

SELECTMEN'S MEETING –SEPTEMBER 3, 2008

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 6:05 p.m.

INFORMATION

Election Day: September 9

CITIZEN CONCERNS

Gus Lerendeau requested information regarding the Old Home Day Committee membership change from elected to appointed positions. Because event planning requires significant lead time, Selectmen have encouraged members to resign so that the committee charged with planning the 2009 event may be officially appointed before the current elected terms expire in March. Lerendeau will encourage Committee chair Kathy Ainsworth to call a meeting in the near future so that the existing Committee can wrap up any outstanding items.

APPOINTMENTS

8:00 - 9:05 p.m. Joint Meeting with Sewer Commission and Conservation Commission Chair Steve Stepenuck

SCC Chair Stepenuck presented data collected by the Ashuelot River Local Advisory Committee (ARLAC) and Volunteer River Assessment Program (VRAP) on testing and water quality of the Ashuelot River. He reviewed 2007-08 trends in reported levels of *E. coli*, phosphorus, and other contaminants, and included some data from 2008.

The State-protected status (Class B – “fishable/swimmable”) of the Ashuelot River provides standards against which to evaluate results of monitoring. Trained, annually re-certified volunteers collect samples monthly, from May through September, at consistent locations along the River. Although levels of contamination generally correlate to proximity to centers of human population, the highest measured levels of *E. coli* and phosphorus on the River regularly are recorded at the Cresson and Thompson Bridges. These locations also have unacceptable levels of dissolved oxygen, oxygen saturation, and conductivity. Stepenuck speculates that the Keene wastewater treatment center is the most likely source of contamination, but other sources are possible. Testing of the South Branch was added last year.

In response to the group's question regarding the next step, Stepenuck said that ALRC has proposed and the SCC has supported funding seven more testing stations, generally located upstream of suspected point sources of pollution (including a garden frequented by geese, and a pasture stream). The group also plans to measure upstream of the Keene wastewater treatment plant, and upstream of the high school leach field.

Sewer Commissioner Crowder recommended sending data to an independent lab (rather than Keene) for analysis. The group also discussed the option of obtaining the Keene wastewater treatment plant's discharge monitoring report. As part of the public record, this information should be available from NHDES, and should help in assessing the wastewater treatment plant's culpability in high Swanzey readings.

DEPARTMENT REPORTS

6:30 – 7:05 DPW Director Lee Dunham – see OLD BUSINESS, DPW position descriptions

NOMINATIONS Economic Development Advisory Committee

Selectmen reviewed submitted nominations, and discussed assignments of first term lengths so as to stagger committee membership within the three-year appointments. Selectmen felt that the slate of nominations represents diverse interests, and appointed the following citizens: Eric Stanley (3 years), Davis Cairns (2 years), Greg Johnson (1 year), Arthur Boufford (1 year), Bill Hutwelker (2 years), Mary E. Ryan (2 years), Alfred “Gus” Lerandeau (3 years). Fox will send out letters of appointment next week. The Committee will determine its start date.

Motion by Davis to make the appointments for the specified lengths of first terms. Second by Tatro. All in favor.

CONFIRMATIONS - none scheduled

ENFORCEMENT - none scheduled

PUBLIC HEARINGS - none scheduled

CONSIDERATION OF OLD BUSINESS

DPW position descriptions With DPW Director Dunham, Selectmen reviewed a draft description of the Grounds and Facilities Maintenance/DPW truck driver-laborer position. For background, Fox provided other position descriptions approved by the Board in 2004 when T. Hood was appointed to the position of road supervisor.

Dunham explained that the employee holding the new position would handle grounds and facilities responsibilities in the summer and winter, until needed for DPW winter maintenance tasks.

Motion by Tatro to approve the Grounds and Facilities Maintenance/DPW truck driver-laborer position, as described and to authorize staff to begin recruitment for this position. Second by Davis. All in favor.

Board members and Dunham discussed other position descriptions. Dunham explained that he had designated a lead person to satisfy requirements of Mutual Aid. Rather than tying pay levels to skills and/or seniority, Selectmen expressed their preference for assigning employees to the position descriptions approved in 2004, noting that this change would facilitate performance evaluation. Dunham will return to the Board on September 17 with proposed assignments, and will obtain guidelines for evaluations from Police Chief Busick and possibly LGC. He will prepare evaluations for the October 15 Selectman’s meeting. Selectmen expressed their commitment to supporting the evaluation process.

Regarding progress on repairs to Carlton Road Extension, Dunham reported that the work appears to be proceeding on track. Dunham has had discussions with the project engineer about water seepage at the base of the future retaining wall. Dunham has received verbal assurance that FEMA will cover their share of additional costs, and will meet on September 25 with FEMA representatives to formalize the agreement.

Gocht septic system easement Selectmen reviewed correspondence from Town Counsel Beth Fernald, as well as background information previously distributed to the Board. Fox reported that the ZBA is scheduled on September 15 to begin consideration of the Gocht variance application seeking to expand the existing three-bedroom cottage into a five-bedroom residence.

Noting that the current area of encroachment on Town land already exceeds the area authorized by Town Meeting vote, Selectmen agreed in their objection to any expansion of authorized encroachment. Selectmen recognize the owners' right to make repairs to the existing system. Selectmen favor locating the septic system entirely on Gocht property but, at the very least, prefer that the system not exceed the area approved at Town Meeting. Board members discussed the option of returning the issue to the voters.

Continued review of LGC Legislative Policy proposals In preparation for Fox's attendance at the September 12 policy conference, Selectmen discussed policies distributed to members on June 24, 2008. Board members generally supported the proposed LGC policies.

Compensatory wetlands mitigation policy Selectmen reviewed proposed policies prepared as a result of a joint meeting of the Swanze Conservation Commission and Open Space Committee. OSC chair Victoria Barlow explained that the policies were developed to clarify roles and responsibilities to help expedite the Town's review of proposals for mitigation, and to formalize the Town's priorities and process.

Motion by Davis to approve the proposed policies – Attachment #1. Second by Tatro. All in favor.

Wetlands Mitigation Application Selectmen discussed expediting Town review of the Moore Nanotechnology compensatory wetlands mitigation proposal, which will require Selectmen to hold public hearings pursuant RSA 41:14-a. To provide the required public notice of hearings, Fox recommended that the Board schedule public hearings for September 24 and October 15.

Motion by Davis to authorize Fox to begin advertising the public hearings. Second by Tatro. All in favor.

Past due property taxes -- T. Joslyn [Tax Parcel Map 61 Lot 2-11]

Fox reported that Joslyn is no longer making payments. Board members agreed that the Town has exhausted all options, and authorized Fox to request the Tax Collector to initiate the process of taking the tax deed.

Other matters

List of future agenda/pending items

Item 2, Carpenter Home heating system: Fox reported that Grounds and Facilities Manager Faulkner has been researching many options. At this point, it is unlikely that insufficient time remains to change out the system before the heating season begins. Likely the Town will target 2009 to replace the system.

Item 13, fireworks ordinance: Fox recommended deferring action until the Town has a new fire chief.

New dog ordinance

Selectmen discussed the offer of the Sidewalk Committee to handle signs. Board members cited signage at Keene's Ashuelot Park as a good example to consider, and expressed their interest in seeing proposed signs before they are finalized. Fox will write the Committee to ask for their coordination with DPW Director Dunham.

Atkinson Hill Road

Dunham recently inspected the logging operation, which was active when he visited. He reported that the sides of the road have been re-graded and re-seeded. The road now is passable from Swanze to Winchester.

Mill K site visit

Jim Phippard (Brickstone Masons) is available to accompany Tatro and Dunham.

CONSIDERATION OF NEW BUSINESS

Disposition of Municipal Property Selectmen reviewed and approved a request from Police Chief Busick to transfer a surplus radio from the Town of Swanzezy to the Town of New Ipswich. Fox will request a full report of sales of other surplus materials.

Woodland Heights letter of credit Fox reported that the \$300,000 letter of credit for the roads within this development expires on October 23, 2008. Items currently outstanding include the top coat for the new road constructed linking CL Lane and Woodland Heights Drive, complete improvements to the Class VI portion of CL Lane (part of 2b), and possibly other items pending or that require action in this portion of the Development known as Phase 2a & 2b.

To determine how the developer intends to proceed in a timely fashion, the Board requested from DPW Director Dunham an assessment of the work done to date and work pending, and a review of the requirements of the development agreement and contact with the developer. The Board plans to consider the assessment at the September 17th meeting.

Dunham said that he will find out whether the developer intends to extend the Letter of Credit and if so, whether the dollar amount remain valid construction cost estimates for the work remaining. Dunham will put together a punch list.

Swanzezy Lions & Century Bike Tour To raise money for charitable purposes, the Lions have requested use of the main hall and bathrooms at Town Hall on September 14 for bike tour registration. F. Faulkner is willing to open the building at 6:30 a.m. Selectmen express no objection.

CONSIDERATION OF MINUTES

Motion by Tatro to approve the minutes of the August 27, 2008 business meeting and non-public sessions. Second by Davis. All in favor.

CONSENT AGENDA

Event Permit #2008-19

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

NON-PUBLIC SESSIONS

Session 1

Motion by Tatro at 9:11 to enter non-public session, pursuant to RSA 91-A:3IIe, to discuss to discuss pending claims or litigation. Second by Davis. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox.

Selectmen left non-public session at 9:14 p.m. Motion by Davis to seal the minutes of the session indefinitely. Second by Tatro. Vote by roll call. All in favor.

Session 2

Motion by Davis at 9:14 to enter non-public session, pursuant to RSA 91-A:3IIb, to discuss hiring. Second by Tatro. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox.

Selectmen left non-public session at 9:35 p.m. Motion by Tatro to seal the minutes of the session until the recruitment process is completed. Second by Davis. Vote by roll call. All in favor.

Session 3

Motion by Tatro at 9:37 to enter non-public session, pursuant to RSA 91-A:3IIa, to discuss employee matters. Second by Davis. Vote by roll call. All in favor. Present were Carlson, Tatro, Davis and Fox.

Selectmen left non-public session at 9.48 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 9:55.

Submitted by

Victoria Reck Barlow
Recording Secretary

LIST OF FUTURE AGENDA/PENDING ITEMS

1. Personnel policy updates – drafting of updates ongoing. Distribution pending.
2. Decide whether to replace Carpenter Home burner and underground tank, possibly with an alternative heating system – investigation of options and other means to save on energy related costs ongoing.
3. Display on Route 12 (pending enforcement issue) referred to Weston.
4. Disposition of South Grove Street Land acquired by tax deed - pending.
5. RFP – Town Facilities assessment.
6. Hiring – Department of Public Works (2 full time positions).
7. Subdivision Road Standards. Draft developed by DPW Director Dunham distributed to Selectmen. Review pending. Winter Maintenance draft – revisions to priority section requested.
8. 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.
9. WS Sidewalk Committee – work plans & process 2008? Equipment Budget 2009.
10. Conversion of 1997 DPW truck to forest fire vehicle pending/Fleet assessment & disposition of excess vehicles pending.
11. Street Addressing Committee. Review of file and project status underway. Committee meeting to be scheduled.
12. Discussion, defining roles and responsibilities between Selectmen, DPW and West Swanzy Sidewalk Committee. Research underway.
13. Town ordinances – Fireworks. Further consideration deferred to allow for input of full time fire chief following hiring.
14. Carpenter Home Properties – Discussion with counsel re: options. Authorization to investigate pending.
15. Land use violation – 138 Pine Street (Sevene/Cournoyer).