

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES & INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, August 27, 2025

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Mitchell H. Greenwald, Chair
 Randy L. Filiault, Vice Chair
 Catherine I. Workman
 Laura E. Tobin
 Jacob R. Favolise

Staff Present:

Elizabeth A. Ferland, City Manager
 Amanda Palmeira, City Attorney
 Donald Lussier, Public Works Director
 Andy Bohannon, Deputy City Manager
 Aaron Costa, Assistant Public Works Director

Members Not Present:

All Present

Jay V. Kahn, Mayor

Chair Greenwald called the meeting to order at 6:00 PM and explained the procedures of the meeting. Roll call was conducted. Chair Greenwald noted that the agenda is long, and it was even longer, so he split it into two meetings. He continued that other items people might have been expecting to see tonight will be on September 3, 2025. Several items on tonight's agenda have had staff discussion, and he, Vice Chair Filiault, the City Council, and staff have heard many comments from the public. He thinks the public will be pleased by some of the results.

1) Staff Report: Recreational Access to the Wastewater Treatment Plant Driveway in Swanzev, and Public Communications: Concerns with Restricted Public Access to the Airport Road

Chair Greenwald stated that staff heard the public's concerns, as did the MSFI Committee. He continued that he acknowledges the communications received from Steve Hooper, Katharina and Peter Rooney, and Susan Albert. He asked to hear from staff.

Don Lussier, Public Works Director, stated that to begin, he takes responsibility for the poor roll-out of this initiative. He continued that staff's focus is the safety of pedestrians and people who use the area. That said, he could have done a better job communicating with the public about why they were closing the Airport Road and what brought them to this point. He then turned the floor over to Aaron Costa, who manages the Wastewater Treatment facility.

Aaron Costa, Assistant Public Works Director, Wastewater Treatment Plant (WTP) Manager, stated that he oversees all things water and sewer related. He continued that he has worked at the WTP for nearly 25 years. He knows some people are upset and confused by the decision to close

the access road to recreational activities during normal business hours. He understands that it is a beautiful location, and he has walked and jogged there many times after work. He supports birding, walking, and jogging. However, recreation of all types has become a problem, creating unsafe driving conditions for those who need to access the WTP. This also creates an unsafe condition for recreational users.

Mr. Costa continued that he would like to share factors that went into this decision-making process, which might seem sudden but was something staff had been thinking about for a long time. The WTP was constructed in the early 1980s and came online in 1985. The WTP access road and the WTP are located on City-owned Airport property that is located in Swanzey. The Sewer Fund pays rent to the Airport for the WTP, which includes the access road. He showed a photo of Airport Rd. off Rt. 32, with the WTP access road highlighted. He continued that the access road is not a public road. It is a private, City-owned driveway. There are no homes or businesses on the road, and its main function is to provide access to the WTP. It is not a City-designated park or recreational area. To explain why picnic tables are on the road, a few years ago, the Airport decided to open some of the property to the public and created a nice spot by the terminal parking lot with a few parking spaces and picnic tables. People can hang out and watch the planes. Around the same time, the Airport also put two picnic tables on the access road. He understands that might have sent the wrong message. It was a lack of communication between different City departments with different objectives. However, the policy that was presented would have allowed those picnic tables to stay.

Mr. Costa continued that the entrance to the access road used to be gated. After the last WTP employee left for the day, the gate would be closed, and after the last WTP employee left on the weekend, around 10:00 AM, the gate would be closed for the weekend, too. In 2018, the Public Works Department re-evaluated the need for that gate, and it was removed. They did not anticipate that the removal of the gate would inadvertently invite more recreation, and the access road no longer had the appearance of a restricted area. With the gate removed around the same time picnic tables were added, they start to understand why the area has become increasingly popular for recreation over the years. The Public Works Department always reserved the right to reinstall the gate if needed. Reinstalling the gate was not part of his initial recommendation. However, the Sewer Fund recently spent around \$300,000 to resurface the access road for the first time since it was constructed. Some people have been doing burnouts on it and tearing up the new pavement, and some people have been doing donuts in the fields outside of the fenced area of the WTP. If these types of behaviors continue, the gate might have to be reinstalled.

Mr. Costa continued that another contributing factor to the popularity of the area is the internet and social media. If you do an online search for "Birding at Keene Airport," it comes up as a popular spot. He has learned that some organizations provide guided outings on the property, which he was not aware of. The City has policies and protocols regarding the use of City-owned property, and organizations are required to obtain a license to conduct activities on City property. He does not know if these people have a license. He would support them having a license during non-business hours, for those activities. His main point is that a lot of recreational activity has been happening on the access road. Other contributing factors have changed the amount of vehicle traffic on the road over time. Regulations have changed since the WTP went online, mainly regarding septage. Some septage haulers had and managed privately-owned septage

lagoons on their property. About 15 years ago, that practice was no longer acceptable, and regulations changed to say all septage waste must be discharged at the WTP. That is good not only for environmental reasons, but also as a revenue source for the sewer plant. The WTP is a business and staff have worked to optimize the septage receiving policies to generate as much revenue as they can. In 2006 before the regulations changed, the WTP took in about 2 million gallons in waste and generated about \$141,000 in revenue. In 2010 after the new regulations, their business tripled. All these gallons are trucked in by septage truck, not pipe. In 2021, the WTP had its biggest year ever, receiving over 7 million gallons, generating over half a million dollars in revenue. Typically, it is in the range of about 6 million gallons per year.

Mr. Costa continued that septage haulers use the access road for business. He showed example photographs of septage trucks. He continued that when they are side by side, there is very little room in between the two trucks' mirrors, and almost no room on the side of the pavement. These heavy-duty trucks are freighted with liquid. He showed an example of the sludge hauler, which is only in and out a few times a week, but there are 60,000 pounds of material in the trailer, which does not include the weight of the trailer or the truck itself. He showed a chemical tanker, which was never on site before 2004, because they were not using that chemical in the processes, but again, the processes change over time. In addition, the WTP maintains an RV discharge station. He showed an example photo of one of the RVs, continuing that these are big rigs, which vary in size from the big ones you drive to smaller tow-behinds. In addition, staff use the road regularly. They are responsible for maintaining 27 different utility outstations. There is a lot of activity on the access road during the day.

Mr. Costa continued that he wants to clear up the hours of operation, and why staff recommended that closure time. There might be confusion about the 6:00 AM to 4:00 PM timeframe, because the sign outside the facility says 7:00 AM to 3:00 PM. The sign is old and outdated, and the WTP has been running a 6:00 AM shift for about 20 years. Staff, haulers, RVs, and other traffic is on the road starting at 6:00 AM. As part of the bigger picture, he would like everyone to understand that the WTP and the sewer system operate 24 hours a day, 7 days a week, 365 days a year. Closing at 3:00 PM does not mean they are locking the gate and will not be back until the next day. Because the plant and supporting systems operate 24/7/365, staff have to be able to respond at any time of day or night. The road might have traffic on it at any time and must remain passable. Often, staff do not leave the facility right at 3:00 PM. A hauler or an RV might still be dumping. The 60 minutes between 3:00 PM and 4:00 PM allow for the closure of the facility and the (road's) transition from business to recreation. The plant is staffed on weekends and holidays. Someone is there 365 days a year, and they are also open for septage receiving and RVs on Saturdays, Sundays, and all City holidays, from 7:00 AM to 9:30 AM. The decision was made to allow unrestricted access for recreation on weekends and holidays, but during those two and a half hours in the morning, there might be truck and RV traffic. They are cognizant that traffic is minimal on weekends, and they were trying to be as accommodating to recreation as possible and not be unnecessarily restrictive.

Mr. Costa continued that over the years, staff have tried to educate people about activities on the road, by posting signs. He showed photos of signs saying "NOTICE: ACTIVE ROAD TRUCK AND VEHICLE TRAFFIC" and "PEDESTRIANS, MOVE TO THE SIDE." The "Dogs must be leashed" sign disappeared, so they put new ones up. The entrance to the facility has three

“NOTICE: DO NOT ENTER” signs, because they get people coming into the facility, which is an industrial facility with industrial activities happening. Still, people drive in and turn around in the septage receiving facility, and some bicyclists and joggers come in. This year, during two construction projects on the access road, staff put up large, digital “ROAD CLOSED” signs, which some people went right by. The signs have not been effective. He has heard concerns from staff and haulers who drive on the road, regarding the recreational activity. He himself observes it when he drives to the WTP. It puts him in a difficult position. He cannot ignore the concerns; he has a responsibility and obligation to report these activities to his supervisors and make a recommendation. If an accident were to happen and someone got hurt or worse, it would be terrible. If there were an accident, the road would be closed anyway. He believes this was a common sense, proactive approach, intended to prevent an accident. It also was a compromise. It provides safe, unobstructed driving conditions for those who drive the access road for business purposes and safer conditions for recreational users. It gives 104 days a year, Saturdays and Sundays, of unrestricted access, plus the 11 City holidays, for people to head out there with their running shoes and binoculars. In addition, people would have access after 4:00 PM on another 250 days per year. That was a no-cost solution. You could build sidewalks or a bike lane, but he does not know how they would enforce it and make sure people stay on the sidewalks or bike lane and stay off the road, nor who would pay to install and maintain such infrastructure. The Sewer Fund has many higher priority expenditures. The city is a great place to live and offers many miles of walkable sidewalks, hiking and biking trails, and beautiful parks.

Mr. Costa stated that in conclusion, he knows the decision to close the access road during normal business hours has ruffled a few feathers, but he hopes everyone understands the history and the rationale used in this decision-making process. He hopes they understand this was an opportunity, beginning in 2025, to establish an access road use policy that can accommodate both business and recreational activities, just not at the same time, because the area will not get any less popular, and the WTP is not going anywhere. Lastly, he thanks everyone who has abided by the new policy, even if they are unhappy with it or disagree with it. Driving on the roads since the new policy went into effect has been a night and day difference, and he appreciates everyone’s cooperation.

Mr. Lussier stated that that is how we got here. He continued that Mr. Costa feels very strongly about this, as he does. He continued that they have also heard the community’s concerns, and he knows the MSFI Committee has, too. Thus, against Mr. Costa’s recommendations, they will be re-opening the roadway on an interim basis. He suggests they open it with appropriate signage that reminds people of the rules, for a two- or three-month period and then re-evaluate whether they can safely accommodate recreational use during the business hours. He hopes that people here tonight, who care about this facility, will help remind the other users to keep their dogs leashed, walk on the shoulder, be mindful of the big trucks and not stop their car in the middle of the roadway, and so on and so forth. In two or three months, staff will report back and give the MSFI Committee a recommendation for whether it will be possible to keep it open for the public.

Chair Greenwald stated that he thanks Mr. Lussier for his opening comment. He continued that Mr. Costa’s presentation was extremely well presented. He understands how they got here and Mr. Costa’s rationale, and he hopes everyone present heard it, understands it, and will carry the message. This is their chance. If people do not abide by the safety rules, such as staying to the

side of the road, the access road should be closed. No one wants there to be an accident or injury. He asked if the Committee had comments or questions.

Councilor Tobin stated that she, too, thanks Mr. Lussier for his opening comments. She continued that she hears the concern. As a follow up, she wonders if he could explain, for everyone who does not drive a large vehicle, how it is different than a car moving to the side of the road, in terms of the ability to maneuver. Mr. Lussier replied that the biggest difference is the width of the vehicles. He continued that personal vehicles are about six feet wide, and the big trucks are about 25% wider. Two of them passing each other, with their mirrors, are a little more than 10 feet wide, on a 22-foot-wide roadway. They cannot just pull over to the side or drive around people. Councilor Tobin replied that it sounds like it would be much more difficult to maneuver around pedestrians. Mr. Lussier replied that is correct.

Chair Greenwald stated that members of the public who are here have heard what the future status will be. He continued that if anyone feels the need to say more, they can. The Committee and staff have read the letters. Hearing no one wishing to speak, he asked the City Manager if this will be handled administratively. Elizabeth Dragon, City Manager, replied yes, since this is not a public road, it is an administrative decision to open or close it. She continued that they heard tonight the reasons why they got here, and the plan to come back and report to the Committee in a few months about how it is going. Chair Greenwald replied that he thinks a little more signage would not hurt.

Councilor Workman stated that she wanted to thank Mr. Costa for the presentation and Mr. Lussier for his opening up and taking responsibility, which says a lot about him. She continued that she understands that staff has authority and it is administrative, and they can close the access road at any time. As a Councilor, she did not like finding out that way, herself, so she can only imagine how the community felt. Moving forward, she wonders if they can shut the access road down to personal vehicles which are not being used for business use at the facility, if the only use should be vehicles going to and from the facility.

Mr. Lussier replied that he knows some people in the birding community like to drive up and down the road in search of particular species and to take photos. He continued that staff would put up a sign saying people cannot stop their vehicles on the roadway. It has been a problem for the haulers when, for example, someone sees a (special bird) species and just stops their car in the middle of the road, with a 60,000-pound vehicle coming up behind them. Councilor Workman replied that she understands and was even suggesting taking it a step further and prohibiting personal vehicles, because Mr. Lussier has painted a clear picture. There has been increased use by the City and the community. Fewer vehicles on the road would help with that. She is hopeful that the community will hold each other accountable and not let the bad actors and bad apples ruin it for everyone else.

John Bates of Colorado St. stated that he worked as a municipal employee for the City for 25 years, so he knows how things work. He asked if there was a study on vehicle traffic, so that they know how many vehicles travel the road daily, what the daily and weekly averages are for pedestrians and vehicle traffic, so they have numbers instead of hypotheticals. He knows Mr. Costa is not in favor of keeping it open. He thinks Mr. Lussier made a great decision to keep it

open, and he appreciates it. He and his family enjoy going to the road to look at different wildlife, birds, deer, bobcats, and more animals you cannot see anywhere else in Keene. It is a huge resource for people, including people with disabilities. Many people drive because they cannot walk, and they can park and enjoy the beautiful sights and the airport. He understands the concerns, and that the trucks go fast. He does not know what speeds they are going. It is not posted, because it is a private road. He has driven large vehicles, so he knows you either have to slow down or use air horns; there are other ways to get pedestrians to move if they are a problem. However, he would like to know, before they decide in three months to shut something down, and recommends that a study be done. The City does studies all the time, to see how many pedestrians cross Main St. or how many bicyclists. He thinks what people do not realize is that this access road is such a great resource for Keene, with so much wildlife, year-round. Many people go down there every day, maybe just for five minutes, as a way of improving their mental health while enjoying nature. The Keene Sentinel publishes many photos that people take on the access road of migrating birds and other wildlife that you do not see elsewhere in Keene. Before they even think about shutting it down, there should be a traffic study. How many trucks per day go through there? It is not that busy. He has been there many times over many years, and it is not that busy. It has received more attention, especially since more people were out there during COVID. The geographical landscape is changing a lot, too. The water is evolving. The community should be able to enjoy this resource. Regarding the people doing things they should not be doing, like burnouts and donuts, that is unfortunately enforced by the Swanzey Police Department. If they put up "NO TRESPASSING" signs, Swanzey is not going to respond. They see cruisers there to have a presence, but it is not enforceable by the Keene Police Department, as it is not the KPD's jurisdiction. His point is to think about the people who cannot walk and need the ability to drive on the access road to enjoy the outdoors.

Steve Lindsey of Franklin St. stated that he is concerned about losing these recreational spaces. He named recreational spaces that have been lost in other NH towns. He continued that on Sunday, he went for a walk in Turner's Falls, which has had great success with an access road that is used for recreational trails. He wonders if City staff have studied what other communities have done. Turner's Falls is a much more distressed city than Keene, with drugs and other issues, yet they have a success rate. He saw about 30 people along the access road that is twice as long as the WTP access road, and he suggests Keene study their success. For example, the Turner's Falls access road has a few cut-outs where people can stop in their cars and watch the birds, and there are a few other things that get people off the road, and there seems to be a respect between the patrons using the road, the truckers, and the people using the research laboratory that is at the end. He suggests Keene visit some of these communities that have been successfully allowing recreation on the access roads such as this much longer than Keene has. He ended that the City should improve signage, too.

Ken Bergman of Blackberry Ln. stated that he was a biology professor at Keene State College (KSC) for 37 years. He continued that he believes the public officials here are sincere, competent, and well-intentioned in what they are doing. His daughter is a federal attorney, so he knows best not to question the legality of issues he knows nothing about. However, he wants to highlight the uniqueness of this location. He is one of the photographers who has been published in the Sentinel. He first started working there with students, using trail cams along the river, all the way from the WTP outlet on the river to north Keene. The wildlife they saw and

documented with the trail cams is remarkable. Some of it leaks out onto the road and some even enters the vicinity of the runways. As a member of the Conservation Commission, he has worked as a liaison with Airport Director David Hickling, helping with letters to the NH Department of Transportation (NHDOT) and the Federal Aviation Administration (FAA), regarding the placement of the wildlife control fence. It was initially planned for the berm or dike that fragments the wetlands there, and Director Hickling felt the fence should be much closer to the runways. Director Hickley drove him around the perimeter of the runways and they scouted locations, and his application for funding for that fence includes a strong recommendation from him; McFarland Johnson, the consultant; and the Conservation Commissions of Keene and Swanzey for it to be placed as close to the runways as possible and far away from Airport Road, because of the way it would obstruct the view and study of nature in those locations. It is unique habitat, and not just for Keene – there is almost nothing else like it in southwest NH, which is why it attracts so many birders from out of the city. It is on a dike. You probably could not build the road today, given the current wetlands regulations, but it provides access as if you were at one of the western or southern wildlife refuges where you can drive and use your car as a hide or a screen to not scare away the birds. At least one of the outstanding photographers is severely handicapped and cannot walk that distance. Over 200 species of birds have been documented there, many of them rare species that are very difficult to see anywhere else. There are good shoulders to pull out on, and he always tries to make sure he is off the road and on the shoulder. You can sit there patiently with a long-lens camera. It is an educational place for people to come and understand what kind of resources the city has. Legally, it may well be a private driveway, and probably as a policy, the City has every right to regulate it and regulate traffic, but he asks them to take into the balance the unique values, not just for recreation, but for education and scientific study.

Chair Greenwald thanked Mr. Bergman and again reminded people to pass the word to stay to the side and follow safety protocols.

Mr. Costa stated that is thankful for the comments tonight, and he agrees with them. He continued that however, as someone who has the business to run at the WTP, he was just asking for that compromise, and he thought closing it during business hours was a good proposal, leaving all other hours open for recreation. He agrees with everyone that it is a great spot.

Steve Hooper of 5 Colby St. stated that he thanks the City for giving the situation another chance. He continued that now that they have this extension, it is important for everyone to try to educate people on the importance of safety. When he was a City Councilor, safety was his utmost concern. Everyone in the city, everyone who uses the road, needs to realize the importance of safety for the septic truck drivers, for the pedestrians, and for the private vehicles.

Councilor Favolise stated that he sees the Sentinel here, and he guesses that many people are following this closely. He asked if there will be an additional press release on social media. Chair Greenwald replied that is a good thought.

The following motion by Councilor Favolise was duly seconded by Councilor Workman.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends that the Staff Report on Recreational Access to the Wastewater Treatment Plant Driveway in Swanzey and the Public Communications Relating to Concerns with Restricted Public Access to the Airport Road be accepted as informational.

2) Downtown West Side Parking Garage Study Assessment, Findings, Recommendations, and Report Summary – City Engineer

Don Lussier, Public Works Director, stated that he is filling in for the City Engineer tonight. He continued that with him tonight is Alyssa Peck from Weston & Sampson, who will introduce her team. He noted that Weston & Sampson was selected as the engineering consultant to lead the study. They completed their work of evaluating the feasibility of a parking structure for the west side of downtown.

Alyssa Peck introduced herself and Doug Ostler from Weston & Sampson, and Jim Zullo from THA. She continued that regarding the scope and goal of the project, they wanted to understand the existing parking today, whether a structure is needed now, or potentially in the future. They had to review the existing parking inventory within the study area, both public and private, and understand how those spaces are being occupied. They used drone data collection over a Thursday, Friday, and Saturday, last October or November. They collected the data every hour to understand how those spaces were being occupied throughout the day. Ms. Peck explained that once data has been collected, they look into whether the parking is adequate to accommodate future growth and use typical growth factors as well as future development to understand what size of a structure might be needed. They prepared some concept designs for that structure and a preliminary financial analysis for it. She showed a graphic of the study area and continued that it is generally Mechanic St. to the north and Emerald St. to the south and focused on the Central Square and Gilbo Ave. areas. She asked Mr. Ostler to speak about the existing inventory.

Mr. Ostler stated that he was tasked with going over the parking counts, gathering the data, and coming up with some conclusions about existing conditions, then making projections for future parking needs. He showed a slide summarizing the types of parking in the downtown study area, and continued that for public parking, there are 372 on-site spaces, the majority of which are metered or paid, with a few that are loading zones or free spaces. There are 254 public parking spaces in off-street parking lots and some parking spaces that are privately-owned, whether available for the public's use by those private entities, such as shopping centers, or reserved by permit only.

Mr. Ostler continued that the next slides are heat maps showing snapshots of a few particular hours. They saw a moderate amount of parking around noon or 1:00 PM during the weekday. A moderate amount of parking was utilized throughout the study on the north and south sides, both east and west. There was quite a bit of on-street parking used on Winter St., Court St., and Washington St. On Saturday, parking was not nearly as utilized on the north side. Many offices might be closed. Main St. is more heavily utilized on Saturday, mid-day, than weekdays. They see a moderate amount of parking in public lots still, particularly south of Court St. Regarding weekdays at 6:00 PM, the highest amount of parking they counted was Friday evening, but on-street parking was nearly full everywhere they counted. There was moderate use of off-street

public parking south of Court St. At 6:00 PM on Saturday, the parking was not as utilized in the north, but still very busy along Main St., with some moderate use of the public parking lots.

Mr. Ostler continued that in the future, they estimate continued use of the existing parking would remain about the same, but then they add on some growth projections. That can vary between what might be expected and what might actually happen in the future, but for their projections, they look at Census data – which has stayed roughly the same for Keene during the past two Census periods – and traffic in the downtown area. Main St. traffic volumes increased by a considerable percentage over several years. They also looked at currently vacant spots that could be filled in the future, and two potential sites where there could be some increased intensity for retail, if the city aims to have that, and residential use, if there is a desire for expanded downtown intensity and healthy growth in that area. They consider those as part of their future projections, as well as what he labels as a “cushion.” You do not want every single space filled; you want at least some for people who come in as people come out. They use 10% as a cushion.

Mr. Ostler continued that in summary, the existing parking was a maximum of 523 vehicles they counted parked within the publicly available parking spaces, with 103 to spare. In the future, based on the projections they used, they would expect up to 850 parking spaces to be needed. That includes the cushion. If there are only 554 parking spaces available in the future and there is an unmet demand they would want to supply for, with the possibility of a potential public parking garage in the downtown area, a concept that would give a total of 915 parking spaces would be able to meet the projected parking needs. In addition, if the City wants to evaluate any wayfinding, he noticed a few parking signs directing to areas of public parking, that could be revised for increased clarity or used if they intend to have more live areas for people arriving. They noticed some illegal parking. They did not notice many loading areas that might be more convenient for ridesharing or hailing types of activity where people are being dropped off as opposed to parking and staying. That could be considered. That said, Keene has a beautiful downtown, lovely for walking through, and he wants to make sure they maintain the downtown plaza appeal.

Jim Zullo, President of THA Consulting, stated that THA’s role was to help evaluate different sites for a parking structure, identify what they thought was the best, do some functional designs, and then some façade renderings to show what it might look like. Lastly, they did a financial analysis of what the garage would cost to build, operate, and maintain; and how much revenue that might require. To stress what Mr. Ostler said, the need for a parking structure downtown is highly dependent on new development. Many of the sites THA looked at are on Gilbo Ave., where there is a sea of surface parking. The need for a garage is part of the vision of how they see what is not the highest and best use of land a block away from the beautiful Main St. being developed in the future. Without development, the likelihood is the existing parking resources are adequate. Development would drive the need for a new facility.

Mr. Zullo continued that per the City’s request, THA looked at three sites. First is Gilbo East. Initially, the discussion was about Gilbo West across the street, but functionally, that was too small of a facility. The City-owned property there was inadequate for supporting a garage without taking a good chunk of right-of-way. Second was the Commercial St. Lot, and third, where they pivoted to, was a privately held lot, very large, appropriate for parking and

potentially other development, too. Parking functionality is about how to build the most efficient parking facility. Parking, and structured parking, are expensive. Thus, a key to evaluating sites is determining how efficient it can be, meaning, how many square feet per space. A good, efficient garage is about 320 square feet per space. With more than that, it gets expensive and is not recommended. With these sites, not only were they looking at what parking they could get, but also, other types of development. Typically, they do not want to design just a parking facility. He showed a slide of what other options were available based on Site 3 and continued that the City does not control that site, so they pivoted to the team's preferred option. Gilbo East is a difficult site that would require a lot of height to achieve the parking that would be needed as per the study and is less efficient because it is an awkward size. Because it is small, every parking space would have to be on a ramp, unlike the City Hall garage with its flat area. In conclusion, they determined that the Commercial Lot site was best.

Mr. Zullo continued that regarding the advantages of the Commercial Lot site, it is a very efficient footprint. Parking would only be about 35% on a ramp and the rest would be flat. The flat side, which would face Gilbo Ave., is a better aesthetic enhancement than looking at ramps. You can do a lot more with the façade to make it more attractive and to better fit into the downtown. This type of garage is more user-friendly, with multiple opportunities for access and egress, and opportunities for other types of uses at the grade level. This efficient design has a net gain of 300 parking spaces, which would meet future needs, per Mr. Ostler's evaluation. Again, the future need is a projection, not an exact science. The garage on the Commercial Lot site has no negative impact on adjacent properties. With the Gilbo Ave. site, an adjacent lot would have needed an easement. Mr. Zullo showed the footprint of the garage and continued that to achieve the amount of parking they talked about, it would have grade plus four supported levels, for a total of about 477 spaces. The net gain would be about 360 spaces based on the loss of the surface parking there. While planning this, they were cognizant of understanding the Cheshire Rail Trail, the Farmer's Market on Gilbo Ave., and even thinking about this first bay that could be used as either not parking, such as converting it to retail or community space, or a temporary expansion of Farmer's Market on Saturdays, if that was desirable. He indicated an area in the rendering that could be a bike storage facility, given its proximity to the Rail Trail, and continued that they have designed facilities that accommodate bike storage or bike rental facilities, which might be a nice option here. Thus, this is not just about the parking; it is about thinking of what other uses can be mixed in. These are just examples. The team regularly designs garages that have grade-level retail or community uses. They looked at architecture in Keene and you will see the renderings are sensitive.

Mr. Zullo showed more conceptual renderings of the facility from different viewpoints. He indicated the brick motif. He continued that an important factor of a parking facility's design is safety and user comfort. For example, you can see the significant amount of glass in the stair and elevator towers, to make sure people feel comfortable and can see in and out. That is a key consideration to where those stairwells go. They want to locate them close to Main St. This facility is well located by the theater, Main St. businesses, and potentially new development on Gilbo Ave. and other sites. He showed the access and egress off Gilbo Ave. and another in the back of the facility, continuing that you get a sense of the scale of the project. This project is about 47 feet high to the top of the parapet wall. The elevator and stairs go a bit higher. He showed a rendering from the transportation center, looking down the trail, which gives a sense of

the size and the street-level activity. He indicated how areas within the garage could be parking or another use such as a community center, or the expansion of the Farmer's Market on Saturdays. Again, this is conceptual; many other things could be done. He showed a rendering looking at the facility from across the street and one looking at the garage from the theater, which shows the brick wrapping around. A mural could break up the structure and enliven what would otherwise be concrete, or there could be scrims or artwork through the full length of the garage to add vibrancy. In sum, it is a very efficient garage, sized to accommodate that future need.

Mr. Zullo stated that regarding the preliminary financial analysis, in many towns and cities, people say they need a parking structure, but until they see the economics of it, they do not know how it works. He continued that in Keene, as is true in most or all towns, a parking garage will not stand on its own two feet financially. It has to be system financing. The revenue from all the parking Mr. Ostler talked about, in the streets and public lots the City charges for, has to help support a new facility, because the facility itself would require about \$250 to \$300 per space, per month, to be financially viable, to cover debt service, operating expenses, and capital reserves. In many towns and cities, that is not viable; there are not enough people paying that amount of money to make it work. Based on the conceptual plan, the team did an order of magnitude cost estimate, assuming it would be publicly financed, where the bond rate term is 30-years, cost of issuance of a bond, about 3% of the total value. They are still having discussions with the City's Finance Department and the Parking Director. The team assumed one of the drivers for this garage might be the development of the Gilbo East lot across the way into housing or something like that, which would be more beneficial than just a surface parking lot. They estimate about 80 units. They thought the sale of that property would generate some revenue to offset the cost of the garage. He has not talked with realtors in Keene, but he estimates that based on the number of units, they might get about two million dollars.

Mr. Zullo continued that the slide shows the total cost of the garage and the annual debt service. They included a debt service reserve fund into the sizing of the bond, which often is required by public finance entities. Regarding system financing, they have to look at how to adjust the overall rates to generate revenue to help support the facility. It is \$1.3 million of debt service every year. It is over \$500,000 in operating costs. They looked at rate increases over the next 10 years, to see how close they might get. They raised Keene's on-street rates, permit rates, and violation rates, and they did this also consulting other towns in the area, looking at their rates. Additional operating costs are associated with a garage, such as utilities, insurance, and maintenance. They also provided a capital reserve fund. Every year, the City should put away a certain amount. They projected about \$125 per space per year, which is about \$60,000 per year, because in seven to nine years they will start to have failure in joints, waterproofing, and items like that.

Mr. Zullo continued that the revenue they project over time not only increases to the existing rates, but also the additional demand that Mr. Ostler spoke of, giving a total projected revenue amount. Then, they add in the expenses. Note that the parking fund budget has a contribution by the City to pay for capital and things like that; it is not entirely made out of parking revenues. However, they wanted to show just what parking revenues would generate without any other City contribution. In summary, there is an operating deficit in the first 10-years, of a little over

\$3.5 million. In summary, it would require a subsidy by the City to support this garage, even with the projected rates. They could potentially get more aggressive with rates, but these rates would double the existing rates in 10 or 11 years. The rate today is a dollar per hour for on-street parking, and 10 or 11 years out it would be \$2.25. Again, that is not adequate to support this without some subsidy from the City. The team looked at grants that might offset the cost, and there might be some minor grants related to EV charging and things like that, but without the inclusion of a multi-modal facility such as a bus or something like that, or some significant economic benefit, grants for new parking structures are hard to find and win. This parking structure would only make sense depending on the future development in the area. In those cases, too, it becomes a bit of a catalyst. This facility absorbing some of the parking would open up other surface lots in the area for future development. In summary, the downtown has adequate parking now, but in the future, growth might start stressing that, and future development, depending on its intensity, might require a new facility. That new facility would likely require additional contribution from the City and would not stand on its own two feet financially.

Chair Greenwald thanked Mr. Zullo, Ms. Peck, and Mr. Ostler for their detailed presentation. He continued that for the benefit of the press; he wants to make it very clear that the MSFI Committee is not proposing that this is going to happen anytime soon. He does not want to see headlines saying the Council is taking on another multi-million-dollar project.

Mr. Zullo replied that to that point, the team did not even start projecting the financial analysis until three years out. He continued that there is no reason for it to be built for the next three years, maybe four or five years, if ever. Chair Greenwald replied that without the information, the City Council cannot proceed and make good decisions, so he thanks them again for the presentation.

Councilor Favolise stated that he has a couple questions. He continued that he appreciates the presentation. He had asked a question during the budget hearing, trying to understand the Parking Fund and how it is sustained. He asked if the City Manager could speak to that a bit, in terms of what goes into the Parking Fund, because they talk about it as “self-sustaining.”

The City Manager replied that the Parking Fund is sustained primarily by the revenues generated by parking, including parking permits, on-street parking, and all those fees. She continued that the fund also receives a contribution from the City; there are some administrative costs paid by the General Fund. That is separate from the Parking Fund and is calculated each year, based on staff time and other work that is done by the General Fund to support the Parking Fund. Primarily, it is a self-sustaining fund. It does contribute to the downtown. There has been a lot of work in the downtown area in terms of beautification, supported partly by the Parking Fund.

Councilor Favolise stated that it was a comprehensive presentation, and he thinks the City Council made the right decision to move forward with the study to take stock of where they are and what they might need. This will be an important resource in the future, as they continue to grapple with what is possible on Gilbo Ave. and what the Council and community would like to see. He thinks, broadly, that he would be interested in seeing how the parking demand does or does not increase based on the performance of institutions in the city and what they are doing.

For example, KSC has been able to absorb its increased parking demand over the past couple of years with the temporary Blake Lot. If that is truly temporary, then at some point there will be demand for something closer to long-term, permitted parking. In addition, as they continue to see increased development downtown and increased development based on some of the restrictions they recently modernized in regards to building height, first floor residential spaces behind tenantable commercial spaces in mixed-use zones that are on or adjacent to Gilbo Ave., he thinks the picture might change in the next few years in terms of the needed growth. He is not crazy about moving aggressively on increasing parking rates or parking violation fines downtown. It has struck him that the City has many free parking holidays where quite a bit of parking revenue is left on the table. That is something to think about in the future.

Councilor Filiault thanked the group for the presentation. He continued that he and Chair Greenwald have been on the Council for three decades and have seen too many parking garage presentations to count. Especially in today's economic climate and with the downtown project about to happen, because it has to happen, the chances of this garage going through are zero. He appreciates the presentation but does not want his constituents to think there is even a chance this garage will happen, because the Council will not approve it. Maybe they could look at it again in a decade.

The City Manager stated that staff is not recommending they move forward with a parking garage at this time, because the demand does not say they need one. She continued that however, the City moves slowly and plans projects methodically over long periods of time so that they can hopefully set aside funds in the future for when they do need them. They continue to monitor the trends as they loosen parking restrictions for housing projects, and they see different areas in the city continue to grow. Thus, she thinks this study was a worthwhile effort and something they will build on.

Councilor Tobin stated that she appreciates the presentation, and she was glad they touched upon the "cushion," which she was thinking of as "vacancy rates." She is not sure how much they explored timetables as part of this study, regarding when the City collects revenue versus when people are actually parking. She heard that Friday evenings were very busy and Saturdays were very busy on Main St. Mr. Ostler replied that the team has data for many hours of the day for this presentation. He continued that he did not specifically look at revenue by hour.

Mayor Jay Kahn stated that if there were to be some public/private partnership relative to an infill project in the downtown, in that general vicinity along Gilbo Ave., his question for the consultants is whether it is the most logical to use lower levels for the parking and have the development above be residential, or in the opposite direction. He is asking in terms of safety, emissions concerns, and how fan control and things best work in order to allow for that kind of public/private partnership at a site like this.

Mr. Zullo replied that there are a couple of ways parking can be developed with residential development. He continued that one is a wrap, with residential wrapping around the garage, which is the most common and most affordable. The other option is an overbuild, with a podium of two or three levels of parking and building over it. The challenge with that is the structure of the building above often has to come down through the garage, so instead of being an efficient

parking space of, say, 320 square feet per space, that can go up to 375 square feet or more, and basically, it is cost per square foot. However, both options are utilized frequently. The podium just tends to be higher, because you will have layers of parking and then a building above. Another benefit of a wrap is it somewhat hides the facility as well, as many people do not like looking at parking garages. Both scenarios come with additional venting or HVAC requirements, because an open parking garage has to have a certain amount of air that gets through it. Otherwise, you have to put in mechanical ventilation.

Chair Greenwald asked if anyone else had more comments. Hearing none, he asked for a motion.

The following motion by Councilor Workman was duly seconded by Vice Chair Filiault.

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends the Downtown West Side Parking Garage Study Assessment, Findings, Recommendations, and Report Summary be accepted as informational.

- 3) **Joe Schapiro – Safety Issues Associated with On-Street Parking – Church Street**
- 4) **Relating to No Parking Zones - Ordinance O-2025-27**

Chair Greenwald stated that since this is a two-part item, he will first recognize the fourth agenda item, Ordinance O-2025-27 Relating to No Parking Zones, and then as part of discussion, hear Joe Schapiro's comments.

Mr. Lussier stated that this Ordinance would put into effect the request, from Mr. Schapiro, for no parking on Church St. He continued that the MSFI Committee talked about this two months ago and asked the City Manager to get together with the neighborhood, meet with the school, and come up with a compromise solution everyone could live with. They had that meeting in July. In addition, he and the City Engineer walked the area and looked at troubleshooting the situation and if they were to authorize a "No Parking" zone as requested, where this might cause additional problems and issues in the community. In the Ordinance, they recommend two separate parking restrictions. One is the north side of Church St., between So. Lincoln and Probate St., which was the original request, and the other is the northern end of Valley St., which they recommend be "No Parking" during the same time period. They think there is a high likelihood that as people back up, they will want to do so down Valley St. instead of continuing down Church St. They looked at Hardy Ct., which is a dead end, narrow, and without a way to turn around, so he thinks it is less likely that people would loiter there while waiting to pick up their kids. That said, he is always surprised by human behavior, so he will caveat this by saying they might be back at some point with follow-up requests due to these changes. He believes the Petitioner will be speaking tonight and has a suggested amendment that he would like to talk with the Committee about.

Chair Greenwald asked if the City differentiates between "parking" and "standing." Mr. Lussier replied that he is sure the KPD or the City Attorney has the legal definition, but he thinks the difference is whether the driver is in the vehicle or not. He continued that "standing" is a parked

vehicle that is idling, versus a vehicle that is stopped and the person gets out. The Ordinance is written as parking, standing, stopping; it is all-inclusive.

Councilor Favolise stated that one of the reasons the Committee put this item on more time and wanted to have the conversations, as opposed to doing something with “No Parking” initially was to avoid the spillover effect onto other streets. One that comes to mind for him is Wilber St. Based on the dimensions and geometry of that road, he is concerned about cars backing up along there around the curve. He asked if they considered that.

Mr. Lussier replied that Wilber St. came up during their conversation last time and during the meeting with the neighborhood. He continued that Wilber St. is already in the City Code as a “No Parking” zone. In the Code, from So. Lincoln St. to 176 feet in, which is essentially the Wilber St. frontage of the school, there is no parking during school hours, 8:00 AM to 4:00 PM, on the north side. The south side of that curb line is all opening for the parking lot; he does not think there is much opportunity for people to park there. From 176 feet to 311 feet, around to the corner, parking is prohibited on both sides of the road. It is already signed as a “No Parking” zone. He asked his staff to add more signage to make it clearer. He noticed a neighbor had put up a homemade “No Parking” sign, but it was within what was already designated as a “No Parking” zone. The additional signs will help everyone understand that the whole length, the 135 feet or whatever it is, is no parking. That does not require any Ordinance changes.

Chair Greenwald stated that the Ordinance has his answer to the standing. “No person shall stop, stand, or park.” His request, then, would be more about signage. He asked if the Committee had more to say. Hearing none, he asked to hear from Mr. Schapiro.

Joe Schapiro of 288 Church St. stated that first, he thanks the Committee for the first meeting, where many people from the school and various parts of the community were able to express their point of view. He continued that they have tried to make this not a single-issue conversation, but a place where people could come and talk about the various pressures caused to the community by having a community school, which is no longer really a community school, because children generally do not walk to the school anymore. He appreciates everyone’s effort and all the people who came to talk about the various issues. He knows, and discovered again, that sometimes there is not a perfect solution and there are consequences to any solution that they need to try to consider. When they had the community meeting, an idea he had never heard of was brought up, which was to turn one of the empty lots on Church St. into a parking lot for the teachers, which would free up the area further east. That is a bigger project and would involve the school doing it, and money, and so on and so forth, so they are not here to address that now, but he wants to express his appreciation for all the efforts that went into this.

Mr. Schapiro continued that regarding an amendment to his initial request in his letter, today was the first day of school. There was a big crowd, but even more people bring their children in on the first day. Something they realized is that the school recommends dropping students off starting at 7:30 AM, and his and neighbors’ initial request was to have signs say no parking on school days from 8:00 AM to 4:00 PM. He would like to request that it be amended to 7:30 AM. Just in the last few days, he thinks some signs have been put on Wilber St., across from the school, which also say “No parking on school days.” He did not see, but his wife said it said

“8:00 AM to 4:00 PM” on those, too. He hates to (recommend) replacing new signs with newer signs, but they might want to think about that as well.

Councilor Filiault stated that he drove through the neighborhood three or four times today because he knew school was back, and it is indeed a problem. He continued that cars were everywhere, and partially in people’s driveways. He watched someone do a U-turn with their wheels in someone’s front yard. He saw from several motorists a total disrespect for the east side neighborhood they are parking in. This Ordinance will not fix everything. As they said, they need to take pieces at a time, because sometimes fixing one problem creates another small problem. As he sat and watched, he saw a lot of disrespect via parking, idling, and being halfway in the street. As Mr. Schapiro said, and as neighbors told the MSFI Committee a couple of months ago, there is a problem. It goes beyond just parking, up to disrespect. They can take it one step at a time. He has no problem with changing the Ordinance a half hour earlier. He thanks Mr. Schapiro and the neighbors for speaking up.

Mr. Schapiro stated that he does not know if the MSFI Committee has any say-so about this, but obviously, if signs were put up, it would be good if they were enforced. He does not think it would take much enforcement for people to follow the signs, but as Councilor Filiault said, people have gotten used to just doing anything there. It would be good if the Police made the rounds on a few occasions after the signs are put in. He had another question, because he did not see the Ordinance. Valley St. was not in their original request. He asked if they are talking about the north part of Valley St. on both sides, or on one side.

Mr. Lussier replied that as it is written, it is Valley St. east side, meaning the northbound side of the roadway. He continued that in his mind, he sees people heading north on Valley St. and getting into a line and then taking a right onto Church St. to continue as they go. That was the intention of it. Mr. Schapiro asked if it is correct that there will be the same parking restrictions on the east side of Valley St. Mr. Lussier replied yes.

Chair Greenwald asked for public comment.

Nicole Demarest of 288 Church St. stated that she has a follow-up question about Valley St. She asked how far down they will be putting those signs. Mr. Lussier replied that right now as it is written, it is from Church St. to Kingsbury St., the first cross street.

Vicky Morton of 275 Water St. stated that the sidewalk is on the east side of Valley St., so if “No Parking” is on the east side and people park on the west side, they will have to cross Valley St. and climb the snowbanks to get onto the sidewalk to walk up to the school. Mr. Lussier replied that the intention was to encourage the people who are lining up to pick up their children to continue lining up further west on Church St. They would continue past Valley St., towards Carpenter St. and beyond. If he were trying to pick up his child, he would not want to be facing south and then have to do a U-turn and come back onto Church St. His thought was that most of the people who will be using Valley St. would be trying to line up heading north, then taking that right onto Church St. to go toward the school.

Councilor Ed Haas of 114 Jordan Rd. asked if there was any differentiation between the dropping off and picking up conditions. It is his sense that picking up involves more cars waiting for longer periods than dropping off. Mr. Lussier replied that they heard that when they met with people from the school, that parents tend to get there earlier in the afternoon in order to be first in line to pick up their child, than they do in the morning. In thinking about where they would be lining up as they were waiting, that was the thought with Church St. and the prohibition on the northbound side of Valley St.

Chair Greenwald made a motion to have an amendment changing the start time from 8:00 AM to 7:30 AM on Valley St. and Church St. Councilor Filiault seconded the motion.

Mr. Lussier stated that there was a question about whether that change would also be made on Wilber St. He continued that right now, it is not written here, but elsewhere in the Ordinance, Wilber St. from So. Lincoln St. to 176 feet east of So. Lincoln St. is prohibited from 8:00 AM to 4:00 PM. Chair Greenwald stated that he does not see anything about Wilber St. in the Ordinance. Mr. Lussier asked if that could be included as part of an A version. Chair Greenwald replied that he does not think so. Mr. Lussier replied that it is part of the same section of the Ordinance.

Amanda Palmeira, City Attorney, stated that the Committee could propose a change that would create an A version. Chair Greenwald replied that his amendment is creating an A version. The City Attorney replied that they could vote on his amendment now, or he could withdraw it.

Chair Greenwald withdrew his motion to amend. Councilor Filiault withdrew his second.

Councilor Filiault moved to amend the motion to include, as written in the Ordinance, Church St. from So. Lincoln St. and Valley St. from Kingsbury St., from 7:30 AM instead of 8:00 AM, and also to change Wilber St. from 8:00 AM to 7:30 AM. Councilor Workman seconded the motion.

Chair Greenwald asked if the Committee had comments on the amendment. Hearing none, he asked for public comment.

Mr. Schapiro stated that Wilber St. is very close to where he lives. He continued that on the school side of the street, there is no parking at all. The other side has signs saying no parking on school days from 8:00 AM to 4:00 PM. Maybe the Ordinance should explicitly say which side of the street they are talking about.

Mr. Lussier stated that what he understood the amendment to create an A version to be, specifically referring to Section 94-93(b), which is the specific time regulations. Wilber St. is listed in paragraph (a) and paragraph (b), but he understood they were amending paragraph (b).

The motion to amend passed unanimously.

Chair Greenwald asked for comments on Ordinance O-2025-27-A. Hearing none, he asked for a motion.

The following motion by Vice Chair Filiault was duly seconded by Councilor Tobin.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting Joe Schapiro's communication as informational.

The following motion by Vice Chair Filiault was duly seconded by Councilor Workman.

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends the adoption of Ordinance O-2025-27-A.

5) Request for Extension – Deadline for Start of Construction – Brookfield Lane - Public Works Director

Mr. Lussier stated that this is a request to extend the construction deadline for a road layout. He continued that the City Council approved a layout for a road to be known as Brookfield Lane, nearly two years ago. Construction has not started, but the Council included a condition of approval that construction begin within a 24-month period of the date of approval. For that layout to remain valid and usable, the Council would have to approve an extension of that specific condition. A request has not been made to extend the completion date, so presumably, the contractor or owner would have to start and complete construction of the public infrastructure within 36 months, which would be next September. Tim Sampson, author of the letter and here representing the property owner, is here and he can answer questions.

Chair Greenwald asked to hear from Tim Sampson. Tim Sampson of Sampson Architects stated that Mr. Pappas asked him to file for the extension on his behalf. The background is that Norm Henry attempted to develop this property years ago, and he himself has been involved with this ever since Mr. Henry was trying to build houses there. During that transition when Mr. Henry passed, Mr. Pappas bought the property. That has slowed down the process. In talking with Mr. Pappas, he believes that SVE is finishing their end of the engineering, and once that is completed, he thinks it needs to be resubmitted to the City for final approval. Mr. Pappas will probably be ready to start construction in the spring.

Chair Greenwald asked if it is correct that there are no changes in any of the plans or conditions. Mr. Sampson replied not that he has been made aware of.

Chair Greenwald asked if the Committee had questions. Hearing none, he asked for public comment. Hearing none, he asked for a motion.

The following motion by Councilor Tobin was duly seconded by Vice Chair Filiault.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Council grant WMR Development Company an extension to the construction deadline stipulated in condition Number 5 of the Resolution R-2023-29-C, to provide an additional 12 month period from the date of Council action, subject to all other terms and conditions stipulated in the Resolution.

6) Downtown Infrastructure Project Update - Public Works Director

Chair Greenwald stated that discussion of the Downtown Infrastructure Project is the “main event” of the evening. He asked how many downtown merchants and downtown building owners are present tonight. He continued that he spent some time going around and spreading the word that the MSFI Committee meeting would have a discussion of downtown. To the Public Works Director’s credit and the City Manager’s credit, there has been a lot of conversation about the downtown project. He and Councilor Filiault have spent a good deal of time talking with staff about some issues which Mr. Lussier will go over, and some solutions to questions. They will hear some good news and some responsive changes that should make the downtown community pleased. He asked to hear from Mr. Lussier.

Mr. Lussier stated that he prepared a presentation for tonight to make it easier to talk about some of the numbers. He continued that the bottom line is that two weeks ago, the City got a much-anticipated updated cost estimate from Stantec based on the final design. He does not think anyone is surprised to know that costs go up, but it was quite a bit more of an increase than he was expecting. The first question he wants to address is what caused this enormous cost increase. He broke it down by categories of work. It will be difficult to try and follow the numbers from one chart to another, because they are slicing and dicing the numbers in different ways.

Mr. Lussier continued that regarding categories of work, demolition and excavation is setting the stage. The estimate based on the preliminary design was about half a million dollars. The final design came in at one million. The biggest, single item of that was a change in one of the assumptions that they made. It is very typical for this sort of infrastructure project to abandon pipes in place. Essentially, if a pipe is not in your way, you just plug both ends and leave it there. He does not recommend that for the downtown. Eventually, those old clay pipes and old metal water mains will rust through and break, and then soil gets into them and causes settlement, uneven surfaces, and sinkholes. It is not a huge deal when it is on a side street, but in the main downtown corridor, it would cause much disruption for a future Public Works Director, and he does not feel good about leaving that to whoever comes after him. Thus, that change – the cost of digging up the pipes and fully removing them instead of plugging and burying them – added \$250,000. The biggest single line item here is the drainage. There was a small increase in the scope, some additional linear feet of pipe than the original estimate, but the original cost estimate underestimated unit prices. They updated the pricing per linear foot of piping and structures based on the most recent DOT cost estimates they are seeing on bids, using Island St. as an example, and in some cases, those estimated prices doubled. Unfortunately, they just missed the ball on the cost for that work. Drinking water was one of the few bright spots; they are right on target. Sewer is very close to the original budget. Curb and Sidewalk went up substantially, about \$300,000, which includes all the concrete surfaces. Half of that cost, about \$163,000, was because the preliminary cost estimate did not include stamped crosswalks. When (former Public Works Director) Kürt (Blomquist) did his trials of different types of crosswalk treatments downtown, they had hexagon patterns, stamped pavement, and inlaid bricks. Over the years, they determined that stamped asphalt is the best option for making the downtown crosswalks a little special. Inlaid pavers had longevity issues and were hard to maintain. Hexagon pattern inlays were impossible to maintain and had to be painted over. The stamped

asphalt in use now, the red brick pattern, is asphalt surface with a thermoplastic on top, heated, to press a form into it to give it that brick pattern. It is easy to repair and has good longevity. That was not included in the preliminary cost estimate, but it accounts for about half the increase for Curbing & Sidewalk.

Mr. Lussier continued that Lighting & Electrical was another issue. Most of the cost increase is the electrical more than the lighting. The preliminary lighting estimate was spot on. The cost of replacing all the electrical system downtown, which are the conduit and the wires that run between the lights, and the pedestals where event organizers are allowed to plug in, was about half a million dollars more. He was shocked at the size of the wiring needed to supply that power, something like 7,000 feet of copper wire, half inch in diameter, which is a heavy duty cable, due to the lengths and voltages required. Landscaping & Furnishing went up about 10%, which is just cost escalation. The other big increase is General Conditions, Allowances, and Contingencies. This “catch-all” category includes things like the cost of the contractor moving all his equipment to the site, the cost of the contractor having a foreman on site overseeing the work, and things like allowances that the City writes into the contract that are spent only with City permission. For example, right now they are carrying an asphalt escalation, meaning that if the price of asphalt changes through the duration of the contract, they adjust the price of bituminous pavement accordingly. It is a well-established formula set by DOT. The Federal Energy Commission monitors fuel prices around the nation, and their indexes are used to make that adjustment. It allows the contractor to know that if his costs go up through the duration of the contract, he has protection, and it works both ways – if the cost of asphalt goes down during the contract, the City gets a credit for it. They are also carrying a quarter million dollars in a contingency allowance for contaminated soil and ground water. With any luck, they will not spend a dollar of that, but if they do run into a situation, it is there. They know that a gas station was in the vicinity of the Emerald St. and Main St. intersection, which had leaks. If they run into contaminated soil, it would have to be managed appropriately, put into containers, tested, and disposed of properly. The allowance would let them pay for that without stopping the contract while they go to get a Change Order. That money increased but is there as an insurance policy. Those are the big items and how they broke down by different categories of work.

Mr. Lussier continued that regarding what all of this means, the project that the Council approved, and the scope they all agreed to, right now in the General Fund is short about \$5.5 million, maybe a little more. The Sewer Fund is short about \$400,000. That is a lot of money, obviously. They worked with the City Manager and came up with suggestions for cost reduction measures. The biggest would be to eliminate Gilbo Ave. and Church St. from the scope of the project. This big change would save about \$2.3 million. They would just turn the corner on both of those streets, 20 or 30 feet from Main St., and stop the utility work there. The work would have to be done in the future, but it would not affect the downtown merchants if they came back in 5-10 years to do that work. It is not as urgent as the Main St. work and can safely be postponed, with no adverse effect on the downtown community or neighborhood. It would be relatively low risk. The Gilbo Ave. work is to prepare the area for anticipated development. Thus, if some massive housing development were to be proposed on a parcel there, the City does not have a way of providing fire protection, water, sewer capacity, and drainage capacity with the existing infrastructure. This project was intended to set that up for the future so they can continue past St. James to School St. and provided the utility infrastructure that will be needed at

some point. The second cost-saving measure is re-using the existing LED fixtures. They have always talked about re-using the existing lamp poles. The project adds more lights, and they can get the same style so they will match the existing light poles. There are a few of a different style, which they will not re-use, but most of the light poles downtown they had planned on reusing. They had planned on changing the actual lighting fixtures out, the glass that sits on top of the light pole. Those are older and do not meet current standards for Dark Sky and produce a little more glare. Talking with Stantec, he thinks that about half of them are in good enough condition to safely re-use. That would save about a quarter million dollars. Eventually, the fixtures will reach the end of their useful life and need to be replaced, but they can drag that out a little bit.

Mr. Lussier continued that finally, the one that the Chair alluded to is the idea of trying to crush this project from three construction seasons into two. That comes with a caveat. They will have to change the rules of the game that they have been talking about for the last three or four years. They have said all along that they would put restrictions into the contractor's contract so that, for example, he is only allowed to take 25 parking spaces out of service at a time while the rest of the downtown parking remains in place. If they want to make it doable in two seasons instead of three, they will need to give the contractor more latitude to disrupt more of the downtown at any one time. If they are willing to live with that condition, with more of the parking torn up, more of the streets under construction, and more of the roadway under construction at any one time, they can have a couple different crews working on different parts of the project area, and do it in two seasons. He thinks there are contractors in the area that can do that. He knows at least one downtown merchant has asked if they can do it in one season, but he does not think any contractors in the area have the equipment or staff needed to do it in one season.

Mr. Lussier continued that they also looked at whether they could find any more money. They have two suggestions. First, in FY26, Ash Brook Road signals were scheduled for replacement. In talking with his staff and the people who have been taking care of the signals for years, they think they can safely push that off. That one is relatively new, compared to most of the City's signal equipment, and can wait a little longer. That is \$225,000 that could be put into the downtown project. Second, the other one to think about is the Court St. Culvert Replacement project. This stone culvert is scheduled for replacement in FY27 at the cost of nearly a million dollars. He thinks they can postpone it, but they will see it scheduled in the upcoming CIP when they talk about that in five or six months. That was planned for debt funding, so it would offset some of the additional debt funding they would need to make this project happen. If the Council were to take all the scope reduction suggestions and the project delays and diverting those funds into this project, that leaves them with a shortfall of about \$2.7 million, all of which would be in the General Fund.

Mr. Lussier continued that there are several cost-saving measures staff considered and thought about and are *not* recommending tonight, which he will take a moment to go through. One is to remove the spare conduit and pole boxes from the project scope. Since the Council adopted a "dig once" policy many years ago and staff tries to think about what else needs to be done, they had planned on putting in two empty conduits with pole boxes, intended for future use for fiber optics, telecommunications, and that sort of thing. To do those conduits and pole boxes, just the materials alone are \$135,000. That said, it is contradictory to the "dig once" policy, so his suggestion is to have that bid as an alternate. They can evaluate, when they get the bids in,

whether it makes sense to move forward with that option. The next one is temporary pavement. Right now, the bid estimate includes the cost to temporarily pave areas that have been dug up but are not going to be touched in a little while. Eliminating that temporary pavement entirely would save about \$280,000. They do not recommend it, because they will want the ability to put down temporary pavement for a couple of months until the project is completed, if an area is generating a lot of dust and causing problems for the merchants. Staff can try to minimize it and control as much as possible, but having that money there gives them more flexibility to respond to concerns. Next, eliminating the imprinted crosswalks would save \$163,000. That said, having those special crosswalk treatments versus just painted crosswalks they see everywhere else in town is part of what makes the downtown look and feel special and different. He would hate to see that go away. It is part of the downtown aesthetic, and the imprinted crosswalks have served them very well. They have a good lifespan, and it is easy to repair the worn portions without having to re-do the entire treatment. He does not recommend removing this and he hopes the MSFI Committee keeps it. Next is minimizing the use of colored and textured concrete. He says “minimize” because they will need some textured or colored concrete to provide buffers, such as the buffer between the parking stall and the bike lane, and between the bike lane and the regular sidewalk. Those areas need to be differentiated, so they cannot eliminate the cost entirely, but they could minimize it by eliminating it in places like Railroad Square. However, he would reiterate that those sorts of aesthetic treatments are part of what make downtown special, and he would hate to see them spend a lot of money and end up with a project that no one loves, and that they think is ugly. That would be a loss.

Mr. Lussier continued that regarding Temporary Lighting, the project includes about \$100,000 for that. Once all the existing light poles are removed and they are digging up the downtown, there will be periods of time when there is no lighting installed. The contract includes the cost for the contractor to rent and install temporary lights for public safety. He thinks that is important and does not recommend removing it. Next, because he knows it will come up, there is the question of just removing the bike lanes. There are 1,700 square yards of colored concrete on the bike lanes. Making them plain concrete would save about \$68,000. For that modest savings, they would be violating the Complete Streets policy and the policies that have consistently said they want Keene to be a bicycle-friendly community. He does not recommend that. Something else that might get more attention is tree wells. They have talked about including Silva Cell structures under the sidewalk that prevent soil compaction and provide tree roots with more volume of air and water so they can absorb stormwater and have healthy root systems. They are expensive systems, but ultimately, they result in healthier trees with longer lives, so he thinks they are worth it. They are an important part of reducing the amount of stormwater runoff that reaches the surface water. We cannot just keep building bigger pipes to manage stormwater; eventually the solution needs to include these green screen options that absorb more water, hold it on the landform, and allow the natural processes like evapotranspiration to suck up the water and release it to the atmosphere. He thinks the investment is worthwhile, but it would be a savings of about \$379,000.

Mr. Lussier continued that finally, he has heard people ask why they do not just dig a trench, replace the pipe, and put it back exactly the way it is. He has two arguments against that approach. First, it is likely to be more expensive, not less. Second, he guarantees no one would be happy with the finished product. He showed a graphic from the conceptual design stage, early

in the project, and showed the trench surrounding new water mains, new sewer lines, and drain pipes. He continued that once you dig up a trench for water, sewer, or drain – and not shown here are the gas lines that will also be replaced – the amount of pavement and concrete sidewalk that is left untouched is about 50%. If the City spent \$20 million and there was a trench across Main St. every 30 or 50 feet, and a trench across the sidewalk every 25 feet, no one would be happy. Regarding why it might actually cost more, when the City bids infrastructure projects like this, they pay one price for machine method asphalt. When they are paving a road, the big paver machine comes in and puts down hundreds of tons in a day, up to a thousand tons in a day. When they are paying for the repair of a single trench, they pay a different cost, because the contractor cannot use the same big machine that puts out thousands of tons a day. In many cases, they are literally dumping the asphalt and laborers smooth it, rake it, and compact it. That is called “hand method.” The unit price for that type of work is much more expensive. When you add that more expensive method of doing the work with the fact that it is just a terrible idea, he hopes people are not tempted to go that route. He knows the Committee members hear people suggesting that idea, but for those reasons, he does not recommend it.

Mr. Lussier stated that he turns it over to the City Manager to talk about how to bridge the gap. The City Manager stated that this afternoon, they spent a lot of time looking at the Capital Improvement Plan (CIP) and the operational budget. She continued that the CIP has a Downtown Infrastructure Capital Reserve, funded by a TIF District in the downtown. They have been setting aside money in that capital reserve for many years, and they were planning to pull money out of it to fund this project. However, starting in FY27, which is when they would start to pay a bond on this for this General Fund difference they are talking about today, they actually have the funds available in that capital reserve to pay the bond and the interest payment. Originally, they were planning to set that aside for a future parking garage and they would be able to use that. Why that is important is, they looked at (the fact that) already in this project, they had planned debt funding, either in storm water resilience portions of the project or other parts of the project, but today they focused specifically on the \$3 million difference and how to bridge that gap. They can confidently do that with the Downtown Infrastructure Capital Reserve account, to fund the interest and principal payments for this \$3 million difference. She would add that is a simple answer, but the other thing that is important to talk about is that they are now beginning the capital planning process. Over the next several months, the MSFI Committee will be looking at all projects in the city for the next seven years and beyond. At that time, they go through an extensive process to update costs and look at whether priorities have shifted. They will then also have an opportunity to look at the bottom line impacts of projects on the budget, and while tonight Mr. Lussier has mentioned a couple possibilities of projects to push out, that conversation will be ongoing until they finalize a capital plan in five or six months.

Chair Greenwald stated that he and Mr. Lussier previously talked about the idea of eliminating the temporary pavement and going straight to a base course. He continued that that sounded like a good idea to him. Mr. Lussier replied that they can minimize the use of the temporary pavement. He continued that his hesitation is that eliminating it from the contract entirely would reduce their ability to respond to customer complaints. He would prefer to have it in the contract when they put it out to bid and tell Bryan (Ruoff) and his team not to use it unless they need to. If they remove it entirely, it is a tool they do not have in their tool bag. It comes down to trying to make it tolerable for the businesses.

Chair Greenwald stated that an observation that came to him is that the construction project is not actually two years – it is two six-month periods. He continued that maybe that is a different way to market it.

Councilor Filiault stated that he and Chair Greenwald have both been actively working on this for about four years, and actually for longer. He continued that he thinks this is the 71st meeting about the downtown project. He is disappointed by the lack of attendees here tonight. This is probably the most important of the 71 meetings, because they are almost there. To those who did not show up, and to the “keyboard warriors,” his question is where they are tonight. A question/comment he hears very frequently is, “Just do the pipes and nothing else.” Mr. Lussier went over this a bit, but he will repeat it again, because he wants people to hear it. They envision going down Main St. with a backhoe, taking up a pipe, putting down a pipe, and paving back over it. That is what people think it is, but what they do not realize, as Mr. Lussier said, is that is not the major problem. The major problem is all the pipes coming out of the buildings. The buildings and pipes are of various ages, and the pipes vary in size, all the way from the beginning to the end of Main St., that connect into the pipes on Main St. Thus, when people say, “Leave the sidewalk alone,” they do not realize the sidewalks have to come up so the contractor can get under them, because probably the most important part is where the pipes are coming out of the buildings and will connect into the new line. He wants people to understand that this is not a case of just digging up some pipes with a backhoe and putting them down again.

Councilor Filiault stated that even though this is a complicated funding project, and he applauds the City Manager for the time she put into this, if he thought these pipes could go another three years he would be the first one to say they should hold off on the project and maybe they would get a new administration in Washington that has a clue. That said, they have seen throughout Keene that it is not the case anymore that the pipes can wait. They are taking a risk by delaying. Every week, they see a water pipe bursting in Keene. He asked the City Manager if it is correct that she is saying that with the funding mechanisms they have in place, with the bonds that are maturing and then obviously they will have another bond go out, the net tax increase for the average Keene citizen will be negligible or flat. The City Manager replied that they are talking about the increase in cost that they are talking about today, which is the additional amount of approximately \$3 million of General Fund borrowing. She continued that she has identified the capital reserve account to pay for the principal and interest payment for that additional \$3 million, therefore negating any additional impacts from the project. The project has been funded over several years, so she does not want to say the project is not impacting taxes, because it has been funded in the capital reserve, the water and sewer department, and in a number of ways. But they focused on this increase and they have a way to fund it, using that Downtown Infrastructure Capital Reserve.

Councilor Filiault stated that Senator Shaheen has come up with a grant of about \$2.8 million if he is correct. He asked if that is in the project right now. The City Manager replied no, they did not include that, because they do not have it, but they have made it through the first round. She continued that Public Works put together a competitive application to Senator Shaheen’s office for a congressionally directed funding request, for about \$2.8 million. It is focused on the sidewalk, bike lanes, expansion of the sidewalk space and green space, and things of that nature.

That would offset a good portion of the General Fund portion that they are talking about tonight, if it is successful.

Councilor Favolise stated that he appreciates Councilor Filiault's comments about the project moving forward, and he knows there will be an attempt to do this, and he is not interested in re-litigating the merits of the project. It has to happen. He continued that he has many questions, some of which he will address offline with staff. He wants to ask for more specifics around what loosening the work restrictions looks like. They are eliminating streets from the scope of the project, which in his mind should contribute to the ability to get this done on a shorter cycle anyway. One of the commitments they have made to downtown residents, consumers, and merchants is that business will be open, they will limit the number of parking spaces that are being taken up, and limit the number of storefronts being impacted at any one time. So long as they are trying to maintain the integrity of the project through this process, they also need to maintain the integrity of their commitments to the community around what this disruption will look like. He is a little uncomfortable without having more specifics about what they have in mind for loosening work restrictions.

Mr. Lussier replied that the biggest ones will be parking and the amount of roadway being disturbed at any one time. He continued that the rules of the game that they talked about, using Central Square as an example, is if the contractor is working on the section in front of City Hall, then the section in front of The Stage and The Pour House would have to remain open for people to park and access those businesses. When the contractor moves over to The Stage he will have to make the section in front of City Hall available. In terms of traffic, when they are working here, they would not also be working down Main St. in front of those businesses. They would be working in one section at a time and hopscotching around. His idea is, to make this something that can be done within two seasons, they would need to have two separate crews working at two separate locations. They would be doubling the amount of parking that would be out of service at any one time. It might be the east side of Central Square in front of City Hall and the section of Main St. from Roxbury St. to Church St., for example. All of that would be under construction at one time, and all those parking spaces would be eliminated, while two separate crews are doing separate jobs, and then they would move on to a different location.

Councilor Favolise replied that he would ask downtown merchants how they feel about that, but looking out at the crowd, he does not think he has that opportunity tonight. He continued that he has another question, as he is trying to understand how the misses on the estimates happened. He is trying to get a sense of whether those were misses by Stantec, by the City of Keene, or how they arrived at this point. He has full faith and confidence in the City Manager that they will be able to fund this in a way that makes sense, because of the years of planning, and avoid a spike in the tax rate that he knows the constituents are concerned about. He just wants to know how they got to this point with such significant misses. Mr. Lussier replied that it was not just one big item. He continued that obviously, there were some large items, but it was several different factors, as he said. For assigning responsibility, he does not want to say that Stantec dropped the ball, because he thinks they did a great job on this project. The reality is that when going through iterative design processes, unforeseen changes always come up. He himself had no idea that almost half a million dollars' worth of electrical wires would need replacing, for example.

Councilor Favolise replied that that is fair, and they all need to have realistic expectations around a project of this scope and magnitude. He continued that the memorandum in the agenda packet references eliminating bid alternates or optional items the Council previously voted to include as bid alternates. He did not hear that talked about tonight. He understands it is not necessarily a cost savings, because they are alternates, not factored in. He thinks the proposed changes largely preserve the integrity of the design approved by Council throughout the various stages of the process. He has some questions about the integrity of the Council process, regarding the Committee recommending pulling things out they have already litigated in front of the full Council this year. He asked Mr. Lussier to speak more about that.

Mr. Lussier replied that the City Attorney caught that notion earlier and pointed it out to him, saying that depending on the Council's view of this question, this could theoretically be a reconsideration of a decision the Council already made. The City Attorney can jump in, but he thinks the Council is allowed to waive that requirement. The City Attorney replied that she gives credit to Councilor Favolise for coming up with this concept. She continued that the concept that would apply to reconsidering a topic or vote that has already been done by the Council lives in the rules under Section 33. It is not strictly a reconsideration; it is when a matter in front of the Council is an identical subject matter to what they have already considered. What that means on a play by play is up to the Council. The Council created the rule and thus gets to use the rule. If something is in front of the Council and they do not think it is the same thing, they do not have to have the rule applied. When they do have something they see as identical to something they have already done that year, the rule would prevent the Council from considering it again. The Council could suspend that rule if they want to address that identical subject matter and vote on it again or vote in a different way.

Chair Greenwald asked if she is referring to the calendar year. The City Attorney replied yes. Chair Greenwald stated that to phrase it another way, they could not just suddenly say "No project."

Councilor Tobin stated that they always knew delaying would likely increase the cost. She continued that they hoped to get additional funding to cover that, and they still hope to get some of it. She is impressed with how staff has pivoted over the years in delaying it and in coming up with alternative plans when finding out the costs increased. She hears parking is a concern and having to work in larger areas. They just heard a presentation that said at peak parking times there are still 103 open spots. For her, that alleviates that concern. She could also take the approach of (saying that) people are concerned about money right now and things are especially expensive, but as she thinks about it, a lot of that is because budgets have been cut. That is the extra cost, that there is not as much assistance. She would hate to see a Band-Aid approach with people having trouble accessing businesses, in the long run when the project is complete, or that (downtown) is not a place where people want to come. Some of this is not ideal or what they had hoped for, but she feels good about the way this looks and the recommendations put forward.

Councilor Workman stated that for the record and for people at home, she wants to be very clear that the MSFI Committee and the Council have always been very clear about possibly needing to pivot as they got closer to the groundbreaking, especially regarding the aesthetic designs. She continued that however, even in January when the Council agreed to postpone the project, many

Councilors were concerned that the delay was specifically to allow additional prep time for businesses, but there was also a concern that the delay would then be used as a tactic to change the overall site plan, so she is glad to see the City's recommendations are more leaning to the aesthetic side. She wants to keep that very clear, that that was the agreement Council had when they voted in January. As they planned, they went very pie in the sky big, knowing they might have to scale back. That is what you do when you are planning. She is not concerned about that. She thanks the City Manager for explaining and for pointing out how they can make these changes without increasing the burden on taxpayers.

Councilor Workman continued that she has a question. She knows representation from the downtown merchants is not here tonight, but she is concerned about and wants their input on the change of seasons. The project has an ombudsman, so she hopes he has gone out and had these conversations with some of the business owners. To her, shortening the project sounds good, but she would feel better hearing from business owners on that. Mr. Lussier replied that that is a wonderful segue, as he wanted to introduce everyone formally to the Ombudsman for the Downtown Infrastructure Project, George Downing. He continued that Mr. Downing started with the City on June 10 and spent a little time catching up on all the work they have been doing for the past five plus years, in terms of how we got to this point and how the project evolved. He also has been going out and meeting many of the merchants.

Mr. Downing stated that he is the Downtown Infrastructure Project Ombudsman. He continued that he has walked downtown a couple of times and is starting to meet people. He has not had the conversations that Councilor Workman asked about, because the two-season proposal was still being worked through by staff and he did not feel it was appropriate for him to start proposing that. Some merchants, as Mr. Lussier alluded to have actually asked if the project can be done sooner. Most who asked that wanted one season. Thus, there is appetite for that. Once he hears what the Committee is leaning towards, he does want to start talking one-on-one and finding out how the two-season tradeoff versus the more aggressive phasing will impact the merchants and business owners. The ones he has talked to said, the faster they can get this done, the better. He hopes that is where it lands, because he suspects that is where the Committee also lands. That is the largest share of the savings you can see from these proposals. He will be reporting to the Committee monthly on what he is hearing from the merchants. Most of what he will be dealing with will be communications perspective, bringing information to people about what the scheduling looks like and what changes are happening on any given street at any given time, and connecting people in the city with the construction people directly that can help them with difficulties they are facing. Hopefully, he will not personally have to bring issues to the MSFI Committee. If something does have to come to the Committee, it will be through Mr. Lussier. Committee members are welcome to reach out to him, and his contact information is on the Downtown Project webpage. He will reach out to the Chair directly to ask what he wants to hear from him on a monthly basis.

Councilor Workman asked if they are up against a timeframe, if they were to put this on more time until they have the answers. She asked if they have to make a decision tonight. Mr. Lussier replied that he does not think there is an urgency tonight. He continued that they are planning to advertise this project mid- to late-September, so that might be delayed a week or two.

Councilor Favolise stated that he is not inclined to put this on more time. He continued that he shares Councilor Workman's concern, regarding not having heard from the downtown merchants. They have a week before the Council (meeting), and if they needed to make a change to this on the Council floor based on feedback they receive in the next week, that would be preferable than pushing this out further. His question to the Committee is whether they want to address the topic of eliminating items they previously asked to include as bid alternates here, or to let that process move forward and have the Finance, Organization, and Personnel (FOP) Committee decide when the contract comes back, and maybe avoid having to suspend the rules. That the latter would be his preference. Chair Greenwald replied that works for him.

Chair Greenwald asked for public comment.

A member of the public who did not identify themselves stated he thanks Councilor Favolise for asking the question regarding the original estimate to where they are now, and regardless of who you throw under the bus, that is not acceptable. He continued that his question for Mr. Lussier is regarding the last slide, which said "Contract Management" would be a million dollars, with no preliminary estimate. Mr. Lussier did not talk about that. He asked what that is.

Mr. Lussier replied that Construction Administration is the cost of having an inspector in the field, a project manager who will be attending meetings and whatnot. It is very typical for this type of project. For example, the FOP Committee recently approved contracts with GPI to do those sorts of services for the George St. Bridge Project and the Transportation Heritage Trail. The Construction Administration fee was not included in the preliminary design estimate; it just was not a line item on that estimate, but it is a cost the City will have to pay.

Councilor Filiault stated that earlier, when they were talking about possibly delaying things, one of the problems or concerns at the time was the unknown of how the tariffs would affect construction costs and equipment, much of which comes from Canada. From what he was hearing, construction companies were bidding high, just because they were unsure of the costs of materials. Obviously, the tariff situation has not settled. He asked if Stantec is finding that construction companies are bidding high due to being unsure of what they will be paying for equipment. Mr. Lussier stated that the Sentinel was asking him questions like this earlier today, and he will tell the Committee what he told the Sentinel – it is very difficult for him to say that a specific portion of the cost increase is due to tariffs, or labor shortages, or something else. The dataset they are using for this is the most recent DOT bid pricing they have access to so they can see what contractors are bidding on a ton of asphalt, a cubic yard of gravel in place, and so on and so forth, and the City's pricing for those projects. They cannot look into why a contractor is choosing to bid a particular item a certain way. It is hard for him to know why prices are going up; he can only tell them that these are the prices they are seeing for bid items now, versus what they saw for bid items last construction season.

Chair Greenwald stated that as Mr. Lussier was talking, it struck him that these are still estimates. They do not have any bids yet. Mr. Lussier replied that is correct. Chair Greenwald replied that maybe bids will go down. Mr. Lussier replied that he is an eternal optimist, and will say, engineering firms have incentive not to be the low bidder. He continued that with their incentive structure, it is much better for a firm to tell the City it will cost \$23 million and have it

cost \$21 million, versus the opposite. He is thus optimistic that this is a conservative estimate and that they will be pleasantly surprised when they get bids in a few months. Chair Greenwald asked when they send out for bids. Mr. Lussier replied that their target is September 15.

Andy Holte of Forest St. stated that he encourages them to proceed with the project. He continued that he thinks what has been proposed with the changes makes a lot of sense. He agrees that they should not change any of the non-proposed items. In particular, he would love for people to stop talking about trying to remove bike lanes. He did the math, and the bike lanes are less than one third of 1% of the costs, which is very small. As Councilors Tobin and Workman touched on, and as Mr. Lussier explained, it is important to keep the above-ground elements, the improvements for the crosswalks, and so on and so forth. It is critical for everyone being satisfied when the project is complete. His question is whether they know how much of the cost increases could be attributed to the decision to delay (construction) by a year.

Mr. Lussier replied that that might be possible to answer, although he does not have the answer available tonight. He continued that they would have to look at the unit costs a year ago versus now and try to break that portion of it out. He can report back to the Committee on that next month, if they want him to. Chair Greenwald replied that it would be interesting.

Councilor Ed Haas of 114 Jordan Rd. stated that he has a question for the Project Ombudsman. He continued that there was a communication to downtown building owners for interior changes that they might have, saying there might be a group-buying opportunity to purchase things like water meters, connections, or maybe even electrical services that need to be replaced. He asked if there has been any response from downtown building owners on that matter.

Mr. Lussier asked if he is referring to the communication that came from Public Works to the building owners. Councilor Haas replied perhaps. Mr. Lussier replied that to clarify, that did not address things like internal improvements, electrical servers, and whatnot. He continued that it addressed three areas. One is the section of the water and sewer utility that the property owner is responsible for. Public Works said that the City will replace up to the building face as part of the project, as they do with all their big infrastructure projects. If (building owners) would like to have a plumber replace from the building face into their basement up to the meter, they would work with them, give (building owners) a quote for that additional work, and then they could reimburse the City for those additional costs. The other piece was coordination for storm drains. If you have a flat roof, it is illegal to have the roof drains plumbed into the sewer system. They have to be plumbed into the storm drain system. That said, the City does not have an inventory of who might be connected to the sewer and who is not, so they said that if a (building owner) intends to reconfigure their roof drains, the City would love to work with them to make sure the connection the City is going to install is in the most optimum place for the building owner to connect to. The third item was ADA access to buildings downtown. Some buildings downtown do not meet current accessibility guidelines. If they (those building owners) intend to do improvements to their properties, to better make their entrances accessible, the City would try to work with them to make sure the City is meeting the correct threshold at the sidewalk and coordinate that so the buildings could have better accessibility. That was the extent of that. To directly answer Councilor Haas's question, no, nobody responded to that (letter) wanting to coordinate that or take advantage of that opportunity. Councilor Haas replied that he thinks they

should work on more outreach there. That is probably Mr. Downing's department, making sure building owners are aware of that opportunity.

Councilor Favolise made a motion to recommend that the approved scope of the Downtown Infrastructure Project be modified as follows:

- Eliminate work on Gilbo Ave. and Church St.
- Re-use existing LED fixtures to the maximum extent feasible
- Bid the spare conduit and handholes as a bid alternate item
- Loosen the contractor work restrictions in order to allow construction in two seasons instead of three

Councilor Tobin seconded the motion.

Chair Greenwald stated that the motion is missing two potential items staff recommended in their draft motion. He continued that now he understands what Councilor Favolise was saying. Those items are "Eliminate the optional shade structure on Railroad Square" and "Eliminate the optional compacting trash receptacles." He asked if Councilor Favolise is saying he wants to leave that to the FOP Committee. Councilor Favolise replied that he thinks it is a cleaner motion for the MSFI Committee to make, instead of having to suspend the rules for part of it and going back and taking out contract specifications. He is not saying to have or not have the shade structure or compacting trash receptacles when they come back. They have already had conversations about what the estimates for the trash receptacles look like. He thinks the motion that he made and was seconded by Councilor Tobin is more appropriate for right now.

The City Attorney stated that she is not sure she has enough of the context of all the decisions the Committee has made, and the Public Works Director will likely have better intricacies, but to Councilor Favolise's intent with this – which she appreciates – she does not know if the way the motion is phrased will avoid the Council determining that this is a similar matter. As she explained earlier, it is the Council's prerogative to determine how Section 33 applies, if what they have in front of them is substantially identical. This motion and what is being proposed will probably require the Committee to analyze that and determine whether what they have in front of them is in line with what they decided before, or if it changes a decision or vote they have done before. It is a specific inquiry. She encourages them to review it before they vote.

Chair Greenwald stated that if he understands what the motion is, if there is a desire to eliminate the shade structure and the trash compactor, that would be done at an FOP Committee meeting when the funding is approved. He asked if that is correct. The City Manager replied that she thinks that is what Councilor Favolise is saying. She continued that she thinks the reason staff put it in this recommended motion is because it is just extra work for the contractor to bid on it if the City Council know it is not something that is likely to be approved. But when the bids come in, the FOP Committee will be wrestling with all sorts of things to make sure that the bid is in line with the available budget amount at that time, so they will be making recommendations about other bid alternates at that time as well.

Chair Greenwald asked if he should expect there will be a separate number for each of those identifiable in the bid. Mr. Lussier replied yes. He continued that his thought process in including those in the recommendation was, as the City Manager alluded to, that he does not like asking contractors to prepare quotes for something the City knows they will not buy. His other thought was that both of those items are very easily added at a later date. If they build Railroad Square and then decide in, say, five years that they really want that shade structure, it is a simple matter to install a shade structure on top of the existing, finished surface. He thought those were thus easy items to take off the table. That said, if the Council wants to know what those are going to cost, they can include those in the bid and that is that. Chair Greenwald replied that he would recommend that.

Councilor Tobin stated that she imagines with some of these, the conversation would be the same as it was at Council last time, about whether to include them or not, and likely, they would end up adding them as bid alternates. She continued that she thinks that is what Councilor Favolise was trying to avoid, which she did not understand at first. She thinks he was trying to simplify it for Council a bit so they were not unnecessarily debating a lot of things.

Councilor Favolise stated that the impression he is getting is that his attempt to simplify things was unsuccessful. He continued that he made his opinion about the trash compactors clear, based on his initial vote for the cheapest option. It is not about wanting to be married to the shade structure or to the trash receptacles. They are obviously in a budget environment now and some bid alternates will need to be cut. For him it is a process question and about simplifying the process and making sure decisions are being made at the committees they should be made at.

Councilor Filiault stated that he could go either way. He continued that he would have preferred they stay on the recommendation to eliminate here because he remembers that neither of these options had strong Council support, certainly not majority support, based on cost and talking about eliminating things that are not absolutely necessary. He cannot remember even more than one Councilor speaking positively about the trash compactors. He will go along with this motion, but he would prefer those two items get added to the motion. These two items have no popular vote among the Council, from the last vote he remembers being taken.

Chair Greenwald asked if Councilor Filiault wanted to amend it. Councilor Filiault replied that he wants to hear what the other Committee members are thinking. He continued that he does not want to be arguing amendments all night.

Chair Greenwald stated that he would support an amendment to remove those items. He asked what Councilor Workman thinks. Councilor Workman replied that she does not have a strong opinion either way. She continued that she is fine getting the amounts from the FOP Committee. Councilor Favolise stated that he will stick with the motion he made.

Chair Greenwald asked for further comment from the Committee or public. Hearing none, he asked for a vote.

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends the approved scope of the Downtown Infrastructure Project be modified as follows:

- Eliminate work on Gilbo Ave. and Church St.
- Re-use existing LED fixtures to the maximum extent feasible
- Bid the spare conduit and handholes as a bid alternate item
- Loosen the contractor work restrictions in order to allow construction in two seasons instead of three

7) Adjournment

Chair Greenwald stated that September 3, 2025, the MSFI Committee will be having a Special Meeting, because so much material has come forward for the agenda.

There being no further business, he adjourned the meeting at 8:57 PM.

Respectfully submitted by,
Britta Reida, Minute Taker

Edits submitted by,
Terri M. Hood, City Clerk