



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
November 3, 2022
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- October 20, 2022

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Public Hearing - Amendment to Zoning Ordinance - Providing for Recreation/Entertainment Facility as an Indoor Principal Permitted Use in the Business Growth and Reuse Zoning District (Ordinance O-2022-11)
2. Public Hearing - Amendment to the Zoning Ordinance - Providing for Amendments to the Conservation Residential Development Subdivisions in Rural, Low Density, and Low Density 1 Zoning Districts (O-2022-09-B)

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmation - Congregate Living and Social Services Licensing Board

C. COMMUNICATIONS

1. Gary Wehrein - Opposition to Ordinance O-2022-09-B and Suggesting that Accessory Dwelling Units (ADUs) be Considered as a way to Provide Lower Cost Housing
2. Matthew and Cathy Hall - Opposition to Ordinance O-2022-09-A and Suggesting Accessory Dwelling Units (ADUs) be Promoted as a way to Provide Lower Cost Housing
3. Jenn and Kai Dafeldecker - 5G/4G Small Cell Wireless Facilities on Middle, Summer, Carroll and West Streets and Ashbrook Road

D. REPORTS - COUNCIL COMMITTEES

1. Presentation – Status of Dog Park and Disc Golf Park
2. Aaron A. Lipsky – Requesting Tree Removal – 64 Hastings Avenue
3. Update on the Former Findings Property and Keene Skate Park Project - Parks, Recreation, and Facilities Director
4. Update on Spectrum Service
5. Highway Safety Agency Grant - Police Captain
6. Land and Water Conservation Fund Grant Round 33 Notice of Intent - Parks, Recreation and Facilities Director
7. Acceptance of Donations - Holiday Sponsorship Program - Human Services Manager
8. Authorization to accept Invest NH Housing Opportunity Planning Grant for Regulatory Development - Senior Planner
9. Amended Keene Community Power Plan - Senior Planner
10. EnviroTrac Environmental Services Water Monitoring at Closed Municipal Landfill - Change Order #2 - Assistant Public Works Director
11. Imprinted Crosswalks Downtown - Change Order - Transportation and Storm Water Operations Manager

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Requesting No Parking – 191 Washington Street

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. In Appreciation of Thaddeus J. Derendal III Upon His Retirement
Resolution R-2022-34

2. Relating to FY23 Fiscal Policies
Resolution R-2022-33

NON PUBLIC SESSION

ADJOURNMENT

10/20/2022

A regular meeting of the Keene City Council was held on Thursday, October 20, 2022. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Kris E. Roberts, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Michael Giacomo, Andrew M. Madison, and Michael J. Remy were absent. Having declared a quorum physically present, Mayor Hansel noted that Councilor Giacomo requested the Council's permission to participate remotely for this meeting. His request did not provide the 24-hour notice that is required under the Rules of Order. Thus, it was necessary that the Council Suspend Section 4 of the Rules of Order to allow Councilor Giacomo to participate remotely. Councilor Roberts asked for the reason for remote participation and Mayor Hansel responded illness. A motion by Councilor Powers to suspend Section 4 of the Rules of Order was duly seconded by Councilor Bosley. The motion carried on a unanimous roll call vote with 12 Councilors present and voting in favor. Councilor Giacomo was welcomed to the meeting, stated that he was participating remotely due to health reasons, and that there was no one in the room with him at his location. Councilor Jones led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel wished Happy Birthdays to Councilor Ormerod (October 8), Councilor Bosley (October 11), and Councilor Johnsen (October 15). The Mayor also announced that the City Clerk's Office is looking for volunteers to assist as greeters at the November 8 State General Election in Ward 1.

MINUTES FROM THE PRECEDING MEETING

A motion by Councilor Powers to adopt the October 6, 2022 meeting minutes as printed was duly seconded by Councilor Bosley. The motion carried on a unanimous roll call vote with 13 Councilors present and voting in favor. Councilors Madison and Remy were absent.

PROCLAMATION – TRICK OR TREAT

Mayor Hansel read a proclamation declaring 2022 Trick or Treat on Monday, October 31, from 5:30–7:30 PM, and asked that parents or other responsible adults accompany young children. Mayor Hansel requested further that householders indicate their willingness to welcome trick or treaters by lighting a porch or exterior light, and that the youngsters call only on homes that are lighted. Finally, he encouraged the cooperation of citizens, young and old, to make this a happy and safe occasion for all Keene children. Mayor Hansel presented the Proclamation to Director of Parks, Recreation, and Facilities, Andy Bohannon. Trick or Treat!

PRESENTATION OF RETIREMENT RESOLUTION – STEVE RUSSO

Mayor Hansel read aloud a Retirement Resolution, honoring and thanking former Police Chief Steve Russo for his 23 years of service upon his retirement. On a personal note, Mayor Hansel said that over the last few years with Covid-19, policing issue, and a lot of community activity, he had worked with Mr. Russo more than most Mayors traditionally collaborate with Police Chiefs. Mayor Hansel said it had been a pleasure and that everything in the Resolution was true. He said Mr. Russo had been one of the shining stars of the City and the City was lucky to have such a great professional.

PRESENTATION – FIRE PROTECTION PROGRAM

Mayor Hansel asked for opening comments from the City Manager, Elizabeth Dragon, who introduced the Fire Chief, Don Farquhar to provide an update on the Fire Inspections Program and to introduce the new Fire Prevention Officers: Steven Dumont and Meghan Manke.

Chief Farquhar introduced Captain Dumont, who served as the Assistant State Fire Marshall for the State of Vermont. The Captain had earned many professional certifications during his years of service, including Fire Inspector 2, Certified Plans Examiner, Fire Arson Investigator, Fire and Explosion Investigator, and Juvenile Fire Center Intervention Specialist. He held co-lateral duties with the Vermont Hazmat Response Team and the Vermont Urban Structure and Rescue Team. The Captain brings decades of invaluable experience in the application of NFPA and IBC codes in plan review, and inspections and enforcement. Captain Dumont has a long record of success in working with members of the public to bring buildings into proper compliance, which was a common theme throughout his entire interview process. His experience, his ability to interact with the citizens in a positive manner and help them achieve Fire Code compliance, his experience in education, and his skill sets are welcomed.

Next, Chief Farquhar introduced Lieutenant Meghan Manke, who served in Newington, CT, as the Director of Emergency Management and as a Captain at the Fire Prevention Bureau. Lieutenant Manke holds a Bachelor of Arts in psychology from the University of San Joseph with concentrations in criminal justice and mental health; she holds a Master of Science in psychology from Sacred Heart University. Like the Captain, the Lieutenant held many certifications including, Fire Inspector II, Fire Investigator II, Plans Review II, Fire and Life Safety Educator II and Youth Firesetter Intervention Specialist II. She has put her formal education in fire prevention skills to great use. In her previous job, she spearheaded a Statewide effort to understand and respond to hoarding. She assisted State agencies in outlining policies, resources, and duties regarding enforcement, mitigation, and response to court cases. Additionally, she led the effort to develop a comprehensive case management program to address and resolve hoarding related violations and hazards. Chief Farquhar said that Lieutenant Manke's education, endless energy, and ability to manage complex issues would be of great value to the Department.

The Chief said it had been professionally joyful to watch Captain Dumont and Lieutenant Manke collaborate, adding that the office had been full of laughter and great work, for which the Department is grateful. The Chief thanked the Mayor, City Manager, City Council, and the Firefighters Union local support in realigning the Department structure to achieve two needed fire inspection positions.

Chief Farquhar continued providing a brief overview of the Fire Code. The purpose of a Fire Code is to provide reasonable protection of life and property from the hazards of fire. The Fire Code applies to all persons constructing, reconstructing, modifying, maintaining, or operating any structure. All owners or occupants of existing and new construction structures must comply with the requirements set forth in the State Fire Code, as adopted and amended by the State of NH. Importantly, pre-existing, occupied buildings are not exempted from adopted Fire Code.

The Chief continued explaining that within the Fire Department, the duties related to Fire Code enforcement is a functional area that involves complex and detailed activities that demand close ties with other local government agencies. This is especially true for the relationship between building and fire officials. Code enforcement begins with Code application during the review of plans and specifications to assure compliance with fire safety features of the building and fire prevention codes. Once the occupancy is formally established, Fire Code continues to apply to all future additions, alterations, remodeling, or the change of use of the existing structure. Chief Farquhar noted that per State Statute the Fire Department is required to inspect all assemblies and schools on an annual basis. Additionally, RSA-154 authorizes the Fire Department to inspect all buildings and structures upon observation or complaint of Fire Code violations.

The Chief said that some months ago, the Fire Department undertook a comprehensive review of our fire prevention program processes. The goal was to identify weaknesses and find meaningful, cost-effective solutions to improve how the program operates. The assessment found several areas of weakness. The legacy Fire Code management software was functionally obsolete and did not allow for an accurate understanding of active Fire Code violations. The Fire Code violation letter did not clearly explain the cited code violations and did not properly describe the established legal processes for appeals. He said our permitting process was ineffective, confusing, and beyond cumbersome for our customers. Most importantly, the Fire Department was functionally disconnected from the Community Development Department. This lack of synergy between Fire and Community Development led to poor customer service for Fire Department customers, lack of coordination of inspection services, and in some cases incomplete inspections.

In response to the identified problems, the Chief said the following actions occurred. Legal reviewed and amended our Fire Code violation letter and associated processes, including proper notice of the local appeals and state variance processes. Legal also provided both the Fire and the Health Departments with a clear legal interpretation of their authority to order a building vacated due to imminent danger of the occupants. Our Fire Code violation letter was also enhanced to

include color pictures of the violations and clearly articulated corrective actions needed. Additionally, the Chief said they meet in person with the violation letter recipient and review each violation with them. This interaction also allows Fire to advocate for the building owner. In several cases, the owner had paid for a service such as a hood cleaning or sprinkler system maintenance and the vendor did not complete the work properly. Fire was able to work with the vendor to complete the work correctly. In other cases, where appropriate, the Fire Department assisted the building owners with applying for a Fire Code variance with State.

Next, Chief Farquhar explained that for both inspections and permitting, the Fire Department is nearly fully integrated with the iWorQ software program that Community Development has been using for several years. Using a unified software platform will serve to enhance interdepartmental service coordination and greatly improve customer service. Importantly, the program gives Staff the ability to achieve a composite picture of all activities on any given parcel address and allows them to accurately track and achieve real time situational awareness of Code violations, permit statuses, and other pending actions. They have partially implemented the software integration process and continue to refine workflow rules prior to full implementation. They hope to be fully functional within the next few weeks.

Regarding the Fire Code violations within the City, Chief Farquhar said they had identified common issues and have been implementing corrective actions to address those issues. He stressed that the Fire Department's operational doctrine is to achieve voluntary compliance with reported and discovered code violations. Furthermore, they recognize that education is the key to reaching this goal. In almost all instances, property owners have been energetically compliant with correcting Fire Code violations. In the few instances that voluntary compliance cannot be achieved, the Fire Department is well positioned to implement the legal processes necessary to compel compliance.

Before concluding, the Chief added the following comments. With winter approaching and historically high energy prices, the Fire Department is greatly concerned with the safety of our citizens during this heating season. The most recent National Civil Fire Death Data supports this concern:

- 76% of all civilian fire deaths occur in single or multifamily homes
- Of those civilian fire deaths, 75 % of those homes lacked proper smoke detection
- Today's homes burn faster and hotter than they used to, In a typical home fire, you may have as little as two minutes to get out from the time the smoke alarms sounds.

The Chief continued that in order to survive, occupants need early notification and proper egress to escape. On a daily basis, the Department observes multifamily houses that lack proper detection, have impeded egresses, and other serious violations. These violations are potentiated by the presence of alternate heating methods such as space heaters and cooking stoves. In such instances, the Department provides temporary detection, removes debris, or otherwise clears egress corridors. They then contact the building owner and work with them to achieve Fire Code compliance in a timely manner. Chief Farquhar was aware that some of these building owners

10/20/2022

have complained to various members of the Council and have appeared on local media outlets with similar complaints. He assured everyone that our Fire Code violation process is fair, consistently applied without prejudice, and most importantly, very much needed.

Mayor Hansel thanked the Chief, noting that the Department is staffed better, there is new software, and better coordination with some of the other City Departments, and likely more interaction with building owners. He said this was important for the Council because building owners and business owners would have new interactions with new Staff and would likely reach out to Councilors with questions. Mayor Hansel said this was an important initiative and the City's responsibility is to enforce these Fire Codes, which is ultimately about ensuring everyone in the community stays safe.

NOMINATION – CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD

Mayor Hansel nominated Jennifer Seher to serve on the Congregate Living and Social Services Licensing Board, with a term to expire December 31, 2023. The Mayor tabled the nomination until the next regular meeting.

COMMUNICATION – AARON A. LIPSKY – REQUESTING TREE REMOVAL – 64 HASTINGS AVENUE

A communication was received from Aaron A. Lipsky, requesting that the City remove a hazardous tree from the City property located at 64 Hastings Avenue. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee.

PLD REPORT - KEENE KIWANIS CLUB – REQUEST TO USE CITY PROPERTY – TREE LIGHTING CEREMONY

A Planning, Licenses, and Development Committee report read, recommending that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on Friday, November 25, 2022 for the Tree Lighting Festival from 5:00 PM to 8:00 PM conditional upon the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene and an additional insured, 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 23 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried on a unanimous roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

PLD REPORT – RON ROBBINS/KEENE SNORIDERS – REQUESTING PERMISSION TO RUN SNOWMOBILES IN THE RIGHT-OF-WAY ALONG KRIF ROAD FROM THE ASHUELOT RAIL TRAIL TO WINCHESTER STREET

A Planning, Licenses, and Development Committee report read, recommending that the Keene SnoRiders be granted permission to use the following locations on City property for a snowmobile trail: the right-of-way along the north side of Krif Road from Krif Court to Winchester Street; City property identified by tax map numbers 116/040/000/000/000, 214/003/000/000/000 and 118/001/000/000/000; the crossing of Winchester Street at Krif Road; and, The crossing of Production Avenue approximately 200 +/- feet south of NH Route 9. As well as access to the Class VI Portion of the Old Gilsum Road starting approximately one mile from the Gilsum Town Line and going north, (“Premises”) for the following purpose: for a snowmobile trail, and under the following conditions: Said use shall commence on December 15, 2022, and expire on March 30, 2023, and is subject to the following conditions: the signing of a revocable license and indemnification agreement; and the submittal of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured. In addition, the Keene SnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will be in accordance with Snowmobile Trail Standards published by NH Department of Business and Economic Affairs; that all signage/markings installed shall be removed from the City right-of-way and City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on City property; no parking of motor vehicles or trailers and no catering servicing activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of the City Street (paved surfaces) may be used by off-highway recreational vehicles (OHRV) or their operators for any purpose, other than direct crossing; and that Keene SnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right of-way and property shall only be used when there is snow cover. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried on a unanimous roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

PLD REPORT – MEMORANDUM OF UNDERSTANDING – RETAINING WALL – WOODBURY AND WASHINGTON STREET – CITY MANAGER

A Planning, Licenses, and Development Committee report read, recommending authorizing the City Manager to do all things necessary to execute a Memorandum of Understanding between the City and the Community College System of New Hampshire with respect to the retaining wall abutting the property owned by the Community College and adjacent to Woodbury Street; and further to authorize the City Manager to do all things necessary to negotiate and to execute permanent cross easements for the construction, and future maintenance of the wall by the

Community College, and for improvements to Woodbury Street by the City. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones. Councilor Jones said it was confirmed at Committee that this property is for sale and the Memorandum of Understanding would carry over to future owners.

Councilor Greenwald spoke, and the City Manager replied that we are not repairing the wall. She said in her conversations, they did attempt to get us to agree to take ownership of the wall, and we did not take on the wall in our conversation, so there was nothing from the taxpayers. That guard rail will likely no longer be on the wall, it will be next to the wall. The Engineering Department will look at the proper placement for the guard rail, and the sidewalk is ours. The issue was, the wall and guardrail had been combined all these years, and the location of it goes back and forth between City right-of-way, and private property. So, she said we need to have the cross easements so that we can do the work on the guard rail and on the sidewalk, and they need cross easements so they can do the work on the wall.

The motion carried on a unanimous roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

CITY MANAGER COMMENTS

The City Manager began with several updates related to Human services. She said that this year we updated our Memorandum of Understanding (MOU) with Southwestern Community Services and for the first time entered into the same MOU with Hundred nights. The changes in the MOU create a stronger connection between the City and the shelters, ensuring that when any Keene resident receives shelter from one of these organizations, that they also connect with the City's Human Services Department. During Covid, the shelters were given funding from State and Federal programs to place to people in local hotels. It was not until much of those funds began to run out that the City became involved. It is important to begin case management right away. These MOUs help to ensure the City is in the loop early. The other big change has to be determining residency. Shelters are to make a reasonable effort to determine the current or former residency of individuals being served. Residency does not impact services received, but it does allow us to go back to the community the individual is from and engage them in providing the support needed for the individual. The City included a definition of residency and included the document recently put out by the welfare administrators association defining residency and responsibilities of communities. This was a big step in the right direction.

The City Manager said the other Human Services update was related to staffing in the office. In March, as part of the public discussion around homelessness in the community, the need for outreach was discussed. Southwestern community services has an outreach worker but in an effort to be a bigger part of the solution for street homelessness, the City Manager had amended the job description for an open part-time position in the Human Services office to include outreach responsibilities. This will be advertised by next week. If we are successful, she will be looking to hard coat the new title and associated job duties into the salary Ordinance. Staff are

also in the process of joining the State's NH Homeless Information System (HMIS). We will be the first municipality in the State to begin utilizing the system. It will help us better track assessments and referrals, eliminating duplicate intakes, reducing that amount of time clients spend answering questions, reducing the amount of times the client has to tell their story, providing faster access to the coordinated system, and multiple services can be coordinated.

The City Manager continued with other related updates. She had a meeting today with the Superintendent of jails to discuss what happens when they release people who have nowhere to go or no one to pick them up. They release them on Gilbo Avenue in front of the bus station regardless of what community they come from. We brainstormed some potential ways to address this. She had a bigger meeting being scheduled in the next few weeks.

Lastly related to this topic, the City Manager was asked to participate in a panel presentation on Oct 24 in Concord. The NH Coalition to End Homelessness' Council on Housing Stability and CDFR are hosting a Housing Stability Solutions Summit. To engage with stakeholders from across the State to learn about NH communities with unique responses to homelessness trends. They wanted the City Manager to talk about the service mapping initiative we recently completed and some of the changes that have come about as a result (for instance joint case conferencing for unhoused individuals not willing to enter a shelter).

Next, the City Manager discussed the Keene State College (KSC) crosswalk on lower Main Street. In 2018, the City and KSC created an agreement to share (50/50) the cost of upgrading a lower Main Street crosswalk. This was in response to a safety concern. Funds for the improvements were in our capital plan but several years out and in effort to make the improvements sooner, the City was able to negotiate a 50/50 cost sharing agreement. The improvement included curbing, bump outs, and solar pedestrian activated flash signals. Staff recently met with Melinda Treadwell, KSC President, to discuss another crosswalk concerns on lower Main Street. Several months ago, a pedestrian was hit on the crosswalk just beyond the roundabout (not the one closest to the roundabout). Public Works reviewed the crosswalk and discussed their recommended improvements, which include removing that crosswalk and adding the same pedestrian signalized lights at the crosswalk closest to roundabout. The college has again agreed to share these upgrade costs with the City. Public works is working on a quote, which will be coming through the Council process requesting authority to execute another agreement with the College to share these costs.

In conclusion, the City Manager said the Lower Winchester Street Project Steering Committee will host the second of two planned "Listening Sessions" on Tuesday, October 25. The meeting will begin at 6:00 PM at Keene Public Library (Cohen Hall). The first such meeting was held earlier this week (Oct. 18) in the town of Swanzey. More than 30 individuals attended and provided their insights to the project engineering team. The City Engineer has stated that it would be a source of great personal shame if Keene doesn't turn out at least twice that number. Rumor has it that he will be springing for Cider and cookies.

Mayor Hansel recognized the City Manager for her work over the last few years personally doing more than any other City Manager in the State on homelessness. She has worked to coordinate these social services agencies, largely at her own initiative. He told the City Manager she was doing a good job.

CITY OFFICER REPORT – FY 2022 HOMELAND SECURITY GRANT AWARD FOR THE WIDE AREA AIR MONITORING SYSTEM – FIRE CHIEF

CITY OFFICER REPORT – 2020 HOMELAND SECURITY GRANT PROGRAM TO PURCHASE CRITICAL INFRASTRUCTURE WATER RELATED CATASTROPHE EQUIPMENT – FIRE CHIEF

CITY OFFICER REPORT – 2022 HOMELAND SECURITY GRANT PROGRAM AWARD – HAZMAT – FIRE CHIEF

A motion by Councilor Powers to suspend section 26 of the Rules of Order to allow action on the next three time-sensitive grants, show as items F1, F2, and F3 on the agenda, was duly seconded by Councilor Bosley. The motion carried on a unanimous roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

Regarding the first memorandum from Fire Chief Donald Farquhar it recommended the City the City Manager be authorized to do all things necessary to accept and expend \$131,571.00 awarded under the FY 2022 Homeland Security Grant for the Wide Area Air Monitoring System. A motion by Councilor Powers to accept the FY 2022 Homeland Security Grant Award for the Wide Area Air Monitoring System was duly seconded by Councilor Bosley. The motion carried on a unanimous roll call vote with 12 Councilors present and voting in favor. Councilors Remy and Madison were absent.

Regarding the second memorandum Fire Chief Donald Farquhar, Fire Chief, it recommended the City Manager be authorized to do all things necessary to accept and expend \$12,500.00 awarded under the 2020 Homeland Security Grant Program to purchase critical infrastructure/water-related catastrophe equipment. A motion by Councilor Powers to accept the 2020 Homeland Security Grant Program to Purchase Critical Infrastructure Water Related Catastrophe Equipment was duly seconded by Councilor Bosley. Councilor Jones asked what water related catastrophe equipment is? Chief Farquhar said that was another grant designated toward swift water rescues.

Chief Farquhar provided some other comments. He said they get grants for equipment, but years later, they become difficult to maintain and they must be replaced. So, he said this is a positive sign that we are getting some equipment. He stated that on top of Keene having swift water responsibilities for this portion of the State for the two hazards material teams. He thought that without this grant funding, there they could not add another team members. The Department uses another grant that they are going through right now with a complete overview, and his team is

very careful about the \$75,000, which is the third grant for new equipment. He said they had also be very successful at replacing some equipment and focusing on software and maintenance to take the pressure off the normal operating budget. They were grateful for this money and are very careful with how they spend it, always thinking about the long-term effects on the operational budget and the Capital Improvement Program. The motion carried on a roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

A third memorandum from Fire Chief Donald Farquhar, recommending that the City Manager be authorized to do all things necessary to accept and expend \$75,000.00 awarded under the State Homeland Security Program portion of the 2022 Homeland Security Grant Program for the purchase of eligible equipment. A motion by Councilor Powers to accept the 2022 Homeland Security Grant Program Award – Hazmat, was duly seconded by Councilor Bosley. The motion carried on a roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

RESIGNATION – KATIE SUTHERLAND FROM THE BUILDING AND HOUSING BOARDS OF APPEAL

A memorandum read from Administrative Assistant, Corinne Marcou, communicating that Katie Sutherland had submitted her resignation as a member of the Building and Housing Boards of Appeal as she has moved from Keene. A motion by Councilor Powers to accept the resignation with regret and appreciation of services was duly seconded by Councilor Bosley. The motion carried on a unanimous roll call vote with 13 Councilors present and voting in favor. Councilors Remy and Madison were absent.

PB-PLD REPORT – RELATING TO AMENDMENTS TO THE CITY OF KEENE LAND DEVELOPMENT CODE – ORDINANCE O-2022-09-B

A Planning Board report read with Mayor Hansel moving to find that ordinance O-2022-09-B is consistent with the Comprehensive Master Plan; David Orgaz seconded the motion, which passed unanimously. A Planning, Licenses, and Development Committee report read with Chair Bosley moving to ask the Mayor to set a public hearing date on the ordinance. Councilor Johnsen seconded the motion, which passed with three in favor and one opposed, with Councilor Jones voting in opposition. Mayor Hansel set a public hearing for November 3 at 7:05 PM.

MORE TIME – COMMUNICATIONS RELATIVE TO PUBLIC HEALTH CONCERNS OF SMALL CELL WIRELESS FACILITIES, AND POSSIBLE REVISIONS TO ORDINANCE O-2019-18-A

A Planning, Licenses, and Development Committee report read on a vote of 4–1, recommending placing the communications from Terry Clark and Councilor Filiault on more time to allow the City Manager to make further recommendations to the Committee based on the comments made to the Committee by the Petitioners' and by the public. Mayor Hansel granted more time.

10/20/2022

MEMORANDUM – NOTICE REQUIREMENTS FOR SMALL CELL WIRELESS FACILITY DEPLOYMENTS ORDINANCE O-2022-16 – CITY MANAGER

A memorandum read from the City Manager, Elizabeth Dragon, recommending that the City Council refer Ordinance O-2022-16 to the Planning, Licenses and Development Committee for their review and recommendation. Mayor Hansel referred Ordinance O-2022-16 to the Planning, Licenses, and Development Committee.

MEMORANDUM - RELATING TO FY23 FISCAL POLICIES RESOLUTION R-2022-33 – FINANCE DIRECTOR

A memorandum read from the Finance Director recommending that Resolution R-2022-33 relating to FY23 Fiscal Policies have a first reading and that it be referred to the Finance, Organization and Personnel Committee for its consideration. Mayor Hansel referred Resolution R-2022-33 to the Finance, Organization, and Personnel Committee.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 7:57 PM.

A true record, attest:


City Clerk



PUBLIC HEARING

Zoning Ordinance Amendment

Notice is hereby given that a public hearing will be held to consider Ordinance O-2022-11 that has been submitted by a Randall Walter, representing 310 Marlboro Street, LLC. The Ordinance proposes to amend Table 8-1 and Section 5.4.5 of Chapter 100" Land Development Code" of the City Code of Ordinances to permit "Recreation/Entertainment Facility - Indoor" as a principal permitted use in the Business Growth & Reuse Zoning District.

The Ordinance is available for public review during normal business hours in the office of the City Clerk located in City Hall between the hours of 8 AM and 4:30 PM or by visiting keenenh/public-notices.

HEARING DATE: November 3, 2022

HEARING TIME: 7:00 pm

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and Councilors of the City of Keene, this sixth day of October, two thousand and twenty-two.

Attest:

City Clerk



PUBLIC HEARING

ZONING ORDINANCE AMENDMENT

Notice is hereby given that a public hearing will be held to consider Ordinance O-2022-09-B which has been submitted by the City of Keene Community Development Department. The Ordinance proposes to amend several sections of Chapter 100 "Land Development Code" that would:

- Change the display uses that are permitted within the Conservation Residential Development subdivision regulations in Table 8-1 and the "Permitted Uses" sections of the Rural, Low Density, and Low Density-1 Districts in Article 3;
- Modify the density factor and minimum lot size for the Rural District within the CRD regulations to 2 acres per unit and 32,000 sf, respectively;
- Add density incentive options to the CRD regulations, including an open space density incentive, a solar incentive, and a workforce housing incentive;
- Modify the permitted uses with the CRD regulations for the Rural District and Low Density-1 District to include multifamily dwellings with limitations;
- Remove the requirement to submit a "Yield Analysis Plan" and
- Add additional submittal and filing requirements for CRD applications in Article 25.

The Ordinance is available for public review during normal business hours in the office of the City Clerk located in City Hall between the hours of 8:00 AM and 4:30 PM or by visiting keenenh.gov/public-notices.

HEARING DATE: November 3, 2022

HEARING TIME: 7:05 PM

HEARING PLACE: Council Chambers, Keene City Hall

Per order of the Mayor and Councilors of the City of Keene, this twentieth day of October, two thousand and twenty-two.

Attest;


City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Mayor George S. Hansel
Through:
Subject: Confirmation - Congregate Living and Social Services Licensing Board

Council Action:
In City Council November 3, 2022.
Voted unanimously to confirm the nomination.

In City Council October 20, 2022.
Tabled until the next regular meeting.

Recommendation:

Attachments:

1. Seher, Jennifer_Redacted

Background:

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

Congregate Care and Social Services Licensing Board
Jennifer Seher Term to expire Dec. 31, 2023
376 Roxbury Street

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: Fwd: Interested in serving on a City Board or Commission
Date: Wednesday, October 12, 2022 5:56:53 AM

Sent from my U.S.Cellular© Smartphone
Get [Outlook for Android](#)

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us> on behalf of City of Keene
<helpdesk@ci.keene.nh.us>

Sent: Tuesday, October 11, 2022 10:37:58 PM

To: HMattson@ci.keene.nh.us <HMattson@ci.keene.nh.us>

Cc: PLittle@ci.keene.nh.us <PLittle@ci.keene.nh.us>; THood@ci.keene.nh.us
<THood@ci.keene.nh.us>

Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 10/11/2022 - 22:37</p>

<p>Submitted values are:</p>

First Name:

Jennifer

Last Name:

Seher

Address

376 Roxbury Street

How long have you resided in Keene?

26 years

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

NH Care Collaborative

Occupation:

Non-profit Administrator/Social Worker

Retired

No

Please list any organizations, groups, or other committees you are involved in

* Statewide ServiceLink Network (previous Assn. Chair)

* Ad Hoc Committee on Housing Stability

Have you ever served on a public body before?

Yes

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

Congregate living and social services licensing board

Please share what your interests are and your background or any skill sets that may apply.

I have been involved in the development of the federally designed NH ServiceLink Aging and Disability Resource Center (ADRC) since it's inception twenty years ago. I have also been involved in the developed of NH Medicaid Waiver services, in particular the Choices for Independence Home and Community Based Care program which allows people who meet nursing home level of care and the Medicaid eligibility criteria, to choose to live in their own home or in an Medicaid approved assisted living establishment with Medicaid funded services and case management. Through this work I have developed detailed knowledge of CMS rules and regulations that hospitals, nursing facilities and congregate programs, such as Adult Day Care centers. are expected to meet. Additionally, In that last 8 years, I've worked with the Veterans Administration to develop the VA home and community based care program. During this time I have developed expertise in the delivery of long term care services for adults with disabilities and older adults for people in our state, our county, and our city, and have learned a great deal about the perspective of individuals and families who live in or depend on facilities, and have also developed great respect for many challenges staff and administrators face in managing and maintaining these facilities.

Why are you interested in serving on this committee

I am interested in this committee because I am in the unique position of having extensive training related to facility and congregate settings and access to professionals locally, as well as at the state and federal level, without having a job that is specifically related to managed a facility or congregate setting. I am in a position to advocate for best interests of citizens as well as hospitals, nursing homes, and so on. As such I'd like to understand the city's role in licensing better and understand how we can provide as many opportunities to help people avoid nursing home placement, which probably means enhance support of assisted and congregate living and care options.

Please provide 2 personal references:

Melinda Feola-Mahar

[Redacted contact information for Melinda Feola-Mahar]

References #2:

Hillary Switzer

[Redacted contact information for Hillary Switzer]



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: November 3, 2022

To: Mayor and Keene City Council

From: Gary Wehrein

Through: Patricia Little, City Clerk

Subject: **Gary Wehrein - Opposition to Ordinance O-2022-09-B and Suggesting that Accessory Dwelling Units (ADUs) be Considered as a way to Provide Lower Cost Housing**

Council Action:
In City Council November 3, 2022.
Communication filed into the record as informational.

Recommendation:

Attachments:

1. Communication_Wehrwein

Background:

Mr. Wehrein is expressing his continued objection to any reduction in the minimum lot size from 5 to 2 acres and encouraging the Council to consider Accessory Dwelling Units as a way to provide lower cost housing.

Date: October 31, 2022

To: Keene Mayor & City Council

From: Gary E. Wehrwein,
411 Hurricane Rd,
Keene, NH 03431

I am proud of Keene for the many big and small ways our city is addressing the crisis of climate change.

Consequently, I am flabbergasted the Planning and Licensing board is strongly recommending home construction sites in rural areas of Keene be reduced from 5 acres to 2 acres.

In the long run this change will cost Keene:

1. more money.
2. not provide the necessary “work force “lower cost housing for workers” which the Planning and Licensing Board say Keene needs.
3. Continue to harm land and water so vitally important to all of us.

A way to meet need for more lower cost housing, especially in rural areas of Keene, is through Accessory Dwelling Units (ADU's). ADU's work.... especially in rural areas! Money and land is saved!

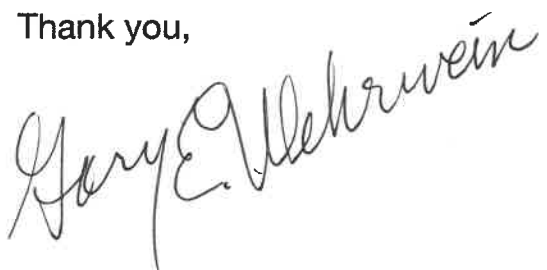
California has been successfully operating under such rules and laws for 3 years. There is much evidence related to the success of ADU's around the country.

Why has the PLB not presented more information to the citizens of Keene about ADU's as a way to help meet our local “workforce housing” needs and save money for the city?

Please put this question to the next meeting of the city council and to the Planning and Licensing Board.

Thank you,

October 31, 2022

A handwritten signature in cursive script that reads "Gary E. Wehrwein". The signature is written in black ink and is positioned below the typed name and date.



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: November 3, 2022

To: Mayor and Keene City Council

From: Mathew and Cathy Hall

Through: Patricia Little, City Clerk

Subject: **Matthew and Cathy Hall - Opposition to Ordinance O-2022-09-A and Suggesting Accessory Dwelling Units (ADUs) be Promoted as a way to Provide Lower Cost Housing**

Council Action:
In City Council November 3, 2022.
Communication filed into the record as informational.

Recommendation:

Attachments:

1. Communication_Hall_redacted

Background:

Matthew and Cathy Hall are expressing their continued opposition to Ordinance O-2022-09-A and are recommending that the public be educated about the benefits of Accessory Dwelling Units as a way to provide lower cost housing.

Date: October 31, 20022
To: Mayor of Keene and City Council
From: Matthew and Cathy Hall
431 Hurricane Road
Keene, NH 03432
[REDACTED]

I am writing about a pending ordinance, 0-2022-09-A, Amendments to the Land Development Code. Of particular concern are the changes to the Rural Zone. I understand that the Rural Zone changes may soon be split off from the rest of the LDC changes. There seems to be considerable desire by some members of the Planning Board, and/or the PLD to push the Rural Zone changes through (Maybe as 0-2022-09-B?).

Primary concerns about the Rural Zone changes are:

- 1) reducing lot size from 5 Acres to 2 Acres,
- 2) 50 foot road frontage,
- 3) and duplex and multifamily housing in rural subdivisions without city water or sewer.

Simply put, these changes are not in keeping with the character of Rural areas and the existing Master Plan. It will affect more than the rural residents. How can you be certain that the proposed changes will really solve whatever problems are being put out there?

Why do people stay in Keene and move to Keene? Is it not in part because of the rural character, where everyone in town is just minutes away from truly rural areas?

I live right on the road and have had multiple opportunities to talk with people who use this road for rest, relaxation, exercise and recreation. Many do not live on this road. They are walkers, runners, bicyclists, members of bicycle clubs. They run electric bikes, motorcycles, and are Sunday drivers. Without exception, they were unaware of the effect of the proposed zoning changes, and have been upset about the potential visual, noise, and traffic changes.

What about environmental issues?

These rural roads are already experiencing increasing problems with

increased runoff. Increasing impervious surfaces (rooftops, driveways, etc) will only aggravate the situation. What studies have been done to predict and alleviate these additional water problems?

Will local residents be able to outbid Covid refugees, climate change refugees, and tax haven refugees from all over the USA, non-locals who have deep pockets and/or large salaries not tied to the local labor market? How does this help the “work force” housing? On the contrary, won't it drive up property costs and make it less affordable for local workers?

Do not confuse or conflate lack of housing with the inability to pay for housing.

New housing is being built all the time (57 units proposed for Marlborough St?); the population is stable and still we have a housing shortage?

Baby boomers are aging, moving on, and/or dying. That will allow for more available housing stock as time goes on.

If housing is an issue might I suggest that **educating** homeowners and **creating incentives** for developing more Accessory Dwelling Units (ADU) in areas that have city water and sewer might be a win, win, win situation? ADU's now can have 2 bedrooms and up to 800 square feet in Keene. Occupants of the ADU do not have to be related to the home owners.

>Older people could share space they no longer need and have income to help stay in their homes.

>First time homeowners could have income to help get established.

>Younger people just starting out would have access to affordable rental housing.

>The city would gain some revenue from improvements to existing housing stock.

>No major changes to the character of neighborhoods because the ADUs would be internal or attached to existing housing stock.

“a zoning ordinance that regulates ADUs must allow one attached or internal ADU for any single-family dwelling... in all zoning districts that permit single-family dwellings.”* Owners have to live in the home or the ADU. People and corporations with multiple single family houses could only have one ADU.

The proposed rural zone changes will increase city costs. People not familiar with rural living will continue to demand more services: faster police, fire, and rescue response times, more frequent plowing, more salt, street lights, and guardrails.

The changes to the rural zone are short sighted. Once you loose rural areas you cannot get them back. These changes deserve more consideration and increased input from an informed general public.

Thank you for your time and your service to the public,

Matt and Cathy Hall *Matthew Hall Cathy Hall*

* from New Hampshire EOP, Planning for Accessory Dwellings, summer 2017



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Jenn and Kai Dafelecker
Through: Patricia Little, City Clerk
Subject: **Jenn and Kai Dafelecker - 5G/4G Small Cell Wireless Facilities on Middle, Summer, Carroll and West Streets and Ashbrook Road**

Council Action:

In City Council November 3, 2022.
Communication filed into the record as informational.

Recommendation:

Attachments:

1. Jenn and Kai Dafelecker - Small Cell Wireless

Background:

Jenn and Kai Dafelecker are expressing their strong opposition to the placement of small wireless cell towers in the various locations in Keene and their concern over increased radiation to human health.

October 31, 2022

Keene City Council
Mayor George Hansel

RE: Radiation towers 5G/4G on Middle and Summer Street, Carroll Street, West Street and Ashbrook

Dear Mayor Hansel and Members of Keene City Council,

We are writing as property owners in Keene and are strongly opposed to an increase in radiation to human health by way of the towers that are slated for placement in the above locations. We understand there are immense pressures by powerful industry for you to install towers in Keene despite the known health issues that can affect us.

It wasn't so long ago that we practiced the honorable "first do no harm" approach by weighing our decisions - first examine the many angles of facts, then measure if benefits out way harms. In spite of evidence that 5G radiation causes harm, the outcry across America and the lawsuits, there persists a careless disregard by industry and government. We are responsible for protecting our children and families.

Mayor Hansel, Members of the Council, if a tower was proposed on the edge of your lawn, near your home, how would you feel? These few towers are just the beginning – we will all face this issue close to home. Do you know what broadcasting a 5G pulse 24 hours a day can do to the trees, the wildlife, your neighbors, your health, your privacy, your life?

Some of our community is uninformed on this complex topic, but they are becoming more aware. The people rely on you to meticulously verify independent safety information when making such decisions for our community.

It might feel too late now as this process has been long coming, but it's really too late when the tower is placed.

We are sorry you are in a difficult position here. We all are. Please do the right thing for our community health and wellbeing.

Thank you for your time and consideration,



Jenn and Kai Dafeldecker

<https://childrenshealthdefense.org/defender/5g-cell-tower-health-risks-radiation/>

see comment by Cece Doucette from Massachusetts 4 Safe Technology:

Cece Doucette · 11 days ago

Here's something we can all do: New Hampshire is the first government in the nation to investigate the health and environmental effects of today's wireless radiation. Take their 5G Commission Report to your town and ensure your local zoning code does NOT allow cell towers and small cells in neighborhoods, on school grounds or other sensitive areas: <http://www.gencourt.state.nh.gov/>.... You'll find sample code at Americans for Responsible Technology: <https://www.americansforresponsibletechnology.org/>.... Then use the TechSafe Schools resources to protect the kids and teachers: <https://www.techsafeschools.org/>.... There is no cavalry coming, it's up to each of us to be the change. We're doing two free webinars each month to teach the public and our public servants, come join us: <https://www.ma4safetech.org/>.... Thanks for your time and consideration.

4 ^ | v · Reply · Share >



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: **Presentation – Status of Dog Park and Disc Golf Park**

Council Action:

In City Council November 3, 2022.

Filed as informational and acknowledge that both groups will now begin their fundraising efforts for these project.

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the dog park and disc golf park presentation as informational.

Attachments:

None

Background:

Chair Greenwald asked to hear from Andrew Bohannon, Parks, Recreation, and Facilities Director. Mr. Bohannon stated that before the Committee tonight is the Dog Park and Disc Golf Park Concept Plan, which has been in process for about a year. He continued that about a year ago, the Committee directed staff to work with the two groups to see if Wheelock Park Campground could host both a dog park and a disc golf park, since both groups had come forward asking for use of that facility. Through the process of looking into that, the City hired DuBois & King, and had a small steering committee that included members of the disc golf group and the dog park group. From the disc golf group, Councilor Bryan Lake and Robert Johnson are present tonight. Present tonight from the dog park group are Liz Sheridan and Paige Walker. Other people from the dog park group on the steering committee were Mike Anastasia, Rebecca Lancaster, and Molly Pinney. The steering committee met several times at the Recreation Center, and had a public meeting in July. He thanks everyone who was involved. It was a long process, especially for the people in the dog park group, who have been at this since 2010. Tonight's presentation will show that they might be able to have closure and begin to move forward. Both groups are ready for the next phase, if tonight's presentation goes well.

Mr. Bohannon introduced Emily Lewis, Landscape Architect who has been working with them through DuBois & King and will now give a PowerPoint presentation.

Emily Lewis stated that it has been a pleasure working with the City of Keene on this project and she

looks forward to seeing how it moves ahead. She continued that DuBois & King started in May with a kickoff meeting with the steering committee to discuss the wants and needs of each group. That was followed by a site visit to look at the existing elements within the site, such as the bathhouse, elements from campgrounds, the access road, and the elements adjacent to the site that they would need to keep in mind, such as the ballfields and horseshoe beds. The site is a little over seven acres. There is a dense, aging canopy of red and white pines. It was important to look at how to navigate that issue through design and think about stewardship of the site.

Ms. Lewis stated that the goal of the disc golf group was to have a nine-hole course. Full disc golf courses are 18 holes. A 9-hole course is both an opportunity for those who are experienced to be able to go and have a quick round, and for folks who are new to the sport to get in and learn, especially with the proximity to the schools in the area. It would be a great opportunity for people who do not have the capacity to go out to the other site in the area. The goal of the dog park group was to have two separate parks, approximately 1.25 acres for large dogs and a smaller area of approximately one third of an acre for small dogs, and to figure out how to minimize conflicts between the two.

Ms. Lewis continued that with all of that in mind, DuBois & King put together two concepts. The first one looks at keeping the dog park as far away from the other park uses as possible, so that dogs would not be startled by the clanging of horseshoes, for example, and having the disc golf park clustered. This would mean having a few holes rather close to the dog park, which could be mitigated for conflicts by having higher fencing there. Elements consistent in both concepts are maintaining the existing screen of plants around the horseshoe area, possibly relocating the vehicle gate of the access road, potentially adding some new parking spaces, and maintaining the same elements within the park. For the dog park, potentially a new pavilion and double access gates, and for the disc golf park, nine holes. The second concept looks at shifting the dog park into the center of the site. Due to where the existing building was, there is a large open area, so they tried to take advantage of utilizing that – in both concepts, actually – so there would be less tree-clearing needed. In the second concept, the disc golf course would go around the outside of that, with more of a flow going counterclockwise.

Ms. Lewis continued that there was a presentation of the two concepts in July. Approximately 65 people attended, and it was great to see people interested in both elements of the park. DuBois & King explained the two different concepts and had posters available including different elements, which allowed people to select which elements they would like to see in a dog park. Subsequent to that presentation, DuBois & King got back together with the steering committee, took their feedback and the public feedback, and narrowed it down into a draft concept. They then revised the draft concept to come up with the final plan. The main thing of note is that they went with the centralized dog park with the disc golf park going around the outside, and utilized the space near the entrance, which they were originally reserving for potential other elements, to space out the holes a little more. They shifted the locations of some of the holes to try to minimize any conflicts between, say, errant discs getting close to the fencing. They propose six-foot high fencing, two gates, one at each park, which would be a double access gate for safety, and two maintenance gates, one in each park, for any work that would need to be done, such as tree-clearing.

Ms. Lewis continued that they propose maintaining at least part of the existing access roads. They cited the dog park so it is adjacent to the existing gravel road/path. The rest of the path could potentially be removed or could remain, depending on the desire of the groups and the City. They anticipate there should be some tree clearing done for the dog park, upwards of approximately an acre. That would be mostly the aging pines, since they were all planted at the same time and have gotten very close together. The canopies are very high. They will move those and allow the deciduous trees to grow and flourish, promoting more diversity in the park. There would be some

selective clearing throughout the disc golf course. The disc golf holes would vary in length from approximately 140 feet to 180 feet.

Ms. Lewis continued that the last slide is the proposed cost estimate, broken into three sections. The first section is for the dog park in two different phases - one, the elements that would be necessary to get it up and going, and two, future elements that the group might want to add in later, such as a pavilion and agility features. The second section is the elements for the disc golf course. The third section is the site preparation elements, including demolition of the existing building. What percentage of which costs each group would be responsible for is something to be determined.

Councilor Williams stated that the font on the slide is very small and he cannot read it. He asked Ms. Lewis what the bottom line is. Ms. Lewis replied that phase 1 of the dog park is \$42,000, and phase 2 is \$139,000, for an overall total of \$181,000. That includes approximate percentages for construction contingency and mobilization. She continued that disc golf is about \$15,000. The site preparation elements are just under \$100,000.

City Manager Elizabeth Dragon stated that this is being proposed as a fundraising project, similar to the skate park, where each group would raise the funds for construction of these elements.

Councilor Filiault asked what would happen if one group raises the necessary funds and the other group does not. He asked if it is correct that that would change the whole design and concept. He asked when they would start design if they are not sure if either or both groups will come up with enough financing. The City Manager replied that she is definitely concerned about that. She continued that her sense is that the disc golf group will be able to raise the funds quicker. The challenge is the site preparation work, which is a shared cost. That is something they will have to work out. Right now, it is an unknown. Councilor Filiault replied that his question is where they go from here, when they have more unanswered than answered financial questions.

Mr. Bohannon stated that both groups are here tonight to speak to the project. He continued that during this process, he was pleased to learn that the dog park people have submitted all of their information to establish themselves as a non-profit organization. That had not been done in the past. They are waiting for the final paperwork to come back, hopefully in the next month or so. Looking at this opinion of cost, there are certainly some things that might not cost as much, for both groups. For example, do they leave the road paved or take it out? Where people would come in for the dog park is all unpaved. On this map, where the letter "N" is, that is where it diverts and the Y is created on the road. All the way through the back until about hole #4 is where that pavement ends. If they do not have to do that, it saves money. The dog park itself is shown as a big area that does not have trees. Much of that exists now. The map does not show the building that will be removed, creating a lot more open space. There was an opinion of cost related to some trees. Both groups similar to what the bike park did, where they were able to get a lot of donations taken care of related to the trees' removal and possible sale. They will not be removing nearly as many trees in this particular design, so that might not generate a lot of revenue, but both of these groups are savvy and will be able to minimize some costs.

Councilor Roberts stated that as he has said before, he finds it extremely disappointing that there are a number of issues that most cities view as quality of life issues, and the Council has to tell groups "Form a non-profit, raise the money, and we might do it for you." He continued that the dog park group started in 2010, giving stores and businesses donations containers, coming on a monthly basis to report how much money those brought in. These are quality of life issues, things that are important to the community, and he thinks saying "Nope, you have to raise the money". Pumpkin Fest was important to the community, but the amount of money the City donated to the Pumpkin Fest far exceeds this.

Councilor Williams asked if there is any potential to fund this through dog registration fees, potentially a voluntary charge on top of dog registration fees. The City Manager replied that the dog registration fees are already accounted for in the general fund revenue, so it would have to be a new revenue. She is not aware of the option to charge an additional fee. Staff can look into it, but unless the State tells them they can do it, they cannot do it. They have the ability on motor vehicle registrations, but those funds are used for highway-related purposes. The State has given that ability, but she does not know if they have the same flexibility with dog licensing. She would be happy to check.

Mr. Bohannon stated that they have looked at that option, and unfortunately, they are not able to do it. He continued that they are at the current cap allowed by the State of NH for the dog licensing registration fee, and the City is not able to exceed that at all. There could be some kind of volunteer opportunity on that, choosing to send additional , but he does not know how they would register those funds through that process.

The City Manager stated that she wants to remind the Council of the Capital Plan. She continued that a project like this, if it were going to be a City-funded project, would need to go through the Capital Plan, which is planned out six or seven years. A request would come in, they would look at the cost, and evaluate where it might be able to fit in the Capital Plan. Councilors know that is such a balancing act, because they are trying to keep the capital investments of the City at a somewhat level amount each year so they are not impacting the tax rate. Oftentimes, groups present something that they really want to do and say that they are willing to raise the money for it, not wanting to wait 7 or 10 years for it to get into a Capital Plan.

Chair Greenwald asked for public comment.

Paige Walker of 84 Bradford Rd. stated that she is here representing the dog park group. She continued that they were very pleased with Ms. Lewis's design of the dog park. The dog park group did not have any changes to make to this final design. As Mr. Bohannon said, the dog park group has applied for non-profit status and are just waiting for paperwork to come back. The directors will be Molly Pinney and Rebecca Lancaster. She herself is listed as an officer. Ms. Pinney has extensive international fundraising expertise, and they are confident that she will do a good job fundraising for the dog park. Their 1,800+ followers on social media support the dog park and would support additional fundraising efforts. They established a website through which people can donate money, time, and/or in-kind services. They raised money in the past and have about \$10,000 waiting for approval. In addition, they have received some verbal and in-kind donations. They are just waiting for approval on the site and are ready to go with more fundraising efforts, and are hoping for breaking ground in the spring. The dog park group broke it into two phases to make the initial efforts more feasible, in terms of being able to break ground and stay in line with what the disc golf group is able to raise.

Bob Johnson of 47 Sesame St. stated that he is here representing the disc golf club, and they have the same story. He continued that they have done this before with the Otter Brook disc golf course. They raised all the money and provided all the labor for that project; thus, they have experience in this realm. As a club, they have about \$3,000 in the bank ready to go. Similar to the dog park group, they have people who have verbally committed to helping out with this project. They are very confident that their \$15,000 piece is no problem. The one detail would be the third section. The disc golf club believes a lot of that can be mitigated. For example, they do not think the pavement has to go away. The club has arborists, whom they believe can mitigate many of those last line item costs; that seems to be up in the air. He will not go too much further because it is the same story as that of the dog park group, but he is happy to answer questions.

Councilor Workman stated that she is really glad the two groups were able to come together and that this project is moving forward. She continued that this updated plan is great, and she has been excited for a long time to have a dog park in the area. Hearing about the plan has also gotten her excited about disc golf.

Chair Greenwald stated that he, too, is very excited that the groups are working together and probably combining resources, which will reduce the costs for each group. He continued that he remains interested in having a dog park downtown in addition to this one, but he will have to wait on that. There are many dogs living downtown.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the dog park and disc golf park presentation as informational. The City Manager stated that she wanted to clarify that there were no concerns in making sure they are coordinating raising the funding with the two groups and coordinating the work, and that if the City Council also accepts it as informational the groups will move forward with their fundraising efforts. She asked if that is correct. Chair Greenwald replied yes.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Aaron A. Lipsky – Requesting Tree Removal – 64 Hastings Avenue

Council Action:

In City Council November 3, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends granting Aaron Lipsky's request to remove the tree in front of 64 Hastings Ave. at Mr. Lipsky's expense.

Attachments:

None

Background:

Chair Greenwald asked to hear from Aaron Lipsky.

Aaron Lipsky of 64 Hastings Ave. stated that he was born in Keene and has lived here for 78 years. He continued that a hazardous tree is on City property in front of his house. He likes trees, and in his previous capacity, he served on the Governor's committee for community trees in NH. He has a lot of respect for trees, knows trees do a lot of good, and does not want to cut a tree unless there is a reason that outweighs the good of the tree. In this case, the reasons do outweigh it. The presentation about the Wheelock Park included reasons to cut down some healthy trees for the greater good of reconfiguring the park to make it available for more activities. It is also necessary to cut trees for the airport, for the safety of people in the airplanes and the people on the ground. Similarly, this hazardous tree on his property blocks his view. It has grown and is lopsided, tipped toward Hastings Ave. It is tipped toward the power lines on the other side of the street.

Mr. Lipsky continued that he is not an arborist and does not know what the criteria are for a healthy tree. This tree has three spindly trunks, which start at a low level. As far as he can tell, one trunk is dead; it has no leaves. The other two trunks have leaves, so perhaps that is why they call it a healthy tree. An arborist may have more criteria than just leaves; they might say it is lopsided, all the branches are on one side, and it has a dead trunk. He does not know. Assuming this is a healthy tree, it is still hazardous. The trunks have expanded over the years, and it has tipped further over time. When he tries to leave his driveway, he has to poke his car out into the lane to see if someone

is coming, going in a southerly direction. Hastings Ave. runs north south. When he comes out of his driveway, this tree blocks his view. If he pokes his car out into the lane and there is a car coming, if there is no traffic in the opposite lane, then a car coming toward him can swerve around him. If there is traffic in the opposite lane, the car coming toward him has to stop for him. He does not like it, nor does the other driver. This is not a good situation. It is hazardous for him while exiting his driveway and it is hazardous for visitors and workers who come to his house, and to the public traveling on Hastings Ave. Taking down this tree would increase his safety and quality of life.

Mr. Lipsky continued that Mr. Blomquist has been kind enough to talk with him, and he appreciates it. He asked if he will have a chance to speak to the Committee again after Mr. Blomquist speaks. Chair Greenwald replied yes.

Chair Greenwald asked to hear from Mr. Blomquist.

Public Works Director Kürt Blomquist stated that the agenda packet contains a brief memorandum about the situation and several pictures. He continued that in general, when they are looking at trees in the right-of-way, they are looking to make a determination as to whether there is an imminent hazard. That is important, because they would be spending general fund/general taxpayers' money for any particular action, and they want to make sure that in general there is a public issue. They look at the general health of a tree. If it is of concern, the Public Works Department has the authority to take the actions. In cases where the tree is generally in good health, if the property owner is still interested in having the tree removed they can proceed through the process, which includes coming to the MSFI Committee to request removal.

Mr. Blomquist continued that in this particular case, as they can see in the photos, this tree split into three leaders as it grew. It is currently fall, which is one of the challenges for his staff. He stopped by and saw that the tree appears to generally be in good health; he and his staff did not note any specific problems. Certainly, some trimming could be done to take some weight off. The tree is in the same structural condition as the other trees as you move down Hastings Ave. Another photo, looking north, is the other side of the driveway of 64 Hastings Ave. looking toward where the YMCA is and the intersection with Summit Rd. The bottom picture looks southbound toward Hurricane Rd. This situation is not unusual in the city. Many driveways have trees, bushes, stone walls, and other objects that could block the view of a person moving in and out of the driveway. Staff also looks at the situation for the drivers. In this particular case, if you look at the southbound view, a driver approaching would see that a vehicle is sitting there. This type of situation is all over the city. At this point in time, he recommends that the Committee accept Mr. Lipsky's correspondence as informational.

Mr. Lipsky stated that he has not seen the memorandum or photos. He asked if he could review them. Mr. Blomquist replied yes, and they are available online.

Mr. Lipsky stated that this is one tree, although all three trunks start at the ground. He continued that two trees behind it on private property do not present a hazard, and will grow better if this hazardous tree was removed, as it is in competition for nutrients and root space. Mr. Blomquist is correct that a driver approaching can see his car, but he himself cannot see the other car until he is out in the road, and the car would have to stop or swerve around him. They cannot swerve around him if there are cars coming in the opposite lane. Staff was able to take these photos when there was not any traffic, but there are times when there is a lot of traffic. The YMCA and middle school are to the north and the high school is to the south in this neighborhood. He requests that the tree be removed. Mr. Blomquist brought up the financial concerns of the City. The elimination of this hazard is so important to his safety, the safety of the people using his driveway, and the safety of the people on Hastings Ave., that he would be willing to split the cost 50/50 with the City if this can be done by the

end of 2022. He thanked the Committee for their consideration.

Councilor Williams stated that he hates to lose a street tree. He asked if there would be a good location to put in a replacement tree, if this tree was removed. Mr. Blomquist replied yes, possibly somewhere in that area. He continued that they would have to look, as the power lines are on the other side of the street and it is fairly narrow in this area between the stone walls and the street.

Councilor Filiault asked what the City's policy has been over the past several years when requests like this have come forward. Mr. Blomquist replied that in the circumstances when the Council has found a public interest, they have moved forward and the City has removed such trees. He continued that in other instances when the Council has not determined that there was a public interest, they have given permission to the property owner to remove the tree if the Council felt their issue was compelling enough. Regarding the splitting of the cost, he cannot recall such a situation. The Committee and Council can consider that if they feel that there is some public involvement in this particular case.

Chair Greenwald stated that he remembers a situation in which splitting the cost came up. He continued that a business owner downtown was asking that a planter in Central Square be removed and she offered to split the cost, and it got very dicey. Looking at that precedent, he thinks the City should either do this or not do this. Mr. Blomquist replied that he does not remember if there was cost splitting in the situation Chair Greenwald is referring to; he thinks the City ended up just doing it. The City Manager replied that it was before her time, but she thinks the City paid to have that planter removed. She continued that in the past when they have looked at requests for tree removal, they have looked at the health of the tree and whether there is a safety concern. The City does remove trees every year. They prioritize them based on their location, whether they are a hazard, and the health of the tree. Those have been the guideposts. As Mr. Blomquist said, for trees that do not meet those criteria, the Council in the past has given the option for the property owner to remove the tree at their own cost.

Chair Greenwald stated that he likes trees, and these trees give Hastings Ave. its character. He continued that however, he is interested in seeing this tree in the spring when the leaves are back, and seeing whether one of those leaders could be cut so the tree can be maintained and there could be better visibility like Mr. Lipsky is asking for. He understands Mr. Lipsky's safety concern and wants to address it. Looking north, cutting off the main leader may accomplish the safety issue and still maintain the tree. He does not think planting a new tree would be a positive.

Councilor Workman stated that she understands the precarious situation and understands Mr. Lipsky's safety concerns. She continued that however, a bigger concern, and something the Council should be looking at and prioritizing for safety, is maintaining the city's speed limits and enforcing the speed limits on residential roads like this. Many of the near misses could be avoided if drivers were following the speed limit so they are aware of oncoming and incoming traffic. Chair Greenwald replied that Councilor Workman is right on, and Hastings Ave. has , particularly on school mornings.

Councilor Filiault stated that he has a question for the City Manager. If Mr. Lipsky decided to spend the money himself, would this be viable? The City Manager replied that it is up to the Council. She continued that Keene is "The Tree City," so they try not to take down trees if they can help it. If the Council feels that there is a justified reason for this, but it does not meet the criteria for the City to pay for it, they certainly could . Councilor Filiault thanked her and added that regarding the idea of adding a new tree, he was driving around the city looking at all the trees, and he thinks they are all set with trees.

Councilor Williams stated that speed limits are great but really need to be enforced. He continued

that what they really need to do is design roads so people are not inspired to speed. A road such as Hastings Ave. could maybe use a few bump outs or something like that. He does not necessarily think the geography works for a bump out at this location, but he would like to see traffic calming devices built into the road itself as a resolution to speeding, as opposed to hoping enforcement works, which it rarely does. Regarding the tree, he hates to lose trees. In the past, someone came before the Committee and he spoke against removing the trees in that case, because a driveway had come in after the trees had already been there and was pushing out the trees. In this case, the tree made a decision to start leaning and became a bigger hazard. It looks like a danger to him and he recognizes the risk. He would be willing to sacrifice this tree.

Chair Greenwald stated that he views it as three trees, and if they can eliminate the hazardous one that is leaning and blocking the view, maybe that would accomplish it and they could still keep the tree.

Mr. Lipsky replied that that would not work, because it is the low part at eye level when you are coming out, looking from your car. He continued that it is the three trunks together. Removing the one that appears dead would not improve the situation at all. The tree would still be blocking a driver's view coming out of the driveway.

Chair Greenwald asked for public comment. Hearing none, he asked for further Committee comment.

Councilor Filiault stated that if this tree does not meet the City's criteria for removal, if the petitioner wants to take on the cost of removing the tree because he feels that it is a safety concern for himself, he would be in favor of letting the petitioner do that. The City, in the past, has not provided the funds to take these types of trees down and does not want to set a precedent now, but if the petitioner feels this is a safety issue at his property the Council should work with him and allow him to remove the tree if he wishes to do so.

Chair Greenwald asked how they get closure on this. Mr. Blomquist replied that they could grant the request to Mr. Lipsky to remove the tree in front of 64 Hastings Ave. at his cost.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends granting Aaron Lipsky's request to remove the tree in front of 64 Hastings Ave. at Mr. Lipsky's expense.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: November 3, 2022

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: **Update on the Former Findings Property and Keene Skate Park Project - Parks, Recreation, and Facilities Director**

Council Action:

**In City Council November 3, 2022.
Filed as informational.**

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the skate park conceptual plan as informational.

Attachments:

None

Background:

Mr. Bohannon stated that the Committee had asked for an update on the skate park, and he provided them with a map that is a conceptual plan for the former Findings property. He asked SLR, who designed Russell Park, to do a sketch that would show where the skate park could go on that property.

The existing parking lot is where the skate park will be. There is ample space. There are some bio infiltration areas to help with some of the storm water and the flooding issues that occur on Beaver Brook. They hope a lot of those will be addressed through the Russell Park design. The space on the map that is colored orange is a space that could be used for a multitude of community events. Keene Skatepark's budget is at \$225,000. That is in the operating budget right now on the capital side. In the next cycle, Keene Skatepark will be coming through with a new check of \$17,566.16 from Pathways for Keene, closing out that agreement with Pathways to be the fiscal agent. Keene Skatepark has a survey that is out until next Tuesday, November 1, which can be found at keeneparks.com or keeneskatepark.com. It stems from the meeting held on October 19, attended by 37 members of the public. It was a very positive meeting with a lot of good feedback. The consultant complimented him at the end of the meeting, saying how enthused and educated Keene's skaters are about the design process. His reply to the consultant was that they have been waiting for this a long time and have been through this before. Keene's skaters are very knowledgeable and they will have a great design as a result.

Mr. Bohannon continued that regarding the timeline, after the survey is completed on November 1,

Keene Skatepark will combine the information gathered from that with the information gathered at the public meeting, and should have a design a few weeks later. The final design would possibly be ready around the end of December. He and Keene Skatepark would return to the MSFI Committee with the final design, and the build would happen in the spring. They are working with the Public Works Department's Engineering on some of the site issues. They also have submitted a grant for the demolition of the Findings building. They have a back-up plan of another grant to go forward for the demolition, and a back up to the back up; they will be applying for multiple grants to make that happen one way or another. They recognize that should they not be able to execute any of those grants, they can still build a skate park in that location, and later demolish the building with no impact to the skate park. That had been one of his concerns. He asked the engineers multiple times about whether the shock from the demolition would impact the concrete of the skate park, and the answer is no. He has asked them that question so many times they are probably tired of it, but he is just verifying.

Mr. Bohannon continued that the fundraising continues. There is \$225,000. An account will be set up through the Parks & Recreation software to allow people to donate. He is saying this because there is a difference between \$225,000 that is already project-ready - they are in the contract with the consultant for the design/build - and tonight's earlier conversation where there is , with the exception of the \$10,000 for the dog park. They have to come forward with a lump sum, similar to what the skate park did, for something project-ready, before they would take the \$5 donations that Councilor Roberts mentioned earlier tonight. There is a big difference between the two, but if they ever get to that phase, they might be opening a different conversation.

Mr. Bohannon continued that he is confident that Keene Skatepark is in good shape, and the skaters feel confident. They love the idea and the location. They were enthusiastic. They will see how the first rendition of a concept plan comes back, and the skaters will have their say to fine-tune that and come back with a final design.

Councilor Williams asked Mr. Bohannon what the space shown in orange is. Mr. Bohannon replied that that could be used for a multitude of things. He continued that when they first thought about this, and thought about the other space that they had desired to be a part of Russell Park by the basketball courts, potentially they could think about having farmer's market, artist's markets, renting the space, and so on and so forth. It is an open area that would allow for community activity of some sort. It is rentable. There are many possibilities. This is only a concept. The idea behind it was to make sure there was enough space for the skate park. They can add some additional parking, because he thinks once the field is up and running, they will have rugby tournaments drawing a nice crowd and the economic impact they had all envisioned is going to happen. That could certainly be overflow for multitudes of reasons.

Councilor Williams asked if it would be grass or gravel. Mr. Bohannon replied grass. He continued that they could change their minds and make it something else. Mr. Blomquist stated that this is very, very conceptual, but the idea is to have this open space that they can talk more about and determine what to put in it. He continued that they could do reinforced grass and allow vehicles but maintain it as a green space. There are some great ideas and he is excited.

City Attorney Thomas Mullins asked if it correct that what they can do with that space depends ultimately on the funding for taking the building down. Mr. Bohannon replied that they have applied for Invest NH funding. He continued that tomorrow night he will be presenting related to LWCF (Land, Water, and Conservation Fund). If FEMA or LWCF funding becomes an option, that is in perpetuity green space, so that will always be a park. You would not be able to redevelop it without other contingencies, just like Russell Park. You would not be able to have anything permanent there. For example, a farmer's market seven days a week would not be possible, but something

seasonal, operations here and there, would be possible. That is something they will consider when they apply for the various grants.

Chair Greenwald asked about bathrooms. Mr. Bohannon replied that the bathrooms are not shown on the map, but they will be there, right on the other side of that parking lot.

Councilor Williams stated that he does not see great pedestrian options on here. He continued that it seems like there is a big parking lot and a pick-up/drop-off area, but he does not see any place that is separated for bicyclists, pedestrians, or people on skateboards. In his experience, skating is the best way to get to a skate park. Not all sidewalks in this area are particularly good for skating. If they do put a skate park here, they should pay attention to having surfaces that skaters can actually ride on to get there, so they do not need to get in a car to go to the skate park.

Mr. Bohannon replied absolutely, and he will remind them that this is purely the 30,000-foot view. They have not done anything with design yet. Having walked the space multiple times, he fully agrees with Councilor Williams. The most important element of this vision, to him, is the connection to the Cheshire Rail Trail and making sure that connection is all skateable and walkable.

Councilor Roberts stated that by the time they are putting up the new Hundred Nights shelter, regarding that area right up to the trail and up to Carpenter St., there is no question that that whole sidewalk would have to be upgraded to meet the traffic needs. He walks there, and there are so many ups and downs and there is a high risk of people falling and getting injured. He thinks that would fall into the Capital Improvement Plan going forward.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee accepted the skate park conceptual plan as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Update on Spectrum Service

Council Action:
In City Council November 3, 2022.
Filed as informational.

Recommendation:
On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends accepting the Spectrum Service Update as informational.

Attachments:
None

Background:
Councilor Randy Filiault addressed the Committee first and stated about six weeks ago this item was brought before the Committee. Spectrum issues have not completely cleared up yet and felt those present today will probably confirm that. However, since his communication work on behalf of Spectrum has gone very well and he has been able to receive a fast turnaround in response to any communication he has sent to Spectrum. He stated Spectrum is before the Committee to update what they have done since the last time they were before the Committee.

Michael Liccione, Area Vice-President for Charter Communications Field Operations and Engineering for Southern New England, addressed the Committee. Mr. Liccione stated six weeks ago there were a couple of areas of opportunity that they felt were larger than others, and some of that was around video tiling, pixilation within customers' homes, and channel issues with providers like NESN, FETV (Channel 47). He indicated since their original meeting an action plan was formulated starting with additional resources on the engineering side; two additional engineers have been allocated in addition to the two who are already working in Keene and they have been working overnight in the maintenance window from midnight on, and addressing things like tiling and pixilation, and going through some of the areas where complaints were received. Mr. Liccione went on to say, part of their action plan was to also set up recordings. DVR boxes were set up in the Keene office and in employees homes that live in Keene to duplicate some of the issues customers have had. He indicated in some cases they have been successful in tracking down some of those issues.

Mr. Liccione explained the NESN issue was an actual channel issue from the provider.Spectrum

worked with Comcast as they were having the same type of issue over the broadcast. He indicated they visited people who reported those issues on a regular basis and they have said those issues have improved tremendously. He stated Spectrum is not going to give up on staying with their partnership with NESN; and even though it is a channel problem it is still Spectrum's responsibility to escalate that back to get fixed. In addition to that, Spectrum has been working with their Hub site. They have worked on getting additional cooling units because they do understand there was a failure based on air conditioning – this issue has been rectified. Mr. Liccione stated they are also looking at a long-term solution of further enhancements to hub sites to make sure that it becomes better for consumers.

Mr. Liccione stated in visiting homes they did find equipment issues that were solely on Spectrum and that equipment have been replaced or repaired. Some customers had issues in their home that were related to their own equipment. All customers they met have the direct contact number to Spectrum and they do not need to call into customer service; they have a direct line to a leader in the Keene area who has been helpful in addressing their issues. He went on to say Spectrum has done some overall network upgrades and will be continuing that effort. The power supply program which was addressed at the last meeting is scheduled to be in by early 2023, which will allow for even closer monitoring of small pocket outages which they believe will help address things before larger scale issues come up. This concluded Mr. Liccione's comments.

Chair Powers stated "On Demand" and half of the Channels from 1 to 99 do not work. Mr. Liccione stated he will look into this issue as well.

The Chair asked for public comment.

Rebecca Landry, Assistant City Manager, Communications and Marketing Director addressed the Committee and stated she helps and provides support for the franchise agreement. She stated she is in contact with Spectrum representatives on a regular basis. One of the things she is seeing is audio issues with City meeting broadcasts and she hoped this is an item that could be added to the list. She noted this is an item that has been an issue for the last couple of years and she was hopeful that some sort of resolution with Spectrum could be found. Ms. Landry asked Spectrum to define what they mean by hub site upgrades and to define what they mean by long term. Ms. Landry added there are also people who don't call in and she hoped Spectrum could provide a QA and QC for the future.

Mr. Liccione stated in reference to the City Council building issue with audio; there is a supervisor and an enterprise manager who are going to assist with this process.

With reference to hub sites, Mr. Liccione stated he had referred to the air conditioning changes, but due to the confidential nature he won't be able to discuss long term plans as of yet, but as things start to change, those will be shared with the Council. In terms of people not calling in, addressing some of these issues should hopefully address some of those concerns. He added they are also working on addressing faster customer service for those who call in, which has been reduced to one minute of hold time and they are working on improving that as well.

Ms. Landry referred to the local phone contact Mr. Liccione had mentioned and asked if that could be shared with the public. Mr. Liccione stated if individuals wanted to talk to him after the meeting he will be willing to share that number, but did not wish to broadcast that information as one individual might not be able to cover the entire market.

Chair Powers encouraged people who are having issues to call Spectrum so issues can be addressed. Mr. Liccione assured the Committee he will be back next month and will be back until

these issues are resolved.

Ms. Janet Lincoln referred to the individual who was before the Committee last representing three housing units; Park Place, Parkwood and Colonial Village who had indicated there is a physical barrier that cannot be crossed which is causing issues at these housing units and questioned if this was Spectrum's policy or the housing unit's policy. Mr. Liccione stated with some housing units they run their service up to a certain point and Spectrum might not have access to the control room. Mr. Liccione stated he will reach out to the individual who brought this issue up last month.

Ms. Maxine Phelps who lives at the Century Apartments was the next speaker. Ms. Phelps referred to an unpleasant interaction she had had with a Spectrum employee at the Keene office. Mr. Liccione stated he will work with Ms. Phelps and added he will follow up with this employee as well.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends accepting the Spectrum Service Update as informational. Councilor Madison made the following motion, which was seconded by Councilor Remy.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Highway Safety Agency Grant - Police Captain

Council Action:

In City Council November 3, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant- Keene.

Attachments:

None

Background:

Lt. Shane Maxfield Special Services Commander Keene Police Department stated each year the NH Highway Safety Agency provides grants to communities throughout New Hampshire. The purpose of these grants is to reduce the severity and frequency of motor vehicle accidents. They do this by providing funding for supplementary patrolling specifically for highway safety issues. The time period for this grant runs from October 1, 2022 through September 30, 2023 in the amount of \$14,516.40.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant- Keene.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through: Finance, Organization and Personnel Committee, Standing Committee
Subject: **Land and Water Conservation Fund Grant Round 33 Notice of Intent - Parks, Recreation and Facilities Director**

Council Action:

In City Council November 3, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to execute the submission of the application for Land and Water Conservation Fund Grant Round 33 for the Russell Park Renovation Project and the Skate Park Project.

Attachments:

None

Background:

Parks, Recreation and Facilities Director Andy Bohannon addressed the Committee next and stated this request is for the Manager to issue a letter of intent to the Land and Water Conservation Fund (LWCF) Grant Round 33. The City received \$400,000 in grant round 31 for the construction of the Patricia T Russell Park. The City is able to provide in its budget an additional match. The reason for applying for this grant is due to overages in material cost after the project was bid and to be able to complete the bocce court that was left out of the project due to reduction in cost.

In addition to the \$400,000 the City is requesting another \$225,000 for the Skate Park project. The application is due December 2.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to execute the submission of the application for Land and Water Conservation Fund Grant Round 33 for the Russell Park Renovation Project and the Skate Park Project.

The City Manager commended Mr. Bohannon for his effort in procuring these grant funds which

reduces the impact on tax payers.

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CITY OF KEENE NEW HAMPSHIRE

ITEM #D.7.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Acceptance of Donations - Holiday Sponsorship Program - Human Services Manager**

Council Action:

**In City Council November 3, 2022.
Voted unanimously to carry out the intent of the report.**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept donations associated with the City's 2022 Holiday Sponsorship Program.

Attachments:

None

Background:

Human Services Manager, Natalie Darcy, addressed the Committee and stated it is time for the Human Services Department to think about the holiday sponsorship program. She indicated annually the Human Services Department contacts sponsors who provide gifts and holiday items for families and older adults. The sponsored families and older adults are clients who have received assistance from Human Services during the past year. Families who have children with special needs and persons who have been struggling to make ends meet are considered for sponsorship. The goal of the program is to provide holiday gifts, gift cards, and food for those in need, who will then use their own resources to maintain housing, utilities and essentials of daily living. She added the Human Services Department appreciates the support of the Council for this annual project that provides happy holidays for those they serve. Families are so appreciative and humbled by the generosity of the community. Ms. Darcy stated they serve about 280 individuals each year.

Councilor Chadbourne extended her appreciation for this program. The Manager agreed this is a great project and commended the Human Services Department for continuing this project.

Councilor Madison made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the

City Manager be authorized to do all things necessary to accept donations associated with the City's 2022 Holiday Sponsorship Program.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.8.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Authorization to accept Invest NH Housing Opportunity Planning Grant for Regulatory Development - Senior Planner**

Council Action:

In City Council November 3, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and to expend grant funds in the amount of \$91,150 from the Invest NH Municipal Planning & Zoning Grant Program for the purpose of hiring a consultant to develop regulations with the goal of increasing the supply of housing in the community.

Attachments:

None

Background:

Senior Planner, Mari Brunner, stated this item is to request that the Manager accept and expend grant funds in the amount of \$91,150 for the purpose of hiring a consultant to develop regulations with the goal of increasing the supply of housing in the community. This grant was received from the Invest NH Municipal Planning & Zoning Grant Program, funded by the NH Department of Business and Economic Affairs as part of the \$100 million Invest NH Initiative with ARPA State Fiscal Recovery Funds. She reminded the Committee that the City recently received funds to cover the cost of a local housing needs analysis and this allows the City to take the next step in that process.

The purpose of this grant is to develop new regulations and/or revise existing regulations that will help expand and improve housing stock by increasing the available supply of housing by reducing regulatory barriers and offering innovative programs for housing development throughout the City. Ms. Brunner stated the specific regulations have not be identified yet and will be identified once the regional housing analysis is completed. The local housing analysis which started this week should be complete by April. The potential regulations could include tax incentive programs, a transfer of development rights program, and/or revisions to the zoning code. In addition, this project aims to build community understanding of and support for housing of all types, in particular those that are identified in the gap analyses from the pending Regional Housing Needs Assessment and the City's

local housing needs assessment. This grant funding also comes with funding to support the attendance of two community members at the UNH Cooperative Extension's Housing Academy. The Housing Academy teaches community engagement techniques and tools in a hybrid format with webinars, online materials, in-person gatherings, and place-based training.

In closing, Ms. Brunner stated a consultant has not yet been selected, but one will be selected with City Council approval after the completion of the local housing needs assessment and in accordance with the City's normal competitive bid process.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept and to expend grant funds in the amount of \$91,150 from the Invest NH Municipal Planning & Zoning Grant Program for the purpose of hiring a consultant to develop regulations with the goal of increasing the supply of housing in the community.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.9.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Amended Keene Community Power Plan - Senior Planner

Council Action:

In City Council November 3, 2022.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the approval of the Keene Community Power Plan, as amended on July 31, 2022.

Attachments:

None

Background:

Ms. Brunner addressed the Committee again and stated this item is in reference to the City of Keene Power Plan. Ms. Brunner stated she is requesting the Committee to approve the amended Power Plan.

Ms. Brunner stated she would first like to provide overview of the power plan. This is a group power purchasing program which pulls electric usage from all entities in Keene and provides competitively priced electricity options. For Keene residents, it will provide a City vetted option to Eversource's default service and other third party suppliers. With community power the City can make strategic decisions as to when to solicit bids, lock in fixed prices, and increase renewable energy beyond the Statewide minimum. With community power, Eversource will continue to manage billing and maintain the wire and poles.

Ms. Brunner stated in May 2021 the Council voted to approve the community power plan. This plan was a product of a month's work of public sessions, multiple public hearings all led by the ad-hoc Community Power Committee. Following the Plan's adoption, the City had to wait for the Public Utilities Commission (PUC) to approve rules for the community power program. In March 2022, the PUC asked for the plan to be amended to add information on data security, which has been completed through a data security plan. The plan refers to how customer data will be protected. In April 2022, the data security plan was submitted to PUC for their feedback, which received positive feedback.

In July 2022, the PUC voted to approved community power rules and based on that the City's consultant recommended further improvements to the plan to clarify that the City will not be a load serving entity; and that Keene will use consolidated billing (one bill from Eversource and on the bill next to supplier it will indicate Keene instead of Eversource); that Keene will provide notice of commencement and termination date pursuant to community power rules; that customers will be provided with program launch and the notice will differ for automatic enrollment eligibility if a customer qualifies. Staff also made edits regarding access documents, outreach and education plan.

PUC has approved Keene's plan with all these changes in place. The next step would be for Council to adopt the Plan. Once that is completed, the City will start seeking bids for energy suppliers. The consultants feel the likely launch date will be April 2023.

Councilor Madison stated he is happy to see this item being moved forward and commended staff for their work.

Chair Powers asked who would be running this program. Ms. Brunner stated it would be the consultant team; Standard Power.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the approval of the Keene Community Power Plan, as amended on July 31, 2022.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.10.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **EnviroTrac Environmental Services Water Monitoring at Closed Municipal Landfill - Change Order #2 - Assistant Public Works Director**

Council Action:

**In City Council November 3, 2022.
Voted unanimously to carry out the intent of the report.**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute Change Order #2 with Envirotrac Environmental Services for expanded landfill monitoring for an amount not to exceed \$29,200 for a revised contract total of \$68,152.

Attachments:

None

Background:

Asst. Public Works Director/Solid Waste Manager, Duncan Watson addressed the Committee next. Mr. Watson stated he was before the Committee regarding a change order for water monitoring with consultant Envirotrac Environmental Services. When the City's landfill closed in 1999 they were required to perform monitoring for 30 years. Pfas has become an issue recently, hence the scope of the testing has been expanded. The City has not had any issues except for one test where the point of entry has been identified and the issue has been addressed. This proposal is in anticipation of testing required by NHDES.

Chair Powers asked for the timeframe for this contract. Mr. Watson stated it would be for this fiscal year.

Councilor Madison made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute Change Order #2 with Envirotrac Environmental Services for expanded landfill monitoring for an amount not to exceed \$29,200 for a revised contract total of \$68,152.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.11.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Imprinted Crosswalks Downtown - Change Order - Transportation and Storm Water Operations Manager**

Council Action:

**In City Council November 3, 2022.
Voted unanimously to carry out the intent of the report.**

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a change order with BDM for the repair the downtown imprinted crosswalks in the amount of \$9,957 for a revised contract amount of \$56,779.

Attachments:

None

Background:

Transportation and Storm Water Operations Manager Harry McKelvey addressed the Committee with reference to a change order with BDM for the repair the downtown imprinted crosswalks. He explained there was a supply chain issue and once the products were received there was further deterioration with the crosswalk. This change order addresses the difference with the scope of work. Chair Powers clarified the additional funds are in the department budget. Mr. McKelvey answered in the affirmative.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute a change order with BDM for the repair the downtown imprinted crosswalks in the amount of \$9,957 for a revised contract amount of \$56,779.



CITY OF KEENE NEW HAMPSHIRE

ITEM #H.1.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Requesting No Parking – 191 Washington Street

Council Action:
In City Council November 3, 2022.
More time granted.

Recommendation:
On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee placed the communications requesting no parking at 191 Washington St. on more time for staff to look at recommendations to report back to the Committee at next month's meeting.

Attachments:
None

Background:
Chair Greenwald stated that they will take items 4 and 5 together. He asked to hear from the petitioners.

Juliana Bergeron stated that she is the owner of 191 Washington St., where there has been a similar situation to Mr. Lipsky's but with no trees involved. She continued that she has owned the building for 35 years. In the beginning, she did not start keeping track of how many accidents there were on Washington St. with people either coming or going from her parking lot. She can think of two. One involved an elderly man, now deceased, who lost his license because he was at fault for causing the accident while coming out of the 191 Washington St. parking lot. In September, she herself saw an accident from her office. She watched an 18-year-old who looked and thought it was clear and then was in an accident with an 80-year-old. At least one car was totaled, and it looked to her that perhaps the other was, too. She felt that it was time to bring her concern back to the City. She knows the City has done some things to help before, such as changing the Franklin School bus route, which has been a great help.

Ms. Bergeron continued that she is not looking for no parking in front of her office in the building next door. Lower Washington St. has signs saying "No parking here to the corner," and she thinks if there were such signs here, it would give people enough space to see. People have been blocking her driveway with their parked cars, and she calls the police when that happens. Lately, people have been parking right after the corner, and it is almost as if a driver turning into the driveway could hit

those parked cars if they were not being careful. Her building has therapists upstairs who have patients in and out, and she has clients in and out. Many people from the building have written to the City, and have given her letters, perhaps also forwarded to the City. You pull up to Washington St. and look the best you can, and eventually when you think you can make it, you gun it. Thus, everyone comes out too fast. That will be tragic someday, if they cannot make some sort of a parking change there. She knows they need parking. She lives on Main St., across from the college, and there is no parking in front of her house. A couple times a day there is a lot of traffic on Main St. but it has never been a problem getting out of there because you know when to go and when not to go. On Washington St., for most drivers in that section – not just from her building, but also from some of the others - everyone is complaining about how dangerous it is. She wanted to know if there could be “No parking here to the corner” on both sides of a couple of those driveways.

Chair Greenwald asked to hear from staff.

Mr. Blomquist stated that his memorandum provides an aerial view that shows the current situation. He continued that currently, there is a no parking zone from Greenlawn St. down to about 90 feet, which nearly takes you to the property line at 191 Washington St. In the City Code, “No parking here to the corner” only deals with intersections. City Code specifies that no parking is permitted within 30 feet of an intersection. Regarding parking involving driveways, the City Code does not specify any kind of distance. The Code says that you cannot park to block a driveway. Thus, when the Police receives a complaint of this type, the Officer looks to see whether the parking situation, in the Officer’s opinion, means the person whose driveway it is cannot use their driveway because of the way a vehicle is parking. The Code does not specify how far back from the edge of a driveway it is okay to park. Some communities do specify this; usually about two or three feet is the standard. Keene does not have this, so there is no way to put “No parking here to corner” signs up next to driveways. He has been working through some requests; there are illegal signs that staff have been taking down, such as on Court St., because they are not enforceable.

Mr. Blomquist continued that while “No parking here to corner” only applies to intersections, options available to the Council include creating a no parking zone in this area. They could say “no parking” all the time, or specify certain times when parking is not allowed, as is the case in many locations in the city. Currently, an Officer can only ticket a vehicle if they determine that the vehicle is blocking a driveway.

Chair Greenwald stated that the diagram does not show any lined spaces. Mr. Blomquist replied that the lined spaces on Washington St. stop just below Beaver St. He continued that from Beaver St. north, the City does not mark parking spaces.

Chair Greenwald stated that he is looking for a compromise. He continued that if the Council says “no parking” here, , what about the next , and the next? Going the route of “no parking” on Washington St. would make the neighborhood unhappy. He wonders, if the spaces were lined, and if each side of the driveway was a little more than the bare minimum, if that would force the opening.

Ms. Bergeron stated that the Police Officer who was at the last accident said that the other problem is the speed on Washington St. She continued that there are flashing lights when school is , but she believes part of the problem with the accidents was that drivers from her building could not see to get out and the drivers they were in accidents with were all driving over the speed limit, is her guess.

Chair Greenwald stated that the other part of the conversation is that this has come about a bit too late to get the Franklin School principal involved, but the school district really needs to get into it. They need to speak to their employees, and put out the word to parents. He has had three children and five grand children go through Franklin School, so he is familiar with Ms. Bergeron is

talking about.

Ms. Bergeron replied that she used to block her driveway all afternoon. She continued that if you knocked on a driver's window or beeped your horn, they did not even turn their head and continued blocking her driveway. It means that her building's customers and clients could not come in. It is better now that the bus route changed; the busses do not come out in front of the school anymore, which has been a great help. Thus, there is a short period in the morning and the afternoon when there are more people there, which try to work around. She is not sure that this general problem is; she thinks it is Washington St. residents or people parking there for other reasons. Some of it might be due to the school.

Councilor Williams stated that he has strong feelings about this. He continued that he lives in Ward 2 and comes down Beaver St. all the time, and it is "a nightmare" trying to get out on Washington St. People driving trucks might have good visibility, but for drivers like him in small, compact cars and looking up Washington St., invariably there is something in the way like a big van, and there is not good visibility. Making that turn from Beaver St. to Washington St. is concerning. When his son starts driving, he will have to make that turn, too, and he is worried. He recognizes this is a big problem, on that whole stretch between Beaver St. and the school. Other driveways there probably have similar problems to Ms. Bergeron's. His thinking is similar to Chair Greenwald's – it might help to demark with white lines where appropriate parking spaces are. Near the intersection of Beaver St., he does not know if it is 30 feet, but he would love for it to be 40 feet, because it is very difficult to see through a car that is on that corner. He is a big fan of the white lines idea.

Councilor Filiault stated that he was thinking the same thing. He continued that a couple gallons of paint and a few lines could be a short-term solution, and maybe even a long-term solution. Initially they might be able to alleviate a problem while they take a longer look at it, but in the short term, some painted parking spaces with some angled lines at driveways might work.

Mr. Blomquist stated that he is not saying this would not work, but he will caution the Committee, because the question is, where do they stop? He continued that the City used to space above Beaver St., but then during budget discussions, at the end of the day, the Public Works Department does not do the painting. It is a contract. Every spring, the contractor comes in and does all the line painting. This would be added to their line painting contract. That is not a problem, but it would mean additional cost. The question, again, for the Committee's consideration, is where they would stop. Certainly, they could do the immediate area in question. Right now, the standard would be that if the next set of folks ask, "well, can you in front of our building, too?," he would go ahead and add those to the contract. Do they do it across the street? There is parking on the other side of Washington St., too. This is one of the "see-saw" issues the Council has struggled with, regarding how much to do. He will add that Court St. has similar issues. They have similar discussions with property owners there. Painting designated parking spaces would make sense for them, too. Thus, he is not telling the Committee they cannot do this, but he is cautioning them that it would be an expansion of what the current service levels are, which means he would at some point need to come and ask for more money from the Council for the line painting.

Councilor Roberts stated that regarding Mr. Blomquist's point, he sees a big difference between Court St. and Washington St. He continued that most of the old-time buildings on Court St. are still residential, whereas on Washington St., over the years, more and more of those buildings have become businesses and there is more traffic coming out of people's houses, especially during the day. His question is what to do about streets that have a lot of business traffic now.

Mr. Blomquist replied that it is similar on Court St. He continued that at least up until Union St., the first floors of many buildings have been converted to offices, and that is the area he was referring to

when he talked about Court St. having similar issues to Washington St. Further north on Court St., toward the hospitals, there are more residential buildings. This is just one of the challenges in the urban environment, particularly as you are looking to increase density and trying to encourage the use and re-use of large buildings.

The City Manager stated that she is glad Mr. Blomquist mentioned that they do line painting in the spring once a year. She continued that the next time they would be able to do this would be in the spring, if they were going to expand where they were painting lines. That is okay, because she thinks they need some time to look at how it would be laid out and where it would apply, because they cannot just apply it here without some sort of policy. They know they have issues on Court St. and other areas of the city, and they should look at whether they need additional line painting and what that means in terms of liability. They need to look at all of this before they do anything. If they are going to paint lines for parking spaces, it lets people know it is okay to park there and it is safe, and so on and so forth. She would like time to be able to come back to the Committee with more information about what they would need to do to make this happen.

Councilor Filiault asked if it would be okay to put this on more time and have a report come back in the next 30-day cycle. The City Manager replied yes, absolutely. She continued that they should have a good sense of what other areas they would need to look at, whether they need to create a policy to protect the City in terms of liability, and the timeline for painting and what that would do in terms of the number of spaces.

Ms. Bergeron stated that it warms her heart to know the City will look at this and try to solve the problem. She continued that she did not expect to have it solved tonight.

Chair Greenwald asked if there was any more comment. Hearing none, he asked for a motion.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee placed the communications requesting no parking at 191 Washington St. on more time for staff to look at recommendations to report back to the Committee at next month's meeting.



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: **In Appreciation of Thaddeus J. Derendal III Upon His Retirement
Resolution R-2022-34**

Council Action:

In City Council November 3, 2022.

Memorandum filed as informational. Voted unanimously for the adoption of Resolution R-2022-34.

Recommendation:

That Resolution R-2022-34 be adopted by the City Council.

Attachments:

1. Resolution R-2022-34_adopted

Background:

Mr. Derendal retired from the Police Department effective October 28, 2022, with 22 years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Two

A RESOLUTION In Appreciation of Thaddeus J. Derendal III Upon His Retirement

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

WHEREAS: Thaddeus J. Derendal III began his Keene Police Department career as an experienced Officer 2 October 2000, moved to Detective 27 August 2006, returned to Patrol 17 June 2007, and was promoted to Police Sergeant effective 1 June 2011; and

WHEREAS: TJ is appreciated for his daily positive attitude; his support of the department's mission and goals with dedication and enthusiasm; maintaining great relationships with command staff, peers, officers, and other members of the law enforcement community; being a team player who lends a helping hand at a moment's notice while doing many things under the radar; and

WHEREAS: A vital member of the agency, he excels at teambuilding—whether coordinating internally or with outside agencies—and demonstrated very capable leadership during critical incidents, remaining calm, analyzing each situation and potential courses of action, choosing a logical and effective plan, communicating to ensure everyone understands the plan and is prepared for action, and making smart decisions with positive outcomes in even the most potentially dangerous of situations; and

WHEREAS: He has been one of the driving forces behind the tactical team for many years, with sound ideas for deployment, tactics, and equipment; instrumental in helping to secure grants to update and improve apparatus; doing a "phenomenal job with organizing, scheduling, and running trainings" for tactical officers from across the state; sharing intelligence and officer safety information with other Tac Team leaders; and handling the Mobile Field Force operations for Keene and other departments in the county; and

WHEREAS: A consistent, dedicated, and motivated supervisor—maintaining good morale with those reporting to him while ensuring current directives and expectations were completed successfully—he set a high level of professionalism and safety habits for officers on his shift; regularly inspected their open cases to avoid their becoming stagnant; frequently assisting and supporting his officers at calls for service; ensuring officers are properly deployed to maximize resources; and mentoring his successors; and

WHEREAS: In addition to his other accomplishments, TJ has served as a certified bicycle officer from 2004 to 2005, a Field Training Officer from 2004 to 2006, a gang intelligence liaison officer, and as a member of the Police Honor Guard; and he was recognized at the American Red Cross's Heroes' Breakfast in 2004 and with a KPD Life Saving Award in 2009; and

WHEREAS: TJ retired 28 October 2022 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 Thaddeus J. Derendal III 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 TJ in appreciation for his years of service to the City of Keene.

PASSED

November 3, 2022

A true copy;
Attest:

Patricia Cottle
City Clerk

George S. Hansel
George S. Hansel, Mayor



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.2.

Meeting Date: November 3, 2022
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Relating to FY23 Fiscal Policies
Resolution R-2022-33

Council Action:

In City Council November 3, 2022.

Report filed as informational. Voted unanimously for the adoption of Resolution R-2022-33.

Recommendation:

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2022-33 relating to FY23 Fiscal Policies.

Attachments:

1. Resolution R-2022-33_adopted

Background:

Finance Director Merri Howe addressed the Committee and stated Resolution R-2022-33 relates to the FY23 fiscal policies. Each year fiscal policies are reviewed and updated for fiscal management and decision making practices. This document set the boundaries for the CIP and the operating budget.

Ms. Howe stated there are only two modifications this year. The modifications are on page 5

“C. ii Sewer Capital Project Fund: shall be used to account for capital projects funded by the Sewer Fund,

iii. Water Capital Project Fund shall be used to account for capital projects funded by the water fund.”

Ms. Howe went on to say the migration to the new financial software provided finance an opportunity to better align some of the City’s fund accounting practices with fiscal best practice. New for 2023 and in this fiscal policy is the creation of these two new funds. The City has utilized Capital Projects Fund for General Fund, Parking Fund, Solid Waste Fund, PC Replacement Fund and Fleet Fund; however, in the past incorporated sewer and water capital projects within the water and sewer funds, what is being done now is separating those funds – projects in one fund and operations in another fund. Any funding operating funds used to fund the capital projects will appear and be incorporated in the operating budget, and when necessary a transfer to the capital projects fund for water and sewer

will occur. This will be a practice that that will make all of the funds uniform and how capital projects are handled.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends adoption of Resolution R-2022-33 relating to FY23 Fiscal Policies.



CITY OF KEENE

R-2022-33

In the Year of Our Lord Two Thousand and~~Twenty-two~~.....

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 effective July 1, superseding any prior fiscal policies 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

Strategic Governance links both operational and capital budgets to long term goals established by the City's Master Plan and prioritized through the City Council goal's process. Departments prepare budgets with proposed strategies to advance the goals of the Master Plan along with three to five Council priorities which have been stated as outcome focused goals. Budget strategies may involve multiple years of investment above and beyond the City's base budget. This budget strategy is a hybrid of the priority based and the more traditional base budgeting approach. Priority based budgeting helps the city work towards its high level goals and ensures budget dollars are tied to community and council priorities and desired outcomes. The base budgeting approach separates budget items which are supplemental requests from those that are included in the base budget. The base budget is the amount required to maintain the current level of services.

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

PASSED

- 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 30th 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 October each year.
- D. All departments are authorized to vary actual departmental spending from line item estimates provided the total departmental budget is not exceeded within each fund; provided, however, that any item specifically eliminated by the City Council during budget approval cannot be purchased from another line item without City Council approval.
- E. Outside Agencies seeking funding from the City shall complete an application substantiating their request, the necessity of the services provided, and financial impact on the City if services were not provided. All applicants shall meet eligibility criteria set by the City and eligible applications shall be reviewed by a committee consisting of at least 2 City Councilors, and representation from Human Services, Finance, Community Development, and Police Departments. The committee shall put forth a list of Outside Agencies to the City Manager with recommended funding to be included in the budget.
- F. Any unexpended funds in a personnel line related to a vacancy cannot be expended without prior approval from the City Manager and the City Council unless funds are being expended to fill a vacancy, recruiting, or to employ temporary help including professional and contract services.
- G. A periodic budget status report for each fund will be provided to the City Council.
- H. The budget document shall provide multi-year projections of revenues and expenditures/expenses including property taxes and utility (water and sewer) rates.
- I. The budget will take into consideration the City's Policies on unassigned Fund Balance projected at the end of June.
- J. 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.
- K. Upon completion of any project, any residual funds shall be returned to the fund that provided the original appropriation.
- L. 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 excluding 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 include all expenditure and funding activity anticipated from any capital reserve fund, including those activities less than \$35,000.
- E. 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.
- F. City departments will prepare project funding-requests for capital projects as instructed by the City Manager.
- G. 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.
- H. The CIP shall be reviewed by the Finance, Organization and Personnel Committee and the Planning Board.
- I. The CIP will be the subject of a public hearing before adoption.
- J. 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.
- K. Upon project completion, any residual funds shall be returned to the fund that provided the original appropriation unless otherwise directed by the City Council.
- L. Project transfer requests:
 - 1) Memorandums shall be presented to City Council for transfer request approval by majority vote for projects:
 - a) Within the same fund and
 - b) Not funded with bond proceeds/debt and/or
 - c) Have prior authorization to expend capital reserve funds and is within the purpose of the capital reserve.
 - 2) Resolutions shall be presented to City Council for transfer request adoption by 2/3 majority vote for projects:
 - a) Within the same fund and
 - b) Funded with bond/debt proceeds and/or
 - c) Funded with a new capital reserve appropriation.

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. Special Revenue 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. 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 Funds.

- i. Capital Project Fund – shall be used to account for the capital projects funded by any of the governmental funds excluding the Sewer Fund and the Water Fund.
- ii. Sewer Capital Project Fund – shall be used to account for the capital projects funded by the Sewer Fund.
- iii. Water Capital Project Fund – shall be used to account for the capital projects funded by the Water Fund.

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) PC Replacement Fund – shall be used to account for the on-going replacement of PC's, peripherals, and related software utilized by all City departments.
- b) 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. Asset-Management Programs
- A. The City may develop, implement, and refine 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 asset management 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 an amount 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) Unrestricted fund balance, excluding capital reserves, for the enterprise funds should be maintained at an amount between the equivalent of 180 days to 365 days of the annual operating budget for that fund.
- 3) Unassigned/unrestricted fund balance for all remaining budgeted funds should be maintained at an amount 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.

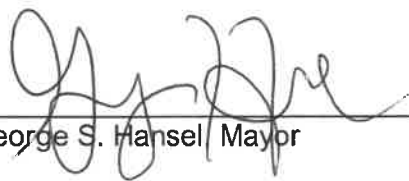
IX. Deposits of Funds in Custody of City Treasurer

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).



George S. Hansel Mayor

PASSED November 3, 2022

A true copy;
Attest: 
City Clerk