



Due to the COVID-2019 State of Emergency, the City Council will be holding its meetings remotely using the web-based program, Zoom. City Councilors will be participating in this meeting remotely. Members of the public will be able to access this public meeting through a variety of options, described below. If you encounter any issues accessing this meeting, please call 603-757-0622 during the meeting. To view the City Council meeting, please navigate to www.zoom.us and enter the Meeting ID# 889 4465 1288. To listen via telephone call 877-853-5257 and enter the Meeting ID # 889 4465 1288.

City of Keene

New Hampshire

KEENE CITY COUNCIL
Council Chambers, Keene City Hall
February 4, 2021
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- January 21, 2021

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Confirmations
Planning Board
Energy & Climate Committee
2. Nomination
Energy & Climate Committee

C. COMMUNICATIONS

1. Councilor Terry Clark - Resignation - Ward 3 Councilor

D. REPORTS - COUNCIL COMMITTEES

1. Verbal Update – Deteriorating Conditions on Thompson Road – City Engineer
2. Acceptance of Grant Funding - Complete Street Infrastructure - Parks, Recreation and Facilities Director
3. Lease Agreement with Senator Shaheen at 12 Gilbo Avenue - Parks, Recreation and Facilities Director
4. Upgrades to HVAC systems at City Hall - Parks, Recreation and Facilities Director
5. City Hall Rear Wall Project - Consultant Selection - City Engineer

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

1. HB 315 - Relative to the Aggregation of Electric Customers - Energy & Climate Committee

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. In Appreciation of Jeffrey W. Titus Upon His Retirement
Resolution R-2015-05
2. Relating to "Bee City USA"
Resolution R-2021-06

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held on Thursday, January 21, 2021. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Mayor Hansel read into the record the Emergency Order #12, issued by the Governor of the State of New Hampshire pursuant to Executive Order #2020-04. He continued that the members of the City Council would be participating remotely. The Mayor asked that during the roll call for attendance, each Councilor identify their online presence and whether there are others with them in the room. Roll called: Stephen L. Hooper, Michael J. Remy, Janis O. Manwaring, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, , Terry M. Clark, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Gladys Johnsen joined the meeting at 7:07 PM. A motion by Councilor Powers to accept the minutes from the January 7, 2021 regular meeting was duly seconded by Councilor Bosley and the motion passed on a roll call with 14 Councilors present and voting in favor; Councilor Johnsen was absent for the vote. The Mayor led the Pledge of Allegiance.

ANNOUNCEMENTS

A Workshop on Council Goals was scheduled for Tuesday, February 2 at 6:00 PM. At the workshop, the City Manager would be presenting current and proposed initiatives of City Departments that align with the Council's recently adopted goals.

RESOLUTION R-2021-04 – IN APPRECIATION OF KATHY B. BELIVEAU UPON HER RETIREMENT; RESOLUTION R-2021-02 – IN APPRECIATION OF THADDEUS C. CHOTAIN UPON HIS RETIREMENT; RESOLUTION R-2021-03 – IN APPRECIATION OF THOMAS F. MORAN UPON HIS RETIREMENT

A memoranda from the City Manager was read recommending the adoption of Resolutions R-2021-04 in honor of Kathy Beliveau upon her retirement from the Assessment Department, R-2021-02 in honor of Thaddeus Chotain upon his retirement from the Public Works Department, and R-2021-03 in honor of Thomas Moran upon his retirement from the Public Works Department. A motion by Councilor Powers to adopt Resolutions R-2021-02, R-2021-03, and R-2021-04 was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

CONFIRMATIONS

The following nominations were received from the Mayor. To the Human Rights Committee, Marti Fiske to serve as an Ex-Officio member of Library Staff, with a term to expire December 31, 2023. To the Ashuelot River Park Advisory Board, Dian Matthews, with a term to expire December 31, 2023. A motion by Councilor Powers to confirm the nominations was duly seconded by Councilor Bosley. The motion passed on a roll call vote with 15 Councilors present and voting in favor.

NOMINATIONS

Mayor Hansel made the following nominations: Harrold Farrington to serve as an alternate member of the Planning Board with a term to expire December 31, 2023 and Jude Nuru as a

regular member to the Energy and Climate Committee with a term to expire December 31, 2023. Mayor Hansel tabled the nominations until the next regular meeting.

COMMUNICATION – WESTON LIU – NEW ENGLAND AEROBATIC CLUB – REQUEST TO USE CITY PROPERTY

A communication was received from Weston Liu, on behalf of the New England Aerobatic Club, requesting to use City property. The Mayor forwarded the communication to the Planning, Licenses, and Development Committee.

MSFI REPORT – CIVIL FORFEITURES FOR UNLICENSED DOGS – CITY CLERK

Municipal Services, Facilities & Infrastructure Committee report read recommending to accept the report on the civil forfeiture process for unlicensed dogs as informational. Mayor Hansel filed the report as informational.

PLD REPORT – KEENE SUSTAINABLE ENERGY PROGRAM – ENERGY & CLIMATE COMMITTEE; AND STAFF REPORT – REVISIONS TO THE KEENE SUSTAINABLE ENERGY PLAN

Planning, Licenses and Development Committee report read recommending adoption of the Sustainable Energy Plan, with staff to prepare revisions to the plan that would clarify the programs are voluntary. A motion by Councilor Bosley to adopt the revised Keene Sustainable Energy Plan was duly seconded by Councilor Greenwald.

Councilor Greenwald said that the background notes on the PLD discussion of this plan made his concerns clear as to whether this program was aspirational, voluntary, or progressing toward compulsory. He thanked City Staff for being very reactive to clarifying that this is a purely voluntary plan. He wanted to be very clear that the Energy and Climate Committee did an excellent job writing the plan, which he supports. Having given the matter of disclosures a great deal of thought over the prior week, he said that his office would be doing these voluntary disclosures and displaying the energy costs when showing apartments to prospective tenants, and he challenged his fellow property managers to do the same. He said it is true that a well-informed tenant is a good tenant. In his experience most tenants ask those questions already, but he said that if putting it on paper would make it better, then so be it. He reiterated that this is a voluntary program and he hopes that it remains as such because he thinks property managers would be more likely to comply if not forced.

Mayor Hansel reiterated that the Sustainable Energy Plan is the culmination of significant work by dedicated members of the Keene community and he recognized the efforts of all those volunteers that supplanted what the City would otherwise have had to hire outside consultants for.

Councilor Clark encouraged the Council to support and adopt this Sustainable Energy Plan and he looked forward to future processes establishing ordinances, policies, and partnerships toward a renewable future.

Councilor Johnsen stated her enthusiasm for this plan, noting that the Energy and Climate Committee is comprised of experts, engineers, doctors, lawyers, and business people that dedicated more than two years to its development. She said that air in the Keene valley is not as good as it should be, and as stewards of the earth, Councilor Johnsen was eager to enact this voluntary plan that would help the future of Keene residents.

Mayor Hansel added recognition of the City Staff that worked on this plan as well.

Councilor Chadbourne appreciated the amendments made to the plan and stated that she was thrilled with the outcome. She acknowledged that the two concerns expressed to her most frequently by constituents were the programs being mandatory and placing financial burden on constituents, and what she called an extreme comment about increasing personnel and therefore the budget. She supported the plan.

Councilor Jones thanked the Energy and Climate Committee for their efforts on this plan that he supported. He recalled suggesting an accompanying implementation plan, for which there was no expressed support at PLD.

The motion to adopt the revised Keene Sustainable Energy Plan passed on a roll call vote with 15 Councilors present and voting in favor.

PLD REPORT – LORI SCHREIER & HERMAN KELTING – RELATING TO SMALL WIRELESS FACILITY DEPLOYMENTS IN PUBLIC RIGHTS-OF-WAY

Planning, Licenses & Development Committee report read recommending to accept the communications as informational. Mayor Hansel filed the report as informational.

FOP REPORT – ADOPT A BENCH DONATION - ASHUELOT RIVER PARK – PARKS, RECREATION AND FACILITIES DIRECTOR

Finance, Organization & Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept the donation of \$1,350.00 from Jane Nolan to purchase a bench to be placed in the Ashuelot River Park. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper and the motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – FEMA GRANTS FOR CITY HALL GENERATOR – PARKS, RECREATION AND FACILITIES DIRECTOR

Finance, Organization & Personnel Committee report read recommending City Manager be authorized to do all things necessary to enter into and accept an Emergency Management Performance Grant (EMPG) from the Federal Emergency Management Agency (FEMA) and the State of New Hampshire for the replacement of the City Hall Emergency Generator in the amount of \$75,000 with a 50% match and to move forward with the application. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper and the motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – HUMAN SERVICES MANAGER

Finance, Organization & Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept anonymous cash donations to offset cost necessary to assist Human Services clients who may be experiencing an extraordinary need. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper and the motion passed with 15 Councilors present and voting in favor.

FOP REPORT – PROFESSIONAL SERVICES CONTRACT CHANGE ORDER - CMA ENGINEERS – ENGINEERING AND TECHNICAL SERVICES FOR FIRE SUPPRESSION SYSTEM AND INCREASED STRUCTURAL SUPPORT AT T. RANSFER STATION – ASSISTANT PUBLIC WORKS DIRECTOR/SOLID WASTE MANAGER

Finance, Organization & Personnel Committee report read recommending the City Manager be authorized to negotiate and execute a change order with CMA Engineers, on professional services contract 04-20-27, for engineering and technical services for a fire suppression system and increased structural support for the roof of the Transfer Station and Recycling Center for an amount not to exceed Thirty Two Thousand One Hundred Forty Five Dollars (\$32,145). A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper and the motion passed on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – COLONY COURT SEWER REPLACEMENT – CONSULTANT SELECTION – CITY ENGINEER

Finance, Organization & Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with DuBois & King, Inc., in an amount not to exceed \$70,000, for engineering and technical services for the Colony Court Sewer Main Replacement Project. A motion by Councilor Powers to carry out the intent of the report was duly seconded by Councilor Hooper and the motion passed on a roll call vote with 15 Councilors present and voting in favor.

CITY MANAGER'S COMMENTS

The City Manager began by discussing the aforementioned Council Goals Workshop to occur February 2 at 6:00 PM. Now that the Council had adopted goals, the next step in the strategic governance process would be to review the current initiatives underway or in preparation that align with each of the goals. She was in the process of gathering all this information. Department heads would be present at the workshop to answer questions. She said this would be a great opportunity for the Council to ask questions and provide comments to ensure the City's operations team moves the Council's goals forward.

On Covid-19, the City Manager stated that during the week in advance of this meeting, Director of Parks, Recreation & Facilities, Andy Bohannon, worked with the City's Emergency Management Team and arrived at a decision to postpone the start of several Recreation Department programs. Indoor operations are shut down temporarily until March 1 unless local Covid-19 positivity numbers and conditions related to statewide hospital capacity in February provide better guidance. As of January 20, according updates from Dr. Caruso, local positivity numbers were over 13% whereas the statewide numbers were closer to 7%. Cheshire Medical

Center had 14 people with Covid-19 in the hospital including three in the ICU. Within approximately one week following this meeting, numbers were hoped to plateau and then start to decline in line with the rest of the State. In the meantime, basketball was rescheduled to March 1 because this program was impossible to place on hold logistically and so it was easier to have a new start date after February school vacation. Other programs placed on hold with a tentative start date of March 1 include pickle ball, jump rope, Zumba, senior exercise programs, and Tae Kwon Do. In addition, booking of meeting space by outside groups at the Recreation Center was on hold. The remote and afterschool program would continue. Lastly, archery had been cancelled. Unfortunately, many of these programs were about to start at the height of local positivity numbers and at a time when the hospital system was being overloaded. To do our part in reducing community spread, City Staff felt it was prudent to delay these indoor and/or close activities. The City Manager concluded that seasonally warm weather conditions had delayed outdoor ice making activities. However, weather after this meeting was expected to bring a cold blast of air to the State. Therefore, the Recreation Department was starting to make ice at Wheelock Park in hopes it would hold with the upcoming cold weather.

On the topic of Covid-19 vaccines, the City Manager said there had been a lot of excitement and that the County was making progress but had a long way to go. On January 25, Cheshire County staff and residents would be given their second shot of the vaccine. The hospital will also be finished by Monday. The last few rounds of Covid-19 testing were 100% negative for the County, which was encouraging. The hospital was seeing an approximate 50% decline in people calling sick to work and while they could not say for sure, they felt it was tied to the vaccine.

On January 22, the State would begin the online vaccine registration for people 65 and older, and those with qualifying health conditions that make them high risk. The City Manager expected many challenges with the initial rush to sign-up. The state estimated 300,000 people in NH that would qualify for this phase; however the state was currently only receiving 17,000 doses per week for the entire state. At this rate, if everyone wanted the vaccine it would take five months to complete this phase. Logistically there are challenges as well. Fixed sites would be used to distribute the majority of vaccinations and for Keene that site is located at the Keene State College property on Krif Road where the National Guard was testing several months ago.

New Hampshire is one of the only states that does not have a vaccine registry system and so they had been using a CDC program called VAMS for the healthcare and EMS workforce, but they had challenges with this system and were planning a switch to another software called VMS and then ultimately transfer to a statewide vaccine registry system. Logistically, this would mean a multiple step process for this next vaccine phase. The City Manager listened to the Governor's press conference on January 21 and they felt confident their website could handle the activity. Residents over age 65 could register for the vaccine starting at 8:00 AM on January 22 at www.vaccines.nh.gov. The Mayor appreciated the City Manager's summary and said that the bottom line is bottle-necking of vaccines coming into NH, so it would take time to rely on the vaccine, and therefore social prudence would continue being necessary.

MORE TIME

Planning, Licenses & Development report read recommending to place the communication from Councilor Clark relating to Small Wireless Facility Installations in Public Rights-of -Way on more time. The Mayor granted more time.

Councilor Clark said that a member of the State Commission, Dr. Kent Chamberlain, sent the Council a letter with his comments about the PLD conversation, which Councilor Clark encouraged his peers and staff to review. He went on to ask what clear directions were given to the City Manager or Staff to trigger the matter coming back to Committee. The City Manager said her next step was to reach out to majority and minority members of the report. She also invited the 5G Commission's chairperson to a PLD Committee meeting during the cycle after next to provide a summary of the report and answer questions from the Council.

MSFI REPORT – COLONIAL THEATER GROUP, INC. – PETITION FOR DISCONTINUANCE – RESOLUTION R-2020-38

Municipal Services, Facilities & Infrastructure Committee report read recommending the adoption of Resolution R-2020-38. Councilor Chadbourne and Councilor Williams abstained because they had not attended the statutory site visit. Mayor Hansel filed the report. Mayor Hansel noted that Councilors Chadbourne, Ormerod, Williams, and Johnsen would be unable to participate in the discussion and vote at this meeting.

A motion by Councilor Manwaring to adopt Resolution R-2020-38 was duly seconded by Councilor Giacomo and the motion passed unanimously on a roll call vote with 11 Councilors present and voting in favor. Councilors Chadbourne, Ormerod, Williams and Johnsen abstained.

FOP REPORT – RELATING TO USE OF FUND BALANCE SCBA MASKS - FIRE CHIEF – RESOLUTION R-2021-01

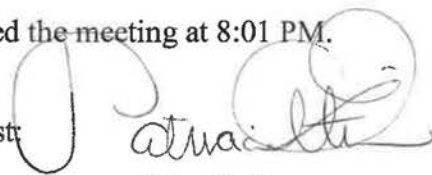
Finance, Organization & Personnel Committee report read recommending the adoption of Resolution R-2021-01. Mayor Hansel filed the report.

A motion by Councilor Powers to adopt resolution R-2021-01 was duly seconded by Councilor Hooper and the motion passed on a roll call vote with 15 Councilors present and voting in favor.

ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at 8:01 PM.

A true record, attest



City Clerk



City of Keene, N.H.
Transmittal Form

January 19, 2021

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.1.

SUBJECT: Confirmations

COUNCIL ACTION:

In City Council January 21, 2021.
Tabled to the next regular meeting.

RECOMMENDATION:

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

Planning Board

Harold Farrington, alternate slot 10
38 Red Oak Drive

Term to expire Dec. 31, 2023

Energy & Climate Committee

Jude Nuru, slot 4
26 Citizen's Way, Apt. #1

Term to expire Dec. 31, 2023

ATTACHMENTS:

Description

Farrington_background

Nuru_background

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Monday, December 28, 2020 1:31 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Mon, 12/28/2020 - 13:30</p>

<p>Submitted values are:</p>

First Name:

Harold

Last Name:

Farrington

Address

38 Red Oak Drive
Keene NH 03431

Email:

Cell Phone:

201 602-6952

Home Phone:

603 352-2151

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

Planning Board

Employer:

Retired

Occupation:

Sales and engineering

Education:

Bachelors Engineering, MBA Finance

Other Information/Relevant Experience:

please see attached resume

Please provide some references:

Steve and Donna Kumorek of JSK Property Management

603 352-3956

References #2:

Marilyn Huston

603 352-3302

If you would like to share any attachments, please upload them here.
[Harold Farrington Resume.docx](#)

HAROLD FARRINGTON

38 RED OAK DRIVE KEENE NH 03431
Mobile: 201-602-6952 Home: 603 352-2151



EDUCATION

1998 Executive MBA INSEAD (France) and Hong Kong Institute of Technology (China)

1983 MBA Kellogg School Northwestern University

1980 BS Industrial Engineering University of Wisconsin

1976 Graduated Keene High School

WORK EXPERIENCE

2018-2020 NHIAA Basketball Official

2006-2020 SST Corporation

Directed the sales and marketing efforts for this small privately held company in the pharmaceutical space. Led a nationally dispersed team and grew annual sales from \$60 M to \$100 M. Also managed the executive-level relationships with the company's largest partners, all headquartered outside of the US including Italy, India, Japan and others.

1980-2005 AT&T and Bell Laboratories

Increasing levels of responsibility across 25 years with the country's largest telecommunications company. Functional areas included engineering, sales and product management and new product development. Experiences in strategy, business development and international joint ventures. Managed small to large teams. My teams delivered sales quotas over \$100 M as well as Profit and Loss results exceeding \$25 M.

VOLUNTEER EXPERIENCE

Saint Bernard's Catholic Church: Knights of Columbus

Cheshire County Republican Committees

West Milford (New Jersey) Girls Softball Association: Vice President, Travel Program Director, Coach. *During this time, I wrote a successful grant application to the county government for \$200,000 for field improvements*

Saint Joseph Catholic Church; Marriage Preparation Team Leader, Knights of Columbus, CYO Basketball Coach

Boy Scouts of America: Scoutmaster, Assistant Scoutmaster

HONORS AND AWARDS

AT&T Engineer of the Year Finalist

Beta Gamma Sigma National Business School Honor Society

Tau Beta Pi National Engineering Honor Society

National Merit Scholarship Finalist

HOBBIES AND INTERESTS

My main interests are travel and hiking with my wife and dog; and reading, playing and watching sports.

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Monday, January 11, 2021 7:06 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Mon, 01/11/2021 - 19:05</p>
<p>Submitted values are:</p>

First Name:
Jude

Last Name:
Nuru

Address
26 Citizens Way, Apt #1, Keene, NH 03431

Email:


Cell Phone:
603-852-082

Home Phone:
603-852-6082

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

Employer:
ReVision Energy

Occupation:
Director of Community Solar Initiatives

Education:

PhD (Environmental Studies) - Antioch University New England, MS (Interdisciplinary Environmental Studies) - Antioch University New England,
MSc (Energy Management) - Robert Gordon University, BA (Sociology) - University of Ghana.

Have you ever served on a public body before?

No

Please provide some references:

Dan Weeks

[REDACTED]

603-264-2877

References #2:

James Gruber

jgruber@antioch.edu

603-313-1277



City of Keene, N.H.
Transmittal Form

February 1, 2021

TO: Mayor and Keene City Council

FROM: Mayor George S. Hansel

ITEM: B.2.

SUBJECT: Nomination

RECOMMENDATION:

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

Energy & Climate Committee

Denise Thomas, slot 10
59 Maple Avenue #93

Term to expire Dec. 31, 2023

ATTACHMENTS:

Description

Background_Thomas

Patty Little

From: helpdesk@ci.keene.nh.us on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Thursday, January 14, 2021 12:33 PM
To: Helen Mattson
Cc: Patty Little; Terri Hood
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Thu, 01/14/2021 - 12:32</p>
<p>Submitted values are:</p>

First Name:
Denise

Last Name:
Thomas

Address
59 Maple ave #93, Keene

Email:
[REDACTED]

Cell Phone:
603-381-8850

Home Phone:
same

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

Employer:
self - BHG The Masiello Group

Occupation:
Realtor

Education:

Some college

Have you ever served on a public body before?

No

Other Information/Relevant Experience:

Organizer for sustainable growth in business and the community, adept at bringing people and projects together in a wide variety of situations.

Specialize in residential sales and relocation, advocating for clients in all aspects of the buying and selling process including contract writing, negotiations, mortgages, inspections, and appraisals. Provide area tours, education and resources on the Monadnock Region and individual communities.

Clarence DeMar Marathon (2012 to present)

The DeMar Marathon, organized by Keene Elm City Rotary Club, is the Club's signature fundraiser, bringing in over \$65K. The DeMar holds the coveted "City Event" status as recognized by the City of Keene. There are over 1100 local kids, seniors, half-marathoners and volunteers, plus another 250 marathoners from around the world that participate in this event.

- o Co-Chair.
- o Board Member.
- o Implemented a hydration station, designed by Filtrine Mfg, reducing the quantity of plastic water bottles used at the finish line and the carbon footprint of the event.
- o Implemented reusable, branded bags for runner SWAG reducing the carbon footprint of the event.
- o Finish line setup and race official ensuring smooth-running event.
- o Liaison to Keene State College and Sodexo, coordinating facility arrangements including mapping of the Quad for ideal runner comfort and organizer management, plus food order and placement.
- o Coordinate, research and negotiate orders for signs.
- o Fundraiser of in-kind and monetary donations.

Keene Elm City Rotary (2004 to present)

- o Five-time Paul Harris Fellowship recipient.
- o Responsible for the Follow ME (move everyday) project which awards over 700 pairs of sneakers to every second grader in Cheshire County as part of an initiative to inspire physical movement every day.

Men Who Cook Event Coordinator (2006 to present)

Organized an annual event of more than 100 volunteer cooks as a major fundraiser for MFS.

Monadnock Family Service Incorporator (2007 to present)
Advocate for multiple human services and community support programs under the MFS umbrella.

Ladies Charitable Society (2012 to present)
Participating in a selective philanthropic community awarding scholarships to local students.

Please provide some references:

Alan Strohine

603-812-5682

References #2:

Kathy Collinsworth

kathy@humanecommunity.org

603-852-8878



City of Keene, N.H.
Transmittal Form

February 3, 2021

TO: Mayor and Keene City Council

FROM: Councilor Terry Clark

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Councilor Terry Clark - Resignation - Ward 3 Councilor

ATTACHMENTS:

Description

Communication_Clark

BACKGROUND:

Councilor Clark is submitting his resignation as a Keene City Councilor effective immediately to work on further advances in renewable energy use.

February 3, 2021

Mayor and Council,

Keene's Energy Plan has passed and I am fully engaged in my work on the Cheshire County Commission to work on further advances in renewable energy use, among other things. Time is precious these days, so it is with gratefulness and satisfaction that I resign my position as councilor from Ward 3 effective immediately.

Good luck and good wishes.

A handwritten signature in black ink, appearing to read 'Terry Clark', written in a cursive style.

Terry Clark
14 Barrett Ave.
Keene, NH 03431



City of Keene, N.H.
Transmittal Form

January 27, 2021

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities and Infrastructure Committee

ITEM: D.1.

SUBJECT: Verbal Update – Deteriorating Conditions on Thompson Road – City Engineer

RECOMMENDATION:

On 4-0 roll call vote, the Municipal Services, Facilities and Infrastructure Committee recommends to accept the update about deteriorating conditions on Thompson Road as informational.

BACKGROUND:

Vice Chair Giacomo welcomed the City Engineer to provide an update on the deteriorating conditions on Thompson Road, for which the Engineer first briefed this Committee on in October 2020 after residents notified the Public Works Department with concerns. Thompson Road is in the southeast corner of Keene, it is very narrow at maximum 12.5 feet wide, and is the steepest roadway in the City with portions reaching a 23% grade, which has caused deterioration over time. When residents raised concerns last year, the Public Works Department found that the slope Thompson Road was built on had been settling. The City Engineer used images to demonstrate how the surface of Thompson Road was built on that steep slope and where the slope sits now compared with when the road was constructed. Since concerns arose in 2020, a geotechnical engineer studied the slope and provided recommendations as to what would be required to repair the roadway. To date, in an effort to stabilize the roadway and ensure it safe for passing vehicles, the Public Works Department has installed jersey barriers to divert vehicle weights away from the settling portion of the slope and create a one lane roadway, and placed signs at the top of Thompson Road indicating that drivers should yield to traffic coming uphill.

With the geotechnical information at hand, the City Engineer presented the two possible options to address these conditions. Option #1 is to repair the roadway in place. This option would require constructing retaining walls upslope, downslope, or most likely both. The City Engineer showed photos of potential retaining wall types with varying advantages and associated costs; for example, walls made of precast blocks are less expensive to install compared to vegetated walls that could bend into the slope. The estimated cost of option #1 is \$850,000 to \$1.3 million, depending on wall type and more significantly on whether the Council chooses to permanently widen the roadway as a part of the rebuild, which Staff recommended to result in a safer roadway with better conditions long-term. Advantages and disadvantage of option #1 are:

Advantages:

- Would result in significantly fewer impacts to private properties both to maintain access during construction and permanent effects.
- Would provide the opportunity to permanently widen the roadway up to 16-18 feet, which is the bare minimum for two cars to pass.
- Would maintain for easier upkeep the water main under the roadway in the City's right-of-way that

provides fire protection to the five homes on Thompson Road and domestic water to two of those five residential properties.

Disadvantage:

- Winter maintenance challenges would continue because Thompson Road would remain the steepest road in Keene post-construction.

The City Engineer continued presenting option #2, which is to create new access to Thompson Road. After learning the costs of option #1, Public Works Department Staff investigated the potential for a more cost effective alternative that would also solve the problem of long-term maintenance. The City Engineer used an image to demonstrate that the first section of Chapman Road, from Eastern Avenue to the sharp corner, was built on a former privately owned railroad spur that went to a quarry in Roxbury and is still in the City's right-of-way. This would allow the opportunity to build new access from the corner of Chapman Road to the middle of Thompson Road, resulting in the two homes closer to RT-101 turning right to reach their driveways and the others would turn left. The \$1.3 million estimated cost of option #2 would not be less than option #1. The advantage and disadvantage of option #2 are:

Advantage:

- Would result in a much milder slope that would simplify and lessen the cost of long-term maintenance.

Disadvantage:

- Would have substantial property impacts. First would be to take an entire relatively new private residence and the property it sits on. Second would be to acquire land under conservation easement to construct the public roadway, which would have significant legal hurdles.

Next, the City Engineer explained that the Director of Public Works would install preliminary Public Works Department slope monitoring equipment to begin periodically – the City Engineer stated most likely quarterly for the first few years – monitoring fixed points in the slope to document over time whether the slope is stable in its current condition or settling more, which would indicate how quickly options #1 or #2 would need to be programmed in the Capital Improvement Program (CIP). Then he said the long-term repair of Thompson Road would be likely budgeted into FYs 2023-2029. When it comes time to enact an option the City Engineer recommended that the City Council choose option #1, as he could not see the advantage of long-term maintenance ease outweighing the significant impacts to property owners with option #2, especially with both options projected to cost nearly the same.

Councilor Filiault asked, based on the conditions on Thompson Road at present, whether the City Engineer anticipated that the roadway would deteriorate rapidly over the next one and a half years. The City Engineer stated his opinion that the slope does not present an imminent catastrophic failure but rather that he thinks it is a slow moving geotechnical phenomenon. If he anticipated a cataclysmic event then he would be recommending at this meeting to take immediate drastic measures. The City Engineer said that the purpose of placing survey monitoring equipment once the ground thaws this spring is to confirm urgency.

Councilor Chadbourne expressed worry that this might not be a slow-moving concern given evidenced climate variability. If something catastrophic were to occur despite the precautions and temporary fixes enacted to date, the Councilor questioned the City's liability. The City Engineer did not venture to guess liability and deferred to the City Attorney, who was not present at this meeting. To date, the City Engineer stated that all insufficiencies of Thompson Road were addressed to the standard of NH road statutes per the City's responsibility to ensure the road is passible and safe. Councilor Chadbourne stated that due to safety, she was concerned with not adding the project to the budget before 2023.

Councilor Williams asked about preserving access to the homes on Thompson Road during rebuild, assuming option #1. The City Engineer stated that one reason that both options are expensive is due to the need to preserve residential access during construction by placing temporary retaining walls that allow maintenance of one lane of traffic while the other side of the road is repaired. The \$300,000 difference in estimates depends on

whether the Council chooses to make the temporary access permanent to widen the road.

Vice Chair Giacomo thought that most retaining walls would be needed downslope and noted that most of the downhill land is owned by Antioch University. The City Engineer confirmed the land's owner and said there would be permanent property impacts downhill and at minimum temporary impacts uphill that would be permanent if the Council elected to permanently widen the roadway.

Councilor Filiault asked whether Staff were aware of any unallocated funds in reserve should this project need to be programmed sooner in the CIP and the City Engineer said not to the magnitude of funds under discussion. The Director of Public Works and Emergency Management Director, Kurt Blomquist, stated that unfortunately this would be a general fund project and while the City has done well capturing and reusing as much as possible through the unallocated fund balances, he was unaware of significant funds available. The Director of Public Works continued that if a catastrophic event occurred – such as the 2005 flood – then Staff would request that the Council work with the Finance Director and City Manager to seek emergency funds, whether from an unallocated fund balance, the general fund, or a bond. If a significant enough disaster occurred, the Director of Public Works said FEMA money exists for that reason. Councilor Williams commented that he wished FEMA made funds available for preventative maintenance to save money overall.

Vice Chair Giacomo opened the public hearing.

Pat and/or George Walker, residents of Thompson Road, attempted to comment but were barred due to technical difficulties. They were offered options to write the City Clerk with comments and/or call the City Engineer.

Jessica Pierannunzi of 67 Thompson Road expressed concern because a significant portion of the residents there are seniors and said that therefore the area is visited frequently by emergency services that must navigate heavy and wide equipment up the hill. As the road continues narrowing with preventative measures like the jersey barriers, she said that emergency equipment and snow plows would continue damaging the roadway. She said that trees formerly acted as natural retaining walls but that the trees are dying because they no longer reach the roadway and therefore the slope is eroding further downhill toward the river. Ms. Pierannunzi was concerned with waiting until FY 2023 and thought that action should be taken sooner versus watching quarterly stability sensors. She stated that the property owners on Thompson Road continue to be very concerned as they have seen dramatic change over the past two or three years. The City Engineer assured Ms. Pierannunzi that the Highway Division knew the road's condition and the need to maintain access, which must be passable to emergency vehicles, and although it is difficult to maintain he said they do their best to keep the road open, though he stated that Public Works vehicles must back-up the steep slope.

Councilor Terry Clark asked whether there is any other infrastructure running under Thompson Road besides drainage, because if there is little under the road he questioned if best to consider the long-term and excavate the hill more to lower the grade and widen the roadway. The City Engineer said that the water infrastructure he mentioned was the only thing of significance under the roadway but that there are also downhill drains that serve catch basins uphill. The City Engineer continued that lowering the roadway's grade in its current footprint would drive-up significantly both costs and property impacts. If the goal were to lower the slope, then he said that option #2 would be more logical, because the current footprint is constrained by the needing the roadway to meet the residences' existing elevations.

With no further comments, Vice Chair Giacomo closed the public hearing.

Councilor Filiault moved to accept the update about deteriorating conditions on Thompson Road as informational, which Councilor Chadbourne seconded.

Councilor Filiault said it was clear that the project is essential and stated his opinion that it should be prioritized

in the budget because it would be less expensive to address the problem before the slope collapses.

Vice Chair Giacomo asked how to address this before the next regular CIP review. The City Manager said that this is an off-year for CIP review but that projects would be reviewed as a part of the operating budget this year. She said this was less a matter of getting the project into the CIP and more about choosing what other project(s) to postpone in the CIP to accommodate this one. She suggested that the Council could take a bond from the fund balance outside the budget process but she was unsure she recommended that option unless it emergent because that is a significant amount to take from a fund balance. The City Manager's short-term recommendation was to allow her to provide an update during review of the operating budget.

The motion passed with a unanimous 4-0 roll call vote.



City of Keene, N.H.
Transmittal Form

January 28, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.2.

SUBJECT: Acceptance of Grant Funding - Complete Street Infrastructure - Parks, Recreation and Facilities Director

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute the Project Agreement with Southwest Regional Planning Commission for the award of the Monadnock Alliance for Sustainable Transportation (MAST) 2020 Complete Streets Implementation Grant and recommend the acceptance of the grant in the amount of \$41,000.00 for the complete streets infrastructure.

BACKGROUND:

Parks, Recreation and Facilities Director Andrew Bohannon addressed the committee first and stated this item is in reference to the Monadnock Alliance for Sustainable Transportation (MAST) 2020 Complete Streets Implementation Grant. The City received this grant from Southwest Regional Planning Commission in the amount of \$41,000. The grant is for two phases. The first is for wayfinding signage to navigate around the trail system. The second piece is for ADA infrastructure within the street infrastructures.

Mr. Bohannon noted key transition zones are going to be addressed such as the West Street and Island Street intersection. The slope at this location is going to be corrected, with tactile warnings and push buttons installed to bring this intersection into compliance with ADA standards. Mr. Bohannon indicated the grant would also cover the Cheshire Rail Trail/Gilbo Avenue/School Street intersection, the Cheshire Rail Trail/Ashuelot Rail Trail and the Emerald Street intersection. The grant needs to be completed before December 22nd.

Councilor Clark asked whether these specifications will include pedestrian lighting. Mr. Bohannon stated the City Engineer will be overseeing this work and referred the question to him.

City Engineer Don Lussier stated lighting is already being planned for the Ashuelot Rail Trail crossing for Emerald Street. Two alternatives are being looked at, one would be the typical LED cobra-head lights like we have used elsewhere. If the pole in that location doesn't work for this type of installation, staff will be looking at solar alternatives. He added solar will also be used for the Winchester Street corridor improvements.

Councilor Clark stated he believes the Gilbo parking lot project included some sort of report on this and most recently the 2020 NH Transportation Report from the Brattleboro Hinsdale bridge project showed that electricity savings over the life of the solar lighting fixture exceeds the difference in cost between solar and traditional fixtures. He felt solar should take precedent unless there is a reason the City should not and urged staff to consider this.

Councilor Ormerod referred to the West Street/Island Street intersection – this seems to be the first priority but these intersections are going to be taken apart at some point for the traffic circles and asked how that would

coincide with this work. Mr. Lussier noted the ADA improvements being proposed for Island Street is for where Island Street meets West Street and not for the Winchester Street intersection.

Chair Powers noted the West Street/Island Street intersection has a lot of issues and asked what improvements were being planned. Mr. Bohannon stated the improvements being proposed were for curb cuts and push buttons for traffic signals to bring the intersection into compliance. The Chairman referred to School Street and noted those traffic signals are scheduled for replacement under a carry over and asked how this work will coincide with that work. Mr. Bohannon explained staff has been working with the Police Department to make sure the projects are aligned – it is a coordinated effort. The Chairman confirmed this work is in reference to traffic signals not overhead lighting except for the end of Emerald Street. Mr. Bohannon answered in the affirmative.

Councilor Remy referred to the Gilbo Avenue/School Street intersection and noted these traffic signals are signaled as “open green” but should be “protected green” and stated he wasn’t sure if this affected the sidewalk and crosswalk pattern which is confusing for drivers. Mr. Lussier in response stated for this project, the City is not proposing to re-time any of the intersections but what is being done is to make the existing hardware ADA compatible.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute the Project Agreement with Southwest Regional Planning Commission for the award of the Monadnock Alliance for Sustainable Transportation (MAST) 2020 Complete Streets Implementation Grant and recommend the acceptance of the grant in the amount of \$41,000.00 for the complete streets infrastructure.



City of Keene, N.H.
Transmittal Form

January 28, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.3.

SUBJECT: Lease Agreement with Senator Shaheen at 12 Gilbo Avenue - Parks, Recreation and Facilities Director

RECOMMENDATION:

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

BACKGROUND:

Mr. Bohannon stated this item is in reference to a lease agreement with Senator Shaheen's office at the existing space at 12 Gilbo Avenue. With the re-election the Senator's office is looking for a lease renewal through an extended term of 2027. The City has been renting with Senator Shaheen's office since 2011 and they have been a good tenant. Potential development on Gilbo Avenue has been built into the lease term as a clause, as was done with the other two tenants in that building.

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

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



City of Keene, N.H.
Transmittal Form

January 28, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.4.

SUBJECT: Upgrades to HVAC systems at City Hall - Parks, Recreation and Facilities Director

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to award and execute a contract with KPMB Enterprises LLC for specifications to upgrade the ventilation and HVAC system at City Hall in the amount of \$165,500.00.

BACKGROUND:

Mr. Bohannon stated he had addressed the FEMA grant at the last meeting and this upgrade of the ventilation system was attached to that grant in the amount of \$165,500. Staff submitted a carryover request for the last budget cycle for \$90,000 for the upgrade; however, since that time the specifications have come back at a higher price. Staff believes it was important to move forward with this project because of the pandemic and air quality transmission which is a key component for the spread of the COVID virus. Mr. Bohannon stated the FEMA grant will help tremendously with this cost, as well as moving some other projects around.

Mr. Bohannon noted the third and fourth floors in City Hall have air quality issues and this project will help with that.

Councilor Ormerod commended this project but questioned if brand new equipment is being purchased whether there is any energy efficiency with this new equipment and also asked how old the current system is. Mr. Bohannon stated the current system is at least 15 years old and this system was called out in the EMG process (facility assessment). He added with this system the City will also be moving towards its sustainability goals. Councilor Ormerod stated he would like to see a reporting out as this project moves forward.

Chair Powers stated there are areas on the third and fourth floors which are going to be renovated to reduce exposure during the pandemic and other such issues. He asked if that has been anticipated and the project appropriately adjusted to address this issue. Mr. Bohannon stated as renovations are being made the ventilation system for those areas are being looked at and improved.

The Chairman stated he supports this item but noted this might delay other projects by shifting funds. He asked if the grant will free up money in the CIP. Mr. Bohannon answered in the affirmative and added staff's hope is to use some of the Covid relief funds to offset some of City operation costs.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to award and execute a contract with KPMB Enterprises LLC for

specifications to upgrade the ventilation and HVAC system at City Hall in the amount of \$165,500.00.



City of Keene, N.H.
Transmittal Form

January 28, 2021

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: City Hall Rear Wall Project - Consultant Selection - City Engineer

RECOMMENDATION:

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with DuBois & King, Inc., in an amount not to exceed \$150,000 for engineering and technical services for the City Hall Rear Wall Project.

BACKGROUND:

Civil Engineer Brett Rusnock was the next speaker. Mr. Rusnock stated the FY20 CIP allocated \$175,000 for the repair of the rear wall at City Hall. Mr. Rusnock stated staff believes the cracking wall is because of uneven soil settlement which is also the reason for failure of the Town Brook Drainage pipe which runs underneath City Hall. He indicated this pipe is 2' high x 4' wide brick drainage pipe installed in the late 1800's to enclose a stream that ran across City Hall property. The building was constructed on top of it.

Mr. Rusnock stated last year staff attempted, unsuccessfully to perform a video pipe inspection of the pipe. It was unsuccessful because the pipe has standing water, debris and silts inside it. This problem is beyond staff's expertise to resolve. Last year the work was advertised and two proposals were received. One from Simpson Gumpertz & Heger for \$190,000 and the other from Dubois & King for \$150,000. A committee made up of staff reviewed paper proposals, interviewed the two firms. Based on this, Dubois & King scored higher than Simpson Gumpertz & Heger. As a result, staff is recommending the Manager enter into a contract with DuBois & King, Inc., in an amount not to exceed \$150,000 for engineering and technical services.

Councilor Hooper clarified this cost is to analyze the problem and to come up with a figure to see how much it would cost to fix the problem, which would be in addition to the \$150,000. Mr. Rusnock answered in the affirmative.

Councilor Clark stated he has always been fascinated with the fee, companies get for professional services work – preliminary work. This is not to even to fix the problem. He stated it would be helpful for members of the Finance Committee to attend a workshop on the kind and amount of work that is involved in this type of contracts, because it sometimes seems like a lot of money.

Councilor Ormerod asked what would happen if this work was postponed because the problem has been going on for decades. Mr. Rusnock stated there is a risk that it could either slowly or immediately start getting worse. In addition to the rear wall, staff also suspects the Town Brook pipe is contributing to some other liabilities the City faces, most notably flooding in the basement and on adjoining properties.

Chair Powers stated this flooding has been an issue for a long time. This problem will save future liability for City Hall, especially with the Central Square Terrace property.

Councilor Clark indicated he has read that back in the 1800's people used to fish off a bridge on Gilbo Avenue.

The City Manager stated Central Square Terrace has approached the City on two occasions regarding flooding concerns and their concerns relate to this brook that runs beneath City Hall. The work being recommended is to address the crack in the exterior wall of City Hall as well as because of the flooding on neighboring properties.

Mr. Lussier stated staff has done its due diligence with the tools it has. He indicated a lot of expense related to this proposal has to do with geo technical borings to determine the strength of the soil and ground penetrating radar for assessment. He added this proposal takes the project through the investigation phase to the design phase. At the end of the project, the City will have a good idea of what needs to be done and cost associated with the work.

Councilor Hooper asked whether there are any other buildings in the City that are constructed over this brook. Councilor Clark stated the Keene Middle School on Washington Street is constructed over the brook. Public Works Director Kurt Blomquist added there are many buildings that are constructed over brooks in Keene. There is a brook that runs underneath Kohls, another that runs under Key Road.

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

On 5-0 roll call vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute a professional service contract with DuBois & King, Inc., in an amount not to exceed \$150,000 for engineering and technical services for the City Hall Rear Wall Project.



City of Keene, N.H.
Transmittal Form

February 3, 2021

TO: Mayor and Keene City Council

FROM: Mari Brunner, on behalf of the Energy & Climate Committee

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: G.1.

SUBJECT: HB 315 - Relative to the Aggregation of Electric Customers - Energy & Climate Committee

RECOMMENDATION:

Vice Chair Gaunt made a motion to ask City Council to take a formal position in opposition to House Bill 315. Paul Roth seconded the motion, which passed by unanimous roll-call vote.

ATTACHMENTS:

Description

House Bill 315 - as introduced

BACKGROUND:

At the February 3, 2021 Energy and Climate Committee (ECC) meeting, the ECC discussed House Bill 315, relative to the aggregation of electric customers. Draft minutes from this meeting are not yet available; however, included below is a summary of the main discussion points from the meeting.

HB 315 would gut the Community Power law (NH RSA 53-E) and make it impossible for Keene to successfully launch a Community Power program. As currently drafted, this bill would do the following:

1. Restrict and/or eliminate access to customer data, which is required in order to run a program. For example, it would remove the ability for an aggregation program to use customer data to comply with the law or for program research, which is necessary information for the bidding process for electricity supply. In addition, the bill would restrict Keene to using only addresses available in the City's public records, while also requiring that the City mail written notification to each retail electric customer. This is impossible to do, as the City does not have the address for each retail electric customer (the City's records only include the owner for each property, and does not include information about renters).
2. Restrict municipalities and counties from spending **any** tax dollars on the program, *including for incidental costs* (this appears to include staff time). This provision would make it extremely difficult for a community such as Keene to start and maintain a program, as staff involvement is required for program launch and oversight.
3. Add layers of regulatory review that will delay the program launch and make it more costly to start a program. By requiring that Community Power plans be approved by the PUC, this bill would add a significant amount of delay to starting a program and add to the cost.
4. Stifle innovation by placing limitations on Community Power programs, such as:
 - Requiring that programs only use utility programs for energy efficiency, conservation, and demand side management (i.e. Keene would not be able to support non-utility energy efficiency programs).

- Removes ability to read meters and provide customer service.
- Removes ability for a municipal/county aggregation to participate in the ISO New England wholesale energy market as a “Load Serving Entity.” Although Keene does not have plans to become a Load Serving Entity in the near-future, the City may be interested in this option in the longer term as it would allow the City to incorporate local generation into the program (e.g. large solar array at Wastewater Treatment Plant, hydroelectric power, etc.).

The ECC discussed the impacts that this bill would have on the City of Keene’s proposed Community Power program, and on the City’s ability to achieve its goal to transition to 100 percent renewable electricity by 2030. The Committee felt that this bill is urgent, and request that the City Council take a formal position in opposition to the bill.

HB 315 - AS INTRODUCED

2021 SESSION

21-0533

10/08

HOUSE BILL **315**

AN ACT relative to the aggregation of electric customers.

SPONSORS: Rep. Vose, Rock. 9; Rep. Cali-Pitts, Rock. 30; Rep. Harrington, Straf. 3; Rep. Thomas, Rock. 5

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill revises the procedures applicable to municipal or county aggregators and municipal electric utilities for the aggregation of energy services.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears ~~[in brackets and struckthrough.]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to the aggregation of electric customers.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Aggregation of Electric Customers; Definition; Aggregation. Amend RSA 53-E:2, I to read as
2 follows:

3 I. "Aggregation" means the grouping of retail electric customers to [~~provide,~~] broker[;] or
4 contract for [~~electric power supply and~~] energy services for such customers.

5 2 New Paragraph; Definition; Energy Services. Amend RSA 53-E:2 by inserting after paragraph
6 V the following new paragraph:

7 V-a. "Energy services" means the provision of electric power supply solely or in combination
8 with any or all of the services specified in RSA 53-E:3.

9 3 Municipal and County Authority; Agreements RSA 53-E:3, II is repealed and reenacted to
10 read as follows:

11 II.(a) Enter into agreements for energy services, specifically:

12 (1) The supply of electric power and capacity.

13 (2) Demand side management through utility or regional system operator
14 administered management programs.

15 (3) Conservation through utility or regional system operator administered
16 conservation and efficiency programs.

17 (4) The operation of energy efficiency and clean energy districts adopted by a
18 municipality pursuant to RSA 53-F and as approved by the municipality's governing body.

19 (b) Such agreements may be entered into and such services may be provided by a single
20 municipality or county, or by a group of such entities operating jointly pursuant to RSA 53-A.

21 4 Municipal Aggregators. Amend RSA 53-E:3-a to read as follows:

22 53-E:3-a Municipal Aggregators Authorized. Municipal aggregators of electricity load under
23 this chapter, and municipalities operating municipal electric utilities under RSA 38, are expressly
24 authorized to aggregate [~~other~~] **energy** services [~~commonly and regularly billed to customers~~] **as**
25 **described in RSA 53-E:3**. Municipalities may operate approved aggregation programs as self-
26 supporting enterprise funds including the use of revenue bonds pursuant to RSA 33-B and RSA 374-
27 D and loans from other municipal enterprise funds as may be approved by the governing body and
28 the legislative body of the municipality. Any such loans from other municipal enterprise funds shall
29 be used for purposes that have a clear nexus to the primary purposes of such other funds, such as
30 generation, storage, or sale of power generated from sites, facilities, or resources that might
31 otherwise be operated or produced by the other enterprise fund. Nothing in this chapter shall be

HB 315 - AS INTRODUCED
- Page 2 -

1 deemed to limit the capacity of customers to select any service or combination of services offered by
2 such municipal aggregators or to limit the municipality from combining billing for ~~[any or all utility]~~
3 ***energy services with other municipal*** services.

4 5 Regulation of Aggregators. RSA 53-E:4 is repealed and reenacted to read as follows:

5 53-E:4 Regulation.

6 I. An aggregator operating under this chapter shall not be considered a utility engaging in
7 the wholesale purchase and resale of electric power and shall not be considered a municipal utility
8 under RSA 38.

9 II. The provision of aggregated energy services under this chapter shall be regulated by this
10 chapter and any other applicable laws governing aggregated electric power and energy services in
11 competitive electric markets.

12 III. Transmission and distribution services shall remain with the transmission and
13 distribution utilities, who shall be paid for such services according to rate schedules approved by the
14 applicable regulatory authority, which may include optional time varying rates for transmission and
15 distribution services that may be offered by distribution utilities on a pilot or regular basis. An
16 aggregator shall not be required to own any utility property or equipment to provide energy services
17 to its customers.

18 IV. Aggregators shall be subject to RSA 363:38 as service providers and individual customer
19 data shall be treated as confidential private information and shall not be subject to public disclosure
20 under RSA 91-A.

21 6 Financial Responsibility. Amend RSA 53-E:5 to read as follows:

22 53-E:5 Financial Responsibility. Retail electric customers who choose not to participate in an
23 aggregation program adopted under RSA 53-E:7 shall not be responsible for, and no entity shall
24 require them to pay, any costs associated with such program, through taxes or otherwise except for
25 electric power supply or energy services consumed directly by the municipality or county, ~~or~~
26 ~~incidental costs, which may include costs necessary to comply with the provisions of this chapter up~~
27 ~~to the time that the aggregation starts to produce revenue from participating customers].~~

28 7 Electric Aggregation Plan. Amend RSA 53-E:6, III to read as follows:

29 III. The plan shall detail:

30 (a) The organizational structure of the program.

31 (b) Operation and funding.

32 (c) Rate setting and other costs to participants, including whether energy supply
33 services are offered on an opt-in basis or on an opt-out basis ~~[as an alternative default service].~~

34 (d) The methods for entering and terminating agreements with other entities.

35 (e) The rights and responsibilities of program participants.

36 (f) ~~[How net metered electricity exported to the distribution grid by program~~
37 ~~participants, including for group net metering, will be compensated and accounted for.~~

HB 315 - AS INTRODUCED
- Page 3 -

1 ~~_____ (g) How the program will ensure participants who are enrolled in the Electric Assistance~~
2 ~~Program administered by the commission will receive their discount.~~

3 ~~_____ (h) Termination of the program.~~

4 8 Aggregation Program RSA 53-E:7 is repealed and reenacted to read as follows:

5 53-E:7 Aggregation Program.

6 I. The governing body of a municipality or county may submit to its legislative body for
7 adoption a final plan for an aggregation program or any revision to include an opt-out aggregation
8 program, to be approved by a majority of those present and voting.

9 II. Once adopted, or upon revision following adoption, the plan shall be submitted to the
10 commission for review and the commission shall determine whether the plan conforms to the
11 requirements of this chapter and whether the plan imposes undue risk on non-participants.

12 III. If the plan is adopted or once adopted is revised to include an opt-out, the municipality
13 or county shall mail written notification to each retail electric customer within the municipality or
14 county based upon the addresses in public records of the municipality or county for such customers.
15 Notification shall include a description of the aggregation program, the implications to the
16 municipality or county, and the rights and responsibilities that the participants will have under the
17 program, and if provided on an opt-out basis, the fixed rate or charges that will apply. No retail
18 electric customer shall be included in a program in which the customer does not know all of the rates
19 or charges the customer may be subject to at least 30 days in advance of the customer's application
20 and has the option, for a period of not less than 30 days from the date of the mailing, to opt out of
21 being enrolled in such program, unless the customer affirmatively responds to the notification or
22 requests in writing to be included in the program.

23 IV. Within 15 days after notification of the plan has been sent to retail electric customers in
24 the service area, a public information meeting to answer questions on the program shall be held.

25 V. Services proposed to be offered by or through the aggregation shall be on an opt-in basis
26 unless the approved aggregation plan explicitly creates an opt-out service program where the rate or
27 price is known at least 30 days in advance of its application and, for a period of not less than 30 days
28 from the date notification is mailed, the customer has the opportunity to opt out of being enrolled in
29 such program, by return postcard, website, or such additional means as may be provided. Customers
30 who are on default service provided by an electric distribution utility shall be automatically enrolled
31 in an aggregation provided energy services if they do not elect to opt out. Customers opting out will
32 remain on default service. Customers taking energy service from a competitive electricity supplier
33 shall not be automatically enrolled in any aggregation program, but may voluntarily opt in. A new
34 customer to the electric distribution utility after the notification mailing required by paragraph III
35 shall initially be enrolled in utility provided default service unless the customer has relocated within
36 a single utility's service area and is continuing service with a competitive electricity supplier. On a
37 recurring basis, but not more frequently than monthly, an aggregation may request, and the utility

HB 315 - AS INTRODUCED

- Page 4 -

1 will provide, a list of customers within the aggregation's territory who are not enrolled with a
2 competitive electricity supplier for the aggregation to use in identifying any new customers. New
3 customers identified from such list shall be enrolled by the aggregation in the aggregation program,
4 unless the customer opts-out of the aggregation. Municipal aggregations shall take priority or
5 precedence over any county aggregations and each such aggregation shall be responsible for assuring
6 that customers are enrolled with the correct aggregation. Customers enrolled in a municipal or
7 county provided energy services shall be free to elect to return to utility provided default service or to
8 transfer to a competitive electricity supplier with adequate notice in advance of the next regular
9 meter reading by the distribution utility, in the same manner as if they were on utility provided
10 default service or as approved by the commission.

11 VI. Once adopted, an aggregation plan and program may be amended and modified from
12 time to time as provided by the governing body of the municipality or county and approved by the
13 commission. In all cases the establishment of an opt-out default service program shall be approved
14 as provided in paragraph I.

15 VII. The commission shall adopt rules, under RSA 541-A, to implement this chapter,
16 including but not limited to rules governing the relationship between municipal or county
17 aggregators and distribution utilities, metering, notice of the commencement or termination of
18 aggregation services and products, and the reestablishment of a municipal or county aggregation
19 that has substantially ceased to provide services. Where the commission has adopted rules in
20 conformity with this chapter, complaints to and proceedings before the commission shall not be
21 subject to RSA 541-A:29 or RSA 541-A:29-a.

22 9 New Section; Billing Arrangements. Amend RSA 53-E by inserting after section 8 the
23 following new section:

24 53-E:9 Billing Arrangements. Each electric distribution utility shall offer to bill customers on
25 behalf of competitive electric power suppliers and to pay such suppliers in a timely manner the
26 amounts due such suppliers from customers for generation services, less a percentage of such
27 amounts that reflects uncollectible bills and overdue payments, as approved by the commission.

28 10 Effective Date. This act shall take effect 60 days after its passage.



City of Keene, N.H.
Transmittal Form

February 4, 2021

TO: Mayor and Keene City Council

FROM: Beth Fox, ACM/Human Resources Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: K.1.

SUBJECT: In Appreciation of Jeffrey W. Titus Upon His Retirement

RECOMMENDATION:

That Resolution R-2021-05 be adopted by the City Council.

ATTACHMENTS:

Description

Resolution R-2021-05

BACKGROUND:

Mr. Titus retired from the Finance Department effective December 31, 2020, with over 22 years of service.



CITY OF KEENE

In the Year of Our Lord Two Thousand andTwenty-One.....

A RESOLUTION In Appreciation of Jeffrey W. Titus Upon His Retirement.....

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

WHEREAS: Jeffrey W. Titus began his career with the City of Keene November 23, 1998, as the Purchasing Agent, and was reclassified July 1, 2016, to Purchasing and Contract Services Manager to more accurately reflect his responsibilities; and

WHEREAS: Jeff conducted a complete assessment of the City's purchasing function, comparing us to national excellence standards and subsequently addressing 21 of 35 topic areas, steering our procurement program into the 21st century by developing it into one of best practices that provides for consistently strong customer service; uses technology to provide information quickly, efficiently, and accurately; maximizes savings while maintaining quality and value; and ensures integrity throughout the process; and

WHEREAS: Collaborating with his internal customers and with amazing attention to detail, he coordinated the bidding process with department needs and project schedules, ensuring that goods and services were received in a timely manner while reducing turnaround time, offering workflow coordination meetings and communicating the status of projects and tasks so that core business functions moved forward while protecting the financial interests of the City; and

WHEREAS: With his strong commitment to customer service, Jeff works in a collaborative manner, seeking and incorporating input from all sources available to him within and outside the organization; always was ready to handle unforeseen changes in schedule and priorities in a calm and professional manner; and applied high ethical standards to daily operations; and

WHEREAS: He thoughtfully developed, streamlined and documented every aspect of division processes, systems, and procedures to enhance the transparency, efficiency, and effectiveness of the purchasing, procurement, and contract management functions—by implementing technology as a way of doing business, by working as a member of the New Hampshire Municipalities Purchasing Consortium to coordinate and improve pricing on large purchases for municipalities across the state; by rejuvenated the Monadnock Purchasing Consortium to investigate opportunities for savings with larger commodity purchasing; all in a long, slow effort that will pay dividends for the City and the region in the future; and by implementing multi-year bidding for commodities, beginning with those having potential to for the highest return on investment in terms of cost savings and green initiatives; and

WHEREAS: Part of the Finance management team, Jeff's additional contributions include being part of the group addressing the fixed asset and infrastructure component of GASB 34; working with finance software upgrades; helping to lead the Environmentally Preferable Purchasing Program Committee, which morphed into the EP3 Team; supporting the operating budget and Capital Improvement Program preparation; providing valuable input during the 2008 Energy Forum; sharing feedback as the City's VOICE initiatives were implemented; being a member of the Web Team, Purchasing Card Committee, Y2K Committee, and the Safety Committee; participating in Citizens' Appreciation Nights; and being a Leadership Monadnock graduate; and

WHEREAS: Jeff retired from the City of Keene December 31, 2020, with over 22 years of dedicated and honorable service to the City of Keene;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Keene hereby extends its sincere thanks to Jeffrey W. Titus for his dedicated service and wishes him the very best all through his retirement years; and

BE IT FURTHER RESOLVED that a copy of this Resolution, properly engrossed, be presented to Jeff in appreciation for his many years of service to the residents of Keene and the Monadnock Region.

PASSED

George S. Hansel, Mayor



City of Keene, N.H.
Transmittal Form

January 29, 2021

TO: Mayor and Keene City Council

FROM: Mari Brunner, on behalf of the Conservation Commission

THROUGH: Elizabeth A. Dragon, City Manager & Rhett Lamb, ACM/Community Development Director

ITEM: K.2.

SUBJECT: Relating to "Bee City USA"

RECOMMENDATION:

That Resolution R-2021-06 be referred to the Municipal Services, Facilities and Infrastructure Committee for their review and recommendation.

ATTACHMENTS:

Description

Resolution R-2021-06

BACKGROUND:

At the June 15, 2020 Conservation Commission meeting, the Commission voted unanimously to recommend that City Council approve a resolution to become a "BEE CITY USA." The resolution is included as an attachment to this memo. Included below is an excerpt from the June 15, 2020 meeting minutes where this item was discussed and voted on by the Conservation Commission.

"a. Bee City USA – Continued Discussion – Mr. John Therriault

Chair Von Plinsky discussed how to move this initiative forward with Councilor Williams and John Therriault, who was calling alone from his home address. Councilor Williams said that there was much discussion at the last meeting of what a Bee City *could* do but not what it *would* do specifically. Before defending the idea to City Council, the Councilor wanted to understand better the types of projects, the workload for this Commission, and the support that would be needed from City staff.

Mr. Therriault said that being a Bee City has three minimal annual requirements: 1) one project enhancing pollinator habitat such as improving a City park with pollinator forage; 2) one educational event that could be as simple as a school field trip to the observation hive at Stonewall Farm; and 3) review City policies and procedures to ensure pollinator friendliness such as during Parks Department lawn management. He said it is not a constant activity but rather raising awareness and improving pollinator habitat incrementally.

Councilor Williams asked how the three elements – education, habitat building, and policy – would be determined. Would this Commission as an entity be responsible for organizing and implementing the education and habitat aspects, or would the Commission identify and sponsor such projects implemented by non-profit organizations, for example? Councilor Williams was concerned about the Commission's responsibility in

identifying projects and ensuring they are executed to meet these Bee City requirements. Regarding the task to review policies and procedures, Councilor Williams said it is a great idea but he was unsure whether a plan/timeline would be needed for it to be clear to Council that the City, and specifically this Commission, would be reviewing those policies. Policy changes require public comment and Council support.

Mr. Walker asked for examples of specific projects from the Bee Cities of Burlington, VT and Durham, NH. Mr. Therriault could not provide examples from those cities because neither had submitted their 2019 annual reports on time. Other 2019 reports from cities in the south describe enhancing park areas and rehabilitating roundabouts with pollinator gardens. In Keene, he posited that small portions of lands overseen by the Conservation Commission could be improved with pollinator habitat and developed as educational areas. If Council approved becoming a Bee City, Mr. Therriault said it simply means that anytime the Commission considers an action, that they question whether it is pollinator friendly on a case-by-case basis. Mr. Therriault had not yet heard from the Mayor about joining the Conservation Commission as an alternate member to act as the Bee City point-of-contact.

Mr. Bill asked if the Commission would be obligated to run education events or to foster someone else doing so. Mr. Therriault said that he leads events routinely at local schools so it would be no additional work for him.

Mr. Bergman said that Peter Hansel and Laura Andrews in west Keene received a grant from the Cheshire County Conservation District for pollinator gardens. He recalled that Mr. Therriault offered to pay the annual \$200 Bee City USA fee and he asked whether that is possible in City policies. Mr. Lamb said that could occur through the donation process to City Council, however, he was unaware of instances of donations directly to a specific use, but he was unsure why it could not occur.

Mr. Madison wondered whether some requirements like education must be implemented by the City or if non-profit support could be leveraged, such as Stonewall Farm or the Cheshire County Conservation District. Mr. Therriault said yes, that the role as Bee City is more as a facilitator.

If Keene were a Bee City and wanted to improve pollinator habitat in a roundabout, for example, Mr. Reilly asked who would pay for that work. Mr. Therriault said that some roundabouts are already sponsored by businesses or groups that might be amenable to making those improvements, which require minimal input. For example, effective pollinator patches only require a minimum 4'x4' area to attract most pollinators.

Mr. Bergman said that eventually it would be important to assess the effectiveness of a project like this to determine whether pollinator populations were improved by such efforts. Mr. Therriault said that would be a good opportunity to collaborate with the University of New Hampshire, which already conducts pollinator studies; Mr. Bergman said they might have ideas about optimal planting as well.

Mr. Bill suggested that the Ashuelot River Park would be a good place for pollinator projects because there are already many sponsored garden beds there.

The Chairman said it sounded more like a matter of coordination without hitting the City's budget.

Councilor Williams asked who would be responsible for creating the annual report. Mr. Therriault assumed that he would as the Commission's Bee City point-of-contact. The Chairman considered the long-term, when Mr. Therriault's time on the Commission ends, and said that it would be a general responsibility of the Commission and whoever takes his place. Mr. Therriault said it is not actually writing a report but answering nine-computer screens of questions that generate a report, which in his experience takes about one hour of work. Councilor Williams does not only want a report submitted to Bee City but also made available so that the citizens of Keene know about this work; he thought the whole Commission should have input on the responses before a report is final.

Councilor Williams was comfortable moving this matter back to the Municipal Services, Facilities, & Infrastructure Committee with comments from these meetings' minutes for Council review. The Chair, Mr. Lamb, and Mr. Therriault could help participate in those conversations.

Chair Von Plinsky moved to recommend that the City Council approve a resolution to become a "Bee City USA," which Mr. Bill seconded, and the motion passed by unanimous roll call vote."



CITY OF KEENE

R-2021-06

Twenty-one

In the Year of Our Lord Two Thousand and

Relating to Bee City USA

A RESOLUTION

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

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

WHEREAS: the mission of *BEE CITY USA* is to galvanize communities to sustain pollinators, responsible for the reproduction of 90% of the world’s wild plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS: insect pollinators, including wild native bees and European honey bees, are vital to a healthy ecosystem and agricultural production, worldwide; and

WHEREAS: bees and other pollinators have experienced population declines due to a combination of habitat loss, use of pesticides, and the spread of pests and diseases; and

WHEREAS: pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local nurseries and growers; and

WHEREAS: ideal pollinator-friendly habitat:

- Provides diverse and abundant nectar and pollen from plants blooming in succession throughout the growing season;
- Provides water for drinking, nest building, hive cooling, diluting stored honey, and butterfly puddling;
- Provides undisturbed spaces (leaf and brush piles, un-mowed fields or field margins, fallen trees and other dead wood) for nesting and overwintering for wild pollinators;
- Is pesticide free or has pesticide use carried out with least ill effects on pollinators;
- Is comprised of mostly, if not all native species of annual and perennial forbs, grasses, vines, shrubs, and trees in landscapes because many wild pollinators prefer or depend on the native plants with which they co-adapted;
- Includes, where possible, designated pollinator zones in public spaces with signage to educate the public and build awareness; and
- Provides for safe and humane removal of honey bees when required.

WHEREAS: supporting pollinators fosters environmental awareness and sustainability, and increases interaction among community stewards, including commercial and backyard beekeepers, farmers, children, educators, University researchers, Master Naturalists, Master

PASSED

- Provides for safe and humane removal of honey bees when required.

WHEREAS: supporting pollinators fosters environmental awareness and sustainability, and increases interaction among community stewards, including commercial and backyard beekeepers, farmers, children, educators, University researchers, Master Naturalists, Master Gardeners, plant nurseries, municipalities, neighborhoods, garden suppliers and clubs; and

WHEREAS: in order to enhance understand among City staff and City residents about the vital role that pollinators play and what each of us can do to sustain them, the City of Keene, New Hampshire chooses to support and encourage pollinator habitat creation and enhancement on both public and private land; and

NOW, THEREFORE BE IT RESOLVED, that the City Council, the governing legislative body of the City of Keene, New Hampshire does hereby approve Resolution #XXXXXX accepting the City of Keene's designation as a "Bee City USA" community and committing to the standards of said designation as follows:

1. The City of Keene Conservation Commission is hereby designated as the *BEE CITY USA* sponsor.
2. The Community Development Director, City of Keene is designated as the *BEE CITY USA* liaison
3. Facilitation of the City of Keene *BEE CITY USA* program is assigned to the City of Keene Conservation Commission
4. The City of Keene Conservation Commission is authorized to and should:
 - a. Celebration: Annually celebrate National Pollinator Week (third full week of June), pollinator habitat plantings or restoration, proclamations or promotions that showcase the City of Keene's commitment to enhancing pollinator health and habitat
 - b. Publicity & Information: Install and maintain at least one authorized *BEE CITY USA* street sign in a prominent location, and create and maintain a webpage on the City of Keene website which includes, at a minimum, a copy of this resolution, links to the national *BEE CITY USA* website, contact information for the local government's *BEE CITY USA* liaison and contact information for the City of Keene Conservation Commission, and reports of the pollinator friendly activities the community has accomplished the previous year(s)
 - c. Habitat: Develop and implement a program to create or expand pollinator friendly habitat, which can include, but is not limited to:
 - i. Identification and inventory of the City of Keene real property that can be enhanced with pollinator friendly plantings

- ii. Creation of a recommended locally native species list to include forbs, grasses, vines and shrubs and trees and a list of local suppliers for those species
 - iii. Creation of a least toxic pesticide management plan
 - iv. Dissemination of informational and educational materials to the public
 - v. Tracking annual area of pollinator habitat created or enhanced by square footage and/or acreage
- d. Policy: Encourage, through the Open Spaces & Greenway Connections Chapter of the City of Keene's Master Plan, acknowledgement and commitment to the *BEE CITY USA* designation
 - e. Plan Review: Review the Land Stewardship Plan for specific city properties, and other relevant documents to review pesticide management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator friendly plantings, and consider other appropriate measures
 - f. Renewal: After completing the first full year as a *BEE CITY USA* affiliate, each January, apply for renewal of the City of Keene's *BEE CITY USA* designation following the format provided by *BEE CITY USA*, including a report of the previous year's *BEE CITY USA* activities, and paying the renewal fee based on the City of Keene's population

George S. Hansel, Mayor