

Town of Swanzev, New Hampshire
Board of Selectmen
Meeting – June 4, 2013
Swanzev Town Hall, 620 Old Homestead Highway, Swanzev, NH

CALL TO ORDER

Present were Selectmen Kenneth P. Colby, Jr. and Deborah J. Davis. The meeting was called to order by Vice Chair Kenneth P. Colby, Jr. at 6:08 p.m. at Swanzev Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

Absent: Nancy L. Carlson

MINUTES

- Regular meeting Minutes of May 28, 2013 - **motion** by Davis to approve the Minutes. The motion was seconded by Colby, all in favor. ***Motion passed.***
- Regular meeting Minutes of June 3, 2013 - **motion** by Davis to approve the Minutes. The motion was seconded by Colby, all in favor. ***Motion passed.***
- Non-Public meeting Minutes #1 of May 28, 2013 – Deferred - Davis was not present at this meeting.
- Non-Public meeting Minutes #2 of May 28, 2013 – Davis **moved** to approve the non-public Minutes #2 of May 28, 2013, seconded by Colby, and all were in favor. ***Motion passed.***
- Non-Public meeting Minutes #3 of May 28, 2013 – Davis **moved** to approve the non-public meeting Minutes #3 of May 28, 2013, with a second from Colby and all were in favor. ***Motion passed.***
- Non-Public meeting Minutes #1 and #2 of May 31, 2013 - Davis **moved** to approve the non-public meeting Minutes of May 31, 2013, with a second from Colby and all were in favor. ***Motion passed.***
- Non-Public meeting Minutes of June 3, 2013 - Deferred - Colby was not present at this meeting.

NEW BUSINESS

Order to remove or repair structure, 1115 West Swanzev RD (Map 88, Lot 40).

Code Enforcement Officer Chet Greenwood joined the meeting at 6:14 p.m. to discuss with the Board actions needed to remove or repair a building in serious disrepair caused by fire. RSA 155-B:2 (Repair or Removal of Hazardous Building) provides that “(th)e governing body of any city or town may order the owner of any hazardous building within the municipality to correct the hazardous condition of such building or to raze or remove the same”. A Hazardous Building is defined as “any building which, because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health”.

O’Keefe said the building was burned in a case of arson. He said that he checked with the Swanzev Police Department and learned that there would be no issue with demolition. Colby asked Greenwood what action the Board needed to take in order to demolish the building. Greenwood said the building would be condemned and the owner sent certified mail giving him/her sixty (60) or ninety (90) days to deal with the situation. Davis said the building has been like it is for quite a while. Davis said sixty (60) days should be sufficient. O’Keefe suggested the Town Attorney do the necessary work. Greenwood pointed out that there are children next door and there is an outdoor above ground pool at the location which makes it an attractive nuisance. **Motion** by Davis, pursuant to RSA 155-B:2, to have the Town Attorney notify the homeowner to correct the hazardous building within sixty (60) days, second by Colby, all in favor. ***Motion passed.***

Greenwood will work with the Town Attorney and O'Keefe to follow through. He left the meeting at 6:23 p.m.

Accept unanticipated funds per RSA 31:95-b.

The Board was asked to accept the following amounts as donations to Whitcomb Hall:

- \$50.00 from Irene C. Miller
- \$50.00 from Gary & Cathleen Puffer
- \$50.00 from Scott & Jeanine Self
- \$100.00 from Harry & Sandy Lafreniere

Davis **moved** to accept the unanticipated funds of \$50.00 from Irene C. Miller, \$50.00 from Gary & Cathleen Puffer, \$50.00 from Scott & Jeanine Self, and \$100.00 from Harry & Sandy Lafreniere, and remit them to Trustees of Trust Funds to be held in the Whitcomb Hall Non-Restricted Fund trust account established on March 19, 2013, second by Colby, all were in favor. **Motion passed.**

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

The Board was asked to accept a check in the amount of \$250.00 from Keene Chrysler Dodge Jeep, Inc. as a donation to the Ashuelot Rail Trail project and to vote to expend these funds on the project as well. Davis made the **motion** to accept and expend unanticipated funds of \$250.00 from Keene Chrysler Dodge Jeep, Inc. per RSA 31:95-b as a donation to the Ashuelot Rail Trail project, which was seconded by Colby, all were in favor. **Motion passed.**

Whitcomb Hall matters.

The Whitcomb Hall Committee requested permission to post a fundraising sign at Whitcomb Hall and also to hold a barbecue (BBQ) fundraiser there on August 24, 2013.

O'Keefe noted there needs to be an event permit. Colby asked about the size of the sign. O'Keefe noted that it would likely be a large sign. Davis said it would be a temporary sign so it doesn't fall under the permanent sign regulations. O'Keefe noted that the Town is exempt from the sign regulations. Davis **moved** to allow the Whitcomb Hall Committee to post a fundraising sign for rebuilding Whitcomb Hall, and to use the Hall for a BBQ fundraiser on August 24, 2013. Second by Colby, all were in favor. **Motion passed.**

CITIZEN CONCERNS

Brian Bates and two of his sons joined the meeting at 6:32 p.m. , along with Health Officer Beth Anne Tatro, to discuss the on-going clean up of his property on Old Homestead Avenue. Bates reported that the cans that were on the property have been removed. Colby asked Bates the amount of time his family needs to get the cleanup finished. Bates responded, "about thirty (30) days."

Bates said that he was told by someone at the Recycling Center to back off on the volume of trash being brought to the Recycling Center. Recycling Center Assistant Solid Waste Manager Steve Stewart allegedly told one of the Bates sons that "that is it for the day". The complaint from the Recycling Center folks appeared to be about the number of loads per day they were bringing in. Colby asked Bates when he would next be available to go to the Recycling Center; Bates hesitated and then said he thought it would be the 8th of June. Colby suggested that O'Keefe speak to the new Manager at the Recycling Center, Bob Osterhout, and somehow make arrangements to meet Osterhout so that everyone is in agreement as to what has to be done to complete the cleanup. Davis said that there should not be a limit on what can be brought in. Colby said that all three of the Bates men should meet with Bob so that he knows what is coming from their Homestead Avenue property.

Tatro spoke about the Bates family needing to remove tires from the property. Bates said that he might be getting rid of the tires somewhere else. Bates said that the family is trying. Colby said he wanted to go on record that by July 4, 2013, the property will be cleaned up. Bates said that the delay in getting the job done is at the Recycling Center. O'Keefe said the Town can issue a new letter to help the family utilize the Recycling Center as needed. Davis said that she also wants to see the job done. Bates' son said he put an effort in because the Board was respectful in how they asked them to do the cleanup.

Tatro noted that the Bates have fewer dogs now. They are down to four or five dogs as opposed to the eleven they had in the past.

Colby repeated that he is willing to provide a new letter to the Bates family for use at the Recycling Center with a deadline of July 4, 2013, at which time the letter is null and void. The Board agreed to grant the Bates family an extra thirty (30) days to get the property cleaned up. Bates asked about his plows on the property. Plows are not a problem said Colby. Davis said it's not what is in the yard, but how orderly it is kept and how it looks to the neighbors.

Tatro offered to take the cost for removing the tires from the Bates property out of her educational budget. Brian Bates said the tires will be recycled. The backup plan will be to take up on Tatro's offer. Bates said he would sure to introduce himself to Bob Osterhout. Bates will stop by the Recycling Center tomorrow (June 5, 2013) before closing. O'Keefe provided Brian Bates with a letter to Osterhout. The Bates family left at 6:51 p.m.

Health Officer Concerns

O'Keefe informed Tatro about the property discussed earlier in the meeting with Greenwood that was burned and needs to be razed because it is a hazard. Tatro said she would call Greenwood tomorrow (June 5, 2013) to discuss the situation.

Tatro then told the Board that Swanzey has a hoarder.

Non-public Session #1 – RSA 91-A:3II(c), Reputation

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(c) Reputation, seconded by Colby. 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 Administrator O'Keefe and Recording Secretary Bernard and Health Officer Beth Ann Tatro.

Motion by Davis to seal the minutes of the non-public session. Second by Dolby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Davis to leave non-public session and return to public session. Second by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:05 p.m.

Abatement requests for 2012 & 2013.

Assessing Coordinator Amy Bush joined the meeting at 7:04 p.m. The Board was asked to review and consider abatements of assessed values. A table of properties and recommendations was included in the meeting packet as follows:

**2012 ABATEMENT APPLICATIONS, 2013 ASSESSMENT CORRECTIONS
2012 TAX YEAR**

Name	Address	Map	Lot	Recommended Action	Amount Abated	Notes
Nicholas Raymond	6 Kendall Lane	40	3-8	DENY	-	Assessed value of 6 Kendall is accurate with respect to houses on the same street, and aligns with Swanzey's equalization ratio
Norman & Denise Hassell	101 Partridgeberry Lane	41	42	DENY	-	The assessed value aligns with Swanzey's equalization ratio
Russell & Nancy Gocht	46 East Shore Road	45	12	ACCEPT	\$58,600	This is the abatement offered during settlement proceedings for 2011 Abatement appeal in February 2012
Jeffrey & Carin Redding	52 East Shore Road	45	13	ACCEPT	\$32,500	This is the abatement offered during settlement proceedings for 2011 Abatement appeal in February 2012
Donald Haney	80 Winch Hill Road	62	12	ACCEPT	\$24,400	Abatement amount reflects BOS decision on 2011 abatement from Mr. Haney
Gail Burgess	133 Homestead Ave	59	6	DISCUSS	\$4,900	Consider adding 3 points of external obsolescence to her assessment to account for adverse effects on sale price due to property next door

2013 TAX YEAR

Name	Address	Map	Lot	Amount Abated	Notes
Lori Guyette	30 Joslin Rd	18	294	\$20,400	Abate original assessment to correct under supplemental warrant with new assessment
James & Stephanie Konopka	18 Day Road	32	27	\$1,100	Correction of acreage to reflect survey
Russell & Nancy Gocht	46 East Shore Road	45	12	\$58,600	To carry over 2012 decision into 2013 tax year
Jeffrey & Carin Redding	52 East Shore Road	45	13	\$32,500	To carry over 2012 decision into 2013 tax year
Gail Burgess	133 Homestead Ave	59	6	\$4,900	To carry over 2012 decision into 2013 tax year
Mike Gomarlo	100 Cram Hill Road	68	10	\$20,020	Corrected to reflect BOS decision in September 2012

The discussion began with Bush stating that the denials were clear and letters were drafted for the owners clarifying the reasoning for the denials. Bush also noted that the listing for Gocht and Redding formalized the abatement decisions made in 2012.

Bush went on to discuss the Burgess property at 133 Homestead Ave. She said that External Obsolescence could be offered but that is usually for some permanent structure. Colby noted that Burgess' concern is because of a neighborhood situation. (The Burgess property abuts a property that has been unsightly and unsanitary, but which is in the process of being cleaned up). If that situation is improving, the Town won't need to provide abatement to Burgess. He said perhaps abatement could be issued for 2012 for but for 2013; the situation may have improved. Bush suggested \$4,900 abatement. Davis said it is reasonable and it was agreed to give her an abatement of \$4,900 for 2012, and not to be carried over to 2013 because of the cleanup that is going on in the neighborhood. There was a **motion** by Davis to grant a \$4,900 abatement to Burgess for property at 133 Homestead Avenue for tax year 2012 by adding 3 points of external obsolescence to her assessment to account for adverse effect on sale price due to property next door, second by Colby, all were in favor. **Motion passed.** Bush will draft a letter to Burgess explaining the reason for denial of abatement for 2013.

Bush went on to discuss the situation of property of Guyette at 30 Joslin Road. There is now has a house on the property with a new assessment. Bush recommended abating the original assessment to correct it under supplemental warrant with new assessment. Abatement wasn't put into the system originally. This course of action will abate the original assessment entirely and provide an entirely new assessment.

Bush suggested that perhaps the postal number for the building needs to be changed. A discussion was held regarding the numbering of the building as to whether or not the numbering was correct. Bush said she would discuss the numbering protocol with Chet Greenwood.

Bush went on to indicate that the entries for Guyette, Konopka, and Gomarlo were "housekeeping" entries in keeping with decisions made by the Board in 2012. After the discussion the Board signed the letters to be mailed out to property owners.

Non-public Session #2 – RSA 91-A:3II(c), Reputation

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(c) Reputation, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:26 p.m. **Motion passed.** Present were the Board members, Town Administrator O'Keefe and Recording Secretary Bernard, and Assessing Coordinator Amy Bush.

Motion by Davis to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Davis to leave non-public session and return to public session. Second by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:28 p.m.

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

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(c) Reputation, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:29 p.m. **Motion passed.** Present were the Board members, Town Administrator O'Keefe and Recording Secretary Bernard, and Assessing Coordinator Amy Bush.

Motion by Davis to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Davis to leave non-public session and return to public session. Second by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:39 p.m.

Bush left the meeting at 7:40 p.m.

OTHER MATTERS

Request by Wright Family for a handicapped ramp

O'Keefe informed the Board regarding the Wright family request to build a handicapped ramp for property at 4 North Maple Street. The property owner has requested a variance of the Zoning Board of Adjustment (ZBA) for the ramp and that request will be on the agenda of the next ZBA meeting.

Request to hold a Whiffle Ball tournament at Brown Field

O'Keefe informed the Board that Jonathan Marsh wants to hold a Whiffle Ball tournament at Brown Field, which is owned by the Town. O'Keefe asked the Board who would be the person to arrange for such an event at the field and he was told by a Board member that Tom Little does the scheduling for use of Brown Field. There should be an agreement with Little for his scheduling of use for the field. O'Keefe made a note to himself to discuss with Little.

Email addresses and passwords for Employees of the Town

O'Keefe informed the Board and Bernard that some Town employees and all board and committee members will soon be receiving new email addresses to be used when communicating on Town business per the Board's Information Technology Policy. He requested that Davis, Colby and Bernard provide passwords for the new email addresses, which they did. He will contact Nancy Carlson separately.

New Hire for part-time life guard for summer

O'Keefe informed the Board that a young man is coming in to Town Hall to be hired as a part-time life guard for this summer. O'Keefe said that the hiring discussion needs to be under non-public since there has to be a conditional offer for a hire of someone new. O'Keefe said a written offer is required by law for anyone who gets hired. The Board has to state the terms of employment.

Non-public Session #1 – RSA 91-A:3II(b), Hiring

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(b) Hiring, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:46 p.m. **Motion passed.** Present were the Board members, Town Administrator O'Keefe, and Recording Secretary Bernard.

Motion by Davis to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Davis to leave non-public session and return to public session. Second by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:51 p.m.

Authorize expenditure(s) over \$1,000 – Town Administrator.

O'Keefe wishes to attend the annual meeting of the International City Manager's Association, which is scheduled for September 22 - 25, 2013 in Boston, Massachusetts. He asked the Board to approve this expenditure. The Board postponed a decision until Carlson can be present.

Capital Improvement Committee Report

O'Keefe reported on his efforts to recruit members for the Capital Improvement Committee. O'Keefe contacted Dave Osgood who agreed to serve on the committee. O'Keefe said he could not reach Clarence Tenney. Others who have agreed to serve are Deborah J. Davis, and Larry Crowder.

Emergency Management Manager Bruce Bohannon joined the meeting at 7:58 p.m. and was asked if he might be willing to serve on the committee and he agreed to do so. Bohannon suggested Charlie Sheaff be asked to join the committee. O'Keefe said he would contact him. Bud Windsor was also suggested.

Vermont Yankee Graded Exercise

Bohannon reminded the Board that June 5, 2013 (tomorrow) is the date for the Vermont Yankee graded emergency response exercise. Colby said he would be attending but Davis will be working. Bohannon informed the Board that the dispatcher will be calling the list of emergency contacts. Colby and Davis said that they did not get a call for the last exercise. Bohannon said this one will be a good test of the call list. Bob Perrot will be making the calls and he is not the dispatcher who has handled it in the past. O'Keefe said he is available to be on call. Bohannon said lunch will be served and the Board will need to show an ID, or driver's license with photo to enter the facility. Bohannon said that if the dispatcher cannot reach the Board by phone, then he/she is supposed to get hold of the people on the contact list physically, which would mean coming to the home or business listed to locate the individual. Bohannon left the meeting at 8:07 p.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.**

- Event Permit #2013-18. Cheshire Fair Association – Horse Dressage Show on 7/19/2013 – 7/21/2013 at the Cheshire Fairgrounds. No police services required.
- Raffle Permit #2013-16. Disabled American veterans, Chapter 21 – Raffling off I-Pad & gift cards on 8/4/2013 at the Cheshire Fairgrounds.
- Supplemental Property Tax Levy – \$3,028.

ADJOURNMENT – **Motion** at 8:15 p.m. by Davis to adjourn the meeting, seconded by Colby. All were in favor. **Motion passed.**

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on June 11, 2013.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #4 – June 4, 2013

Non-public Session – RSA 91-A:3II(b), Hiring

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(b) Hiring, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:46 p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe, and Recording Secretary Bernard.

Josh Tuller has applied for a part-time life guard position just on weekends. The position pays \$8.00 per hour, based on current life guard pay rate. Colby said that if the Board has to go through the required paperwork, then the Board should be thorough in checking his background. **Motion** was made by Davis to authorize O’Keefe to execute a conditional offer of employment and a Personnel Action Report (PAR) for Josh Tuller, second by Colby, all were in favor. **Motion passed.**

Motion by Davis to seal the minutes of the non-public session. Second by Colby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Davis to leave non-public session and return to public session. Second by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:51 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on June 11, 2013.

These Minutes unsealed by the Board of Selectmen on January 28, 2014.