

City of Keene
New Hampshire

MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
MEETING MINUTES

Wednesday, July 27, 2016

6:00 PM

Council Chambers

Members Present:

Janis O. Manwaring, Chair
Robert J. O'Connor
Stephen L. Hooper (arrived at 6:05 PM)
Gary P. Lamoureux

Staff Present:

Medard Kopczynski, City Manager
Thomas Mullins, City Attorney
Elizabeth (L.B.) Brown, Youth Services
Manager

Members Not Present:

Randy L. Filiault, Vice-Chair

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

1) Periodic Update from the Juvenile Justice Committee

Chair Manwaring invited Elizabeth (L.B.) Brown to speak. Ms. Brown, Youth Services Manager, stated that the Juvenile Conference Committee originated in the early 1970's through the NH State Probation Department. She continued the JCC was made up of community members. When the caseload increased the City took it over. Today the Youth Services Department manages the JCC and the court diversion program. The Juvenile Diversion program has come a long way. It has been accredited since 2012. They have a tremendous amount of youth (first time offenders) coming to diversion instead of court.

Ms. Brown continued that the JCC Chair is Jerry Kaufman who recently was injured and hence was not able to attend this evening. She continued that the JCC is a very dedicated committee. The caseloads now are very intense, as are the family issues. Regarding the different offenses and crimes that come through, the case load has not really changed – the offenses are still generally simple assault, possession of marijuana, and criminal mischief, but the intensity of the family history and juvenile history has intensified. For example, 35% of youth have special needs, and 45% have mental health needs.

Councilor Hooper arrived at 6:05 PM.

Ms. Brown continued that about half of the youth admit to using substances, alcohol, and cigarettes. This is a three-month program. They are pushing out the length of stay for youth so they can successfully work with them and their families. When a youth comes in with an offense like shop lifting, for example, the committee tries to help the youth and

family get back on their feet, and find resources, which are hard to find in NH. Last year, 98% of youth in JCC successfully completed the program. The caseload was 38 but it felt like 150 because the case lengths were extremely long, but it was worth it. The committee is dedicated to helping youth and families to find those resources and help fill in the gaps. Parents have written multiple letters and have stated to the committee how meaningful it is and how grateful they are for this program because they understand what court is like. The JCC is really making a difference in the sense that youth get to see committee members really invested in them, and stating how important it is for youth to be healthy and productive citizens of the community.

Ms. Brown continued that the JCC has each youth sign a contract and they have the youth reflect on their actions and the consequences for them and the community, and when they are making amends, to understand how important restorative justice is for the victim and the community. Youth make impulsive decisions but at the review hearing the JCC is satisfied that they are getting the message. Almost every youth does community service. The wonderful community service site supervisors understand, mentor, and bond with the youth and they understand that people make mistakes and they can find their strengths. She continued that there are no statistics yet, but over the years, she would say that by now at least 25% of all successful youth go on to continue volunteering or are hired at their sites.

Ms. Brown concluded that they are really seeing an impact of the program. It catches people at an instant in their lives and they are able to really turn it around, be successful citizens, pay back the community, move on and be positive members of this community and other communities.

Councilor O'Connor stated that he worked with the JCC in the past when he was in law enforcement. He continued that he did not realize the program has been around since the 1970's. It has evolved since then. He thanked Ms. Brown and the other people involved with the JCC for their service.

Councilor Carl Jacobs, congratulated Ms. Brown on the success of the program. He asked how success is measured. Ms. Brown replied that JCC gives each youth a contract, and the success rate is dependent upon the youth completing to the contract, which the JCC determines. There is a list of responsibilities and expectations that the committee gives the youth, on a case by case basis determining what will be best. There is a review hearing three months later to demonstrate success in completing the requirements. Most of the youth understand that this is serious and it is a second chance. They appreciate not going to court and not having a juvenile record. Once it is completed the charge is dismissed and they do not have to go to court for that charge.

Councilor Lamoureux made the following motion, which was seconded by Councilor O'Connor.

On a vote of 4-0, the Municipal Services, Facilities, and Infrastructure Committee recommend the periodic report from the Juvenile Conference Committee be accepted as informational.

2) Request for Abatement of Water Shutoff Fee – 25 American Way

Assistant City Manager Elizabeth Fox reported that the petitioner who requested the abatement of the water shutoff fee from 25 American Way indicated they were unable to be present for the meeting.

Councilor O'Connor made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 4-0, the Municipal Services, Facilities, and Infrastructure Committee recommend the abatement request for the water shutoff fee be placed on more time.

3) Gary Carpenter – Request for Water and Sewer Abatement

Gary Carpenter distributed copies of a handout to the MSFI Committee members. He stated that he owns 169 Church Street in Keene, and lives at 39 Lounsbury Lane in Peterborough.

Mr. Carpenter stated that he has owned the property since 2007. He continued that he “is a poor land owner” because he was taking in less than desirable people. One person in particular was collecting Social Security and did not have the rent to pay. He was sending this tenant to City Hall to get some sort of assistance. He did not do credit checks or anything that was required of a good land owner. In 2015 his home was going to be foreclosed on. He applied for a loan modification in January 2015 and was accepted. He continued that he made mistakes even with the loan modification. In the winter the property became vacant and it has been vacant since then. There was a two alarm fire in May and vandalism four or five times. The only expense he could not get forgiven was the water and sewer bill, which is about \$5,000. He continued that this is due to his poor management, and also due to the fact that the people he took in end up squatting. They stayed in the apartment building for quite a while. His preference is not to take people to court, but he finally did, because the tenant owed him about \$10,000. Mr. Carpenter continued that he did not ask the tenant for money - he just wanted him out so he could move on. Mortgage payments went up. He owes \$290,000 now and it is only worth \$240,000.

Mr. Carpenter continued he has worked part time at the Phoenix House for 11 years. He asked the director about starting another sober living environment and she agreed. He tried to change the 169 Church Street property to a Warrior Addiction Support Home. The Public Works Department gave him a break and said he could pay \$75 a month. He could not afford even that. He could not get another loan. He did creative financing with the mortgage company. He had to pay the first four months, and took it out of his own home. He has not had any tenants there to cash in to pay this \$5,000 bill. The general

contractor will work with him. The Code Enforcement Department said he could not operate for the time being because of FEMA. Somehow they managed, after three months of being shut down, to do a partial occupancy. If he can get this abatement he can get his water back on so the general contractor can operate. He will pay the whole \$5,000 after the fact if he has to, once he gets tenants in there.

Mr. Carpenter continued that he was requesting abatement due to the adversity he has had to go through. He was not blaming anyone. He said that it was the second year that the home had been vacant, so he was not being charged taxes for the structure itself. Whatever the MSFI Committee sees fit to allow, would be fantastic. He would appreciate having his water turned on as soon as possible so the contractor can begin work. Once he can get tenants he will start the Warrior Veteran Recovery program, with a holistic approach. He can do this and already had stake holders, like a company teaching nutrition classes, a person from Peterborough to do life and business coaching, and a good line-up of people willing to help, but he needed some help with taking care of this \$5,000 debt.

Ms. Fox stated that Mr. Carpenter presented a complex situation with a variety of factors that led to where he is today. She continued that staff had not had the opportunity to work through the correspondence from him, and really look at the issues, to develop alternative recommendations to the MSFI Committee for their consideration. She recommends placing it on more time so staff can look at the issues.

Mr. Carpenter stated that in the last three quarters the water and sewer bill went up to about \$1,000, because the tenants were leaving the toilet on. He continued that he had someone from the City come and say what the problem was. The water and sewer bill used to be less than \$300 per quarter. It went up to \$914 on September 24, 2014, and then when he received the loan modification in February 2015 when tenants were there and not paying rent, they did not take care of things.

Chair Manwaring stated that this situation sounds complicated. She asked the committee members if they are okay with placing this on more time. Councilor Lamoureux replied that he thought it was best to put it on more time, so staff can give some recommendations to them so they have something to look at.

Councilor O'Connor made a motion for the Municipal Services, Facilities, and Infrastructure Committee to place the request for water and sewer abatement on more time. Councilor Lamoureux seconded the motion.

Councilor Lamoureux asked about the timing. Ms. Fox stated that one cycle in this case puts it towards the end of August.

Mr. Carpenter stated that he wanted the water to be turned on like \$50 or \$100 worth, so the contractor can work with his crew to do interior work. There are no tenants there now, so there would not be any problem. If the water was turned on now, they can pay the bill initially, get it sorted out, and then take it from there.

Councilor Hooper stated that he empathized with Mr. Carpenter's situation and it was complex but he was concerned with setting a precedent with going forward with this before they have the chance to go through this thoroughly.

Mr. Carpenter asked if he can go back to the Public Works Department and negotiate to have the water turned on again. The City Manager replied that that was one reason for the complexity. He continued that there are permit issues, financial issues, and history, and all of this information staff needs to consider. He understands what Mr. Carpenter wants to do, and there are other ways of obtaining water for the contractor. No one was in the building, so there were no health issues with the water being off. Everyone wants to see the building brought back to life if it can be. It was deteriorated from the fire. That was the type of information staff wanted to bring back to the MSFI Committee. When the City receives a request such as Mr. Carpenter's, the normal process is to place it on more time. The item gets placed on a City Council Committee agenda right away, and sometimes staff can react right away, but many times they cannot. They need to get everyone together and discuss all of the information. He does not know of a mechanism to allow Public Works Director Kurt Blomquist to address this right now, but certainly he can talk with Mr. Carpenter along those lines.

On a vote of 4-0, the Municipal Services, Facilities, and Infrastructure Committee recommend the abatement request for water and sewer be placed on more time.

4) Status of Dog Park

The City Manager stated that in June, staff presented the MSFI Committee with a report, prepared by Planning Director Rhett Lamb, about the status of the dog park. He continued that the report gave the history of the choice of location that was made and why; and why the dog park group thought it was not a good choice. Staff asked the City Council to give them an opportunity to see if there was a location in Wheelock Park that would work. They amended the motion that was on the floor to allow staff to also look beyond Wheelock Park.

Since then, there have been some meetings between staff and the dog park group. He continued that they have identified two areas in the park that might work. One of those is not a good choice from the standpoint of the dog park group. The other one is more favorable to them. Either one would require a significant amount of work to see if it is viable. The dog park group would be looking to see what the elements are to make that work, and pricing it out. Staff suspects the price may drive whether the dog park group wants to do that. There are no changes right now; this is just an update. Staff will continue to work with the dog park group. The City Manager continued that he has a meeting scheduled with them for a couple hours on Monday to go through details and also look at other sites in Keene. There was previously a review of sites and they could not find anything, but they want to give it another try and see if they can find something that works. If the City Council has no issues with this they will continue down this path.

Chair Manwaring replied that it sounds good to her. She asked if committee members had questions. Hearing none, she asked for public comment.

Mary Shea, of 20 Bent Court, asked how the meetings are going. She asked if they are still considering the end of Bent Court as a possible site. The City Manager replied no, the City Council has already clearly made a decision on Bent Court.

Jim Gardner, of 27 Birch Street, requested that the MSFI Committee ask the City Manager to clarify what the process will be for public input when a site is selected.

The City Manager replied that the City Council has already made a decision about the site. He continued that it was the dog park group that said the site would not work for them. Should a site be acceptable to the group, the City would bring it back to the City Council for approval. The City Council would then be knowledgeable about all of the items, questions, and issues. Staff's role is to assist the group with finding a site. The design, details, how to raise money, and so on and so forth, is the responsibility of the dog park group itself.

Councilor Hooper made the following motion, which was seconded by Councilor Lamoureux .

On a vote of 4-0, the Municipal Services, Facilities, and Infrastructure Committee recommend that the dog park report be accepted as informational.

5) Adjournment

Hearing no further business, Chair Manwaring adjourned the meeting at 6:37 PM.

Respectfully submitted by,
Britta Reida, Minute Taker

Additional Edits by,
Terri M. Hood, Assistant City Clerk