

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – July 30, 2013
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

Present were Selectmen Nancy L. Carlson, and Kenneth P. Colby, Jr. The meeting was called to order by Chair Nancy L. Carlson at 6:12 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard. Deborah J. Davis joined the meeting at 6:29 p.m.

OTHERS PRESENT

Monadnock Regional School District Business Administrator Jane Fortson, Town Planner Sara Carbonneau, Monadnock Regional School District Chair Pat Bauries, Emergency Management Manager Bruce Bohannon, Keene Sentinel reporter Meghan Foley, State Representative and Planning Board member Gus Lerandeau.

MINUTES

- Regular meeting of July 16, 2013 – Colby **moved** to accept the regular Minutes of July 16, 2013, second by Carlson, all were in favor. ***Motion passed.***
- Regular meeting of July 20, 2013 – Colby **moved** to accept the regular Minutes of July 20, 2013, second by Carlson, all were in favor. ***Motion passed.***
- Non-Public meeting Minutes of July 16, 2013 #1 – Carlson **moved** to accept the Non-Public Minutes of July 16, 2013 #1, second by Colby, all were in favor. ***Motion passed.***
- Non-Public meeting Minutes of July 16, 2013 #2 - Carlson **moved** to accept the Non-Public Minutes of July 16, 2013 #2, second by Colby, all were in favor. ***Motion passed.***
- Non-Public meeting Minutes of July 16, 2013 #3 - Carlson **moved** to accept the Non-Public Minutes of July 16, 2013 #3, second by Colby, all were in favor. ***Motion passed.***
- Non-public meeting Minutes of July 20, 2013 #1 - Carlson **moved** to accept the Non-Public Minutes of July 20, 2013 #1, second by Colby, all were in favor. ***Motion passed.***
- Non-public meeting Minutes of July 20, 2013 #2 - Carlson **moved** to accept the Non-Public Minutes of July 20, 2013 #2, second by Colby, all were in favor. ***Motion passed.***

NEW BUSINESS

Proposed governmental use of land by MRSD – 537 Old Homestead Highway (RSA 674:54)

The Town received notification from the Monadnock Regional School District (MRSD) that it wishes to use property located at 537 Old Homestead Highway as an alternate pathways school. No structural changes are anticipated. The Board considered whether it wished to hold a public hearing, after which it could issue non-binding comments.

Jane Fortson spoke about the S.M.A.R.T. alternative pathways program proposed to be held at the building at the site. She noted that the School District has approved the program. She said there will be two teachers on site with approximately twelve to twenty-four (12 – 24) students in the building. Six students are currently signed up for the morning class. The students will receive core instruction either in the morning or afternoon, and then will be on job sites in the afternoon or morning. She noted that the students eligible for these classes do not function as well in lecture-style classroom environment as they do in a hands-on environment. The environment provided by the alternative program will enhance the learning of the students.

Fortson went on to discuss the rooms within the building and their usage. The building has two large rooms that can accommodate both classes. The kitchen will also be used as part of the curriculum. Existing bedrooms will be used as teacher offices. The District is being offered a two year lease with an option on a third year. Fortson noted that the District has received approval from the Town of Swanzey Planning Board.

A question was raised about the septic system since there will be an increase the number of people using the facilities as compared to its use for a single family. Fortson said that the landlord can pump the septic system more often if necessary, but there will not be a huge use, no washing machines or showers.

O'Keefe asked about transportation to get the students to the facility. Fortson responded that some of the students may drive to school. There was a brief discussion about whether or not a curb cut permit had been issued for the site, but Carbonneau reported that the copy of the permit received by the Town is most likely for the School Administrative Unit (SAU) building driveway. Fortson went on to say that the School District has vans that can be used to transport the students if necessary. O'Keefe asked about off-street parking. The response was that there is room for two teachers and perhaps two students to park in the driveway. Carlson also noted that the prior tenant parked fire trucks up there so there appears to be enough room for cars.

Carlson asked Colby whether he thought a public hearing would be necessary. She noted that the Swanzey Planning Board did not require a public hearing.

There was a brief discussion regarding the flashing light which warns drivers that they are moving through an active school zone. It was reported that the State of New Hampshire controls the signal for the school. Carbonneau noted that the current position of the school zone flashing light should be moved further east to accommodate the new building site for the alternative program.

A **motion** was made by Colby that the Board of Selectmen finds it unnecessary to have a public hearing on the proposed site for an alternative program by the Monadnock Regional School District, with a second on the motion from Carlson. All were in favor and the ***motion passed.***

Tax rate matters

Fortson next discussed with the Board the anticipated impact on the Town tax rate caused by education-related matters.

Fortson reported that she has been to Selectmen's meetings at the other towns within the school district. First topic by Fortson was the timing of payments. She said that many of the towns are not paying on time. Checks are due at the 10th of the month. Because the payments are coming in late, Fortson said she is having difficulty making payments for insurance, electricity and ordering supplies for the upcoming school year. She said that a \$1.4 million building project is going on during the summer and this is the time of the year to order 90% of the supplies. She did note that the Town of Swanzey always pays but that there are other towns that are not paying. Sullivan hasn't paid yet for June. More than \$200,000 is owed by Sullivan.

Fortson went on to discuss the state of finances for the School District. She noted that an updated apportionment will show a surplus of about \$750,000 in the current budget. Payments from the Local Government Center (LGC) will amount to about \$795,000 and of that, she estimated revenue of

\$500,000 after other costs are accounted for. There is a loss of \$600,000 from Sullivan. For the future, the Town of Swanzey will be picking up a large proportion of additional costs because of the loss of Sullivan. Swanzey also lost about \$134,000 in adequacy funds (Adequate Education Aid from the State of New Hampshire). Average daily membership (ADM) will be figured based on October/November 2013 attendance and the count is estimated to be a lower number than in the prior year.

Fortson passed out a report entitled "Formula: Current Expenses for Monadnock Regional". \$134,000 will need to be made up, due to the loss from adequacy from the State. It was noted that the Town of Swanzey supports over half the cost of the District. Local tax assessment for the Town of Swanzey will be \$8,617,223 for the School District, which Carlson noted is more than the Town budget.

Fortson passed out an historical perspective for Adequacy Aid by Year for the District. She also passed out a Town Payment schedule to the Selectmen.

Colby pointed out that Swanzey has always made payments in a timely fashion and it is unpalatable that there are towns which are behind in payments. According to Fortson, the Town of Roxbury and Town of Swanzey always make their payments. O'Keefe said he will have questions on the items on the reports and will be contacting Fortson.

Update on the Wilcox Building

Reporting on recent damage to the District-owned Wilcox Building resulting from a fallen tree, Fortson reported that a firm will be bracing and strengthening the building in order for the District to remove the contents of the building. Fortson said that the root of the tree that damaged the building appeared to be rotted at the base. She also told the Board that the District has asked its insurance company to remove more trees around the site to save some money for the future. If the trees do not come down in a controlled manner, then they might take out the refurbished building in the future. Colby asked about the property lines. Fortson said that they believe that the tree that damaged the Wilcox Building was on the District's property.

Fortson and Bauries left at 7:08 p.m.

OLD BUSINESS

Inventory of Taxable property – Form PA-28

Prior to 2013 the Town participated in the NH Department of Revenue Administration program whereby property owners were required to file an inventory form per RSA74 or else be subject to fines of up to \$50. Last year the Board decided not to participate in this program, but the Town must declare its intention annually. It was recommended by the Town Administrator that the Board again vote not to participate in this program.

Colby **moved** to elect NOT to utilize the inventory form or procedures specified under RSA 74 for the year 2014, and hereby acknowledge that this election shall automatically exempt all property owners and others within Swanzey from all requirements and provisions of law relating to the inventory form. The motion was seconded by Davis and all were favor. **Motion passed.**

Job Description – Human Services and Resources Director

A discussion was held regarding the job description supplied to the Board by the Town Administrator. Colby asked about responses to the current advertisement running in the local newspaper for the job opening and O'Keefe said he has received quite a few, some fifteen or so. Colby said that he would

rather have the job description be inclusive so that a future employee could not claim that the job duties were not covered in their job description. Carlson was concerned that the job description is too specific, but O'Keefe pointed out there is a broad statement to cover other duties: "perform other related duties as required". Carlson said that the length of the document is problematic for her. Carlson said the Personnel Policy Committee can perhaps come up with better job descriptions. O'Keefe said that applications for the position are due on the 9th of August, 2013. Interviews can be held the following week. The Selectmen decided to re-visit the document next week (Tuesday meeting, August 6, 2013).

Discussion regarding the Roundabout planned by the State of New Hampshire for Route 12

Representative Leland said the roundabout construction has been bumped back to 2015. Carlson said the Board hadn't received any notice, but read about it in the local newspaper. Carbonneau said it was her understanding that 2014 was the date for putting out to bid. O'Keefe noted that he had correspondence from the Department of Transportation from January indicating a 2015 project start but that it could be bid as soon as February 2014 if design and right-of-way were completed. Leland said he has a call out to confirm the dates. He also said he thought the project was going to be advertised for bids in November 2013. Colby said the Town would like to see it done in 2014.

2012 audit matter

In preparing the 2012 audit, auditors Vachon, Clukay & Company raised what they claim is an opportunity for strengthening internal controls and operating efficiency, and has asked whether the Town wishes to include a management response. This was discussed by the Board.

Carlson said the response should be that the Town intends to fully comply with State laws and regulations. The Board will sign a letter addressing the issue. The letter will be sent to Vachon Clukay & Company PC, Town Auditors. O'Keefe will write the letter and pass it to Carlson for review.

Void previously approved abatement/grant new abatement

The Board was asked to void another year 2012 abatements granted on June 4, 2013 as indicated below:

- Abatement #2013-010, Lori Guyette (Map 18, Lot 293)

The Board was also asked to execute a new abatement (2013-013) for the same property to issue a new supplemental warrant with the correct assessed value. Carlson suggested that the staff needs to come up with a process that will eliminate the need to void abatements and issue new abatements.

Davis **moved** to void the previously approved Abatement #2013-010 and replace it with Abatement #2013-013 for Lori Guyette for property shown on Map 18, Lot 293, Colby seconded, and all were in favor. **Motion passed.**

Purchase of heating fuel for Town facilities

An Invitation to Bid for No.2 heating fuel for Town facilities went out on July 22, 2013 and responses were returned to O'Keefe who presented them for the Board's review. The two received bids were opened on July 30, 2013. Seven other oil dealers did not respond. The two bids were as follows:

Provider	Option 1 – per gallon cost over rack price	Option 2 – Price per gallon	Oil Terminal Supplier
Rymes Heating Oils	0.310	3.3800	Sprague Energy
Webber Energy Fuels	0.200	3.3635	Not included

Note: Last year's price was 3.3990 per gallon

The Board agreed that they would rather accept the fixed price for the oil.

Colby **moved** to accept the fixed coast heating fuel price proposal from Webber Energy Fuels at \$3.3635 per gallon and to authorize the Town Administrator to execute any contractual documents necessary to secure the proposed products and services. The motion was seconded by Davis 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 \$20.00, as contributions to the Town for the Open Space Committee in memory of Jean Blood:

- \$20.00 from Jane M. Silver

Davis **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. The motion was seconded by Colby, 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 \$100.00, as donations to Whitcomb Hall:

- \$100.00 from Mary E. & Gilbert L. Faulkner

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. The motion was seconded by Davis, and all were in favor. **Motion passed.**

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

The Board was asked to accept checks as follows, totaling \$125.00, as contributions to the Town for Old Home Day activities:

- \$50.00 from Stone Lee farms, LLC
- \$25.00 from Thistle Hill Farm
- \$25.00 from Deborah Callahan
- \$25.00 from Moose Maple Nursery, LLC

Davis **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 Old Home Day Non-Restricted Fund trust account established on 4/30/2013. The motion was seconded by Colby and all were in favor. **Motion passed.**

OTHER MATTERS

August Meeting Schedule

The Town Administrator and Chairperson Carlson agreed to hold off on meeting on August 13, 2013, but to hold all other meetings in August 8, 20 & 27. O'Keefe mentioned that he will be unable to attend the August 20th meeting.

Staffing at Town Hall

Carlson raised the issue of the staffing situation at Town Hall. She offered a suggestion to create an office manager position to deal with the Town Hall staff and relieve O'Keefe from that portion of his duties so he could focus on Department Heads and administration for the Board of Selectmen. Colby said he would consider the idea, but he didn't feel adequately informed to discuss it. O'Keefe said this position could do purchasing and coordinate some activities within Town Hall. Colby mentioned that there was an Assistant to the Town Administrator budgeted. O'Keefe said that most of that funding would go to replacing Sandi Page, who is leaving the position of Welfare Officer, because over one-half of her salary and benefits are allocated to the Sewer Department. Davis said that we need to get the best use of all positions so that the Town can operate more efficiently. Carlson says that allocation of duties needs to be re-visited so that no one is overwhelmed and no one has extra time on their hands. Colby suggested that the Board keep the idea open for discussion knowing that this is not something that will happen overnight.

Old Home Day Committee request

Davis reminded the Board that the Old Home Day committee has talked about having their own budget on the revenue (income) side. O'Keefe said that the Old Home Committee issue was resolved by the creation of the Old Home Day Non-Restricted Fund trust account established on April 30, 2013.

Finance Department Update

O'Keefe raised the topic of the Finance Department situation. He made a recommendation to bring in someone as a, interim Finance Director, perhaps once a week or once every two weeks to confirm that reports are getting done as required by law and necessity. O'Keefe suggested Municipal Resources Inc. (MRI) or Coppola & Associates could be considered for this work, and that they were recommended by the Town's auditor. Davis said that her concern would be the cost. Colby said that we need a proposal. O'Keefe said he would pursue a proposal from the two firms and would review them with the Board at the next meeting.

Winchester Ordinances – Junkyard Ordinance

Following up on the previous meeting, O'Keefe reported that he had checked with Winchester, New Hampshire for any ordinance they might have on junkyards. He reported that what they use is they're Zoning Ordinance, and Town Planner Carbonneau noted that they have also adopted a Property Maintenance Code. O'Keefe also noted that the State of New Hampshire Statutes does allow a Health Officer to propose an Ordinance to the Selectmen and the proposed ordinance doesn't have to go to Town Meeting. Health Officer Beth Anne Tatro is supposed to meet with the Board next week on this.

Tax Deeding

O'Keefe and Belletete have a meeting planned with Town Counsel Sam Bradley. Bradley has not yet sent tax deeding letters out to property owners behind in their taxes. O'Keefe wanted to make the Board aware that the Town would have to reimburse any partial payments made by property owners (about \$6,000 payments have been made). Some people have paid up since May 2013. O'Keefe will report back to the Board Tuesday night, August 6, 2013.

There was a brief discussion regarding a property owned by someone named Monroe. Colby asked about a house on Park Street where the grass is high, not being cut and wondered if anyone is in the house.

Rail Trail Update

Colby asked Bohannon about the status of the Rail Trail. Bohannon said the Town lost the grant that was planned to be the source of funding for trail rehabilitation because the extension request was not completed in time. However, he is working on another grant.

LCHIP Grant

Carbonneau mentioned she had attended a training session on LCHIP funding in anticipation of an application related to Whitcomb Hall. **Motion** by Colby to authorize Town Planner Sara Carbonneau to apply for an LCHIP grant on behalf of the Whitcomb Hall Committee, noting that the grant amount requested cannot exceed more than 50% of the total eligible project costs according to LCHIP regulations. Application is due by noon on Friday, September 13, 2013. The motion was seconded by Davis, and all were in favor. **Motion passed.**

Capital Improvement Program (CIP) Committee report

O'Keefe reported that the Committee last met on the 19th of July and as a result is requesting the Board allow it to hire an architect to assist in analysis of the Town facilities. He reported that the Committee wants an architect to work with all the Town properties with the exception of the Department of Public Works (DPW) for which they are interested in pursuing a property that is currently available. He mentioned that approximately \$675,000 is available for expenses. There was discussion on whether or not police facilities could be included based on the funding sources.

Carlson said that the Main Street Committee is also recommending professional help. They are seeking an engineering review. That request will be on agenda for next week. There are funds available, but the committees need to write up a requirement of the scope of the problem and why an architect and engineering would be necessary. Architects should do a "needs analysis" first. A discussion was held about what the scope of the work would be and what a Request For Proposal (RFP) would look like. The discussion included talk of a facilities analysis versus an architectural design. What the Board wants is a facilities analysis first. While the CIP wants the DPW needs to be on a separate track, Carlson said that any analysis of DPW needs should be part of a facilities analysis report.

O'Keefe noted that the CIP Committee meets next on August 12th and he would work with them to put together an RFP for presentation to the Board

Cheshire Fair Parade

The Board will be participating in the Cheshire Fair Parade. O'Keefe said that there is a form to be completed. O'Keefe said he would call Fair Manager Jori Johnson to confirm participation. It was noted that the Board members have not yet received passes for the Fair this year.

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 #2013-27. Cheshire Horse Show – Dozen gift baskets on 8/2/2013 through 8/4/2013 at The Cheshire Fairgrounds.
- Raffle Permit #2013-28. Cheshire Horse Show – Photo Shoot for next year’s show program cover on 8/1/2013 through 8/4/2013 at The Cheshire Fairgrounds.
- Notice of Intent to Cut Wood or Timber. Vickie Giguere (Gunseth), Map 15, Lot(s) 7.
- Notice of Intent to Cut Wood or Timber. John Blake, Map 11, Lot(s) 6.
- Annual Taxpayer Inventory Form PA-28 declaration.

Motion for Adjournment by Davis, second by Colby. Adjournment at 8:17 p.m.

Respectfully Submitted,

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

Beverly Bernard, Recording Secretary

Approved on August 6, 2013.