



# CITY OF KEENE

R-86-29

In the Year of Our Lord One Thousand Nine Hundred and Eighty-Six

A RESOLUTION RELATING TO WOODCUTTING AND REMOVAL ON CITY FORESTED LANDS

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

WHEREAS: The City owns a large amount of forested land which it must manage; and

WHEREAS: Occasionally the City Engineer, City Forester or Parks & Recreation Director will make a determination that certain timber or slash are excess and should be removed but are not readily marketable commercially; and

WHEREAS: Interested parties including City employees have at times expressed interest in removing this timber;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Keene that in cases where the City Engineer, City Forester or City Parks & Recreation Director determine that certain amounts of timber or slash should be removed, such designated timber or slash may be removed in the following manner if the City Engineer, City Forester or Parks & Recreation Director determine that such timber or slash are not readily marketable in the normal bidding fashion. Such removal shall be carried out with the following requirements:

1. The party requesting to do the removing must demonstrate proof of adequate liability insurance as well as proof of reasonable experience in woodcutting operations.
2. Such party must be a resident of the City of Keene or a City employee.
3. In all cases, a map of the area must be developed; the timber to be removed marked; and the operation monitored during and after its occurrence.
4. The party must sign an agreement as an independent contractor with the City delineating the responsibilities of the independent contractor and agree that the timber or slash removed will not be resold.
5. The City Manager may discontinue this policy at any time that its administration becomes more complicated than it is worth.

PASSED: September 18, 1986

A true copy; attest:

*Patricia White*  
city clerk

*L. Edward Reyor*  
L. Edward Reyor, Mayor

In City Council Sept. 18, 1986.  
Report filed into the record.

*Patricia Antle*  
City Clerk

City of Keene  
New Hampshire

8/B1

15 September 1986

TO: Honorable Mayor and City Council  
FROM: Public Works, Recreation & Library Committee  
SUBJECT: Wood Cutting on City Lands

On a vote of 4 - 0, the Committee recommends that the Council approve a policy whereby when the City Engineer determines that it would be beneficial to have certain trees or slash removed on City forested land which would not otherwise be marketable and therefore not worth bidding, individuals including City employees may be given permission with the proper safeguards and monitoring by the City staff to remove such timber.

*De. J. E. L.*  
Chairman/Designee

The City Engineer explained that year a or so ago, the Council had approved the request of a City employee to be able to harvest some cord wood at the airport that the City Engineer had determined was not otherwise marketable but would be of benefit to the City to have removed. The minutes of that approval, however, did not make the policy clear and at that time that the City employee did not infact go forward as he had originally requested. Another request has now come in from another City employee who would like to do the same thing on some land in Roxbury where the City Engineer has determined that a number of trees, which he does not believe are otherwise marketable, could be removed.

The Manager said that he had not allowed this to occur because it involved a City employee and that he wanted the City Council to very specifically approve a policy of allowing this to be done with City employees in cases where the City Engineer determined that the wood was not marketable but it would be of benefit to the City to have it removed. The City Engineer said that in such cases that there would be map of the property indicating the trees to be removed, the trees themselves would actually be marked, and there would be a follow-up to

In City Council Sept. 18, 1986  
Report filed into the record.

City Clerk City of Keene  
New Hampshire

8B2

15 September 1986

TO: Honorable Mayor and City Council  
FROM: Finance Committee  
SUBJECT: REPORT - Woodcutting on City-Owned Property

On a vote of 4 - 0, the Committee recommends that the Council adopt a resolution which authorizes Keene residents and City employees to, on a first come/first serve independent contractor basis, harvest timber on City lands determined to be surplus by the City Engineer, City Park Director or City Forester and otherwise not marketable providing that such harvesting is properly monitored and carried out with proper safeguards.

Robert E. Williams  
Chairman/Designee

Background Notes:

It was explained that this item had been dealt with the night before in PWRL which had recommended that the City adopt a policy under which residents including City employees could with the proper safeguards harvest timber on City lands which were determined by the City Engineer or the City Forester to be of benefit to the City to have removed and were not otherwise marketable. The Manager said that the Council had previously approved such a policy a few years ago but that the City employee who had requested the harvesting had not followed through and the minutes of the Council approval were not adequate to document the Council's intent. The Manager said his concern was primarily the fact that City employees might be involved in this and that before he would let that occur, he felt the Council should adopt a specific policy of approving it. He said he probably would have allowed residents who were not City employees to do such a thing administratively on a limited basis anyway. The Committee discussed at some length the ramifications of the issue suggesting that there be a stipulation of no resale and also that the policy should be put in the form of a resolution to be adopted by the Council.

be sure that only the trees marked were in fact removed and cleaned out properly.

The Manager said it was not his intent to limit this practice to City employees but simply that if City employees were going to be involved, there should be a specific Council approval so that people don't come back and say that City employees are somehow getting a break. He said that in this case the employees or others who might do this would be working as independent contractors and would sign a contract with the City and indemnify the City from liability.