

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting Minutes – October 30, 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 6:06 p.m. Also present were Town Administrator Shane O’Keefe, Recording Secretary Beverly Bernard, Rep. Gus Lerandeanu, Moderator Pat Haselton, and DPW Director Lee Dunham. Also present were Jonathan Hoden, and Chad Brannon and Dawn Rice, Carpenter Home Director.

MINUTES

Minutes of the regular meeting of October 16, 2012 - Motion by Colby to approve the minutes of the October 16, 2012 regular meeting as written. Carlson seconded, all in favor. ***Motion passed.***

Minutes of the Non-Public meeting of October 16, 2012 - Motion by Colby to approve the minutes of the Non-Public meeting of October 16, 2012 as presented. Carlson seconded, all in favor. ***Motion passed.***

O’Keefe collected Confidential reports from the Selectmen.

CITIZENS CONCERNS

Letter regarding Parallel Hand Counts from Concerned Citizen - Haselton presented to the Board a copy of a letter from Janice & Kenneth Sevene requesting parallel hand counts at the General Election on November 6th, 2012. Haselton stated that the Election is only a week off and therefore there is no time to plan for conducting a parallel hand count of the vote. The State has confirmed the use of electronic ballot counting devices, as have the voters of Swanzey. Haselton has prepared a letter in response to the Sevene letter. O’Keefe suggested that Haselton’s letter in response to the Sevene letter be modified by "the option of a parallel hand count". Haselton will try to get the letter response into mail tomorrow (October 31st). She wanted the Board to know that she is sending this letter and that the Sevene’s request for a recount cannot be honored. Haselton’s letter suggests to the Sevenes that if they wish to pursue this issue, they put an article on the 2013 Town Warrant, explaining their ideas.

NOMINATIONS

Application for Town Committees, Commission & Boards – The Board reviewed the application of Lynn Rust to join the Economic Development Action Committee (EDAC). **Motion** by Colby to appoint Lynn Rust to the EDAC to fill the vacancy left by David Krisch, Carlson seconded. All in favor. ***Motion passed.***

OLD BUSINESS

Discuss removal of hazardous trees in Town cemeteries - Lee Dunham, DPW Director, discussed with the Board tree removal at Town cemeteries (five cemeteries). He provided documentation for Board review with three estimates of costs associated with removing a variety of trees. He is requesting funding, not to exceed \$10,000, to be used for tree removal. He stated that the money can be funded by the trust funds for cemeteries to hire D&E Tree Services to remove as many trees as can be negotiated for \$10,000 or less. The three reliable companies who provided estimates: Phil Davis, Keene Tree, and D&E Tree Service. County Forester Steve Woodward was brought in to look at the trees. Hurricane Sandy took some of the trees down onto gravestones.

O'Keefe asked if the Town can make an insurance claim. Dunham wasn't sure and would look into it. D&E has the best overall price for both take-down and removal. Jeff Hurt takes the trees and makes sawdust out of them. Dunham thinks he can get Hurt to take the trees. Dunham is asking the Board to be able to negotiate with D&E to get the best bang for the buck. Colby asked about the bottom line number in the estimates provided to the Selectmen to review. Does the bottom line include both removal and take-down of tree? If we take out the removal, what are the numbers? Dunham hadn't done that calculation. Davis recommended that we keep to a local company. Carlson suggested that Dunham figure out the exact trees, and then he can better compare prices since there seems to be some variability in price given the specific tree involved. She suggested that D&E might not be the best choice once that calculation was done. Colby suggested looking at the specific trees to get exact comparison for pricing. O'Keefe raised a question about the trust fund pertinent to the fund being set up for cemetery expansion and not for maintenance. Dunham responded that the Trustees of Trust Funds told him he can use the funds. Dunham will ask for clarification from the Trustees since the Trust Fund mentions Cemetery "Expansion". Dunham will also select specific trees and re-calculate the pricing estimates.

Town Hall hours of operation – O'Keefe opened the discussion by sharing the responses from his discussions with the employees of Town Hall. Town Clerk Donna Munson is the only person not amenable to the idea due to reduction in service hours to her customers. Others responded in favor of the idea of changing Wednesday Town Hall hours to 8:00 a.m. to 4:00 pm., open to the public from 8:00 a.m. to 12 noon. The Board asked what steps Munson could take in response if the Town went ahead with new hours. Carlson suggested that Munson could insist on taking care of residents by staying open. However, the door could be locked. Discussion included the idea that residents would get used to the changes and adjust. O'Keefe asked how much notice the Board should give residents. He suggested that perhaps January 1, 2013 is best date to begin new hours. This would provide enough time to give residents notice of the change and make any necessary adjustments for doing business at Town Hall. **Motion** by Carlson to adopt town hall hours for staff from 7:45 a.m. to 4:15 p.m. on Wednesdays, and open to the public from 8:00 a.m. to 12 noon, each effective January 1, 2013. Seconded by Colby. All in favor. **Motion passed.** O'Keefe will get notice out to residents.

Consider approval of winter maintenance stipend

Lee Dunham is seeking approval of the 2012-2013 winter maintenance stipend. This adds \$25.00 per week to eight regular fulltime employees for the 21 pay periods who are officially "on call" for winter maintenance. Carlson asked if it had been \$25.00 in the past, which was confirmed. Carlson made a **motion** to approve the stipend. Colby seconded. Dunham assured the Board that the "on call" personnel do not include temporary employees, only fulltime regulars. All in favor. **Motion passed.**

PUBLIC HEARINGS

Acceptance of a gift of personal property in excess of \$5,000.00 per RSA 31:95-e

Chairman Davis read the notice of Public Hearing pursuant to provisions of RSA 31:95-e for a gift of personal property given to the Town of Swanzey in excess of \$5000, specifically four (4) portable radios for use by the Swanzey Police Department with a total value of \$15,488.96, given to the Town by the New Hampshire Department of Safety. The public hearing was opened at 6:45 p.m. by Chair Davis. No public present and no public testimony. The hearing was closed.

Colby made a **motion** to accept the gift of personal property, Carlson seconded. All in favor. **Motion passed.**

OTHER MATTERS

Issues pertinent to DPW maintenance – Lee Dunham reviewed with the Board some of the issues facing the DPW. At Carl Ripken ball field on South Road, the fence is curled back. He reported that it will take \$3500 to fix it. At that point he was unsure DPW had the money. Now he believes they do have \$3500. Cheshire Fence came in at \$4450. Monadnock fence will do the work for \$3500. **Motion** by Carlson to select Monadnock Fence to make the repairs, seconded by Colby. All in favor. **Motion passed.**

Shed encroaching on Town property - Survey by Bob Smith at Monadnock Cemetery found that at backside of the cemetery there is an encroachment on Town property with a shed. O’Keefe asked if it were moveable. No action was taken at this time.

Request for authorization for Open Space Committee (OSC) to place benches on Town trails -

Colby received phone call from Theresa DiLuzio representing the Open Space Committee requesting benches be placed on trails on Mount Caesar and Mount Crescent. The OSC is providing the benches. The Town would not be responsible for maintenance. The gate at Mt. Caesar might need to be opened for delivery of the bench. The gate is controlled by DPW Director Dunham. OSC should arrange with Dunham to open the gate. **Motion** by Colby to authorize the placement of benches on trails on Mounts Caesar and Crescent, seconded by Carlson, all in favor. **Motion passed.**

Election Inspectors to be chosen - Carlson recalled that the Board needs to elect two Republicans and two Democrats as Election Inspectors since the individual parties did not do so in a timely fashion. Two need to be named to cover shifts: 8:00 a.m. -1:30 p.m. and 1:00 p.m.- 7:00 p.m. Carlson checked the New Hampshire Election Procedure Manual for direction. Parties had until Oct. 15th to select Election Inspectors per RSA 658:2 and they didn't do it. Colby suggested calling the supervisor of the checklist. Carlson asked if an Independent could be chosen. The answer is no: it has to be from the two parties. The voter checklist was consulted by the Board. William Hutwelker, Republican, Victoria Barlow, Democrat, Kenneth (or Janice) Sevene, Democrat, and Elizabeth Colby, Republican, were chosen from the checklist. The Board will contact them.

NEW BUSINESS

Proposal for improvements at Cal Ripken League baseball fields - The Board considered a proposal for improvements at Cal Ripken League baseball fields on South Road. Jonathan Hoden, representing Cal Ripken League, was present along with Chad Brannon from Fieldstone Land Consultants. Hoden met with Dunham and Brannon and his team, and they determined a need to solve a bottleneck in terms of training. The league wants to establish two new batting cages, side by side. Batting cages would be same size as the original one. The old storage building would become the cook shed. The plan is to provide a new storage building. The cook shed would have ADA accessible bathrooms. New storage will be near batting cages. Colby explained that there is a concern from the Planning Board about stabilizing the bank from erosion. Brannon addressed the issue: the plan is just conceptual plan, later it would be finalized with construction details. Bank is sand bank where the batting cages would go. The plan is to

cut into slope and generate material to fill on the lower side providing a platform for cages and shed. All of the slopes will be mild except for back slope. 4-1 or 6-1 grade slope is anticipated, which is not comfortable to mow. Standard roadside slope is 3-1. The league is also interested in not having any erosion. These details can be incorporated at some level. The proposed footprint of disturbance is minor. Brannon doesn't anticipate problems related to drainage or erosion. Brannon stated that a 45% angle should be okay. If you get 1-1 or 2-1 slope, you will have a problem. The backside of the baseball field property toward the tree line is steep slope. Colby stated that if the slope is made of sand, it can't be maintained. Brannon suggested that the slope can be laid back more to fill in and the slope can be addressed. Colby pointed out that the Town has an issue with a sand bank at Mountain View Cemetery. O'Keefe asked if the Planning Board had wanted more site details. Brannon also said there is also a great deal of distance so localized erosion will be contained within the site and not affecting other properties. Dunham asked about timing the start of the project. Hoden had hoped they could start "tomorrow". Dunham had not been entirely aware of cook shed with bathrooms. He suggested that this is major work. Bathrooms get a lot of use. Hoden said that one source of revenue is the cook shed. The cook shed should bring \$10,000 per year otherwise his organization would be hard pressed to cover expenses. The non-profit organization is getting funded by folks like Hamshaw Lumber and others. A lot of people want to help and try to support the project. Hoden is not interested into turning it into a McDonalds. He doesn't want to make French fries. The league wants to sell more soda and water. They will use the sliding window in existing shed and update it. 300 kids are there on any given Saturday. The league wants to make the field more productive. The League had 450 kids involved a few years ago and wants to build up the numbers to keep them interested in baseball. No other questions came from Board. The Planning Board makes a non-binding recommendation to Board. The League doesn't have to come back to the Board of Selectmen after seeing the Planning Board and the project does not appear to be subject to site planning review. The Planning Board determined the need for a Public Hearing due to the number of questions that arose at its meeting in October. Public Hearing is scheduled for Nov. 29th per Sara Carbonneau, Town Planner. Public hearing requires public notice. The League should contact Carbonneau if they have more questions.

Non-Public Session I - per RSA 91-A:3II(b), Public employee hiring. **Motion** by Carlson to enter non-public session pursuant to RSA 91-A:3II(b), seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:33 p.m. Present were the Board members, Town Administrator O'Keefe, Carpenter Home Director Dawn Rice and Recording Secretary Bernard. **Motion** by Carlson to seal the minutes of the non-public session until the issue is resolved. Second by Colby. All in favor. **Motion passed.** **Motion** by Carlson to leave non-public session and return to public session. Second by Colby. All in favor. **Motion passed.** Non-public session ended at 7:38 p.m.

Non-Public Session II - per RSA 91-A:3II(a), Dismissal, Promotion or Compensation. Chief Norm Skantze entered the meeting at 7:35 p.m. **Motion** by Carlson to enter non-public session pursuant to RSA 91-A:3II(a), seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:39 p.m. Present were the Board members, Town Administrator O'Keefe, Fire Chief Skantze and Recording Secretary Bernard. **Motion** by Colby to seal the minutes of the non-public session until the situation is resolved. Second by Carlson. All in favor. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Carlson. All in favor. **Motion passed.** Non-public session ended at 7:45 p.m.

Non-Public Session III - per RSA 91-A:3II(a), Dismissal, Promotion or Compensation. **Motion** by Carlson to enter non-public session pursuant to RSA 91-A:3II(a), seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:46 p.m. Present were the Board members, Town Administrator O'Keefe, Fire Chief Skantze and Recording Secretary Bernard. **Motion** by Colby to seal the minutes of the non-public session indefinitely. Second by Carlson. All in favor. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Carlson. All in favor. **Motion passed.** Non-public session ended at 7:57 p.m.

Purchase of Phillips Monitor/Defibrillator Battery conditioner/charger for batteries - Skantze requested approval from the Board for the expenditure of \$1325.00 to purchase a charger for Phillips Monitor/Defibrillator battery. **Motion** to approve the purchase by Colby, Carlson seconded. All in favor. **Motion passed.**

Purchase ten (10) Minitor V Pagers @ \$410.00 each - Skantze requested approval from the Board for the expenditure of \$4100.00, to be funded from Emergency Communication Expendable Trust for ten pagers. **Motion** to approve this purchase combined with following expenditure.

Purchase to Re-Program FD Radio Base Stations, Portables and Mobile Radios to ensure narrow band compliance. – Skantze requested approval from the Board for \$1520.00 that comes out of the Emergency Communications Trust Fund to re-program all radios for narrow band. They just were re-programmed 8 months ago, but the FCC split the bands to make more bands available. Skantze thought the work will only take one day. Carlson asked how much is in the account (Emergency Communications Trust Fund). Skantze replied he thought it was over \$20,000. **Motion** to spend \$5620.00 (\$4100.00 for pagers and \$1520.00 for re-programming work) from the Emergency Communications Trust Fund by Colby, seconded by Carlson. All in favor. **Motion passed.**

Purchase of Thermal Imaging Cameras – Skantze requested approval from the Board for purchase order of three (3) thermal imaging cameras with receivers and transmitters for wireless telemetry. The purchase was approved by residents in Town Meeting warrant article 5 in 2012. This request is for approval of the purchase order. Skantze reported that the Town has received a good price: \$37,560, original was \$42,000. Colby **moved** to approve the purchase order, seconded by Carlson. All in favor. **Motion passed.**

Discuss placement of New Hampshire HeartSafe Community signs – O'Keefe reported that the Heartsafe signs are hard to read, and might be a driving hazard if placed along Routes 10 and 12 as proposed. Skantze suggested that he put one sign on fire-station outside of building instead of on the roadside. As for approval for placement at roadside, the State would have to approve it since the road is a State highway.

Authorization of expenditures over \$1,000 – Fire Department – Discussion about prior and current policy on expenditures over \$1,000. O'Keefe stated that it was his understanding that items with a per unit cost of under \$1000 can be done at staff level and without Board approval. Carlson stated that has not been the policy. O'Keefe said that was the understanding from Theresa Lounder, Staff Bookkeeper. He referred to buying road salt and other high volume

items that exceed \$1000 in total cost that have not come before the Board for approval. Skantze discussed the spending limit. He complained that for buying a set of turnout gear, when it is approved in the budget, he subsequently has to get permission again from the Board. Carlson pointed out that the bidding process needs to be followed in order to get the best deal. Skantze countered that in an approved operating budget there should be no need to get further approval. The thermal imaging cameras are a single item over \$1000. For annual testing like hose testing Skantze is hiring the same company. The Board has to approve repetitive testing every year. Skantze suggested that the Fire Department should have permission to get routine spending done without needing further approval from the Board every time. The Board wants to review the purchasing policy. The following were considered for pending purchase: Globe fire gear \$13,200.64 from line item 01-4220-2-615 protective clothing; Boots \$2907.00 and gloves at \$1296.00, all in the budget. Also four tires for 27 Engine 2 at \$3159.84, annual hose testing of 10,000 feet for \$3000 (line item 01-4220-2-630 equipment repair), SCBA testing for 36 units (line item 01-4220-2-630 Equipment Repair), \$1935 and HURST rescue tools (line item 01-4220-2-630 Equipment Repair) \$700. Carlson **moved** to approve all of the above, Colby seconded, all in favor. **Motion passed.**

Discuss and amend Fire Department hiring policy. Skantze wants his staff fit for duty and by statute the Fire Chief recommends firefighters for approval by the Board. He has been getting frustrated because of timing of forms to be filled, background checks, etc. He believes that there is a need to do background check before an employment offer is made to candidate. Policy of 2006 says the Fire chief does the background check and it is done before the offer, so long as you have permission (waiver) signed by candidate. The Board is amenable to this so long as the waiver has been signed. The situation should be to have the background check first, before the offer. Skantze revised the Policy to modernize the process. **Motion** to approve as indicated changes by Skantze just for firefighters that given a waiver signed by candidate, the Fire Chief can request a background check before making an offer to a candidate. Carlson so moved, Colby seconded. All in favor. **Motion passed.** For budget review, Skantze agreed to start at 8:00 a.m. Saturday, November 3rd.

Discuss Carpenter Home staffing

Dawn Rice, Carpenter Home Director, was in attendance regarding hiring new personnel. A staff member has given notice. The Board briefly reviewed the budget for Carpenter Home before moving into the personnel review. Rice pointed out that Mileage should be \$100, not \$1000 as shown in the draft in budget (2013). Carlson asked why household cleaning had increased. Rice said it is because the product prices have risen. Carlson asked about cell phones and people on call. Rice responded that yes, the cell phone budget went down, and staff on call do use the on-call cell phone when they are on call. It is included in Phone/Fax/Internet row in the budget. The Board reviewed the budget request, noting that Groceries category will go up. O'Keefe had a question regarding Insurance. Rice responded that it would be the same, but decision hasn't been made by Board. Rice said she increased training dollars so that more people can receive training. Carlson asked about revenue for budget – Rice said she hasn't done it in past. The Town Administrator has always done it in the past. Rice noted that the home's washing machine needs replacing. Rice priced them at 5 places and discussed top load versus front load machines. Front loaders can fail when people use too much soap. Rice ended up going to Manny's Appliance and will buy a Whirlpool. Manny gives \$40 rebate. \$879 is what she will pay. Commercial grade is about \$4000. Davis said that Electrolux was not a good choice. Rice also

stated that she bought a dryer (King Dryer) but they don't support the machines; Whirlpool service is out of Brattleboro.

Non-Public Session IV -per RSA 91-A:3II(b), Public employee hiring. **Motion** by Carlson to enter non-public session pursuant to RSA 91-A:3II(b), seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 8:38 p.m. Present were the Board members, Town Administrator O'Keefe and Recording Secretary Bernard. **Motion** by Carlson to seal the minutes of the non-public session until action is taken. Second by Colby. All in favor. **Motion passed.** **Motion** by Carlson to leave non-public session and return to public session. Second by Colby. All in favor. **Motion passed.** Non-public session ended at 8:43 p.m.

OTHER MATTERS

Board review of Town's email policy - Colby reviewed the email policy as provided by the town of Atkinson. He reported that the Atkinson policy covers all the bases. O'Keefe made copies for all the Selectmen to review.

Board review of Carbonneau Letter regarding NH Plan Charrette – Town Planner Sara Carbonneau has written a letter to be sent to the Keene Sentinel newspaper regarding the planned Charrette. It was noted that the letter should be edited at sentence that reads “on behalf of the Swanzey Board of Selectmen I invite all Swanzey residents”, etc. The Board decided that the letter should say that the Board of Selectmen “invites” all Swanzey residents and business owners etc since it will be signed by the Board. O'Keefe will change the second paragraph and the Board will sign the second page.

O'Keefe reported that the DMV allows you to maintain a balance with them so if you want to do a background check to use as credit. The Town can estimate the amount needed based on number of background checks to be done.

Review unofficial estimate of tax rates – the Board reviewed Sources of Revenues and made some suggested changes. The Board noted the Tax Rate: 2011 was 25.29, 2012 was 23.98 and the School went down and County went down. Board can make changes in column "For Use by Municipality".

Reviewed Sources of Revenues to revise: Estimated Revenues (RSA 21-J:34)
Revise to \$925,000 is better number for Motor Vehicle Permit Fees by end of year. Revise Interest & Penalties to 120,000 suggested by O'Keefe. Timber tax at \$12,000. Building Permits leave at \$30,000. Income from Departments goes to \$125,000. Interest on investments revise to \$4600. Other to be maintained at \$47,000. Sale of Municipal property, to remain at \$5000.

Consider extension of solid waste disposal agreement – O'Keefe has nothing to report at this time.

Consider Economic Development Advisory Committee (EDAC) concerns regarding the Swanzey Post Office – The EDAC has asked the Board to do what it can to keep the Swanzey Post Office open. They suspect that the Postal Service will close the Swanzey Post Office in the near future and that will hurt the town's business opportunities. Carlson stated that the Board in the past sat in the former Town Administrator's office on a phone call with the Postal Service Regional office and complained about the possibility that they would close the post office. The Regional

office denied it. Theresa DiLuzio who was a past Post-Mistress was there at the meeting. Carlson said it was a mistake to move the mail to Keene. Davis suggested writing a letter to Steve Bittel, who is Chairman of the EDAC, informing him that the Board has done all it can and cannot do more. The Board has taken prior action to no avail. O'Keefe will follow up with the EDAC Chairman.

Consider annual tax map maintenance contract - O'Keefe recommended extension of the contract, which stays at the same rate for another year. Carlson **moved** to extend contract with Cartographic Associates, Colby seconded, all were in favor. **Motion passed.**

Authorization of plowing a private parking lot as related to the Charrette - in case of snow – the Board can authorize the plowing of private parking lots to use for public purposes and Homestead Mill and Christian Life Fellowship church will both be used for public purposes in the near future. Homestead Mill will be the site of the Plan NH Charrette in November and Christian Life Fellowship church is the site of Town voting for the November 6th general election. Bus services are being donated by First Student for the Charrette. They are providing a bus for the team at the Charrette. There is no statute for donation of services. **Motion** to authorize plowing of private lots for public use this fall, in case of snow by Carlson, seconded by Colby. All in favor. **Motion passed.**

Board authorized Chairman Davis to sign for purchase orders for purchases of Fire Department

Review of format of Budget and other items in reference to the Budget – O'Keefe wants to be sure the Board is okay with the budget format. Year 2013 requested column needs to be fleshed out with salaries and insurance. Longevity pay is a factor. O'Keefe may suggest a potential change regarding the dental plan. O'Keefe will research and come back to the Board with spreadsheet on benefits, rates, co-pays. Budget draft isn't complete, but O'Keefe will complete this weekend. This weekend is just department head meetings: DPW, Fire, Police. Carlson thought that they met with them on different days. The Board decided to just have three departments on Saturday. Skantze will meet with Board at 8:00 a.m. The Board prefers to schedule appointments for 45 minutes. Police Chief, Tom De Angelis second is 8:45 and then Dunham at 9:30. The Board expressed its preference for the budget spreadsheet to be in landscape format. There are no explanations on each budget line, but percent change is included.

Swanzy did not change Trick or Treat night. It is 5:00 p.m. to 7:00 p.m. on October 31st. O'Keefe stated that he would be out of the office on November, 1, 7, and 19th.

Non-Public Session V -per RSA 91-A:3II(a), Personnel matters. O'Keefe asked the Board to enter non-public session to discuss a personnel matter. **Motion by Carlson to enter non-public session pursuant to RSA 91-A:3II(a). Second by Colby. Motion passed. The Board unanimously voted to go into non-public session at 9:20 p.m.** Present were Town Administer O'Keefe. At this time the Recording Secretary left the meeting (Minutes in non-public session and adjournment to be recorded by Town Administrator). **Motion** by Carlson to seal the minutes of the non-public session until resolution of the matter. Second by Carlson. All in favor. **Motion passed.** **Motion** by Colby to leave non-public session and return to public **Motion** by Carlson. All in favor. **Motion passed.** Non-public session ended at 9:45 p.m.

ADJOURNMENT

Motion to adjourn by Carlson at 9:47 p.m. Second by Colby. All in favor. ***Motion passed.***

Respectfully Submitted,

Beverly Bernard
Recording Secretary

Minutes approved:

TOWN OF SWANZEY, NH

Board of Selectmen Minutes of October 30, 2012 Non-Public Session, Session I

Present: Deborah J. Davis YN Nancy L. Carlson YN Kenneth P. Colby YN

Motion to enter non-public session made by Carlson

Seconded by Colby

Specific statutory reason cited as foundation for the non-public session:

- RSA 91-A:3II(a) - The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless the employee affected (1) has a right to a meeting, and (2) requests that the meeting be open, in which case the request shall be granted.
- RSA 91-A:3II(b) - The hiring of any person as a public employee.
- RSA91-A:3II(c) - Matters that, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.
- RSA 91-A:3II(d) - Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.
- RSA 91-A:3II(e) - Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board or agency for the purposes of this subparagraph.

Roll call vote to enter non-public session:

Deborah J. Davis YN Nancy L. Carlson YN Kenneth P. Colby YN

The Board entered into non-public session at 7:33 AM/PM.

Other persons present during the non-public session: Town Administrator Shane O'Keefe Y N

Carpenter Home Director Dawn Rice
Recording Secretary Beverly Bernard

Description of matters discussed and final decisions made:

Rice needs to get salary approved before making an offer. Rice handed salary request to Carlson, Davis, and Colby. Notice has been given by a staff person who currently works 3 nights and Saturday mornings. Rice reports that is it difficult to get someone for those hours. The candidate says she can work any hours. The Board stated that if the candidate meets criteria for Rice, then the candidate is acceptable to Board. **Motion** to authorize a conditional offer of X dollars, hours, etc subject to background check for health care worker. Board can authorize someone else to sign the conditional offer.

Motion by Carlson to seal the minutes of the non-public session until the issue is resolved. Second by Colby. All in favor.

Motion made to seal these minutes? If so,

motion made by Carlson, seconded by Colby
to not publicly disclose the minutes because it is determined that divulgence of information likely would:

- Affect adversely the reputation of any person other than a member of the Board
- Render the proposed action ineffective.
- Pertain to preparation or carrying out of actions regarding terrorism.

Roll call vote to seal the minutes:

Deborah J. Davis YN Nancy L. Carlson YN Kenneth P. Colby YN

Motion: Passed / Did not pass

Motion to leave non-public session and return to public session by Carlson

Seconded by Colby. **Motion:** Passed / Did not pass

Public session reconvened at 7:38 AM/PM.

These minutes recorded by Beverly Bernard.

NOTE: RSA 91-a:3(III) Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that the divulgence of the information likely would affect adversely the reputation of any person other than a member of the Board, or render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of the members, the aforesaid circumstances no longer apply.

Approved: November 13, 2012

Unsealed on 3/4/2014.



TOWN OF SWANZEY, NH

Board of Selectmen Minutes of October 30, 2012 Non-Public Session, Session IV

Present: Deborah J. Davis (Y)N Nancy L. Carlson (Y)N Kenneth P. Colby (Y)N

Motion to enter non-public session made by Carlson

Seconded by Colby

Specific statutory reason cited as foundation for the non-public session:

- RSA 91-A:3II(a) - The dismissal, promotion or compensation of any public employee or the disciplining of such employee or the investigation of any charges against him unless the employee affected (1) has a right to a meeting, and (2) requests that the meeting be open, in which case the request shall be granted.
- RSA 91-A:3II(b) - The hiring of any person as a public employee.
- RSA 91-A:3II(c) - Matters that, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.
- RSA 91-A:3II(d) - Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.
- RSA 91-A:3II(e) - Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any body, board or agency for the purposes of this subparagraph.

Roll call vote to enter non-public session:

Deborah J. Davis (Y)N Nancy L. Carlson (Y)N Kenneth P. Colby (Y)N

The Board entered into non-public session at 8:38 AM/PM.

Other persons present during the non-public session: Town Administrator Shane O'Keefe (Y)N

Description of matters discussed and final decisions made:

Regarding recruitment for the Assessing Coordinator position, O'Keefe put an ad in variety of publications, and got twenty applications. Victoria Barlow, the outgoing Assessing Coordinator and O'Keefe interviewed seven candidates and agreed on two candidates. Discussion was held with Tax Collector Lori Belletete and Welfare Assistant Sandi Page and it led to recommending the hiring of Amy Bush. Bush is now on the Economic Development Advisory Committee (EDAC). O'Keefe recommends the Board offer her conditional employment. The position was advertised at \$15 to 19 per hour. Bush has requested \$17 to \$19. O'Keefe recommended \$17 during probationary period. Others at Town Hall are receiving between \$14 and \$20 per hour. O'Keefe says that Bush has a lot of education, energy and would be good at customer service. Bush cannot start until Dec. 1st. although she might be able to come in on part-time basis. In the meantime, O'Keefe might have to ask Barlow to help out. O'Keefe thinks that she might be available. Colby made a **motion** to offer conditional employment at \$17 per hour to Amy Bush, subject to a background check. Carlson seconded. All in Favor. **Motion passed.**

Motion by Carlson to seal the minutes of the non-public session until action is taken. Second by Colby. All in favor. **Motion passed.**

Motion made to seal these minutes? If so,

motion made by Carlson, seconded by Colby
to not publicly disclose the minutes because it is determined that divulgence of information likely would:

- Affect adversely the reputation of any person other than a member of the Board
- Render the proposed action ineffective.
- Pertain to preparation or carrying out of actions regarding terrorism.

Roll call vote to seal the minutes:

Deborah J. Davis YN Nancy L. Carlson YN Kenneth P. Colby YN

Motion: Passed / Did not pass

Motion to leave non-public session and return to public session by Carlson

Seconded by Colby **Motion:** Passed / Did not pass

Public session reconvened at 8:43 AM/PM.

These minutes recorded by Beverly Bernard

NOTE: RSA 91-a:3(III) Minutes of proceedings in nonpublic session shall be kept and the record of all actions shall be promptly made available for public inspection, except as provided in this section. Minutes and decisions reached in nonpublic session shall be publicly disclosed within 72 hours of the meeting, unless, by recorded vote of 2/3 of the members present, it is determined that the divulgence of the information likely would affect adversely the reputation of any person other than a member of the Board, or render the proposed action ineffective. In the event of such circumstances, information may be withheld until, in the opinion of a majority of the members, the aforesaid circumstances no longer apply.

Approved: November 13, 2012

Unsealed on 3/4/2014.

