

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

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

**Wednesday, June 21, 2023**

**6:00 PM**

**Council Chambers,  
City Hall**

**Members Present:**

Mitchell H. Greenwald, Chair  
Randy L. Filiault, Vice Chair  
Robert C. Williams  
Catherine I. Workman  
Kris E. Roberts

**Staff Present:**

Kürt Blomquist, Public Works Director  
Amanda Palmeira, Assistant City Attorney  
Don Lussier, City Engineer  
Terri Hood, Assistant City Clerk

**Members Not Present:**

*All Present*

Chair Greenwald called the meeting to order at 6:00 PM and explained the procedures of the meeting.

**1) John Sosnowski - Request for Water Abatement and Fee Waiver - 251 Park Avenue**  
**Staff Response: 251 Park Avenue Sewer/Water Abatement Request**

Chair Greenwald asked to hear from John Sosnowski or his representative.

Public Works Director Kürt Blomquist stated that he does not see Mr. Sosnowski's representative present. He continued that his recommendation is for the MSFI Committee to move to its next agenda item and see if Mr. Sosnowski's representative arrives after that. Chair Greenwald agreed.

**2) 2023 Warrant for Unlicensed Dogs - City Clerk**

Assistant City Clerk Terri Hood stated that she is seeking the City Clerk's Office's annual authorization for the warrant to issue forfeitures for unlicensed dogs. She continued that anyone that staff has not seen in the City Clerk's Office to relicense for the year will receive a \$25 fine in early July. All owners had until April 30 to get their dogs relicensed. In addition, on this year's list, staff again included the new dog owners on whom they have received rabies (vaccination) notifications. There are 322 dogs with licenses that have not been renewed, and just under 100 new dog owners who have received a written notice from the City Clerk's Office and have yet to respond. The good news is that the numbers are much lower than last year's. The City Clerk's Office has done many outreach efforts this year, similar to in the past, but

something they added – which she is not sure if they did last year or not – was a robocall. Anyone who had not renewed their dog’s license as of the end of May received a robocall with her voice on the line telling them to come in and see a staff member at the City Clerk’s Office. They have done 2,700 licenses so far and have just over 400 left that they would like to gain compliance with. The Police Department will be helping the City Clerk’s Office get the fines out. The first run will be by regular mail, and the second run will be a knock on the door from the Animal Control Officer.

Chair Greenwald asked if there is a good reason for doing this, other than this being a State requirement. Ms. Hood replied that there are a few reasons. She continued that the Department of Agriculture requires it, and beyond that, it is a public health issue. Rabies (vaccinations) are required. Rabies can spread quickly if dogs are not vaccinated and they bite someone. They do not want that to happen. What is also positive about the program is that the State uses a portion of these funds to provide low-cost spaying and neutering services. If someone, unfortunately, does get bitten, the State’s lab has diagnostic services for the dog that bit someone.

Chair Greenwald thanked Ms. Hood and replied that he thinks it is important to know that this is not something they have to do “just because;” there is some reason behind it. He asked if there were any further questions from the Committee. Hearing none, he asked if members of the public had any questions. Hearing none, he asked for a motion.

Councilor Williams made the following motion, which was seconded by Councilor Workman.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and that the City Clerk and the Keene Police Department be authorized to issue a civil forfeiture for each unlicensed dog to those dog owners who have failed to license their dog by April 30, 2023.

Councilor Williams stated that he mentioned this (agenda item) to his son today, who asked why (the City) does license dogs. He continued that he appreciates this explanation. It is something people should know about.

- 3) **Acceptance of Deeds and Return of Layout - Magnolia Way**
  - Resolution R-2023-22**
  - Resolution R-2023-23**
  - Resolution R-2023-24-A**

City Engineer Don Lussier stated that they are here to talk about the laying out and public maintenance of Magnolia Way. He continued that some of the Committee members have been on the City Council long enough to have seen this come around a couple of times now. The project is again moving forward, which is great. It will put additional housing stock in circulation for the City. He noted that they did hold a site visit at this location. He can talk about it or just answer questions if they prefer.

Mr. Blomquist asked Mr. Lussier to review the schedule. Mr. Lussier stated that this is the tail end of the process. He continued that once the City Council accepts the Resolutions and passes them, that starts a clock for the developer to complete the repairs. The majority of the construction work has been done. Staff has given them a punch list of items that need to be completed and tested. They are working with the developer and the contractor on those. The City Council passing the Resolutions starts the 36-month clock for the developer to complete the repairs and demonstrate to the Public Works Director's satisfaction that all of the construction meets public standards before the City is actually responsible for the maintenance of it. Hopefully, this time they will actually get over that threshold and the deal will be completed and the City will take over as public utilities.

Mr. Blomquist asked Mr. Lussier to review the process of when they went before the City Council, when the public hearing was, and how it got here. Mr. Lussier stated that the Petitioner submitted in early April. It was received and reviewed by the City Council on April 20. The statute requires the City to have a 30-day public hearing notice. The site visit was scheduled for June 1, and the public hearing was held in Council Chambers that same evening. That was the process that led them to this point.

Chair Greenwald asked if there were any further questions from the Committee. Hearing none, he continued that he has a question for the City Attorney, regarding the A version. Assistant City Attorney Amanda Palmeira replied yes, it is in the agenda packet on page 42. She continued that paragraph 9 has the word "either" bolded. That is the change. Chair Greenwald asked which Resolution (of the three) gets the A version. Ms. Palmeira replied 2023-24-A. Chair Greenwald confirmed that what they have on the agenda is correct.

Councilor Workman made the following motion, which was seconded by Councilor Filiault.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the adoption of Resolutions R-2023-22, R-2023-23, and R-2023-24-A.

Mr. Blomquist noted that all Committee members were present at the site visit, and therefore, all Committee members can vote on these Resolutions.

Councilor Roberts stated that for the record when they had the public hearing a couple of weeks ago, they talked about how this would increase housing stock and help solve Keene's problem. He continued that however, \$450,000 is a lot. The only way it really helps is if eight families move up to that range to open up the lower-priced houses. If they instead have people from out of town fill all of these seven houses, it does not help solve Keene's problem. Thus, he did not think it was appropriate to say that a \$450,000 house is helping solve Keene's (housing) problem.

**4) Acceptance of Deed and Return of Layout - Matthews Road and Winchester Street Intersection**  
**Resolution R-2023-25**  
**Resolution R-2023-26**

Mr. Lussier stated that, unlike the Magnolia Way acceptance that they just talked about, the work required on Matthews Road is completed, and thus, there is no 36-month window for them to get to complete the work. He continued that at this point it is just a matter of filing the paperwork. He has before and after photos in front of the Committee. As part of the development plan, the Planning Board asked the developer to make some adjustments to the intersection with Matthews Rd., because Magnolia Way was directly opposite. Matthews Rd. has a weird, skewed angle, so they made some geometric changes to that intersection. They added a second lane for the outbound traffic on Matthews Rd., so today there is a dedicated right turn lane and one lane that can be used to turn left or cross Winchester St. to go onto Magnolia Way. In order to do those improvements, they had to grant a little more land to the City to have that curve on. That is what they are talking about here tonight. Resolution R-2023-05 is a deed for the land that the improvements were built on, and R-2023-26 is the layout of the public highway over that land.

Mr. Lussier continued that there is a bit of a twist with this one, in that in the agenda packet is an additional recommendation. Besides just approving the Resolutions, staff is looking for the City Council to waive one of its requirements in the Land Development Code. The reason is that if the (developer) had strictly abided by the right-of-way width for Matthews Rd. at this intersection, it would have put the adjoining property in non-compliance with the setback requirements. Staff thinks it makes a lot of sense to grant that requested waiver and not create a non-compliant building lot. There is no public infrastructure in that area that they would have otherwise acquired. Everything is within the land that the City is being given the deed to. He does not see a lot of risk or concern here about not having the full width.

Chair Greenwald asked if there were any questions from the Committee. Hearing none, he asked if members of the public had any questions. Hearing none, he asked for a motion.

Councilor Filiault made the following motions, which were seconded by Councilor Williams.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2023-25 and Resolution R-2023-26.

Councilor Filiault made the following motion, which was seconded by Councilor Williams.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the City Council grant a waiver to Section 22-3-3 of the Land Development Code with respect to minimum right-of-way widths for Matthews Rd.

Mr. Blomquist stated that he still does not see John Sosnowski's representative present, regarding the first agenda item. He continued that this is the second time the matter was placed on more time and the representative could not make it. As he understands from the City Clerk's Office, last time they did notify the representative about the meeting this evening. He does not know why the individual is not present.

Chair Greenwald stated that he has had two chances. Councilor Filiault stated that the Committee does not know what the person's situation is tonight. He continued that he has no problem placing this on more time for one more cycle. The City will not go bankrupt (from this), and he would like to hear from (Mr. Sosnowski).

Councilor Filiault made the following motion, which was seconded by Councilor Workman.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee placed Mr. Sosnowski's request on more time.

#### **5) Adjournment**

There being no further business, Chair Greenwald adjourned the meeting at 6:18 PM.

Respectfully submitted by,  
Britta Reida, Minute Taker

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