

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, July 10, 2025

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Thomas F. Powers, Chair
Michael J. Remy, Vice Chair
Bettina A. Chadbourne
Bryan J. Lake
Kris E. Roberts

Staff Present:

Elizabeth A. Ferland, City Manager
Amanda Palmeira, City Attorney
Don Lussier, Public Works Director
Alyssa Bender, Youth Services Manager
Jason Martin, Fire Chief

Members Not Present:

All Present

Chair Powers called the meeting to order at 6:00 PM.

1) BCM Environmental Land Law, PLLC - Request for City's Contribution to
Monadnock Conservancy for Drainage Replacement at 0 Ashuelot Street Attorney
Thomas Hanna, Representing BCM Environmental Land Law, PLLC

Attorney Tom Hanna of BCM Environmental Land Law addressed the committee on behalf of the Monadnock Conservancy. Attorney Hanna referred to his letter to the City dated June 17, 2025, requesting that the contribution from the City to the Conservancy be authorized by Council and the amount be set at \$234,000. He noted it was proposed by the Public Works Director that the City and the Conservancy should collaborate on flood compensation storage and the need to replace the storm water pipe that runs north to the rear of the Mascoma Bank. He felt this collaboration is much more conducive than the straightforward replacement of the pipe which is what the City would have had to do if not for this gift of land to the City.

Attorney Hanna noted that during the meeting in December with City staff, the Public Works Director had indicated the City's contribution would be \$230,000. He noted that this is the budgeted amount but, falls short of the contracted amount the Conservancy signed which is \$269,000. Attorney Hanna stated in May that he prepared a Memorandum which memorialized the agreement with the City at \$230,000. On May 8, 2025, the Public Works Director sent an email indicating the \$201,000 was incorrect and that the correct amount was \$201,400 and forwarded a copy of the CIP. Mr. Hanna noted the CIP was an estimate for a variety of flood projects, the replacement of the pipe was made in 2019 and at that time the cost was estimated to be \$189,000 with a clause that indicates there will be a 3% per annum inflation factor. As of 2021, the estimate for this project was \$201,400. Mr. Hanna stated this is a large shortfall for the Conservancy and this is what he is here to address today. He is asking the City to increase its

contribution to \$234,845. He noted according to the Public Works Director, a more accurate inflation percentage from 2019 to 2025 would be 23.7%. He added that the \$269,000 the Conservancy is expending does not cover a catch basin in the parking lot of the Mascoma Bank which the City is expecting the Conservancy to cover. This is another \$4,500, which makes the shortfall bigger.

Attorney Hanna went on to say that the Conservancy is not asking the City for a donation by any stretch of the imagination but believes increasing the amount to 234,000 is fair and is a reasonable exchange for the value and the several benefits that the City is receiving.

The first benefit is that the Conservancy is responsible for the replacement of the entire pipe with a combination of a swale and a pipe, both of which will have the function the City is looking for, which is to convey the drainage. The public will also benefit by having this riparian swale as part of the City park and the children's playground. He noted what was stated by Andy Bohannon at a previous PLD Committee meeting, that the Ashuelot River Park Advisory Board is looking forward to the educational value that this development could add to the park, specifically, with Monadnock Conservancy at this location and possible collaboration with Antioch University New England. Mr. Bohannon reminded the Council that the natural environment should be a priority when designing this park. Councilor Williams at that same meeting stated that the riparian swale is characteristic of a creek and will provide habitat for native pollinators and aquatic species. Attorney Hanna added that there are both wildlife and environmental benefits.

Moreover, the Conservancy anticipates working with the City, sharing responsibility for the maintenance of the swale. Similarly, Monadnock Conservancy is very interested in working with the Parks and Recreation Department on maintaining native plants along the banks of this swale eradicating invasive species.

Another benefit to the City is flood storage credits. The swale has been designed and will be built so that it doesn't have any excess storage. However, many months before Monadnock Conservancy had to commit to this swale, FEMA issued new floodplain maps that show this site is not in the floodplain. This will mean that the entire swale will be excess and the City is retaining flood storage credits. This concluded Attorney Hanna's presentation.

City Manager Elizabeth Ferland stated the reason the motion is before the committee is twofold: First is to accept the donation, and second is the arrangement of the swale between the City and the Conservancy, which is not yet formalized. She also added that the funds that were set aside for this project fell short. The Manager indicated the Public Works Director has looked at the City's stormwater resiliency fund, and there are funds available to support the request of \$234,865.

The Public Works Director addressed the committee and noted that he had provided an incorrect number, and the Conservancy relied on that number. He said in 2019, when this project was anticipated, an estimate was added to the CIP, but at that time, staff did not have an idea as to what type of design would go into the park, but a 3% inflation was calculated, as had been done with most projects in the CIP. A 3% increase from 2019 to 2025 would have been a project budget of approximately \$226,000, which is very close to the number being discussed.

Mr. Lussier added that the open swale system is something that will be easier and cheaper to maintain. There will be no pipe to replace in the future. He said the park provides educational opportunities for the public and provides habitat for native pollinators and aquatic species.

The Chair asked for public comment. There was no public comment.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with JRR Properties LLC and the Monadnock Conservancy for the development and donation of parcel #567-001 Lot 2. As part of that agreement, the City will reimburse the Monadnock Conservancy for the replacement of the City's existing drainage infrastructure with a combination of open drainage swale and the new stormwater pipes in the amount of \$234,845.00, with funding to come from the Stormwater Resiliency program 75M- 00621 A.

The Manager thanked the Public Works Director for his efforts during the last few days with the City flooding.

2) Councilor Favolise - Request to Place Keno Question on 2025 Municipal General Election Ballot

Councilor Favolise addressed the Committee and stated his request is stemming from a recent State legislative change that the Governor has not yet signed into law. He explained that HB 737 is a bill in this session of the legislature. The bill concerns charitable gaming. One of the provisions is changing the Keno model in New Hampshire from opt-in, which is currently where communities can vote to allow Keno. If a community has not voted to allow Keno, then Keno is prohibited from being operated in that town to an opt-out model. Beginning June 1, 2027, any town or city, including a town or city that has previously voted against opting in, that has not again voted to opt out, will have to allow Keno to operate.

Councilor Favolise stated that the reason he is bringing this letter to the Council is that Keene does not have a town meeting every year in the way other municipalities do. The 2025 election is the only general election between now and the effective date that that particular section of this legislation would take effect. Keene has voted on the opt-in variety in 2017, where it voted no. It voted again in 2019, where it voted no again. Hence, Keno is currently not operating in the City of Keene.

The Councilor stated his request to this Committee and ultimately to the City Council is to place the opt-out language on the ballot for voters at this upcoming municipal election. He felt the people of Keene should get to decide, even if the result ends up being the same.

Councilor Lake asked whether the Committee should take any action tonight on this issue, if this legislation is still unsigned. Attorney Palmeira stated that if the bill is not signed, the Council will not have anything to act on, and hence, the Council might have to put it on more time at that

point. Attorney Palmeira stated this is a conversation she would like to have with the Clerk's office in order to determine how this would unfold operationally; part of the bill includes a hearing that would need to happen at City Council before it can be put on the warrant. The Attorney recommended that this item go on more time.

Councilor Remy asked whether a motion could be made which states as follows: move to recommend the request to place the Keno question on the 2025 municipal general election ballot be approved pending the signature of the Governor. He felt that this would trigger the item to be moved forward once it is approved by the Governor. The Attorney was in agreement to this suggestion. Councilor Lake stated he was more in favor of placing the item on more time—he felt the City should wait until it is signed.

Councilor Roberts noted there are three days in August when the Governor reviews and signs about 60 bills which would clash with the Council's upcoming vacation schedule.

Councilor Favolise stated that he is expecting the Committee to put this item on more time. He said there is a tight time frame for when the public hearing can be scheduled. It needs to be between 15 and 30 days before the question would be voted on—October is when the City could be looking for the public hearing to be scheduled.

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

On a 4-1 vote, the Finance, Organization and Personnel Committee recommend the request to Place Keno Question on 2025 Municipal General Election Ballot be placed on more time. Councilor Roberts opposed.

3) Acceptance of YouthWell New Hampshire Spring Grant for Youth Services Alyssa Bender, Youth Services Manager/JCC Coordinator

Youth Services Manager, Alyssa Bender stated that the Youth Services Department has been granted another funding opportunity for \$12,560. This is a grant from Youthwell New Hampshire, a nonprofit that addresses youth mental health and provides organizations throughout the state with funds to promote programming that can limit and decrease the number of youths who are dealing with challenging situations.

Ms. Bender stated that this was a great program that helps teach adults who traditionally work with younger youth ages 12 to 18, who are experiencing mental health or addiction challenges due to a crisis in their life. She stated that the department has also been offering training free of charge to community members and organizations through the UNH Extension, the Keene Family YMCA, and the Monadnock Youth Coalition.

Ms. Bender added one of the other programs that they were able to get money for under this grant is to offer wellness programs in schools. These programs are very school-specific; they focus on a mix of social, emotional learning as well as exercise.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept and expend funds provided by YouthWell New Hampshire for Youth Services programs.

4) Acceptance of Donation - AED device - Fire Department Gregory Seymour, Deputy Fire Chief

Fire Chief Jason Martin addressed the committee next and stated this item is regarding acceptance of a donation. He explained that in year 2024 the City of Keene Fire Department responded to 31 cardiac arrests, 17 of which required CPR to be initiated by a family member or a bystander. He stated they are proud to report five of those people survived and are successfully living out their normal lives today. He noted this is a 16% survival rate, which is above the national average, which is 10%.

Dartmouth Health Cheshire Medical Center wants to continue this positive work in the community by donating an automated external defibrillator along with a heated storage cabinet. This is to be installed somewhere in the City that has access 24 hours a day—it would need to be installed outside not in a locked building. The Chief stated Railroad Square is the location staff is suggesting and it will be mounted on Public Works Storage Shed.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a donation of an AED from ZOLL Medical and Outdoor AED enclosure from Dartmouth Health's Cheshire Medical Center and AED Team.

5) Skatepark Fence - Transfer of Funds - City Manager's Office Andy Bohannon, Deputy City Manager

The Manager stated a motion could be made to withdraw this item as funds have been procured in the budget to complete this work.

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

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting the withdrawal of this item.

There being no further business, Chair Powers adjourned the meeting at 6:40 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Edits submitted by,
Kathleen Richards, Deputy City Clerk