

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, July 27, 2017

6:30 PM

Council Chambers

Members Present:

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

Staff Present:

City Manager, Med Kopczynski
Thomas Mullins, City Attorney
Revenue Collector, Mary Alther
Library Director, Nancy Vincent
Parks, Recreation and Facilities Director
Andrew Bohannon
Planner, Tara Kessler
Public Works Director, Kurt Blomquist
Asst. City Manager/IT Director, Rebecca
Landry

Chair Greenwald called the meeting to order at 6:30 PM.

1) Acceptance of Donations to Library Renovation Project - Parks, Recreation and Facilities Department

Co-Chair, Next Chapter Library Capital Campaign Judy Putnam and Jane Pitts member of the Campaign Cabinet were the first two speakers. Ms. Putnam stated she is before the City requesting acceptance of a donation in the amount \$513,832.96 for the library renovation project. Ms. Putnam stated this campaign started in December 2015, when the Friends of the Library provided funding for the administration of the campaign and Patty Farmer campaign manager was hired. Ms. Farmer completed her contract and now Julie Dickson has been hired as a part-time Gifts Administrator. The Friends also funded the marketing arm of the campaign. 15 community members served as the campaign committee. Ms. Putnam stated soliciting money for such a project is difficult but these individuals worked hard on this project because they believed in it. To date, 94% or 4.7 million dollars of the 5-million-dollar goal has been raised. This project has a lot of support in the community, bringing in nearly 400 donors. Ms. Putnam also extended her appreciation to the partners; the City, the Library Trustees and the Friends.

Jane Pitts addressed the committee next. Ms. Pitts thanked all the partners of this project and as the project gets closer to completion she is realizing some of the reasons she got involved in the project in the first place; a community space that will be enhanced to allow

for free and universal access to technology for everyone in the community is important. She also extended her appreciation to the city for its dedication to this project. She also thanked the Trustees, the Friends, Monadnock Economic Development Corporation and Patty Farmer.

Mr. Ken Jue of 23 Ridgewood Avenue Keene stated his background is in mental health. The Center for Disease Control has for years said that a connected community is a healthier community and he felt this project is a prime example of how our community works together. He thanked the City Manager and City Attorney for their support.

Chair Greenwald stated this group has been doing an amazing job with their fundraising efforts.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City accept donations of \$513,832.96 listed in the April, May and June statements of the Cambridge Trust Bank to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.

- 2) **New Market Tax Credits and a Library Update - Parks, Recreation and Facilities Department**
- 3) **Library Renovation Construction Contract - Parks, Recreation and Facilities Department**

Chair Greenwald asked that these items be put on more time because of additional details that need to be worked out.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends placing the update on the new market tax credits and the library renovation construction contract on more time.

- 4) **Cheshire TV - Expenses Associated with Interim Relocation - Parks, Recreation and Facilities Department**

Parks, Recreation and Facilities Director Andrew Bohannon stated the Library Annex building is being renovated and Cheshire TV, which occupies that space, is looking to move. The Trustees and Friends have agreed to Cheshire TV temporarily moving into the Kay Fox Room. Staff has looked at Cheshire TV's average electric bill (six-month period) averages out to be \$251.21. The monthly rent they pay for the annex space is \$1,458.60. Based on the reduced space they are going to have at the Kay Fox Room and to support Cheshire TV, staff has determined a new rental rate of \$1,000 is appropriate.

The City Manager stated it was always been the understanding the renovation and relocation will not be at the cost of the taxpayer and that another mechanism he looked at, was preferably a reduction in rent. Staff also looked at whether the cable franchise fee could be utilized. However, the reduction in rent is what seemed to make the most sense. City Clerk, staff and Cheshire TV have been talking about the issue of raising the franchise fee, which is a discussion which will happen in the future. An upgrade of the digital cameras in Council Chambers will be a CIP project. The Manager noted the current analog camera system is likely to no longer be supported under the City's agreement with Granicus.

Councilor Jacobs asked whether the renovations required to Kay Fox Room has also been calculated. The City Manager agreed and added the reduction in rent the City is offering is not likely to cover those expenses Cheshire TV will be incurring.

Councilor Jacobs made the following motion which was seconded by Councilor Chadbourne.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a temporary lease agreement with Cheshire TV for the studio relocation during Library Restoration project for an amount of \$1,000.00 per month.

5) NH Department of Justice 2017 Grant - Police Department

Police Captain, Todd Lawrence stated he was before the Committee regarding a grant from the NH Drug Task Force. Captain Lawrence stated this grant is to cover the costs associated when the assigned officer works for the patrol division. The grant is a two-year grant meant to cover \$40,000 per year.

Chair Greenwald stated he has been approached by a member of the public regarding a neighborhood watch and asked whether Captain Lawrence could see if there was any funding available.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a grant of \$80,000 from the New Hampshire Department of Justice to assist in the costs associated with the City's participation in the New Hampshire Drug Task Force.

6) Tax Deed Waiver Request for 2013 & 2014 - Finance Department

Revenue Collector Mary Alther stated the request from staff is that the Committee authorize the City Manager to waive the tax deed for the properties outlined in her memorandum until October 13, 2017. Ms. Alther explained once a lien is placed on a property, the property owner has two years and a day before it is deeded to the City. Staff

works with property owners so these properties don't have to be taken and this request is to extend the time for those discussions to occur.

Chair Greenwald stated he has concern about some of the properties on this list as there are commercial properties and multi-families that seem to be using and abusing the system. The Chairman clarified there is interest charged on these properties. Ms. Alther answered in the affirmative.

Councilor Jacobs stated ultimately the goal is for the City not to own these properties. Ms. Alther agreed and added five properties have already come off the list.

Mr. Kopczynski stated the City needs to do their due diligence which includes title searches and searching down people who might have an interest in these properties, as well as looking for hazardous waste located on the property etc. **Should the City take any of these properties, the City wants to be able to act on them.**

Councilor Clark felt the list seems longer this year. Ms. Alther stated there are about five or six more on this list compared to last year.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to waive tax deeding for the list of properties identified in the memorandum from the Tax Collector until October 13, 2017.

7) Greater Goose Pond Forest Stewardship Plan Consultant Selection - Planning Department

Planner, Tara Kessler was the next person to address the Committee. Ms. Kessler stated in April of this year the City Council authorized the Conservation Commission to use up to \$30,000 of the Land Use Change Tax Fund for the preparation of the Goose Pond Forest Stewardship Plan. Ms. Kessler explained in 2009, a Conservation Easement was placed on this property's 1,044 acres. A requirement of this easement was the development of a Land Management Plan. Any land management activity that takes place on this land would need to be identified in this Plan. The Conservation Commission has been working on a scope of work to look at timber harvest, forest health, and management of recreation activity.

In June of this year, the City issued an RFQ and received two submissions. The Committee which reviewed the submissions ranked Moosewood Ecological, LLC as the top ranking firm. Staff is now looking to negotiate with this firm and enter into a contract price.

Councilor Clark asked how much is left in the Land Use Change Tax Fund. Ms. Kessler stated as of a few weeks ago it was \$97,504 there is another \$25,000 due to come into the fund for this fiscal year.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager do all things necessary to negotiate and execute a professional services contract with Moosewood Ecological, LLC for professional services for the Greater Goose Pond Forest Stewardship Plan in an amount not to exceed \$30,000. 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.

8) Contract Change Order - Bridge Design - Public Works Department

City Engineer Don Lussier stated this item is a request for a change order for a professional services contract for work connected with the Winchester Street/Route 10 bridge over Ash Swamp Brook. This is one of the 14 red listed bridges in the City and it is in the State program for bridge replacement. The project is currently in the engineering study phase.

As part of their Engineering Study scope of work, Clough Harbour and Associates (CHA) had to submit a Request for Project Review to the New Hampshire Division of Historical Resources (NHDHR). The NHDHR responded to the submission with a request to complete a historical inventory of the bridge. This work was not anticipated and is outside the scope of CHA's current contract, and is required to be completed before NHDOT will authorize the City to proceed with the next phase of design. Therefore a contract change order is required.

Mr. Lussier reminded the Committee because this is a State project, the funding would be an 80/20 split.

The change order will exceed the 10% of the contract value, so it will exceed the City Manager's authority. Chair Greenwald clarified \$11,000 is being approved but only \$2,200 is expected to be spent. Mr. Lussier answered in the affirmative. Councilor Jacobs asked whether this amount is within what the project was anticipated would cost. Mr. Lussier agreed.

Chair Greenwald asked when the project will start. Mr. Lussier stated because the Route 12 bridge got delayed by a construction cycle, the City needs to work out with DOT how these two projects phases would interact in terms of traffic impact. It was anticipated to be summer of 2018, but this has not been finalized yet.

Councilor Jacobs made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a change order with CHA, Inc. for an amount not to exceed \$11,000 for the Engineering Study phase of the bridge design project.

9) Relating to the Reallocation of Bond Proceeds for Emergency Bridge Repairs – Public Works Department Resolution R-2017-27

Public Works Director, Kurt Blomquist stated his request is for the reallocation of funds from a road project bond to some emergency bridge repair work. Mr. Blomquist explained the Baker Street bridge has a culvert failure and requires replacement. The estimated cost for this work is \$40,000 and this work would be done as part of the Baker Street rehabilitation project. He continued the Whitcomb's Mill Road bridge has also been closed since a routine inspection due to guardrail issues. The cost for this work is \$32,000 – this bridge is also on the state's red listed bridges. The Winchester Street bridge over Route 10 recently had an accident which has caused damage to the guardrail and this has reduced the lane width. Estimate for this work is approximately \$15,400. The driver of the vehicle was uninsured and the City's insurance does not cover guardrails. The total for all three bridges is about \$87,000.

The FY15 road rehabilitation bond funds are being asked to be repurposed to cover this work. As these are bond funds the repurposing needs to be approved by the City Council.

Councilor Clark asked whether the Whitcomb's Mill Road bridge will be reopened once the guardrail is constructed. Mr. Blomquist agreed, but added the bridge will need to be replaced at some point. Mr. Lussier added even though these bridges are part of the red-listed bridge program these emergency repairs won't be covered by State funding.

Councilor Jacobs asked how the Baker Street bridge will be made part of the Baker Street rehab work. Mr. Lussier stated the repairs were included in the bid documents and was listed as a bid alternative. Should the Council choose not to provide the funding it won't be part of the awarded contract.

Councilor Chadbourne made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2017-27, Relating to the Reallocation of Bond Proceeds from the FY15 Rehabilitation Project (90249) for Emergency Bridge Repairs.

10) Wells Street Parking Structure - Contract Change Order - Public Works Department

Mr. Lussier stated this change order is to amend a professional services contract with Desmond Associates. Desmond Associates was the firm the City hired to design and oversee the construction on the Wells Street parking deck in fall of 2015. One of the items addressed was installing a new membrane and a wearing surface on the bridge deck. Shortly after construction was completed, some deterioration on the liner system was noticed. For the past year staff has been negotiating with the contractor, engineer and manufacturer as to what the repair should be. The contractor has started doing this repair

under the City's warranty and there won't be any cost to the City for this work. However, the warranty does not cover an engineer to be on site while this work is being done.

The contract change order would cover this engineering work. Mr. Lussier stated at the time this memorandum was drafted, staff did not have a fee negotiated with the engineer. The amount in the memo is what is left in this capital account and staff does not expect the actual cost will be \$16,000. Chair Greenwald asked whether the cost would be known by next week in time for the Council meeting. Mr. Lussier stated it would be available by that time.

Councilor Clark asked whether this was the same membrane that had issues a few years ago at the City Hall parking deck. Mr. Blomquist stated this had a different membrane system which had failed because of age. This was replaced with just a sealer which is applied every few years. The Wells Street deck membrane had an installation issue which is under warranty. The issue was discovered in spring 2016 for which the contractor has taken responsibility.

Councilor Powers asked about the portion not being covered under the warranty. Attorney Mullins stated his understanding is what the City is doing this time is to hire an engineer to make sure the work is being done properly, if that's the case that money won't come out of the contractor. Mr. Blomquist stated the City does not have the expertise to pay for this type of supervision.

Councilor Jacobs noted Desmond Associates was overseeing a project that was done wrong but now the city is paying them to oversee the project to be done right. Mr. Blomquist stated the issue is not in the entire system but in certain areas – inspection is done only for 32 hours (4 days a week) and it could have been during times when they were not there. There is now an additional five year warranty on this work.

Mr. Kopczynski clarified neither one of these decks has a roof. Mr. Lussier answered in the affirmative. The Manager asked if the decks had roofs whether these issues would exist. Mr. Lussier stated if the decks had roofs they wouldn't need a water proofing membrane.

Councilor made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a change order with Desmond Associates Inc. for the construction administration for the Wells Street parking structure repair project in an amount not to exceed \$16,519.

The meeting adjourned at 7:20 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker