

Town of Swanzev, New Hampshire  
**Board of Selectmen**  
Meeting – December 10, 2013  
Swanzev Town Hall, 620 Old Homestead Highway, Swanzev, 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 Swanzev Town Hall. Also present was Recording Secretary Beverly Bernard.

**MINUTES**

- Regular meeting of December 3/6, 2013 – **motion** was made by Colby to accept the regular meeting minutes of December 3/6, 2013. The motion was seconded by Davis for December 3, 2013. Carlson seconded the minutes for December 6, 2013 and all were in favor except Davis who abstained regarding the minutes of December 6, 2013. **Motion passed.**
- Non-Public meeting #1 of December 3, 2013 – Colby **moved** to accept the non-public meeting minutes #1 of December 3, 2013. The motion was seconded by Davis and all were in favor. **Motion passed.**
- Non-Public meeting #1 of December 6, 2013- Colby **moved** to accept the non-public meeting minutes #1 of December 6, 2013. The motion was seconded by Carlson with abstention from Davis and all were in favor. **Motion passed.**

**OLD BUSINESS**

**Outstanding receivable for the Carpenter Home**

The Board reviewed with Bookkeeper Theresa Lounder the decision by the Board on October 29, 2013 to write off the balance due from a resident based on the unlikelihood the Town would collect the amount due from the family or Medicaid. The Board had agreed to write off the amount rather than take the money out of one of the trust accounts unless the budget is in trouble toward the end of the year.

Lounder asked the Board to formalize their decision now that the budget year is drawing to a close. She noted that the Medicaid daily maximum payment from the State of New Hampshire has been lowered to \$49.00. Lounder suggested that the loss for 2013 be written off. But moving forward this is going to be an issue because the Town has eight Medicaid residents and the loss will be greater for 2014. The Carpenter Home has fifteen residents right now, and is licensed for sixteen. Lounder said the amount to write off today is \$2,088.10, and she thinks that an additional \$245.00 will be billed for the balance of the year for a total of approximately \$2333.10 for 2013.

The Board agreed to write off the outstanding receivable as of the end of the year. The Carpenter Home fund balance is at about \$80,000 right now according to Lounder. She said that normally the operating costs for the Carpenter Home are not taken from the fund since the Carpenter Home is usually self-sustaining without the need to withdraw from the fund.

**Motion** by Davis to write off approximately \$2,333.00 in outstanding receivables for the Carpenter Home for year 2013, second by Colby, and all were in favor. **Motion passed.**

The Board agreed to continue to bill Medicaid for the actual costs for the residents of the Carpenter Home in 2014.

### **Transfer of LUCT funds to Conservation Fund**

The Board was asked to transfer \$10,000 of funds collected through the land use change tax (LUCT) to the Conservation Fund. At the 1995 Town Meeting voters approved Article 31, which authorizes (pursuant to RSA 79-A:25 II) placing 50% of all future payments collected for the LUCT, up to a maximum of \$10,000 annually, into the Town's Conservation Fund (in accordance with RSA 36-A:5 III). To date the Town has collected \$17,866 and has a receivable of \$9,918. The Board agreed.

Colby **moved** to authorize the transfer of \$10,000 of funds collected in 2013 from the Land Use Change Tax to the Land Conservation Fund in keeping with Article 31 of the 1995 Town Meeting. Davis seconded the motion and all were in favor. **Motion passed.**

Solid Waste Manager Bob Osterhout joined the meeting at 6:26 p.m.

### **Authorize expenditure(s) over \$1,000 – Recycling Center**

Osterhout discussed with the Board his request for authorization for purchase and installation of a security camera system at the Recycling Center. The need for this type of security system was discussed at a recent Board meeting. Osterhout presented several bids for both analog and IP systems, and recommended accepting a proposal of \$8,322 from Virtual Surveillance of Allen, TX (with branch in Boston, MA) for an IP system. He recommended going with IP Cameras, instead of the Analog cameras. Discussion occurred regarding the pricing for a good system. Osterhout said that he thought it would take a couple of weeks for installation and that he would like a quick turnaround. Discussion was held around maintenance and the fact that the software updates and maintenance can be done offsite.

Colby **moved** to accept the proposal from Virtual Surveillance of Allen, Texas and Boston, Massachusetts for installation of a security camera system at the Recycling Center and authorize the expenditure of up \$9,000 for this effort, the cost for which will come from the Recycling Center Improvements Capital Reserve Fund, and to authorize the Solid Waste Manager to execute any documents necessary to secure the authorized services. Davis seconded the motion. Discussion was held briefly on tapping into the Capital Reserve Fund. All were in favor, and **motion passed.**

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

**Motion** by Davis to enter Non-public session pursuant to RSA 91-A:3II(a), Personnel Matters, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 6:35 p.m. **Motion passed.** Present were the Board members, Recording Secretary Bernard and Solid Waste Manager Bob Osterhout.

**Motion** was made 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 6:41 p.m.

**Motion** was made 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.**

Osterhout left the meeting at 6:42 p.m.

Fire Chief Skantze joined the meeting at 6:42 p.m.

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

The Board was asked by Fire Chief Norm Skantze to accept funds totaling \$1,000, from the NHDRED Division of Forests & Lands 2014 Volunteer Fire Assistance funds, which will be used to supplement \$1,000 of Town funds for the purchase and replacement of 900' of new forestry hose, hose deployment bags and accessories. The proposal calls for the Department to expend the funds from the Line Item Forestry Supplies, which has \$1,000 in it according to Skantze. The total for forestry hose, forestry hose packs, and wild-land hose clamp is \$1,999.60. Skantze asked that it be recorded that Justin Tracy did all the paperwork for the grant and obtained the quotes.

Davis **moved** to accept and expend \$1,000 in Line Item Forestry Supplies and \$1,000 from the NHDRED grant; the motion was seconded by Colby, and all were in favor. **Motion passed.**

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

The Board was asked to accept a gift of personal property from Monadnock Underwater Rescue Squad, specifically a utility trailer supplied by the Cheshire Horse, to be used by the Fire Department valued at \$3,924. This item was received on June 24, 2013 but staff did not refer this matter to the Board for formal acceptance at that time. A brief discussion was held about a "thank you" letter to be sent.

Davis **moved** to accept the gift of a utility trailer from the Monadnock Underwater Rescue Squad, valued at \$3,924, to be used by the Fire Department. Second by Colby, and all were in favor. **Motion passed.**

### **Dry Hydrant at former AA building site**

Skantze made a request of the Board to authorize the expenditure of \$8,500.00 payable to SUR of Winchester, NH for the purpose of installing a second dry hydrant in the same trench as the first dry hydrant paid for by a grant from the state of New Hampshire at the former AA Building site to be funded from the Fire Pond Trust Fund was has approximately \$26,675. Colby asked if any additional approvals were required for the additional hydrant, and Skantze said the plan that was approved calls for two hydrants. Skantze said the \$8,500.00 will include everything including labor. One hydrant will produce about 1,000 gallons per minute so long as there is water in the river. Skantze said he was concerned about the large buildings in the area being served and the presence of a second hydrant will alleviate that concern.

Colby **moved** to authorize the expenditure of \$8,500.00 payable to SUR of Winchester, NH for the purpose of installing a second dry hydrant in the same location as the first dry hydrant for the river front property at the former Athletic Association site in West Swanzey to be taken from the Fire Pond trust fund. Davis seconded the motion. All were in favor, **motion passed.**

Skantze left the meeting at 7:11 p.m.

### **Junk yard regulation**

Beth Ann Tatro was not able to join the meeting to discuss establishing regulations to control junk storage on private property and to discuss the possibilities of nuisance regulations under RSA 147:1. The topic was tabled until next week.

### **Noise Ordinance**

This discussion was tabled until next week.

## **NEW BUSINESS**

### **Update Cemetery fee schedule**

Department of Public Works (DPW) Director Lee Dunham submitted a request to the Board to consider updating the cremation lot price from \$200 to \$300, to better align pricing and to reflect the fact that the lots are now 6' X 6', instead of the original previous dimension of 4' X 4' when the price was set. The Board could retain the old price for the few remaining 4' X 4' cremation lots. Davis said that she would like to know why 6' X 6' space is needed for cremation remains and she said that \$100 increase is a large increase. – The topic was tabled until next week to include Dunham in the discussion.

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

The Board was asked to accept funds as follows, totaling \$6,300.00, as donations to Whitcomb Hall:

- \$5,000.00 from Peter Johnson (to be used for a furnace at Whitcomb Hall)
- \$300 from Peter Johnson (for calendars)
- \$1,000 from Mae West (for Whitcomb Hall renovations)

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 Whitcomb Hall Non-Restricted Fund trust account. Motion was seconded by Colby. Discussion included a note that “thank you” letters be sent. The “thank you” letter to Mae West should be a letter to the Editor of the Keene Sentinel newspaper since there is no other way to contact her. **Motion passed.**

### **Warrant Article – Revenue Development District**

A brief discussion was held regarding the following request:

The Revenue Development District Advisory Board voted to recommend that the Selectboard include the following article on the 2014 Town Meeting Warrant:

Article \_\_. To see if the Town will vote, pursuant to the applicable provisions of RSA 162-K, to amend the Tax Increment Financing Plan for the Swanzey Revenue Development District (the “District”) to permit tax increments generated by development in the District to be used to pay for capital expenditures of the District in addition to being used to pay debt service on bonds issued to finance District improvements and related District expenses.

It was noted that the request simply allows tax increments to be used for capital expenses in addition to the other uses permitted (“payment of bond issued to finance infrastructure costs and related development district expenses”). The Board decided to pass along the information to Town Counsel Sam Bradley for his advice as to how to proceed.

### **Non-public session(s) per RSA 91-A:3II(e) Legal Claims or Litigation**

**Motion** by Colby to enter Non-public session pursuant to RSA 91-A:3II(e), Legal Claims or Litigation, seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:22 p.m. **Motion passed.** Present were the Board members, and Recording Secretary Bernard.

**Motion** was made 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 7:28 p.m.

**Motion** was made 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.**

#### **OTHER MATTERS**

##### **Bidding on Town truck for sale**

Carlson asked about a concern from a citizen regarding a Town of Swanze truck going to bid. Colby pointed out that the goal of the Town is not to have rusting trucks in the back parking lot of Town Hall. Colby said the Town should get moving on the bidding process so as to sell the truck. A brief discussion was held regarding whether or not DPW Director Dunham would perform this task or had done so in the past.

#### **CONSENT AGENDA**

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

- Yield Tax Levy. Map 45, Lot 22-2 – \$440.32
- Certification of Yield taxes Assessed and Yield Tax Levy. Map 45, Lot 22-2 – \$440.32
- Abatement of property taxes (Tax exempt per RSA 72:23 V). Map 19, Lot 19-057 – \$3,311

#### **ADJOURNMENT**

**Motion** to adjourn was made by Davis, second by Colby. **Motion passed.** Adjournment at 7:50 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on December 23, 2013.

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Non-Public Meeting Minutes #2 – December 10, 2013

**Non-public session(s) per RSA 91-A:3II(e) Legal Claims or Litigation**

**Motion** by Colby to enter Non-public session pursuant to RSA 91-A:3II(e), Legal Claims or Litigation, seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:22 p.m. **Motion passed.** Present were the Board members, and Recording Secretary Bernard.

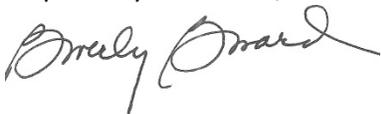
Carlson referred to a letter received from Town Counsel Sam Bradley that suggested that the Town of Swanzey might want to participate in the lawsuit that is being brought by the Town of Troy, New Hampshire against the Monadnock Regional School District. Carlson said the letter referred to Bradley's review of the litigation and he said it appears that the decision to change the formula for School District financing cannot be done by petition according to the existing law. She continued her report saying therefore, since the change was made by petition; it may be that the Town of Troy has a good chance of winning its lawsuit against the School District. Carlson said that the Town of Swanzey might want to join the Town of Troy in the litigation.

Some discussion ensued regarding changing the formula for how the school district is financed. The Board agreed to ask Counsel Bradley to proceed accordingly in support of Troy. Colby explained that Upton and Hatfield, which now represents the Town of Troy, once represented the Monadnock Regional School Board from his recollection and it should be noted.

**Motion** was made 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 7:28 p.m.

**Motion** was made 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.**

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on December 23, 2013.

**These Minutes unsealed by the Board of Selectmen on January 14, 2014.**