

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting Minutes – December 11, 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 6:10 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O'Keefe, Recording Secretary Beverly Bernard, Assessing Coordinator Amy Bush, Town Attorney Gary Kinyon, and Town Planner Sara Carbonneau.

OTHERS PRESENT

Peter & Ursula Riesenbergs

MINUTES

Regular meeting of December 4, 2012 – motion by Carlson to accept the Minutes for December 4, 2012 with changes to page 3 of 5 in Non-public session 1: change "acquisition of real property" to "personnel matters". Seconded by Colby. All in favor. ***Motion passed.***

Non-public meeting of December 4, 2012 – Minutes not available at this time.

NEW BUSINESS

Discussion of settlement of property tax assessment appeal – 124 Partridgeberry Lane (Map 41, Lot 74)

A discussion was held between the Riesenbergs, Town Attorney Kinyon, Assessing Coordinator Amy Bush and the Selectmen in settlement of property tax assessment appeal for property located at 124 Partridgeberry Lane (Map 41, Lot 74). Notice by the Board of Land and Tax Appeals (BLTA) (Docket # 26171-1PT) was sent to the Town requiring the couple and the Town to meet to discuss settlement. Attorney Kinyon reviewed the specifics: the appeal that is before the BLTA is the 2011 tax assessment. The assessment for the property for 2011 is \$259,900. The Riesenbergs claim the property value is \$239,900. Mr. Riesenbergs stated an appraisal for the property was \$239,900. Attorney Kinyon pointed out that the gap isn't that great between the two values. He said that one factor that closes the gap is the equalization ratio that applies in tax abatement cases. Victoria Barlow, Assessing Coordinator at the time, wrote a letter in July in 2012 to the Riesenbergs regarding the equalization ratio. Attorney Kinyon said that the Town is required by law to tax proportionately. The obligation doesn't mean that the assessment has to mirror the actual worth in that year because towns don't assess each year. As you move past the assessment year, the real estate market will fluctuate. To be taxed proportionately, you have to take into account sales factors. The State of New Hampshire tracks sales in every town, developing a ratio of sales versus assessments. For year 2011, the ratio for Swanzey is 106.4. Assessment is 106.4% of fair market value. The difference in taxes between the Town's value and the Riesenbergs' value is \$142 dollars (per year). The BLTA is going to do this calculation and adjust up the value. Given that, Kinyon will tell the Town that it doesn't need to do much more and to the Riesenbergs that it is not worth hiring an appraiser for the trial. Attorney Kinyon suggested that once the equalization ratio is applied, the difference is minimal. Mr. Riesenbergs said he was confused by Barlow's letter. He said he had an appraisal done to pay off a loan. His driveway was paved and basement was almost finished. He can't afford to have another appraisal. He would be happy with

\$259,900. But he is not happy with the latest assessment to \$265,500 (for 2012). He said he didn't think the basement being finished was worth the additional amount. Bush reported that some of the town's homes have been reassessed in 2012. Bush said it is a "pick-up", or mid-year assessment, based on the improvements. When Mr. Riesenbergs mentioned that the entry way is not storage (just a set of stairs), the response from Bush was that there isn't a proper assessment label for it and it was therefore simply called storage. Attorney Kinyon suggested taking it one year at a time. He focused on the 2011 assessment at \$259,900 and the value based on equalization, which is \$254,296. Mr. Reisenberg said he compared his house to others in the neighborhood and the other houses were larger and had more land.

Colby asked what recommendation is a fair resolution. Attorney Kinyon said that \$5,600 is the assessment difference, which is pretty minimal. He suggested that if the Reisenbergs and the Town are willing to split the difference this could be settled. He emphasized that they are talking about \$70 in taxes. Colby said he didn't disagree with Kinyon's assessment, and there is a cost associated with sending an attorney to a BTLA trial. Mr. Reisenberg doesn't want to go to Concord (the State capital) to resolve the issue. Carlson agreed that if they are willing to go with something other than \$239,900, \$2,800 of assessment money is a middle ground. She proposed to reduce the assessment to \$257,100. That would not necessarily address next year's tax assessment, however. Abatement has to be requested each year. Mr. Reisenberg said he supplied all information for inventory sheet for his improvements. Attorney Kinyon said he didn't know what the ratio will be for 2012. He requested that Bush talk to our assessing consultant as to why the assessment went up from \$259,900 to \$265,500 (as of April 1st). The Reisenbergs agreed to the \$257,100 assessment and will wait to see what will happen with the 2012 assessment. Attorney Kinyon said he would check on the ratio, but Bush said it isn't available yet. Mr. Reisenberg said that he didn't want to waste the Town's time. Bush said she spoke to one of the assessors today and will follow up. Everyone agreed to \$257,100. Attorney Kinyon calculated a refund of \$70.81 for 2011 when the tax rate was \$25.29 per thousand. He looked at the settlement report and read the details. He suggested that they say it is settled and fill out details on the settlement report to be sent into the State within 30 days that the assessment will be \$257,100 for 2011 with a refund of \$70.81. Attorney Kinyon also said that interest should be added but the Reisenbergs said that they are willing to waive interest on \$70.81. Mr. Reisenberg said he has learned a great deal from the process. The Reisenbergs signed the settlement form with today's date and Bush will follow up with details. Colby made the **motion** to modify the assessed value of the property at 124 Partridgeberry Lane (Map 41, Lot 74) for year 2011 to \$257,100, and refund the owners, Peter & Ursula Reisenberg, \$70.81 with waiver on any interest owed on the \$70.81. Carlson seconded, all in favor. **Motion passed.** Bush made a copy of the settlement agreement. Carlson pointed out that the Reisenbergs can file an appeal for 2012 with the Town. The Reisenbergs thanked the Selectmen and along with Attorney Kinyon left at 6:50 p.m.

Non-public session I per RSA 91-A:3II(c), Reputation - Lien

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(c) to consider a Notice of Lien related to general welfare assistance, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 6:54 p.m. **Motion passed.** Present were the Board members, Town Administer O'Keefe, Assessing Coordinator Amy Bush and Recording Secretary Bernard. **Motion** by Carlson to seal the minutes of the non-public session. 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 6:55 p.m.

Non-public session per RSA 91-A:3II(c), Reputation – Tax Exemption

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(c) to consider a request for exemption under RSA 72:37 seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 6:56 p.m. **Motion passed.** Present were the Board members, Town Administer O'Keefe, Assessing Coordinator Amy Bush and Recording Secretary Bernard. **Motion** by Carlson to seal the minutes of the non-public session. 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 6:58 p.m.

Consideration of Bids for Town Report - Bush presented bids for the Annual Report. Select Print Solutions pricing to produce the report came in at \$1228.00 with Whitman Communications and Silver Direct coming in higher. Carlson asked about the deadline date to get the report to the printer and Bush replied that February 19, 2013 is the date, with President's day being February 18, 2013. Carlson noted that the Selectmen need to have the Town Report in their possession by March 5, 2013 for the March 12, 2012 vote. Bush reported that the Town will order 550 copies. Carlson asked Town Planner Sara Carbonneau how many pages would be needed if there is a Zoning change to be included and she responded that it would be a single page. Colby **moved** to select the lowest bidder, Select Print Solutions, and to authorize the Town Administrator to sign on behalf of the Board if a contract signature is needed, Carlson seconded. All in favor. **Motion passed.**

Discussion on possible acquisition of property – Paul LaFond, Doris LaFond, and Margie Read, of the West Swanzey Athletic Association (WSAA) joined the meeting at 7:00 p.m. Town Planner Carbonneau summarized the recent Plan NH Charrette results regarding the piece of property owned by the WSAA, pointing out that the Charrette proposals for West Swanzey included use of the WSAA property as a possible park along the river. The property is up for sale and she asked the Board to consider acquiring the property. Carlson said that the property is listed with Dick Thackston, a real estate agent in town. Carlson wanted to make sure the Thackston was included in the discussion and Mr. LaFond said that Chuck Beauregard, representing the real estate agency, was expected to appear at the meeting. He said the asking price currently has been lowered to \$60,000. Carbonneau said that the property has been appraised at \$331,100. Mr. LaFond said they have people who want it but they haven't come up with the money. Carlson asked if there were any restrictions on the property according to the Charter or By-Laws for the Association. LaFond said there were none except that the WSAA cannot make money from the sale. He said that any money WSAA gets from its operations goes to scholarships or to help the citizens of the town. They try to help out with churches and the food bank and they buy trophies. Carlson said that the Town is interested in what happens to the site because of the Charrette and the proposal made at the Charrette. Colby said he is interested in the property, not necessarily the building. He mentioned that Hinsdale has a beautiful park where a mill once stood. Colby said he wasn't sure what the next step would be. LaFond said that Beauregard is working with two people to buy together but no money has been offered as yet. He also said that it is costing money to keep the building. The WSAA is receiving a sewer bill, but that the water is shut down. The condition of the interior is okay according to Mr. LaFond. Downstairs used to have Bingo there. Upstairs is shut down. LaFond said that at the price of \$60,000, they would be willing to sell. Colby asked them to come to the Town first if they get an offer from another party. Carbonneau said the Board needs to know that the building would have to be torn down and used for open space purposes if conservation funds were used to fund the project. She pointed out that the Board has the power to purchase property, but it needs feedback from Planning Board and Conservation Commission pursuant to RSA 141:14(a), and two public hearings. LaFond said he would let the Town know if there were any changes in the status of the building.

Carbonneau suggested a site assessment would be required, but she didn't know how much that would cost. Another cost would be demolition cost. Carlson suggested that would be a cost of \$12,000 to \$15,000. Colby said the Town is very interested in the property and asked the LaFonds and Read what their feelings were about demolition. Mr. LaFond said he wouldn't care if the Town decided to demolish the building. He said he would start up the bulldozer for the Town. Colby said it would be ideal gem for a riverside park. Read said it is costing \$130 per month to keep outside lights going and the insurance is \$600 every three months, while no money is coming in. Carbonneau added: the property has been taxed exempt, but won't be any longer because it is vacant and not being used. She said the assessed value of the building is estimated at \$135,900 and now Selectmen will have to discuss taxation of the property. Chuck Beauregard joined the meeting at 7:21 p.m. Colby said he doesn't want to drag this out, and would like to see it resolved. The Board needs to make a decision as to what they want to do. WSAA doesn't want to keep spending money. He suggested that the Capital Reserve account or conservation commission account might be appropriate fund source for a park. Carbonneau and the group representing the WSAA left at 7:27 p.m.

Discussion regarding Budget 2013 Request from the Fire Department – Fire Chief, Norm Skantze and four members of the fire department staff (Eric Kerylow, Fred MacKenzie, Geoff Davis, and David Page) joined the meeting at 7:28 p.m. Discussion was held around the Fire Department (FD) Part-time Wages request of \$43,225. For 2012 it was \$10,000 and now Chief Skantze is proposing \$43,225 for 2013. He said that Cheshire Fair coverage comes out of part-time. Part-time (PT) covers fire inspections, payroll, and coverage for vacation time for Skantze. Colby noted that PT wages have increased to \$14,000 as of December (\$7,000 increase since Oct. 3, 2012). O'Keefe pointed out that budget lines for Call/ Training wages and Protective Clothing are under budget. Colby said that there needs to be a compromise. He said he appreciated what Skantze is trying to do, but taxpayers have to be taken into consideration. Skantze said he pared down other line items to accommodate the Part-time Wages line item. A total departmental budget increase of 11.5% in operating budget was pointed out Colby, with a \$33,430 increase from last budget of which the part-time wage increase is \$33,230. Skantze said he needs additional daytime coverage. He has to have the fire inspector and wants to reward the EMS Coordinator for all the work he does. He also needs payroll done every week. Clerical Support is important but he could forego that and the Cheshire Fair Coverage. He pointed out that there are times when no one is there at the Fire Department for the public and a Clerical person could help with that. For Cheshire Fair the FD could be on call again. Skantze also noted there is no presence on the weekends. He said there should be coverage every day. Colby pointed out the part-time line item will be at \$15,000 by January. And that makes it over the \$10,000 for this year by 50%. Colby said that Skantze has to go a little slower getting what he needs. The amount of \$12,241 can be deducted if you remove Clerical and Cheshire Fair Coverage. Colby asked if Cheshire Fair paid the firefighters, and Skantze said the answer is no, the Town covers this. Colby said he has to peel back the numbers. Skantze defended the request and Colby said he appreciates what the FD does but the request has to be more realistic given taxpayer expectations. Colby would like to see the PT line item increased by \$20K to \$25K as a compromise. Davis suggested pulling some of the money from FD Training. Skantze suggested that the Board give him a number and he will manage the numbers within his budget. Skantze reported that S&S Painting, Inc. painted the fire bays for free. Colby mentioned that a gift of service doesn't need to pass by the Board, and the Fire Department should acknowledge the donation by "hours" in a "thank you" letter.

Discussion on Fire Apparatus Purchase - Skantze did a PowerPoint presentation on the proposed acquisition of a used ladder truck. The Board had earlier in the year denied his proposal to purchase another ladder truck due to its cost. The current truck is a 1978 Seagrave. The purchase being considered is \$90,000 for 1989 Pierce Arrow ladder truck. The current owners will sell the truck in "as is" condition for \$50,000, but they will do \$30,000 of improvements (worth \$40,000 according to Skantze) if the Town buys it for \$83,000. A new ladder truck is between \$480,000 and \$700,000. Skantze said that this is a good solution. It would fit in the firehouse, because it is a bit shorter than the existing truck.

Carlson asked how much is left in Reserve since buying other truck. O'Keefe said the Balance is \$147,000, but the Town spent \$40K this year, so should be \$100,000 left in the account. Colby asked about the math saying it didn't add up to \$83,000. Skantze said it was \$80,000 except for on-spot chains, which he added after the initial discussion with the owners and which accounts for the extra \$3,000. Davis asked how this purchase would fall into the overall acquisition plans for equipment. Skantze said it does. He also said it is risky buying used equipment, but it is a good compromise.

Consideration of bids to purchase 1996 International 4900 Dump Truck from Town – O'Keefe opened sealed bids for purchase of Town 1996 International Dump Truck with plow and wing. Highest bid was \$6,700 from Tom McGee. Howard Smith bid \$3,295. **Motion** by Carlson to accept the bid from Mr. Magee and authorize the sale of a 1996 International 4900 Dump Truck equipped with a FND-9 Air-Flo Manufacturing all-purpose body, 11' one-way front plow and a 9' Right hand patrol wing, with 95,711 miles on it and in fair condition for \$6,700, and to authorize the Town Administrator to execute any documents necessary to effectuate the sale on behalf of the Town, seconded by Colby, all in favor. **Motion passed.**

Consider annual contract with Total Notice for registry research and mortgage notification – Annual contract with Total Notice for registry research and mortgage notification work has been received and the terms and pricing remain the same as last year. The Board was asked to agree to the contract and authorize the Town Administrator to sign the contract on behalf of the Board. O'Keefe recommended that the Board agree to renew the contract. **Motion** by Carlson to renew the contract with Total Notice for registry research and mortgage notification at the same terms and pricing as for the previous year and to authorize the Town Administrator to sign the contract. Seconded by Colby, all in favor. **Motion passed.**

Accept and Expend Unanticipated Funds per RSA 31:95-b –The Community Reinvestment Committee of the Rotary Club of Keene has awarded the Town of Swanzey \$250.00 for improvements to the Ashuelot Rail-Trail Line. **Motion** by Colby to accept \$250 from the Community Reinvestment Committee of the Rotary Club of Keene for improvements to the Ashuelot Rail-Trail Line and to send a letter of thanks to the donors, seconded by Carlson, and all were in favor. **Motion passed.**

Consideration of change(s) to Personnel Policy – O'Keefe reported that previously agreed upon Personnel Policy changes makes for a change from 9 to 10 paid holidays. He pointed out that under Chapter 11 for floating holidays, Section 11.1 talks about three (3) floating holidays. O'Keefe asked the Board if they wanted to maintain three (3) floating holidays or make it two (2). Carlson said to lower the floating to two (2), Colby agreed. Colby **moved** to change Section 11.1 of the Personnel Policy to provide two (2) floating holidays, Carlson seconded, and all were in favor. **Motion passed.**

Discussion on 2013 BUDGET – O’Keefe reviewed changes from previous draft budget. O’Keefe also provided a larger spreadsheet for Payroll. He reviewed changes in hours and focused on additional hours he is recommending. His spreadsheet has an increase percentage that can be manipulated to impact the entire spreadsheet. On Page 2 he included the requested Fire Department budget. Last page was an employee budget line allocation sheet.

Selectmen also reviewed the Capital Reserve & Expendable Trust Account. No changes were made except for the two that were decreased: Cemetery Layout Expendable Trust, and Police IMS Expendable Trust.

O’Keefe noted that the Total Operating Budget draft shows 1.2% increase but the figures will change as Selectmen finalize the budget.

Carlson said he they have to decide on FD budget request for part-time help. Colby said he is okay with \$25,000. Carlson and Davis agreed. O’Keefe will put in \$25,000 for part-time for FD.

Recycling Center - O’Keefe said he spoke to Steve Stewart, Recycling Center Manager about the safety issues and about the Assistant Manager position. Stewart wants to re-advertise for new folks. Colby said time is of the essence. Carlson said that one of the Selectmen should be in on the interview. O’Keefe would like to advertise in the paper this week. Carlson said the process has already taken a long time. Colby wants to review the initial list. If folks dropped off the list, they moved or got a better employment offer. Carlson said we could train someone from the bottom of the list. Colby said there is some urgency to do something given the situation of Stewart’s current inability to communicate. Colby agreed that one of the Selectmen should be present at interviews, and have Stewart put together a list of questions. Carlson said that Stewart is coming up on his 6 month review. Selectmen decided it would be okay to advertise if we can get everything done by end of this month. They decided that applications for the Assistant Manager position be due by the December 21, 2012, and O’Keefe will send notice of job opening to those on the previous list of applicants as well.

OLD BUSINESS

Consideration of EMF Proposal for upgrading the Town’s computer systems – Carlson pointed out a statement in the EMF proposal, page 14, which mentions risks associated with upgrading the Vision Server may result in a need for more disk space and/or faster processing and a warning that “parts may not be available” and that a hardware upgrade would be a “major project”. Carlson said she wants clarification on this risk assessment because it sounds like that could be something that might cost additional dollars. O’Keefe was asked to contact the contractor for clarification on this, and provide an answer to the Board at the next meeting.

Non-Public Session pursuant to RSA 91-A:3II(d), Acquisition of Property

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(d) to consider acquisition of real property, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 9:00 p.m. **Motion passed.** Present were the Board members, Town Administer O’Keefe, 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** to leave non-public session made by Carlson, seconded by Colby, all in favor. **Motion passed.** Non-public session ended at 9:28 p.m.

OTHER MATTERS

Broken Planks on Thompson Bridge

Carlson brought up an issue regarding broken planks on Thompson Bridge, and asked O'Keefe to contact the department of Public Works for repairs.

Potential Health Issue at home on Homestead Avenue

Carlson also said that there are a number of dogs at a home on Homestead Avenue owned by someone named Bates. She has been told that some of the dogs are never let out of house. O'Keefe was asked by the Board to have Beth Ann Tatro, Health Officer, check on the situation.

Presence of multiple vehicles and dumped material

Colby reported that a piece of property on West Street has 16 vehicles located there including a skimobile and forklift, and some paving company is dumping stuff there and parking dump trucks in back. Carlson said a dumpster showed up recently at the front of the property. The Board decided that this situation needs to be looked at further.

Swap Area at the Recycling Center

Colby said maybe the recycling swap area should be restored, but Davis said she thought that was not a good idea. She said the Town did have a Swap area there prior to the present but the Town closed it because the Town had to man it and people were leaving things at the front gate when the Recycling Center wasn't open.

Town Meeting Schedule

O'Keefe provided the Board with a revised Town Meeting schedule. The Selectmen approved a change in the budget hearing date to January 15, 2013 (instead of Jan. 8, 2013).

Carpenter Home Rates

O'Keefe passed out the room rates schedule with rates adjusted according to the increase approved by the Board at a prior meeting. The information sheet included rates for 2012 and 2013. The Board was in agreement with the revised rates.

Dubois & King Half Century Grant

O'Keefe provided to the Board a scope of services prepared by DuBois & King, Inc. for complimentary engineering services for evaluation of Town Hall. The Town was successful in bidding for Dubois & King Half Century Grant, which is worth \$10,000. Carlson **moved** to accept the scope of service and to authorize the Town Administrator to execute the document on behalf of the Town, Colby seconded, all in favor to move forward. **Motion passed.**

Discuss School Resource Officer billing matter

This was discussed briefly on November 20, 2012, and while no decision was made at that time, the Board agreed to write this matter off and not pursue payment collection from the Monadnock Regional School District for money owed for the School Resource Officer.

Credit Union Account Authorization

O'Keefe reported he has been in discussion with the Cheshire County Credit Union, and the Town can have a credit card with up to four (4) names authorized to use it. An account will have to be opened with no less than a \$5.00 balance. Carlson **moved** to authorize the Town Administrator to open an account at

the Cheshire County Credit Union with \$5.00 in order to establish a Town credit card, seconded by Colby, and all were in favor. **Motion passed.** O'Keefe will prepare paperwork necessary to open up the credit card account at the next meeting.

CONSENT AGENDA

Selectmen approved the following consent agenda items:

- Raffle permit #2012-24, for Monadnock Middle School on 12/12-20/2012
- Appointment resolution of Deputy Town Clerk

Adjournment

Colby **moved** to adjourn at 9:40 p.m., Carlson seconded. All were in favor. **Motion passed.**

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on December 18, 2012

TOWN OF SWANZEY, NH

Board of Selectmen Minutes of December 11, 2012 Non-Public Session, Session 3

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

Motion to enter non-public session made by Colby

Seconded by Carlson

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 9:00 AM/PM

Other persons present during the non-public session:

Town Administrator Shane O'Keefe YN

Recording Secretary Beverly Bernard

Description of matters discussed and final decisions made:

The Board discussed the possible acquisition of property owned by the West Swanzey Athletic Association located at 53 Main Street (Map 57, Lot 50).

Carlson said that in any purchase agreement of property owned by West Swanzey Athletic Association the purchase and sales agreement should read "for demolition". Colby said that he thought that wasn't a good idea. Davis suggested that the Town is looking at an expenditure of \$80,000 (total ballpark number) for \$60,000 to purchase the property plus \$20,000 for site assessment and demolition. Colby and Davis want to know where the money will come from. Carlson suggested the Reserve Fund. The Board is in agreement they would like to purchase the property. Colby suggested the Town can enter an agreement subject to successful hearing process. O'Keefe suggested that it could be made clear at public hearings that demolition would be the likely option. Carlson pointed out that any money provided to the WSAA, the money would come back to the community. Colby suggested it could be an offer of \$55,000 instead of \$60,000 since the WSAA is faced with a tax bill in the future and that will make them anxious to sell. O'Keefe reported that the Land Acquisitions reserve account had \$200,000 as of June, 2012. Davis said that the money is not earmarked. Conservation Land Acquisition

Description continued on next page? YN

Continuation of Description from first page, if any:

Reserve is the Open Space Committee (OSC) account. Colby asked if he should bring it up at the next Open Space Committee meeting, tomorrow night. Colby suggested that he use \$80,000 as the number he would discuss with that committee. O'Keefe asked if the Board wanted to take any other steps. Colby suggested that with Chuck Beauregard being a real estate salesman he is going to be anxious to bring about a sale. He said the Board should bring back the three WSAA members and tell them what the Town is proposing and that the Town is ready to move forward. Next week, if OSC gives approval, then the Board can talk dollars and cents. Davis suggested that the Town could end up in a bidding war. Carlson suggested that if the owners see dollars, they will go with the Town offer. Colby said he thinks the WSAA wants the Town to take it over. He is cautiously optimistic. O'Keefe will ask Carbonneau to get ballpark on demolition costs and site assessment.

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 9:28 AM/PM AM

These minutes recorded by Beverly Bernard

These Minutes approved by the Board of Selectmen on 12/18/2012

Unsealed on 2/25/2014

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.