



FINANCE, ORGANIZATION AND PERSONNEL COMMITTEE
Council Chambers B, Keene City Hall
December 14, 2023
6:00 PM

A. AGENDA ITEMS

1. Allegation of Fraud or Misconduct in Connection with the Municipal Election - Pursuant to Section 5 of the Keene City Charter - City Clerk
Explanation of Process to Consider Allegations - City Attorney
2. Contract Award - Gear Extractor and Drying Equipment - Fire Chief
3. Acceptance of the Lieutenant Joseph DiBernardo Memorial Grant - Fire Chief
4. Lease Renewal Agreement 12 Gilbo Ave - Suite C - Parks, Recreation and Facilities Director
5. Consultant Selection for Master Plan Update - Senior Planner
6. Relating to Life Safety Permit and Inspection Fees
Ordinance O-2023-20
7. Relating to Class Allocation and Salary Schedules
Ordinance O-2023-19
8. Relating to the Appropriation of Funds for the Purpose of Funding the Classification and Total Compensation Project
Resolution R-2023-40
9. Relating to the Acceptance and Appropriation of Unanticipated Highway Revenue
Resolution R-2023-41
10. Relating to the Appropriation of Funds for the Master Plan Update Project
Resolution R-2023-42

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.1.

Meeting Date: December 14, 2023
To: Mayor and Keene City Council
From: Patricia Little, City Clerk
Through:
Subject: Allegation of Fraud or Misconduct in Connection with the Municipal Election - Pursuant to Section 5 of the Keene City Charter - City Clerk

Council Action:

In City Council November 16, 2023.

Referred to the Finance, Organization and Personnel Committee.

Recommendation:

Recommend that the allegation by Mayoral candidate Bradford Hutchinson of fraud or misconduct associated with the 2023 Municipal Election be referred to the Finance, Organization and Personnel Committee.

Attachments:

None

Background:

Mr. Bradford Hutchinson has notified the City Clerk's Office pursuant to Section 5 of the Keene City Charter of potential fraud or misconduct associated with the 2023 Municipal General Election held on November 7, 2023. Mr. Hutchinson is seeking due process before the City Council to provide any evidence he may possess substantiating this claim.

To: Finance, Organization, and Personnel Committee
From: T.P. Mullins, City Attorney
Date: 12/12/23
Re: Bradford Hutchinson: Allegations of Election Fraud

I. INTRODUCTION

On November 9, 2023, Mr. Hutchinson submitted a complaint to the City Council through the City Clerk containing certain allegations of fraud and/or misconduct relating to the local election conducted by the City on November 7, 2023. In accordance with Section 5 of the Keene City Charter, the City Council has the authority to hear and to determine whether or not the allegations have merit. In accordance with Sections 25 and 26 of the Rules of the City Council, communications received and accepted by the City Clerk are placed before the City Council Committee having jurisdiction to consider the matter, and for a recommendation to the City Council on the matter. Under Section 23 of the Council Rules, the Finance, Organization and Personnel Committee has the jurisdiction to consider election related issues.

Mr. Hutchinson's allegations also include general allegations that may constitute either a criminal offense, or a personal injury action, under New Hampshire law. To the extent that such allegations are being tendered, the City Council has no authority under the City Charter to hear and to determine whether or not any alleged criminal offense, or personal injury action, may have occurred. The City Council's jurisdiction extends only to allegations of fraud or misconduct in the conduct of the election itself. Allegations of a criminal nature made in connection with the election process should be referred by the complainant to the New Hampshire Office of the Attorney General, which has the statutory authority to conduct an investigation, and to take any appropriate further action. Allegations which may constitute a personal injury action may be considered by a court with appropriate jurisdiction. Accordingly, the Committee should not hear, or consider, any allegations related to alleged criminal actions, or to personal injury actions.

II. ELECTION RELATED ALLEGATIONS

Excepting any allegations of criminal misconduct, or allegations of personal injury, Mr. Hutchinson makes the following undefined general allegations which may be related to the conduct of the City election, and about which the Committee should consider any relevant evidence to be presented by Mr. Hutchinson for the purpose of a further recommendation to the City Council:

1. Official Oppression;
2. Election Interference;
3. Conspiracy and Collusion;
4. Voter Suppression.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.2.

Meeting Date: December 14, 2023
To: Finance, Organization and Personnel Committee
From: Donald Farquhar, Fire Chief
Through: Elizabeth Dragon, City Manager
Subject: **Contract Award - Gear Extractor and Drying Equipment - Fire Chief**

Recommendation:

Move to recommend the City Manager be authorized to execute a contract with Daniels Equipment Co. Inc. for the purchase of a gear extractor and drying system.

Attachments:

None

Background:

The Fire Department, through a Request for Proposals, received contract proposals for the purpose of purchasing a gear extractor and drying system. After review, the department recommends an award to Daniels Equipment Co. Inc.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.3.

Meeting Date: December 14, 2023
To: Finance, Organization and Personnel Committee
From: Donald Farquhar, Fire Chief
Through: Elizabeth Dragon, City Manager
Subject: **Acceptance of the Lieutenant Joseph DiBernardo Memorial Grant - Fire Chief**

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.



ITEM #A.4.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: December 14, 2023

To: Finance, Organization and Personnel Committee

From: Andrew Bohannon, Parks, Recreation and Facilities Director

Through: Elizabeth Dragon, City Manager

Subject: **Lease Renewal Agreement 12 Gilbo Ave - Suite C - Parks, Recreation and Facilities Director**

Recommendation:

Move to recommend 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 - Suite C.

Attachments:

None

Background:

The City of Keene has leased office space located at 12 Gilbo Avenue to United States Senator Jeanne Shaheen since 2011. The current lease expires on January 3, 2024. Upon review of the terms by the Sargent of Arms of the United States Senate, and review from the City Attorney, the new lease agreement will be brought forward to the City Manager for execution.

The lease extension would terminate on January 3, 2027 when the Senator's current term in office expires.



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.5.

Meeting Date: December 14, 2023

To: Finance, Organization and Personnel Committee

From: Mari Brunner, Senior Planner

Through: Jesse Rounds, Community Development Director
Elizabeth Dragon, City Manager

Subject: **Consultant Selection for Master Plan Update - Senior Planner**

Recommendation:

Move to recommend the City Manager be authorized to do all things necessary to negotiate and execute a professional services contract with Future IQ for master plan consulting services for an amount not to exceed \$160,000.00. In the event that negotiations with the preferred vendor are not successful, the City Manager is authorized to do all things necessary to negotiate and execute a professional services contract with FHI Studio for an amount not to exceed \$160,000.00.

Attachments:

None

Background:

The City of Keene Comprehensive Master Plan is a long-range planning document that provides guidance for city-wide growth and development patterns, investments, and initiatives. State Statute recommends that communities update their Master Plans every 5-10 years; however, Keene's current Master Plan was last updated in 2010. The City Council has approved a capital project for the Master Plan update through the capital improvement program process and adopted through the City of Keene operating budget process.

In preparation for the Master Plan Update, a Request for Qualifications (RFQ) was issued in early October to solicit proposals from qualified firms. The City received five proposals, all from highly qualified firms. A selection committee comprised of five individuals was assembled to review and rank proposals, check references, and conduct interviews. The members of the selection committee include: Rebecca Landry, Assistant City Manager/Marketing and Communications Director; Jesse Rounds, Community Development Director; Andrew Bohannon, Parks, Recreation, and Facilities Director; Phil Jones, Keene City Councilor; and Mari Brunner, Senior Planner.

Each proposal was evaluated based on the firm's understanding of the project, the experience and capability of the consultant team and lead/supervisory personnel, the proposed project approach, community engagement proposal, capacity to complete the work on time, successful completion of similar scopes of work, quality of work samples, and the cost proposal.

After reviewing the proposals, the selection committee decided to interview all five firms. The

selection committee then conducted interviews and ranked each firm, with three firms receiving identical scores. The final ranking is shown in the following table, with “1” indicating the reviewer’s first choice and “5” indicating the reviewer’s last choice.

	Camiros	Future IQ	FHI Studio	Stantec	SE Group
Reviewer 1	1	4	2	5	3
Reviewer 2	3	2	1	4	5
Reviewer 3	1	4	2	5	3
Reviewer 4	5	1	4	3	2
Reviewer 5	2	1	3	5	4
TOTAL SCORE	12	12	12	22	17

To move the process forward, the selection committee identified major questions and narrowed the firms down to FHI Studio and Future IQ based on the diversity of their teams, the thought and preparation that went into their interviews, and their community engagement proposals. A subset of the committee followed up with the two remaining firms by phone to ask clarifying questions regarding the public engagement proposal for each firm.

Based on this process, the selection committee recommends Future IQ for the contract. Future IQ is a small firm based out of Minnesota that has expertise in a range of different planning fields, including city and urban planning, regional planning, tourism destination development, and economic and workforce development. They have a unique approach to community engagement that is designed to foster group dialogue and create shared alignment, and a major focus of their approach is centered around creating an accountable implementation plan. They have partnered with Jon Stover & Associates (JS&A), an economic development consultant, and WGI, a national design, engineering, and transportation services firm for this project.

Funding for this project will come from the Community Development Master Plan project #30J006A that was funded by the 2024 CIP in the amount of \$50,000, with an additional \$110,000 coming from Resolution R-2023-42.

In the event that negotiations with Future IQ are unsuccessful, staff request that the City Manager be authorized to negotiate and execute a contract with FHI Studio.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Relating to Life Safety Permit and Inspection Fees

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 deleting Section 65.11.3 in Section 42.32., Amendments of Chapter 42, Fire Prevention and Protection and inserting a new section 65.11.3, and removing the stricken text and inserting the bolded text in Appendix B – Fee Schedule, Chapter 42, Fire Prevention and Protection, 65.11.3, Permit Requirements, as follows:

Sec. 42-32. Amendments.

Shall require the permits and ~~permit~~ fees as outlined in Appendix B Fee Schedule.

Appendix B

Section 65.11.3 Permit Requirements

Life safety permit **and inspection** fees

Place of assembly inspection permits (valid for one year). There is no charge for an assembly permit.	\$70.00
Boarding/rooming/lodging inspections	
Up to 16 beds	120.00
More than 16 beds	170.00
Permissible firework displays (per display)	120.00
Non-permissible firework displays (per display)	120.00

Explosive/blasting (per site)	
Up to seven days	120.00
Add for each additional day beyond seven	10.00
Oil/LP burner	70.00
Oil/LP supply lines	70.00

George S. Hansel, Mayor

In City Council December 7, 2023.
 Referred to the Finance, Organization
 and Personnel Committee.


 City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

AN ORDINANCE Relating to Class Allocations and Salary Schedules

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

That the Ordinances of the City of Keene, as amended, hereby are further amended by deleting Section 62-194, "Administrative, office, technical and management personnel." of Chapter 62 entitled, "Personnel," and by substituting in lieu thereof the following attached new section: Section 62-194, "Administrative, office, technical and management personnel.", effective December 24, 2023.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.

City Clerk

City Code Section 62-194 Administrative, office, technical and management personnel.

The annual salary schedule for administrative, office, technical and management personnel is as follows:

**ADMINISTRATIVE, OFFICE, TECHNICAL AND MANAGEMENT
ANNUAL SALARY SCHEDULE**

Non-bargaining unit
(effective December 24, 2023)

<u>GRADE</u>	<u>STEPS</u>					
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
S 4	38,372	40,099	41,903	43,789	45,760	47,819
S 5	40,099	41,903	43,789	45,760	47,819	49,971
S 6	41,903	43,789	45,760	47,819	49,971	52,220
S 7	43,789	45,760	47,819	49,971	52,220	54,570
S 8	45,760	47,819	49,971	52,220	54,570	57,026
S 9	47,819	49,971	52,220	54,570	57,026	59,592
S 10	49,971	52,220	54,570	57,026	59,592	62,274
S 11	52,220	54,570	57,026	59,592	62,274	65,076
S 12	54,570	57,026	59,592	62,274	65,076	68,004
S 13	57,026	59,592	62,274	65,076	68,004	71,064
S 14	59,592	62,274	65,076	68,004	71,064	74,262
S 15	62,274	65,076	68,004	71,064	74,262	77,604
S 16	65,076	68,004	71,064	74,262	77,604	81,096
S 17	68,004	71,064	74,262	77,604	81,096	84,745
S 18	71,064	74,262	77,604	81,096	84,745	88,559
S 19	74,262	77,604	81,096	84,745	88,559	92,544
S 20	77,604	81,096	84,745	88,559	92,544	96,708
S 21	81,096	84,745	88,559	92,544	96,708	101,060
S 22	84,745	88,559	92,544	96,708	101,060	105,608
S 23	88,559	92,544	96,708	101,060	105,608	110,360
S 24	92,544	96,708	101,060	105,608	110,360	115,326
S 25	96,708	101,060	105,608	110,360	115,326	120,516
S 26	101,060	105,608	110,360	115,326	120,516	125,939
S 27	105,608	110,360	115,326	120,516	125,939	131,606
S 28	110,360	115,326	120,516	125,939	131,606	137,528
S 29	115,326	120,516	125,939	131,606	137,528	143,717
S 30	120,516	125,939	131,606	137,528	143,717	150,184
S 31	125,939	131,606	137,528	143,717	150,184	156,942
S 32	131,606	137,528	143,717	150,184	156,942	164,004

<u>GRADE</u>	<u>CLASS ALLOCATION</u>
S 4	Library Aide
S 5	Minute Taker
S 6	Administrative Assistant; Records Clerk
S 7	Administrative Assistant I
S 8	NO POSITIONS ASSIGNED
S 9	NO POSITIONS ASSIGNED
S 10	Audio Video Production Specialist
S 11	Office Manager; Parking Services Technician
S 12	Librarian I; Planning Technician; Executive Secretary; Staff Accountant; Fire Department Administrator; Purchasing Specialist; Human Resource Specialist
S 13	NO POSITIONS ASSIGNED
S 14	NO POSITIONS ASSIGNED
S 15	Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth Services Manager; Mapping Technician; Engineering Technician; Assistant City Clerk; Senior Paralegal; Police Dispatch Supervisor; Social Worker
S 16	Planner; Laboratory Supervisor
S 17	Appraiser; Recreation Programmer; Librarian III; Parks & Cemetery Maintenance Superintendent; Airport Maintenance & Operations Manager; IT Systems Specialist; Parking Operations Manager; Recreation Facilities Manager
S 18	Water/Sewer Operations Manager; Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services Manager; Treatment Plant Manager
S 19	Transportation/Stormwater Operations Manager; Utilities Treatment Operations/Plant Manager; Senior Planner; Recreation Manager; Fleet Services Manager, Accounting & Fund Manager; Infrastructure Project Manager
S 20	Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney; Water/Sewer Operations Manager
S 21	NO POSITIONS ASSIGNED
S 22	NO POSITIONS ASSIGNED
S 23	NO POSITIONS ASSIGNED
S 24	City Engineer; Assistant Public Works Director/Division Head; Database Administrator; Airport Director; Building/Health Official
S 25	Human Resources Director; Library Director; Assistant Finance Director/Assistant Treasurer; Deputy Fire Chief; Assistant Public Works Director/Division Head; Airport Director
S 26	Community Development Director; City Assessor; Parks, Recreation & Facilities Director- Police Captain; Human Resources Director; Library Director; Deputy Fire Chief
S 27	Finance Director/Treasurer; IT Director; Communications & Marketing Director; Community Development Director; Parks, Recreation & Facilities Director
S 28	Fire Chief, Public Works Director; Finance Director/Treasurer;
S 29	Police Chief, Fire Chief; Public Works Director
S 30	Deputy City Manager NO POSTIONS ASSIGNED
S 31	Deputy City Manager
S 32	NO POSITIONS ASSIGNED



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Appropriation of Funds from the General Fund Unassigned Fund
Balance for the purpose of funding a Classification & Total Compensation Project

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

That up to the sum of one hundred fifteen thousand dollars (\$115,000) be appropriated from the General Fund Unassigned Fund Balance for the support of a Classification and Total Compensation Project.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.

A handwritten signature in dark ink, appearing to read "Patricia C. Cuthbert".

City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Acceptance and Appropriation of Unanticipated Highway Revenue

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

WHEREAS, the New Hampshire State Legislature passed and the Governor signed House Bill 2 (HB 2) as part of the 2032 legislative session; and,

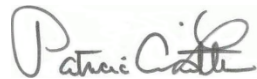
WHEREAS, HB 2 provides for a total of \$10 Million in payments to municipalities, to be distributed based upon the NHDOT's "Apportionment A" distribution formula; and,

NOW, THEREFORE, BE IT RESOLVED that the Sum of \$132,950.16 be accepted as a one-time payment from the State of New Hampshire pursuant to House Bill 2; and further,

That said Sum of \$132,950.16 be appropriated to the Road and Sidewalk Infrastructure Capital Reserve.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the appropriation of funds from the Unallocated General Fund Balance in the amount of \$110,000 for the Master Plan update project

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

WHEREAS: The City has a long history of conducting thoughtful and proactive planning supported by an active and engaged citizenry; and

WHEREAS: The City of Keene Comprehensive Master Plan was adopted in 2010 with the support of the greater Keene Community, City Council, and the Planning Board to provide guidance for city-wide growth and development, investments, public policy, and land use decisions; and

WHEREAS: The State of New Hampshire, RSA 674:3 recommends revisions to the Master Plan every 5 to 10 years, and it has been 13 years since the City of Keene Master Plan was last updated; and

WHEREAS: A capital project in the amount of \$50,000 in fiscal year 2024 was approved through the capital improvement program process and adopted through the City of Keene operating budget process to update the Master Plan; and

WHEREAS: Due to increases in costs affecting pricing for consultant services, the project is \$110,000 underfunded.

NOW, THEREFORE, BE IT RESOLVED by the City Council that the use of unassigned General Fund Balance in the amount of one hundred ten thousand dollars (\$110,000) be used to fund the appropriation for the additional cost of consultant fees for the Master Plan update.

George S. Hansel, Mayor

In City Council December 7, 2023.
Referred to the Finance, Organization
and Personnel Committee.


City Clerk