

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Meeting – January 7, 2014  
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 6:06 p.m. at the Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

**MINUTES**

- Regular meeting of December 30, 2013 – **motion** was made by Colby to accept the regular meeting minutes of December 30, 2013 with changes noting that the date on page 2 for bidding by the State of New Hampshire for the Route 12 roundabout was mistakenly given as 2014, but should have been 2015, and on page 3 the reference to the RFQ for West Swanzey Main Street should stand as a separate paragraph. Davis asked about the Monadnock Region Child Advocacy Center which is referred to on page 4 and whether they are coming in to meet with the Board and O’Keefe said that he has not been able to reach anyone about it. The motion was seconded by Davis and all were in favor. ***Motion passed.***

**Request for use of Town property for Fire Training – WSAA property**

Norm Skantze joined the meeting at 6:07 p.m. He noted that the former West Swanzey Athletic Association (WSAA) property is vacant at the moment and he requested to do some live fire training on the property on the last week of January, Sunday, and Monday, the 26<sup>th</sup> and 27<sup>th</sup>. Colby asked if there would be any residual impact on the property, and Skantze said there would not be. Colby said he didn’t object. The Board agreed to allow the Fire Department to use the WSAA property for Fire Department training on January 26 and 27, 2014.

**Second Hydrant at WSAA Property**

Carlson asked Skantze about the second hydrant at the WSAA property and how did it happen without the Town paying the extra \$2,000.00 for a second hydrant. Skantze said he wouldn’t spend any extra money if it wasn’t authorized by the Board. He went on to say that the extra hydrant got installed without the extra payment. He noted that one of the hydrants can be moved by inserting one length of pipe if in the future, the Board or Jeff Goller, who is working on the park design, wants to see it moved.

**NOMINATIONS**

**Open Space Committee (OSC)**

OSC member Judith Hildebrandt, whose March 29, 2011 appointment ends at Town Meeting 2014, has resigned her position as a regular member in a letter dated January 2, 2014, and has asked to be considered as an alternate member. At the same time, alternate member Karen Sielke, whose June 25, 2013 appointment also extends to Town Meeting 2014 (filling a vacancy left by Mary Farnsworth’s elevation to regular member status), has asked to fill the vacancy created by Hildebrandt’s resignation.

Davis **moved** to appoint Karen Sielke as a regular member of the Open Space Committee with a term extending to Town Meeting 2014, and to appoint Judith Hildebrandt as an alternate member of the Open Space Committee with a term extending to Town Meeting 2014, each filling the vacancy created by the other. The motion was seconded by Colby, and all were in favor. ***Motion passed.***

### **Meet with Town Treasurer regarding the Proposed Purchasing Policy**

Town Treasurer William Hutwelker met with the Board to discuss purchasing matters as well as a draft for a new purchasing policy that was prepared by the Town Administrator and which he had a chance to review. Hutwelker felt the change was significant enough to contact the Chair regarding stopping the policy from going forward at this time.

Three main concerns:

1. That the draft policy didn't come from the Board of Selectmen – before being discussed with the Department Heads.
2. Investing a significant amount of authority in the Town Administrator for purchases up to \$10,000.
3. Going from policy of \$1,000 and up needing Board authorization to \$10,000 before needing Board authorization.

A discussion ensued regarding the types of purchases that are routine noting that many come in for over \$1,000 such as the assembled invoices from Fire Department. The Board agreed that it is more appropriate to be at level above \$1,000, but had not determined what a new level would be appropriate: \$3,500 and \$4,000 were mentioned as possibilities.

Colby said he hasn't seen a copy of the policy change and did not know that the number was \$10,000. He noted that the draft policy hasn't been discussed by the Board and not approved. Colby said the draft might have been sent out to get input from Department Heads for the Board to consider. Regarding Hutwelker's concern about the origination of the policy, O'Keefe said that it has been discussed numerous times with the Board that the present dollar limit needed adjustment, that a graduated change of levels was a possible solution, and that staff should revise the policy for review by the Board. He said he used the best elements of policies from ten other communities to create a new policy. The dollar amounts are for the sake of discussion. O'Keefe said he also thought \$10,000 was a bit high.

Carlson said that perhaps the dollar amount should have been run by the Board first. \$10,000 from \$1,000 is a large increase. Carlson said if it isn't realistic, then a range would have been more appropriate.

### **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, Town Administrator Shane O'Keefe, Town Treasurer William Hutwelker 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 6:53 p.m.

**Motion** was made 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.**

### **127 Old Homestead Avenue Property with Junk and Unsanitary Conditions**

Hutwelker went on to discuss with the Board the junk accumulation situation at a property on Old Homestead Avenue which is preventing the sale of a neighboring home. He said the primary reason the house up for sale owned by Gail Burgess hasn't sold is because of the condition of the neighboring

property. Hutwelker hoped to speak to Health Officer BethAnne Tatro to discuss it. But Tatro was not able to attend the meeting tonight because of illness. Mention was made that the Keene Sentinel newspaper had at one time reported that it cost the Town of Winchester something like \$70,000 to clean up similar properties in Winchester. The Board noted that the Town of Swanzey has given the family owning the property at 127 Old Homestead Avenue a waiver for fees at the Recycling Center so as to make it easier for them to clean up the property, but that does not seem to have made a permanent change to the property.

### **Need of the Town of Swanzey for Expansion of Facilities**

A discussion was held between Hutwelker and the Board regarding a particular property up for sale as possible land for use by the Town, specifically the former Keene Tree site. Colby said the problem is how to raise the money to buy property. Colby mentioned there are multiple facility problems that must be addressed – like Town Hall, and the pond dams which need repairs. Colby pointed out the Board has been very frugal. Committees have been set up to make recommendations for Town facility projects. Colby said it takes time to develop a plan. Colby pointed out that there are things that go beyond the purchase of property which will cost money. Davis pointed out that the Board has to set priorities and the CIP Committee is engaged in working on an assessment of need for the various facilities in Town.

Hutwelker left the meeting at 7:04 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 7:05 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, and Recording Secretary Bernard.

**Motion** was made 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 7:15 p.m.

### **OLD BUSINESS**

#### **Return of NHLGC HealthTrust surplus**

The NHLGC HealthTrust as part of a court challenge is returning surplus from 2010 through 2012, as was noted back in October 2012 and again on June 2013. On June 25, 2013 the Board discussed the options of taking these refunds, totaling \$74,106.57 at the time, as either a one-time cash payout or as a “contribution holiday” whereby the Town would simply be credited this amount. The Board chose the contribution holiday option. At this time the Town again has this option for returns on 2011 and 2012 surplus funds, totaling an additional \$26,017.13. O’Keefe recommended the credit alternative, as this would not require a formal hearing per RSA 31:95-b on acceptance of unanticipated funds of over \$5,000, and would allow for amending the expense budget by a like amount to address cost overruns in other parts of the budget if necessary.

Colby **moved** to take a surplus refund of \$26,017.13 from HealthTrust, LLC as a “contribution holiday” in the form of a credit to the Town. The motion was seconded by Davis and all were in favor. **Motion passed.**

## **NEW BUSINESS**

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

The Board was asked to accept the following contribution to the Town for the Open Space Committee in memory of Jean Blood:

- \$100.00 from The Donna B. Allard 1995 Revocable Trust, c/o Cindy A. Hensel, Trustee

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

### **Troy Lawsuit against the Monadnock Regional School System**

Carlson said she spoke to Town Counsel Attorney Sam Bradley regarding the lawsuit. She also mentioned that she received a call from Tom Mattson, from the Town of Troy, thanking Swanzey for intervening on their behalf.

### **OSC Priority Spreadsheet for Activities in 2014**

Colby distributed to Carlson and Davis copies of the Open Space Committee (OSC ) spreadsheet done by Bernard as a member of that committee for determining priorities for activity during 2014. Colby said he felt that his vote should represent the vote of the entire Board. He asked Davis and Carlson to prioritize the projects and then return them to Colby who will average the scores and return the spreadsheet to Bernard for use at the OSC retreat planned for January 18, 2014.

### **Department Head Evaluations**

Carlson briefly mentioned that the Board should be involved in evaluations for Department Heads soon and she suggested that the Board manage two employees at a time during a regular Board meeting. The Board agreed. O'Keefe provided evaluation forms to Board members as needed.

### **Town Report**

Carlson also mentioned that the Board needs to prepare text for the Town report. She mentioned some of the accomplishments that the Board has achieved in 2013:

- Committees formed for Whitcomb Hall, and the CIP Committee for Facilities assessment
- Purchase of the WSAA property and planning for a park on the site
- Replacement of two bridges – Warmac Road and Cobble Hill Road
- Webber Hill guardrail installed
- Installation of dry hydrants for fire protection of West Swanzey

### **Invoice from ASCAP for music sponsored by the Town**

O'Keefe said that the Town has received its annual invoice from American Society of Composers, Authors, and Publishers (ASCAP) for use of copyright materials in Town sponsored events like Old Home Day. The fee is \$360.00 per year. O'Keefe also mentioned that music in the public domain, such as music written before 1922, can be used without paying a fee. Carlson said that we should pay it for this year while looking into what can be done about it for the future. O'Keefe did note that other towns have to pay it as well.

### **Changes to the Personnel Policy**

O'Keefe said that some things were either included or left out by mistake from the changes authorized on December 23, 2013. On page 6 of 24 under Chapter VII – Health Insurance – change is deletion of “(effective 1/1/2012)”. On page 7 of 24 in the same section, paragraph 1, addition of “for” in sentence:

(15% for Matthew Thornton) and change "18" to "23.3% for" Blue Choice, and delete "(effective 1/1/2012)".

Colby made a **motion** to adopt the changes on page 6 and page 7, Chapter 7 of the Personnel Policy as stated above, second by Davis, and all were in favor. **Motion passed.**

#### **Business Operations Assessment being offered**

O'Keefe noted that the New Hampshire Municipal Association is offering a Business Operations Assessment for free to communities in New Hampshire. O'Keefe will consult with Treasurer Hutwelker about it.

#### **OTHER MATTERS**

##### **Discuss 2014 Budget**

The final draft of the 2014 Town Budget was presented to the Board by Town Administrator O'Keefe. The Board also discussed preparations for the budget hearing, which is scheduled for January 14, 2014 at 7:00 p.m. after the regular Board of Selectmen meeting which begins at 6:00 p.m.

A number of items were touched on:

- Discussion about the crosswalk painter not being in the budget for the Department of Public Works.
- Sidewalk tractor – where it is being carried as a line item.
- Need to add changes for the Full Time Salary line for Recycling Center such that the percent change is 22.1% instead of 21.3%.
- What the budget looks like without the extra pay period (53 weeks in 2014).
- Numbers for Short Term Disability and Workers' Compensation line items showing substantial changes – review of default budget versus proposed budget.

O'Keefe will put together a budget package for public consumption.

#### **CONSENT AGENDA**

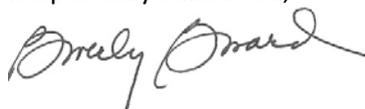
**Motion** was made by Colby to approve the Consent Agenda, authorizing the chair to sign where necessary. Second was made by Davis. All were in favor. **Motion passed.**

- Appointment resolution for Deputy Town Clerk
- Notice of Intent to Cut Wood or Timber. Nancy L. Carlson, Map 87, Lot(s) 5 and 5-2.
- Personnel Action Report(s)

#### **ADJOURNMENT**

**Motion** to adjourn was made by Davis, second by Colby. **Motion passed.** Adjournment at 8:07 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on January 14, 2014.

Town of Swanzey, New Hampshire  
**Board of Selectmen**  
Non-Public Meeting Minutes #2 – January 7, 2014

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

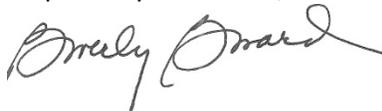
**Motion** by Colby to enter Non-public session pursuant to RSA 91-A:3II(a), Personnel Matters - Compensation, seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:05 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, and Recording Secretary Bernard.

A discussion was held regarding the salary of Solid Waste Manager Bob Osterhout. It was noted that December 3, 2013 was his sixth month anniversary. He started at beginning of June 2013 at a salary of \$55,000 per year. It had been suggested by O’Keefe that Osterhout receive \$640 increase in annual pay at this time, bringing his weekly pay to \$1,070 which comes to \$55,640 per year. Carlson said that giving him a \$640 a year raise wouldn’t amount to much in his monthly paycheck. Colby commented that the Recycling Center has never looked as good as it does now under Osterhout’s management. He also noted that the Board is kept advised of activity at the Recycling Center, which is appreciated. The Board agreed that Osterhout has done more than he has been asked to do.

There was some number crunching between Carlson and O’Keefe about a suitable raise and how it would affect the overall budget for 2014. It was eventually determined that increasing Osterhout’s pay to \$1,080 per week would give him an annual salary of \$56,160 without significantly raising the budget for the Recycling Center. The Board agreed to increase Osterhout’s salary to \$1,080 per week.

**Motion** was made 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 7:15 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on January 14, 2014.