

**City of Keene**  
**New Hampshire**

**FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE**  
**MEETING MINUTES**

**Thursday, April 9, 2020**

**6:30 PM**

**Via Zoom**

**Members Present:**

Thomas F. Powers, Chair  
Stephen L. Hooper, Vice-Chair  
Terry M. Clark  
Michael J. Remy  
Raleigh C. Ormerod

**Staff Present:**

Elizabeth A. Dragon, City Manager  
Thomas P. Mullins, City Attorney  
Don Lussier, City Engineer  
Aaron Costa Operations Manager Treatment Facility  
Library Director Marty Fiske  
Kurt Blomquist, Public Works Director

**Members Not Present:**

At 6:30 PM Chair Powers read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued the members of the committee would be participating remotely. Chair Powers called the meeting to order at 6:30 PM and a roll call was taken. All members identified that they were home alone.

**1) Robert DiLuzio, Sr./SCI Corp. - Release of Right-of-Way**

City Attorney Thomas Mullins stated this item came up a few weeks ago when the Foley Funeral Home was in the process of purchasing property from Public Service of NH. The City has a right of way across this property, which goes back a few years. The attorney shared a map of the property. He explained one party originally owned this entire property, and a portion was carved off in 1920, which later became the Elm Street parking lot. In 1939, the City took that portion by tax deed and retained a right of way that went to Court Street. The exact location of the right of way is slightly unclear. The new Fire Station is currently located on this property, which effectively terminates the usability of the right of way. The Attorney emphasized this was a private right of way and the only reason the City came into possession of it was through the tax deeding process.

Attorney Mullins went on to say the funeral home has moved forward with this transfer and added his recommendation is that the right of way be released.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to release any interest that the City may have in a certain private right-of-way over real property currently owned by Keystone America

Inc., d/b/a DiLuzio, Foley & Fletcher Funeral Homes, located at 49 Court Street, obtained by the City through a Tax Collectors Deed dated April 27, 1922, and recorded in Volume 498, page 45, of the Cheshire County Registry of Deeds.

**2) Lease Agreement - 12 Gilbo Avenue - Parks, Recreation and Facilities**

Parks Recreation and Facilities Director Andy Bohannon addressed the Committee. Mr. Bohannon stated this item was in reference to a lease agreement for 12 Gilbo Avenue with Yolo Ice Cream. He indicated Yolo has been a good tenant since April 30, 2012. They have expressed an interest in extending their lease for another 2½ to 3 years. Presently, Konstantinos Georgiadis owns the business and he is interested in transferring the business to his brother Christos.

Mr. Bohannon stated at the present time the tenant is paying \$1,550 and reminded the Committee a couple of years ago the City agreed to drop the lease price to \$1,350. That lease amount has been increased over time over a period of two years. Mr. Bohannon noted in the current economic times, and because this is a seasonal venue they have asked for the same consideration for the next 2½ years. Mr. Bohannon stated this site works well with the proposed Arts and Culture Corridor.

Councilor Remy asked whether it was normal not to include a CPI adjustment in a lease. The City Manager stated CPI adjustments are usually included in leases. Mr. Bohannon confirmed CPI adjustments are typically included but because of the incremental increases, which were clearly laid out, a CPI, adjustment was not included.

Councilor Remy clarified if the Committee were to authorize the staff to negotiate a lease with the tenant that the motion would not be suggesting there would be no CPI adjustment included. Attorney Mullins asked that the Councilor clarify his remark and specifically was the Councilor referring to this lease alone or leases in general. Councilor Remy stated he meant for this lease alone, as there is no rate specified in the motion. Chair Powers indicated a rate is not included when the Manager is being authorized to negotiate and execute. If negotiation fails, the Manager will come back before the Council for further direction.

Councilor Ormerod asked whether Councilor Remy was referring to a CPI adjustment on the \$1,350 rate and if it should start above the \$1,350. Councilor Remy stated he was fine starting at \$1,350 as long as there was an escalator.

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

On 5-0 roll vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a lease renewal with Konstantinos Georgiadis for space located at the 12 Gilbo Avenue.

**3) Request for Use of Personnel Funds - Keene Public Library**

City Manager Elizabeth Dragon addressed the Committee first and reminded the Committee of the recommendation from the Council at their previous meeting regarding use of personnel funds

for non-personnel reasons. She explained the reason staff is making this recommendation at this time is that they feel it will be beneficial to install a printer in the library when the library is not in use.

Library Director Marti Fiske addressed the Committee and stated that presently the library has a system where there is a printer located directly adjacent to the reference desk. People pick up copies and pay at the front desk using the honor system. However, a survey was recently done and it was found that unfortunately the library was losing 68% of its print jobs, which equates to \$4,660 loss of income a year.

Ms. Fiske stated they are recommending the use of a software application that will guarantee a person pays for the number of copies they make. An individual will have an option to review what they are going to print, but the print job has to be paid before it is picked up. There is a request today before the Committee to purchase the software, which is a one-time charge of \$3,475.00. There is also a mobile print management system where people can print from their phones, laptops or any other device people carry into the library. There is an annual fee for this option, but this fee is included in this cost in the first year. There is also some software required to make this work for bar code scanners in the youth department and in the adult area for a receipt printer, which needs to be replaced.

Ms. Fiske explained the unspent funds of \$4,375 is coming from Assistant Library Director position that has been vacant since early October, and because of the emergency declaration by the Governor ½ of the library staff was furloughed.

Ms. Fiske stated this purchase is part of a larger initiative. She continued in the next fiscal year there is a request for a public printer/copier; a multi-plex unit, which would replace a large black and white printer that has been breaking down often and a 20-year old black and white printer, which has also been breaking down and for which parts cannot be obtained anymore. The proposal covers the lease of a color printer/copier, which the library estimates would bring in an income as well as provide for the shortfall they have been experiencing.

Councilor Hooper 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 allow the Library use of \$4,346 from the current fiscal year's unused personnel funds (#01100-61303) to acquire print management software and supporting equipment of scanners and receipt printer.

#### **4) Acceptance of Local Source Water Protection Grant - Public Works Department**

Operations Manager of the Water Treatment Facility Aaron Costa stated the proposed grant he is referring to will fund approximately 600 feet of fencing and two gates across vehicle access points in an effort to deter unauthorized access to the dam and reservoir. DES approved this funding and there is no matching funding requirement for this grant. City staff will provide labor for approximately \$3,700 in removing brush and vegetation prior to installation of the fencing. Councilor Hooper asked whether the road from the main access would be opened up to the dam. Mr. Costa stated Deacon Road off Middletown Road would still have access. He indicated there are two gates being proposed at the bottom of the dam as well as one very close to the dam.

Councilor Clark asked how many feet are going to be fenced off. Mr. Costa stated only about 600 feet will be blocked off and noted a Class VI road cannot be blocked. This project is to deter people from getting up to the dam and entering the reservoir. He added the City owns close is 2,300 acres in this water shed.

The Chairman asked for the Public Works Director's comments. Mr. Blomquist stated Aaron Costa has covered the pertinent information for this item.

Councilor Hooper 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 Local Source Water Protection grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of \$20,000 for the installation of security fencing at Babbidge Reservoir.

**5) Blossom Street Sewer Replacement Project - Request for Additional Project Budget - Public Works Department**

City Engineer Don Lussier was the next to address the Committee. He explained the Blossom Street sewer is a ten-inch clay pipe installed in the 1930's. It was installed at a very shallow depth without the benefit of the proper slope. This has caused sewage to build up and debris to collect. Over time because of this collection of debris, the clay pipe has started to crack causing overflows.

When this item was put in the CIP, it was with the intention that it will address the structural defects, but not any of the depth of cover issues. He explained staff has found a way to connect the Blossom Street pipe to the pipe on Ridgewood Avenue, which is much deeper. This gives the ability to lower the pipe by about two feet and at a .25% slope. Mr. Lussier stated the prior project did not look at this scope of work and staff is recommending adding \$200,000 more to the project budget. Mr. Lussier went on to say in recent years there have been some sewer main projects that have come in under budget. This is attributed to the use of the video equipment to determine the pipe conditions being used well in advance of the projects. Because the City was able to use its video equipment, the Silent Way and Perham Street project required only lining work at quite a reduction in cost, estimated at \$700,000 in savings. Staff is recommending those funds be used for this project.

Councilor Clark asked for clarification on the next motion, which is taking funds from the Blossom Street project. Mr. Lussier explained the two motions are related, paid through the same contract and paid from the \$700,000 savings. The \$200,000 for this motion is to pay for work on Blossom Street and Ridgewood Avenue. The next two motions – the first one is to authorize \$136,000 in funding for Winchester Court Sewer Main work and the next item is to negotiate a change order for a contractor to do the work.

Councilor Remy asked whether these funds being spent were slated for any other project in the CIP. Mr. Lussier answered in the negative and stated these funds were included in the CIP over the last few cycles for the projects being identified. He added monies are expended from capital reserve accounts for a specific project and the unspent monies have been sitting idle in the account.

Councilor Hooper 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 authorize the reallocation of \$200,000 of unspent project balances within the Sewer Improvements project (08055) to the Blossom Street Sewer Replacement Project (08055-20).

**6) Blossom Street Sewer Replacement Project - Construction Change Order for Winchester Court - Public Works Department**

Mr. Lussier stated this item is related to the prior motion in that staff is proposing to do some additional work under the contract that has been advertised for the Blossom Street project. He explained Winchester Court comes off Winchester Street and this pipe dates back to 1895. The pipe is in poor condition and has seen several blockages.

Chair Powers clarified SUR Construction will complete both jobs and asked whether they were the firm who did the work on Winchester Street and asked whether that project was complete. Mr. Lussier answered in the affirmative and added this was a drainage project.

Councilor Hooper 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 authorize the reallocation of \$136,175 of unspent project balances within the Sewer Improvements project (08055) to the Blossom Street Sewer Replacement Project (08055-20) be authorized to fund the replacement of the Winchester Court Sewer Main.

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

On a 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 Construction Change Order with SUR Construction West, Inc. in an amount not to exceed \$136,175 for the replacement of the Winchester Court Sewer Main, and that funding for this work come from the Blossom Street Sewer Replacement Project balance (08055-20).

There being no further business, the Chairman adjourned the meeting at 7:20 PM.

Respectfully submitted by,  
Krishni Pahl, Minute Taker