



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
September 5, 2019  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- 08/01/2019

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Presentation - Veterans FIRST Transitional Housing - Dave Tille, HUD New England Regional Administrator

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

1. Confirmations  
College City Commission  
Energy and Climate Committee
2. Nominations  
Library Board of Trustees  
Energy and Climate Committee

**C. COMMUNICATIONS**

1. Dr. Fred Ward - Sustainable Energy Goals
2. Councilor Hansel - Conflict of Interest - MEDC

**D. REPORTS - COUNCIL COMMITTEES**

1. Petition- Request for Lower Speed Limits and Traffic Calming Devices – Skyline Drive and Morgan Drive
2. Attorney Heather Carlisle/Tilson Technologies - Requesting the City Manager's Signature on Application for a Conditional Use Permit to Install Small Wireless Facilities in the City Right-of-Way
3. Discussion: Periodic Update - Energy and Climate Committee
4. 2019 Fire Prevention Parade - Fire Department
5. Keene Kiwanis Club - Request to Use City Property - 2019 Tree Lighting Event
6. Keene Elm City Rotary - Request for Event License - Clarence DeMar Marathon
7. Report Out: Daron Friedman - Request to Acquire Property - Washington Street

8. Acceptance of Grant - Vermont Yankee - Public Works Department
9. Acceptance of Donation - Fire Department
10. Acceptance of FY2019 Byrne Justice Assistance Grant (JAG) - Police Department
11. Acceptance of Donation - Parks, Recreation and Facilities Department
12. Discussion - Request to Purchase City Property - Adjacent to Bicycle/Pedestrian
13. RFP 02-20-01 Aerial Flyover, Photogrammetry and Base Mapping - Community Development Department
14. Sponsorship Update - Parks, Recreation and Facilities Department
15. Project Share - Parks, Recreation and Facilities Department
16. Primex3 Contribution Assurance Program (CAP) - Property & Liability
17. Primex3 Contribution Assurance Program (CAP) - Workers Compensation

**E. CITY MANAGER COMMENTS**

**F. REPORTS - CITY OFFICERS AND DEPARTMENTS**

1. Joseph S. Hoppock, Esq. - Request to Purchase City Property
2. 79E Community Revitalization Tax Relief Application for 112 Washington Street

**G. REPORTS - BOARDS AND COMMISSIONS**

1. Resignation - Linda Rubin - Bicycle Pedestrian Path Advisory Committee
2. 560 Main Street Zoning Amendment - Ordinance O-2019-12 - Joint Planning Board/Planning, License and Development Committee

**H. REPORTS - MORE TIME**

1. Informational Report – 4-Way Stop Conditions for Arlington Avenue and Dort Street – Public Works Department
2. Discussion – Request to Prohibit the Use of Engine Brakes
3. Continued Discussion - Campaign Finance Ordinance

**I. ORDINANCES FOR FIRST READING**

**J. ORDINANCES FOR SECOND READING**

**K. RESOLUTIONS**

1. Relating to Fiscal Policies  
Resolution R-2019-26-A
2. In Appreciation of William M. Greenwood Upon His Retirement  
Resolution R-2019-30

Non Public Session  
Adjournment

08/01/2019

A regular meeting of the Keene City Council was held Thursday, August 1, 2019. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Ward Four and At-Large Council seats vacant. Councilor Jones led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the July 18, 2019 regular meeting was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS – MAYOR

The City Council's summer break schedule will start after the August 1, 2019 City Council Meeting. The August 7, 2019 and August 8, 2019 Committee Meetings will be canceled as well as the August 21, 2019 and August 22, 2019. The City Council Meeting on August 15, 2019 will also be canceled. Standing Committee meetings will resume on August 28, 2019 and August 29, 2019. The City Council meeting will resume its normal meeting schedule on September 5, 2019.

#### PROCLAMATION – WALLDOGS MURAL FESTIVAL

The Mayor recognized Judy Rogers and Peter Poanessa to present them with a proclamation in recognition of their efforts to organize the Magical History Tour and bring the Walldogs Mural Festival to the City of Keene. The proclamation further encouraged members of the community to visit the downtown to view the work produced by the Walldogs muralists.

#### PULLED FORWARD – COMMUNICATION FREDERICK PARSELLS – WITHDRAWAL OF CANDIDACY – WARD FOUR CITY COUNCIL VACANCY

A communication was received from Frederick Parsells, requesting that his name be withdrawn from consideration for the Ward 4 City Council vacancy. The Mayor accepted the withdrawal of candidacy without any objection.

#### DECLARATIONS OF CANDIDACY AND PROCESS TO FILL CITY COUNCIL VACANCIES – CITY CLERK

A memorandum was received by the City Clerk regarding the filing period for the Ward Four Council seat and the At-Large Council seat which ended on Monday, July 15, 2019. The Mayor declared the field of candidates for the two City Council vacancies as follows: for the Ward Four vacancy: Robert J. O'Connor of 382 Park Avenue, Michael Remy of 55 Castle Street, and David Lanier of 109 Ashuelot Street; for the At-Large vacancy: Kate Bosley of 111 Gunn Road, Margaret Rice of 84 Elm Street, Teresa O'Rorke of 34 Hillside Avenue, John Therriault of 76 Bradford Road, Catherine Workman of 47 Colorado Street, and Bradford Hutchinson of 305 Marlboro Street.

The Mayor went on to explain the procedure involved in filling the two vacancies, noting that the Ward Four vacancy would be filled first followed by the At-Large vacancy. He explained that for

each race, the field of candidates would each be given five minutes to address the Council relative to their candidacy. There would be no questions asked of the candidates, and immediately upon completion of the last candidate's presentation, the primary vote would be conducted to narrow the field to two candidates. The method of voting would be by roll call, with each Councilor stating the name of his or her choice. He explained that should a Councilor not wish to vote for any of the candidates, they could vote "no". He ended that the prevailing candidate in each race would take their oath of office and be seated this evening.

The Mayor provided each candidate for the Ward Four vacancy with five minutes to address the Council. Upon completion of the presentations, a primary vote was conducted. On a roll call vote, the field of candidates was narrowed to Robert J. O'Connor and Michael Remy. Councilors Manwaring, Powers, Clark, Filiault, Lamoureux, Chadbourne, Hooper, Jones, Richards and Greenwald voted for Robert J. O'Connor. Councilors Jacobs, Sutherland and Hansel voted for Michael Remy.

A final vote was conducted between candidates O'Connor and Remy. On a roll call vote, Councilors Manwaring, Powers, Clark, Filiault, Lamoureux, Chadbourne, Hooper, Jones, Richards and Greenwald voted for Robert J. O'Connor, and Councilors Jacobs, Sutherland and Hansel voted for Michael Remy. Robert J. O'Connor was declared elected. The Mayor administered the oath of office. Councilor O'Connor took his seat as Ward Four Councilor.

The Mayor provided each candidate for the At-Large vacancy with five minutes to address the Council. Upon completion of the presentations, a primary vote was conducted. On a roll call vote, the field of candidates was narrowed to Kate Bosley and Margaret Rice. Councilors Jacobs, Powers, Filiault, O'Connor, Lamoureux, Chadbourne, Jones, Richards and Greenwald voted for Kate Bosley. Councilors Manwaring, Sutherland, Hansel and Hooper voted for Margaret Rice. Councilor Clark voted for Teresa O'Rorke.

A final vote was conducted between candidates Bosley and Rice. On a roll call vote, Councilors Jacobs, Powers, Clark, Filiault, O'Connor, Lamoureux, Chadbourne, Jones, Richards and Greenwald voted for Kate Bosley, and Councilors Manwaring, Sutherland, Hansel and Hooper voted for Margaret Rice. Kate Bosley was declared elected. The Mayor administered the oath of office. Councilor Bosley took her seat as A-Large Councilor.

The Mayor announced that Councilors O'Connor and Bosley would both serve as members of the Planning, Licenses and Development Committee.

In closing, the Mayor expressed his appreciation for all of the candidates who participated in the process. He stated everyone gave an excellent presentation. This was a testament to their willingness to serve and a testament to the community.

## CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded by Councilor Powers to confirm the following nominations: Danya Landis to serve as a regular member on the College City Commission with a term to expire December 31, 2022; Anna Scherioth to serve as a regular member on the Energy and Climate Committee with a term to expire December 31, 2020; and

Rodney A. Bouchard to serve as a regular member on the Energy and Climate Committee with a term to expire December 31, 2021. On a roll call vote, with 15 Councilors present and voting in favor, the nominations were confirmed.

#### NOMINATIONS

The following nominations were received from the Mayor: Jeffrey Murphy to serve as a regular member on the College City Commission with a term to expire December 31, 2020 and Andrew Dey to serve as a regular member on the Energy and Climate Committee with a term to expire December 31, 2021. The nominations were tabled until the next regular meeting.

#### COMMUNICATION – PETITION – REQUEST FOR LOWER SPEED LIMITS AND TRAFFIC CALMING DEVICES – SKYLINE DRIVE AND MORGAN LANE

A petition was received from the residents of Skyline Drive and Morgan Lane, requesting a speed limit reduction to 25 miles per hour along with traffic calming devices to improve public safety. The communication was referred to the Municipal Services, Facilities and Infrastructure Committee.

#### COMMUNICATION – ATTORNEY HEATHER CARLISLE/TILSON TECHNOLOGIES – REQUESTING THE CITY MANAGER’S SIGNATURE ON APPLICATION FOR A CONDITIONAL USE PERMIT TO INSTALL SMALL WIRELESS FACILITIES IN THE CITY RIGHT-OF-WAY

A communication was received from Attorney Heather Carlisle of Tilson Technologies, requesting the City Manager’s signature on an application for a conditional use permit to install small wireless facilities in the City right-of-way. The communication was referred to the Planning, Licensing and Development Committee.

#### FOP REPORT – BRADFORD TODD – REQUEST TO INCREASE VETERANS TAX CREDIT

Finance Organization and Personnel Committee report read recommending accepting the report as informational. The report was filed into the record as informational.

#### FOP REPORT – GATE REPLACEMENT PROJECT AT THE WASTEWATER TREATMENT PLANT

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to execute a sole source professional services contract with Underwood Engineers for engineering and technical services for the Gate Replacement Project at the wastewater treatment plant for an amount not to exceed \$40,400. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. The motion passed with a unanimous vote in favor.

#### FOP REPORT – LIBRARY CAMPUS DEVELOPMENT PROJECT – PARKS, RECREATION AND FACILITIES DIRECTOR

Finance, Organization and Personnel Committee report read recommending that the City Manager be authorized to do all things necessary to negotiate and execute loan documents in a form acceptable to the City Attorney with Monadnock Economic Development Corporation or its assignee, for the repayment to the City by MEDC of an amount up to \$92,103.00 expended by the City for the completion of the construction of the Library Campus Development Project and further recommending the memorandum be accepted as informational. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded by Councilor Powers. Councilor Hansel requested that he be allowed to recuse himself from this vote as a Board member of MEDC if the Council will allow. The Mayor responded he believed that the Councilor had previously been granted permission to abstain from issues associated with the financial structure of MEDC. The motion passed with 14 voting in favor and Councilor Hansel abstaining.

#### CALL FROM COMMITTEE – PLANNING, LICENSES AND DEVELOPMENT – KEENE MUSIC FESTIVAL

A motion by Councilor Richards to call from the Planning, Licenses and Development Committee for action the communication from Pablo Fleischmann requesting permission to conduct the 2019 Keene Music Festival was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor. A motion was made by Councilor Richards that The Keene Music Festival be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of downtown City property on Central Square, Railroad Square, and designated parking spaces on Main Street to conduct the Keene Music Festival on Saturday, August 31, 2019 from 9:00 AM to 10:30 PM. In addition, the applicant is permitted to close off a portion of Railroad Street, from Main Street to the westerly entrance of the Wells Street Parking Garage, and a portion of Church Street from Main Street to the entrance of the Vision Financial parking lot. This permission is granted subject to the customary licensing requirements of the City Council, submittal of a signed letter of permission from City Tire for use of their property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 20 Community Events Budget. The motion was duly seconded by Councilor Jones. The motion passed with a unanimous vote in favor.

#### CITY MANAGER COMMENTS

The City Manager noted Monday was her first day back after having attended Harvard's Senior Executive Program. She expressed her thanks for the opportunity and the Council's support noting it was a transformative experience, but she is very happy to be back. The Manager went on to describe the experience as educationally, socially, emotionally and even physically demanding. She described in more detail the daily experience of attending classes and events, and noted the diverse group of individuals that participated. They studied a variety of subjects relevant to state and local government. She lauded the professors, and in particular made note of Marty Linsky, author of the book "Leadership on the Line" who pushed students to think

differently about their role as leaders and how they exercise leadership within their individual scopes of authority. She noted the capstone project that she worked on dealt with a real issue before the City of Boston. They applied concepts they had learned and she will be watching to see if Boston uses any of the solutions they came up with. In the end, everyone in state and local government – whether elected or appointed – are charged with moving the needle and making a difference as a servant and a leader. The City Manager noted that has always been her desire, and now she is even more motivated to do so with a few more tools in her toolbox. She ended by stating she owes a huge debt of gratitude to the Caroline and Martin Gross Foundation, which financially sponsored her fellowship, as well as the City Council for all of their support in allowing her to attend.

The Manager went on to provide other updates to the City Council, noting that with regard to the City swimming pools, there have been some staffing issues in various departments, including Parks and Recreation. This season finding enough lifeguards to staff both Robin Hood and Wheelock pools was a challenge. Many of the staff members are now headed back to college, leaving the City with enough staff to operate one pool. Therefore, Robin Hood pool will be closing a week earlier than anticipated. We will transition to one pool the week of August 18<sup>th</sup>.

She went on to say that Medard Kopczynski has been appointed by the New Hampshire Builders Association as a representative to the New Hampshire Building Code Collaborative Advisory Board. The Code Collaborative will be comprised of experts and diverse stakeholders groups impacted by energy codes who will work together in pursuit of common interests and goals. There is a direct tie to the work that we are doing. This Collaborative will work to support the state as it considers newer versions of energy codes and implements energy code compliance. It will provide a forum for the stakeholders affected by energy codes and we will have someone in this group helping to inform that group and bringing that knowledge back to us. Mr. Kopczynski has also been appointed to the Multi-Hazard Resiliency for Residential Construction Standards Committee by the International Code Council. The goal of this Committee will be to develop a portfolio of consensus standards relevant to a wide range of hazards affecting modern residential construction three stories or less. Again, this is something that will be helpful to us as we move forward.

She continued by noting that soon City staff will be teaming up with the Downtown Coordinator to visit businesses on and off Main Street to discuss a number of ideas. Finally, a number of announcements from the Public Works Department. There are a couple large projects for residents to be aware of. Starting Monday, August 5<sup>th</sup> highway crews will be grader patching the Old Walpole Road, which will cause traffic delays due to one lane travel. Also on Monday, the highway division and the City's tree service contractor will be working on Central Square performing tree trimming and there will be lane closures. The Department will also be removing a large tree on Winchester Street near the Keene State College campus that will also cause delays. The Public Works Solid Waste Division started an experiment in an attempt to relieve some congestion that occurred Saturday morning at the Transfer Station/Recycling Center. The Division implemented extended hours of operation on Wednesdays that began on July 24<sup>th</sup>. The center will remain open on Wednesdays until 7PM. This has proven popular with patrons as over 66 vehicles came through on July 31<sup>st</sup>, twice the number as the previous week. This is meant to reduce the rush on Saturdays. Finally, we have a safety message from Public Works

with all the work going on in the streets, Public Works asks the public to remain alert and as they travel about the City. There is a lot of work going on and residents should concentrate and avoid distractions, particularly from electronic devices. A statistic was shared that DMV.org reports 9 people are killed every day by distracted drivers, so please be safe.

#### MORE TIME

More time was granted by the Chair for the following items in Committee: James Griffin – Request to Prohibit the Use of Engine Brakes; Continued Discussion – Campaign Finance Ordinance.

#### MSFI REPORT AND ORDINANCE O-2019-15: RELATING TO SMOKING, TOBACCO PRODUCTS AND EQUIPMENT

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2019-15: Relating to Smoking, Tobacco Products and Equipment. The report was filed into the record. Ordinance O-2019-15 was read for the second time. A motion by Councilor Manwaring for adoption of the Ordinance was duly seconded by Councilor Lamoureux. On roll call vote, 15 Councilors were present and voting in favor. Ordinance O-2019-15 declared adopted.

#### FOP REPORT AND RESOLUTION R-2019-28: RELATING TO THE LIBRARY CAMPUS DEVELOPMENT PROJECT FUNDING

Finance, Organization and Personnel Committee report read recommending the adoption of Resolutions R-2019-28. The report was filed into the record. Resolution R-2019-28 was read for the second time. A motion by Councilor Greenwald for the adoption of the Resolution R-2019-28 was duly seconded by Councilor Jacobs. On a roll call vote, 15 Councilors were present and voting in favor. Resolution R-2019-28 declared adopted.

#### MEMORANDUM – FINANCE DIRECTOR AND RESOLUTION R-2019-26: RELATING TO FISCAL POLICIES

A memorandum was received from the Finance Director along with Resolution R-2019-26: Relating to Fiscal Policies. The memorandum was filed into the record. Resolution R-2019-26 referred by the Chair to the Finance, Organization and Personnel Committee.

#### MEMORANDUM – CITY ASSESSOR AND RESOLUTIONS R-2019-33: RELATING TO SERVICE CONNECTED TOTAL DISABILITY VETERAN TAX CREDITS; AND R-2019-34: RELATING TO VETERAN SURVIVING SPOUSE TAX CREDIT

A memorandum was received from the City Assessor along with Resolutions R-2019-33: Relating to Service Connected Total Disability Veteran Tax Credits and R-2019-34: Relating to Veteran Surviving Spouse Tax Credit. The memorandum was filed into the record. A motion by Councilor Greenwald to suspend the Rules of Order to act upon Resolutions R-2019-33 and R-2019-34 was duly seconded by Councilor Jacobs. On a roll call vote, 15 Councilors were present

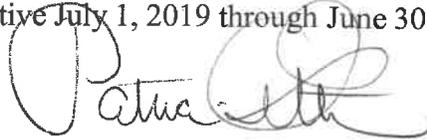
08/01/2019

and voting in favor. The Rules of Order were suspended. A motion by Councilor Greenwald for adoption of the Resolution R-2019-33 was duly seconded by Councilor Jacobs. On a show of hands vote, 15 Councilors were present voted in favor. Resolution R-2019-33 declared adopted. A motion by Councilor Greenwald for adoption of the Resolution R-2019-34 was duly seconded by Councilor Jacobs. On a show of hands vote, 15 Councilors were present voted in favor. Resolution R-2019-34 declared adopted.

#### ADJOURNMENT FOR COLLECTIVE BARGAINING

At 8:27 PM the Mayor adjourned the meeting for the purposes of collective bargaining strategy. At 8:48 PM the meeting reconvened. On motion by Councilor Greenwald, voted unanimously to authorize the City Manager to do all things necessary to execute negotiated contacts with AFCSME Council 93, Local # 2973 to be effective July 1, 2019 through June 30, 2022.

A true record, attest:



City Clerk



City of Keene, N.H.  
*Transmittal Form*

July 30, 2019

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.1.

**SUBJECT:** Confirmations

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**COUNCIL ACTION:**

In City Council August 1, 2019.

Tabled until the next regular meeting.

**RECOMMENDATION:**

I hereby nominate the following individuals to serve on the designated board or commission:

College City Commission

Jeffrey Murphy, slot 7

45 Bradford Road

Term to expire Dec. 31, 2020

Energy and Climate Committee

Andrew Dey, slot 11

Walpole, NH

Term to expire Dec. 31, 2021

**ATTACHMENTS:**

**Description**

Murphy\_Background

Dey\_Background

# JEFFREY MURPHY

603-313-8632    brewbakerskeene@gmail.com    45 Bradford Road, Keene, NH 03431

## SUMMARY

As a downtown business owner and lifelong Keene resident, I am uniquely qualified to contribute as a board member of the Keene City-College Commission. I grew up in a Keene State College family; my father is a graduate, my mother a former college employee, and myself a preschool student at KSC's Child Development Center. I understand the the importance of strong integration between the college and the city. As an employer, I have always had a mix of KSC and non-KSC staff, creating positive relations between the students and adults outside of the college context. I believe it is imperative for the health of both the college and the city that we continue to strengthen community connections both in the city and on campus. I look forward to working on this commission to support current initiatives and create new pathways for a strong, mutually beneficial relationship between our citizens and students- with the hope that some of these graduates will choose to call Keene a home post-graduation.

## SKILLS

- Staffing
- Business development
- Planning and execution
- Financial administration
- Self-motivated
- Schedule and calendar management
- Networking
- Event Planning

## EXPERIENCE

### Owner Manager

Brewbakers Cafe | Keene, NH | Apr 2011-Current

- Own and operate bustling Main Street Cafe in downtown Keene, NH
- Employer of dozens of young adults over the past 8 years, including many Keene State College students and graduates
- Strategic planning and marketing
- Managing online and social media presence
- Partnered with numerous non-profits and charitable organizations in the Monadnock Region
- Financial planning and management

### Owner Manager

Terra Nova Coffee Roasters | Keene, NH | Jul 2012-Current

- Strategic planning, marketing, and development
- Purchasing and logistics
- Management of e-commerce, online, and social media presence
- Human resource management
- Creation and implementation of inventory management

- Event Planning/ Booking

### **Master Scheduler**

Keene Youth Hockey Board Of Directors | Keene, NH | Apr 2013-Mar 2018

- Managed schedules of 8-9 youth hockey teams for 5 years. Communication between dozens of organizations and personnel throughout New England
- Managed scheduling transition between the former rink at the Cheshire Fair and the new Keene Ice Arena
- Utilized spreadsheets, emails, phone calls to coordinate hundreds of families traveling across New England

### **EDUCATION AND TRAINING**

#### **Bachelor of Science: Managing Information Systems**

Marlboro College Graduate Center | Brattleboro, VT | May 2010

#### **Certificate: Massage Therapy**

North Eastern Institute For Whole Health | Manchester, NH

### **ACTIVITIES AND HONORS**

- 2019 Business Journal Trendsetter Award
- Volunteer coach in local baseball and hockey organizations over the past 7 years
- Supported numerous non-profits and local charities
- New member of the Monadnock International Film Festival Board
- Professional musician for over 20 years

# Andrew Dey

603-757-3462

andrew@andrewdey.com

PO Box 22, Walpole, NH 03608

www.andrewdey.com

**Summary** Leader with decades of experience managing teams and projects focused on innovative methods and sustainable, high-performance practices

## Skills

- Strong leadership, interpersonal and communication skills
- Broad knowledge of construction practices

## Professional Experience

- 2015-present *Operations Director for Unity Homes, Walpole, NH*
- Responsible for day-to-day operations of company building high performance homes using components prefabricated in state-of-the-art Keene facility
- 2013-2014 *Independent Research/Writing, Berlin, Germany*
- Focused on renewable energy, building energy efficiency and energy-independent communities
  - Published numerous articles and blog posts at GreenBuildingAdvisor.com and other websites
- 2008-2013 *Construction Consultant, Walpole, NH*
- Provided Owner's Representative Services for public and private clients
  - Implemented energy efficiency strategies on a wide spectrum of buildings
  - Conducted forensic investigations of building issues and failures
  - Taught Construction Management and classes for BPI Certification at Keene State College, Keene, NH
- 1994-2007 *Director of Project Management, Bensonwood Homes, Walpole, NH*
- Developed project management team and systems
  - Managed construction of dozens of homes and commercial structures
  - Participated in corporate governance as *Company Steward*
- 1987-1993 *General Contractor, Arlington, MA*
- Additions and renovations in Greater Boston

**Education** B.A., Harvard University 1985; *cum laude* with major in Biology

## Volunteer

- 2016-2018 Tri-State Ecovation Hub leadership committee member
- 2008-2012 Chair of Tri-Village Energy Committee (Walpole's Local Energy Committee)
- 2001-2006 Monadnock Habitat for Humanity project leader
- 1996-2004 Board Member (Board Chair for 2 years), Insight Meditation Society in Barre, MA

## Other Interests

- Running, tennis, biking, skiing
- Languages (German, Spanish) and travel
- Woodworking, boatbuilding



City of Keene, N.H.  
*Transmittal Form*

September 4, 2019

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.2.

**SUBJECT:** Nominations

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**ATTACHMENTS:**

**Description**

Background - Pitts

Background - Luse

**BACKGROUND:**

I hereby nominate the following individuals to serve on the designated Board or Commission:

Library Board of Trustees

Jane Pitts, Slot 5  
45 Bradford Road

Term to expire June 30, 2022

Energy and Climate Committee

Zach Luce, alternate Slot 12  
317 Court Street

Term to expire Dec. 31, 2020

**Patty Little**

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**From:** helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>  
**Sent:** Wednesday, June 12, 2019 5:28 PM  
**To:** HMattson@ci.keene.nh.us  
**Cc:** PLittle@ci.keene.nh.us; THood@ci.keene.nh.us  
**Subject:** Interested in serving on a City Board or Commission

<p>Submitted on Wed, 06/12/2019 - 17:27</p>

<p>Submitted values are:</p>

**First Name:**

Jane

**Last Name:**

Pitts

**Address**

15 Acrebrook Road  
Keene, NH  
03431

**Email:**

**Cell Phone:**

603-381-7787

**Home Phone:**

603-357-3732

**Please select the Boards or Commissions you would be interested in serving on:**

Library Board of Trustees

**Employer:**

Currently not employed.

**Occupation:**

Homemaker

**Education:**

Post Graduate

**Have you ever served on a public body before?**

Yes

**If you answered yes above, please provide what public body you served on and where.**

Keene Library Annex Advisory Committee

**Other Information/Relevant Experience:**

Friends of the Keene Public Library, Past President and long time Board member.  
Keene Public Library Renovation Project committees served on: Campaign, Construction & Building,  
Marketing, Process, KLAAC, Recognition & Ceremony.  
Ladies Charitable Society, Treasurer.  
Stonewall Farm, Board Member.

**Please provide some references:**

Sally Miller

[REDACTED]  
603-352-7567

**References #2:**

Judy Putnam

[REDACTED]  
603-352-1233

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## Patty Little

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**From:** helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>  
**Sent:** Friday, August 16, 2019 8:57 AM  
**To:** Helen Mattson  
**Cc:** Patty Little; Terri Hood  
**Subject:** Interested in serving on a City Board or Commission

<p>Submitted on Fri, 08/16/2019 - 08:57</p> <p>Submitted values are:</p> First Name:  
Zach

Last Name:  
Luse

Address  
317 Court St  
Keene, NH 03431

Email:  
zach@paragondigital.com <mailto:zach@paragondigital.com>

Cell Phone:  
603-903-7312 <tel:603-903-7312>

Home Phone:  
603-399-6401 <tel:603-399-6401>

Please select the Boards or Commissions you would be interested in serving on:  
Energy and Climate Committee

Employer:  
Paragon Digital Marketing

Occupation:  
Marketing

Education:  
Some College

Have you ever served on a public body before?  
No

Other Information/Relevant Experience:

I'm a local business owner that is passionate about energy efficiency and conservation. I've done extensive research around conserving energy and improving energy efficiency in old buildings including incentives, financing, building code and historical issues involved. I'm currently renovated the old church at 34 Court St to move my offices into early next year. This project includes a ~30kw solar array, energy efficient heat pumps, insulation and air sealing. In my personal life, I've done a deep energy retrofit on a 1930's cape in Keene and done a lot of tinkering with new energy products that monitor or reduce energy use. Looking forward, I'm currently testing two cutting edge technologies, low voltage, internet connected LED lighting powered over network cables that eliminates the need for standard electrical wiring. As

well as a new air sealing technology for old buildings that is very cost effective while preserving the historic character of the building.

While I'm not an expert in this field, I believe I would be a good fit for this committee and would really enjoy being part of Keene's energy efficient future because of my passion for energy efficiency, hands on experience and position as a local business owner.

Please provide some references:

Hans Porchitz

[REDACTED]

603-892-1543

References #2:

Mike Briggs

mike@paragondigital.com <mailto:mike@paragondigital.com>

603-399-6400



City of Keene, N.H.  
*Transmittal Form*

August 8, 2019

**TO:** Mayor and Keene City Council

**FROM:** Dr. Fred Ward

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.1.

**SUBJECT:** Dr. Fred Ward - Sustainable Energy Goals

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**ATTACHMENTS:**

Description

Communication\_Ward

**BACKGROUND:**

In his letter, Dr. Fred Ward is referring to Resolution R-2018-36 relating to Establishing Sustainable Energy Goals. The Resolution states that "all electricity consumed in the City will come from renewable energy sources by 2030." Dr. Ward is suggesting that the Energy and Climate Committee investigate what sources of electric power are "renewable" and how much are requested of each to meet the 100% goal and where might they be physically located.

Keene City Council  
C/o Mr. Rhett Lamb  
City of Keene  
3 Washington Street  
Keene, NH 03431

8 August 2019

Ladies and Gentlemen:

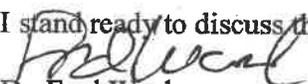
On 18 December 2018, your Council passed a resolution stating that the "City of Keene would develop a strategic plan by December 2020" so that "all electricity consumed in the City will come from renewable energy sources by 2030". Your Energy and Climate Committee, which is responsible for this Plan, voted at their March 2019 meeting, that nuclear energy is not considered part of that energy mix, leaving solar, wind, and hydropower. I have attached a letter to the Wall Street Journal which summarizes your problem, and shows that the Green New deal is impossible. There are a number of questions which require answers before any progress can be made on your plan, including the number of solar panels and wind turbines, and where they must be located. Mt. Monadnock would be a near perfect location for a dozen or more turbines, being elevated and isolated from obstructions to the wind.

All renewable energy production is renewed by the weather; the sun, the wind, and the rain. As a professional meteorologist working for many decades on these meteorological issues, I examined the technical aspects of such a plan, and the results of my study follows. All renewable energy is intermittent, changing from minute-to-minute, and day-to-day with the weather. Some days have lots of wind and sunshine, but there are frequent cloudy days with little or no wind, days on which we expect lights to go on with a flip of the switch. What would you consider an acceptable backup source on cloudy, calm days, and nights? If hydropower is your backup, it needs to be overbuilt to supply 100% of your green power on cloudy, calm days, and nights. But if overbuilt, why would you also want hundreds of turbines and square miles of panels spread all over the landscape? Do you have any idea how many hundreds of turbines or square miles of solar panels are required?

Attached is a meteorological analysis of a typical month of weather, December 2017, its wind and sunshine, and its potential wind and solar energy. It shows that you will need to build a backup large enough to supply up to 100% of your wind and sun power about half the time. It also shows that an overbuilt sun and wind power scheme would cover more days, but only by wasting most of the added energy. Similar analyses could be performed for other mixes of green power. The official data are easily available.

I might suggest that your E&EC answer the following questions before spending more time and money. What sources of electric power are "renewable", how many of each are required to meet the 100% goal, and where might they be physically located?

I stand ready to discuss these issues with you in person at any time.

  
Dr. Fred Ward  
386 Route 123 South  
Stoddard, NH 03464  
603-446-2312  


## TABLES

The airport in Concord, NH is a "first order" weather station and publishes a complete set of weather data, 24 hours each day. It's long-term climate data are also available for comparison. These weather data are for December 2017, but the conclusions will be applicable to almost any other month or year.

The Table lists the Average wind speed for each day, in Column 1, and the cloudiness at 1 PM in Column 2. The other columns are the computed energy available each day from the wind and sunshine, assuming these solar and wind facilities are each built to produce, ON AVERAGE, 1/3 of the required electric energy.

Column 3 is calculated by assuming that on windy days the turbines will generate their maximum electric power, and on days of little or no wind, they will generate no power, with in between days generating half the maximum power. Changing these categories will only slightly change the results. In any event, the results for the month match the industry standard of 1/3 efficiency for the turbines.

Column 4 is calculated by assuming that in bright sunshine at midday, the solar panels will generate a set percentage power sufficient to make up for the night and cloudiness, with zero for cloudy days and half the maximum for half cloudy days. These numbers are percentages of the required power assuming the planned 1/3 contribution for the sun to the total power required by the grid, ON AVERAGE. Column 5 is the total of columns 3 and 4.

But since the grid cannot use, or even accept, more than 100% of the planned generation, column 6 is the excess over that 100%, with column 7 the actual delivery to the grid. The bottom line in the table would be close to the actual power delivered by a power supplier with sufficient turbines to send the grid about 1/3 of its actual power, and solar panels sufficient to send another 1/3.

The first Table shows that a power arrangement built to deliver 1/3 of its power from wind turbines, and 1/3 from solar panels, could only be expected to deliver its planned output about 9-10 days each month, and partial power on an additional dozen days, with no power delivery on the rest.

The numbers in the second Table are the result of a substantial overbuilding of these renewable sources, so that the turbines and the panels each produce 2/3 of the required renewable energy. These numbers can be calculated by merely doubling the number in column 5, and making the required additions and subtractions for columns 6 and 7. The monthly numbers, similarly calculated.

By overbuilding both the wind farms and the solar farms, the required backup is reduced, but the price is an 18% gain in coverage at the cost of 50% rise in wasted energy! It is expensive to try to convert intermittent energy into planned energy. These added overbuilt facilities will sit unused 62% of the time, as will the rest of their required infrastructure, including the wasteland of connecting corridors.

## CONCLUSION

The net of this analysis is that the intermittence of renewable energy sources, like the wind and sun, cannot be corralled to provide a steady source of energy without enormous overbuilding, drastic environmental devastation of large areas of New Hampshire, and costs which will boggle the mind. The use of "free" to describe the resulting production is not just a misnomer, it is a flagrant distortion of the English language!

The GREEN NEW DEAL is a winner only for the companies which make the turbines and the panels.

Concord, NH, December 2017

1/3 wind, 1/3 sun, 1/3 other

	Avg Wind mph (1)	Clouds 1 PM (2)	Wind Energy (3)	Solar Energy (4)	Wnd/Sun Energy (5)	Discarded Energy (6)	Usable Energy (7)
Dec 1	3.8	OVC	0	0	0	0	0
Dec 2	0.4	CLR	0	70	70	0	70
Dec 3	0.6	OVC	0	0	0	0	0
Dec 4	1.4	CLR	0	70	70	0	70
Dec 5	5.7	OVC	50	0	50	0	50
Dec 6	6.6	CLR	50	70	120	20	100
Dec 7	5.8	OVC	50	0	50	0	50
Dec 8	4.1	CLR	0	70	70	0	70
Dec 9	2.9	OVC	0	0	0	0	0
Dec 10	5.9	BKN	50	35	85	0	85
Dec 11	5.0	OVC	50	0	50	0	50
Dec 12	4.9	OVC	50	0	50	0	50
Dec 13	12.7	BKN	100	35	135	35	100
Dec 14	9.2	CLR	50	70	120	20	100
Dec 15	0.6	CLR	0	70	70	0	70
Dec 16	4.8	CLR	0	70	70	0	70
Dec 17	4.6	CLR	0	70	70	0	70
Dec 18	1.4	OVC	0	0	0	0	0
Dec 19	4.2	OVC	0	0	0	0	0
Dec 20	11.3	CLR	100	70	170	70	100
Dec 21	8.4	CLR	50	70	120	20	100
Dec 22	3.3	OVC	0	0	0	0	0
Dec 23	3.7	OVC	0	0	0	0	0
Dec 24	6.4	CLR	50	70	120	20	100
Dec 25	9.0	OVC	50	0	50	0	50
Dec 26	8.1	OVC	50	0	50	0	50
Dec 27	6.1	CLR	50	70	120	20	100
Dec 28	15.1	CLR	100	70	170	70	100
Dec 29	5.2	OVC	50	0	50	0	50
Dec 30	2.1	OVC	0	0	0	0	0
Dec 31	14.1	CLR	100	70	170	70	100
Total			1050	1050	2100	345	1785
Average Energy			34%	34%	68%	11%	57%

Concord, NH, December 2017

2/3 sun, 2/3 wind

	Avg Wind mph (1)	Clouds 1 PM (2)	Wind Energy (3)	Solar Energy (4)	Green Energy (5)	Excess Energy (6)	Used Green (7)
Dec 1	3.8	OVC	0	0	0	0	0
Dec 2	0.4	CLR	0	140	140	40	100
Dec 3	0.6	OVC	0	0	0	0	0
Dec 4	1.4	CLR	0	140	140	40	100
Dec 5	5.7	OVC	100	0	100	0	100
Dec 6	6.6	CLR	100	140	240	140	100
Dec 7	5.8	OVC	100	0	100	0	100
Dec 8	4.1	CLR	0	140	140	40	100
Dec 9	2.9	OVC	0	0	0	0	0
Dec 10	5.9	BKN	100	70	170	70	100
Dec 11	5.0	OVC	100	0	100	0	100
Dec 12	4.9	OVC	100	0	100	0	100
Dec 13	12.7	BKN	200	70	270	170	100
Dec 14	9.2	CLR	100	140	240	140	100
Dec 15	0.6	CLR	0	140	140	40	100
Dec 16	4.8	CLR	0	140	140	40	100
Dec 17	4.6	CLR	0	140	140	40	100
Dec 18	1.4	OVC	0	0	0	0	0
Dec 19	4.2	OVC	0	0	0	0	0
Dec 20	11.3	CLR	200	140	340	240	100
Dec 21	8.4	CLR	100	140	240	140	100
Dec 22	3.3	OVC	0	0	0	0	0
Dec 23	3.7	OVC	0	0	0	0	0
Dec 24	6.4	CLR	100	140	240	140	100
Dec 25	9.0	OVC	100	0	100	0	100
Dec 26	8.1	OVC	100	0	100	0	100
Dec 27	6.1	CLR	100	140	240	140	100
Dec 28	15.1	CLR	200	140	340	240	100
Dec 29	5.2	OVC	100	0	100	0	100
Dec 30	2.1	OVC	0	0	0	0	0
Dec 31	14.1	CLR	200	140	340	240	100
Total			2100	2100	4200	1920	2300
Average Energy			68%	68%	136%	62%	74%

## ISSUES FOR CONSIDERATION BY THE ENERGY AND CLIMATE COMMITTEE

### How many turbines and panels?

Electric grids come in all shapes and sizes, as do their producing facilities. As a point of reference, a large electric facility, e. g. Seabrook, delivers about 1000 Megawatts (Mw). It takes about 30 square miles of solar panels, at their usual 20% efficiency, to generate 1000 Mw, or 1000 wind turbines, 1/10 of a mile high, at their usual 33% efficiency, to do the same. A couple of dozen huge turbines on Mt. Monadnock would suffice for Keene to go green, or replacing a few square miles of trees in Pisgah would also do the trick. These numbers however, do not account for the complex connecting corridors decorating the park, which would be required by the constant switching between production facilities to "follow" the weather as it changes.

### Electricity on cloudy, calm days, and nights?

The usual reply to the intermittence of solar and wind energy is to store power in batteries or to import power from elsewhere. Both glib responses sound reasonable, until you calculate the amounts of energy to be stored and/or transmitted over long distances. The size of the battery to carry Keene through a few consecutive cloudy, calm would dwarf all the buildings on Main street. Importing power from another grid, requires that our grid perform the same service. Such a standby payback increases the sizes of all parts of our grid, further reducing its overall efficiency.

### Inefficiency means overbuilding.

The problem with intermittent sources of power, like wind and sunshine is that they need to be overbuilt to generate excess energy when they are "mittent" to compensate for their "inter" periods. Intermittent sources are by definition, INEFFICIENT. Solar sources do not produce any power at night or in clouds, and average only 20% overall efficiency. In order to generate any given fraction of our total energy, a solar facility must generate 5 times that fraction at noon on sunny days to balance out the zero energy at night and in clouds. Wind turbines, which are only 1/3 efficient, must generate 3 times their fractional contribution on windy days, to balance out their zero energy on calm days.

A solar facility which is required to generate 1 Mw, but overbuilt to generate 5 Mw on sunny noontimes, will generate those 5 Mw on every sunny noontime, as will every solar facility in the area. This means that the grid at noon on sunny days will get 5 times its planned input of energy from the sunshine alone. If we plan on getting 1/3 of the average grid energy from sunshine, that means that on sunny noontimes, the solar panels will completely fulfill the grid's total energy requirement, and more!. Similarly, if we plan to get 1/3 of our energy from wind turbines, they alone will contribute 100% of the grid's capacity on windy days. So just requiring that we generate an average only 67% green, 1/3 from the sun and 1/3 from the wind would send surges, on sunny, windy days, of 267% (100+167) of the grid's capacity to use, OR ACCEPT!

### A Slippery Slope?

It has been suggested that the surplus from these overbuilt and intermittent sources be simply discarded. Sounds easy, but this discarded energy would have been produced when the solar panels and wind turbines were operating at the MAXIMUM efficiency. Discarding this energy would dramatically reduce the already low efficiencies of both the solar panels and the wind turbines. Lowering their efficiencies would necessitate ever more overbuilding, leading to lower efficiencies, leading to more overbuilding, and lower efficiencies etc., the very definition of a "slippery slope"?

### A cleaner environment?

Since the fundamental rationale for considering intermittent sources is to "clean up the environment",

what about the environmental destruction produced by turbines standing 1/10 of a mile above isolated, and elevated terrain? Or the square miles of solar panels, which doom all plant life with their constant shade? Or the additional large and extended corridors to connect facilities whose intermittence requires constantly switching connections between the turbines and panels, the backup facilities, the imported power, the batteries, etc. Just the solar panels required will devastate tens of square miles. And even Mt. Monadnock can only site a few percent of the required wind turbines.

Your Energy and Climate Committee should answer the above questions, FIRST.

(WSJ letter 2 August 2019)

To the editor:

2 August 2019

The Green New Deal would make PONZI smile.

In science, theories are tested against the NULL hypothesis. The theory is assumed correct, but tested against real facts!

Putting aside the constant barrage of letters and articles in the WSJ, such as Fackler (1 August) and Bryce (22 July), the Green New Deal is not possible, simply because weather changes guarantee intermittent production.

Let's assume that a Green New Deal could be constructed, generating 1/3 of its AVERAGE electric power from wind turbines, 1/3 of its AVERAGE from solar panels, and 1/3 from hydropower, 100% of its AVERAGE power from green sources.

Oops, the wind speed varies from hour-to-hour and day-to-day, so the wind turbines will generate between zero power in light winds, and maximum power in strong winds. Over time, turbines AVERAGE only 1/3 (33%) of their maximum power.

Oops, the sun doesn't shine at night or in clouds, so the solar panels will generate between zero power in clouds and at night, and maximum power at noon in bright sunshine. Over time, the panels will AVERAGE only 1/5 (20%) of their maximum power.

What happens at night, or on a cloudy day, with little wind? The hydropower must compensate for these times, by supplying, not 1/3, but the entire 100%. This means the hydropower facilities, and their connections, must be overbuilt to supply all 100% of the power, whether they are used, or sit idle. But if hydropower can cover all 100%, why bother with hundreds of wind turbines and/or square miles of solar farms, to scar the landscape?

There's an additional, worse problem. On sunny, windy days, wind turbines operate at maximum capacity and send to the grid, not their average 33% of the grid's power requirement, but 100% of the grid's required power. And the solar farms add another 167% power, meeting 267% of the grid's requirement!

Many "solutions" have been proposed to these twin problems of alternating scarcity and surplus. The scarcity problem can be ameliorated by constructing "extra" green power, i.e. more turbines and panels. But this adds to the overwhelming surplus electricity on the sunny, breezy days. And this surplus generation (and all proposed schemes to reduce it) lowers the already low efficiencies of wind turbines (33%) and solar panels (20%). All efficiency reductions require more installed turbines and more solar panels, which further reduces their efficiencies.

Does this define "slippery slope"?

Dr. Fred Ward



City of Keene, N.H.  
*Transmittal Form*

August 24, 2019

**TO:** Mayor and Keene City Council

**FROM:** Councilor George S. Hansel

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.2.

**SUBJECT:** Councilor Hansel - Conflict of Interest - MEDC

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**ATTACHMENTS:**

Description

Communication\_Hansel

**BACKGROUND:**

Councilor Hansel is submitting a letter requesting that he be allowed to recuse himself from any discussions or decisions relating to financial transactions or agreements between the City of Keene and the Monadnock Economic Development Committee. Councilor Hansel currently serves as Vice Chair of the Board of Directors and as such, has fiduciary responsibilities, associated with that role.

George S. Hansel  
84 Elm St., Keene, NH 03431

8/2/2019

Re: Potential conflict of interest regarding financial agreements between Monadnock Economic Development Corporation (MEDC) and the City of Keene

Honorable Mayor and Councilors:

I'm writing to request that the council consider whether or not I should be recused from any discussions or decisions relating to financial transactions or agreements between the City of Keene and Monadnock Economic Development Corporation. I am currently serving as Vice Chair of the Board of Directors with a term extending until Dec. 31, 2020.

I don't stand to receive any financial benefit from transactions or agreements between the city and MEDC. I would like the council to consider my fiduciary responsibility to both organizations, and any potential conflicts relative to Section 25 of the Keene City Charter and/or Section 15 of the City Council Rules of Order.

Best regards,

George S. Hansel  
City Councilor, At Large





City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.1.

**SUBJECT:** Petition- Request for Lower Speed Limits and Traffic Calming Devices – Skyline Drive and Morgan Drive

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**RECOMMENDATION:**

On a vote of 3-2, the Municipal Services, Facilities and Infrastructure Committee recommends staff be directed to draft an Ordinance to change Stonehouse Lane, Skyline Drive, and Summit Ridge Drive to a 25 MPH zone. Councilors Lamoureux and Sutherland voted in opposition.

**BACKGROUND:**

Robert Malay of 5 Morgan Lane stated the folks in his neighborhood have submitted a petition for lower speed limits. Mr. Malay said Skyline Drive and Morgan Lane are dead end, short roads with no through traffic. The neighbors submitted the request and the City promptly put up data collection devices. Mr. Malay continued stating after the data was analyzed it was concluded that the neighborhood does not have a speeding problem. The data suggests that there is no safety issue with the current 30 MPH speed limit; however, the neighborhood does not believe it is safe to travel at that rate of speed. The neighborhood is also concerned about folks who do not normally frequent the neighborhood who are traveling at higher rates of speed. Mr. Malay stated he has had personal conversations with people coming into the neighborhood at, from his perception, a high velocity of speed and he reminds them children play here and suggests that they slow down. Mr. Malay said most folks are apologetic when confronted but there are no signs posted that state children play there. Mr. Malay added that just recently a 'No Outlet' sign has been posted in the neighborhood. Mr. Malay stated he has only been living in the neighborhood for 3 years but has seen the neighborhood change recently to more families with young children. The neighborhood is also used as a walking path and folks who frequent the YMCA get extra work outs in through the neighborhood. Mr. Malay continued saying the neighborhood believes that 30 MPH isn't slow enough particularly due to it being such a short stretch of road and the amount of young children playing and living in that area, as well as other folks using the area for recreational purposes. At the end of the section of road is a pool and most folks walk to the pool. Overall the neighborhood is concerned and is requesting the City to add signage similar to Maple Acres, which has a posted speed limit of 25 MPH. Mr. Malay said he looked at all the entry points in that area from Pako Avenue to Melody, to Sesame, American and Kennedy and that neighborhood has through traffic. In his neighborhood there is no through traffic. Mr. Malay reports he looked at Meeting House Road and it is close to a mile in before you get to a home and speed limits are posted at 25 MPH. Mr. Malay stated he and his neighbors submitted this petition and are asking for the same consideration to create awareness and change behaviors. All neighbors have signed the petition except for one.

Dr. Todd Dombrowski of 263 Skyline Drive stated he has been a resident at that address since 2012 and has seen the traffic patterns change. Dr. Dombrowski stated one of the things the neighborhood was looking at is if the 30 MPH speed limit is a realistic speed limit in the area. Dr. Dombrowski said he lives at the apex on

Skyline Drive and in that area there are bushes and trees that obstruct the view. He added he has seen a lot of people try to maneuver up the hill at certain rates of speed that appear to be excessive. Dr. Dombrowski continued saying this is where the one car accident occurred on June 17th on Skyline Drive which brought the residents in the area together to change the speed limit. Through observation, Dr. Dombrowski believes the speeders are repeat offenders and others as well. As kids play in the area, especially in his yard where he has two young children ages 8 and 7, he cannot see if a car comes up the street and as he stands in the street he can only hear if a car is coming up the street. On numerous occasions, Dr. Dombrowski reports having to slow drivers down and two of those instances led to a verbal altercation.

Dr. Dombrowski said the petition that was signed focuses on the high population of children, folks who exercise and walk through the area, as well as people commuting who work at C&S and the insurance company. It is a high traffic area and unsafe for cars to be travelling at that rate of speed. Based off the data you can tell cars are traveling at an average rate of speed between 16 and 25 MPH. Dr. Dombrowski continued that while this was good news, the posted speed limit is 30 MPH. The residents in the neighborhood would like something to visually stimulate and change behavior patterns of drivers. Dr. Dombrowski said the speed tracker was placed in an area where line of sight is clear going in both directions. Residents of the neighborhood were not asked for their input on where to place the speed trackers and where the specific areas of concern are. Dr. Dombrowski stated that in front of his home is of concern due to where it is located in the apex of the turn on their street. Drivers cannot see cars as they come through. Dr. Dombrowski reports he plays with his children and monitors them while they play in the street. Dr. Dombrowski suggested there could be bias within the data collection due to where the speed trackers were placed. The question is whether 30 MPH is an appropriate speed limit in this neighborhood, particularly when compared to other locations in the City with similar foot traffic, or does a 25 MPH speed limit make more sense. This street has no outlet but due to storm damage, the sign was lost and never replaced. Dr. Dombrowski also reports his mailbox has been hit and replaced by the City 5 times this winter due to it being so close to the road and because of where cars go on the street. There are driving patterns that need to change especially if drivers are supposed to be going slow.

Dr. Dombrowski continued saying that the similarly situated neighborhoods are where the City is determined that anything at 30 MPH or below would be necessary and the neighborhood wants that posted as such. The neighborhood is looking out for the safety of its children and the safety of the people who are walking. Because the YMCA has brought so many people in the area, it really has changed the nature of traffic in the area. Dr. Dombrowski said diverting traffic due to flooding increases the traffic patterns as well. Overall, the petitioners request reducing the speed to 20 or 25 MPH comparable to other places in the City as well as the addition of signage stating the speed limit. Another addition of signage requested would be the 'Children At Play' signs so that all folks travelling through the neighborhood are accountable. Although other important factors may be at play too like distractions or cellphones, the only matter the neighborhood has control over is the area where the petitioners live. Dr. Dombrowski asked the Council help keep the neighborhood safer.

Chair Manwaring asked if the petitioners had anything else they would like to state.

Mr. Malay stated that law enforcement and the City is very much appreciated and the neighborhood does not intend on make anything more difficult. Mr. Malay added that on Pako Avenue a speed table is present and the neighbors of the Skyline Drive area are asking for the same considerations.

Chair Manwaring called staff to comment.

Public Works Director Kürt Blomquist stated Public Works has a process to go through when receiving neighborhood concerns. This took place during the committee's vacations and it gave the Department the opportunity to do the work during that time. Normally it does take several weeks to get data set up.

City Engineer Donald Lussier said the Department put out the traffic counters on Skyline Drive after receiving the petition from the neighborhood. The graphic presented to the committee shows where the traffic counter

was located. Mr. Lussier stated that Skyline Drive at its intersection with Stonehouse Lane is about 1,700 feet long and the pavement width is an average of about 24 feet. The right-of-way is exactly 50 feet. Morgan Lane is 500 feet long from its intersection with Skyline Drive. Both streets slope steadily from Stonehouse Lane to Morgan Lane and it's a continuous climb till the end. Mr. Lussier continued stating he selected that location for data collection because it is toward the bottom of the hill and naturally cars tend to accelerate more going down and it allows people coming into the neighborhood to have accelerated to full cruising speed. Mr. Lussier commented on what a gentleman said earlier about an inherent bias with signage as if seeing the sign makes someone become more careful about how they drive. Mr. Lussier stated that his office uses the measuring tools in stealth mode, and are not displaying speeds vehicles are driving at in order to alleviate bias and not influence the results. After analyzing the data, we measured 1,900 trips, and that includes to and from trips. He explained that traffic engineers look at the 85th percentile speed, the natural speed limit of a roadway or the natural speed limit a prudent driver feels safe driving at. The data showed a minimum speed of 18.7 MPH, and a maximum speed of 37 MPH and only one measurement went over the 35 to 36 threshold. Mr. Lussier said a traffic engineer would look at this data and say there is not a concern with driving in this neighborhood.

Mr. Blomquist asked the Committee if there were any technical questions for Mr. Lussier.

Councilor Hooper asked Mr. Lussier to clarify what stealth mode is.

Mr. Lussier responded stating it is the display on the radar screen, that when powered on will give the driver visual feedback at what speed they are driving. When collecting data for traffic study purposes we turn it off. We are still recording the number of vehicles, the time the vehicles are traveling and at what speed they are traveling at, but do not show the driver what the device is recording.

Councilor Hooper asked Mr. Lussier if there was a rubber tube across the road.

Mr. Lussier responded stating that what the Councilor is referring to is a tube counter and it is a different system than the Department uses.

Councilor Filiault asked if there are any major issues with reducing the speed to 25 MPH.

Kürt Blomquist stated that speeds are controlled by State Statute. By State law, the base speed limit for urban streets is 30 MPH. A section of the law allows a reduction of the speed based on an engineering analysis. After completing our engineering analysis, we do not see a need to drop the speed to 25 MPH because of the current behavior out there. Mr. Blomquist said there was mention of 'Children At Play' signs and these signs have been discussed before but are considered unwarranted signs. Studies have been done indicating that these types of signs do not change driver behavior but only gives false hope to the folks that asked to have them put up. In the City, we have tried to stay away from putting up those types of signs due to its undetermined meaning. Mr. Blomquist stated that Maple Avenue was also discussed and the City completed a similar study in that area. After completing the study it was concluded that speeds were recorded over the 85th percentile of over 30 MPH. In that neighborhood, they had a documented problem. The Council reduced the speed because it met the engineering review requirements. Speed tables were considered in the study on Maple Avenue but in this case, with Skyline Drive speed tables would not change any driving habits.

Randy Filiault said he lives on Stonehouse Lane and walks it every day and there is a problem. Since the trail has been open, traffic is much heavier and faster. Mr. Filiault stated to Mr. Blomquist he understands the data collection points being made, but that Mr. Filiault's points are also valid. If eight members of the City Council decide to reduce the speed the speed will be reduced and the State will follow up with it afterward.

Mr. Blomquist stated we can bring in other data collected around the Skyline Drive for comparison but all results conclude there is not an issue with speeding in that area.

Mr. Filiault stated that unless it can be proven that reducing the speed to 25 MPH would create a hazard he does not accept the data results. Mr. Filiault thanked Mr. Blomquist for his comments.

Robert Sutherland asked Mr. Lussier if time was a variable used in this traffic study or if there was a pattern to the outliers that might skew the results. We have a petition from people who live on this street and the assumption should be maybe they could talk amongst themselves to drive slower.

Mr. Lussier said that the dataset did not present any indication that there was a trend or pattern with time of day and speeding. Sometimes you can see patterns in the data and it helps the police pay more attention or focus in that area at or around that time. In this case, there was no clear pattern. The fastest recorded driving speed in the dataset was around 2 am.

Mr. Blomquist stated it always comes back to driver habits, such as delivery people. Unfortunately, they are not going to follow it anyway. One of the concerns we have is we want people to feel safe and unfortunately we have a State law that people stop for pedestrians, but we recommend that pedestrians stop before crossing.

Mr. Sutherland asked Mr. Blomquist what the costs are of a speed table, including installation and maintenance.

Mr. Blomquist stated it depends on the size of it, but it roughly costs between 6 or 7 thousand dollars a year, in addition to the cost of maintenance over time and painting. Speed tables are there to bring the speed down, but it will not correct or make the drivers speed any slower. Driver distractions are difficult to attack; one of the biggest ones is distracted drivers and electronic devices.

Mr. Sutherland stated he recalled the City changed the speed limit on Main Street and Roxbury Street because we wanted to make everything equal, and his understanding was it was not part of an engineering study.

Mr. Blomquist said we have a lot of data from Main Street. When we developed the roundabout we determined we have 6,000 crossings which is significant pedestrian activity. When speed adjustment was brought up, we already had the data to prove it was needed. After putting in the median strip Mr. Blomquist noted he was curious if speed patterns have dropped at all because the question is do these adjustments change driver behavior. Those who follow the rules will follow them, but the question is will these changes affect those who do not follow the rules.

Mr. Sutherland asked Mr. Blomquist if the study included pedestrian traffic.

Mr. Blomquist stated within the area we researched there are no crosswalks. Streets are not for children to play. If the area had crosswalks we would be looking at pedestrian traffic numbers.

Mr. Sutherland said streets make good hockey rinks for kids but agrees that they are not meant for playing.

Councilor Lamoureux commented that part of our process is collecting data to eliminate guess-work and it's up to the City staff to make an educated decision. Based off the data it's not needed. If we go outside of what we ask City staff to do than we will just be guessing.

Chair Manwaring stated when she drives up a hill she personally increases speed to make it up the hill and data wasn't collected going up the hill. Secondly, one cannot see when going up the hill and around the corner. Drivers may go 20 or 25 MPH at the bottom where data was being collected, but drivers will increase speed up to 30 or 35 MPH as they go up that hill.

Mr. Blomquist responded saying sometimes not seeing around the corner causes someone to pause and we are creating more things to create closure and curves and lanes and roundabouts, or landscaping to inhibit vision to prevent speeding in front of cars. We could collect the data but probably won't get the results they want. For

this particular case the question is how fast can a car accelerate or slowdown in less than 400 feet. Cars may be accelerating but is it to a point of being unsafe? In our opinion, it appears it wouldn't be.

Councilor Hooper stated he believes something needs to be done to calm the traffic and he does not want to end the matter here. Councilor Hooper asked if there are grants available for any part of this process of calming traffic.

Mr. Blomquist said he has seen grants available for this type of thing in the past but he will need to look for them. We bought four of these enforcement signs because we can rotate them around. Drivers will see something new and react but eventually it becomes part of the background. Drivers who want to comply will comply but how can we get the attention of drivers who are distracted. A lot of neighborhoods have issues like this and it's a continued campaign to remind drivers to pay attention but at the end of the day you can only control 85 percent of the population and there will always be outliers.

Councilor Filiault stated he appreciates when staff comes in and presents data and a report, but when our neighbors bring something to us and we do not do anything about it, he finds that very frustrating. Councilor Filiault stated he witnesses it himself being a resident in that area. Although concerned with other neighborhoods, as a resident of the this particular neighborhood he believes it is important that he represent their interests. It is up to this Council to determine what is going to happen. Putting 25 MPH signs up might not change this situation but it won't hurt it either. Councilor Filiault stated he is open to hearing the thoughts of his fellow Councilors, but his recommendation at this point is to put up 25 MPH signs, collect data to see the impact, and report back to Council.

Chair Manwaring opened up the meeting to the public.

Devony Erikson of 242 Skyline Drive stated she has three children and shared that last summer her 3 year-old was nearly struck by a vehicle in the neighborhood. She moved to this neighborhood because it was safe and it was a dead end street, and she cannot let them play without having eyes on them at all times. The neighborhood is asking Council to consider the speed reduction and if we go on data alone they have an issue with how the data was collected. They feel the data was collected in an area where we do not have a problem. The problem is the apex and that is not where the data was collected. She asked the Council to reconsider where the data is being collected. The neighborhood is trying their best to raise awareness and they feel so serious about the safety of our children and need help to feel safe in our neighborhood for our children to bike and play without us having to stand in our driveways and try to flag cars going around in our neighborhood.

James Griffin of 195 Key Road stated he is attending this meeting for another matter, but after listening to these residents and people complain about speeding he felt compelled to speak. He stated at every meeting Public Works comes back with statistics stating we don't have a problem. What people are saying is disregarded; curves are a challenge for some people. Even though it has reduced drag racing on Key Road the kids still go through there and especially young people will accelerate on curves. If kids find out there are curves on Skyline Drive they will all show up there speeding around. He believes the people on Skyline Drive. They are there every day and know far more than some machine.

Police Chief Steve Russo wanted to stress that we don't want to totally disregard statistics. Chief Russo stated he is not arguing for or against this issue but he urged the Council to use caution because disregarding the statistics and throwing signs at the problem will not necessarily solve it. If signs go up this problem will keep showing up. Changing the speed limit is fine. However, studies show that signs will not work just as Public Works mentioned. Also, these signs are expensive and cautioned the City more people and neighborhoods will come in here and buy them. The usefulness of these signs is to collect data or as a warning. The Police Department works closely with Public Works. We just recently used it after a neighborhood complaint. We look for patterns and the data showed two patterns at two different times of day so the Police Department sent out patrol during those times instead of randomly sending police out somewhere wasting

resources. Things have a purpose and the data provides the evidence, adding it is a standard that is used everywhere. But, when your kids are playing and they are your children that is a different set of standards.

Chair Manwaring shared she as well as the rest of the Council appreciates the hard work the Police Department does. Chair Manwaring addressed the public asking if anyone else wished to speak.

Karen Johnson of 297 Skyline Drive said she lives at the top of the hill. The grade is steep and you have to slow down on your way down and you have to accelerate going up. You do have to make an effort to slow down and if we could collect data around the apex that might help us. Overall it is just not enough data.

Chair Manwaring addressed the public again asking if anyone else would wish to speak. Chair Manwaring asked if the Public Works Department had anything more to add to the discussion. Without any further discussion, Chair Manwaring addressed the rest of the Committee to determine an appropriate motion.

Councilor Sutherland stated he would direct the City to do another data collection at the apex.

Councilor Filiault stated he has no issue with going back out to collect more data, but that the neighbors are saying there is an issue and he doesn't need a machine to tell him what his neighbors are already saying, we have witness accounts. Mr. Filiault stated he would like to direct a motion to change the speed limit from 30 to 25 MPH. This is simple to take care of and he understands that data should be examined but that running for office is about representing the people and we are not representing the people we serve by telling them we cannot do anything.

Councilor Lamoureux agreed with Mr. Sutherland and believes in data collection to take the guesswork out of it. If there is problem going back out to collect data at the apex will clear it up.

Councilor Hooper said in this particular case it is an accident waiting to happen. He is ready for a 25 MPH sign and does not believe another data collection is necessary.

Councilor Filiault made a motion to move to direct staff to change the speed from 30 MPH to 25 MPH in the Skyline Drive and Stonehouse Lane neighborhoods, and Councilor Hooper seconded.

Chair Manwaring asked Councilor Filiault if that includes Morgan Lane as well.

Councilor Filiault said yes and clarified it will be all the streets in that neighborhood changed from 30 to 25 MPH.

Mr. Blomquist asked Mr. Filiault to clarify which roads in the neighborhood specifically he is motioning to change and added that Sugar Maple Lane and Morgan Lane are private roads.

Mr. Filiault stated he understood they were private roads and again clarified that this motion to reduce the speed limit from a 30 MPH zone to a 25 MPH zone would include Stonehouse Lane, Skyline Drive, and Summit Ridge Drive.

On a vote of 3-2, the Municipal Services, Facilities and Infrastructure Committee recommends staff be directed to draft an Ordinance to change Stonehouse Lane, Skyline Drive, and Summit Ridge Drive to a 25 MPH zone. Councilors Lamoureux and Sutherland voted in opposition.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.2.

**SUBJECT:** Attorney Heather Carlisle/Tilson Technologies - Requesting the City Manager's Signature on Application for a Conditional Use Permit to Install Small Wireless Facilities in the City Right-of-Way

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**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that the City Manager be authorized to sign the conditional use permit application submitted by Tilson Technologies to install small wireless facilities in various locations in the City right-of-way.

**BACKGROUND:**

Vice Chair Jones recognized Attorney Heather Carlisle, of 16 Middle Street, Portland, Maine to introduce herself.

Vice Chair Jones stated that the PLD Committee received Attorney Carlisle's letter via City staff. He asked if she had more to add. Ms. Carlisle stated that she works for Tilson, and Tilson's affiliate, SQF, has been contracted by US Cellular to help with Tilson's upgrade project. She continued that they have identified six locations in the city where they want to install small wireless facilities. She has met with staff about those locations and what Tilson is trying to do. They are still fine-tuning a couple locations and are close to having that finalized. They would like to proceed with applying via the conditional use permit process.

Vice Chair Jones, directing his comments to staff, stated that tonight they are asking for the City Manager to sign the conditional use permit application as the property owner, but this request would still have to go to the Planning Board for site approval, and it still needs to come back to the PLD Committee for a license and then go to the City Council for approval.

Rhett Lamb, Community Development Director, replied that that is correct. He continued that the advice that staff provided to Ms. Carlisle through the Zoning Ordinance's section on telecommunications is that a conditional use permit will be required through the Planning Board process. That application requires an owner's signature.

Mr. Lamb continued that in this case they are talking about the public right-of-way and it would be logical for the applicant to ask for the City Manager to sign the application form. This is the first of three steps, the second step being the conditional use permit. Staff has talked with Tilson about the need for a license granted by the City Council to use the public right-of-way.

Vice Chair Jones asked Ms. Carlisle to describe what a small wireless facility is. Ms. Carlisle replied that it is the next wave of telecommunications: 4G. It is the new way carriers are addressing coverage and capacity gaps.

She continued that US Cellular's engineers have identified areas where there is a coverage gap or capacity issue with the existing antennas in the city. These are small, low-power, two-foot tall antennas usually mounted on top of utility poles. They are cylindrical and look like transformers. They have not-far-reaching coverage; instead of one giant tower there are smaller installations interspersed in the area.

Vice Chair Jones stated that Tilson will be using their own poles. Ms. Carlisle replied yes, they reviewed the locations they want and found that in one or two locations they could pole-locate the antennas on existing structures, but that is not possible for the others, so they propose new structures for those areas.

Vice Chair Jones stated that Tilson is only approaching the City regarding locations in the right-of-way. He asked if other locations are proposed for private property. Ms. Carlisle replied no, only locations in the right-of-way.

Councilor Hansel asked if this is looking to improve coverage just in dense/downtown areas, or more rural areas. Ms. Carlisle replied it is all over – there is one residential and others are more commercial. Vice Chair Jones asked if there were two residential ones. Ms. Carlisle replied that she believes so. She continued that they want to make the structures as unobtrusive as possible, so they are not an eyesore. There are lots of options of how to install and make them blend in with the surrounding area.

Vice Chair Jones stated that the city has certain residential areas where there are no poles, because the utilities are underground. He asked if any of Tilson's proposed locations are in such areas. Ms. Carlisle replied that she does not think so.

Vice Chair Jones asked if it can be said that this is a benefit to the community. Ms. Carlisle replied yes, specifically to US Cellular customers.

Councilor Bosley asked if the uses will be to expand the customer base because they have reached capacity, or to service current customers. Ms. Carlisle replied that it depends. She continued that she will have that information when they apply for the conditional use permit, because it depends on the location. Sometimes the issue is that so many people are using the service that their calls get dropped, and other times, there is just not great service in a certain area.

Vice Chair Jones asked the City Attorney if this can be a revenue opportunity. City Attorney Thomas Mullins stated that the permit and licensing processes have fees associated with them, and also, if these facilities are in the public way, potential real estate taxes are associated with them. He continued that the short answer is yes, but they have not determined details yet, and those will be determined as the situation unfolds.

Councilor Bosley stated that she is curious about the contractual relationships between the different cellular companies. She asked if there is potential for these devices to benefit other cellular uses. Are there roaming arrangements where this might potentially increase the coverage for other users? If other companies recognize coverage needs is there potential for them to contract with Tilson and thus not have to put up new poles? Ms. Carlisle replied that she does not think the cellular companies would have that kind of a relationship, but Tilson could make structures to accommodate other antennas. She continued that potentially another company could pole-locate on the structures Tilson installs.

Councilor Bosley asked if that means other cellular companies would not need to come and ask the City for permission to put up more poles. Mr. Lamb stated that they will see other companies asking. He continued that there are some height limits for the poles, separation requirements for the antennas, and a 10% cap on the height you can increase on poles, so most likely they will have other applicants requesting to install this type of thing to handle the needs of the other carriers.

Councilor Bosley asked if the City will own the poles. Mr. Lamb replied that it depends. He continued that he

does not think the City owns any poles in the right-of-way, but they own poles in parking lots. He continued that in most cases, poles will be owned by a third party, such as the utility company in the right-of-way, or Tilson would own the poles and lease them back to a carrier.

Vice Chair Jones asked if anyone from the public had questions or comments. Hearing none, he asked if the committee had more thoughts. Hearing none, he asked for a motion.

Councilor Bosley made the following motion, which was seconded by Councilor Hansel.

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that the City Manager be authorized to sign the conditional use permit application submitted by Tilson Technologies to install small wireless facilities in various locations in the City right-of-way.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.3.

**SUBJECT:** Discussion: Periodic Update - Energy and Climate Committee

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**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the periodic update from the Energy and Climate Committee be accepted as informational.

**BACKGROUND:**

Dr. Ann Shedd, of 59 Greenwood Avenue, Chair of the Energy and Climate Committee, introduced herself and read from a prepared statement:

“The Energy and Climate Committee has had several significant moments since you heard our last report: a name and mission update, adoption of ambitious energy goals for the City and the community, and expanded committee membership.

Our name as Cities for Climate Protection Committee was found to derive from a collaboration which no longer existed as such. With Council’s approval, the committee was renamed as the Energy and Climate Committee, and our mission was updated.

The City’s previous climate goals set targets for reductions in greenhouse gas emissions through 2015; a 2018 report showed that the City exceeded its goals but that the community at large has room for significant further progress. As ECC was considering what new targets would be appropriate for the City, a local grass-roots initiative emerged, seeking to bring 100% renewable energy goals to Keene. On review by ECC, the renewable energy goals were deemed consistent with the City’s stated values and goals, and with the State’s Climate goals. In January of this year Council adopted a resolution setting community-wide goals for 100% of electricity to come from renewable sources by 2030, and 100% of heating, cooling, and transportation to be powered by renewables to by December 2020, to outline how we can reach these goals.

Recognizing the importance of bringing multiple perspectives to discussions around a broad-based energy plan, Council recently approved increasing ECC membership from 7 to 11, with an additional 3 alternates. Eleven seats are now filled or in process; we have representation from the business sector, the green building sector, SAU 29, Keene State, County administration, the Medical Center, and the general public. This has been making for interesting and productive discussions in ECC meetings.

City staff and ECC members have undertaken some initial tasks of developing a Sustainable Energy Plan. We have nagged our way through the chain of command at Eversource and now have an overall sector-by-sector baseline for electricity consumption in Keene.”

Dr. Shedd stated that the baseline figure was for 2018, and they are looking to get these reports annually. She continued:

“We also have a baseline for how much installed solar capacity Keene has in place to date.

Council has approved use of unexpended funds from the 2019 budget to contract with a consultant who will assist in development of energy-transition strategies. The expectation is that these strategies will move us to clean, reliable, affordable energy while providing greater resilience to potential disruptions of energy systems.”

Vice Chair Jones asked if that will be part of the plan for December 2020. Dr. Shedd replied that they will be assisting in the development of that plan. She continued that the consultant will not be writing the plan, but will be helping define some of the content of the plan.

Dr. Shedd continued reading her written statement:

“Broadening community engagement around the plan, during its development and implementation, will be essential. Through the spring and summer the City had an Antioch intern developing engagement strategies; we’ve had the first of a planned series of focus groups, and are currently planning for a first Community Workshop in late October. With October recognized as Energy Awareness Month since the Bush-1 administration, ECC is among several groups in the region scheduling education and outreach events during the month.

Collaboration with other entities with shared goals has been and will be useful in developing the Energy Plan. ECC continues to receive helpful support from the MPA Clean Energy Team around community education and engagement, and we’ve been in discussion with the Monadnock Interfaith Project about community outreach through their networks. ICLEI’s 100% Renewable Energy Network has already provided support and resources for our planning. The City is now a municipal member of Clean Energy NH; our membership gives us access to technical support, education, and tracking of energy-related NH legislation. There is also now a network of NH municipalities with 100% renewable energy goals. Staff and committee members have attended workshops with that network, and conferred with counterparts in those other communities.

ECC has been a participant in the Monadnock Energy Hub, a non-profit coalition of local Energy Committees and others. The Hub has organized Drive Electric events, and assisted in developing plans for installation of the region’s first DC fast-charger as part of the Monadnock Co-op’s expansion. The Hub will be providing technical support for a ‘Solarize Monadnock’ campaign planned for 2020 in Keene and Marlborough. The Hub has also been nurturing a relationship with Charlotte Ancel, Eversource’s Director of Strategic Development: she will be a panelist at the upcoming Radically Rural conference.

There are interesting challenges and opportunities ahead as together we navigate the transition from fossil fuels to renewable energy to power Keene’s 21st century vibrant economy, healthy environment, and healthy population.”

Vice Chair Jones stated that they have been very busy. Dr. Shedd replied that it is a busy and exciting time. Vice Chair Jones stated that he knows Dr. Shedd’s heart is in this, and he thanks her for all that she does and for her leadership.

Councilor Hansel stated that this is a perfect example of the City being a facilitator for big ideas. He continued that this committee really impresses him in how they bring together experts from around the community to tackle these issues. Their work is commendable and he appreciates it.

Vice Chair Jones stated that eight years ago the City Council started a program of seeking reports from each committee and commission every other year, and reports from City department on the alternate years.

Vice Chair Jones asked if members of the public had questions or comments. Hearing none, he asked if members of the committee had further questions or comments. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the periodic update from the Energy and Climate Committee be accepted as informational.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.4.  
**SUBJECT:** 2019 Fire Prevention Parade - Fire Department

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**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the Fire Department be granted permission to use City property for the 2019 Annual Fire Prevention Parade to be held on Sunday, October 6, 2019.

**BACKGROUND:**

Fire Chief Mark Howard stated that he will provide some history before he makes tonight's request. He continued that annually, for the last seven years when he has been here with this request, the committee asks him about how the fire prevention parade started. He did not have the answer then, but he did some research and has a document to share from the Historical Society. The document was prepared by former Fire Chief H. Emile DeRosier, who died of leukemia in 1987 as an active member.

Chief Howard read:

“The Keene Fire Department predates March 22, 1808, when a group of 42 prominent citizens were original members of the fire society, first called Subscribers for an Engine. On March 22 the title was changed to Proprietors for an Engine; seven days later an act was voted at the General Court to incorporate the proprietors under the name of Keene Engine Company. This act was approved June 13, 1808. Fire equipment as needed as purchased with money from the members' own purses.

The first meeting of the corporations was held on February 6, 1809, at William Pierce's Tavern, site of the present Cheshire Block. Noah Cooke was chosen moderator; Albe Cady, clerk; Cady, Elijah, Dunbar, and James Mann as a committee to draw up bylaws, rules, and regulations necessary for the governing of the corporation. These were accepted on February 21, 1809, and the society was incorporated under the name Keene Engine Company.

Of the 42 members, 20 were chosen to constitute the first engine company, with Josiah Willard as captain. The first firewards were James Mann, William Wyman, John Bond, and Daniel Adams. The first president was Noah Cooke.

On June 28, 1822, an act was passed by the State Senate and House of Representatives to change the name from Keene Engine Company to Keene Fire Society.

Of several companies formed at various times, the Deluge Engine and Hose Company was the first in service and is still in existence with the name Deluge Hose Company. Another, first called the Phoenix Hook and

Ladder Company, is now known as the Washington Hook and Ladder Company, and dated from 1868 or 1869. In August 1883 a new company was formed called the Keene Steam Fire Engine and Hose Company and is also still in existence.

In 1847 the Board of Engineers became the official title of the fire service. Also at this time the town started to purchase from the society the fire equipment which would become town property. The Fire Department was to be governed by the selectmen. On April 12, 1856, the Board of Engineers adopted the title Keene Fire Department for the organization.

The first fire house, erected in 1808, was located on Main Street, slightly north of the old Sentinel building. Over the years the department headquarters moved to several locations, all unsatisfactory, and finally in 1884 the city purchased property on Vernon Street. Plans called for a building to accommodate three companies, Keene Steam Fire Engine and Hose Co., Deluge Hose Co., and Washington Hook and Ladder Co., with suitable stables for horses and rooms for the drivers. The new fire house was completed in February 1885.

On May 28, 1892, construction of an addition to the Central Fire Station was begun, and by the end of the year all the companies were housed in one building (the present fire station) for the first time in the department's history.

The men in the companies practiced firefighting and fire procedures once a month. In the early days every able-bodied man of the community played a role in firefighting. Each household was required to hang in a conspicuous place two leather buckets painted with the owner's first initial and last name, and these were used to form a bucket brigade at a time of fire. The buckets were made locally by Daniel Watson.

Over the years the town placed a number of wells within the area for a water supply for fires. By 1845 there were eight on Main Street, connected by aqueducts from a central well at the head of the Common. Here a pump was installed to keep the other wells supplied.

After years of discussion a new Deluge Engine hand tub was bought in 1848. This purchase was made only after a fire destroyed one of the town's oldest homes, built in 1775 and called the Major Willard house. The amount of property lost was 10 times greater than the cost of the engine. This engine, Number 348, is still operative in 1967."

Chief Howard stated that that engine today sits at station two as original equipment.

Chief Howard continued:

"By 1853 the Neptune Company had two more engines.

In 1864 all owners of dwellings were ordered to have in their possession a ladder or ladders to reach the highest part of their roof. These ladders were to be kept in good condition at all times.

Around 1868 flush hydrants were coming into use for firefighting; they were replaced in 1890 by post hydrants. By 1869 water from Goose Pond was delivered to the cent roof town by aqueducts made of hollowed-out logs to permit the flow of water. Many thought this would mean the disbanding of the fire department.

In 1874 a new four-wheel hose wagon was purchased for the Deluge Hose Company and located at Symond's Tannery. The Niagara Engine, with 300 feet of hose, was stationed in the South Keene Chair Shop and manned by a group of the employees.

When the town became a city in 1874, the Fire Department, with a valuation of \$10,000, was turned over to the city government. Virgil A. Wright was the chief under this new form of municipal government, 145 years ago.

For years the Board of Engineers had talked of purchasing a team fire engine. This was accomplished in 1883, the Amoskeag Steam Fire Engine.

In 1902 a new (and final) horse-drawn ladder truck was put into service at a cost of \$1,250.”

Chief Howard added that they currently look to replace Ladder 1 at \$1.1 million. He continued:

“The Department for years participated in Fourth of July parade – it was a town parade and all of the companies took part. In the fall of every year the fire companies held a parade and hose-laying contest as a demonstration for the townspeople. After the parade the companies returned to the fire house and waited for the bell to start the exhibition, when each company proceeded to Central Square with its apparatus and laid hose to see which could get water in the shortest time. This type of demonstration continued for years. The firemen would try to see who could get water above the steeple of the First Congregational Church. This event ceased when someone left the trap door open in the steeple and water seeped into the organ, causing great damage. After this they held the exhibition at the Old Armory for a few years and then returned to Central Square until 1958. The next year the fire apparatus went to Robin Hood Park and tested the pumps with other town fire departments. In 1960 this was changed again. The fire companies now hold a Fireman’s Muster at the Cheshire Fair Grounds the first Sunday of Fire Prevention Week, with as many as 50 pieces of motorized equipment.

Inspection Day for the Keene Fire Department is held on Thursday of Fire Prevention Week, a date established when the town became a city in 1874. The special activities include a parade with city officials, a tour of the fire house, a hose-laying contest, and a traditional scalloped oyster supper catered by the Ladies’ Auxiliary. The day’s events conclude with the Firemen’s Ball in the evening.”

Chief Howard stated that if that information is all true, this would mark at least 145 years since the Fire Prevention Parade started. During his tenure as Chief it has been canceled once in seven years, due to floods. When he first started here 26 years ago there was one year when it was postponed. That concludes the history he was able to come up with.

Vice Chair Jones thanked Mr. Howard for the detailed and interesting history.

Chief Howard asked for the PLD Committee to recommend that the Fire Department be granted permission to use City property for the 2019 Annual Fire Prevention Parade to be held on Sunday, October 6, 2019. He continued that the parade kicks off Fire Prevention Week activities. This year they request to use the area of the Fleet Services parking lot at 350 Marlborough Street for the parade line-up. The parade will start there at 1:00 PM and proceed westerly on Marlborough Street then north on Main Street to Washington Street and disperse on Vernon Street. There will then be an awards ceremony at the Fire Station. He has been persistent in working with the Band Director at KHS and this year the KHS band will perform.

Vice Chair Jones stated that Chief Howard said “this year” the parade will start on Marlborough Street. He asked if that is a change. Chief Howard replied not a recent change, but the history shows that the parade used to go in reverse. Vice Chair Jones asked if it is a change from last year’s route. Chair Howard replied no, it is the same as last year. He continued that the judging/reviewing stand will be just north of Railroad Street and the Council members are invited to attend.

Vice Chair Jones asked if Chief Howard/the Fire Department has had protocol meetings with staff. Mr. Howard replied no. Vice Chair Jones replied that they will be, he assumes.

Vice Chair Jones asked if the committee had questions or comments. Hearing none, he asked the public for questions or comments. Hearing none, he asked for a motion.

Councilor Bosley made the following motion, which was seconded by Councilor Hansel.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the Fire Department be granted permission to use City property for the 2019 Annual Fire Prevention Parade to be held on Sunday, October 6, 2019.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.5.

**SUBJECT:** Keene Kiwanis Club - Request to Use City Property - 2019 Tree Lighting Event

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**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 29, 2019 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of the City Council, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlborough/Winchester Street roundabout. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends placing the item of decorating the light poles year-round on more time.

**BACKGROUND:**

Elizabeth Sayre, of 290 Main Street, stated that she is here representing the Kiwanis Club of Keene. Don Flibotte, of 112 Arch Street, also introduced himself.

Ms. Sayre stated that they are asking for the City's cooperation and use of City property to host the annual tree-lighting event which benefits the community. She continued that it will again be on a Friday. They do a lot of work with the Main Street business owners, asking for their support and participation. They have concerns about access to their businesses. She cannot speak to other years, since last year was her first year, but last year they had great cooperation with the Public Works and Police Departments so that Central Square was closed for the shortest amount of time possible. Everything went very smoothly. They are asking for that again.

Ms. Sayre stated that the only new part of their request is for the City to consider a one-year trial period to have the lights remain on the poles that go down Main Street. The Kiwanis Club receives a lot of feedback comparing Keene to other communities that have year-round lights. It makes the area welcoming and friendly. This past year they put the lights up in the pouring rain, and three poles had lights that became loose at the bottom. Once the Kiwanis Club was aware of that, three members went to tighten the poles.

They will continue to decorate the gazebo, Central Square, and the tree, and with the cooperation of "tree-picker extraordinaire" Bill Byrnes, who had an exceptional tree last year. Different young Kiwanis groups from the schools will also be participating and area children's groups will be performing Christmas Carols. The Keene Fire Department does a wonderful job bringing Santa Claus to the event.

Vice Chair Jones stated that he knows how they cut out some of the time for the use of Central Square – they

cut out having the Mayor read The Polar Express. Ms. Sayre replied that last year Mrs. Claus read The Night Before Christmas, and the Mayor is welcome to take her place if he so wishes, but Mrs. Claus is probably more fitting to the spirit of the event.

Vice Chair Jones stated that there seems to be two items - one is the use of City property for the tree-lighting event, and the other is the request for year-round lights on poles. He continued that that is two separate motions.

Public Works Director Kürt Blomquist replied that that is correct. He continued that the Kiwanis Club went through the protocols with staff. This will be the third year of closing off Central Square. He explained that due to the success of the event – staff was becoming uncomfortable with trying to keep traffic moving at the same time the event is occurring. He gave kudos to the Public Works Department and the Police Department - they have come up with a rolling barrier plan, which allows them to set it up in about 30 minutes instead of using a lot of concrete, which would take hours. They are sensitive to the needs of businesses and will close Central Square for as briefly as possible. Staff has a recommended motion for the PLD Committee, regarding the Kiwanis Club's use of City property.

Mr. Blomquist continued that there is a second motion regarding the lights on the poles on Main Street. Traditionally, the Kiwanis Club would put them up with City support and then the City turns them off in February, and Kiwanis Club members return in better weather to remove the lights. He would like more discussion with the City Council about the idea of leaving them up year-round. This is about the third time the concept has come up. Ms. Sayre hears the positive comments about the idea, whereas in his position he tends to attract comments from the other side, and has people asking, "Why are we doing this? Why not turn them off? The holiday season is over," and so on and so forth. The Kiwanis Club is volunteering to take care of the lights this year, which is wonderful, but he is anticipating that after a year's trial they would want to turn it over to the City for the long term. He has concerns, not so much about the energy use, but about the maintenance. The City's past experience has been that strings get damaged and need to be replaced, and they do not have electricians on staff. Staff will be talking with the Kiwanis Club about the type of string lights they purchase. Most people go for ones found in local discount stores, which work well in one's house, but not so well in a more commercial environment like Main Street.

Mr. Blomquist continued that the recommended motion is for providing staff the authority to work with the Kiwanis Club and come up with an agreement about how to deal with it over this next year. There are questions, such as: how many lights will go out before someone comes down to fix them? What happens if it's the City's electrical system that fails and the Kiwanis Club wants reimbursement? He also wants to make sure the City Council is on board with having lights there all year round, because he will get calls about the lights, and then those calls will likely go to the City Council. There are people who love and like the idea but also people who do not. Those are his concerns.

He continued that yes, it is just for one year, but he can imagine that this will go beyond a year and a volunteer group can do a certain level of sustainment but probably not permanently and they would probably be asking the City to take over. That is what has happened before, such as with the Millennium Light Project. They got lights donated but then it was up to the City to maintain over time. He has talked with the Kiwanis Club about his concerns, so they are aware.

Vice Chair Jones stated that he recommends they consider two separate motions. He asked if the committee had questions or comments about the tree-lighting event.

Councilor Bosley asked if there will be two trees this year. Ms. Sayre replied that there is a Keene citizen who donated a tree to put at the roundabout and last year they were not able to do that. She continued that they will do that if it is possible, but this volunteer does it without any City support. The City has always graciously supplied the big tree at Central Square. The Kiwanis Club does not purchase the discount store lights that Mr.

Blomquist referred to; they only purchase commercial-grade LED ones.

Councilor Bosley asked how many years the Kiwanis Club has been decorating with the lights. Mr. Flibotte replied that they started doing it when Center Stage stopped. Mr. Blomquist asked if it has been about a decade. Mr. Flibotte replied no, about six years. Ms. Sayre added that the Kiwanis Club is responsible for the purchase and replacement of lights, and for the decorations except for the tree.

Vice Chair Jones asked, there is no electricity at the second roundabout, right? Mr. Blomquist replied that is correct. He continued that if the volunteer does get the tree down there, the City will work with them on that; battery-operated lights have worked before. Vice Chair Jones asked if that is a separate issue that will come before the PLD Committee. Mr. Blomquist replied that he assumes the permission for that is included in the motion the committee is voting on tonight.

Councilor Hansel asked about the new poles that have been installed. Ms. Sayre replied that they had not anticipated decorating those. She continued that they decorate near where the merchants are - from the roundabout at Marlborough and Winchester Streets, they decorate two, and then all the rest would go up towards Central Square.

Vice Chair Jones asked that they first have a motion about the event and then return to the question of the lights on poles. He asked if the committee had any more questions about the tree-lighting event.

Vice Chair Jones asked about a protocol meeting with staff. Ms. Sayre replied that they had it already. She continued that that is when Mr. Blomquist mentioned his concerns. They will discuss more after this.

Vice Chair Jones asked if there were questions or comments from the public. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 29, 2019 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of the City Council, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlborough/Winchester Street roundabout. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

Vice Chair Jones stated that he thinks the decorating of the light poles needs more discussion. He continued that they have a prepared motion here but maybe they should ask that the Kiwanis Club have some meetings with staff to see what could be worked out. There are issues on both sides. This needs more communication.

Mr. Blomquist replied that they can do that. He continued that they have been talking. The Kiwanis Club will decorate the poles with lights; the real question is whether the lights stay up and lit beyond that particular time frame. They can meet and talk more about a few more things. He may be wrong, but his sense is that there will come a time, potentially, where if this is well-liked the Kiwanis Club will want to pass it on to the City. It may be more expense to the Kiwanis Club as they look at this issue. Right now the lights are only up for a short time, and to be up year-round they may need a more substantial mounting instead of the zip ties they currently use, which would be an increased cost. If the City Council is interested in having this be year-round, those are issues to work out. He would hate to see the Kiwanis Club go through all this and be told at the end of the year "No, we don't want them now."

Ms. Sayre stated that she met with Highway Superintendent Bill Byrnes today. She continued that yes, it is a

substantial investment from the Kiwanis Club because they would be replacing the lights they have now with lights that have many more hours of use. Before they make that investment they would like to know if it is something the City supports.

Mr. Flibotte stated that this past year, the people who put the lights up put electrical tape to hold them on the bottom and now they want to put tie-downs on, all the way up. He continued that they were saying the wind and rain had taken some off. Putting on the plastic strips will stop it from coming loose.

Vice Chair Jones stated that he understands how difficult it can be to find volunteers for civic organizations. Ms. Sayre replied that they have some people very dedicated to this event. Kiwanis is kids. This event focuses on children. There are some people very committed to working this event, and they are thankful to their volunteers.

Vice Chair Jones stated that he is trying to craft a motion that would give the Kiwanis Club permission to put the lights up for this year, and also allow discussion with staff regarding the idea of keeping the lights up all year.

City Manager Elizabeth Dragon replied that the question would be: when do the lights normally go up, and do they have time to place this topic on more time and come back with a better agreement in place so they have clear direction?

Mr. Flibotte asked, aren't the lights on the poles going down Main Street part of the package with the tree-lighting event? Mr. Blomquist replied yes, the PLD Committee did recommend authorizing the lights to go on the poles, for the normal time frame, going up in November and being turned off in January or February. What they are really talking about is keeping them up year round, from November 2019 to November 2020. There are some changes the Kiwanis Club would need to do to accommodate that full year, such as upgrading the lights and attachment system. So they would like an answer about the City Council's interest.

Ms. Sayre stated that to answer the City Manager's question, they usually put the lights up the second or third week of November, hopefully before the weather gets really bad, to decorate. She continued that the tree-lighting is the Friday before Thanksgiving.

The City Manager replied that they then have time to work this out. She asked about the possibility of putting up the Kiwanis Club's existing lights this year, and working on this for the next round. She continued that that way, when the lights come down [at their usual time] the new ones would go up and they would have time to work out the agreement and not feel rushed in any way. Ms. Sayre replied that that is certainly worth considering.

Vice Chair Jones asked the minute-taker to have the background notes show that the first motion about the tree-lighting event suggests that they also include the lights on the poles, because he does not see that in the motion. The City Attorney replied that it is part of the request tendered by the Kiwanis Club. He continued that in their letter to the City they specify that the lights will go up in certain locations. Vice Chair Jones replied that he just wants the background notes to show that the PLD Committee recommends approving that part.

Councilor Bosley asked what the current state of the lighting is. She asked if the lights need to be replaced now. She would not want a situation in which the lights are okay for a shorter amount of time, but the City Council approves them to stay up year-round and then the Kiwanis Club soon has to pay for replacement lights.

Ms. Sayre replied if this goes long term, even for a year, they would be replacing the lights. She continued that the current ones are good for about 30,000 hours. They were purchased two years ago. Councilor Bosley asked if that means it would not necessarily be a negative thing that if they reuse those lights this winter and when they would have come down they could take those down and put up the new ones at the same time so it is one volunteer event. Ms. Sayre replied yes, they have had staff support for taking them down, so they would

just be replacing them. She continued that the concern is someone cannot be coming down every time one light goes out; the Kiwanis Club would have to work out protocols with staff – for example, who gets the call when a light goes out, what is the time frame for response, who does the replacing, and so on and so forth.

Vice Chair Jones asked if the City Manager wants a motion with direction, or just a motion for placing this on more time. The City Manager replied either way. She continued that it depends what the Kiwanis Club is comfortable with. They can spend a few weeks hashing out an agreement for this year, or they could proceed with the usual lights and over the next few months have more time to discuss with the City Council what their thoughts are about having this be year-round.

Vice Chair Jones asked if it is okay to just place it on more time, and if the background notes give enough direction. The City Manager replied that if they place this on more time staff will come back with a plan for this.

Vice Chair Jones asked Mr. Blomquist. Mr. Blomquist replied that he is fine with that, and the general sense he is getting is that the PLD Committee is fine with having year-round lights. He continued that they could work with the Kiwanis Club to come up with a plan at least for the first year, as long as the City Council understands that potentially the lights could come into the City's care.

Vice Chair Jones stated that they should have the plan worked out before the lights' take-down date. Mr. Blomquist replied yes.

Mr. Flibotte asked, for clarification, if they have already been cleared to put up the pole lights as part of the tree-lighting event. Vice Chair Jones replied yes.

Vice Chair Jones asked the public for questions or comments. Hearing none, he asked for a motion. He suggests placing it on more time.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends placing the item of decorating the light poles year-round on more time.

Vice Chair Jones asked for discussion. Ms. Sayre asked if the plan would be in place before the end of January. Vice Chair Jones replied yes.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.6.

**SUBJECT:** Keene Elm City Rotary - Request for Event License - Clarence DeMar Marathon

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**RECOMMENDATION:**

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the Elm City Rotary Club be granted permission to sponsor the Clarence DeMar Marathon on September 29, 2019, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget, and agrees to remit said payment within 30-days of the date of invoicing.

**BACKGROUND:**

Alan Stroshine, of 27 Salisbury Lane, stated that he is here with his annual request for an event permit to hold the 42nd annual Clarence DeMar Marathon.

Vice Chair Jones stated that the committee received his letter. He asked if he has anything to add. Mr. Stroshine replied that they have had one protocol meeting already and have another one scheduled. He continued that they do not anticipate any material or significant changes. The event will include kids and super seniors. The main events are the full and half marathons on September 29.

Vice Chair Jones asked if anyone has questions or comments.

Councilor Bosley stated that it is a wonderful event. Vice Chair Jones replied that it certainly is. He continued that recently a mural went up honoring Clarence DeMar. Mr. Stroshine replied yes, they are working with the Historical Society to put together downtown tours for out-of-town runners.

Vice Chair Jones asked how many Boston marathons Clarence DeMar won. Mr. Stroshine replied seven and he was a bronze medalist in the 1924 Paris Olympics.

Vice Chair Jones asked for questions or comments from the public or committee. Hearing none, he asked for a motion.

Councilor Bosley made the following motion, which was seconded by Councilor Hansel.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the Elm City Rotary Club be granted permission to sponsor the Clarence DeMar Marathon on September 29, 2019, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding

allocated in the FY 20 Community Events Budget, and agrees to remit said payment within 30-days of the date of invoicing.

Vice Chair Jones thanked Mr. Stroshine and wished him good luck with the event.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.7.

**SUBJECT:** Report Out: Daron Friedman - Request to Acquire Property - Washington Street

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**RECOMMENDATION:**

By a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the request from Daron Friedman to purchase an unused part of Ellis-Harrison Park on Washington Street be reported out as informational.

**BACKGROUND:**

Vice Chair Jones stated that this item was on more time. He continued that the Petitioner appeared before the committee a long time ago. There was a small piece of property off Washington Street they were interested in using. The Petitioner is not here. He asked for staff to speak.

Mr. Lamb stated that this request came about a year ago, regarding Mr. Friedman's request to purchase a portion of City-owned property on the back of his two lots off of Washington Street. It is an isolated part that used to be part of Ellis-Harrison Park. The vast majority of the park is on the other side of Beaver Brook. It is land that came to the City as part of the purchase of the land that became that park. It was also purchased with land and water conservation funds through federal programs, so it came with strings attached. It is not so easy to get the state and federal approvals to sell a piece of land that was acquired with those types of funds. Staff worked with Mr. Friedman and left this topic on more time, with the idea that if Mr. Friedman would take on some of the work so the City could have the necessary agreements with the state and federal agencies, the City would let him do that, but he has not done that. Staff recommends the PLD Committee report this out. If Mr. Friedman wants to bring this back, in a more prepared form, he can. Staff has spoken with him, so he is aware.

Vice Chair Jones asked if there were any questions or comments from the public or committee. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

By a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the request from Daron Friedman to purchase an unused part of Ellis-Harrison Park on Washington Street be reported out as informational.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.8.

**SUBJECT:** Acceptance of Grant - Vermont Yankee - Public Works Department

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept \$1,000 Vermont Yankee Emergency Planning funding allotment from the New Hampshire Department of Homeland Security and Emergency Management (NHSEM).

**BACKGROUND:**

Public Works Director, Kurt Blomquist addressed the Committee first and stated this \$1,000 grant is from the New Hampshire Department of Homeland Security and Emergency Management. He noted this is the second to last year for remaining funding from Vermont Yankee. Mr. Blomquist explained the city at one point was within the planning zones for Vermont Yankee and were provided funding for that support in an emergency situation at the plant. Once the plant closed the state provided a period of funding to the city following that closure. Prior to the closure the city used to receive over \$45,000 in funding. The last two years of this funding will be \$1,000 per year.

Mr. Blomquist noted this funding is used for emergency management activities and supplies in the city.

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 \$1,000 Vermont Yankee Emergency Planning funding allotment from the New Hampshire Department of Homeland Security and Emergency Management (NHSEM).



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.9.  
**SUBJECT:** Acceptance of Donation - Fire Department

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**RECOMMENDATION:**

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 \$1000.00.

**BACKGROUND:**

Fire Chief Mark Howard stated the department received a \$1,000 donation from Mr. Edward Brussier. The Chief noted he thanked Mr. Brussier on the phone and by mail.

Councilor Powers 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 accept a donation of \$1000.00.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.10.

**SUBJECT:** Acceptance of FY2019 Byrne Justice Assistance Grant (JAG) - Police Department

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to co-apply with the County of Cheshire, and to accept, the U.S. Department of Justice FY2019 JAG grant in the amount allocated to the City of \$6,427.

**BACKGROUND:**

Police Captain Steve Stewart addressed the Committee regarding the Byrne Justice Assistance Grant in the amount \$6,427 –the department is co-applying for this grant with the County. He noted if the department receives its portion it will be used to fund police cruisers and detectives with smart phones. This is the third year the department has been able to make such a purchase which helps officers make phone calls to victims, witnesses take photos at the scene and transmit information back and forth.

Councilor Clark asked whether there will be a time when these phones will replace radios in cruisers. Captain Stewart did not see this happening any time soon.

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 co-apply with the County of Cheshire, and to accept, the U.S. Department of Justice FY2019 JAG grant in the amount allocated to the City of \$6,427.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.11.

**SUBJECT:** Acceptance of Donation - Parks, Recreation and Facilities Department

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**RECOMMENDATION:**

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 \$2,000.00 from C & S Wholesale Grocers, Inc. and \$2,500.00 from the Gallup Fund of the Goldman Sachs Philanthropy Fund and that the money is used for the Human Rights Committee collaboration with the Keene International Festival.

**BACKGROUND:**

Mr. Bohannon stated he has two donations before the Committee today for a total of \$4,500; the first one is from C&S Wholesale Grocers in the amount of \$2,000 and \$2,500 from the Gallup Fund of the Goldman Sachs Philanthropy Fund. He stated this money is to be used for the Keene International Festival. Mr. Bohannon stated in 2017 educators in the area created the first International Festival in Keene, which was held behind the JD School and it was a well-attended event. Moving from the Jonathan Daniels Committee to the Human Rights Committee, this committee wanted to get more involved and have reached out to the organizers of the International Festival. The event has now been moved to the Recreation Center for more exposure.

This event has been scheduled for Saturday September 21 from 11 am to 2 pm. It is free to the public and noted to learn more about the event a Facebook page has been created. Mr. Bohannon encouraged everyone to attend.

The Chairman asked why this event is not being held somewhere downtown. Mr. Bohannon stated they were cautious to grow and felt with availability of the park, the Recreation Center was a better location for this festival.

Councilor Jacobs commended last year's event and went on to ask whether the city was the fiscal agent for the festival. Mr. Bohannon stated in collaboration with the Human Rights Committee, the city is acting as the fiscal agent. The Councilor asked whether the festival was planning on obtaining 501-C3 status – Mr. Bohannon stated they want to partner with the city and the Human Rights Committee.

Councilor Clark 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 accept a donation of \$2,000.00 from C & S Wholesale Grocers, Inc. and \$2,500.00 from the Gallup Fund of the Goldman Sachs Philanthropy Fund and that the money is used for the Human Rights Committee collaboration with the Keene International Festival.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.12.

**SUBJECT:** Discussion - Request to Purchase City Property - Adjacent to Bicycle/Pedestrian

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends sending this item to the Bicycle Pedestrian Path Advisory Committee.

**BACKGROUND:**

Mr. Blomquist stated this item is a follow up to potential purchase of land at the corner of Emerald Street and Ralston Street. Mr. Blomquist explained this land is part of the Ashuelot Rail Trail and is part of the Railroad property. One of the questions that was previously raised was the city's ownership of the land. It has now been determined from a 1989 letter where the commissioner at that time turned over to the city property starting from the southerly line of Davis Street going north to Emerald Street terminating at Old Rail Corridor. The city has been able to confirm the city does own the property at this time.

Mr. Blomquist went on to say the city's downtown is growing towards the south and west; the Art's Corridor along Gilbo Avenue, multi-use trail is very linear, other uses connected with the multi-use trail such as a small park, rest stop area, public art installation and location for food trucks.

Mr. Blomquist went on to say tonight if the council does not want to sell this property the recommendation is to forward the matter on to the Bicycle Pedestrian Advisory Committee to provide more detail for uses for this area and while that is happening to continue with a status quo as to what has been happening on this property.

Councilor Clark clarified there has been encroachment by private businesses on this land, Mr. Blomquist agreed and added this has happened over time. The Councilor asked whether anything has been done about that as far as perhaps charging rent etc. Mr. Blomquist stated any property related issues would have been brought back to the Council but added it is not uncommon for this type of encroachment to happen on city property and referred to an issue on Maple Avenue where this type of encroachment where the property owners were unaware they were doing so and did not know about the property boundary. He further stated until now the city was under the impression this was state property and the city also did not have any use for it until now. The Councilor clarified whether this could be an area for bicycle path, Mr. Blomquist stated this type of analysis has not been done and this is something the Bicycle Pedestrian Advisory Committee could look at.

Councilor Powers asked what happened with the request that came from the Sheldons. Mr. Blomquist stated this request went before the Bicycle Pedestrian Advisory Committee, it was spur and the council recommended the spur be sold. The Councilor asked for a diagram of the property being referred to. The Chair noted this property could also be leased to the applicant making this request.

Attorney Mullins cautioned the Committee about the terms being used and went on to say even if this item is forwarded on to the Bicycle Pedestrian Advisory Committee, this committee is not making a decision whether it is planning on selling the property or not. The Chairman asked for public comment.

Toby Tousley of 499 Washington Street addressed the Committee next and stated he is the individual interested in purchasing the property. He noted this request dates back to 2011 when the Sheldons came before Council. He stated the reason he came before the Committee is because of the parking in this area that is happening by college students and noted he sees a different route the city is going on this item and wanted to protect his interest. He talked about his vested interest and with it comes the need for parking.

Mr. Tousley went on to say he did submit with his formal request a map which showed a drawing of where the bike path is located and showed a boundary at the edge of the Rail Trail (about 8 feet west of the trail) still leaving about 30 feet for the bike path. He added he is looking to purchase only about ¼ acre. He further stated this item did go before the Advisory Committee in 2011 and at that time there was recommendation from this body to sell to Mr. Tousley.

Mr. Chuck Redfern of Colby Street was the next speaker. Mr. Redfern stated the Bicycle Pedestrian Path Advisory Committee was told by numerous officials this matter will be referred to them and even though this was approved in 2011 there have been many other changes that have happened since that time, such as the art corridor which might have some impact on the trail system. There was also talk about having a trail head at this location for parking. He noted the next meeting of the Advisory Committee is September 11 which he felt was ample time for public notice.

Mr. Redfern asked whether it is now city policy for public to stake a claim on city property and when caught simply ask for forgiveness rather than ask permission. He stated this type of issue happened with Scores who were provided an annual lease but they ended up locating brick and mortar to stake their claim. He questioned whose responsibility it is to protect public property – is it council, staff, volunteers from the public? He questioned whether this has also been a transparent process.

Mr. Redfern questioned whether the deed has reversionary rights attached to it. Attorney Mullins stated the deed from the state is a quitclaim deed for the former Railroad properties and added quitclaim deeds essentially indicate a transfer and it is very different to a Warranty Deed and added the deed from the state did not include any reversionary rights with respect to these properties. Mr. Redfern referred to a law passed by Congress in the early 90's to protect railbeds being encroached upon and it was referred to as "rail banking" and stated this is the reason the city has received millions of dollars from the federal government to protect this asset. He stated the rail banking law protects encroachment, the use of the property is temporary but always with the intent the use can return for some sort of transportation purpose. Mr. Redfern talked about leasing rather than selling which happens for private business parking all the time – so the city can retain control of the land. Mr. Redfern stressed review by the Advisory Committee and a report back to Council.

In closing, Mr. Redfern stated he is not trying to prevent anything, but trying to encourage the city to retain control and as a volunteer member of Pathways for Keene, he helped raise funds to match the federal funds to create the trail system and stated it is difficult to see giving so much of his time to help the city raise money to create this trail system, only to find the city sell portions of this away. He added there was also a buried tank in this area which has been cleaned up and now that the area is cleaned up it is going to be sold to someone.

Councilor Powers stated he would like to see a map before this item goes before the Advisory Committee. The City Attorney showed the committee a map. The Chairman stated this is a great map but would like to see one that is more current.

Councilor Clark clarified if the portion of land is not going to be sold it does not need to go before the Advisory Committee. He felt before this item goes before the Advisory Committee the city should lease a

certain number of spaces to the individual using this area right now and then decide what should be done in the future. Councilor Powers felt the matter should be sent back to staff to work out a proposal as to who owns what. He stated he would like to see a decision on this item soon.

The City Manager stated she would like to see it go before the Bicycle Pedestrian Path Advisory Committee and then the city can make an informed decision. She further stated the abutting property owner knows he is infringing on city property and added he might not be interested in leasing. The Chairman asked for the Manager's opinion to what Councilor Clark has stated. Ms. Dragon stated the abutting property owner Mr. Tousley knows he is encroaching on city property and in good faith has come before the city wanting to purchase this property. She felt the first thing would be get the opinion of the Advisory Committee and then come back and have further conversations as to what should be done.

Councilor Chadbourne stated she appreciates Councilor Clark's comments but recommends sending it to the Bicycle Pedestrian Path Advisory Committee. Councilor Jacobs agreed but added he too would like to see a better map.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends sending this item to the Bicycle Pedestrian Path Advisory Committee.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.13.

**SUBJECT:** RFP 02-20-01 Aerial Flyover, Photogrammetry and Base Mapping - Community Development Department

---

**RECOMMENDATION:**

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 contract with the selected firm, Kucera International Inc. for their professional services; and should negotiations fail, allow for negotiations with the next highest ranked firms in order.

**BACKGROUND:**

GIS Technician Will Schoefmann addressed the Committee to request the committee authorize the Manager to negotiate a contract with the selected firm for the base mapping project. Mr. Schoefmann stated the RFP the city sent out brought in nine firms, of which staff found one to be fiscally responsible. He noted this project will collect new aerial photography not only for the city, but also for the airport property, Babbage Reservoir and Roxbury Reservoir. This work will help staff create 3D modeling and 3D GIS mapping.

The Chairman noted to the wide variety of costs. Mr. Schoefmann stated this is based on the different proposals they received and added the last time this work was done was in 2015 and there were varied cost proposals at that time as well. He further stated today's proposal has smaller amounts of feature identifications on the ground which is referred to as photogrammetry (roadways, pools, decks, buildings, driveways). He added this work will also assist the Assessing Department with their FY21 revaluation.

The Chairman asked whether this is a local firm. Mr. Schoefmann stated they are from Ohio and they were one of the three finalists the city interviewed in 2015.

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 contract with the selected firm, Kucera International Inc. for their professional services; and should negotiations fail, allow for negotiations with the next highest ranked firms in order.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.14.

**SUBJECT:** Sponsorship Update - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the acceptance of the sponsorship update for Wheelock Park and the Recreation Center as informational.

**BACKGROUND:**

Mr. Bohannon stated he is before the committee with a sponsorship update. He noted Convenient MD had an original agreement for \$10,000 for each year of sponsorship (two year agreement ending in November 2018) with options for three one year terms. Mr. Bohannon stated he took advantage of the renewal to request increase of value to \$12,000 for five years. He noted they have been a good corporate partner.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the acceptance of the sponsorship update for Wheelock Park and the Recreation Center as informational.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.15.  
**SUBJECT:** Project Share - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends to allow Project Share to use and occupy the Recreation Center space under the current terms and conditions without payment of rent through June 30, 2020 subject to further negotiation with the City Manager on the terms and conditions of a lease.

**BACKGROUND:**

Parks, Recreation and Facilities Director Andy Bohannon addressed the Committee first and began by providing some background about Project Share. He stated Project Share is located in the basement of the Recreation Center which he stated started in the early 70's; Hazel Thresher and Beverly Richmond came before the City Council at that time and asked permission to conduct Santa's Workshop, a volunteer venture for which they sought community support. They worked with the Department of Welfare and created Operation Santa Claus and provided the community with Christmas gifts. He noted this was the report they provided on 2/3/71 and indicated staff could not find documentation outside of that relationship.

Mr. Bohannon continued when the feasibility study was conducted the location of the Senior Center was being considered and how the space at the Recreation Center can be utilized for the uses they were considering expanding. He indicated he did bring to the attention of the City Manager the utilization of the space by Project Share which is not a formalized agreement between the city and this entity and felt it should be formalized.

The space in the basement is 1,983 square feet being used by the thrift shop. Mr. Bohannon stated what staff would like to do today is to create a formal agreement with proper insurance in place (which already does exist). Consider also a fee or a reduced rate-and added should there be a need this entity could also come forward as does other outside agencies for community funding.

Chair Greenwald clarified the proposed agreement would be from now through the end of the year. Mr. Bohannon agreed they will need to get through the holiday season.

Councilor Jacobs noted the process for outside agencies starts late winter to early spring and hoped any agreement the city enters into would continue until something concrete can be put in place.

City Manager Elizabeth Dragon stated what is being proposed is a status quo until they can go through the outside agency process; this work starts in the October/November timeframe, Human Services meets with all the agencies and there is a committee that reviews all the applications. There is a recommendation from the committee that goes to the City Council and funds to outside agencies don't get disbursed until July.

Councilor Powers noted they will be status quo until July.

Councilor Chadbourne asked whether Project Share has always had insurance in place. Mr. Bohannon stated they are current and provided same when requested.

Ms. Tammy Catozzi, of 44 Mountainview Road, Swanzey was the next speaker. She explained as was stated previously, Project Share was started in 1969 by her mother and Beverly Richmond. It began as a clothing exchange, they started using the money and founded Operation Santa for needy community children. Ms. Catozzi, stated they currently serve 200 to 350 kids of grandparent and other legal guardians. They work with MFS, school nurses and other such agencies. They also operate the mitten tree at the hospital as well as the tree at the Apothecary. They also get assistance from Main Street America and Smiths Medical. She explained the process of people seeking assistance is by filling in a form with what they need for the children and Project Share shops and provides the gifts and necessary wrapping paper to the families.

The Chairman clarified they are a 501-C3 – Ms. Catozzi, answered in the affirmative. The Chairman explained how the outside agency process works and stated staff will better explain this to Project Share. Ms. Catozzi, stated her concern is when the city calculates what they need to pay the city – it needs to be considered that they don't have bathroom facilities, there are no windows in the basement, there is no running water and this needs to be taken into consideration.

Mr. John DiBernardo of Cobb Street stated his children benefited from the clothing drive. He noted this site is opened Monday through Friday and supports the low income in this community and stated it has served a function for the past 50 years. He felt this was an agency worthy of help from tax payers. He talked about the Art in the Park, Music Festival, Pumpkin Festival all of which receives community support and make The Keene Sentinel front page but felt this is an agency that has for the past years quietly been helping the community.

Ms. Rose Candanas stated she lives in close proximity to Project Share and has lived in Keene for 33 years. She stated Project Share is a good neighbor and noted they saw a need in the community and stepped up. She felt their service to the community for the past 50 years needs to be respected. Ms. Candanas stated other thrift stores in the area operate in churches but this group is located in a city building and felt they need to be housed without any payment.

Mr. Doug Hill stated he has been a resident in Keene for 80 years and lives at 123 Elm Street. He stated he is very interested in support grandparents receive from agencies like Cedar Crest and Project Share. He talked about the help he has received from Project Share and felt this is a group that needs community support.

Chair Greenwald stated the question is what the city wants to charge for rent and noted to the counter offer made by the applicant. He also referred to the lack of facilities and also that there is no other use he could think of for this space, other than for storage.

Councilor Clark felt because of the amount of information before the Committee and the information that still needs to be made available to the public, continuing this process as it is running right now without rent to work an agreement which will be conducive to everyone, would be his recommendation. Chair Greenwald clarified what the Councilor is looking for is a rental agreement from now through the end of the year, have staff meet with and come to an agreement which will keep Project Share in business and get them started on outside agency funding. The Chairman referred to language from the proposed motion.

Ms. Dragon stated what staff had recommended is status quo from now through January 20, at that time they will start the outside agency review process. Have a conversation with Project Share before the conclusion of the outside agency process so that there could be a determination by council for level of support. This will

leave a period of time between January 20 and June 30. The Chairman asked the City Attorney whether this would be an appropriate agreement. The Attorney agreed.

Councilor Jacobs stated it is not clear the Council was agreeing to the status quo and felt it should be so stated; a definitive statement the Council wants them to be in business until this process is completed.

Ms. Catozzi, stated if they go into the next year they will have the extra money they won't be able to spend (February through June). Chair Greenwald stated ultimately the plan is to keep Project Share open and not have them close down in June.

Attorney Mullins stated he is surprised by the language in the motion as this was not quite what he was expecting. He felt it is good for Project Share to apply for outside agency funding and noted this is something they should be doing and not the Council directing anyone to do. He understands the council's desire to maintain status quo until the Manager has been able to come to an agreement with the applicant – he stated he was not sure of the date and suggested the following language for a motion:

To recommend to allow Project Share to use and occupy the Recreation Center space under the current terms and conditions without payment of rent through (the date Council picks) subject to further negotiation with the City Manager on the terms and conditions of the lease.

Councilor Clark asked whether there is time to educate the applicant about the community funding process. The Manager answered in the affirmative.

Ms. Mary Ellen Pellerin of Greenlawn Street stated her understanding is Project Share's concern is they don't want to have worked in the new year and the city then decide they would not be able to use the facility anymore.

Mr. Toby Tousley of 499 Washington Street addressed the Committee and stated he could not quite understand the timeline and asked why charging the applicant rent starting in January which is likely going to be refunded when they qualify for community funding.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends to allow Project Share to use and occupy the Recreation Center space under the current terms and conditions without payment of rent through June 30, 2020 subject to further negotiation with the City Manager on the terms and conditions of a lease.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.16.

**SUBJECT:** Primex3 Contribution Assurance Program (CAP) - Property & Liability

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to enter into and execute an agreement extending participation with Primex3 in a multi-year Contribution Assurance Program (CAP) through FY23 that has provided predictable contributions and stable property and liability insurance coverage.

**BACKGROUND:**

Assistant City Manager/Human Resources Director, Beth Fox addressed the Committee next. Ms. Fox stated the city has had a long relationship with Primex for property and liability insurance and workers compensation insurance. Through this program Primex will offer a multi-year Contribution Assurance Program where they provide the city an assurance that rate and premium increases will not go beyond a certain percentage regardless of the number of claims.

For the property and liability portion they have agreed a Contribution Assurance Program through FY23, and in exchange they have agreed to not increase premium more than 5% annually. Ms. Fox noted the city has seen a decrease in premiums over the last two fiscal cycles.

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 do all things necessary to enter into and execute an agreement extending participation with Primex3 in a multi-year Contribution Assurance Program (CAP) through FY23 that has provided predictable contributions and stable property and liability insurance coverage.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.17.

**SUBJECT:** Primex3 Contribution Assurance Program (CAP) - Workers Compensation

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to enter into and execute an agreement extending participation with Primex3 in a multi-year Contribution Assurance Program (CAP) through calendar year 2022 providing for mitigation in the event of adverse experience, and assurance of predictable contributions for future workers' compensation insurance.

**BACKGROUND:**

Ms. Fox stated this item is the same as above for workers compensation and the cap program Primex has agreed to would be through calendar year 2022. Ms. Fox noted in the recent past the city has seen stable claims but has also had some adverse claims which has impacted the loss ratio and has caused it to tip upward but because of the cap the past two fiscal cycles the city was protected from a larger premium increase.

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

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to enter into and execute an agreement extending participation with Primex3 in a multi-year Contribution Assurance Program (CAP) through calendar year 2022 providing for mitigation in the event of adverse experience, and assurance of predictable contributions for future workers' compensation insurance.



City of Keene, N.H.  
*Transmittal Form*

August 23, 2019

**TO:** Mayor and Keene City Council

**FROM:** Thomas P. Mullins, City Attorney

**ITEM:** F.1.

**SUBJECT:** Joseph S. Hoppock, Esq. - Request to Purchase City Property

---

**RECOMMENDATION:**

That the attached communication be referred to the Finance, Organization and Personnel Committee for review and consideration.

**ATTACHMENTS:**

Description

Hoppock Letter 8.23.19

**BACKGROUND:**

The attached communication was received in my office from Attorney Joseph S. Hoppock submitted on behalf of his client, Roberta Mastrogiovanni. Ms. Mastrogiovanni currently leases the parcel of land upon which the Corner News building sits from the City of Keene. Ms. Mastrogiovanni is interested in purchasing the parcel of land from the City of Keene as outlined in Attorney Hoppock's letter.

LAW OFFICES OF JOSEPH S. HOPPOCK, P.L.L.C.

16 Church Street, Suite 3A  
Keene, New Hampshire 03431-3872  
Telephone (603) 357-8700  
Facsimile (603) 357-8750  
www.hoppocklaw.com

Joseph S. Hoppock, Esquire

e-mail: [jhoppock@hoppocklaw.com](mailto:jhoppock@hoppocklaw.com)

August 23, 2019

Thomas Mullins, Esquire  
Keene City Attorney  
3 Washington Street  
Keene, NH 03431

**Re: Commercial Land @ 2 Gilbo Avenue, Keene, NH**

Dear Tom:

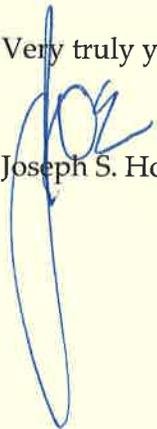
You may recall we represent Roberta Mastrogiovanni who owns and operates the retail establishment, Corner News. The City, as you recall, owns the land on which Roberta owns the building. The lot may be identified in the city records as Map 575, Lot 013.

A review of the records at the assessor's office indicates that Map 575, Lot 013 was assessed at \$60,000.00. I enclose for your convenience copies of the tax assessment documents for 2 Gilbo Avenue.

Based on this information, Ms. Mastrogiovanni authorized me to offer the city \$60,000.00 cash at closing to purchase the land identified as Map 575, Lot 013, and identified with a property address of 2 Gilbo Avenue. The deed reference is book 710, Page 552 of the Cheshire County Registry of Deeds.

I assume you will need to take this offer up with the Council. Please let me know when we may expect to hear back from you. Nevertheless, my client would like to close in thirty (30) days, if possible. Thank you.

Very truly yours,

  
Joseph S. Hoppock

JSH:dmp

cc: Roberta Mastrogiovanni

## 2 GILBO AVE.

**Location** 2 GILBO AVE.

**Map/Lot #** 575/ / 013/000 000/000

**Acct#** 575013000000000

**Owner** CITY OF KEENE

**Assessment** \$60,000

**Appraisal** \$60,000

**PID** 2456

**Building Count** 1

### Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$0	\$60,000	\$60,000

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$0	\$60,000	\$60,000

### Parcel Addresses

Additional Addresses
No Additional Addresses available for this parcel

### Owner of Record

**Owner** CITY OF KEENE  
**Co-Owner**  
**Address** 3 WASHINGTON ST.  
KEENE, NH 03431

**Sale Price** \$0  
**Book & Page** 0710/0552  
**Sale Date** 08/01/1963

### Ownership History

Ownership History			
Owner	Sale Price	Book & Page	Sale Date
CITY OF KEENE	\$0	0710/0552	08/01/1963

### Building Information

**Building 1 : Section 1**

**Year Built:**

**Building Percent**

Good:

Replacement Cost

Less Depreciation: \$0

**Building Photo**

(<http://images.vgsi.com/photos2/KeeneNHPhotos/0003\166.0.jp>)

**Building Layout**

(ParcelSketch.ashx?pid=2456&bid=2456)

Building Attributes	
Field	Description
Style	Vacant Land
Model	
Grade	
Stories	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Floor 1	
Interior Floor 2	
Heat Fuel	
Heat System	
AC	
Bedrooms	
Full Baths	
Half Baths	
Extra Fixtures	
Additional Stacks	
Daylight Basement	
ADU	
Bsmt Garage	
MH Park	
FBLA	
WBFP Stacks	
Prefab Fireplace	
WBFP Openings	
Usrfd 300	
Usrfd 301	

**Building Sub-Areas (sq ft)****Legend**

No Data for Building Sub-Areas

**Extra Features****Extra Features****Legend**

No Data for Extra Features

**Land**

**Land Use**

**Use Code** 200  
**Description** Comm Dev Vacant  
**Zone** CB  
**Neighborhood** 305  
**Category**

**Land Line Valuation**

**Size (Acres)** 0.04  
**Depth**  
**Assessed Value** \$60,000  
**Appraised Value** \$60,000

**Outbuildings**

Outbuildings	Legend
No Data for Outbuildings	

**Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2018	\$0	\$60,000	\$60,000

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$0	\$60,000	\$60,000



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Tara Kessler, Senior Planner

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** F.2.

**SUBJECT:** 79E Community Revitalization Tax Relief Application for 112 Washington Street

---

**RECOMMENDATION:**

That the Mayor set a public hearing regarding the 79-E Community Revitalization Tax Relief application submitted by Joshua Gorman for property at 112 Washington St owned by 112 Washington LLC.

**ATTACHMENTS:**

**Description**

79E Committee Summary

112 Washington 79E Application

**BACKGROUND:**

The City's 79-E Committee has completed its review of the application submitted by Joshua Gorman, on behalf of 112 Washington LLC, for temporary tax relief through the City's 79-E Community Revitalization Tax Relief program. The Committee has determined that the application is complete and a public hearing should be scheduled in accordance with RSA 79-E:4,II before October 27, 2019. The property is 112 Washington Street, which has been determined to be eligible for the State/National Historic Register. The proposed project is to renovate the historic building into a bed and breakfast/inn. As renovations have already begun on the building, Mr. Gorman is seeking relief for proposed future work. His application is attached to this memorandum.

**CITY OF KEENE RSA 79-E COMMITTEE REPORT**

**Property Owner:** 112 Washington LLC

**Property Location:** 112 Washington St, Keene, NH 03431

**Applicant:** Joshua Gorman

**Date application submitted:** July 30, 2019 (revisions submitted August 23, 2019)

**Date of Committee Review:** August 15, 2019, & August 28, 2019

- **Is property located within the 79-E district?**  YES  NO See Note Below  
The property is determined by the NH Division of Historical Resources to be eligible for the State and National Register of Historic Places. Although the property is located outside of the City of Keene’s defined 79-E district boundary, it is considered eligible for this program per the definitions of Historic Structure and Qualifying Structure in NH RSA 79-E:2.
- **Is property located within a TIF District?**  YES  NO
- **Does the project require additional infrastructure by the City?**  YES  NO
- **Is the property listed or eligible to be listed on the national or state register of historic places and a copy of historic designation submitted?**  YES  NO
- **If yes, does the project devote at least \$5,000 to energy efficiency?**  YES  NO  N/A
- **Does project replace or redevelop an existing structure?**  REPLACE  REDEVELOP
- **If a replacement, has HDC approval been obtained?**  YES  NO  N/A
- **Are project cost estimates provided?**  YES  NO
- **Does the estimated project cost exceed the 75,000 minimum?**  YES  NO  
*Summary of work:*  
*Applicant proposes a series of exterior and interior renovations to an historic building.*
- **What is the proposed use of the building?** Bed and Breakfast/Inn
- **Does the project include one or more required public benefit(s)?**  YES  NO
- **Does the project comply with the Master Plan?**  YES  NO
- **Does the proposed use meet current zoning regulations?**  YES  NO  
*Notes:*
- **Is the application complete with necessary documentation?**  YES  NO
- **Has the owner agreed to the execution and recording of a covenant?**  YES  NO

**SUMMARY OF PUBLIC BENEFITS (as proposed by the applicant):**

*See application for full details*

The Applicant notes that the proposed project meets the following public benefits:

## CITY OF KEENE RSA 79-E COMMITTEE REPORT

- ***Enhances Downtown economic vitality*** by renovating a building along a gateway corridor into the Downtown into a use (Bed and Breakfast/Inn) that will attract visitors to Keene.
- ***Improves a culturally or historically important structure*** as the building is eligible for listing on the State/National Register of Historic Places and the work proposed is intended to preserve the building's unique "historical aesthetic qualities."
- ***Promotes the preservation and reuse of the existing building stock*** as the proposed work is intended to retain the existing structures and architectural features on the site/buildings and make improvements to modernize the property's infrastructure
- ***Promotes efficient design, safety, and greater sense of community consistent with the Comprehensive Master Plan*** by maintaining the City's history through the preservation, reuse, renovation and energy upgrades to a historic architectural building, and promoting downtown walkability for guests and employees of the proposed bed and breakfast/inn.
- ***Increases energy sustainability through reduced emissions*** by converting the existing heating system to a ten zone forced hot water system with smart thermostats as well as installing R-30 attic cap, and energy star windows.

# Community Revitalization Tax Relief Incentive (RSA 79-E)

**KEENE**  
NEW HAMPSHIRE



## APPLICATION FORM

Contact throughout the application process will be made with the Applicant listed below. The property owner or a designated agent may act as the Applicant.

### Property Owner:

Print Name: 112 Washington LLC.  
Address: 85 Park Avenue  
City: Keene State: NH Zip: 03431  
Phone: 209-1588 Email: gormanjosh@gmail.com

### Applicant (if different from owner):

Print Name: Joshua Gorman  
Address: 85 Park Avenue  
City: Keene State: NH Zip: 03431  
Phone: 209-1588 Email: gormanjosh@gmail.com

### Building Information:

Building Name (If Any): \_\_\_\_\_  
Building Address: 112 Washington Street  
Tax Map Lot #: 554-085-00000000 Zoning District: Office  
Cheshire County Registry of Deeds Book #: 3000 Page#: 0392  
Gross Square Footage of Building: 3454/859 Year Built: CA 1880

Is the building eligible for listing or listed individually on the National or State Register of Historic Places or located within a locally designated, State or National Historic District? No: \_\_\_\_\_ Yes\*: \_\_\_\_\_

*\*If yes, provide a copy of the approved designation by the National or State Register of the building or the district*

Does the property currently have any credit or exemption from real estate tax assessment? No:  Yes\*: \_\_\_\_\_ \*If yes, please describe:

Continue →

**Return this completed application to:**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
3 Washington St, 4<sup>th</sup> Floor  
Keene, NH 03431  
Phone: (603) 352-5440

### OFFICE USE ONLY

Date Submitted: \_\_\_\_\_  
Received by: \_\_\_\_\_  
Date Complete: \_\_\_\_\_

**Project Information:**

Describe Existing Uses (include detail on the current uses of the building/site, number of units by type and size, number of employees, etc.):

see attached pages

Describe Proposed Uses (include detail on proposed use of the building/site, number of units by type and size, number of employees, etc.):

see attached pages

Is a change of use associated with this project?

No: \_\_\_\_\_ Yes\*:

\*If yes, please describe:

see attached pages

Will greater than 50% of the gross floor area be occupied by residential uses?

No:  Yes\*: \_\_\_\_\_

\*If yes, this project is not eligible for 79-E tax relief

Will any state or federal grants or funds be used to finance the rehabilitation or construction?

No:  Yes\*: \_\_\_\_\_

\*If yes, what is the amount of the aid? \_\_\_\_\_

*Note: Rehabilitation or construction subsidized by state or federal grants or funds that do not need to be repaid totaling more than 50% of construction costs from state or federal programs are not eligible for 79-E tax relief.*

**Does the project involve the replacement of an existing structure?** No:  Yes\*: \_\_\_\_\_

\*If yes, following materials shall be submitted with this application:

A New Hampshire Division of Historical Resources individual resource inventory form, prepared by a qualified architectural historian.

A letter from the Keene Heritage Commission that identifies any and all historical, cultural and architectural value of the structure(s) that are proposed to be replaced and the property on which those structures are located.

*Note: This application shall not be deemed complete and the governing body shall not schedule the public hearing on the application for replacement of a qualifying structure as required under RSA 79-E:4,II until the inventory form and letter from the Heritage Commission, as well as all other required information, have been submitted, if required.*

**Describe the work to be done and estimated cost (Attach additional sheets if necessary)**

1. Attach a copy of a contract, contractor estimates, or itemized list of materials
2. Attach a project narrative, building plans or sketches, renderings or photographs to help explain the proposed rehabilitation or construction.

<b>Structural:</b> N/A	\$ ∅
<b>Exterior Alterations (storefront, walls, windows, doors, etc.):</b> see line items #11+12 attached	\$ 7,100.00
<b>Interior Alterations (walls, ceilings, moldings, doors, etc.):</b> see lines #3,6,7 and 8 attached	\$ 36,050.00
<b>Electrical:</b> see lines #4,5, and 9 attached	\$ 17,400.00
<b>Plumbing/Heating:</b> see line 15 attached	\$ 13,650
<b>Mechanical:</b> see line item #1 attached	\$ 7,300.00
<b>Energy Efficiency:</b> see lines #13,14,17,18 attached	\$ 30,200
<b>Other:</b> see line item #2+10 +16 attached	\$ 31,950.00
<b>TOTAL ESTIMATED PROJECT COST:</b> <i>Note: To be considered for this tax relief incentive, the project costs must be \$75,000 or greater.</i>	\$ 143,650.00

**Expected Project Start Date:**

12/15/17

**Expected project completion date:**

3/15/20

**Public Benefit (Attach additional sheets if necessary)**

*In order to qualify for tax relief under this program, the proposed work must provide at least one of the public benefits listed below. Greater consideration will be given to projects that provide three or more public benefits. Any proposed replacement must provide one or more of the public benefits listed below to a greater degree than would a substantial rehabilitation of the same structure.*

Enhances the economic vitality of downtown areas. No: ___ Yes*: <input checked="" type="checkbox"/> <b>*If yes, please describe:</b> see attached pages
Enhances & improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located. No: ___ Yes*: <input checked="" type="checkbox"/> <b>*If yes, please describe:</b> see attached pages
Promotes the preservation and reuse of existing building stock by the rehabilitation of historic structures, in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior's Standards for Rehabilitation. No: ___ Yes*: <input checked="" type="checkbox"/> <b>*If yes, please describe:</b> see attached pages
Promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan. No: ___ Yes*: <input checked="" type="checkbox"/> <b>*If yes, please describe:</b> see attached pages
Will add to the City's employment base by creating at least one new, full-time job in Keene's downtown area. No: ___ Yes*: ___ <b>*If yes, please describe:</b> not applicable, but probable
Directly supports the integration of public art in the downtown. No: ___ Yes*: ___ <b>*If yes, please describe:</b> not applicable
Promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard (e.g. LEED, Green Globes, National Green Building Standard, and International Green Construction Code). No: ___ Yes*: ___ <b>*If yes, please describe:</b> not applicable
Maintains owner occupancy of a residential building or it returns a residential building to owner occupancy. No: ___ Yes*: ___ <b>*If yes, please describe:</b> not applicable, but probable
Results in an increase in energy sustainability in conformance with the City adopted greenhouse gas initiatives as determined by a home energy score of at least six (6), and demonstrated carbon emission reduction of at least 10%. No: ___ Yes*: <input checked="" type="checkbox"/> <b>*If yes, please describe:</b> see attached pages

**Affidavit**

I (we) hereby submit this application under the Community Revitalization Tax Relief Incentive Statue (NH RSA 79-E) and attest that to the best of my (our) knowledge all of the information herein and in the accompanying materials is true and accurate.

I (we) have reviewed the statute and Resolution R-2017-41 (see attached) and understand that:

- a) This application will be reviewed for completeness;
- b) There will be a public hearing to evaluate the merits of this application;
- c) If this application is approved by City Council, I (we) will need to enter into a covenant with the City; and
- d) I (we) may be required to pay reasonable expenses associated with the creation of the covenant.

I (we) understand this application will not be determined as complete and recommended to the City Council until all of the necessary information is provided.

**IMPORTANT:**

Per RSA 79-E:13, the base or "original" assessed value for any tax relief period is set only after the following two conditions are met:

- 1. Approval by City Council; and
- 2. The Applicant has entered into a covenant with the City of Keene to protect the public benefit.

Tax relief granted will pertain only to assessment increases attributable to the substantial rehabilitation or replacement performed under the conditions approved by the City Council and not to those increases attributable to other factors including but not limited to market forces.

 Josh Gorman, Manager 112 Washington LLC 7/3/19  
 APPLICANT (signed) (name printed) (date)

 Dittke Gorman, Member 112 Washington LLC 7/3/19  
 OWNER (signed) (name printed) (date)

**NOTE:** Owner must sign this Affidavit, if Owner is not the Applicant

## 112 Washington background and introduction:

The property at 112 Washington Street was purchased by 112 Washington LLC. as a vacant building in September of 2017. At the time of purchase the building had been vacant for over a year. Prior to its vacancy it had a single tenant office use, which despite having no mortgage, struggled to earn the utilities and taxes.

Shortly after acquiring the property and exploring its potential uses, the new owner became excited about the proposition of converting the property into a bed and breakfast as a permitted use within the zone. Upon investigation of all of the logistics involved in doing so, the new owner concluded that the project was lofty. However, the new use offered opportunity for the building to shine again, while providing benefit both the community and owner.

As the decision became final, the new owner realized the financial drain as well as the risk involved with the project. Regardless, they chose to move forward. This was perhaps due to a case of irrational exuberance towards this amazing property as well as a love for historic architecture. At that time, knowing the risks were real, the owner inquired with the Keene Community Development Dept. about the State of NH 79-e tax relief program. Unfortunately, even though the project fit the criteria of this program, the owner was made aware that such incentive was only available in the Marlboro St. district at that time.

Since purchase, the new owner has poured over 3000 hrs., as well as over \$138,000.00 in construction materials, subcontract labor, and ownership expenses to date. As expenses mount and the project slowly nudges towards completion, the owner now seeks tax relief from remaining improvements, thereby retaining the current assessed value under the provisions of the 79-e program, which has since been expanded in the city to include this property. This will hopefully enable the successful completion, ensuing community benefits, and future viability of this project.

Remaining construction costs at 112 Washington Street relative to 79-E application

- 1.) Retrofit whole house 14-d sprinkler system, (partial of total) per Life Safety: \$7,300.00
- 2.) Site work and piping to bring larger water and sewer line across Washington street and into main house,  
per Pappas Construction quote: \$12,950
- 3.) Remaining finish carpentry (partial of total) includes reuse of salvage baseboard, band molding, doors, jambs, crown molding and door casing- materials and labor :\$6,200
- 4.) Fire alarm system remaining work (partial of total) including horn strobes, alarms, pull stations, alarm panel and wireless firehouse communication equipment per JE&BC electric: \$8,700.00
- 5.) Various electrical work remaining (partial of total) including panel work, co detectors, telecomm control panel, light fixtures, emergency lighting, dressing out all roughed in electrical boxes per Newell and Sons electric: \$5,800.00
- 6.) Waterproof, tile, grout, and seal (partial of total) all (9) bathroom showers and floors labor and materials:\$11,750.00
- 7.) Remaining (partial of total) interior painting consisting of two coats on entire interior (10 rooms, 9 bathrooms, 1 kitchen, 2 foyers) paint and materials: \$11,500
- 8.) Remaining (partial of total) hardwood floor sanding screening, replacing, and refinishing labor and materials: \$6,600.00
- 9.) Exterior electrical including porch, sign and parking lighting and security per Newell and Sons: \$2,900
- 10.)Exterior paving repairs and replacement post sitework: \$5,000
- 11.) Remaining (partial of total) hardwood porch floor replacement and refinish: \$2,300
- 12.) Remaining (partial of total) exterior window, soffit, fascia, crown, shutter and corbel repair/replace, prep, and refinish labor and materials: \$4,800.00
- 13.) blow in attic cap insulation labor and materials: \$1,600.00
- 14.) Domestic hot water super store tanks installed : \$5300.00
- 15.) Remaining (partial of total) plumbing and bath fixtures installed: \$13,650.00
- 16.) Exterior fencing, walkways, ramp, shrubs and landscaping materials and labor: \$14,000.00
- 17.) Install smart thermostats for all heat zones:\$2,300.00
- 18.) Install mini-split cooling units for sleeping rooms: \$21,000.00

Grand total:\$143,650.00

The proposed tax relief meets the following multiple criteria, where one is required:

**\*Enhances Downtown economic vitality:**

The conversion of this property into a 9 suite inn (including operators quarters) will certainly add to the vitality of downtown. Prior to purchase in late 2017, and during subsequent ongoing renovation, this building has been vacant and had been deteriorating for a significant time period. The renovations to this building in one of the gateway sections of our center will bring a visual artistic improvement to our downtown. The new use will bring people from this and other communities to enjoy the many experiences that our beautiful downtown has to offer, thus adding to vitality of our main street.

**\*Improves a culturally or historically important structure:**

This property is one of significant grandeur from a period of our past. The Court Street and Washington Street corridors that lead to Central Square, whose historic significance are addressed in the comprehensive master plan, offer some of the most grand and historically accurate clusters of architecture in our region. The carriage house on this property, which was in disrepair upon purchase, is one of the most distinct and original carriage houses in the region that I am aware of. It is slated to be in the heritage commission carriage barn tour this August. The 3500+/- square foot main house is a stately Classic Revival, which will have all of its remaining original features renovated and retained. The improvements being made will modernize the property's infrastructure and catch up on years of deferred maintenance. At the same the process retains and restores as many of its historical aesthetic qualities as possible both inside and out, allowing it to be preserved and enjoyed for generations to come. A report detailing the property's historic significance is currently being prepared for this property by the Heritage Commission, and upon its completion, the property is being placed on the State Historic Register

**\*Promotes the preservation and reuse of the existing building stock:**

As far as renovations to the main house, strenuous efforts have been and are being made to insure the character and preservation of the home both inside and out. Things such as, but not limited to: the repair and restoration of exterior shutters, corbels, soffit and fascia, the repair of stained glass on double entry doors, the repair and restoration of original exterior doors, the removal of a front porch enclosure to restore the original open porch including the reinstallation of an original arched window which had been removed, the preservation of original gas lighting fixtures which have been converted to electricity; the reuse of original baseboards, band molding, crown molding; the reuse of original doors and casing for the installation of the bathrooms; the repurposing of flooring from the bathroom footprints to repair other existing floors, and the repair of marble fireplaces.

**\*Promotes efficient design, safety, and greater sense of community consistent with the comprehensive master plan:**

Pages 52- 55 of the comprehensive master plan specifically address the various elements, challenges, and imperative importance of maintaining our city's history through the preservation, reuse, renovation, and energy upgrades of our many historic architectural gems. The master plan sites a need for programs which will stimulate such activity. The 79-e is a prime example of such a program and this project captivates all of the purposes, challenges, and benefits relative to reuse, preservation and efficiency. Pages 56-58 address the need and benefit of a walkable community. The location and use of this building surely promotes downtown walkability for all of it's guests as well as it's operator and owner, thus benefitting the many downtown merchants.

**\*Increases energy sustainability through reduced emissions**

Through conversion of heating system from highly inefficient gravity system to a ten zone forced hot water system with smart thermostats, as well as blowing in an r-30 attic cap and installing energy star windows, annual heating oil consumption will be reduced by at least 40% (forty percent has already been realized prior to attic cap)



**NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES**

State of New Hampshire, Department of Natural and Cultural Resources 603-271-3483  
19 Pillsbury Street, Concord, NH 03301-3570 603-271-3558  
TDD Access Relay NH 1-800-735-2964 FAX 603-271-3433  
[www.nh.gov/nhdhr](http://www.nh.gov/nhdhr) [preservation@dncr.nh.gov](mailto:preservation@dncr.nh.gov)

July 30, 2019

Joshua Gorman  
112 Washington LLC  
85 Park Avenue  
Keene, NH 03431

Dear Mr. Gorman,

The Division of Historical Resources (DHR) has reviewed the inventory form prepared for the Washington House (Burrell Residence) at 112 Washington Street in Keene and has determined that it is eligible for listing to the New Hampshire State Register of Historic Places.

To officially list the property on the New Hampshire State Register, please have a legally-appointed representative of the property check and sign this letter below and return it to our office at the address noted above. With a returned signed letter, we will place it on the agenda for final approval by the State Historical Resources Council at its quarterly meeting on October 28, 2019. More information on the State Register and its benefits is enclosed.

A copy of the Determination of Eligibility evaluation form for your files is also attached. This evaluation and the inventory data will be added to DHR's database for historic properties in New Hampshire. Thank you for your stewardship of this important piece of New Hampshire history and please feel free to call with questions.

Sincerely,

Megan R. Rupnik  
State Survey Coordinator

Encl.

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I certify that I am the legal property owner or legally-appointed representative of the above property.

Please list my property on the New Hampshire State Register, pending approval by the State Historical Resources Council

Please do NOT list my property on the New Hampshire State Register at this time:

---

Signature

---

Name (please print)

---

Date



New Hampshire Division of Historical Resources  
**Determination of Eligibility (DOE)**

**Inventory #: KEE0244**

DOE Review Date: 7/24/2019

Date Received: 7/18/2019

Final DOE Approved: Yes

**Property Name: George Burrell Residence**

**Area:**

**Address: 112 Washington Street**

**Town: Keene**

**County: Cheshire**

**Reviewed For: SR**

**DOE Program(s):  
State Register**

**Determination of Eligibility:**

State Register eligible, individually		Integrity: Yes		Level: Local	
Criteria:	A: No	B: No	C: Yes	D: No	E: No

**Areas of Significance(s):**  
Architecture

**Period of Significance:**

ca 1853

**Boundary:**

Tax parcel 554-085-000

**Statement of Significance:**

The property at 112 Washington street is a very well preserved example of the Italianate style of architecture. The carriage house, executed in the Stick style, also possesses a high degree of integrity. Together the house and carriage house are eligible for listing in the State Register for their architectural significance and the period of significance of the property reflects this.

**Comments:**

**Follow Up:**

Notify appropriate parties



City of Keene, N.H.  
*Transmittal Form*

September 5, 2019

**TO:** Mayor and Keene City Council

**FROM:** Will Schoefmann on behalf of Bicycle Pedestrian Path Advisory Committee

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** G.1.

**SUBJECT:** Resignation - Linda Rubin - Bicycle Pedestrian Path Advisory Committee

---

**RECOMMENDATION:**

Accept the Resignation Letter from Linda Rubin, Member of the Bicycle Pedestrian Path Advisory Committee.

**ATTACHMENTS:**

Description

Email Correspondence - Resignation Letter

**BACKGROUND:**

Linda Rubin is in her second term as a member and has found it difficult to make regular attendance at committee meetings due to her business responsibilities. She respectfully submits her resignation. (please see attached email)



8-16-2019

**From:** [William Schoefmann](#)  
**To:** [William Schoefmann](#)  
**Subject:** BPPAC Resignation  
**Date:** Friday, August 16, 2019 10:16:47 AM

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**From:** Linda Rubin [REDACTED]  
**Sent:** Wednesday, August 7, 2019 1:13 PM  
**To:** William Schoefmann <[wschoefmann@ci.keene.nh.us](mailto:wschoefmann@ci.keene.nh.us)>  
**Subject:** Re: BPPAC Resignation

Dear Mayor Lane - Thank you for the opportunity to serve on BPPAC for these many years. It has been an honor and privilege to support my City through the work of this committee. Safe streets for walking and biking, and the continued connection and expansion of the trail system remain critical to the health of our community. I applaud the efforts of City staff and local organizations like Pathways for Keene in advancing active transportation in the City and beyond. I hope this remains a priority!

As of today, August 7, 2019, I will no longer be able to serve on this committee due to the demands of starting and growing my new business. I remain committed to the health of our community and look forward to making a difference in different ways over the next few years.

Best, Linda

Linda Rubin  
610 West Street  
Keene, NH. 03431

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City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council

**FROM:** Rhett Lamb, Community Development Director/Assistant City Manager

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** G.2.

**SUBJECT:** 560 Main Street Zoning Amendment - Ordinance O-2019-12 - Joint Planning Board/Planning, License and Development Committee

---

**RECOMMENDATION:**

A motion was made by Mayor Kendall Lane that the Planning Board find this item to be in compliance with the master plan. The motion was seconded by Councilor George Hansel and was unanimously approved.

A motion was made by Councilor George Hansel that the Planning, Licenses and Development Committee recommends the Mayor schedule a public hearing on Ordinance – O-2019-12. The motion was seconded by Councilor Robert O'Connor and was unanimously approved.

**ATTACHMENTS:**

Description

Ordinance O-2019-12

**BACKGROUND:**

Community Development Director/Asst. City Manager Rhett Lamb addressed the Joint Committee. Mr. Lamb stated the Ordinance before the committee tonight is a correction to zoning, which has existed for quite some time. He noted to property owned by the City located at 560 Main Street (Public Works land). A majority of this property, which is approximately 30 acres in size, is zoned industrial. However, the northwest corner of the property about 1.7 acres in size is still zoned Commerce. The correction before the committee would turn the entire property as industrial.

Mr. Lamb stated the two different zoning districts on one property adds complexity and confusion. A single designation on a piece of property is prudent for future sale or development.

Mr. Lamb stated the City has recently signed a purchase and sales agreement with an individual who would like to purchase this property and that use is consistent with the proposed zoning.

Mayor Lane pointed out the only role the Joint Committee has with this process is to recommend whether in fact this parcel is in compliance with the master plan and whether it is ready for a public hearing.

The Chairman asked for public comment. With no comments, the Chairman closed the public hearing.

The Mayor noted this is not what the City would refer to as spot zoning as the adjacent property is zoned

industrial.

A motion was made by Mayor Kendall Lane that the Planning Board find this item to be in compliance with the Master Plan. The motion was seconded by Councilor George Hansel and was unanimously approved.

A motion was made by Councilor George Hansel that the Planning, Licenses and Development Committee recommends the Mayor schedule a public hearing on Ordinance – O-2019-12. The motion was seconded by Councilor Robert O’Connor and was unanimously approved.



# CITY OF KEENE

O-2019-12

Nineteen

In the Year of Our Lord Two Thousand and .....

AN ORDINANCE .....~~Relating to Change of Zone -- 560 Main Street~~.....

*Be it ordained by the City Council of the City of Keene, as follows:*

That Chapter 102, the Zoning Ordinance of the City of Keene, New Hampshire, as amended, be and hereby further amended by changing the zoning designation on the Zoning Map of the City of Keene, as adopted by the Keene City Council on December 15, 1977, as part of Chapter 102 entitled, "ZONING", of the said Ordinances, from Commerce (COM) to Industrial (I), on a portion of the following parcel so that the entire parcel will designated Industrial:

114-12-000

560 Main Street

\_\_\_\_\_  
Kendall W. Lane, Mayor

In City Council July 18, 2019.  
Referred to the Joint Planning Board  
and Planning, Licenses and Development  
Committee.

Deputy City Clerk



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** H.1.

**SUBJECT:** Informational Report – 4-Way Stop Conditions for Arlington Avenue and Dort Street – Public Works Department

---

**RECOMMENDATION:**

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee placed this item on more time.

**BACKGROUND:**

Mr. Blomquist stated that when some items come in from the public, if they are administrative items the department can handle then the item is dealt with as such. In this case, we have received a request for a stop sign. We reviewed the area with the engineer and at this time this intersection does not require a 4-way stop sign, it currently has a two-way stop. In the process if the folks who submitted the request to the city are not in concurrence with the City's decision we would address it, the Manager's Office would review it, and if neither of these satisfied the petitioner it would be taken to the Council. Mr. Blomquist stated that no action was needed and this was strictly informational.

Tobias Iselin of 46 Arlington Avenue stated that he and his wife have lived there since 2009 and he wrote the petition for his children, noting that some people travel quickly down the street. He noted they are not looking for a reduced speed limit and he believe a stop sign is needed. Mr. Iselin stated the City did an excellent job with the data and agrees that the vast majority are being respectful drivers, but is concerned about drivers not coming to a complete stop at two-way stop signs. They are petitioning for an additional stop sign at the intersection. Mr. Iselin stated he does not have kids playing in the street, but people are walking with kids and biking and some cars go very fast, but the majority go slow. Mr. Iselin shared he was surprised the data didn't show even slower speeds being that the data was collected where neighbors are pulling out of their driveways. They live by the school and there are kids leaving high school going fast at times. They are there every day so they have the anecdotal data. Mr. Iselin said a stop sign wouldn't fix everything but it is an obvious prevention tool in this case. He stated he would donate money for the sign if needed. He added that although he does not have the backing of the neighborhood, he does not see how putting up another stop sign would harm anything. Some of the folks are the pizza delivery people who speed. Mr. Iselin said he gives people the universal slow down hand gesture when people drive through who are speeding and some confront him aggressively. Mr. Iselin concluded by saying he agrees with the data in that it is a small percentage of people who are speeding and that is who he is worried about. He thanked the City for its time.

Mr. Blomquist said stop signs are different from other signs and State Law outlines conditions when stop conditions are required. State Law outlines that stop signs are not for speed control. The risk is that it is a liability issue and if the validity of the stop conditions were challenged and they did not meet the State's conditions it would mean the City is liable. The Public Works Department does not recommend the placement

of a 4-way stop.

Councilor Filiault said the same argument was made on several streets with issues before and we made exceptions over the years. The stop sign on School Street is still there today because of that.

Mr. Blomquist shared that in his time with the City he has not recommended a stop sign for speed control and he believes his predecessors would have made the same recommendation. From a liability standpoint if you have unwarranted stop signs it is a liability.

Chair Manwaring asked if Mr. Iselin needs to petition the Mayor and City Council if he wants to continue pursuing installation of a stop sign.

City Manager Elizabeth Dragon said we already have a letter about this. This process starts with Public Works and it can be put back on the agenda for action without any further correspondence.

Councilor Filiault said we just need more time to go look at the neighborhood and report back.

Mr. Blomquist said the Department can do that.

Chair Manwaring asked Mr. Blomquist if his Department will come back with information and data like they did with Skyline Drive.

Mr. Blomquist said we can have an image of the area for the Committee to review, etcetera. He added that at this point, staff has done the analysis and the Council can expect the Department's recommendations will probably not change.

Councilor Sutherland said around School Street there are no stop signs at Summer and School and Winter and School Streets and there is a lot of traffic there. In this neighborhood it's interesting because there are stop signs at Dort and Arlington Avenue, but no stop signs at Dort and Royal Avenue and no stop sign at Dort and Pinehurst Avenue. Councilor Sutherland asked if there needed to be other rules in place to install the stop sign there.

Mr. Blomquist said many of these stop signs were installed before his time with the City. If we did an analysis now it may show that it is not required. The question comes back to did you install it because you wanted to. Over the years, he has removed a bunch because they were clearly not warranted. Certainly, there are others still installed in locations where they may not be necessary. Depending on traffic patterns and improvements to streets, you can have a change for when something is required and when it is not required. It is all based on each specific situation.

Mr. Iselin shared that he shouldn't go away without asking for a 'Children At Play' sign.

Chair Manwaring made the following motion which was seconded by Councilor Lamoureux.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee placed this item on more time.



City of Keene, N.H.  
*Transmittal Form*

August 28, 2019

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** H.2.

**SUBJECT:** Discussion – Request to Prohibit the Use of Engine Brakes

---

**RECOMMENDATION:**

On a vote of 4-1, the Municipal Services, Facilities and Infrastructure Committee placed the item on more time and that the Public Works Director report back to the Committee at their next meeting with locations where the signs would go as well as the wording of the signs. Councilor Sutherland voted in opposition.

**BACKGROUND:**

James Griffin of 195 Key Road stated he has his own statistics to share. He recorded how many engine brake instances he heard during a particular timeframe. He continued that starting at 6am on Monday morning he counted 27 occurrences. Wednesday there were approximately 52 occurrences. It sounds like a jackhammer going down the road and it is constant. He added his neighbors are all willing to sign a petition. A sign stating an ordinance is enough to deter them and he is not asking the Police to patrol there, but you can hear them up to Main Street and Optical Avenue. Many towns have these ordinances. Keene has a bad reputation for enforcing traffic violations. From West Street down to Route 101 you can hear drag racing and he has not ever seen radar or cops pulling people over there. He noted he has never seen a car pulled over for speeding in Keene or ever seen radar. It is a quality of life issue that is going on and it's going to disturb people.

Police Chief Russo said he is not going to address all the issues Mr. Griffin mentioned, noting the Council does receive monthly reports on traffic stops. He continued that Mr. Griffin is correct, there are many states that have bans on commercial engine brakes. We do not believe we should be regulating this in Keene. Chief Russo said he asked several police stations throughout the state if they have experience with this matter. Some cities and towns have the signs. Chief Russo stated he is unsure how useful those signs are or if it will be a deterrent. How would the police be trained on this issue because Chief Russo explained he had to watch a video online to learn about it. How would we prove this in court and enforce this? It sounds like it is a problem for some people. City and emergency vehicles are going to want to use their engine brakes and if we tell them to not use them how is that going to look?

Councilor Filiault asked Chief Russo would you have an objection to putting signs up for educating purposes.

Chief Russo responded by saying that is the Council's choice. We may get compliance. We are also trying to cut down the amount of signs we have.

Councilor Filiault said maybe a sign won't hurt in a location where there aren't a lot of signs.

Mr. Blomquist said per the Council's guidance he did contact the Department of Transportation to seek their permission for the placement of signs within the State's right-of-way. They responded that they had rejected

similar requests based upon the advice of the Attorney General's Office. Essentially they State does not want to discourage using a legal safety device. We could put signs at entries to City property on West Street or Main Street but at this point, the State would not authorize us to do anything within their right of way.

Chief Russo said this is why the State has not done anything with the State Police regarding this.

Councilor Filiault noted Mr. Blomquist mentioned we could put signs up but wanted to clarify where.

Mr. Blomquist responded he was referring to City property. For example, on the off ramp to West Street within City limits or on Main Street on the north side of 101 because the south side is a class 4 highway and owned by the State but City maintained. We do have signs for through trucks at those points so we could put something up requesting engine air brakes not be used in City limits. Most of these issues are coming off the bypass.

Councilor Filiault asked if we gave Public Works two weeks to point out where those spots would be and report back to committee would that be possible.

Mr. Blomquist said he will report back with those maps or an indication of where we could put those signs at entrances into the City.

Councilor Sutherland asked if we have a sound ordinance.

Chief Russo said that other cities and towns have built this into their noise ordinances, but engine breaks are not included in the Keene noise ordinance.

Councilor Sutherland asked Chief Russo if these engine brakes would violate the sound ordinance because we have loud motorcycles and he can hear snowmobiles. We have people complain about airplane noise too. We could be putting up signs for all kinds of things.

Chief Russo said commercial engine brakes would not violate the noise ordinance in Keene.

Councilor Lamoureux asked the Director if he was saying any vehicles over eight tons cannot be in those areas. Mr. Blomquist said it applies to designated truck routes. If a truck is going up to the bypass they should not drive up Main Street to get to Route 9. Mr. Lamoureux noted vehicles under 8 tons do not have engine brakes.

Mr. Griffin said signs across the county don't say no engine breaks allowed, they just say no engine brakes, period. The ones around Keene are violating noise ordinances probably because they have illegal exhaust. In that case, they should be cited. In addition, Winchester, New Hampshire has put up an engine brake sign. Mr. Griffin stated they are definitely on the highway right of way because they are right on Route 10. To save money we could put signs on the space available on posts already there. This just is not the people living near the bypass it is all of Keene that is affected.

Councilor Hooper stated that it was suggested in the last meeting perhaps sending out a letter to companies to not use engine brakes and asked whether it makes sense to remind the companies directly.

Chief Russo asked which companies would receive notification because there are hundreds or maybe thousands. Councilor Hooper said if we don't know which companies they are then maybe it is a waste of time. Councilor Lamoureux stated the City should not call up companies and tell them to not use the safety devices on their vehicles. Mr. Griffin said he isn't sure how we would track all these truck drivers being that there are so many.

Councilor Filiault said we could put up legal signs, it might not change everything, but maybe it could, education helps.

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

On a vote of 4-1, the Municipal Services, Facilities and Infrastructure Committee placed the item on more time and that the Public Works Director report back to the Committee at their next meeting with locations where the signs would go as well as the wording of the signs. Councilor Sutherland voted in opposition.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** H.3.  
**SUBJECT:** Continued Discussion - Campaign Finance Ordinance

---

**RECOMMENDATION:**

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

**BACKGROUND:**

Chair Greenwald stated the City Clerk is on vacation and has been looking at how other communities handle record keeping etc. and as this is not a time sensitive matter, she has requested this item be put on more time.

Chair 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.



City of Keene, N.H.  
*Transmittal Form*

August 29, 2019

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** K.1.  
**SUBJECT:** Relating to Fiscal Policies

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2019-26-A, as amended.

**ATTACHMENTS:**

**Description**

Resolution R-2019-26-A

Resolution R-2019-26-A\_redlined

**BACKGROUND:**

The City Manager began this presentation. She indicated at the July fiscal policy workshop these concepts were discussed in great detail. She went on to review various amendments to the policy as follows.

Debt - 1 (F) of the policy - The current language, unintentionally encourages the use of debt and restricts the use of cash for capital projects. While debt is a necessary financing tool, it is important to use it wisely. The Manager stated, therefore, she is proposing slight language adjustments in two areas related to debt that have significant impact.

IV. (I) Changes the requirement that a debt funded project have a useful life of 5 years to 7 years. This change is a move to gradually shift debt to longer-term projects.

The second (related to debt) involves two changes -

I. (F) - deleting the language "current revenue capital outlay appropriations" and reducing the cap from 15% to 12%. This reduces the built in incentive to bond/incur long-term debt, allows more flexibility to pay for capital projects out of the current year budget and at the same time adjusts the cap to meet the new language of the policy.

Under the current policy this year the city is at the maximum of 15%. Under the new policy the city would be at about 11.5%, just under the new maximum and the following year it is anticipated this rate will drop slightly.

Current revenue capital outlay (which in essence is capital spending not funded by long term debt) is already restricted as part of the overall property tax revenue increase restriction calculation using the CPI in section H (1) of the policy. By also tying it to the city's debt service restriction, the city has created an unnecessary box which has in turn created a disincentive to paying for things out of current revenues, current budget or cash.

The Manager stated the next substantial change is related to our capital planning process. Page 2 of the policy changes the process to a biennial one, increases the capital project threshold from \$20,000 to \$25,000 and changes the plan from six years to a seven-year plan. She stated now that she has been with the city for almost two years, it has become increasingly apparent that department heads and finance staff move from capital planning to operating budgets processes with very little time in between. Time is a scarce resource and if we can free up some time, it would allow for more long range strategic planning, evaluation and implementation of projects that create more efficiencies and better decision making. She noted the city has a backlog of these types of projects.

The Manager referred to the current CIP process which was handed out at the workshop. The capital projects in the first year of the plan are included in the operating budget. In the off year they would be reviewed as part of the operating budget process. This review also allows for any changes that may have become necessary during the year. This will make the operating budget process, in those off years, a bit longer, but it certainly would not involve the level of effort and expense (advertising, holding numerous meetings, food and admin expenses for those meetings, and printing expenses to name just a few) involved in our current annual process.

Lastly, there are tools in the fiscal policies that are being added to provide other mechanisms for financing. Two of those budget/finance tools are capital leases and revolving funds and staff has added language to the fiscal policies regarding these tools. Ms. Dragon then turned the presentation over to the Finance Director.

Finance Director, Merri Howe stated the Manager covered the important items. She noted the changes you will see outside the ones the Manager already discussed are more clerical in nature and meant to clean up the language. She continued by calling the Committee's attention to page 10 where capital reserves were once listed, and will now be itemized inside the CIP book instead. For the stabilization fund, the revolving fund the Manager referred to has also been brought. The policy also now includes the use of unanticipated revenues and treating them as committed fund balances where these funds can be designated in order to stabilize the budgeting process as well as the CIP and capital reserves. The intent was to bring into this document other alternatives to finance these big projects outside of bonding and current revenue.

Ms. Howe went on to say currently the city reviews tax credits for property appraisals and assessments every three years. The state requires review every five years. As a result, in this document staff is proposing to align the two; to review the tax credits at the time the revaluation is done.

Ms. Dragon noted to a correction under Capital Improvement, B. which should read as biannually not annually.

Ms. Howe referred to the last page noting to a correction to Deposits of Funds in Custody of City Treasurer – to add one more: the “CDARS Program” - Certificate of Deposit Account Registry Service, which allows the city to deposit money in CD's throughout the country, insured by FDIC with no additional costs and the bank manages this deposit.

Councilor Chadbourne asked whether the Treasurer is also the Finance Director. Ms. Howe answered in the affirmative.

The Chairman referred to Page 2, G. Upon completion of any project, any residual funds shall be returned to the fund that provided the original appropriation. The Chairman asked for the timeline on this. Ms. Howe stated it is 24 months.

Councilor Powers did not feel a time period should be placed on this, as every project stands by itself, depending on how the project works out. The Councilor felt this document streamlines the process but a timeline should not be placed on this item.

Councilor Clark stated his concern is at times there is money in accounts for eight to ten years. The Chairman stated the Council is provided with a report which outlines these accounts. Councilor Clark stated money could be buried in these accounts – the committee did not feel that was correct.

Councilor Jacobs stated upon completion indicates to him the money will be returned once the work is done and felt it was difficult to place a timeline on this.

Councilor Powers stated this money cannot be used for anything else until it is approved by the Council.

Councilor Clark referred to Page 2 - The City of Keene will contain its General Fund debt service and current revenue capital outlay appropriations, on a five (5) year average, at or less than fifteen twelve percent (15 - 12%) of the General Fund operating budget.

The Councilor stated he has concerns about changing the 15% to 12% and noted there is an effort to pay as you go for Public Works projects and felt reducing this number is going to dissuade borrowing. He noted to a report from the City Engineer which outlined going forward about 20 years with this pay as you go plan, where projects are going to fall further behind. The Councilor noted he really does not want to hinder the city's ability to borrow and suggested keeping it at 15%. The Manager in response stated the portion she is striking out is just the following sentence "and current revenue capital outlay appropriations" because this puts the city in a "box" and prevents them from using cash for a project (any money that has been saved up).

The second issue is by lowering the number the numbers now change, the city's is at 15% for current revenue and without that number the city is at 11% - she explained she is just moving it so it would be equal. The Councilor noted as long as it does not hinder Public Works projects he will go along with it. The Manager stated it would be unfair of her to strike the language and not make the adjustment, then the debt limit will be increased. She further stated it was not indicated the change to the debt limit will change the city's credit rating, however, it can and this is a factor. The Councilor stated it is in the mindset of certain individuals to get the city into a monetary policy that has failed in the past at the national level and did not want the city to be in that place. Ms. Dragon stated borrowing is not bad but everything has to be taken into consideration; the city can never be in a place where it is just pay as you go; there has to be a combination. She went on to say what she has seen since she has been the Manager is that the city could have borrowed less, but because of this "box" the city has placed itself in, it could not move from one category to the other.

Councilor Jacobs stated whenever there is an opportunity for a taxpayer not to just be paying on debt and to pay for goods and services this is a step in the right direction. He noted he likes the flexibility that is being offered and because of policy the city has not been able to use money that it has.

Councilor Chadbourne stated she supports the fiscal policies and stated that she supports the Finance Director and City Manager for doing such a thorough job and felt the Manager is doing what she was asked to do when the city was looking for a city manager.

Councilor Powers stated what is being suggested is very beneficial to the organization but suggested an amendment to the capital improvement section. He noted he has had a discussion with the Manager and Finance Director about this – to change the threshold from \$25,000 to \$35,000. If a project is \$35,000 it gets into the CIP otherwise it gets into the operating budget or into the revolving fund.

A motion was made by Chair Greenwald to adopt R-2019-26. The motion was seconded by Councilor Jacobs.

The Chairman withdrew his motion and Councilor Jacobs withdrew his second.

Councilor Hansel addressed the committee and stated when he read this document the biggest issue he noted was review of the CIP going to once every two years. He stated this is acceptable but having the CIP reviewed

every year brings the Council into the strategic planning process. Councilor Clark stated this is an issue he has raised in the past about the Council being part of the budget process as the Council seemed to have only have four weeks to digest the budget. He asked the Manager whether changing the timeline gives Council or perhaps even the Finance Committee more time. The Manager stated probably not, the Council might gain a week but because of other reasons such as contracts, she does not see this changing the budget timeline too much.

Councilor Powers did not feel the Council needed to be part of the “nuts and bolts” of the budget, they were there to provide guidance to staff but if there is a \$50,000 change that needs to be made, that needs strategic thinking given the other parameters that have been placed. Ms. Dragon stated both at the staff level and at the Council level there is not enough time to look at making things more efficient and it would be good to have this type of conversation in the off year. She noted the budget does not change from year to year, there are small changes that happen, and those changes are what the Council has decided in the form of a Resolution and then staff starts making those incremental changes. Chair Greenwald agree strategic thinking would be good in place of just turning the pages of the budget book.

Councilor Chadbourne stated she saw this as an opportunity for the Council to look at how it processes the budget where items can be addressed in a non-formal setting. If this does not work the fiscal policies can always be changed back.

A motion was made by Chair Greenwald to adopt R-2019-26. The motion was seconded by Councilor Powers.

A motion was made by Councilor Powers to amend the Resolution on Page 2, Roman numeral II, entitled “Capital Improvement Program” subsection C., to indicate in the second to last line of that section an increase in the amount from \$25,000 to \$35,000. The motion was seconded by Councilor Jacobs.

Councilor Chadbourne asked why \$25,000 versus \$35,000 would matter. Councilor Powers stated it was \$35,000 for a while but changed to \$25,000 for reasons he is unaware of. He felt at \$35,000 it becomes more of a capital asset and this change also reduces the time Council has to go over the many pages. Councilor Chadbourne asked whether this has anything to do with the threshold for when staff has to come before council for approval – the answer was in the negative.

The motion made by Councilor Powers carried unanimously.

The Resolution as amended carried on a unanimous vote.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2019-26-A, as amended.

Councilor Powers stated the council now has revised guidelines but by saying the budget is only going to be increased by a certain percentage would not solve all the problems. He stressed the importance on focusing on ongoing maintenance, what are the mandates and by whom, are obsolete items being deleted. He also felt the city needs to start talking to its neighbors and making them understand how things are being done and try and get them on board.

Councilor Clark stated what the Council does not know is whether what was done this year is correct – we don’t justify everything every year and there is nothing in the policies that address that. How are taxpayers going to be able to handle these incremental tax increases when the city is not questioning what is being done each year – he noted the city at times uses national standards to fund certain things. He felt there seem to be priorities that are being neglected as the budget keeps funding items it has been funding for many years. He felt every position and item that is funded needs to be reviewed each year.



# CITY OF KEENE

R-2019-26-A

In the Year of Our Lord Two Thousand and ..... Nineteen .....

A RESOLUTION ..... Relating to FISCAL POLICIES .....

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

WHEREAS: the National Advisory Council on State and Local Budgeting (NACSLB) has developed a comprehensive set of recommended practices on budgeting; and

WHEREAS: one key component of those recommended practices calls for the adoption of fiscal policies by the local legislative body to help frame resource allocation decisions; and

WHEREAS: the Government Finance Officers' Association (GFOA) has endorsed the recommended practice developed by the NACSLB; and

WHEREAS: it is the intent of the City Council, by this resolution, to articulate this financial blueprint as clearly and completely as possible.

NOW, THEREFORE, BE IT RESOLVED that the fiscal policy should be reviewed and adopted by the City Council on an annual basis in the month of July, and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Keene that its fiscal policies are as follows:

## **PART 1 – Budgetary Policies**

### **I. Budget**

- A. The City shall annually adopt and appropriate budgets for the following funds
  - 1) General Fund
  - 2) Parking Fund
  - 3) PC Replacement Fund
  - 4) Solid Waste Fund
  - 5) Sewer Fund
  - 6) Water Fund
  - 7) Equipment Fund
- B. All appropriated budgets shall be balanced.
- C. All appropriations for annual operating budgets (exclusive of capital projects) shall lapse at fiscal year-end unless encumbered by a City of Keene purchase order that is recorded in the financial system on or before June 30<sup>th</sup> of any year, or as authorized by the City Manager in writing, on a case-by-case basis. Those encumbrances shall be reported to the City Council in an informational memorandum by the first week of September each year.
- D. The budget document shall provide multi-year projections of revenues and expenditures/expenses including property taxes and utility (water and sewer) rates.
- E. The budget will take into consideration the City's Policies on unassigned

Fund Balance projected at the end of June.

- F. The City of Keene will contain its General Fund debt service, on a five (5) year average, at or less than twelve percent (12%) of the General Fund operating budget.
- G. Upon completion of any project, any residual funds shall be returned to the fund that provided the original appropriation.
- H. Property Taxes.
  - 1) The City shall limit its property tax revenue increases to a rolling three (3) year average of the Boston-Cambridge-Newton, (MA-NH) CPI net of expenditures required by law, and debt service payments and capital leases. The City chooses to utilize the CPI, not because it reflects inflation in the City's costs, but because it reflects the overall inflation in what citizens purchase. This manages City spending such that increases in a citizen's tax bill are in line with increases in all of their other expenses. The goal is to have the cost of City services as a percentage of a taxpayer's total expenses remain constant.
  - 2) Property Tax Credits and Exemptions.

All exemptions and credits will be reviewed with the City Council at least every five (5) years in conjunction with the City revaluation unless there are legislative changes that cause a review to occur on a more frequent basis.
  - 3) The State has chosen to solve its revenue problem by downshifting expenses to the local communities and tapping into the broad based property tax at the local level. Downshifting is an effective strategy for the State; however, it is unsustainable at the local level and would quickly lead to a significant reduction in City services. The City is sensitive to these added expenses to the taxpayers and will attempt to limit the impact; however, as a State expense, the City will pass through the State downshifting to the taxpayers.

## II. Capital Improvement Program

- A. The City of Keene shall prepare a capital improvement program (CIP) with a span of seven (7) years.
- B. The CIP shall be prepared biannually with a review each year during the operating budget cycle.
- C. All capital projects or equipment purchases that have an estimated cost of at least \$35,000 and an estimated useful life of at least five years will be included in the capital improvement program (CIP) planning process. These projects may include capital asset preservation projects (designed to preserve the functionality and condition of major infrastructure systems and City facilities) with an estimated cost of at least \$35,000 and which increases the useful life of the asset by at least five years.
- D. The CIP shall contain revenue projections and rate impacts that support estimated operating costs as well as the proposed capital program. Expenditures included in each year of the CIP (operations, debt service and capital) will be equal to estimated revenue available to finance proposed activity in each year of the CIP. Cost and revenue estimates in projected years will be presented for planning purposes, and are based upon the then current best available information.

- E. City departments will prepare project funding-requests for capital projects as instructed by the City Manager.
- F. CIP Funding Methodology
  - 1) Whenever possible, CIP projects will be funded with available resources, examples of which are current revenues, grants, donations, and reserves, but not debt.
  - 2) Appropriate uses of debt include projects such as:
    - a) One-time nonrecurring investments (e.g. the construction of a new asset, or the expansion or adaptation of an existing asset) to provide added service delivery capacity or to meet changing community needs.
    - b) Projects necessary due to regulatory requirements (e.g. water treatment plant expansion due to EPA permit changes) when resources other than debt are not available.
    - c) Projects necessary due to asset or system operational failure or obsolescence when resources other than debt are not available.
- G. The CIP shall be reviewed by the Finance, Organization and Personnel Committee and the Planning Board.
- H. The CIP will be the subject of a public hearing before adoption.
- I. The funding requests in the first year of the adopted CIP will be included in the next annual budget document. The City Manager after review will include the second year funding request in the subsequent budget document.
- J. Upon project completion, any residual funds shall be returned to the fund that provided the original appropriation unless otherwise directed by the City Council.

**PART 2 - Financial Policies**

I. Fund Structure

- A. All funds are intended to be self-supporting, with no subsidies from one fund to another required for operations or capital outlay.
- B. The City will continue to conduct its financial activities through the use of the following funds:
  - 1) Governmental Funds.
    - a) General Fund – shall be used to account for those governmental activities that are not recorded in one of the other City Funds.
    - b) Special Revenue Funds.
      - i. Grants Fund – shall be used for those activities that are funded in part or in whole by contributions from other entities.
      - ii. Parking Fund – shall be used to account for the operations, maintenance and capital outlay needs of the municipal parking areas.
      - iii. PC Replacement Fund – shall be used to account for the on-going replacement of PC's, certain peripherals, and desk top software utilized by all City departments.
      - iv. Solid Waste Fund – shall be used to account for the

activities of the transfer and recycling operations and for post-closure costs associated with the landfill.

c) Capital Projects Fund – shall be used to account for the capital projects funded by any of the governmental funds.

2) Proprietary Funds.

a) Enterprise Funds.

i. Sewer Fund – shall be used to account for the operations, maintenance, and capital outlay needs of the sewer collection and treatment systems.

ii. Water Fund – shall be used to account for the operations, maintenance, and capital outlay needs of the water treatment and distribution systems.

3) Internal Service Funds.

a) Equipment Fund - shall be used to account for the operations, maintenance, and capital outlay needs of fleet services.

II. Revenues

A. One-Time Revenues.

One-time revenues will only be applied toward one-time expenditures; they will not be used to finance on-going programs or services. On-going revenues should be equal to, or greater than, on-going expenditures.

B. Diversity.

The City will diversify its revenues by maximizing the use of non- property tax revenues such as payments in lieu of taxes, and user fees and charges.

C. Designation of Revenues.

- 1) Each year, the City shall designate and set aside \$25,000 for conservation purposes, funded through the allocation of the Land Use Change Tax (LUCT). If the prior years' LUCT revenues are less than \$25,000, the General Fund will provide the difference from general revenues to ensure an annual contribution of \$25,000. Additionally, in the years when the LUCT revenues exceed \$25,000, fifty percent (50%) of the amount over \$25,000 will be designated for conservation purposes, with the total annual designation not to exceed \$100,000. Expenditure of funds to be made upon approval of the City Council. Balance of said sum not to exceed \$500,000.
- 2) Direct reimbursements from other entities shall be used to offset the appropriate City expense.
- 3) Except for the provisions stated above, or as provided otherwise by Federal, State law, or by local Code of Ordinances, no unanticipated revenues shall be designated for a specific purpose(s) unless directed by the City Council.

III. Fees and Charges

A. Certain services provided by the City of Keene will be assigned a fee or charge for the users of the service, dependent upon how the community benefits from the provision of those services.

- 1) In the case of general governmental services (such as fire protection, law enforcement, or general street maintenance) there will be no user fee or

charge assessed.

- 2) In the event that the service benefits a finite and definable sector of the community then that group will be assessed a fee or charge for provision of the service.

**B. Cost Recovery Standard for Fees and Charges.**

Cost recovery should be based on the total cost of delivering the service, including direct costs, departmental administration costs, and when permitted organization-wide support costs (e.g. accounting, human resources, data processing, insurance, vehicle maintenance, and regulatory and enforcement costs).

**C. Exceptions to Cost Recovery Standard for Fees and Charges:**

- 1) Fees and Charges may be set at something less than full cost recovery when:
  - a) A high level of cost recovery will negatively impact the delivery of service to low-income groups.
  - b) Collecting the fees and charges is not cost effective.
  - c) There is no intended relationship between the amount paid and the benefit received (e.g. social service programs).
  - d) There is no intent to limit the use of the service (e.g. access to parks and playgrounds).
  - e) Collecting the fees would discourage compliance with regulatory requirements and adherence to said requirements is self-identified, and as such, failure to comply would not be readily detected by the City of Keene.
- 2) Fees and Charges will be set at, or above, full cost recovery when:
  - a) The service is also provided, or could be provided, by the private sector.
  - b) The use of the service is discouraged (e.g. fire or police responses to false alarms).
  - c) The service is regulatory in nature and voluntary compliance is not expected (e.g. building permits, plans review, subdivisions).
  - d) When the fee or charge for the use of City property or resources is incurred by a commercial entity.
- 3) Ambulance:
  - a) Service fees shall be set at two hundred fifty percent (250%) above the Medicare-determined usual and customary charge.
  - b) A fee will be implemented for those instances when responses that involve the use of drugs or specialized services are provided but there is no transport.
  - c) There will be no charge for responses determined by the Fire Department to be "public assists."

**D.** The method of assessing and collecting fees should be made as simple as possible in order to reduce the administrative and support costs of collection.

**E.** The City will periodically utilize the services of a collection agency when all other reasonable efforts to collect fees and fines have been exhausted; fees for such services to be paid from amounts collected.

- F. Rate structures should be sensitive to the market price for comparable services in the private sector or other public sector entities.
- G. Fees and charges shall be adopted by the City Council when required.
- H. Fees and charges shall be reviewed in accordance with a schedule developed by the City Manager that has each fee reviewed biannually. Recommended changes will be reviewed and approved by the City Council when required.

IV. Bonded Debt

- A. The City of Keene will periodically incur debt to finance capital projects. All issuances of debt are subject to State of New Hampshire Statutes, RSA 34 and 162-K.
- B. Debt may be issued to fund projects with a public purpose of a lasting nature or as otherwise allowed by State law.
- C. Debt will not be issued to provide for the payment of expenses for current maintenance and operation except as otherwise provided by law.
- D. The City of Keene shall not incur debt that exceeds any limits set by State law.
- E. All bonds shall be authorized by resolution of the City Council and require a two-thirds (2/3) vote.
- F. The City of Keene may use the services of bond counsel and a financial advisor, if required, to assist in preparing for and executing the sale of bonds.
- G. The City of Keene issues bonds including but not limited to:
  - 1) General Obligation Bonds – repayment is backed by the full taxing power of the City of Keene.
  - 2) Tax Increment Financing Bonds – repayment is first backed by the revenue stream generated by increased revenues created within an established Tax Increment Financing District. To the extent that the increased revenues created within the district are not adequate, the repayment of the bonds would then be backed by the full taxing power of the City of Keene.
  - 3) Refunding Bonds – these bonds are issued to refinance outstanding bonds before their term in order to either remove restrictions on the original bonds and/or to take advantage of lower interest rates.  
Repayment is backed by the full taxing power of the City of Keene.
- H. Competitive sale is the preferred method of sale; however, negotiated sales may occur for a current or advance refunding, or for other appropriate reasons.
- I. Term.
  - 1) Debt will be incurred only for projects with a useful life of at least seven (7) years.
  - 2) The term of any debt incurred by the City shall be limited to no greater than the expected useful life of the improvement.

V. Other Sources

- A. To the extent they are available, the City of Keene will consider on a case-by-case basis, the use of other financing mechanisms including but not

limited to:

- 1) Capital leases.
  - 2) State programs (e.g. State Revolving Fund Loan programs).
- B. To the extent they are available, the City of Keene will actively pursue other funding sources including but not limited to:
- 1) Grants that reduce the City's initial investment in project/improvement.
  - 2) Grants that contribute to the on-going debt service for city project(s).
  - 3) Other financing tools such as tax credits that leverage the City's initial investment in a project.
  - 4) Public-private partnerships.
  - 5) Unanticipated revenues. These sources will be evaluated for placement and designated as committed fund balance for advancing budgetary policies related to bonded debt, capital outlay or property taxes.

VI. Capital Assets

- A. Capitalization of equipment, buildings, land and improvements other than buildings (if one or more of the following criteria are met):
- 1) Cost (if known) or fair market value is greater than or equal to \$5,000 and useful life is greater than one (1) year for new or replacement items.
  - 2) In the case of modifications and upgrades, cost is greater than or equal to \$5,000 for equipment, and \$10,000 for buildings and other improvements and the changes accomplish one or more of the following:
    - a) Prolongs the useful life of the asset
    - b) Adapts the asset to a new or different use
    - c) Substantially increases the value of the asset
    - d) Does not substantially replace a current asset
  - 3) All land acquisitions will be capitalized at cost (if known) or fair market value.
  - 4) The total cost of placing an asset into service condition will be capitalized.
- B. Capitalization of Infrastructure.
- 1) Cost greater than or equal to \$10,000, and useful life greater than five (5) years.
  - 2) The depreciation approach will be utilized for the reporting of all infrastructure.
- C. Depreciation.  
Straight-line depreciation will be used to depreciate all depreciable capital assets over the estimated useful life of each asset, as determined by industry standards.
- D. Asset Classification.  
Assets will be recorded within broad asset groups (e.g. land, buildings, etc.).

E. Budgeting.

The budgeting of capital assets will be in a manner that will facilitate the identification and recording of the asset in accordance with this policy.

F. The City may develop, implement, and refine capital asset management programs (defined as an integrated business approach involving planning, engineering, finance, facilities management, utilities, technology and operations to effectively manage existing and new facilities and infrastructure to maximize benefits, manage cost, reduce risk, and provide satisfactory levels of service to community users in a socially, environmentally, and economically sustainable manner). The capital asset management plans should contain at least the following elements:

- 1) Periodic inventories and assessment of the physical condition of City capital assets and infrastructure.
- 2) Establishment of condition and functional standards for various types of asset.
- 3) Criteria to evaluate infrastructure and facility assets and set priorities.
- 4) Financing policies to maintain a condition assessment system(s) and promote sufficient funding for capital asset preservation, repair, and maintenance.
- 5) Monitoring and development of periodic plain language status reports on the various components of the City's capital assets and infrastructure.

VII. Fund Balance Classification Policies and Procedures

A. Fund Balance.

Fund balance represents the difference between current assets and liabilities and shall be comprised of non-spendable, restricted, committed, assigned, and unassigned amounts defined as follows:

- 1) Non-spendable fund balance - includes amounts that are not in spendable form such as inventory or prepaid expenses or are required to be maintained intact such as perpetual care or the principal of an endowment fund.
- 2) Restricted fund balance - includes amounts that can only be spent for specific purposes stipulated by external resource providers such as grantors or, as in the case of special revenue funds, as established through enabling legislation.
- 3) Committed fund balance - includes amounts that can be reported and expended as a result of motions passed by the highest decision making authority - the City Council.
- 4) Assigned fund balance - includes amounts to be used for specific purposes including encumbrances and authorized carry forwards or fund balance to be used in the subsequent fiscal year.
- 5) Unassigned fund balance - includes amounts that are not obligated or specifically designated, and is available in future periods.

- B. Spending Prioritization.  
When an expenditure is incurred that would qualify for payment from multiple fund balance types, the City uses the following order to liquidate liabilities: restricted, committed, assigned, and unassigned.
- C. Net Assets.  
Net assets represent the difference between assets and liabilities. Net assets invested in capital assets, net of related debt, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction, or improvement of those assets. Net assets are reported as restricted when there are limitations imposed on their use either through enabling legislation adopted by the City or through external restrictions imposed by creditors, grantors, laws or regulations, or other governments. All other net assets are reported as unrestricted.

VIII. Stabilization Funds

- A. Unassigned Fund Balance.  
That portion of available funds within each fund that can be used to offset emergency expenditures, a downturn in collection of significant revenues, or other unforeseen events.
  - 1) Unassigned fund balance for the General Fund will be maintained at between seven percent (7%) and ten percent (10%) of the sum of the total of the General Fund annual operating budget and the property tax commitment for the school (both local and State) and the county.
  - 2) Fund balances in all other budgeted funds should be maintained at between five percent (5%) and fifteen percent (15%) of the annual operating budget for that fund.
- B. Self-Funded Health Insurance.  
The City shall retain funds for its self-funded health insurance program. The intended purposes for these funds are to provide a measure to smooth rate fluctuations, to accommodate an unforeseen increase in claims, and to provide financial protection from run-out costs in the event the City moves toward a fully insured plan. The amount retained shall not exceed three (3) months of estimated claim costs.
- C. Capital Reserves.  
The City utilizes capital reserves, classified as committed funds, established under State of New Hampshire law, and invested by the Trustees of Trust Funds, for several purposes that include the construction, reconstruction, or acquisition of a specific capital improvement, or the acquisition of a specific item or of specific items of equipment, or other purposes identified in NH RSA 34, relating to Capital Reserve Funds for Cities.

D. Expendable Trust Funds.

The City Council may create and fund through annual operating budget appropriations, various expendable trust funds as it deems necessary for the maintenance and operation of the City; and any other public purpose that is not foreign to the City's institution or incompatible with the objects of its organization. The trust funds will be administered by the Trustees of the Trust Funds.

E. Revolving Funds.

The City Council may authorize the establishment and use of revolving funds as it deems necessary. The purpose of the funds and source of revenues will be determined at the time of creation. Monies in the revolving fund shall be allowed to accumulate from year to year, and shall not be considered a part of the City's general surplus.

IX. Deposits of Funds in Custody of City Treasurer

A. Objectives (in priority order):

- 1) Safety – the safety of principal is the foremost objective.
- 2) Liquidity – investments shall remain sufficiently liquid to meet the operational cash needs of the City of Keene.
- 3) Yield – taking into account the priority objectives of safety of principal and liquidity, a market rate of return.

B. Authorized Investments:

- 1) US Treasury obligations.
- 2) US government agency and instrumentality obligations.
- 3) Repurchase agreements with New Hampshire Banks acting as principal or agent, collateralized by US Treasury/Agency obligations.
- 4) Certificates of Deposits in New Hampshire Banks (collateralized).
- 5) New Hampshire Public Deposit Investment Pool.
- 6) Certificate of Deposit Account Registry Service (CDARS).

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Kendall W. Lane, Mayor

Nineteen

Relating to FISCAL POLICIES

WHEREAS: the National Advisory Council on State and Local Budgeting (NACSLB) has developed a comprehensive set of recommended practices on budgeting; and

WHEREAS: one key component of those recommended practices calls for the adoption of fiscal policies by the local legislative body to help frame resource allocation decisions; and

WHEREAS: the Government Finance Officers' Association (GFOA) has endorsed the recommended practice developed by the NACSLB; and

WHEREAS: it is the intent of the City Council, by this resolution, to articulate this financial blueprint as clearly and completely as possible.

NOW, THEREFORE, BE IT RESOLVED that the fiscal policy should be reviewed and adopted by the City Council on an annual basis in the month of July, and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Keene that its fiscal policies are as follows:

**PART 1 – Budgetary Policies**

I. Budget

- A. The City shall annually adopt and appropriate budgets for the following funds
  - 1) General Fund
  - 2) Parking Fund
  - 3) PC Replacement Fund
  - 4) Solid Waste Fund
  - 5) Sewer Fund
  - 6) Water Fund
  - 7) Equipment Fund
- B. All appropriated budgets shall be balanced.
- C. All appropriations for annual operating budgets (exclusive of capital projects) shall lapse at fiscal year-end unless encumbered by a City of Keene purchase order that is recorded in the financial system on or before June 30<sup>th</sup> of any year, or as authorized by the City Manager in writing, on a case-by-case basis. Those encumbrances shall be reported to the City Council in an informational memorandum by the first week of September each year.
- D. The budget document shall provide multi-year projections of revenues and expenditures/expenses including property taxes and utility (water and sewer) rates.
- E. The budget will take into consideration the City's Policies on unassigned

Fund Balance projected at the end of June.

- F. The City of Keene will contain its General Fund debt service, on a five (5) year average, at or less than twelve percent (12%) of the General Fund operating budget.
- G. Upon completion of any project, any residual funds shall be returned to the fund that provided the original appropriation.
- H. Property Taxes.
  - 1) The City shall limit its property tax revenue increases to a rolling three (3) year average of the Boston-Cambridge-Newton, (MA-NH) CPI net of expenditures required by law, and debt service payments and capital leases. The City chooses to utilize the CPI, not because it reflects inflation in the City's costs, but because it reflects the overall inflation in what citizens purchase. This manages City spending such that increases in a citizen's tax bill are in line with increases in all of their other expenses. The goal is to have the cost of City services as a percentage of a taxpayer's total expenses remain constant.
  - 2) Property Tax Credits and Exemptions.

All exemptions and credits will be reviewed with the City Council at least every five (5) years in conjunction with the City revaluation unless there are legislative changes that cause a review to occur on a more frequent basis.
  - 3) The State has chosen to solve its revenue problem by downshifting expenses to the local communities and tapping into the broad based property tax at the local level. Downshifting is an effective strategy for the State; however, it is unsustainable at the local level and would quickly lead to a significant reduction in City services. The City is sensitive to these added expenses to the taxpayers and will attempt to limit the impact; however, as a State expense, the City will pass through the State downshifting to the taxpayers.

## II. Capital Improvement Program

- A. The City of Keene shall prepare a capital improvement program (CIP) with a span of seven (7) years.
- B. The CIP shall be prepared biannually with a review each year during the operating budget cycle.
- C. All capital projects or equipment purchases that have an estimated cost of at least ~~\$25,000~~\$35,000 and an estimated useful life of at least five years will be included in the capital improvement program (CIP) planning process. These projects may include capital asset preservation projects (designed to preserve the functionality and condition of major infrastructure systems and City facilities) with an estimated cost of at least ~~\$25,000~~\$35,000 and which increases the useful life of the asset by at least five years.
- D. The CIP shall contain revenue projections and rate impacts that support estimated operating costs as well as the proposed capital program. Expenditures included in each year of the CIP (operations, debt service and capital) will be equal to estimated revenue available to finance proposed activity in each year of the CIP. Cost and revenue estimates in projected years will be presented for planning purposes, and are based upon the then current best available information.

- E. City departments will prepare project funding-requests for capital projects as instructed by the City Manager.
- F. CIP Funding Methodology
  - 1) Whenever possible, CIP projects will be funded with available resources, examples of which are current revenues, grants, donations, and reserves, but not debt.
  - 2) Appropriate uses of debt include projects such as:
    - a) One-time nonrecurring investments (e.g. the construction of a new asset, or the expansion or adaptation of an existing asset) to provide added service delivery capacity or to meet changing community needs.
    - b) Projects necessary due to regulatory requirements (e.g. water treatment plant expansion due to EPA permit changes) when resources other than debt are not available.
    - c) Projects necessary due to asset or system operational failure or obsolescence when resources other than debt are not available.
- G. The CIP shall be reviewed by the Finance, Organization and Personnel Committee and the Planning Board.
- H. The CIP will be the subject of a public hearing before adoption.
- I. The funding requests in the first year of the adopted CIP will be included in the next annual budget document. The City Manager after review will include the second year funding request in the subsequent budget document.
- J. Upon project completion, any residual funds shall be returned to the fund that provided the original appropriation unless otherwise directed by the City Council.

**PART 2 - Financial Policies**

I. Fund Structure

- A. All funds are intended to be self-supporting, with no subsidies from one fund to another required for operations or capital outlay.
- B. The City will continue to conduct its financial activities through the use of the following funds:
  - 1) Governmental Funds.
    - a) General Fund – shall be used to account for those governmental activities that are not recorded in one of the other City Funds.
    - b) Special Revenue Funds.
      - i. Grants Fund – shall be used for those activities that are funded in part or in whole by contributions from other entities.
      - ii. Parking Fund – shall be used to account for the operations, maintenance and capital outlay needs of the municipal parking areas.
      - iii. PC Replacement Fund – shall be used to account for the on-going replacement of PC's, certain peripherals, and desk top software utilized by all City departments.
      - iv. Solid Waste Fund – shall be used to account for the

activities of the transfer and recycling operations and for post-closure costs associated with the landfill.

c) Capital Projects Fund – shall be used to account for the capital projects funded by any of the governmental funds.

2) Proprietary Funds.

a) Enterprise Funds.

i. Sewer Fund – shall be used to account for the operations, maintenance, and capital outlay needs of the sewer collection and treatment systems.

ii. Water Fund – shall be used to account for the operations, maintenance, and capital outlay needs of the water treatment and distribution systems.

3) Internal Service Funds.

a) Equipment Fund - shall be used to account for the operations, maintenance, and capital outlay needs of fleet services.

II. Revenues

A. One-Time Revenues.

One-time revenues will only be applied toward one-time expenditures; they will not be used to finance on-going programs or services. On-going revenues should be equal to, or greater than, on-going expenditures.

B. Diversity.

The City will diversify its revenues by maximizing the use of non- property tax revenues such as payments in lieu of taxes, and user fees and charges.

C. Designation of Revenues.

- 1) Each year, the City shall designate and set aside \$25,000 for conservation purposes, funded through the allocation of the Land Use Change Tax (LUCT). If the prior years' LUCT revenues are less than \$25,000, the General Fund will provide the difference from general revenues to ensure an annual contribution of \$25,000. Additionally, in the years when the LUCT revenues exceed \$25,000, fifty percent (50%) of the amount over \$25,000 will be designated for conservation purposes, with the total annual designation not to exceed \$100,000. Expenditure of funds to be made upon approval of the City Council. Balance of said sum not to exceed \$500,000.
- 2) Direct reimbursements from other entities shall be used to offset the appropriate City expense.
- 3) Except for the provisions stated above, or as provided otherwise by Federal, State law, or by local Code of Ordinances, no unanticipated revenues shall be designated for a specific purpose(s) unless directed by the City Council.

III. Fees and Charges

A. Certain services provided by the City of Keene will be assigned a fee or charge for the users of the service, dependent upon how the community benefits from the provision of those services.

- 1) In the case of general governmental services (such as fire protection, law enforcement, or general street maintenance) there will be no user fee or

charge assessed.

- 2) In the event that the service benefits a finite and definable sector of the community then that group will be assessed a fee or charge for provision of the service.

B. Cost Recovery Standard for Fees and Charges.

Cost recovery should be based on the total cost of delivering the service, including direct costs, departmental administration costs, and when permitted organization-wide support costs (e.g. accounting, human resources, data processing, insurance, vehicle maintenance, and regulatory and enforcement costs).

C. Exceptions to Cost Recovery Standard for Fees and Charges:

- 1) Fees and Charges may be set at something less than full cost recovery when:
  - a) A high level of cost recovery will negatively impact the delivery of service to low-income groups.
  - b) Collecting the fees and charges is not cost effective.
  - c) There is no intended relationship between the amount paid and the benefit received (e.g. social service programs).
  - d) There is no intent to limit the use of the service (e.g. access to parks and playgrounds).
  - e) Collecting the fees would discourage compliance with regulatory requirements and adherence to said requirements is self-identified, and as such, failure to comply would not be readily detected by the City of Keene.
- 2) Fees and Charges will be set at, or above, full cost recovery when:
  - a) The service is also provided, or could be provided, by the private sector.
  - b) The use of the service is discouraged (e.g. fire or police responses to false alarms).
  - c) The service is regulatory in nature and voluntary compliance is not expected (e.g. building permits, plans review, subdivisions).
  - d) When the fee or charge for the use of City property or resources is incurred by a commercial entity.
- 3) Ambulance:
  - a) Service fees shall be set at two hundred fifty percent (250%) above the Medicare-determined usual and customary charge.
  - b) A fee will be implemented for those instances when responses that involve the use of drugs or specialized services are provided but there is no transport.
  - c) There will be no charge for responses determined by the Fire Department to be "public assists."

D. The method of assessing and collecting fees should be made as simple as possible in order to reduce the administrative and support costs of collection.

E. The City will periodically utilize the services of a collection agency when all other reasonable efforts to collect fees and fines have been exhausted; fees for such services to be paid from amounts collected.

- F. Rate structures should be sensitive to the market price for comparable services in the private sector or other public sector entities.
- G. Fees and charges shall be adopted by the City Council when required.
- H. Fees and charges shall be reviewed in accordance with a schedule developed by the City Manager that has each fee reviewed biannually. Recommended changes will be reviewed and approved by the City Council when required.

#### IV. Bonded Debt

- A. The City of Keene will periodically incur debt to finance capital projects. All issuances of debt are subject to State of New Hampshire Statutes, RSA 34 and 162-K.
- B. Debt may be issued to fund projects with a public purpose of a lasting nature or as otherwise allowed by State law.
- C. Debt will not be issued to provide for the payment of expenses for current maintenance and operation except as otherwise provided by law.
- D. The City of Keene shall not incur debt that exceeds any limits set by State law.
- E. All bonds shall be authorized by resolution of the City Council and require a two-thirds (2/3) vote.
- F. The City of Keene may use the services of bond counsel and a financial advisor, if required, to assist in preparing for and executing the sale of bonds.
- G. The City of Keene issues bonds including but not limited to:
  - 1) General Obligation Bonds – repayment is backed by the full taxing power of the City of Keene.
  - 2) Tax Increment Financing Bonds – repayment is first backed by the revenue stream generated by increased revenues created within an established Tax Increment Financing District. To the extent that the increased revenues created within the district are not adequate, the repayment of the bonds would then be backed by the full taxing power of the City of Keene.
  - 3) Refunding Bonds – these bonds are issued to refinance outstanding bonds before their term in order to either remove restrictions on the original bonds and/or to take advantage of lower interest rates. Repayment is backed by the full taxing power of the City of Keene.
- H. Competitive sale is the preferred method of sale; however, negotiated sales may occur for a current or advance refunding, or for other appropriate reasons.
- I. Term.
  - 1) Debt will be incurred only for projects with a useful life of at least seven (7) years.
  - 2) The term of any debt incurred by the City shall be limited to no greater than the expected useful life of the improvement.

#### V. Other Sources

- A. To the extent they are available, the City of Keene will consider on a case-by-case basis, the use of other financing mechanisms including but not

limited to:

- 1) Capital leases.
  - 2) State programs (e.g. State Revolving Fund Loan programs).
- B. To the extent they are available, the City of Keene will actively pursue other funding sources including but not limited to:
- 1) Grants that reduce the City's initial investment in project/improvement.
  - 2) Grants that contribute to the on-going debt service for city project(s).
  - 3) Other financing tools such as tax credits that leverage the City's initial investment in a project.
  - 4) Public-private partnerships.
  - 5) Unanticipated revenues. These sources will be evaluated for placement and designated as committed fund balance for advancing budgetary policies related to bonded debt, capital outlay or property taxes.

VI. Capital Assets

- A. Capitalization of equipment, buildings, land and improvements other than buildings (if one or more of the following criteria are met):
- 1) Cost (if known) or fair market value is greater than or equal to \$5,000 and useful life is greater than one (1) year for new or replacement items.
  - 2) In the case of modifications and upgrades, cost is greater than or equal to \$5,000 for equipment, and \$10,000 for buildings and other improvements and the changes accomplish one or more of the following:
    - a) Prolongs the useful life of the asset
    - b) Adapts the asset to a new or different use
    - c) Substantially increases the value of the asset
    - d) Does not substantially replace a current asset
  - 3) All land acquisitions will be capitalized at cost (if known) or fair market value.
  - 4) The total cost of placing an asset into service condition will be capitalized.
- B. Capitalization of Infrastructure.
- 1) Cost greater than or equal to \$10,000, and useful life greater than five (5) years.
  - 2) The depreciation approach will be utilized for the reporting of all infrastructure.
- C. Depreciation.
- Straight-line depreciation will be used to depreciate all depreciable capital assets over the estimated useful life of each asset, as determined by industry standards.
- D. Asset Classification.
- Assets will be recorded within broad asset groups (e.g. land, buildings, etc.).

- E. Budgeting.  
The budgeting of capital assets will be in a manner that will facilitate the identification and recording of the asset in accordance with this policy.
- F. The City may develop, implement, and refine capital asset management programs (defined as an integrated business approach involving planning, engineering, finance, facilities management, utilities, technology and operations to effectively manage existing and new facilities and infrastructure to maximize benefits, manage cost, reduce risk, and provide satisfactory levels of service to community users in a socially, environmentally, and economically sustainable manner). The capital asset management plans should contain at least the following elements:
- 1) Periodic inventories and assessment of the physical condition of City capital assets and infrastructure.
  - 2) Establishment of condition and functional standards for various types of asset.
  - 3) Criteria to evaluate infrastructure and facility assets and set priorities.
  - 4) Financing policies to maintain a condition assessment system(s) and promote sufficient funding for capital asset preservation, repair, and maintenance.
  - 5) Monitoring and development of periodic plain language status reports on the various components of the City's capital assets and infrastructure.

VII. Fund Balance Classification Policies and Procedures

- A. Fund Balance.  
Fund balance represents the difference between current assets and liabilities and shall be comprised of non-spendable, restricted, committed, assigned, and unassigned amounts defined as follows:
- 1) Non-spendable fund balance - includes amounts that are not in spendable form such as inventory or prepaid expenses or are required to be maintained intact such as perpetual care or the principal of an endowment fund.
  - 2) Restricted fund balance - includes amounts that can only be spent for specific purposes stipulated by external resource providers such as grantors or, as in the case of special revenue funds, as established through enabling legislation.
  - 3) Committed fund balance - includes amounts that can be reported and expended as a result of motions passed by the highest decision making authority - the City Council.
  - 4) Assigned fund balance - includes amounts to be used for specific purposes including encumbrances and authorized carry forwards or fund balance to be used in the subsequent fiscal year.
  - 5) Unassigned fund balance - includes amounts that are not obligated or specifically designated, and is available in future periods.

- B. Spending Prioritization.  
When an expenditure is incurred that would qualify for payment from multiple fund balance types, the City uses the following order to liquidate liabilities: restricted, committed, assigned, and unassigned.
- C. Net Assets.  
Net assets represent the difference between assets and liabilities. Net assets invested in capital assets, net of related debt, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowing used for the acquisition, construction, or improvement of those assets. Net assets are reported as restricted when there are limitations imposed on their use either through enabling legislation adopted by the City or through external restrictions imposed by creditors, grantors, laws or regulations, or other governments. All other net assets are reported as unrestricted.

VIII. Stabilization Funds

- A. Unassigned Fund Balance.  
That portion of available funds within each fund that can be used to offset emergency expenditures, a downturn in collection of significant revenues, or other unforeseen events.
  - 1) Unassigned fund balance for the General Fund will be maintained at between seven percent (7%) and ten percent (10%) of the sum of the total of the General Fund annual operating budget and the property tax commitment for the school (both local and State) and the county.
  - 2) Fund balances in all other budgeted funds should be maintained at between five percent (5%) and fifteen percent (15%) of the annual operating budget for that fund.
- B. Self-Funded Health Insurance.  
The City shall retain funds for its self-funded health insurance program. The intended purposes for these funds are to provide a measure to smooth rate fluctuations, to accommodate an unforeseen increase in claims, and to provide financial protection from run-out costs in the event the City moves toward a fully insured plan. The amount retained shall not exceed three (3) months of estimated claim costs.
- C. Capital Reserves.  
The City utilizes capital reserves, classified as committed funds, established under State of New Hampshire law, and invested by the Trustees of Trust Funds, for several purposes that include the construction, reconstruction, or acquisition of a specific capital improvement, or the acquisition of a specific item or of specific items of equipment, or other purposes identified in NH RSA 34, relating to Capital Reserve Funds for Cities.

D. Expendable Trust Funds.

The City Council may create and fund through annual operating budget appropriations, various expendable trust funds as it deems necessary for the maintenance and operation of the City; and any other public purpose that is not foreign to the City's institution or incompatible with the objects of its organization. The trust funds will be administered by the Trustees of the Trust Funds.

E. Revolving Funds.

The City Council may authorize the establishment and use of revolving funds as it deems necessary. The purpose of the funds and source of revenues will be determined at the time of creation. Monies in the revolving fund shall be allowed to accumulate from year to year, and shall not be considered a part of the City's general surplus.

IX. Deposits of Funds in Custody of City Treasurer

A. Objectives (in priority order):

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Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

August 30, 2019

**TO:** Mayor and Keene City Council

**FROM:** In Appreciation of William M. Greenwood Upon His Retirement

**THROUGH:** Elizabeth A. Dragon, City Manager

**ITEM:** K.2.

**SUBJECT:** In Appreciation of William M. Greenwood Upon His Retirement

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**RECOMMENDATION:**

That Resolution R-2019-30 be adopted by the City Council.

**ATTACHMENTS:**

Description

Resolution R-2019-30

**BACKGROUND:**

Mr. Greenwood retired from the Keene Fire Department effective July 26, 2019, with 22 years of service.



# CITY OF KEENE

In the Year of Our Lord Two Thousand and ....Nineteen.....

A RESOLUTION ..... **In Appreciation of William M. Greenwood Upon His Retirement** .....

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

WHEREAS: William M. Greenwood began his Keene Fire Department career July 21, 1997, as a Firefighter/Emergency Medical Technician - Intermediate, serving on C and A shifts; was promoted January 19, 2004, to Fire Lieutenant, serving on D, B, and A shifts; and supplemented his expertise by becoming certified in Emergency Medical Services; by the National Registry of Emergency Medical Technicians, in Aircraft Rescue and Fire Fighting, and as a Fire Inspector; and

WHEREAS: With top-notch knowledge as a company officer and a desire for the department to be as great as it might be, Bill managed his shift to its full potential by engaging them in their work, making them stronger in various areas, and setting an example of work ethic; by recommending changes to department operations where improvement was needed; by developing a daily job operations performance review, since implemented for other shifts; by strengthening the officer team; and by fulfilling all administrative, training, maintenance, safety, and operational and compliance duties with outstanding workload management and personnel safety; and

WHEREAS: With superior performance under pressure, he clarified both his expectations and what his shift members could expect of him in advance so that the crew remained on task during emergencies; made sound decisions on scene, communicating what he saw so others could make sound decisions based on his findings; and was able to mitigate situations on scene, then critique them later for further efficiencies and improved service; and

WHEREAS: Bill's natural teaching ability and energy has labeled him a phenomenal instructor, making each shift on which he worked better prepared to do its job; and he helped train Call Company members, assisted staff to prepare for the promotional process, delivered trainings to surrounding departments and to Cheshire Medical Center staff, mentored new members of the department, ran shift CPR classes so each member's certification expired on the same schedule, developed classes to meet specific needs and when training wasn't always available in New Hampshire, and presented at the national level; and

WHEREAS: Among Bill's various other accomplishments include assisting the airport to develop an Emergency Response Plan, giving feedback as Standard Operating Guidelines were being developed or revised; assisting to write grant applications, being active with the Fire Explorer Post, promoting the paramedic service, helping to plan retirement gatherings for those leaving regular service, participating in the 110-story 9/11 Memorial Stair Climb, paying it forward as a volunteer in multiple programs in the community, acting as a peer support professional for an addict in the community and as a resource for that person's parents, and earning a 2004 Fire Service Committee of Merit Award; and

WHEREAS: Bill retired July 26, 2019, with just over 22 years of honorable service to the City;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of Keene hereby extends its sincere thanks to William M. Greenwood for his dedication to the City of Keene and the Monadnock Region and wishes him the very best for his retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Bill in appreciation of his years of service to the City of Keene.

PASSED

Kendall W. Lane, Mayor