

Town of Swanzey, New Hampshire
Board of Selectmen
Meeting – February 18, 2014
Swanzey Town Hall, 620 Old Homestead Highway, Swanzey, NH

CALL TO ORDER

Present were Selectmen Nancy L. Carlson and Kenneth P. Colby, Jr. and Deborah J. Davis. The meeting was called to order by Chair Nancy L. Carlson at 6:13 p.m. at the Swanzey Town Hall. Also present was Town Administrator Shane O’Keefe.

OTHERS PRESENT: No one else was present at the meeting.

Carlson expressed concern about recent statements by Colby to the effect that when he is Chair of the Board things are going to change and things will get done, inferring that Carlson, as Chair, has not gotten much accomplished. She stated that she feels that she and the entire Board has done a fine job. Colby stated that Carlson has done a great job as Chair. It was agreed that there may be some sensitivity on the part of Board members due to some comments recently received by the Board.

MINUTES

- Regular meeting of February 11, 2014 – **motion** was made by Colby to accept the regular meeting minutes of February 11, 2014. The motion was seconded by Davis and all were in favor. ***Motion passed.***
- Non-Public meeting of February 10, 2014 – **motion** was made by Colby to accept the non-public meeting minutes of February 10, 2014. The motion was seconded by Davis and all were in favor. ***Motion passed.***
- Non-Public meeting of February 10, 2014 – **motion** was made by Colby to unseal the non-public meeting minutes of February 10, 2014. 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 the early part of the first quarter of 2013:

- January 8, 2013, #1
- January 14, 2013, #1
- January 29, 2013, #4
- February 12, 2013, #4
- February 19, 2013, #4

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

NEW BUSINESS

Municipal Agreement for sidewalk maintenance

The Board reviewed a standard agreement with the New Hampshire Department of Transportation to maintain sidewalks along the east side of NH Route 10 being constructed by the developer of the new Dollar General store. It was noted that the Department of Public Works has indicated that this would be of minimal financial impact as nearby sidewalks are already being maintained. Colby noted that the

agreement refers to the site plan documents and was not clear as to actual location of the sidewalks to be maintained.

Davis **moved** to approve and execute an agreement with the State of New Hampshire regarding Town maintenance of sidewalks on the east side of NH Route 10 from the north side of Cobble Hill Road northward to Haley Park. The motion was seconded by Colby and all were in favor. **Motion passed.**

OTHER MATTERS

Annual Readoption of Investment Policy per RSA 41:9,VII

O'Keefe noted that this statute provides that "The selectmen shall annually review and adopt an investment policy for the investment of public funds in conformance with applicable statutes and shall advise the treasurer of such policies". In addition it was noted that RSA 41:29,IV, regarding the duties of the Town Treasurer, provides in part that "(w)henever the town treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the town treasurer shall invest the same in accordance with the investment policy adopted by the selectmen under RSA 41:9, VII".

O'Keefe provided to the Board an email from Treasurer Bill Hutwelker that requested that the Board consider adopting the policy for only a three month time period as a new Treasurer is likely to come on board after the upcoming elections. It was the feeling of the Board that the policy could always be revised further at a later date if desired. O'Keefe noted that he had made some changes to the previous policy to correct the statutory references. There was discussion as to whether the Town Administrator should continue to have the authority to execute transfers of funds. It was decided to remove this provision.

Davis **moved** to approve and execute the Town Investment Policy, with amended language, pursuant to RSA 41:9,VII. The motion was seconded by Colby and all were in favor. **Motion passed.**

Town Meeting

There was a brief discussion about the voter guide for Town Meeting. Davis reminded O'Keefe to prepare this as soon as possible for mailing. Regarding the proposed Noise Ordinance (Article 7) it needs to be made clear to the voters that the Board has supported it, and despite it being voted down at the deliberative session on February 4, 2014, it must remain on the ballot by statute. There was general discussion about the proposed ordinance and it was agreed that Board still supports it. Colby recommended language for the voter guide to the effect that those who were in attendance at the Deliberative Session were not in favor of the proposed ordinance and did not amend it. Nonetheless it cannot be removed from the ballot.

Event Permit #2014-04

This permit request, for nighttime go-cart racing at the Cheshire Fairgrounds, was not approved as part of the February 11, 2014 consent agenda due to concerns raised by neighbors attending the meeting. The Board reviewed minutes of the December 16, 2013 meeting of the Zoning Board of Adjustment, where the applicants' request for a special exception to allow vehicle racing on an ongoing basis was denied. There was a discussion of other auto-related events that take place at this facility. O'Keefe was asked to place this matter on the agenda for the next meeting and to invite the applicant to discuss the proposed event and answer questions directly.

There was discussion about when events become uses and it was considered whether to limit the number of times a specific event can be held in a year.

CONSENT AGENDA

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

- Raffle Permit #2014-04. Cheshire Figure Skating Club – Gift baskets on 3/15/2014 the Cheshire Fairgrounds.
- Notice of Intent to Cut Wood or Timber. Victoria Ames, Map 31, Lot(s) 20 & 22.
- Junkyard License. Buffum Auto Parts (Map 52, Lots 28 & 30).

NEW BUSINESS

Town Treasurer position. With Town Treasurer Bill Hutwelker the sole candidate on the ballot for the soon-to-be-open seat on the Board of Selectmen, and the fact that RSA 669:7, I provides that the positions of Selectman and Treasurer are incompatible, the Board discussed the appointment of a new Town Treasurer. There was discussion about whether Deputy Treasurer Lynda Faulkner would be interested in filling the position. The Board tried unsuccessfully to reach her by telephone to inquire as to her interest, and Colby will try again and report back to the Board.

OTHER MATTERS

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

Motion by Colby to enter Non-public session pursuant to RSA 91:3II(a), seconded by Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:04 p.m. ***Motion passed.*** Present were the Board members only.

Motion by Colby, seconded by Davis to seal the minutes of the non-public session. ***Motion passed.*** **Motion** by Colby to leave non-public session and return to public session, seconded by Davis, with all in favor. ***Motion passed.*** Non-public session ended at 7:45 p.m.

Authorize expenditure(s) over \$1,000 – Fire Department

The Board was asked to consider approving an invoice for repairs to vehicle #27R1 of \$1,117.53 from Porter's Diesel Service, Inc.

Colby **moved** to authorize the expenditure of up to \$1,117.53 from the Fire Department Vehicle Maintenance & Repair budget line (#01-4220-2-660) for repair of Fire Department vehicle #27R1 by Porter's Diesel Service, Inc. . The motion was seconded by Davis, and all were in favor. ***Motion passed.***

Purchasing Policy

There was a brief discussion on the proposed Purchasing Policy being worked on by staff. Colby stated that last minute expense authorizations such as the one just approved would not be necessary if a new policy were in place. Board members stated that they wanted the new policy to come to the Board for review as soon as possible. O'Keefe noted that a final draft had been prepared but that several suggestions regarding disposal of Town property and comments from other staff in his opinion

warranted additional discussion with Department Heads, which was planned for a Department Head meeting next week. The Board asked that review of the Purchasing Policy be placed on the agenda for the next Board meeting.

Salt Budget

There was a brief discussion on how the Town was doing on its salt budget, given the weather so far this winter.

ADJOURNMENT

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

Respectfully Submitted,



Shane O'Keefe, Town Administrator

Approved on February 25, 2014.

Town of Swanzey, New Hampshire
Board of Selectmen
Non-Public Meeting Minutes – February 18, 2014

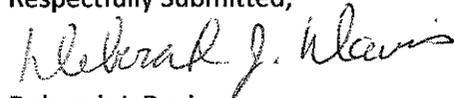
Non-public session per RSA 91-A:3II(a), Personnel Matter(s)

Motion by Kenneth P. Colby to enter Non-public session pursuant to RSA 91-A:3II(a) Personnel Matter, seconded by Deborah J. Davis. The Selectmen voted unanimously by roll call to go into non-public session at 7:04 p.m. **Motion passed.** Present were the Board members Nancy L. Carlson, Kenneth P. Colby, Jr., and Deborah J. Davis, and Town Administrator Shane O’Keefe.

The Board met with O’Keefe to review and discuss his annual performance evaluation.

Motion by Colby to seal the minutes of the non-public session. Seconded by Davis. The Selectmen voted unanimously by roll call to seal the minutes. **Motion passed.** **Motion** by Colby to leave non-public session and return to public session. Second by Davis, with all in favor. **Motion passed.** Non-public session ended at 7:45 p.m.

Respectfully Submitted,



Deborah J. Davis
Selectman

Approved on February 25, 2014.

These Minutes unsealed by the Board of Selectmen on February 25, 2014.