

Selectmen's Meeting – October 4, 2006

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

Chairman Davis called the meeting to order at 6:05 p.m.

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

Cheshire County Jail Site Selection Process. Robert Beauregard met with Selectmen asking whether they would participate with the Cheshire County Citizens for Jail Resolution in funding of legal costs associated with any actions by the delegation to usurp the authority of the commissioners. The citizens group has discussed with several lawyers possible avenues of action. Selectmen advised they would query town counsel regarding legal options that might be available and get back to the citizen's group on whether or not they would consider providing financial support to legal action that might be initiated by the citizens group.

Recycling Center. Selectmen met with Solid Waste Manager David Krisch who introduced board members to the newly hired Assistant Solid Waste Manager Stephen Stewart. The board's decision in late August to discontinue the "free exchange" area and petitions related to its discontinuance received in mid-September were discussed. Options suggested for continuing the "free exchange" were reviewed including opening it on a schedule such as a day a month or relocation of the operation which would require building a new structure and possible additional staffing to monitor it. Free exchange operations at other centers in the area were discussed. Walpole's operation is in a box car and staff by volunteers and Marlborough has an operation which includes mostly books. Krisch advised that a future facility might be able to better accommodate free exchange activity but the issues of liability for items taken, quality control, people who take for re-sale and how to ensure the free exchange operation is safe and efficient still require addressing. Since the area's closure, some have queried and when the reasons are reviewed with residents most seem to understand why the exchange was discontinued. Selectmen re-affirmed their August 30th decision to discontinue the "free exchange" area. Whether it is cost effective for the town to invest labor into separation of the center metal pile was discussed. Krisch advised, while staff did some separation "cherry picking" the pile, he did not feel it was cost effective to invest the labor to fully separate and market the individual metal commodities.

Department of Public Works. Selectmen met with DPW Director Lee Dunham discussing the following department matters:

- Pavement depth in the W.H. Development Subdivision. Selectmen discussed with DPW Director Lee Dunham specifications approved for road construction within this development by the planning board calling for 1 ½ base pavement and 1" top course. T.F. Moran has provided information supporting their view that the depth is adequate for this type of road. Dunham advised that, in his research, he has not

seen any formal specifications that call for less than 3" of pavement. In addition he expressed concern that geo-textile fabric called for in the plan might not have been installed under the rip-rap in Phase IIb. Selectmen discussed options that might be considered by the town if pavement depth of 2 ½" was accepted by Selectmen including longer security after placement of the topcoat to ensure that the road's construction is adequate, certification from the developer's engineer that the road has been built in accordance with the plan and increased pavement depths for Phase III. When winter maintenance might begin on Phase IIb was discussed with a decision deferred until more is known about winter conditions expected at the intersection of C.L. Lane and Flat Roof Mill Road.

- Meeting with Gene & Bonnie L'Etoile (W.H. Development). Selectmen and Dunham met with Gene and Bonnie L'Etoile discussing issues related to the development, its road and security provided to the Town. Status of review of the punch list items was discussed with Dunham advising he recommended the status of items on that list be resolved, as well as confirmation by the developer's engineers that Phase IIb has been built to plan be received, before acceptance of the roadway be further considered. Whether the development agreement precluded sale of lots in Phase IIb prior to conditional acceptance of the road was discussed and after review of the agreement consensus was reached that sale of lots was not precluded as long as security for the road improvements was held by the town. Road specifications adopted by the Selectmen, the subdivision regulations and those included in plans approved by the Planning Board were discussed at length. Selectmen expressed their view that approval by the Planning Board of a plan with less than 3" of pavement depth was an error and that error should be corrected. After discussion, Selectmen voted to proceed with plans that allow the project's roads to be constructed (Phase IIa, IIb & III) with a pavement depth of 2 ½" provided that the road bed's finished gravel phase include 6" of crush gravel (not modified) versus the 4" of crushed gravel included in the planning board approved plans and the roads meet all compaction and other testing standards during construction. Continued security for the roads, drainage and other infrastructure related to the development (including the work required on C.L. Lane) was discussed with developers Gene and Bonnie L'Etoile advising they planned to renew the existing letter of credit of \$300,000 for an additional 2 years (until October 2008) as security for work completed or pending related to Phase IIa and Phase IIb including that work necessary on C.L. Lane. Selectmen advised renewal of the existing letter to provide security for Phases IIa & IIb would be satisfactory to the board and needs to be received by the Board in advance of the current letter's expiration. Before work can be initiated on Phase III the developer will need to meet with Selectmen and review its security requirements.
- Garage at DPW (24' x 42' - former Madrigal garage). DPW Director Dunham provided the board with a foundation (Alaskan slab) estimate of \$6,150. Selectmen requested some additional pricing from several vendors.
- Brown Field. DPW Director Dunham proposed re-building of the field to reduce the bowl of the infield created by years of dragging in preparation for games. As Dunham has talked with Gar-Wal about the work proposed, Selectman Davis did

not participate in discussions. Dunham proposed cutting out the sod in the field, re-leveling and aerating and over seeding of the field. He has obtained a quote from Gar-Wal of \$9,000 to do work on the field with the support of DPW personnel and equipment. Selectmen requested additional pricing be sought from other vendors. The question of why recreational activity opportunities were limited at this field primarily to softball was raised by Selectman Carlson. Whether the board should initiate efforts to expand the utility of this recreational facility was discussed.

- Route 32 Shared Shoulder (sidewalk) project. Dunham advised that the project was substantially complete but that tree work was still pending. Funding of that tree work through the project has been approved by NHDOT.
- West Street Bridge Project. Pending on this bridge project substantially completed last fall is installation of the guardrail, curb and top course of paving. Prices for guardrail have been solicited and HTA recommends awarding the work to CWS at a cost of \$14,750 to be funded 80% by the state through the municipal bridge program and 20% by the town (capital reserve account for town bridges). Selectmen affirmed HTA's recommendation to award the work to CWS. Action on the top course of pavement is most likely going to be deferred until 2007 as the project contract needs to perform some warranty work related to the bridge approaches and the seal between the bridge and the road.
- Road surface work plans 2006. Dunham advised that work on Whitcomb Road adding mix by grader shimming was completed by the department. Due to lack of funds available in the asphalt budget line work initially planned for Carlton and Cobble Hill Roads was likely to be deferred. Work on Base Hill Road's reclamation has begun and should be complete by the end of the week. Selectman Tatro advised that Keene DPW had a drag box that the town's department could utilize if needed in the future.
- IWORKS. Dunham advised he had begun working on the pavement management system and that time would need to be invested into the system's database to improve its outputs.
- Street signs. Signs, such as the 4 way stop on Main/Christian Hill/Railroad Street and Homestead Ave, have finally been delivered to the department and would be installed over the next few weeks.
- Resignations. Selectmen accepted the resignation of DPW employee David Vito. Mr. Vito's last day of work will be October 5, 2006. Dunham advised that he would be placing an ad recruiting candidates for the department's 2 vacancies in the near future.

Kendall Lane. Selectmen reviewed and executed the development agreement – Attachment #1 – for the subdivision road. Form of the letter of credit, to be in the amount of \$60,000, as illustrated by Attachment #2 was approved by the board. Board authorized work on the road to begin once the original letter of credit, conforming to the form approved by Selectmen, was received.

Town of Swanzey v. Delbert A. Buckley. Selectmen met with CEO Weston reviewing the order approved by the court. Selectmen expressed support for initiation

by the town of action to bring the property into compliance if Mr. Buckley does not within the timeframe provided by Judge Sullivan's order. Selectmen requested prices for removing the vehicles, vehicle parts or other items of junk being kept in violation of the June 26, 2006 Order be collected for board consideration in early November.

Scott SCBA expenditures – Fire Tech & Safety Invoice #71068. Selectmen approved, acting upon the recommendation of the fire chief, funding the equipment expenditures totaling \$906.22 from the expendable trust established for fire department tools and equipment.

Minutes of Meeting of September 20, 2006. Selectmen approved the minutes of their meeting of September 20, 2006.

Site Investigation at Town Hall/Fire Station. Selectmen reviewed the proposal from GeoInsight requesting Brackett Associates be contacted to see if they were interested providing a quote for the work required.

Carpenter Home. Selectmen approved establishment of a semi-private (private pay) room rate of \$2,000 effective October 1, 2006. Plans for the replacement septic system have been received and staff will initiate efforts to obtain pricing for system replacement.

Burning Bushes & Invasive Species Laws. Concerns have been recently expressed about burning bushes on town properties and the addition of this species (1/1/2007) to the state's invasive species list. Information regarding recommended best practices will be collected for the board before proceeding to consider the concern. Addition to the invasive species list precludes sale of burning bushes in NH after 12/2006.

Non-public session – RSA 91-A:3IIb, Fire Department. Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIb at 9:09 p.m. Selectmen came out of non-public session at 9:12 p.m. Selectmen approved hiring of Kelson Mulcahy as a volunteer firefighter for the Town.

Non-public session, RSA 91-A:3IIa & c – Personnel. Selectmen voted unanimously by roll call to go into non-public session at 9:13 p.m. Selectmen came out of non-public session at 10:50 p.m.

Fire Department Organization. Selectmen requested position descriptions for fire chief and deputy chief or chief(s) be prepared for review at their next meeting concurring that department re-organization should include at least one deputy chief's position to define with responsibility for overall department operations in the absence of the chief.

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

- Appointment papers for Robert Eccleston II, full time police officer (probationary status). Mr. Eccleston is expected to begin work October 16, 2006.
- Raffle Permit #2005-13.
- Selectmen expressed regret and extended condolences to the Chamberlain Family for the passing of retired Swanzey Police Department dog Argo.

Meeting adjourned at 10:50 p.m.

Submitted by,

Elizabeth A. Fox
Town Administrator