessons, and for neighbors to reconnect after a year of isolation. Mr. Hayes said it was not too late to correct this decision that deprived one part of Keene unfairly from services and use of this treasured facility. He said he trusted that this Committee and the City Council would reach a decision that is fair to all citizens and children in Keene and thanked the Committee for its consideration and service to the City.

Chair Manwaring requested a response from Mr. Bohannon, who clarified that the City offers swim lessons beginning at age five and older. Regarding opening Robin Hood Pool, he said that the next Council meeting is July 15 and if the Council recommended opening the pool, there would then be work with the City Manager related to staffing and more, and therefore if everything went well, Robin Hood Pool could not likely open until August 1 at earliest. He said that Robin Hood sat dormant for two years just like Wheelock and there would be likely the same maintenance issues to contend with. Pools then close on August 19. As an operations manager and Director, Mr. Bohannon did not think three weeks of operations were worth it or was what the Council seeks. Something would have to be given-up to open Robin Hood Pool.

Chair Manwaring asked when construction was set to begin at Robin Hood Pool and Mr. Bohannon replied at the end of July. If the pool were opened, construction could not begin until after August 19, so it would be another delay.

The City Manager stated that Mr. Bohannon did a great job explaining the timeline and effort involved in recruiting sufficient Staff to open both pools and the time and process to plan these programs. She said with Covid-19, it was understandable how the City was in this position. She said Mr. Bohannon explained the degree of effort the City put forth to publicize this issue, both through social media and the radio, and presentations at Council and FOP meetings. She said the decision to not open Robin Hood Pool was not an easy one. At this point in the season, the City Manager was not in favor of changing operations. She said it was a question of whether the City should be operating two pools at this time, which would require allocating Staff from the Wheelock Pool. She also attested to the chlorine shortage and effort it would take to get Robin Hood Pool running safely. She thought the best position moving forward was to focus on lifeguard wages and the infrastructure at Robin Hood Pool to be best prepared for full operations next season. The City Manager just signed a contract to get the Robin Hood bathrooms ADA accessible, for example. She concluded that it was not an easy decision, there was a lot of effort behind it, and she knew that if Mr. Bohannon could have made it work this season then he would have. The City Manager urged everyone to take advantage of the bus system to access Wheelock Pool from any place in the City.

Vice Chair Giacomo asked the timeline for the Robin Hood Pool rebuild. Mr. Bohannon replied that construction would begin at the end of July and following demolition, there would be installation of the pool, toilets, faucets, showers, etc. Mr. Bohannon recalled the information that there is only one lifeguard who can teach swim lessons this year and therefore lessons could only be at one pool at a time. Mr. Bohannon said he did not see the possibility of that one lifeguard teaching lessons at Wheelock and then rushing across the City to do the same at Robin Hood, even if operations were split for half of the week as Mr. Hayes suggested. Vice Chair Giacomo said it was very challenging to only have the one lifeguard who could teach and cited the challenges of the hiring shortage again.

Councilor Kate Bosley made a statement. She said that she is a fan of the Robin Hood Pool and when she heard of maintenance issues in January 2020, she spoke to the City Manager to ensure that repairs were in the CIP. She understood how the pools were in this position following Covid-19 and she complimented Ms. Rafford-Varley's efforts for the Recreation Department in general, stating that she created a lot of fun, unique, and amazing programs for kids this year. She told Councilors who had not experienced the Recreation playground programs what a great and invaluable resource they are to the community as the only affordable childcare program, which her family had used regularly. She said that throughout those years, she had chosen the Robin Hood programs for her kids because they were a better fit, as the programs at each park are different. After all kids at Wheelock these two summer seasons, she thought it was important to get the Robin Hood programs running again. Councilor Bosley offered a potential compromise. She stated that the Express bus option's advertising had not reached her, and she wanted it better advertised throughout the City. She recalled a different bussing option the City used in the past, which Mr. Bohannon said were the First Student busses. As opposed to asking citizens to wave down the busses on the street, Councilor Bosley thought that the City could hire

private busses to pick east Keene residents up at one location to be bussed to Wheelock from 10:00 AM—2:00 PM for example, which would reduce the danger of people waving down a bus or people missing their opportunity. She said parents might feel their children are safer with such an arrangement. Councilor Bosley hoped the Committee would consider her comments.

Chair Manwaring liked Councilor Bosley's idea. She said the Committee's course of action on this was to accept the presentation as informational, which she assumed east Keene residents would not be content with. She thought the best idea was Councilor Williams', to act proactively on wages so both pools could open successfully next year.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the presentation on municipal pool operations for 2021 as informational.

**3) Sidewalk Asset Management Plan – Public Works Director**

Due to insufficient time before the meeting's end, there was Committee consensus to continue this matter at the next meeting.

**4) Adjournment**

There being no further business, Chair Manwaring adjourned the meeting at 6:35 PM.

Respectfully submitted by,  
Katrina Kibler, Minute Taker  
July 11, 2021

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