

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, June 9, 2021

7:00 PM

**Hybrid Meeting:
Council Chambers/via Zoom**

Members Present:

Kate M. Bosley, Chair
Mitchell H. Greenwald, Vice Chair
Philip M. Jones
Gladys Johnsen
Catherine Workman

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas P. Mullins, City Attorney
Kürt Blomquist, Public Works
Director/Emergency Management Director

Members Not Present:

All Present

Chair Bosley read a prepared statement explaining how the Emergency Order #12, pursuant to Executive Order #2020-04 issued by the Governor of New Hampshire, waives certain provisions of RSA 91-A (which regulates the operation of public body meetings) during the declared COVID-19 State of Emergency. She called the meeting to order at 7:00 PM. Roll call was conducted.

1) Kevin Watterson/Swamp Bats – Request to Discharge Fireworks

Chair Bosley asked to hear from Kevin Watterson. Hearing no response, she asked to hear from City staff.

Kürt Blomquist, Public Works Director, stated that this is the Swamp Bats annual request to discharge fireworks for their event on July 4th eve. He continued that the Swamp Bats have been doing this for over a decade. They took the 4th of July fireworks over from the Keene Rotary Club. It has been extremely successful for both the Swamp Bats and the community. Staff had a protocol meeting this afternoon with Mr. Watterson and went over what they are planning for this year, which is similar to what they have done in years past. The most recent time they were able to do this event was 2019. The fireworks typically follow the Independence Eve Swamp Bats' game. They will be playing a home game on July 3, starting at 6:00 or 6:30 PM, and the fireworks would go off at approximately 8:00 PM or a little later, immediately following the game. The Swamp Bats are aware of the requirement to get a State license for fireworks, and through the City permit process, the Keene Fire Department (KFD) works with the Swamp Bats to complete that paperwork. The KFD provides standby support during the event. The Fire

Prevention Officer also spends the afternoon with the fireworks provider, going over setup, location, and so on and so forth. The Keene Police Department (KPD) provides traffic security and traffic control, bringing in a private traffic control company to assist. This is a community event, which means the community events budget pays for the City services. Staff recommends issuing a license.

Councilor Jones stated that the Swamp Bats stepped in and took over when the Rotary Club could no longer get the volunteers to work for this event, and they have done a great job. He continued that he sees in the recommended motion that there are no changes from other years. They have had the protocol meetings. He sees no reason for the PLD Committee to not put this through. It is time-sensitive and they could not wait another meeting cycle for this to go through.

Chair Bosley asked if there were any further questions. Hearing none, she asked if members of the public had any questions. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the Keene Swamp Bats be granted permission for the discharge of display fireworks on Saturday, July 3, 2021 on Alumni Field at no later than 10:00 PM, subject to: the signing of a revocable license and indemnification agreement and the submittal of a certificate of liability in the amount of one million dollars, listing the City of Keene as an additional insured; submittal of a signed letter of permission from SAU 29 for the use of their property; and obtainment of a Class B Fireworks permit. In addition, the Petitioner agrees to comply with all recommendations of City staff. This permission is conditional upon the Petitioner absorbing the charges for any City services over and above any amount of City funding allocated in the FY22 Community Events budget. Such payment shall be made within 30 days of the date of invoicing.

2) **Jan Manwaring/Pathways for Keene – Request to Use City Property – 4 on the 4th Road Race**

Chair Bosley asked to hear from Jan Manwaring and/or Ted McGreer.

Ted McGreer of 18 Forestview Rd. stated that Pathways for Keene is excited to share the news that they will have the first road race, live, back here in Keene on July 4th. It is Pathways for Keene's biggest fundraiser of the year. They typically have between 400 to 700 runners and walkers in Railroad Square. They have COVID-19 protocols in place. They have had two protocol meetings as well. They would be delighted if the PLD Committee would recommend granting permission to put on this race.

Chair Bosley asked to hear from City staff.

Mr. Blomquist stated that as Mr. McGreer indicated, staff has met with Pathways for Keene twice and have worked out the protocols. He continued that it is very exciting to have the 4 on the 4th event back; it is one of the premier events in the downtown. Staff recommends that the PLD Committee recommend that the City Council issue the license for the event.

Councilor Jones stated that along with Mr. McGreer and Councilor Manwaring, he is on the Board of Directors for Pathways for Keene. He continued that he wants to remind everyone that this is the one event where all of the profits come back to the City. This is very important. He has not seen the latest financials, but he thinks they are closing in on crossing the half million dollar mark of money given to the City. They look forward to this event; they missed it last year. They welcome anyone who wants to volunteer as a Course Manager or work in the Railroad Square area.

Chair Bosley replied that that is important information for everyone to understand. She asked if members of the public had any questions. Hearing none, she asked for a motion.

Councilor Greenwald made the following motion, which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses, and Development Committee recommends that the City Council grant permission to Pathways for Keene to sponsor a running race on July 4, 2021, subject to the signing of a revocable license and indemnification agreement and the submittal of a certificate of liability in the amount of one million dollars, listing the City of Keene as an additional insured. In addition, the Keene Police Department shall identify Railroad St. immediately adjacent to Railroad Square as a no parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the Petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course and subject to 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 FY22 Community Events budget. Said payment shall be made within 30 days of the date of invoicing.

Councilor Greenwald stated that to clarify, it is a running race but there is also a category for walking. Chair Bosley replied yes, and this is a great event for the community to get out and support. She continued that she hopes to see many people signed up, whether to run or walk.

3) James Murphy – In Support of the Improved Medicare Act of 2021

Chair Bosley stated that Representative Amanda Toll contacted her because the last PLD Committee meeting left off in the middle of Rep. Toll speaking. She continued that she invites Rep. Toll to speak first this evening. This is an item from the previous meeting, during which they had technical difficulties. They heard some of the testimony from individuals supporting this, and will hear more tonight.

Representative Amanda Elizabeth Toll stated that she represents Cheshire 16, which encompasses Keene. She continued that she is here to speak in support of the passage of the Medicare For All Resolution in Keene. She ran and got elected on a feminist platform, and this is a feminist issue to the core. Countless folks stay in abusive situations because of a lack of healthcare. It is impossible to have access to good reproductive healthcare if you do not have access to healthcare in general. According to a study referenced by the National Institute of Health (NIH), divorce leaves 65,000 women uninsured each year, with men being far more likely to maintain coverage after their marriage is dissolved. As she campaigned, and now as an elected official, she has made it a priority to talk to constituents about their lives and about how public policy affects them. Healthcare is at the top of the list. The stories from uninsured and underinsured folks are heartbreaking. Even with insurance, folks still face financial barriers placed by deductibles, down payments, in-network versus out-of-network care, and confusion about the system.

Rep. Toll continued that several years ago, she lost her 28-year-old brother Jordan to cancer. He battled for five years. Watching him go through chemotherapy, an arm amputation, and intense phantom arm pain caused by that, caused tremendous pain to him and their family. His chronic pain was unlike anything he had ever felt prior to getting sick. He would always say, “These are the worst of circumstances. I can’t imagine anything else.” However, he would also acknowledge that they could have been worried about money. They were lucky that their family had the money for Jordan’s care. Other families, in moments when they should be worried only about the care for their loved ones and themselves, have to worry about how to pay for that care. In her mind, there could be nothing further from justice than placing an extraordinary economic burden on already grieving and broken families and people. Healthcare affects everything: your ability to work and earn money, to maintain relationships, and to raise a family if you choose to do so. It is beyond time to see healthcare as a human right, and not a class privilege. She believes Keene constituents agree. She urges the City to pass the Medicare For All Resolution.

Kenneth Dolkart from Grantham, NH, stated that he was asked to speak from the perspective of a primary care doctor. He has been caring for patients for 38 years in NH. He continued that Grantham, NH passed a similar Resolution, with the chief considerations being the absurd Town expenditures on health insurance and pharmaceutical costs resulting in rising property taxes, and the health of the town’s citizens. These are non-partisan, critical issues for every American Town and City and he thinks this falls within the province of every community to look at these health issues. He is still practicing medicine part-time at Mt. Ascutney Hospital in VT. Many of his patients come from the Claremont region. His nurses and colleagues find it striking how many local residents still go without basic healthcare, primarily due to absence of affordable insurance or having to pay high deductibles. He has cared for patients with advanced cancer, including a person with massive intra-abdominal tumors who deferred care in hopes that the symptoms would go away. Almost daily, he sees untreated diabetes and other serious medical issues neglected due to lack of insurance. In any other modern nation, preventative care and early attention to these issues would be automatic and affordable. Our lives would be longer and better, and the City of Keene’s budget would clearly be less costly if it was covered by a more

reasonable system. In 1965, Medicare was not a socialist enterprise and did not put limits on physicians' fees. There are many issues that are non-partisan around this conversation.

Dr. Dolkart continued that some people might wonder why his patients come to see him without insurance, and for starters, many of these folks are exhausted due to long work duties they are underpaid for. They may have decreased educational skills to accomplish the process of applying for healthcare. Last week in an attempt to learn how daunting it is to apply for healthcare, he tried to apply online, posed as a 46-year-old man. He heard an incredible amount of misinformation from the sales people. Surely, someone is making huge profits if people's phones do not stop ringing for two weeks after they apply in this fashion. It was very complicated and he could not get any straight answers without talking with an insurance agent from one of the private companies. Even with the "bronze" plan offered via the ACA marketplace, when you add the deductibles, the costs equal a third of your yearly income if you are not a high earner.

Dr. Dolkart continued that these are real issues for every Keene citizen. Seventy percent of primary care doctors in the state support at least Medicare For All, and probably more. He hopes the City will look at this issue and pass along recommendations to our national and State representatives that cause genuine, cost-saving health reforms, which will improve the lives of Keene citizens.

Dr. Carl Dematteo of 30 Moore Farm Rd. stated that he is a board-certified internist and infectious disease specialist and has had extensive experience with patient care, medical leadership, and administration. He has lived in Keene since 1985 and worked with the Keene clinic and Dartmouth Hitchcock. He has always valued those systems because they have essentially provided care without regard to a patient's ability to pay, which is important. He is now semi-retired and has had the opportunity to travel all over the country doing free clinics and seeing hundreds of patients who line up. These patients have either no insurance, Medicaid, or Medicare, but still cannot afford medications and many other things. The free clinics also provide free dental care and vision care with free glasses. He saw a patient with every tooth rotting and in need of extraction, which is performed free. He has had many patients in NH with the same kinds of problems that he sees around the country. The typical argument against universal healthcare insurance is "We can't afford this." He thinks, as his colleague Dr. Dolkart has already made clear, that we are paying way too much for the current healthcare system. The changes proposed to Medicare For All will reduce costs and increase the amount of care for citizens to include dental and mental health care. It is time to realize that we are already paying too much for healthcare in this country. We need to ask: What is in the best interest of patients and citizens? This bill takes us down a path that will be in patients and citizens' best interests and people will begin to get dental care, medical care, preventative care, and behavioral health care. He urges the PLD Committee to support this bill. This motion would go to our Federal delegation so they are aware of the City of Keene's position on this.

James (Jim) Murphy of 19 Shadow Ln. stated that he will not repeat what he said at the last meeting, but he wants to add that Medicare For All Resolutions have passed in NH in Peterborough, Hanover, Andover, Holderness, Grantham, and the NH House of Representatives. The City of Keene spends five million dollars on health and dental insurance annually. He has been an oncology nurse for his career, doing chemotherapy, biotherapy, and hospice/palliative care. Thus, he has run into people with sub-par or no insurance for over 30 years, and it is devastating.

Chair Bosley asked if anyone else from the public wanted to speak. Hearing none, she asked if the Committee had any questions.

Councilor Johnsen asked for information on drafting a Resolution. She continued that she heard Mr. Murphy say this goes to the Federal delegation. Does that mean Senators and Council people that are in Washington, DC? Does this go to the President or the Statehouse? Where does it go? Chair Bosley replied that she believes this is a piece of national legislation, so they would want to get it in the hands of those individuals. The request outlined the specific people they were interested in having receive the Resolution. Councilor Johnsen asked if this would come from the Mayor. Chair Bosley replied yes, and the City Council.

Councilor Greenwald stated that he is strongly in favor of everything that has been said. He continued that where he may differ from some is his belief that it is each Committee member's personal place to write the letter, as individuals. Yes, this is something that influences the general public of Keene and he would be motivated to write a letter himself, but speaking for other Councilors is a little beyond. He urges everyone to think seriously about what has been said and to send a letter to their State representatives, national representatives, the President, and anyone they want to send it to. However, he does not think this is something the Mayor needs to speak to on the behalf of the 15 City Councilors.

Chair Bosley stated that she struggles with this, too, because she 100% supports every statement she has heard in tonight's testimony, including what Dr. Dolkart said about signing up for health insurance through the exchange and what that would mean to a typical family. She continued that she personally has done that, as a small business owner, to see what the available rates are, and she received the thousands of relentless phone calls and text messages from sales people outside of that exchange. She knows the cost of health insurance and realizes that the middle class is suffering without insurance. Two groups of people access national health care plans through Medicare and Medicaid, but there is a whole group of people who do not have access to that and who bear the burden of the extraordinary cost of it. Does she think she can speak for the City and represent the 25,000 people who live here, and that they would all agree with that statement? That is the struggle she has had with this, because she has had many conversations with constituents that do not agree with her on this point. Thus, she was leaning towards Councilor Greenwald's recommendation that she write a letter to support this as an individual, and not move it forward to City Council. However, she would like to hear from the other Committee members.

Councilor Jones stated that he truly believes in everything that was said. He continued that of the 35 civilized countries in the world, the only one that does not have some sort of socialized healthcare is the US. [Mr. Murphy, Rep. Toll, and the doctors who spoke tonight] are going the right way, but he thinks they are preaching to the wrong audience. He appreciates their efforts, and thinks their efforts and resources should go into working with the Federal government and working with lobbyists, and so on and so forth. He agrees with everything Councilor Greenwald said, and he will gladly write an individual letter in support of this. This is a good cause.

Councilor Workman stated that as a social worker in the field, and in NH for the last 12 years, she, too, supports Medicare for all. She continued that she thinks we have a flawed system. It is hard for people to navigate and apply for even State Medicaid assistance, and that is something she assists people in doing. Even being in the field and knowing the policies and the ins and outs, it can be daunting, because things change frequently. She supports Medicare For All and would write a letter individually, as a resident and constituent, and she would support it as a full City Council. She thinks they should vote to bring it to the City Council for a larger discussion.

Councilor Johnsen stated that she appreciates the writing of individual letters. However, having sat as a Representative for eight years, she can say that there is more power behind a letter that comes from a full community. She continued that Chair Bosley is right that they cannot speak for their fellow Keene residents but she still thinks that if [the Resolution] came from the Mayor and the City Council, it would have more weight than letters just from individuals.

Chair Bosley thanked Councilor Johnsen for her perspective, having had that background. She welcomed additional public comment.

Mr. Murphy stated that cities and towns all over the country have done this. He continued that a bigger voice does mean something. People can write letters as individuals, but it will not amount to much, unfortunately. This is an important issue, and as Councilor Jones stated, the US is now the only country [that does not have some sort of socialized healthcare]. The first universal healthcare system was initiated by Bismarck. Many presidents have tried to pass it, like Theodore Roosevelt and others after him. Keene has to take a stance. Keene and Cheshire County have always been at the forefront of these important issues, and he thinks it is important to do this.

Dr. Dolkart stated that he appreciates that they all understand how critical this is for each community and the Keene community. He continued that he would echo statements made by Committee members. Right now there are huge financial forces contravening the wishes of the vast majority of Americans. It does not have to be a particular reform. This Resolution can say that we need national reform such that healthcare is affordable, universally available, high quality, and easily obtainable. There are many ways to do it. He thinks the Committee members are realizing that the individual capacity to write a letter to a representative does not carry much weight, at a time when they need something to unweight the scales against huge economic

forces. These days, Representatives in Congress are like corporations. They have to raise money to get reelected in two years. It is absurd. Legislation on so many matters is not moving because of the forces of legalized lobbyists who are contravening a majority of Americans' wishes. As City Council members, they are seeing this firsthand and dealing with the budgets firsthand, and they better than anyone else are in the position to say to our Representatives, "This must end; we need to get some critical reforms." He thanks them for considering this.

Dr. Dematteo stated that he has staff with patients with good-paying, middle class jobs with company-provided health insurance, but with increasing deductibles every year. He continued that for example, one woman had symptoms that caused him to worry about a potential stroke. He told her she needed an MRI, and she said, "I have to talk to my husband, because I don't think he'll want to pay the deductible." The Committee should understand that this affects everyone. Insurance companies are making big profits and paying big salaries to CEOs, and our system of safety net hospitals, even with the current government aid, cannot stay afloat. Hospitals are going under. We may see some hospitals in our own area go under because of these types of stresses.

Chair Bosley asked for Committee discussion. She continued that after listening to her fellow Committee members and realizing that there is tremendous support in this room for this item, she would like to hear if they have any follow-up comments or if someone is ready to make a motion.

Councilor Jones stated that if the Committee passes this, it just means sending it on to the City Council, and the City Council can change the wording. After that, it would have to be codified and return to the PLD Committee, where more of the wording might get changed. Then it would go to the City Council again for more potential wording changes. It might be a whole different document that comes out of this.

Chair Bosley stated that the recommendation option before the Committee is to ask the City Manager to draft a Resolution. Councilor Jones replied that means it would be sent to the City Council, codified and sent back to the Committee, and then sent back to the City Council. Thus, it could be a whole different document if they take that course.

Heather Stockwell of 1166 Main St., Dublin, NH, stated that she is familiar with the fact that Resolutions get changed or wording gets changed for legal and other reasons. She asked if during that process, the Committee would be in communication with Mr. Murphy and others that have helped bring this Resolution forward. Chair Bosley replied that the way that the process works is that the PLD Committee would be recommending that a Resolution be drafted, and then a draft version of a Resolution would be brought before the PLD Committee for them to review the wording. At that point, members of the public would have an opportunity to weigh in again. Ms. Stockwell asked if Mr. Murphy would be notified of that wording before that public hearing were to happen. Chair Bosley replied that it would not be a public hearing; it would be another PLD Committee meeting, probably the one during the next cycle, if this passes at the City

Council level. She continued that Mr. Murphy could be in touch with the City Clerk's Office to identify exactly when it would appear on the PLD Committee's agenda.

Councilor Workman asked if there is a timeline of when this is being looked at on a Federal level, to determine when the City should have a Resolution.

City Attorney Tom Mullins replied that given everything that has been happening in Washington, DC, he suspects the chances of this happening any time soon are small.

Mr. Murphy stated no, there is no timeline. He continued that there is nothing imminent or even talk about it right now. Chair Bosley replied that it sounds like they would have some flexibility in the timeline.

Councilor Greenwald stated that he still thinks this is a matter that individual Councilors should address through writing their own letters with whatever information they want. He continued that if they want to consult with Mr. Murphy that is great, but he does not see that this is a City Council issue. If he were to make a motion, it would be to accept the item as informational.

Chair Bosley stated that they have some options tonight, regarding a motion. She continued that they have heard Councilor Greenwald's opinion on a motion. She asked if anyone else has a motion to make.

Councilor Johnsen stated that she hears and appreciates what Councilor Greenwald is saying. She continued that however, she feels that if they are going to go through this process, she thinks they should bring forth the Resolution and the entire City Council can speak on it. She thinks it would be possible to have it open to the public. It would have far more weight if it goes directly from the City to our Representatives. As the City Attorney said, there is no hurry. This is being held up by some contentious folks in Washington, DC.

Councilor Johnsen made a motion to recommend that the Planning, Licenses, and Development Committee bring forth a Resolution to the City Council.

Chair Bosley stated that there is a recommended motion. She asked if Councilor Johnsen wants to make that motion.

Councilor Johnsen made a motion to recommend that the City Manager draft a Resolution on behalf of the City Council in support of the Improved Medicare Act of 2021. Councilor Workman seconded the motion.

Councilor Greenwald stated that he will support the motion, but he wants to remind the City Council that any time they do this, it takes up staff time. The City Attorney will have to write this. He still thinks Committee members should be sending their own letters, but if this is what the Committee wants, he will let it be.

Councilor Jones stated that he has concerns that this opens a whole new door for dealing with Federal legislation, which the City Council usually does not get into. Suppose something happens on the flip side – for example, suppose the City Council gets a recommendation for a Resolution supporting taking away the licenses of all women’s healthcare clinics, and the people or group making the recommendation shows how much money it would save the City because it would save on insurance. Should the City Council address that? He does not think they should. He thinks that that is a social issue just like this is. He will not be voting for this motion, because it could open a door they do not want to open. The City could get all kinds of requests coming to them, which he does not think is the job of the City.

Chair Bosley stated that she thinks that to Councilor Jones’s point, the City Council needs to review its policies on which types of legislation come before them and what committees they go to and for what reasons. That is a broader discussion she would like to have with the full City Council. She personally would oppose the request that Councilor Jones gave as an example. Councilor Jones replied that he would, too. Chair Bosley stated that these items come across one at a time and they individually make decisions about whether to support them. Would the City Council have picked up this torch on its own? Probably not. But since it has been brought before them and they have an opportunity to weigh in, she will support it.

Chair Bosley asked if there were any further questions. Hearing none, she asked if members of the public had any questions. Hearing none, she asked for a vote.

On a vote of 4-1, the Planning, Licenses and Development Committee recommends that the City Manager draft a Resolution on behalf of the City Council in support of the Improved Medicare Act of 2021. Councilor Jones was opposed.

4) Adjournment

There being no further business, Chair Bosley adjourned the meeting at 7:47 PM.

Respectfully submitted by,
Britta Reida, Minute Taker

Additional Edits by,
Terri M. Hood
Assistant City Clerk