

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting Agenda – November 20, 2012
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER -

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 6:04 p.m. at Swanzey Town Hall. Also present were Town Administrator, Shane O'Keefe, and Recording Secretary, Beverly Bernard.

MINUTES

Regular meetings of November 13, 2012 – motion to approve with changes made to section "Keys to Town Hall" by Carlson, seconded by Colby, all in favor. ***Motion passed.***

NEW BUSINESS

Fast Friends Request to initiate construction without permits in place - Jim Phippard and Sharron Thomas, Director of the Fast Friends Training & Greyhound Adoption Center joined the meeting at 6:05 p.m. Fast Friends has filed an application for Site Plan Review to construct a 5,100 square foot addition to the east side of their building situated at 18 West Swanzey Road. The Swanzey Planning Board has scheduled a Public Hearing for November 29, 2012. Phippard and Thomas discussed with the Board their need to proceed with construction without required permits/approvals due to colder than average weather now being experienced. Phippard noted that the construction would proceed at their own risk if approved to proceed by the Board. He stated that it is critical to the project to start the project prior to Planning Board review because of the cold. Phippard stated that he has spoken to Chet Greenwood, Code Enforcement Officer, and Greenwood has stated that he is not authorized to issue permits under these circumstances without the Board's approval. O'Keefe said that he was not aware of any legal provisions that would grant the Board of Selectmen the authority to provide permission. Pursuant to the Zoning Ordinance, Greenwood can't issue the permit because Planning Board hasn't yet approved the construction. Carlson said that they don't think they can give permission for construction, given the ordinances and statutes under which construction permits are provided. Colby said that there is no guarantee the Planning Board will approve the plan, and the Board is bound by the ordinances and statutes. The Board wished Fast Friends good luck with the hope that the weather will improve enough to move ahead with construction once permits have been obtained. Phippard and Thomas left the meeting at 6:23 p.m.

2013 Budget Proposal Review – Libraries – Art Bouffard and Rob Kenney, representing the Stratton Free Library joined the meeting at 6:27 p.m. Bouffard and Kenney reviewed the budget with the Board for Stratton Free Library. Bouffard said the budget was pretty much the same except for a 4.4% increase which was due to the hiring of a part-time person so that there can be two people at the library at night for safety. Under the line items Books and Supplies they had to pay \$1200 to get on-line electronic access for customers. That cost is split between two

libraries (Stratton Free Library and Mt. Caesar Union Library). Payroll last year was \$16,800. The 2013 request is for \$21,414.75. Each salary only went up 1 or 2%. Overall budget increase is \$1,500. An effort was made to cut back in other areas of the budget. Many residents use the library. There is more demand for electronic access. Richard Scaramelli of the Mt Caesar Union Library joined the meeting at 6:40 p.m. This budget request from the Town is up 3.9 % from the previous year. Scaramelli stated that Fund-raising is getting difficult. The library is anticipating Income of \$77,760 with a request from the Town of \$70,160. Under Expenses, Scaramelli stated that the big variable is heating oil. He stated that he anticipates heating oil will be over \$6,000 for 2013. The Library is also asking for \$2,000 to go into the Expendable Trust (investment income). He stated that Mt. Caesar Union Library does not meet ADA compliance standards for access to the second floor. The second floor is now heated and air conditioned, and a good facility for book sales and lectures, but it is only accessible by a 19th century staircase. Mt. Caesar Union is a public library that is not able to serve every member of the community and therefore cannot apply for grants which require that ADA access is provided. Scaramelli has contacted architect Richard Monahan for an estimate for creating ADA access. The estimate from the architect is for a limited use elevator, which would be installed by the handicap entrance door. The estimate is \$165,000. Scaramelli asked the Board to set up more money into the Expendable Trust dedicated to the elevator with the understanding that the Library would also conduct fund raising for the elevator. Carlson stated that Pete Johnson knows of a foundation that specializes in grants for handicap access in historical buildings. She suggested that Scaramelli get in touch with Johnson and research the provisions of the grant. Carlson said she would email Scaramelli an email address for Johnson. Kenney suggested that this topic has arisen in the past, but the sum of money required is larger than can easily be accommodated in any given year. The Board agreed that it would be a good idea for Scaramelli to follow up with Johnson. Research needs to be done to find out what kind of grant might be available. O'Keefe also suggested that since the building is not a Town building, it might be a problem to be able to fund the elevator through Town funds. Bouffard, Scaramelli, and Kenney agreed to do some research and left the meeting at 6:55 p.m.

Review of Recycling Center Budget Proposal for 2013 with Steve Stewart, Solid Waste

Manager - O'Keefe said that Stewart was not able to appear tonight due to medical reasons. O'Keefe had suggested to Stewart that he write a narrative for the changes he is asking for in the budget. Carlson stated that the inability for Stewart to be present at the meeting brings up a concern - the need of an Assistant Manager to fill in for Stewart when he cannot be present. O'Keefe said he spoke to Stewart and Stewart is interested in elevating someone who is working for him to the position equivalent to that of Assistant Manager, but he has some reservations. O'Keefe suggested that the Town may need to publically advertise for the position. Carlson said that there is a younger person who would be willing to be trained who had applied for the Assistant Manager position earlier this year. O'Keefe left the meeting briefly to check on the list of applicants for Assistant Manager and to print out the list for the Board to review. The Board briefly reviewed the list and saw some names that might be suitable for the position of Assistant Manager. O'Keefe will research the list for suitability and get back to the Board. **Budget** – In the review of the budget, the Board noted that there was a jump in part-

time salaries; Stewart needs to respond to the reasoning for the jump. Carlson also asked why there is Overtime pay in the budget. O'Keefe said he presumed it may have been applicable for last year's budget for Stewart. The budget isn't clear as to why that line item is there. Carlson said she thought that some of the expenses had off-setting revenues. O'Keefe stated that he will work with Stewart during the next week to determine off-setting revenues and explanations for increases in part-time salaries and overtime dollars.

Review of Extension of Solid Waste Disposal Agreement - O'Keefe said that the Transfer Station rates are going down and the contract has been reviewed by Solid Waste Manager Stewart and the Town's attorney. O'Keefe recommended the Board accept the contract. He noted that it is retroactive to August 1, 2012, so the Town will get some money back. Colby **moved** to adopt the Transportation and Disposal of Municipal Solid Waste Transfer Station Agreement for the Town of Swanzey. Carlson seconded. All in favor. **Motion passed.**

Review 2013 Budget proposal – Health/Welfare - Sandra Page, Welfare Coordinator, joined the meeting at 7:10 p.m. The Board briefly reviewed the Welfare Budget for the Town. They discussed Burials in the budget and Page says the numbers are increasing. Carlson said that someone donated \$5,000 last year for the heat (\$20,000 in last year's budget), so the budget request is \$15,000 because we won't get the donation this year. Page left at 7:25pm.

Discussion about Resident Letter regarding tree removal from their property by the Town - Lee Dunham, Public Works Director, joined the meeting at 7:30 pm. The Board discussed a letter from Barbara and Harold Berntsen of 25 Old Richmond Road. The Berntsens had complained to the Town regarding tree trimming done by the Town. They now want to get rid of the trees that were trimmed in front of their property. Dunham wants to oblige them with professional tree service. O'Keefe is going to meet with Tiffany Mannion (another resident with complaints regarding tree removal by the Town in front of her house) next Thursday to discuss her situation. Davis said that she thinks the Town needs to take quick action. Colby said that it shows good will. The action taken for the Berntsens might not satisfy other neighbors, but it will reinforce the idea that the Town is acting as quickly as possible and not ignoring the residents. Dunham will take the cost of hiring the tree service out of his budget to cover the expense. **Motion** by Colby to take the appropriate recommended action to remove the trees and grind the stumps on the Berntsen property, work to be done by a professional tree service not to exceed \$3,000, seconded by Carlson, All in favor. **Motion passed.**

Establish Winter Parking Ban - The Board re-established the winter parking ban for all Town roads. Dunham reported that the dates covered by the ban are November 15 through April 15th, but O'Keefe could not find any documentation for the ban from previous years. Carlson **moved** to establish the Winter Parking Ban between the hours of 11:00 p.m. to 7:00 a.m. for the period November 15, 2012 through April 15, 2013 for all Town roads. Colby seconded. All in favor. **Motion passed.**

Beaver Dam Issues at Swanzey Lake – A beaver has been busy in the area of the Swanzey Lake dam. Beaver twigs and debris clogs up the pipes. Dunham wasn't able to get a trapper for the beaver last year. But this year, he is starting to work. This is the year that the lake is supposed to be lowered which would expose pipes that the beaver could get into. Dunham wants to eradicate the beaver. Folks who feel strongly about animals might not like that idea, but beavers can be large and strong animals, and not easy to deal with trapped alive. Dunham hasn't pulled the lower gate yet and he reported that resident of the lake, Nancy Karlson, has been calling Dunham about lowering the lake.

Discuss Mountain View Cemetery property line - Dunham hired someone to survey the line. He located pins and did measurements from deeds, finding a shed on Town property. The shed and part of a dog pen both are on Town property. O'Keefe asked if the shed was moveable. Dunham will go to records to see when it was built. Davis said that it has been there since her kids (in their 30's now) were there. Colby asked how big it is, Dunham estimates 20 by 20 feet, therefore not easily moveable. Dunham wants to do a notification to the abutting property owner, but he believes that notification should come from the Board.

Discuss sale of DPW vehicle – Dunham reported the new dump truck arrived Monday, November 19th and it will be in use in the first storm of the season. Dunham wants to sell the old dump truck (1996 International). He wants to ask for sealed bids. O'Keefe asked if there should be a minimum bid. Dunham thinks the truck with plow has some rot on the frame and there could be an issue getting an emission sticker. He suggested that perhaps the minimum bid could be \$5,000 as \$7,500 would likely scare people off. O'Keefe asked about advertising the truck for sale. Dunham advertises in the Sentinel and some other places as well like truck.com. Carlson made a **motion** to advertise with minimum bid of \$5,000, Colby seconded, all in favor. **Motion passed.**

Eastfield Crossing Request for Repair of water pipe – The Board reviewed a letter from the Eastview Crossing Homeowner's Association indicating that Jerry Spring, its President, came into Dunham's office about a water valve being broken by a plow during the winter of 2011 - 2012. The broken pipe wasn't noticed until the spring. Dunham reported that nobody driving the plows remembers hitting in. Dunham agrees that the pipe was hit, the cover is 2/3 missing. Dunham sent a claim to the NH Local Government Center, the Town's insurance company, then he didn't hear anything back for a while. Dunham contacted LGC again and he said the estimate looked strange; he thinks that is too much at \$1,868. Dunham went to talk to Jeff Hurt who had done the estimate. It appears that Mr. Spring has other valves he wants changed as well. The 1989 road dedication documentation allows Eastfield Crossing to have manhole covers in the road. The Town owns the road. Dunham says the water pipe outside the paved area is just sitting on gravel. He reported that the insurance company has no problem denying the claim. O'Keefe asked what you do with a mailbox that is damaged by a plow? The Town does pay for re-painting those. Carlson asked what the denial is based on. Decision is that the Town is not liable based on the agreement called "Return of Layout of Bellview Drive and Barden Circle" where it states that maintenance is done by other than the Town. Dunham left the meeting at

8:12 p.m.

OLD BUSINESS

Information Technology Policy – O’Keefe presented the Board with proposed Information and Technology Policies and Procedures. He used the Town of Atkinson policy as a guide to produce the document as requested by the Board. O’Keefe recommended that the Town first send the document to EMF Inc. to review in case there are technical issues. The Board agreed unanimously. O’Keefe suggested that the Board consider a change in the URL for the Town’s website since the current URL is long and cumbersome. He would like the Board to consider swanzey.gov or swanzey.org. O’Keefe will do a bit more research on this topic.

School Board Vacancy – Carlson reported that she has a candidate for the School Board vacancy. Carlson said that the Town recommends the new person for the School Board. A letter of recommendation is sent to the School Board from the Board of Selectmen, but the School Board makes the final decision. Carlson made the **motion** to recommend Barry Faulkner to fill the vacancy on the School Board. Seconded by Colby. All in favor. **Motion passed.** O’Keefe was asked to notify the District Superintendent’s office of this appointment.

Accept and Expend Unanticipated Funds per RSA 31:95-b The Town has received a gift of \$200.00 from the Swanzey Lions Club in support of the Ashuelot Rail Trail Project Phase II. **Motion** by Colby to accept and expend unanticipated funds per RSA 31:95-b from the Swanzey Lions Club and authorize their use in support of the Ashuelot Rail Trail Project Phase II. Seconded by Carlson, all in favor. **Motion passed.**

Appointment of Town Representative to Cheshire TV Board of Directors – The Cheshire TV Bylaws provide that the Town may appoint one individual to the Board of Directors, who shall be considered an “Appointed Director” and may serve a one-year term. According to the Bylaws, if the appointed director is an “elected official or officer of the municipality” they shall not be considered a “voting member” of the Board of Directors. **Motion** by Davis to nominate Colby to be Town representative to Cheshire TV Board of Directors. Seconded by Carlson. All in favor. **Motion passed.** O’Keefe was asked to notify Cheshire TV of this appointment.

Discuss School Resource Officer billing matter – The Board did not wish to discuss any next steps with regard to the matter of an outstanding bill to the Monadnock Regional School District.

Discussion regarding possible Town Credit Card - Colby reported that the Town can have "the Town of Swanzey" credit card with four (4) names authorized to use the card. The Board discussed who would be authorized to use the card. Department heads could go through O’Keefe. The Board can authorize O’Keefe to apply for card. The limit is \$10,000 maximum. The Department heads still would need to come to the Board for anything over \$1,000. Colby wants to pursue further. Colby **moved** to authorize the Town Administrator to contact Lynda Faulkner at Cheshire County Credit Union to explore what's needed to get a credit card, seconded by

Carlson, all in favor. **Motion passed.**

Discussion regarding the 2013 Budget - O'Keefe doesn't have the insurance information but is close to having it all done. Personnel sheets need to be finished. He has numbers for Health Insurance, and there is some increase, but we are getting \$18,500 back.

Carpenter Home - Davis reminded the Board about a conversation with Dawn Rice; she has a Medicaid person to rent the Number One room, but the rent is less than private pay. She wanted to know if the Board would consider renting the Number One room for less than the standard rate in order to have it occupied. Carlson **moved** to accept the Medicaid rate for that room, Colby seconded it. All in favor. **Motion passed.**

Pilgrim Pines Christmas Party Invitation – A brief discussion was held on being good neighbors with the Pilgrim Pines Conference Center. Colby and Carlson will be attending their Christmas party.

Warrant for Property Tax Levy Approval - O'Keefe reported that the tax rate is being reduced by \$1.33, from \$25.29 to \$23.96. **Motion** by Colby, seconded by Carlson, to sign the Property Tax Warrant for taxes to go out to residents on November 27, 2012, with payment due by December 27, 2012. All in favor. **Motion passed.**

CONSENT AGENDA

Motion by Carlson to approve the consent agenda, authorizing the Chair to sign where necessary. Second by Colby. All in favor. **Motion passed.**

1. Letters of thanks for donation to Ashuelot Rail Trail project
2. Personnel Action Reports
3. Appointment forms for Economic Development Advisory Committee (EDAC) members
4. Notice of Intent to Cut – Glen Hurd (Map 74 Lot 18)

Move to adjourn at 8:35pm by Carlson, Colby seconded, all in favor.

Respectfully Submitted,

Beverly Bernard, Recording Secretary

Approved on November 27, 2012