

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – October 1, 2013  
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, 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 6:00 p.m. at Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

**OTHERS PRESENT**

Planning Board members, Public Works Director Lee Dunham, Town Planner Sara Carbonneau, and many town residents

**MINUTES**

- Regular meeting of September 24, 2013 – Colby **moved** to accept the regular Minutes of September 24, 2013 with changes on pages 1 and 3. The motion was seconded by Davis and all were in favor. ***Motion passed.***
- Non-public meeting #1 of September 24, 2013 – Davis **moved** to accept the non-public Minutes of September 24, 2013, second by Colby, all were in favor. ***Motion passed.***
- Non-public meeting #2 of September 24, 2013 – Davis **moved** to accept the non-public Minutes of September 24, 2013 with typo fix, second by Colby, all were in favor. ***Motion passed.***
- Non-public meeting #3 of September 24, 2013 – Davis **moved** to accept the non-public Minutes of September 24, 2013, second by Colby, all were in favor. ***Motion passed.***

**OLD BUSINESS**

**Presentation by NHDOT on NH Route 32/Sawyers Crossing Road intersection improvement alternatives**

Representatives of the New Hampshire Department of Transportation (NH DOT) and the Southwest Region Planning Commission (SWRPC) met with the Board and Planning Board to give feedback on the preferred options for improving the intersection of New Hampshire Route 32 and Sawyers Crossing Road. A presentation was given by Michelle Marshall from NH DOT, Bureau of Highway Design. Marshall pointed out that the Town was involved in the road safety audit of the intersection, which was conducted in February 2013. After this meeting, NH DOT would need a letter from the Town in support of one or the other solutions provided through the road safety audit in order for the project to proceed toward design.

Marshall reviewed some of the issues related to the intersection: 21 crashes in a ten year period, and sign clutter at the intersection. She addressed some of the short term solutions – such as the Town enforcing the speed limits in the area, trimming of trees on the school property on a regular basis, and relocating some of the signs, some of which has been already addressed. Medium term solutions were offered by Marshall, and she addressed the long term solutions as well. She said that CHA, Inc. came up with three potential long term solutions including a roundabout (with an estimated cost of \$695,000). Another option is a “T” intersection, estimated at \$135,000 cost. The final option was not recommended by NH DOT, and that is a re-alignment of Sawyers Crossing Road, which would cost about \$80,000. Then she asked for questions. Some of the questions and comments follow:

- NH DOT stated that a “T” intersection will cost a delay to the driver of about 40 seconds. A roundabout delivers a higher level of service with the ability to process much more traffic and significantly less delay.
- Kathy Habiby asked who pays the cost of changes to the intersection and the response from NH DOT was that the costs would be paid 90% by Federal Highway funds, and 10% by State toll credits. There would be no cost to the Town. Habiby also asked who makes the decision. The response was that the Town makes that decision by submitting a letter to NH DOT.
- If the Town does a roundabout, how is Simeneau Lane addressed? Kent Zanes from NH DOT spoke about the conceptualization of the initial design which would have to be further developed. He pointed to Simeneau Lane on the design showing access beyond the roundabout. He noted that a Roundabout is good at slowing drivers down. Habiby asked about the size of the roundabout. The NH DOT response is that they are suggesting a 125-foot one-lane roundabout. Zanes also said the roundabout can offer a gateway effect for the area.
- Don Skiba asked what the basic benefit would be and the response from NH DOT was to reduce speed at the intersection and thereby reduce the number of crashes per year.
- Jane Johnson asked if the intersection under discussion is the next most dangerous intersection in Swanzey after the intersection of State Route 12 and Lake Street. NH DOT officials responded that the request to audit this intersection came from the Swanzey Police Chief and was not selected based on comparing intersections in town.
- Town Planner Sara Carbonneau said backup of traffic occurs between 7:00 and 8:00 a.m. in the morning and in the afternoon when school gets out and later with commuters. Johnson also asked if the number of curb cuts in the area is a factor. A brief discussion of access management followed.
- Highway safety improvement program allocates money to fix high number of accident areas. The roundabout will improve safety and improve capacity.
- A question came up regarding accidents on roundabouts and Zanes responded that accidents in roundabouts are less severe and therefore less likely to cause injuries.
- A question came up with regard to speed bumps to slow down traffic.
- Question about number of incidents in other areas, basically questioning the need for the safety audit. Marshall responded that the Town of Swanzey asked for the audit.
- Comment – There appear to be a lot of minor accidents because of young inexperienced drivers related to the school.
- Crash modification factor occurs with a roundabout which means injury crashes are reduced by 80% because crashes are likely to not be a T-bone accident, but instead side to side crashes.
- What about pedestrian safety in crossing a roundabout? Zanes said that crossings need sidewalks, the setup is such that a pedestrian is only crossing one lane at a time. Design speed of the roundabout is about 20 MPH.
- Sidewalks – the State would put in sidewalks but the Town would have to agree to maintain them, not the state. Currently there is no sidewalk between Mt. Caesar and the Monadnock Regional High School.

A general discussion followed. Marshall went on to say that the Town needs to provide a letter to NH DOT with support for the project (or not). Scott Self asked about whether the Town could go ahead without specifying the proposed designs, and the NH DOT staff said it could. Samir Habiby made a point that Sawyers Crossing is dangerous. Colby asked if the cost of sidewalks would be factored in to the cost, and the response was it would be but the Town has to promise is to maintain the sidewalks.

Kathy and Samir Habiby expressed support for the roundabout. Jan Parsons asked about a crosswalk to assist Mt. Caesar walkers over to the High School. The NH DOT will look at both options and come back to Town with more refinement. Glenn Page said he thinks the roundabout is a no brainer. Chair Carlson asked for a straw vote from the residents present. Votes for the roundabout: 14, including Colby and O'Keefe out of a group of approximately 18. Carlson said there will be another discussion in a few weeks. Most residents left at 6:53 p.m.

### **Monadnock Conservancy Funding Request**

In response to a request for funding from the Monadnock Conservancy to preserve by easement a section of the West Hill/California Brook area, the Board of Selectmen asked the Swanzey Planning Board, the Swanzey Open Space Committee (OSC), and the Swanzey Conservation Commission to return to the Board with their recommendations. The funding request was for \$22,500 or approximately 6% of the total cost of the project. The OSC recommended supporting the project through the Conservation Land Acquisition Capital Reserve Fund and the Conservation Fund, the Conservation Commission voted to contribute a maximum of 20% of the \$22,500 (\$4,500) from the Conservation Fund, and the Planning Board voted to support the project with funding assistance with condition that hunting be allowed on the land. The Planning Board vote took place after an initial denial for funding until more information could be obtained as to the details of the conservation easement. Those details had been provided by the Monadnock Conservancy to the Planning Board's satisfaction.

Town Administrator O'Keefe provided to the Board information regarding possible sources of funding:

- The Conservation Land Acquisition Capital Reserve Fund, which has the Board of Selectmen as spending agents, and had a fund balance of \$251,582 as of December 31, 2012. However \$73,500 of this account was dedicated to the acquisition and site preparation of the West Swanzey Athletic Association (SWAA) park site on February 12, 2013, leaving an available balance of about \$178,000.
- The Conservation Fund, which has the Conservation Commission as spending agents, and has a balance right now of about \$68,260.

It was noted that public hearings will be needed for the project by both the Selectmen and the Conservation Commission.

*Colby **moved** to contribute \$18,000 from the Conservation Land Acquisition Capital Reserve Fund and \$4,500 from the Conservation Fund toward the Monadnock Conservancy's proposed acquisition of an easement located within the town of Swanzey in the California Brook Natural Area on the condition that hunting on the land shall be allowed, , and from the Conservation Fund and to authorize the Town Administrator to execute any documents necessary for the conveyance. The motion was seconded by Davis. All were in favor. **Motion passed.***

### **Concerns for Riley Conservation area**

Bruce Bohannon, as a resident of the town of Swanzey, addressed the Board regarding the Riley Conservation area. He proposed a gate to prevent access onto the railroad bed and where drivers are using the turnaround to kick up mud and dirt. Bohannon showed a video of the activity going on in the area. He said he did not file a complaint with the police. At least one car is using the turnaround and the wetlands adjacent to the turnaround to do circles in the mud and ruin the grassland.

A discussion was held regarding putting rocks in the area to prevent access. Public Works Director Lee Dunham added to the discussion. It was his opinion that the perpetrator will not stop unless something is done. Bohannon said that there is some controversy over who manages the area, whether it is the Conservation Commission or Public Works. The discussion continued about a second canoe access. The land where the canoe access is being considered is wet, according to Bohannon. O'Keefe said that the Conservation Commission will meet with the Board next week. Dunham said he could put rocks in the area to try to control the mud activity. Bohannon said he would like to see a clarification of the authority of the Conservation Commission. Carlson said the Commission is advisory. It was agreed by the Board to discuss this property with the Conservation Commission next week.

**General discussion of Public Works Department matters.**

DPW Director Dunham met with the Board to update the Board on Public Works Department matters, including ongoing bridge projects, dam projects, cemeteries and parks. He reported that the Marcy Hill Road reclamation project will start October 3, 2013. He provided an update on the Cobble Hill and Warmac Road bridge projects. The bridge is in at Warmac Road, next step includes paving. He also said that the Webber Hill guard rail will be scheduled.

Dunham reported that the September 12, 2013 storm did some damage but the Department was able to handle it: lost Cobble Hill in two places, had water over the road on California Brook road, and there was some damage on Forest Road.

Dunham continued saying that the Department is starting work on Mountainview Cemetery. He then went on to say that Truck #31, a 1999 F-350, is going to be moved out to bid. The truck has 115,000 miles on it. When asked what he thought would be a minimum bid he said it should be \$1,000 to \$1,500, which sounded low to the Board. Dunham also reported that one of the Department's trucks needs a new clutch and it will be needed before winter sets in. Dunham said he thought it should cost about \$2,500 to have it repaired and he would like to get it done. The Board asked Dunham to get some quotes.

Carlson asked Dunham what he knew about a new sidewalk to be put in West Swanzey. Dunham said he was going to talk to NH DOT about the idea, but the West Swanzey Sidewalk Committee said to put it on hold because of the upcoming review of an application for a Dollar General store by the Planning Board.

A discussion occurred about the water supply for the Dollar General project at the Cobble Hill Road intersection of State Route 10. A discussion followed regarding how sidewalk projects are bid. Carlson noted there is a Sidewalk Trust which gives the Sidewalk Committee authority to expend the money for sidewalks in the west Swanzey area.

Carlson asked Dunham about a Request for Proposal (RFP) for Main Street work that Dunham is supposed to be writing. Dunham said he hasn't worked on it as yet. Then she asked about the Certificate of Insurance for the sidewalk project. Carlson said she wants to make sure the Town is covered in terms of liability.

Davis asked Dunham about talking to Dan Warner at the Keene airport regarding several inches of water in a local building nearby. O'Keefe said he could speak to folks at the City of Keene, also mentioning that that he had spoken to staff there this week about the trail closure to the top of Mt. Caesar because of the logging operation. He reported that they were okay with the temporary trail closure.

Dunham said in another two weeks, they are going to start lowering Wilson Pond.

O'Keefe referred to a letter from Ginger Hill regarding the dumping of refuse on Massey Hill Road near Sugar Hill Road. Dunham suggested that everywhere there is a class six road someone decides that it is cheaper to dump refuse there instead of taking it to the Recycling Center. He said he wants to search Town records to look for a discontinuance of Marcy Hill Road to research what can be done, if anything, about restricting access by car/truck. Dunham left the meeting at 7:52 p.m.

## **NEW BUSINESS**

### **Request to trap on Town property**

The Town has received requests to trap on the following Town-owned properties from Jerry Bussiere:

- Causeway RD, Tacy Lot
- Off Pine ST (muster field), Map 57, Lot 124

*Colby **moved** to authorize Jerry Bussiere to trap on the listed Town-owned properties and to authorize the Chairperson to execute the required State Permit to Trap for each property on behalf of the Board. The motion was seconded by Davis. All were in favor. **Motion passed.***

### **Town Hall computers**

O'Keefe reviewed with the Board the need to replace Town Hall computers and upgrade the network as recommended by EMF, Inc. He presented the Board with an updated price quote for the purchase and installation. While there are firm costs for the hardware and software acquisition, there is a range of costs for installation service though these have been reduced by over \$2,000. EMF, Inc. has also proposed a fixed cost for the project. O'Keefe told the Board that at present the Town Hall IMS expendable trust has a balance of \$106,000.

*Colby **moved** to accept the proposal from EMF, Inc. to replace computers and upgrade software and other information management systems at Town Hall and to authorize the expenditure of up to \$72,000.00 from the Town Hall Information Management Systems Expendable Trust for this effort, and further to authorize the Town Administrator to sign any documents necessary to secure the services of the chosen contractor. The motion was seconded by Davis, and after discussion to assure that the Town Hall Staff had been informed, all were in favor. **Motion passed.***

## **OTHER MATTERS**

### **New Hampshire Municipal Association Newsletter**

O'Keefe noted a newsletter from New Hampshire Municipal Association that he recommended the Board review. He pointed in particular to sections covering Contingency Funds and Default Budget for Sewer and Water funds that he thought would be of interest to the Selectmen.

### **Update on Dry Hydrant plans for the WSAA lot/park**

O'Keefe said that the delay in plans for the dry hydrants is being caused by the surveyor given the park design has not been completed. He said the dry hydrant design is waiting on the park design. He noted the State funding apparently goes away if the project is not completed by December 31, 2013. Colby

asked if Jeff Goller, who is working on a park design for the lot, had a copy of the design, O'Keefe said he wasn't sure, but would speak to him about it.

### **Land Acquisition Decision of the Board**

The Chair of the Capital Improvement Program Committee (CIP) Dave Osgood was present to discuss the decision by the Board to pass up an opportunity to acquire property being offered for sale after the CIP had recommended purchasing the property for use by the Department of Public Works. Carlson said the highest priority is for Town Hall or a Fire Station and the property in question would not have been suitable for either. Osgood said he felt it was a golden opportunity to bring it to the voters. Davis explained that the Town would have to spend more money to get the property ready for Public Works to use, which would be less money for Town Hall and Fire Station. Colby said the problem is the cost of bringing Town Hall up to safety codes is estimated at \$500,000. If the Town asked the voters to approve that cost in addition to the purchase price of the property being discussed, the voters would be asked to approve something near \$1,500,000. And if the voters did reject that request, then there would be no money for the required safety code fix for Town Hall.

Osgood said he was disappointed that the decision was made without a dialogue with the CIP. Colby said the Board had a dialogue with Osgood a few weeks ago. Osgood repeated that he thinks the decision to buy or reject the property being offered for sale should go to the voters. Carlson repeated that the number one priority for the Board is Town Hall and that in all probability that is what the Board will go to the voters to ask for money. Colby pointed out that the Town has a safety assessment for Town Hall and it has to make it meet life and safety codes as long as people are working in the building. Colby stressed that the Board has to start somewhere. He said he is aware that there is a greater need beyond Town Hall.

Carlson halted the discussion at this point because she felt that it was going around in circles without resolution. Osgood asked why the CIP exists if its recommendations were not considered. The Board pointed out that the CIP was informed that Town Hall was the highest priority. Colby said he wanted to interject that the CIP may not be aware of the funding that is needed for other projects like the dams which has impact on budgeting. Bohannon and Osgood left the meeting at 8:46 p.m.

### **Non-public session(s) per RSA 91-A:3II(c), Reputation**

**Motion** by Carlson to enter Non-public session pursuant to RSA 91-A:3II(c), Reputation, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 8:47 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe and Recording Secretary Bernard.

**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 8:59 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.**

### **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. Charlotte M. Kendall, Map 15, Lot(s) 6 & 17
- Letter to the Town Health Officer.

**ADJOURNMENT**

Motion for Adjournment by Davis, second by Colby. Adjournment at 9:00 p.m.

Respectfully Submitted,

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

Beverly Bernard, Recording Secretary

Approved on October 8, 2013.