

## SELECTMEN'S MEETING – JUNE 25, 2008

### ATTENDANCE

Selectmen Nancy L. Carlson, Bruce L. Tatro, and Deborah J. Davis. Town Administrator Elizabeth Fox also was present.

### FINANCIAL MATTERS

Selectmen reviewed and approved accounts payable and payroll manifests.

Chairman Carlson called the meeting to order at 6:10 p.m.

### INFORMATION

Orton Family Foundation “Heart and Soul Community Planning” grant application Swanzey's application was not selected for funding. However, Foundation representatives have expressed interest in working with the Town in some capacity, and will visit on July 16 to discuss options.

CodeRED Emergency Notification System Emergency Management Director Bohannon has prepared a press release describing the high-speed telephone emergency notification service. The release been distributed to the media, to Town departments, and posted on the town's web site, and includes a form for collecting residential and business contact information.

Carlton Road Extension (FEMA) Reconstruction The project has been put out to bid. The pre-bid meeting will take place on July 1, bid opening will take place on July 10, and the Board will consider results of bidding at its July 16<sup>th</sup> meeting.

NH-DOT Fuel Assessment NH-DOT Commissioner Campbell has written to advise the Town of an increase in the overhead component of the NH-DOT fuel price. Police Chief Busick estimates this additional fuel surcharge will increase the PD budget by \$600 annually; DPW Director Dunham estimates the DPW annual impact at \$1,000.

Update on Dog Licensing and Civil Forfeiture Notices have been issued.

Notice of Violation – 138 (unofficially 140) Pine Street – Tax Map 57 Lot 118 Jeffrey Sevene has submitted an application for site plan review for the business use occupying the garage adjacent to the road on this property.

**ENFORCEMENT** - none

### CITIZEN CONCERNS

Gordon Ayotte, Chairman of the West Swanzey Sidewalk Committee, presented a 6/10/08 letter from the Committee to DPW Director Dunham listing areas identified by the Committee as needing DPW attention. The list includes painting and repairs of fences, removal of poison ivy, and cleaning of the sidewalk section of the Thompson Bridge. The Committee recognizes that some of the work should be deferred until completion of other DPW projects.

Board members felt unclear about which listed items fall within the Town's responsibility. Town Meeting (1926) created the Sidewalk Committee to oversee expenditure of the interest generated by the trust established by Frank Snow for the building and repairing of sidewalks and roads as well as the maintenance and improvement of sidewalks and roads in the Village of West Swanzey. Board members discussed the lack of clarity relative to the committee's responsibilities and those of the DPW. Need for work to be coordinated between the Department

of Public Works and Committee and the Selectmen responsibility to manage the town's right of way was noted. Efforts of the Committee need to work in consort with the DPW. Ayotte acknowledged the Committee's need to inform the DPW before undertaking projects, to ensure that proposed activities do not interfere with future road plans.

Board members and Ayotte discussed replacing the sidewalk plow. Because the plow is used throughout town, the Committee is willing to pay no more than one third of its cost. Carlson pointed out that two thirds of Swanzeys sidewalks are in West Swanzeys. If the existing sidewalk plow breaks down and is not replaced, no sidewalks will be plowed. Board members decided to continue discussion regarding the sidewalk tractor replacement and the roles, responsibilities and relationships between the Selectmen, DPW and Sidewalk Committee at a future meeting.

#### **APPOINTMENTS AND DEPARTMENT REPORTS**

- 6:30 Fire Chief Recruitment Advisory Committee (see **OLD BUSINESS**)
- 7:00 DPW Director Lee Dunham (see **OLD BUSINESS**)
- 7:30 John Bridges (see **OLD BUSINESS**)
- 7:45 Bob Smith & Eric Stanley (see **OLD BUSINESS**)
- 8:00 Fire Chief Bob Symonds (see **OLD BUSINESS**)

**NOMINATIONS** - none

**CONFIRMATIONS** - none

**ENFORCEMENT** - none

**PUBLIC HEARINGS** - none

#### **CONSIDERATION OF OLD BUSINESS**

##### Fire Chief recruitment

The kick-off meeting of the Fire Chief Recruitment Advisory Committee took place between 6:30 and 7:40 p.m. Present were Darren Neck, Police Chief Busick, Bruce Bohannon, David Whippie, Dave Osgood, Mike Bresnehan, Charlie Beauregard and Sue Symonds, as well as members of the Board of Selectmen and Town Administrator Fox. Selectman Davis thanked Committee members for agreeing to serve on the Committee, and working on behalf of the town.

Committee members discussed the recruitment and interview process, including the role of the Local Government Center (LGC). To keep the initial search free of local politics, the LGC has been retained by the town to place ads, receive resumes, sponsor review of resumes by representatives from the NH Fire Chiefs Association, and rank candidates for the Board of Selectmen. The LGC has experience with fire chief recruitment. Ads have been placed in the *Keene Sentinel*, *Manchester Union Leader*, and on web sites for VT, ME, MA, and NH fire chiefs, as well as on the Town web site. By June 27, Fox should know the size of the applicant pool, and will share this number via e-mail with Committee members. After the LGC scores and ranks applicants, and the Fire Chiefs Association representatives make their recommendations, the packet of applications will go to the Board of Selectmen. (The Board may amend the LGC's ranking, if additional applications appear worthy of consideration.) The Committee will review the top 6 to 8 applications. If none of the applicants are good, the process will start over. The goal is to find the right person, and not merely the best of the group. The Committee's biggest responsibility is to assist in finding the applicant who will best fit the position and our town.

Members talked about the importance of personal qualities and character, as well as professional experience, in defining the successful applicant. Serving as the full time fire chief for a volunteer fire department requires a special set of skills.

Busick observed that the position offers challenges that would be relished by many chiefs coming from larger departments. He thinks applicants will be attracted to Swanzy's strong interdepartmental cooperation, and cohesiveness between heads of departments; Swanzy is "a great town," and an important part of the Committee's task is to help applicants see why. Members discussed how the interview is both a chance for the applicant to sell himself/herself to the Town, as well as for the Town to sell itself to the applicant.

In addition to ultimately conducting a background investigation, members wondered whether the LGC advocates using psychological profiling in earlier stages of assessing applicants. The town will check only the references of the top three candidates. Osgood expressed interest in visiting the final applicants' home fire stations.

Members decided to conduct interviews during the daytime of a weekday, and to begin at the end of July/beginning of August. The Selectmen's interviews will be separate from the Committee's interviews. Committee members wondered whether it would be possible for a silent member to observe the Selectmen's interviews, which will be held in a non-public session pursuant to Title VI Chapter 91-A:3. Fox will find out.

Because the Selectmen are ultimately responsible, the Board will make the final hiring decision.

On July 9 (7:30, Police Department conference room) consultants from LGC will meet with the Committee to help define the types of questions members should – and can -- ask candidates. To prepare, Committee members will each write their top three to five questions. At the meeting, members will select the best interview questions. Each candidate will be asked the same set of questions; however, follow-up questions can vary. After discussion, Committee members concluded that they prefer not to know how LGC or the Board has ranked applicants.

Committee members pledged to respect the candidates' confidentiality. Members also discussed the importance of objectivity, of being alert for potential conflicts or personal issues. Fox reminded members that e-mail communication regarding Committee work is not public, and therefore inappropriate. Fox will coordinate meeting details by e-mail.

#### Department of Public Works

DPW Director Lee Dunham met with the Board to discuss the following:

Owens Drive. Board members reviewed correspondence between Dunham and Larry Koch, Town Council Homer Bradley and Larry Koch, and attorney Michael Bentley (representing Larry Koch) regarding needed repairs to Owens Drive. Members also reviewed counsel's recommendation to the Selectmen regarding the \$15,000 balance on Koch's letter of credit for Owens Drive. On June 24 Dunham inspected repairs, and determined that the road is not as good as a road without patches, but as good as it can be short of being repaved. Sealing the entire road will help in the long run; the repair probably will necessitate sealing ahead of schedule. Construction truck traffic likely caused the damage. Construction of the remaining condominiums will cause more truck traffic, so any future relief will have to come from the condo developers. Board members determined that the patch work is sufficient, and the developer should be released from his obligation to provide security to ensure that the road is well constructed.

**Motion** by Tatro to allow the Letter of Credit to lapse. Second by Davis. All in favor.

Carlton Road Extension. Dunham reported that he expects a response from FEMA to the Town's query regarding participating in engineering construction services costs.

**Motion** by Davis to authorize Fox to execute the agreement with Underwood Engineers for bidding phase services (up to \$2,000). Second by Tatro. All in favor.

DPW Recruitment. Board members and Dunham discussed DPW staffing. Currently, two budgeted DPW positions are vacant; Dunham seeks to fill the position of truck driver/laborer. By combining laborer and CDL B licensing in one job, Dunham ensures that the large trucks can be put to more constant use. Given budget constraints, Board members expressed their desire to take a fresh look at the entire department before filling vacancies. The assessment should include an explanation of actual jobs, winter versus summer needs, opportunities to increase employee versatility, work areas that require specialization, and appropriateness of pay. Dunham explained that DPW personnel are not permitted to use vacation time from November through April, and in the summer tend to use single vacation days rather than take extended time off. Board members asked Dunham to put together an organizational chart to help the Board understand how the department works.

In response to the Board's prior request, Dunham presented a draft job tracking spreadsheet, indicating assigned employees, activity, hours, equipment, and location of work performed.

Chip Sealing Program. Board members reviewed the DPW 2007 capital improvement plan for chip sealing, reflecting updates as of June 11, 2008. Dunham provided an updated work schedule. Chip sealing is tentatively scheduled for this Friday so long as roads are dried out.

Atkinson Hill Road – Dunham visited the site on June 20, and will return on June 27. No one has brought new issues to his attention.

#### East Hill Foundation

The Board acknowledged the grant award -- estimated at \$7,730 -- to install a new range hood at the Carpenter Home. A public hearing will be scheduled to authorize accepting and expending funds. The award resolves a longstanding fire code issue.

#### South Grove Street land acquired by tax deed (Tax Map 58 Parcel 70)

Surveyor John Bridges reviewed with the Board the parcel's location. Fraser acquired the land in 1938, and sold to Arthur Perry in 1942. The piece is bounded by the railroad tracks and South Grove Street, and is between 12 to 20' wide. The parcel would not contribute to widening South Grove Street. Board members agreed to defer any action.

#### Fire Department

Chief Symonds met with the Board to facilitate consideration of the following matters:

Fire Department Standard Operating Guidelines (SOGs) #1, 2 & 3. Members reviewed guidelines for emergency response, protective clothing, and self-contained breathing apparatus. The SOGs have been distributed to officers for their feedback. Symonds reported that, within three weeks, the three stations will have a common accountability system; establishing uniformity among all towns' accountability systems is a shared regional goal.

Tatro recommended adding an appendix to outline the penalties for non-compliance (eg, “Failure to follow the SOG will result in disciplinary action as outlined in Appendix A.”). In the Protective Clothing SOG, he recommended either eliminating the requirement for wearing a safety vest when fighting a fire (a potential hazard) or to require a safety vest only when managing traffic.

**Motion** by Tatro to approve the SOGs with discussed changes to the Protective Clothing SOG, and with the addition of an appendix to provide a greater level of description for some terms and to outline disciplinary action for non-compliance. Second by Davis. All in favor.

Repairs to 1980 Chevy pick up – Center Station. The Board discussed whether to repair the truck, at an estimated cost of \$1,806. The truck body is still in good shape.

**Motion** by Tatro to authorize the repairs. Second by Davis. All in favor.

Disposition of 1997 Ford DPW one ton truck. The truck could easily be converted into a brush truck, at minimal cost. The truck could be housed at the West station. Symonds will determine the cost of conversion; the Board will determine the source of funding.

Approval of invoice for suction hose for 2008 Pierce Contender

**Motion** by Tatro to approve the \$1,753 invoice. Second by Davis. All in favor.

Leaking foundation at Center Station. Symonds advised the Board of this recurring problem. Fox will bring the issue to the attention of the Facilities Department.

Disposition of old Mack truck at East Station Recommending against moving the truck to Center Station, Tatro said that if it’s old enough to be replaced, it’s old enough to get rid of. Fox will prepare to sell the truck towards the end of July.

Disposition of Mt. Caesar School Playground demolition materials

The playground debris has been pushed from the South Branch Group parcel (Tax Map 24 Lot 58) to the adjacent lot (Tax Map 24 Lot 54) owned by Howard F. Smith, Jr. CEO Weston has been in contact with Smith, who advises they are working to develop a plan to properly dispose of the demolition materials. Eric Stanley met with the Board to discuss the situation, and to acknowledge Linwood Patnode’s generous contribution of labor and equipment. The Mt. Caesar Facilities Committee required a signed contract prior to accepting the contribution. On July 20, 2007 Patnode signed a contract to donate his services for the excavation, removal, and disposal of the playground materials. Board members agreed that Patnode assumed responsibility for the materials at that time.

## **CONSIDERATION OF NEW BUSINESS**

### Cheshire County Budget

Board members discussed an e-mail message from Terry Warren, Cheshire County Commissioner’s Office Executive Assistant, requesting an opinion on receiving the County budget electronically instead of in print. The document is large, and is used by staff for reference in Town Hall. The Board would like to continue to receive a paper copy.

### Open Space Committee

A letter from the Committee asks the Board to consider making an offer to purchase Tax Map 32, Lot 4. The 18-20 acre wetland parcel has no development value, but has high value as wildlife habitat. Board members will walk the Carlton Road boundary of the parcel.

### Veterans Tax Credit

Selma Rollins's tax credit was dropped in 1998, and she seeks a remedy. The accumulated amount comes to about \$1,000.

**Motion** by Tatro to rebate to Rollins the accumulated amount. Second by Davis. All in favor.

#### **CONSIDERATION OF MINUTES**

**Motion** by Tatro to approve the minutes of June 11, 2008 and June 16, 2008. Second by Davis. All in favor.

#### **CONSENT AGENDA**

1. Abatement 2007, A. Bailey, Manufactured home – Marcy Hill Road.
2. Raffle Permit #2008-15 & 16.
3. Promotion of Robert Eccleston to rank of Corporal effective 7/6/2008.
4. Correspondence to NHDES re: Ice Pond Dam.
5. Release of Lien Tax Map 87 Lot 2-5061.

**Motion** by Davis to approve the consent agenda. Second by Tatro. All in favor.

#### **NON-PUBLIC SESSION**

**Motion** by Davis at 9:35 to go into non-public session, pursuant to RSA 91-A:3IIe, to discuss pending litigation. Second by Tatro. Vote by roll call. All in favor.

Selectmen came out of non-public session at 9:40 p.m. Selectmen voted by roll call to seal the minutes of the session indefinitely.

#### **ADJOURNMENT**

**Motion** by Davis to adjourn; second by Tatro. All in favor. The meeting adjourned at 9:45.

Submitted by

Victoria Reck Barlow  
Recording Secretary

#### **LIST OF FUTURE AGENDA/PENDING ITEMS**

1. Personnel policy updates – drafting of updates ongoing. Distribution pending.
2. Decide whether to replace Carpenter Home burner and underground tank, possibly with an alternative heating system.
3. Preparation of invoice pending - Land Use Change Tax Bill (Oliphant et al)
4. Display on Route 12 pending enforcement issue.
5. Disposition of South Grove Street Land acquired by tax deed.
6. BTLA Appeal: Davis.
7. RFP – Town Facilities assessment.
8. Hiring – Department of Public Works (full time positions).
9. Subdivision Road Standards. Draft developed by DPW Director Dunham distributed to Selectmen. Review pending. Winter Maintenance draft – revisions needed.
10. NHDOT Projects – development of scope of work and fee proposals for Rail Trail and Bridge Projects underway. Board approval of scope and fee proposals pending.
11. WS Sidewalk Committee – work plans & process 2008? Equipment Budget 2009.
12. Responding to Letter of Deficiency – Ice Pond Dam.
13. Fire Department SOGs/Vehicle repairs & fleet assessment/disposition of excess vehicles.
14. Street Addressing Committee. Review of file and project status underway. Committee meeting to be scheduled.
15. Per Dunham, 6/11 recommendation: The Town should schedule a public hearing re posting Winch Hill Road for 25 mph.
16. Discussion, defining roles& responsibilities between Selectmen, DPW and West Swanzey Sidewalk Committee.