

12/15/2022

A regular meeting of the Keene City Council was held on Thursday, December 15, 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, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Bettina A. Chadbourne, Catherine I. Workman, and Thomas F. Powers were present. Kate M. Bosley, Kris E. Roberts, Raleigh C. Ormerod, and Mitchell H. Greenwald were absent. Councilor Chadbourne led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel shared some upcoming dates of interest. This would be the last Council meeting of 2022 and the Standing Committee meetings scheduled for next week would be canceled. The annual meeting with our Legislative Delegation was scheduled for January 4 at 6:30 PM. There would also be a Right to Know workshop on January 10, at 6:00 PM. Finally, there would be a special City Council meeting on January 31 at 6:00 PM to review one of the Charter Officers.

Mayor Hansel also touched on the death of long-time community member James Rousmaniere, who was the former editor of The Keene Sentinel.

MINUTES OF THE PREVIOUS MEETING

A motion by Councilor Powers to adopt the November 17, 2022 meeting minutes as printed was duly seconded by Councilor Giacomo. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald, and Bosley were absent.

NOMINATIONS

Mayor Hansel nominated the following individuals to serve second terms on the following City boards and commissions:

- To the Airport Development and Marketing Committee:
 - Peter Temple to serve as a regular member, with a term to expire December 31, 2025; Luca Paris to serve as a regular member, with a term to expire December 31, 2025; Nathan Jacobs to serve as a regular member, with a term to expire December 31, 2024. The Clerk noted that Mr. Jacobs term was being extended by one year to re-balance the staggered terms on the ADMC.
- To the Ashuelot River Park Advisory Board:
 - Ruzzel Zullo to serve as a regular member, with a term to expire December 31, 2025; Suzanne Krautmann to serve as a regular member, with a term to expire December 31, 2025; Thomas Haynes to serve as an alternate member, with a term to expire December 31, 2025
- To the Assessors Board:
 - John Newcombe to serve as a regular member, with a term to expire December 31, 2025
- To the Bicycle/Pedestrian Path Advisory Committee

12/15/2022

- Charles Redfern to serve as an alternate member, with a term to expire December 31, 2025
- To the Conservation Commission:
 - Arthur Walker to serve as a regular member, with a term to expire December 31, 2025; Andrew Madison to serve as a regular member, with a term to expire December 31, 2025
- To the Energy and Climate Committee:
 - Claire Oursler to serve as a regular member, with a term to expire December 31, 2025
- To the Historic District Commission:
 - Sophia Cunha-Vasconcelos to serve as a regular member, with a term to expire December 31, 2025; Peter Poanessa to serve as an alternate member, with a term to expire December 31, 2025
- To the Human Rights Committee:
 - Catherine Workman to serve as a regular member, with a term to expire December 31, 2025; Sophia Cunha-Vasconcelos to serve as a regular member, with a term to expire December 31, 2025
- To the Keene Housing Authority:
 - Christopher Coates to serve as a regular member, with a term to expire December 31, 2027. The clerk noted that the term for Steve Bianco as a regular member was being corrected to expire December 31, 2026
- To the Partner City Committee:
 - Michael Giacomo to serve as a regular member, with a term to expire December 31, 2023; John Mitchell to serve as a regular member, with a term to expire December 31, 2025; Gregg Kleiner to serve as a regular member, with a term to expire December 31, 2025; Will Schoefmann to serve as a regular member, with a term to expire December 31, 2025
- To the Planning Board:
 - David Orgaz to serve as a regular member, with a term to expire December 31, 2025; Armando Rangel to serve as a regular member, with a term to expire December 31, 2025
- To the Trustees of Trust Funds and Cemetery Trustees:
 - Marilyn Gemmell to serve as a regular member, with a term to expire December 31, 2025

Mayor Hansel tabled the nominations until the next regular meeting.

CONFIRMATIONS

Mayor Hansel had previously nominated the following individuals to serve as alternate members on City boards and commissions:

- To the Energy and Climate Committee:

12/15/2022

- Lisa Maxfield, with a term to expire December 31, 2023; Kenneth Swymer, with a term to expire December 31, 2025
- To the Conservation Commission:
 - Lee Stanish, with a term to expire December 31, 2025

A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Giacomo. The motion carried on a unanimous roll call vote with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

COMMUNICATION – REQUEST TO USE CITY PROPERTY – ICE AND SNOW FESTIVAL – FEBRUARY 4 – KEENE DOWNTOWN GROUP

A communication was received from Mark Rebillard, on behalf of the Keene Downtown Group, requesting the use of City property for the February 4, 2023 Ice and Snow Festival. Mayor Hansel entertained a motion from Councilor Giacomo and a second from Councilor Chadbourne to Suspend the Section 26 of the Rules of Order to introduce and act upon the request from the Keene Downtown Group. The motion carried unanimously on a roll call vote with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

Councilor Giacomo made the following motion, which was duly seconded by Councilor Chadbourne. On a vote of 11–0, the Keene City Council recommended that the Keene Downtown Group be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of downtown City property on Central Square, Railroad Square, and designated parking spaces on Central Square and Main Street to conduct the Ice and Snow Festival on Saturday, February 4, 2023 from 10:00 AM to 4:00 PM. In addition, the applicant is permitted to close off a portion of Railroad Street from Main Street to the exit of the Wells Street Parking Garage. This permission is granted subject to the customary licensing requirements of the City Council, submittal of signed letters of permission from the owner for any use of private property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 23 Community Events Budget. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

COMMUNICATION – DOWNTOWN MAIN STREET IMPROVEMENTS – COUNCILOR GREENWALD

A communication was received from Councilor Mitch Greenwald, requesting opportunities for further public input to be provided on the downtown Main Street infrastructure improvement project. Mayor Hansel filed the communication into the record as informational.

COMMUNICATION – EVERSOURCE – TREE TRIMMING ON SCENIC ROADS: PEG SHOP ROAD, CHAPMAN ROAD, WHITCOMB'S MILL ROAD, DANIEL'S HILL ROAD, HURRICANE ROAD, LANGLEY ROAD, FELT ROAD AND STERNS ROAD

A communication was received from Dane D'Arcangelo, on behalf of Eversource Energy, seeking permission from the City Council for its periodic tree trimming on various designated scenic roads in the City. There is a statutory process that must be followed whenever there is the cutting, or removal of trees on a scenic road. A joint public hearing with the Conservation Commission is one of the requirements of this statutory process. Mayor Hansel referred the communication to the Municipal Services, Facilities, and Infrastructure Committee and the Conservation Commission. Mayor Hansel set a joint public hearing with the City Council and Conservation Commission on February 2, 2023 at 7:00 PM.

FOP REPORT – SPECTRUM SERVICE ISSUES UPDATE

A Finance, Organization, and Personnel Committee report read recommending the update from Spectrum on various service issues be accepted as informational. Mayor Hansel filed the report as informational.

FOP REPORT – EFFORTS TO REDUCE THE RISK OF LEAD PAINT POISONING – COUNCILOR WILLIAMS

A Finance, Organization, and Personnel Committee report read, recommending the communication regarding efforts to reduce the risk of paint poisoning be referred to the City Manager for further discussions with Sullivan County and Cheshire County. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Williams thanked the FOP Committee for hearing his comments. He continued that lead paint is an ongoing problem today, despite being outlawed 44 years ago in 1978. Councilor Williams thanked the City Manager for being proactive about this. He thought it was possible to bring resources into the City to help homeowners and landlords to deal with this problem. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – LIEUTENANT JOSEPH DIBERNARDO MEMORIAL GRANT – FIRE DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and expend the Lieutenant Joseph DiBernardo Memorial Foundation Grant for the purpose of outfitting department members with emergency rope escape systems. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Madison provided background on this grant, which he said evolved from an incident called Black Sunday. On that day, several firefighters were faced with the choice between being engulfed in flames or having to jump out of a 5th story window; two firefighters jumped out and were killed and two others escaped with rope equipment. Lt. DiBernardo gave his rope escape to another firefighter because they had a family. The firefighter survived but Lt. DiBernardo perished in his attempt to escape. Councilor Madison said this FOP decision came just days after the anniversary of the Worcester Cold Storage fire, in which six firefighters lost their lives; Councilor Madison's father was one of the investigators on that fire. Councilor Madison urged everyone to think about first responders during the holidays. He also said kudos to the Fire Department for going after grant funding to help keep them safe, and therefore keep the community safe. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – LAW ENFORCEMENT SUBSTANCE ABUSE REDUCTION INITIATIVE GRANT – POLICE DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and expend the NH Department of Safety 2023 Law Enforcement Substance Abuse Reduction Initiative Grant in the amount of \$30,000. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. Councilor Williams said that he voted against this last year and would again this year as well. Ultimately, he felt that it was money to fund the drug war and he could not support that in good conscience, so he would be voting no. The motion carried with 10 Councilors present and voting in favor. Councilor Williams voted in the minority. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – 2021 HOMELAND SECURITY GRANT PROGRAM – SEARCH AND RESCUE EQUIPMENT – POLICE DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and to expand a 2021 Homeland Security Grant Program Award for the purchase of Search and Rescue Equipment. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – 2020 HOMELAND SECURITY GRANT PROGRAM – CBRNE RESPONSE EQUIPMENT – POLICE DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and expend a 2020 Homeland Security Program Award to be used for the purchase of CBRNE Training and Response Suits. A

motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. Councilor Powers noted that even though the recommendation indicates a certain category of equipment after the Committee had made its recommendation, the Fire Department further evaluated their needs and determined that gas masks were the priority and this adjustment in the equipment was authorized under the grant authority. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – CONTROL AND USE AGREEMENT – AMERICAN LEGION – PARKS, RECREATION AND FACILITIES DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a control and use agreement between the American Legion Post #4 and the City of Keene for the recreational fields located at 797 Court Street. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – ENVIROTRAC ENVIRONMENTAL SERVICES WATER MONITORING AT CLOSED MUNICIPAL LANDFILL CHANGE ORDER #1 – PUBLIC WORKS DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute change order #1 with Envirotrac Environmental Services for additional landfill monitoring services for an amount not to exceed \$29,200 for a revised contract total of \$100,700. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. Councilor Jones asked if this was in the Operating Budget and the City Manager said she believed so. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

FOP REPORT – DESIGN CHANGE ORDER #2, MARLBORO STREET CORRIDOR IMPROVEMENTS PROJECT – PUBLIC WORKS DEPARTMENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute an engineering services Change Order with DuBois & King for additional services required for the design of the Marlboro Street Corridor Improvements Project for an amount not to exceed \$39,000. Funding to come from cost center 75J0018A. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 11 Councilors present and voting in favor. Councilors Roberts, Ormerod, Greenwald and Bosley were absent.

CITY MANAGER COMMENTS

The City Manager reported that the last time the Holiday luncheon was held was 2019. Concerns about Covid-19 canceled the gathering in 2020 and 2021. This year, she said we had hoped to return to normal, but sadly our departments and volunteers were not able to pull it off. Instead, they would be providing a \$25 Hannaford gift card as a small token of thanks and contribution towards a holiday meal for our year round employees. Next year, she said the plan is to return to normal and gather at the Blastos Room in December. In 2023, we will celebrate milestones reached during the years 2020–2023.

Next, the City Manager reported on two projects in the works. Our Marketing and Communications Director, Rebecca Landry, is working with the City Manager's office on an e-newsletter to be sent out quarterly beginning mid-January. The City Manager said they would be experimenting with content and format. Ms. Landry has created a form for the departments to complete for their submissions.

The City Manager continued explaining that over the last several years, there had been a great deal of change in leadership in our departments. This change highlighted the need to review our administrative directives (or organization-wide policies) and make them easier for departments to access. With the help of the I.T. Department, they are now organized and searchable on the City's intranet system. She said they are currently working on reviewing the more than 80 policies to determine if they need to be updated or deleted.

Lastly, the City Manager thanked the Mayor, Council, and our talented group of department heads for another great year. She wished everyone a Merry Christmas and Happy Holidays.

ORDINANCE FOR FIRST READING – RELATING TO AMENDMENTS TO THE CITY OF KEENE LAND DEVELOPMENT CODE, ZONING REGULATIONS AND APPLICATION PROCEDURES FOR AMENDMENTS TO THE LAND DEVELOPMENT CODE – ORDINANCE O-2022-19

A memorandum read from the Community Development Director, Jesse Rounds, recommending that Ordinance O-2022-19 be referred to the Joint Planning Board and Planning, Licenses, and Development Committee for their review and recommendation. Mayor Hansel referred Ordinance O-2022-19 to the Joint Planning Board and Planning, Licenses, and Development Committee.

ORDINANCE FOR SECOND READING – RELATING TO PERSONAL LEAVE – ORDINANCE O-2022-17

A Finance, Organization, and Personnel Committee report read, recommending the adoption of Ordinance O-2022-17 with either an effective date of January 1, 2023, or following the processing of the first payroll in the Munis software system. Councilor Lake voted in opposition.

12/15/2022

A motion by Councilor Powers to adopt Ordinance O-2022-17 with either an effective date of January 1, 2023 or following the processing of the first payroll in the Munis software system was duly seconded by Councilor Remy.

Councilor Lake said he initially voted against this because of concerns he expressed at the FOP meeting, specifically about potential unintended consequences of the Ordinance. He had since met with City Staff, who explained things more to him. He was no longer in opposition. The motion carried unanimously on a roll call vote with 11 Councilors present and voting in favor.

ADJOURNMENT

Mayor Hansel thanked the City Manager, the Charter Officers, all City staff and their department heads, and the City Council. He said there were a few tragic accidents in the City of Keene this year that he still thinks about and are affecting our community. He said there were some really disruptive infrastructure projects to work through, with a lot of public input. There were also some retirements and thus the welcoming of some new team members. He said that in his experience, the City Council worked together really well this year and he hoped everyone would reflect on that excellent work for the citizens of Keene. He looks forward to continuing this work in 2023. There being no further business, Mayor Hansel adjourned the meeting at 7:37 PM.

A true record, attest:



City Clerk