

A regular meeting of the Keene City Council was held Thursday, April 21, 2016. The Honorable Mayor Kendall W. Lane called the meeting to order at 6:30 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Jay V. Kahn, Randy L. Filiault, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Stephen L. Hooper, Bettina A. Chadbourne, Philip M. Jones and Mitchell H. Greenwald were present. Councilors Gary P. Lamoureux and David C. Richards were absent. The Mayor took a moment to recognize newly elected Councilor Hansel's service. The Mayor continued that since 2016, Councilor Hansel began serving as Councilor-At-Large and serving on the Planning, Licenses and Development Committee. Councilor Hansel led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the April 7, 2016 meeting was duly seconded. The motion passed with a unanimous vote in favor.

INFORMATIONAL MEETING – NORTHEAST ENERGY DIRECT PIPELINE

Mayor Lane opened the meeting explaining it was originally scheduled to hear about the NED Pipeline (Kinder Morgan) that was scheduled to be constructed in the southern part of this County. Noting Kinder Morgan has suspended its plan for the pipeline, Mayor Lane pointed out there is still an issue remaining. Mayor Lane recognized Donald Kreis, from the Office of Consumer Advocate to address this issue.

Donald Kreis, Consumer Advocate from the Office of Consumer Advocate thanked the Mayor for the invitation to speak. Mr. Kreis reported along with his staff of four his office is tasked with representing the interests of residential utility customers before the Public Utilities Commission and various other forums. Mr. Kreis clarified the things he doesn't do 1) the statute says he has no authority to appear before the Site Evaluation Committee; so the question of whether a particular pipeline should be built in a particular place is not on his agenda, and 2) nor does the Office of Consumer Advocate represent any individual customers or landowners or even groups of customers or landowners. He continued their job is to look after residential utility as a whole; for the most part that means making sure the customers get safe and reliable service at the lowest possible cost. Mr. Kreis reported they argued unsuccessfully at the PUC that the so-called Market Path Agreement that the utilities entered into with the NED Pipeline (Kinder Morgan) was a bad deal for consumers. Last week the Office of Consumer Affairs filed testimony explaining why the so-called Supply Path Agreement a bad deal for consumers. He noted yesterday's news about the demise of the pipeline was welcomed and it was especially gratifying to us at the OCA because Kinder Morgan's stated reason for pulling the plug resonates nicely with the arguments they've been making. He continued basically too much capacity relative to the need for that capacity.

Mr. Kreis said now the OCA will pivot to the Access Northeast project, which Eversource's parent company owns 40% of. He continued it was one thing to ask, as Liberty Utilities did, that retail natural gas customers pay for any new gas pipeline capacity, but Eversource (formerly PSNH) wants electric customers to pay for 20 years' worth of new natural gas pipeline capacity. Eversource is finally nearing the end of a process that has taken 20 years to restructure the old PSNH into a new kind of electric utility that doesn't do electrical generation anymore; but rather is a company whose mission is to provide distribution services to consumers through poles and wires. Mr. Kreis asked why a "poles and wires" company would expect its customers to pay for

fuel. Eversource claims it makes sense for customers because the availability of natural gas capacity will mean more natural gas for generators, lower electricity prices, and thus cheaper electricity for consumers.

Continuing, Mr. Kreis stated that on behalf of residential utility customers the Office of Consumer Advocacy is profoundly skeptical. Consumers have paid dearly for restructuring, stranded cost charges related to Seabrook; stranded cost charges related to long-term contracts and soon four hundred million dollars in stranded cost charges for a mercury scrubber at a coal plant that most of the time is rusting away. The whole idea of restructuring is to free consumers from the risks associated with these investments, in particular generation technologies that may or may not be in the money over the long run. Mr. Kreis said how ironic, unfair, and illegal it is to turn back restructuring by forcing electric distribution customers to double down on natural gas in such a fashion. Mr. Kreis advised the City Council and residents of Keene to be on their guard; unlike the Kinder Morgan pipeline, Access Northeast will not run through Cheshire County, but it will run straight through rate payer wallets.

Mayor Lane asked procedurally, where does that project stand at this point? Mr. Kreis replied Eversource has petitioned the PUC for approval of this arrangement that it has entered into, and they had a pre-hearing conference just last week. The first phase of the proceeding at the PUC will involve the legal question because the PUC said it's not certain that Eversource has the legal authority to move forward with this. The Office of Consumer Advocacy will argue they do not and the PUC will be making that determination as the first step in that process. If the PUC decided they do have legal authority to move forward then they move forward to a full-blown evidentiary process where his office will argue about whether it's in the public interest to go forward. Mayor Lane also asked for the timeframe in which the PUC would be acting on this. Mr. Kreis replied Eversource and its partner pipeline company is requesting an order by October 1, 2016. Mr. Kreis suggested this is unrealistic and thinks it will be more along the lines of the first quarter of 2017.

At this point Mayor Lane asked for Council questions.

Councilor Sutherland asked Mr. Kreis who the PUC answers to. Mr. Kreis explained there are three Commissioners who are appointed by the Governor and confirmed by the Executive Councils. The PUC itself is a creature of statute so it answers to the Legislature. Councilor Sutherland said so the group that brought this forward to the City Council should go through the proper representative process of our government and go through the Legislature. Mr. Kreis continued if he understands Councilor Sutherland comments correctly questions about the pipeline aren't within the purview of a municipal government, but municipalities do have a lot of persuasive authority.

Councilor Kahn inquired whether Mr. Kreis has approached the New Hampshire Municipal Association with regards to the position you just articulated; Mr. Kreis replied in the negative. The Councilor further inquired whether there has been some financial analysis done to determine the extent to which rate increases versus private investment are fueling the project. Mr. Kreis answered in its filing Eversource claims that if everything goes as they predict there could be a net decrease in wholesale electricity prices New England wide of \$8.00/per megawatt

hour. They estimate consumer cost is about \$4.00/per megawatt hour. Mr. Kreis provided the Eversource's estimated benefit of \$8.00/per megawatt hour noting the benefits are not guaranteed and the Eversource projections have to pan out exactly as they have predicted. Essentially Eversource is asking for its customers to guarantee that \$4.00/per megawatt hour or 4/10 of a cent per KWH. The question the PUC has to decide and the question Mr. Kreis has decided to oppose is whether to impose that charge on every Eversource customer. Mr. Kreis continued it's possible and even likely that other public utilities in New Hampshire are waiting in the wings to negotiate similar deals. Mr. Kreis added the demise of the NED Pipeline adds some momentum to the Access Northeast project.

Mayor Lane thanked Mr. Kreis for bringing this information forward. He then recognized Councilor Clark who originally brought the matter to Council. Mayor Lane asked Councilor Clark to explain the nature of his original request.

Councilor Clark thanked the Mayor and noted he was happy everyone was still here after the air was taken out of the balloon yesterday; adding it's not over. Councilor Clark said Mr. Kreis already said most of what he was going to say. Originally a number of citizens asked the City to take a position on the pipeline because of its effects on water aquifers and rights-of-way. He noted two issues that could be decided shortly that would set dangerous precedents. Councilor Clark addressed rate paired funding of private projects citing the Seabrook project (1970's and 1980's) as an example pointing out New Hampshire residents ended up with the highest electric rates in the country, which only started to abate a few years ago.

Continuing Councilor Clark said since the event of fracking in Pennsylvania there are estimates that New England is getting half its electrical power from natural gas. He noted there are several companies trying to push through projects to increase electrical generation with Kinder Morgan being just one of them. Councilor Clark referred to Mr. Kreis' comments regarding costs being passed along to the rate payers and the deregulation of producers and suppliers. Councilor Clark explained it was RSA 374-A that allowed rate payers to be charged for the shared costs of electrical generation. He continued some parts of the RSA were not changed after deregulation; and this is something the Legislators need to look at to ensure everything is the way it's supposed to be. Last week Eversource petitioned the PUC to allow them to purchase a certain amount of contracted gas coming from the fracking fields. If allowed, this will set a precedent. If the PUC allows Eversource to put the costs of that contract into rate payer's costs it will be difficult in future years for the PUC to deny anyone else.

Councilor Clark continued that he believes the City Council needs to inform the PUC that there are flaws in the law, and that the PUC erred when it concluded RSA 374-F justifies the gas purchases being a public interest and justifying cost recovery when it really doesn't. Councilor Clark said the city Council needs to protect rate payers not only Keene's rate payers but our neighbors; this is why he suggests separating all other issues whether or not you agree with the environmental aspects of the pipeline. This is the economic portion of it that is going to affect everybody and they need to tell the PUC that they don't want this. The bottom line; it just isn't right for rate payers to be footing the bill to guarantee a private investor's profit. In response to Councilor Clark, Mayor Lane noted there were no representatives here from Eversource; he added they withdrew after yesterday's announcement. Councilor Clark stated his question for

Eversource is was their precedent agreement with the owners of the Algonquin Pipeline affected by Kinder Morgan's decision to step away from the local pipeline. Councilor Clark said if Eversource still wants this agreement with Algonquin, and they aren't going to withdraw its request this will set a very dangerous precedent.

Councilor Clark concluded by noting Kinder Morgan said that its NED Project didn't receive the commitments from big customers it needed to proceed. He continued this indicates there is something wrong with the market forces, the need isn't there apparently. He referred to reporting in the Boston Globe indicating there are still other companies better situated financially than Kinder Morgan waiting to come forward. He reiterated his suggestion of telling the PUC they don't think it's fair for rate payers to be paying for a privately owned pipeline or infrastructure; they also need to reconsider the above mentioned sections of RSA 374.

At this point Mayor Lane opened the floor to the public noting the use of speaker cards that were filled out prior to the meeting.

Sarah Wilton, of 127 School Street noted a recent exhibit at the Cheshire County Historical Society on agriculture in this region. She reported our agricultural history goes back about 300 years; a noteworthy fact is that about 8.8% of the food in this region is coming from local agriculture. Ms. Wilton asked the Council to consider what the impact of this pipeline would be on our agricultural resources. She noted a policy in New England recognizing the vulnerability of its food systems which is helping to ensure secure local food systems. Ms. Wilton indicated about 700 acres per year are taken out of agriculture due to development. Ms. Wilton concluded by noting a pipeline would damage the scarce agricultural resources and pipeline leakages would put our food sources at risk. Ms. Wilton also pointed out local farms are an excellent resource for solar or wind power and any energy produced there could be sold back as a new cash crop to provide security not just for the farmers but for the region.

Stillman Rogers, Chairman of the Cheshire County Commissioners commented this development is something our community is not prepared for. As Chairman he constituted a committee called the Impacted Towns Committee; which consists of members of all the representative towns. Its goal is to anticipate issues that would arise if the pipeline was built. Commissioner Rogers also advised he is opposed to the pipeline and noted he felt it was important for the protection of the citizenry and the rights of the people that there be some foresight given to Ordinances and things of that nature that had to be drafted and enacted. Commissioner Rogers continued the NED Pipeline has been suspended, not withdrawn. It's not only the NED project but other projects of this nature that may come into our community; so it is a matter of having Ordinances in place so you can at least control what comes into your community. He noted the work done by the local Committee pointing out they have worked with the larger Committee that represents all 17 of the affected towns. Commissioner Rogers suggested all of the towns in the County should take a hard look at what's in place that needs to be for projects coming down the road, and what needs to be done in order to protect the citizenry.

Commissioner Rogers addressed the issue of taking private land for private purposes; the NED Project was positioned on the basis of taking private land for public purposes (provision of electric services). The stated reasons for Kinder Morgan's withdrawal are indicative of the fact

that is not the real purpose of the NED Pipeline. The rationale behind NED was there was a drastic shortage of gas to supply the electric generators. Kinder Morgan was unable to justify this during the past two years. Commissioner Rogers said he would like to see the City and County work together on this and bring in representatives of the towns so they will be prepared. Commissioner Rogers also reported last week that the County Commissioners adopted a Resolution opposing the imposition of a tax on rate payers for this project; he wouldn't be surprised if the Commission doesn't do the same thing for the Access Northeast Project.

Jeff Scott, 45 Crowningshield Road, Chesterfield commented he spoke at his Town Meeting about this last month. He pointed out the pipeline wasn't coming to Chesterfield or Keene, but he wanted his town to go on record opposing the pipeline with its neighbors. He decided not to make it a referendum on fossil fuels or fracking. Mr. Scott did speak to them about eminent domain, exporting, and the tariff on electric rate payers. He suggested they needed to send a message to Kinder Morgan or any other company wanting to put a pipeline through that they will not allow this to happen. Mr. Scott said Kinder Morgan is not saying the people's opposition had anything to do with their decision to withdraw, but he thinks it had a lot to do with it. He continued Keene coming out in opposition to this pipeline would help send a stronger message. Mr. Scott added the Town of Chesterfield voted almost unanimously to oppose the Kinder Morgan pipeline.

Dana Pinney, of Fitzwilliam thanked the Council for hearing those from other towns; he also said he understands you represent the tax payers of Keene but we are part of your community. The decisions you make in Keene do affect what we do in our communities. Mr. Pinney addressed the issue of eminent domain and the knowledge of the people fighting this issue. Mr. Pinney noted his involvement in the process since the beginning. Mr. Pinney noted he installed solar last year and since that time has produced 53 kilowatts of electricity; far exceeding his personal use. He noted the reconciliation every April with Eversource who pays him monthly for what he produced. Mr. Pinney stated he has to send them a check because he produced too much. Mr. Pinney said New Hampshire has the highest electric rates in the country and businesses are going to leave New Hampshire. Referring to electric bills he suggested the supply side is not higher than other parts of the country; it's the transmission part of the bill related to the infrastructure.

James Smart, of 26 Iceland Circle commented he was not initially opposed to the pipeline until he discovered the amount of land it would take and rate hikes that will be imposed by Eversource. Mr. Smart noted he thinks one of the reasons NED pulled out is the decrease in fuel prices. Mr. Smart also commented if the people of Massachusetts thought this was a good thing they would have kept it down there. Mr. Smart joins Councilor Clark and the others present in their opposition of this project.

Representative James W. McConnell, who represents the Towns of Swanzey and Richmond, noted he is very active in the Legislature to block the efforts of the pipeline. Representative McConnell reiterated his testimony provided at the PLD Committee meeting on March 23, 2016. Representative McConnell commented he is pleased Kinder Morgan has suspended their effort but expects they will come back. Representative McConnell reiterated findings on Kinder Morgan's financial status suggesting if they have to pay for the pipeline it won't be built. Addressing the rate increases, Representative McConnell said the way they would pay for this

pipeline over the next 20 years would be tariffs on everyone's electric bills. On February 9, 2015 the Industrial Energy Consumers of America filed to block the export permits with the Department of Energy. Representative McConnell also suggested another reason Kinder Morgan suspended the pipeline besides not having the commitment they needed is that the price of natural gas overseas has dropped significantly. After additional comments Representative McConnell said he would like to see this project permanently pulled. He would also like to see the City of Keene do something along the lines of what the Cheshire County Commissioners did in preparing a Resolution which was sent to the PUC indicating they didn't feel the electric rate payers in the State of New Hampshire should be required to provide funding for a speculative pipeline. Representative McConnell said it has been widely speculated that this was an export pipeline from the moment it was announced. Representative McConnell noted he has introduced a number of measures to ensure the rate payers are not stuck with this bill.

Toby Tousley, of 499 Washington Street said he is in favor of the pipeline and feels it's a shame it won't be coming to Keene and he would like to see the City Council remain neutral on this issue. He also feels it would be a mistake for Keene to speak out against it. Mr. Tousley listed the benefits the pipeline would have brought to Keene as follows 1) it would have saved the rate payers as much as half on their rates, and 2) it would have gone right up to the hospital which serves other communities as well as Keene. Mr. Tousley suggested there are some myths about the pipeline like the export deal and the rate charge; he also provided his rationale for these suggestions. The next myth Mr. Tousley addressed is the building of solar fields to supplement all of the fossil fuels. Mr. Tousley reported on his involvement to work on a solution for sustainable future generating plants not using fossil fuels. He noted it will take years before any electricity is generated from this solar farm. Concluding Mr. Tousley reiterated he hopes the Council will stay neutral on this and address it if and when it comes back.

Patricia Martin, of 17 Sparrow Road, Rindge said she wanted to give a simple explanation from a rate payer's perspective. Since 2011 she has been buying her electric from a competitive supplier and has never paid more than \$60/month on her electric bill. If the rate payer tariff goes through she still has a 20-month contract with Fair Point Energy for 8.9 cents/per kilowatt hour (100% wind power). Ms. Martin said she won't see any drop in her energy supply costs because she has this fixed contract; this affects 25% of the rate payers. All she will see is an increase on the delivery side reflecting the tariff. Ms. Martin said the pipelines have never been able to help us with the delivery side which is now about 60% of our bill; they can only help on the supply side and they can only help with the wholesale electricity prices which have dropped to about two or three cents per kilowatt hour. She suggests this indicates our electricity prices have already dropped much more than any of the pipeline proposals are forecasting. Ms. Martin said she hopes the Council will come out with a Resolution against the rate payer tariff.

Mayor Lane noted that concludes the speakers for this evening and asked Mr. Kreis if he had anything additional to add. Mr. Kreis commended Councilor Clark on his research noting he had one correction to make. Last year the PUC conducted a generic investigation into the question whether it is permissible and in the public interest for electric distribution companies to enter into arrangements like this for firm natural gas capacity with pipelines. Although the staff of the Commission files at least one, if not two memoranda suggesting that is in fact consistent with New Hampshire Law (citing RSA 374-A), the Commission itself has reserved judgement on that

question. They closed that investigation in January with an order saying they would make no ruling on any of the legal questions until they had a specific proposal before it. That specific proposal is now before the PUC in docket DE16241; the Commission will make the decision on the question whether or not this is consistent with New Hampshire Law. The position of the Office of Consumer Advocacy is this is not permissible under New Hampshire Law and even if permissible it is pre-empted by Federal Law and therefore impermissible under Federal Law. Mr. Kreis concluded that question remains to be determined; adding if necessary they will argue that point before the New Hampshire Supreme Court.

Mayor Lane closed the meeting at 7:36 PM noting written testimony can be submitted to the City Clerk's office until next Tuesday. Mayor Lane said he was taking the PLD report dated March 23, 2016 off the table and was referring it back to the PLD Committee for their further consideration and recommendation to the Council.

A true record, attest:

City Clerk

NOMINATION

The following nomination to City boards and commissions were received from the Mayor: Andrew Madison as a regular member to the Conservation Commission for a term to expire December 31, 2018. The confirmations will occur at the next regular meeting.

COMMUNICATION – KEVIN WATTERSON/SWAMP BATS – REQUEST TO DISCHARGE FIREWORKS

A communication was received from Kevin Watterson on behalf of the Swamp Bats, requesting to discharge fireworks on two separate dates of Wednesday, June 22, 2016 and Sunday July 3, 2016. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – ALISON WELSH – RESIGNATION – AGRICULTURAL COMMISSION

A communication was received from Alison Welsh resigning from her position on the Agricultural Commission. A motion by Councilor Greenwald to accept the resignation with regret and appreciation for service on the board was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – GREGG BURDETT/BIG BROTHERS BIG SISTERS – REQUEST TO USE CITY PROPERTY – STILETTO SPRINT

A communication was received from Gregg Burdett, from Big Brothers Big Sisters, requesting to use City property to close Railroad Street on Saturday, September 17, 2016 for the annual

Stiletto Sprint. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – ALAN STROSHINE/CLARENCE DEMAR MARATHON – REQUEST TO USE CITY PROPERTY – COMMUNITY EVENT

A communication was received from Alan Stroshine on behalf of the Clarence DeMar Marathon, requesting to use City property on Sunday, September 25, 2016 for the Annual Clarence DeMar Marathon and DeMar Half Marathon. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – MICHAEL KAPILOFF – DONATION OF PROPERTY – OFF PEARL STREET

A communication was received from Michael Kapiloff, trustee of the Charlotte R. Kapiloff Trust, requesting to donate property located off Pearl Street. The communication was referred to the Finance, Organization and Personnel Committee.

COMMUNICATION – COUNCILOR LAMOUREUX – LIGHTING PROJECT – COMMERCIAL STREET PARKING LOT

A communication was received from Councilor Lamoureux, requesting funds from the Downtown Infrastructure Capital Reserve be allocated to complete the lighting project in the Commercial Street parking lot. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION – COUNCILOR JONES – STREET LIGHTING – RALSTON STREET

A communication was received from Councilor Jones, requesting that staff recommend options for street lighting on Ralston Street. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

MSFI REPORT – EXEMPTION FROM SEC. 70-135 – 27 BAKER STREET

Municipal Services, Facilities and Infrastructure Committee report read recommending the City Engineer's memorandum be accepted as informational. The report was filed as informational.

MSFI REPORT – REMOVAL OF GRANITE CURBING – WEST SIDE OF CENTRAL SQUARE

Municipal Services, Facilities and Infrastructure Committee report read recommending granting the application for a second driveway at 27 Baker Street. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. The motion passed with 12 voting in favor and Councilor Chadbourne opposed. The Mayor referred back the issue of the driveway permit exceptions to the Municipal Services, Facilities and Infrastructure Committee in order to consider potential ordinance amendments.

MSFI REPORT – ROAD REHABILITATION – 2016 AND BEYOND

Municipal Services, Facilities and Infrastructure Committee report read recommending the “Roadway Rehabilitation – 2016 and Beyond” report be accepted as informational. The report was filed as informational.

PLD REPORT – DEMOLITION REVIEW ORDINANCE

Planning, Licenses and Development Committee report read recommending the report regarding the demolition review ordinance with respect to Councilor Clark’s communication be accepted as informational. The report was filed as informational.

PLD REPORT – PERIODIC REPORT – HERITAGE COMMISSION

Planning, Licenses and Development Committee report read recommending this report from the Heritage Commission be accepted as informational. The report was filed as informational.

PLD REPORT – USE OF CITY PROPERTY – DUCK RACE

Planning, Licenses and Development Committee report read recommending the Keene Lions Club be granted permission to use City property on July 9, 2016, to conduct the Annual Great Ashuelot River Duck Race, and permission to use a bay at the Public Works Garage to sort and count ducks on a date to be determined with City staff, subject to the following conditions: subject to the customary licensing requirements of the City Council, and compliance with any requirements of City staff. In the event of inclement weather, the event may be postponed to a future date to be determined in conjunction with City staff. A motion by Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

PLD REPORT – HOURS OF OPERATION – HAWKING AND PEDDLING

Planning, Licenses and Development Committee report read recommending the request of Raymond Lindsey to extend his operating hours by opening early at 7:00 AM on a daily basis be granted at the designated vending spot on Railroad Square. The permission is granted for the license period ending April 1, 2017. A motion by Councilor Jones to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATION – PLANNING DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept a donation of \$375.00 and that this money be used to send a staff person to the NERETA Talent Pipeline Strategic Alignment Summit in April 2016. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept donations of a two-grave cemetery lot in Section J of Monadnock View Cemetery, a donation of \$300.00 from the Cheshire Kennel Club for equipment in Wheelock Park, a donation of a foosball table from Russ Thompson to be used in the Recreation Center game room for public use, and a donation of \$100.00 to be used by the Parks, Recreation and Facilities Department and a donation of \$185 collected at the Easter Sunrise Service to be used for improvements at the Sumner Knight Chapel. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – ACCEPTANCE OF TRAVEL GRANT – PUBLIC WORKS AND PLANNING DEPARTMENTS

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept travel grants from Antioch University Center for Climate Preparedness and Community Resilience for travel and conference expenses for the Public Works Director and the Planning Director/ Assistant City Manager for their attendance at the 2016 Local Solutions: Eastern Regional Climate Preparedness Conference. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – LEGISLATIVE PROCESS

Finance, Organization and Personnel Committee report read recommending accepting the communication from Councilor Hansel regarding the legislative policy as informational. The report was filed as informational.

FOP REPORT – REFUND PARTIAL PAYMENT OF DEEDED PROPERTY

Finance, Organization and Personnel Committee report read recommending an order be issued upon the town treasurer to refund the partial payments made on properties located at 270 Beaver Street and 9 Martin Street that have been deeded to the City. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – LAND USE CODE UPDATE – CONSULTANT SELECTION

Finance, Organization and Personnel Committee report read recommending the City Manager do all things necessary to negotiate a professional services contract with Town Planning Urban Design Collaborative for planning services for the first phase of the Land Use Code Update project. In the event that a satisfactory contract and fee cannot be agreed upon, the City Manager is authorized to negotiate with the next highest ranked firms in turn. A motion by Councilor

Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CHESHIRE RAIL TRAIL III - LOOP PROJECT DESIGN

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute a contract with the firm Clough Harbor and Associates (CHA) for engineering services for the Cheshire Rail Trail III project in the amount not to exceed \$60,000 and should negotiations fall through, enable the City Manager to negotiate with the next highest ranked firms in turn. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with 12 voting in favor and Councilor Sutherland opposed.

FOP REPORT – 2014 INFRASTRUCTURE PROJECT – CHANGE ORDER #4

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to execute Change Order No. 4 with SUR Construction West, Inc., in an amount not to exceed \$108,849.28 for the 2014 Infrastructure Project. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CHANGE ORDER – AIR MONITORING CONTRACT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to execute a change order with Loureiro Engineering for an amount not to exceed \$59,591 for Contract 04-16-04, and further recommending the City Manager be authorized to do all things necessary to execute a professional services contract with the Lawson Group, to provide air monitoring and analytical services for an amount not to exceed \$45,000. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

ASSISTANT CITY MANAGER – COMMENTS

The Assistant City Manager, Rebecca Landry announced that the Red Cross had requested a shelter to open at the Recreation Center due to fires in Stoddard. Anyone needing shelter can follow the Notify Keene Twitter feed or go to the City Website. They may also contact the Red Cross. The Assistant City Manager continued with Waste Management and Public Works hauled away 7,860 lbs. of trash. Several groups in addition to the 558 volunteers reported hauling the trash away themselves putting our estimated total at over 8,000 lbs. or 4 tons. Keene State had 143 volunteers and approximately 70 businesses and other groups signed up to adopt streets, trails and parks in Keene. The Assistant City Manager went on to announce on Saturday, April 30th the annual City of Keene Fourth Grade Water Science Fair at the Drinking Water Treatment Facility. She continued with the Police Department's Facebook page has reached 75,000 people in the month of March and had 25,000 engaged people. The Police Department also reported that Lieutenant McLaughlin has been awarded, this year's Police Lifetime Achievement Award from the New Hampshire Police Fire & EMS Foundation. Lt.

McLaughlin has over 38 years of service with the Police Department, and has been assigned to the Department's Bureau of Criminal Investigations for approximately 30 of those years and is currently the Bureau Commander for the Investigations Unit. The Assistant City Manager commented Firefighters James MacLean and Daniel McKenna have been recognized by the New Hampshire Police, Fire & EMS Foundation at their 8th Annual Recognition Dinner. Both of them received Life Saving awards for their actions on December 19, 2015, during the Liberty Utilities Incident. They entered a building to locate the possible source of the odor and searched for any potential occupants requiring evacuation. Firefighter MacLean picked up a young unconscious woman and removed her from the building while Firefighter McKenna continued to search for any additional patients. The quick responses of Firefighters MacLean and McKenna were responsible for saving the life of the young victim. The Assistant City Manager stated as a testament to the caliber of personnel they have had the opportunity to bring on board in the Fire Department, she highlighted that Probationary Firefighter West has completed his certification and training for Paramedic. She went on about Probationary Firefighters Riley, Kay and Kiniry are finishing up their paramedic training. Paramedic training includes 416 hours of hospital clinical time in O.R., labor and delivery, ICU, E.R., Cardiology Cath lab and Psychiatric time. In addition, 240 hours of pre-hospital ride time. All of which is equivalent to 35 hours of college credit. The Assistant City Manager commented that the City, thru Andy Bohannon, Parks, Recreation and Facilities Director, has partnered with KSC architecture students for airport terminal design ideas. The students will be presenting their ideas on April 27th. The Assistant City Manager congratulated Kurt Blomquist, Public Works Director, for becoming the American Public Works Association's Professional Manager of the Year Award winner in Public Works Emergency Management for the year 2016.

MORE TIME

More time was granted by the Chair for the following item in Committee: Removal of Granite Curbing – West Side of Central Square.

PLD REPORTS AND ORDINANCE O-2016-03-A: RELATING TO CHANGE OF ZONE – KEENE PUBLIC LIBRARY ANNEX PARCEL

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2016-03-A. The report was filed as informational. A motion by Councilor Jones for adoption of the Ordinance was duly seconded. On roll call vote, with 13 Councilors present and voting in favor, the motion carried. Ordinance O-2016-03-A declared adopted.

FOP REPORTS AND ORDINANCE O-2016-07: RELATING TO CEMETERY FEES

Finance, Organization and Personnel Committee report read recommending the adoption of Ordinance O-2016-07. The report was filed as informational. A motion by Councilor Greenwald for adoption of the Ordinance was duly seconded. On roll call vote, with 13 Councilors present and voting in favor, the motion carried. Ordinance O-2016-07 declared adopted with an effective date of July 1, 2016.

**FOP REPORTS AND RESOLUTION R-2016-09: CITY COUNCIL POLICY –
COMPENSATION FOR CITY COUNCILORS**

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-09. The report was filed as informational. Resolution R-2016-09: City Council Policy - Compensation for City Councilors was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Lamoureux and Richards were absent. Resolution R-2016-09 declared adopted.

**FOP REPORTS AND RESOLUTION R-2016-07: LIBRARY PROJECT - TAX INCREMENT
FINANCING DISTRICT**

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-07. The report was filed as informational. Resolution R-2016-07: Further Modifying the District Boundaries of the Wells Street Parking Structures and Infrastructure Improvements Tax Increment Financing District was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Lamoureux and Richards were absent. Resolution R-2016-07 declared adopted.

**FOP REPORTS AND RESOLUTION R-2016-10: RELATING TO APPLICATION FOR
CDBG FEASIBILITY FUNDS**

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-10. The report was filed as informational. Resolution R-2016-10: Approving an Application for CDBG Feasibility Funds was read for the second time. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 13 Councilors present and voting in favor, the motion carried. Councilors Lamoureux and Richards were absent. Resolution R-2016-10 declared adopted.

**MEMORANDUM AND RESOLUTION R-2016-16: COUNCIL POLICY: RELATING TO
OATHS OF OFFICE**

A memorandum was received from the City Clerk along with Resolution R-2016-16: Council Policy: Relating to Oaths of Office. The memorandum was filed as informational. Resolution R-2016-16 was read for the first time. The Resolution was referred to the Finance, Organization and Personnel Committee.

ADJOURNMENT

At 8:47 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:

City Clerk