

City of Keene
New Hampshire

FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
MEETING MINUTES

Thursday, June 9, 2016

6:30 PM

Council Chambers

Members Present:

Mitchell H. Greenwald, Chair
Carl B. Jacobs, Vice-Chair
Thomas F. Powers
Terry M. Clark
Jay Kahn

Staff Present:

City Manager, Med Kopczynski
Asst. City Manager/IT Director, Rebecca Landry
City Attorney, Tom Mullins
Asst. Public Works Director, Donna Hanscom
Fire Chief, Mark Howard
Recreation Programmer, Megan Spaulding
Public Works Director, Kurt Blomquist
Finance Director, Steve Thornton
Library Director, Nancy Vincent

Councilors Present

Robert O'Connors

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

**1) MEMORANDUM: Campaign Manager for the Next Chapter
Campaign - Acceptance of Donations to Library**

Campaign Manager Patty Farmer was the first to address the Committee. Ms. Farmer stated she was before the Committee to request the Committee accept donations of \$317,019.47 listed in the May statement of the Cambridge Trust Bank.

The Chair added some of these were multi-year donations and went over the list as follows:

The Putnam Foundation \$50,000.00
The Putnam Foundation \$200,000.00
Sylvia and Craig McBeth \$1,000.00
Art and Patty Nichols \$1,000.00
Donald Shedd \$25.00
Friends of the KPL \$20,000.00
Thomas and Elke Hanna \$250.00
Lucy Hanna \$250.00
Richard and Susan Huleatt \$250.00
Katherine Hanna \$125.00
Katherine Hanna \$125.00
Mr. and Mrs. Baute Fund \$30,000.00
Cecile Goff \$400.00

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Rob and Sherry Guardiano \$300.00
Ken and Carol Jue \$2,500.00
Mark Meese and Ann Shedd \$1,000.00
Steve and Jane Larmon \$1,000.00
Friends of the KPL \$8794.47

The Chair noted these are very generous donations.

Councilor Powers noted the balance in this special fund is \$646,000. Ms. Farmer stated the donors have been generous and the Committee has been working very hard.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting donations of \$317,019.47 listed in the May statement of the Cambridge Trust Bank (See attached report) to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive.

2) DISCUSSION: Recreation Programmer - Acceptance of Donation- Summer Playground Scholarships

Recreation Programmer Megan Spaulding stated the Recreation Department held its annual activity night on May 20 which was a Middle School Dance which is a summer scholarship program for the summer playground program. \$1,231 was raised at this event which would help local families attend eight-week summer programs.

Councilor Kahn asked over the course of the year how much money has been raised for this purpose. Ms. Spaulding stated there are two dances conducted each year, and each dance raises approximately \$1,200 - \$1,500.

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

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 donation of \$1,231.00 and that the money is used for the Recreation Department summer playground scholarship fund.

3) MEMORANDUM: Recreation Programmer - Acceptance of Grant - Rock On Foundation

Ms. Spaulding stated this past winter the department applied for a grant from the Rock On Foundation and have received \$2,000 to help with the Middle School Police Athletic League. Ms. Spaulding stated she will be attending Rock-On Fest on August 13 in Concord to accept the donation.

Councilor Jacobs 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 donation of \$2,000.00 from the Rock on Foundation and that the money is used toward the Middle School Police Athletic League for basketball.

4) MEMORANDUM: Deputy Fire Chief - Acceptance of Donation

Fire Chief Mark Howard was the next speaker who stated this item was in reference to a donation from Leon's and J & L in the amount of \$133.00. Chief Howard stated the City has to date donated about 50 vehicles to the City. He indicated this type of training has happened for years at this facility and greatly appreciate their donation to the City. This last time the money Leon's and J & L received for the scrap was donated to the Fire Department.

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

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 donation from Leon's and J & L in the amount of \$133.00.

5) MEMORANDUM: Revenue Collector- Tax Deeds for Unpaid 2012 and 2013 Property Taxes

Revenue Collector Mary Alther stated she was before the Committee to ask the City Manager be authorized to waive tax deeding which would have taken place in May for properties which have unpaid property taxes for 2012 and 2013 – staff is asking for an extension through September 1, 2016.

Councilor Kahn noted September 1, 2016 is a Council night and asked whether the date should be extended to another date in September. Ms. Alther stated even though the date says the 1st the process could take about another week or two. Attorney Mullins explained once the deadline has arrive the Tax Collector will move forward at that time with the tax deed process and a further extension could be granted after that date. Councilor Jacobs stated this process is being put in place so the owners could find a way to retain their properties. Chair Greenwald stated he doesn't see the Kingsbury property on this list. Ms. Alther stated the Kingsbury property is the one listed as 80 Laurel Street.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to waive tax deeding of the below listed properties until September 1, 2016.

6) MEMORANDUM: Planner - Agreement with Cheshire County Shooting Sports Education Foundation for the Relocation and Placement of Fill

Planner Tara Kessler stated the City is looking for authorization to place close to 3,700 cubic yards of clean fill on property owned by the Cheshire County Shooting Sports Education Foundation at 19 Ferry Brook Road. This is fill which is going to be

excavated in association with the Woodland Cemetery Wetland Restoration Project it is a critical piece of this project. Ms. Kessler explained this is clean fill and the City will have a wetlands scientist on site to perform testing before the fill leaves the site. Ms. Kessler stated there is no fee associated with this work and is a critical piece associated with the restoration project.

Chair Greenwald clarified when the shooting range is doing their shooting - bullets (lead) is being shot into this fill, which can become an issue for the Shooting Range. Ms. Kessler stated once the fill is transferred to their property it becomes their responsibility. Councilor Clark asked if this was clean fill why it was not being stored at the Public Works for use for future projects. Public Works Director stated they generate plenty of fill themselves. Councilor Kahn asked whether this fill will be sifted before it is transported. Ms. Kessler answered in the affirmative. The Councilor felt this is an excellent agreement and complimented staff.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute an agreement with Cheshire County Shooting Sports Education Foundation for the placement by the City of Keene clean fill excavated in association with the Woodland Cemetery Wetland Restoration Project onto the property at 19 Ferry Brook Road for no fee.

7) MEMORANDUM: Operations Manager & Assistant Public Works Director - Consulting Services for the Roaring Brook Watershed Management Plan

Public Works Operations Manager Aaron Costa stated this item is in reference to the Roaring Brook Watershed Management Plan. Mr. Costa stated the City of Keene owns nearly 2,500 acres of watershed land located in the towns of Roxbury, Nelson, and Harrisville. He explained this area contains Woodward Pond and Babbidge Reservoir which together stores approximately 490 million gallons of water and Babbidge Reservoir stores about 180 million gallons of water (six to ten months of water supply for the city). The property is rural and the City has gates to prevent unwanted vehicle access and has posted no trespass signs. However, the City has seen signs of recreational traffic.

Mr. Costa stated the City would like to develop a watershed management plan to preserve water quality, as well as provide public educational opportunities, manage security, develop timber harvesting opportunities. He noted in FY15 the city developed a watershed management plan in the amount of \$67,500. This past winter an RFP was sent out and five responses were received. After reviewing the responses, the review Committee decided to interview four firms. The firms were rated based upon the following seven talking points: Public Outreach, education and relations, experience with watershed management plans, security, revenue, recreation, pitfalls to avoid that may negatively impact water quality and the most important piece of the project in their opinion. VHB was judged by the interview team to be the best qualified for this work based on their experience with watershed management plans, expertise in security, sub-consultant

qualifications and overall project approach. Tighe & Bond did have the lowest proposed budget, but their project approach was not complete and did not include a forestry services evaluation in its base budget. The other two firms were within \$2,200 of each other.

Councilor Jacobs clarified the city in the interim time has put in place a security plan but what is being proposed today is for the long term plan for the water supply. Ms. Hanscom answered in the affirmative and added the City is in the process of developing an Agreement with the Town of Roxbury which will take them through putting in place this new plan.

Chair Greenwald noted these are Class V and Class VI roads and asked what kind of activities the public is permitted to do on these roads. Mr. Costa stated they have attempted to keep public out of the Babbage and Woodward Pond areas. However, there have been evidence of horseback riding, dog walking and camping and with these types of activities there are messes that go along with it and hence no trespass signs have been posted. He indicated these types of questions will be answered with this new Management Plan. The Chair asked about hunting. Ms. Hanscom stated hunting is prohibited here as well and added the uses of this property are not only set forth in the City Code but also in the State of New Hampshire Administrative Rules. It is posted as such and those signs are more visible, but the rules have not changed.

Councilor Clark asked what kinds of items are expected from this new Management Plan. Mr. Costa stated the plan will look at how to improve security, how the land is being managed, is the timber being managed appropriately, could the yield of the reservoirs be increased without damage to water quality

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Council authorize the City Manager to do all things necessary to negotiate and execute a professional services contract with VHB to perform the Roaring Brook Watershed Management Plan for an amount not to exceed \$67,500.

8) MEMORANDUM: Assistant Public Works Director - Professional Services Contract for Wastewater Permitting Assistance

Ms. Hanscom stated this item is in reference to the proposals the City has received for the wastewater treatment plan and the City's collection system for the National Pollution Discharge Elimination System (NPDES) permit. The first permit for the plant was received in the 80's and since that time each permit has included limits that were either stricter or not included in the previous permit. EPA has explained their mission is not reduction but elimination of pollution. She indicated they expect the next permit to have either new monitoring or other pollutants like perhaps to also include nitrogen.

Ms. Hanscom went on to say the City had a rather contentious permitting process the last time and as a result ended up with an administrative order and strict phosphorous discharge. This is what promoted the City wastewater treatment plant upgrade.

The City issued an RFP, received four proposals, two were considered complete and they were interviewed. This time unlike it has been done in the past, the City Attorney was included in the interview process.

Weston and Sampson Engineers was the chosen by the review committee. They had good strategies to minimize the impact for the next permit, a good sub-contractor who had good ideas to work with EPA and understanding their rules, and their references came back with high marks. Ms. Hanscom stated Weston and Sampson Engineers will help the City with a pre-draft permit so the City doesn't have to just reactive to what a permit would include. The consultant will also participate in discussion with EPA and DES and would also include the first level of the appeals process, if that was necessary. Ms. Hanscom noted if the work doesn't go that far the money will not be expended

Chair Greenwald asked whether this cost also includes cost for attorney fees. Ms. Hanscom answered in the negative. Attorney Mullins added the attorney is mostly in the background should there be a need for legal assistance. Most of the work is going to be on the technical side. The attorney is there should things become litigious, which he added no-one wants. Should that happen, the attorney fees will come out of the sewer fund.

Councilor Powers asked who the current engineer of record was. Ms. Hanscom stated it was Hoyle Tanner and Associates.

Councilor Jacobs asked why this process would need an attorney. Ms. Hanscom stated any comments made during draft permit there is a certain period of time to comment on it. Whatever is commented on becomes the extent to which the City can comment on issues during the legal appeal. If there was an item which should have been added in, that can't happen. This is when an attorney would be helpful to protect the legal record.

Councilor Kahn stated he would like to amend the motion to add the following language: "...perform work related to Wastewater Treatment Plant NPDES Permitting..."

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Council authorize the City Manager to do all things necessary to negotiate and execute a contract with Weston and Sampson Engineers for an amount not to exceed \$95,000 to perform work related to Wastewater Treatment Plant NPDES Permitting.

9) **MEMORANDUM:** **Finance Director- Financial Audit Services**

Finance Director Steve Thornton was the next to address the Committee. Mr. Thornton stated the City is audited by independent auditors each year. Contract for these services expired in 2015. An RFP was issued and three proposals came in from Melanson Heath, Vashon Clukay and Company and from Ron Beaulieu & Company. Mr. Thornton stated all three firms are good but Ron Beaulieu & Company does not have much

experience with NH towns and cities and municipalities. Melanson Heath, Vachon Clukay and Company have similar experience but the low bidder was Melanson Heath. After review the selection committee is recommending the proposal be offered to Melanson Heath.

Chair Greenwald clarified the \$259,000 would cover a period of seven years but the contract could be terminated after five years because the contract is for five years with two optional years. Mr. Thornton agreed.

Councilor Powers asked what the fee for the contract which just ended. Mr. Thornton stated it was \$33,000.

Councilor Kahn complimented the City Manager and the Finance Director for this process. He recalled a conversation which happened after the 2015 audit when a question was raised as to whether the audit could be drafted so it is more understandable by the City and the public and felt this would be possible with the audit documents going forward. Mr. Thornton stated an "add-on" cost for a comprehensive financial report was requested as opposed to the basic financial report. Mr. Thornton stated the comprehensive financial report is a much better document and is much more thorough. Councilor Powers felt this report is similar to what is already being done by the City.

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

On 4-1 vote, the Finance, Organization and Personnel Committee authorize the City Manager to sign a professional services contract for audit services with the firm of Melanson Heath for a term of five years, with two optional years, for a total amount of \$259,000, to include the preparation of a comprehensive annual financial report (CAFR). Councilor Powers voted in opposition.

10) COUNCIL REFERRAL: **Removal of Granite Curbing - West Side of Central Square**

Chair Greenwald stated Ms. O'Meara has informed the City she will not be able to be present tonight. Councilor Powers asked when this item will be addressed. The Chair stated he thinks it will be at the next meeting.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

11) DISCUSSION: **Charter Employee Evaluation Process**

Chair Greenwald felt the Mayor needs to be present to address this item and felt moving it to the next meeting would be appropriate.

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

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On 5-0 vote, the Finance, Organization and Personnel Committee recommends putting this item on more time.

The Chair asked for an update on the More Time Items for the next meeting.

The meeting adjourned at 7:22 PM.

Respectfully submitted by
Krishni Pahl, Minute Taker