

SELECTMEN'S MEETING – MAY 7, 2008

ATTENDANCE

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

Chairman Carlson called the meeting to order at 6:00 p.m.

FINANCIAL MATTERS

Selectmen reviewed and approved accounts payable and payroll manifests.

CITIZEN CONCERNS

None presented.

INFORMATION

Selectmen received information on the following items:

Brnger v. Swanzey. Brnger has relocated the metal garage placed on the rear of the two-car garage, pursuant to a building permit issued by Weston. The garage now meets the Town's setback requirement, and Weston has issued a certificate of occupancy. Other violations regarding the business use et al are still unresolved.

Three reports from the media. The first raises the issue of legislative representation, the second discusses volunteer emergency services statewide, and the third is an opinion piece from Foster's regarding HB 1645. The Board will follow these issues.

Mill K Development Agreement Amendment. A memo reports a conversation with Jim Phippard, advising that the amendment to allow the conveyance of the flood easement in advance of completion of work is no longer required. The Board will sign the flood storage easement when work is complete; in the interim, the Board will have to approve the planting plan.

APPOINTMENTS

7:20 - 8:20 Senator Molly Kelly.

Senator Kelly and Board members discussed HB 1645. Fox noted that the Senate bill deals with short-term crisis issues, pushing aside longer-term issues for more study; she asked Senator Kelly for her evaluation of how much more study is needed. Given the Town's limited resources, and its obligation to continue to provide services, Fox also asked for details regarding the financial impact of the bill on municipalities.

Kelly spoke about the intention of the current version of the bill to balance the needs of various constituencies. Towns will likely pay 15% more.

Regarding funding of education, and Cheshire County's overwhelming support of an income tax, Carlson asked why Kelly supports a constitutional amendment. Kelly's position is that the Legislature first needed to define an adequate education, then determine the cost of that education (now defined as a little over \$4,000/student), and then figure out how to pay the cost. The constitutional amendment allows towns to keep more state property taxes in town, and divide up the extra for schools that need more. Kelly believes the business, precision manufacturing, and health care communities must champion improvements in education, and invest in public schools.

"Adequacy" does not include the condition of facilities. Upon Tatro's request to have Monadnock Regional High School assessed for fire hazards, Kelly offered to help get the State fire marshal to conduct an inspection.

DEPARTMENT REPORTS

6:30 – 7:05 Fire Chief Bob Symonds

For the Board's review in preparation for discussion on May 21, Chief Symonds presented standard operating guidelines for emergency response, protective clothing, and breathing apparatus.

Symonds reported that the Center station pickup truck needs an estimated \$1,000+ in repairs (including replacement ball joints). The Mack Engine 2 has a leaky tank. Symonds proposes eliminating the two vehicles, and replacing them with a smaller, more versatile vehicle. Preliminary ballpark estimates range from \$65,000 to over \$100,000, and around \$40,000 if the vehicle is used. A detailed listing of repairs required to the Center station pick up was requested by Selectmen.

Based on materials presented to the Capital Improvements Program Committee, Fox said that the Center tanker had been targeted as the vehicle scheduled for the next costly replacement. However, that assessment was made before the Mack started leaking.

Tatro felt that spending \$1,000 on repairs today is preferable to coming up with \$40,000 for a used vehicle. He offered his free labor to replace the ball joints.

Board members discussed ways to save money on other vehicles. With insurance renewal coming up on July 1, Fox asked Symonds to bring the issue of decommissioning the 1971 Mack to the 5/13 officers meeting, and explore options for marketing it. (Income from the sale goes into the General Fund.)

Tatro recommended deferring consideration of replacement vehicles until after the new truck arrives. Fox said that the Town will lack funds, over the next 1½ years, to accommodate another vehicle purchase.

Police Chief Rich Busick 8:20 - See CONSIDERATION OF OLD BUSINESS.

Department of Public Works Director Lee Dunham
Cemetery, Parks and Facilities Director Francis Faulkner

Board members discussed with Dunham and Faulkner a proposed amendment to policies contained in Chapter V – Cemetery, Parks & Facility Maintenance Personnel – Workweek, overtime, breaks and lunch periods.

The goal of the change is to make the most efficient use of the DPW facility, by staging departure times of the two work crews. DPW staff would leave at 7:00 a.m., and CPF staff would leave at 8:00. Rather than taking two paid 15-minute breaks and an unpaid ½ hour lunch, staff would work through the breaks, and take a paid ½ hour lunch on the job.

The DPW and CPF staff will test the new policy for the 2008 season, beginning 5/12/08.

NOMINATIONS

Cool Monadnock (posted 4/14/2008)

Recreation Committee (posted 4/14/2008)

CONFIRMATIONS

None.

ENFORCEMENT

Board members reviewed a 5/5/08 e-mail message from Annette Studebaker regarding 138/140 Pine Street, as well as previous correspondence (9/18/02 and 10/16/02 letters from the Board of Selectmen) directed to the property owner.

Davis noted that these code enforcement issues raised are important, and have historically been a challenge in the neighborhood. Board members referred the matter to Code Enforcement Officer Weston for his investigation, feedback, and action.

PUBLIC HEARINGS

None scheduled.

CONSIDERATION OF OLD BUSINESS

Fire Chief Recruitment process.

Fox provided Board members with the outline discussed for the recruitment Advisory Committee, and copies of nominations received. At its 4/16/08 business meeting, Board members received information related to the description of the fire chief position.

To do the best possible job, Davis recommended devoting a Board meeting – May 14, 2008 -- exclusively to this issue. Members concurred.

Carlton Road Extension.

Board members discussed public testimony and written feedback, which has been divided among the three proposed options.

DPW Director Dunham has met with a representative from FEMA, who recommended obtaining bids for rehabilitating the road “as is,” and also for rehabilitating the road to an expanded width. The bid price may assist the town in determining how to proceed. Board members asked staff to direct Underwood Engineering to prepare specifications and proceed to bid the options, “as is” or “improved”.

Winter snow and ice policy.

Board members discussed the 4/30/08 revised version of the new Winter Maintenance Snow Removal and Ice Control Policy prepared by DPW Director Dunham. Members recommended that the policy further define “snow removal activities” (plowing? ice control?) in each use, and indicate priority status of specific roads for plowing and sanding.

Members felt that clearing access to the Carpenter Home and the police station should be a high priority. School bus routes are a lower priority, because schools likely would be closed anyway. Clearing access to Town libraries is a low priority.

Code Red proposal.

Deferred, pending comments from the Fire Department.

Police Department re-organization.

Board members reviewed information on Police Department re-organization prepared by Chief Busick and distributed on 4/16, as well as additional information regarding deployment of personnel resources and an organizational chart.

Busick reported that he has been assessing the effect on future budgets of replacing the civilian officer with a sworn officer. While his reasons remain unchanged, financial concerns prompt him to postpone the proposal until the next budget season. In addition, because an officer has not passed the physical agility test, the department may be short of personnel for the next six to eight months.

In the short term, Busick instead recommends creating a second corporal’s position, to assume supervisory responsibilities now carried by tenure-based master patrolmen who serve as “officer in charge” when assigned to work a shift without scheduled supervisory personnel. His budget plan shows that this change can be accomplished within the existing budget with elimination of

the part-time office clerk position, which was created when the regional prosecutor program was in house.

Busick feels that the team is at its best since he arrived at the Police Department, and would like to support his new and veteran officers with supervision and mentoring. The second corporal's position would provide coverage for calls and follow-up, as well as reduce liability exposure for the Town. He has set the salary at the lowest possible level for an eligible candidate. He recommends the change be implemented on July 1, to give sufficient notice for the transition, and he asks that phased-out employees be considered favorably for other positions in Town.

Expressing support of the overall concept, Board members discussed minor points of Busick's proposal.

Motion by Tatro to authorize establishment of a 2nd corporal's position, eliminating the part time clerk's position, in accordance with the budget provisions outlined in Chief Busick's memo of April 29, 2008 . Second by Davis. All in favor.

CONSIDERATION OF NEW BUSINESS

Mt. Caesar beacon.

Board members reviewed e-mail messages received from citizen Michael Duffin and City of Keene employee Vincent Hanscom. To maintain the clearing at the summit of Mt. Caesar, on May 12 Duffin and friends volunteer to clear brush and new growth around the beacon. They will pile the trimmings for wildlife habitat.

Hanscom welcomes the pruning, appreciates the offer of help, and asks the Board to convey his gratitude to Duffin. Dunham and Faulkner have no objection.

Motion by Davis to authorize the brush cutting. Second by Tatro. All in favor.

Home Occupation – Walters, Westbrook Court.

Board members reviewed the application, submitted by Robert S. Walters, II, of 71 Westbrook Court, for an office for a dealer's licensing activity, and parking of up to 4 unregistered cars in the area designated on the site plan. Trees screen the parking area from the road; the house is set back about 1,000 feet. The applicant proposes no sales or preparing vehicles for sale, or servicing of vehicles, from the home location. (Walters has a service agreement with an auto sales business.) The ordinance allows for outside vehicle storage on a case-by-case basis.

Board members deliberated the question before them: Will the proposal affect the residential character of the neighborhood? In essence, members felt, the application is for a used car business. In addition to storing unregistered vehicles, members also anticipate trailer deliveries, with the potential for unloading in the road – both activities which members felt were not appropriate in a residential setting.

Motion by Tatro to approve the office function of the home occupation, with no storage of vehicles. Second by Davis. All in favor.

RFQ Thompson, Cresson Bridges.

Board members reviewed e-mail messages from Thompson and Cresson Bridge projects interview team members Larry Crowder, Scott Self, and Town Planner Carbonneau. The team interviewed two firms, and assigned the higher ranking to Hoyle, Tanner & Associates, based on their familiarity with rivers and fish passage, approach to scour protection, and their qualifications to successfully complete the entire project.

Motion by Tatro to authorize staff to develop the scope of work and fee proposal with Hoyle, Tanner & Associates. Second by Davis. All in favor.

Ashuelot Rail Trail agreement with State.

Board members received the agreement in their 4/16 packet. Pending feedback from the City of Keene, members made no sustentative comment.

Capital Improvements Program Committee request for RFP.

At its 4/28/08 meeting, the CIP Committee decided to ask the Selectmen to authorize staff to prepare a RFP to develop data related to assessing facilities needs and cost estimates for a municipal complex, to potentially include the Town office, Center fire department, police station, and house emergency management. Funds for the work are available in expendable trust accounts for facilities; planning for facilities is an appropriate use of these funds.

Davis noted that it has become clear to the CIP Committee that finding adequate space for these Town functions is the biggest issue facing the Committee. She strongly suggests beginning the process, because the need is strong.

Motion by Tatro to authorize staff to develop the RFP. Second by Davis. All in favor.

Bid specifications prepared by Dunham for 550 truck dump body, plow, and sander.

Board members reviewed the invitation to bid, with specification checklist and projected delivery (which may affect rating of bid).

On the cover sheet, last paragraph, Fox recommended deleting “. . . to accept any bid ~~or any portion thereof~~, or to reject . . .”; also, to change the bid sheet to create a way for vendors to show their price for each portion of the equipment (e.g., body, sander, lights).

On the cover sheet, Tatro recommended changing all occurrences of “his” to “the.”

Motion by Davis to authorize proceeding with going to bid, with Fox’s and Tatro’s corrections to the cover page, and with minor technological changes to the specifications. Second by Tatro. All in favor.

Other matters.

Fox reported that the MRHS senior project students have submitted a building permit for constructing the shed at the East Swanzey Fire Station.

Motion by Tatro to authorize the Chair to execute the permit on behalf of the Town, and waive the permit fee. Second by Davis. All in favor.

Board members noted that the covered bridges should be scheduled for annual sweeping and cleaning.

CONSENT AGENDA (includes correspondence, permits, and other matters)

1. NIMCAST. Appointment of EMD to serve as Point of Contact for completion of NIMCAST Training verification required for future grants.
2. Approval of Exemptions: Tax Map 57 Lot 22
3. Denial of Exemptions: Tax Map 72 Lot 92, Tax Map 10 Lot 19
4. Execution of Agreement: LGC Professional Recruitment Service.
5. Letter of Appreciation, Charles Sheaff, temporary building inspector.
6. Notice of Intent to Cut, Tax Map 1 Lots 3 & 4, Tax Map 75 Lot 3.
7. Adoption of a resolution authorizing application to East Hill Foundation for a grant to assist in the acquisition of a range/fire suppression hood at the Carpenter Home designating Fox to execute application and related paperwork on behalf of the Town.
8. Relay of letter dated May 2 from D. Putnam to NHDOT.
9. Execution of MS 5, Annual Financial Report to State, year ending 12/31/2007.
10. Letter of congratulations – Mark LaBelle (eligibility for Master Patrolman’s designation).
11. Timber tax warrants \$3,082.55 and \$1,548.87.
12. Authorize Chair to sign auditor’s letter on behalf of the Board.
13. Event Permit #2008-11 – Memorial Day parade
14. Letter of congratulations – S. Carbonneau for ten years planning/land use.
15. Notices of intent to cut: Tax Map 24 Lot 2-2; Tax Map 3 Lot 15; Tax Map 17 Lot 3

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

CONSIDERATION OF MINUTES

Motion by Tatro to approve the minutes of April 16, 2008, including the non-public session minutes. Second by Davis. All in favor.

NON-PUBLIC SESSIONS

Motion by Tatro at 6:53 to go into non-public session, pursuant to RSA 91-A:3IIb, to discuss personnel issues with Fire Chief Symonds. Second by Davis. Vote by roll call. All in favor.

Selectmen came out of non-public session at 7:06 p.m. Selectmen voted by roll call to seal the minutes of the session indefinitely.

Motion by Tatro at 8:40 to go into non-public session, pursuant to RSA 91-A:3IIb, to discuss hiring of summer help. Second by Davis. Vote by roll call. All in favor.

Selectmen came out of non-public session at 8:52. Members determined it was unnecessary to seal the minutes.

ADJOURNMENT

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

Submitted by

Victoria Reck Barlow
Recording Secretary

LIST OF FUTURE AGENDA/PENDING ITEMS

1. Next week's meeting – Position Description/Fire Chief Recruitment.
2. Subdivision Road Standards. Draft developed by DPW Director Dunham distributed to Selectmen. Review pending.
3. Personnel policy updates.
4. Decide whether to replace Carpenter Home burner and underground tank, possibly with an alternative heating system.
5. Preparation of invoice pending - Land Use Change Tax Bill (Oliphant et al)
6. Display on Route 12 pending enforcement issue
7. SOG – Fire Department – distribute 5/7 for discussion 5/21
8. Code Red proposal – deferred until 5/21 to allow for feedback from FD personnel.