

Town of Swanzev, New Hampshire
Board of Selectmen
Meeting – September 24, 2013
Swanzev Town Hall, 620 Old Homestead Highway, Swanzev, NH

CALL TO ORDER

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

OTHERS PRESENT

Resident Innkeeper Susan Karalekas, Emergency Management Director Bruce Bohannon, Police Chief Tom DeAngelis, Carpenter Home Administrator Dawn Rice.

MINUTES

- Regular meeting of September 10, 2013 – Davis **moved** to accept the regular Minutes of September 10, 2013 with change to date on page two to read as “2014”, with second by Colby, all were in favor. **Motion passed.**
- Non-public meeting #1 of September 10, 2013 – Colby **moved** to accept the non-public Minutes of September 10, 2013, second by Davis, all were in favor. **Motion passed.**
- Non-public meeting #2 of September 10, 2013 – Colby **moved** to accept the non-public Minutes of September 10, 2013, second by Davis, all were in favor. **Motion passed.**
- Non-public meeting #3 of September 10, 2013 – Colby **moved** to accept the non-public Minutes of September 10, 2013, second by Davis, all were in favor. **Motion passed.**
- Non-public meeting #4 of September 10, 2013 – Colby **moved** to accept the non-public Minutes of September 10, 2013, second by Davis, all were in favor. **Motion passed.**

NOMINATIONS

Economic Development Advisory Committee (EDAC) Vacancy

Appointments for EDAC members Steve Bittel and Dave Cairns expired on September 24, 2013 and each expressed interest in reappointment. The vacancies have been advertised and both Bittel and Cairns submitted application forms for consideration by the Board.

Colby **moved** to reappoint Steven Bittel and David Cairns to the Economic Development Advisory Committee, each for a 3-year term extending to September 30, 2016. Motion seconded by Davis and all were in favor. **Motion passed.**

Cheshire TV Board of Directors

The Cheshire TV Bylaws provide that the Town may appoint one individual to the Board of Directors, who shall be considered an “Appointed Director” and may serve a one-year term. On November 20, 2012 the Board appointed Selectmen Colby for a one-year term, and he has expressed an interest in continuing this position. Colby noted that this will be his last one year term, and then he must take a break because the by-laws describe a six year maximum for service. Once someone else serves for a year, Colby can then be re-appointed.

Davis made the **motion** to reappoint Kenneth Colby as the Swanzev representative to the Cheshire TV Board of Directors for a one year term extending to November 20, 2014 pursuant to

Section 7.0(c)c. of the Cheshire TV Bylaws, as amended on October 31, 2008. Motion seconded by Carlson. All were in favor. **Motion passed.**

NEW BUSINESS

Monadnock Regional High School Raffle Tickets

A discussion was held regarding the high school raffle ticket sales price for fund raising. It was noted that RSA 287-a refers to bingo tickets that cannot be sold at more than \$1.00 per ticket. The Board agreed that the ticket maximum was outdated and needed to be raised.

Colby **moved** to adjust the raffle permit under RSA 287-a such that tickets be permitted as sold up to and not to exceed \$10.00, second by Davis, and all were in favor. **Motion passed.**

Discuss Whitcomb Hall clock bell

Susan Karalekas, Innkeeper of The Bridges Inn at Whitcomb House, met with the Board to discuss her concern about the impact of the bell at the Whitcomb Hall on her guests at night. The bell rings on the hour and it disturbs her guests at the Inn such that they cannot sleep. She said she has lost business because of the chimes. As for online reviews for the Inn, she said they get excellent grades except for location, because of the bells. In a letter she proposed suspension of the bells from 9 p.m. to 8:30 a.m.

Carlson said the clock has been operating for 100 years. She said to turn off the clock would be a rash move. It needs a human to wind it up and runs out after a week and a half of neglect. O'Keefe asked about whether the volume can be adjusted. The Board decided to look into that. Colby said there has to be some way to quiet the bell. Carlson said the Board will check with Scott Self about adjusting the volume. Karalekas left at 6:22 p.m.

A brief discussion was held about putting the Inn brochures at Town Hall for public access. Davis suggested a rack might be installed for Swanzey businesses in general.

Update on closing of Vermont Yankee

Emergency Management Director Bruce Bohannon joined the meeting at 6:24 p.m. and briefed the Board on the most recent information about the proposed closing by Entergy Corporation of the Vermont Yankee Nuclear Power Plant in Vernon, VT.

Vermont Yankee closing update: Bohannon said he has been attending meetings about the plans for closing the facility. The closure will affect the Swanzey emergency management revenue budget, but not immediately. The State of New Hampshire was told to plan on the scheduled hostile action-based exercise for May 2015. The Town won't lose funds until June 1 of 2015.

Colby asked about the decommissioning timeframe. Bohannon said Entergy financial obligations end approximately 18 months after the facility runs out of fuel around October 2014. At that point they will go into "safe-store" mode. There will be no generation of electricity and the fuel rods will be in safe-store mode. Decommissioning occurs after safe-store mode begins. Bohannon reported there is speculation about how the decommissioning will occur. Power operations will permanently cease in fourth quarter 2014.

Bohannon reported that there will be a meeting on October 23, 2013 that Selectmen might want to attend regarding the economic impacts of the shutdown of Vermont Yankee. O'Keefe noted that he and

Town Planner Sara Carbonneau would be meeting with the Director of the NH Division of Economic Development this week. It is estimated that twenty Swanzey residents currently are employed at Vermont Yankee.

General discussion of Emergency Management matters

Bohannon reported that he has been asked to relocate his room in the Police Department building. The room needs to be re-insulated. Bohannon said he knows that Public Works Director Lee Dunham's staff is busy at this time of year and therefore wants to get someone else to do the work. Police Chief Tom DeAngelis wants Bohannon relocated by January 2014. Bohannon said he wants to get a quote to get the project done. The Board agreed for Bohannon to get some quotes. Carlson suggested that Francis Faulkner be asked to quote as well as others.

Bohannon asked the Selectmen if the "Reverse 9-1-1" emergency procedures had worked properly during the storm on Thursday, September 12th, when the Selectmen should have received a phone call. Carlson said she did get a call Thursday night. Davis said she got a call on Friday morning, as did Colby.

Bohannon reported that the annual service of the emergency generator at the Fire Station at Town Hall has been completed. But he said a switch needs to be replaced and he had a quote for replacing it. He said the generator also needs a voltage regulator. Since there is no immediate plan to replace the generator Colby suggested that it would be wise to do the maintenance at a cost of \$511.60 to keep the generator in good working condition. The Board agreed.

Fast Roads project – Bohannon asked if Fast Roads is paying a fee to use space within the police station. The building is hosting the hub for the area. He asked about what the Town is getting in return for providing them with the Town facility, including heat and electricity. O'Keefe suggested the Town got prepaid wiring in exchange. O'Keefe noted the Town will have to pay for Fast Roads services. O'Keefe said he would research the contract with Fast Roads and report back to the Board.

Bohannon reported that Jerry Mazza is a resident who wants to work with Bohannon as a volunteer. Bohannon asked if a background check was necessary for volunteers. The Board agreed that they were. All volunteers get background checks even though it isn't required. Colby suggested that the Police Department handle the background check for Mazza since he would have access to that building. O'Keefe agreed to look up liability insurance for volunteers.

Rail Trail update

Bohannon said that he has learned of an available \$25,000 grant for projects like the Town's rail trail. He asked the Board to give him permission to apply for it. The Board agreed.

Riley Conservation area update

A discussion was held regarding the rail trail and the Riley conservation area. Carlson noted that the sign says "Trail Parking" and it is only supposed to be for snowmobiles, but cars are driving down there. Bohannon said he has a video of what is going on there and wants to get onto the agenda for next week so that the Board can review it. Bohannon said the sign could be removed for the summer months. The gate on Matthews Road was discussed, which is always open. Another gate further down the dirt road and closer to the rail trail was also discussed. Bohannon left at 6:55 p.m.

Acceptance of gift(s) of personal property per RSA 31:95-e.

Police Chief Tom DeAngelis joined the meeting at 6:56 p.m.

The Board was asked to accept a gift of personal property from New Hampshire Department of Safety, specifically an APX 7000 portable radio to be used by the Police Department valued at \$3,537.84.

Colby **moved** to accept, pursuant to RSA 31-95-e, the gift of one APX 7000 portable radio from the State of New Hampshire Department of Safety, valued at \$3,537.84, and to authorize the Chairperson to execute the accompanying Radio Recipient and Certification Form which is required prior to receipt of the gift. Second was by Davis, and all were in favor. **Motion passed.**

General discussion of Police Department matters

Chief DeAngelis updated the Board on Police Department matters. He provided a report on police activity in town. He said the cruiser involved in an accident has been totaled and he handed O'Keefe a disk with photos of it. The New Hampshire Municipal Association (NHMA) which is the insuring agency wants the title for the vehicle and the Town will get \$9,350 less the \$1,000 deductible. Colby asked why the Town is losing the deductible since it was someone else's fault in the accident. The other party should be paying and our insurance should be pursuing this. DeAngelis said he should call NHMA and ask about this. O'Keefe will look into it with DeAngelis.

DeAngelis reported that his overtime line in the budget has \$18,000 in the account. He knows that he will need 82 hours of OT (which is approximately \$6,700) so he proposed to take \$10,000 out of the overtime budget and an additional \$10,000 from Capital Reserve Cruiser Fund account to purchase a replacement vehicle. Until 2013, no money was put into the fund for a number of years because the Town was leasing at the time. Colby said DeAngelis will need to get more money into the Capital Reserve to bring the account back up. DeAngelis would like to purchase a Ford Explorer through the Rountree Dealership. The 2014 car will cost \$27,000. The totaled vehicle was a 2011 cruiser and it would cost \$15,000 to fix it but it would never run right again according to DeAngelis. It had 70,000 miles on it. DeAngelis left the meeting at 7:12 p.m.

Update on Carpenter Home Matters

Dawn Rice joined the meeting at 7:13 p.m. She reported that the kitchen at the Carpenter Home is finished and it looks nice, but she said she was a bit disappointed with the flooring. There is a hump right at the entrance. The subflooring was not leveled. The windows are in, but not finished yet inside. They need to put up sheetrock first and then frame the windows. Rice spoke about the credit card situation. She wanted to order roman shades for the windows but she cannot use O'Keefe's credit card because of the rules of use of the credit card. There are only four approved credit cards: one each for the Town Administrator, Police Chief, Fire Chief, and Public Works Director.

Rice passed out a document to the Board with the current census for the Carpenter Home. She has three empty beds and soon will have four. She said it is looking to filling the beds but might leave one bed empty to be used as a Respite bed. Her staff is okay for now. Carlson asked whether the logging is being disruptive and Rice indicated that it is. Rice reported that the workmen drive up the driveway too fast. She said she has spoken to Chief DeAngelis about it and the police will start giving out speeding tickets.

A brief discussion was held about the work on the field. Rice complained about the mud that is accumulating in the area and she expressed fears for how it will look in the future. She said mud and

water come down the driveway when it rains. Colby said Jeff Snitkin from Baystate Forestry should be answering some questions about the work that is being done. Carlson confirmed to Rice that all the money from the logging does go toward the Carpenter Home, not just a percentage. Colby suggested that O'Keefe speak to Snitkin about water bars. Rice said she hadn't been informed as to the extent of the cutting. Colby asked O'Keefe to speak to Snitkin to assure that the cutting is being done in accordance with the agreement with Baystate.

Rice said she would like to move forward with a gazebo for the grounds. She said she is hopeful that a kit might be purchased and have a Boy Scout troop build it. Rice left the meeting at 8:07 p.m.

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

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(a), Personnel Matters, seconded by Davis . The Selectmen voted unanimously by roll call to go into non-public session at 7:43 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe, Carpenter Home Administrator Dawn Rice and Recording Secretary Bernard.

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 8:06 p.m.

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**

Request to trap on Town property

The Town received requests to trap on the following Town-owned properties from Art Whipple:

- Saw Mill RD, Map 33, Lot 19
- Matthews RD, Map 38, Lot 22
- Off Pine ST (muster field), Map 57, Lot 124
- Sawyers Crossing RD, Map 56, Lot 4

Davis **moved** to authorize Art Whipple to trap on the listed Town-owned properties, and to authorize the Chair to execute the required State Permit to Trap for each property on behalf of the Board. Second by Colby and all were in favor. **Motion passed.**

Request to film on Town property - Whitcomb Hall

The Board received a request from Public Works Director Lee Dunham, on behalf of resident Jodi Turner, to film at and inside Whitcomb Hall for the "In my Backyard" show on Channel 8.

Davis **moved** to authorize Jodi Turner to film on the Town-owned Whitcomb Hall property, including the interior, while accompanied by the Public Works Director. This authorization shall expire on December 31, 2013, and there is no fee or charge for this use of Town property. The motion was seconded by Colby, and all were in favor. **Motion passed.**

Pole license petition – PSNH & Fairpoint Communications

The Board was asked to approve a pole license petition submitted by Northern New England Telephone Operations d/b/a FairPoint Communications NNE and Public Service of New Hampshire for two new poles on Cobble Hill Road to replace two existing poles. DPW Director Lee Dunham has reviewed this

proposal and is okay with it. O'Keefe recommended that any approval be contingent on prompt removal of abandoned poles and he reported that Dunham agreed with him.

Colby **moved** to approve the requested pole license petition conditioned on the complete removal of the abandoned poles within 60 days of transfer of active wires, cable and/or conduits and to authorize the Town Administrator to write the condition into the Petition itself. The motion was seconded by Davis and all were in favor. ***Motion passed.***

Remove properties from Current Use

The Board was requested to remove two properties on Winch Hill Road, Map 62, Lot 10-2 and Map 62, Lot 10-3, from current use status due to their no longer meeting the minimum acreage requirement, but that the Land Use Change tax NOT be issued as the period in which the Town could have issued the tax has tolled. Abutting properties at Map 62, Lot 10-1 and Map 62, Lot 10-4 were sold back on October 17, 2011, at which time the subject parcels technically lost their Current Use status due to their size. Unfortunately Town staff did not pick up on this and the 18-month period required for Town to issue a bill under RSA 79-A:7II(c) has since expired. To unravel this, NHDRA staff suggests the above action as well as changing the taxable assessed value to full value. It was noted that the owner of Map 62, Lot 10-2 can apply for Current Use status by next April by virtue of owning abutting properties appropriately in Current Use.

A discussion was held regarding the process involved so that Town staff will not miss the opportunity to send a bill for similar situations in the future. O'Keefe said Assessing Coordinator Birmingham receives notification and she checks transfers every week or two. These two properties don't meet the minimum requirements for Current Use. There would have been a penalty applied had the Town known earlier.

Davis **moved** to remove properties at Map 62, Lots 10-2 and 10-3 from current use status, to NOT issue a Land Use Change Tax due to noncompliance with RSA 79-A:7II(c), to assess these properties at full value, and to authorize the Town Administrator to forward a letter to the affected property owners notifying them of these actions and the impacts on their property valuation and taxes due to the Town. The motion was seconded by Colby and all were in favor. ***Motion passed.***

Request for Funding by Monadnock Conservancy

Carlson asked about the Monadnock Conservancy request for funds from the Town in support of a conservation easement. The Planning Board, the Open Space Committee, and the Conservation Commission were to report their recommendations to the Board this evening. O'Keefe said that the Planning Board needed more information before they could make a recommendation, the Open Space Committee has recommended supporting the funding, and the Conservation Commission has voted to provide \$4,500 to the Monadnock Conservancy. The applicant had requested that the matter be brought up at the October 8, 2013 meeting.

Farm and Community Coalition invitation letter,

Colby showed the other Board members a letter provided in the meeting packet which invited attendance at an event the Coalition was sponsoring. The letter included directions to go to a website which then had incorrect information on it. Colby noted that the invitation itself should have the information required.

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

The Board was asked to accept checks as follows, totaling \$100.00, as donations to Whitcomb Hall:

- \$100.00 from Ann & Ronnie Bedaw of Ronnie's Truck Service, LLC

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. Second by Davis, and all were in favor. **Motion passed.**

Update on EMF, Inc. computer refresh

Colby asked about EMF, Inc. O'Keefe said they sent some information but he will present it next week. There will be a fixed amount offer, as well as a high and low estimate of cost.

Non-public session(s) per RSA 91-A:3II(d), Consideration of the acquisition, sale, or lease of real or personal property.

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(d), Consideration of the acquisition, sale, or lease of real or personal property, seconded by Colby . The Selectmen voted unanimously by roll call to go into non-public session at 8:42 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe and Recording Secretary Bernard.

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 8:55 p.m.

Motion by Davis to seal the minutes of the non-public session until such time as the property gets publicly listed for sale. The motion was seconded by Colby. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.**

OTHER MATTERS

- O'Keefe reported that the covered bridges were washed by the Fire Department.
- Colby asked about the new ladder truck and was informed that it still has not arrived in town.
- O'Keefe informed the Board that he will not be in the office on Friday, September 27th nor Monday, September 30th.
- O'Keefe informed the Board that according to the Affordable Health Care Act the Town is required to send out information about health care Marketplace to employees, which would be handled this week.
- Colby said the Recycling Center looks a lot better.
- Applications are coming in for the position of Assistant Solid Waste Manager.

CONSENT AGENDA

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

- Raffle Permit #2013-30. Monadnock Regional High School – 50-50 raffle for National Honor Society fundraiser on 10/12/2013 at the Monadnock Regional High School.
- Raffle Permit #2013-31. Fast Friends Greyhound Rescue – Raffle of two doghouses on 10/5/2013 at fast Friends Greyhound Rescue, 14 West Swanzey Road.

- Raffle Permit #2013-32. Monadnock Project Graduation – Pick 3 calendar raffle between 9/2013 and 1/2014 to be drawn each day in January 2014 at the Monadnock Regional High School.
- Raffle Permit #2013-33. Connecticut River Sportsmen’s Club – Raffle of tickets for 30 firearms to be drawn no later than April 13, 2014 at 125 Whitcomb Road.
- Letter of appointment of H. Gregory Johnson as Southwest Region Planning Commissioner. (previously approved on 9/10/2013).
- Certification of Yield taxes Assessed and Yield Tax Levy, Map 89, Lot 5 – \$783.74
- Personnel Action reports

ADJOURNMENT

Motion for Adjournment by Davis, second by Colby. Adjournment at 9:02 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on October 1, 2013.