



FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
Council Chambers B, Keene City Hall
December 8, 2022
6:00 PM

A. AGENDA ITEMS

1. Spectrum Service Issues Update
2. Efforts to Reduce the Risk of Lead Poisoning from Lead Paint - Councilor Robert Williams
3. Lieutenant Joseph DiBernardo Memorial Grant - Fire Department
4. Law Enforcement Substance Abuse Reduction Initiative Grant - Police Department
5. 2021 Homeland Security Grant Program - Search and Rescue Equipment - Police Department
6. 2020 Homeland Security Grant Program - CBRNE Response Equipment - Police Department
7. Control and Use Agreement - American Legion - Parks, Recreation and Facilities Department
8. EnviroTrac Environmental Services Water Monitoring at Closed Municipal Landfill Change Order #1 - Public Works Department
9. Design Change Order #2, Marlboro Street Corridor Improvements Project - Public Works Department
10. Relating to Personal Leave
Ordinance O-2022-17

B. MORE TIME ITEMS

1. Councilor Filiault - Charter Amendment Related to Municipal Primary

NON PUBLIC SESSION

ADJOURNMENT

November 14, 2022

Bobby Williams
66 North Lincoln Street
Keene, New Hampshire 03431

To the Mayor and City Council:

I am concerned about the presence of lead paint in older homes around Keene.

Lead is an environmental toxin that can have long-term neurological effects on people who are exposed to it, particularly children. The most significant source of lead exposure risk is from dust associated with lead-based paint.

Many older homes around Keene were built before lead paint was outlawed for residential use in 1978 and are therefore at risk of having lead paint dust inside the house. This is a problem that affects both renters and homeowners, as well as landlords – but most of all, lead poisoning affects children, their families, and the adults that they grow into.

Lead hazard abatement projects are expensive, but there is both federal and state money available to enable property owners to fund them. A City of Keene effort toward public education, outreach, and support could go a long way in terms of encouraging homeowners and landlords to make use of these resources.

There is also community-level funding available through the Department of Housing and Urban Development. In 2021, Sullivan County received a \$1.7 million federal grant that is being used to fund lead abatement projects for 60 housing units. I believe that Keene may be eligible for similar funding.

I am asking for the City Council to hold a discussion on this topic at the committee level, and to consider what steps the City could take that would be appropriate and effective at reducing lead poisoning risk in our community.

Sincerely,



Bobby Williams
City Councilor, Ward 2



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.3.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Jeremy LaPlante, Lieutenant/Training Officer

Through: Elizabeth Dragon, City Manager
Donald Farquhar, Fire Chief

Subject: Lieutenant Joseph DiBernardo Memorial Grant - Fire Department

Recommendation:

Move to recommend 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.

Attachments:

None

Background:

The Lt. Joseph DiBernardo Memorial Foundation notified the City of Keene Fire Department it was awarded grant funding in the amount of \$11,997.45 for the purpose of outfitting department members with emergency rope escape systems. This grant will fund all costs associated with the purchase of said equipment.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.4.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Steve Stewart, Police Chief

Through: Elizabeth Dragon, City Manager

Subject: **Law Enforcement Substance Abuse Reduction Initiative Grant - Police Department**

Recommendation:

That the Finance, Organization and Personnel Committee recommend 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.

Attachments:

None

Background:

With the goal of reducing narcotics sales and abuse, which are causing an increase in overdoses and deaths, as well as a rise in more serious crimes, the Keene Police Department was awarded \$30,000 for this project. This amount would be in the form of overtime reimbursements associated with narcotics investigations and enforcement efforts for the period ending June 30, 2023.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.5.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Steven Tenney, Police Captain

Through: Elizabeth Dragon, City Manager
Steve Stewart, Police Chief

Subject: **2021 Homeland Security Grant Program - Search and Rescue Equipment - Police Department**

Recommendation:

Move to recommend 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.

Attachments:

None

Background:

On April 8, 2022 the Keene Police Department was awarded \$13,475.62 for the purchase of Search and Rescue Equipment. These funds were issued to tactical teams who are current members of the New Hampshire Tactical Officers Association under the State Homeland Security Program portion of the 2021 Homeland Security Grant Program.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.6.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Steven Tenney, Police Captain

Through: Elizabeth Dragon, City Manager
Steve Stewart, Police Chief

Subject: **2020 Homeland Security Grant Program - CBRNE Response Equipment - Police Department**

Recommendation:

Move to recommend 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.

Attachments:

None

Background:

On November 12, 2020 the Keene Police Department was awarded \$25,000.00 for the purchase of CBRNE Training and Response Suits. These funds were awarded to Tactical Teams who are current members of the New Hampshire Tactical Officers Association under the State Homeland Security Program portion of the 2020 Homeland Security Grant Program.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.7.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Andrew Bohannon, Parks, Recreation and Facilities Director

Through: Elizabeth Dragon, City Manager

Subject: **Control and Use Agreement - American Legion - Parks, Recreation and Facilities Department**

Recommendation:

Move that the Finance, Organization and Personnel Committee recommend 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.

Attachments:

None

Background:

In September 2010, a 25-year agreement was concluded between the Gordon Bissell American Legion Post #4 and the City of Keene for the use of the softball fields located on Court Street. In 2018, the City entered into a 5-year agreement which will end in March 2023.

A new five year extension is desired by both organizations. However, the City, with the approval from the Legion, will convert a softball field to a multi-use field. This field will be used for soccer and flag football, two growing needs within our program offerings.

A past contract fee of \$5,200 a year will remain and be paid in two installments of \$2,600.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.8.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Duncan Watson, Assistant Public Works Director

Through: Elizabeth Dragon, City Manager
Kurt Blomquist, ACM/Public Works Director

Subject: **EnviroTrac Environmental Services Water Monitoring at Closed Municipal Landfill Change Order #1 - Public Works Department**

Recommendation:

Move that the Finance, Organization and Personnel Committee recommend 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.

Attachments:

None

Background:

Note, this item was previously approved unanimously by the Finance, Organization and Personnel Committee on October 27, 2022, and unanimously by City Council on November 3, 2022. However, an administrative error referenced the previous contract with EnviroTrac, and not the current contract which was renewed in July 2022. The amount of the change order request has not changed, but the new three (3) year contract total is \$100,700, not \$68,152, which was what was conveyed originally on October 27, and November 3 respectively. This is coming back to the Finance, Organization and Personnel Committee to correct the contract total as a result of the change order request.

The Keene Municipal Landfill was closed and capped in 1999. Per Environmental Protection Agency (EPA) and New Hampshire Department of Environmental Services (NHDES) regulations, the City must monitor water quality (ground and surface water), within an established groundwater monitoring zone, under the provisions of Groundwater Permit issued by NHDES. Following the renewal of the Groundwater Management Permit (GMP), in August 2022 (GMP-1999009001-K-005), additional activities have been required per New Hampshire Department of Environmental Services (NHDES). The City is currently under contract with EnviroTrac Environmental Services to provide required post landfill closure water monitoring.

The majority of the new required activities involve per- and polyfluoroalkyl substances (PFAS) compounds. PFAS are a group of man-made chemicals that have been manufactured and used in a

variety of industries around the globe since the 1940s, including stain repellents in fabrics, flame retardant carpets, nonstick coatings in cookware, foam used to fight fires at airports, and grease barriers in food packaging. As a class, PFAS includes thousands of compounds, many with useful properties, albeit with largely unknown environmental and or human health impacts.

The closed Keene Municipal Landfill parcel is an approximately 20-acre closed, unlined municipal solid waste landfill owned and operated by the City of Keene. The property (identified as Lot 10-009 on the City of Keene Assessor's Map 919) is situated on the west side of Route 12, just south of the Keene-Surry town line. The majority of the properties abutting the landfill are undeveloped and heavily wooded. Old Summit Road is located to the north of the landfill. The Cheshire Rail Trail abuts the landfill along the east and northeast, and beyond that is Summit Road (NH Route 12).

In January 2019, the City, through its consultant EnviroTrac Environmental Services, submitted a required biennial report on the November 2018 water quality monitoring, and PFAS was detected in both groundwater and surface water samples. NHDES issued a letter in May 2019 outlining the next steps of PFAS characterization, which includes testing any domestic wells within 500 feet of the boundary of the groundwater management zone (GMZ). The August 2022 renewal of GMP now requires PFAS testing in the majority of established groundwater wells within the GMZ as well as additional sampling beyond the GMZ. This expanded monitoring is a requirement of the GMP and will involve greater monitoring expenses, particularly those associated with laboratory analysis.

The recent heightened focus on PFAS compounds will require the City of Keene to continue to monitor and test for these compounds in addition to the other required regulated chemical compound monitoring. The City of Keene Public Works Department will continue to work closely with its consultant, EnviroTrac Environmental Services, as well as the NHDES to monitor the situation and report results as they become available.

Lastly, because PFAS is a nationwide issue, programs to assist in detection and remediation are coming online. The Solid Waste Division will work with EnviroTrac Environmental Services to identify funding opportunities that may assist in the financial burden of PFAS issues.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.9.

Meeting Date: December 8, 2022

To: Finance, Organization and Personnel Committee

From: Donald Lussier, City Engineer

Through: Elizabeth Dragon, City Manager
Kurt Blomquist, ACM/Public Works Director

Subject: **Design Change Order #2, Marlboro Street Corridor Improvements Project - Public Works Department**

Recommendation:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to negotiate and execute a 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.

Attachments:

None

Background:

The City's FY 2019 Capital Improvement Program (CIP) appropriated funds for a variety of work in the Marlboro Street corridor. The utility work was completed during the 2020 construction season. In the fall of 2018, staff submitted an application for a Transportation Alternatives Program (TAP) Grant. The application proposed using funds from the Marlboro Street Corridor Improvement project as a 20% match for a larger complete streets scope of work. On January 23, 2019, the City was notified that we had been awarded the grant.

The Council approved a contract with Dubois & King in February 2019 to complete the design of the grant-funded work. On January 1, 2022, Dubois & King submitted the preliminary design submission to the NHDOT for approval. On June 16, 2022, the NHDOT approved the submission.

The final design phase requires additional effort that was not identified in the original contract. This includes:

1. Detailed boundary survey to establish easements needed to construct the trail connector between Marlboro Street and the Industrial Heritage Trail.
2. Re-establishment of survey control that was disturbed during the 2020 Marlboro Street Utility Project.

3. Final design to detail features that were added during the preliminary design phase, some at the request of the NHDOT.
4. Presentation to the NHDOT Estimate Review Committee. Because the current project estimate exceeds the original grant funding, this is a necessary step to gain NHDOT approval for expanded grant funding.

Because the TAP grant is only for construction, this design change order will be 100% funded by the City. There are sufficient funds in the Marlboro Street Corridor Improvements Project (75J0018A) to cover the current request.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.10.

Meeting Date: December 8, 2022
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: **Relating to Personal Leave
Ordinance O-2022-17**

Council Action:

In City Council November 17, 2022.

Referred to the Finance, Organization and Personnel Committee.

Recommendation:

That the City Council refer Ordinance O-2022-17 to the Finance, Organization, and Personnel Committee for their review and recommendation.

Attachments:

1. Ordinance_O-2022-17_Referral

Background:

City Code provides a personal leave day to regular full-time employees for “perfect attendance” for each non-overlapping three (3) month period during which the employee takes no sick leave. The date on which the three (3) month period begins to run is modified each time the employee takes sick leave. Accordingly, this methodology establishes a different rolling date on when the “perfect attendance” period begins and ends in order to calculate when a personal day has been earned. This calculation methodology is not supported by the new MUNIS software system, and the method has been cumbersome to administer in the city’s current software.

To support the transition to the MUNIS software for payroll, modification of the methodology for provision of personal leave for perfect attendance is recommended. This proposed amendment to City Code will establish fixed calendar year quarterly measurement periods to be used to determine “perfect attendance” and eligibility for personal leave. If during the established period (based on calendar year quarters beginning with January 1 to March 31) an employee has perfect attendance following processing of all payroll for that quarter, the employee would be awarded a personal day. The proposed methodology standardizes across the organization the perfect attendance measurement periods as well as the time line for award and lapsing of personal leave. In addition to establishing fixed periods for consideration of perfect attendance, the proposed code amendment provides employees additional flexibility setting leave use dates of June 30 and December 31.

To accommodate the transition from individual dates which vary from employee to employee to fixed

quarterly measurement periods for “perfect attendance”, following processing of the first payroll in the MUNIS software, each eligible employee shall be awarded one day of personal leave.



CITY OF KEENE

O-2022-17

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

AN ORDINANCERelating to Personnel Systems and Procedures.....

Be it ordained by the City Council of the City of Keene, as follows:

That the Ordinances of the City of Keene, as amended, are hereby further amended by removing the stricken text and inserting the bold text in Chapter 62 entitled "Personnel, Article V, "Policies, Procedures and Conditions of Employment" of Division 3, "Leaves" of Subdivision V "Personal Leave" as follows:

Sec. 62-476. **Personal Leave Authorized.**

Regular full-time; employees shall receive one personal leave day **for each quarterly period of a calendar year (January 1 to March 31, April 1 to June 30, July 1 to September 30, October 1 to December 31)** ~~three month (non-overlapping) period~~ during which they have perfect attendance, beginning with their first day of employment. **New hires with perfect attendance shall receive a prorated award considering attendance from date of hire to the end of a quarter.** After the first six months of employment, the term "perfect attendance" shall mean no use of sick leave. ~~Balances of a~~Any such earned personal leave day must be taken prior to **June 30 or December 31** ~~the expiration of the three calendar months subsequent to the three-month period in which the personal leave day was earned~~ or it will be lost. Such earned personal leave day may be taken when approved in advance by the department head. The use of such personal leave days will not be charged to accumulated sick leave, and such earned personal leave days will not count toward the maximum vacation accumulation of 30 days.

Effective Date: January 1, 2023 or following the processing of the first payroll in the MUNIS software system.

In City Council November 17, 2022.

Referred to the Finance, Organization and
Personnel Committee.

George S. Hansel, Mayor

Patricia C. Smith

City Clerk