

Selectmen's Meeting – May 10, 2006

Present were Selectmen Deborah J. Davis, Francis W. Faulkner, Jr. and Robert A. Beauregard. Also present was Town Administrator Elizabeth Fox.

Chairman Davis called the meeting to order at 6:00 p.m.

Financial Matters. Selectmen reviewed and approved accounts payable and payroll manifests.

Fire Department. Selectman Tatro requested Town Administrator Fox send a letter to the Captains and Chief with the minutes of the May 3 meeting reviewing the work groups charge and setting a first meeting.

Town of Swanzey v. Lambert. Selectmen reviewed the district court agreement reached between the Town and Mr. Lambert approved by Judge Lane April 28th. Correspondence from Town Counsel dated May 3 was also reviewed. It was noted that the first milestone in the agreement, applying for a building permit by May 5th, had not been satisfied by Mr. Lambert. Selectmen advised they did not wish to reduce the attorney's fees and costs as it did not appear that Mr. Lambert was cooperating and complying with the agreement reached.

MRSD – Surry Withdrawal Committee. Selectmen designated Bruce Tatro as the Board of Selectmen's representative on the withdrawal committee.

Mill K/Legere Proposal. Selectmen reviewed correspondence from abutting Keene property owners P. Lariviere & M. Freeman who expressed interest in acquiring some of the property which the town may receive from Mr. Legere as part of the Mill K/Legere proposal approved a few weeks ago by the Board subject to a satisfactory formal agreement between the parties. Selectmen felt it was premature to enter into discussions about further boundary line adjustments requesting staff prepare a letter to the Keene property owners advising that consideration of further boundary adjustments would be deferred until the initial proposed transactions were completed.

Pandemic Planning. Information regarding regional pandemic planning and the memorandum of understanding required to participate was distributed to board members.

Owens Drive. Selectmen met with Attorney Bentley and Larry Koch. Attorney Bentley, on behalf of Mr. Koch, advised he had problems with the Town advising his client that he would be charge for inspections of the road within his subdivision currently under construction. Attorney Bentley felt that the requirement to pay for construction inspection should have been disclosed when they met with the board and set the bond requirements for the Owens Drive. He expressed concern about the cost of inspections relative to the cost of constructing the road. He also objected to observation by the construction inspection personnel of the compaction testing as it was being performed by a third party. Question on whether inspections of the private water and sewer systems of the condo units

should be conducted by the town, or only the state, were raised by Attorney Bentley who read the planning board's motion approving the project. As the condo project has not yet complied with the conditions of its approval consideration of that issue was not before Selectmen this evening. Past discussions related to the project were reviewed along with an email from DPW Director Dunham dated 1/9. Mr. Bentley and Mr. Koch felt as a result of those discussions Mr. Dunham would be performing required inspections at no cost to the developer. Modifications which may be made by the developer to the intersection of Route 10 and California Street (to comply with the ZBA's approval) were discussed. Easements needed related to the road were also discussed. Selectman Tatro requested staff compile the record related to the subdivision.

Cheshire County. Commissioner Roger Zerba met with Selectmen updating board members on recent Commission activities relative to jail planning. The Thomas site (near the intersection of Route 9 and 10) is still being considered but in January the Commissioners were approached by Yale University who met with the County Administrator and reviewed a proposal to site the county's facility as part of a development plan of lands owned by Yale near the Keene line. In April, the Commissioners were again contacted by Yale representatives who advised that the University was no longer interested in pursuing the development proposal. Mr. Zerba wished to advise the board, that despite Yale's expression of disinterest, the County remained very interested in the property as a potential site. The Commissioners have been opposed to the Bardwell site in part because its development as a county facility would have a significant economic impact on the Town. Other concerns related to placement of a facility like a county corrections complex in that part of Swanzey, including difficulties with police and fire response, were discussed by Selectmen.

Subdivision & Bonding Requirements. Selectmen discussed development of a checklist to be used when determining bonding requirements.

Minutes of Previous Meeting. Selectmen reviewed and took the following actions relative to minutes of their previous meetings:

- Minutes of April 26, 2006. Approved as written 2-0-1 (Selectman Tatro abstained).
- Minutes of May 3, 2006. Approved as written 3-0-0.

Carpenter Home. Selectmen approved entering into an agreement with a new medication supplier for the home at a cost of \$30 per month per resident.

Homestead Woolen Mill Dam. Selectmen were advised that Deb Loiselle, NHDES Rivers Restoration, had contacted staff seeking to arrange a meeting between the town, state officials and the dam owner. Participants to be included in that meeting, on the town's side, were discussed. Selectmen requested they be advised when the meeting was scheduled. Staff including the DPW Director, Town Planner and Town Administrator will attend.

Joint Meeting with Planning Board. Selectmen concurred with scheduling of a joint meeting May 22nd.

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Current Use Application. Selectmen approved the current use application received from Sanchez – Tax Map 86 Lot 7-1.

Correspondence, Permits and Other Matters. Selectmen reviewed and executed the following:

- Correspondence to S. Lampinin.
- Raffle Permit #2006-07 & 08.
- Intent to Cut, Tax Map 61 Lot 30-1 & Tax Map 89 Lot 9.
- Timber Tax Warrants \$ 606.87 & \$3,240.50.
- Approved Veterans Tax Credits, Tax Map 33 Lot 50-1, Tax Map 32 Lot 16, Tax Map 20 Lot 83 & Tax Map 41 Lot 112.
- Event Permit #2006-11.
- Elderly Exemption Approval Tax Map 73 Lot 22-557.
- Elderly Exemption Denial Tax Map 26 Lot 7.

Wilson Pond Dam. Selectmen were advised that the DPW planned to defer repair work on the gate until fall due to concerns about lowering and then returning to summer levels before Memorial Day.

Cheshire Fair Association & Sewer Extensions. Selectmen were advised that a proposal to add a sports complex to the north end of the ice arena was being considered. The question of whether TIF revenue could be used to extend sewer has been raised and will be investigated.

NH Route 32 Sidewalk Project. Selectmen were advised of the project's bid opening scheduled for Friday afternoon.

Meeting adjourned 8:07 p.m.

Submitted by,

Elizabeth A. Fox
Town Administrator