

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – July 9, 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 L. Carlson at 6:10 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

OTHERS PRESENT

Residents Jonathan Hoden and John Blood, and Public Works Director Lee Dunham

MINUTES

- Regular meeting(s) of June 10, 2013 – Colby **moved** to accept the minutes of June 10, 2013, seconded by Carlson, and all were in favor. ***Motion passed.***
- Regular meeting of June 25-27, 2013. Colby **moved** to accept the minutes of June 25-27, 2013, seconded by Davis, and all were in favor. ***Motion passed.***
- Regular meeting of July 2, 2013. Colby **moved** to accept the minutes of July 2, 2013 Davis seconded. All were in favor. ***Motion passed.***
- Non-Public meeting(s) of July 2, 2013 Colby made a **motion** to accept the non-public minutes of July 2, 2013, Davis seconded, and all were in favor. ***Motion passed.***

CONFIRMATIONS

Health Officer

Paperwork for reappointment of Beth Anne Tatro as Town Health Officer was available for the Board to review and execute. O’Keefe discussed Tatro’s email address and suggested that she should have a Town email address. Carlson pointed out that the Board recommends her work, but it is the State of New Hampshire who certifies it. Beth Ann will come back to sign it the paperwork on Wednesday, July 10, 2013.

Colby **moved** to renew the appointment of Beth Anne Tatro as Town of Swanzey Health Officer, Davis seconded, and all were in favor. ***Motion passed.***

OLD BUSINESS

Use of Lane Fields by Cal Ripken League

Jonathan Hoden representing the Cal Ripken youth baseball program was present to meet with the Board to expedite finalization of arrangements for use and improvements at the Lane Fields on South Road. In addition John Blood, nearby resident to the Lane Fields, was present to discuss the possibility of having “No Parking” signs on Mill Lane, which abuts the site. Blood said his concern is getting emergency traffic through the parked cars which are parking on both sides of the road and blocking traffic up Mill Lane. Blood said he has no concerns regarding ball playing, but there are trash and parking issues. Blood said he is afraid an ambulance would not be able to get through to someone further up the Mill Lane past the playing fields because of the way ball field patrons are parking on the road impeding the flow of traffic. Dunham said a Public Hearing has to be held in order to approve “No Parking” signs as enforceable.

After listening to Blood and Dunham, Carlson said that the Town can hold a Public Hearing and request

the signs. The Town will schedule the Public Hearing and notice of the Public Hearing will appear in the Keene Sentinel newspaper. O'Keefe said he would notify the neighbors. Blood left the meeting at 6:21 p.m.

Jon Hoden continued his discussion with the Board with a review of the draft Lane Fields Use Agreement with the Swanzey Cal Ripken League. A discussion was held about the naming of the fields on the document and how the land for the fields was obtained. Hoden said the sign on the property says "South Road Fields". O'Keefe said he could put the tax map lot number on the document. Carlson suggested it be called Lane Field Complex. Colby agreed with Carlson that Lane Field Complex which incorporates all of the named fields within the complex is appropriate for the document.

Hoden asked for a definition of "dusk" since it is used in the document pertaining to how long activity is permitted on the fields. Hoden said that there are activities past "dusk". Colby suggested "sunset" be used instead, and add an hour past sunset in the document for cleanup activity.

Hoden then raised an issue regarding the dimensions of the fields which do not align with today's baseball rules. Hoden said that with a realignment of the fields it might be possible to get all parking situated off of South Road and thereby eliminate parking on Mill Lane.

Hoden went on to mention that the West Swanzey Athletic Association has donated \$10,000 to the Cal Ripken League to improve the property for use by the kids into the future. He said he would like to have a discussion about putting up lights for evening games. Hoden said that his research shows it would cost about \$1,500 to \$2,000 to turn on and off lights. Others at the meeting said they thought the costs would be high for raising and maintaining lights.

Hoden said the document under review was okay by the league. O'Keefe asked Hoden about indemnity waivers which he said was recommended by Town Counsel. Hoden said Cal Ripken has an insurance policy. Hoden suggested that the Town has more money than Cal Ripken League has at any time and therefore the Town would be sued, not Cal Ripken should an injury arise. O'Keefe asked about parents signing waivers when they sign up their children for the league. Hoden said he could ask Cal Ripken League officials to incorporate a waiver that could be signed by kids using the fields. O'Keefe pointed to a paragraph in the document covering "Use" of the public fields being subject to the Town's "policy for use of publicly owned lands", which is a separate document being prepared for the Board by the Town Attorney. A discussion was held about soccer activity at the fields. Davis pointed out that other groups using the fields would have to be subject to the same type of agreement. O'Keefe said that additional changes to the document will be forwarded to Hoden for his review. He said he is also waiting to get feedback from Judy Bohannon who also works with the Town Recreation Board. Hoden left at 6:45 p.m.

Update on Cheshire Fair Complaint

Carlson reported that Fire Chief Norm Skantze heard that the Cheshire Fair directors complained about him to the Board of Selectmen. She said she had a long discussion with Skantze and he asked if he could read the Non-public minutes that were kept pertinent to the Cheshire Fair complaints. It was pointed out that Non-Public Minutes are sealed and therefore not subject to being read by any person until the minutes are unsealed by vote of the Board. Colby said the Board has done all that they could do to respond to the situation as outlined by the Cheshire Fair Directors. Colby noted that the Board asked for supporting documentation for their allegations and the Fair management did not respond. He said that the non-public minutes should not be unsealed at this time. O'Keefe stated that he called the Cheshire Fair manager and had reminded her of the Board's request, and then asked if it would be worth sending

an email stating that the Board is still waiting for the documentation and give them a drop dead date to provide that documentation. Colby said sending an email would be good because the request would be in writing but not to give them a deadline to meet. O'Keefe said he would send an email to the Cheshire Fair Manager, Jori Johnson, about the fact that the Board is still waiting for the promised documentation, without demanding a deadline.

Update on the open Assessing Coordinator position

O'Keefe reported to the Board about progress being made in the search for a replacement for Amy Bush who is leaving employment with the Town as the Assessing Coordinator. The Town received seventeen (17) applications and of those, six (6) were interviewed, and two (2) returned for second interviews. O'Keefe said he would like to spend time on references of these two candidates. Both can start immediately. O'Keefe will do reference calls on both. Both candidates are on parity but there are preferences among he and staff for one or the other. O'Keefe said that one has more experience than the other. One candidate knows how to do an MS-1 according to Carlson. O'Keefe would also like to do background checks. The Board decided that once references are completed, a background check can then be conducted for the candidate chosen for the job offer.

NEW BUSINESS

Removing an old bus shelter

O'Keefe reported that he received a call from David Therrien from Alstead about removing a bus shelter that he built as an Eagle Scout project over 30 years ago. He wants to remove it because it is in disrepair. Carlson asked if it is on Town land. If it isn't on Town land then the Town has no jurisdiction. Dunham offered to find out if the bus shelter is on Town land. It was agreed that if it is on Town land and he wants to tear it down it would be okay. O'Keefe said he doesn't know if Therrien wants to replace it or simply tear it down. He hasn't spoken directly to Therrien; he only received a voice mail message from him.

Accept and expend unanticipated funds per RSA 31:95-b (#1)

The Board was asked to accept checks as follows, totaling \$50.00, as contributions to the Town for the Open Space Committee in memory of Jean Blood:

- \$50.00 from Robert W. and Lianne S. Therrien

Colby **moved** to accept the funds of \$50.00 from Robert W. and Lianne S. Therrien 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.**

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

The Board was asked to accept checks as follows, totaling \$250.00, as donations to Whitcomb Hall:

- \$100.00 from Cheshire Oil Company, Inc.
- \$50.00 from Furlone, LLC
- \$100.00 from Elizabeth S. Skowlund

Davis **moved** to accept the funds as listed (\$100.00 from Cheshire Oil Company, Inc., \$50.00 from Furlone, LLC, and \$100.00 from Elizabeth S. Skowlund) 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. The motion was seconded by Colby, and all were in favor. **Motion passed.**

Accept and expend unanticipated funds per RSA 31:95-b. (#3)

The Board was asked to accept checks and cash totaling \$ 2,340 for purchases of space by various businesses in a fundraising calendar for Whitcomb Hall and to authorize expenditure of \$2,800 for production of the calendar by the Keene Sentinel Print Shop. It was recommended that the Selectmen's Miscellaneous Expenses budget line be used for both revenue and expenses for this fundraising effort. Proceeds from the sale of the calendar will go to the Whitcomb hall Non-Restricted Fund trust account.

Colby **moved** to accept checks and cash totaling \$2,340 for purchase of space in the Whitcomb Hall fundraising calendar, and to authorize the expenditure of up to \$2,800 for production of the calendar, with all funds running through the Selectmen's Miscellaneous Expenses budget line. The motion was seconded by Davis and all were in favor. **Motion passed.**

Accept and expend unanticipated funds per RSA 31:95-b. (#4).

The Board was asked to accept a check in the amount of \$250.00 from the New Hampshire Humanities Council to pay a portion of the cost of a guest speaker (Prof. Thomas C. Hubka) on July 18, 2013 at the Old Home Day celebrations. This amount is to be directed to the Old Home Day Non-Restricted Fund Trust account. The Board was also asked to authorize expenditure of \$312.00 from the Fund to pay Professor Hubka for the speaking engagement, with \$200.00 attributed to the speaking fee and \$112.00 for travel expenses.

Davis **moved** to accept funds of \$250.00 from the New Hampshire Humanities Council and to remit them to the custody of the Trustees of Trust Funds to be held in the Old Home Day Non-Restricted Fund trust account established on April 30, 2013, and furthermore to authorize the expenditure of \$312.00 from the Old Home Day Non-Restricted Fund trust account to pay the expenses of Old Home Day speaker Professor Thomas C. Hubka, which is considered implementation of Old Home Day activities. The motion was seconded by Colby and all were in favor. **Motion passed.**

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

The Selectmen voted unanimously by roll call to go into non-public session at 7:15 p.m. **Motion passed.** Present were the Board members, Town Administrator O'Keefe, and Recording Secretary Bernard.

Motion by to seal the minutes of the non-public session. The motion was seconded by Davis. 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. The motion was seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:19 p.m.

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

The Selectmen voted unanimously by roll call to go into non-public session at 7:21 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. The motion was seconded 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. The motion was seconded by Davis, with all in favor. **Motion passed.** Non-public session ended at 7:26 p.m.

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

The Selectmen voted unanimously by roll call to go into non-public session at 7:27p.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. The motion was seconded 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. The motion was seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:54 p.m.

OTHER MATTERS

Problem with Dumping on Krebs property on Kempton Road

Carlson reported that Mr. Krebs called Carlson regarding trash being left on his property. He sent photos of the problem. He owns property on Homestead Avenue. His family has been in town since the 1700's. He also owns acreage on Kempton Road and there is dumping taking place there. He would like the stuff to be dumped for free at the Recycling Center. Colby said he got a call from someone who works for Mr. Krebs and Colby advised him to pay for dumping tires. A discussion was held regarding where the Town draws the line on allowing material to be dumped for free that will cost the Town money to be rid of. Colby said he would ask the police to drive by the area to patrol it. It was noted that the Town has picked up trash for other homeowners in the past. Davis said the problem is people dump things that will cost them to take it to the Recycling Center. Electronics cost the Town money to get rid of. Carlson said that we will charge Krebs only for what costs the Town. Carlson said she would talk to Krebs.

Carpenter Home matters

Davis raised a topic about a one hundred year old citizen of the Town. It seems Mr. Lambert wants to go to live at the Carpenter Home. The dilemma is that he has only enough money for one month's stay until his house is sold. He has asked the Board if the Town would allow him to stay at the Carpenter Home without paying until the house sells. O'Keefe said that the Town could put a lien on the house. Colby said he has money coming in from Social Security, which means that money could go toward his care at the home. Colby said that the Board does want him in the Carpenter Home. Colby said that the situation should be discussed with Carpenter Home Administrator Dawn Rice. Colby said that O'Keefe should talk to Rice about how the Town can figure out a way to allow him to live there. The Town will need to be made whole on the deal – perhaps from the proceeds from selling the house. O'Keefe made notations to follow up with Rice.

Vacation Planning for the Town Administrator

O'Keefe said he had a change in his vacation schedule – instead of taking off the week of July 29th, he will be taking off the week of July 22nd. There will be no Board meeting on July 23rd. He is also taking the weeks of August 5, 2013 and August 19, 2013.

West Swanzey Athletic Association (WSAA) Site update

O'Keefe noted that the work at the former WSAA site is pretty close to being done. He said that here are plans being discussed regarding dry hydrants on the property and reported that he and Town Planner Sara Carbonneau met with Fire Chief Skantze regarding the placing of the hydrants. O'Keefe wants to get volunteers Jeff Goller and Bud Windsor going on developing park plans as soon as possible. O'Keefe will speak to Goller about moving ahead immediately. Colby said the Board has the right to dictate the position of the hydrants and that the plans for the park would come first and include provisions for the dry hydrants.

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.***

- Notice of Intent to Cut Wood or Timber. Lane Construction Corp., Map 4, Lot(s) 12 and Map 5, Lot(s) 3 & 4.

Motion for Adjournment by Davis, second by Carlson. Adjournment 8:24 p.m.

The next meeting is scheduled for July 16, 2013.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Beverly Bernard". The signature is written in a cursive, flowing style.

Beverly Bernard, Recording Secretary

Approved on July 16, 2013.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #1 – July 9, 2013

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

The Selectmen voted unanimously by roll call to go into non-public session at 7:15 p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe, and Recording Secretary Bernard.

The Board was asked to consider the hiring of new Firefighters as proposed by Fire Chief Skantze. Chief Skantze was not able to be present at this meeting due to a family obligation, but offered to attend the July 15, 2013 meeting should the Board prefer him to be present for this discussion.

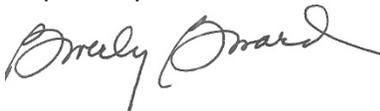
O’Keefe briefly outlined the following candidates and the levels of pay proposed for them:

- Chelsea Bell at \$10.00 per hour as a probationary firefighter
- Justin Tracy at \$12.00 per hour as a student firefighter EMT – level 2
- Jason Champney as a firefighter EMT basic at \$11.00 per hour
- Matt O’Neil as a probationary firefighter at \$11.50 per hour

Davis said it wasn’t clear to her why there were differences in proposed pay levels and she suggested the Board discuss the candidates and their pay levels with Chief Skantze next week at the July 15, 2013 meeting. Carlson and Colby agreed.

Motion by Davis to seal the minutes of the non-public session. The motion was seconded 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. The motion was seconded by Colby, with all in favor. **Motion passed.** Non-public session ended at 7:19 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on July 16, 2013.

These Minutes unsealed by the Board of Selectmen on January 21, 2014.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #2 – July 9, 2013

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

The Selectmen voted unanimously by roll call to go into non-public session at 7:21 p.m. **Motion passed.** Present were the Board members, Town Administrator O’Keefe, and Recording Secretary Bernard.

O’Keefe reviewed the request from Judy Bohannon who is managing activity at Richardson Park for the Town. She is requesting to hire the following for summer work:

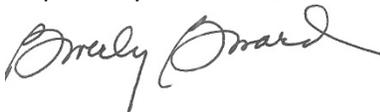
- Amelia Good at \$8.00 per hour for lifeguard duty and \$12.50 per hour as swimming instructor
- Christopher Earle working as the gatekeeper at \$8.00 per hour

O’Keefe asked the Board to give him the authority to make conditional offer and sign the Personnel Action Report (PAR) for each employee since Bohannon wants the hires to occur as soon as this weekend (July 14-15, 2013). The Board agreed to the above subject to a background check on the candidates.

Davis made the **motion** to authorize Town Administrator O’Keefe to make the conditional offers and to sign the PARs for the two candidates subject to a background check. Colby seconded the motion, all were in favor. **Motion passed.**

Motion by Colby to seal the minutes of the non-public session. The motion was seconded 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. The motion was seconded by Davis, with all in favor. **Motion passed.** Non-public session ended at 7:26 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on July 16, 2013.

These Minutes unsealed by the Board of Selectmen on January 21, 2014.