



City of Keene
New Hampshire

**FINANCE, ORGANIZATION
AND PERSONNEL COMMITTEE
AGENDA
Council Chambers B
March 23, 2017
6:30 PM**

Mitchell H. Greenwald
Carl B. Jacobs
Terry M. Clark
Thomas F. Powers
Bettina A. Chadbourne

-
1. Acceptance of Donation - Filtrine Manufacturing Co. - Parks, Recreation and Facilities Department
 2. Acceptance of Donation - St. James Thrift Shop - Parks, Recreation and Facilities Department
 3. Request to Solicit Donations - Fourth Grade Water Science Fair - Public Works Department
 4. Woodward Pond Dam Improvements - Consultant Selection - Public Works Department
 5. Rose Lane Change Order Loureiro Engineering - Public Works Department
 6. FY 18 Revenue Enhancement Proposal - Police Department
 7. PowerPoint Presentation - Fee Schedule - Parks, Recreation and Facilities Department
 8. Council Policy: Relating to Fee Schedules for Use of the Recreation Center - Parks, Recreation and Facilities Department
Resolution R-2017-06
Resolution R-2009-28
Resolution R-1977-47
 9. Staff Recommended CIP Amendment - Finance Department
 10. FY 2018-2023 Proposed Capital Improvements Program

Non Public Session
Adjournment



City of Keene, N.H.
Transmittal Form

March 17, 2017

TO: Finance, Organization and Personnel Committee

FROM: Andy Bohannon, Parks, Recreation and Facilities Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 1.

SUBJECT: Acceptance of Donation - Filtrine Manufacturing Co. - Parks, Recreation and Facilities Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept the donation of a water filling station from Filtrine Manufacturing Company and that it be placed in Central Square.

ATTACHMENTS:

Description

Filtrine Fire Call Box Model B131-CP Bottle Filling Station

BACKGROUND:

In Keene's iconic Central Square, there is an old drinking fountain that has reached the end of its useful life. Filtrine Manufacturing Company, with a history of customization and innovation of drinking water, filtration and chiller equipment, accepted the 2016 CONNECT event challenge to design a replacement that would complement the surrounding landscape and structures. After looking at old photos of Central Square, George Hansel, intrigued by the antique "fire call boxes" that once dotted the downtown landscape, worked with Alloy Castings, a family-owned Massachusetts business, to come up with the design. This one-of-a-kind dual bottle filling station echoes the style of the antique lampposts and monuments that grace Central Square but provides modern functionality. It uses energy-saving LED lights and a Filtrine Taste Master® water purifier to promote the use of refillable water bottles and provide refreshing water for Keene's citizens and visitors.

B131-CP

Historical Vandal Proof Dual Bottle Filling Station



Bottle filling stations shown in standard satin finish with aluminum casting historical pedestal painted in shiny black. "Drinking Water" in cast letters at the top on each side above bottle fillers.

Dimensions in drawing subject to options selected.

Features

[2] B103 Filling Stations

- 16 ga. seamless exterior cover plate, and 18 ga. interior construction
- Vandal proof, ADA compliant design
- LED interior lights for added illumination with included dimmer
- Integral drain located under vandal proof removable anti-splash guard for ease of cleaning
- Options include finishes, sensor activation and bottle counter

Pedestal

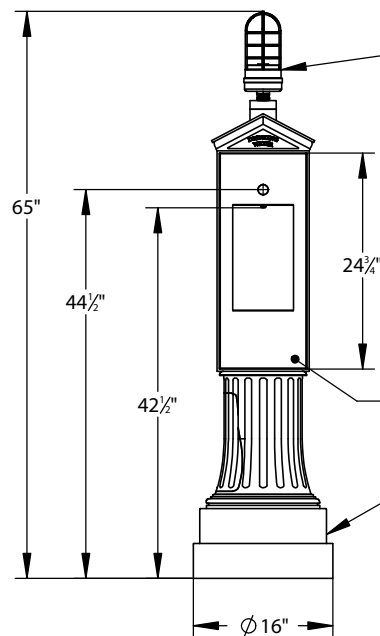
- Heavy wall 356 aluminum alloy cast decorative pedestal and terminal box housing
- Vandal proof access panel for Taste Master® water purifier, drain and supply shut-off valve
- Black, finger print resistant enamel paint, special colors available upon request
- Top mounted call box style light with sand blasted white, heat resistant globe and cage guard for exterior locations

B131-CP Models Include:

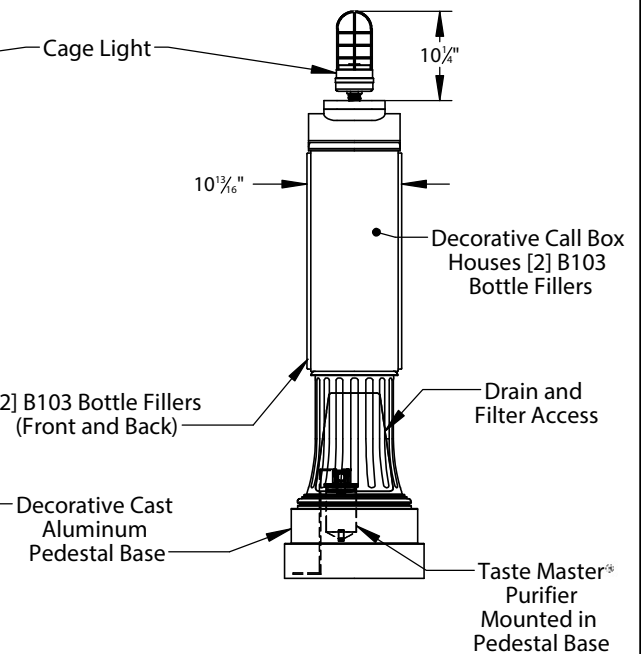
Purifier: Taste Master® TMS1-0.5

- **Construction:** Stainless steel housing
- **Element:** Carbon block removes particulates, cysts, chlorine, organic odors and tastes. Exclusive seal design negates bypassing and leaking.

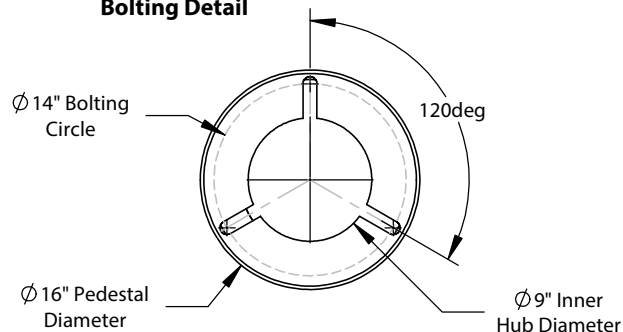
Front View



Side View



Bolting Detail





City of Keene, N.H.
Transmittal Form

March 3, 2017

TO: Finance, Organization and Personnel Committee

FROM: Andy Bohannon, Parks, Recreation and Facilities Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 2.

SUBJECT: Acceptance of Donation - St. James Thrift Shop - Parks, Recreation and Facilities Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a donation of \$750.00 from the St. James Thrift Shop and that the money is used by the City's Martin Luther King Jr. / Jonathan Daniels Committee for its annual programming.

BACKGROUND:

For many years the St. James Episcopal Church Thrift Shop has made an annual donation towards the programming effort of the Martin Luther King Jr. / Jonathan Daniels Committee. This year's donation is \$750.00. This will greatly assist the Committee with future programs that will focus on the celebration of diversity and social justice.



City of Keene, N.H.
Transmittal Form

March 1, 2017

TO: Finance, Organization and Personnel Committee

FROM: Donna Hanscom, Assistant Public Works Director, & Eric Swope, Industrial Pretreatment Coordinator

THROUGH: Medard Kopczynski, City Manager

ITEM: 3.

SUBJECT: Request to Solicit Donations - Fourth Grade Water Science Fair - Public Works Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to solicit and accept donations to be used as prizes for the City of Keene's Fourth Grade Water Science Fair.

BACKGROUND:

Since 1997, staff at the City of Keene's Wastewater Treatment and water Treatment Facilities have sponsored, coordinated, and run water science fairs for fourth grade students within the City of Keene. Each year a fair is held at each elementary school that chooses to participate. The top three projects from each school are then eligible to participate at a City-wide science fair, which is a qualifying event for the State Water Science Fair. Last year approximately 100 fourth grade students completed water science fair projects in Keene elementary schools.

The science fairs were initiated in conjunction with the NH Drinking Water Week Coalition and are designed to encourage student involvement in the sciences and to encourage education about water-related issues. The fairs enjoy broad support from teachers, schools and participating students and their families.

Typically, the City has provided a certificate of participation and a tee shirt to all students who present a project. It has provided trophies and prizes to the top three finishers from each school and to the top four finishers at the City fair. Prize donations were solicited for the first two years, then a budget was established and the Science Fair project was funded through a line item in the Water fund's Administration budget.

As part of an overall attempt to curtail spending, in recent years, staff has requested approval from the City Council to solicit donations for prizes from local and regional businesses and organizations. Last year fifteen businesses and organizations donated prizes including gift certificates, pool passes, museum passes, a Silver Eagle coin, Colonial Theater event passes, MoCo Arts and New Hampshire Dance Institute show passes and Keene Swamp Bats tickets.



City of Keene, N.H.
Transmittal Form

March 3, 2017

TO: Finance, Organization and Personnel Committee

FROM: Donald R. Lussier, PE, City Engineer

THROUGH: Medard Kopczynski, City Manager

ITEM: 4.

SUBJECT: Woodward Pond Dam Improvements - Consultant Selection - Public Works Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Gannett Fleming, Inc. for engineering services required for the Woodward Pond Dam Improvements project for an amount not to exceed \$129,937, with funding to come from project cost center 05034-B.

BACKGROUND:

The City received a "Letter of Deficiency" (LOD) related to the Woodward Dam in April of 2010 from the New Hampshire Department of Environmental Services (NHDES) Dam Bureau. Several of the deficiencies were corrected using City personnel and equipment. However, many of the deficiencies identified by the NHDES require detailed engineering investigation and design. The City Council appropriated funds for the design services as part of the FY 2017 Capital Improvement Plan (CIP). Construction funds are expected to be requested as part of the FY 2020 CIP.

The City issued a Request for Proposals (RFP) for engineering services required to address the LOD. A staff team comprising of the Assistant Public Works Director, the City Engineer and a Civil Engineer reviewed and ranked the five responses that were received. Proposals were reviewed based on the following criteria and weighting

Understanding of Project	20%
Record of completing similar projects	20%
Fee and Staffing levels	20%
Experience/Training of assigned personnel	10%
Quality of Proposal	10%
Compliance with Schedule	10%
Client References	10%

From the five (5) proposals received, the team identified the following three firms for interviews.

- DuBois & King, Inc.
- GZA Geoenvironmental, Inc.

- Gannett Fleming, Inc.

Interviews were held on February 24TH, and the same review team evaluated the firms on the following criteria:

Understanding of Project	20%
Project Approach	10%
Key Personnel	10%
Pertinent Experience	10%
Cost / Fee	10%
Quality of Presentation	20%
Proposed Schedule	10%
Responsiveness to Concerns	10%

Below is a table of the composite scores of the team and the ranking of the three firms.

<u>Firm</u>	<u>Score</u>
Dubois & King, Inc.	12.1
GZA GeoEnvironmantal, Inc.	11.5
Gannett Fleming, Inc.	12.5

It should be noted that Gannett Fleming was not the lowest cost proposal; in fact they submitted the highest proposed fee. However, during the interview, staff from Gannett Fleming presented a suite of innovative approaches to addressing the dam's deficiencies. The selection team was impressed with the level of effort that the firm had put into developing creative, cost-saving concepts for the eventual construction. Other interviewed firms approached the project with a preset notion of what the corrective actions should be. It is staff's opinion that the fresh perspective offered by Gannett Fleming will result in an overall project savings during the Construction Phase.

It is recommended that the City Manager be authorized to negotiate and execute a professional services contract with Gannett Fleming, Inc. in an amount not to exceed \$129,937, with funding to come from project cost center 05034-B.



City of Keene, N.H.
Transmittal Form

March 3, 2017

TO: Finance, Organization and Personnel Committee

FROM: Aaron Costa, Operations Manager & Donna Hanscom, Asst. Public Works Director

THROUGH: Medard Kopczynski, City Manager & Kurt D. Blomquist, P.E., Public Works Director

ITEM: 5.

SUBJECT: Rose Lane Change Order Loureiro Engineering - Public Works Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend the City Manager be authorized to do all things necessary to execute a change order with Loureiro Engineering for an amount not to exceed \$8993.60 for Contract 04-16-04.

BACKGROUND:

The City's first wastewater treatment facility, located on Rose Lane, was built in 1934 and remained active until 1985. Because past practice included disposal of wastewater sludge on site, the New Hampshire Department of Environmental Services (NHDES) characterized this site as a sludge monofill in 2007 and requires its permanent closure. NHDES approved the City's proposed closure plan in October 2015.

In September 2015, the City signed a general construction oversight and project documentation contract with Loureiro Engineering for the Rose Lane project. Construction bids for the project were received in January 2016; however the City has yet to award the construction contract because a property abutter raised concerns regarding the closure plan, therefore prompting NHDES to request additional information.

In April 2016, City Council approved change order 1 with Loureiro Engineering for additional work requested by NHDES that included additional construction oversight, new flooding analysis, additional meetings, reporting and design of the post-closure monitoring wells and participation in the community outreach plan.

In September 2016, the City Manager authorized change order 2, a no cost change order, as part of the on-going closure plan work. For this work Loureiro Engineering performed gas monitoring of two existing gas monitoring wells and later in the month oversaw the installation of four additional gas monitoring wells.

In December 2016, Loureiro Engineering met with City staff and NHDES in regards to the re-design of the gas management system. During this discussion NHDES was concerned that insufficient data has been gathered from the four gas monitoring wells that were installed in September, as they have only been monitored once since being installed. NHDES recommended that several rounds of sampling events should be conducted to obtain representative data. NHDES also requested that Loureiro perform gas dispersion calculations to insure gases from the monofill are not migrating offsite. City staff agrees the additional work will result in improved public relations and more robust project record documentation.

Because Loureiro's construction services contract didn't include level of effort for these additional tasks, staff

recommends a third change order be executed to reflect three additional gas monitoring events, dispersion calculations and reporting at a cost not to exceed \$8993.60.

Staff recommends the City Manager be authorized to do all things necessary to sign a change order with Loureiro Engineering for an amount not to exceed \$8993.60. Because the construction bid was lower than expected, funds are available in 08094 62102 for this change order.



City of Keene, N.H.
Transmittal Form

March 10, 2017

TO: Finance, Organization and Personnel Committee

FROM: Steven Russo, Acting Police Chief

THROUGH: Medard Kopczynski, City Manager

ITEM: 6.

SUBJECT: FY 18 Revenue Enhancement Proposal - Police Department

RECOMMENDATION:

Move that the Finance, Organization and Personnel Committee recommend that the Keene Police Department increase the cost of administrative fingerprinting services from \$15.00 to \$20.00 for residents of the City of Keene, and from \$35.00 to \$40.00 for non-residents.

BACKGROUND:

Department staff have recently reviewed revenue sources available to us and determined that there is one revenue stream potential which should be increased, administrative fingerprinting for the public. Citizens require administrative fingerprinting as part of the certain job applications, specifically child care, nursing and education positions. The Department provides this service to the public to meet this need, as does New Hampshire State Police, Troop C in Keene.

Current pricing for this service has not been changed since May of 2010 while the personnel cost of providing this service since then has increased approximately 12.3%. This proposed increase represents a 33% increase for Keene residents and 14.3% increase for non-residents. Though the 33% increase seems large, the high percentage is due to the actual low fee we currently charge residents for this service. The fee increase proposal is still lower than those charged by other municipalities we surveyed, to include New Hampshire State Police.

Due to the fluctuating nature of administrative fingerprinting and the lack of documentation as to how many are done for residents versus non-residents every year, an exact revenue increase estimate is difficult. However, using a 50/50 split of resident / non-resident fingerprinting from FY 2016 revenues, this fee increase should increase revenue at least \$1,345 annually if not more, assisting in offsetting the personnel costs to the City to provide this service to the public.

In Fiscal Year (FY) 2014 administrative fingerprinting brought in \$4,190.00. In FY 2015 \$8,770.00, in FY 2016 \$5,655.00 and FY 2017 revenues are estimated to be \$5,468.00. This change could be implemented immediately upon approval.



City of Keene, N.H.
Transmittal Form

January 20, 2017

TO: Mayor and Keene City Council

FROM: Andy Bohannon, Parks, Recreation and Facilities Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 8.

SUBJECT: Council Policy: Relating to Fee Schedules for Use of the Recreation Center - Parks, Recreation and Facilities Department

COUNCIL ACTION:

In City Council February 2, 2017.

Referred to the Finance, Organization and Personnel Committee.

RECOMMENDATION:

Move that the City Council adopt Resolution R-2017-06, rescind R-2009-28, and rescind R-1977-47 relating to the fee schedule and facility use for the Parks, Recreation and Facilities Department.

ATTACHMENTS:

Description

Resolution R-2017-06

Fee Schedule (Revised attachment)

Resolution R-2009-28

Resolution R-1977-47

BACKGROUND:

Resolution R-2017-06 has brought together several fee structures and use agreements for the Parks, Recreation and Facilities Department (Department). To be specific, this resolution update is only focusing on recreational activities, as the cemetery division fee structure is set by ordinance and was updated in 2016.

Highlighting the purpose will be the introduction of the fees charged by the department for the purposes of renting fields for tournament play. Currently the Department handles multiple fees and charges for various facilities that it manages. This process will consolidate these forms into one as the general rules and procedures are universally applied to all.

Resolution 2009-28 outlined the fee structure for various uses specifically at the Recreation Center.

Resolution R-1977-47 was created to outline goals and rules for the use of recreation facilities by youth sports organizations. Since 1977, the world of youth sports has taken a different direction with Amateur Athletic Union (AAU), Junior Olympics (JO), travel leagues and other elite programs focused on developing and specializing

today's youth for higher competitive leagues at a younger age.

The Department continues to work with many of these leagues regarding available facility time; however, a cost structure is needed for the varying levels of youth sports. A specialized program that requires a registration fee that includes, uniforms, travel and competitive tournament play is currently not in full alignment with the department's mission or programs and services. Highlighted by Key Issue #8— (KI8) Implement a Cost Recovery Methodology and Service Assessment in the Active and Passive Recreation Management Plan—there were two recommendations to support this issue.

- Recommendation #14 (R14) – Align cost recovery and pricing strategies with values, vision, and mission and market position.

- Recommendation #15 (R15) – Conduct comprehensive service assessment to eliminate duplication of services and enhance resource efficiency.

These recommendations have been reviewed and addressed by Department staff; however, R14 continues to be an ongoing conversation resulting in the current review of the fee structure. Specifically, R14 is connected to R-1977-47 regarding the use of the facilities and the services that department provides.

The action suggested to complete R14 was to review current revenue streams and their sustainability (including park fees, open space, trails, programs, and indoor recreation facilities), shift tax-funded support to priorities that benefit the community as a whole, as well as increase the cost recovery goals for services that benefit individuals more than the community. With the review, determine and define direct and in-direct cost in order to develop a cost recovery system. These recommendations will align with current City fiscal policies (R-2016-25-B) which are highlighted in Resolution R-2017-06.

Therefore R-1977-47 is not necessary and should be rescinded.



CITY OF KEENE

R-2017-06

Seventeen

In the Year of Our Lord Two Thousand and

RECREATION FEE SCHEDULE

A RESOLUTION

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

WHEREAS, The City of Keene has a variety of recreation facilities and programs available for the public to use and to participate in; and

WHEREAS, The Parks, Recreation and Facilities Department ("Department") annually reviews the fee schedule for these facilities and programs; and

WHEREAS, A comparative survey of Keene State College, Keene School District, Keene YMCA and other communities established that fees for the use of City facilities and participation in programs should be increased accordingly; and

WHEREAS, The fee structure for participation in recreation programs is adjusted administratively by the Department annually to reflect the actual cost of the specific program offering; and

WHEREAS, The fees for the use of facilities should reflect the actual maintenance, utility cost and staffing cost;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Keene, that Resolution R-2009-28, which was adopted December 9, 2009, and Resolution R-1977-47, which was adopted October 6, 1977, be rescinded.

AND BE IT FURTHER RESOLVED that the attached facilities fee schedule for the Parks, Recreation and Facilities Department is hereby adopted.

In City Council February 2, 2017.

Referred to the Finance, Organization and Personnel Committee.


City Clerk

Kendall W. Lane, Mayor

Parks, Recreation and Facilities Fee Schedule related to R-2017-06

Recreation Center	Dimension in Ft	Flooring	Cost if Non Profit	Cost if For Profit
Gym	104 x 80	Wood	\$40.00	\$80.00
Multi-Purpose (large groups)	88 x 60	Tile	\$25.00	\$50.00
Room 11 (up to 20 people)	18 x 20	Tile	\$10.00	\$20.00
Room 12 (fixed seating for 12)	18 x 20	Tile	\$15.00	\$30.00
Room 14 includes kitchen	44 x 35	Tile	\$15.00	\$30.00
Room 22 (up to 50 people)	41 x 18	Carpet	\$15.00	\$30.00
Room 24 (fixed seating for 12)	14x42	Tile	\$15.00	\$30.00
CUSTOIDIAL CLEANUP			\$125.00	\$125.00
BUILDING SUPERVISOR			\$15.00	\$15.00

Use of Ballfield(s) - Tournaments	1 DAY		2 DAY	LIGHTS
1 or 2 Fields	\$140.00		\$265.00	\$50.00
3 or 4 Fields	\$265.00		\$515.00	\$50.00
BAG OF LIME		\$10.00		
Use of Ballfield(s) - Seasonal Play				
LIGHTS per field per day	\$50.00			
MAINTENANCE FEE PER TEAM	\$50.00			



CITY OF KEENE

R-2009-28

Nine

In the Year of Our Lord Two Thousand and

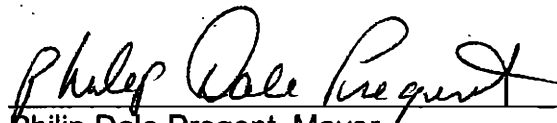
A RESOLUTION Rescinding Resolution R-88-39-A and adopting a fee
schedule for the use of the Recreation Center

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

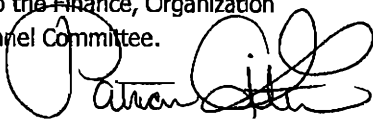
- Whereas: The City of Keene has a Recreation Center and;
- Whereas: The Recreation Center has a number and variety of spaces available for indoor rental; and
- Whereas: A comparative survey with Keene State College and the Keene School District showed that the fees for rental of these spaces should be raised; and
- Whereas: The fees should reflect the increased electrical, fuel and staffing costs.

Now Therefore Be It Resolved by this City Council of the City of Keene, that Resolution R-88-39-A, which was adopted January 19, 1989, is rescinded.

And Be It Further Resolved that the attached fee schedule for the Keene Recreation Center is hereby adopted.


Philip Dale Pregent, Mayor


In City Council December 3, 2009.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk

PASSED

December 17, 2009

A true copy; attest.


City Clerk

proposed

GROUP REQUESTING	ACTIVITY	CHARGES -	GYM	MULTI-PURPOSE ROOM	LARGE ROOMS 14,21,22	ALL OTHER ROOMS
City/School sponsored	Any	Doesn't Matter	0	0	0	0
Non-Profit	Youth Rec Program	No Fee or Sales	0	0	0	0
Non-Profit	Youth Rec Program	Fees Charged or Sales	\$20/hour	\$15/hour	\$10/hour	\$5/hour
Non-Profit	Any	No Fees or Sales	\$30/hour	\$25/hour	\$15/hour	\$10/hour
Non-Profit	Any	Fees Charged or Sales	\$40/hour	\$30/hour	\$20/hour	\$15/hour
Non-Profit	Adult Recreation	None or Washout Charge	\$20/hour	\$15/hour	\$10/hour	\$5/hour
Profit-Making	Recreational	No Charges or Sales	\$40/hour	\$30/hour	\$20/hour	\$10/hour
Profit-Making	Non-Recreational	No Charges or Sales	\$75/hour	\$50/hour	\$50/hour	\$30/hour
The above fees reflect rental of space only during regular operating hours of the Recreation Center.						
There would be additional charges if a building supervisor must be specially assigned or if a setup and/or cleanup is required.						
The Parks and Recreation Director may waive the fee in special instances.						



CITY OF KEENE

In the Year of Our Lord One Thousand Nine Hundred and Seventy-Seven

A RESOLUTION Relating To Use Of City Recreation Facilities

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

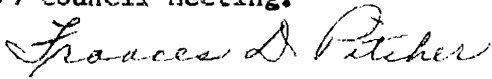
BE IT RESOLVED THAT the City Council adopt the attached goals and rules for the use of recreation facilities by organizations sponsoring youth athletic programs in order to attempt to assure that there are reiterable regulations and goals for the use of these facilities which will enhance and improve the program while giving due consideration to the general interest of the citizens of the City of Keene.

This resolution supercedes R-77-16.

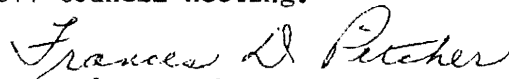


 George M. Rossiter, Mayor

In City Council September 1, 1977.
 Voted to postpone until September 15,
 1977 Council Meeting.


 Frances D. Petcher
 City Clerk

In City Council September 15, 1977.
 Voted to table until the October 6,
 1977 Council Meeting.


 Frances D. Petcher
 City Clerk

GOALS AND RULES FOR THE USE OF CITY FACILITIES AND CITY FUNDS BY
YOUTH ORIENTED PROGRAMS INVOLVING CHILDREN BELOW AGE 14

The City of Keene, through the City Manager and the Director of Parks and Recreation, will continue to give permission to use City recreational facilities to any organizations sponsoring youth athletic programs provided that the programs meet the following goals.

1. That the organizations sponsoring an athletic program provide an opportunity for youths in the Community to learn basic fundamentals of the athletic activity and to enjoy participation and competition in such activities so that they can appreciate the activity, learn the fundamentals of the activity, participate in the activity, improve physical development from the activity and thus become a happy and better person.
2. That the athletic programs also include as objectives the development of positive social values and character traits, good citizenship, physical and mental health and a sound knowledge and appreciation of the activity.
3. That the sponsoring organization will keep the welfare of the youth participants at its prime goal and keep the participants free from all adult ambition and glory.
4. That the organization not unduly emphasize the concept of all star or exhibition teams.

The City of Keene, through the City Manager and the Department of Parks and Recreation, will continue to give permission to use City recreational facilities to any organizations sponsoring such activity programs with the understanding that compliance with the following rules is a prerequisite to the programs.

1. That all youths in the Community who are interested in participating in the athletic programs be placed on a team according to their age group with the intent of creating balanced teams, except those found physically or emotionally unqualified by the Medical Advisory Board.
2. That all youths be given an opportunity to participate in every game except those found physically or emotionally unqualified by the Medical Advisory Board.
3. That the minimum and maximum length and number of innings, quarters or periods that the youths play will be approved by the Director of Parks and Recreation. The Director in concert with the Medical Advisory Board and the sponsoring organizations will determine the minimum and maximum playing times for each activity.
4. That no youth who makes a conscientious attempt to attend practices and meetings will be penalized for his inability to participate in practices and games due to religious holidays or observances or because of important family occasions.

5. That the City will establish a Medical Advisory Board for athletic programs and the sponsoring organizations will cooperate with that Board and meet annually or more frequently as requested by the Medical Advisory Board.
6. Training clinics for team members, assistants, officials and coaches will be established by the Parks and Recreation Department.
7. That the sponsoring organization and the Recreation Department will insure that all teams have even practice times. All fields, if needed, will be assigned for practice and games by the Director of Parks and Recreation.
8. That the Parks and Recreation Department will have a voting member on the organization sponsoring committee.
9. The City of Keene Parks and Recreation Department will assist in
 - a. Securing and maintaining athletic fields for the activity.
 - b. Procuring the necessary safe equipment if the organization needs this type of assistance.
10. That the safety and helath of the participants be protected by the mandatory requirement of acceptable equipment and devices including those in the personal possession of the participants, as determined by the Medical Advisory Board.

Adopted by City Council (R-77-47)

October 6, 1977

Frances D. Pitcher
City Clerk



City of Keene, N.H.
Transmittal Form

March 5, 2017

TO: Finance, Organization and Personnel Committee

FROM: Steve Thornton, Finance Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 9.

SUBJECT: Staff Recommended CIP Amendment - Finance Department

RECOMMENDATION:

That the Finance, Organization and Personnel Committee recommend that the Surface Parking Lot Maintenance – Gilbo Street East Rehabilitation project (p. 148) be rescheduled from FY 2019 to FY 2018.

BACKGROUND:

This project was included in the FY 17-22 CIP and scheduled for FY 2019. The City Council moved that project from FY 2019 to FY 2018. In compiling the proposed FY 2018-2023 CIP, staff failed to account for the Council action.

This action will correct the Proposed CIP to reflect that Council action.



External Communication
Transmittal Form

March 7, 2017

TO: Finance, Organization and Personnel Committee

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: 10.

SUBJECT: FY 2018-2023 Proposed Capital Improvements Program

ATTACHMENTS:

Description

Brian Mattson Communication
Nancy Judd Communication
Rachel Eschle Communication
Peter Starkey Communication
George Hansel Communication
Sean Bailey Communication
John Therriault Communication
Juliana Bergeron Communication
Rachel Eschle Communication
George Hansel Communication
Leanne Anderson Communication

BACKGROUND:

At the March 2, 2017 City Council meeting a public hearing was held relative to the Proposed Capital Improvement Program for FY 2018-2023. The Mayor kept the hearing open for written public comments until Tuesday, March 7, 2017 at 1:00 PM. The attached represents written testimony received by the Office of the City Clerk within the prescribed deadline.

- Brian Mattson - Community Center Feasibility Study
- Nancy Judd - Community Center Feasibility Study
- Rachel Eschle - Community Center Feasibility Study
- Peter Starkey - Community Center Feasibility Study
- Sean Bailey - Community Center Feasibility Study
- George Hansel - Community Center Feasibility Study
- John Therriault - Community Center Feasibility Study and Biofuel Generator
- Juliana Bergeron - Community Center Feasibility Study, Biofuel Generator and Downtown Revitalization
- Rachel Eschle - Biofuel Generator
- George Hansel - Biofuel Generator

- Leanne and Dwight Anderson - Airport Obstruction

March 6, 2017

Mayor and City Council
City of Keene
3 Washington Street
Keene, NH 03431

Honorable Mayor and Council,

This communication is a follow-up to the testimony given at the Council Public Hearing on the FY 2018-2023 Capital Improvement Program on Thursday, March 2, 2017. There are a couple of items concerning the Community Center Feasibility Study request that I would like to submit further comment on.

The first item concerns the phrase used in the narrative that reads, "...provide a direction of program opportunities...". This refers to the early discussions between the Parks and Recreation Department and the Senior Center. The Senior Center saw many new program opportunities because of the size and type of spaces that would be available during the day. The Parks and Recreation Department during discussions about either an exterior or interior access to a Senior Center reception/office area realized that some resulting interior reconfigurations could provide them with spaces that would allow better programming opportunities. The Recreation Center is 30 years old and now has some different space needs.

The second item is the fact that should the Senior Center leave its present site for the joint arrangement at the Recreation Center, it returns its building and land fully to the tax rolls. At present, the assessment for the building and land is \$444,400. The Senior Center presently pays \$2200 per year in taxes on the two rental apartments on the second floor. At this year's tax rate and assessment, the Senior Center site fully on the tax rolls would return \$16, 171.72 in taxes. This fact should not be forgotten in the project's consideration.

Thank you for your further attention.

Sincerely,



Brian Mattson
30 Page Street
Keene, NH 03431

March 3, 2017

Mayor Kendall Lane
Keene City Hall
3 Washington Street
Keene, NH 03431

Dear Mayor Lane and Council Members:

Last night I attended a meeting at the City Council on the future budget. I almost got up to speak but chickened out. However, as the evening wore on, I felt more and more sure that I did have something worth saying so I am writing you this letter to express a few of my thoughts about the request in the budget for the Community Center feasibility study. This is needed before anything else can happen to improve and expand the Center. I am sure you are well aware of all the reasons this needs to happen.

1. Simply put, the Senior Center location we have now puts severe restraints on the programs and services we can offer to the older adults in the community and surrounding towns. We have run out of room to grow as a resource for the older adults.
2. Working with the City, we could utilize unused space in the current Recreation Center. The children would be in school during the day so the older adults would be able to utilize the space. The seniors would be out of the building in time for the students to then use the resources in the Community Center for their many activities. It would also give the town the opportunity to provide more intergenerational programming which would benefit both the seniors and the children/students. This seems like a win-win opportunity for the town.
3. I commend the young men who spoke and showed an interest in town matters.
4. I would like to suggest that the Council and the young men both take a minute to think about all of the previous meetings where budgets came up and where the adults saw needs for the youth of the town and voted for that new school, recreational facility, sports programs, etc. and took on the burden of the cost to meet all those needs of the town youngsters. Many of those adults may not have even had children of their own but they still supported expenses for the benefit of the youth.
5. Many of those adults are now the same older adults that need some assistance in this project. There is no plan to give up our non-profit status nor to have the town in any way take over the expenses of running the Senior Center. Once we have the feasibility study and its approval, the Senior Center will apply for grants, do fund-raising events, and any other methods of raising money that will be needed for remodeling the space we mainly would be using.

6. All in all, this is a project that will be a benefit to the town and also to the larger local community. The Center will continue the role of being an asset and a resource to the town residents as well as welcoming our neighbors to Keene.
7. It would also further enhance the inter-relationships within the various organizations and the town of Keene itself and be more inclusive and welcoming of all of its residents and neighbors.

I lived in IL for many years and also worked at their local Senior Center for 16 years so I know how important it is to support the needs of the older adult population of any town and what a difference a vibrant, active Senior Center can make. There are many parts that go into creating a healthy community and a Senior Center can be one of the hubs. The current Senior Center is bursting at the seams and needs to be relocated.

It is said that we all live on the sacrifices of others – the buildings we live in were built by someone (in most instances) other than ourselves, the roads we drive on were made by total strangers, the food we eat was grown by others. The older adults have made many sacrifices to help Keene grow into the wonderful community it is and now it is time to make sure that the older adult population is included as a full partner in the town's continued growth. Thank you for your attention and consideration.

Sincerely yours,



Nancy Judd
38 Park Avenue, #D
Keene, NH 03431

████████████████████
603-903-5944

City Council Members and Mayor Lane,

I am writing in regards to the proposed "community center feasibility study" contained in the CIP (page 178). In researching this proposal, I learned quite a bit about the valuable programming and resources provided by the Keene Senior Center. I support the mission of the senior center and understand its value.

We can agree about the importance of a program and disagree about how it should be funded. Many of the people who utilize these services (possibly the majority) are from surrounding towns that are not contributing any of their tax dollars to this initiative. The City of Keene has one of the highest tax burdens in the state, and providing services that support the entire county contributes to this problem. Many people in those towns (including seniors) live there specifically because the tax rate is significantly lower. The towns that benefit from this center should be contributing in kind to each stage of this project, and sharing in the risk and cost of the project from the very beginning. Without contribution from other regional taxpayers to defray the cost, I cannot support using Keene tax dollars to fund this study.

With respect,

A handwritten signature in black ink, appearing to read "Rachel Eschle". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rachel Eschle
39 Union Street, Keene NH

Keene City Council and Kendall Lane, Mayor
% Patricia A. Little, City Clerk
3 Washington St.
Keene, NH 03431

Peter Starkey
88 Howard St.
Keene, NH 03431

Dear members of the Keene City Council and Mayor Lane:

First, thank you for the amazing work you do on behalf of our community. Having been involved in local politics and serving on multiple boards, I can sympathize with the commitment and burden you face each day. Your service is appreciated. I write in response to the conversation at your Thursday, March 2nd meeting concerning the feasibility study for the Keene Senior Center/Recreational Center merger. Having read the comments made during the meeting from the Sentinel article published March 3rd, 2017, I wanted to lend my own voice as a 25 year old tax-paying homeowner, and young professional, born and raised in Keene, NH. I would rather be at your meeting this Thursday, but I will be traveling to El Salvador for a service project with other young professionals, college students, and area residents to build housing for those in need.

I write this personal note in favor of studying the feasibility of merging the Keene Senior Center and Keene Recreational Center because it would help merge two vital community services in the Keene area, increase access to programming, and more efficiently utilize space at the Recreational Center. My experience with the Keene Senior Center over the past two years as a volunteer and through my various other non-profit board and local government commitments has shown me the incredible role they play in serving our community. As an advocate in the community for mental health, I cannot stress enough how important a center is for folks who are working with various struggles in life

Feasibility studies are vital to additional grant funding applications, and I fully support this project being supported through grants. As someone who lives down the street from the Keene Recreational Center, I can say that this proposal to revitalize and expand the services offered is a fabulous idea for the neighborhood. The Keene Recreational Center offers so much to the community, but is often underutilized during the day, when the Senior Center is most active. The opportunity for intergenerational programming of a combined Community Center would benefit all involved, and studies have shown the positive impact this programming style has on all age groups.

I agree that funding should be set aside to revitalize the community, support economic advancement, and attract young people to the community. However, that cannot come at the expense of our senior community members. I support fully the concept of an intergenerational, combined Community Center to expand programming, more efficiently utilize city resources, offer support, and provide much needed assistance to all.

Respectfully,

A handwritten signature in black ink, appearing to read "Peter Starkey". The signature is fluid and cursive, with a large initial "P" and "S".

Peter Starkey

March 6, 2017

TO: Mayor Kendall Lane, Keene City Council, and City Manager

FROM: George S. Hansel, Councilor At-Large

RE: Amendment to page 178 of the proposed 2018-2023 Capital Improvement Program (CIP) regarding the "Community Center Feasibility Study"

I request that the Finance, Organization and Personnel (FOP) Committee consider the following amendment to the proposed 2018-2023 CIP at their meeting on 3/9/2017:

Amendment: In the "Financial Plan and Project Schedule" table on page 178, push back the proposed funding for the "Community Center Feasibility Study" until FY 2019.

Reasoning: This project is being introduced for the first time. It's also scheduled for funding in the upcoming fiscal year (FY 2018). Projects should appear in multiple CIPs before being funded. Not only is this a sound practice for financial planning, it allows for the public to have more than two months to digest and weigh in on a project's merits before it's moved forward. This public discourse is more essential when there is obvious controversy. We've heard legitimate arguments both in favor and against moving forward with this study. I feel compelled to continue this public discourse before green-lighting this project for funding in FY 2018.

Thanks and best regards,

A handwritten signature in black ink, appearing to read "George S. Hansel", written in a cursive style.

George S. Hansel, Councilor At-Large

Keene City Council/FOP Committee
Patricia A. Little, CMC City Clerk
Keene City Hall
3 Washington St
Keene, NH 03431

Sean Bailey, President
Greater Keene Rotaract Club
PO Box 79
Keene, NH 03431

Dear members of the Keene City Council:

My name is Sean Bailey, and I am the President of the Greater Keene Rotaract Club. Rotaract is a Rotary International sponsored organization for young professionals between the ages of 18 and 35. On behalf of the Greater Keene Rotaract Club, I am writing in response to the Keene Sentinel article "Older, Younger Residents Debate Keene Senior Center Money" published on March 3, 2017. Our group was disappointed to learn about the lack of support voiced by young professionals in our community for the Community Center Feasibility Study for the Parks & Recreation building at 312 Washington Street during the public hearing on March 2, 2017. As our members are young professionals in the Keene community, and many are tax payers, I wanted to make sure that the opinions of those expressed at the public hearing are not indicative of all young professionals in our community.

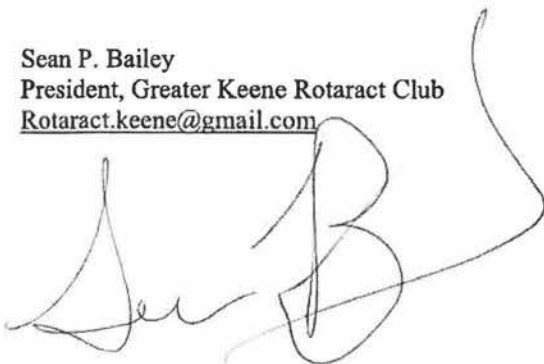
On behalf of the Greater Keene Rotaract Club, I would like to express our sincere support for this project. We firmly believe that in order to have a vibrant, thriving community we need to support the needs of all individuals, especially vulnerable populations, such as senior citizens. Renovating the current Parks & Recreation facility to become a Community Center that will house the Keene Senior Center appears to be a complementary fit. Not only will the building be fully utilized, it will also allow for intergenerational programming, which studies have shown to be beneficial for all generations involved.

Within the last few months, the Greater Keene Rotaract Club has formed a growing partnership with the Keene Senior Center. Our service club uses the Senior Center as a meeting location in the evenings, and in return, our members serve as volunteers for the Senior Center to accomplish tasks such as recovering chairs, painting projects, help at Senior Center fundraising events, etc. We have witnessed firsthand the benefits of interacting with a different generation, and how it benefits both parties involved.

I urge you to vote in favor of this project. We believe together, we can make the Keene area a wonderful place to work, play, raise a family, and even retire.

Respectfully,

Sean P. Bailey
President, Greater Keene Rotaract Club
Rotaract.keene@gmail.com

A handwritten signature in black ink, appearing to read "Sean P. Bailey", written over the typed name and contact information.

5 March 2017

Mayor and City Council

3 Washington St

Keene, NH 03431

I was unable to attend the public comment session for the CIP due to family travel plans. However please enter my comments for the record.

I believe that every expenditure made by City Government should serve one of five purposes: Safety, Sanitation, Infrastructure, Records or Recreation. If an expenditure does not serve one or more of these purposes it should not be made. I also believe that no expenditure should be made in advance of ongoing events that might make the effort a waste of the taxpayer's money. With these thoughts in mind I bring your attention to the following proposed projects.

The first proposal is to purchase a biofuel generator for use at the transfer station (**Page 82 of the CIP**). This \$750,000 project is the result of the failed fish farm initiative from last year. It is an attempt to utilize \$250,000 in federal grant money that the city received. I believe this effort is unwise because we have not fully developed a long range plan to meet the energy needs of the transfer station. This appears to be a hasty reaction to use an expiring grant. I believe taxpayers funds would be better spent on development of a solid plan that looks 20 years into the future. If the grant expires before this is complete, so be it.

The next proposed project is the community center feasibility study (**Page 178 of the CIP**). This is a \$35,890 study (\$25,890 of taxpayer dollars) to investigate what it would take to modify the current recreation center to house and provide programming for the Keene Senior Center. The Senior Center is an independent organization that currently has a thriving membership. I believe this effort is premature. It makes no sense to take a thriving entity, the Keene Senior Center, and roll it into another entity, the Recreation Center, without thoughtful consideration from the users of the Senior Center. I believe this project should at least be deferred until the next fiscal year to allow a majority of the users of the Senior Center to consider the idea.

The last project is a \$30,000 "Downtown Revitalization" study to investigate potential improvements/beautification efforts that should take place in downtown Keene (**Page 145 of the CIP**). I believe that the city staff should be able to accomplish this effort with a moderate amount of benchmarking and the expenditure of far fewer taxpayer funds. I urge this project to be cancelled outright.

Respectfully,

John Therriault



76 Bradford Road, Keene

March 7, 2017

RE: CIP

Mayor Lane & Keene City Council:

Having attended the public hearing last week, we were surprised to see that so many questions about a number of projects included in the CIP could not be answered, and that is worrisome as we fear that once the projects are included, they will end up being funded before most of the interested tax payers of the City of Keene have a chance to review, comment, or even have their questions answered.

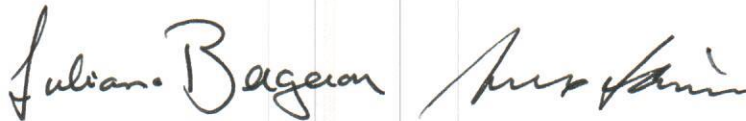
Several projects concern us. Even as "Senior Citizens," we question the idea of a "community center feasibility study" to investigate modifying the rec center to house (rent space to?) the Keene Senior Center. We agree with the comments that many other non-profits would love such a sweet deal and we truly believe the Senior Center would eventually be absorbed by the City. Though we consider it to be a fine organization, we don't think this makes sense when we think of the small percentage of Keene's Seniors actually involved with the Center. We also disagree with Peg Monahan's assertion that soon 40% of Keene's citizens will be elderly. If this same money is used to help attract younger people to live and work in Keene, we could possibly avoid that 40% number in favor of a more diverse and vibrant community. We ask you to delay funding this feasibility study until you can be sure the citizens want it and that it is in our best interest.

We are also concerned by the proposed "Downtown Revitalization" study that has shown up again in the CIP. One of the biggest problems with downtown is the lack of parking. We feel it does the City no good to attempt revitalization until this question is answered. As a long term MEDC member, I (Juliana) can think of a number of projects that have not made it off the drawing board in Keene because of our parking issues.

Finally, the biofuel generator project proposed for the transfer station feels like a last minute effort to utilize the grant obtained originally for the fish farm project. That grant is still tax payers money and is better returned than used for a project that not gone through enough analysis.

Obviously we are in agreement with the vast majority of projects included in the CIP, but we respectfully as that the Council consider delaying the three noted above.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Juliana Bergeron' and the signature on the right is 'Arto Leino'. Both are written in a cursive, flowing style.

Juliana Bergeron & Arto Leino
410 Main St.
Keene, NH 03431

City Council Members and Mayor Lane,

I am writing to express my concern with the biofuel generator proposal contained in the 2017 CIP (page 81).

Based on the lack of details included in the CIP and the "Solid Waste Energy Options Report" presented in November, it's quite clear that the city has not done the requisite research to make a funding decision. The A Solid Waste Energy Options Report includes cost and CO2 estimates without providing assumptions, or even specifying what type of biofuel would be used (if it's in there somewhere, I certainly couldn't find it.) There is no way to generate a reliable estimate of cost or carbon emissions without knowing the type of fuel, which leaves me very skeptical about the thoroughness of the analysis conducted to date.

In the absence of information to the contrary, it's reasonable to assume that the generator would use one of the more common forms of biofuel in the U.S. (cellulosic biofuel, or ethanol). If you accounted for the manufacture and transport these fuels (likely being trucked from many states away) it is very likely that both options would have a negative impact on net carbon emissions. I say it's "very likely" because I haven't done the analysis either, so just like all of you, I don't actually have the information to make an informed decision.

I understand you want to take advantage of federal grant money, but a \$250K contribution of taxpayer money is not insignificant. \$250K could be used to fix the potholes in front of my house. Or to pay down some of the city's debt.

It's entirely premature to fund the purchase of this generator without the proper analysis and information. Once the analysis has been completed, it should be made available to the public for a comment period (along with all underlying assumptions used to generate the conclusions). Then and only then should you consider contributing Keene taxpayers' money to fund this. Please don't rush into this without kicking the tires, or we'll end up with another fish farm boondoggle.

With respect,

A handwritten signature in black ink, appearing to read "Rachel Eschle". The signature is fluid and cursive, with a long horizontal stroke at the end.

Rachel Eschle
39 Union Street, Keene NH

March 6, 2017

TO: Mayor Kendall Lane, Keene City Council, and City Manager

FROM: George S. Hansel, Councilor At-Large

RE: Amendment to page 82 of the proposed 2018-2023 Capital Improvement Program (CIP) regarding the "Biofuel Generator"

I request that the Finance, Organization and Personnel (FOP) Committee consider the following amendment to the proposed 2018-2023 CIP at their meeting on 3/9/2017:

Amendment: Remove the "Biofuel Generator" project on page 82 from the proposed 2018-2023 CIP.

Reasoning: The power needs at the transfer station must be addressed, but many questions remain. The city has contracted with WV Engineering for the review/preliminary design of several power options at the Transfer Station/Recycling Center; However, the results will not be ready before adoption of this year's CIP. The city should also explore the development potential in and around the transfer station before deciding on a power option. There may be opportunities for a public/private partnership to extend three-phase power to the transfer station/surrounding area. I encourage removing this project for this year's Capital Budget until the council can make a fully informed decision on the best solution for Keene and its citizens.

Thanks and best regards,

A handwritten signature in black ink, appearing to read "George S. Hansel", written in a cursive style.

George S. Hansel, Councilor At-Large

Honorable Mayor Lane
Keene City Council

03/06/2017

As a member of the Edgewood Neighborhood, a caring citizen of Keene and a taxpayer in good standing, I would like to discuss the Capital Project: Runway 20 Obstruction Removal.

We are a neighborhood of new and many long standing property owners. We care about this community called Keene and most of us participate in many of the City activities throughout the year. Many times I hear from my neighbors how they bought local rather than buying out of town even though they may have found a product much cheaper outside our community.

We have ask many questions regarding the avigation easements. We have received many different explanations regarding the definition of the avigation easements and the need and purpose behind them. The only way we have been able to get any answers were to be diligent in asking the same question in many ways and many times. It is my understanding from what we have just been told, if there are no trees on a property or if the City uses their own money to cut the trees or finds someone to cut the trees in the same manner as on the Airport property and no grant funds are used, an avigation easement will not be needed to cut the trees. Now if you read the PROJECT DESCRIPTION/ JUSTIFICATION on page 153 in the CIP Book you will see a sentence as follows: Completion of this project is, to some extent, subject to obtaining the necessary property rights. I would ask that you acquire a definition of this sentence. It seems to read as a separate issue and in addition to the tree cutting.

I would ask you to reconsider approving this project until you as Councilors and the Edgewood Neighborhood know the full extent of the Cities commitment to acquiring this grant. To approve and not have the full and truthful facts on the effects to all involved should be an automatic red flag. Please help to minimize the impact on the Edgewood Neighborhood.

When a neighborhood responds to such a forced on action and are not afraid to stand up, speak out, ask questions and expect truth and forth right answers, they are not trouble makers. We recognized the lack of action, from the Airport, has put us in this position and when it is said and done we the Edgewood Neighborhood is paying the price. Through our conversations with you we have made you aware of some information which you did not know and have made you aware of the conflicting information we have been given and we continue in this frustration.

Thank you for your consideration

Leanne Anderson *Leanne Anderson* 3/07/2017
Dwight Anderson *Dwight Anderson* 3-07-2017
103 Greenwood Ave.
Keene, NH 03431
(603-352-0534) [REDACTED]

Attachment: the suggested FAA template for the Avigation Easement



Suggested Template for Avigation Easements

We have provided this sample Avigation Easement language to assist Sponsors with the preparation of an agreement for their specific location and situation. We recommend Sponsors furnish this sample language to their attorney tasked with preparing the actual Avigation Easement.

Limitations of Use

The FAA's provision of this sample language serves as a starting point for the Sponsor for preparing their customized avigation easement. Sponsors must not construe provision of this sample document as being complete and legally sufficient. Sponsors are solely responsible for verifying the legal status of all contractual matters, including establishment of avigation easements.

SURFACE AND OVERHEAD AVIGATION EASEMENT

WHEREAS, (Property Owner), hereinafter called the Grantors are the fee owners of the following specifically described parcel of land situated in (City, County & State):

(Metes & bounds description of easement parcel)

hereinafter called "Grantors' property" and outlined on an attached Exhibit A map.

NOW, THEREFORE, in consideration of the sum of \$ _____ and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantors, for themselves, their heirs, administrators, executors, successors and assigns do hereby grant the following appurtenant rights and benefits to the (Name of Airport) hereinafter called the "Grantee" for the use and benefit of the public.

The appurtenant rights and benefits include the uses, rights and restrictions described as follows:

The unobstructed use and passage of all types of aircraft in and through the airspace at any height or altitude above the surface of the land.

The right of said aircraft to cause noise, vibrations, fumes, deposits of dust, fuel particles (incidental to the normal operation of aircraft); fear, interference with sleep or communication, and any other effects associated with the normal operation of aircraft taking off, landing or operating in the vicinity of (Airport).

As used herein, the term "aircraft" shall mean any and all types of aircraft, whether now in existence or hereafter manufactured and developed, to include jet, propeller-driven, civil, military or commercial aircraft; helicopters, regardless of existing or future noise levels, for the purpose of transporting persons or property through the air, by whoever owned or operated.



In granting this easement, the Grantors agree to make no modifications to the following "accepted" existing structures lying within the bounds of the easement area of the Grantors' property.

(Example: 20' x 25' utility shed, see attached Exhibit A map)

The Grantors agree that during the life of this easement, they will not construct, erect, suffer to permit or allow any structure or trees on the surface of the burdened property. The Grantors may not permit any places of public assembly or gatherings within the easement area. (Examples: churches, schools, day care facilities, hospitals, restaurants, stadiums, office buildings, etc.) The Grantors are permitted to continue to grow and harvest crops or graze livestock in the easement area

The Grantors agree to keep the easement area free of the following: structures (permanent or temporary) that might create glare or contain misleading lights; residences, fuel handling and storage facilities and smoke generating activities and creation of any means of electrical interference that could effect the movement of aircraft over the easement area.

Grantors agree to waive all damages and claims for damages caused or alleged to be caused by the Grantors violation of any aspect of this easement document. The (Airport) has a perpetual right of ingress/egress in the easement area and the right to remove any new structure or vegetation that is not specifically mentioned above as "accepted."

TO HAVE AND TO HOLD said easement and right of way, and all rights appertaining thereto unto the Grantee, its successors, and assigns, until said (Airport) shall be abandoned and shall cease to be used for public airport purposes. It is understood and agreed that all provisions herein shall run with the land and shall be binding upon the Grantors, their heirs, administrators, executors, successors and assigns until such time that the easement is extinguished.

IN WITNESS WHEREOF, the grantors have hereunto set their hands and seals this _____ day of _____, 20____. (Local recordation and subordination practices must also be met. If subordination is necessary in which case the mortgagee must join in the agreement, a statement must be made to assure that the mortgage is subordinate to the Easement and the Easement recording superior and prior to lien in said mortgage without consideration of the date of the mortgage instrument)

_____(SEAL)
Grantor(s)