

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES & INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Thursday, April 29, 2026

6:00 PM

**Council Chambers,
City Hall**

Members Present:

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

Staff Present:

Elizabeth A. Ferland, City Manager
Brandon Latham, Deputy City Attorney
Bryan Ruoff, City Engineer
Andy Bohannon, Deputy City Manager
Carrah Fisk-Hennessey, Parks and Recreation
Director
Chelsea North, Parking Operations Manager
Steve Tenney, Police Captain

Jay V. Kahn, Mayor

Members Not Present:

Molly V. Ellis

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

1. Brittany Williams – Concerns Relating to Cars Congesting Royal Avenue During School Pick-up

Chair Greenwald asked to hear from Brittany Williams.

Brittany Williams introduced herself and her husband, Gary Williams. She stated that there has been a huge problem with their street, Royal Ave. They live directly across from the back entrance to the high school. Every day when parents pick up their kids, they park on both sides of the street, and she and her husband cannot get to their house. At times, she's had to wait 20 minutes to get to her house, and many times she cannot get out of her driveway because of where people are parked. Many of their neighbors are senior citizens, and anything could happen in the 30 minutes when the road is blocked. One time, she asked a mom to please move her car, because she was parked where no parking is allowed. The school even emailed parents telling them not to park on Royal Ave. to pick up their kids, saying it is not part of the high school. She understands that many students do not ride the bus and the parents do not want to sit and wait at the high school, but it is not okay for parents to arrive at 3:00 PM and park until their kid exits the school, which is sometimes almost 4:00 PM. When she asked that mom to move her car, the woman acknowledged that she heard, but she did not move her car. When she (Ms. Williams) began to walk away, one of the woman's children hit her (Ms. Williams) with their door and asked if she lived there. She told them yes, she does, and that she needed to get into her home. This is a huge issue.

Chair Greenwald asked if it is correct that cars are parked on both sides of the road and are blocking the Williams' driveway. Ms. Williams replied that the cars block the whole road from the beginning of it, not just their driveway, but all the way to Dort St. She continued that a small bus comes to pick up students from the back, who had to walk down half the street to get onto the bus, because the entire road was blocked by cars.

Chair Greenwald asked to hear from City staff.

Steve Tenney, Police Captain, stated that he is here to address Ms. Williams' concerns. He continued that the KPD understands her concerns. Currently, two parking Ordinances are in place for half of that neighborhood. One is no parking from 7:00 AM to 3:00 PM on school days. There is some other specific language for certain roads that encompass the nighttime hours, too. Those Ordinances were made to prevent that neighborhood from becoming a parking lot, not so much for pick-up. When those Ordinances were adopted, high school students parked there, and parents parked there for games. In the last couple of years, increasingly fewer students ride the school bus, and this is the third school he can think of where they have had this problem. For all three, they are still working on solutions. To further complicate this issue, the high school recently added the TNT building, which faces Royal Ave. He assumes that is where most of these students come from. Also, the high school changed the school times, so the current Ordinance does not cover when schools let out at 3:30 PM now. He recalls that when these Ordinances first came out, there was some pushback. There was a lot of support for Royal Ave. not becoming a parking lot, but the "no parking" hours restricted parking for residents also. Thus, if someone had a family function or a cookout, people could not park on the street for that, either. The concern is that if they restrict the Ordinance more, they might get the same pushback from residents. Another concern is that certain streets in that neighborhood are not posted, so further restricting Royal Ave. might just push the problem further into the neighborhood. He does not know the answer to whether that would happen, but the KPD has seen that happen before.

Capt. Tenney continued that Ms. Williams had an idea of somehow permitting a loading zone, allowed on one side of the street. Maybe that would alleviate some of the congestion on both sides of the street. He does not know if that would work; it might be an engineering question, but it is something to think about.

Chair Greenwald asked if it would work to have "no parking" on one side of the street. Capt. Tenney replied that currently, both sides of the street are "no parking" from 7:00 AM to 3:00 PM. Chair Greenwald asked about parking versus standing. Capt. Tenney replied that he thinks the Ordinance covers standing and stopping. He continued that from an emergency standpoint, most of these cars are occupied, so he has some confidence that if an emergency services vehicle came in with its lights on, the cars would move, but it does not alleviate the problem of these cars blocking the Williams' house.

Councilor Favolise stated that in thinking back to the conversation this Committee had regarding the situation with the Gathering Waters school, by the time that got to the Committee in its final form of discussion, they had some background and context regarding the conversations between the neighborhood and school officials. He asked Ms. Williams to share what her communications

with the high school have been like, beyond the email the school sent out. He does not think there is a way to solve this successfully and sustainably without some buy-in and partnership from school officials.

Ms. Williams replied that she has talked with the School Resource Officer (SRO) several times and spoken with the Principal a couple of times. She continued that they told her they would go out and take a look, and that if she was having issues, she should call the KPD. She called the KPD several times, and she emailed her Ward Councilor at least three times, which he forwarded to someone. She did not receive much response. A KPD Officer told her they would go out to the area and try to keep an eye on it. She has not personally seen any KPD Officer come by, on foot or in a vehicle. The school sent that email to parents, saying they are not supposed to pick students up from Royal Ave., but it “fell on deaf ears.” She reached out on social media to see why people are parking like that on Royal Ave. One mother replied that she did not feel like waiting until 4:00 PM to pick up her child, because buses pick up students first at the high school and then parents’ pick-up is second, and it was inconvenient for this mother to wait.

Capt. Tenney stated that along with the City Manager, the KPD worked with Gathering Waters to create a different pickup plan, but unfortunately, that involved a secondary street, so it is kind of the same problem as they have now. He continued that the only other option is the back access road that is usually locked. He does not know if the high school would be amenable to opening that just for pickup. That might create more of a traffic problem on Arch St., because traffic would have to go through Royal Ave. and exit onto Arch St. It might be a situation in which fixing one problem creates another, but they could talk with the school district about it.

Chair Greenwald asked if there is a gate at the high school that could be closed so that you cannot walk to Royal Ave. Capt. Tenney replied that he does not think there is a way to restrict pedestrian traffic, no.

Councilor Workman stated that as Councilor Favolise pointed out, the Committee has heard about this issue at other schools in the City. She continued that she and the City Manager have met regarding parking and speeding issues near this area. She wonders if it would be helpful for there to be a joint workshop between the City, the SAU, and the PTA, to have a full discussion. She feels for the residents, who have been using all the correct pathways that are available to address this issue. They are even trying to address it directly with parents, and faced with hostility, which is concerning to her. She would like to really address this, not on a case-by-case basis, but on a City and systemic basis, with SAU29 and the local parent councils. Residents in the area want to be part of the neighborhood and like living near schools, but parents need to be respectful of the neighborhood as well. And it becomes a safety issue, so she would like to see it addressed on a more citywide basis.

City Manager Elizabeth Ferland stated that Gathering Waters would not be included in a meeting like this, because it is a separate charter school, but her question for Capt. Tenney is whether there have been neighborhood conflicts like this with other SAU schools. Capt. Tenney replied that he would have to check notes, but he believes that in the beginning of the year there was an issue in front of Franklin School, with the pick-up line working its way down the road and sometimes in traffic. Chair Greenwald replied that he thinks with Franklin School, there was an

issue with cars sometimes blocking residents' driveways. Capt. Tenney replied that he thinks it is more about how as you get further south down Washington St., cars ran out of places to stage for their line and would just stop in the road.

Chair Greenwald asked if it would be useful for KPD staff to meet with school officials. Capt. Tenney replied yes, when these issues come up, the KPD does talk with school officials. He continued that as Ms. Williams said, the KPD has had the SRO speaking with high school staff, and he has walked out there himself. The day shift supervisor has followed up with the drivers of some of the cars that they could identify via license plate numbers from photos people have provided to them. They have tried to take some other steps to quell the situation.

Councilor Workman stated that she wonders why so many parents are now picking up their kids, versus using alternative options. She continued that she wonders if that is a larger issue that the City can address in some other way, and whether the school districts have policies that would make it more walker-friendly or reduce the number of parental pickups. Again, it would be helpful to have this conversation with all parties present, to better understand the issue. Chair Greenwald replied that it sounds like a good idea, but he does not think they will change the habits of parents picking up their kids. He continued that the problem is that the high school's pick-up process is long and difficult and people try to find some way around it. He hopes City staff can meet with high school staff before they turn this into a whole public hearing.

Councilor Tobin stated that her question is what direction parents are getting from the school. She continued that typically, they expect entities to manage the parking and traffic that their organization or business creates, and that is why the City has guidelines around that. She would expect that the school is giving parents specific directions about when, how, and where to do drop-off. It feels like that direction should be coming from the school, and the City should be holding the school accountable for providing that direction.

Ms. Williams replied that the school did put that information in the email to parents, regarding how to pick up, the times, and the location. She continued that the email even included a map with instructions, and it said not to park on the street.

Councilor Tobin stated that to clarify, what she means is not just that the school should be telling people where to go or not go, but that the school should also be creating a timeline that actually works. She continued that if the direction is "don't park here," and "arrive at X time," and they are directing everyone to do that, that is not really directing traffic flow, that is only managing the immediate piece of the puzzle. Following the map, if you are not allowed to drop off until such-and-such a time and you have five minutes to do it, it is going to create a line of cars, but providing more direction, like not arriving before X time because you will not be able to drop off until Y time, is more what she meant.

The City Manager replied that she agrees that it is up to the schools to manage this issue, and that probably means they need to have staff members outside in that area during drop-off and pick-up time, when they are aware of recurring issues in the neighborhoods. She continued that it is not fair for them to expect the KPD to be managing it for them. She would be happy to follow up with the school and the KPD and see if they can get some traction and then report back to the

Committee. Chair Greenwald replied that would be great, because otherwise, without Ordinances and laws and “no parking,” it will not go anywhere; it will just be frustrating.

Chair Greenwald asked if anyone else wanted to speak to the issue. Hearing none, he asked for a motion.

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

The Municipal Services, Facilities, and Infrastructure Committee recommends that the communication Concerns Relating to Cars Congesting Royal Avenue During School Pickup be placed on more time to allow for City staff to initiate discussions with School District staff.

Chair Greenwald asked for comment.

Jennifer Sizoo of 10 Fairfield Ct. stated she wonders if the timeframe could be changed. She continued that she wonders if parking could be always prohibited on one side of the street, and prohibited on the other side at certain times, Monday through Friday, or something like that. Chair Greenwald replied that that is a creative idea. He asked the City Manager to write that down.

The motion passed on a vote of 4-0.

2. CONTINUED DISCUSSION – Concerns with Parking on Marlboro Street and Enforcement Measures

Chair Greenwald stated that Terry Bishop had sent a communication regarding concerns with parking on Marlboro St. He continued that City staff has been working on it, and now City staff have a report for the Committee.

Chelsea North, Parking Operations Manager, stated that she does not have much of an update, because Marlboro St. has been very quiet, in terms of parking. She continued that over the four-week period, a total of five tickets were issued for overtime parking, and that was with enforcement every two hours between 8:00 AM and 5:00 PM, six days a week. Only one ticket for overtime parking was issued in those two spaces that were of main concern. The other four were in other areas of Marlboro St.

Chair Greenwald replied that City staff did what the Committee requested, and they appreciate it. He continued that they will not really find out what is happening until new ownership at Romy’s is in place, and the restaurant is open. At any rate, the City has addressed the letter and the concerns, and he thanks Ms. North and staff.

Chair Greenwald asked if there was any other comment. Hearing none, he asked for a motion.

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

On a vote of 4 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the communication Concerns with Parking on Marlboro Street and Enforcement Measures be accepted as informational.

Chair Greenwald stated that before moving to the next agenda item, he wants to acknowledge and welcome the Boy Scouts troop in the audience. He asked where they are from. Brad Kay, Assistant Scout Master for Troop #302, stated that the scouts are here today to see how a meeting works, and they are working on their citizenship in the community merit badge. Chair Greenwald thanked them for coming.

3. Communications – Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park

**Robert and Sandra Hamm
Barbara and Frank Richter
Vicky Morton
Tom Duston**

Chair Greenwald stated that the communications from the people listed are part of the record. He asked if any of them would like to speak to their letters, or if City staff would like to speak first.

Andy Bohannon, Deputy City Manager, stated that he and the Parks and Recreation Director have both been working on this. He continued that before the Committee is a discussion related to the parking lot at the skate park. He noted he would give the chronology of how they got to where they are today, to help people understand. When this project for the park was first proposed, staff had a conceptual design created for the project so that it could be moved forward and awarded through the Land and Water Conservation Fund (LWCF). That is a highly competitive grant, focusing on access to whatever amenity is being built. If there was not access before, LWCF wants to see access to the amenity. The boxes were all checked. They had a skate park, a parking lot, and some bioretention area and green space. This project was a little complicated, because at the same time, they had the demolition of the Findings building. They had acquired a grant for the demolition, but the funding fell short through the bid process, so he reached out to the LWCF supervisor at the State and asked if the City could use funding through the grant for the demolition. That had not been part of the original proposal. LWCF agreed and said they could do an addendum, which was submitted and approved by the National Park Service. Thus, the City could use funding they were going to use for the parking lot for the demolition of the building instead.

Mr. Bohannon continued that they completed the demolition, which involved water and soil testing. The NH Department of Environmental Services (NHDES) report said they wanted more water and soil samples, and they felt there are some contaminants because the parking lot in the Findings area was removed. The City worked with Terracon consultants, who found that there were contaminants, and said the City needed to encapsulate this area back to what it was when there was a parking lot there. However, the parking lot would not need to be so large – it could be a small one, just in the contaminated area. That would satisfy NHDES and LWCF. When he talked with LWCF after last week's City Council meeting, he told them what was about to

happen and asked about the status. All of the City's paperwork is in to the State, related to the next steps going forward to the National Park Service for this project. He asked what would happen if the Council decided to pull the parking lot from this project, and whether they could repurpose the area. He asked what would happen if the City did not encapsulate the area. LWCF said that would mean the City would be taking away access to the skate park, and the LWCF would pull the funding. The City would not receive the grant. They would have to resubmit for a grant in the future, and it would not be scored the same way, because they would no longer have access to the skate park as they originally intended, and the City would be very unlikely to receive any additional money for the skate park project or "Russell Park 2," which is the technical name for the LWCF grant.

Mr. Bohannon stated that it is staff's understanding that if they remove the parking lot from this site, they lose the \$75,000 that was contingent upon that development. With that, they have received several letters. He reached out to Barbara Richter, and wanted to touch base related to her letter, which was the basis for all the other letters. They came up with some solutions. She understands why the parking lot would need to exist, related to the NHDES. She would like the City to explore options, but she understands there might not be any, and to work with the neighborhood related to various plantings. She sent the Committee an email this afternoon about possibly minimizing the parking spaces. Currently, 13 spaces are designated in the creation. She would like to minimize that if possible, and redesign it a little bit so it is not so big. Staff can work with the engineering team related to that, and address some of the stormwater and vegetative areas. At Russell Park, behind the playground is a water retention area. Originally, that was going to be expanded, but the City could not do it, because they did not own the Findings property when they were designing Russell Park. The City did not acquire the former Findings property until after Russell Park was built. Otherwise, they probably would have been able to help that wetland area a little bit further into that area. Ms. Richter mentioned that there is funding out there the City might be able to work with, to help mitigate that wetland area. He and the Parks and Recreation Director agree that these are feasible ideas. Just moving the parking lot forward would be good.

Chair Greenwald asked how big the parking lot is. Mr. Bohannon replied 13 spaces, so approximately 85' x 65'. Chair Greenwald stated that people have asked if it is correct that you cannot build housing in that location. Mr. Bohannon replied that the land is encumbered under LWCF funding. He continued that the City accepted grant money for the creation of the skate park. The whole lot of 160 Water St. and Russell Park are encumbered by this fund for perpetuity, so they cannot do anything other than a park. Chair Greenwald asked if it is correct that it is also a floodway. Mr. Bohannon replied yes.

Ms. Fisk-Hennessey stated that regarding the idea of moving the parking lot, the KPRD opens itself to many different opportunities, and staff are currently in the beginning stages of planning a large-scale pollinator garden in that space. They are proud that Keene is a Bee City USA, and this would help that designation. They plan to reach out to the Cheshire County Conservation District, the East Keene Neighborhood group, the Conservation Commission, and local Master Gardeners as this planning process progresses. Staff also continue to accept donations through the Branch Out for Parks tree donation fund. Some people in the audience tonight have already donated to that, and staff are excited for the donations to continue so they can do some

thoughtful planting in the places the donations have earmarked. Another conversation and question has been the community gardens. At this time, the community gardens that they have just opened and redeveloped at the Monadnock View Cemetery will be the community gardens that staff can successfully maintain and offer to the City. This (skate park location) would not be an ideal place for even raised beds, because the KPRD does not have the infrastructure in place to support raised bed gardening there. There is ample opportunity for people to use the community garden at Monadnock View Cemetery, which is at about 1/3 capacity right now. They want to reiterate that efficient use of City resources is essential as they move forward in anything they build or design. If the biggest hurdle to community gardens is transportation from one side of Keene to the other, staff would love to explore the transportation opportunities the city has available, such as coordinated rides, community partnerships, the City Express, or something else.

Chair Greenwald stated that he likes that staff is being responsive to concerns. He asked if any of the letter-writers wanted to speak.

Vicky Morton of 275 Water St. stated that she is still disappointed that it has to be a parking lot instead of another use. She continued that she is not sure whom they are providing access to this parcel to, in that the people who drive to the skate park, park along Carpenter St. or the parking lot at Pat Russell Park. Tom Dustin, if he were here, would tell them that his apartment looks out over this section of the park, and the parking lot is rarely full, if ever. She has only seen it filled when there are games happening on the field. She understands why the space has to be a parking lot, but the “why” does not mean it is the best solution to this. The other side is, she appreciates that there is a plan for some planting at the park, because she and others in the neighborhood have been asking what will happen to all of the landscaping in the downtown area when the downtown is under construction. They would gladly receive any of that landscaping that can be transplanted into Pat Russell Park. The East Side Keene group has yet to see a real planting plan for the park. The other question she sent last month, which was forwarded to the City Manager, was about the granite pieces stacked up on Island St. The pile is now gone and she does not know where it went, but her suggestion was for the City to use some of those to create architectural or visual enhancements to the park’s walkway. Her last point is: the East Side Keene group formed about four years ago because they were unhappy. They have tried to make headway, and in some cases, they have, and in other ways they have not. She wishes that the departments making decisions about what happens on the east side of Keene would reach out to the East Side Group prior to some of the presentations that come forward. Then there would not be a letter-writing campaign when the east side residents disagree or have more questions. Speaking on behalf of the group, they would welcome discussions with staff from the KPRD, Public Works, and Community Development. She would rather they work hand in hand, than to have a letter-writing campaign to ask questions or state why the east side residents do not like certain ideas. That kind of relationship would be much more efficient and effective.

Chair Greenwald stated that he sees that Councilor Haas would like to speak, but he also sees that a quorum of Councilors is present, so another Councilor will need to step out while Councilor Haas speaks. He continued that he will also caution Councilor Haas against expressing an opinion about how he might vote on any issue.

Councilor Haas stated that it was great to hear City staff members' reactions to the letters, because many people in the room were not privy to the response to Ms. Richter's letter this afternoon. Many people here are very interested in the idea of having an alternate plan going forward, with local Master Gardeners involved. He thinks they have a great plan for going forward. The initial reaction was a desire to cap differently or put something different on top of whatever cap there is. He heard that the reasoning behind where they are was a matter of timing with property acquisition and a matter of when the grants came through and when the City could get the money. That is all fine. He thinks people are looking for the answers to the two questions: whether they can cap differently, and whether they can put something different on top.

Ms. Sizoo stated that she echoes what Ms. Morton said. She continued that she appreciates that they were going to reach out to the East Side group. She feels like it is too adversarial right now and would like to start from a different angle. She was thinking about how there is no shade by the skate park, and the skaters would like shade and some paths. She wonders if there is a way to just put up parking for seniors and handicapped spots and then have a pavilion with solar and some picnic tables. That is an idea for something beyond parking. She talks with the skaters about what they would like to have, and besides more skating area, it is shade.

Joe Schapiro of 285 Church St. stated that he knows almost nothing about mitigation of contaminated soils. He continued that he understands from tonight's presentations that much of it is dictated by grants, which he is not knowledgeable about, either. Living a couple of blocks from the park, he is grateful for all the work the City has done. It is an incredibly well-done, beautiful park. He is concerned by how sparsely populated the park is. Maybe it is a matter of timing, and it will happen, but currently, he often sees just one family at the playground. He has been thinking of what they could do to draw more people to the beautiful park. It strikes him that a parking lot will not be that draw. They need more people there. His understanding is that the parking lot is far away from the skate park. He believes it will be one more empty thing just sitting there, just because the City got grants dictating that. He encourages them to take the time to think about how to cap the necessary parcel and satisfy the grants, in a way that creates an activity more people will come for. That could be a great opportunity. He personally does not have any great ideas about what it should be, but he knows the pickleball courts on the other side of town are quite crowded with overflow. He hopes that instead of unnecessary parking, this will be something that draws people to the beautiful Pat Russell Park.

Andy Holte of Forest St. stated that like many people here, he does not like the idea of a parking lot, but it was useful to learn about the history. He continued that it sounds like there are two aspects as to why this has to happen: the remediation of the soil, and the grant. It sounds like there would be alternatives for capping or dealing with the soil, if the grant did not require a parking lot. Thus, he thinks they should focus on the grant aspect and see if there is a way to get rid of that requirement. It sounds like the LWCF is focused on there being access to the park. It sounds like there is plenty of parking nearby and plenty of access, and the rail trail is right there. He wonders if there are ways to prove that plenty of parking and access exists, such that a parking lot is not necessary. Then, there would be plenty of other ways to improve the space. He agrees that it would be important to have something more useful there to draw people to the park. The park is already such an improvement, a growing hub for the neighborhood, so drawing people there with attractions would be much better than a parking lot. He also thinks community

gardens would be a great use there, and he understands there might be some limitations, but he encourages more conversations with the community gardeners who have used the west side, if there is a desire for that space on the east. He thinks that is worth trying to make happen.

Robert Hamm of 89 Valley St. stated that he has concerns about the notion of simply capping an existing issue and leaving it for future generations. He continued that he would love to see if there are other proposals for dealing with the issue of contamination. He stands by his letter and those of his neighbors. It would be a shame to just let it be. They do not need the parking. He would love to see more consultation with the neighborhood to see what might work best.

Councilor Chalice stated that she lives in the east side, and she, along with the two Councilors from Ward 2, all voted against transferring this funding specifically for the issue of the parking lot. She continued that she agrees with Mr. Hamm that passing this on to another generation is not working well for society as a whole. She would like to know that the City has explored remediation possibilities. They are talking about a foot and a half of soil for railroad contaminants. She appreciates the explanation of the details. She looks forward to the community process of looking at what other aspects, and how this entire square area, including expansion of the detention area, could happen. Detention is an extremely important aspect for this part of town, which is the lowest area. Detention is a great idea and offers the combined uses of a pollinator garden and all kinds of things. She understands that \$75,000 is a lot of money, but if it will not meet the needs of the community, maybe they should not accept it. They have a nearly completed park with one part that has not been addressed yet, and she looks forward to feeling confident that the City Council can go through a process that acknowledges all the concerns in an equal fashion and move forward from there.

The City Manager stated that they need to come up with a remediation plan, and if the Council were to decide not to do a parking lot and not accept the funds, there is no current funding in the budget or the CIP to bring on an environmental engineer, come up with an alternative capping solution, or funds to then pay for it, so she gets a little nervous about that, especially when the City has a lot of other things going on. She continued that she thinks the Deputy City Manager and the KPRD Director have worked to come up with some compromise, and that is potentially shifting a bit of the parking lot location and adding these pollinator gardens and other ways to activate the space, which is really beyond what they are talking about tonight, but what she is hearing and has heard in the past is that there is a definite interest in continuing these conversations. She hopes the Committee moves forward. Tonight, there is no suggested motion before them. It is just that the letters have come in. This project has been making its way through, and the action that will come to the Council at some point will be to accept those grant dollars. If the Committee decides to recommend not accepting those grant dollars, that would put an end to this phase of the project, and they would have to come back and talk about how to fund a different way to remediate the contamination on site.

Chair Greenwald stated that he thinks staff have heard all the concerns, and for the actions that Councilor Chalice suggests, he believes just the consultant alone would cost over \$100,000. He continued that if this could be done with attractive landscaping and some of the other features that have been discussed, he thinks it will turn out well. He feels better hearing it is only about 85' x 60' instead of a huge, sprawling parking area.

Mr. Bohannon stated that when they had envisioned this space, it was not just to serve Pat Russell Park and the skate park, it was also to serve the rail trail and the ball courts, because of the proximity to those. He continued that it almost works as a trailhead for the Cheshire Rail Trail. There is a little bit of parking on Eastern Ave., and as they go forward with the Transportation Heritage Trail and really develop that, this location serves as that trailhead amenity for the trail system. Through the UNH Cooperative Extension study, they know the trail system can bring in over \$1,000,000 to the community just from people visiting with their bicycles. Thus, adding another trailhead as another component to this particular use is certainly worthy of the traffic it might generate.

Councilor Tobin stated that she has a lot of questions. She continued that one is whether there is a map she can see, to understand the exact location they are talking about. In terms of access and the grant, she wonders if they are required to provide access specifically for vehicles, or if they could provide access for, say, bicycles. In terms of how people are already accessing the park, she wonders if they have considered what adding a driveway there would mean. If many people are already getting to the park by skateboard, creating a driveway that would intersect with skateboarders could create a potential point of collision. There would be skaters, walkers, bikers, and now vehicles driving across that to access the driveway.

Mr. Bohannon stated that regarding Water St., that would be a street entrance, and engineering would make sure they hit all the codes and standards they need to meet. He continued that they certainly have thought about this to the degree of knowing an individual would need to walk or be on the crosswalk from up Water St. down to Carpenter St., and this access would create a little bit of a shortcut for that, so they would need to create something for pedestrians. He wants people to keep in mind that what staff is proposing is conceptual. This is not like a bid document. They needed to see a parking lot that fit over that area and put it in for the grant application. They still have time to define this, is what he is trying to say. They can definitely provide pedestrian access.

Councilor Tobin stated that she does not think they are talking about the same thing. She continued that they would be causing a break in the sidewalk to add this driveway that will be created. That is her concern. Her concern was not that pedestrians needed access to the parking lot, but rather that pedestrians and people who get to the skatepark by skateboarding would be crossing the newly-created driveway. The Council has heard that most skaters get to the skate park via their skateboards. When they went through the Roadway Safety Action Plan, they determined that one of the major sources of accidents was having two or more modes of transportation intersecting. Where this driveway will be created, they will have three modes of transportation coming together there.

Mr. Bohannon replied that he understands what Councilor Tobin is saying. He continued that yes, this will be another driveway access along Water St. There are similar ones across the street and across the bridge. He thinks for proper signage along the sidewalk along Water St., they meet that with all of the City standards on any driveway access that would come through. With whatever they create, as they did with Russell Park, they will have all of those safety measures put in place.

Chair Greenwald stated that as Mr. Bohannon said, this is just a concept. He continued that whatever is designed will show landscaping, lighting, and all the rest, so all the concerns will be addressed. If they are not, there will be a time to vote.

Councilor Tobin stated that regarding the access to Pat Russell Park, right now there is access for vehicles, but there is not a safe way for pedestrians to access that. She continued that it ends up feeling like they are cutting off a lot of the pedestrian access points.

Councilor Haas stated that there is no recommended motion tonight and no action to take, but he heard that staff will create some kind of advisory or consulting team to work with the local residents and local Master Gardeners and come up with the final design that they were just talking about. He continued that if that is the conclusion they have tonight, he thinks that is a good conclusion, and he looks forward to that happening.

Pete Moran stated that only one of the pickleball courts on Water St. is usable, so that needs to be remedied. He continued that he has yet to see anyone play pickleball there this year, whereas in previous years, people would. He asked if there is any potential allowance for expansion of the skate park, because the initial one was a lot smaller than the previous one. Kids love the skate park, but it is too small. Somehow, some space should be set aside for expansion; maybe the existing warehouse building. It is too bad that the City did not buy it. With all this conversation, they need to look at the kids. That is the intent.

Andy Holte stated that he echoes what Councilor Tobin said. He continued that they can check the boxes and mitigate the risks with proper signage, but they should be thinking bigger picture. He likes the point that this should be about the kids, and they are arriving by skateboard, not by car. Even if the City is building things the proper way and following the Code, it would be introducing more vehicles a creating a conflict with children. The number one killer of children in America is firearms, and the second is vehicles, so they should be thinking not just about checking boxes, but conceptually, what is best for these kids. A parking lot would add a threat, which is another reason not to have this. Regarding the trail access point, trailheads should be on the outskirts of the City, to allow people to come in. Drawing vehicles in to park inside the City and bike out is the opposite of what they want. There is trail access on Eastern Ave. at the other side of the rail trail, which is a great spot, as people park there and bike into downtown. Parking by the rail trail downtown and going out is not as productive.

Chair Greenwald asked for further comment. Hearing none, he asked for a motion.

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

On a vote of 4 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the communications, concerns, and recommendations regarding the proposed parking lot at the skatepark be accepted as informational.

4. Councilor Williams – Request for Consideration of an Ordinance Amendment to Allow Leashed Dogs in Woodland Cemetery

Chair Greenwald asked Councilor Williams to address his request.

Councilor Williams stated that before anyone refers to him as “the dog Councilor,” he wants to note for the record that he does not even have a dog. He continued that however, he lives in the Woodland Cemetery neighborhood and sees people walking their dogs there frequently, despite the large “NO DOGS ALLOWED” signs. It is unfair that the dog owners who follow the rules do not get the opportunity to have their dogs in the park, whereas the ones who break the rules have their dogs there frequently, and frequently off leash. People have their dogs in the park but are being scofflaws in doing so. He thinks if the City tightened the rules, maybe they would get better compliance. One reason he thinks it would be a good idea to allow people to walk their dogs in the park is because it puts more eyes on the ground. He hears concerns from the neighbors about the safety of Woodland Cemetery. A mother who lives near it does not let her children play in it. Her children could walk to school through the cemetery, but she does not let them, because some sketchy characters hang around. He frequently finds beer bottles and similar items there. There is a lot of shady behavior in the park. Dog walking would create more foot traffic, which might provide a deterrent.

Councilor Williams continued that he proposed the idea of allowing leashed dogs in Woodland Cemetery and received a phone call from Mr. Bohannon. They had a good conversation, and Mr. Bohannon raised some valid concerns. One concern was the way people who have loved ones buried in the cemetery might feel if dogs are there doing their business. That is a problem they should look at and try to mitigate. He thinks that creating some guardrails around having dogs in the park could mitigate some of Mr. Bohannon’s concerns. He is asking to try something new here, and maybe it would not work. Maybe it would be a bad idea and dog excrement would be everywhere. He would suggest a trial period of one year, and if it seems like it has not been successful, they do not have to renew it. It would be important, if allowing dogs in the park, to require them to be leashed. There is currently a problem with unleashed dogs in the park, probably from people thinking that if they are already breaking the rules by bringing their dog in the park, they might as well unleash them. However, he suspects that if leashing your dog becomes the expectation and there is signage and a potential fine of \$50 or \$100 for unleashed dogs, they could set the standard. In addition, the City should set expectations for where dogs are allowed to relieve themselves in the park. They do not want dog waste on graves; they want dogs staying on paths. There are a few places in the cemetery, away from graves, where they could set up one of those trash cans with dog waste bags, which they would expect people to use. He knows it would not solve the entire problem and there will still be some people breaking the rules by allowing their dogs to break the rules, but most people could learn and follow the expectations. Overall, he frequently hears community members’ concerns about safety in the cemetery. He got this idea from a community member, in conversation about the problem. He thinks the City should think about it and try it for a year.

Chair Greenwald stated that he has a question for the City Attorney. He asked if this would be an Ordinance with a sunset clause. Deputy City Attorney Brandon Latham replied that that is one way to do it. He continued that other options might include looking at enforcement policies rather than an Ordinance, which is something he could get into with the City Attorney over the next week. Chair Greenwald replied that he cannot recall any other sunset Ordinances.

The City Manager stated that they were thinking about the same sort of question, regarding how to accomplish a trial period for a year. She continued that during the COVID pandemic, the City had a mask Ordinance that kept sunsetting, and the Council kept renewing it. That provided the Council the opportunity to look at the situation and see whether they could let it sunset or if they wanted to renew or extend it. That is potentially one way to accomplish what Councilor Williams is talking about. Chair Greenwald replied that he thinks it would be confusing to the public, but it is a creative idea.

Councilor Favolise stated that his question for Councilor Williams is if the intent of only doing this for Woodland Cemetery is to have the trial period, or if there is something specific about Woodland Cemetery, or if it is the safety concerns Councilor Williams has heard about there. He continued that he has some thoughts about doing this in just one cemetery versus all the City's cemeteries. Councilor Williams replied that his view is that probably every cemetery or neighborhood is a different situation. He continued that he would like to do it in just this cemetery rather than citywide, which would bring in a lot more scope, some of which was never intended. Maybe it would be appropriate to do the same thing for each cemetery, and perhaps they can look at the experience of Woodland Cemetery when they consider it. He would hesitate to say that what is appropriate for Woodland Cemetery is appropriate for all the others.

Councilor Tobin stated that she has concerns. She continued that she does see dogs in Woodland Cemetery, including some off-leash dogs going after leashed dogs. She talked with a woman she saw in Woodland Cemetery planting flowers and bushes, who said she was the last of her family and would probably be dying soon. She was planting her favorite flowers at her husband's grave. She (Councilor Tobin) thinks about how special and important that is, and she thinks about dogs going to the bathroom there. More and more lately, she has been seeing dog waste bags on the side of the road or the alongside paths, which shows that people are not taking the bags with them. She worries about the cemetery becoming a place where people leave bags of dog waste.

Councilor Favolise stated that he echoes Councilor Tobin's concerns. He continued that his concern is less about dogs and their owners and what they are or are not doing. He thinks it is great that there are green spaces for children to play in, but he reacted a little bit tensely to the idea that they want more children playing in the cemeteries. There are few places he can think of that are more sacred than cemetery spaces, and he thinks they should remain that way. He thinks there were good reasons for Councilor Williams' letter and request, and he understands why the request came through, but he just does not like the feeling of this. It does not feel right to him at this point. He would like to hear from other Councilors and the public.

Pete Moran of Myrtle St. stated that he does not think this is a good idea. He continued that dog waste is everywhere, including downtown and on the rail trail. He continued that the problem is not with dogs, but with their owners, particularly when they bag up the waste and then leave the bag on the ground for Parks staff to clean up. It is appropriate to say that a cemetery is a sacred place. He would not be happy to see a dog going to the bathroom on a family member's grave. He thinks the cemetery should be exempt from people walking their dogs. They have plenty of other places to walk, and it is inappropriate to walk dogs in the cemetery.

Christopher Barry of Page St. stated that he is right on Greenlawn and Woodland. He continued that he will not say whether he is or is not a scofflaw, but during the past 10 years he has been observing the cemetery, he has become aware of the “stash spots.” He runs through the cemetery five or six days a week, at all hours. What Councilor Williams is looking at is a small change that might have a net benefit of improving the overall space. Dogs are going through regardless of the Ordinance, but just in the past year or so, he has come across people who are passed out, and he has witnessed certain exchanges happening in the cemetery. Research shows that increasing “everyday foot traffic” through such areas has the effect of reducing some of the other things they are seeing. The cemetery feels like his backyard. In his view, this is a community response they could try, increasing foot traffic to try and make it a safer community space. He thinks it is worth looking at. He does not want to further detail what he has come across in the cemetery, but he hopes they do not put their head in the sand about these real issues happening in the area.

Vicky Morton of 275 Water St. stated that she supports the proposal. She continued that if the concerns are children and dog excrement, they had better look at Pat Russell Park, which is difficult to walk through, given the piles of dog excrement there. She supports the foot traffic concept. She thinks the issue is that they limit the people who want to do the right thing, because of people who do the wrong thing. The person holding the leash controls the dog. A leashed dog is less likely to urinate on a headstone than an unleashed one. The issue is enforcement. She welcomes it. She walks her leashed dog through the cemetery, because it is a lovely place, and it does not violate any sacredness to walk on the pathway.

Nicole Demarest of 288 Church St. stated that this is an interesting discussion, and she has been thinking about the issue all day. She continued that she just heard about Councilor Williams’ proposal yesterday from a friend in the neighborhood, and her immediate reaction was that she does not want this to happen, for a variety of reasons, some already spoken about. However, as she listens to this, it sounds to her that the issue is having more people walk through the cemetery. As she listened to the problems that Councilor Williams and Mr. Barry spoke about, she believed them that those are their experiences with the cemetery, but those are not her experiences. She lives two blocks away from the Beaver St. entrance into the cemetery, and she and her husband walk there at least four or five times a week, for 45 to 60 minutes each time. In her experience, it is a peaceful, lovely place. Maybe she is not there at the times other people are encountering problems. She thinks it would be negative to have more dogs in the park and more dogs off leash, because enforcement is the issue. A neighbor told her that his experience is that when people come off the sidewalk and into a space that they perceive as “nature,” it seems reasonable to let the dog off the leash. Thus, many people, despite the requirement to have a leashed dog, will unleash them. Unleashed dogs lead to a variety of problems. A person she knows who walks in the cemetery a good deal is strong, but older and fragile, and she told her the idea that there will be more dogs, many of them off leash, is rather scary to her. She worries about being jumped on by a dog and possibly knocked over. There are many issues, as well as the idea a Councilor said, about this being sacred space. She agrees with that.

Ms. Demarest continued that her question is what the point was of not allowing dogs, when that was first posted, years ago. Mr. Bohannon replied that that happened long before his time. He continued that for as long as he can remember, no dogs have been allowed in cemeteries.

Patrice Aguda-Brown of 23 North Lincoln St. stated that she, too, frequents the cemetery and considers it a sacred space. She continued that she does not like the idea of more dogs there. She has not had the experiences that Councilor Williams and Mr. Barry spoke of, but she knows that things do happen in the cemetery, as she does see little congregates of people, so she is always acutely aware of when she is walking in there. She is also afraid of loose dogs that their owners do not have control over. The cemetery is a safe place for people to walk without thinking about dogs. Keene has a dog park. There are places to walk dogs in this area, such as Robin Hood Park, and the cemetery should not be one of those places.

Robert Hamm stated that he loves dogs, but from his perspective as someone who has conducted committal services in the cemetery frequently, the notion of having free range dogs would be problematic for him. He continued that enforcement is a key issue. He used to hike Mt. Monadnock frequently, and signs say to keep your dog leashed, but the dogs are always off leash, running around in nature. The cemetery is not a place for loose dogs and their excrement. The debate is about enforcement, and about a quasi-sacred space where people have lots of memories.

Councilor Chalice stated that as a Councilor, she has had six to seven people come to her specifically supporting this. That said, she lives half a block away from the Beaver St. entrance into Woodland Cemetery, and she spends a lot of time there. She has lived there for 18 years, and for the past two years, she has been working on a project with a local service group, with 20 sapling oak trees. Through the past two growing seasons, she has been out there at least once a week with gallons of water. She, like others who have spoken, has not seen the unwanted behaviors in the park, nor does she see loose dogs. She believes that other people are seeing what they are seeing, but she wants to make sure they balance the type and amount of instances that these things are happening. As a Councilor, she has been contacted by people who support Councilor Williams' proposal, on the notion of it being for the children. She and other mothers have spent time in the cemetery with their children, picking wild strawberries for a picnic lunch, which was a valuable experience. She and the other mothers made their children aware of the need to be sensitive to that space. Her daughter learned to ride her bike along those roadways.

Councilor Chalice continued that some people have been referring to it as a "park," but it is not. It is a cemetery. However, as Keene's population continues to increase, she believes they have to find more creative ways of utilizing these green spaces for a broader range of the public. She is in the cemetery frequently, and does not see dog excrement all over. She sees dog waste bags along Beaver St. a lot, which bothers her. She supports Councilor Williams's proposal to have more eyes on the community within the space, because over the years, she has heard mothers say they will not let their children in there. There are abundant pathways and paved roadways that could be utilized for other types of activities. She does not know what to say about enforcement. Maybe each person who wants dog-walking to be allowed in the cemetery will have to step up and have a voice if they see any of the unwanted activities happening. She supports the sunset clause to give this a try for a year.

Andy Holte of Forest St. stated that he is in favor of this change. He continued that he thinks there have been a lot of valid perspectives tonight and people have had a variety of experiences

in the cemetery. Personally, he does not recall ever seeing a dog off leash there, but he has seen people up to activities they should not be up to. He thinks Councilor Williams' point about having more eyes there is a good one. The author Jane Jacobs popularized the idea of "eyes on the street," talking about the idea that places are safer when there are more people in that space doing different activities at all times of day. Safety improves anywhere, including in the cemetery, if there are more people using the space. Thus, he agrees with the idea of increasing the number of people who are there, whether that is through allowing them to walk dogs or not. There might be other options. He has a dog and has been disappointed by the signs prohibiting dogs, because he would love to walk his dog there. He does not disregard the sign and bring his dog there anyway. As Councilor Williams said, bans keep the people who are going to be well behaved from doing that activity, but they do not keep out the people who are ill behaved. If drug use was an issue in the cemetery and the City's response was to say that no people are allowed in the cemetery, he does not think that would reduce the drug use. On the other hand, having more people there, as they do currently because it is a great space, does help mitigate that. Not having a ban is better, because it results in having more eyes in that area, which increases the safety.

Mr. Holte continued that the topic of enforcement comes up a lot, whenever there is some sort of issue. There is always a need for enforcement. Everyone knows there is not enough budget or personnel to do that enforcement, so it becomes imperative on the public to enforce things a lot of the time, and again, more eyes and more people help with that enforcement. Whether it is explicit enforcement, such as one person telling another to put their dog on a leash, or just implicit, in the sense that having more people around encourages you to not do things that are bad. Thus, he supports the idea of the Ordinance change, whether with the sunset or not. They could consider just allowing leashed dogs, and then if it turns out negatively, they could change it back. That has been done with other changes in the past.

Jennifer Sizoo of 10 Fairfield Ct. stated that she is in favor of trying this for a year. She continued that right now, the people who are obeying the rules are not there, so the City would be allowing the people who obey rules and are respectful of places and respectful of the City Ordinances into the cemetery to see what is happening there. She walks and rides her bike in the cemetery, and it is a great place for kids to ride their bikes. She thinks having more people there is a good idea. She has observed drug sales in the cemetery, and she has seen dogs on and off leashes. She thinks if the City moves forward with this, it can be publicized as a trial, via the newspaper, radio, and electronic signs at the entrance, and they can ask people to be respectful.

Ms. Demarest stated that as a person who does not want to have more dogs in her walking experience through the park, the idea that the City would advertise this and encourage people to bring their dogs to Woodland Cemetery is terrifying. She continued that if everyone in town suddenly gets the message that this beautiful space now allows dogs, they will have a lot of dogs there. She and others are not in favor of that.

Pete Moran of Myrtle St. stated that Keene goes to great lengths to accommodate a variety of people. He continued that he does not see why cemeteries cannot be totally exempt from dogs. People who go in with dogs are not supposed to be there, but calling the Police does not seem helpful, because the KPD has other things to do than go after someone whose dog defecated in the cemetery. He is totally opposed to dogs being in this special area. The City already

accommodates many diverse interests. The cemeteries should be left as they are. The people who abuse the dog prohibition will be kept to a minimum. There is dog excrement all over downtown and the rail trail already, so he agrees with the woman who said that advertising for people to bring their dogs to the cemetery is not a good move.

KPRD Director Carrah Fisk-Hennessey stated that staff did quite a bit of research around this idea. She continued that dogs are already permitted in every other public space in Keene, on leashes. Under current Ordinance, leashed dogs are allowed through the City's parks, trail system, sidewalks, and open spaces. Cemeteries are currently the only exception. The limited restrictions still provide dog owners with lots of access to outdoor spaces, including the dog park. Tonight, people have noted concerns, recognizing that enforcement is definitely a challenge, and that there could be ways to encourage foot traffic other than allowing dogs in these sacred spaces. She does not know when the Ordinance originated, but it has been in place for as long as many people can remember. The current behaviors they have heard about tonight, about dog waste being left in numerous locations, indicates future non-compliance as well. That is something to consider when thinking about changing an Ordinance or drafting a modified Ordinance for one or all cemeteries. Improperly discarded waste bags are already a recurring problem and would likely appear in cemeteries as well. Research that comes from conservation experts, including the National Park Service's Historic Division, shows that repeated exposure to dog urine can deteriorate limestone and marble markers, which can also lead to staining, erosion, and long-term structural harm to cemetery markers, gravestones, and plates in the ground. The preservation and community expectations support maintaining the current restrictions. Cemeteries are places of remembrance and reflection. They are the only space exempt from dog-walking, and protecting their physical condition and ensuring respectful use aligns with both the public expectations and the City's stewardship responsibilities.

Deputy City Manager Andy Bohannon stated that he spoke with Councilor Williams about this. He continued that he spent 14 of the past 20 years managing the cemeteries, and he has seen all of the things that have been described tonight. He has been confronted, and he has had situations in which he has politely told someone in the cemetery that no dogs are allowed, and the person has responded with a rude gesture or tone and words too inappropriate for him to repeat tonight. It can become very confrontational as soon as you approach a person with a dog, whether leashed or not. He has seen a little bit of everything. It is important to understand that the space is sacred. It is a place for people to visit their loved ones who have passed on, for remembrance, mourning, and reflection. He asks people to imagine what it would be like to be in that moment of reflection by a loved one's grave, and to suddenly have a barking dog coming charging at you. No matter how well a dog is behaved, they can still unintentionally disrupt someone with a bark. Most dogs are not aggressive and are well trained, but you cannot know if the dog approaching you is aggressive or not. Some people are dog lovers, others are not. Some people are very apprehensive if they are approached by an unknown dog.

Mr. Bohannon continued that in addition to that respect piece, there is what Ms. Fisk-Hennessey pointed out regarding the risks of damage to headstones and to the landscaping. He would add, regarding sanitation and health concerns, that Parks, Recreation, and Facilities staff are out there all year long, and especially in the summer when they have seasonal staff to help mow and trim, they constantly have to stop to clean their equipment because dog feces has gotten on their shoes,

mower, or weed whacker. It is very unsanitary and not okay. People need to be respectful. If someone has the opportunity to not pick up after their dog, they probably will not, or they will bag up the waste and leave the bag on the ground. Staff have increased the number of bags available in all of the parks and trails, but they continue to see more bags left on the ground.

Mr. Bohannon continued that in addition, with some people's religious or cultural beliefs, animals are inappropriate to have in the sacred space when someone is, for example, providing services in the cemetery like Mr. Hamm spoke of tonight. He asks people to imagine what it would be like to be having a burial service provided for your mother, father, brother, sister, son, or daughter, and all of a sudden, the solemn moment was interrupted by a bark, or an aggressive dog comes about. It is completely disrespectful. He has a hard time with this idea of allowing dogs in the cemetery, as he explained to Councilor Williams. He knows dogs are valued companions and cherished members of families, but there are other places. In this area, Robin Hood Park is 140 acres with over five miles of trails. Dogs can be off leash on trails, within voice command. In the main part of the park or playground, dogs need to be leashed out of respect for the children.

Mr. Bohannon concluded that he is a little passionate about this topic because he has experienced it for 20 years, and he has experienced everything people have talked about tonight. He hopes the Committee thinks of cemeteries more as sacred spaces than as parks.

Chair Greenwald stated that at first, he did not think that allowing dogs in Woodland Cemetery would be a problem. He continued that then, he listened to Mr. Bohannon and began to understand it. If this goes forward, every cemetery, not just Woodland, would have dogs, and he does not think people who live near the other cemeteries would feel good about that. They should look at this logically. Right now, dogs are not allowed in cemeteries. That is not a problem. If they allow dogs, it will be a huge problem for some people who have loved ones buried in the cemeteries or will in the future. This strikes him as negative. If they want to increase eyes and foot traffic in Woodland Cemetery, they can come up with another way to do it. He cannot support this, and if it does go forward, he wants to see every cemetery faced with the same idea, and he bets it would not be enacted when considered that way.

Councilor Tobin stated that regardless of how this vote turns out tonight, she appreciates Councilor Williams bringing this forward, because this was a good conversation to have.

Chair Greenwald asked for further comment. Hearing none, he asked for a motion.

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

The Municipal Services, Facilities, and Infrastructure Committee recommends that the request for consideration of an Ordinance amendment to allow leashed dogs in Woodland Cemetery be accepted as informational.

Councilor Favolise stated that despite all the excitement around parking and traffic at the beginning of this meeting, he agrees with Councilor Tobin that this was a great item to be on the agenda tonight for the Scouts to see government in action and respectful conversation about the

issues. He continued that he will vote in support of accepting this as informational and imagines there might be continued conversation at the Council meeting. Nothing in the Ordinance prevents more people from going to the cemetery; it just prevents people from going there with dogs. He did not hear anything that changed his mind about why the Ordinance should call out cemeteries as different when it comes to dogs. The reason is that cemeteries are different spaces than other spaces. They are sacred, special spaces. He appreciates Councilor Williams bringing this forward for conversation, and he concurs with Councilor Tobin. He does not think moving this forward would be right for the community.

The motion passed on a vote of 4 to 0.

Chair Greenwald thanked Councilor Williams for bringing the issue to the Committee.

5. 2026 Construction Season Update - City Engineer

City Engineer Bryan Ruoff stated that he apologizes for not bringing this item forward earlier. He continued that typically, staff tries for the February or March meeting to update the Committee and community on the plans for the construction season. As they know, what has been involved with the Downtown Infrastructure Project has sort of turned them upside down and made them shuffle things around.

Mr. Ruoff continued that he is happy to discuss the projects they have upcoming this season, many of which are already in construction or carryovers from last year. In the agenda packet, he grouped them as projects that are under contract or currently in construction, actively being bid, and in final design and anticipated to be bid this year for fall construction. The George Street Bridge Replacement project is funded 80% by the NH Department of Transportation (NHDOT) and started March 13, 2026, anticipated to continue through November. They will finish the utilities at the end of next week and the project is on schedule. Stormwater Main Lining is a Clean Water SRF funded project that started in March and is anticipated to continue through June. They are currently working in the same location as the Dinsmore Woods shutdown, so it is good timing. They are lining the middle school culvert, with no interruption of traffic because of that closure. The THT Phase I project is progressing, having started on March 23, 2026. They are on or ahead of schedule on that, anticipating September completion. The Manhole and Sewer Main Rehabilitation projects are carryovers from last year. Those went through the winter and will be completed in April and June. The Appel Way Trail Paving project as part of Parks and Recreation was completed April 9, 2026 and April 10, 2026, with a small amount of cleanup left. It might not look like it, but Marlboro St. is under construction. That project is receiving 80% federal funds administered through DOT. The scope of the project that has been started is the trail portion that goes through Public Works. They are preparing that for sidewalk placement within the next week. He anticipates within the next week or two they will be in the street doing construction. The plan is to go block by block to minimize congestion and disruption, so they will phase it in five segments going down Marlboro St. from the Main St./Marlboro St. roundabout toward Eastern Ave.

Chair Greenwald asked if it correct that Marlboro St. will be paved this season. Mr. Ruoff replied yes. He continued that they are lucky to have Bazin Brothers Trucking under contract.

That company did all of the paving last year and it was very successful. They are doing a great job so far. Chair Greenwald asked if Marlboro St. will be paved before Island St. Mr. Ruoff replied no, there are about six weeks left on the Island St. project. He continued that they are finishing the sidewalk placement on the eastern side and then will move to the western side to finish the sidewalk there, and then pave the road. Anticipated completion is June 10, 2026. They would have loved to finish the project last year, but winter came early and stayed a long time.

Mr. Ruoff continued that the Transfer Station Paving project is currently underway. Bazin Brothers bid on this and was awarded the contract. He anticipates it being complete in two weeks, and then they will pave the Public Works parking lot. The Sidewalk Replacement project is different from the Sidewalk Rehabilitation project that City staff perform. They bid and awarded two years of projects, last year's and this year's. Last year, staff fired the consultant they had hired for the project for their inability to mobilize for the project. This year, they are replacing existing sidewalk with concrete sidewalk on Water St. as part of the water main break repair work. Blosson, Gardner, Harrison, Jenison, and Willow Streets are all scheduled for reconstruction as part of this construction season. They are trending about \$100,000 under what is budgeted for that, so if something comes up that also makes sense, they will potentially request to add that to the scope of the contract, because they have a contractor they are very lucky to have on that project as well, BC Construction. They have been talking about the Key Road Drainage project for a long time. It was supposed to happen last fall, but again, winter conditions came in early. They anticipate that all the pre-cast box culverts will be fabricated for that job in mid-May and they will start construction probably June 1, 2026. The Airport T-Hangar Paving project is one that Public Works got involved with during the bidding process. That was awarded recently to All States, and will be occurring shortly. A Wastewater Treatment Plant Clarifier project was recently bid and awarded and will probably start construction within the next three weeks.

Councilor Haas stated that all of these projects go through a whole process from way back when a conceptual and preliminary design are created, followed by funding, more bid designs, then contracting, and so on and so forth. He continued that there is a long period between when a project is conceived and when it actually happens, and many people forget what the original intent was when a project happens. Each project has, or should have, a contractor safety board or information board. There is a great one at the trail head on Eastern Ave. for the THT project. It would be great if the boards included a description of what is happening, so people can remember or learn about what happened in the design process and how it is being executed on site, instead of being surprised when things start to happen. That is a suggestion that could improve communications.

Mr. Ruoff stated that there is one other project that was awarded yesterday, an as-needed project, which is the Stormwater Point Repair project. He continued that as the Highway crew finds drain culverts that are in poor condition and need immediate remedy, they either line or dig repair them. They are under contract with Vortex, the company that is also doing the stormwater lining as part of that project.

Mr. Ruoff stated that regarding projects currently being bid, the Downtown Infrastructure Project is currently publicly advertised for bid. The Martell Court Pump Station Bypass Force Main

project is currently out to bid for construction services, and the rehabilitation of the Cheshire Rail Trail Bridge over the Ashuelot River is currently out to bid.

Mr. Ruoff continued that regarding planned projects for fall construction, the Court Street Water Main Replacement project has about a half mile of water main from the roundabout at Maple St. to East Surrey Rd. that is 1930s vintage and has had multiple breaks. Replacing that will improve the water quality and pressure through that entire area. They just completed the Water Tank Rehabilitation project. In doing that, they identified some valves and yard piping that also require replacement, as they are from the 1920s. They do not want that to be the weakest point and fail and then have no public water supply. They are looking to bid that rehabilitation work later this fall. They bid a Gate Valve Replacement project yearly, which is based on the flushing program that is currently ongoing. They should have the list of valves soon and bid that for the fall. The Robin Hood Park Pool Improvements project is part of the greater scope of the Robin Hood Improvements project, and they anticipate bidding it in the fall. The rest of the scope of the project will go through the complete design and will be bid in the winter for construction next year. The CIP has a Parks and Recreation Trails and Bridge Rehabilitation project. When possible, they are doing those in-house, to get the most cost-effective measures to the City. He does not anticipate bidding much of that scope, but City employees will do that work. The Monadnock View Cemetery Expansion project is currently in final design, going to DOT, and they anticipate bidding that in the fall.

Mr. Bohannon stated that another one of his passions is highlighting the good work of City employees. He continued that anyone who does not already receive the Monday emails from Public Works should sign up to do so. Those emails include construction project updates as a heads up for the week, such as traffic information. Andrea Bixby, the Public Works Office Manager, does a great job communicating the information out and working with Mr. Ruoff and his team relating to the various projects that are happening.

Councilor Workman stated that she has a general question about the construction projects and contingency plans for when a contractor makes an error. She continued that for example, one that came up last year was the Winchester St. repaving work. When the lines were painted, she called to make a complaint, because the company did a horrible job. Unfortunately, she was told nothing could be done, because the paint had already dried and the contractor did not catch that the equipment had been malfunctioning. That was not a satisfactory answer to her, because taxpayer money goes into paying for these repairs, and she expects the work to be done correctly. If it is not done correctly, she wants the City to be reimbursed or have a way to make the City whole in some capacity. For example, she is glad Island St. will get done this construction season and that it will be repaved, because there are big, recessed spots with the drainage and sewer grates. She hopes that when that gets repaved, they do not have the problem they had last year on Winchester St. She asked Mr. Ruoff to talk about those contingency plans for when things do not go according to plan.

Mr. Ruoff replied that there are several options, and it depends on what the issue is. He continued that they put a lot of language in the contract document that protects the City from faulty work, and the contractor's work in correcting that is part of the contract. Regarding the Winchester St. line striping, if the contractor does not fix the error, the City simply does not pay

for that work. On Island St., when the contractor paved the base course pavement, City staff noticed that the slope on the road did not meet what the contract documents specified. Staff met with the contractor about that and asked how they would resolve that, and the contractor agreed to put a shim on the road before they pave the final course. They agreed to do that at their own cost, to be able to correct that. Those are examples of what the City has dealt with in the past. In some cases, they go to an extreme, where if one contractor does something incorrectly and the City does not want to take the time and inconvenience to the City to have the contractor try to do it again and get it wrong again, the City will bring in a different contractor they know can do it. A good example is how the City has brought in Bill's Concrete & Construction many times to do concrete sidewalk work when they needed it corrected, and they have done a great job.

Councilor Workman thanked Mr. Ruoff and stated that it is important for the public to know about the contingency plans. Chair Greenwald stated that it is so aggravating if the line down the middle of the road wavers. Mr. Ruoff replied that at least the line striping is restored nearly every year, so there is a chance to restore that. He continued that if the mistake had been made in a location they did not expect to do work in for a couple of years, the City definitely would have made the contractor do something different. Chair Greenwald stated that the Public Works Department does great work and tries hard.

Chair Greenwald asked if there was further comment. Hearing none, he asked for a motion.

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

On a vote of 4 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the 2026 Construction Season Update be accepted as informational.

6. Downtown Infrastructure Project Update - Public Works Director

Mr. Ruoff stated that he is here today representing the Public Works Director and the Project Ombudsman, who are both on vacation. He continued that given the numerous ways this has been communicated, he feels like everyone should know by now, but for the record, last Friday they had a bid opening for the Downtown Infrastructure Project at 2:00 PM. It was public, held in the conference room. He and the Purchasing Manager were notified about four minutes after the bid submission deadline by a perspective bidder that they were not able to upload their bid to the City's public purchase platform. City staff did not see any issues or errors on the City's end, so it did not look like anything was wrong. It seemed like potentially something wrong on the other party's end where they were not able to upload the document. They could speculate about how it happened, but no one really knows. Staff then had a choice, and it was reviewed by the Purchasing Manager and the Assistant City Attorney, on whether they would accept that bid and waive the requirements of the bidding period, or potentially re-bid the project, with a contingency that DES has a 30-day bidding period and they did not want to jeopardize the funding the City is receiving for the project, so they wanted to make sure there was no issue with DES in bidding a shorter period if they needed to re-bid the project and not accept the bid. Ultimately, the decision was to not acknowledge or accept the bid that was received after the deadline, and they have reposted the project for bidding for another 10 days, with a bid opening of next Friday, May 8, 2026. Essentially, this is acting as an extension of the previous bid period,

with a short gap in the middle, which gives the opportunity for prospective bidders to submit their bid within the bidding period through the City's platform. Staff are confident that the City will receive a bid for the project. They are communicating to contractors that they should try and upload their bid sooner than the last minute so that they do not have this issue again. They will have the bid opening next Friday to confirm what those bid prices are that they receive for the project.

Chair Greenwald asked if the Purchasing Manager reached out to other firms that had the documents to find out why they did not bid. Mr. Ruoff replied no, he does not think so.

The City Manager stated that if the City receives no bid or a bid is rejected, a summary report comes out, and on that summary, she usually signs off. She continued that the Purchasing Manager had, on his message back to contractors that did not bid but had uploaded the documents, to let the City know why. She does not know if he has received any additional information from anyone yet, but he is trying to learn more, and that also alerts anyone in the portal that they can bid if they did not bid this last time.

Chair Greenwald stated that one of the most frequently asked questions is why something did not get bids. He continued that people ask if it is because the City of Keene is hard to deal with, or contractors cannot get labor, or because of the war with Iran, or contractors not wanting to take on a difficult project. He does not know, but he would like to get some insight.

Councilor Favolise stated that he read the recap of the City Engineer's radio appearance, and one of the questions he has heard is what was going on with the firm waiting until the very last minute to get the documents in. He continued that on the radio, the City Engineer explained the volatility of fuel pricing and that sort of thing. He asked Mr. Ruoff to share that with the Committee, for the sake of members of the public who did not hear it on the radio.

Mr. Ruoff replied that for this type of project, they are seeing bids from general contractors who are pipe contractors. He continued that with that, if these contractors do not perform their own paving, they need to hire a paving contractor, a traffic signal contractor, and more. Any given contractor would need to hire about 8 to 12 subcontractors for this project. With pricing what it is right now, many firms and suppliers are saying their price is good for one day only, and if you do not commit to that price, it will change the next day. Thus, the contractors who are bidding this project and want this project are looking to give the City the most competitive pricing to get the job. They are not looking to add a lot of fluff to it. They do not know what the price is going to be, and they cannot fine tune that number, and then they wait until the last minute. The City almost never gets bids a day or two days before the deadline; it is always the day of, and a lot of that has to do with the supply and the price volatility, which is very real right now. They have talked about price volatility before, and there have always been ups and downs, but it has never been more real than it is right now. Staff are noticing that it is really impacting the bidding periods.

Chair Greenwald asked what the contingency plan is if they do not receive bids. He continued that that is the second most frequent question he is hearing, but they do not need an answer right now. The City Manager replied that they have talked about it as a team, and they probably would

not be able to do the project this season if they do not get bids, because they are running out of time. She continued that if that were the case, they would look to re-bid it again in the winter or spring. The City Engineer replied that he would say November, which would give them another possible bidding period in January if necessary, to start construction in April of 2027, if they had to.

Councilor Tobin stated that she is curious about the technical problem the firm had with the uploading, and what type of software testing is done to make sure that the City catches all of those problems before bids are due. Mr. Ruoff replied that if he had to guess, he would guess that the size of the document that was being uploaded was too big for the system, because the size of the bid for this project is significantly larger than any other project the City has bid. He continued that he thinks the only way to avoid the same issue from happening again, which he would recommend to all prospective contractors bidding the project, is for them to submit their bid in the morning of the day it is due, not at the 2:00 PM deadline. In addition, bidders can submit paper copies. When he started his career as an intern, he was tasked with driving bid documents to where they needed to be by the deadlines. He recommends that prospective bidders who are interested in this project submit a paper copy of their bid in addition to submitting online.

Councilor Tobin asked how, if that is the recommendation, they are making sure bidders know that information right now. Mr. Ruoff replied that during a bidding period, if there are questions and answers, additional information, or something that impacts pricing for the project, staff will issue an addenda that says, "here is additional information for your consideration in the development of your bid." They also have, as part of Public Purchase, an option to post. Sometimes staff even post questions and answers themselves, and select the option that has it go out to everyone who is a plan holder with those documents. For example, they want good pricing on the traffic signal work, so if he wanted to make sure it was explicitly clear that that is being pre-purchased by the City so they can get it done this year, he will ask a question on that and then answer it himself, saying yes, the City has already purchased this equipment, all you as a contractor are doing is installing it. Thus, what staff can do tomorrow is create a question and answer, and say, "Here are the ways you can submit. We recommend you submitting early so you don't have an issue." That goes to all prospective bidders.

Councilor Tobin stated that she would like to feel more confident that the City knows for sure what the technical problem was so that they are not in this situation next time. She continued that the only information they have at this point from the contractor is that they were not able to upload documents. From what she can tell, City staff does not actually know whether there were any other contractors who also had problems and did not know that their documents did not get uploaded. It is important to figure that out.

Mr. Ruoff replied that he would say that would be very unlikely that other contractors had problems uploading that the City is not aware of. He continued that contractors or consultants who submit bids and proposals for work put a lot of time into that. It is a big deal. So, when they submit something and there is a bid opening, they want to know, usually within about five minutes, what the prices are. City staff did not see anything on the City's end that anyone else tried unsuccessfully to submit a bid, and no one else contacted City staff. They get a full list of

the contractors who have pulled plans. Staff can contact all of them, or at least the ones that make the most sense. Looking at what contract documents a contractor has downloaded tells staff which contractors are interested enough in bidding. For example, maybe it is about half a dozen contractors. Staff can contact all of them just to make sure they did not try unsuccessfully to upload documents, but he thinks it is very unlikely that that happened in this instance.

Councilor Tobin stated that she works with technology and websites, and maybe there is a 90% chance that what Mr. Ruoff is describing is what happened. That said, whenever she hears someone say something like, "We didn't see it on our end," that is a potential gap in the technology and how it is communicating. A contractor might have sent a message and received a false confirmation that something went through but did not. She wants to make sure.

The City Manager stated that she will add, staff knows that the contractor does not think it went through, because they tried multiple times, and then when they could not get it to go through by the deadline, they emailed it. She continued that the contractor knew they were not uploading it successfully to the portal. They do not know why, however. City staff looked to see if the City received any error messages, and there were no error messages. Thus, she thinks that if another contractor had submitted, Mr. Ruoff is absolutely right that the contractors want to know within minutes who else submitted bids and what the prices were. They are not going to put in that much time and effort to put together a bid and then not follow through with the City to see what the bids were. She thinks what Councilor Tobin is saying is that next Friday, they need to make sure they do not have the same issue uploading the document. They are hearing from the City Engineer that there are a couple of ways to do that. They can bring their bids in person, and staff can recommend that anyone interested in bidding by next Friday do that, because it is a large document and they could have problems. They cannot guarantee that the contractors' technology is not the reason why there was an issue.

Councilor Favolise stated that he has a comment, and over the past couple of days, he has thought hard about how to give it in a constructive way. He continued that he really appreciates that throughout all of the different crossroads they have been at with this project, specifically in terms of the bidding process, City staff have adapted quickly. He really appreciates the Purchasing Office being quick to get in touch with the granting agency and trying to cross those Ts and dot those Is, making sure they are pivoting to a place where the project remains possible, not wallowing in what has gone wrong, but trying to solve it. The other side of that, and something that needs to be part of a much larger conversation than tonight, moving forward, is that the City has hit a lot of those crossroads points. He thinks that had they known they were going to be at this time of year, this year, opening bids and getting bids back and getting shovels in the ground, some Councilors might have voted differently when it came to delaying the project by a year, because one of the chief concerns was whether they could even get anyone to bid on the project at this time of year. At some point, that has to be unpacked in greater detail. For now, he will say that he appreciates the continued forward movement and forward progress and momentum from staff on this.

Councilor Favolise continued that his question relates back to what Chair Greenwald asked, which he did not hear answered with much specificity. He asked if there is any amount of this work that can get done this summer if they do not get a bid or get a bid that is not within budget.

The City Manager replied that she does not know of a way to get work done without a bid, so she would push it back to the City Engineer, if he has a suggestion. She continued that obviously, there is work the City can do, but this project is way beyond the scope the City can take on. She finds it difficult to think of a way they could move this project forward if they do not get a bid this season.

Chair Greenwald stated that he was thinking that if they do not have a bid, the contingency would be to be ready for the crisis of pipes breaking. He continued that however, they do have reserves in water and sewer to accommodate that.

Mr. Ruoff stated that he views the situation as very similar to Island St. He continued that they did not get any bids the first time around for the Island St. project, and then they bid the project again and ended up awarding the project with a notice to proceed in roughly July. That is what they are looking at with this bid opening of next Friday. If they need to extend another 30-day bidding period, they are looking at a construction start date of closer to September. That would be tough to even get the utilities done. They could potentially forge forward with it, but the promises that have been made about replacing the utilities and then performing the restoration just would not be possible. The sidewalk and the road would need to be in a patchwork job to hold it over until next year, and then next year they would start in Central Square, continuing with that work. It would throw off the whole flow of the project. They would be starting in Central Square and then starting in the next section and they would probably have to do a reduced section in that. The way the project is phased, it would make it very difficult to be able to bid the project again this year and then go to construction. There is work that could be done. It would just put an extra burden on the downtown overall.

Chair Greenwald asked for the bid opening date again. Mr. Ruoff replied May 8, 2026 at 2:00 PM. Chair Greenwald stated that he likes the idea of the contractors driving the bids to City Hall, just to make sure. Mr. Ruoff stated that staff knows who the contractor is that attempted to submit the bid, and he will have a conversation with him tomorrow to make sure there is no issue this time around and the City actually receives the bid. This contractor has reached out and said he will bid again if the City posts the project again. The City Manager stated that she is sending a message to the Purchasing Office to also request that they reach out through the portal and make the ways to submit bids clear, and let people know that due to the size of the project, it might be a challenge to upload the document, and providing it in paper form might be the safest way to submit it.

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

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

On a vote of 4 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends accepting the Downtown Infrastructure Project Update as informational.

7. Adjournment

There being no further business, Chair Greenwald adjourned the meeting at 8:34 PM.

Respectfully submitted by,
Britta Reida, Minute Taker

Reviewed and edited by,
Terri Hood, City Clerk and Kathleen Richards, Deputy City Clerk