

## SELECTMEN'S MEETING – MARCH 25, 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 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.

### **CALL TO ORDER**

Chairman Davis called the meeting to order at 6:15 p.m.

### **INFORMATION**

COPS hiring recovery program grant opportunity Fox advised Selectmen that the program application deadline is April 14<sup>th</sup>. Selectmen discussed potential budgetary implications for the Town, both during and at the end of the 3-year grant, and how the grant might affect Police Department staffing. If the grant were to be awarded to Swanzey, and if the Board endorsed participation in the program, Fox recommended that Selectmen hold a special town meeting to ascertain community support for employing a new officer. Fox will request more information from Chief Busick regarding his short and long-term objectives, and his plan for funding the position when the grant expires.

Relocation of proposed sewer and water line extensions to Page Homestead senior housing project Fox advised Selectmen that plans may call for locating water and sewer lines within the State right-of-way. This aspect of the proposal is unresolved.

**CITIZEN CONCERNS** – none pending

### **DEPARTMENT REPORTS** –

6:15 – 6:30 EMD Bruce Bohannon (see **NEW BUSINESS**)

7:50 – 8:30 Fire Chief Norm Skantze (see **NEW BUSINESS**)

### **APPOINTMENTS** –

7:30 – 7:50 Lillian Spalthoff (see **NEW BUSINESS**)

**NOMINATIONS** Pending positions are posted.

### **CONFIRMATIONS**

Swanzey Revenue Development District Advisory Board: Larry Crowder  
Capital Improvements Program Committee: Bob Beauregard, Larry Crowder  
Open Space Committee: Theresa DiLuzio, Deb Crowder  
Conservation Commission: Michael Day, Gary Coburn  
Conservation Commission alternate: Jane Johnson  
Recreation Committee: Judy Bohannon

**Motion** by Carlson to confirm the appointments to the various committees as listed. Second by Tatro. All in favor.

**ENFORCEMENT** – none scheduled

## **PUBLIC INFORMATION MEETING**

Rail Trail project DOT project #114423, Federal project #X-A0003161

At 6:30 Davis opened the information meeting and welcomed the public. Present were Bruce Bohannon (Swanzy) and Kurt Bloomquist (Keene Department of Public Works Director), Rail Trail Committee members Clark Dexter and Tim Seymour (Keene), Bud Winsor and Theresa DiLuzio (Swanzy), abutters to the trail, and members of the public. Mike O'Donnell, engineer, TF Moran, and Bob Duval, principal, TF Moran, also were present.

Bohannon presented an overview of project plans, the result of a 2003 grant for a joint Town-City project to repair the trail from Route 101 in Keene to the Cresson covered bridge in Swanzy. Presentation materials included preliminary drawings of the trail layout.

O'Donnell said that the two municipalities are to contribute a 20% match to the project, \$110,000 of which is funded through the Federal Highway Administration. Engineering costs to date are approximately \$24,000. In the event of a budget shortfall, the length of the project will be shortened. The project is proposed for construction during the 2009 season.

Bloomquist said that the State transportation program calls for constructing a multi-use trail bridge over Route 101 in FY 2010.

O'Donnell stated that the project area encompasses a trail segment of 12,609 feet (approximately 2.4 miles). He said that repairs would result in a 10' wide hardpack gravel trail with 2' wide gravel or loamed shoulders, improved drainage, and improved sight distances and signage at the Krif Road crossing and the three Matthews Road crossings. The trail is designed for multi-use recreation, excluding motorized wheeled vehicles. O'Donnell said that construction will comply with NH-DES regulations regarding alteration of terrain and potential impacts to shorelands; stone check dams and silt fences will be removed after construction.

O'Donnell asked those present for comments and suggestions to help finalize the project design. Discussion and suggestions included the following:

- Potential sources for additional funding -- a second Transportation Enhancement grant, ARRA funding
- PSNH contribution – unlikely (after use, PSNH must restore the trail bed to the same or better condition)
- Eliminating truck access to the trail -- an issue for NH-DOT and facility manager DRED
- Installing gates at Matthews Road crossings -- an issue for DRED, and not included in the project
- Retention of tree canopy to keep the trail shady -- plans call for a 12' wide x 12' high envelope; tree removal will be avoided wherever possible
- Culvert cleaning -- not included in the project; however, drainage ditches will be improved
- Paving -- not intended
- Diverting water away from springs – plans call for excavating down 1.5' to elevation of the ditch line, and installing filter fabric and crushed stone so that water will travel horizontally to ditches and flow away.

Written comments (Attachment #1) were received from Swanzy resident Barbara Skuly.

Project representatives concluded the meeting with an overview of next steps, which include committee meetings to review the estimated budget and determine how much of the project will be affordable, finalization of project design, and bidding (likely, in June-July).

Selectmen expressed their gratitude to Bohannon for bringing the project along.

Hearing no further comments, Davis closed the information meeting at 7:00.

## CONSIDERATION OF OLD BUSINESS

Thompson Covered Bridge scour protection Selectmen discussed preliminary plans received the prior week for members' review. Fox advised Board members that the Board is tentatively scheduled to conduct a public informational meeting on the plans on April 1. Fox is scheduled to meet on March 26 with NH-DES and NH-DOT to discuss how best to address the construction phase of the project in coordination with the dam plans. Fox reported that she has sent notices of the April 1 meeting to abutters.

Department head review of applications pending before the Planning Board Selectmen discussed the proposed plan review process distributed to members last week. This process focuses on commercial, industrial, institutional and multi-family applications subject to Planning Board review. As an informational item, Fox outlined a process under discussion by town hall staff that would focus responsibility for 1 and 2 family structures with the Code Enforcement Officer allowing Fire Department resources and energies to be focused on commercial, industrial, institutional and multi-family structures. The opportunities to better utilize existing resources and develop an effective process for customer service are the primary goals of these discussions.

**Motion** by Carlson to approve the department head review process policy proposed – Attachment 2. Second by Tatro. All in favor.

North Swanze Water and Fire Precinct boundary amendments Fox reported that she has received no comment from other affected property owners besides that received at the March 18 public hearing. Selectmen considered notices of two possible decisions, one including and one excluding the Cheshire Fair Association parcel within the amended boundaries. Selectmen discussed the Cheshire Fair Association's request that CFA property be excluded from the Precinct at this time. Fox advised the Board that the process of amending precinct boundaries is not onerous; especially given the ample lead time before public water service becomes available to a new service area.

**Motion** by Tatro to amend the North Swanze Water and Fire Precinct boundaries to include Tax Map 19, Lots 66, 65-1, 65, 64, 97-5, and 102, and to exclude the parcel owned by the Cheshire Fair Association – Attachment #3. Second by Carlson. All in favor.

Selectmen signed three copies of the boundary line amendment.

Arrowcrest Drive extension Selectmen considered a draft notice of decision accepting "Parcel A" as a dedicated street.

**Motion** by Tatro to approve the extension, as described in the notice of acceptance of a dedicated street, with appropriate easements – Attachment #4. Second by Carlson. All in favor.

Jacobs zoning violation Fox updated Selectmen on the status of the matter, reporting that there has been no progress towards accomplishing elements of the timeline.

Gocht septic system Selectmen reviewed March 18, 2009 correspondence from Russell Gocht, as well as a copy of a March 14, 1980 receipt of payment for preparation of a quitclaim deed from the Town of Swanze. Fox reported a telephone conversation and e-mail correspondence with Gocht. Selectmen reaffirmed their decision to follow the advice of Town counsel.

Budget 2009 Fox reported receipt of feedback from Police Chief Busick; other departments have not yet responded to her request for cost-cutting recommendations. Selectmen discussed the urgency of preparing to bid roads, and noted that crosswalks require re-stripping this year.

The group agreed to continue discussion at a future meeting, and to examine the current status (based on best available data) of department budgets.

#### **CONSIDERATION OF NEW BUSINESS**

Vermont Yankee RERP budget With EMD Director Bohannon, Selectmen reviewed Bohannon's proposed submission. Fox stated that the proposed budget items will go into the Town's 2010 budget, to be fully reimbursed by Vermont Yankee – Attachment #5.

*Motion* by Carlson to designate the chair to sign the submission on behalf of the Board. Second by Tatro. All in favor.

#### Ashuelot Rail Trail project public information meeting (see **PUBLIC INFORMATION MEETING**)

Prior to the information meeting, Selectmen discussed whether installation of a gate to limit access to the Rail Trail from the Legere parcel had been part of the Mill K project. Fox will review the record.

Moore Nanotechnologies LLC and proposed burn of former Dana Pinney residence With Fire Chief Skantze, Selectmen discussed timing and execution of a proposed burn drill, designed to include and build relationships with mutual aid responders. Skantze said that the exercise would be a low instance, high-risk type of training, and would follow NFPA standards regarding safety and water.

Skantze presented a request from Moore Nanotechnologies that the Town waive, from April 1 until May 30, the property tax on the structure proposed for burn, to allow Skantze time to arrange for the drill. Furthermore, because the demolition permit expires on April 1, Skantze requested Selectmen to extend the permit until May 30 and authorize CEO Weston to waive the fee.

Fox reported that the gutted house currently is assessed at \$159,000.

The group discussed protecting adjacent vegetation. Skantze said that he had advised L. Chaloux that firefighters would wet down nearby trees, but had advised that he could make no assurances or promises regarding damage to trees. Skantze said that Moore Nanotechnology staff would wet down the roof of the new building.

The group discussed timing the burn so as not to interfere with activities at the Keene State College Camp at Wilson Pond. Skantze said that he will talk to abutters, and obtain the schedule for events at the KSC Camp. He said that preliminary activities will precede the big burn, and said that he will post a sign to alert the public to forthcoming activities. He said that he expects the burn to be complete before noon.

*Motion* by Carlson to not assess the building for 2009 tax year real estate taxes, provided that the building is removed by May 30, and to authorize Code Enforcement Officer Weston to extend the demolition permit and waive the fee. Second by Tatro. All in favor.

Fire Department planning With Fire Chief Skantze, Selectmen discussed general coverage of duties, reporting, and strategic planning for the Department. The group acknowledged a June 30 deadline to resolve position descriptions and policies pertaining to department officers and organizational structure. Selectmen encouraged Skantze to consult a policy/organization chart prepared by the Board prior to Skantze's employment. Skantze expressed his interest in developing Department capacity by having employees hold dual roles, and said that it may be time for the Department to increase its inspections activities.

Skantze reviewed and supported the process proposed for department head review of applications pending before the Planning Board (see **OLD BUSINESS**). He said that he would

submit monthly reports for January and February to Fox on March 26, and request that Symonds e-mail activity reports directly to Fox.

Davis Avenue road maintenance Ms. Lillian Spalthoff, 1 Davis Avenue, appeared before the Board to discuss winter maintenance/land ownership concerns. Ron Spalthoff and Yvonne Spalthoff also were present, as was DPW Director Dunham.

The group reviewed a copy of the recorded subdivision plan, noting that the right-of-way is 41.5' wide. Dunham reported that vegetation and the fence installed by Spalthoff impede snow storage. L. Spalthoff presented photographs of her property. She stated that snow has been pushed onto her property, damaging trees, part of a hedgerow, and a fence; the plow has dug up part of the lawn.

R. Spalthoff acknowledged that the narrow roadway and cul-del-sac are difficult to plow and contain snow, and said that snow melts slowly in the location. L. Spalthoff said that DPW plow truck driver Ann Bedaw "does a good, good job." However, according to R. Spalthoff, the pile of snow blocks part of the driveway. R. Spalthoff offered to lay out the property lines to help the Board visualize the situation.

R. Spalthoff and L. Spalthoff suggested that the Town could periodically haul away accumulated snow piles via truck and backhoe, or could purchase property to extend Davis Avenue to Talbot Hill Road. Selectmen advised Spalthoff that a road extension is likely restricted by ordinance.

Those present agreed to a site visit, as part of the Board's June field trip; the Board will notify L. Spalthoff when the trip is scheduled.

Hazard Mitigation Plan update Fox said that she will send a memo to department heads advising them that all departments will have to be covered at the April 13 meeting.

#### **CONSIDERATION OF MINUTES**

Correction proposed by Davis to page 3, Budget 2009: "In response to Carlson's observation that Jaffery and Peterborough have larger budgets ~~that than~~ Swanzezy . . ."

**Motion** by Tatro to approve the minutes of the March 18, 2009 regular meeting, as corrected, and minutes of the March 18, 2009 non-public session. Second by Carlson. All in favor.

#### **CONSENT AGENDA**

1. Letter to Wilder & Laramie, taxes eligible for deeding.
2. Notice of Intent to Excavate, Tax Map 24 Lot 2-2, 32/7. 3/15, 4/6, 13/11, 35/1.
3. Notice of Intent to Cut, Tax Map 75/3.

**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 9:15.

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. Review of file and project status underway. Committee meeting to be scheduled.
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 recruitment.