

SELECTMEN'S MEETING – JULY 15, 2009

*Minutes are not final until reviewed and approved by the Board.
Review and approval of minutes generally takes place at the next regularly scheduled meeting.*

ATTENDANCE

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

FINANCIAL MATTERS

Selectmen reviewed and approved accounts payable and payroll manifests.

CALL TO ORDER

Chairman Davis called the meeting to order at 6:30 p.m.

INFORMATION

Pending Litigation – Keene v. Swanzey Selectmen received an e-mail message from Town Counsel regarding a pre-trial hearing conducted on July 13, 2009, and were informed that the Town received a check for \$14,000 related to fulfilling conditions of the site plan regarding work on Ash Hill Road.

Fire Department Provided by Administrative Captain Symonds, Selectmen received June call data, as well as a summary of the Department's activity during the first six months of 2009.

CITIZEN CONCERNS – none presented

DEPARTMENT AND COMMITTEE REPORTS

6:30 – 7:10 Economic Development Advisory Committee – see **OLD BUSINESS**

APPOINTMENTS – current openings are posted

NOMINATIONS – none scheduled

CONFIRMATIONS – none scheduled

ENFORCEMENT – none scheduled

PUBLIC HEARINGS –

CDBG Page Homestead Senior Housing project mid-grant hearing

Davis opened the hearing at 8:05, and read the public notice. Present were Glenn Page, Sandi Page, Brian McMasters (SWRPC), Keith Thibault (Southwest Community Services), and Rob Hitchcock (SVE Associates) and William Stowe (abutter to project).

Thibault reported:

- Water and sewer line installation along Route 12 has been completed, and will be pressure-tested shortly
- Final course of paving will be installed within a few weeks (Selectmen strongly advised against paving during the week of the Cheshire Fair)
- Cleanup alongside Route 12 will follow, along with pack gravel
- Site construction will begin at the end of July, and will consume approximately 11 months

Thibault expressed regret for any issues caused by installation of new public water and sewer lines, along with his hope that local business generated by 38 new housing units would

compensate for the inconvenience of construction. He invited all interested people to tour a similar housing project on Railroad Square in Keene.

McMasters said that 60% of the grant has been expended.

Hearing no further comment, Davis closed the public hearing at 8:18.

Discretionary Preservation Easement (RSA 79:D), P. Smith barn

Davis opened the public hearing at 8:20, and read the public notice. Present was Patrick Smith.

Fox advised Selectmen that she and Code Enforcement Officer Weston had measured the structure to determine its dimensions of 50' long by 36' wide (approximately 1,800 square feet); assessing data has been corrected. Fox stated that the barn is adjacent to the road and clearly visible to the public.

Smith said that the 3-story barn, built in 1840, is one of the few large barns remaining in Swanzey. The construction style of the barn's 50' long ridgepole was discontinued in the mid 1800s. The structure was built to store crops. Smith said that he has installed a new roof and plans additional repairs.

Fox said that the easement must meet a test of public benefit, with the value of that benefit to be determined by the Board of Selectmen for the purpose of adjusting the assessed value of the structure. The reduction in value can be 25% to 75% of assessed value. Fox provided Selectmen with draft easement language for their consideration – Attachment #1.

Selectmen advised Smith that they would contact him with their decision within two to three weeks. Hearing no further comment, Davis closed the public hearing at 8:40.

CONSIDERATION OF OLD BUSINESS

Cheshire Fair Association – Emergency Operations Plan Police Chief Busick, Fire Chief Skantze and EMT Director Bohannon appeared before the Board to review a draft emergency operations plan developed by the Town's public safety officials, and discuss execution of an agreement pertaining to public safety agencies operation.

Busick said that the plan is designed for a worst-case scenario, and can be tailored to other disaster management situations, such as mass dispensing of medication. Skantze said that the plan will facilitate certification for regional dispatchers. Bohannon said that the plan helps lay groundwork for Federal and State grant applications.

Those present discussed the plan in terms of its possible cost to the Town and its effect on service. Skantze said that the plan will not result in detail pay beyond what the Cheshire Fair already pays to the Police Department for traffic control. Busick said that he expected the training related to its use as part of the 2009 Fair to result in 16-20 hours of Police Department overtime (compared to the 6-8 hours of overtime typically accrued during the Cheshire Fair.) He said that generally salaried officers would staff the command trailer.

Skantze said that firefighters would receive points for time devoted to staffing the plan. He said that he could not confirm how many volunteers would be present. Skantze said that the level of service provided to the Town would be undiminished during the operation of the plan. He said that by July 22 emergency management providers will know exactly what each participating organization (such as State Police, Sheriff's Department, SWNH Mutual Aid, etc.) will provide.

Skantze said that the Fire Department will pre-deploy a 4" hose w/ gate valves to set up water supply in the area of the midway.

Selectmen concurred in their support of Town participation in the plan, so long as the expense to the Town is minimal. Selectmen agreed that any future participation should be evaluated on a year-by-year basis. Regarding the agreement proposed by the Cheshire Fair Association as part of correspondence dated July 2, 2009, those present concurred insufficient

time was available prior to the fair to work collaboratively to develop a comprehensive agreement between the town and Fair Association executing a letter (Attachment #2) responding to the CFA's 7/2/2009 correspondence and proposed agreement.

Emergency Service department leaders encouraged Selectmen to visit the command trailer during the exercise, and to attend the de-briefing.

Surplus Gear Selectmen reviewed a July 8, 2009 request from Chief Skantze regarding disposal of surplus turnout gear. Skantze said that National Fire Protection Association standards state that gear older than ten years should not be used for structural fires. Skantze recommended donating the gear to DiLuzio Ambulance Service to protect crews performing stand-by service at motor vehicle accidents. The rest of the clothing would be disabled prior to disposal.

Motion by Tatro to approve the plan for donation and disposal. Second by Carlson. All in favor.

Fire Department purchase order Selectmen agreed to defer action on the June 30, 2009 purchase order submitted by Chief Skantze on 7/8 for a \$1,464 multi-cut chainsaw until completion of their mid-year assessment of the overall budget.

Police Department – Animal Control Officer Selectmen and Chief Busick discussed how best to proceed following discontinuation of the Monadnock Humane Society service contract. Selectmen authorized Busick to investigate options.

MOU – Cheshire County re: ARRA 2009 BYRNE Justice Assistance Grant (JAG) Program Award Police Chief Busick advised Selectmen that numbers are based on violent crime statistics. Funding designated for Swanzey through this program is proposed to be directed to an on line incident reporting system for the Police Department.

Motion by Tatro to authorize the Chair to sign the MOU. Second by Carlson. All in favor.

Carpenter Home heating system energy assessment Selectmen reviewed an RFP and Scope of Work proposal prepared by Day Design, which indicates that the firm has prior experience with the type of work proposed. Once edited to replace the words “natural gas” with the words “oil-fired”, Selectmen authorized release of the proposal.

Non-public session – RSA 91-A:3IIe

Motion by Carlson at 9:07 p.m. to enter non-public session, pursuant to RSA 91-A:3IIe, to discuss litigation. Second by Tatro. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox.

Selectmen left non-public session at 9:08 p.m. Selectmen voted by roll call to seal the minutes of the session until the matter is resolved.

Non-public session – RSA 91-A:3IIa

Motion by Tatro at 9:08 p.m. to enter non-public session, pursuant to RSA 91-A:3IIa, to discuss employee compensation. Second by Carlson. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox.

Selectmen left non-public session at 9:09 p.m. Selectmen voted by roll call to seal the minutes of the session until the matter is resolved.

CONSIDERATION OF NEW BUSINESS

Economic Development Advisory Committee report Greg Johnson, Bill Hutwelker, Arthur Boufford and Gus Lerandeau appeared before the Board to report on the group's first year of work. Dave Krisch, Board member of SWRPC, also was present.

Johnson presented the group's goals for 2009-10, also submitted in writing to the Selectmen – Attachment #3. During the past year, Johnson said, the group accomplished much: The EDAC brought in outside resources to learn how other cities approach economic development, and invited all Town committees to submit written comments or appear before the Committee. Johnson said that EDAC members strive to work with Town boards and committees, and attend as many board and committee meetings as possible.

Johnson said that the EDAC's top priority is an up-to-date, complete website that gives a snapshot of the community and Town zoning issues, boards and commissions, and includes links to marketing materials that can be downloaded. He said that the group had lacked sufficient time to visit existing businesses or create a list of businesses for the website. He said that the EDAC seeks to establish a business association, and said the Town should recognize new businesses with a formal welcome.

Johnson said that the EDAC had discussed developing a downtown area. Those present discussed the location of public sewer service areas in Swanzey, and the Town's relationship with the City of Keene relative to the provision of public water and sewer. In his opinion, Johnson said, the Town has a serious water problem, especially as it relates to fire suppression.

Johnson said that one of his top priorities is retaining an economic development coordinator who could represent (at EDAC expense) the EDAC and Town at events like grand openings or events in Concord or Nashua. Realtors could introduce clients to the coordinator, Johnson said, and the coordinator could make sure that Swanzey gets promoted. Johnson said that the coordinator could be a volunteer, and would need to be someone with broad knowledge.

Those present discussed various approaches to connecting interested businesses with opportunities for development, attracting industries that are appropriate for Swanzey, and emphasizing the positive aspects of the community. Johnson said that economic development in Swanzey is limited by the amount of land that is available for industrial development. Lerandeau noted that DeMoulas is the third largest employer in the state.

Hutwelker asked whether the group's accomplishments were in line with expectations of the Board. Selectmen said they will discuss the matter, and develop a list of priorities.

Gate at Mt Caesar Selectmen acknowledged the proposal of a cable gate to be installed just past the Carpenter Home. Fox said that DPW Director Dunham will arrange for digging of fence post holes. The efforts of the Stewards of Mt. Caesar Advisory Committee were key to advancing this project forward.

Closed entrance to Page Court Tatro said that he has asked DPW Director Dunham to remove the temporary barricade of tree stumps.

Homestead Dam and Thompson Covered Bridge Fox reported that required permits still are pending ; it is hoped that the project can go to bid during the week of July 20.

Road improvements 2009 Fox reported that she will be meeting with DPW Director Dunham to discuss planning for funded projects. Selectmen requested a report, developed in consideration of budget cuts, indicating what projects will be possible during the remainder of the year.

Budget 2009 With half-year numbers soon to be available, Fox and Selectmen discussed conducting a department-by-department review of budgeted amounts, expenditures and remaining balances.

Stihl Tour des Trees Proclamation Selectmen adopted and executed the proclamation – Attachment #4 – deeming July 24, 2009 Stihl Tour des Trees day in Swanzey.

Kona Ice Sales – Richardson Park Fox advised Selectmen that Town department heads have expressed no objections to the proposed sales.

Motion by Tatro to authorize the sales initially on weekends. Second by Carlson. All in favor.

NHMA – Article 28-a Litigation, NHRS payments under protest Selectmen discussed July 9, 2009 correspondence, and agreed to remit payments under protest as suggested. A letter of protest will be prepared for the Selectmen's execution.

NHDOT agreement regarding management of construction zones within the High Risk Rural Road Grant Program Fox reported that Chief Busick has no objections to delegating management responsibility to NH-DOT. Selectmen executed the NHDOT agreement.

Police Department staffing Chief Busick advised Selectmen of possible openings in the Department.

Carpenter Home yard sale Following review of a list of clothing, furniture and various other items, Selectmen authorized the disposal of the items (including items donated specifically for the yard sale) at the sale to be held on Old Home Day.

July 29 Selectmen's meeting Fox advised Selectmen that NH-DOT has requested a meeting with Selectmen to discuss public safety of the Route 12--Lake Street--Swanzey Factory Road intersection. Fox said that she will send notice to abutters, and invite the town's state representatives to attend a meeting at Town Hall.

Non-public session, RSA 91-A:3IIa

Motion by Carlson at 9:09 p.m. to enter non-public session, pursuant to RSA 91-A:3IIa, to discuss employee compensation. Second by Tatro. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox. Selectmen discussed the increased RERP reimbursement that would become available for the Emergency Management Director with NHOEM's approval of the July 2009/June 2010 Town of Swanzey RERP Budget. Hours available for reimbursement have been approved to increase from 126/year to 146/year. Selectmen authorized the request for additional hours in March (following town meeting) but funds to match those hours were not included as part of the 2009 budget. Selectmen left non-public session at 9:10 p.m. Selectmen authorized an increase of the EMD stipend attributable and reimbursable as RERP costs effective 8/1/2009. Adjustment to the town funded portion of the stipend will need to be considered as part of the 2010 budget process.

Non-public session, RSA 91-A:3IIb

Motion by Tatro at 9:08 p.m. to enter non-public session, pursuant to RSA 91-A:3IIb, to discuss hiring. Second by Carlson. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox.

Selectmen left non-public session at 9:13 p.m. Selectmen voted by roll call to seal the minutes of the session until the matter is resolved.

CONSIDERATION OF MINUTES

Motion by Tatro to approve the regular meeting minutes of July 1, 2009 and the non-public meeting minutes of July 1, 2009. Second by Davis. Tatro and Davis in favor; Carlson (who was not present at the meeting) abstaining. Motion passes.

Motion by Tatro to approve the regular meeting minutes of July 8, 2009 and the non-public meeting minutes of July 8, 2009. Second by Carlson. All in favor.

CONSENT AGENDA

1. Notice of Lien, Tax Map 71 Lot 22.
2. Raffle Permit – Old Homestead Association Oxen fund.
3. Raffle Permit #2009-18.
4. Current Use Application – Davenport/Duffin, Tax Map 49 Lot 3.

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

ADJOURNMENT

Motion by Carlson to adjourn; second by Tatro. All in favor. The meeting adjourned at 9:30.

Respectfully submitted,

Victoria Reck Barlow,
Recording Secretary

LIST OF FUTURE AGENDA/PENDING ITEMS

1. Personnel policy updates – drafting of updates ongoing.
2. Disposition of South Grove Street Land acquired by tax deed - pending.
3. RFP – Town Facilities assessment.
4. Subdivision Road Standards. Draft developed by DPW Director Dunham distributed to Selectmen. Review pending. Winter Maintenance draft – BOS suggestions re-worked at provided to Dunham 1/5 for final review before forwarding to Town Counsel as requested for an opinion.
5. Street Addressing Committee. E911 mapped town results pending.
6. Discussion, defining roles and responsibilities between Selectmen, DPW and West Swanzey Sidewalk Committee. Research underway. 2009 work plan discussed with committee.
7. Town ordinances – Fireworks. Further consideration deferred to allow for input of full time fire chief following hiring.
8. Carpenter Home Properties – Discussion with counsel re: options. Authorization to investigate pending.
9. Westbrook Court – Class VI – Camuso (Richmond).
10. Old Home Day Committee & Veteran’s Event planner recruitment.