



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
May 4, 2023
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- April 20, 2023

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Public Hearing - Community Development Block Grant - Roosevelt School Apartments
2. Public Hearing - Amendment to the Land Development Code - Minimum Lot Size in the Rural District

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

C. COMMUNICATIONS

1. Keene Music Festival - Request to Use City Property - September 2, 2023
2. Covenant Living of Keene - Request for License to Install and Maintain two Private Crosswalks on Public ROW - Wyman Road
3. Councilor Madison - Recommending an Amendment to the City Code - Meeting Times for Public Bodies
4. Peter Espieffs - Requesting that the City Rescind the License to Telecom to Erect Small Cell Wireless Facilities
5. Petition Regarding Small Cell Tower at Summer and Middle Streets
6. Keene Elm City Rotary Club - Request to Use City Property - DeMar Marathon - September 24, 2023
7. John Sosnowski - Request for Water Abatement and Fee Waiver - 251 Park Avenue

D. REPORTS - COUNCIL COMMITTEES

1. 79E Community Revitalization Tax Relief Application for 310 Marlboro Street
2. Gilsum Road and Washington Street Extension Land Acquisition
3. Historical Society of Cheshire County Public Art Display Proposal
4. Councilor Remy - Requesting the City's Consideration - Centralized Solid Waste Group Default Rates and Billing
5. Request for Sole Source Purchase - Sewer Software Inspection System
6. Trail Improvements - Greater Goose Pond Forest
7. FACT Community Access Television Public Programming Agreement Addendum
8. Charter Communications Franchise Agreement Extension
9. Acceptance of Federal Funding for Airport Capital Project
10. Agreement with McFarland Johnson Inc. - Wildlife Perimeter Fence Project

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Temporary Placement of Rescue Inc. Ambulances at the Central Fire Station and the West Keene Station - City Attorney
2. Execution of Amended Application - 23-24 DHHS Grant - Youth Services Manager/JCC Coordinator

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. Relating to the FY 2023-2024 Budget Resolution R-2023-13

2. Relating to Use of the Solid Waste Unallocated Fund Balance to Enable Common Space Renovation at the Transfer Station/Recycling Center Resolution R-2023-20
3. Relating to an Appropriation of Funds and Use of Unassigned Fund Balance for the FY 2023 Fire Department Personnel Budget Resolution Resolution R-2023-27

NON PUBLIC SESSION

ADJOURNMENT

04/20/2023

A regular meeting of the Keene City Council was held on Thursday, April 20, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, and Thomas F. Powers were present. Raleigh C. Ormerod and Kate M. Bosley were absent. Councilor Johnsen led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that the next Council workshop on the downtown infrastructure and improvement project was scheduled for Wednesday, April 26, at 6:00 PM in the Council Chamber. A public comment period would start at 7:30 PM and the workshop would conclude at 8:30 PM. This workshop would replace the normal Municipal Services, Facilities, and Infrastructure Committee meeting that would have occurred that evening. At the end of the workshop, the Councilors would be asked whether they are interested in any additional workshops or prefer to have the MSFI Committee begin reviewing the project. The Council Chamber was also reserved for Monday, May 15 (this was previously scheduled for Tuesday the 16th), Monday, May 30, Tuesday, June 6, and Tuesday, June 20.

Mayor Hansel also announced that the budget schedule had been placed on Councilors' desks. The review would start with the Finance, Organization, and Personnel Committee's regular meeting on May 11, but with a start time of 5:30 PM. Special FOP meetings were scheduled for Wednesday, May 17 and Tuesday, May 23. These two meetings will also start at 5:30 PM. The FOP Committee is scheduled to make its recommendations at their regular meeting on May 25 and this meeting will be at their regular time of 6:00 PM.

Mayor Hansel concluded his announcements with a reminder to the Councilors who still needed to contact the IT Department about the DUO authentication for their City emails. Mayor Hansel requested that the Councilors call ahead and make an appointment.

MINUTES FROM THE PRECEDING MEETING

A motion by Councilor Powers to adopt the minutes of the April 6, 2023 meeting as printed was duly seconded by Councilor Greenwald. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

PUBLIC HEARING – 79-E APPLICATION – 310 MARLBORO STREET

Mayor Hansel opened the hearing at 7:04 PM and the City Clerk read the public hearing notice. The Mayor welcomed the City Assessor, Dan Langille, to provide some background. Mr. Langille said that 79-E is a NH law that the Keene City Council adopted. It is a program that encourages the rehabilitation and use of underutilized buildings in the downtown area. To be eligible for this program, a project must be within the 79-E District. Additionally, 79-E projects must be

rehabilitating a building with a minimum cost of \$75,000. More importantly, Mr. Langille explained 79-E projects must have a public benefit to: enhance the downtown economic viability; improve a culturally or historically important structure; promote the preservation and reuse of the existing building stock, promote efficient design, safety, and a greater sense of being consistent with the Comprehensive Master Plan; create at least one new full-time job; directly integrate public art; and achieve a nationally recognized green public standard.

Mr. Langille said a 79-E project does not need to meet all of those criteria, but meeting more criteria could help determine how long the tax relief is given to the applicant. The tax relief could be for up to 5 years and is only for the improved portion of the property, meaning that the land and existing building would be valued like any other property. Mr. Langille explained that after this public hearing, this application would be referred to the Finance, Organization, and Personnel Committee for a more detailed review. The Committee would make a recommendation back to the City Council about whether to approve the project and the extent of relief to offer.


Mayor Hansel welcomed the applicant, Randall Walter, representing 310 Marlboro Street, LLC, to describe the scope of the application. Mr. Walter said this project might be more significant than some of his other 79-E applications the City Council had reviewed. He said this project had advanced significantly and would soon be assessed for a Building Permit. At this time, Mr. Walter said the estimated investment to create these 57 apartments was just under \$13 million, meaning it met the project minimum for 79-E. He said there was an existing building that was constructed in 1947 that was added to in 1984; this building forms the base for the proposed housing units. Mr. Walter said the intention was to develop a “live, work, play” community at 310 Marlboro Street. Businesses on the first floor include light manufacturing, office space, a high school, fitness studios, and a hair salon. He said the vision and goal for this housing project were not only informed by the 79-E criteria but were also based on the company’s mission to create a net zero living style that is free of fossil fuels. Mr. Walter said the intention was to build 3 studio units, 36 one-bedroom units, and 18 two-bedroom units. He said there would be a varied façade, with different materials, including wood siding, windows, and some small balconies. He noted that there would be a solar array on the roof of this three-story addition to provide the energy to offset the apartments’ demand. He said the one exception to that would be domestic hot water, which was already built into the project. They had sized the woodchip boiler to produce that hot water and this system had worked successfully for one year. Mr. Walter continued explaining that all of the fixtures throughout the building would be changed to LED in the existing building and there would be nothing but LED fixtures with occupancy sensors throughout the addition. He added that all of the appliances would be Energy Star and the heating and cooling would be from electric air-source heat pumps. Most notably, Mr. Walter said this project received a \$3 million grant from Invest NH. In exchange for this grant, this project would include 15 workforce apartments that would be capped at 80% of the Area Median Income (AMI) for 5 years. He said the intention is to be a live-work community past those 5 years.

Mr. Walter continued discussing the public benefits of this project. He said that this project, and the building addition in particular, were consistent with the Comprehensive Master Plan and the Keene

Energy Plan. Mr. Walter hoped this project would contribute to the new standard of sustainability in Keene. He noted that more people are relocating to NH and one way to attract them is by creating a high-quality housing standard. So, the building would be built to a net zero energy standard. He said the goal is to exceed the Building Code for all the installation systems and windows throughout the building. He noted that he had not yet identified a green building program, but said he knew it could qualify for some easier ones, like Energy Star. Mr. Walter reiterated that the building would be entirely electric with the exception of biofuels for hot water. He thought that one of the most significant things that this project would accomplish is not clearing any land or tearing down any forest, but instead building on an existing site, with infrastructure and density that is already a part of the City. Furthermore, he noted that this building would be adjacent to the Rail Trail.

Mr. Walter concluded his remarks by reiterating that this project would be consistent with the Comprehensive Master Plan by increasing bicycle and pedestrian traffic and limiting car traffic. It would also create a new connection to downtown. He noted that MC² students were already largely coming by bike from the Rail Trail and he said the company would be building some bike racks this spring. Mr. Walter also noted that this project would create jobs. He said that his team had added a construction manager and would add two more jobs for property management once the building is complete (summer 2024). Mr. Walter continued explaining that he thought this tax relief came at a more critical time than ever for this project because of current interest rates. He said that when this project was first conceived 18 months ago, it looked a lot better on paper and the current interest rates. To balance that, they hoped that this tax relief could be in place for 5 years, coinciding with the Invest NH grant, while taking in less rent. He said they anticipated to also receive some property tax relief. Mr. Walter hoped the project would set a good standard, not just for Keene but also for other developers in the Business, Growth, and Reuse District. He hoped someone might see the Kingsbury property and want to do something with it. Mr. Walter concluded that he and his team feel a clear need for this tax relief based on the financial costs. He welcomed questions.

There were no comments from the Council or public. Mayor Hansel closed the public hearing at 7:16 PM, except for written public comments, which would be accepted until 1:00 PM on Tuesday, April 25. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record. Mayor Hansel referred this matter to the Finance, Organization, and Personnel Committee.

A true record, attest: 
City Clerk

PRESENTATION – WATER SUPPLY MASTER PLAN AND WELL FACILITIES
EVALUATION – EMERY & GARRETT GROUNDWATER INVESTIGATIONS AND
UNDERWOOD ENGINEERS

The Mayor welcomed Aaron Costa, the Assistant Public Works Director and Operations Manager of the Keene Water Treatment Facilities. The Mayor also welcomed project's consultants: James

Emery (Emery & Garrett Groundwater Investigations—a division of GZA GeoEnvironmental), and Keith Pratt (President of Underwood Engineers, which had worked on utility and water projects in Keene since 2008).

Mr. Costa began the presentation by sharing some background. He said that multiple City departments had worked on this plan for the past 2 years and City Staff and its consultants were proud to show the City Council the final product. Mr. Costa said this plan would help steer the City's water supply needs for the next 30 years. First, Mr. Costa wanted to highlight the value of water and what it means to the community. He said that New England is a water-rich part of the country, meaning that for the most part, there is plenty of water here for all needs. Water is a resource that many communities throughout the country take for granted, while other communities struggle with a lack of clean water. Mr. Costa said the effects of climate change are being felt in places like California and other parts of the southwest. He cited a recent news story that called water the new gold in California. He said that other communities are struggling with water contamination from lead, PFAS, arsenic, and more. Mr. Costa was pleased to report that the City of Keene's water supply and water operations were in good shape overall, which was partly due to the City's progressive planning throughout its history.

Mr. Costa continued sharing that Keene's water works was established in 1861 because the City recognized the importance of protecting its water supplies. He said that this long-term planning has benefited Keene. Noting that the Public Works Department has a vast archive of records; he read a passage from Keene's 1902 Water Commission, specifically the Special Committee on Additional Water Supply: *"At the beginning of the year, in response to a largely signed petition earnestly praying for an increased and pure supply of water, a Special Committee on Additional Water Supply was appointed by the City Councils, comprised of the Joint Standing Committee on Water Works, Sewers, and Drains, and the Board of Water Commissioners. The Committee was organized with Norris Guernsey, Chairman, and Henry W. Lane, Clerk. In a report presented to the City government on April 25, this Committee recommended the purchase of 75–100 acres of land below Echo Lake [presently called Woodward Pond] bordering on Roaring Brook so as to preserve the purity of its water, and to purchase a tract of 30 acres on Roaring Brook about ¼ mile east of the Boston Main Railroad, on which to construct an intercepting dam."*

Presently, Mr. Costa explained that the residents, businesses, and industries in Keene use on average 2 million gallons of clean, potable (meets NH and Federal standards for consumption) water every day. The City's water supply is also used for fire protection. The City's water comes from 3 separate water supplies, none of which can meet the City's daily needs alone. Mr. Costa continued explaining that the City has 2 surface water reservoirs located in Roxbury with a safe yield of 2 million gallons per day. Water is conveyed from those reservoirs to Keene's Water Treatment Facility, which was constructed in 1993 and was originally designed to treat 6 million gallons per day. Mr. Costa noted that the Water Treatment Facility has extra capacity if needed, but the size of those dams could be a limiting factor, which the consultants were asked to consider. He added that since 2018, the City had invested approximately \$3 million in refurbishing both Babbidge Dam (built in 1930) and the Woodward Dam (built in 1910). Mr. Costa said that the

City's surface water supply is supplemented by 2 groundwater sources on West Street and Court Street, each of which has been in service for 30–60 years. Due to the age of that infrastructure, numerous upgrades are needed to bring these facilities to current standards and ensure their continued reliable operation.

Mr. Costa continued speaking to the City's proactive planning. He said that in the early 2000s, the City purchased land in the western section of the City off of Arch Street, in the area of Bent Court. He said the City purchased that property as a potential location for an additional groundwater source. Some of the water models indicated that this groundwater source would be in the same watershed as the West Street field, suggesting that it might be a redundant—not additional—source of groundwater. The consultants for this project were asked to look at groundwater sources. Mr. Costa explained that the City's previous Water Supply Master Plan dated back to 1992. Changes in infrastructure, climate, and drinking water regulations—in addition to the age of the plan—indicated that it was time for an update.

Mr. Costa explained that in 2021, the City contracted with GZA GeoEnvironmental and Underwood Engineers to form a robust scope of work, including: the industrial/residential/emergency supply needs, the supply to meet peak demand in the summer, the capacity and longevity of the Court Street and West Street aquifers (there is no gauge for these so it is helpful to know how much they contain and how quickly they recharge), current and future water supply requirements, potential and industrial growth projections (with help of the Community Development Department), climate change and drought projections, additional groundwater needs, and cost projections for implementation of new ground water sources. Otter Brook Lake, Otter Brook, Goose Pond (the City's first water supply in 1868), and Surry Mountain Lake are additional surface water supplies. Mr. Costa said that the consultants performed/studied conservation measures, water quality protection measures, and an extensive well facilities evaluation to determine what it would take to bring the West Street and Court Street wells back up to code and how to keep those facilities running and reliable. He said the consultants also looked at additional revenues.

Mr. Emery said his work focuses on towns and cities that have problems with their water supplies. As such, he commended the City of Keene's long-term planning since the 1800s that has allowed the City to excel in water resource development and maintenance. Mr. Emery said he is a hydrogeologist and in the early 1980s he spent time in Keene working on the West and Street and Court Street well fields, as well as Krif Road. His company has an office in Keene, which keeps them active in the community. Mr. Emery said that in his view, water is the most important asset the City of Keene has, with \$100–\$200 million in investments over the course of the water supply's lifespan. So, he said it was clear that the City needs to protect and enhance this supply. Mr. Emery reviewed the agenda for this presentation, which would not cover every facet of this substantial and detailed report.

Mr. Pratt discussed engineering. He said that some of the City's visions and decisions in the early 1900s allowed the City to still have a robust water system today. Mr. Pratt showed a map of

Keene's water system, including the distribution lines, storage tanks, the water treatment plants, and wells. The consultants looked at the historical demands, noting that the demand on Keene's wells had actually been decreasing over time, either through reduction in users, better management, or repair of leaks in the supply. Mr. Pratt showed a graphic depicting the water coming from the wells and the Surface Water Treatment Plant (60–70% of the demands) over the past 5 years.

The consultants also looked at future demands. Mr. Pratt said the consultants worked with the Community Development Department to determine where in the City there might be growth. Then, the consultants were able to consider how much water Keene needs to be planning for in the future. He continued by showing a graph demonstrating current demands versus future growth in Keene and North Swanzey; modest projections over 20 years showed 11% growth for planning purposes.

Next, Mr. Pratt discussed water supply capacity. He said that one of the consultants' tasks was to assess the safe yields of Keene's surface water supplies. He said there had been 5 studies on Keene's surface waters since 1947 that the consultants reviewed to help identify the safe yield for the reservoirs. He said it really depends on the type of drought condition considered. For example, if considering a 100-year drought, the safe yield of the reservoirs would be approximately 2.2 million gallons per day. He said it would be a greater safe yield if targeting 25-year drought conditions. Thus, they started with a 25-year drought condition as a reasonable target for planning purposes. He showed a graph demonstrating how drought conditions change the safe yield. Mr. Pratt continued, demonstrating the total water supply capacity for the City's surface waters (2.88 million gallons per day capacity; 25-year drought safe yield – 3.2 million gallons per day) and wells (West Street – 0.46 million gallons per day capacity; Court Street – 1.92 million gallons per day capacity). Thus, the City has just over 5 million gallons of water per day to work with.

Mr. Pratt continued by discussing supply versus demand. He showed a graph depicting the City's existing demands today (on an average and max day). He showed how the City's water supply might meet future demands considering future drought conditions, inefficiencies at the Water Treatment Plant, and if one of the wells was out of service for some time. He said the data showed that the City was in pretty good shape. Mr. Pratt noted that the consultants were also tasked with looking at the vulnerability of Keene's water system to things like climate change, or what if the City lost the Babbidge Reservoir or the Water Treatment Plant caught on fire. He said the consultants also analyzed where the City's water was – essentially a sort of water audit to compare what Keene is producing versus what they are billing. Such an audit is the basis for identifying leaks to help the system be more efficient. The City was doing well around the industry standard. The consultants suggested more targeted work to help identify the current water that is unaccounted for (17%, compared to the industry standard of 15%).

Next, Mr. Emery discussed water quality. He said the Roaring Brook watershed's water quality is interesting because it is generally low alkalinity, low turbidity, and meets the maximum contaminant levels. He said that watersheds are subject to turbidity during storm events. A benefit of the Roaring Brook watershed is that it is high in nitrogen and low in phosphorus, making it subject to limited algae blooms, which benefits water quality. The City's surface water and ground

water complement and supplement each other because there are times during the year when the surface water deteriorates and the City moves toward using more ground water, and vice versa; he said that this is where some of the City's vulnerability exists. Mr. Emery said that climate change is real and impacts the ground water and surface water supplies through higher water temperatures, lower growing seasons, more frequent and intense storms, lengthier droughts, and lower surface water flushing time. These flash storms impact erosion, which moves minerals and nutrients into the reservoirs, deteriorating the water quality. Importantly, Keene monitors phosphorus in the reservoirs and over the last 20 years, it has been increasing in the surface water supplies at 0.4 milligrams per liter. Over the last 6 years, however, that figure almost doubled to 0.7 milligrams per liter. Mr. Emery wanted the Council to have a sense that climate change was already impacting the City's surface waters, and while the City was not in trouble at this point, climate change was playing a role in the City's water quality. He said the good news was that the disinfectants that the City uses, iron levels (which can cause problems), manganese levels (which also causes problems), and nitrates from septic systems agricultural fertilizers were all well below the maximum acceptable levels. Mr. Emery said kudos to the City for managing their ground water supplies in a meaningful way. Mr. Emery noted that many cities have had to take their wells offline due to PFAS. He said that towns like Merrimack, NH, have treated all of their production wells at a cost of over \$20 million. He said that was a price tag Keene does not have to worry about right now.

Mr. Emery continued discussing the Court Street well field, the buildings for which were built in the 1960s and 1970s and had exceeded their useful life. He said the conditions of the wells needed to be verified because they had not been tested for sustainable yield since the 1980s. These pump stations do not comply with current building and electrical codes, there are safety issues with the chemical feed systems, there are no alternative access routes to the wells, and there is no back-up power on site. Mr. Emery also explained that if Keene were to develop and permit a new water supply today, it would require a 400-foot protective radius, which is approximately 11 acres. He showed an aerial image of the Court Street well field to demonstrate that the City does not own the land north of Protection Well #2, for example. That land is owned by a golf course and Keene has monitoring wells to test what is coming from that land use. If developed today, that well would not be in compliance because it could not have the 400-foot radius. Mr. Emery said that interestingly, the 400-foot radius does not indicate where the water is coming from. The water feeding and recharging these wells actually comes all the way from Gilsum, Surry, and other communities. The consultants also studied what was happening in the aquifer near these wells. Since 1997, nitrate had declined and arsenic/iron/manganese were all flat lined. Mr. Emery did show that chloride was increasing slightly in the aquifer because of de-icing, which needed to be incorporated into a long-term monitoring plan and salt reduction mitigation plan. Salt is the primary ground water contaminant in the state of NH and is easily controllable.

Next, Mr. Emery discussed the West Street well field. The well house was constructed in 1965. In 1988, Well #1 was replaced and the corrosion control building was built. The West Street structures and equipment had exceeded their useful lives, did not comply with building and electrical codes, had safety issues with chemical feed systems, and had no back-up power. Additionally, this well field's existing access was not located within the legal access easement and there was a farm

encroaching on the 400-foot sanitary protective radius. Mr. Emery showed an aerial image of the West Street well, demonstrating the 400-foot protective radius and the farm encroachment north of the well. He added that the City does not own the land south of this well. Mr. Emery said there was a current effort to have that landowner cooperate in reducing the overall activities in close proximity to that well. He showed another map to demonstrate the actual well head protection area—what contributes water to the well—which indicated that this water was coming from a large area that included some dense residential developments. Like for the Court Street site, nitrate in the West Street well had been declining and manganese remained low. Additionally, chloride had risen over the last 20 years, further indicating the need for a salt management program.

Mr. Emery discussed the artificial recharge basin, whether there is a way to enhance the yield of Keene's wells, and whether surface water could be used during peak flow of climate change induced storms. Essentially could surface water from these storms be put into the ground and withdrawn later? He said this was something the consultants were working on with the University of NH, as well as the towns of Durham and Dover, NH. The artificial recharge system works by taking water from a river during peak flow and putting it into basins, allowing it to drain into the aquifer and migrate toward the well. Accomplishing this was unlikely at the West Street site, but Mr. Emery said it was possible at the Court Street well field. He said the consultants looked at where this could work with the Ashuelot River and Goose Pond, the latter of which already has a historic underground pipeline connected to it. So, if the City ever wanted to use surface water to enhance the yields of the Court Street wells, the City has these two options to consider. He showed a map indicating where the consultants determined that these artificial recharge basins could be located. He showed a geological cross section of the production wells to demonstrate where the water could enter a basin to begin infiltrating into the wells to enhance yields. Mr. Emery said that the geology, surface water options, and the aquifer are all favorable to this being a possible future option for the City.

Next, Mr. Emery talked about the consultants' task to determine whether the City had any potential new ground water sources. He said that in the late 1980s/early 1990s he worked on the Robertson Field and drilled a well with a capacity of 700,000 gallons of water per day. At the time, his team recommended that the City buy that property and the City did. He said this is a well site with a 400-foot protective radius that the consultants believed could be developed in the future. The consultants also looked at potential options around the airport, where there is a significant aquifer, but found that it was a TCE contaminant site and there is a fire training facility (with PFAS likely) that would be problematic. He showed two areas on the airport property in the north central Swanzey region where future well development could be possible. Mr. Emery said the consultants looked at potential new surface water sources—Otter Brook and Surry Mountain Lake—but the costs were too substantial.

Next, Mr. Emery discussed potential additional revenue sources for the City. The consultants considered the bottled water industry, which the City could pursue by being a private label (requires bottling, a financial plan, and backing) or through bulk water transport. Within a 100-mile radius around Keene, there were 11 million people in the population, which Mr. Emery said was a good

basis for a bottled water operation. Keene could have a bulk water facility where large truck come into a well site to purchase water at \$0.01 per gallon; if the City produced 100,000 gallons per day—which Keene’s wells are capable of—the revenue could potentially be \$1,000 daily.

Mr. Pratt touched on levels of service, which helped to define some of the recommendations in this plan such as diversity of supplies, building in redundancy, and the future vision. He also talked briefly about normalized costs detailed in the plan, which were developed by identifying planning-level costs (that indicate the magnitude of the costs), which were divided by the gallons of water the City could produce. The normalized costs help to help rank projects. Some projects were a lower cost on a normalized basis and helped drive some recommendations in the plan. A lot of those projects ranged from \$3–\$6 per gallon per day, while some were upward of 3 times those costs. He showed some cost comparisons for ground water and surface water. He said Otter Brook was mentioned as a surface water possibility in the 1993 report as a long-term vision but there was no current recommendation to do anything with that site; the possibility was the lowest cost surface water at \$6 per gallon daily.

Mr. Pratt briefly discussed the recommendations in the plan, which he said fell into two categories: infrastructure (the City had received some grant money for these options) and the long-term vision decisions for redundancy, resiliency, and planning for the future of Keene. Mr. Emery concluded by noting that the City had already reaped some benefits of this Water Supply Plan—the NH Department of Environmental Services had already given the City a \$50,000 grant for on the basis of this plan. He said there was no match required; it was a gift from the State for doing this plan and to help build on it moving forward. The consultants welcomed questions. Mayor Hansel thanked Mr. Emery and Mr. Pratt for their work.

Regarding surface water, Councilor Giacomo said he knew that the Robin Hood, Otter Brook, and Surry Mountain dams all had issues with e-coli outbreaks during droughts. He imagined there was technology at the Water Treatment Plant to deal with that. He asked if such biological outbreaks burden the Plant more than a well, for example. Mr. Pratt said the short answer was yes. He said this study was less about water quality and more so about trying to identify supplies for redundancy and resiliency. Those biological outbreaks can be managed. Mr. Emery said one thing that is interesting and unique about Keene is that the surface water complements and supplements the ground water, and vice versa. He said that surface water quality conditions change with more frequent storm events, especially rapid storm events with higher levels of turbidity and erosion, which would cause more issues associated with the chemistry of surface waters. To be more proactive, the City could consider whether it has the capacity to manage catastrophic events like increases in phosphorus, algae blooms, or cyanobacteria blooms on a water body. He did not think Keene was quite there yet, but thought the City was on the right path forward.

Councilor Madison asked if the City was currently monitoring biological oxygen demand in the Roaring Brook watershed. Mr. Costa did not believe so at this time. Councilor Madison asked if there was a Forest Management Plan for the Roaring Brook watershed. Mr. Costa said yes, there is

a Watershed Master Plan as well but Staff were only considering preliminary actions at this time. Mr. Costa said water quality comes into play when managing forests in a watershed.

Councilor Jones noted that the City basically outputs one product—potable (i.e., safe, consumable) water. He mentioned how some communities in Europe have two water systems, including grey water that fills toilets, fire hydrants, irrigation/sprinkler systems, etc., that do not require potable water. He wondered if implementing such an option was possible in Keene over time. Mr. Pratt said that those systems were gaining very little traction in New England and the consultants were working on one of the only ones in NH on Star Island. He said it would likely require a study of its own as it was not considered in this Master Plan. Mr. Emery added that grey water systems are often enacted in response to water supply scarcity and there might not be sufficient cost benefit for the City to consider that option.

Mayor Hansel thanked the presenters.

PRESENTATION – CITY OF KEENE HOUSING NEEDS ANALYSIS AND STRATEGY

Mayor Hansel postponed this presentation until a future agenda.

CONFIRMATION – HUMAN RIGHTS COMMITTEE

Mayor Hansel nominated Gina Burke as a regular member and Jennifer Nescimento as an alternate member of the Human Rights Committee, both with terms to expire December 31, 2025. A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Greenwald. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

COMMUNICATION – COUNCILOR REMY – REQUESTING THE CITY’S CONSIDERATION – CENTRALIZED SOLID WASTE GROUP DEFAULT RATES AND BILLING

A communication was received from Councilor Remy, referring to the recent success of the City’s negotiations regarding community power and raises the question of whether the City could leverage any savings for Keene’s taxpayers regarding negotiated group default rates for solid waste management. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

COMMUNICATION – MONADNOCK INTERFAITH PROJECT – ENCOURAGING THE CITY OF KEENE TO AFFIRM THE RECOMMENDATIONS IN THE HOUSING NEEDS ASSESSMENT REPORT

A communication was received from Roye Ginsberg on behalf of the Monadnock Interfaith Project, encouraging the City of Keene to affirm the recommendations in the Housing Needs Assessment

04/20/2023

Report and requesting that the City of Keene pursue a Housing Fund, whether City-run or as part of a regional collaboration. Mayor Hansel accepted the communication as informational.

COMMUNICATION – SPECTRUM CABLE/CHARTER COMMUNICATIONS – REQUEST TO INSTALL AN UNDERGROUND COMMUNICATION CONDUIT IN THE RIGHT-OF-WAY

A communication was received from Ryan Snow, Construction Coordinator for Spectrum Cable (Charter Communications), requesting permission to install underground communications conduits in the right-of-way along the south side of Krif Road and the east side of Cornwell Drive. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

PLD REPORT – CABANA FALLS WINERY – PERMISSION TO OFFER SAMPLES AND SELL ALCOHOL AT KEENE FARMERS’ MARKET

A Planning, Licenses, and Development Committee report read, recommending that Cabana Falls Winery be granted permission to sell alcohol and provide individual product samples to patrons at the 2023 Keene Farmers’ Market on City property licensed to the Farmers’ Market of Keene in accordance with the requirements of the State Liquor Commission. Said permission is contingent on the following: submittal of a signed letter of permission from the Farmers’ Market of Keene; obtainment of all necessary permits and licenses and compliance with all laws. A motion by Councilor Giacomo to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

PLD REPORT – KEENE FAMILY YMCA – REQUEST FOR ROAD CLOSURE – SUMMIT ROAD – JUNE 4, 2023

A Planning, Licenses, and Development Committee report read, recommending that the City Council grant permission to the Keene Family YMCA to sponsor a youth triathlon on Sunday, June 4th, 2023 from 8:00 AM to 1:00 PM, including the closure of Summit Road just after the YMCA entrance and Summit Ridge Drive where it intersects with Summit Road subject to the following conditions: the signing of a revocable license and indemnification agreement and the submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as an additional insured. This license is conditional upon the petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course, providing advance notice of the race to impacted residents, and subject to any recommendations of City staff. Petitioner agrees to absorb the cost of any City services provided, and agrees to remit said payment within 30-days of the date of invoicing. A motion by Councilor Giacomo to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 13 Councilors present and voting in favor.

PLD REPORT – KEENE SWAMPBATS – REQUEST TO DISCHARGE FIREWORKS – JULY 3, 2023

A Planning, Licenses, and Development Committee report read, recommending that the Keene Swamp Bats be granted permission for the discharge of display fireworks on Monday, July 3rd, 2023 on Alumni Field at no later than 10:00 PM subject to following conditions: the signing of a revocable license and indemnification agreement; that the Keene Swamp Bats provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000; that the fireworks vendor also provide a certificate of liability insurance with the City of Keene listed as additional insured in the amount of \$1,000,000; submittal of a signed letter of permission from SAU 29 for use of their property; and obtainment of a State Fireworks permit. In addition, the petitioner agrees to comply with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 23 Community Events Budget for the July 3rd display. Said payment shall be made within 30-days of the date of invoicing. A motion by Councilor Giacomo to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

PLD REPORT – FIREWORKS RESTAURANT – REQUEST TO SERVE ALCOHOL – SIDEWALK CAFÉ

A Planning, Licenses, and Development Committee report read, recommending that Fireworks Restaurant be granted permission to serve alcoholic beverages in connection with their Sidewalk Café License, subject to the customary licensing requirements of the City Council, compliance with the requirements of Sections 46-1191 through 46-1196 of the City Code, and compliance with any requirements of the NH Liquor Commission. This license shall expire on March 1, 2024. A motion by Councilor Giacomo to carry out the intent of the Committee report was duly seconded by Councilor Jones. Councilor Greenwald reminded the Council that he had a conflict of interest statement on file because of his business relationship with Fireworks Restaurant and he would not be voting on this item. The motion carried unanimously with 12 Councilors present and voting in favor. Councilor Greenwald abstained. Councilors Ormerod and Bosley were absent.

PLD REPORT – REQUEST TO USE CITY PROPERTY – 2023 KEENE PRIDE FESTIVAL

A Planning, Licenses, and Development Committee report read, recommending that the Keene Pride Group be granted permission to use downtown City rights-of-way on Sunday, September 17th, 2023 to conduct a Keene Pride Celebration, including participating downtown businesses decorating their storefronts for the week leading up to the event date, conditional upon the following:

- This license is granted based upon the event scope presented to City staff during protocol meetings held to date, changes or additions to the license may require that an amended license be issued by the City Clerk and no changes to this license or the associated protocol documents will be accepted after August 1, 2023;

- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement;
- That the agreed upon footprint and layout for the event shall encumber Central Square, including the traveled portion of the road requiring the following road closures: Central Square, West Street at Central Square (with a slip lane for eastbound West Street traffic to go south on Main Street), Roxbury Street from the easterly side of the Hannah Grimes Parking Lot to Central Square, Washington Street from Vernon Street to Central Square, and Court Street from Winter Street to Central Square.
- That the Petitioner is permitted to place porta-potties and a dumpster in City parking spaces located at the base of Washington Street, and additional porta-potties on Roxbury Street from Friday, September 15, 2023 to Monday September 18, 2023, which will be chained together and affixed to ensure they are not vandalized while unattended overnight;
- That the actual event will be held from 12:00 PM to 6:00 PM with the times for set up and clean up to be established with City staff;
- That free parking be granted under the provisions of the free parking policy for City parking spaces on Washington Street and Roxbury Street needed for storage of equipment from Friday, September 15, 2023 to Monday September 18, 2023, and spaces within the event footprint on the day of the event;
- The submittal of signed letters of permission from any private property owners for the use of their property; and
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.

In addition, the Petitioner agrees to absorb the cost of any City services provided, and agrees to remit said payment within 30-days of the date of invoicing. A motion by Councilor Giacomo to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

PLD REPORT – PATHWAYS FOR KEENE – REQUEST FOR LICENSE – 4 ON THE 4TH ROAD RACE – JULY 4, 2023

A Planning, Licenses, and Development Committee report read, recommending that the City Council grant permission to Pathways for Keene to sponsor a running race on Tuesday, July 4th, 2023, subject to the signing of a revocable license and indemnification agreement and the submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as an additional insured. In addition, the Police Department shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course, and subject to any recommendations of City staff. Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 23 Community Events Budget. Said payment shall be made within 30- days of the date of invoicing. A motion by Councilor Giacomo to carry out the intent of the Committee

report was duly seconded by Councilor Jones. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – 2022 HOMELAND SECURITY GRANT PROGRAM – SEARCH AND RESCUE EQUIPMENT

A Finance, Organization, and Personnel Committee report read, recommending 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. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – VESTED INTEREST IN K9’S, INC. GRANT AWARD FOR THE KEENE POLICE CANINE PROGRAM

A Finance, Organization, and Personnel Committee report read, recommending 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. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – ACCEPTANCE OF STATE OF NEW HAMPSHIRE GRANT FUNDING FOR YOUTH SERVICES’ JUVENILE COURT DIVERSION PROGRAMMING

A Finance, Organization, and Personnel Committee report read, recommending 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. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – LEASE AGREEMENT – 11 CENTRAL SQUARE

A Finance, Organization, and Personnel Committee report read, recommending 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. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – COMMUNITY DEVELOPMENT FINANCE AUTHORITY – COMMUNITY CENTER INVESTMENT PROGRAM

A Finance, Organization, and Personnel Committee report read, recommending 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. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – CITY HALL STRUCTURAL REPAIRS PROJECT – REQUEST TO REALLOCATE FUNDS

A Finance, Organization, and Personnel Committee report read, recommending that the City Council reallocate \$60,000 from the West Keene Fire Station Project (65J0010) to the City Hall Structural Repairs Project (65J0002). A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

FOP REPORT – CHANGE ORDER 1 – WATER SUPPLY MASTER PLAN AND WELL FACILITIES EVALUATION

A Finance, Organization, and Personnel Committee report read, recommending 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. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Remy agreed that the work performed by the consultants was great and he had no concerns with that. Councilor Remy said that for him, it was more about the principle of coming back after the work was completed on a project, whether this one went through a Request for Proposals (RFP). He said that when competing with other businesses and one wins a RFP based on the pricing promised, and then the business comes back to the Council at the end asking for more money, it seemed unusual. Whether or not the work was exceptional, he did not think this process was right.

Councilor Giacomo asked if the extra cost was because of something that the City requested after the Request for Proposals had been finalized; were the consultants simply satisfying the City's request? Councilor Powers deferred to Mr. Costa, who first clarified that it was not a Request for Proposals but a Request for Qualifications, and the consultants were selected based on their qualifications. Mr. Costa said that as this process progressed, the City worked with GZA and Underwood to get the best product to meet the City's expectations, which cost a little bit more than

the consultants provided in their original scope of work. He said the consultants knew they were doing this work at their own risk but in the end, they saw that their level of effort was much greater than they anticipated originally. Mr. Costa said that this report and all of the consultants' work met the City's expectations and he thought the City might have driven the consultants more than they anticipated, which was the reason for them coming back with this change order.

Councilor Filiault said he shared some of Councilor Remy's concerns. Councilor Filiault continued that it concerned him that any proposal coming to the City could have a company intentionally indicate a lower price to win the bid and then request more money at the end. He stated that he was not accusing these consultants of that. Still, he thought that unless there was a lot of unforeseen work, he disagreed with the City having to come up with extra money at the end of a project per a consultant request. He thought that the consultants presented a figure at the beginning, the City agreed to pay that amount, and so the City should pay that amount. He said that if the company had to "eat a little bit because they underestimated, that's business."

Councilor Madison reiterated what Mr. Costa said, which was that this was a Request for Qualifications, not a Request for Bid with a specific number attached to it. Councilor Madison said he used to write reports like this for a living during his first 5 years in NH. Although his reports were for smaller communities and water system providers, they had the same general guidelines. From what Councilor Madison saw, he said this was a pretty exceptional report that would serve the City very well for the next 30–50 years. He added that this report was something the City could ultimately use to secure and leverage more State and Federal funding through the NH Department of Environmental Services, Rural Development, or the US Department of Agriculture. Councilor Madison thought this \$30,000 was a wise investment for the benefit to the City. He thought the consultants deserved the increase.

Councilor Williams thought that when the City asks a company to do work, the City should pay them for that work. He said this was coming from his perspective as someone who works for government entities and deals with pushback against this a lot. Still, he said that fair is fair, and the City asked the consultants to perform this work. Councilor Williams did not want future companies to see denying these funds as a precedent.

Councilor Greenwald said to bear in mind that it is not the Council's money, it is the water using taxpayers' money. He said that if he hired a contractor for work and then asked them to do more work, there would be a change order, which is an agreement in advance for the extra funds. Councilor Greenwald expressed gratitude for the consultants' exceptional work, but said that in the future, the Council should protect the public and not spend their money without good reason. He said this should have been an approved change order.

Councilor Roberts recalled that these consultants were chosen based on their qualifications, not based on a fixed price. He said less qualified applicants could provide a lower bid for minimum work. To Councilor Greenwald's point, Councilor Roberts thought there was an error in trust on both sides of this issue. Councilor Roberts agreed that in reality, this should have been through

change orders but said that can be challenging, because then the work must stop until the Council approves the change orders. He thought this could be a good lesson and he would vote in favor.

Councilor Johnsen thought it was very important to pay this extra cost because from her understanding, the State and Federal governments were giving out money and the City did not want to send a message that they are not willing to pay for a little bit more work. She said money was flowing and she would vote in favor.

The motion carried with 10 Councilors voting in favor. Councilors Greenwald, Filiault, and Remy voted in opposition. Councilors Ormerod and Bosley were absent.

CITY MANAGER COMMENTS

The Assistant City Manager/HR Director, Elizabeth Fox, began by reporting that the Council and community were invited to participate in the annual Green Up Keene event on Saturday, April 22 beginning at 8:00 AM. For this annual event, everyone comes together to beautify the community, streets, trails, and parks. Anyone wishing to participate could pick-up supplies at a drive-through at the Public Works Department (350 Marlboro Street) from 8:00 AM–12:00 PM. Participants could reserve an area to clean-up ahead of time by signing-up in advance, or they could show-up and be assigned a spot.

The Assistant City Manager concluded her report, noting that construction season was underway. She said that the Engineering Division asked her to help inform the community that the Island Street Bridge would be closing to vehicles on Monday, April 24. The bridge would still be open to pedestrians until early May. She asked everyone to spread the word to the community.

ACCEPTANCE OF DONATIONS – FINANCE DIRECTOR

A memorandum read from the Finance Director/Treasurer, Merri Howe, recommending that the City Council accept the donations below—totaling \$3,550—and that the City Manager be authorized to use each donation in the manner specified by the donor.

- The Keene Parks, Recreation, and Facilities Department received a generous donation of \$300.00 from GFA Federal Credit Union. The donation is to be used for the Human Rights Committee collaboration with the Keene International Festival to host the annual event at the Recreation Center on Saturday, September 23, 2023, from 11:00 AM to 3:00 PM. The event was created to showcase and celebrate the rich cultural diversity of the Keene community through activities that engage and connect people to each other and is free and open to the public.
- The Keene Fire Department received 2 donations in appreciation of the Department's care and kindness. The first donation in the amount of \$3,000 is from Celine Gandolfo in memory of Donna Gandolfo. The second donation in the amount of \$250 is from Karen Phillips in the memory of her mother Dorothy Lynde.

A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 13 Councilors present and voting in favor. The Mayor and Council expressed their appreciation for the generous donations. Councilors Ormerod and Bosley were absent.

REPORT – NOMINATION OF JAY KAHN TO THE SOUTHWEST REGION PLANNING COMMISSION BOARD OF DIRECTORS – PLANNING BOARD

A report read from the Planning Board, recommending the confirmation of Jay Kahn to the Southwest Region Planning Commission. A motion by Councilor Powers to confirm the nomination was duly seconded by Councilor Greenwald. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

REPORT – GILSUM ROAD AND WASHINGTON STREET EXTENSION LAND ACQUISITION – CONSERVATION COMMISSION

A report read from the Conservation Commission, authorizing Sparky Von Plinsky (Chair) to write a letter urging the City to grant permission to purchase two properties from Hull Forestry Products. Mayor Hansel referred the report to the Finance, Organization, and Personnel Committee.

REPORT – ORDINANCE O-2023-06: RELATING TO AMENDMENTS TO THE LAND DEVELOPMENT CODE, ACCESSORY DWELLING UNITS – JOINT PLANNING BOARD/PLANNING, LICENSES, AND DEVELOPMENT COMMITTEE

A report read from the Joint Planning Board/Planning, Licenses, and Development Committee. The Planning Board found that Ordinance O-2023-06 was consistent with the City's 2010 Master Plan. The Planning, Licenses, and Development Committee, requested that the Mayor set a public hearing. Mayor Hansel scheduled a public hearing for May 18, 2023 at 7:00 PM.

REPORT – ORDINANCE O-2022-19-B: RELATING TO AMENDMENTS TO THE LAND DEVELOPMENT CODE – ZONING REGULATIONS & APPLICATION PROCEDURES – JOINT PLANNING BOARD/PLANNING, LICENSES, AND DEVELOPMENT COMMITTEE

A report read from the Joint Planning Board/Planning, Licenses, and Development Committee. The Planning Board moved unanimously to amend Ordinance O-2022-19-A and remove all proposed amendments to Article 15. The Planning Board found that the amended Ordinance O-2022-19-B was consistent with the City's 2010 Comprehensive Master Plan. The Planning, Licenses, and Development Committee requested that the Mayor set a public hearing. Mayor Hansel set a public hearing for May 18, 2023 at 7:05 PM.

ORDINANCE FOR SECOND READING – RELATING TO THE SALE, POSSESSION AND DISPLAY OF FIREWORKS ORDINANCE – O-2023-07

A Planning, Licenses, and Development Committee report read on a vote of 4–1, recommending the adoption of Ordinance O-2023-07. Mayor Hansel filed the report. A motion by Councilor Giacomo to adopt Ordinance O-2023-07 was duly seconded by Councilor Jones.

Councilor Williams expressed his opposition to this Ordinance. The Councilor noted he was not a fan of fireworks, especially in his neighborhood, and he thought there would be more fireworks there as a result of this Ordinance. He said this was easing up on these rules a bit, which Councilor Williams equated to raising speed limits because there is too much speeding on a street. He said it would not solve the problem. He said that just a few days prior, someone was shooting fireworks off in Robin Hood Park, upsetting all of the dogs and others in the neighborhood. He added that fireworks create air pollution, litter, and noise. Fireworks are bad for animals and veterans with PTSD, among many other groups. He said it was one thing when fireworks were only used on holidays, but now they are used all the time. Councilor Williams did not think the City of Keene needed more fireworks.

The motion carried on a roll call vote with 10 Councilors present and voting in favor. Councilors Williams, Chadbourne, and Workman voted in opposition. Councilors Ormerod and Bosley were absent.

ORDINANCE FOR SECOND READING – RELATING TO AMENDMENTS TO THE PLANNING BOARD SUBDIVISION REGULATIONS – ORDINANCE O-2023-08

A Planning, Licenses, and Development Committee report read on a vote of 5–0, recommending the adoption of Ordinance O-2023-08. Mayor Hansel filed the report. A motion by Councilor Giacomo to adopt Ordinance O-2023-08 was duly seconded by Councilor Jones.

Councilor Jones recalled that in 2022, the Council considered the Conservation Residential Development Ordinance, which he said several Councilors and residents opposed. He said that this Ordinance O-2023-08 addressed the standards for site plan reviews and addressed those issues. He would vote in favor. Discussion ensued about the fact that the minimum lot size in the Rural Zone, which was controversial, was separated out of this Ordinance. The Community Development Director, Jesse Rounds, said that the Council would hear that issue again during a City Council public hearing on May 4. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Omerod and Bosley were absent.

ORDINANCE FOR SECOND READING – RELATING TO CLASS ALLOCATION & SALARY SCHEDULE ORDINANCE – O-2023-09

A Finance, Organization, and Personnel Committee report read on a vote of 5–0, recommending the adoption of Ordinance O-2023-09. Mayor Hansel filed the report. A motion by Councilor Powers to adopt Ordinance O-2023-09 was duly seconded by Councilor Remy. The motion carried

unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

ORDINANCE FOR SECOND READING – RELATING TO PERSONNEL SYSTEMS & PROCEDURES – ORDINANCE O-2023-10

A Finance, Organization, and Personnel Committee report read on a vote of 5–0, recommending the adoption of Ordinance O-2023-10. A motion by Councilor Powers to adopt Ordinance O-2023-10 with a retroactive effective date of May 31, 2023. The motion was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

RELATING TO A CDBG GRANT APPLICATION – ROOSEVELT SCHOOL APARTMENTS – RESOLUTION R-2023-21

Southwest Regional Planning Commission submitted a Resolution that would approve a grant application for Federal CDBG funds to the NH Community Development Finance Authority. The proposal was to request up to \$500,000 in CDBG Public Housing funds to be sub-granted, less administration costs, to Keene Housing to be used toward the development of apartments for low and moderate-income households at 438 Washington Street. Mayor Hansel referred Resolution R-2023-21 to the Finance, Organization, and Personnel Committee. The Mayor set a public hearing for May 4 at 7:00 PM.

ACCEPTANCE OF DEEDS AND RETURN OF LAYOUT – MAGNOLIA WAY – RESOLUTIONS R-2023-22, R-2023-23, AND R-2023-24

Attorney Paul J. Alfano, representing Neuvo Transfers, LLC, submitted a petition that would lay out a public way, west of Winchester Street called Magnolia Way. Mayor Hansel scheduled a site visit and public hearing for June 1, 2023 at 5:45 PM and 7:00 PM, respectively.

ACCEPTANCE OF DEED AND RETURN OF LAYOUT – MATTHEWS ROAD AND WINCHESTER STREET INTERSECTION – RESOLUTIONS R-2023-25 AND R-2023-26

Attorney Paul J. Alfano, representing Neuvo Transfers, LLC, submitted a petition for the layout of modifications to Matthews Road as it intersects Winchester Street. Mayor Hansel scheduled a site visit and public hearing for June 1, 2023 at 5:50 PM and 7:05 PM, respectively.

RELATING TO THE APPROPRIATION OF FUNDS FROM THE GENERAL FUND UNASSIGNED FUND BALANCE (FIRE DEPARTMENT STAFFING) – RESOLUTION R-2023-18

04/20/2023


A Finance, Organization, and Personnel Committee report read on a roll call vote of 5–0, recommending the adoption of Resolution R-2023-18. Mayor Hansel filed the report. A motion by Councilor Powers to adopt Resolution R-2023-18 was duly seconded by Councilor Remy. The motion carried on a roll call vote with 13 Councilors present and voting in favor. Councilors Ormerod and Bosley were absent.

RELATING TO USE OF THE SOLID WASTE UNALLOCATED FUND BALANCE TO
ENABLE COMMON SPACE RENOVATION AT THE TRANSFER STATION/RECYCLING
CENTER – RESOLUTION R-2023-20

A memorandum read Assistant Public Works Director, Duncan Watson, recommending Resolution R-2023-20 be referred to the Finance, Organization and Personnel Committee for their review and recommendation. The Mayor filed the memorandum and referred the Resolution to the Finance, Organization, and Personnel Committee.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 8:59 PM.

A true record, attest: 
City Clerk

NOTICE OF PUBLIC HEARINGS
Community Development Block Grant Program
Thursday, May 4, 2023 - 7:00 p.m.
City Hall, Second Floor
3 Washington Street, Keene, NH

Three public hearings regarding a proposed application to the NH Community Development Finance Authority for federal Community Development Block Grant (CDBG) funds will be held at Keene City Hall on the date and time noted above.

Application Hearings

CDBG funds are awarded on a competitive basis in New Hampshire and may be used for projects which have primary benefit for low- and moderate-income persons. The City of Keene is eligible to apply for \$500,000 per program year in each of the following categories: housing, public facilities, and economic development, as well as 750,000 for microenterprise technical assistance. Communities may also apply for up to \$25,000 for feasibility studies and \$500,000 for CDBG Emergency Grants annually.

A public hearing has been scheduled to provide specific information regarding grant requirements, and to provide information about the proposed CDBG application to be considered by the City Council.

The proposal to be considered by the City Council is a grant application for CDBG funds to support the development of new affordable housing. The project would be undertaken by Keene Housing and its affiliate, Monadnock Affordable Housing Corporation (MAHC). MAHC holds an Option to purchase 438 Washington Street, a 2-acre site occupied by the former Roosevelt School building. The project would include the development of 30 apartments. The housing would include 22 1-bedroom apartments and 8 2-bedroom apartments. Some apartments would be fully accessible. The apartments would be leased to low- and moderate-income households, and all residents would have rental subsidies.

In conjunction with the application hearing, two additional public hearings will also be held to address:

- The City's Residential Anti-Displacement and Relocation Assistance Plan specific to the project
- The City's updated Housing and Community Development Plan for CDBG projects

Interested persons are invited to attend and comment on the proposed application and plans. If you need assistance to attend or participate in the hearing, please contact Elizabeth Dragon, Keene City Manager five days in advance. Anyone wishing to submit written comments should address them in writing to the City Manager, City of Keene, 3 Washington Street, Keene, NH 03431 and submit them by the close of business on the day preceding the hearing.

Monadnock Affordable Housing Corporation
May 4

CDBG Application Summary

Applicant:	City of Keene
Proposed Subrecipient:	Keene Housing on behalf of its affiliate, Monadnock Affordable Housing Corporation (MAHC)
Proposed Grant Administrator:	Southwest Region Planning Commission (SWRPC)
Needs Addressed:	Providing high-quality housing to low- and moderate-income families receiving a housing subsidy.
Project:	Keene Housing will use the proposed funds for the renovation of the former Roosevelt school located at 438 Washington St., Keene, NH.
Amount of CDBG funds:	\$500,000 (application deadline on or about July 31, 2023)
Use of CDBG funds:	Housing Grant
Other funds:	Keene Housing will utilize funding from the Low-Income Housing Tax Credit and MAHC reserves.

New Hampshire Community Development Block Grant Program

The New Hampshire Community Development Block Grant (CDBG) Program represents federal funding from the United States Department of Housing and Urban Development (HUD). CDBG projects must target low to moderate income individuals and households. The program is administered by the New Hampshire Community Development Finance Authority (CDFA). Following are the categories of CDBG projects that are available to municipalities:

CDBG Housing Grants - up to \$500,000 annually

- Affordable housing and housing rehabilitation grants to purchase, rehabilitate, expand, and improve the condition and supply of housing for low- and moderate-income homeowners and tenants.
- Applications for housing and public facilities are accepted on the last Monday of January and July of each year.

CDBG Public Facilities Grants - up to \$500,000 annually

- Public Facilities grants include water and sewer system improvements, transitional and homeless shelters, sidewalks, handicapped access, and neighborhood or community centers that provide public services to low- and moderate-income individuals.
- Applications for housing and public facilities applications are accepted on the last Monday of January and July of each year.

CDBG Economic Development - up to \$500,000 annually

- CDBG Economic Development grants provide funds through an annual set-aside for activities which create and retain employment, primarily for low- and moderate-income individuals.
- Can provide business financing through Regional Development Corporations (RDC) and Economic Development Entities (EDE), or through public facility improvements to support economic development efforts.
- CDBG Economic Development Funds can be used for acquisition of land and buildings, construction of commercial buildings, purchase of machinery and equipment, employee training, and public facilities improvements. Applications are accepted as long as funds are available.

CDBG Microenterprise - up to \$750,000 annually

- CDBG Microenterprise grants provide support to low- and moderate-income microenterprise businesses through training, technical assistance, and loans.
- Grant funding is sub-granted to a Subrecipient entity that provides services to the microenterprise businesses.

CDBG Feasibility Studies Grants - up to \$25,000 annually

- The objectives of a feasibility study grant are to determine whether or not a proposed CDBG project is feasible and/or to recommend specific action(s) to be undertaken and that at least 51% of the intended beneficiaries will be of low- to moderate-income.
- Eligible activities include income surveys, preliminary architectural and engineering design, cost estimates, and market analysis.

CDBG Emergency and Unanticipated Events Grants - up to \$500,000 annually

- Grant funds are available for eligible CDBG projects which result from emergencies and unanticipated events that have a serious and immediate threat to public health and safety and must benefit low- to moderate-income individuals.
- Applications are accepted on a first-come, first-served basis.



FY 2022 INCOME LIMITS DOCUMENTATION SYSTEM

[HUD.gov](#) [HUD User Home](#) [Data Sets](#) [Fair Market Rents](#) [Section 8 Income Limits](#) [MTSP Income Limits](#) [HUD LIHTC Database](#)

FY 2022 Income Limits Summary

Selecting any of the buttons labeled "Click for More Detail" will display detailed calculation steps for each of the various parameters.

FY 2022 Income Limit Area	Median Family Income Click for More Detail	FY 2022 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Cheshire County, NH	\$89,100	Very Low (50%) Income Limits (\$)	33,100	37,800	42,550	47,250	51,050	54,850	58,600	62,400
		Click for More Detail								
		Extremely Low Income Limits (\$)*	19,850	22,700	25,550	28,350	32,470	37,190	41,910	46,630
Click for More Detail										
		Low (80%) Income Limits (\$)	52,950	60,500	68,050	75,600	81,650	87,700	93,750	99,800
Click for More Detail										

* The FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to be the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline as [established by the Department of Health and Human Services \(HHS\)](#), provided that this amount is not greater than the Section 8 50% very low-income limit. Consequently, the extremely low income limits may equal the very low (50%) income limits.

Income Limit areas are based on FY 2022 Fair Market Rent (FMR) areas. For information on FMRs, please see our associated FY 2022 [Fair Market Rent documentation system](#).

For last year's Median Family Income and Income Limits, please see here:

[FY2021 Median Family Income and Income Limits for Cheshire County, NH](#)

Select a different county or county equivalent in New Hampshire:

Hill town
Hillsborough town
Hinsdale town
Holderness town
Hollis town
Hooksett town

[Select county or county equivalent](#)

Select any FY2022 HUD Metropolitan FMR Area's Income Limits:

Abilene, TX MSA

[Select HMFA Income Limits Area](#)

Or press below to start over and select a different state:

[Select a new state](#)

[Update URL For bookmarking or E-Mailing](#)

Prepared by the [Program Parameters and Research Division](#), HUD.

CITY OF KEENE
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

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

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

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

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

h.2. above, to receive benefits under the Uniform Relocation Assistance and Real Property acquisition Policies Act of 1970 if such persons determine that it is in their best interest to do so.

k. The right of appeal to the executive director of CDFR where a claim for assistance under subparagraph h.2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.

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

CERTIFICATION OF COMPLIANCE

The City of Keene anticipates no residential displacement or relocation activities will be necessitated by this project (**Roosevelt School**).

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

Printed Municipal Official name: Elizabeth A. Dragon

Title: City Manager, City of Keene, NH

Signature: _____

Date of Adoption: _____

CITY OF KEENE

HOUSING AND COMMUNITY DEVELOPMENT PLAN

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

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

THE DOWNTOWN

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

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

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

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

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

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

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

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

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

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

HOUSING

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

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

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

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

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

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

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

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

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

ECONOMIC DEVELOPMENT

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

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

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

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

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

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

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

institutions in the community.

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

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

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

HEALTH AND HUMAN SERVICES

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

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

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

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

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

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

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

CDBG IMPACT AREA

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

Location

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

Low and Moderate Income Residents

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

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

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

Characteristics of Buildings in the Area

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

Economic Development and Social Services in area

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

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

Other Public Services in Area

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

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

Past CDBG Projects in CDBG Impact Area

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

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

DISPLACEMENT AND RELOCATION POLICY FOR THE CITY OF KEENE

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

Elizabeth A. Dragon
City Manager

Signature: _____

Date adopted by City Council: May 4, 2023

History of Housing and Community Development Plan

Originally prepared by Keene Planning Department and adopted by City Council, about 1984
This version updated: May, 2023

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

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

19. December, 2015, submitted with MAPS Counseling Services application.
20. April, 2016, submitted with Monadnock Area Peer Support Agency Feasibility study
21. August, 2016, submitted with MamaSezz application.
22. November, 2016, submitted with Community Kitchen application.
23. December, 2019, submitted with the Community Kitchen application.
24. July, 2021, submitted with an application for Monadnock Family Services.
25. May, 2023, to be submitted with the MAHC housing application



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Approving a CDBG Application for Roosevelt School Apartments

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

WHEREAS, the City of Keene has stated as one of its Community Goals that suitable housing should be available to meet the varied housing needs of community residents; and

WHEREAS, the Community Goals state that there should be a wide range of standard housing available throughout the City; and

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

WHEREAS, the Community Development proposal would provide \$500,000 to be used toward the development of apartments for low- and moderate-income households at 438 Washington Street in Keene.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve and support the City’s grant application to the New Hampshire Community Development Finance Authority for \$500,000 in Community Development Block Grant funds to be used by a new limited partnership sponsored by Keene Housing for costs related to the development of permanently affordable apartments at 438 Washington Street; that the Council re-adopt the Housing and Community Development Plan as updated and adopt the Displacement and Relocation Plan; that the City will accept the grant if it is approved and enter into a contract with the Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the project, including a new contract with the Southwest Region Planning Commission for the administration of the program.

George S. Hansel, Mayor

PASSED May 4, 2023



PUBLIC HEARING

Minimum Lot Size Requirements in the Rural District

Notice is hereby given that a public hearing will be held to consider Ordinance O-2023-02 submitted by the City of Keene Community Development Department. The Ordinance proposes to amend Sec. 3.1.2 of Article 3 of Chapter 100 "Land Development Code" (LDC) of the City Code of Ordinances, to change the minimum lot size in the Rural District from 5 acres to 2 acres.

The full text of the Ordinance is available for public review during normal business hours in the office of the City Clerk located in City Hall between 8:00 AM to 4:30 PM or by visiting keenenh.gov/public-notices.

HEARING DATE: May 4, 2023

HEARING TIME: 7:00 PM

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and Councilors of the City of Keene, this sixth day of April, two thousand and twenty-three.

Attest;

City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Pablo Fleischmann - Keene Music Festival Director
Through: Patricia Little, City Clerk
Subject: **Keene Music Festival - Request to Use City Property - September 2, 2023**

Council Action:

In City Council May 4, 2023.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Music Fest_Communication

Background:

Mr. Fleischmann is requesting a license to use Downtown City property to conduct the annual Keene Music Festival on September 2, 2023.



*Keene Music Festival
37 Roxbury Street
Keene, NH 03431
(603) 499-6656*

January 16, 2023

The Honorable Mayor and City Council
Keene City Hall
3 Washington Street
Keene, NH 03431

Re: 2022 Annual Keene Music Festival

The Keene Music Festival wishes to sponsor this year's Annual Keene Music Festival on Saturday, September 2, 2023. The scheduled hours for setup, performances and other activities are 8:00 AM until 11:00 PM; with performances ending by 10:00 PM.

As with previous events, we are seeking permission to use the common area and bandstand in Central Square, Railroad Square and those sections of the following sidewalks that are located within the Downtown area: Main Street, Lamson Street and Gilbo Avenue. Musicians, merchants and city permitted restaurants will use the sidewalks. In no instance will a sidewalk be blocked in a manner that restricts pedestrian traffic. In addition to these locations, City Tire Company (124 Main Street), Lindy's Diner (Possible!), The Toadstool Book Shop (Emerald Street), The Monadnock Food Coop (Cypress Street) as well as other possible downtown businesses, will also be designated as performance venues. We would like to request and reserve the use of parking metered space #'s: 164, 166, 168, 170, 172, and 174 on Main Street in front of the City Tire Company. The Main Street metered spaces are being requested to serve as a staging area to allow the sound crew to prepare equipment to be set up in the City Tire Company parking lot; and could be opened for use later in the day.

While we do not request that Railroad Street, from Main Street to the parking garage be officially closed, we are asking that the Public Works Department please provide us with adequate barriers for that eventuality. If the Keene Police Department determines that there is a safety issue, we will close the street as needed. We are also requesting to place a stage at Lamson Street; in the area between Main Street and the sidewalk. We would request access to portable safety barriers to place at the entrance to Lamson Street to serve as a buffer between Main Street and the performers. The performance area would be designed to fit within the area between Main Street and the sidewalk adjacent to Lamson Street.

As with prior years, and in a manner consistent with community event protocol, we ask that the City please give due consideration to absorbing any additional cost of Police Officers, Public Works and Fire Department Personnel for the day. We are requesting that Police and Fire Department Personnel be detailed to the event between the hours of 11 :00 AM and 10:30 PM.

As required, we will provide a \$ 1 Million certificate of insurance to the City, and work closely with City staff to ensure that this is a safe and enjoyable event. We will also procure and set up four port-o-potties.

Our previous Music Festivals have always been a great success. There have been no public issues; the performances have been amazing, and the crowds' orderly. As in previous years, Keene Music Festival does not consider or accept outside vendor applications. We prefer to encourage our guests to explore local businesses and shops as they enjoy the musical well as the array of the current licensed Food Trucks, who will be invited to participate in the Downtown area.

Events such as this add to the vibrancy of our Downtown, and the City in general, helping Keene be the exceptional place that it is. We thank you in advance for your continued consideration and support.

Sincerely,



Pablo Fleischmann
Keene Music Festival Director



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Gregg A. Burdett - Executive Director
Through: Patricia Little, City Clerk
Subject: **Covenant Living of Keene - Request for License to Install and Maintain two Private Crosswalks on Public ROW - Wyman Road**

Council Action:

In City Council May 4, 2023.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Covenant Living_Communication

Background:

Mr. Burdett is requesting the City extend a license to Covenant Living of Keene for the installation, construction and future maintenance of two private crosswalks on Wyman Road for the benefit of their residents.



April 28, 2023

VIA Email

Keene City Council
Mayor George Hansel
City of Keene
3 Washington St.
Keene, NH 03431

Re: Covenant Living of Keene
Proposed Development of Crosswalks on Wyman Road
Tax Map Parcel #919-8-3 and Parcel #919-9-24

Ladies and Gentlemen:

The purpose of this letter is to request that the City Council grant a separate license to allow Covenant Living of Keene to install and maintain private pedestrian facilities (2 crosswalks) within the right of way.

Covenant Living of Keene is located on both sides of Wyman Rd. with a Health Center consisting of nursing, memory, and assisted living facilities on the west side of the road and 141 independent living unity in the east side of Wyman Rd.

Covenant Living of Keene respectfully requests that the Mayor and City Council grant a license to authorize the use of the Wyman Rd right of way for construction and installation of our crosswalks.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Gregg A. Burdett", is written over the typed name.

Gregg A. Burdett
Executive Director



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Councilor Andrew Madison
Through: Patricia Little, City Clerk
Subject: **Councilor Madison - Recommending an Amendment to the City Code - Meeting Times for Public Bodies**

Council Action:

In City Council May 4, 2023.

Referred to the Finance, Organization and Personnel Committee.

Recommendation:

Attachments:

1. Councilor Madison_Communication

Background:

Councilor Madison is recommending an amendment to the City Code that would establish standards for meeting times for all public bodies to accommodate greater public participation.

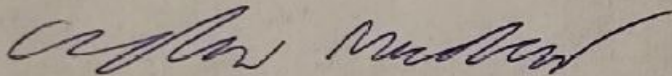
05/01/2023

To the Honorable Mayor and City Council,

I respectfully ask the city council discuss, and consider amending the Keene City Code to more clearly define meeting times for Boards, Committees, Ad-Hoc Committees, Public Workshops, or any other public meeting as defined under RSA 91-A.

The purpose of this shall be to limit start times for any public meeting as no earlier than 5:00pm, and no later than 7:00pm Monday-Friday, or 8:00am and 4:00pm Saturday and Sunday respectively. This is to encourage public attendance and participation by hosting meetings at times in which the majority of the public may be able to attend. It is understood that this measure may still not accommodate everyone, however it is my hope it will accommodate as many as possible, and foster greater participation and interest in the governance of our city.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrew M Madison". The signature is fluid and cursive, written over a light-colored background.

Andrew M Madison

Keene City Councilor, Ward 3



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Peter Espieffs
Through: Patricia Little, City Clerk
Subject: **Peter Espieffs - Requesting that the City Rescind the License to Telecom to Erect Small Cell Wireless Facilities**

Recommendation:

Attachments:

1. Peter Espieffs_Communication

Background:

Peter Espieffs has submitted a petition that requests the City rescind its license granted to Telecom because the technology to be employed by them is inaccurate, unreliable, and fraught with serious threats to the health of residents and the environment. The petition raises several other points, including a 2021 US Court of Appeals decision regarding Environmental Health Trust v the Federal Communications Commission; the fact that the license ignores the Historic District designation of the neighborhood and that the area continues to be overwhelmingly residential. In the petition, Mr. Espieffs refers to the "precautionary principle" and the understanding that the right to engage in business must yield to the paramount right of City government "to protect the public health and property under its trust."

PETITION TO MAYOR AND CITY COUNCIL
OF KEENE, NEW HAPSHIRE

May 1,2023

Now comes petitioner Peter Espiefs of 29 Middle St. ,Keene, NH and in support of the many residents of the Summer St.. Middle St. area who oppose the license granted to Telecom company and its partners and associates to erect a 5G Cell Tower in our midst, and complain against said Telecom and the City of Keene, and says:

1. That the City must rescind the said license to Telecom et.al.because the technology to be employed by Telecom et.al.is based on Federal Communications and State of New Hampshire Standards that are inaccurate, unreliable and fraught with serious threats to the health of residents and to the environment. And , further, if implemented by erection of 5G Cell Towers, they will negatively affect property values of the residents.

2. That the City of Keene accepted Telecom's filing and request based upon FCC and State conclusions about safety of said system (5G) which are not reliable or scientifically sound, as noted in the case of Environmental/Health Trust et al v. Federal Communications Commission by the US Court of Appeals for the District of Columbia, No. 20-1025, decided August 13,2021, on petition for review of an Order of the FCC. The issue was whether FCC had properly addressed the basis for its guidelines involving technology developments since 1996, including " ... the ubiquity of wireless devices and WiFi,and the emergence of "5G"technology. The Court found that the FCC did not provide "reasoned explanations", and relied on the "silence" of other federal agencies, all of which undermined its regulations and standards.

3. There is no evidence the FCC has updated its 1996 regulations on the 5G technology, yet the City of Keene believed the standards were valid. The State's Science and Technology Dept. fell into the same trap believing FCC 's standards were valid.

4. The City had at some point put the Telecom request on a moratorium, which was removed following Telecom's insistance, and there are questions of overreach and coercion. See the case of Gilardi v. Tyer , Docket #2276-CV-00127, Berkshire Superior Court,Pittsfield, Mass. involving a Verizon Wireless Tower Pole approval being rescinded by the Board of Health; report of local health issues connected with the Tower, and then being withdrawn under company pressure.

5. It is noted that the Keene City Council ,and its agents have been the recipients of much information about the dangers of 5G Tower and radiation that affects adults and children from professionals such as,Professor Emeritus Kent Chamberlin of the University of New Hampshire, and Attorney Lori Scheilier of Westmoreland, NH and others. Audios and videos have also been furnished to The City Council,with leads to further material.

6. Although the 5G Tower will technically not be in a "residential" zone it is noted that the change from "residential" to downtown transitional" was made about a year ago. Nevertheless, the area continues to be overwhelmingly residential, with a smattering of offices throughout.
7. The City Council should be aware that its recent change of designation from "residential" to "Downtown Transitional" has not changed the fact that many elderly citizens continue to reside in this zone and, in fact there is an elderly grandmother on a pacemaker residing in the family home only about 25 feet from the 5G Tower location.

Across the street there is also a home for LGBTQ youngsters, and there are many other residents in this neighborhood who are elderly with various diagnostic concerns.

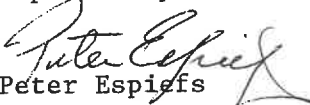
8. The permit for this tower also ignores the Historic District designation of this neighborhood, and makes it impossible for it to ever achieve the status of being designated as a National Historic entity. (See the FCC standards which specify what areas are eligible for National Historic designation).

What we have presented is for basic consideration under the "Precautionary Principle", and the understanding that the right to engage in business must yield to the paramount right of "city government "to protect the public health and property under its trust.

Wherefore, petitioner prays that the relief requested shall be granted along with any other appropriate relief as may be just.

Petitioner also reserves the right to appeal.

Respectfully submitted,


Peter Espieff

A copy hereof may be provided for Telecom et al by the City.



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.5.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Ann Savastano on behalf of 30 Residents in the Summer and Middle Street Neighborhoods
Through: Patricia Little, City Clerk
Subject: **Petition Regarding Small Cell Tower at Summer and Middle Streets**

Council Action:
In City Council May 4, 2023.
Petition accepted and filed as informational.

Recommendation:

Attachments:

1. Cover Letter_Petition_Small Cell Tower
2. Petition_Small Cell Tower

Background:

A petition from the residents of the Summer and Middle Streets neighborhoods has been submitted to convey to the City Council and City staff the clear opposition to the imminent construction of the small wireless facility in their neighborhood and their desire to delay the installation temporarily.

Cover Letter for Petition Regarding Small Cell Tower at Summer and Middle Streets

May 2, 2023


Dear Councilors and Mayor Hansel,

This cover letter for the petition dated 4.28.23, signed by residents and property owners in the immediate vicinity of the proposed 4G SWF slated for installation at the corner of Summer and Middle Streets, is for the purpose of urging the Council to send this matter to committee for a serious review and recommendation for action. Contrary to the customary response from Keene City officials, both elected and administrative, that no preventive action can be taken by the Council without inviting a lawsuit from US Cellular, we believe there are feasible ways to at least delay and perhaps legally prevent the construction of this 4G cell tower. Given the strong reasons to oppose these towers, on a number of fronts, as referenced in the petition, we hope that you will do 'due diligence' to thoroughly consider the various avenues available to at least pause the construction of this SWF in order to give time for more research into this matter and legal implications.

In accordance with a recent letter from the FCC to CityBridge, a telecommunications consortium in process of installing a network of linked 5G "tower kiosk facilities" in NYC, FCC regulations require that both a review of impact upon historical preservation and also of environmental effects must be made before the construction of each facility, and also that this should be done even before licenses, permits or approvals are given to the site developers. I quote here from the FCC letter: "Section 1.1307(a)(4) of the Commission's rules implementing NHPA requires that prior to initiation of construction of a communications tower facility such as the Link5G tower kiosk facility, it must be determined whether the proposed tower facility would affect properties *listed or eligible* {my italics} for listing on the National Register Historic Places." The Summer/Middle cell tower is in a designated historic district of Keene, and is in proximity to at least one house listed on the NH State Historic Registry. The "Jonathan Daniels" home is also in proximity. There are a number of persuasive reasons to argue that this "School Street neighborhood" would be *eligible* for listing in the National Historic Registry. If this is the case, then construction should be delayed at least until the review required by the FCC is satisfactorily accomplished.

There are several other reasons, verging upon legal argument, which argue against the placement of the SWF at this location. Since I need to turn this letter in by 4 pm today, I do not have time to enumerate those but would be glad to do so at a later date. Suffice it to say, I believe there is justifiable reason to delay the installation of the proposed cell tower at the Summer/Middle location.

Respectfully submitted,


Ann Savastano
75 Winter St.

PETITION REGARDING SMALL CELL TOWER AT SUMMER AND MIDDLE STREETS

This petition is clearly not a legal document, but rather an attempt to communicate to the City of Keene, especially City Councilors, the strong sentiment of residents in the vicinity of the planned 4G small cell tower (SWF) at the corner of Summer and Middle Streets. A number of neighbors were not available to review the petition and sign, but of those who were, only 3 residents abstained. We hope that this petition will convey to City Councilors and administrators the clear opposition to the imminent construction of this SWF in our neighborhood, and, by some means, result in at least a temporary delay of the installation.

Some of the concerns which prompted this petition, generally speaking, are the following. Since it is understood that the reason for this 4G tower is to support the activation of 5G antenna, our concerns apply not only to this particular tower, but also to the roll-out of 5G antennae which it would enable in our neighborhood.

- 1) Serious and growing health concerns, despite the refusal of the FCC to address them, even when mandated to do so in August 2021 by the U.S. Court of Appeals in D.C.
- 2) Serious environmental concerns on several counts, including effects on pollinators, honeybees, and birds. Also, especially given that Keene has been known as “Tree City,” the removal of trees necessary to facilitate transmission of 5G microwave radiation is particularly disturbing.
- 3) The impropriety and insult of placing the cell tower in the middle of a designated historic district. If residents are required to respect the historic aspects of their homes, shouldn’t the City likewise do its part to preserve the historic nature of City-owned property within the district, including public rights of way?
- 4) The activation of 4G and 5G SWF’s in a neighborhood tends to result in significant loss of property values for homeowners. Isn’t the City supposed to protect property values rather than allowing construction which would lower them?
- 5) The apparent disregard for the *de facto* primarily residential nature of the neighborhood where the cell tower is being placed, even though the Tilson Tech site developer lists it as “non-residential” on its application due to the recently changed zoning designation.
- 6) The fact that once 5G is activated, service for 4G cell phones is degraded.
- 7) Our neighborhood currently has adequate 4G coverage, which works for both 4G and 5G phones. There is no apparent “service gap” in 4G coverage which would justify the need for a 4G cell tower in the neighborhood.
- 8) Not least, most residents of the neighborhood, at least as indicated by those contacted to sign the petition, ***do not want*** this cell tower installed.

Thank you for your consideration of this petition.

Respectfully submitted by the undersigned petitioners on **April 28, 2023**

PETITION REGARDING SMALL CELL TOWER AT SUMMER AND MIDDLE STREETS

We the residents of the School Street neighborhood want to register with the City of Keene our opposition to the installation of a small cell tower/small wireless facility on the corner of Middle and Summer Streets. Please see the attached for some of our concerns. We hereby petition the City of Keene to delay this installation until our concerns are properly addressed.

30 signatures

Name	Signature	Address	Date
Peter Escherts	<i>Peter Escherts</i>	39 Middle St	4/22/23
Paula Sousa	<i>Paula Sousa</i>	32 Middle Street	4.22.2023
Debra Stevens	<i>Debra Stevens</i>	60 Summer St.	4-23-23
Anthony Tremblay	<i>Anthony Tremblay</i>	67 Summer St	4/22/23
Allison Miller	<i>Allison Miller</i>	67 Winter St	4/22/23
Christine Fournier	<i>Christine Fournier</i>	75 Winter St ^{3rd} floor	4/22/23
Sally Bulger	<i>Sally Bulger</i>	69 School St	*4/24/23
David Bulger	<i>David Bulger</i>	69 School St	4/24/23
Kristen Beach	<i>Kristen Beach</i>	31 Middle St	4.24.23
Jody Leach	<i>Jody Leach</i>	27 Middle St	4.24.23
Maryne Abbott	<i>Maryne Abbott</i>	27 Middle St	4.24.23
Jean Ann's Ibarra	<i>Jean Ann's Ibarra</i>	59 School St	4.24.23
ROBERT FARRAR	<i>Robert Farrar</i>	59 School St	4-24-23
Michae Zolc	<i>Michae Zolc</i>	18 Summer St	4-26-23
Jennifer Zolc	<i>Jennifer Zolc</i>	18 Summer St	4-26-23
Megan Arruda	<i>Megan Arruda</i>	31 Summer St	4/26/23

PETITION REGARDING SMALL CELL TOWER AT SUMMER AND MIDDLE STREETS

We the undersigned

Name	Signature	Address	Date
John Arcuda		31 Summer St.	4/26/23
KAREN OATES		31 Summer St	4/26/23
Margaret McMahon		71 School St	4/26/23
John J. McMahon		76 School St	4/26/23
Catherine Behrens		54 School St	4/23/23
		86 Winton St	4/24/23
John Bergeron		38 Middle St	4/27/23
Pala Montrose		75 Winton St.	4/27/23
Ann Swastara		75 Winton St	4/27/23
Tom Swastara		75 Winton St.	4/27/23
Marcus M...		75 WINTON ST	4/28/23
Sofia Lombardi		21 Summer St	4/28/23
Robert M...		104 W 5th St	4/28/23
MICHAEL F. FASARD		75 WINTON ST.	4/28/23

Ken...
4/29/23



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.6.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Alan Stroshine - Race Director
Through: Patricia Little, City Clerk
Subject: Keene Elm City Rotary Club - Request to Use City Property - DeMar Marathon - September 24, 2023

Council Action:

In City Council May 4, 2023.

Referred to the Planning, Licenses and Development Committee with more time granted by the Chair to allow protocol meetings to occur.

Recommendation:

Attachments:

1. DeMar Marathon_Communication

Background:

Alan Stroshine is requesting the annual license to conduct the Clarence DeMar Marathon and half marathon on Sunday, September 24, 2023.



May 1, 2023

Mayor George Hansel
Keene City Council
3 Washington St
Keene, NH 03431

Re: 45nd Annual Clarence DeMar Marathon and 9th Annual DeMar Half Marathon
Request for City Event permit

Dear Mr. Mayor and City Councilors,

The Keene Elm City Rotary Club respectfully requests an event permit for our official City of Keene Community Event; the annual Clarence DeMar Marathon and DeMar Half Marathon to be held on Sunday, September 24th 2023. A part of our event includes the Kids DeMar Marathon and Super Senior DeMar Marathon programs.

I invite all members of city government and staff to join us on the quad at Keene State College to experience the energy and personal accomplishment of so many people on race day.

I am available for any questions you might have.

Yours in service,

A handwritten signature in black ink, appearing to read "Alan Stroshine".

Alan Stroshine, Race Director
Member, Keene Elm City Rotary Club

Keene Elm City Rotary
PO Box 1786
Keene, NH 03431

Clarence DeMar Marathon Corp is a 501c3 organization – Tax ID: 02-0454040



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.7.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: John Sosnowski
Through: Patricia Little, City Clerk
Subject: **John Sosnowski - Request for Water Abatement and Fee Waiver - 251 Park Avenue**

Council Action:

In City Council May 4, 2023.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

Recommendation:

Attachments:

1. Sosnowski_Communication
2. KeeneWaterBillSummary-Sosnowski-251Park-SKM_550i23042811400 (1)

Background:

Under Section 98-514 of the City Code, John Sosnowski has submitted a request for an abatement of water charges for his property at 251 Park Avenue. The total abatement request is \$2,158.91. Mr. Sosnowski is also requesting a waiver of a \$170 fee for a meter replacement.

5/1/2023

To the Honorable Mayor and City Council:

Thank you for taking the time to consider what I strongly believe is a mistake in the water billing for 251 Park Ave in Keene. I would like start by commending Kurt Blomquist and the entire water revenue staff for their patience in working with me on this problem. I'm hoping we can resolve this today.

I'm asking that the following bills be adjusted to the next highest bill in 2022 for 251 Park Ave.

Bill Date	Amount Billed	Request bills be adjusted to next highest bill in 2022: 9/1/2022 for \$336.34	Credit Requested
9/1/21	\$565.75	\$336.34	\$229.41
12/1/21	\$517.94	\$336.34	\$181.60
3/1/22	\$835.74	\$336.34	\$499.40
6/1/22	\$1,584.84	\$336.34	\$1,248.50
Total	\$3,504.27	\$1,345.36	\$2,158.91
Total Credit Requested re usage bills			\$2,158.91
Additional Request for \$170 fee waiver for meter Replacement			\$170.00 Credit to waive fee for meter replacement

I am attaching the billing going back to 2016 for 251 Park Ave. This is not related to the two other properties I own in Keene which are also listed in the attachment. As a side note, this summary shows that I pay the water bills on time for my other two properties, and it was only in reaction to these extremely high bills that I have had an issue.

The average water bill for each year for 251 Park is as follows:

2016 – \$147.00

2017 – \$219.00

2018 – \$265.00

2019 – \$237.00

2020 – \$247.00

In my opinion, as shown above, the billing was incorrect beginning with the bill on 9/1/21 with a bill of \$565.75. This bill is higher than any other bill received in the previous 5 years. This continues with additional incorrect billing for the next 3 bills ending with 6/1/22 for \$1,584.84.

I know these bills are significantly higher than the actual usage for the following reasons:

- I have stable long-term tenants in the two units. There has not been any change in the water usage.
- There is no active garden and no one is using additional water over what was used in the past.
- After many inspections by my property manager, often with someone from the water department, it is clear there was no leak.
- I asked for quite some time to have the meter replaced as this is the only way to really know if the meter is giving accurate readings. This was done and, according to the tests, there was no problem with the meter. **However, the high bills tell a story of there being some kind of problem whether it was the meter or some other issue with the billing. As I understand from Kurt Blomquist, occasionally there may be issues with a glitch in the billing software. Unfortunately, there is no process to evaluate if the problem is in the software.**

So, I'm left with making the case based on asking the City Council to please look at this from a simple common sense perspective and help me with bills that are clearly some kind of mistake.

I can understand that bills in the \$350.00 range are valid, although these bills are roughly \$100.00 higher than the previous highest annual average of \$247.00. **As I said before, it just doesn't pass the common sense test for a private home with two tenants who have been there for years and haven't changed their water usage AND there has been no leak, for the bills to jump up like this and, then, just as mysteriously, come back down again as of the 9/1/21 bill of \$336.00.**

As stated above, I'm asking that the bills from 9/1/21 when it first increased up to \$500.00 or more be adjusted to the next highest bill in 2022 which is 9/1/22 in the amount of \$336.34.

Credit requested: \$2,158.91

In addition, I'm asking that the \$170.00 I was charged for replacing the meter be waived. As I said before, the water revenue staff has been terrific in trying to help resolve this issue. However, in this case I wasn't told in advance there would be a charge and, **more importantly, I don't feel I should pay whether the meter is the problem or not.** There is clearly some type of billing issue and replacing the meter is a logical step in trying to isolate the problem. In my opinion, this is not something I should be charged for doing. **The total credit I'm asking for is 2,158.91 plus waiving the \$170.00 charge.**

Separate from the \$170.00 meter replacement charge, I have a current outstanding usage bill of **4,526.57.** Kurt Blomquist was gracious in letting me know this is not in collections while we try to work out this problem. If I am granted the above credit and meter replacement waiver, this will result in an adjusted usage bill for **\$2,367.66** which I will pay immediately. This assumes the separate **\$170.00** charge for meter replacement is waived as well. This will bring me current through and including the last bill on 3/1/23.

Thank you for your consideration.

John Sosnowski, Owner, 251 Park Ave, Keene, NH.

Utility Billing 8.1
 DATE: 04/28/2023
 TIME: 11:17:29

CITY OF KEENE, NH
 CUSTOMER HISTORY REPORT

PAGE NUMBER: 1
 MODULE : histfun

ACCOUNT NUMBER 05101-03
 CUSTOMER NAME SOSNOMSKI, JOHN
 SERVICE ADDRESS 251 PARK AVE

TRANSACTION DATE	POST DATE	TYPE	DESCRIPTION	AMOUNT	BALANCE
03/16/2023	03/01/2023	BILLED	STANDARD BILLING	354.62	4,526.57
12/13/2022	12/01/2022	BILLED	STANDARD BILLING	331.34	4,171.95
09/23/2022	09/01/2022	BILLED	STANDARD BILLING	336.34	3,840.61
06/28/2022	06/01/2022	BILLED	STANDARD BILLING	1,584.84	3,504.27
03/16/2022	03/01/2022	BILLED	STANDARD BILLING	835.74	1,919.43
01/06/2022	12/01/2021	BILLED	STANDARD BILLING	517.94	1,083.69
09/16/2021	09/01/2021	BILLED	STANDARD BILLING	565.75	565.75
08/18/2021	08/17/2021	PAYMENT	STANDARD BILLING	363.95	0.00
06/23/2021	06/01/2021	BILLED	STANDARD BILLING	363.95	363.95
05/24/2021	05/21/2021	PAYMENT	STANDARD BILLING	323.59	0.00
03/25/2021	03/01/2021	BILLED	STANDARD BILLING	323.59	323.59
02/23/2021	02/22/2021	PAYMENT	STANDARD BILLING	303.41	0.00
12/28/2020	12/01/2020	BILLED	STANDARD BILLING	303.41	303.41
11/23/2020	11/20/2020	PAYMENT	STANDARD BILLING	273.14	0.00
09/16/2020	09/01/2020	BILLED	STANDARD BILLING	273.14	273.14
08/24/2020	08/21/2020	PAYMENT	STANDARD BILLING	212.60	0.00
06/18/2020	06/01/2020	BILLED	STANDARD BILLING	212.60	212.60
05/19/2020	05/18/2020	PAYMENT	STANDARD BILLING	202.51	0.00
03/25/2020	03/24/2020	PAYMENT	STANDARD BILLING	222.69	202.51
03/24/2020	03/01/2020	BILLED	STANDARD BILLING	202.51	425.20
12/31/2019	12/01/2019	BILLED	STANDARD BILLING	222.69	222.69
11/20/2019	11/19/2019	PAYMENT	STANDARD BILLING	76.59	0.00
09/19/2019	09/01/2019	BILLED	STANDARD BILLING	212.60	76.59
09/18/2019	09/17/2019	PAYMENT	STANDARD BILLING	252.96	-136.01
09/04/2019	09/03/2019	PAYMENT	STANDARD BILLING	136.01	116.95
06/14/2019	06/01/2019	BILLED	STANDARD BILLING	252.96	252.96
05/21/2019	05/20/2019	PAYMENT	STANDARD BILLING	262.87	0.00
03/19/2019	03/01/2019	BILLED	STANDARD BILLING	262.87	262.87
02/20/2019	02/19/2019	PAYMENT	STANDARD BILLING	204.61	0.00
12/21/2018	12/01/2018	BILLED	STANDARD BILLING	204.61	204.61
11/20/2018	11/19/2018	PAYMENT	STANDARD BILLING	282.29	0.00
09/13/2018	09/01/2018	BILLED	STANDARD BILLING	282.29	282.29
08/21/2018	08/20/2018	PAYMENT	STANDARD BILLING	292.00	0.00
06/20/2018	06/01/2018	BILLED	STANDARD BILLING	292.00	292.00
05/30/2018	05/29/2018	PAYMENT	STANDARD BILLING	282.29	0.00
03/19/2018	03/01/2018	BILLED	STANDARD BILLING	282.29	282.29
02/21/2018	02/20/2018	PAYMENT	STANDARD BILLING	285.14	0.00
12/27/2017	12/01/2017	BILLED	STANDARD BILLING	285.14	285.14
10/18/2017	10/17/2017	PAYMENT	STANDARD BILLING	256.04	0.00
09/25/2017	09/01/2017	BILLED	STANDARD BILLING	256.04	256.04
08/29/2017	06/01/2017	BILLED	STANDARD BILLING	226.94	0.00
08/03/2017	08/02/2017	PAYMENT	STANDARD BILLING	226.94	0.00
04/25/2017	04/24/2017	PAYMENT	STANDARD BILLING	110.54	0.00
03/21/2017	03/01/2017	BILLED	STANDARD BILLING	110.54	110.54
02/14/2017	02/13/2017	PAYMENT	STANDARD BILLING	320.22	0.00
12/20/2016	12/01/2016	BILLED	STANDARD BILLING	155.44	320.22
09/14/2016	09/01/2016	BILLED	STANDARD BILLING	164.78	164.78
07/15/2016	07/14/2016	PAYMENT	STANDARD BILLING	136.76	0.00
06/21/2016	06/01/2016	BILLED	STANDARD BILLING	136.76	136.76
05/13/2016	05/12/2016	PAYMENT	STANDARD BILLING	136.76	0.00
03/28/2016	03/01/2016	BILLED	STANDARD BILLING	136.76	136.76
01/20/2016	01/19/2016	PAYMENT	STANDARD BILLING	102.87	0.00
12/11/2015	12/01/2015	BILLED	STANDARD BILLING	102.87	102.87
10/06/2015	10/05/2015	PAYMENT	STANDARD BILLING	136.07	0.00
09/22/2015	09/01/2015	BILLED	STANDARD BILLING	142.07	136.07
07/17/2015	07/16/2015	PAYMENT	STANDARD BILLING	197.07	-6.00

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 CUSTOMER HISTORY REPORT

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ACCOUNT NUMBER 05101-03
 CUSTOMER NAME SOSNOWSKI, JOHN
 SERVICE ADDRESS 251 PARK AVE

TRANSACTION DATE	POST DATE	TYPE	DESCRIPTION	AMOUNT	BALANCE
06/30/2015	06/01/2015	BILLED	STANDARD BILLING	191.07	191.07
04/17/2015	04/16/2015	PAYMENT	PAYMENT	58.30	0.00
03/19/2015	03/01/2015	BILLED	STANDARD BILLING	58.30	58.30

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 BY ACCOUNT NUMBER

SELECTION CRITERIA: cubaccount.cust_no='05101' and cubaccount.cust_ser=3

ACCOUNT NUMBER	CUSTOMER NAME	SERVICE ADDRESS	RTE	READ DATE	CONSUMPTION	ADJUSTMENTS	TOT. CONSUMP.
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	05/29/2020	15.0000	0.0000	15.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	08/31/2020	21.0000	0.0000	21.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	11/25/2020	24.0000	0.0000	24.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	02/26/2021	26.0000	0.0000	26.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	05/28/2021	30.0000	0.0000	30.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	08/27/2021	50.0000	0.0000	50.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	12/01/2021	39.0000	0.0000	39.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	02/28/2022	67.0000	0.0000	67.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	06/01/2022	133.0000	0.0000	133.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	08/24/2022	0.0000	0.0000	0.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	08/24/2022	19.0000	0.0000	19.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	09/08/2022	4.0000	0.0000	4.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	11/29/2022	22.0000	0.0000	22.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21	03/03/2023	24.0000	0.0000	24.0000
05101-03	SOSNOMSKI, JOHN	251 PARK AVE	21		474.0000	0.0000	474.0000

REPORT TOTAL 474.0000 0.0000 474.0000

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CITY OF KEENE, NH
 CUSTOMER HISTORY REPORT

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ACCOUNT NUMBER 03570-03
 CUSTOMER NAME SOSNOMSKI, JOHN
 SERVICE ADDRESS 14-16 COBB ST

TRANSACTION DATE	POST DATE	TYPE	DESCRIPTION	AMOUNT	BALANCE
04/25/2023	04/20/2023	PAYMENT	PAYMENT	249.86	0.00
02/23/2023	02/01/2023	BILLED	STANDARD BILLING	249.86	249.86
01/24/2023	01/18/2023	PAYMENT	PAYMENT	214.94	0.00
11/09/2022	11/01/2022	BILLED	STANDARD BILLING	214.94	214.94
10/24/2022	10/21/2022	PAYMENT	PAYMENT	222.84	0.00
08/25/2022	07/29/2022	BILLED	STANDARD BILLING	222.84	222.84
08/12/2022	07/19/2022	PAYMENT	PAYMENT	234.19	0.00
05/31/2022	05/01/2022	BILLED	STANDARD BILLING	234.19	234.19
04/20/2022	04/19/2022	PAYMENT	PAYMENT	234.19	0.00
02/18/2022	02/01/2022	BILLED	STANDARD BILLING	234.19	234.19
01/20/2022	01/19/2022	PAYMENT	PAYMENT	245.54	0.00
11/30/2021	11/01/2021	BILLED	STANDARD BILLING	245.54	245.54
10/19/2021	10/18/2021	PAYMENT	PAYMENT	546.28	0.00
08/17/2021	08/01/2021	BILLED	STANDARD BILLING	273.14	546.28
06/02/2021	05/01/2021	BILLED	STANDARD BILLING	273.14	273.14
04/19/2021	04/16/2021	PAYMENT	PAYMENT	384.13	0.00
02/19/2021	02/01/2021	BILLED	STANDARD BILLING	384.13	384.13
01/20/2021	01/19/2021	PAYMENT	PAYMENT	313.50	0.00
11/19/2020	11/01/2020	BILLED	STANDARD BILLING	313.50	313.50
10/20/2020	10/19/2020	PAYMENT	PAYMENT	374.04	0.00
08/26/2020	08/01/2020	BILLED	STANDARD BILLING	374.04	374.04
07/21/2020	07/20/2020	PAYMENT	PAYMENT	283.23	0.00
06/03/2020	05/01/2020	BILLED	STANDARD BILLING	283.23	283.23
04/20/2020	04/17/2020	PAYMENT	PAYMENT	293.32	0.00
02/19/2020	02/01/2020	BILLED	STANDARD BILLING	293.32	293.32
11/20/2019	11/01/2019	BILLED	STANDARD BILLING	747.71	0.00
10/29/2019	10/28/2019	PAYMENT	PAYMENT	263.05	747.71
10/07/2019	10/04/2019	PAYMENT	PAYMENT	100.00	484.66
09/10/2019	09/09/2019	PAYMENT	PAYMENT	137.00	584.66
08/14/2019	08/01/2019	BILLED	STANDARD BILLING	137.00	721.66
07/24/2019	07/24/2019	ADJ PAY	STOP BMT CHECK #000099541	313.50	858.66
07/24/2019	07/23/2019	PAYMENT	PAYMENT	-731.17	545.16
07/22/2019	07/19/2019	PAYMENT	PAYMENT	136.01	-186.01
05/29/2019	05/28/2019	PAYMENT	PAYMENT	731.17	-50.00
05/17/2019	05/01/2019	BILLED	STANDARD BILLING	50.00	681.17
05/01/2019	04/26/2019	PAYMENT	PAYMENT	273.14	731.17
04/22/2019	04/19/2019	PAYMENT	PAYMENT	50.00	458.03
04/02/2019	03/29/2019	PAYMENT	PAYMENT	262.87	508.03
03/01/2019	02/28/2019	PAYMENT	PAYMENT	50.00	770.90
02/14/2019	02/01/2019	BILLED	STANDARD BILLING	50.00	820.90
01/31/2019	01/30/2019	PAYMENT	PAYMENT	262.87	870.90
01/03/2019	12/31/2018	PAYMENT	PAYMENT	50.00	608.03
11/27/2018	11/01/2018	BILLED	STANDARD BILLING	50.00	658.03
11/27/2018	11/26/2018	PAYMENT	PAYMENT	301.71	708.03
10/23/2018	10/22/2018	PAYMENT	PAYMENT	50.00	406.32
08/15/2018	08/01/2018	BILLED	STANDARD BILLING	50.00	456.32
05/30/2018	05/29/2018	PAYMENT	PAYMENT	185.19	506.32
05/18/2018	05/01/2018	BILLED	STANDARD BILLING	282.29	321.13
02/27/2018	02/01/2018	BILLED	STANDARD BILLING	321.13	603.42
02/26/2018	02/23/2018	PAYMENT	PAYMENT	282.29	282.29
01/24/2018	01/24/2018	ADJ PAY	NSF CHECK #995208	294.84	0.00
01/18/2018	01/17/2018	PAYMENT	PAYMENT	-294.84	294.84
11/27/2017	11/01/2017	BILLED	STANDARD BILLING	294.84	0.00
09/20/2017	09/19/2017	PAYMENT	PAYMENT	129.94	294.84
09/15/2017	08/01/2017	BILLED	STANDARD BILLING	129.94	129.94

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ACCOUNT NUMBER 03570-03
 CUSTOMER NAME SOSNOWSKI, JOHN
 SERVICE ADDRESS 14-16 COBB ST

TRANSACTION DATE	POST DATE	TYPE	DESCRIPTION	AMOUNT	BALANCE
06/28/2017	06/27/2017	PAYMENT	PAYMENT	382.14	0.00
05/30/2017	05/01/2017	BILLED	STANDARD BILLING	382.14	382.14
04/25/2017	04/24/2017	PAYMENT	PAYMENT	353.04	0.00
02/15/2017	02/01/2017	BILLED	STANDARD BILLING	353.04	353.04
12/28/2016	12/27/2016	PAYMENT	PAYMENT	553.72	0.00
12/05/2016	11/01/2016	BILLED	STANDARD BILLING	379.60	553.72
08/16/2016	08/01/2016	BILLED	STANDARD BILLING	174.12	174.12
06/14/2016	06/13/2016	PAYMENT	PAYMENT	295.54	0.00
05/17/2016	05/01/2016	BILLED	STANDARD BILLING	295.54	295.54
03/08/2016	03/07/2016	PAYMENT	PAYMENT	258.18	0.00
02/23/2016	02/01/2016	BILLED	STANDARD BILLING	258.18	258.18
12/08/2015	12/07/2015	PAYMENT	PAYMENT	338.07	0.00
11/23/2015	11/01/2015	BILLED	STANDARD BILLING	338.07	338.07
09/22/2015	09/21/2015	PAYMENT	PAYMENT	210.67	0.00
08/27/2015	08/01/2015	BILLED	STANDARD BILLING	210.67	210.67
07/30/2015	07/29/2015	PAYMENT	PAYMENT	499.74	0.00
05/20/2015	05/01/2015	BILLED	STANDARD BILLING	279.27	499.74
02/24/2015	02/01/2015	BILLED	STANDARD BILLING	220.47	220.47
12/18/2014	12/17/2014	PAYMENT	PAYMENT	68.33	0.00
11/20/2014	11/01/2014	BILLED	STANDARD BILLING	68.33	68.33

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 BY ACCOUNT NUMBER

SELECTION CRITERIA: cubaccount.cust_no='03570' and cubaccount.cust_ser=3

ACCOUNT NUMBER	CUSTOMER NAME	SERVICE ADDRESS	RTE	READ DATE	CONSUMPTION	ADJUSTMENTS	TOT. CONSUMP.
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	05/01/2020	-905.0000	927.0000	22.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	08/12/2020	0.0000	0.0000	0.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	08/12/2020	31.0000	0.0000	31.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	08/12/2020	0.0000	0.0000	0.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	10/30/2020	25.0000	0.0000	25.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	02/02/2021	32.0000	0.0000	32.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	04/30/2021	21.0000	0.0000	21.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	07/29/2021	0.0000	0.0000	0.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	11/03/2021	15.0000	0.0000	15.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	01/28/2022	14.0000	0.0000	14.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	05/03/2022	14.0000	0.0000	14.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	08/02/2022	13.0000	0.0000	13.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	10/28/2022	12.0000	0.0000	12.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18	02/06/2023	15.0000	0.0000	15.0000
03570-03	SOSNOMSKI, JOHN	14-16 COBB ST	18		-692.0000	927.0000	235.0000

REPORT TOTAL -692.0000 927.0000 235.0000

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ACCOUNT NUMBER 00993-04
 CUSTOMER NAME SOSNOWSKI, JOHN
 SERVICE ADDRESS 22-24 GURMSEY ST

TRANSACTION DATE	POST DATE	TYPE	DESCRIPTION	AMOUNT	BALANCE
04/19/2023	04/01/2023	BILLED	STANDARD BILLING	494.30	494.30
04/19/2023	04/01/2023	BILLED	STANDARD BILLING	517.58	0.00
03/21/2023	03/17/2023	PAYMENT	PAYMENT	517.58	0.00
12/30/2022	12/28/2022	PAYMENT	PAYMENT	517.94	0.00
10/17/2022	10/01/2022	BILLED	STANDARD BILLING	517.94	517.94
09/20/2022	09/19/2022	PAYMENT	PAYMENT	597.39	0.00
07/26/2022	06/30/2022	BILLED	STANDARD BILLING	597.39	597.39
06/20/2022	06/17/2022	PAYMENT	PAYMENT	529.29	0.00
04/19/2022	04/01/2022	BILLED	STANDARD BILLING	529.29	529.29
03/24/2022	03/23/2022	PAYMENT	PAYMENT	631.44	0.00
01/18/2022	01/01/2022	BILLED	STANDARD BILLING	631.44	631.44
12/21/2021	12/20/2021	PAYMENT	PAYMENT	529.29	0.00
10/19/2021	10/01/2021	BILLED	STANDARD BILLING	529.29	529.29
09/20/2021	09/17/2021	PAYMENT	PAYMENT	424.49	0.00
07/27/2021	07/01/2021	BILLED	STANDARD BILLING	424.49	424.49
06/21/2021	06/18/2021	PAYMENT	PAYMENT	404.31	0.00
04/19/2021	04/01/2021	BILLED	STANDARD BILLING	404.31	404.31
03/19/2021	03/18/2021	PAYMENT	PAYMENT	363.95	0.00
01/14/2021	01/01/2021	BILLED	STANDARD BILLING	363.95	363.95
12/23/2020	12/22/2020	PAYMENT	PAYMENT	353.86	0.00
10/21/2020	10/01/2020	BILLED	STANDARD BILLING	353.86	353.86
09/23/2020	09/22/2020	PAYMENT	PAYMENT	303.41	0.00
07/16/2020	07/01/2020	BILLED	STANDARD BILLING	303.41	303.41
06/22/2020	06/19/2020	PAYMENT	PAYMENT	424.49	0.00
04/17/2020	04/01/2020	BILLED	STANDARD BILLING	424.49	424.49
03/18/2020	03/17/2020	PAYMENT	PAYMENT	303.14	0.00
01/16/2020	01/01/2020	BILLED	STANDARD BILLING	303.14	303.14
12/23/2019	12/20/2019	PAYMENT	PAYMENT	222.96	-0.27
10/21/2019	10/01/2019	BILLED	STANDARD BILLING	222.69	222.69
08/23/2019	08/22/2019	PAYMENT	PAYMENT	252.96	0.00
07/11/2019	07/01/2019	BILLED	STANDARD BILLING	252.96	252.96
06/19/2019	06/18/2019	PAYMENT	PAYMENT	182.33	0.00
04/19/2019	04/01/2019	BILLED	STANDARD BILLING	182.33	182.33
03/26/2019	03/25/2019	PAYMENT	PAYMENT	194.90	0.00
01/24/2019	01/01/2019	BILLED	STANDARD BILLING	194.90	194.90
12/19/2018	12/18/2018	PAYMENT	PAYMENT	175.48	0.00
10/18/2018	10/01/2018	BILLED	STANDARD BILLING	175.48	175.48
09/19/2018	09/18/2018	PAYMENT	PAYMENT	340.55	0.00
07/19/2018	07/01/2018	BILLED	STANDARD BILLING	340.55	340.55
07/02/2018	06/29/2018	PAYMENT	PAYMENT	214.32	0.00
04/17/2018	04/01/2018	BILLED	STANDARD BILLING	214.32	214.32
02/26/2018	02/23/2018	PAYMENT	PAYMENT	136.64	0.00
01/25/2018	01/01/2018	BILLED	STANDARD BILLING	136.64	136.64
12/19/2017	12/18/2017	PAYMENT	PAYMENT	411.24	0.00
10/25/2017	10/01/2017	BILLED	STANDARD BILLING	411.24	411.24
09/20/2017	09/19/2017	PAYMENT	PAYMENT	362.74	0.00
07/21/2017	07/01/2017	BILLED	STANDARD BILLING	362.74	362.74
05/22/2017	05/19/2017	PAYMENT	PAYMENT	343.34	0.00
04/14/2017	04/01/2017	BILLED	STANDARD BILLING	343.34	343.34
03/15/2017	03/13/2017	PAYMENT	PAYMENT	379.60	0.00
01/13/2017	01/01/2017	BILLED	STANDARD BILLING	379.60	379.60
11/21/2016	11/18/2016	PAYMENT	PAYMENT	370.26	0.00
10/18/2016	10/01/2016	BILLED	STANDARD BILLING	370.26	370.26
09/06/2016	09/02/2016	PAYMENT	PAYMENT	370.26	0.00
07/19/2016	07/01/2016	BILLED	STANDARD BILLING	370.26	370.26
05/13/2016	05/12/2016	PAYMENT	PAYMENT	332.90	0.00

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CITY OF KEENE, NH
 CUSTOMER HISTORY REPORT

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ACCOUNT NUMBER 00993-04
 CUSTOMER NAME SOSNOWSKI, JOHN
 SERVICE ADDRESS 22-24 GURMSEY ST

TRANSACTION DATE	POST DATE	TYPE	DESCRIPTION	AMOUNT	BALANCE
04/25/2016	04/01/2016	BILLED	STANDARD BILLING	332.90	332.90
02/09/2016	02/08/2016	PAYMENT	PAYMENT	323.56	0.00
01/27/2016	01/01/2016	BILLED	STANDARD BILLING	323.56	323.56
11/19/2015	11/18/2015	PAYMENT	PAYMENT	230.27	0.00
10/23/2015	10/01/2015	BILLED	STANDARD BILLING	230.27	230.27
09/17/2015	09/15/2015	PAYMENT	PAYMENT	298.87	0.00
08/13/2015	08/13/2015	ADJ BILL	ADJ 2X BILL	-44.07	298.87
08/05/2015	07/01/2015	BILLED	STANDARD BILLING	44.07	342.94
08/05/2015	07/01/2015	BILLED	STANDARD BILLING	298.87	298.87
07/17/2015	07/16/2015	PAYMENT	PAYMENT	308.67	44.07
06/30/2015	06/01/2015	BILLED	STANDARD BILLING	308.67	308.67
03/12/2015	03/11/2015	PAYMENT	PAYMENT	249.87	0.00
01/16/2015	01/01/2015	BILLED	STANDARD BILLING	249.87	249.87
12/10/2014	12/09/2014	PAYMENT	PAYMENT	25.25	0.00
10/24/2014	10/01/2014	BILLED	STANDARD BILLING	25.25	25.25

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 CONSUMPTION ANALYSIS

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 BY ACCOUNT NUMBER

SELECTION CRITERIA: cubaccount.cust_no='00993' and cubaccount.cust_ser=4

ACCOUNT NUMBER	CUSTOMER NAME	SERVICE ADDRESS	RTE	READ DATE	CONSUMPTION	ADJUSTMENTS	TOT. CONSUMP.
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	07/02/2020	24.0000	0.0000	24.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	10/05/2020	29.0000	0.0000	29.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	12/31/2020	30.0000	0.0000	30.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	04/06/2021	34.0000	0.0000	34.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	06/30/2021	36.0000	0.0000	36.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	10/06/2021	40.0000	0.0000	40.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	01/04/2022	49.0000	0.0000	49.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	04/05/2022	40.0000	0.0000	40.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	07/05/2022	46.0000	0.0000	46.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	10/03/2022	39.0000	0.0000	39.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	01/04/2023	38.0000	0.0000	38.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06	04/04/2023	36.0000	0.0000	36.0000
00993-04	SOSNOWSKI, JOHN	22-24 GURNSEY ST	06		441.0000	0.0000	441.0000
REPORT TOTAL					441.0000	0.0000	441.0000



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **79E Community Revitalization Tax Relief Application for 310 Marlboro Street**

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the structure proposed for redevelopment located at 310 Marlboro Street is a qualifying structure as defined by RSA 79-E; that the structure is not within a currently defined Tax Increment Financing District; that the structure is not a residential property subject to an election for tax assessment relief under the low income housing tax credit program of RSA 75:1-a; that the proposed rehabilitation cost estimates exceed the threshold amount of \$75,000 and constitutes substantial rehabilitation; that at least \$5,000 of the total rehabilitation cost is devoted to energy efficiency in accordance with the U.S. Secretary of the Interior's Standards for Rehabilitation; that the proposed rehabilitation is consistent with the City's Master Plan; and that the proposed rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. Enhances the economic vitality of downtown areas.
2. Enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level.
3. It promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan.
4. It will add to the City's employment base by creating at least one new, full-time job in Keene's downtown area.
5. It promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard.

Therefore, the Committee recommends that the Application for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years beginning with the substantial rehabilitation as determined by the City's Community Development Department, and conditioned upon the property owner granting to the City at the time of substantial completion a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief, to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.

Attachments:

None

Background:

City Assessor Langille addressed the Committee first. Mr. Langille stated this item is regarding a 79E application for which a public hearing was held at the last City Council meeting. Today's discussion is to determine if there is a public benefit for this project and if so, how many years of tax relief should be provided. Mr. Langille stated the City Council in their resolution in 2018 determined that there were nine public benefits they were looking for. However, an applicant does not need to meet all nine but by Statute they have to meet at least one benefit.

Mr. Langille stated staff has reviewed this application and determined it is an eligible property in the correct district and it far exceeds the minimum of \$75,000 investment. He added the applicant is rehabilitating an existing structure. Mr. Langille clarified 310 Marlboro Street is already receiving 79E for their existing building as it stands today; their renovation just got completed this year and their tax relief just started. This property is being addressed in two different phases. Phase one has a relief on it, and after five years expires, the City will add any additional value for what has been completed to the property.

With that Mr. Langille introduced applicant Randall Walter. Mr. Walter stated they are seeking 79E tax relief from the City to allow the funds to be reinvested into this building in a consistent manner with both the City Master Plan, Marlboro Street Corridor, BGR District and the interest of Keene as a sustainable and green community. He indicated the existing building has already become a destination in the City as a place for business and they have added 30 tenants to make it more vibrant; that is the work component. The next piece of this project is to add the living component, to create a live-work community in the City. Mr. Walter noted live-work communities have a strong appeal not only in New England but throughout the county.

Mr. Walter went on to explain that the base building as it exists today is artistically freshened. The first two stories are the existing building. There will be 57 net zero housing units added to the project. They will be about a 1/3, two-bedrooms and 2/3rds one bedroom and studios.

He went on to say the goal is to remain consistent with the City of Keene and to connect the Marlboro Street Corridor as well as to the Keene Rail Trail. Hence, there is a direct walking path to downtown. Mr. Walter noted they installed solar as part of the first 79E application and will continue adding solar to this project to offset the energy use of the apartments. All lighting fixtures will be energy efficient LED, and all appliances and other fixtures will be energy star. Heating and cooling will also be electric using air source heat pumps, and therefore these electric strategies can be matched with solar, deployed on both the roof of this new addition as well as the other solar field that was constructed last summer.

Mr. Walter stated it is worth noting that this project was granted and is part of the Invest New Hampshire program and received one of the maximum three million dollars grants and has construction starting now with an estimated completion date of next summer.

As far as the public benefit and the criteria: This project is consistent with the Keene Master Plan and also integrates with the Keene Energy Plan, there will be electric car charging on site and both a live and work community. The building is being built to a net zero standard, which means it exceeds code. The building is going beyond code so that it can match the solar with the energy use. At the same time wood construction is being used to sequester carbon. In other words, to store carbon in

the building itself, as opposed to building with steel or concrete. The windows and insulation will also exceed building codes.

Mr. Walter stated there is one energy source that he has not mentioned which is independent of electric which is their biomass boiler. A firing system was installed to heat the base building. It was sized with the capacity to produce domestic hot water for the apartments. Another green strategy for this project is that they are not taking any open space. 57 apartments are being created without taking down any forests or open fields within the City limit. They are using existing infrastructure and using an already developed site.

Mr. Walter stated there is as mentioned earlier an emphasis on multimodal transportation; bikes, cars, and on foot using the rail trail. Another public benefit is job creation. They have already created two positions in the past year; office manager and a construction manager to oversee the project and anticipate further hires as property management starts in the coming year. He added they are also likely to create some adjacent growth for local contractors who are going to participate in this project. This concluded Mr. Walter's presentation.

Councilor Madison referred to page 11 of the application which lists the breakdown of the unit as three studios, 36 one bedrooms and three, 2 bedrooms. Mr. Walter stated it should be 18, two-bedrooms. The Councilor asked whether all these units will be used as housing units or will any be used as short-term rentals, like Airbnb's or Vrbo's. Mr. Walter stated this project is a response to the housing shortage and their only goal has been on producing rental housing. He added the Invest New Hampshire Grant puts them on a five-year time frame for 15 units to be workforce housing. The Assessor's office will oversee to ensure that for five years those leases will be for workforce housing. He added it is their goal for this project to be a live-work community and don't have an outlook at this time to turn it into an Airbnb community.

Mr. Walter stated they are in a challenging time with the banking industry; there was a time where economically this project looked a lot more successful than it does right now. He stated in their performance when they are modeling interest rates above 7% which they hope would come down, it is increasingly important they have the opportunity for this tax relief. Invest New Hampshire has five-year horizon and for five years they are aware they will be accepting a lower rent for at least 15 units. Hence, they are requesting the five-year 79E relief to coincide with both the Invest NH Hampshire grant but also this period of interest rates being so elevated.

Councilor Chadbourne felt this was a great idea just in respect of addressing the City's housing need as well as addressing the priorities set out in the Master Plan and felt it was a win-win and was excited about this project.

Chair Powers stated it was important for the Committee to make sure this project meets the criteria that has been outlined within the five-year period.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the structure proposed for redevelopment located at 310 Marlboro Street is a qualifying structure as defined by RSA 79-E; that the structure is not within a currently defined Tax Increment Financing District; that the structure is not a residential property subject to an election for tax assessment relief under the low income housing tax credit program of RSA 75:1-a; that the proposed rehabilitation cost estimates exceed the threshold amount of \$75,000 and constitutes substantial rehabilitation; that at least \$5,000 of the total rehabilitation cost is devoted to energy efficiency in accordance with the U.S. Secretary of the Interior's Standards for Rehabilitation; that the proposed rehabilitation is consistent

with the City's Master Plan; and that the proposed rehabilitation provides the following public benefits as required by Resolution R-2018-33:

1. Enhances the economic vitality of downtown areas.
2. Enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level.
3. It promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan.
4. It will add to the City's employment base by creating at least one new, full-time job in Keene's downtown area.
5. It promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard.

Therefore, the Committee recommends that the Application for real property tax relief on any assessed tax increment resulting from the substantial rehabilitation of the qualifying structure be granted for a period of five years beginning with the substantial rehabilitation as determined by the City's Community Development Department, and conditioned upon the property owner granting to the City at the time of substantial completion a covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefits for the period of the tax relief, to be recorded at the Cheshire County Registry of Deeds at the expense of the property owner.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Gilsum Road and Washington Street Extension Land Acquisition**

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 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 the purchase of real property located at 0 Gilsum Road, tax map #218 042 000, and 0 Washington Street Extension tax map #229 006 000, for conservation purposes, and for a price to be paid from Project #90203, Conservation Land Use Tax, in an amount not to exceed the maximum bid amount previously authorized by the City Council.

Attachments:

None

Background:

Public Works Director Kurt Blomquist stated staff's intention was to place this item on more time for the Committee's next meeting. However, indicated as background this is the property the City intended to purchase known as the Washington Street Extension. The area has been logged and now the owner wishes to sell the property. They approached City and the Conservation Commission has reviewed the proposal and, in their opinion, they feel this is a property the City should be considering to purchase utilizing conservation funds.

City Manager Elizabeth Dragon stated when the Council reviewed these parcels as a potential purchase and authorized the Manager and the Conservation Chair to participate in a bid for the parcels. The City was not successful in the bid. The property owner is aware the City is interested in the property. The property has been logged and they have come back to the City. Staff is seeking authorization to go ahead and negotiate a purchase and sales with the property owner for the amount previously authorized.

Councilor Madison stated as the Manager indicated it was about two years ago the City placed a bid on this property and did not win that bid. The bid was won by a logging company that did a pretty minimal logging operation. He indicated the main aspect about this property is that it has very steep slopes and is adjacent to Beaver Brook which floods pretty routinely. Hence, the prospect that this

could be sold to another logging company that could clear-cut it. This would substantially increase the flooding risk along Beaver Brook. Hence, the Conservation Commission feels the City retaining this property would be an ecosystem benefit. He felt the City would get its money's worth as it would be open to the public for hiking, nature walks and wildlife and would add to the character of that part of the City (more rural). It will also maintain privacy for those who live on Washington Street extension. The Councilor stated for him it is about adding a measure of flood protection for Beaver Brook.

Councilor Lake noted there is tax map reference for the northern property but not for the southern property and asked whether there needed to be an adjustment made. The Manager agreed it should be made. The Councilor also asked whether the same issue with flooding also exists with the northern property as well. Councilor Madison stated there was concern with steep slopes here as well and added the other issue is the shallow ledge (thin layer of soil over bedrock) as a result water doesn't have room to infiltrate.

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

On a 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 the purchase of real property located at 0 Gilsum Road, tax map #218 042 000, and 0 Washington Street Extension tax map #229 006 000, for conservation purposes, and for a price to be paid from Project #90203, Conservation Land Use Tax, in an amount not to exceed the maximum bid amount previously authorized by the City Council.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Historical Society of Cheshire County Public Art Display Proposal**

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 4-0 vote. the Finance, Organization and Personnel Committee recommends that the City Council finds and accepts the Historical Society of Cheshire County's Kingsbury Toy Taxiplane Public Art Display in accordance with Resolution R-2018-22, Council Policy Relating to the Acceptance and Placement of Public Art, and that the City Manager is authorized to do all things necessary to negotiate and execute the necessary documentation as outlined in Resolution R-2018-22.

Attachments:

None

Background:

Public Works Director Kurt Blomquist stated this item is a request from the Historical Society of Cheshire County for the acceptance of an art display. He indicated this item had been in front of the MSFI Committee originally but because the MSFI Committee did not meet this month, the Historical Society is wishing to continue to move this item along in an expeditious manner.

Mr. Blomquist stated staff has provided to the Committee the 2018 City Council Public Art Acceptance and Placement Policy. He indicated the Committee has two recommendations for its review. The first that this particular proposal meets the policy, and the second is that this proposal does not meet the policy. He asked the Committee to discuss the number of questions that are outlined and to discuss whether what is being proposed complies with the City policy and make sure the decision is clear for the record.

He added a representative from the Historical Society Judy Rogers, and the artist are present tonight. There are also some pictures available that gives the Committee an idea of the location being proposed for this piece of art.

Judy Rogers Board Member of the Historical Society addressed the Committee and began by saying that the Society would love to do another public art piece for the City with a historical subject matter.

She explained the Kingsbury Toy Company manufactured toys in the region from the 1800's until 1940. The Historical Society has a very comprehensive collection of Kingsbury Toys and felt it would be nice to have a piece of public art on Main Street.

She felt the marriage of public art and historical subject matter has been really great for the City. The mural project was a great addition and has benefited City and the Historical Society. This would be just another step forward in creating another piece in three dimensions.

She added the Kingsbury taxiplane was a piece that was manufactured around 1920. It is bright but not too big and the Society felt it would be a fun way to highlight the manufacturing history of Keene. The piece would be displayed on Main Street as you enter the City and felt it seems to meet all the requirements of the City policy for public art.

Councilor Chadbourne stated she likes this idea but her only issue is, even though it is in front of the Historical Society and people are aware of its historical relevance, she would like to have seen a plaque added that had a bit of an explanation. Ms. Rogers stated originally the Society proposed the piece have a title plaque on it but there was some discussion as to whether that would qualify it as a sign more than a piece of public art and it might disqualify it from this process. Hence, it was removed. The Councilor stated that was disappointing and asked if there was a way around it.

The City Manager responded by saying when the City locates items in the City right of way, it becomes an issue. The City went through the process to come up with this public art policy to become more creative. The Manager clarified what the plaque originally said. Ms. Rogers stated the plaque said Kingsbury Toy Taxiplane, part of the collection of the Historical Society of Cheshire County, Artist Peter Poanessa. The Manager stated there was conversation between the City Attorney's office and Public Works trying to strike a balance to make it work within the guidelines. Councilor Chadbourne asked if reference to the Historical Society was removed and reference was made just to Kingsbury Taxiplane Toy with a date – whether that would work. The Councilor felt there has to be a way to engage visitors to the piece of art and without an explanation there would be no way to connect the piece of art to the history of Keene. Councilor Madison noted there is a description on the pole underneath the airplane.

Mr. Blomquist stated the challenge is how you document public art and indicated when you look at City Code as to the definition of a "Sign" it talks about where a service is etc. He indicated at Council's direction staff could work with the Historical Society to come up with something that falls within the Code. Councilor Chadbourne stated she understands the advertising portion, but if she was a visitor the context would be lost. She felt a balance between removing the advertising portion but giving more of a description would enhance the work and engage a visitor.

Chair Powers asked for the Attorney's input. Assistant City Attorney Palmeira referred to the Resolution and what is and what is not considered public art and if the City is reaching beyond what the Public Works Director described – then it is something entirely different. The Manager stated if the artist was agreeable to leaving out the reference to the Historical Society and adding some information regarding what the piece is about (more descriptive of the art) it could be a compromise. She stated the issue was the reference to the Historical Society. Councilor Chadbourne referred to the art by the Walldogs – there is art and there is context to go along with it.

Mr. Poanessa addressed the Committee next and stated he agreed adding a plaque which would not be misconstrued as a sign would be something he would like to see. Ms. Rogers suggested if the piece had a plaque on it which was considered a title plaque with the name of the piece and the artist on it. Mr. Poanessa added what Ms. Rogers is suggesting is something that would conform to the sign code, be a legal sign that would be on the Historical Society side of the property and not in the

right way. Ms. Dragon stated if the Committee could give staff some flexibility to work with the Society on this item without crossing the line of it becoming a sign – that could also work. It was noted because the motion indicates the City Manager is authorized to do all thing necessary to negotiate and execute the item would not need to come back before this Body.

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

That the Finance, Organization and Personnel Committee recommends that the that the City Council finds and accepts the Historical Society of Cheshire County's Kingsbury Toy Taxiplane Public Art Display in accordance with Resolution R-2018-22, Council Policy Relating to the Acceptance and Placement of Public Art, and that the City Manager is authorized to do all thing necessary to negotiate and execute the necessary documentation as outlined in Resolution R-2018-22.

Mr. Blomquist stated when the Committee's discusses this motion it would be helpful to go over all the items on the list and indicate for the record that the Committee recommends those items. He indicated he cannot stress enough that those items outlined in the Policy are what the Committee is approving and then vote on the proposed motion. This would help when a similar item comes before the Council for its consideration.

Councilor Madison stated he feels this item meets the 11 topic areas specified in the Memorandum. Chair Powers felt the Committee would not recommend the motion if it did not meet the outlined criteria. Attorney Palmeira stated the 11 bullet points outlined are the ones that need to be complied with. What needs to be included in the record is which portions the Committee finds are in compliance and why; it does not have to be lengthy.

The Manager reviewed the outlined criteria:

- Whether the Public Art proposal reflects aspects of the City's history, unique environment, cultural identity, or community at-large; The Committee answered Yes
- Whether the Public Art proposal aesthetically enhances public spaces or environments to which it relates or interacts; The Committee answered Yes
- Whether the Public Art proposal is commensurate in scale with its surroundings; The Committee answered Yes
- Whether the Public Art proposal is technically feasible to produce and to display; The Committee answered Yes
- Whether the Public Art proposal is unique and original and not mass produced or standardized; The Committee answered Yes – it is a Peter Poanessa original
 - Whether the Public Art proposal is durable, constructed of materials that will survive in the environment in which it will be placed, and reasonable to maintain in terms of time and expense; The Committee answered Yes it will survive any environment
- Whether the artist(s) and/or organization(s) submitting a proposal for Public Art can demonstrate that the artist(s) and/or organization(s) is (are) recognized by critics and peers as one who produces works of art; The Committee answered Yes – Peter Poanessa produced many Wall Dog pieces and his reputation precedes him
- Whether the Public Art proposal is in a location that allows for necessary maintenance; The Committee answered Yes – it will be located in the City right of way
- Whether the Public Art proposal is designed to be reasonably protected from environmental degradation, damage, vandalism, or theft; The Committee answered Yes – looks like it is difficult to steal
- Whether the Public Art proposal is affixed to a structure or building and whether the structure or building is expected to remain in good condition for twenty (20) years; The Committee answered Yes – it won't be displayed on a building.
- Whether the Public Art creates a public safety, health, or security concern. The consensus of the

Committee was they did not feel the piece would pose any issues.

Councilor Chadbourne stated with all due respect to staff – this is information the Committee is aware of and these are items that have already been discussed and a decision has been made and felt it was insulting to the Committee. She stated it was frustrating.

The Manager agreed it was frustrating and felt perhaps in the future staff could go over the Resolution when the public art is being introduced so it will be done at the beginning.

On a 4-0 vote. the Finance, Organization and Personnel Committee recommends that the that the City Council finds and accepts the Historical Society of Cheshire County's Kingsbury Toy Taxiplane Public Art Display in accordance with Resolution R-2018-22, Council Policy Relating to the Acceptance and Placement of Public Art, and that the City Manager is authorized to do all thing necessary to negotiate and execute the necessary documentation as outlined in Resolution R-2018-22.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Councilor Remy - Requesting the City's Consideration - Centralized Solid Waste Group Default Rates and Billing**

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that this communication be referred to the City Manager.

Attachments:

None

Background:

The Manager stated she has not discussed this letter with Councilor Remy and stated part of the reason for this proposal is because of the great success the City has had with community power. However, sanitation and garbage pickup are a little different. She indicated she looked at a few other communities and how they handle it to provide additional saving to Keene's residents. Laconia does participate in curbside pickup, but it is contracted out. It is \$700,000 plus and there are additional fees for bulk items. She noted there is something to be said about keeping the City clean but Keene's transfer station is self-funded (revenue received at the station not tax revenue). The Manager stated she would like this item to be referred to her so she could have some additional discussion with Council Remy to see if there are other ideas that could be reviewed.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that this communication be referred to the City Manager.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Request for Sole Source Purchase - Sewer Software Inspection System

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to sole source purchase pipe inspection software from POSM Software, LLC and pursuant to sec 2-1336 of the City Keene code of ordinance, waive bidding requirements in Section 2-1335.

Attachments:

None

Background:

Water Sewer Operations Manager Chris Pelletier and Asst. Public Works Director Aaron Costa were the next two speakers. Mr. Pelletier stated this is a recommendation by staff to purchase sewer pipeline inspection software. He explained the purpose of this software is to allow staff to inspect, record, and document the condition of sewer pipelines in the City's collection system. This allows staff to create reports, document locations, accurately plan repairs and maintenance, maintain historical documentation for recurring issues, integrate existing video documentation into a format that is compatible to the City's current asset management software. It also allows engineering to have the same access to inspection videos for planning and rehabilitation efforts and allows staff to work together to improve the City's collection system.

Mr. Pelletier went on to say prior to the City's trial period with this company, which the City has been in a trial for about a year and a half; the division was using an open source based software which performed the most basic function, by simply recording video. He added when a camera is run down the drain and it discovers a blockage, staff might not be able to address every issue at that time, it depends on the priority of it. Staff is not able to share the video, edit the video, or attach the video to a location. The video could be several hours long, the camera would need to be pulled out, wheels or tracks changed, and the camera put back down again. He added it was difficult to locate videos.

This resulted in a disconnect between operational observations, future planning and upgrades. The proposed software will help realize full capabilities of the division's sewer cameras. What does the

software do? The software allows operators to make observations of sewer pipeline in a standardized assessment format. The operator can take snapshots of each observation. You can record damage at different levels of severity. Root obstructions, grease, etc. are some of the items that can be discovered in the sewer system. Snapshots can be organized in one report and notes relating to the condition of that pipe based on the observations made by the operator can be documented. The report can then be attached to the City's current asset management software - to that particular location and then the information is available to inform planning decisions in the future.

The cost of the software is \$37,750 and is based on a number of factors. Staff has determined that it best meets the needs of the water, sewer and engineering divisions. Mr. Pelletier noted funds were appropriated in the 2019 Sewer Improvement Capital Project for this purpose.

Councilor Lake asked why the City decided not to go forward with any of the vendors outlined in 2019, but have since decided to go back. Mr. Pelletier stated there were a couple of reasons: At the time staff had lacked resources, his position wasn't filled, the pandemic was happening, and it had not risen to a priority that allowed staff to want to continue down this path. The second reason was that in using this open-source software mentioned earlier, IT had determined this would be a security risk and did not want staff to continue using it. Hence, he pursued other alternatives and engineering staff advised the department had already gone down this road and brought the original RFP and original bidders to his attention.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to sole source purchase pipe inspection software from POSM Software, LLC and pursuant to sec 2-1336 of the City Keene code of ordinance, waive bidding requirements in Section 2-1335.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Trail Improvements - Greater Goose Pond Forest

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 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 professional service contract with Snowhawk LLC Trail Design and Construction for trail improvements in the Greater Goose Pond Forrest. The contract will not exceed \$45,860.00 and funding will come from Project Cost Center (65M0012A).

Attachments:

None

Background:

Parks, Recreation and Facilities Director Andy Bohannon stated this recommendation before the Committee is for a project staff has been discussing for a while; connecting the Comprehensive Masterplan with projects in the Active and Passive Recreation Management plan. He indicated these trail improvements are a perfect example of what is outlined in the Comprehensive Master Plan, a conversation about the Greater Goose Pond stewardship program. There was \$50,000 in the initial year FY23, tying those funds back to the program and the results of all the work previously completed is the project before the Committee tonight which is to improve the loop around Goose Pond. It will improve the entrance from the north trail head into the pond, ditch work, trail access improvement in various locations.

Mr. Bohannon noted Snowhawk LLC has done work for the City in the past and was the low bidder for the project. He indicated staff did attempt to obtain the Recreational Trail Grant program funding but were not successful.

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

On a 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 professional service contract with Snowhawk LLC Trail Design and Construction for trail improvements in the Greater

Goose Pond Forrest. The contract will not exceed \$45,860.00 and funding will come from Project Cost Center (65M0012A).



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.7.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **FACT Community Access Television Public Programming Agreement Addendum**

Council Action:

In City Council May 4, 2023.

Voted with 13 in favor and one opposed to carry out the intent of the report.

Recommendation:

On a 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 addendum to the Falls Area Community Television Community Access Public Programming Agreement.

Attachments:

None

Background:

Asst. City Manager/IT Director Rebecca Landry addressed the Committee and stated the City has an arrangement with Fact TV where the previous public access provider owned the camera equipment in the studio, paid the lease rate, and paid the utilities in the space provided at the library. It is a different arrangement with Fact TV. The City is the owner of the equipment and the studio, the City pays the lease and utilities for that space and have contracted with Fact TV to provide a service; to do the public programming piece for community access television for the City of Keene.

The City has encountered a situation; a mechanism in the operating agreement for rental revenue to be paid to the City for the use of the City's equipment. Tonight staff is looking for the City Manager to have the opportunity to negotiate and execute an amendment to that agreement to add in proper mechanisms for revenue from those rentals.

Councilor Madison asked what this revenue would be used for. The Manager stated it would be retained with the franchise fee monies in the general fund.

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

On a 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 addendum to the Falls Area Community Television Community Access Public Programming Agreement.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.8.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Charter Communications Franchise Agreement Extension**

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 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 extension to the current Franchise Agreement with Charter Communications.

Attachments:

None

Background:

Ms. Landry stated this item is in reference to the franchise agreement with Spectrum, also known as Charter Communications. The original franchise term entered in 2003 is coming to an end. Staff anticipated having an agreement ready, but this is not just an agreement between the City and the consultant; there are State and Federal laws that govern franchise agreements for cable television and there is a lot of legal review that needs to happen.

The City secured the services of an outside attorney and there are number of things that have to be resolved that are not yet resolved. Hence, staff is looking for an extension for the Committee to authorize the City Manager to negotiate and execute an extension which staff hopes to have only for the remainder of this calendar year and would like to see that franchise agreement completed by the end of this calendar year.

Chair Powers stated he hope the past complaints consumers were having would also be addressed with this new agreement. Ms. Landry they will be as well as a couple of other things that are different compared to 20 years ago in terms of what is needed in the community. The City is looking for all channels to be high definition digital.

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

On a 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 extension to the current Franchise Agreement with Charter Communications.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.9.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Acceptance of Federal Funding for Airport Capital Project**

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$198,810 from the Federal Aviation Administration Airport Improvement Program.

Attachments:

None

Background:

Airport Director David Hickling stated the next to two items are related to an airport capital project. The perimeter fence project has been in the CIP for a while. The airport has fence along the east side which is the more populated area but there is no fencing on the west side, where there is a lot of wildlife habitat which is not compatible with aeronautical activity and hence would like to locate a fence in that area to keep animals from getting on the runway.

Item 9 is to accept federal funding to fund phase one of this project. Phase one of the project is preliminary design. It mostly addresses the environmental assessment as well as a hazardous wildlife study completed by a consultant. The results of that study will help procure funding for construction

The grant is an FAAIP grant administered through the DOT. It is 90% of the funding of the project, 5% of the project by the State and the remaining 5% by the City.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and execute a grant for up to the amount of \$198,810 from the Federal Aviation Administration Airport Improvement Program.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.10.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Agreement with McFarland Johnson Inc. - Wildlife Perimeter Fence Project

Council Action:

In City Council May 4, 2023.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a Professional Engineering Services contract with McFarland Johnson Inc. for Phase one of the Wildlife Perimeter Fence Project.

Attachments:

None

Background:

Mr. Hickling made reference to a segment of his memo where it says the work for this project will be completed for \$182,403 – noting this was just the cost of McFarland Johnson and did not include their consultant fees. Hence, would like to amend that to be \$215,935.

Mr. Hickling indicated McFarland Johnson would be doing this work and the grant the committee just authorized the City Manager to execute would be used to complete the preliminary design, environmental assessment, phase 1A and 1B of the archaeology surveys and a wildlife assessment will be completed under this contract.

The City obtained an independent estimate from an outside agency and found McFarland Johnson's fee to be consistent with that type of work.

Chair Powers asked when construction is estimated to being. Mr. Hickling stated it would be in FY24.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute a Professional Engineering Services contract with McFarland Johnson Inc. for Phase one of the Wildlife Perimeter Fence Project.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Thomas Mullins, City Attorney
Through:
Subject: Temporary Placement of Rescue Inc. Ambulances at the Central Fire Station and the West Keene Station - City Attorney

Council Action:

In City Council May 4, 2023.

Voted unanimously to suspend Section 26 of the Rules of Order to act on the matter on first reading. Voted unanimously to carry out the intent of the memorandum.

Recommendation:

Move that the City Council authorize the issuance of a license to Rescue Inc for the temporary placement of their ambulance vehicles at the Central Fire Station and West Keene Station.

Attachments:

None

Background:

The City of Keene will utilize Rescue Inc. as backup ambulance support service as DiLuzio Ambulance Service winds down its operations in the coming weeks. To protect the health, welfare, and safety of the community, the City has agreed to allow the temporary placement of their ambulances at the Central Fire Station and the West Keene Station. A suspension of the Rules of Order will be requested to enable the execution of a license for this use of City property.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.2.

Meeting Date: May 4, 2023

To: Mayor and Keene City Council

From: Alyssa Bender, Youth Services Manager/JCC Coordinator

Through: Elizabeth Dragon, City Manager
Andrew Bohannon, Parks, Recreation and Facilities Director

Subject: **Execution of Amended Application - 23-24 DHHS Grant - Youth Services Manager/JCC Coordinator**

Council Action:

In City Council May 4, 2023.

Voted unanimously to suspend Section 26 of the Rules of Order to act on the matter on first reading. Voted unanimously to carry out the intent of the memorandum.

Recommendation:

Move that the City Council recommend that the City Manager be authorized to execute the amended application for the Juvenile Diversion Program Support Funding Grant through the Department of Health and Human Services Division for Children, Youth & Families from \$16,405 to \$61,215.

Attachments:

None

Background:

At the Thursday, April 20, 2023 City Council Meeting, the Council approved the execution of a grant for \$16,405. Subsequently, an addendum was issued to the contract with an increase for a new price limitation of \$61,215.



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Elizabeth Dragon, City Manager
Through:
Subject: Relating to the FY 2023-2024 Budget
Resolution R-2023-13

Council Action:

In City Council May 4, 2023.

Memorandum filed as informational. Resolution R-2023-13 referred to the Finance, Organization and Personnel Committee. Public hearing set for Thursday, June 1, 2023 at 7:10 PM.

Recommendation:

That Resolution R-2023-13 relating to the FY 2023-2024 budget be referred to the Finance, Organization & Personnel Committee for their review and recommendation, and that a public hearing be scheduled for Thursday, June 1, 2023.

Attachments:

1. R-2023-13_ FY24 Budget_Referral
2. R-2023-13 FY2024 Operating Budget detail

Background:

Resolution R-2023-13 summarizes the budget document that has been prepared for FY 2023-2024.

The detailed budget document has been distributed to the Mayor and City Council. The document, in its entirety, has been posted on the City's website.

Any bond resolutions associated with projects recommended for funding in the next fiscal year will be presented under separate cover memos.

The remaining steps in the budget process are outlined below:

Budget Meeting Calendar			
Date	Day	Time	Description
May 1, 2023	Monday		City Manager Budget distributed to City Council
May 4, 2023	Thursday	7:00 PM	Regular Council Meeting - Budget resolution first reading - referred to FOP Committee
May 11, 2023	Thursday	5:30 PM	Regular FOP Meeting (start 5:30) - Budget Review - Overview, General Fund Revenues & Expenditures, Debt Service, Mayor & City Council, Outside Agencies, Unclassified Items, Capital Appropriations, Employee Benefits, Risk Management, City Manager's Office, City Attorney, City Clerk, Assessment, Finance, Human Resources, Information Technology, PC Replacement Fund
May 17, 2023	Wednesday	5:30 PM	Special FOP meeting (start 5:30) - Budget Review -Library, Parks, Recreation & Facilities, Fire, Police, Airport, Community Development
May 18, 2023	Thursday	7:00 PM	Regular Council Meeting - Introduce bond resolutions; introduce salary ordinance
May 23, 2023	Tuesday	5:30 PM	Special FOP Meeting (start 5:30) -Budget Review - Parking Fund, Public Works, Solid Waste Fund, Sewer Fund, Water Fund, Equipment (Fleet Fund)
May 25, 2023	Thursday	6:00 PM	Regular FOP Meeting -Make recommendation on budget, salary ordinance, bond resolutions
June 1, 2023	Thursday	7:00 PM	Regular Council Meeting - Public Hearing
June 15, 2023	Thursday	7:00 PM	Regular Council Meeting - Vote on budget, salary ordinance, bond resolutions
July 1, 2023	Saturday		Start of FY 2024



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the 2023/2024 fiscal year budget

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

That the sum of \$27,808,122 be raised by taxation during the current year which together with \$40,073,236 for estimated operating revenues aggregating \$67,881,358 is hereby appropriated for the use of the several departments of the City Government, and further that the sum of \$7,098,671 be appropriated for capital expenditures and capital reserve appropriations in the City proprietary funds, funded by the use of capital reserves, fund balance and current revenues, for the fiscal year beginning July 1, 2023, as attached hereto and made a part thereof.

George S. Hansel, Mayor

In City Council May 4, 2023.
Referred to the Finance, Organization and
Personnel Committee. Public Hearing set for
Thursday, June 1, 2023 at 7:10 PM.

City Clerk

2023/2024 Annual Operating Budget

R-2023-13

General Fund Revenue & Other Financing Sources:	<i>Adopted</i>	General Fund Appropriations:	<i>Adopted</i>
Property Tax Revenue	\$27,808,122	Elected & Appointed Officials	\$2,458,454
Use of Surplus	2,628,474	Capital Projects	5,545,793
Other Taxes	1,174,025	Administrative Services	5,809,211
Tax Increment Financing	1,005,842	Community Services	23,018,690
Licenses, Permits & Fees	4,183,392	Municipal Development Services	7,580,116
Intergovernmental	3,416,783	Debt Service	3,324,493
Charges for Services	2,415,896		
Fines & Forfeits	51,332		
Miscellaneous	1,657,871		
Other Financing Sources	3,395,020		
NET GENERAL FUND OPERATING REVENUES	\$47,736,757	NET GENERAL FUND OPERATING APPROPRIATIONS	\$47,736,757
TOTAL PARKING FUND REVENUES	\$1,072,087	TOTAL PARKING FUND APPROPRIATIONS	\$1,072,087
TOTAL PC REPLACEMENT FUND REVENUES	\$134,160	TOTAL PC REPLACEMENT FUND APPROPRIATIONS	\$134,160
TOTAL SOLID WASTE FUND REVENUES	\$5,500,094	TOTAL SOLID WASTE FUND APPROPRIATIONS	\$5,500,094
TOTAL SEWER FUND REVENUES	\$6,143,384	TOTAL SEWER FUND APPROPRIATIONS	\$6,143,384
TOTAL WATER FUND REVENUES	\$4,558,701	TOTAL WATER FUND APPROPRIATIONS	\$4,558,701
TOTAL EQUIPMENT FUND REVENUES	\$2,736,175	TOTAL EQUIPMENT FUND APPROPRIATIONS	\$2,736,175
TOTAL OPERATING REVENUES - ALL FUNDS	\$67,881,358	TOTAL OPERATING APPROPRIATIONS - ALL FUNDS	\$67,881,358
CAPITAL:			
PARKING FUND CAPITAL FUNDING	\$247,400	PARKING FUND CAPITAL APPROPRIATIONS	\$247,400
SOLID WASTE FUND CAPITAL FUNDING	\$125,000	SOLID WASTE FUND CAPITAL APPROPRIATIONS	\$125,000
SEWER FUND CAPITAL FUNDING	\$3,173,906	SEWER FUND CAPITAL APPROPRIATIONS	\$3,173,906
WATER FUND CAPITAL FUNDING	\$2,728,400	WATER FUND CAPITAL APPROPRIATIONS	\$2,728,400
EQUIPMENT FUND CAPITAL FUNDING	\$823,965	EQUIPMENT FUND CAPITAL APPROPRIATIONS	\$823,965
TOTAL CAPITAL FUNDING - OTHER FUNDS	\$7,098,671	TOTAL CAPITAL APPROPRIATIONS - OTHER FUNDS	\$7,098,671



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.2.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Relating to Use of the Solid Waste Unallocated Fund Balance to Enable Common Space Renovation at the Transfer Station/Recycling Center Resolution R-2023-20**

Council Action:

In City Council May 4, 2023.

Report filed as informational. Voted unanimously for the adoption of Resolution R-2023-20.

Recommendation:

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-20.

Attachments:

1. Resolution R-2023-20 _Adopted

Background:

Assistant Public Works Director/Solid Waste Manager Duncan Watson stated he was here tonight to follow up on a resolution that came to Council last week for first reading. This is to authorize the City Manager to do all things necessary to take \$52,564 from the unallocated solid waste fund balance which has a balance of approximately 2.5 million dollars, to complete the renovation project of the common space up at the recycling center transfer station.

Mr. Watson stated the transfer station facility and recycling center facility were completed in 1994. In that time, it has had no renovation work done to it and it is beginning to show its age.

The City submitted a bid for this work and received two bidders. The low bidder Monadnock Construction was a little bit over project budget but based on the complexity of the necessary electrical work and fire alarm work, these additional funds are required to be able to complete this project and issue a notice to proceed to the contractor.

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

On a 4-0 vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2023-20.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the appropriation of funds from the Solid Waste Fund Unassigned Fund Balance

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

WHEREAS: The City of Keene operates a Recycling Center and Transfer Station at 55 Old Summit Road. The facility was built in 1994, and the common areas that include the Transfer Station office, employee breakroom, locker room, and restrooms have not been renovated in the 29 years the facility has been in operation; and

WHEREAS: A capital project in the amount of \$175,000 was approved through the capital improvement program process and funded through the adoption of the City of Keene operating budget process; and

WHEREAS: Due to unprecedented inflation in 2022-2023 affecting pricing for materials and labor for the common area project and the required electrical system/fire alarm work, the capital project is \$52,564 underfunded

NOW, THEREFORE, BE IT RESOLVED by the City Council that the use of Solid Waste Fund Unassigned Fund Balance in the amount of fifty-two thousand five hundred sixty-four dollars (\$52,564) be used to fund the appropriation for the additional cost of the common area and electrical system/fire alarm capital project.

George S. Hansel, Mayor

In City Council April 20, 2023.
Referred to the Finance, Organization and Personnel Committee.

City Clerk

PASSED May 4, 2023



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.3.

Meeting Date: May 4, 2023
To: Mayor and Keene City Council
From: Merri Howe, Finance Director/Treasurer
Through: Elizabeth Dragon, City Manager
Subject: **Relating to an Appropriation of Funds and Use of Unassigned Fund Balance for the FY 2023 Fire Department Personnel Budget Resolution Resolution R-2023-27**

Council Action:

In City Council May 4, 2023.

Report filed as informational. Resolution R-2023-27 referred to the Finance, Organization and Personnel Committee.

Recommendation:

That R-2023-27 relating to an appropriation of funds and use of unassigned fund balance for the FY 2023 Fire Department personnel budget and operating budget have a first reading in front of the City Council and that it be referred to the Finance, Organization and Personnel Committee.

Attachments:

1. R-2023-27_Resolution Number 2023-27 use of unassigned FB for Fire Overages_referral

Background:

The Fire Department personnel budget is projected to be over expended by \$329,727.55 at the end of FY 2023 and the operating budget over expended by \$50,945.29, leaving no remaining operating budget to offset the shortfall of \$380,672.84.

Current fiscal policies provide authorization for departments to vary spending from individual lines with authorized appropriations. However, spending cannot exceed the budget of the department. Resolution R-2023-27 appropriates additional funds from the general fund unassigned fund balance to the fire suppression and ambulance general personnel budget lines and operating line as shown below, totaling \$380,672.84. The \$380,672.84 appropriation is offset by a projected budgetary savings of \$405,341 in the Police Department FY 2023 personnel budget.

Personnel Overages

Ambulance		FY23 Budget	Additional Request	Revised
OT Training	40200000-515130	30,000.00	42,893.44	
OT Sick Replacement	40200000-515210	20,500.00	47,914.35	
Fire Supression				
OT Sick Replacement	40100000-515210	32,950.00	133,919.08	
OT Multi Alarm	40100000-515250	40,000.00	105,000.68	
Total Personnel Budget Adjustment		123,450.00	329,727.55	

Operating Overages

Ambulance		FY23 Budget	Additional Request	Revised
Supplies-Disposable Equipment	40200000-527660	34,200.00	15,718.08	
Administrtation				
Supplies - Vehicles	40000000-527630	73,600.00	27,156.18	
Fire Supression				
Supplies - Protective Clothing	40100000-527560	37,500.00	8,071.03	
Total Operating Budget Adjustment		145,300.00	50,945.29	



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to an Appropriation of Funds and Use of Unassigned Fund
Balance for the FY 2023 Fire Department Personnel Budget

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

WHEREAS: Resolution R-2022-33 Relating to Fiscal Policies states all departments are authorized to vary actual departmental spending from line item estimates provided the total departmental budget is not exceeded within each fund; provided however, that any item specifically eliminated by the City Council during budget approval cannot be purchased from another line item without City Council approval; and

WHEREAS: Any unexpended funds in a personnel line related to a vacancy cannot be expended without prior approval from the City Manager and the City Council unless funds are being expended to fill a vacancy, recruiting, or to employ temporary help including professional and contract services;

NOW, THEREFORE, BE IT RESOLVED by the City Council that funds from the general fund unassigned fund balance be appropriated to the fire suppression and ambulance general personnel budget lines and operating lines as shown below, totaling \$380,672.84. The \$380,672.84 appropriation is to be offset by a projected budgetary savings of \$405,341 in the Police Department FY 2023 personnel budget.

Personnel Overages

		FY23 Budget	Additional Request	Revised Budget
Ambulance				
OT Training	40200000-515130	30,000.00	42,893.44	72,893.44
OT Sick Replacement	40200000-515210	20,500.00	47,914.35	68,414.35
Fire Supression				-
OT Sick Replacement	40100000-515210	32,950.00	133,919.08	166,869.08
OT Multi Alarm	40100000-515250	40,000.00	105,000.68	145,000.68
Total Personnel Budget Adjustment		123,450.00	329,727.55	453,177.55

Operating Overages

		FY23 Budget	Additional Request	Revised Budget
Ambulance				
Supplies-Disposable Equipment	40200000-527660	34,200.00	15,718.08	49,918.08
Administrtation				
Supplies - Vehicles	40000000-527630	73,600.00	27,156.18	100,756.18
Fire Supression				
Supplies - Protective Clothing	40100000-527560	37,500.00	8,071.03	45,571.03
Total Operating Budget Adjustment		145,300.00	50,945.29	196,245.29

George S. Hansel, Mayor

In City Council May 4, 2023.
Referred to the Finance, Organization and
Personnel Committee.



City Clerk

City of Keene

New Hampshire

May 5, 2023

TO: File

FROM: Patricia A. Little, City Clerk

SUBJECT: Community Development Block Grant – Roosevelt School Apartments

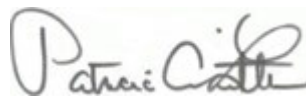
At a regular meeting of the Keene City Council, held on May 4, 2023, the following action occurred relative to Resolution R-2023-21:

Mayor Hansel called from the Finance, Organization and Personnel Committee Resolution R-2023-21 Approving a CDBG Application for Roosevelt School Apartments.

A motion was made by Councilor Powers and duly seconded by Councilor Remy to suspend Section 28 of the Rules of Order to act upon the Resolution on the same evening as the public hearing. The motion passed on roll call vote, with 14 Councilors present and voting in favor. Councilor Ormerod was absent.

A motion was made by Councilor Powers and duly seconded by Councilor Remy for the adoption of Resolution R-2023-21. The motion passed with a unanimous vote in favor.

Attest:



City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Approving a CDBG Application for Roosevelt School Apartments

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

WHEREAS, the City of Keene has stated as one of its Community Goals that suitable housing should be available to meet the varied housing needs of community residents; and

WHEREAS, the Community Goals state that there should be a wide range of standard housing available throughout the City; and

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

WHEREAS, the Community Development proposal would provide \$500,000 to be used toward the development of apartments for low- and moderate-income households at 438 Washington Street in Keene.

NOW, THEREFORE, BE IT RESOLVED that the City Council approve and support the City’s grant application to the New Hampshire Community Development Finance Authority for \$500,000 in Community Development Block Grant funds to be used by a new limited partnership sponsored by Keene Housing for costs related to the development of permanently affordable apartments at 438 Washington Street; that the Council re-adopt the Housing and Community Development Plan as updated and adopt the Displacement and Relocation Plan; that the City will accept the grant if it is approved and enter into a contract with the Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the project, including a new contract with the Southwest Region Planning Commission for the administration of the program.

George S. Hansel, Mayor

PASSED May 4, 2023