

## Selectmen's Meeting – April 10, 2012

Present were Selectmen Deborah J. Davis, Nancy L. Carlson and Kenneth P. Colby, Jr. Also present was Town Administrator Elizabeth A. Fox.

Chairman Davis called the meeting to order at 6:10 p.m.

**Financial Matters.** Selectmen reviewed and approved accounts payable and payroll manifests.

**Department of Public Works.** Selectmen met with DPW Director Lee Dunham considering the following matters:

- Layout of additional burial plots – Mt. Caesar Cemetery. Dunham reviewed with Selectmen a memo dated 4/10/2012 and a cemetery map (Attachment #1) detailing a proposal developed by Grounds and Facility Supervisor Francis Faulkner to open up addition area at the cemetery. Proposed is elimination of 2 avenues initially laid out – Cherry and Elm, to provide for 28 new 4 grave lots. Dunham noted that internments in these new areas would need to be dug by hand as the proximity to many old grave stones make working with a machine in these areas risky. Selectmen voted to approve closure of Cherry and Elm Avenues approving layout of those areas in plots to be made available for burials.

**Surplus Property – DPW & Town Hall.** Selectmen viewed an email from Dunham dated 4/9/2012 detailing mowers and associated equipment deemed surplus by the department. Selectmen authorized disposal of the mowing equipment through a sealed bid process. Selectmen also authorized disposal of 2 old laptops (Digital and Compaq) which no longer worked.

**Public Hearing – RSA 31:95-b, Accepting and authorizing expenditure of grant funds to assist in the purchase of 15 portable radios to be used by the Police Department.** Chairman Davis called the public hearing to order at 6:33 p.m. reading the public notice provided. Fox reported that the grant application submitted by Cheshire County on behalf of Troy, Marlborough, Fitzwilliam and Swanzey seeking funding for police portable radios had resulted in award. Swanzey's share of the award is \$14,068.85 which is approximately 50% of the acquisition cost for the new portables and associated equipment. Chairman Davis closed the public hearing at 6:35 p.m. Selectmen voted, pursuant to the authority provided by RSA 31:95-b, to accept the funding award of \$14,068.85 and authorize purchase of 15 portable radios with accessory as detailed in a quote totaling \$28,137.72 provided by Beliveau Communications and Consulting LLC. The balance of funding required for the purchase will be provided by the town's Emergency Communications Expendable Trust.

**Public Hearing – Rules of Procedure, Board of Selectmen.** Chairman Davis called the public hearing to order at 6:38 p.m. inviting comment from the public. Pat Bauries expressed a preference for a copy of the changes proposed in track changes format. Fox reviewed with her the areas of modification detailed in the notice provided. She expressed concern that the Board of Selectmen could fill a vacancy without posting notice. Selectmen advised that, under the rules currently in place and amendments proposed, the procedure for filling of vacancies would apply to vacancies in the office of Selectmen. She queried what procedures the board utilized for reviewing sealed non-public minutes to determine whether they should be released. A procedure for that activity has not yet been developed. Bauries requested that Selectmen consider holding their meetings, budget hearings and the town's deliberative session on a different night than Monadnock Regional School Board meetings. That amendment to the procedures strives to allow for provision upon request of the board's agenda was seen as a positive. Chairman Davis closed

the public hearing at 6:55 p.m. Selectmen deferred further consideration of the updated rules to their April 17<sup>th</sup> meeting.

**Town Administrator Recruitment - Local Government Center.** Selectmen met with Barry Cox who reviewed with members a draft ad, location for placement recruitment schedule and process. Selectmen determined, in the interest of advancing the process in a timely fashion, to serve as the entity to screen and interview applicants. A meeting following the close of the application acceptance will be held with Mr. Cox to review submissions.

**Ashuelot Rail Trail Project – TE Grant Keene to Swanzey completed in 2011 (13,000 feet).** Project Manager Bruce Bohannon reported to members that a section of the trail (60' to 70') had slumped away and required repair by the contractor. Selectmen requested a letter seeking the repair be drafted that designates Bohannon as contractor contact for resolution of this issue.

**Continued Improvements to the Ashuelot Rail Trail – South of Sawyers Crossing Road.** Bruce Bohannon reviewed with Selectmen a proposal (initially planned for funding with a recreational trails grant with is no longer available) to improve approximately 2 miles of trail running south establishing a path 10' wide, brush cut, graveled and hopefully topped with stone dust (like the trail to the north). Estimated cost for the scope of work proposed is \$110,000. Grant funding has been identified to date totaling approximately \$60,000. Other grants are being pursued. Selectmen advised they support advancing the project but do not have significant dollars at their disposal to support it. The only possible funding source is the Recreational Facilities Capital Reserve and anticipated projects and improvements needed at Richardson Park limit its availability as a significant funding source. When funding sources sufficient for the project are identified, a hearing to authorize accepting and expending those sources (pursuant to RSA 31:95-b) will need to be conducted. Selectmen suggested Bohannon collaborate with DPW Director Lee Dunham developing contractor selection and contract documents.

**Trustee of Trust Funds.** A report detailing the results of the Trustees re-allocation of the common trust was provided to members.

**Audit 2010.** Selectmen were advised of correspondence from NH DRA indicating that the 2010 final audit had not been received by the department. Staff will forward a copy of the audit prior to the 4/15/2012 deadline.

**Data Collection for Pick ups and review of parcels scheduled for 2012/2013.** Staff advised that Vision personnel have arrived in town and will begin reviewing properties subject to building permits and inventory changes and then move on to review of data associated with 50% of the improved parcels this year. Next year the balance of structures are scheduled for review. This work is in preparation of a value update scheduled for 2014.

**Vision Building Permit Software.** Selectmen approved an amendment to the agreement with Vision deferring installation of the software until fall 2012 authorizing Fox to execute Amendment #1 on behalf of the town.

**Town owned land in Westmoreland – Carpenter Home.** Notice has been received that that the taxes assessed on this parcel will be going to lien. An abatement application seeking a determination from the town that the parcel is tax exempt has been filed but Westmoreland officials advise a decision has not been made to date. The board authorized payment of the taxes to avoid a lien being placed on the property.

**Whitcomb Hall.** Rich Busick updated Selectmen regarding efforts to organize materials in the building reviewing a report from Busick dated 4/4/2012. Selectmen concurred with his request for authority to make decisions regarding disposition of items extending the deadline set for clean up to provide 60 days for measurable progress.

**Request from MRSD for a town representative to serve on the Sullivan Withdrawal Committee.** Fox relayed a request from the SAU to recommend an individual to represent the town on this committee. The group will have 180 days from its organizational meeting to produce a report. Selectmen suggested Bruce Tatro noting he has prior experience with the withdrawal process and statutes.

**Tax Collector.** Selectmen considered a request from a taxpayer to transfer a tax payment and abate interest and costs assessed. The taxpayer did not include information with their payment providing application instructions and the collector was not aware that Lex Hanger and Haberman were related accounts. Selectmen authorized waiving of interest assessed provided the notice of tax lien charge was satisfied prior to the lien date by the taxpayer.

**Swanzy 12 LLC.** Selectmen reviewed the accounts cost and interest pending (related to taxes from 1990 to 2000) and a payment arrangement with a prior board that provided for relief of those charges based on efforts to move the property toward an improved environmental standard. Efforts ongoing with NHDES were noted and that the account status had remained current under the current owner was noted. Selectmen authorized the tax collector to adjust the account waiving the charges and bring its current balance due to zero.

**Non-public Session – RSA 91-A:3IIb, Hiring.** Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIb at 8:15 p.m. Selectmen discussed provision of interim administrator services with Mr. Busick. Selectmen came out of non-public session at 8:50 p.m. Selectmen voted to retain Mr. Busick to serve as interim town administrator beginning April 23, 2012 while the recruitment process moves forward.

**Non-public Session – RSA 91-A:3IIb, Hiring, Trustee of Trust Funds Bookkeeper.** Selectmen voted unanimously by roll call to go into non-public session at 8:51 p.m. pursuant to RSA 91-A:3IIb. Selectmen came out of non-public session at 8:55 p.m. voting by roll call to seal the minutes of the session until the conditions of the offer of part time employment are satisfied.

**Non-public session – RSA 91-A:3IIa, FMLA Leave.** Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3IIa at 8:55 p.m. to consider a request for FMLA leave submitted by a DPW employee. Selectmen came out of non-public session at 8:87 p.m. voting to approve the request for intermittent FMLA leave for up to 12 weeks. The town administrator was authorized to send a letter communicating the board's approval to the employee.

**Consent Agenda.** Selectmen approved the following consent agenda items:

- Agreement with LGC PRS for Town Administrator Recruitment.
- Elderly Exemption – Tax Map 18 Lot 26 & 18 Lot 234.
- Gravel Tax Warrant - \$630.18.
- Confirmation – Conservation Commission member Robert Goodrich, term expiring Town Meeting 2015.
- ICMA RC Plan Change for updating contacts and designations.

- Raffle Permit #2012-9, Monadnock Baseball.
- Supplemental Notice of Intent to Excavate – TY 2011-12 Tax Map 35/1.
- Notice of Intent to Excavate, TY 2012-13 Tax Map 35/1, Tax Map 32/7, Tax Map 24/2-2, Tax Map 4/6 & 7, Tax Map 3/11 & 15.
- Authorizing chair to execute payment arrangements to defer deeding with Tax Map 18 Lot 1 and Tax Map 62 Lot 14-2.
- Notice of Lien – Tax Map 70 Lot 14.
- Current Use Application – Tax Map 71 Lot 10.
- Report of Appropriations Actually Voted TM 2012 – Attachment #2.
- Event Permit #2012-07, Motorcycle Swap Meet.
- LGC PRS Recruitment Agreement.
- Tax credits, exemptions to delete TY 2012 – Attachment #3.

**Consideration of Minutes of Selectmen’s Meeting of April 3, 2012.** Selectmen approved the minutes of their meeting of April 3, 2012 including non-public sessions.

Meeting adjourned at 9:35 p.m.

Submitted by,

Elizabeth A. Fox  
Town Administrator

**April 10, 2012 – Non-public session RSA 91-A:3IIb – Session II**

**Trustee of Trust Funds Bookkeeper**

Selectmen reviewed the trustees recommendation conveyed via email dated 4/6/2012 to retain Jane Lord. Selectmen authorized extension of a conditional offer of part time employment as trustees of trust funds bookkeeper subject to satisfactory criminal and motor vehicle record checks to Ms. Lord subject to the trustees estimate of annual hours required detailed in position posting approved by Selectmen (150-180 hours per year).

*Unsealed on 3/25/2014.*

A handwritten signature in black ink, appearing to be "R. J. Lord", written over a horizontal line.