

Town of Swanzev, New Hampshire
Board of Selectmen
Meeting Minutes – October 16, 2012

Present were Selectmen Deborah J. Davis, Nancy L. Carlson, and Kenneth P. Colby, Jr. The meeting was called to order by Chair Deborah Davis at 6: 16 p.m. Also present was Town Administrator Shane O’Keefe, Recording Secretary Beverly Bernard, Kathy Habiby, Rep. Gus Lerandeanu, Town Planner Sara Carbonneau, Ridgely Brown, and George Blais

MINUTES

Minutes of the October 2, 2012 regular meeting. *Motion* by Colby to approve the minutes of the October 2, 2012 regular meeting as written, Carlson seconded, all in favor. Motion passed. Carlson moved to approve minutes of non-public meeting of October 2, 2012 as presented. Seconded by Colby, all in favor. Motion passed.

Minutes of the October 9, 2012 regular meeting. *Motion* by Colby to change the minutes of October 9, 2012 meeting to reflect proper statutory reference by changing from RSA 91-A:3II(b) to RSA 91-A3II(a) since section (b) refers to Hiring and (a) refers to Dismissal, Promotion or Compensation. Dismissal, Promotion or Compensation was the topic of the discussion on Oct. 9th. Seconded by Carlson, all were in favor. Motion passed. The minutes of the non public meeting of October 9, 2012 will be reviewed at the next meeting.

NOMINATIONS

Old Home Days Committee. O’Keefe had presented the Board with a list of the 11 Committee members that had been appointed on February 8, 2011, noting that 7 members’ appointments had expired and that the list of appointees needs updating. Kathy Habiby reported that there are now 21 confirmed folks who are staying on this year to serve in 2013. The 21 names are as follows: George Blais, Heidi Bradbury, Ridgely Brown, Patty Budzik, Bill Carson, Michelle Cavanaugh, Maria Ettner, Carol Faulkner, Kristen Goodenough, Kathy Habiby, Jane Johnson, Susan Karalekas, Colleen Lauer, Lisa Mango, George Phillips, Andrea Smith, Joanne Stroshine, Rose Kowaliw, Walt Kowaliw, Donna Shauer, and Rick Bauchman. There are two more folks who might say “yes “but haven’t yet confirmed. Habiby stated that these volunteers don’t need to rotate off year to year. Blais can be sworn in by Lori Belletete or Donna Munson. The Old Homes Day committee meets at 6:30 p.m. on the second Monday of the month. *Motion* by Colby to retroactively appoint for 2011 and 2012 for the following: Maria Ettner, Paula Shank, Joanne Stroshine to 9/30/2011 and Tracy Lawson, Lisa Mango, Chris Wood, and Andrea Smith to 9/30/2012. Carlson seconded the motion. All were in favor. Motion passed. The appointments for Paula Shank, Tracy Lawson, and Chris Wood have expired. The rest remain on the Committee. Total is 21 with 2 additional unconfirmed at this time. The Board agreed that membership is open ended because they are volunteers. Carlson suggested eliminating dates for end of service in the future.

OLD BUSINESS

Discussion on Town Hall hours of operation. O’Keefe stated that the “back office” employees are generally happy with the office hour change of closing to the public on Wednesday afternoons, but the “front office” employees in the Town Clerk and Tax Collector’s offices feel that it was more work for them as they often have field questions from the public for the closed offices. O’Keefe offered several options and asked if the Board would consider the closing of Town Hall to the public for the entire afternoon for all offices. He suggested Friday as an option to the Wednesday closing. Another suggestion he made is to open earlier, say 8 a.m., so that everyone would start work and open early and end the day at 4 p.m. Colby suggested that the general public may take Friday to do their business. Early start on Wednesday is probably better, suggested Colby. Town hall would be closed at noon for the public. Hours suggested: Town Hall employees work from 8:00 a.m. to 4:00 p.m. on Wednesday. And

be open to the public from 8 a.m. to 12 noon. O'Keefe suggested that these hours would make it easier for afternoon staff meetings. The Board was amenable to the idea. O'Keefe suggested that given the Board is amenable to changing the hours; he would first speak to everyone impacted with the change. If he finds anyone with objections, he will bring that back to the Board. Input from employees can be done through a survey.

Review "Plan NH" Memorandum of Understanding (MOU) and authorize expenditure of funds.

The Town has received approval of its request to hold community revitalization Charrette for West Swanzey to be conducted by Plan NH, and which is planned for November 9 and 10, 2012. There was discussion about the need to approve and execute the Memorandum of Understanding between the Town and Plan NH, and to authorize the expenditure of funds (\$5,000.00) from account # 01-4191-1-320 (Land Use Professional Services) to cover this expense. O'Keefe noted that the present account balance is \$14,500. *Motion* by Carlson to authorize the Chairperson to execute the Memorandum of Understanding and to expend \$5000 from the Land Use Professional Services account for the purpose of compensating Plan NH for the services. Seconded by Colby, all in favor. Motion passed.

Ashuelot Rail Trail, Phase II. Carbonneau reported that the work has begun and it might come under budget.

OTHER MATTERS – Board meeting interrupted by 4.0 earthquake at 7:12 p.m.

NEW BUSINESS

Discuss Swanzey Community Enrichment Trust. Kathy Habiby, George Blais and Ridgely Brown from the Town's Old Home Days committee provided input. Habiby pointed to the "Welcome to Swanzey" booklet which has been done over the last couple of years. The booklet has generated more revenue than originally anticipated. Habiby recommended that the funds be held in a new trust named "Swanzey Community Enrichment Trust" and be managed by a board. The board would review and consider applications for enriching the community, and then decide how much money would go to those requests. The Trust would be within the Town's jurisdiction. Money would be disbursed like the funds at the library, and would be governed under a Board of Trustees, with By-Laws. There would be a broader focus for the booklet with more resources so it could be a useful tool. The motivation for the request is the proper management of funds. They had considered establishing a 501(3c) not-for-profit organization, but they believe it will work better this way. Habiby said that the group realizes its proposal will have to go on a ballot as a warrant article next spring. Carlson asked how much money is in the account now. Habiby stated that this year the amount is \$8500, with advertisements bringing in the dollars. The group funded the summer concerts, and a variety of other activity. All income in future would go into the Enrichment Trust Fund. The only funds expended out of the fund today are for printing at a cost of approximately \$1500. Habiby is asking the Board of Selectmen to create the Fund. Right now they have 5 proposed trustees and she suggested that they could add an elected official. The Fund would go through the Town's Trustees of Trust Funds. Accountability would be through the Town's trust. O'Keefe stated that he can work with them to create the warrant article and mentioned that the State puts out recommended format for articles. The Selectmen agreed that this is a good idea. Habiby's group will attend the Deliberative session in February, and prepare for the ballot in March, which will have the warrant article. Carlson suggested that the group might want to have handouts at Town Meeting for voter information.

Discuss possibility of Town email addresses. Lerandean appeared on behalf of the Planning Board. He raised a concern regarding email communication between Board members and Town employees. He suggested that the Board of Selectmen consider establishing Town email addresses to be used by Board and committee members. He worried that if a lawsuit were to happen, personal email might be subject to

subpoena if personal email addresses are used. With Town email, personal email would not be subject to the open meeting and records laws. Carbonneau did some research on this subject and offered information about other towns with electronic communication policies. The City of Keene has an electronics use policy that the Board of Selectmen may wish to review. The Town of Atkinson did a study in 2009 on information technology for towns. Carbonneau suggested the Board might want to review that as well. She stated that the New Hampshire Local Government Center (LGC) has various publications encouraging Town employees to use Town email accounts. One issue raised was Right to Know requests: how do you get archived emails out of a personal system, especially if the individual who owns the personal system is no longer available? It was stated that a majority of emails are not privileged communication. Everyone should be using the Town protocol according to Carbonneau. O'Keefe asked if having a Town email address would be required of all Town board and committee members. Selectmen are supposed to be transparent in dealings regarding the Town. Colby suggested that a Town email address should be required for elected and employees, but not for volunteers on committees. If someone refused to use the Town email, the Board could communicate via regular mail. Personal email communications between board members should be limited. Town Hall email groups are okay, but not for discussions. Email group communication is only useful for informational purposes such as sending out the minutes or sending the agenda. EMF (the Town's technology vendor) could set up a Town email address for board and committee members and create passwords that would allow them to gain access to their records. Colby suggested that the Board first review the Keene and Atkinson policies. The Board will need a statement as to why employees and elected officials should comply and use a Town email address. Board members will look into it. Lerandeau volunteered to work with Carbonneau on this. O'Keefe suggested that the Board consider using a simpler domain name such as www.Swanzey.org instead of the existing www.town.swanzey.nh.us, as this would be easier for users.

Consider extension of solid waste disposal agreement. The Town's present solid waste disposal contract with Waste Management expires in February 2013. The company has offered a new 5-year contract – at a lower initial rate – with an effective date (with the lower rates applied retroactively) of August 1, 2012. The contract has been reviewed by the Town Attorney and O'Keefe included in the meeting packet the marked-up version. Solid Waste Manager Steve Stewart will comment on the changes prior to the Board meeting. O'Keefe stated that he would like to hold off on any action at this time. Steve Stewart wants to clarify a few items. Same contract being offered with a better price. Contractor is proposing a 3% increase per year, but O'Keefe would like to negotiate that increase down lower, to perhaps 2%. Stewart had no response from Monadnock Disposal Services.

Issue and post General Election warrant per RSA 658:1. In preparation for the November 6, 2012 General Election, the Board must issue and post the Warrant by no later than October 23, 2012. The Board was asked to sign the warrant, and O'Keefe stated he will take care of the required posting. **Motion** by Colby to execute the warrant as prepared by the Town Clerk. Seconded by Carlson. All in favor. Motion passed.

Davis suggests that the Board members stand near the election building doorway to assist voters with new personal identification requirements. Voter I.D. is required, but if they don't have an I.D., they have to sign an affidavit in order to vote. Who does the affidavit? Would the supervisors know the answer to that? O'Keefe stated that he is providing the donuts, lunch and water for election workers. O'Keefe stated that he is trying to arrange a meeting at 10 a.m. at the church on Thursday October 25, 2012 on Election Coordination with Department Heads, Town Clerk Donna Munson and Pat Haselton to iron out details, and asked if a Board member would like to attend.

The Board needs to appoint Inspectors of Elections: two Democrats and two Republicans, because the parties did not do this timely. Statute requires the appointment for two years. Colby asked who was on

the list last year. Davis suggested that Gus Lerandeau or Bill Snyder might know. The Board agreed that they could look at list of registered voters for next meeting. Whoever is selected to be appointed as an Inspector of Elections cannot be running for office.

Update of allowable assistance levels. The Board reviewed the revised allowable levels of assistance payments under the Town's Welfare program. The Board was asked to approve the new rates. O'Keefe distributed documentation for update of assistance levels. Carlson asked if this was a change. Shelter and heat expenses are proposed to increase, but food costs remains the same. *Motion* by Carlson to accept allowable levels of assistance payments for the Town of Swanzey as amended. Colby seconded, all were in favor. Motion passed.

Accept and expend unanticipated funds per RSA 31:95-b. The Town has received a gift of \$1,000.00 from C&S Wholesale Grocers in support of the Ashuelot Rail Trail Project Phase II. *Motion* by Carlson to accept and expend \$1000 from C&S Wholesale Grocers, seconded by Colby, all in favor. Motion passed.

Authorize architecture competition related to Whitcomb Hall. The New Hampshire Chapter of the American Institute of Architects (NHAIA) holds an Interns/Young Architects Design Competition each year to provide an opportunity for interns and young architectural professionals to strengthen their design skills, gain recognition, and assist a community with their design challenges. NHAIA would like to use Whitcomb Hall as its design subject this year, and the Board has been asked to authorize this. Young architects are those licensed but practicing less than 5 years. Carbonneau reported that the NHAIA needs copies of photos, and floor plans. Carbonneau is hoping that the upcoming Charrette will generate ideas for the NHAIA competition. She reported that someone from the Town can be on the judging committee. The Town is getting a lot of buzz for the PlanNH Charrette. *Motion* by Carlson to authorize the use of Whitcomb Hall, seconded by Colby, all in favor. Motion passed.

OTHER MATTERS

- Recreational trails program grant for the project administrator - *Motion* by Colby to authorize Emergency Response Coordinator Bruce Bohannon to serve as Project Administrator, seconded by Carlson, all in favor. Motion passed.
- O'Keefe reminded the Board that Budgets are due from the department heads this coming Friday, October 19, 2012.
- O'Keefe reported that the Assessment Coordinator open position has 20 applicants; Victoria Barlow is helping out with interviewing of 7 of the applicants.
- O'Keefe reported that the Town allocation to the NH retirement fund is going to increase substantially for 2013.
- O'Keefe reminded the Board of the Annual Local Government Center Conference coming up.
- A Flu shot clinic for Town employees is scheduled for this Thursday from 10 a.m. to Noon.

Non-public session I: RSA 91-A:3II(a), Dismissal, promotion or compensation.

Motion by Carlson to enter non-public session. Second by Colby. All in favor. Selectmen voted unanimously by roll call to go into non-public session pursuant to RSA 91-A:3II(a) at 7:58 p.m. to discuss employee performance. Present were Selectmen and O'Keefe.

Motion by Carlson to seal the minutes. Second by Colby. All in favor. Motion by roll call to seal the minutes. *Motion* to leave non-public session and return to public session by Carlson. Second by Colby. All in favor. Selectmen came out of non-public session at 8:45 p.m.

CONSENT AGENDA

The Board approved the consent agenda, authorizing the Chair to sign where necessary.

- **Personnel Action Reports.** (From 10/9/2012)
- **Raffle Permit #2012-20,** Project Graduation Committee, MRHS. (From 10/9/2012)
- **Raffle Permit #2012-22,** Northern Lights Parent Association.
- **Memorandum of Understanding with Plan NH.** Regarding Swanzey Community Charrette.
- **Letter of thanks.** To C&S Wholesale Grocers for a donation in support of the Ashuelot Rail Trail Project Phase II.

ADJOURNMENT

Motion to adjourn by Carlson at 8:50. Second by Colby. All in favor.

Respectfully Submitted,

Beverly Bernard, Recording Secretary

Minutes approved: October 30, 2012