



City of Keene
New Hampshire

**MUNICIPAL SERVICES,
FACILITIES AND INFRASTRUCTURE
COMMITTEE
AGENDA
Council Chambers B
August 24, 2016
6:00 PM**

Janis O. Manwaring
Randy L. Filiault
Robert J. O'Conner
Stephen L. Hooper
Gary P. Lamoureux

-
1. Letter of Support for Marlboro Street Corridor Improvement Transportation Alternatives Program Grant - Planning Department
 2. Request for Abatement of Water Shutoff Fee - 25 American Avenue - Finance Department
 3. Request for Water and Sewer Abatement - 169 Church Street
 4. Impact of 2016 Drought Conditions on Keene's Drinking Water Supply - Public Works Department

MORE TIME ITEMS:

- A. Driveway Code Review
- B. Reconstruction of the City Roadways and the Addition of Sidewalk Construction to Reconstruction Projects - Council Policy

Non Public Session
Adjournment



Transmittal Form

August 19, 2016

TO: Finance, Organization and Personnel Committee

FROM: Tara Kessler, Planner

THROUGH: Medard Kopczynski, City Manager

ITEM: 1.

SUBJECT: Letter of Support for Marlboro Street Corridor Improvement Transportation Alternatives Program Grant - Planning Department

RECOMMENDATION:

Authorize the Mayor to sign a Letter of Support on behalf of City Council expressing the City's support for the Marlboro Street Corridor Improvement Project and its application for funding from the Transportation Alternatives Program.

ATTACHMENTS:

Description

Draft Letter of Support for TAP Grant

BACKGROUND:

The Planning Department and Public Works Department have been meeting with Councilor Dave Richards and Planning Board Chairman, Gary Spykman, to discuss opportunities for streetscape improvements in the neighborhoods on the east side of Keene. To help leverage the funds (\$196,017) allocated by the City for Marlboro Street corridor improvements in the FY 2017-2022 CIP, staff from these departments are interested in applying for funding from the NH Department of Transportation's Transportation Alternatives Program (TAP).

TAP grants are 80% federally funded and require a 20% local match. The City of Keene will be applying for TAP funds in the amount of \$784,000 for complete streets improvements along the Marlboro Street corridor from its intersections with Main Street to the west and Baker Street to the east. The total project cost would be \$980,000. The deadline for applications is September 2, 2016.

This proposed project would make roadway and streetscape improvements to the Marlboro Street corridor to promote pedestrian and bicyclist circulation and safety, and enhance connections to the City's existing rail trail network. The project would involve the design and construction of complete streets concepts, such as traffic calming, pedestrian crossings, bike lanes, new sidewalks, street trees and pedestrian scale lighting, and improved connections to the rail trail along the corridor. The focus of this grant application is on a 0.5-mile segment of the City's right-of-way from the intersection of Marlboro Street with Main Street to the west and Baker Street to the east. This project would also involve a 690' +/- segment along Bartholomew Court, connecting Marlboro Street to an existing ramp onto the Cheshire Rail Trail.

Attached to this memorandum is a draft letter of support for your review and consideration.



City of Keene

New Hampshire

Mr. Thomas Jameson, P.E. TAP Program Manager
NHDOT Bureau of Planning & Community Assistance
John O. Morton Building
7 Hazen Drive, PO Box 483
Concord, NH 03302-0483

RE: City of Keene Marlboro Street Corridor Improvement TAP Application

Dear Mr. Jameson,

On behalf of the City of Keene, I am writing this letter to express our support for the City's Transportation Alternatives Program grant application for the Marlboro Street Corridor Improvement Project.

The City of Keene is committed to making roadway and streetscape improvements to the Marlboro Street corridor to promote improved pedestrian and bicyclist circulation and safety, and to enhance connections to the City's existing rail trail network. This area of the City is a key gateway to our downtown, and is home to many of the Region's largest employers. While this corridor supports a diverse mix of land uses, including residential neighborhoods and educational institutions, such as Keene State College and Wheelock Elementary School, opportunities for safe crossing and travel for bicyclists and pedestrians are limited. The Marlboro Street Corridor Improvement project is an integral component of a broader effort to redevelop and strengthen this area as a vibrant, walkable mixed-use district and to promote economic growth and redevelopment along this corridor.

Funding from the Transportation Alternative Program would allow the City to leverage funds (\$196,017) currently allocated in its FY 2017-2022 Capital Improvement Program for this project. Attached to this letter is documentation of this funding.

The City of Keene has experience administering Local Public Agency (LPA) projects and has staff that are LPA certified.

This grant will support our ongoing efforts to create safe space for all users to travel and access destinations along this corridor and in adjacent neighborhoods and side streets. In addition, this project will create a safe and attractive space for individuals to access the nearby Cheshire Rail Trail.

Sincerely,

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

TO: Municipal Services, Facilities and Infrastructure Committee

FROM: Steve Thornton, Finance Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 2.

SUBJECT: Request for Abatement of Water Shutoff Fee - 25 American Avenue - Finance Department

RECOMMENDATION:

Move that Municipal Services, Facilities and Infrastructure Committee deny the abatement of the water shutoff fee in the amount of \$219.15 for the service at 25 American Avenue.

BACKGROUND:

A communication from Mr. and Mrs. Dionne of 25 American Avenue was referred to City Council for the June 16, 2016 Council Meeting. Mr. and Mrs. Dionne own two properties in Keene, and the shutoff notice was mailed to the second property, 22 Spruce Street. The Dionne's did not pick their mail up at 22 Spruce Street until about a week after the water shutoff at 25 American Avenue.

Section 98-515 (d) establishes the process for shutoff for nonpayment. In the case of 25 American Avenue a shutoff notice was mailed for 25 American Avenue to the 22 Spruce Street address two weeks before the shut off date of May 26, 2016.

Mr. and Mrs. Dionne have owned 22 Spruce Street Since 2001 and 25 American Avenue since 2007. Water/sewer bills and notices for 25 American Avenue and 22 Spruce Street have always been mailed to the 22 Spruce Street address. Mail was not returned by the post office and a change of mailing address was not requested. There was no way of knowing that 22 Spruce Street wasn't the mailing address the Dionne's preferred until they requested an address change on 6/7/2016, after the water shutoff.

The Dionne's advised Revenue Collection by phone that they still receive mail at that address, but only check it every few weeks or so and weren't aware of the shut off notice.

On May 24th (2 days before shut off) a phone message was left at the phone number on file for the Dionne's regarding the water/sewer bill for 25 American Avenue. After shut off, Revenue Collection received a call from Mr. Dionne. It was explained shut off had occurred because payment had not been submitted since August of 2015, and that a shutoff notice was issued, and a phone message left 2 days prior. He said he didn't receive the message because he only checks his voicemail every few days and he never saw the notice. He stated that he waits for the blue notice before he pays.

Mr. Dionne stated that he was going to call his wife and get back to Revenue Collection. When he called, he asked what it would cost to turn the water back on. He was informed that that the balance due was \$756.67 and

that if he chose to have his water turned on right away, it would be an additional \$219.15 for the overnight/on call service fee as it was after 3:00 pm, but that if he could wait until first thing in the morning (7:30 or so) the cost would only be \$90.00. He said he wanted the water turned on right away and chose to pay the \$219.15 fee.

Account Status as of July 19, 2016

The balance for 22 Spruce Street is \$609.76. This includes the May, 2016 bill for \$304.88 (due July 19, 2016) and the February bill for \$304.88 that was due on April 19, 2016. This account is due to bill again in August. If payment is not received, a shutoff notice will be issued in August. The last payment received on the account was \$749.28 on April 18, 2016. This paid the August 2015 bill in the amount of \$328.27 (due October 2015) and November 2015 bill in the amount of \$377.27 (due January 2016).

The balance for 25 American Avenue is \$183.46. This is for the June 2016 bill that is due in August, and the account is current. The last payment made on the account was on May 27, 2016, the day of shut off, in the amount of \$756.85. This payment was for the June 2015 bill in the amount of \$181.27 (due August 2015), September 2015 bill in the amount of \$191.07 (due November 2015), December 2015 bill in the amount of \$200.87 (due February 2016) and the March 2016 bill in the amount of \$183.46 (due May 2016).



City of Keene, N.H.
Transmittal Form

July 27, 2016

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities, and Infrastructure Committee

ITEM: 3.

SUBJECT: Request for Water and Sewer Abatement - 169 Church Street

COUNCIL ACTION:

In City Council August 4, 2016.
More time granted.

RECOMMENDATION:

On a vote of 4-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the abatement request for water and sewer be placed on more time.

ATTACHMENTS:

Description

Communication - Carpenter

BACKGROUND:

Gary Carpenter distributed copies of a handout to the MSFI Committee members. He stated that he owns 169 Church Street in Keene, and lives at 39 Lounsbury Lane in Peterborough.

Mr. Carpenter stated that he has owned the property since 2007. He continued that he "is a poor land owner" because he was taking in less than desirable people. One person in particular was collecting Social Security and did not have the rent to pay. He was sending this tenant to City Hall to get some sort of assistance. He did not do credit checks or anything that was required of a good land owner. In 2015 his home was going to be foreclosed on. He applied for a loan modification in January 2015 and was accepted. He continued that he made mistakes even with the loan modification. In the winter the property became vacant and it has been vacant since then. There was a two alarm fire in May and vandalism four or five times. The only expense he could not get forgiven was the water and sewer bill, which is about \$5,000. He continued that this is due to his poor management, and also due to the fact that the people he took in end up squatting. They stayed in the apartment building for quite a while. His preference is not to take people to court, but he finally did, because the tenant owed him about \$10,000. Mr. Carpenter continued that he did not ask the tenant for money - he just wanted him out so he could move on. Mortgage payments went up. He owes \$290,000 now and it is only worth \$240,000.

Mr. Carpenter continued he has worked part time at the Phoenix House for 11 years. He asked the director about starting another sober living environment and she agreed. He tried to change the 169 Church Street property to a Warrior Addiction Support Home. The Public Works Department gave him a break and said he could pay \$75 a month. He could not afford even that. He could not get another loan. He did creative financing with the mortgage company. He had to pay the first four months, and took it out of his own home. He has not

had any tenants there to cash in to pay this \$5,000 bill. The general contractor will work with him. The Code Enforcement Department said he could not operate for the time being because of FEMA. Somehow they managed, after three months of being shut down, to do a partial occupancy. If he can get this abatement he can get his water back on so the general contractor can operate. He will pay the whole \$5,000 after the fact if he has to, once he gets tenants in there.

Mr. Carpenter continued that he was requesting abatement due to the adversity he has had to go through. He was not blaming anyone. He said that it was the second year that the home had been vacant, so he was not being charged taxes for the structure itself. Whatever the MSFI Committee sees fit to allow, would be fantastic. He would appreciate having his water turned on as soon as possible so the contractor can begin work. Once he can get tenants he will start the Warrior Veteran Recovery program, with a holistic approach. He can do this and already had stake holders, like a company teaching nutrition classes, a person from Peterborough to do life and business coaching, and a good line-up of people willing to help, but he needed some help with taking care of this \$5,000 debt.

Ms. Fox stated that Mr. Carpenter presented a complex situation with a variety of factors that led to where he is today. She continued that staff had not had the opportunity to work through the correspondence from him, and really look at the issues, to develop alternative recommendations to the MSFI Committee for their consideration. She recommends placing it on more time so staff can look at the issues.

Mr. Carpenter stated that in the last three quarters the water and sewer bill went up to about \$1,000, because the tenants were leaving the toilet on. He continued that he had someone from the City come and say what the problem was. The water and sewer bill used to be less than \$300 per quarter. It went up to \$914 on September 24, 2014, and then when he received the loan modification in February 2015 when tenants were there and not paying rent, they did not take care of things.

Chair Manwaring stated that this situation sounds complicated. She asked the committee members if they are okay with placing this on more time. Councilor Lamoureux replied that he thought it was best to put it on more time, so staff can give some recommendations to them so they have something to look at.

Councilor O'Connor made a motion for the Municipal Services, Facilities, and Infrastructure Committee to place the request for water and sewer abatement on more time. Councilor Lamoureux seconded the motion.

Councilor Lamoureux asked about the timing. Ms. Fox stated that one cycle in this case puts it towards the end of August.

Mr. Carpenter stated that he wanted the water to be turned on like \$50 or \$100 worth, so the contractor can work with his crew to do interior work. There are no tenants there now, so there would not be any problem. If the water was turned on now, they can pay the bill initially, get it sorted out, and then take it from there.

Councilor Hooper stated that he empathized with Mr. Carpenter's situation and it was complex but he was concerned with setting a precedent with going forward with this before they have the chance to go through this thoroughly.

Mr. Carpenter asked if he can go back to the Public Works Department and negotiate to have the water turned on again. The City Manager replied that that was one reason for the complexity. He continued that there are permit issues, financial issues, and history, and all of this information staff needs to consider. He understands what Mr. Carpenter wants to do, and there are other ways of obtaining water for the contractor. No one was in the building, so there were no health issues with the water being off. Everyone wants to see the building brought back to life if it can be. It was deteriorated from the fire. That was the type of information staff wanted to bring back to the MSFI Committee. When the City receives a request such as Mr. Carpenter's, the normal process is to place it on more time. The item gets placed on a City Council Committee agenda right away, and sometimes staff can react right away, but many times they cannot. They need to get everyone together and discuss all of

the information. He does not know of a mechanism to allow Public Works Director Kurt Blomquist to address this right now, but certainly he can talk with Mr. Carpenter along those lines.

On a vote of 4-0, the Municipal Services, Facilities, and Infrastructure Committee recommend the abatement request for water and sewer be placed on more time.

7/18/2016

RE: Gary Carpenter

Water & Sewer statement
Warrior Addiction Support Home

169 Church Street

Keene, NH 03431

To the Board of Selectman,

I am requesting either partial or full forgiveness of my water and sewer bill or I'd like to have the water be turned back on with a smaller payment plan due to this unusual circumstance I find myself in. I have owned this home since 2007. It was about to be foreclosed on in 2014 and the water and sewer bill would have been taken care of by Indy Mac Bank but I was approved for a loan modification in February of 2015. This loan modification did not include my past water and sewer bill of over 5,200 dollars.

Reasons why I am requesting help:

- I am launching a sober living environment for veterans and veteran family members in recovery
- I have not had any incoming cash due to unusual circumstances such as the code enforcement office having to stop my project for 3 months due to FEMA, a two alarm blaze in May 2015 along with other adversities
- The heroin tsunami is upon us and through a non treatment approach and holistic environment it can only help to clean up Church Street but also help the community
- Back mortgage payments must be made or foreclosure is imminent with no tenants for 17 months

Thanking you in advance,

Gary Carpenter
Gary Carpenter

(603) 562-5401

www.WASH-nh.com



City of Keene, N.H.
Transmittal Form

August 22, 2016

TO: Municipal Services, Facilities and Infrastructure Committee

FROM: Donna Hanscom, Assistant Public Works Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 4.

SUBJECT: Impact of 2016 Drought Conditions on Keene's Drinking Water Supply - Public Works
Department

RECOMMENDATION:

The Municipal Services, Facilities, and Infrastructure Committee recommends the City Council accept this report as informational.

BACKGROUND:

With little snow pack this past spring to replenish groundwater and lower than normal precipitation since then to keep surface water at normal levels, the Keene area is classified by the United States Drought Monitor as being in a moderate drought as of August 16, 2016. The week before, it was categorized as being in severe drought. The lack of water statewide coupled with hot temperatures has led more than 100 public water supplies in NH to implement some form of water use restrictions. However, Keene's water supply remains strong.

Keene has three distinct water supplies, the reservoirs in Roxbury, and the Court and West Street wellfields. The average daily water demand in Keene is normally about 2.1 million gallons a day (MGD). This month, the demand has been 2.5 MGD – a 19 percent increase. The highest daily demand so far this month was 2.9 MG on August 1. Approximately 70 percent of the daily water requirement, 1.8 MGD, is drawn from the reservoirs and the remaining 30 percent, about 800,000 gallons a day, is pumped from the West Street wellfield.

City staff and NH Department of Environmental Services (DES) both monitor groundwater conditions in Keene and recent measurements show groundwater levels are in the normal range for this time of year. In most years, the City draws most of its water from the reservoirs. The West Street well is used mainly during the months of June through October to improve the chlorine residual in the distribution system and the Court Street wells are reserved for back up although the system is exercised monthly to remain in a ready to use state. The Court Street wellfield is in an unstressed condition because it has been used only sporadically since 2008.

Staff routinely tracks the volume of water stored in the reservoirs and as of Friday, August 19, 2016 the reservoirs contain between 350 and 400 million gallons of water. Allowing a contingency for evaporation and uncertainty about water quality as the reservoir is drawn down, approximately 3-4 months of water remains in storage, when drawn out at the current rate.

As of Monday, August 22, staff plans to start up Well #4 in the Court Street wellfield to produce approximately 1 MGD and extend the time the reservoirs can be used by 4 months.

Section 98-74 of the City Code allows the City Council to declare a Water Conservation Alert that requests voluntary reduction in water use when there is an available raw water volume of 120 calendar days or less. That Alert can be increased to a Water Shortage Watch when the storage is reduced to 90 days and the Council can require whatever mandatory restrictions it deems necessary, including odd/even watering, prohibition of vehicle washing, and reduction or prohibition of automatic sprinkler systems.

When the stored supply is less than 30 days, the Council can impose more stringent requirements including watering ban, 50% reduction in water use, and mandatory reduction in commercial water use.

Although the long term outlook for the next few months predicts warmer and drier weather than normal, staff does not recommend formal water conservation measures at this time because the groundwater levels are good and the reservoirs' volume can be managed using the wells. Staff is preparing a public education campaign using public service announcements, social media, and public postings to encourage sensible water use. Staff will continue weekly monitoring of the reservoir and groundwater levels and can report back to Council as necessary.