

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – January 15, 2013
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 6:05 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe, and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Members of the public were present.

MINUTES

- Regular meeting(s) of January 7, January 8 & January 14, 2013 – **motion** to approve the minutes with changes by Carlson, seconded by Colby, all were in favor. **Motion passed.**
- Non-public meetings(s) of January 8 & January 14, 2013 – **motion** to approve the minutes by Colby, seconded by Carlson, all were in favor. **Motion passed.**

OLD BUSINESS

Forest Management Plan and proposed timber sale of Town-owned Mt. Caesar/Carpenter Home property - Carlson said she wants to check the amount the Town would receive from the sale. She thought the Town had to pay for chipping. Colby said the Board should ask what the net to the Town will be. Carlson also wanted to know if it would be costing the Town more to remove the large trees by the cemetery. She wants to make sure about this because it isn't specified in the letter. Davis said we need a clarification regarding a net amount to the Town with no additional costs. O’Keefe will research whether there is a cost to the Town for chipping and any extra cost for the cemetery trees, and finally get an estimate of the net dollars to the town.

Information Technology Policy - Proposed change at page 6 of 10 of the policy statement such that the sentence reads, “Standard e-mail addresses for all Town employees (other than the Police Department), Board, Commission and Committee members or other volunteers, **shall** be in the format of “FirstInitialLastName@town.swanzey.nh.us” and “Standard e-mail addresses for all Police Department employees shall be in the format of “FirstInitialLastName@swanzeypd.com”. Carlson **moved** to accept the change as indicated above, seconded by Colby, all in favor, **motion passed.**

NEW BUSINESS

Motion by Colby to enter **Non-public session pursuant to RSA 91-A:3II(b) Hiring of a Public Employee**, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 6:15 p.m. **Motion passed.** 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 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 6:19 p.m.

Bids on purchase of Town 1972 International mini-pumper/hose truck – no bids were received. Colby made a **motion** to drop the minimum bid to \$3,000 for the truck, seconded by Carlson, with all in favor. **Motion passed.**

Bids on purchase of Town 1980 Chevy Forestry/EMS Pickup truck - two bids for the Chevy were received by the Town. One from John Kenney is \$2,750 (minimum was \$2,500). Anthony Dubois offered a bid of \$2,850. One additional bid was for \$2,600. Colby **moved** to sell to Mr. Dubois for \$2,850 and authorize Town Administrator to authorize the bill of sale and any other paperwork necessary to complete the sale. Carlson seconded and all were in favor. **Motion passed.**

PUBLIC HEARINGS

Acquisition of property per RSA 41:14-a – property at 53 Main St., Map 57, Lot 50 – Public Hearing opened at 6:30 p.m. by Chair Deborah Davis.

Town Administrator O’Keefe said the title for the building was researched and came back clean. Sophie Goodnow and Catherine Robertson spoke to the Selectmen to express interest in keeping the building on Main Street in West Swanzey rather than tearing it down. Sophie Goodnow is from West Swanzey and she belongs to the West Swanzey Community Church. She spoke about giving out food for Gert's pantry. The pantry has taken over all the space at the church. She said that she thought the building would work fine for use as a pantry to relieve the church of the space problem. She said she couldn't understand why the Town would take down the building when it is more important to feed needy people. Catherine Robertson agreed with Goodnow that the pantry needs more space, and said she was sorry to say that there is a need. The pantry distributed 23,000 bag meals last year. If the Town was looking to keep the building open, they would like to be considered for use of it, or another building. They have financial support and volunteers. They spend \$5000 on food, but much of it comes from donations from the church and the community. If there is some place that the Town could let them use, they would be happy to use it.

Goodnow also mentioned that at one time a senior center was hosted in the Main Street building and she thought it would be a shame to tear the building down.

Town Planner Sara Carbonneau said it is important to know that the funding is coming from an open-space conservation fund. She said that keeping the building might be a good idea, but the funding demands that the usage be related to conservation.

Paul LaFond, president of West Swanzey Athletic Association (WSAA), current owners of the building in question, mentioned that the building needs repairs and would be costly to keep warm. He said the furnace is in need of replacement which would cost in the thousands. He said the WSAA could not afford to heat the building. He said that he believes selling the property and tearing down the building to create a park is the best solution. Goodnow said that it is a waste of money. Doris LaFond said that when it was being used for a senior center only three or four people used it.

Pete Johnson commented that he understood the need to have a place for senior citizens to congregate but that it is one of the activities being considered for Whitcomb Hall (another building on Main Street). He also agreed that the building being considered for purchase by the Town is in bad shape and would cost a lot to bring it up to par.

Barbara Scully who lives on Spring Street in Swanzey said she has been involved with the river and dam removal and hoped that the east side of the river would be useful for canoes. She said that if the land could be used for viable access for canoes to the river, that would be a good thing, but her main concern had to do with doing a good job with the site. Davis pointed out that there is a member of the Planning Board who is a landscape architect and who is willing to donate time to work on developing the park for the Town.

Goodnow interjected that the pantry needs room. She suggested that perhaps that the land could have a small structure on it. Johnson said the community needs to focus on a rock solid structure like Whitcomb Hall, where the food pantry could be based, instead of building another building. Scully wanted the Board to know that she supports the purchase.

Tyke Frazier spoke about the structural integrity of the building, saying he has toured the building and it is in such disrepair he doubts anyone could get insurance for it. The insurance company he works for wouldn't consider insuring it. He said the building is well below average in condition and it will cost more than the \$53,500 purchase price to put into it to get it to a viable point. He spoke about the possibility of asbestos, mold, and lead in the building, which would require remedial costs. He said he would like to see a park at the site.

Goodnow said that the pantry is an asset to the community and it would be nice if the Town helped find a place for them. Doris LaFond suggested the church could do a fund raiser to acquire a building for the pantry.

Carlson reported that Nancy and Chris Bishop who live on South Winchester Street could not be at the hearing tonight but told her that they support the Town's proposed purchase of the property.

Gail Wood commented that she is on the committee working on renovating Whitcomb Hall. She said the committee did get one grant through Plan New Hampshire. She said that it has been brought up about the pantry being there. She believes that it would take a lot less time to get Whitcomb Hall up and running than to renovate the 53 Main Street building.

Colby mentioned the Plan New Hampshire Charrette which was held in November, 2012 and the fact that the plan suggested 53 Main Street should be a part of the picture in improving the area. He said that acquiring the property and turning it into a park would be an effort to get going on the proposals of the Charrette. He said it would be an asset to the town.

Davis reminded folks that there is a second public hearing on the land purchase on January 29th at 6:30 at Town Hall.

Hayley Hill asked about the type of park that would be planned for the site and who would come up with the plan. Carlson said it would be riverside access park, and O'Keefe said the idea is for passive recreation, not basketball courts.

Colby mentioned the Plan New Hampshire Charrette proposal included making Main Street a more walkable place. The idea is to be able to sit by the river, perhaps eat a bag lunch and enjoy the pastoral setting. Colby mentioned that the Open Space Committee has put rustic benches on various trails in the town and these benches might be suitable for the proposed park.

Hill worried about vandalism and the attraction of a park to more vandalism. Pat Bauries expressed a concern about a park being a place for drug dealing.

Chair Davis closed the public hearing on the land acquisition at 6:55 p.m.

Many residents left Town Hall.

Credit Card Policy. Carpenter Home Administrator Dawn Rice asked Carlson about the new credit card policy. She said having one card would be best, but Carlson pointed out that the credit union doesn't allow a single card with multiple names on it. Rice worried that she wouldn't be able to use a credit card with someone else's name on it, but Carlson said that Rice could use the card online without having to sign for the purchase. Rice said she didn't quite understand the idea of credit cards being provided by the Town.

Public Hearing for the Budget per RSA 32:5 opened at 7:32 PM by Chair Deborah Davis.

Present: Emergency Management Manager Bruce Bohannon, Director of Public Works Lee Dunham, Carpenter Home Administrator Dawn Rice, Solid Waste Manager Steve Stewart, Chief of Police Tom De Angelis, Fire Chief Norm Skantze, Town Planner Sara Carbonneau, Sewer Commissioner Bill Snyder, Pat Bauries, Mike Gomarolo, Town Moderator Pat Haselton, Sewer Commissioner Glenn Page and Welfare Director Sandi Page, Assessing Coordinator Amy Bush, Bookkeeper Theresa Louder, Chair of the Economic Development Advisory Committee Steve Bittel, Mt. Caesar Library Trustee Richard Scaramelli, and many residents of the Town.

Davis turned the meeting over to Moderator Pat Haselton to review the proposed Operating Budget. Residents had copies of the budget provided to them for review.

Town of Swanze Budget 2013 Purpose of Appropriation:

General Government, Police Department, Fire Department, Other Public Safety, Department of Public Works, Solid Waste & Sanitation, Health & Welfare, Culture, Conservation & Recreation, Economic Development, and Debt Service.

Haselton read to the gathering that the Proposed Operating Budget of \$5,824,380 for 2013 is a 0.8% increase over 2012 and then asked for questions and/or comments.

Bauries asked about Other Public Safety which is down 9.5%. She asked what the Other Public Safety line item consists of and why it was down by 9.5%. O'Keefe said the line item includes School Resource Officer (SRO), special duty police, and others that could be reviewed on Page 1 of 4 in the Proposed Budget. A question was raised about Debt Service and O'Keefe responded that it is for the North Swanze sewer project, among other items. Bauries continued to ask questions. She wanted clarification on the line item Individual and Special Articles. O'Keefe said that is the line item for articles on the Warrant and this year it is \$35,000 for a police vehicle. She asked why the warrant article amounts are not included in the budget but O'Keefe pointed to the handout to show the amounts are there. Carlson asked Chief De Angelis to explain the costs associated with the Other Public Safety line item. Chief De Angelis explained that the SRO would cost more like \$96,000 when you count benefits, not just salary. He said the question is who is going to come up with the additional money should the petitioned SRO article on the School Warrant pass. A security officer wouldn't be sanctioned by the Town and would be unable to carry a firearm and unable to provide hands-on assistance in a fight situation. Pat Bauries asked about the numbers and said she understood the SRO would be a district-wide employee. De Angelis said then the officer would have to be deputized to have jurisdiction in other areas. Carlson said if the Town were to lose an officer, not only does the Town have to pay the extra \$40,000 for the SRO but the Town also has to pay for another employee to fill the spot vacated. Colby said it doesn't make any sense, when time is an issue, how a district officer would work.

Gomarlo asked about Emergency Management dollars being up this year. Emergency Management Manager Bruce Bohannon responded that Vermont Yankee is conducting an exercise program for Vermont Yankee this year. He said the Town will be reimbursed by the Vermont Radiological program.

Haselton reviewed the **Proposed Revenue Estimates:**

Taxes, including property taxes, Intergov't Revenue & Grants, Licenses, Permits & Vehicle Registrations, Income from Departments, Miscellaneous Revenue, User Fees & Revenue Funds, and Other Financing Sources for a total for estimated revenues of \$6,401,130 for 2013.

Haselton opened the floor for questions and/or comments. Bauries asked how much was taken in from the \$5.00 surcharge for registration on vehicles. Theresa Louder said it was \$36,985. Bauries asked about Other Financing Sources and why there is a large variance. O'Keefe said it has to do with a bond from last year. Glenn Page said \$855,000 is a loan from the State, but we haven't drawn anything on it yet. It is approved for capital improvements for the sewer plant. We will be using a block grant first. It is a \$300,000 community block grant which hasn't been received yet. O'Keefe said the project is still in engineering. Gomarlo said it looks like a nearly \$1,000,000 shortfall. O'Keefe said it shows up on both sides of the budget (both in revenue and expense) and is therefore a wash.

Haselton went on to ask for questions regarding the line items for the categories listed as Purpose of Appropriation. A resident asked about increases in Public Safety items and Public Works items. He noted a \$38,150 increase for line item Police Department. Chief De Angelis explained that covers the salary of the SRO who was brought back into the police department. For 2012 that was a partial year, but for 2013 the SRO is in the Police Department for the entire year.

For a question about the Fire Department increase, Chief Norm Skantze gave explanations. Other Public Safety line item question: Bauries asked if the Town bought a second command vehicle, and Skantze replied that the Town did not. It was a different type of vehicle, not a command vehicle and the Expendable Trust money was used. Mike Lilly pointed out separate Fire Department increases. Skantze spoke about special events like the County Fair which has costs associated with having police on duty. He also said that cost gets off-set by revenues.

It was noted that Ambulance Services remains a constant number. Skantze said that the ambulance services provider DiLuzio's contract is negotiated on a three (3) year basis so that the amount will stay constant until renegotiated. It is up for renewal/renegotiation this year.

Department of Public Works: Gomarlo asked if the dollars include fixing Main Street in West Swanzey. Director of Public Works Lee Dunham said he was absent during the Charrette so he doesn't have a clear idea about what was proposed for the street but he will be meeting with the Whitcomb Hall committee soon. When asked about the possibility of timing, Dunham said that perhaps it could be this year. Residents asked about repaving the street, and Dunham said if the Town wants to reduce the size of the street and if infrastructure has to be put underneath then you have to wait for the full plan to be outlined before any work can be done.

Richard Scaramelli raised the subject of street lighting, pointing out that some roads are lit and others are not. He said that it would be appropriate to do a general review of lights. Dunham said they were reviewed either last year or two years ago. He explained that the Town pays a base rate, and it is not metered. There is no street light policy and not every street light is owned by the Town. He said that the first thing the Board needs to do is come up with a policy for street lights.

Lilly asked about the Wilson Pond dam. Dunham said that the State of New Hampshire Department of Environmental Services (DES) has identified structural deficiencies for both upper and lower Wilson Pond. There will be a public hearing process once the evidence is in from the State.

Bittel asked about the numbers for the lights. He said it looks like the annual cost is \$27,000 and if it costs about \$10 per light, then he wanted to know if the Town has about 200 lights, and Dunham said yes, we do.

Gomarlo said there is an interest in the community for buying the Homestead Mill water rights for fire protection and could the Board talk about this for future development. He said a discussion needs to be started. We have fire hydrants on Main Street and there is no water for them. He said plans need to be made to address the issue and the Board so noted.

Regarding Sanitation and Solid Waste, there were no questions or comments.

Health & Welfare: there was a question by Bauries regarding the Carpenter Home \$15,000 increase. She wanted to know if that was sustainable in revenues. Carpenter Home Administrator Dawn Rice said it is sustainable. At the present time, as of February 1, 2013, the home will be fully occupied. Bauries asked how many are Medicaid clients and Rice responded that five (5) are Medicaid clients.

Culture, Conservation and Recreation: Richard Scaramelli, Trustee for Mt. Caesar Library, noted a modest increase in salaries and modest increase in acquisition of materials. Carlson said that the Stratton Library increased the staff time to include a part-timer to supplement the one person that usually worked there.

Economic Development: there were no questions or comments

Debt Service: there were no questions or comments

Individual & Special Warrant Articles: Police Patrol vehicle – Chief De Angelis was asked if it is a new vehicle that the Town is acquiring and De Angelis said it is a replacement vehicle.

Bauries asked a question regarding **Article 3 Purpose of Appropriation**: she wanted to know the difference between Capital Reserve and Expendable Trust. Dunham said that it is difficult to take an existing capital reserve and change to an expendable trust. Bittel, a Trustee of Trust Funds, said there really isn't a difference. Bauries asked about whether all funds that are being reserved go into an Expendable Trust now. Scaramelli said the question arises when you create the account. Reserve Funds and Expendable Trusts require the vote of the Town to be established and these votes have authorized the Board to make expenditures. Bauries asked if there is a public hearing regarding these expenditures. O'Keefe said there is no hearing required, but the Board meetings are open to the public. The public voted the Board to be agents of Expendable Trusts and Capital Reserve Funds. Bauries said she would be asking when that happened and another resident said it happened over time, not a specific date.

Bauries asked a question about fire trucks: asking for money into the capital reserve - we have two fire trucks listed in the paper for sale. She wanted to know why the dollars received from the sale of the trucks wasn't used to offset the capital proposed amount instead of the public having to pay for that. Colby said when he was on the Board years ago you could buy a fire truck for \$150,000. Now it will cost \$400,000 for the same piece of equipment. Fire Chief Skantze said that four years ago the Town had

fourteen (14) pieces of equipment, and now that has been reduced to eleven (11). \$80,000 a year is going into the Expendable Trust which will allow us to save for the truck needed in the future. We have a large fleet because we have a big town in area. Bauries asked what the Town expected to get for the trucks that up for sale. O'Keefe said that the Town just opened bids and the top bid for one truck was for \$2,850 and we didn't get any bids for the other truck. O'Keefe said that the proceeds go into the General Fund as only Town Meeting can add to the Capital Reserve Funds and Expendable Trusts. Bauries didn't understand that it was \$2,800; she thought it was \$28,000 but it was clarified for her. O'Keefe explained that the Town will keep lowering the price of the unsold vehicle until someone buys it.

A resident asked about the new rescue vehicle. Chief Skantze said it is equipped as a medical vehicle. A question was asked about the cost to educate an EMT. Chief Skantze responded that it costs about \$600-700. He said that the Town's Fire Department is one of the few departments in the State that has paramedics. Ambulance service provider DiLuzio costs \$31,000 per year for ambulance service. Carlson noted that the Town personnel can get to a location in town before DiLuzio. DiLuzio does an excellent job, but so do the townspeople.

Bauries asked about the balances in the expendable trusts and gave an example of the \$21,500 for Stratton Library expendable trust asking why the Town keeps adding money to it. Carlson noted the Town does cease to add money to a trust if it becomes clear that the money cannot be used as planned. She gave the example of the Town Hall Trust which the Town stopped contributing to when it was decided that the Town couldn't afford to build a new Town Hall with these funds alone and would rather use the money for engineering and design for a new building. Carlson pointed out that there is no request for any money for the Town Hall expansion account. Scaramelli spoke about the Mt. Caesar expendable trust and said the library is not compliant with the Americans with Disability Act (ADA) access. The library needs an elevator to allow disabled to get to second floor. The Board does provide a bit of money, but the Library needs \$160,000 to provide an elevator. The money may also provide for a new roof. At some point the balances will be used.

Theresa Louder reminded everyone that when looking at account balances that the cash balances at end of the year do not account for money that has been approved by Board but not yet spent. It is a matter of timing.

Haselton reviewed Estimated Revenues: no questions or comments.

Intergovernmental Revenue & Grants: Lilly asked about \$600,000 being shared between Swanzey and Troy that is federal money. He said the item was in the newspaper (presumably the Keene Sentinel). He said the money is for the Cresson Bridge, but the Board had no knowledge of this money.

Licenses Permits and Vehicle Registration: no questions or comments

Income from Departments: O'Keefe said that is where the off-set for emergency management training costs shows up. This refers to training mentioned prior by Bruce Bohannon. Bittel asked about whether the vehicle registrations line item includes the \$5.00 surcharge. Louder commented that the surcharge is actually a liability of the Town.

Miscellaneous Revenue: no questions or comments.

User Fees & revenue funds: no questions or comments.

Other Financing Sources: no questions or comments.

Default Budget - bottom line of the default budget is \$5,812,387 for 2013, a difference of \$11,993 from the proposed budget.

Bauries asked about the Warrant articles and what impact on taxes if the articles are approved. She estimated that the articles would result in \$95,000 in additional expenditures with an impact on taxes of about 4%. Bauries asked about the retirement contribution for Police and Fire Departments and estimated the cost would be about \$28,000 and she wanted to know how many full time employees the Town has. Louder responded that there are thirty-four (34) full time employees and Police and Fire account for twelve (12). O'Keefe said Retirement funding is \$25,745 and the total difference in budget, is 19.2%. Bauries asked about Obama Care impact on Town medical coverage. O'Keefe said the new law starts in 2014 for employees who work at least 30 hours per week. Bauries asked what the level of increase in salaries for Town employees and O'Keefe answered that the Board has structured its budget assuming an increase of 3% to cover a cost-of-living (COLA) adjustment and possible merit increases. One resident asked if Police Department is unionized and the answer was "no".

O'Keefe discussed the fact that the default budget shows the SRO budgeted at \$40,747, but this should be considered for change due to the program having been voted down by the School District and the officer absorbed fully into the Police Department. When O'Keefe spoke to the New Hampshire Local Government Center it was suggested that the amount be added to the Police Department instead. O'Keefe recommended the \$40,747 be zeroed out from the SRO line item and added to the Police Department line item. That would make the Police Department line item \$821,072. **Motion** was made by Colby to zero out the Default Budget figure for the School Resource Officer line item under Other Public Safety of \$40,747 and add \$40,747 to the Police Department line item for a total of \$821,072, which was seconded by Carlson, and all in favor. **Motion passed.**

Davis closed the budget hearing at 9:05 p.m.

Motion by Carlson to enter **Non-public session per RSA 91-A:3II(c), Reputation – Lien**, seconded by Colby with the Selectmen voting unanimously by roll call to go into non-public session at 7:13 p.m. **Motion passed.** 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 and to come of non-public session, seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:14 p.m.

Recycling Center recommendations - Stewart did not have the recommendations. It was mentioned that the original recommendations had been distributed to Recycling Center staff for comments and were not returned. O'Keefe was asked to distribute to Stewart and the Board a copy. Colby said they will look at them next week.

OTHER MATTERS

Discuss 2012 Annual Report - Reminder by Carlson to O'Keefe: Carlson said the Board will give O'Keefe the substance but he will need to write the Annual Report.

Town Meeting Warrant

The Board reviewed the Articles for the Town Warrant as presented by O'Keefe.

Article 1 – O’Keefe suggested instead of listing each office of the Town, the Warrant refer to Town Officers. O’Keefe suggested this verbiage: "To choose by ballot all necessary Town Officers for the ensuring year." Colby **moved** to change the article to read as stated with O’Keefe’s verbiage, seconded by Carlson, with all in favor. **Motion passed.**

Article 2 – the Board wants to make sure the numbers are correct and asked O’Keefe to confirm the numbers.

Article 3 – the Board asked O’Keefe to confirm the numbers.

Article 4 - Davis said they usually don't put their recommendations on the articles.

Article 5 - the Board should explain in the voter's guide about the tax impact if this article is approved by the voters. O'Keefe said the comparison of cost today for veteran’s exemption is \$67,800 today but would increase to more people being covered, and with an estimate of 500 people would cost the Town \$195,000. O’Keefe said that \$130,000 would have to be raised by increasing taxes.

Article 6 - Carlson said there is a tax impact, Colby said he didn't think we should say anything about tax impact. Davis agreed that the Board shouldn't say anything.

Article 7 – no comments

Article 8 – no comments

O'Keefe will have final version of the warrant for next Tuesday, January 22, 2013.

Recording Secretary Bernard left the meeting at 9:32 p.m.

Motion by Colby to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 9:32 p.m. **Motion passed.** Present were the Board members and Town Administrator O’Keefe. **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 9:36 p.m.

Motion by Colby to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 9:36 p.m. **Motion passed.** Present were the Board members and Town Administrator O’Keefe. **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 9:50 p.m.

Motion by Colby to enter **Non-public session pursuant to RSA 91-A:3II(a) Personnel matters**, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 9:50 p.m. **Motion passed.** Present were the Board members and Town Administrator O’Keefe. **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 10:04 p.m.

CONSENT AGENDA

- Notice of Intent to Cut – Guyette Rev. Trust (Map 45, Lot 33)
- Notice of Intent to Cut – Crosby Peck (Map 25, Lot 28-1)
- Event Permit #2013-01 – Fast Friends Greyhound Rescue Road Race (3/30/2013)

ADJOURNMENT

The meeting was adjourned by the Board at 10:05 p.m.

The next meeting is scheduled for January 22, 2013.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Beverly Bernard".

Beverly Bernard, Recording Secretary

Approved on January 29, 2013

TOWN OF SWANZEY, NH

Board of Selectmen Minutes of January 15, 2013 Non-Public Session, Session 1

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.
- 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 (Y)N Nancy L. Carlson (Y)N Kenneth P. Colby (Y)N

The Board entered into non-public session at 6:15 AM/PM

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

Recording Secretary Beverly Bernard

Solid Waste Manager Steven Stewart

Description of matters discussed and final decisions made:

Recycling Center Manager Steve Stewart was in attendance. Colby stated that on January 14, 2013 the Board did personnel reviews. Based on those reviews the Board has decided to briefly put a hold on the hiring of a new Assistant Manager position until further research can be done.

Description continued on next page? Y (N)

Continuation of Description from first page, if any:

N/A

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 (Y)N Nancy L. Carlson (Y)N Kenneth P. Colby (Y)N

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 6:19 AM/PM

These minutes recorded by Beverly Bernard

These Minutes approved by the Board of Selectmen on 1/22/2013
Unsealed on March 10, 2015

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.

TOWN OF SWANZEY, NH

Board of Selectmen Minutes of January 15, 2013 Non-Public Session, Session 5

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.
- 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 YN Nancy L. Carlson YN Kenneth P. Colby YN

The Board entered into non-public session at 9:50 AM/PM.

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

Description of matters discussed and final decisions made:

The Board discussed Solid Waste Manager Steve Stewart, operations at the Recycling Center, and whether to go forward with hiring the Assistant Solid Waste Manager position. The Board needs to meet with him as soon as possible.

Continuation of Description from first page, if any:

N/A

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 10:04 AM/PM AM

These minutes recorded by Shane O'Keefe

These Minutes approved by the Board of Selectmen on 1/30/2013
Unsealed on March 10, 2015

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