

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – June 18, 2013  
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

**CALL TO ORDER**

Present were Selectmen Nancy L. Carlson, Kenneth P. Colby, Jr. The meeting was called to order by Chair Nancy L. Carlson at 6:07 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

**OTHERS PRESENT**

Mike & Resa Vazquez, Police Chief Tom DeAngelis

**MINUTES**

- Regular meeting(s) of June 10, 2013 & June 11, 2013 – deferred to next meeting
- Non-Public meeting(s) of June 10, 2013 – deferred to next meeting

**NOMINATIONS**

The Board had discussed appointing members to the Capital Improvement Program (CIP) Committee to help address the need to analyze and make recommendations on space requirements of various Town departments. Establishment of this 7-member committee was approved at the 2006 Town Meeting (Art. 5) per RSA 674:5

The following individuals had expressed an interest in serving:

Deb Davis	Francis Faulkner	Bruce Bohannon	David Osgood
Larry Crowder	Charlie Sheaff	Greg Johnson	Steve Bittel
Jeff Goller			

*The Town Administrator recommended that the Board vote to appoint members as follows:*

- *2 members to Town Meeting 2014*
- *3 members to Town Meeting 2015 (including Planning Board member)*
- *2 members to Town Meeting 2016*

The Board discussed the candidates and the need for a Selectman to be involved to present the options and needs of the Town. O’Keefe suggested Davis be involved as a non-voting member of the committee, to be there in an advisory capacity.

**Motion** was made by Davis, with a second by Colby to appoint the following to the Capital Improvement Program (CIP) Committee: Faulkner and Crowder with terms to end at Town Meeting 2016, Bittel, Sheaff and Goller with terms to end at Town Meeting 2015, and Bohannon and Osgood with terms to end at Town Meeting 2014. All were in favor. Motion ***passed.***

The Board agreed that the CIP should meet within the next two weeks. Carlson suggested that the Board provide them with building drawings and input from the Department Heads. O’Keefe suggested bringing in someone professionally to assist the CIP. Carlson said before the Town brings in a professional to assist in the process, the Town needs to know what is to be achieved and in what timeframe. Colby said the CIP can start with the engineering report on Town Hall. Colby said all the Town facilities need to be

ted in for planning purposes. Carlson agreed that the Town will need to hire someone professionally to ask the right questions about what is minimally needed.

### **CITIZENS CONCERNS**

Mike & Resa Vazquez presented a request to the Board to light off fireworks at the dam at Upper Wilson Pond. Mr. Vazquez said that Chief Skantze told him the property is owned by the Town and therefore would first need approval from the Board.

Carlson asked how large a display was involved. Mike Vazquez responded that about \$200.00 worth of shooting rockets is planned, and he stated that this wouldn't be very many given the price of the rockets. Colby asked if the fireworks were to be purchased in New Hampshire, which is a requirement of the State of New Hampshire if they are to be fired within the State. The response was that they would be purchased in the State. The plan is to fire the rockets over the pond which would make for a safer display.

O'Keefe noted that there are liability issues involved and the Local Government Center (LGC) recommended that unless a Town event is planned, the Town should not permit a private citizen to use Town property for this kind of activity due to the fact that granting approval would make the Town liable for any injuries that might occur during the event.

Colby pointed out that if the Vazquez family set off fireworks on their property, it wouldn't be an issue for the Town. However, the property owner has a duty to ensure the safety of the participants. Mr. Vazquez asked about the liability for the Town pertinent to people who fish in the pond from the dam location. Vazquez was informed that since fishermen do not get permission to use Town property for fishing, then the Town would not be liable in case of injury. Carlson told Vazquez that the Town can't allow the fireworks on Town property, but if they have them in their own backyard, they do not need permission from the Board of Selectmen; what is required is a permit from the Fire Chief. O'Keefe noted that the Chief would be at Town Hall at 7:00 p.m. and if Mr. and Mrs. Vazquez wanted to see him they were welcome to wait for him.

Police Chief DeAngelis was asked for input. He said the Vazquez's should check with the neighbors to make sure they are okay with the activity, quit at a decent time which would be 10:00 p.m. unless it is a holiday then it is 11:00 p.m. Mr. Vazquez asked about the possibility of them purchasing the fireworks and having the Fire Department set them off. The Board told him there is still the problem of the Town owning the land and having liability. Mr. Vazquez said he understood the Town's position and then he and Mrs. Vazquez left 6:18 p.m.

### **Non-public session(s) per RSA 91-A:3II(b), Hiring of Public Employee(s).**

The Selectmen voted unanimously by roll call to go into non-public session at 6:19p.m. **Motion passed.** Present were the Board members, Town Administrator O'Keefe, Recording Secretary Bernard and Police Chief Tom DeAngelis.

**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 6:29 p.m.

## **NEW BUSINESS**

### **Police special detail rates.**

Following up on a discussion on special detail rates for the Police Department held on May 21, 2013, Chief DeAngelis provided new rates for consideration by the Board. The new rates reflected a \$2.50 per hour increase for cruiser expense, while officer and administrative changes remained unchanged.

A discussion ensued regarding the detail work done by the Police Department for events that impact local roads. DeAngelis asked the Board for permission to increase the cruiser rate by \$2.50 to \$12.50 per hour. The money could go into a cruiser account for buying cruisers in the future or into a new account for purchasing cruiser equipment. Davis and Carlson said DeAngelis might want a separate account. O'Keefe said the Board could go to the voters with a warrant article to allow for this portion to go into the existing Police Cruiser Capital Reserve Fund, or to establish a separate Capital Reserve or Expendable Trust fund for departmental equipment purposes. Right now there are expense and revenue line items in the General Fund budget for police detail work. DeAngelis noted that Louder wanted to put the extra \$2.50 into the fuel account. Colby said that the money should be allotted for both gas and wear and tear on the cruiser, not just for gas. O'Keefe said he could sit down with Louder and DeAngelis to discuss further.

**Motion** by Colby, with a second by Davis to increase the cruiser portion of the detail rate by \$2.50. All were in favor. ***Motion passed.***

### **Crime report**

DeAngelis provided the Board with a quarterly report on miscellaneous police activity for the months of March 16, 2013 through June 13, 2013. His report contained a comparison to the same period during year 2012. Statistically, he noted, the Town is seeing a rise in 2013, coming out of a lull from the previous year. He noted that the Market Basket grocery store is drawing in large numbers of regional shoppers and is creating a crime problem. He noted there have been purse snatchers at the store.

### **School Resource Officer (SRO) Update**

DeAngelis informed the Board that the School Board is meeting tonight to vote on whether or not to provide an SRO. There was a brief discussion about the reporting in the Keene Sentinel about this issue and Colby said if Reporter Megan Foley wants to report on activity in Swanzey, she needs to appear in person.

DeAngelis left at 6:51 p.m.

Town Planner Sara Carbonneau joined the meeting at 6:52 p.m.

### **Request for waiver of travel expense policy.**

Carbonneau joined the meeting to request of the Board a waiver for the applicable policy regarding lodging expenses for her attendance at the fall conference of the Northern New England Chapter of the American Planning Association in Meredith, New Hampshire on September 19, 2013 to September 20, 2013. The Town's policy on Conference, Meeting and Training Travel Expenses, approved by the Board on May 2, 2007 provides, in part, as follows:

*D. Lodging: Lodging may be paid by the Town when travel exceeds two (2) hours one way and the program begins prior to 8:00 a.m. or extends past 10:00 p.m. or when the program consists of two (2) or more consecutive days and the one-way travel exceeds two (2) hours.*

The two-day training event is slightly less than a two-hour drive away when taking the most direct route. Carbonneau noted that she could make the drive more than two hours simply by taking a more circuitous route. Carlson asked how much would be required for lodging and Carbonneau said about \$150.00 per night at Mill Falls Inn. A discussion was held regarding using a distance requirement instead of a time requirement for these kinds of expenses. Colby said the policy should read ninety (90) miles as a requirement instead of a two hour requirement. Making this change would render the waiver request unnecessary.

Colby **moved** to modify the Town's policy on Conference, Meeting and Training Travel Expenses such that it reads, "D. Lodging: Lodging may be paid by the Town when travel exceeds 90 miles one way and the program begins prior to 8:00 a.m. or extends past 10:00 p.m. or when the program consists of two (2) or more consecutive days and the one-way travel exceeds 90 miles.: The motion was seconded by Davis, and all were in favor. **Motion passed.**

#### **Open space leasehold acquisition by Town (Map 72, Lot 29).**

Carbonneau discussed with the Board possibilities for a leasehold interest and future use of property along the Ashuelot River owned by Swanzey Township Housing Association at the foot of the Thompson Covered Bridge. The Town was granted authority to accept this property at the 2004 Town Meeting (Art. 6). At one point, the Town was supposed to receive six (6) or seven (7) acres of the property by conveyance. The deal was never completed to convey the property to the Town due to the owners' financing restriction with the property.

The Main Street Advisory Committee has expressed interest in making the property available as a river walk. Carbonneau explained that since tax credits were used to finance the housing project, the value of the property cannot decrease during a fifteen (15) year period, so a conveyance in 2013 won't work. A leasehold interest would work according to Southwest Community Services. Conveying the property in 2019 or 2020 (approximately seven years from now) could occur if leasehold can work for the interim period prior to 2020. She repeated that the option to purchase doesn't work because of the tax credit requirements. Colby said the Town should try to work out something now. Carbonneau said there were six (6) acres included in the plan originally, but perhaps the Town doesn't need all the property, maybe just take five hundred (500) foot shoreline. Colby said he thought it best not to complicate the situation by changing the acreage and it would be best to keep it at six (6) or seven (7) acres. Details need to be worked out as to what can be done. The Board agreed to discuss the options further with Town Counsel Sam Bradley.

Carbonneau left the meeting at 7:09 p.m.

Fire Chief Norm Skantze joined the meeting at 7:10 p.m. along with Robert DiLuzio, Jr. representing DiLuzio Ambulance.

#### **Ambulance Service Contract.**

Fire Chief Norm Skantze discussed with the Board the triennial ambulance service contract with DiLuzio Ambulance, which expires soon. He noted that the contract is basically the same as prior years. Robert Diluzio, Jr. said the cost of the new contract is \$33,000 per year. Last year it was \$32,500 per year. The contract requires quarterly payments.

Davis **moved** to approve the contract for ambulance services from DiLuzio Ambulance for three years at \$33,000 per year with effective date of July 1, 2013, second by Colby, all in favor. **Motion passed.** The Board signed the contract.

DiLuzio left the meeting at 7:17 p.m.

#### **Authorize expenditure(s) over \$1,000 – Fire Department.**

The Board was asked to authorize expenditure of over \$1,000 for various Fire Department purchases by Fire Chief Norm Skantze.

Chief Skantze presented the Board with two purchase orders. One was for pump maintenance and pump service and the testing. He pointed to Line item 2660 in the Town budget and said the account has \$9,937.00 for Vehicle Maintenance and Repair. He is requesting \$3,160.000 for New England Fire Equipment & Apparatus Corporation to perform pump maintenance, service, and testing.

Davis **moved** to approve expenditure of \$3,160.00 for pump maintenance, service and testing from New England Fire Equipment & Apparatus Corporation to be funded from the Vehicle Maintenance and Repair account. Colby seconded the motion and all were in favor. **Motion passed.**

The second request was for expenditure to install washing machines and a dryer for laundering of turnout gear. Pinney Plumbing & Heating of West Swanzey has proposed installation at a cost of \$1,580.00. The washing machines and dryer have been donated to the Town for use in the fire house. The expense would come out of line item 8630, Building Maintenance, which has \$1,800.00 in the account currently. Skantze noted that Pinney is familiar with the fire house buildings since he has done work in them in the past and because of this familiarity it is expected that the work will be completed more efficiently than if a vendor unfamiliar with the building were to be selected.

Colby **moved** to approve the expenditure of \$1,580.00 for installation of washing machines and dryer and laundry tub at the West Swanzey Fire Station by Pinney Plumbing & Heating of West Swanzey, second by Davis, all were in favor. **Motion passed.**

#### **Discussion on Fireworks**

Chief Skantze reported that there is now information on the Town website for those interested in lighting off fireworks. The website includes information about the permit, the ordinance, the enforcement, and the application itself, with a checklist. People are beginning to understand how they can get a fireworks permit. They can download the application, and then go to the fire station armed with all that is needed to complete the process. As for enforcement, Skantze reported that the department is printing up infraction warnings for distribution since a fine cannot be levied for infractions until people have been warned about the rules for fireworks usage.

#### **Dry hydrant**

Chief Skantze passed out a site plan from Benchmark Engineering, Londonderry, New Hampshire for proposed risers for dry hydrants on the West Swanzey Athletic Association property near the former Homestead Woolen Mills building in West Swanzey. He said the Brown family is paying for the engineering costs for one hydrant through a State grant. Skantze said the Town could add a second hydrant, which would provide a better water supply to augment the existing supply.

Skantze asked the Board to authorize a Request for Proposal (RFP) for getting bids on the fire pond so there is some consistency on responses from bidders. The Board asked Skantze to pursue this. He also reported that the East Swanzey fire station roof is done.

**Resolution for establishment of non-restricted fund.**

In response to recent donations to the Open Space Committee due to the passing of Jean Blood, the Board was asked to formally establish a new non-restricted fund for donations to the Town for Open Space preservation and protection. A resolution for this action was included in the meeting packet for adoption by the Board. This resolution is nearly identical to those recently adopted establishing accounts for Whitcomb Hall donations and Old Home Day donations.

Davis **moved** to establish an Open Space Preservation and Protection Non-restricted Fund trust account for the purpose of accepting gifts, donations and legacies made to the Town of Swanzey for the benefit of open space preservation and protection activities, and to execute a resolution setting forth the particulars of this fund. Colby seconded the motion and all were in favor. **Motion passed.**

**Accept unanticipated funds per RSA 31:95-b. (#1)**

The Board was asked to accept checks as follows, totaling \$4,950.00, as donations to Whitcomb Hall:

- \$2,500.00 from Mr. & Mrs. John A. Hubbard
- \$500.00 from Jane P. Skofield
- \$50.00 from Pine Grove MHP Co-Op, Inc.
- \$1,000.00 from Robert P. Hubbard
- \$100.00 from Homer S. Bradley, Jr.
- \$50.00 from Gerald & Shirley Bell
- \$500.00 from the Bridges Inn at Whitcomb House
- \$250.00 from Bittel Financial Advisors, Inc.

Colby **moved** to accept the funds as listed and to 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. Davis seconded the motion and all were in favor. **Motion passed.**

**Accept unanticipated funds per RSA 31:95-b (#2)**

The Board was asked to accept checks as follows, totaling \$190.00 as donations to the Open Space Committee in memory of Jean Blood:

- \$50.00 from Sara Carbonneau (given directly to Town Administrator O'Keefe)
- \$25.00 from Linda Farina
- \$50.00 from Beth and Bruce Fox
- \$25.00 from Harriet H. Morris
- \$20.00 from Mike and Grace Lilly
- \$30.00 from Theresa DiLuzio

Colby **moved** to accept the funds as listed and to remit them to the custody of the Trustees of Trust Funds to be held in the Open Space Preservation and Protection Non-restricted Fund trust account established on June 18, 2013. Davis seconded the motion and all were in favor. **Motion passed.**

## **OTHER MATTERS**

**Update on E911 Road Renaming Process.** Following up on the Board's request from the previous meeting, O'Keefe gave a summary of the status of the road renaming process, including providing the Board with a copy of the 2011 ordinance which was passed regarding road naming. Road name changes were suggested by a committee appointed by the Board back in the fall of 2010. O'Keefe said the committee should reconnect and affirm the list, then talk to the Board, and then public hearings need to be held. Carlson said that she thought the State had the list of changes. O'Keefe said that the State is waiting for the Town to respond, but Carlson said the State sat in meeting with the Board sometime in 2010, and said they would be following up. O'Keefe was asked to reassemble the committee to restart the process.

### **Dumping on Kempton Road property**

Colby reported that a homeowner on Kempton Road called him to ask what to do about someone dumping on that road. Colby referred him to the Chief of Police.

### **Incident at the Recycling Center**

A resident lady called Colby and reported an incident at the Recycling Center describing a "big burly guy" who is not an employee of the Town, weighing 280 lbs by her estimate, who gave her difficulty at the Recycling Center. She reported that the man also went to someone at the Recycling Center to complain about her. It seems that he didn't like where she was parking her car to access the collection windows. O'Keefe said that she could have complained to Recycling Center Manager Bob Osterhout.

### **Update on demolition work at the former West Swanzey Athletic Association building**

O'Keefe reported that all asbestos has been removed from the building and demolition has begun.

### **Cobble Hill Bridge Repair work update**

O'Keefe reported that Director of Public Works Lee Dunham called O'Keefe to tell him that he had received word that First Student Transportation will not be putting school buses on Cobble Hill Road during bridge work. There has been an oversized crane on the site. Carlson said the lights are on at night (red lights), instead of flashing light at night. O'Keefe said he will talk to Lee Dunham about these concerns.

### **Stop Signs at Covered Bridges**

There was a very brief discussion about the Stop signs on the covered bridges in town noting that the Thompson Bridge has no signs at all while the Cresson Bridge has a yield sign and a stop sign. The State of New Hampshire controls the roadway and signage at the Cresson Bridge and the State says there is a visibility problem from Matthews Road due to the angle of the bridge and therefore safer with one Stop sign instead of two.

### **Vacation Plans for O'Keefe**

O'Keefe discussed his plan to take vacation the weeks of July 29, 2013, August 5, 2013 and August 19, 2013. The Board had no objections.

### **Town Email Updated**

Colby said that there are some problems arising with the new email addresses requiring use of an internet browser. He said he has had a problem using Internet Explorer. O'Keefe suggested EMF, Inc. send in support personnel to a meeting with the Board to discuss the changes. The Board agreed to do have O'Keefe invite EMF, Inc. to the next Board meeting for this purpose.

**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.**

- Raffle Permit #2013-24. Cold River materials – raffle of bikes and bike helmets on 7/20/2013 at Old Home Day.
- Event Permit #2013-21. Old Homestead Association – Summer band concert series at the Potash Bowl on the evenings of 6/21, 6/28, 7/5, & 7/12.
- Notice of Intent to Cut Wood or Timber. Meadowsend Timberlands Ltd., Map 90, Lots 3 & 4 and Map 91, Lot 3.
- Letter to GG Lilly regarding Conservation Commission related to the Riley Conservation Area.

**ADJOURNMENT** – **Motion** at 8:05 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 25, 2013.

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Non-Public Meeting Minutes – June 18, 2013

**Non-public session(s) per RSA 91-A:3II(b), Hiring of Public Employee(s).**

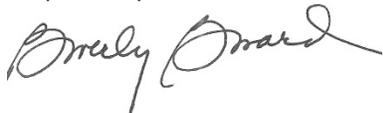
The Selectmen voted unanimously by roll call to go into non-public session at 6:19p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe and Recording Secretary Bernard and Police Chief Tom DeAngelis.

Police Chief Tom DeAngelis met with the Board to discuss hiring of a new officer. The Chief passed out copies of the resume for candidate Andrew K. Lippincott. DeAngelis said that this candidate is a superior candidate who has a great desire to become a cop. He has a criminal justice degree. He will need to get through the Police Academy, and would enter in September and be there for fourteen (14) weeks. DeAngelis assured the Board that training costs have already been budgeted. DeAngelis noted that the State of New Hampshire is one of the few states that continue to provide a military style police academy.

**Motion** by Colby, based on recommendation of the Police Chief, to authorize Chief DeAngelis to make Andrew Lippincott a conditional offer with a three year contract having a start date of July 24, 2013 at a wage of \$19.25 per hour and subject to satisfactory completion of background check, psychological test, reimbursement agreement, and successful completion of police officer training at the State of New Hampshire police academy, and to authorize Town Administrator O’Keefe to complete the Personnel Action Request (PAR) form. The motion was seconded by Davis. 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 6:29 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on June 25, 2013.

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