



FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
Council Chambers B, Keene City Hall
February 9, 2023
6:00 PM

A. AGENDA ITEMS

1. Donations - Transportation Heritage Trail - Parks, Recreation and Facilities Director
2. Donation - Keene Rotary Club - Parks, Recreation and Facilities Director
3. Acceptance of Federal Forfeiture Monies - Keene Police Captain
4. Acceptance of Local Source Water Protection Grant - Assistant Public Works Director/Operations Manager
5. Discussion - Councilor Filiault's Recommendation - City Charter Amendment regarding the Municipal Primary
6. Relating to Personnel Systems & Procedures
Ordinance O-2023-03
7. Relating to the Acceptance and Appropriation of Unanticipated Revenue
Resolution R-2023-07
8. Relating to the Optional Veterans' Tax Credit and Relating to the All Veterans' Tax Credit
Resolution R-2023-08
Resolution R-2023-09

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.1.

Meeting Date: February 9, 2023

To: Finance, Organization and Personnel Committee

From: Andrew Bohannon, Parks, Recreation and Facilities Director

Through: Elizabeth Dragon, City Manager

Subject: **Donations - Transportation Heritage Trail - Parks, Recreation and Facilities Director**

Recommendation:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a donation of \$40,000.00 from Pathways for Keene, Inc and \$12,000.00 from the Monadnock Conservancy and that the money be allocated for the Transportation Heritage Trail Phase 1 project.

Attachments:

None

Background:

The Transportation Heritage Trail will be the next phase in the ongoing development of our existing Cheshire Rail Trail System. This section will begin at the terminus of the previously completed Industrial Heritage Trail (IHT). While the IHT celebrates Keene's history as an industrial and manufacturing hub, the Transportation Heritage Trail (THT) will pay homage to the evolution of transportation technology through the decades.

In order to maximize the opportunity to seek funding from various grant programs and contributions from non-profit organizations, the project will be completed in several phases. The City received an appropriation of \$386,400.00 in "Congressionally Directed Spending" in FY 23. We were also selected for a "Transportation Alternatives Program" grant for \$644,100.00. Together, these two grants will fund 80% of the cost for Phase 1. This phase will entail repairing the rail bed from Eastern Avenue to Rt. 101 and preparing the embankment on the north side of Rt. 101 for the Prowse Bridge.

Pathways for Keene, Inc., has been a major contributor to the success of the trail system in Keene, and came forward with a donation of \$30,000.00 towards the City match of the project.

Monadnock Conservancy, has contributed to the last two phases of the Cheshire Rail Trail projects, and continues to provide a donation of \$12,000.00 towards the City match for the project.

Without these and past contributions, the success of the rail trail improvements would not be possible. The Monadnock Conservancy and Pathways for Keene, Inc. have placed a high value on

the network of rail trail infrastructure in our region, providing access to active and passive recreation. Through these donations, the City match has been reduced to \$123,846.00.

This project was approved during the Capital Improvement Plan budgeting process.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 9, 2023

To: Finance, Organization and Personnel Committee

From: Andrew Bohannon, Parks, Recreation and Facilities Director

Through: Elizabeth Dragon, City Manager

Subject: **Donation - Keene Rotary Club - Parks, Recreation and Facilities Director**

Recommendation:

Move that the Finance, Organization and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept a donation up to \$35,000.00 from the Keene Rotary Club and that the money is allocated for wayfinding for the trails and parks.

Attachments:

None

Background:

In the spring of 2021, the City Council accepted the UNH Cooperative Extension Downtown to Trails Economic Impact study. The main findings of this report was the need to improve our wayfinding for our trails to encourage more pedestrian and bicycle traffic into our downtown footprint. With the need to encourage more tourism to the downtown, a strong wayfinding program can direct travelers, residents, and students to navigate their way around our trails and parks.

Wayfinding provides visual direction and resources for individuals using the trail network or park system. Coinciding with branding efforts led by the City, staff worked with Guide Studios as part of the branding effort to create wayfinding signage with the new brand. Staff identified four parks (Ashuelot River Park, Wheelock Park, Robin Hood Park and Russell Park) and the Cheshire Rail Trail to begin the program.

The Keene Rotary Club approached the Parks, Recreation and Facilities Director in November of 2022 inquiring about a 100-year legacy project. Through various project reviews, it was determined that working with the City towards improving the trails and parks would create that visible legacy for the City and Club. The mission of the Keene Rotary Club is "Service to others" and three of the seven focus areas for Rotary clubs are also: fight disease, protecting the environment, and growing local economies. Certainly, the impact of this project could potentially impact all seven focus areas, but growing the local economy is in complete synergy with the recent UNH Downtown to Trails study.

The City will issue an RFP process for the implementation and fabrication for installation of the signage in the summer of 2023.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.3.

Meeting Date: February 9, 2023

To: Finance, Organization and Personnel Committee

From: Steven Tenney, Police Captain

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

Subject: **Acceptance of Federal Forfeiture Monies - Keene Police Captain**

Recommendation:

That the Finance, Organization and Personnel Committee recommend the City Manager be authorized to do all things necessary to accept Federal forfeiture monies in the amount of \$13,396.97.

Attachments:

None

Background:

The forfeited money in question was seized in conjunction with drug investigations that were conducted jointly by the Keene Police Department and the Department of U.S. Homeland Security Investigations. These stem from two cases. The first case, in the amount of \$4,129.17, commenced in November of 2015 and culminated in December of 2015. The second case, in the amount of \$9,267.80, commenced in June of 2022 and culminated in July of 2022.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.4.

Meeting Date: February 9, 2023

To: Finance, Organization and Personnel Committee

From: Kurt Blomquist, ACM/Public Works Director
Aaron Costa, Asst. Public Works Directors/ Operations Mgr.

Through: Elizabeth Dragon, City Manager

Subject: **Acceptance of Local Source Water Protection Grant - Assistant Public Works Director/Operations Manager**

Recommendation:

Move that the Finance, Organization, and Personnel Committee recommend that the City Manager be authorized to do all things necessary to accept, execute, and expend a Local Source Water Protection grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of \$14,200 to perform a property survey around the West Street wellfield.

Attachments:

None

Background:

The West Street well is a valuable water source capable of producing 600,000 gallons per day of high quality drinking water for the City of Keene. The well is located on approximately five acres of city-owned property that abuts a horse farm. Recent farm activities of concern include pastured animals and manure storage within the 400 foot sanitary protective radius of the well.

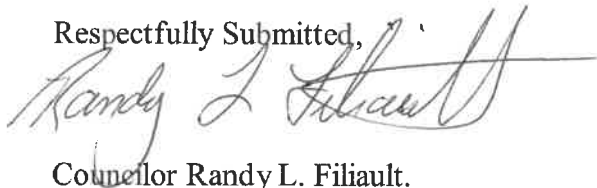
The City of Keene will use NHDES grant funds to hire a qualified surveyor to perform a detailed property survey of the City-owned parcel. Once a detailed land survey is completed, the City may want to pursue the installation of a fence along property boundaries in order to comply with the New Hampshire Code of Administrative Rules, Env-Dw 302.10 regarding the Sanitary Protective Area.

To: Mayor George Hansel and Keene City Council
From: Councilor Randy L. Filiault
Re: Municipal Primary Elections
Date: September 13, 2021

I respectfully request the Keene City Council and City Staff discuss eliminating or significantly change the Keene Municipal Primary. My reasoning is simple: The past several primaries have done nothing more than eliminate a single candidate from the ballot. Such a process is clearly a waste of taxpayer dollars, a waste of City Staff's time, and a waste of election volunteers' time.

Because such a change requires the approval of Keene voters, as it would require a Charter change and appear on a future ballot to do so, it is important we begin this conversation as soon as possible. I look forward to further discussing this matter.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Randy L. Filiault", with a long horizontal flourish extending to the right.

Councillor Randy L. Filiault.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.6.

Meeting Date: February 9, 2023
To: Mayor and Keene City Council
From: Elizabeth Fox, ACM/Human Resources Director
Through: Elizabeth Dragon, City Manager
Subject: **Relating to Personnel Systems & Procedures
Ordinance O-2023-03**

Council Action:

In City Council February 2, 2023.

Referred to the Finance, Organization and Personnel Committee.

Recommendation:

That the City Council refer Ordinance O-2023-03 to the Finance, Organization, and Personnel Committee.

Attachments:

1. Ordinance O-2023-03_Personnel Systems and Procedures_referral

Background:

Current City Code only provides for Family and Medical Leave (FMLA) for the purposes of birth, adoption or bonding to be taken as a continuous period. An amendment to provide greater flexibility is proposed that will allow requests from employees to take FMLA for non-continuous periods or a reduced leave schedule to be considered.

In addition to modifying City Code regarding FMLA for birth, adoption or bonding, the ordinance advances two modifications related to health insurance. The first adjusts the payment made to a regular full-time non-bargaining unit employee who provides verification of health coverage by some other means and opts out of the offered health plan. The second modifies the premium cost sharing formula for qualified part-time employees required to be offered health coverage under the Affordable Health Care Act.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Personnel Systems & 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 various sections below of Subdivision VI. Family and medical leave and Division 4. – Benefits of Chapter 62, entitled “Personnel Systems and Procedures” as follows:

Sec. 62-501. Family and medical leave. Effective upon adoption

Insert new Section (e) and relabel letter designations for subsequent sections as required.

(e) Non-consecutive or reduce leave schedule for the purposes of birth, placement or bonding with a son(s), daughter(s), adopted or foster child. In the place of the consecutive twelve (12) week period of leave provided by federal law, the employer may agree to a FMLA leave request that includes a schedule of non-consecutive work weeks or a reduced leave schedule during the 18 weeks following birth of a newborn or placement of an adoptive or foster child. Documentation of medical necessity shall be required for sick leave to provide wage replacement for any FMLA period more than eighteen 18 weeks following the birth of a newborn or placement of an adoptive or foster child.

Add to Section (p) *Definitions* the following additional definitions in alphabetical order.

***Continuous leave* means one continuous period of leave extending up to the full leave period allowed.**

***Non-consecutive leave* means leave taken in separate blocks of time comprised of at least one full work week.**

***Workweek*, as defined by the United States Department of Labor’s Wage and Hour Division, means a period of 168 hours during 7 consecutive 24-hour periods. The City of Keene workweek is Sunday through Saturday.**

Sec. 62-611. Insurances. Effective 7/1/2023

(a) *Medical insurance for non-bargaining unit employees:*

(3) If a regular full-time employee so chooses, the employee may elect, upon receipt by the city of written verification that the benefit is received by some other means, to receive taxable income in the amount of **\$3,500.00** ~~1,500.00~~ in lieu of the city health insurance benefit. To qualify for such payment, the election must be such that it will not subject the city to penalty or assessment and is compliant under the Affordable Care Act, Tricare or any other legislative requirements. This amount shall be distributed in a lump sum payment in December for the prior year (December 1 to November 30), or a pro-rated amount shall be distributed to the employee if employment ends or insurance election changes at some point during that time period. If both spouses are employed by the city and covered by the city medical plan benefit, this shall not apply.

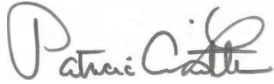
(e) *Insurances for qualified part-time employees:*

(1) In accordance with the Affordable Care Act, qualified part-time employees will be offered coverage under the city's group health insurance plan. The cost to each eligible part-time employee electing coverage will be **seven** ~~nine~~ percent of the employee’s ~~his~~ wages up to a maximum of 40 percent of the premium cost for individual coverage. If

the qualified part-time employee chooses to insure any legal dependents, he must pay 100 percent of the dependent coverage in addition to the share of the individual coverage. The premium amount calculated at enrollment will be in effect for the remainder of the plan year unless the employee's pay rate changes, in which case an adjustment may be made accordingly but not to exceed the maximum dollar contribution allowed by law or by applicable federal or state regulation.

George S. Hansel, Mayor

In City Council February 2, 2023.
Referred to the Finance, Organization
and Personnel Committee.

A handwritten signature in dark ink, appearing to read "Patricia Castle". The signature is fluid and cursive, with the first name "Patricia" being more prominent than the last name "Castle".

City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.7.

Meeting Date: February 9, 2023

To: Mayor and Keene City Council

From: Donald Lussier, City Engineer

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

Subject: **Relating to the Acceptance and Appropriation of Unanticipated Revenue
Resolution R-2023-07**

Council Action:

In City Council February 2, 2023.

Referred to the Finance, Organization & Personnel Committee.

Recommendation:

That Resolution R-2023-07 be referred to the Finance, Organization & Personnel Committee for deliberation and a recommendation back to the Council.

Attachments:

1. Resolution R-2023-07_referral
2. SB401 Payment Notice

Background:

The City has received unanticipated revenue in the form of a one-time payment from the State of New Hampshire in accordance with Senate Bill 401. These funds are restricted to use "on the maintenance, construction, or reconstruction of municipally owned bridges." Staff recommends that a portion be appropriated for specifically identified needs and that the balance be added to the Bridge Capital Reserve for use on future bridge-related projects.

The first specific need is for the replacement of the George Street Bridge over Beaver Brook. This project is currently in the design phase, with construction scheduled for 2024. The original budget for this project was determined from a 2009 estimate prepared by the NHDOT, with some provision for inflation. Based on the actual cost of the recently completed Roxbury Street Bridge over Beaver Brook, the final cost is expected to be significantly above the current budget. An additional \$175,000 appropriation will provide us with the local matching funds for a total project cost of up to \$1.53 Million.

In July of 2021, the Sullivan Road Bridge over Ferry Brook was damaged as a result of extreme storm flows. This project is expected to qualify for FEMA disaster recovery reimbursement of 90% of the actual cost. Therefore, an appropriation of \$125,000 will allow us to match a total project cost of up to \$1.25 Million.

The remaining balance of \$424,612.47 will be available for future bridge maintenance needs.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Acceptance and Appropriation of Unanticipated Revenue

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

WHEREAS, the New Hampshire State Legislature passed and the Governor signed Senate Bill 401 (SB 401) as part of the 2022 legislative session; and,

WHEREAS, SB 401 provides for a total of \$36 Million in payments to municipalities, to be distributed based upon the communities inventory of municipally-owned bridges and percentage of the State's population; and,

WHEREAS, SB 401 restricts the use of this one-time payment for "maintenance, construction, or reconstruction of municipally owned bridges."

NOW, THEREFORE, BE IT RESOLVED that the Sum of \$724,612.47 be accepted as a one-time payment from the State of New Hampshire pursuant to Senate Bill 401; and further,

That the Sum of \$175,000.00 be appropriated to the George Street Bridge Replacement Project (75J0032); and further,

That the Sum of \$125,000.00 be appropriated for the repair/replacement of the Sullivan Road Bridge over Ferry Brook (Proj. No. TBD); and further

That the remaining balance of said one-time payment be appropriated to the Bridge Capital Reserve (806K002).

George S. Hansel, Mayor

In City Council February 2, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk

RECEIVED DEC 10 2022



William Cass, P.E.
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Andre Briere
Deputy Commissioner

December 14, 2022

Elizabeth Dragon, City Manager
City of Keene
3 Washington Street
Keene, NH 03431

Re: Keene Special One Time Bridge Payment – in Accordance with Senate Bill 401
Payment for Maintenance, Construction and Reconstruction of Municipally Owned Bridges

Dear Ms. Dragon:

The following is notification of a one-time bridge payment being made available to your municipality in State Fiscal Year 2023 based on the passage of Senate Bill (SB) 401 effective July 2022. SB 401 directs the Department to divide and distribute a \$36 million one-time payment between all New Hampshire municipalities that have municipally owned bridges per state definitions. Fifty percent (50%) of the distribution is based on your municipality's percentage of statewide municipal bridge deck surface area and the remaining fifty percent (50%) of the distribution is based on your municipality's percentage of statewide population. This one-time bridge payment is not related at all to the quarterly block grant aid payments that a municipality receives. This payment can only be used on the maintenance, construction, or reconstruction of municipally owned bridges.

This one-time payment is anticipated to be available to the City of Keene during the month of December 2022 as follows:

December 2022 Actual Bridge Payment: \$724,612.47

Happy holidays and please contact me at 271-6472 if you have any questions.

Sincerely,

C. R. Willeke

C. R. Willeke, PE
Municipal Highways Engineer
Bureau of Planning and Community Assistance

CRW/dmp



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.8.

Meeting Date: February 9, 2023

To: Mayor and Keene City Council

From: Daniel Langille, City Assessor

Through: Elizabeth Dragon, City Manager

Subject: Relating to the Optional Veterans' Tax Credit and Relating to the All Veterans' Tax Credit
Resolution R-2023-08
Resolution R-2023-09

Council Action:
In City Council February 2, 2023.
Referred to the Finance, Organization & Personnel Committee.

Recommendation:
To refer R-2023-08 and R-2023-09 to the Finance, Organization, and Personnel Committee for their review and recommendation.

Attachments:

1. R-2023-08 OPTIONAL VETERANS' CREDIT_referral
2. R-2023-09 ALL VETERANS' TAX CREDIT_referral
3. HB 1667 as adopted

Background:
The Keene City Council, per their adopted Fiscal Policies, reviewed the amounts of all the exemptions and credits in 2021 to coincide with the city-wide revaluation. The reason the Council is being asked to readopt the Optional Veterans Credit and the All-Veterans Credit at this time, outside of our ordinary review, is a result of changes made to the state law concerning them. HB1667, voted on in the 2022 Legislative Session, expanded the eligibility of credits to members of the armed services who may be continuing to serve and have not retired from service. Previously, the statute defined a veteran as someone who "has served" and now someone who "continues to serve" is eligible. In order for the City to continue to offer the same credits it is offering now, which is \$300 per veteran, the resolutions for these must be readopted. If they are not, then the City will only be able to offer the Standard Veteran credit of \$50 per veteran, which is the minimum amount required by State Law. The increase in eligibility will be expanded either way.

The result of the drafted resolutions does not increase the current amount of the credit, any veteran receiving a credit now will continue to receive one, and there is not expected to be any effect on taxes as a result of this change. The only change may result in any additional veterans applying for the credit.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION RELATING TO THE OPTIONAL VETERANS' TAX CREDIT

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

Whereas, RSA 72:28, was established for the purpose of allowing Veterans' Tax Credits and

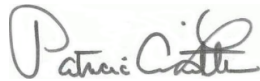
Whereas, the City Council wishes to readopt the amount of the Optional Veterans' Tax Credit.

Now Therefore Be it Resolved by the Council of the City of Keene that Resolution R-2021-27, adopted June 3, 2021, is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the procedure for modification of the Optional Veterans' Tax Credit set forth in RSA 72:27-a, by responding in the affirmative to the following:

“Shall the Council of the City of Keene readopt the Optional Veterans' Tax Credit of **\$300**” in order to adopt the amended language of RSA 72:28 IV approved by the New Hampshire legislation on May 27, 2022, which now includes members of the armed services of the United States continuing to serve. This act shall take effect as of April 1, 2023.

In City Council February 2, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk

George S. Hansel, Mayor



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION RELATING TO THE ALL VETERANS' TAX CREDIT

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

Whereas, RSA 72:28-b was established for the purpose of granting the All Veterans' Tax Credit to veterans who do not qualify for the Veteran Credit (RSA 72:28); and

Whereas, the City Council wishes to readopt the amount of the All Veterans' Tax Credit.

Now Therefore Be it Resolved by the Council of the City of Keene that Resolution R-2018-06, adopted April 1, 2018, is rescinded.

And Be It Further Resolved by the Council of the City of Keene that it hereby wishes to comply with the procedure for modification of the All Veterans' Tax Credit set forth in RSA 72:27-a, by responding in the affirmative to the following:

“Shall the Council of the City of Keene readopt the All Veterans' Tax Credit of **\$300**” in order to adopt the amended language of RSA 72:28-b IV approved by the New Hampshire legislation on May 27, 2022, which now includes members of the armed services of the United States continuing to serve. This act shall take effect as of April 1, 2023.

In City Council February 2, 2023.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk

George S. Hansel, Mayor

CHAPTER 121
HB 1667 - FINAL VERSION

2022 SESSION

22-2612
05/08

HOUSE BILL

1667

AN ACT relative to the standard and optional veterans' tax credits and the all veterans' tax credit.

SPONSORS: Rep. Pauer, Hills. 26; Rep. Baxter, Rock. 20; Rep. Binford, Graf. 15; Rep. Homola, Hills. 27; Rep. Weyler, Rock. 13; Rep. Edwards, Rock. 4; Rep. Foster, Hills. 5; Sen. Avar, Dist 12

COMMITTEE: Municipal and County Government

ANALYSIS

This bill clarifies that veterans of the United States armed forces who served in any active duty status and who continue to serve qualify for the veterans' property tax credits.

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

CHAPTER 121
HB 1667 - FINAL VERSION

22-2612
05/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Two

AN ACT relative to the standard and optional veterans' tax credits and the all veterans' tax credit.

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

1 121:1 Standard and Optional Veterans' Tax Credit. Amend RSA 72:28, IV to read as follows:

2 IV. The following persons shall qualify for the standard veterans' tax credit or the optional
3 veterans' tax credit:

4 (a) Every resident of this state who ***is a veteran, as defined in RSA 21:50, and*** served not
5 less than 90 days on active service in the armed forces of the United States in any qualifying war or
6 armed conflict listed in this section, and ***continues to serve or*** was honorably discharged or an officer ***who***
7 ***continues to serve or was*** honorably separated from service; or the spouse or surviving spouse of such
8 resident, provided that ~~[Title 10]~~ training for active duty by a member of ~~[a]~~ ***the*** national guard or reserve
9 shall be included as service under this subparagraph;

10 (b) Every resident of this state who was terminated from the armed forces because of
11 service-connected disability; or the surviving spouse of such resident; and

12 (c) The surviving spouse of any resident who suffered a service-connected death.

13 121:2 All Veterans' Tax Credit. Amend RSA 72:28-b, IV to read as follows:

14 IV. A person shall qualify for the all veterans' tax credit if the person is a resident of this state who
15 ***is a veteran, as defined in RSA 21:50, and*** served not less than 90 days on active service in the armed
16 forces of the United States and ***continues to serve or*** was honorably discharged or an officer ***who***
17 ***continues to serve or was*** honorably separated from service; or the spouse or surviving spouse of such
18 resident, provided that ~~[Title 10]~~ training for active duty ***or state active duty*** by a member of ~~[a]~~ ***the*** national
19 guard or reserve shall be included as service under this paragraph; provided however that the person is
20 not eligible for and is not receiving a credit under RSA 72:28 or RSA 72:35.

121:3 Effective Date. This act shall take effect 60 days after its passage.

Approved: May 27, 2022
Effective Date: July 26, 2022