

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, June 23, 2022

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Thomas F. Powers, Chair
Michael J. Remy, Vice Chair
Bettina A. Chadbourne
Bryan J. Lake

Members Not Present:

Andrew M. Madison

Staff Present:

Thomas P. Mullins, City Attorney
Tom Lussier, City Engineer
Kurt Blomquist, Emergency Management
Director/Public Works Director
Parks, Recreation and Facilities Director,
Andy Bohannon
Alicia Bender, Youth Services Manager

Chair Powers called the meeting to order at 6:00 PM.

1) Attorney Thomas Hanna - JRR Properties - Donation of Land at 0 Ashuelot Street - Green Space

Attorney Tom Hanna representing JRR Properties, LLC addressed the Committee first. Attorney Hanna stated the reason he is before the Committee is in part because of a letter he sent to the Mayor and City Council on June 10. Appended to that letter was a schematic plan which he called the Committee's attention to.

He indicated what they are asking for is that the Manager be authorized to do all things necessary to negotiate and execute an agreement on terms and conditions acceptable to the City, to accept the land donation offer and for purposes of a City park of a portion of 0 Ashuelot Street conditioned upon the successful completion of any regulatory approvals necessary for JRR Properties to complete the proposed development of the adjacent property.

City Attorney Mullins stated Attorney Hanna captured most of what is being requested and added the Committee has the proposed motion.

Attorney Hanna went on to say the proposal by his client is to gift a lot, which lot has not yet been surveyed, but the schematic plan is based on prior surveys. The gift of lot 1 (2.5 acres) to the City is to be used as a playground and City park as well as access to the river for kayaks and canoes. Lot 2 (1 one acre plot) is proposed to be the site for the headquarters of the Monadnock Conservancy.

A solar array would be located to the west of the parking lot for the headquarters. Attorney Hanna stated his client's intention is that solar array would furnish all the electrical needs for the

Conservancy as well as for the City Park. The size of the solar array would require a variance – this will be addressed before the Zoning Board of Adjustment.

This is a project the applicant has been discussing with City staff for a long time.

Parks Recreation and Facilities Director Andrew Bohannon added the City has had many conversations about this piece of property. Of the many proposals one thing that has been a consistent component of the plan is a kayak area, which would be on City property but provide some access through this parcel so people wouldn't have to carry kayaks as far. The proposed space being discussed today would become more of the active space if that were to come to fruition. Ultimately this park would differ from the Ashuelot River Park Arboretum, which is more for a reflective and passive space.

Councilor Chadbourne asked once this gift is accepted whether there will be conversations with the community to get their input of what the community would like to see in this space or would it be strictly a City staff decision. Mr. Bohannon stated the City can certainly make that happen. The applicants have been working with a landscape architect for the development to complete their portion and get some broader ideas and he felt it could be fine-tuned through a public process. He added one of the popular ideas is for a dog park and the answer has always been no. Councilor Chadbourne asked whether there is any space for parking or for cars to back up to launch boats. Mr. Bohannon stated the current lot is all grass and it is gated private property.

Chair Powers asked about the timing for this item. Attorney Hanna stated they are hoping for year-end which does feel ambitious. He indicated they hope to address the zoning issues maybe in August with the hearing in September. If a surveyor was to be hired, that time period would be around September into October for a subdivision and then the item would have to go before the Planning Board. He added the firm they are using for the solar array is Revision.

Councilor Remy felt this would be a great addition for the City.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an agreement on terms and conditions acceptable to the City to accept the land donation offer of a portion of 0 Ashuelot Street for use as a city park conditioned upon the successful completion of any regulatory approvals necessary for JRR properties to complete the proposed development of the proposed adjacent property.

2) Fabian Friedland/Keene Island Condo Association and Keene Island Holdings - Requesting an Amendment to a Lease of City Property for Parking - Map 577-Lot 34 - Island Street

City Attorney Tom Mullins stated this is a proposal made by the Keene Island properties. He indicated this entity had a lease agreement with the City back in the nineties for use of this space, adjacent to the bike trail which is now parking for buildings located in the Condominium Association that occupies most of the building. The property transferred not too long ago and it was discovered the lease had expired and needed a new one as a result of a Planning Board site application. There was an amendment to the site plan as Corning Specialty Materials wants to

put a generator on the property, which required them to go to the before the Planning Board to get a site plan. This item is currently pending before the Planning Board and an agreed upon extension would be obtained while the parties work out the details that were necessary for the parking.

There are also some underground propane tanks at the property which were installed back in the nineties. The attorney explained this is really an effort to clarify their rights to use the property under a lease for the parking for the propane tanks and to satisfy the Planning Board site plan condition

Councilor Lake asked for clarification for this location of this property; it is a sliver of parking on the north side of the property and south of the rail trail. Public Works Director, Kurt Blomquist agreed and added it is about 11,000 square feet and it is about 20 spaces along the north side of the building and as you continue down past the parking is where the propane tanks are located.

Attorney Mullins explained the motion is to allow the negotiation and execution to happen. He indicated the City has been talking with the parties, but nothing has been finalized yet.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a lease agreement for the proposed parking and other uses of the City owned Island Street property.

3) Acceptance of New Hampshire Juvenile Court Diversion Network SBIRT funding for Youth Services

Youth Services Manager, Alicia Bender addressed the Committee next and stated the New Hampshire Juvenile Court Diversion Network is the governing body of all Juvenile Court Diversion Programs in New Hampshire. The program in Keene is more commonly known as the Juvenile Conference Committee. The Governor's Commission on Alcohol and Other Drugs Prevention, Intervention, and Treatment has granted the City a second funding of \$5,600 for this next upcoming fiscal year. As a result, the City will be able to continue more prevention and intervention work with this extra funding.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs.

4) Colony Court Sewer Replacement Project - Construction Change Order

City Engineer Don Lussier stated back in January, staff was before the Committee talking about the Colony Court Sewer Replacement Project. This project was replacing sewers along Wright Street and the sewers that run cross-country through private properties behind the houses on Colony Court. Mr. Lussier stated this has been a source of ongoing problems for a number of years. When the utilities work was done on Washington Street the City planned for this project to

come up, and by lowering the sewer line in Washington Street by a couple of feet, the contractor was able to locate on Colony Court and Wright Street sewers with a greater pitch, faster flow, and less hang up. Since January when the Committee approved the change order with the design engineer, there were some additional geotechnical exploration work done and design work completed. The consultants reviewed a number of different options, including improving the soil where it is and rerouting sewer lines so it is not in people's backyards. However, the rerouting would have required re-plumbing everybody's houses; however, it was decided to keep the sewer where it is with the trench protection would be the most cost effective and effective way of getting the job done.

This engineering work was completed in April. During the last couple of months, staff has been negotiating with the construction contractor. Mr. Lussier stated there should be a contract agreed upon very shortly, which would be fair to all parties and the ability to restore the site, so residents on Colony Court can have the use of their backyards by the end of the summer.

He indicated what staff is asking for is a change order of \$850,000. He noted the project was originally budgeted and the design and construction contracts both came in under the original budgets so there is some cushion to begin with. There have also been a number of projects over the last several years, specifically the work on Silent Way and Perham Street, both those projects came in a lot cheaper. If the Committee and Council ultimately approves this change order, no additional money needs to be appropriated. Funding is available within the sewer improvement program. However, by the end of this year the City would have basically drawn down all of those old project balances, which were being used to pay some of the overruns.

Attorney Mullins asked for clarification of what the Engineer had said about service going through private properties. It was explained the City has had an easement dating back to the thirties for the existing sewer line. The sewer main runs through a City sewer easement and the private properties tie into the sewer main.

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

On 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a contract change order with J.A. McDonald, Inc. for an amount not to exceed \$850,000 on the Colony Court Sewer Replacement Project.

There being no further business, Chair Powers adjourned the meeting at 6:33 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Edited by,
Patricia Little, City Clerk