

SELECTMEN'S MEETING – JULY 1, 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 and Bruce L. Tatro. Town Administrator Elizabeth Fox also was present. Selectmen met at the Swanzey Police Station – Community Room.

FINANCIAL MATTERS

Selectmen reviewed and approved accounts payable and payroll manifests.

CALL TO ORDER

Chairman Davis called the meeting to order at 6:14 p.m.

CITIZEN CONCERNS

F. Effendi and S. Effendi, construction on Route 12 Selectmen discussed letters received on June 22, 2009, and asked Fox to draft a letter expressing the Board's response.

DEPARTMENT REPORTS

6:30 – 7:20 DPW Director Lee Dunham – see **OLD BUSINESS**

APPOINTMENTS – none scheduled

NOMINATIONS – list previously distributed

CONFIRMATIONS – none scheduled

ENFORCEMENT – none scheduled

INFORMATION

Route 12 water & sewer line extension update Fox reported receipt, during the past few weeks, of several complaints from businesses expressing concern about the construction's impact on their operations. Fox said that construction of the water line is completed to a point just north of the Page property driveway, and paving is scheduled for July 2.

Monadnock Humane Society Selectmen received a June 29, 2009 letter reporting discontinuation, effective July 1, 2009, of animal control services provided by contract to the Town. The letter states that the Town now will be billed \$84 each for unclaimed stray dogs and \$10 each for unclaimed stray cats. Fox reported that Police Chief Busick plans to meet with the Board to discuss a proposed response to animal control.

Bedford Economic Development Advisory Committee activities Selectmen received a June 22, 2009 press release detailing leadership forums designed to gain a better understanding of Bedford's strengths and weaknesses in economic development. Fox also reported that a recent newspaper article describes activities undertaken by the town of Raymond to promote economic development.

Upcoming meetings Fox advised Selectmen that Fire Chief Skantze will meet with the Board on July 8. Tatro asked Fox to provide Skantze with an outline to reiterate items of

information requested by the Board during discussions earlier in 2009. At the July 8 meeting, Fox said she will present a six-month report of Town revenue and expenses, as the first step in framing the Town's financial situation within the context of the now-complete State budget process. On July 15 the Economic Development Advisory Committee has asked to present a report of the group's first year activities; public hearings for a CDBG mid-grant and a historic preservation easement (P. Smith, Westbrook Court) also are scheduled.

CONSIDERATION OF OLD BUSINESS

Department of Public Works – paving bids Selectmen reviewed bids received, and compared estimated materials and labor costs as well as costs per estimate relative to budgeted expenses of road repairs. Using figures in the lowest bid:

West Street	Budgeted: \$22, 500	Bid: \$32,848
Carlton Road	Budgeted: \$18,000	Bid: \$27,592
Webber Hill	Budgeted: \$30,000	Bid: \$35,475
Woodland Heights	Budgeted: \$30,000	Bid: \$35, 476
Total	Budgeted: \$105,000	Bid: \$131,395

Including all labor, Fox calculated an in-place cost of \$78/ton.

Selectmen revisited proposed funding sources, discussed during setting of the 2009 budget: \$68,325 expendable trust account (West Street, Webber Hill Road) \$63,069 paving budget, leaving a balance of approximately \$35,000 less miscellaneous expenses

Dunham said that the Main Street project has not been put out to bid; expendable trust funds were proposed to cover these costs. Dunham said that consideration of remaining priorities -- repair and shim of Mill Lane and Taft Road, shimming of Aldrich Road and Eaton Road; striping Base Hill Road, Matthews Road and Eaton Road -- will be postponed until the end of July, after a reevaluation of the budget in light of available State funding. Dunham reported completion of work on Carolyn Avenue and Goodell Avenue, Stonefield, Meadow Road (in lieu of Davis Avenue) and half of Carlton Road.

Motion by Tatro to award the bid to Lane Construction for \$131,395, funding the Carlton Road and Woodland Heights portions from the operating budget and the West Street and Webber Hill Road portions from the expendable trust account. Second by Davis. All in favor.

West Swanzey sidewalk repairs Selectmen and Dunham discussed ongoing repairs to sidewalks performed under the auspices of the Sidewalk Committee. Selectmen concurred that the Town must be provided with contractors' certificates of insurance, listing the Town as additional insured, prior to execution of any additional work. Fox said she will contact the contractor on July 2. Dunham said that the Town has no official specifications for sidewalk construction, and noted problems with construction of sidewalks in front of driveways. Tatro requested scheduling of discussion of sidewalk repairs at a future Selectmen's meeting.

Goodell Avenue repairs Tatro commended the DPW for its quick response.

Property acquired by Tax Deed – 140 Warnac Road Selectmen discussed providing access for the former occupant, and concurred with Fox's recommendation to make the property available from 8:00 to 3:30 on a day of the former occupant's choice.

Elm tree program Selectmen reviewed a draft press release, and discussed proposed Board comments for inclusion. Fox will send draft language to Davis for her review. The elm tree is proposed to replace a dead maple tree at the Swanzey Historical Museum.

Non-public session – RSA 91-A:3IIe, Pending Litigation – Forest View Estates Selectmen agreed to defer discussion until the July 8 meeting.

Non-public session – RSA 91-A:3IIa and 91-A:3IIc, Personnel matter – administrative investigation – see **NON-PUBLIC SESSION**

Non-public session – RSA 91-A:3IIb, Hiring – see **NON-PUBLIC SESSION**

CONSIDERATION OF NEW BUSINESS

Lane Field complaint Selectmen discussed a June 22, 2009 letter from abutter Neil Jeneral, and considered possible remedies. Board members noted that tournaments appear to create the largest hardship for abutters; historically, the baseball league has not obtained event permits for tournaments. Fox will forward the letter to the baseball league, asking league members to propose ways to address and resolve the issues.

Motorcycle, off-road vehicle/shooting noise complaint Selectmen discussed a June 21, 2009 e-mail message from Scott Ellsworth. Fox suggested including the topic for discussion at the next scheduled meeting with Police Chief Busick. Selectmen noted that the Sportsmen's Club has been in existence prior to construction of homes on CL Lane, and discussed whether the club still is operating. Fox will investigate.

Police Special Detail Rate Selectmen discussed the impact of the approved State budget on the cost of providing police details for special events, and considered a rate amendment effective immediately. Reviewing data comparisons prepared by Fox using a 2008 rate salary survey, members of the Board considered amending from \$34 to \$36 the rate paid to officers, and amending the overall rate charged by the Town to cover the increased local cost with the addition of the State former share of retirement. With the addition of a \$10/hour rate for a cruiser (typical among area towns), the proposed rate charged would be \$46 for an officer, and \$56 for an officer plus cruiser.

Fox advised the Board that the Cheshire Fair annually requires the biggest detail. Selectmen expressed reluctance to create a hardship by increasing the rate, but acknowledged that the reduction in State support of the retirement fund makes the increase unavoidable. Fox said that she hopes to revisit the issue in 2010.

Motion by Tatro to approve the proposed special detail officer pay rate of \$36/hour, and to approve a total special detail rate (incorporating expenses of administration, retirement contribution, and a cruiser fee of \$10) of \$46/hour for an officer and \$56/hour for an officer plus cruiser. Second by Davis. All in favor.

Joint Police Department/Fire Department special training Selectmen briefly discussed a training exercise proposed to take place at the 2009 Cheshire Fair, and determined that the Board needs to be fully informed of the proposal and its potential costs to the town.

Non-public session – RSA 91-A:3IIa, Police Department -- see **NON-PUBLIC SESSION**

CONSIDERATION OF MINUTES

Motion by Davis to approve the regular meeting minutes of June 17, 2009 and the non-public minutes of June 17, 2009. Second by Tatro. All in favor.

CONSENT AGENDA

Motion by Tatro to accept and expend \$2,147.71 income received from sales of "Swanzey Rural Character" DVDs. Second by Davis. All in favor.

NON-PUBLIC SESSIONS

Session I

Motion by Selectman Tatro at 7:54 p.m. to enter non-public session, pursuant to RSA 91-A:3IIe to discuss pending litigation. Seconded by Selectman Tatro. Vote by roll call. All in favor.

Selectmen left non-public session at 8:04 p.m. Selectmen voted by roll call to seal the minutes of the session indefinitely.

Session II

Motion by Selectman Tatro at 8:05, pursuant to RSA 91-A:3IIa & 91-A:3IIc, to discuss personnel matter. Second by Selectman Davis. Vote by roll call. All in favor. Present were Tatro, Davis and Fox.

Selectmen left non-public session at 8:06 p.m. Selectmen voted by roll call to seal the minutes of the session indefinitely.

Session III

Motion by Selectman Tatro at 8:06, pursuant to RSA 91-A:3IIa to discuss personnel matter. Second by Selectman Davis. Vote by roll call. All in favor. Present were Tatro, Davis and Fox.

Selectmen left non-public session at 8:09 p.m. Selectmen voted by roll call to seal the minutes of the session indefinitely.

Session IV

Motion by Selectman Tatro at 8:10, pursuant to RSA 91-A:3IIb to discuss hiring. Second by Selectman Davis. Vote by roll call. All in favor. Present were Tatro, Davis and Fox.

Selectmen left non-public session at 8:12 p.m. Selectmen voted by roll call to seal the minutes of the session until the matter is resolved.

ADJOURNMENT

Motion by Selectman Tatro to adjourn; second by Selectman Davis. All in favor. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Victoria Reck Barlow,
Recording Secretary

Non-public sessions to adjournment by Town Administrator Fox

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.