

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, April 13, 2023

6:00 PM

**Council Chambers,
City Hall**

Members Present:

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

Members Not Present:

All Present

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Beth Fox, Asst. City Manager/HR Director
Andy Bohannon, Parks Recreation and
Facilities Director
Steve Tenney, Police Captain
Aaron Costa, Asst. Public Works
Director/WWTP Operations Manager
Donald Farquhar, Fire Chief
Brett Rusnock, Civil Engineer
Alyssa Bender, Youth Services Manager

Chair Powers called the meeting to order at 6:00 PM. He introduced Carmen Trafton of the Samaritans who asked to address the Committee.

Ms. Trafton stated she is before the Committee to thank the City for what they have done for the Samaritans throughout the years. She indicated she was here to share some sad news. She indicated the Samaritans can't sustain themselves any longer and their last day of business will be June 30, 2023. Ms. Trafton stated they will be withdrawing their \$6,500 request from Outside Agency funding and hoped others can benefit from this situation.

She indicated they would have closed in 2019 after they were no longer eligible for the United Way's narrow funding parameters of kids, jobs and education but after The Boys Peddling for Prevention and Covid Cares Act funding came along it sustained them for a few more important years. Ms. Trafton stated the national suicide prevention hotline 988 is up and running. New Hampshire educators and staff are required to attend a minimum of two-hour suicide prevention training annually. Every New Hampshire high school and college student ID will have student crisis hotline information on them.

She indicated programs like Peddling for Prevention, Connors Climb, Morgan's Message, and others have helped to reduce the stigma and engage students and adults in meaningful dialogue and results. She noted the Samaritans have worked towards these efforts since 1981 and are extremely proud of the results.

Keene State College interns are finishing up their semester and we still have enough money to get through the end of this fiscal year. Hence, felt this is a good place to finish strong with grace. Ms. Trafton stated this has been a very tough decision and they are extremely grateful for all that the City has done. She asked that the Committee save June 4 as a date to join the Samaritans at Ashuelot Park for a special dedication and to say farewell.

1) 2022 Homeland Security Grant Program - Search and Rescue Equipment - Police Captain - Steven Tenney

Police Captain Steve Tenney addressed the Committee and stated the first grant he has tonight is from Homeland Security 2022 Carve Out which is awarded to members of the NHTOA. This grant amount is \$14,773.43 and the department is looking to use these funds to replace their tactical team vests to get them more up to date.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to apply for, accept and expend the 2022 Homeland Security Grant Program – Search and Rescue Equipment grant in the amount of \$14,773.43.

2) Vested Interest in K9's, Inc. grant award for the Keene Police Canine Program - Police Captain Steven Tenney

Captain Tenney stated the second grant the department is in receipt of is for ballistic and stab proof vest for the department's K-9. He indicated this is an item the department has always had. The new vest which is at a cost of \$1,800 will replace the worn out vest.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and expend a bulletproof vest grant that was awarded to the Keene Police Canine program through a grant application.

3) Acceptance of State of New Hampshire Grant Funding for Youth Services' Juvenile Court Diversion Programming - Alyssa Bender, Youth Services Manager/JCC Coordinator

Alyssa Bender Youth Services Manager addressed the Committee and stated for the fourth year the Youth Services Department has been awarded a grant for \$16,405. She indicated this grant funding is only awarded to those entities that are accredited by the State for youth diversion programs. Ms. Bender stated with this money the department is able to provide assistance to low-income families with restitution support, able to expand other programs for prevention and intervention. With this funding they are also able to recruit a case manager to support them in their efforts.

Councilor Chadbourne felt the Human Services Department are the unsung heroes in the City that do a lot of good work in the City.

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

On a 5-0 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 the State of New Hampshire for Juvenile Court Diversion programming.

4) **Lease Agreement - 11 Central Square - Andy Bohannon – Parks, Recreation and Facilities Director**

Parks, Recreation and Facilities Director Andy Bohannon stated the first item is for a lease agreement for 11 Central Square. He explained Luca Paris who owns Culinary Journey Management Company began renting that space around the year 2000 and for about 15 years operated a cafe in that space, simultaneously operating the Mediterranean Restaurant.

Mr. Bohannon continued that the Phonky Noodle recently closed, unfortunately due to the untimely death of the owner. The City started requesting Letters of Interest and in doing so Culinary Journey Management; Lucas Café reached out to the Phonky Noodle to purchase all their inventory and worked out a deal to retain all belongings within 11 Central Square.

Mr. Bohannon stated because of the City's long-standing relationship with Culinary Journey Management, staff would like to recommend tonight that City Council enter into a lease with Steel Curtain, LLC which is a managing partner for Culinary Journey Management.

Mr. Bohannon stated Mr. Paris could not be in attendance tonight but his General Manager, Kaycie Meyerrose is here tonight should the Committee have any questions for her.

Councilor Chadbourne asked what this space will be used for. Mr. Bohannon stated his understanding is that the infrastructure is going to remain the same with a different type of menu with different operating hours.

Chair Powers stated the memorandum indicates this item was put out for proposal, there were four who expressed interest but only three proposals were received. Mr. Bohannon stated the City did not send out a Request for Proposal – they asked for a letter of interest as was done with previous tenants.

Ms. Kaycie Meyerrose addressed the Committee next. She stated she is the General Manager of Luca's and Managing Partner of the restaurant. With respect to their plans, it will be an expansion of what is located there currently with an option to stay open later on the 11 Central Square side of the establishment, while running a lounge and late night kitchen menu. The intent is not to turn the location into a bar but just an extension of what exists currently and to provide another late-night dining option in Keene. Ms. Meyerrose stated they have run out of space in their current location.

She explained their intention would be to expand the patio seating for the summer months, as well as move the current operating kitchen into the space next door and utilize the current kitchen at 10 Central Square for catering and cooking preparation.

The operating hours would change for just one location. Lucas Restaurant would continue to offer their last seating at 8:30 pm in the main dining area but the bar and lounge would be open with a menu from the kitchen until 10:30 pm and close by 11 pm.

Councilor Chadbourne felt there was definitely a need for locations to stay open after 9 pm.

City Attorney Mullins clarified the managing partner of Culinary Journey Management Corporation will be Steel Curtain LLC and asked if the lease was going to be with Culinary Journey Management or Steel Curtain LLC. Ms. Meyerrose stated the lease was going to be in connection with Steel Curtain who purchased a large percentage of Culinary Journey Management Corporation. She will remain the managing partner at the restaurant. This request is for the purpose of getting everything in order so that the expansion can be completed. Their intention is to buy out Steel Curtain LLC and they will eventually remain as just Culinary Journey Management Corporation.

It was concluded the wording in the motion had to be changed as a result.

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

On a 5-0 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 with Culinary Journey Management, LLC for the use of space at 11 Central Square.

5) Community Development Finance Authority - Community Center Investment Program - Parks, Recreation and Facilities Director – Andy Bohannon

Mr. Bohannon addressed the Committee again and stated this opportunity is for the City Manager to execute an application of a Community Development Finance Authority Community Center Investment Program for the purposes of renovating the Brian A. Mattson Recreation Center.

Mr. Bohannon stated this is the first time for a community center funded program for the opportunity to provide an option of a forgivable loan at 0%; it would be a 85% share so the city would only have to put forward 15%. This program focuses on the CDFA Energy Policy of trying to renovate and make the building more sustainable. Mr. Bohannon reminded the Committee that in the CIP the City is scheduled in FY 25 to begin design work and in FY 26 a major renovation of the old multi-purpose room, lobby, bathrooms and office space is planned. He indicated staff has made many efforts to scale this project back. The City has funding currently for the HVAC work and boiler work. However, by enabling those two projects as a match, the City would be able to then go forward and add that 85% and be able to replace windows at the Recreation Center, and add in an ADA compliant ramp which will enable a lot of

people to have access to the park area, playground and War Memorial. Mr. Bohannon stated by scaling these projects down, the funding requested in the CIP will be reduced by quite a bit.

Mr. Bohannon went on to say by April 21 the grant is due, a decision will be made by the end of May and work has to start within six months. If the City is awarded the grant the project will commence in the October/November timeframe. The City has about 18 months to complete the work – he added the City will be able to meet this timeline as they already have contractors lined up for the various pieces of work.

The City Manager recognized Mr. Bohannon's efforts as this is a new grant opportunity which had a very small window which he was able to meet as well as fit the work to be able to qualify for the grant and save the tax payers a considerable amount of money.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to execute the submission of the application for Community Development Finance Authority Community Center Investment Program for the purposes of renovating the Brian A. Mattson Recreation Center.

6) City Hall Structural Repairs Project – Request to Reallocate Funds - Parks, Recreation and Facilities Director Andy Bohannon

Mr. Bohannon and Civil Engineer Brett Rusnock were the next two individuals to address the Committee. Mr. Bohannon stated the facilities team has been working closely with engineering relating to the back wall of City Hall which has been in the capital improvement program. The City included a 1.3 million dollar project in FY25. Staff has been working diligently with Dubois and King over the last couple of years to determine a process. Staff have finally got to a place where a bid could be sent out.

The City received one bid which came back slightly over budget and hence staff is before the City to request reallocation of some items.

Mr. Bohannon went on to say that the West Keene Fire Station is scheduled for schematic design work pending grant funding. Unfortunately, that grant did not come through which enables them to borrow from that particular project. However, should that project come to fruition the money will be reallocated back to that project.

Mr. Rusnock addressed the Committee next and stated they completed an investigative and design report for the rear wall. The initial plan was to complete the design in FY21 (work has been completed). FY25 would be the final detailed design contract documents and construction. Unfortunately, the structural engineer has informed staff FY25 may be too late to wait for some of this work. Hence, staff decided to use the remaining budget in the project which was \$66,000 and put out what is referred to as a call for an immediate repair project for the rear wall of City Hall. This work involves installing steel rods through the brick wall and anchoring those rods to the wooden framing of the

building. This will provide anchoring of the brick which on its own may continue to lean outward.

Mr. Rusnock went on to say as Mr. Bohannon stated this work did not come under budget. The City received one bid which was about \$50,000 higher than the budget. As a result staff is looking to reallocate funds to allow this work to happen immediately. The contractor is required to hold their price for 90 days.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council reallocate \$60,000 from the West Keene Fire Station Project (65J0010) to the City Hall Structural Repairs Project (65J0002).

7) Change Order 1 - Water Supply Master Plan and Well Facilities Evaluation - Asst. Public Works Director/Operations Manager Aaron Costa

Asst. Public Works Director Aaron Costa addressed the Committee next. He indicated this item is a request for the City Manager to execute Change Order 1 with Emery & Garret Groundwater Investigations/GZA for additional engineering services for the Water Supply Master Plan and Well Facilities Evaluation for an amount not to exceed \$30,000 for Contract 02-20-11.

Mr. Costa explained the City uses approximately 2.25 million gallons of water per day. The City has three separate water supplies; surface water reservoirs located in Roxbury, NH, and groundwater wells located on West Street and Court Street. The City's previous water supply master plan was completed in 1992 to include changes in infrastructure, climate, and drinking water regulations. However, it is time to update the plan. In February 2021, the City contracted with Emery & Garret Groundwater Investigations/GZA, to complete a water supply master plan and well facilities evaluation.

This plan looked at multiple things such as additional groundwater and surface water supplies, potential capacities, water quality, future demands. It also took an in-depth detailed evaluation of the well facilities which have been in operation for many years and provided recommendations and cost estimates which will be the basis for future CIP projects.

Mr. Costa stated working with GZA and Underwood for the past two years, who put in a lot of work to meet the City's expectation more than they originally budgeted for. At this time, they are requesting additional funds for their level of effort. He noted this change order does exceed the City Manager's authority. The City did budget \$175,000 for this work and the original contract with GZA was approximately \$110,000. Hence, there are funds available in that capital project.

He added the last deliverable they need to provide is a presentation to City Council which is tentatively scheduled for next week.

Councilor Remy asked what happens if Council does not approve this request for additional

funding. Mr. Costa stated GZA will have to take the loss. Mr. Costa however, felt GZA is warranted the additional funds based on their level of effort. Councilor Lake asked if GZA has provided a greater level of detail than the City originally scoped out. Mr. Costa stated the level of effort to meet the City's expectations far exceeded what they budgeted for; there were many revisions of the report. There has been much greater administration at their level such as revising reports, meeting with city staff etc. In the end the City got a really good project.

Chair Powers stated the cost of doing business escalates almost on a daily basis and when it comes to construction and engineering, keeping up with State regulations tends to be an effort. He added he does not like to see these increases but knowing the City is getting a good product makes him feel a little more comfortable.

Councilor Madison clarified these two contractors are local to Keene. Mr. Costa answered in the affirmative. Mr. Costa added because of this water supply master plan, the City is in the process of working through a planning grant with DES for \$50,000 for development of a new potential well facility on property the City purchased off Arch Street in the Bent Court area. DES has accepted the City's application and a scope of work has just been submitted.

Councilor Remy stated his concern is about a change order coming in after the work has been completed. He stated he is likely to vote no but he might change his mind next week when the item comes before the full Council. Councilor Chadbourne stated she has concern of setting precedence. The Chair did not feel the City was setting precedent, he felt the Committee was addressing situations. Councilor Madison stated today's vote is not the final vote – the Committee is just making a recommendation and the Finance Committee actually enjoys the benefit of voting on the item twice.

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

That the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute Change Order 1 with Emery & Garret Groundwater Investigations/GZA for additional engineering services for the Water Supply Master Plan and Well Facilities Evaluation for an amount not to exceed \$30,000.00 for Contract 02-20-11.

Councilor Lake stated he understand the concern about wanting to expend additional funds on a project that is essentially nearing completion. However, given the feedback from City staff that the City's work in collaboration with GZA to provide a product that went above and beyond the original scope, warrants this additional funding.

Councilor Madison stated given what the Assistant Public Works Director has said about this well site, which he indicated is not a small task and given that this report will assist in that process warrants this extra expense. He added, however, the Council can make its final decision after seeing the report next week.

The Manager stated she had the opportunity to review the report which took her close to two hours. She indicated she was very impressed with all the work GZA completed on behalf of the

City. She added she understands the additional work they completed at their own risk but it was in response to questions the City raised so that a full report could be brought forward to the Council. Ms. Dragon stated she supports this request based on the additional work that they did in order to complete this project.

Councilor Chadbourne stated she appreciates what her fellow Councilors and staff have said, and stated it was persuasive.

Mr. Costa stated these report will not just remain on a shelf; the water supply a master plan is a roadmap which will remain with the City for a long time.

On a 4-1 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute Change Order 1 with Emery & Garret Groundwater Investigations/GZA for additional engineering services for the Water Supply Master Plan and Well Facilities Evaluation for an amount not to exceed \$30,000.00 for Contract 02-20-11. Councilor Remy voted in opposition.

8) Relating to Class Allocation & Salary Schedule Ordinance O-2023-09 Human Resources/ACM – Beth Fox

Assistant City Manager/Human Resources Director Beth Fox addressed the Committee next and stated the first item she is here to address deals with the City's Class Allocation Ordinance for non-union personnel, which requests that a position that is currently in an S17 position be regraded and retitled. She indicated under normal circumstances staff would have waited a few weeks, and brought this forward as a budget process, but the finance department is working against a deadline and individuals need to be hired and get this process started in order for the department to be successful moving forward.

Ms. Fox explained staff in the past few years has seen enormous changes in this particular job. She indicated the grant environment has become much more complex and this position is key to keeping the City in compliance, and not being in compliance will become an issue for the City.

She went on to say this position also has become a key position as the department has moved to cloud based software.

The Manager agreed this position is very important for the City as the City needs to have good financial data to make good financial decisions. She noted municipalities are recruiting in their finance departments without much success. The Manager stated this re-grade is something she wanted to do months ago but with the conversion of the software, the budget in the new system, made it difficult. She reiterated this is something that under normal circumstance would be done during the budget process, and there will be others that will come during that time but this position needs to be filled and she hoped the Committee will support staff's request.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2023-09.

9) Relating to Personnel Systems & Procedures Ordinance O-2023-10 - Human Resources/ACM – Beth Fox

Ms. Fox stated the City recently adopted an AFCSME Contract that changed how the City manages vacation leave for probationary AFCSME employees. This proposed ordinance change to insert the AFCSME group into the ordinance aligns with the contract. Ms. Fox stated this might be considered redundant, but because the contract on its face does not cover AFCSME employees, this provision does do that. Ms. Fox indicated she felt code and contract should be in alignment so that there are not no questions about City practices and that the City is administering its policies in accordance with both Code and Contract.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2023-10.

10) Relating to the Appropriation of Funds from the General Fund Unassigned Fund Balance (Fire Department Staffing) Resolution R-2023-18 - City Manager Elizabeth Dragon

The Manager addressed the Committee next and stated at the March 20, 2023, FOP meeting she brought forward a request to hire four additional firefighters, one for each shift and to move that process forward now. She indicated staff also presented information related to overtime. The City has been paying for that extra person on the shift for almost two years using overtime. She noted that money is being moved from the Police Department budget to the Fire Department budget mostly to cover overtime. Ms. Dragon stated this proposal will reduce the amount of overtime that is being used and will also provide coverage.

The addition of the one per shift would bring the staffing level to 11 firefighters per shift which would support the minimum staffing level of 10. She noted the Resolution before the Committee tonight was revised after speaking with the Committee to only cover the remainder of the fiscal year. The Resolution before the Committee would fund six weeks or 42 days for the four firefighters and the additional operating related expenses which are contractual training related expenses, gear, licenses, background check, and FPA physicals. The other operating expenses amount to about \$41,000.

The Resolution in total is for \$102,416.54 and would appropriate these funds from Fund Balance. She added staff is also requesting these positions be included in next year's budget (part of the FY24 budget) but outside of fiscal policy limitations. The Manager explained fiscal policy limitations talk about the CPIU over the past three years and it is difficult to factor four fighters within those parameters and hence she is requesting that this not be part of the fiscal policy conversation, and to do it separately.

This process originated from the Fire Staffing Committee that was created over a year ago when the City took an in depth look at the number of calls and the increase of calls, the types of calls, the length of time it takes to respond to a call; all that with no change in staffing since 2008. The Committee wholeheartedly supported the increase of the four additional firefighters. The City did apply for a grant but unfortunately were not successful at getting that grant. Hence, the reason for this request tonight.

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

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-18.

There being no further business, Chair Powers adjourned the meeting at 6:57 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

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