



FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
Council Chambers B, Keene City Hall
November 9, 2023
6:00 PM

A. AGENDA ITEMS

1. Jared Goodell - Place of Assembly Permits - Recent Charge by Fire Department
2. Acceptance of Cybersecurity Grant - Assistant Public Works Director/Operations Manager
3. Sale of City Property- 0 Off George Street - City Assessor
4. Council Policy on the Review and Release of Non-Public City Council Minutes - City Attorney and City Clerk
5. Keene Police Department Social Worker Position - City Manager
6. Relating to Purchasing Ordinance O-2023-15
7. Appropriation of Funds for Safety Improvements on Woodbury Street Resolution R-2023-37

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT

Jared Goodell
PO Box 305
Keene, NH 03431

August 30, 2023

Honorable Mayor George Hansel
3 Washington Street
Keene, NH 03431

Via Electronic-Mail

Dear Mayor Hansel:

After recently opening my business in the City of Keene, I received a bill from the Keene Fire Department for \$70. The billable line item was for the “Assembly Permit” for the business. In New Hampshire, state statute governs Public Assembly Permits. The relevant statute is RSA 155:17 – 39.

The reason for my writing to you is I believe the City of Keene is charging businesses for Assembly Permits contrary to NH law. Specifically, RSA 155:19 states, in relevant part, that “Such permit shall be issued without charge for one year from date of issue...” *See attached statute.*

Upon inquiry to the City of Keene Finance Department regarding the bill for the Assembly Permit for my business, I received a written response from Keene Fire Chief Donald Farquhar. Chief Farquhar stated, “The fee is for the inspection, not the permit. The City Code of Ordinances ...describes the \$70.00 inspection fee under the *Life safety permit fees* section.” *See attached email.*

Specifically, Chief Farquhar is referring to “Appendix B - Fee Schedule” of City Code. In the fee schedule, under the heading “Life safety permit fees,” the first entry in the table lists “Place of assembly permits (valid for one year) -\$70.” This fee, of which my business was charged, clearly is for a Place of assembly permit, not for the inspection.

In fact, the City of Keene does have a fee schedule for “Inspection Fees,” but that fee schedule does not have a line for place of assembly permit inspections. Even if it did, it is arguable that such a fee would conflict with the intent of NH RSA 155:19.

I am requesting that the Keene City Council take the following actions in relation to this matter:

1. Issue a temporary order to City staff to immediately stop the practice of billing any Keene business for a Place of Assembly permit; and

2. Repeal City Code which charges businesses for Place of Assembly permits contrary to NH law; and
3. Refuse to enact any new code which would charge an inspection fee for a Place of Assembly Permit, or for any other fees which would burden a business in obtaining a Place of Assembly Permit or is contrary, in intent or otherwise, to State law; and
4. Instruct City staff to perform an audit, with a look back period of 2 years, of all fees charged to local businesses for Place of Assembly permits and provide the audit report (the "Audit") to the City Council; and
5. Order City staff to refund all monies, with interest, paid by businesses to the City of Keene for Place of Assembly permits as identified in the Audit; and
6. Grant such other and further relief as the Council deems is just and equitable.

I appreciate the City of Keene's commitment to being business friendly. Certainly this issue is not the fault of any person, but instead is likely an oversight mistake made by a previous Council in adopting fees contrary to NH law. Mistakes will always be made. It is the actions taken after mistakes are discovered that show a government's commitment to doing right by its people. I am confident that this City administration and City Council will take swift action in correcting this mistake and return what could amount to tens of thousands of dollars paid by local businesses, places of worship, community gathering places, and others for Place of Assembly Permits.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'JG', written over a white background.

Jared Goodell

Cc:

City Manager, Elizabeth Dragon
City Attorney, Thomas Mullins
City Clerk, Patty Little
City Councilors

From: Donald Farquhar dfarquhar@keenenh.gov
Subject: Assembly Permit
Date: Aug 28, 2023 at 1:36:16 PM

[REDACTED]
Cc: Kelly Derosier kderosier@keenenh.gov

Mr. Goodell ,

The fee is for the inspection , not the permit . The City Code of Ordinances , found here (https://library.municode.com/nh/keene/codes/code_of_ordinances?nodeId=PTIICOOR_APXBFESC) describes the \$ 70.00 inspection fee under the *Life safety permit fees* section.

Donald M. Farquhar, Fire Chief
City of Keene Fire Department
31 Vernon Street
Keene, NH. 03431

[603-757-0681](tel:603-757-0681) - Office
[603- 499-6421](tel:603-499-6421) Cell
[603-283-5668](tel:603-283-5668) Fax
dfarquhar@keenenh.gov

I received an invoice addressed to my business, Bender's Bar & Grill, for an assembly permit. The invoice is #9533 and is for \$70. NH RSA 155:19 states, in relevant part, "... Such permit shall be issued without charge for one year from date of issue and shall be revocable for cause." This RSA chapter specifically pertains to Assembly Permits. Can you please confirm whether or not this invoice for an Assembly Permit was issued in error?

CONFIDENTIALITY NOTICE

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TITLE XII

PUBLIC SAFETY AND WELFARE

CHAPTER 155

FACTORIES, TENEMENTS, SCHOOLHOUSES, AND PLACES OF PUBLIC ACCOMMODATION, RESORT OR ASSEMBLY

Places of Assembly

Section 155:19

155:19 Application; Issuance; Revocation. – A permit shall be obtained from the licensing agency by the owner or operator of any place of assembly. Such permit shall be issued without charge for one year from date of issue and shall be revocable for cause. Application for permit shall be made to the licensing agency who may require building plans, showing type of construction, exits, aisles and seating arrangements and details of decorations. No permit shall be issued by the licensing agency until the provisions of this chapter have been complied with.

Source. 1943, 153:3, eff. May 5, 1943.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: November 9, 2023

To: Finance, Organization and Personnel Committee

From: Kurt Blomquist, ACM/Public Works Director
Aaron Costa, Asst. Public Works Directors/ Operations Mgr.

Through: Elizabeth Dragon, City Manager

Subject: **Acceptance of Cybersecurity Grant - Assistant Public Works Director/Operations Manager**

Recommendation:

Move that the Finance, Organization, and Personnel committee recommend that the City Manager be authorized to do all things necessary to accept, execute and expend a Cybersecurity grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of \$62,300 for a cybersecurity implementation project.

Attachments:

None

Background:

Water and Wastewater Utilities can be the subject of various types of cybersecurity attacks. These attacks can affect system operations and the ability of the utility to perform essential functions. The City will use the American Rescue Plan Act (ARPA) Cybersecurity Grant to implement cybersecurity improvements.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: November 9, 2023
To: Finance, Organization and Personnel Committee
From: Daniel Langille, City Assessor
Through: Elizabeth Dragon, City Manager
Subject: **Sale of City Property- 0 Off George Street - City Assessor**

Recommendation:

Move to recommend the City Manager be authorized to do all things necessary to negotiate and execute the sale of 0 off George Street, Map 532 Lot 044

Attachments:

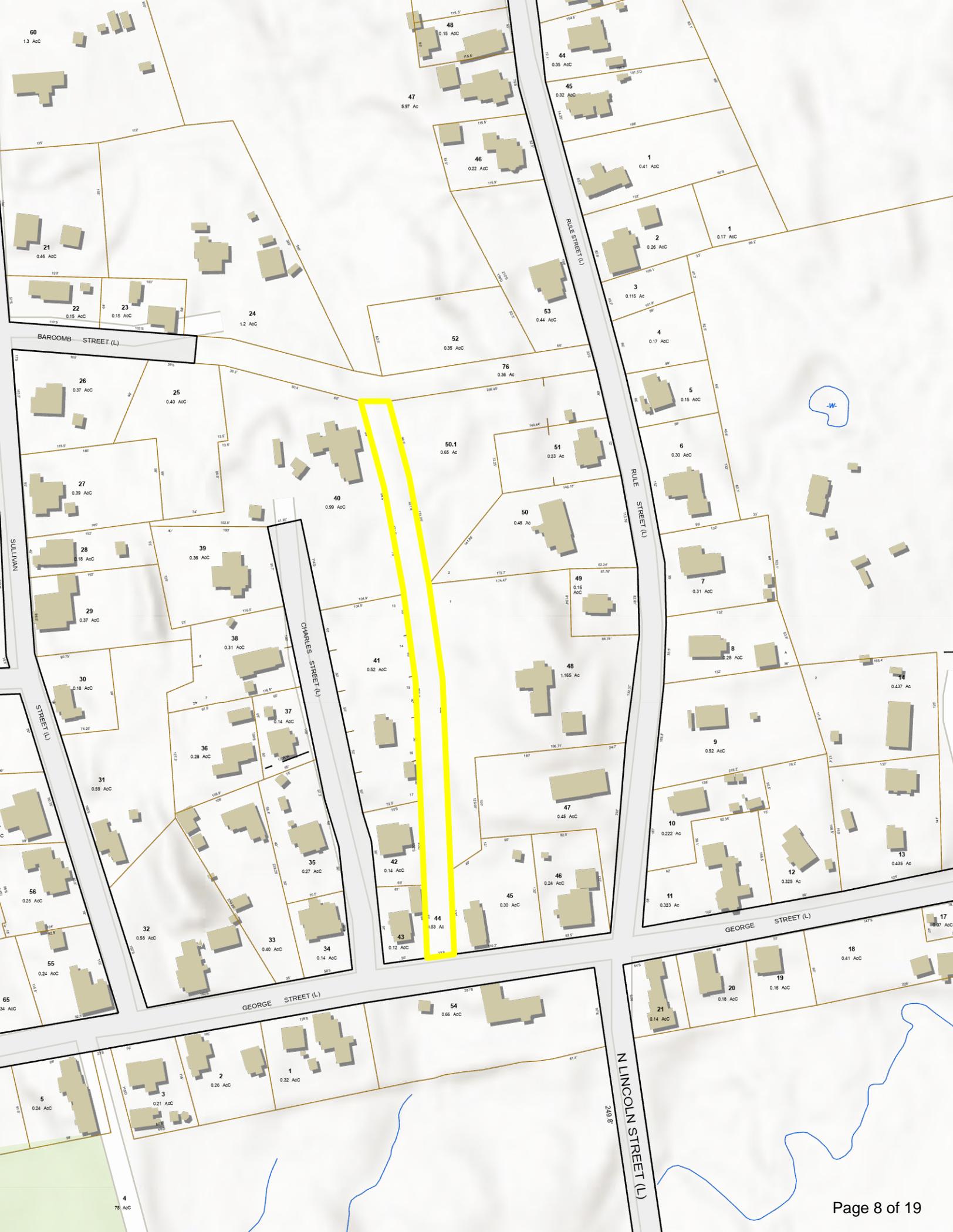
1. 532-044

Background:

The City acquired Map 532 Lot 044 as a result of a tax deed on September 1, 1977. The parcel is a narrow strip of land with 33 feet of frontage off of George Street and is approximately .53 acres. As a result of it's shape and minimal frontage, it is not able to be developed.

In previous years there were attempts to sell this property when the City determined there was no need to hold onto it. In November of 2006 the City Council authorized staff to notify the abutters to see if there was any interest in the parcel, which, after doing so, resulted in no further action. More recently, an abutter of this parcel reached out to the City to see about acquiring it. As a result of this interest, through the City's Purchasing department, a request was sent out seeking interest and bids. In addition to making the request public, every direct abutter to this parcel was notified via certified mail. Only one owner responded to the City with a bid.

The sale of the property removes the liability of the property from the city, places the parcel back on the tax rolls and may provide further development options for the owner.



60
1.3 Ac

48
0.15 Ac

44
0.35 Ac

47
5.97 Ac

46
0.22 Ac

1
0.41 Ac

21
0.48 Ac

22
0.15 Ac

23
0.15 Ac

24
1.2 Ac

52
0.35 Ac

53
0.44 Ac

2
0.26 Ac

1
0.17 Ac

BARCOMB STREET (L)

RULE STREET (L)

26
0.37 Ac

25
0.40 Ac

76
0.36 Ac

27
0.39 Ac

40
0.99 Ac

51
0.23 Ac

50
0.48 Ac

3
0.115 Ac

4
0.17 Ac

5
0.15 Ac

6
0.30 Ac

7
0.31 Ac

28
0.18 Ac

39
0.36 Ac

29
0.37 Ac

38
0.31 Ac

49
0.16 Ac

30
0.18 Ac

41
0.52 Ac

48
1.165 Ac

31
0.59 Ac

37
0.14 Ac

36
0.29 Ac

35
0.27 Ac

47
0.45 Ac

8
0.28 Ac

9
0.52 Ac

56
0.25 Ac

55
0.24 Ac

32
0.58 Ac

33
0.40 Ac

34
0.14 Ac

42
0.14 Ac

43
0.12 Ac

44
1.53 Ac

45
0.24 Ac

46
0.24 Ac

10
0.222 Ac

11
0.323 Ac

12
0.325 Ac

14
0.437 Ac

13
0.435 Ac

GEORGE STREET (L)

RULE STREET (L)

GEORGE STREET (L)

65
0.34 Ac

5
0.24 Ac

3
0.21 Ac

2
0.26 Ac

1
0.32 Ac

54
0.66 Ac

17
0.07 Ac

20
0.18 Ac

19
0.16 Ac

18
0.41 Ac

N LINCOLN STREET (L)

4
0.78 Ac



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: November 9, 2023

To: Finance, Organization and Personnel Committee

From: Thomas Mullins, City Attorney
Patricia Little, City Clerk

Through:

Subject: **Council Policy on the Review and Release of Non-Public City Council Minutes - City Attorney and City Clerk**

Recommendation:

Move to recommend the City Clerk implement the statutory release of non-public City Council minutes as outlined.

Attachments:

None

Background:

Recently enacted legislation will require that public bodies take steps to ensure that non-public minutes are withheld for only as long as the circumstances leading to their withholding apply. The legislation went into effect on October 13, 2023. It requires the City Council either to adopt a procedure to review non-public minutes and determine whether the circumstances that justified keeping meeting minutes from the public no longer applied or, in the absence of any formal policy, the Council would be required to review sealed minutes no more than ten years from the last time the City Council voted to prevent the minutes from being subject to public disclosure. The scope of this legislation would cover minutes of nonpublic sessions starting on October 3, 2013, to the present date, as well as minutes of nonpublic sessions going forward. The City Council's policy could also include minutes before 2013, but that is not contemplated in this recommended proposal. To minimize the burden on the governing process while setting clear expectations, it is recommended that the City Council adopt a process for the review and release of non-public minutes from 2013 forward.

There are approximately 100 sets of nonpublic minutes that need to be reviewed as part of the ten-year backlog. Although the legislation offers little guidance on how this would be accomplished, discussions have been held between the Charter Officers and the Mayor. The recommended process would place the responsibility of administering this process with the City Clerk and the City Attorney. City Councilors would review the nonpublic minutes and determine whether the circumstances that justified keeping the meeting minutes from the public had changed, and the Council would vote as to whether the minutes should be released. Although there is no experience to assess how much of a burden this new statutory process will be for the City Council, we propose dealing with the backlog as each year's worth of non-public minutes reach the ten-year mark. For

example, the 2013 non-public minutes will be reviewed in 2023, the 2014 minutes will be reviewed in 2024, etc.

A new item of business entitled "Release of Nonpublic Minutes" will be added to the template for a Council agenda. Although this caption would appear on every Council agenda, the recommended timeline would have Council action on the release of non-public minutes in December (until the backlog has been eliminated) and for more current non-public minutes, at a meeting in January and a meeting in July of each year going forward.

To facilitate the review process, the City Attorney will be provided with advance copies of the series of minutes being considered. In his review, the minutes will be reviewed for private information, such as social security numbers, statutorily protected information, or information that, if disclosed, could harm someone's reputation or make an action ineffective. At the City Council meeting, Councilors will be provided secure electronic access to the minutes being considered for release. The City Attorney will provide his opinion on whether the circumstances that justified keeping meeting minutes from the public no longer applied. For each set of nonpublic minutes, the City Council will be asked to determine whether the circumstances that warranted keeping the minutes non-public no longer applied. The City Council will publicly vote to release each set of non-public minutes.

Following the public process, the City Clerk's office will remove the specific sets of non-public minutes and will mark them accordingly as being "publicly released." A copy of these non-public minutes will be inserted into the public set of permanent Council minutes. A similar process would occur with any electronic minutes.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: November 9, 2023
To: Finance, Organization and Personnel Committee
From: Elizabeth Dragon, City Manager
Through:
Subject: Keene Police Department Social Worker Position - City Manager

Recommendation:

Move to recommend a Resolution be introduced that would appropriate funding for the Keene Police Department social worker position.

Attachments:

None

Background:

The funding needed to establish this position is proposed to come from the reserve account established to deposit the 15% allocation of funds received as part of the state's opioid abatement lawsuit. This proposed use is in line with the requirements for this fund.

We anticipate needing six months of funding in this fiscal year and using these funds to partially offset the ongoing costs of this position in the future. This position was included in the last update of the city's salary ordinance.

Social service-related calls are an ongoing challenge. These include welfare checks, attempted suicides, overdoses, and assistance calls that often have little or nothing to do with crimes but almost always involve mental illness, substance abuse, juvenile issues, poverty, or a combination of all four.

From calendar year 2018 through 2022 the Keene Police Department responded to an annual average of 65.2 overdose calls for service, resulting in an average of 11 deaths annually during that time frame. These statistics do not include the non-fatal overdoses not reported, which we believe has increased dramatically since Narcan became publicly available.

Our officers, although well trained in these areas, lack the capacity to conduct any meaningful follow-up. With the exception of notifying DCYF or elderly services as appropriate and required. The KPD Social Worker position is being created to ensure that those suffering from these issues are provided with the best referral information and after-the-fact assistance across the continuum of care.

There is a clear and increasing need and want in our community for a service such as this. The Governors commission on Alcohol and Other Drugs Action plan update states: "People experiencing substance use disorder and their families need more support to navigate the complex system of

care.” “System navigation, case management and care coordination services are helpful and worthy of additional investment.”

Our police social worker will become a universal advocate for those in need, providing referral assistance and coordination across the continuum of prevention, harm reduction, treatment and recovery support. In addition, this position would coordinate and provide members of the department with ongoing training on the best responses to substance use disorders and mental health calls for service to include harm reduction, substance uses treatment and recover, the disease model of addiction and non-stigmatizing language.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Relating to Purchasing

That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting the stricken text and inserting the bolded text in Chapter 2, Administration; Article IX, Purchasing, as follows:

Be it ordained by the City Council of the City of Keene, as follows:

ARTICLE IX. PURCHASING

Sec. 2-1331. Central purchasing established.

The Finance Director shall constitute central purchasing for the City and shall purchase, control, or contract for all supplies, materials, equipment, and all contractual services required by any City department, except that blanket purchase orders, local purchase orders and petty cash funds established either departmentally or centrally may be used by the Finance Director either centrally or on a departmental basis under such additional rules as he may establish to facilitate small purchases.

Sec. 2-1332. Rules for City purchases.

Central purchasing shall have the authority to prescribe the purchasing procedure for all City departments and may from time to time add to the following rules and regulations for City purchases:

- (1) Except as provided in this article, every City purchase or contract greater than ~~\$20,000.00~~ **\$50,000.00** in amount shall be made only after the receipt by central purchasing of publicly invited sealed competitive bids on uniform specifications. After a recommendation from the department making the purchase and central purchasing, the City ~~m~~Manager shall award the contract to the lowest responsible bidder—quality, delivery, financial responsibility and guarantees of the bidders being equal. The City ~~m~~Manager may, in his discretion, reject any bid deemed insufficient or inadequate, or may reject all bids.
- (2) Except as provided in this article, every City purchase or contract of greater than ~~\$5,000.00~~ **\$10,000.00** but no more than ~~\$20,000.00~~ **50,000.00** **requires a purchase order and** shall be made only after receipt by central purchasing of three or more, if reasonably obtainable, competitive ~~informal written quotations~~ responses, received by ~~fax, electronic mail, or regular mail or phone quotations adequately documented~~ **which are based on scope of services as provided by the City.**

- (3) **Every purchase of \$5,000.01 to \$10,000.00 requires a purchase order before any goods or services are procured. Departments shall submit documentation to support the purchase amount at the time a PO is requested from the Purchasing & Contract Services Division.**
- (4) Every purchase of \$5,000.00 or less shall be handled by departments on as competitive a basis as it deems reasonable and prudent, **and such purchase does not require a purchase order. However, Departments shall maintain documentation, for review if requested.**
- (35) Except as provided in this article, contractors of record shall be established for the renovation, maintenance and repair of City facilities and equipment. Contractors of record shall be selected through a competitive process based on qualifications developed by the ~~finance department~~ requesting department(s) and shall remain contractors of record for ~~two~~ **five (5)** years. Eligibility to remain a contractor of record shall be based on continued performance acceptable to the City. Where previously competitively bid renovation, maintenance and repair contracts are in place with a contractor of record, the requirement to obtain three or more quotations (see subsection (2) above) is hereby waived. For purchases exceeding ~~\$20,000.00~~ **\$50,000.00**, existing bid provisions (see subsection (1) above) remain in effect.
- (56) Purchases made through existing federal, state of New Hampshire or other state and municipal contracts or ~~Keene Union School District~~ **Union School District of Keene** contracts shall be deemed to meet the requirements of the subsections (1) through (4-5) of this section.
- (67) Nothing in this section shall be construed to prevent joint bidding and contracting by the City and other public jurisdictions, and, in fact, such is encouraged.
- ~~(7) For grants funded with federal funds, the city will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible (2 C.F.R. §200.321), procurement requirements shall be in accordance with established purchasing thresholds as follows (unless federal requirements are more stringent, city guidelines will apply):~~

~~Purchases up to \$3,000.00 (micro-purchases)~~

~~Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed \$3,000.00 (2 C.F.R. §200.320 (a)). In order to expedite the completion of its lowest dollar small purchase transactions and to minimize the associated administrative burden and cost, the city does not require the use of purchase orders for micro/small purchases that fall below the thresholds established for competitive quotations, bids or requests for proposals.~~

~~Purchases between \$3,000.00 and \$150,000.00 (small purchase procedures)~~

~~Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than \$150,000.00 (2 C.F.R. §200.320 (b)). If small purchase procedures are used, price or rate quotations are obtained from an adequate number of qualified sources.~~

~~*Purchases over \$150,000.00*~~

~~Procurement by sealed bids/formal advertising (2 C.F.R. §200.320 (e)) or by competitive proposals (2 C.F.R. §200.320 (d)) are required for all purchases over \$150,000.00.~~

Sec. 2-1333. Rules for procurement under a federal financial assistance award

Notwithstanding anything herein to the contrary, when procuring property or services under a federal financial assistance award the City shall follow the procurement methods established in the Code of Federal Regulations, State / Local Procurement Rules (2 C.F.R. Part §200 – Uniform Grant Guidance). These guidances include contracting with small and minority businesses, women’s business enterprises, and labor surplus area firms. Procurement requirements shall be in accordance with the City Code of Ordinances unless federal requirements are more stringent.

(1) Micro-Purchase Threshold (MPT)

Purchases up to ~~\$3,000~~ \$10,000.00.

MPT micro-purchase means a purchase of supplies or services where the aggregate amount does not exceed ~~\$3,000~~ \$10,000.00. To expedite the completion of its lowest-dollar MPT purchase transactions and to minimize the associated administrative burden and cost, the City does not require the use of purchase orders for MPT purchases that fall below \$5,000.00.

(2) Simplified Acquisition Threshold (SAT)

Purchases between ~~\$3,000~~ \$10,000.01 and ~~\$150,000.00~~ \$250,000.00

SAT purchase procedures are relatively simple and informal procurement methods for securing services, supplies, or other property that cost between \$10,000.01 and \$250,000.00. If SAT procedures are used, price or rate quotations are obtained from an adequate number, preferably three (3) qualified sources.

(3) Large Purchases Exceed the Simplified Acquisition Threshold

Purchases over ~~\$150,000.00~~ \$250,000.00

Procurement by sealed bids/formal advertising or by competitive proposals are required for all purchases over ~~\$150,000.00~~ \$250,000.00.

Sec. 2-13334. Default by contractor or supplier.

Sealed, publicly invited competitive bids will not be required for City purchases in any situation where a contractor or supplier has defaulted upon his obligations to the City and there is present a security guaranteeing to the City the performance of the obligation at no additional cost to the City, over and above the original obligation. In such a case, the City ~~m~~Manager, with the approval of the City eCouncil, may renegotiate and award the contract to ~~whomsoever he sees fit~~, **a qualified contractor** providing that the renegotiated and award **substitute contract** does not exceed the amount ~~contracted for in the original obligation~~ **of the original contract. Unless approved by the City Manager, no contract award or purchase shall be made to any contractor or vendor who has failed previously to perform to the satisfaction of the City, in its sole discretion, on a previous contract award or purchase order.**

Sec. 2-133**45**. Contract change orders.

Under this article, contract change orders are authorized to be made where necessary by the City Manager ~~but shall not exceed ten percent of the amount of the original contract unless specific city council approval is obtained.~~ **The City Manager can approve an increase in contract changes up to \$25,000.00 or 20% whichever is greater, otherwise, City Council authorization is required. The City Manager shall be authorized to execute a contract decrease change order of any amount.**

Sec. 2-133**56**. Professional services contracts.

Professional services contracts (architecture, engineering, construction management, risk management and other professional services or consulting work) of ~~\$25,000.00~~ **\$50,000.01** or more may be entered into after receiving proposals **or statements of qualifications** from various interested firms.; Such ~~evaluating those~~ **proposals will be evaluated for** and anticipated quality of service ~~to be rendered~~ **required** and **the successful proposal will be recommended to the City m**Manager ~~recommendation to and approval by the~~ for City eCouncil **approval**. Such services of ~~\$25,000.00~~ **\$50,000.00** or less may be procured in a manner deemed reasonable and prudent by the City ~~m~~Manager. ~~When an applicant to the planning board has agreed in writing to pay for a consultant to the planning board that is hired by the board, quotations will be solicited from three or more firms.~~ In any instance, the City ~~m~~Manager will have the authority to execute a contract with the selected firm.

Sec. 2-133**67**. Waiver of requirements.

The City eCouncil, on recommendation from the City ~~m~~Manager, may waive any of the purchasing requirements in sections 2-1331 through 2-1335 when it is deemed inadvisable to solicit bids because of a single source of supply or because of the need of standardization of the materials, supplies, equipment, or services or for other stated reasons.

Sec. 2-133**78**. Standardization.

Where it is deemed appropriate to standardize ~~on~~ the procurement of materials, supplies, equipment, or services, the City eCouncil shall so indicate by resolution. Central purchasing shall maintain an up-to-date listing of such standardized items or services. The procurement of such standardized items or services will be exempt from the bidding requirements of this article. Central purchasing will, when reasonably possible, attempt to obtain competitive quotes from different suppliers, if any, for the standardized item or service.

Sec. 2-13389. Emergency purchases.

If an accident or emergency occurs, the City ~~m~~Manager may award contracts and make purchases for the purpose of repairing damages caused by the accident or meeting the public emergency without meeting the purchasing requirements of this article. In such cases, the City ~~m~~Manager shall promptly file with the City ~~e~~Council a report ~~which that~~ certifies the emergency nature of the incident and itemizes the purchases and their costs.

Sec. 2-133940. Exceptions.

The competitive purchasing requirements contained in this article shall not apply to maintenance contracts with manufacturers of equipment purchased ~~or with suppliers of data processing software~~ or where the City decides to contract with nonprofit organizations for the provision of health, welfare, social, or recreational services for the City and/or to the general public or in instances where there is a need to "lock in" fuel pricing (including electricity) quickly due to potential for market price fluctuations and where it has been determined that the pricing is below that which would be available under a current competitively bid state contract and the City ~~m~~Manager is authorized to secure these purchases without further authorization from City ~~e~~Council.

Sec. 2-13401. Sale of surplus materials and equipment.

The City ~~m~~Manager may authorize the sale of materials and equipment which he determines to be surplus to the needs of the City where a single item or lot does not exceed \$10,000.00 ~~\$10,000.00~~ **\$50,000.00** in book value. When such ~~an~~ item or lot exceeds \$10,000.00 ~~\$10,000.00~~ **\$50,000.00** in book value, the City ~~e~~Council shall approve the sale of such materials. All such surplus materials shall be disposed of by public auction or competitive quotations.

Sec. 2-13412 Environmental preferred purchasing and collaboration.

- (a) *Environmental preferred purchasing.* To the greatest extent possible and within budgetary constraints, the City of Keene will consider lifetime costs and environmental impacts when purchasing goods and services.
- (1) Practices will be developed, implemented, and adhered to that will reduce waste by increasing product efficiency and effectiveness.
 - (2) Products that minimize environmental impacts, toxins, pollution, and hazards to worker and community safety will be given preference to the greatest extent practicable.
 - (3) To the greatest extent possible and within budgetary constraints, the City of Keene will purchase products that:
 - a. include recycled content,
 - b. are durable and long-lasting,
 - c. conserve energy and water,
 - d. use agricultural fibers and residues,
 - e. reduce greenhouse gas emissions.
 - (4) To the greatest extent possible and within budgetary constraints, the City of Keene will incorporate green building principles and practices into the planning,

design, construction, management, renovation, operation, and demolition of all City facilities.

- (b) *Collaboration.* The City will seek collaboration with other interested governmental entities or agencies to consolidate when possible and practicable employees, services, and the purchase of materials, supplies, and other consumables; when doing so:
- (1) reduces duplication of effort,
 - (2) provides for the efficient and effective use of public resources; and
 - (3) conforms to budgetary parameters and remains cost-competitive.

George S. Hansel, Mayor

In City Council November 2, 2023.
Referred to the Finance, Organization
and Personnel Committee.



City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Appropriation of Funds for safety improvements on Woodbury Street

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

WHEREAS: On October 20, 2023, the City Council authorized the City Manager to negotiate and execute a Memorandum of Understanding (MOU) along with an access and maintenance easement with the Community College System of New Hampshire (CCSNH) related to a retaining wall along the southern line of Woodbury Street; and

WHEREAS: The MOU calls for the CCSNH to assume the cost of repairs and ongoing maintenance of said retaining wall and for the City to assume the cost of replacing the existing railing with a suitable vehicle barrier and pedestrian fall protection; and

WHEREAS: The parties have agreed in principle to construct the repairs and improvements under a single construction contract to be bid and managed by CCSNH; and

WHEREAS: These safety improvements were not previously budgeted through the City’s normal budgeting process.

NOW, THEREFORE, BE IT RESOLVED, That the sum of Two Hundred Thousand Dollars (\$200,000) be appropriated from the General Fund Unassigned Fund Balance for safety improvements on Woodbury Street; and

FURTHER, That the City Manager be authorized to negotiate and execute a project reimbursement agreement with CCSNH and to expend funds for said safety improvements.

George S. Hansel, Mayor

In City Council November 2, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk