

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – January 28, 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 6:07 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 21, 2014 – **motion** was made by Colby to accept the regular meeting minutes of January 21, 2014 with change to page 4 stating that Colby will try to attend Planning Board meetings. The motion was seconded by Davis and all were in favor. **Motion passed.**
- Non-Public #1 meeting minutes of January 21, 2014 – Colby **moved** to accept the non-public meeting minutes of January 21, 2013. The motion was seconded by Carlson and all were in favor except Davis who abstained. **Motion passed.**
- Non-Public #2 meeting minutes of January 21, 2014 – Colby **moved** to accept the non-public meeting minutes of January 21, 2013. The motion was seconded by Davis and all were in favor. **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 latter part of 2nd quarter of 2013 as follows:

- May 7, 2013 -
- May 14, 2013
- May 28, 2013, # 3
- May 31, 2013, #2
- June 4, 2013, #4
- June 18, 2013

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

OTHERS PRESENT: Emergency Management Director Bruce Bohannon, Fire Chief Norm Skantze, and a number of residents of the Town.

Update on Police Department communications project

Emergency Management Director Bruce Bohannon joined the meeting at 6:09 p.m. to discuss issues with Police Department communications caused by changes implemented by Cheshire County Sheriff’s Department. He said the new communications box on Talbot Hill Road will eventually be moved to Mt. Caesar.

Authorize expenditure(s) over \$1,000 – Emergency Management

The Board was asked to consider a proposal from Beliveau Communications & Consulting for installation of pole enclosure equipment for emergency communication purposes at a cost of \$2,608. It was proposed that this be paid from the Emergency Communications Expendable Trust, and noted that all applicable Department Heads have signed off on this acquisition. The price includes equipment and

shipping, but. Bohannon said Cheshire County is picking up the tab for the labor. He went on to say that the expectation is to move the equipment to Mt. Caesar after the snow is gone.

Davis **moved** to accept the proposal from Beliveau Communications & Consulting for installation of pole mount kit enclosure equipment for emergency communication purposes at a cost of \$2,608, and authorize the expenditure of up to \$2,608, from the Emergency Communications Expendable Trust for this purchase. The motion was seconded by Colby, and all were in favor.

Motion passed.

Dave Osgood joined the meeting at 6:17 p.m.

At the November 26, 2013 meeting the Board voted to accept the proposal from Daniel V. Scully Architects of Keene, New Hampshire for the Municipal Facility Needs and Site Alternatives Analysis, and authorized staff to negotiate a contract for subsequent review and approval by the Board. The additional work to address the needs of the Department of Public Works (DPW) and Recycling facilities added \$15,500 to the previous proposal of \$69,500, for a total cost of \$85,000. The Board reviewed a draft contract for work to begin on January 29, 2014, and also read suggested changes from the Town Attorney).

The Board indicated they were surprised at the additional cost for adding the DPW and Recycling facilities. Osgood said that the cost does not include looking for new sites for these facilities. Plus alternate sites analysis would cost an additional \$6,250 extra. O'Keefe suggested that the consultants first learn what is needed and then after that analysis is reviewed the Board could entertain whether other sites are to be suggested. Davis said that she would not add \$6,250 at this point in time. Carlson mentioned that the Economic Development Advisory Committee (EDAC) might be helpful with information about available sites. Carlson suggested that any changes should be made before the Board signs the contract. Colby said that he would rather wait until the contract is fully and properly addressed and not rush into signing tonight. It was suggested that the Board can review the final document and sign it before the upcoming Deliberative Session.

O'Keefe said that he would incorporate the Town Attorney's suggested changes, return it to the Town Attorney for final review, and then forward a copy of the contract to the Board for their review before the Deliberative Session.

Community Development Block Grant project progress hearing.

Chair Nancy Carlson opened **the Public Hearing** at 6:30 p.m. and read the public notice.

Public Hearing on Progress of CDBG project -- A Community Development Block Grant - Swanzey's Share of Upgrades at the Keene Wastewater Treatment Plant

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available on a competitive basis for economic development, public facility and housing projects and emergency activities that directly benefit low and moderate income persons. Up to \$12,000 is available for feasibility study grants. During a CDBG project, a progress update public hearing is required. The public hearing will update the public on, and take public comment on, the progress of the CDBG Project. This hearing is to report on the progress the CDBG funds being applied toward Swanzey's share of the costs of the capital improvements of the Wastewater Treatment Facility which is owned and operated by the City of Keene. Swanzey's wastewater is sent to Keene for treatment, therefore Swanzey has to contribute to the costs

of upgrades at the plant. Swanzey received a \$300,000 Community Development Block Grant to minimize the financial impact on the primarily low and moderate income users. The upgrades are underway at the Keene Wastewater Treatment Plant and will be complete in 2014 (perhaps into 2015).

The improvement project is in 3 phases:

- Phase 1 -- Disinfection, \$8mil. Approximately 22.7% completed + materials currently stored. (Spent to date on construction \$1,177,983). To be complete June 2014.
- Phase 2 -- De-Watering, \$2.3mil. To be done in 2014.
- Phase 3 -- Rehab/Repairs \$.7mil. To be done in 2014.

Swanzey has been billed \$407,931 to date.

Chair Carlson asked for public comment:

- Jim McConnell asked if the Town has to give up something in order to receive the money (strings attached) and Carlson said that there were none. Glenn Page said the match that the Town has to make to meet the new Federal requirements will be about \$855,000. Page said there are no issues, and the reason for the public hearing is that the rules said that there has to be a public hearing.

CDBG Progress Public Hearing closed at 6:35 p.m.

NEW BUSINESS

Event Permits #2014-01 & 2014-12

Atlas PyroVision Productions/Cheshire Fair Association. The Board was asked to consider new large scale fireworks events scheduled for the Cheshire Fairgrounds on August 16, 2014 (rain date August 17, 2014) and October 11, 2014 (rain date November 12, 2014). There have been several meetings with the Cheshire Fairgrounds folks, the event organizer and emergency response personnel to review concerns that have been raised.

Fire Chief Skantze joined the meeting at 6:36 p.m. to discuss establishing staffing and equipment requirements and related estimates of cost associated with non-Town sponsored events.

Detail pay was discussed for the Fire Department. Detail pay is the rate of pay for firefighters who attend public events for safety purposes. In particular this discussion involved the Cheshire Fairgrounds and the Atlas PyroVision Productions proposed fireworks.

Skantze discussed the need to not only have staff and equipment at the site of an event of this nature, but the need to have coverage at stations in town as well. He pointed out that many events occur during holiday weekends and therefore planning for staffing is important.

Chief Skantze presented a detail pay rate proposal to the Board for their consideration. It included hourly rates for different categories of responsibilities and also charges for apparatus being on site at an event.

Chief Skantze said there would be no charge for apparatus sitting in stations, but there would be a charge for staff at a Town station, for engine and rescue apparatus at the event site, and for detail personnel at the event site.

For the Atlas PyroVision Productions event, crowds of 15,000 – 18,000 people are estimated to be in attendance. During the event, Skantze said he might need to bring station coverage up to surrounding streets. Skantze said there would be nine people at the fairgrounds and six at the station.

There was a discussion about the detail charges for non-profit versus for-profit events. Colby said details charges would be for-profit events and non-profit events would be charged on a case-by-case basis. Colby said he wouldn't like to see Old Home Day parade get charged. Skantze said that Old Home Days participation by the Fire Department is on a volunteer basis. He also noted that the Cheshire Fair is a community event that happens every year and that is already factored into Fire Department annual budget. O'Keefe suggested that the event detail rate be considered by the Board over the next two weeks.

Carlson suggested that the Board approve the event separately from the detail pay approval. Colby said once the Board votes on a new detail rate, it will apply to all events, not just this particular event. O'Keefe asked the Board if it wants to have Atlas PyroVision Productions make a presentation to the Board and it was agreed to request their presence at February 11, 2014 meeting.

Chief Skantze and Chair Carlson asked for concerns from the public: David & Kathy Beliveau and Stephanie Bourcher were present and they asked about the size of the Jaffrey event which is where Atlas PyroVision Productions has had a similar event in the past. Skantze said that the event planned for the Cheshire Fairground would be about one half the size of the one done in Jaffrey in the past. When asked by the Beliveaus why Jaffrey was no longer hosting the event, Carlson noted that the Town of Jaffrey had received a threatening letter regarding the event and the Town felt it could not safely continue to hold the event. Skantze said the Fairgrounds were considered by the event organizers to be lower in costs because fencing already exists and there is plenty of space for parking. He said it was also felt to be more secure than the open area that was being used in Jaffrey.

Kathy Beliveau asked about the impact of traffic for the event on road access to Mt. Huggins where she lives. O'Keefe said that there is planned a parking permit and individual permit, so only a certain number of cars will be allowed on site and only a certain number of tickets sold. O'Keefe said they are also using buses for ticket holders. Carlson said that Safford Drive might be open by October which might ease traffic congestion. O'Keefe recommended that the residents attend the Board meeting in a couple of weeks when Atlas PyroVision Productions will hopefully be in attendance to answer resident questions about the planned event.

Facebook page for Open Space Committee

The Board was asked to consider a request from the Open Space Committee to create a page on Facebook to help advertise the Committee's activities. OSC member Beverly Bernard met with the Board to make the request.

Bernard told the Board that the OSC had met a few weeks back and determined that it would be helpful to have a presence on Facebook. Carlson mentioned that there is more opportunity for input when using social media like Facebook. O'Keefe referred to the Town's Information Technology Policies and Procedures and there was a brief discussion about how using social media fits into the policy. It was noted that the Whitcomb Hall Committee and the Old Home Day committee each has their own Facebook page. Bruce Bohannon said that there is a lot of work associated with maintaining the Facebook page and that he uses it as a bulletin board for a group he participates in.

The Board agreed to allow the Open Space Committee to go ahead with a Facebook page. Bohannon said that the Town might want to develop policy/guidelines for use of social media by Town committees.

Payment arrangement – Glennis Underwood, 41 Mountainview RD (Map 73, Lot 22-571)

The Board was asked to consider a payment plan of \$100 per month for this property owner for delinquent taxes (2013 tax deed amount is approximately \$2,050). It was determined that at this rate it does not appear that the property owner would be able to catch up on the tax obligation. A discussion was held regarding the monthly amount that would decrease what is owed. The Board agreed the owner would not get out of arrears if she doesn't pay more than \$100.00 per month.

Colby **moved** to authorize the Town Administrator to enter into a payment arrangement with the property owner of 41 Mountainview Road requiring no less than \$ 200.00 per month be paid to the Town beginning February 21, 2014, and continuing until such time as all taxes due are paid in full. The motion was seconded by Davis, and all were in favor. **Motion passed.**

All residents and others attending the meeting left the meeting by 7:45 p.m.

Non-public session(s) per RSA 91-A:3II(e), Consideration or negotiation of pending claims or litigation. The Board was asked to consider a matter related to a case pending before the Board of Tax and land Appeals.

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(e) , Consideration or negotiation of pending claims or litigation, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:49 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 8:02 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.**

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 8:02 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O'Keefe, 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 8:05 p.m.

OTHER MATTERS

Discuss February 4, 2014 Deliberative Session

The Board discussed procedures for the meeting. The Board will be at the Monadnock Regional High School at 6:15 p.m. in the auditorium and Bernard will take minutes for that meeting prior to the Deliberative Session being called to order.

The Warrant Articles were reviewed:

- Article 2 – the Budget – Default budget and the MS form are different by \$600.00 so the Warrant Article needs to be amended. Colby will speak to the amended budget. Carlson will move the question as read by the Moderator
- Article 3 – Colby will move the question
- Article 4 - Davis will move the question – Police Chief Tom DeAngelis can speak to this Article
- Article 5 - Carlson will move the question – Fire Chief Norm Skantze can speak to this Article
- Article 6 - Colby will move the question and DeAngelis can speak to this Article
- Article 7 - Davis will move the question and DeAngelis can speak to this Article
- Article 8 - Carlson will move the question and Economic Development Advisory Committee Chairman Steve Bittel will speak to this Article

Timber Harvest at Mt. Caesar Update

O’Keefe informed the Board that the timber harvest on Mt. Caesar will again start up at either the end of this week or early next week. O’Keefe stated that the Town’s forestry consultant is awaiting a decision by the Board on the extent of cutting of trees along the stone wall by the cemetery. The Board decided that there should be a buffer swath of 40 feet from the stone wall. Also discussed were some of the trees near the Carpenter Home in the grassy area, including a large white pine, and to what degree trees should be removed from this area. The Board decided to wait until they have a chance to review the marked trees before making a decision as to which to cut.

Department Head Evaluation Reviews

Carlson informed O’Keefe that on February 10th at 9 a.m. at the Police Station the Board will hold Department Head evaluation reviews, excepting for O’Keefe. Carlson requested that the reviews begin at 9:35 a.m. and continue in twenty minute increments, and asked O’Keefe to set up specific meeting times with Department Heads. Depending on the weather, the Board may visit the Carpenter Home to observe the trees marked for removal after evaluation reviews are completed.

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.***

- Raffle Permit #2013-02. Cheshire Oilers, Relay for Life team – Raffle of assorted donated items on 6/21/2014 at the Monadnock Regional High School.
- Notice of Intent to Cut Wood or Timber. Wayne L. Young, Map 69, Lot(s) 2-1 and 2-2
- Personnel Action Report(s)

ADJOURNMENT

Motion to adjourn was made by Davis, second by Colby. **Motion passed.** Adjournment at 8:14 p.m.

Respectfully Submitted,

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

Beverly Bernard, Recording Secretary

Approved on February 4, 2013.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes #1 – January 28, 2014

Non-public session(s) per RSA 91-A:3II(e), Consideration or negotiation of pending claims or litigation. The Board was asked to consider a matter related to a case pending before the Board of Tax and Land Appeals.

Motion by Davis to enter Non-public session pursuant to RSA 91-A:3II(e) , Consideration or negotiation of pending claims or litigation, seconded by Colby. The Selectmen voted unanimously by roll call to go into non-public session at 7:49 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, and Recording Secretary Bernard.

The New Hampshire Board of Tax and Land Appeals (BTLA) informed the Board that a hearing was to be held regarding property assessments for properties belonging to Jeffrey & Carin Redding at 52 East Shore Rd., Ronald & Nancy Gocht at 46 East Shore Rd., and Russell & Nancy Gocht at Winch Hill Rd. The BTLA recommended that the Town enter into a possible settlement with the taxpayers due to a reduced assessed value of the properties by Vision.

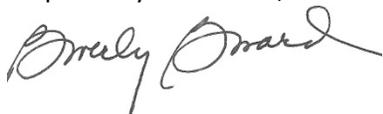
There was a discussion about approaching Vision Government Services pertinent to the discrepancies in assessed value of the properties in question. Colby questioned whether Vision is doing the job they are supposed to do. Vision assessed the value of the Redding property in question in 2011 at \$376,100, but now Vision is assessing the property at \$317,300.

The BTLA hearing is scheduled for February 11, 2014. Carlson said that the Board should let the BTLA decide it. Colby asked if the BTLA might postpone the meeting upon request from the Board of Selectmen. He noted that the BTLA prefers that the Town negotiate with the property owners. Carlson agreed to ask the BTLA for a postponement. Colby suggested that the BTLA might be irritated at the Town for being so off-base with the assessment for the Redding, Gocht, and Gocht properties. It was decided to contact Town Counsel Gary Kinyon to determine whether to contact the BTLA to ask for a postponement. Colby said that Vision is wasting the Board’s time and the BTLA’s time. Carlson agreed with Colby. Vision will represent the Town, and they should try to justify the original numbers they gave the Town.

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 8:02 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 February 4, 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 28, 2014

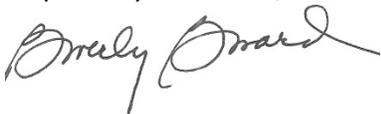
Non-public session(s) per RSA 91-A:3II(a), Personnel Matters

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 8:02 p.m. **Motion passed.** Present were the Board members, Town Administrator Shane O’Keefe, and Recording Secretary Bernard.

O’Keefe informed the Board that Assessing Coordinator Coleen Birmingham has reached six months of employment with the Town and therefore her probationary period of six months should be discussed. O’Keefe noted that Birmingham is dedicated to her work and is a pleasure to work with. Carlson stated that she has received positive feedback from Director of Planning and Community Development Sara Carbonneau. O’Keefe said that while Birmingham has been on a learning curve and made a few errors, she is learning from her mistakes and is a valued employee. O’Keefe recommended that the Board approve a raise for Birmingham from \$16.00 an hour to \$16.75 per hour and be removed from probationary status. The Board agreed.

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 8:05 p.m.

Respectfully Submitted,



Beverly Bernard, Recording Secretary

Approved on February 4, 2014.

These Minutes were NOT sealed by the Board of Selectmen.