

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – January 14, 2014
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

Present were Selectmen Nancy L. Carlson, Kenneth P. Colby, Jr. The meeting was called to order by Chair Nancy L. Carlson at 6:00 p.m. at the Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard. Deborah J. Davis joined the meeting at 6:21 p.m.

MINUTES

- Regular meeting of January 7, 2014 – **motion** was made by Colby to accept the regular meeting minutes of January 7, 2014. The motion was seconded by Davis and all were in favor. ***Motion passed.***
- Non-Public #1 meeting minutes of January 7, 2014 – Davis **moved** to accept the non-public #1 meeting minutes of January 7, 2013 with correction to one word. The motion was seconded by Colby and all were in favor. ***Motion passed.***
- Non-Public #2 meeting minutes of January 7, 2014 – Davis **moved** to accept the non-public #2 meeting minutes of January 7, 2014. The motion was seconded by Colby and all were in favor. ***Motion passed.***

Motion by Colby to Unseal the Non-Public Minutes for meetings on the following dates with second by Carlson, and all were in favor, and ***motion passed:***

- October 15, 2013 #1 Non-Public Minutes
- October 29, 2013 #1 Non-Public Minutes
- November 5, 2013 #1 Non-Public Minutes
- November 12, 2013 #1 Non-Public Minutes
- November 19, 2013 #1 Non-Public Minutes
- November 19, 2013 #3 Non-Public Minutes
- December 10, 2013 #2 Non-Public Minutes

OTHERS PRESENT: Steve Bittel, Glenn Page, Sara Carbonneau

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

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(d) Acquisition, sale or lease of real or personal property, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 6:01 p.m. ***Motion passed.*** Present were the Board members, Town Administrator Shane O’Keefe, Revenue Development District Advisory Committee members Steve Bittel and Glenn Page, and Recording Secretary Bernard.

Motion was made by Colby to leave non-public session and return to public session. The motion was seconded by Carlson, with all in favor. ***Motion passed.*** Non-public session ended at 6:24 p.m.

Motion was made by Colby to seal the minutes of the non-public session. The motion was seconded by Carlson. The Selectmen voted unanimously by roll call to seal the minutes. ***Motion passed.***

Department of Public Works (DPW) Director Lee Dunham, Fire Chief Norm Skantze, Carpenter Home Administrator Dawn Rice and Chief of Police Tom DeAngelis and Emergency Management Manager Bruce Bohannon joined the meeting at 6:25 p.m.

Authorize expenditure(s) over \$1,000 – Department of Public Works (DPW)

The Board was asked to consider proposals for replacement of front wheel bearings, ball joints and universal joints for Highway Department Truck #1. Repair work with non-grease-able Ford replacement parts is \$2,400 from Ronnie's Truck Service and \$2,300 from Rountree Ford. The Department prefers grease-able replacement parts, which would cost \$3,076.52 from Ronnie's and allow for easier maintenance over time.

Colby **moved** to accept the proposal from Ronnie's Truck Service, LLC for repair of Truck #1, to authorize the expenditure of up to \$3,100 from the Highway Department Vehicle Repair budget line (#01-4312-1-660), and to authorize the Public Works Director to sign any documents necessary to obtain the approved services. The motion was seconded by Davis, and all were in favor. **Motion passed.**

A brief discussion was held about an accident with a DPW dump truck during icy road conditions on Saturday, January 11, 2014.

Possible Purchase of Striping Machine

Dunham discussed the possibility of purchasing a striping machine for painting crosswalks with the Board. He said he had a quote from Sherwin Williams on two different machines for striping. To purchase the machine and paint would cost approximately \$4,000. Once the initial investment is made the cost would be approximately \$200.00 per year. Colby asked about maintenance for the machine. The discussion continued regarding purchasing a machine for use for one week every year. Dunham said that if the Town doesn't buy a machine then the Town needs to pay a contractor to perform the work yearly. It was determined that the breakeven point is four years. After four years, it is cheaper for the Town to own the machine than to contract out for the striping work each year. Dunham said the maintenance is easy if the machine is cleaned thoroughly after each use, which is necessary for any machine utilizing paint. Dunham confirmed he has enough money in his budget to cover the cost of buying the machine. No action taken at this time.

Job description of Licensed Practical Nurse (LPN) position

On November 26, 2013 the Board discussed the hiring of a Licensed Practical Nurse position at the Carpenter Home, and agreed that it is necessary to hire an LPN to enhance the facility and have someone to back up Rice when she is on vacation. Since that time the job has been advertised and interviews are scheduled for this coming Wednesday. It is necessary to establish a job description for this new position and one has been drafted by staff for review by the Board.

Dawn Rice discussed with the Board the job description that was given to her, the text of which was provided by Human Services and Resources Coordinator Edna Coates. Rice said that after reading the description she felt that the description was repetitive and somewhat unnecessary since any nurse would assume certain conditions that being a nurse entails. She referred to one reference in the description "subject to frequent interruptions" as one such unnecessary condition. Carlson said that Rice should discuss with Coates about changes and Rice responded that she has already done so. Carlson suggested that Rice write the job description and Coates add the Labor Board requirements. Carlson asked if Rice had access to another description for an LPN and she said that she turned that in and someone said it wasn't sufficient. A discussion ensued regarding the New Hampshire Boarding

Home Rules & Regulations. Rice said that Coates maintained those regulations had to be in the description, but Rice said that the Carpenter Home is not a Boarding Home. Carlson repeated that Rice should combine what she has with the Labor Board requirements and come up with a description that is satisfactory to Rice.

Rice asked the Board to authorize the LPN job for 30 hours per week, instead of 29. O'Keefe noted that 30 hours per week would require the Town to comply with requirements of the Affordable Care Act that 29 hours per week does not require. Rice said she has called some folks, but hasn't heard back. She has received two applications. O'Keefe asked Rice to mark up the job description copy he gave her to record her changes.

Discuss Open Space Committee goals for 2014

At the previous meeting Selectmen Ken Colby distributed a matrix of OSC goals for the coming year and asks that the Board review and discuss them to reach agreement on the rating of each of the goals. The spreadsheets of Carlson and Colby were passed along to Bernard who is a member of the OSC. Davis did not have her priority list with her.

7:00 PM Budget hearing per RSA 32:5

In preparation for the February 4, 2014 Town Meeting Deliberative Session and the March 11, 2014 Town Meeting Official Ballot Voting Day, the Board conducted its Budget Hearing.

PUBLIC HEARINGS

Public Hearing for the Budget per RSA 32:5 opened at 7:00 PM by Chair Nancy Carlson.

Present: Emergency Management Manager Bruce Bohannon, Director of Public Works Lee Dunham, Carpenter Home Administrator Dawn Rice, Solid Waste Manager Bob Osterhout, Chief of Police Tom DeAngelis, Fire Chief Norm Skantze, Director of Planning and Community Development Sara Carbonneau, Health Officer BethAnne Tatro, Town Moderator Pat Haselton, Sewer Commissioner Glenn Page, Sandi Page, Bookkeeper Theresa Louder, Chair of the Economic Development Advisory Committee Steve Bittel, Mt. Caesar Library Trustee Richard Scaramelli, and many residents of the Town including Mike Lilly, Theresa DiLuzio, Pat Bauries, and Joe Smith.

Carlson turned the meeting over to Moderator Pat Haselton to review the proposed Operating and Default Budgets. Residents had copies of the budget provided to them for review.

Town of Swanzey Budget 2014 Purpose of Appropriation:

General Government, Public Safety, Other Public Safety, Department of Public Works, Recycling Center, Health & Welfare, Culture, Conservation & Recreation, Economic Development, and Debt Service.

Haselton read to the gathering that the Proposed Operating Budget of \$5,888,782 for 2014 is a 1.1% increase over 2013 and then asked for questions and/or comments.

Questions and/or comments from the floor:

General Government - Pat Bauries asked about the Executive line item showing a 13.5% increase and Land Use Boards increase of 12.9%. Carlson said a new position was created that is full time (Health & Welfare and Human Resources combined). She also noted that 2014 is a 53 pay period year. Land Use Board increase accommodated the new Title of Director of Planning and Community Development and

therefore expenditures that were in other categories were placed in this category. Carlson also explained there is a 3% merit/cost of living pay increase included in the calculations.

Bauries asked about the change in Carbonneau's position and Carlson responded that Carbonneau is now a Department Head with the Code Enforcement Officer reporting to her. Carbonneau said that the new title more adequately reflects what she has been doing anyway, with no extra pay.

O'Keefe said that an overall increase of \$41,000 in budget is due to the extra pay period in 2014. Mike Lilly asked about some other adjustments in Town Hall personnel. O'Keefe noted that the Human Resources responsibilities were removed from the Finance Office and have been assigned to the new Human Services and Resources Coordinator. O'Keefe noted that the budget shows a reallocation of dollars not new positions. BethAnne Tatro spoke in support of Carbonneau.

Public Safety – Bauries asked about the 9% increase for the Fire Department. Chief Skantze said the increase was due to additional funding for protective clothing, and also due to salary increases from the combination of the 53 week pay period plus 3% merit/cost of living raises.

Other Public Safety – Bauries asked for a description of a special duty fireman – Skantze said that special events often require police and/or fire personnel in attendance, and each includes an offsetting amount collected in the revenue budget. The Air Show is an example. Bittel asked why Prosecution Services dollars were down. DeAngelis said that the pool of money is a credit toward 2014 for lack of a prosecutor in 2013.

Department of Public Works – Mike Lilly asked about repairs at Wilson Pond. Dunham said there will be repairs done in 2015, but preparation for the repair work in the form of engineering work is going to be done in 2014 (two dams).

Recycling Center – Carlson introduced Solid Waste Manager Bob Osterhout to the rest of the gathering. Bauries made a comment in appreciation of the work Osterhout has done on the Recycling Center.

Health & Welfare – Bauries asked about how it was determined that General Assistance needs for 2014 would be less than what was expended the previous year. Scaramelli asked if the Humane Society was still under contract to handle Animal Control for the Town, and Carlson said it is. DiLuzio asked what the Animal Control does for the Town. Carlson responded that when they take animals in, the Town has to pay for it. Police Department does get involved, but the Humane Society handles the administrative work.

Culture, Conservation & Recreation – DiLuzio asked why two committees (Open Space Committee and Conservation Commission) are combined as a line item. O'Keefe said it is a grouping of several related budget lines and sort of a place holder. DiLuzio asked that they be shown separately since the money allocated all goes toward the OSC. The Conservation Commission should be shown as a zero. Colby suggested changing it next year to be two separate entries.

Economic Development – Bauries asked about the Swanze Revenue Development District expenses and Bittel responded that the high number for 2013 was because the Town paid off the old note. It is a wash line because it shows as revenue elsewhere in the budget. There are no outstanding bonds right now. There will likely be later in the year with the work done on Safford Drive according to Bittel.

Debt Service – Bauries asked about appraisal of properties. O’Keefe said that this is the year (2014) for consolidating the data that comes from the on-going process. It costs the Town \$50,000 a year to re-evaluate properties. Part of that is someone’s salary – the Assessing Coordinator, and Software maintenance according to O’Keefe. 20% of the taxable properties are re-assessed each year, and in the 5th year the data is combined.

Carpenter Home – no questions or comments

Sewer Commission – Bauries asked what Divide by zero error message – O’Keefe explained that it comes from the spreadsheet software.

Bauries asked how much was the cost to the Town for a tax credit for up to \$250 for Veterans during 2013. O’Keefe said he would research that, but did not have that information readily at hand. It was presented at the Deliberative session last year.

Individual & Special Warrant Articles –

Police Patrol Vehicle – Bauries asked about purchasing versus leasing. DeAngelis said the \$29,823 proposed is a lease/purchase. \$11,000 in expendable trust - there hasn’t been any money put into the fund for a number of years – and DeAngelis would like to see that fund built up so he doesn’t have to finance vehicles in the future. Reserve is used when there is a need to make an unanticipated purchase or lease of a vehicle such as when a vehicle gets into an accident. Question about lease instead of buy – Carlson said we can’t lease without a Warrant Article.

O’Keefe noted that it is possible that an amount will be added to the special articles portion of the budget due to a possible article on Fire Department breathing apparatus.

Bauries asked why leasing is not used for fire vehicles. Carlson said that the rules between purchase and leasing are a consideration. Lilly said that the police put a lot more miles on vehicles and therefore leasing is a good option versus low usage like for fire trucks, which are purchased.

Total proposed appropriations - \$6,460,355

Article 3 – Purpose of Appropriation – Lilly stated that line item Road reclamation needs more money than \$150,000 a year because the roads need more work. Dunham acknowledged that the roads are taking a beating. Lilly asked what happens if there is a bad accident and the Town is liable. Page said there ought to be \$100,000 added to the budget for the reclamation of roads. It was noted that buildings have also been neglected. Another suggestion was \$25,000 be added to the budget. Colby pointed out a committee has been formed for assessment of Town facilities. Lilly asked about a committee for the roads to establish a 5 or 10 year plan. Carlson mentioned a committee for improving Main Street in West Swanzey. Carlson said the Board is about to sign a contract with Daniel Scully Architects for assessing facilities.

DiLuzio asked about buying property and if a Warrant Article would be required. Carlson noted that would entail a bond and Bittel said a \$1,000,000 bond would cost about \$60,000 per year. Colby said there are other expenditures for the Town aside from buildings and roads, like the dams at Wilson Pond. Colby said we have to be sensible and do it in increments. Carlson asked about the dam situations. Dunham said that future planning is hard when dealing with the present day to day operations – there aren’t enough folks and not enough time to do planning. Colby referred to the Capital Improvement Program committee (CIP) to get firm figures from engineering consultants. Roads, bridges, dams are

different needs – Colby pointed out that the State is involved in many of those types of improvement projects.

Bauries commented on the road situation and asked if the Board can realign some of the funds for use for roads, taking some dollars out of some line items to create more for roads. Carlson said that the recommendation she heard from the hearing is between from \$25,000 to \$100,000 and will be discussed by the Board.

Bauries asked about an expendable trust for Fire Department protective clothing and why that is not included in the Tools & Equipment Expendable Trust line item. Chief Skantze said clothing is not covered by that account. They will be replacing a roof and garage doors in 2014 which will be funded from the Expendable Trust.

Bauries asked about the Whitcomb Hall Trust. She asked what the cap/goal that is to be reached. Carlson said that the goal is obtaining matching grants. She said that approximately \$130,000 will be the cost to get the first floor open and up to safety codes. The fund raising goal is \$50,000 but hoping that adding to the expendable trust will help the Town get matching grants. Carbonneau said that for many years there was no money added to the Whitcomb Hall Rehabilitation Expendable Trust account. She went on to say that putting money into the account shows good faith by the Town when applying for grants and makes the grants more competitive.

Lilly asked about the student-architect designs for Whitcomb Hall that would cost much more money and whether the Town is looking to utilize those designs. Carlson said the goal is to re-open as it was but make it fire safe, and that costs much less money. The second floor will cost more due to the need of an elevator. Carlson said the Town is not looking at utilizing those designs as elegant as they might be.

Bauries – asked about the combination of Capital Reserve & Expendable Trust Accounts. Bauries opined that it is clearer when they are separated. Bauries pointed out that it is usually separated out and has been in the past.

Haselton reviewed the **Proposed Revenue Estimates:**

Taxes, including property taxes, Intergovernment Revenue & Grants, Licenses, Permits & Vehicle Registrations, Income from Departments, Miscellaneous Revenue, User Fees & Revenue Funds, and Other Financing Sources for a total for estimated proposed revenues of \$3,426,600 for 2014.

Questions and/or comments from the floor:

Taxes, including property taxes – no comments

Intergovernment Revenue & Grants – Lilly asked about the School Resource Officer. Bauries said they have a School Security Officer. He is acting as a resource for truancy and following up with issues at the elementary schools. She said there will be a Special Warrant Article to approve a School Security Officer because last year was approved for only one year. DeAngelis noted that under mutual aid agreement between towns the Town's police can go to any community in the area.

Licenses, Permits & Vehicle Registrations – Bauries asked how much will be lost for not doing registrations for fishing. Louder responded the loss is \$45 for the year.

Income from Departments – no comments

Miscellaneous Revenue – no comments

User Fees & Revenue Funds – no comments

Other Financing Sources – no comments

Total appropriation less estimated revenues = \$3,033,755 plus overlay and war service credits for total of \$3,152,555

Bauries commented about the Fire Department salaries and Carlson informed her that there is a 3-year plan for raising pay for the Fire Department.

Bauries asked how much Health Insurance went up this year. O’Keefe said the rates went up 7.9%. O’Keefe explained the complexity of the offerings to employees to Bauries, and noted that overall expenses were less due than 2013.

Moderator Haselton went on to the Proposed Default Budget with total of \$5,765,785. Carlson noted that it does not include the 53 pay periods. The extra week would have to be included into the Default Budget, which adds approximately \$40,000.

It was noted that the Town Meeting Deliberative Session is February 4, 2014.

Carlson closed the public hearing at 8:27 p.m. and residents left the meeting.

Breathing Apparatus Purchase or Lease

A discussion was held between the Board and Chief Skantze regarding breathing apparatus purchase or lease. It was noted that one cannot do a lease purchase and pay it from the capital reserve or expendable trusts accounts. It can be leased through a Warrant Article and paid from a budget line item. Carlson said that the Warrant Article is in the proposed Warrant. Staff needs to provide updated numbers for this Warrant article. There was question as to whether a lease can be for 7 years; O’Keefe will research to confirm.

Junk yard regulation

At the November 19, 2013 meeting the Board discussed establishing regulations to control junk storage on private property and asked to have Health Officer BethAnne Tatro attend an upcoming meeting to discuss possibilities for nuisance regulations under RSA 147:1.

Tatro produced a draft of the “Health Ordinance – Trash” and passed out copies. There was a discussion regarding how to handle repeat offenders. It was agreed that repeat offenders need to be treated somewhat more harshly. A question arose as to how to handle folks who have no money – how to have a lien against renters since they don’t have any property. There was a discussion about the level the Town will go to do cleanup. Carlson said that the Board needs to digest Tatro’s ideas. Tatro said that she would work on the ordinance further and confer with Police Chief DeAngelis on it.

OTHER MATTERS

Discuss 2013 Annual Report

Assessing Coordinator Coleen Birmingham is assembling and preparing the annual report and will need to have the Selectmen's report by January 17, 2014 in order to make deadlines. The Board reviewed recommended dedications and theme for the report. Carlson said that O'Keefe should draft the Board Town report and add the accomplishments. Bernard offered to assist O'Keefe in that work.

Discuss 2014 Town Meeting Warrant

The Town Meeting Warrant was reviewed by the Board as presented by O'Keefe. Nine Articles will be in the Warrant. The Board will review a final version for approval at the next meeting,

Resignation of Code Enforcement Officer

The Board accepted with regret the resignation of Chet Greenwood as of May 2, 2014.

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.***

- Personnel Action Report(s)

ADJOURNMENT

Motion to adjourn was made by Colby, second by Davis. **Motion passed.** Adjournment at 9:28 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on January 21, 2014.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #1 – January 14, 2014

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

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(d) Acquisition, sale or lease of real or personal property, seconded by Carlson. The Selectmen voted unanimously by roll call to go into non-public session at 6:01 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, Revenue Development District Advisory Committee members Steve Bittel and Glenn Page, and Recording Secretary Bernard.

The discussion centered on the need for the Town to acquire land to complete Safford Drive to State Route 12. Page began the discussion with reference to an appraisal done by Powers Associates for the Cheshire Fairgrounds Association that stated one acre of the Cheshire Fairgrounds Association property, of interest to the Town of Swanzey for the intersection with Route 12, was worth \$215,000. Another much smaller piece of land also of interest for the Safford Drive extension is valued at \$25,000. This smaller piece of land would enable Clearwater Pool & Spa of Keene Inc. to resolve its property issues with regard to realignment due to the planned intersection.

After much discussion, the Committee reported to the Board that their recommendation is to separate the contracting bids into three individual phases for the project. The three bid options would separate the Cheshire Fairground Association property from the Burke property and the pumping station portion of the project. Page reported that during the discussion with the Cheshire Fairgrounds Association representatives, the Town offered \$75,000 for their property, subject to approval of the Selectboard. Bittel said the negotiation went downhill rapidly from there.

Carlson noted that for \$240,000 it would be cheaper for the Town to go through the eminent domain process. Page also reported that the Cheshire Fairground Association folks will not acknowledge that they will receive any value from the development of Safford Drive. Page said the plan is to meet with them again on Thursday, January 16, 2014.

Continuing the discussion, Bittel passed out some calculations for the TIF district to Colby and Carlson and O’Keefe. To finish out the project, according to Bittel, the Town is under water by \$218,000. However, there is “Contingency” money in the amount of \$404,000 which means that the project is probably okay. Land acquisition is budgeted at \$200,000. \$240,000 is being asked from the Town. Bittel said he felt that the Town is okay financially. O’Keefe mentioned that moving the utility poles along Route 12 will be expensive according to the New Hampshire Department of Transportation. Page pointed out that the plan has factored in moving two or three poles. There was a discussion regarding financing being tight without even considering spending more for land acquisition than allotted in the plan. Page opined that he thought that Safford Drive would still be attractive without the Fairground property (and the intersection with Route 12). The State of New Hampshire planned roundabout for Route 12 at Swanzey

Factory Road makes it easier to get to Route 32 from Route 12, which somewhat alleviates the need for an intersection with Route 12 for Safford Drive.

A discussion followed about 3-phase power coming in from Route 32, even though a shorter route exists from Route 12. Carlisle Floors has 3-phase power. Power comes down old Page Court.

Page and Bittel asked the Board to approve the 3-phase project recommendation by the Committee such that bids can go out as soon as possible. Page and Bittel agreed that the project is viable without the Fairground portion, which can be revisited at a later date. Carlson and Colby both agreed.

Motion was made by Colby to leave non-public session and return to public session. The motion was seconded by Carlson, with all in favor. **Motion passed.** Non-public session ended at 6:24 p.m.

Motion was made by Colby to seal the minutes of the non-public session. The motion was seconded by Carlson. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.**

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on January 21, 2014.

These Minutes unsealed by the Board of Selectmen on March 3, 2015.