

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – May 21, 2013
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

Present were Selectmen Nancy L. Carlson, Kenneth P. Colby, Jr. and Deborah J. Davis. The meeting was called to order by Chair Nancy Carlson at 6:01 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

MINUTES

- Regular meeting Minutes of May 7 and May 14, 2013 - **motion** by Colby to approve the minutes of May 7, 2013 as written, and the May 14, 2013 minutes with corrections as follows: delete redundant phrase “Board President” from page 1 and add “of any size” to first sentence of 5th paragraph on page 2, seconded by Carlson, all in favor. **Motion passed.**
- Non-Public meeting Minutes of May 14, 2013 - Davis abstained. Colby **moved** to approve the non-public meeting Minutes of May 14, 2013 with second by Carlson, and all were in favor. **Motion passed.**

There was a brief discussion on the following two topics:

Colby mentioned Code Enforcement Officer Chet Greenwood has shut down a job building an American Disabilities Act (ADA) ramp at the corner of Park and Maple Street for the Wright family. Colby said he didn't want to get involved but said that Greenwood shut down the job because he believes a variance is needed. O’Keefe was asked to have Greenwood contact the property owner directly on this matter.

A brief discussion was held regarding the Hackler property on the corner of Carlton Road and Route 32 being for sale.

OLD BUSINESS

General discussion of Carpenter Home matters

Dawn Rice joined the meeting at 6:10 p.m. Rice requested from the Board approval for a new floor for the Carpenter Home to complete the kitchen. She noted that the new range won't be installed until the new floor is installed. Rice said that the sub-flooring will be made up of ten (10) 4 foot x 6 foot plywood sheets at \$25.00 each. The Town will install the plywood. The flooring is industrial strength to withstand the wear of a communal kitchen. The proposed floor cost is \$2,120.00 from Monadnock Flooring & Decorating Co. Inc. in Keene, NH. The total requested is \$2,370. Colby asked Rice if she had gotten other quotes for the job and Rice said that she did get a quote from Direct Supply and one other company, but the quotes were not close to Monadnock Flooring & Decorating Co. Inc.’s quote. She felt the other quotes were way out of line. O’Keefe recommended the Board approve up to \$2,500 from the Lucy Carpenter Unrestricted Fund. **Motion** by Davis to approve an expenditure of up to \$2,500 for a new floor for the Carpenter Home kitchen to be funded from the unrestricted income of the Lucy Carpenter – Carpenter Home Common Trust Fund, second by Colby, and all were in favor. **Motion passed.**

Rice reported that there was a death of a resident in April so that the facility is no longer filled. She also reported that new staff is working out fine and she is feeling more confident about having the staff that she needed. Rice asked about whether O’Keefe had met with one of her employees.

Non-public Session – RSA 91-A:3II(c), Reputation

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(c) Reputation, seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 6:21 p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe, Carpenter Home Administrator Dawn Rice and Recording Secretary Bernard.

Motion by Colby to seal the minutes of the non-public session. Second by Davis. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Davis, with all in favor. **Motion passed.** Non-public session ended at 6:29 p.m.

Other Carpenter House Issues

Rice said the new windows are due in at the end of the month. She doesn't want them sitting in the barn for six months. Also she mentioned putting up a gazebo; she has a nice plan from the Shakers that comes as a kit. She suggested that Eagle Scout candidates might be willing to do the project as part of a senior project. Rice left at 6:33 p.m.

General Discussion on Police Matters

Police Chief Tom DeAngelis joined the meeting at 6:34 p.m.

Chief DeAngelis reported that the new cruiser is being driven and officers love the car.

- **School Resource Officer Discussion**

Carlson raised the issue of the School Resource Officer (SRO) which had been brought to the Board’s attention previously by Monadnock Regional High School District Board Chair Pat Bauries. DeAngelis said that he did speak to Bauries and he told her that she should meet with the Board first on this matter. DeAngelis reported that the high school folks are going to pay a visit to Franklin Pierce University in Rindge, New Hampshire to see how they utilize security personnel. DeAngelis said that if the school board hires a security officer the liability is massive for the school district. However, the Swanzey Police Department will still respond to any emergency situation that requires them. A security cop has no powers and only serves as a witness for the police. Carlson asked if DeAngelis could provide an SRO at \$56,000 salary per year. DeAngelis said “yes” as part-time person. O’Keefe said that it should include a 3 year contract. DeAngelis said that it needs to be put into the budget, but an SRO is feasible as a part-time person to work 1300 hours per year. DeAngelis suggested hiring a retired police officer and keeping him under thirty (30) hours per week. This person would receive no benefits and no health care. Davis said that the problem is getting that person paid. Davis said that she thinks the desire for an SRO is a knee-jerk reaction to the Newtown, CT massacre of school children. She asked who would pay for that position after three years. Carlson said she likes the security officer option because it leaves the Town out of it.

- **Police Details Policy**

DeAngelis provided a draft Police Details Policy document to the Board for review. A detail police officer may be required to provide safety and security for the general public for public functions. Often there is the need for vehicles to cross lanes of traffic which poses a safety hazard that should require a Police Department detail as opposed to a civilian traffic control crew. The policy DeAngelis wrote up is basically like one from Richmond, New Hampshire modified for the Town of Swanzey. Route 32, Route 10, and Route 12 are corridors of traffic that often need police details. DeAngelis said he has written into the policy a \$10.00 administrative

fee for cruiser use, and he would like to see that put into an expendable trust to be built up for purchase of a car or car equipment. Carlson asked if the Town has a cruiser trust, and O'Keefe said the Town does have one. DeAngelis said that Richmond created a detail trust to create a little account to save money. Richmond had \$67,000 in details for last year with an administrative fee of \$10.00. Colby noted that often he sees a cruiser in a detail situation with the car idling, which is using gas and creating wear and tear. DeAngelis explained that a cruiser is left running to keep the lights on since the electrical system cannot handle the lighting demand if the engine is not running. Colby said that the Town ought to make enough money to cover the costs and that should include gasoline. DeAngelis said that we are on the lower side of details but the department doesn't want to price itself out of competition. DeAngelis said we could easily go up \$5.00 for police details. Fuel is unstable in pricing, so we could go a little bit higher. He referred to Bookkeeper Theresa Louder who said we should consider raising the rate. We could raise the rate by \$1.25 per hour and still be lower than other communities. Presently \$52.75 per officer is the rate without a cruiser. DeAngelis said he could research the options with O'Keefe and Louder.

Colby said the Town has a sizeable police force. Swanzey is the second largest agency in the area. Let's be smart and prudent about what should be raised. Carlson and Colby said \$2.50 raise today might be the best bet, and raising the price next year another \$2.50 to get to a \$5.00 per hour overall increase. DeAngelis said the Town is currently paying a fuel cost of \$3.08 per gallon for the cruisers. A brief discussion was held about the amount of gasoline used and DeAngelis said he uses an idling rate of .5 gallons per hour per cruiser. Colby said there is justification for raising the rate by \$2.50 per hour. The Board agreed to consider raising the rate to \$2.50 per hour. DeAngelis suggested the Board read the policy and he will revisit it with them in a couple of weeks.

- **Other matters**

DeAngelis mentioned that on June 8, 2013, the Police Department will hold a physical agility test for candidates. He said the following week is oral boards for top candidates.

ID Cards - DeAngelis discussed decals for the Town staff identification cards. Tomorrow (May 22, 2013) there will be picture taking for employees.

Situation on Homestead Avenue with Trash and Dogs

DeAngelis said he visited with Melinda Bates for about an hour. Melinda allowed him on the property and was gracious. DeAngelis reported that there is one dog less at the property. The barking dog is gone. She said she gave it away to someone. Police Department hasn't heard any more complaints. O'Keefe said that Bates complained about having a rough time at the Recycling Center. O'Keefe researched and learned that Bates' son didn't have the original disposal pass with her as required, according to Steve Stewart. O'Keefe noted that the 45 days given to Bates by the Board to dump trash for free at the Recycling Center is soon to expire.

Colby said he went by the Bates property recently and it appeared that there were snow plows on one side of the house and on the south side debris which turned out to be a lot of cans spread out all over the ground. The family sells them. DeAngelis reported that the dogs are well fed and doing fine. DeAngelis said he wants to follow up with Health Officer Beth Ann Tatro. Trash bags are accumulated at the back of the property. Dog houses provided by the Humane Society are loaded with chain saws and prevent their use by the dogs. However, some progress

has been made. The back porch doesn't have dog feces any longer and there is no dog shelter on the porch. Davis said there is never going to be enough time for them to take care of the mess.

DeAngelis said he is pleased with the agency direction and has no complaints. DeAngelis left at 7:21 p.m.

West Swanzey Athletic Association building demolition

O'Keefe reported that a site visit with potential bidders was held on May 17, 2013 and bids are due on May 28, 2013. O'Keefe reported that contractors stated that the timeframe of July 1, 2013 for demolition is going to be difficult and potentially more expensive to meet due to abatement certificates and other required paperwork that goes with it. O'Keefe asked the Board if they would consider a different demolition date to address this concern. Colby said his concern was the amount of time it took to send out the bids. He wanted the bids to go out sooner. He said he was not pleased if the Town cannot adhere to the July 1st date. Carlson pointed out that the bids will come in with that date. Carlson also said if the price is too high, the Board can revisit the date to lower the price. O'Keefe suggested that a contract could include a penalty for every day the job isn't finished based on the contract date. O'Keefe reported that the land is not subject to shoreline protection regulation but stated that the job requires bales of hay for controlling run off and the Town using jersey barriers to handle an apron of land next to the sidewalk that falls off sharply.. Davis asked about the dry hydrant situation. Carlson said the hydrants are still supposed to go in. Carlson said we have to wait to see the bids before a contract is put together. O'Keefe said he wanted to put it together soon consulting with the Town Attorney. O'Keefe noted that the work will require a performance bond, but not a bid bond. There is interest in the work.

NEW BUSINESS

Funding of Property Surveys for Main Street Committee

At the previous meeting the Board considered a request from the Main Street Advisory Committee for funding to conduct property surveys for several Main Street properties, including Whitcomb Hall, that are critical for addressing parking needs. Backup information from Town Planner Sara Carbonneau was included in the meeting packet for the Board to review.

O'Keefe was asked by the Board to research funding sources for this project and the following were recommended by him:

- Whitcomb Hall Lots (Map 57, Lots 85, 86 & 89) – Survey cost range of \$3,500 to \$4,500 to be paid from the Whitcomb Hall Rehabilitation Expendable Trust, which had a December 31, 2012 balance of \$36,372.
- Former Universalist Meeting House Lot (Map 72, Lot 23) – Survey cost range of \$2,000 to \$3,000 to be paid from the Municipal Transportation Capital Reserve Fund, which has received \$53,170 since its inception last year. Properties need to be referenced to road/parking needs.

Colby **moved** to approve the expenditure of \$4,500 to be funded from the Whitcomb Hall Rehabilitation Expendable Trust, and up to \$3,000 to be funded from the Municipal Transportation Capital Reserve Fund for the purpose of conducting property surveys for several Main Street properties, including Whitcomb Hall, that are critical for addressing parking and road reconstruction needs, Davis seconded. All were in favor. **Motion passed.**

Review of Town Hall Facility Evaluation Study

The Town was successful in receiving the DuBois & King Half-Century celebration grant of \$10,000 worth of professional engineering services for Town Hall site and building evaluations. The report has been received and was distributed to the Board at the previous meeting. It has also been forwarded to Code Enforcement Officer Chet Greenwood for review, and O'Keefe forwarded a copy to Fire Chief Norm Skantze due to safety concerns at the Center Fire Station that need immediate attention. The Board began a discussion on how to address the issues raised in the report. One concern is that the Central Fire Station does not meet fire safety code requirements.

O'Keefe pointed out the report stated that to bring the existing building systems into current code compliance a budget of \$400,000 to \$500,000 would be required, without including the architectural requirements.

Municipal Facilities Needs

A brief discussion was held regarding the Capital Improvement Committee which has not met since 2008. Davis reported that the committee has not met because the need was overwhelming. O'Keefe said the committee could come together again and come up with a Capital Improvement Plan. The names of the old committee were considered. O'Keefe said there was some money for professional fees and suggested an architect can provide an overview of all the Town needs. O'Keefe asked the Board if they wanted him to call the names on the list. O'Keefe suggested that he call the folks on the old list. Colby suggested Francis Faulkner be added to the list. The following are the names from the original list:

- Robert Pinckney
- Deb Davis
- Dave Osgood
- Bob Beauregard
- Larry Crowder
- Clarence E. Tenney
- Victoria Barlow

Regarding Town Hall, O'Keefe suggested holding off on painting the building and hold off repairing the men's room remodel. Colby agreed saying that putting money toward an emergency repair must be done, but otherwise money should not be spent until there is a plan in place to respond to the need. Carlson said the Town's offices could be shut down by the State if they are found to be inadequate. O'Keefe mentioned that action needs to be taken for disabled folks such as placing horns and strobe lights in bathrooms in case deaf people need to be evacuated from a building.

Accept unanticipated funds per RSA 31:95-b.

The Board was asked to accept a check in the amount of \$2,500.00 from the West Swanzey Athletic Association as a donation to Whitcomb Hall. Davis made a **motion** to accept \$2,500 from the West Swanzey Athletic Association as a donation to Whitcomb Hall and remit them to the custody of the Trustees of Trust funds to be held in the Whitcomb Hall Non-Restricted Fund trust account established on March 19, 2013. The motion was seconded by Colby and all were in favor. **Motion passed.**

Accept and expend unanticipated funds per RSA 31:95-b.

The Board was asked to accept checks in the amount of \$2,500.00 and \$200.00, from the West Swanzey Athletic Association and Lutie J. & John R. Bradeen, respectively, as donations to the Ashuelot rail Trail project and to vote to expend these funds on the project as well. Davis made a **motion** to accept checks

in the amount of \$2,500.00 and \$200.00 from the West Swanzey Athletic Association (WSAA) and Lutie J. & John R. Bradeen, respectively, as donations to the Ashuelot Rail Trail project and to expend these funds on the Ashuelot Rail Trail project. The motion was seconded by Colby and all were in favor.

Motion passed.

Other Matters

Colby mentioned that the Open Space Committee wanted to know plans for the park where the West Swanzey Athletic Association building is going to be demolished. Carlson said Bud Windsor has offered to help Jeff Goller for park planning.

Non-public session per RSA 91-A:3II(a) – Personnel Matters

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(a) Personnel Matters, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:51 p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe, and Recording Secretary Bernard.

Motion by Colby to seal the minutes of the non-public session. Second by Davis. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Davis, with all in favor. **Motion passed.** Non-public session ended at 7:59 p.m.

East Swanzey Fire Station Roof repair

O’Keefe said the contract provided by the vendor (Melanson) for replacement of the East Swanzey Fire Station roof is not adequate in that it does not address indemnification and insurance issues. O’Keefe asked the Board to authorize him to execute a contract on behalf of the Town that would better meet the Town’s needs. A **motion** was made by Colby to authorize the Town Administrator Shane O’Keefe to execute a contract on behalf of the Town that includes indemnification and insurance for the replacement of the roof at the East Swanzey Fire Station. The motion was seconded by Davis and all were in favor. **Motion passed.**

O’Keefe reported that he had received email from Sylvester Karasinki from the North Swanzey Water and Fire Precinct. Karasinski has a Consumer Confidence report that he would like to see hosted on the Town’s website. Because it was an outside agency he wanted the Board’s concurrence on this. Colby said he didn’t have a problem with doing so since it is a governmental body serving Swanzey residents. The Board agreed to allow the Precinct to list this document on the Town Web Sites.

List of properties subject to tax deed

The Board reviewed the list of twenty-six (26) properties that as of May 21, 2013 are subject to tax deed. Of this list ten (10) have agreed to a tax payment plan. Of the remaining sixteen (16) properties, four (4) are mobile homes without a payment plan and the Town declined to put three (3) of these properties into tax deed. It was agreed by the Board that a total of thirteen (13) properties would be placed into tax deed:

Name	Location	Map/Lot
Corbet, Cindy	21 Fox Run	20/131
Earle, Diane	79 S Winchester St.	72/63
Ford, Richard & Grace	3 Fords Rd.	73/6
Hall, Barry & Cindy	120 Pint St.	57/115

Jackson, Todd & Rennae	8 Homestead Ave.	72/2
Monroe, Keith	628 Monadnock Hwy	3/1
Monroe, Keith	8 Old Lake Rd.	18/142
Monroe, Keith	Forbush Ln.	3/1-3
Mullett Family Trust, Francis L.	19 Lake St.	18/149
Pratt Estate, Ruth E.	159 Cobble Hill rd.	82/8
Robinson, Jay	160 Goodell Ave.	25/13-5
Smith, Howard	West Shore Rd.	61/13
Whitten, Randy	Rabbit Hollow Rd.	66/4

O'Keefe was asked to contact Realtor Bill Hutwelker about the status of the Monroe properties.

Davis left the meeting at 8:20 p.m. because she had a conflict of interest regarding the Non-Public session that was about to begin.

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

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(c) Reputation, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 8:21 p.m. **Motion passed.** Present were the Board members Carlson and Colby, Town Administrator O'Keefe, and Recording Secretary Bernard.

Motion by Colby to seal the minutes of the non-public session. Second by Carlson. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Carlson, with all in favor. **Motion passed.** Non-public session ended at 8:40 p.m.

Colby and Carlson agreed that the Board should meet with new hire Bob Osterhout on Monday, June 3, 2013 at 9:00 a.m.

CONSENT AGENDA

Motion by Davis to approve the Consent Agenda, authorizing the chair to sign where necessary. Second by Colby. All were in favor. **Motion passed.**

- Property Tax Levy – \$7,098,362
- Event Permit #2013-17. Cheshire Fair Association – Rock Crawl Course on 6/15/2013 at the Cheshire Fairgrounds. No police services required.
- Raffle Permit #2013-18. Northern Lights – Cash on 7/1/2013.
- Notice of Intent to Cut Wood or Timber. Glen Hurd, Map 74, Lot 18.
- Notice of Intent to Cut Wood or Timber. Michael Johnson, Map 12, Lot 5.
- Certification of Yield Taxes Assessed. Cynthia Richards, \$3,875.72, Map 59, Lot 2.
- Certification of Yield Taxes Assessed. Donald Burgess, \$1,581.04, Map 91, Lot 1.
- Certification of Yield Taxes Assessed. Crosby Peck, \$1,033.19, Map 25, Lot 28.
- Yield Tax Levy – \$6,489.95
- Notice of Lien, Gary & Vincenza Lefebvre, map 73, Lot 22-576
- Current Use rates for 2013 tax year
- Modified assessment for partially tax-exempt property – East Coast Conference (Pilgrim Pines)
- Assessment for partially tax-exempt property – Monadnock Humane Society
- Modified assessment for partially tax-exempt property – Cheshire Fair Association

- Personnel Action Report(s)

Next meeting will be held on May 28, 2013.

ADJOURNMENT - Motion to adjourn by Colby, seconded by Carlson, adjournment at 8:45 p.m.

Respectfully Submitted,

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

Beverly Bernard, Recording Secretary

Approved on May 28, 2013.