

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – January 21, 2014
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 6:01 p.m. at the Swanzey Town Hall. Also present were Town Administrator Shane O’Keefe and Recording Secretary Beverly Bernard.

MINUTES

- Regular meeting of January 14, 2014 – **motion** was made by Colby to accept the regular meeting minutes of January 14, 2014 with one change to page 3 noting Carlson turned the meeting over to Moderator Pat Haselton, not Davis. The motion was seconded by Davis and all were in favor. **Motion passed.**
- Non-Public meeting minutes of January 14, 2014 – Colby **moved** to accept the non-public meeting minutes of January 14, 2013. The motion was seconded by Carlson and all were in favor except Davis who abstained. **Motion passed.**

Unseal Non-Public Minutes

There was a **motion** by Colby to unseal the minutes of a number of non-public sessions that took place during the 3rd quarter of 2013 as follows:

- July 9, 2013, #1 & 2
- July 16, 2013, #1 & #2
- August 20, 2013
- September 3, 2013, #1 & #2
- September 10, 2013, #2
- September 24, 2013, #3

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

OTHERS PRESENT: Revenue Development District Advisory Board member Glenn Page

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 Davis. The Selectmen voted unanimously by roll call to go into non-public session at 6:02 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, Revenue Development District Advisory Board member 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 Davis, with all in favor. **Motion passed.** Non-public session ended at 6:23 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.**

Page left the meeting at 6:24 p.m.

Establish job description of LPN position

Carpenter Home Administrator Dawn Rice joined the meeting at 6:27 p.m. to discuss the job description for a Licensed Practical Nurse (LPN). She had reviewed the job description prior to the meeting and informed the Board that it was accurate from her perspective. Rice said she has not given the job description to the candidate she interviewed, but she did verbally explain to the candidate the work involved.

Davis **moved** to approve the LPN job description and Colby seconded the motion. All were in favor. **Motion passed.**

Non-public session(s) per RSA 91-A:3II(b), Hiring of Public Employee(s)

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(b) , Hiring of Public Employee(s), seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 6:29 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe, Carpenter Home Administrator Dawn Rice 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 6:43 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.**

Update for Carpenter Home

Rice discussed staff behavior at the Carpenter Home. She said a letter of warning has gone out to an employee who, on a regular basis, has been calling in saying she cannot make it into work. This places an extra burden on staff to take up her work. Rice also reported that several part-time folks exhibit rude behavior toward Rice like sending text messages while being addressed by Rice. Rice reported that one employee was upset over something Rice said regarding use of a phone and reacted negatively. Rice said that she is going to start thinking about disciplining employees who are not showing up to work and disrupting the scheduled workload. Colby reminded Rice that if she has documented the actions of employees, there will be no problem getting the Board to agree to fire someone who is not cooperative.

Rice also spoke about the possibility of the norovirus being present at the home. Rice said she is concerned because the virus is prevalent among nursing homes and it is highly contagious. Rice said it is frightening because older people get dehydrated so easily. Rice also mentioned that the employee who fills in has not been showing up for the 11:00 p.m. to 7:00 a.m. shift which is a concern for Rice.

Rice reported that the other issue concerning a resident has been worked out. However, a family member has obtained multiple prescriptions for the resident that Rice is uncomfortable with.

Rice reported that the semi-private room is now filled and there are two private rooms still available. Rice left at 6:56 p.m.

Amend Job Description of Code Enforcement Officer Position

The Board discussed the impending retirement of Code Enforcement Officer Chet Greenwood which means that a job description for potential candidates for the job needs to reflect recent elevation of

Sara Carbonneau to the position of Director of Planning and Community Development and other minor changes. Human Services and Resources Coordinator Edna Coates worked with Carbonneau on this.

The Board reviewed the changes made by Carbonneau and Coates and Davis made a **motion** to accept the position description for the Code Enforcement Officer (as attached), second by Colby, and all were in favor. **Motion passed.**

Establish Job Description for Recycling Center Attendant Position

The Board considered a formal job description for a Solid Waste Facility Operator written by Human Services and Resources Coordinator Edna Coates who worked with Solid Waste Manager Bob Osterhout to develop the description.

Davis **moved** to approve the job description for the Solid Waste Facility Operator, second by Colby, and all were in favor. **Motion passed.**

OTHER MATTERS

Approve 2014 Town Meeting Warrant

The Board reviewed the Articles for the 2014 Town Meeting Warrant and changes were discussed. It was determined that acquisition of breathing apparatus for the Fire Department will be a Lease/Purchase. There was a brief discussion about recommendations by the Board for non-monetary articles.

Colby made a **motion** to approve the Articles for the 2014 Town Meeting Warrant, a copy of which will be attached to the Minutes, second by Davis, and all were in favor. **Motion passed.**

Approve 2014 Town Budget

The Board reviewed the proposed budget and discussion occurred about adding funds to the Road Reclamation Expendable Trust based on citizen input at the Budget Hearing the previous week. Carlson noted that the extra money that comes from vehicle registrations is going toward road reclamations and that amounts to about \$80,000 this year but it will vary from year to year. The Board agreed to add an extra \$20,000 to the Road Reclamation Expendable Trust account to bring it to \$170,000, which is an increase of \$25,000 over the 2013 amount instead of an increase of \$5,000 as originally planned. With this change the total operating budget plus appropriations comes to \$6,513,578 showing an increase of 1.7%.

The Board reviewed and approved the changes in the Default Budget which reflect 53 pay periods for year 2014.

Discuss 2013 Annual Report

The Board reviewed a draft of the Annual Report and Carlson noted that Josh Whipple should also be included as the new Assistant Solid Waste Manager in the text. The Board also reviewed the text for "Recognition of Outstanding Volunteers" and approved of it.

Department Head Evaluations

A discussion was held regarding handling Department Head Evaluations. It was noted that the former Town Administrator, Beth Fox, usually made two copies of an evaluation, one which could go with the individual being evaluated and the other a copy with the signature of the individual being evaluated to be kept by the Board. The Board decided that they should adopt this practice for the evaluations this year.

New Hampshire Board of Tax and Land Appeals (BTLA)

A brief discussion was held regarding an upcoming case (February 11, 2014) in Concord, NH and who should be in attendance on behalf of the Town. It was agreed that a representative of the Town's contract appraisal firm, Vision Government Services, Inc. will participate in the hearing.

Select Board Representation on the Planning Board

Discussion was held regarding timing of Planning Board meetings which Davis is supposed to be serving on in 2014. Davis said that since the meetings now begin at 6:00 p.m. she cannot attend at that time due to work commitments, so Colby will try to attend meetings of the Planning Board in her stead. Davis said it is very difficult for her to be present at 6:00 p.m. and that 6:30 p.m. would be better.

CONSENT AGENDA

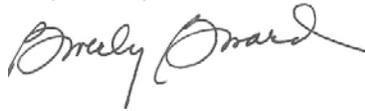
Motion was made by Davis to approve the Consent Agenda, authorizing the chair to sign where necessary. Second was made by Colby. All were in favor. **Motion passed.**

- CDFA Closeout certification and agreement – Keene Wastewater Treatment Plant CDBG
- Payroll Check register
- Accounts payable check register

ADJOURNMENT

Motion to adjourn was made by Davis, second by Colby. **Motion passed.** Adjournment at 8:03 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on January 28, 2014.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #1 – January 21, 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 member Glenn Page, and Recording Secretary Bernard.

Page opened the discussion with information about the Cheshire Fairgrounds Association proposal for land needed for the Safford Drive intersection with New Hampshire (NH) State Route 12. He noted that the ice arena will be closed in the near future, possibly by November of 2014, at which time the Cheshire Fairgrounds Association will cease to obtain revenue from that source. Page stated that the Cheshire Fairgrounds Association will then ask for tax exempt status for the building which will be used primarily for agricultural use. O’Keefe noted that the Cheshire Fairgrounds Association wants to drop their assessment from 1.5 million down to 1 million as part of the negotiated deal.

Page went on to inform the Board that the Cheshire Fairground Association is asking for \$107,000 for two parcels of land which will enable the completion of Safford Drive to NH State Route 12.

Page also said that the remaining question is whether or not Clearwater Pool & Spa of Keene Inc. (Clearwater) will be willing to accept a small slice of land in compensation for loss of parking within the frontage on NH State Route 12. It was noted that the land being used for parking currently is land that belongs to the State of New Hampshire, within its right-of-way, for which Clearwater does not have legal right to use. Page said that if Clearwater is willing to accept the slice of land, then their additional driveway can be on Safford Drive. Proposal would be to have a curb cut on NH State Route 12 for inbound traffic for Clearwater, and both ways (in and out) on Safford Drive. Colby asked if there was enough room off Safford Drive to park multiple cars and Page said that there is room for at least ten cars. Colby pointed out that Clearwater isn’t losing anything and gaining a corner lot. There is no legal claim to the land they are using as a parking lot; it is owned by the State. Adverse possession is not viable against municipalities and the State.

Page went on to say that if the option to purchase the land from Cheshire Fairgrounds Association is not acceptable to the Board, the next option would be a gate on Safford Drive at the Fairgrounds property line with no connection to NH State Route 12.

Page asked the Board for its agreement to go forward with purchasing the land from Cheshire Fairgrounds Association for \$107,000 and to accept the non-profit and tax exempt status for the ice arena once it closes. Colby and Carlson noted that every business loses its non-profit status if they begin business for profit so they did not have a problem with the Cheshire Fairgrounds Association asking for tax exempt status when the ice arena is closed until such time that they begin using the building once again for business for profit. Carlson and Colby told Page to proceed.

O'Keefe said that there will have to be a couple of hearings for acquisition of the property and it will need to go to Planning Board for lot line adjustment review. Carlson asked if the completion of the project from negotiation through contracting out the work could be accomplished in 2014. Page said that the Planning Board would like to review the plans and bids can go out to contractors this spring (2014). It was agreed to go forward with a purchase of the land outright and having it surveyed. A discussion was held regarding hiring an attorney to handle the purchase and sale agreement. O'Keefe noted that an agreement is also needed between the Town and the Cheshire Fairgrounds Association to transfer the ice arena, once it closes, to tax exempt status and also for an agreement with Clearwater and the other property owner involved, Jon Burke.

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 6:23 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 January 28, 2014.

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

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #2 – January 21, 2014

Non-public session(s) per RSA 91-A:3II(b), Hiring of Public Employee(s)

Motion by Colby to enter Non-public session pursuant to RSA 91-A:3II(b) , Hiring of Public Employee(s), seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 6:29 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, Carpenter Home Administrator Dawn Rice and Recording Secretary Bernard.

Rice began the discussion by referring to candidate Karinna Handy who was interviewed by Rice this week. She informed the Board that Handy had been earning \$21.90 per hour at her previous employment. Rice also noted that another candidate who had been set up with an interview did not show up for that interview. Rice informed the Board that Human Services and Resources Coordinator Edna Coates agreed with Rice that Handy is an excellent candidate.

Colby asked the reason Handy left her last job at Bentley Commons. Rice explained that after moving her from part-time work to full-time work for a specific project, they first moved her back to part-time work and eventually laid her off due to a cut back in the resident census. Rice said she has scheduled a meeting with the Administrator at Bentley Commons.

Rice said that she would like to offer Handy the job and start her on February 3, 2014. Rice said she felt Handy would be competent to cover for Rice when Rice is on vacation. Rice also said she believed that Handy would do okay with the staff.

A discussion ensued regarding what level of pay would be appropriate for this candidate and Carlson asked Rice if she thought Handy would take the job at \$18.00 per hour. There was further discussion about the lack of benefits being offered and Carlson suggested an hourly rate of \$20.00. Rice said that she thought Handy’s husband has health insurance so that would not be an issue for Handy. It was agreed by the Board to offer Handy a starting pay of \$20.00 per hour during the probationary period with the possibility of an increase after that.

There was a brief discussion about total hours for the LPN position with Rice saying that the ideal is to have her work five 6 hour days. However, it was noted that if the person hired works 30 or more hours per week the Town must offer health benefits though not necessarily pay for them. The Board agreed to start with 29 hours per week. Colby asked Rice if Handy was aware that the job entailed 29 hours per week and Rice said that Handy is aware of that.

The Board agreed to authorize O’Keefe to write and sign a conditional offer to Handy. Rice and Coates will make the offer together in person, delivering the written offer to Handy.

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 6:43 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.**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Beverly Bernard". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Beverly Bernard, Recording Secretary

Approved on January 28, 2014.

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