

SELECTMEN'S MEETING – SEPTEMBER 17, 2008

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.

Chairman Carlson called the meeting to order at 6:07 p.m.

INFORMATION

Pending Litigation Selectmen reviewed the 9/9/08 order of notice from Cheshire Superior Court. Town Counsel will prepare a response, and Town Planner Carbonneau will compile the certified record.

Page Court Selectmen reviewed correspondence from Keene State College regarding the closure of Page Court. (See **CONSIDERATION OF OLD BUSINESS.**)

State Auction Selectmen reviewed the notice of the upcoming State of NH fall auction of surplus property. Fox reported that several vehicles might ultimately be appropriate, but none are ready to be sent this fall.

CITIZEN CONCERNS – none presented

APPOINTMENTS

6:10 Bob Mitchell, United Way

Mitchell, a member of the Monadnock United Way Board of Directors, heads the Swanzey campaign. The United Way supports 49 social service agencies in the region, and last year reported 5,370 unduplicated uses of social services in Swanzey. The biggest growth area is child services. Mitchell said that 90% of contributions go directly to the local agencies, and described the process of allocating contributions.

Mitchell encouraged the Board to repeat last year's solicitation letter to Town employees, and asked Board members to each personally contribute to the campaign, and to acknowledge their participation in the solicitation letter. Mitchell also offered to have a United Way representative attend a gathering of Town employees (ideally, 12 or more) to talk about the campaign. He will drop off brochures and pledge cards at Town Hall.

Fox will draft a letter to Town employees encouraging participation, and will mention the Board's intention to contribute to the campaign.

6:45 Bruce Bohannon, Swanzey/Keene Rail Trail Project – see **NEW BUSINESS**

7:00 Francis Faulkner, CH Heating System – see **NEW BUSINESS**

7:15 DPW Director Lee Dunham – see **OLD BUSINESS; NEW BUSINESS**

DEPARTMENT REPORTS - none scheduled

NOMINATIONS - none scheduled

CONFIRMATIONS - none scheduled

ENFORCEMENT - none scheduled

PUBLIC HEARINGS - none scheduled

CONSIDERATION OF OLD BUSINESS

Non-public session, RSA 91-A:3IIb -- see **NON-PUBLIC SESSIONS**

Mill K Trailhead Project – flood storage easement – Legere development agreement.

Selectmen reviewed the application for a boundary line adjustment proposed as part of this project, and authorized Carlson to sign on behalf of the Town.

Selectmen reviewed e-mail correspondence between B. Skuly and S. Stepenuck regarding the project, and discussed Skuly's and Stepenuck's concerns and the status of the project with DPW Dunham. (Tatro and Dunham recently visited the project with Jim Phippard of Brickstone Masons.) The group considered options for the location of the access gate, and concluded that it should be positioned on Mill K property at the cul-de-sac, so that motorists have space to turn around. The gate would be operable by snowmobile riders and emergency vehicles. The group recommended positioning boulders across the portage road to prevent vehicular access. Selectmen agreed that it would be necessary to eradicate the knotweed at the site. Fox will ask Phippard to contact her when these items have been addressed, so that the Town can conduct a final inspection.

Selectmen and Dunham discussed developing facility rules (operating hours, plans for opening and closing), and signage for parking, unloading, and portage. Dunham will prepare a proposal, perhaps consulting with B. Bohannon regarding standard practices for snowmobile trails.

DPW Hiring Dunham and Selectmen discussed assignment of current personnel to position descriptions approved in 2004. (See **NON-PUBLIC SESSION**.)

Motion by Tatro to approve Dunham's proposed assignments to three listed position descriptions: Lead person/heavy equipment operator, Todd Trombley; truck driver/laborer, Scott Patnode; truck driver/laborer; Mike Caron. Second by Davis. All in favor.

Woodland Heights subdivision The letter of credit is due to expire on 10/23/2008. In response to the Board's 9/3/2008 request for a status report, and proposed action plan for work pending, Dunham said that the developer has applied for a two-year extension of the \$300,000 line of credit. SUR will be at the job site on September 18, and Dig Safe will be activated at that time. Dunham will communicate with Underwood Engineering on September 18 to request review of existing records, in order to identify any issues requiring corrections. Selectmen and Dunham discussed final top coating of CL Lane, agreeing that it will be best to pave the entire road at one time, in 2009.

Carlton Road Extension Dunham reported that the retaining wall is now under construction.

Programmed road repairs Dunham reported that the DPW shimmed Carlton Road on September 17 (per the 2007 project list), and expects to shim several areas on Christian Hill Road. Selectmen and Dunham discussed plans to repair West Street and Cobble Hill Road and concluded that, after factoring in the length of the bidding process, insufficient time remains to accomplish the work before cold weather. These roads will be advanced to the 2009 project list, and will be funded from the expendable trust account.

Page Court closure Dunham reported that the DPW has constructed and paved the turn-around area. Temporary closure measures -- Jersey barriers -- will give motorists a chance to get used to closed road, until final measures (loaming, seeding) take place in the spring of 2009. The design of street closure will have to maintain accessibility to water and sewer lines. Dunham recommended retaining a five-foot strip of pavement to function as a walkway, protected with posts or a berm, if

necessary. Tatro proposed inviting Keene State College to contribute staff or student expertise towards designing an attractive street closure.

Dunham has asked NH-DOT for signs (“Page Court closed – use Safford Drive”) to install before blocking Page Court. He will notify Carlisle Flooring and Keene State College of the impending closure, so both organizations can start spreading word of the change. The remaining approximately \$25,000 of the original bond issue could be used to develop plans to further improve Page Court, in particular the section of road beyond Carlisle Flooring.

Economic Development Advisory Committee Carlson will attend the kick-off meeting, which Fox will schedule in consultation with Carlson and Committee members. Fox will provide members with a new-committee packet of information including the Committee’s charge, code of conflict, etc. Staff support will be limited to recording secretary.

Non-public session, RSA 91-A:3IIe -- see **NON-PUBLIC SESSIONS**

CONSIDERATION OF NEW BUSINESS

Resignation of Swanzey School Board members Selectmen reviewed a 9/16/08 resignation letter from Colline Dreyfuss. Fox has contacted the SAU, and requested authorization to post the request for nominations she has drafted.

Swanzey/Keene Rail Trail Project NH-DOT has approved the engineering proposal developed by TF Moran for this project. Bruce Bohannon, project manager, came before the Board to request approval and execution of the proposal. Bohannon said that DOT had advised him that any additional work beyond the scope would be described in writing, and would be presented to the Board for approval.

Motion by Tatro to approve the proposed service agreement. Second by Davis. All in favor.

Bohannon and Selectmen discussed a memorandum of understanding between the Town of Swanzey, City of Keene, Department of Resources and Economic Development (Trails Bureau) relating to improving and maintaining 2.5 miles of the trail from Route 101 south to Sawyers Crossing. Bohannon said that the Keene City Council would discuss the MOU on September 25, for possible October 2 endorsement and authorization for the city manager to sign. Fox noted that references to “Town of Keene” would have to be corrected to “City of Keene.”

Motion by Davis to authorize Fox to sign the corrected MOU on behalf of the Town. Second by Tatro. All in favor.

Municipal Agent fee increase Town Clerk Geer recommends that the Town increase the municipal agent fee from \$2.50 to \$3.00, effective October 1. The board supported her recommendation.

Carpenter Home heating system Grounds and Facilities Supervisor Francis Faulkner provided Selectmen with a draft of work to date related to developing bid specifications to replace the two existing Carpenter Home oil furnaces with a new system.

Faulkner described minor changes for clarification to pages 1, 2 and 7 of the draft. The group discussed factors that complicate the replacement project. The foremost concern is to ensure that the Home’s residents have adequate heat at all times, and minimal disruption of their daily routines. The part of the existing heating system that dates from 1965 is inefficient (A. Pinney speculates that a replacement boiler would cut heating costs in half), and potentially unreliable. Properly sizing the replacement system is critical, and perhaps best accomplished by a disinterested, certified third party rather than by the plumbing company that would install the system. Project

specifications would have to account for guaranteed dependability of the new heating system, durability of its components (minimal electronics), and accuracy of the size of the system, as well as guarantee a flawless transition from existing to new system. The qualified vendor would have to have experience with heating systems for large buildings (over 15,000 square feet) that require heat constantly. If the system is replaced during the heating season, the old system will have to continue to operate while the new system is being installed. A new location for the system may introduce unforeseen cold spots, with associated problems.

Faulkner recommended locating the new system in the barn, thereby creating a more accessible mechanical room. He proposes new oil boilers, and a future pellet furnace. Geothermal heat is not an option.

Selectmen concluded that the Town likely will hire an independent, credentialed consultant to prepare a heat loss analysis of the Home and size the new system. Faulkner will develop a request for qualifications, and determine what credentials are required for calculating heat loss and designing heating systems.

Heating oil bids Selectmen reviewed results of the joint Town-Regional School District bidding process. Fox will get more details from the vendors, in order to facilitate comparison of payment periods. She will find out which vendor the School District selected, and will e-mail Board members with that information.

Wilson Pond Dams Selectmen reviewed 9/26/08 correspondence from NH-DES identifying deficiencies in Town-owned dams. Dunham and the Board discussed the State's concerns, and Town plans to address the deficiencies related to these structures.

Lower dam – Dunham proposes to remove trees after the pond ices up. The DPW can rebuild the low level gate in late October. Dunham drew the Board's attention to Item #5, which calls for changing a stable slope. Accomplishing the item may require an extension of the concrete culvert or installing a headwall – both challenging, because the area in question is inaccessible by any Town equipment. The Town may need to seek easements from adjacent property owners, and/or a wetlands permit to extend the culvert or install riprap. Dunham will prepare a letter to NH-DES to seek resolution to these issues.

Upper dam - Dunham said that hiring the consultant called for by Item #3 likely will be costly, and will require a RFQ process. He expects to hire a tree service company for the removal of large trees. Fox said that funds to cover these kinds of expenses have been set aside in the dam capital reserve account.

Ice Pond - Fox will contact staff at NH-DOT regarding maintenance of the DOT-owned dam which, if not maintained, can cause flooding of a Town road.

CONSIDERATION OF MINUTES

Motion by Tatro to approve the minutes of the September 3, 2008 business meeting and non-public sessions. Second by Davis. All in favor.

CONSENT AGENDA

1. Certification of Full time Firefighter position – NH Retirement System.
2. Acceptance of resignation of Old Home Day Committee member – Bill Carson effective 9/5/2008.
3. Designation of Chair as Environmental Certifying Officer for Page Homestead CDBG Grant.
4. Letter of acknowledgement – application to be a member of the Town's Conservation Commission, G. Coburn.
5. Execution of Summary of Inventory of Valuation - MS 1.
6. Tax Exemption Certificates for town accounts, Fairpoint Communications.

7. Raffle Permit # 2008-25.

Motion by Davis to approve the consent agenda; second by Tatro. All in favor.

Other business

Tatro reported that members of East Station have washed the Carlton covered bridge, so it could be painted. Fox will prepare a letter expressing the Board's gratitude.

NON-PUBLIC SESSIONS

Session 1

Motion by Davis at 6:30 to enter non-public session, pursuant to RSA 91-A:3IIIb, to discuss Fire Chief recruitment. Second by Tatro. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox. Selectmen left non-public session at 6:47 p.m. Motion by Davis to seal the minutes of the session until the matter is concluded. Second by Tatro. Vote by roll call. All in favor.

Session 2

Motion by Tatro at 8:15 to enter non-public session, pursuant to RSA 91-A:3IIa, to discuss personnel. Second by Davis. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis, DPW Director Dunham, and Fox. Selectmen left non-public session at 8:29 p.m. Motion by Davis to seal the minutes of the session indefinitely. Second by Tatro. Vote by roll call. All in favor.

Session 3

Motion by Davis at 9:42 to enter non-public session, pursuant to RSA 91-A:3IIe, to discuss litigation of the Sevene/Cournoyer land use violation. Second by Tatro. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox. Selectmen left non-public session at 9:43 p.m. Motion by Davis to seal the minutes of the session indefinitely. Second by Tatro. Vote by roll call. All in favor.

ADJOURNMENT

Motion by Davis to adjourn; second by Tatro. All in favor. The meeting adjourned at 9:50.

Submitted by

Victoria Reck Barlow
Recording Secretary

E. LIST OF FUTURE AGENDA/PENDING ITEMS

1. Personnel policy updates – drafting of updates ongoing. Distribution pending.
2. Display on Route 12 (pending enforcement issue) referred to Weston.
3. Disposition of South Grove Street Land acquired by tax deed - pending.
4. RFP – Town Facilities assessment.
5. Hiring – Department of Public Works (2 full time positions).
6. Subdivision Road Standards. Draft developed by DPW Director Dunham distributed to Selectmen. Review pending. Winter Maintenance draft – revisions to priority section requested.
7. 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.
8. WS Sidewalk Committee – work plans & process 2008? Equipment Budget 2009.
9. Conversion of 1997 DPW truck to forest fire vehicle pending/Fleet assessment & disposition of excess vehicles pending.
10. Street Addressing Committee. Review of file and project status underway. Committee meeting to be scheduled.
11. Discussion, defining roles and responsibilities between Selectmen, DPW and West Swanzey Sidewalk Committee. Research underway.
12. Town ordinances – Fireworks. Further consideration deferred to allow for input of full time fire chief following hiring.
13. Carpenter Home Properties – Discussion with counsel re: options. Authorization to investigate pending.
14. Westbrook Court – Class VI – Camuso (Richmond).